

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-06-16	File(s): A242.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-06-24 3:00 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 applicant requests the Committee to approve a minor variance to allow the construction of a balcony for Unit 20 proposing:

1. A balcony projection of 4.06m (approx. 13.32ft) whereas By-law 0225-2007, as amended, permits a maximum balcony projection of 1.00m (approx. 3.28ft) in this instance; and
2. The area below the balcony to be considered soft landscaping whereas By-law 0225-2007, as amended, does not permit the area below a balcony to be considered as soft landscaping in this instance.

Background

Property Address: 1060 Walden Circle Unit 20

Character Area: Clarkson Village Community Node
Designation: Residential Medium Density

Zoning By-law 0225-2007

Zoning: RM4 (Residential)

Site and Area Context

The subject property is located within the Clarkson Village Community Node Character Area, northwest of Clarkson Road North and Lakeshore Road West. The subject site is located within a townhouse complex which also contains high-rise apartment buildings. The area is comprised of mature vegetation and includes Sheridan Creek Trail which is a Significant Natural Area.

The applicant is proposing a balcony in the rear yard requiring a variance for a balcony projection and to include the lands below the balcony to be included in landscaped area.



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:

Through a detailed review of the application, 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

This Department has no objections, comments or requirements with respect to C.A. 'A' 242/21.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to confirm the accuracy of the requested variance(s) or determine whether additional variance(s) may be required.

The applicant is advised that a completed zoning review may identify additional instances of zoning non-compliance. The applicant may consider applying for a preliminary zoning review application and submit working drawings for a detailed zoning review to be completed. A minimum of 6-8 weeks will be required to process a preliminary zoning review application depending on the complexity of the proposal and the detail of the information submitted.

Comments Prepared by: Brandon Eidner, Zoning Examiner

Appendix 5 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner

Appendix 7 – Metrolinx

I understand the property owner has applied for a minor variance to permit the construction of a balcony projecting 4.06m, and to permit soft landscaping below the balcony. As the balcony projection does not intrude into the 30m horizontal setback required by Metrolinx for all development adjacent to the rail corridor, I have no objections should the Committee choose to grant the request.

Comments Prepared by: Tony To, Project Manager