

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-03-17	File(s): A94.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-03-25 1:00 PM

## Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application meets the requirements of Section 45 (1) of the Planning Act.

## Application Details

The applicants request the Committee to approve a minor variance to allow the construction of an addition on the subject property proposing:

1. An interior side yard of 0.86m (approx. 2.82ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.80m (approx. 5.91ft) in this instance; and
2. An accessory structure area of 10.2sq.m (approx. 109.79sq.ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 10.0sq.m (approx. 107.6sq.ft) in this instance.

## Amendments

Variance #1 should be amended as follows:

An interior side yard of 0.86m (approx. 2.82ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m in this instance;

## Background

**Property Address:** 2276 Brookhurst Road

**Mississauga Official Plan**

Character Area: Clarkson-Lorne Park Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

**Zoning:** RM1 - Residential

### Other Applications

Second Unit Permit: 20-3548

### Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southwest of Southdown Road and Truscott Drive. The immediate neighbourhood primarily consists of detached and semi-detached dwellings with mature vegetation. The subject property contains an existing two storey semi-detached dwelling with an attached garage in the rear yard and mature vegetation in the front yard.

The applicant is proposing a second storey addition, requiring variances related to a deficient side yard setback and increase in occupied area for an accessory structure.



## 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 are as follows:

The deficient interior side yard of 0.86 m is measured to the garage which is an existing condition. Through discussions with the Zoning Division, a required side yard setback of 1.20 m is required whereas the notice indicates 1.80 m. The proposed second storey that will be above the garage is setback 1.20 m from the interior lot line, maintaining by-law provisions. As such, the proposed variance is only measured to the first storey of the existing garage. The second storey which is setback from the first storey alleviates the massing concerns that may be associated with the addition. Regarding the accessory structure, it is located completely below grade and will not create any negative impact. As such, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

### Conclusion

The Planning and Building Department recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application meets the requirements of Section 45 (1) of the *Planning Act*.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting that any Transportation and Works Department concerns/requirements for this property will be addressed under Sec. Unit 20/3548 permit application.



Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit application under file SEC UNIT 20-3548 SU. Based on review of the information currently available for this building permit, we advise that the following variance(s) should be amended as follows:

1. An interior side yard of 0.86m (approx. 2.82ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m in this instance; and

Our comments are based on the plans received by Zoning staff on 01/27/2021 for the above captioned building permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: A. McCormack

#### **Appendix 5 – Region of Peel Comments**

We have no comments or objections to the following applications:

Minor Variance Applications: A-67/21, A-68/21, A-83/21, A-84/21, A-85/21, A-87/21, A-88/21, A-89/21, A-92/21, A-93/21, A-94/21.

Comments Prepared by: Diana Guida, Junior Planner