

City of Mississauga Department Comments

Date Finalized: 2024-08-22	File(s): A381.24
To: Committee of Adjustment	Ward: 10
From: Committee of Adjustment Coordinator	Meeting date:2024-08-29 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

The applicant requests the Committee to approve a minor variance to permit a below grade entrance proposing a side yard setback of 0.37m (approx. 1.21ft) whereas the By-law 0225-2007, as amended, requires a minimum side yard setback of 0.60m (approx. 1.97ft) in this instance.

Amendments

The Building Department is processing Building Permit application SEC UNIT 24-2574. Based on review of the information available in this application, we advise that following amendment is required:

The applicant requests the Committee to approve a minor variance to permit a porch in interior side yard proposing a side yard setback of 0.37m (approx. 1.21ft) whereas the By-law 0225-2007, as amended, requires a minimum side yard setback of 0.60m (approx. 1.97ft) in this instance.

Background

Property Address: 3100 Doyle St

Mississauga Official Plan

Character Area: Churchill Meadows Neighbourhood
Designation: Medium Density

Zoning By-law 0225-2007

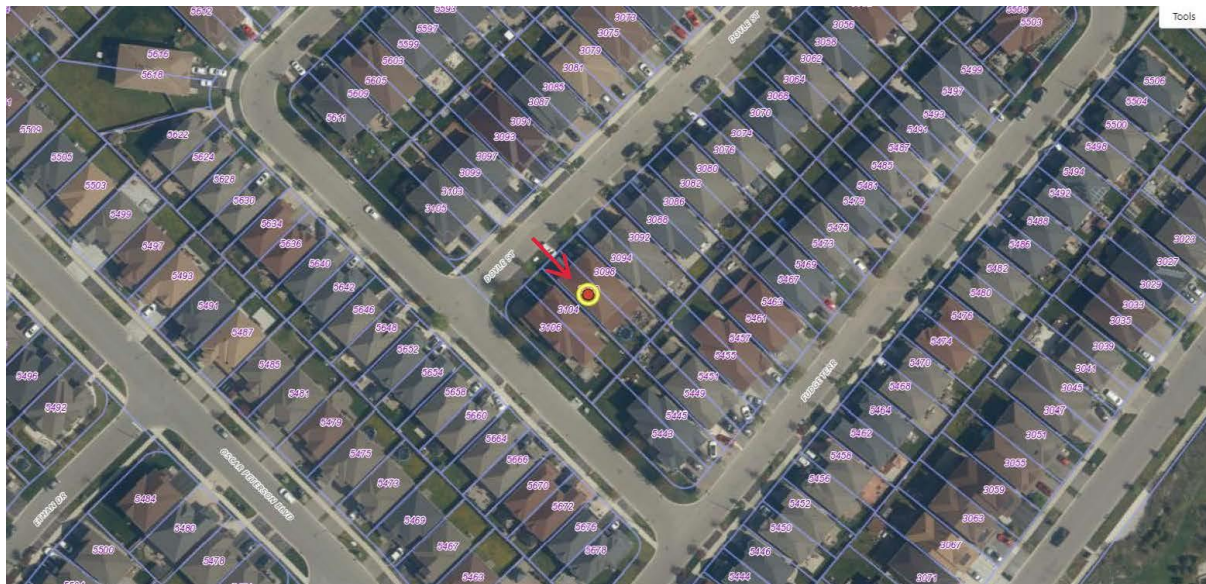
Zoning: RM5-48 - Resident

Other Applications: SEC UNIT 24-2574

Site and Area Context

The subject property is located south-west of the Winston Churchill Boulevard and Thomas Street intersection in the Churchill Meadows Neighbourhood Character Area. It is an interior lot containing a two-storey semi-detached dwelling with an attached garage. Limited landscaping and vegetative elements are present on the subject property. The surrounding area is predominantly residential, consisting of detached and semi-detached dwellings.

The applicant is proposing to construct a porch in the side yard to facilitate a second unit requiring a variance for side yard setback.



Comments

Planning

Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to grant relief from the requirements of a municipal zoning by-law. Approval of applications must meet the requirements set out under 45(1) and/or 45(2) (a) or (b) in the *Planning Act*.

Staff comments concerning the application of the four tests to this minor variance request are as follows:

Staff had concerns with the initial drawings submitted not accurately depicting the existing conditions on the subject property such as the existing air conditioning unit in the side yard and the additional interlock hard landscaping surface that abuts the existing asphalt driveway. Planning staff were of the opinion additional variances would've been required for these existing conditions, as the air conditioning unit requires a 0.61m (2ft) setback to the side lot line and the maximum driveway width requirement is 4.3m (14.10ft). Through correspondence with the applicant, they have submitted revised drawings depicting a side yard setback to the air conditioning unit and driveway width that meet the by-law requirements.

The subject property is located in the Churchill Meadows Neighbourhood Character Area and is designated Medium Density in Schedule 10 of the Mississauga Official Plan (MOP).

The sole variance requests a reduced side yard setback to a porch. The intent of this provision is to ensure that an appropriate buffer is provided between the structures on abutting properties, access to the rear yard remains unencumbered and that appropriate drainage patterns be maintained. Staff note there is an appropriate buffer between the adjoining properties ensuring an unencumbered access to the rear yard remains unencumbered. Staff also note Transportation and Works staff have raised no drainage concerns with the site.

Give the above, staff are of the opinion that the proposal maintains the general intent and purpose of the official plan and zoning by-law, is minor in nature and results in orderly development of the subject property.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

The Notice of Public Hearing indicates that a requested variance for 0.37m (approx. 1.21ft) for a below grade entrance is being requested. From our site inspection and enclosed photos, we note that the constructed entrance is above grade with wooden steps.

Should Committee see merit in the request we would have no objections to the request and recommend that existing walkway not be widened in order to maintain an area where a drainage swale can still be maintained along the common property line.







Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application SEC UNIT 24-2574. Based on review of the information available in this application, we advise that following amendment is required:

The applicant requests the Committee to approve a minor variance to permit a porch in interior side yard proposing a side yard setback of 0.37m (approx. 1.21ft) whereas the By-law 0225-2007, as amended, requires a minimum side yard setback of 0.60m (approx. 1.97ft) in this instance.

Our comments may no longer be valid should there be changes in the Committee of Adjustment application that have yet to be submitted and reviewed through the Building Division application. To receive updated comments, the applicant must submit any changes to information or drawings separately through the above application.

Comments Prepared by: Alana Zheng, Planner Zoning Examination

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Appendix 3 – Parks, Forestry & Environment

The Forestry Section of the Community Services Department has no objections to the above noted minor variance application and advises as follows:

1. No public trees shall be injured or removed. If public tree injury or removal is required, a permit must be issued as per By-law 0020-2022.
2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Removal Permit, written consent must be obtained by both parties.

A Tree Removal Application to Permit the Injury or Destruction of Trees on Public and Private Property can be found at <https://www.mississauga.ca/publication/application-to-permit-the-injury-or-destruction-of-trees-on-public-and-private-property/>.

Should further information be required, please contact Jamie Meston, Landscape Architect Assistant, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email jamie.meston@mississauga.ca.

Comments Prepared by: Jamie Meston, Landscape Architect Assistant

Appendix 4 – Region of Peel

Minor Variance Application: A-23-381M / 3100 Doyle Street

Development Engineering: Wendy Jawdek (905) 791-7800 x6019

Comments:

- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.

Comments Prepared by: Petrele Francois, Junior Planner