

City of Mississauga Department Comments

Date Finalized: 2021-09-08	File(s): A362.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-09-16 1:00:00 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. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing:

1. A setback measured from a lot line to a garage of 0.81m (approx. 2.66ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured from a lot line to a garage of 1.20m (approx. 3.93ft) in this instance; and
2. A side yard of 0.86m (approx. 2.82ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (approx. 3.93ft) in this instance.

Background

Property Address: 2138 Truscott Drive

Mississauga Official Plan

Character Area: Clarkson – Lorne Park Neighbourhood

Designation: Residential Low Density II

Zoning By-law 0225-2007

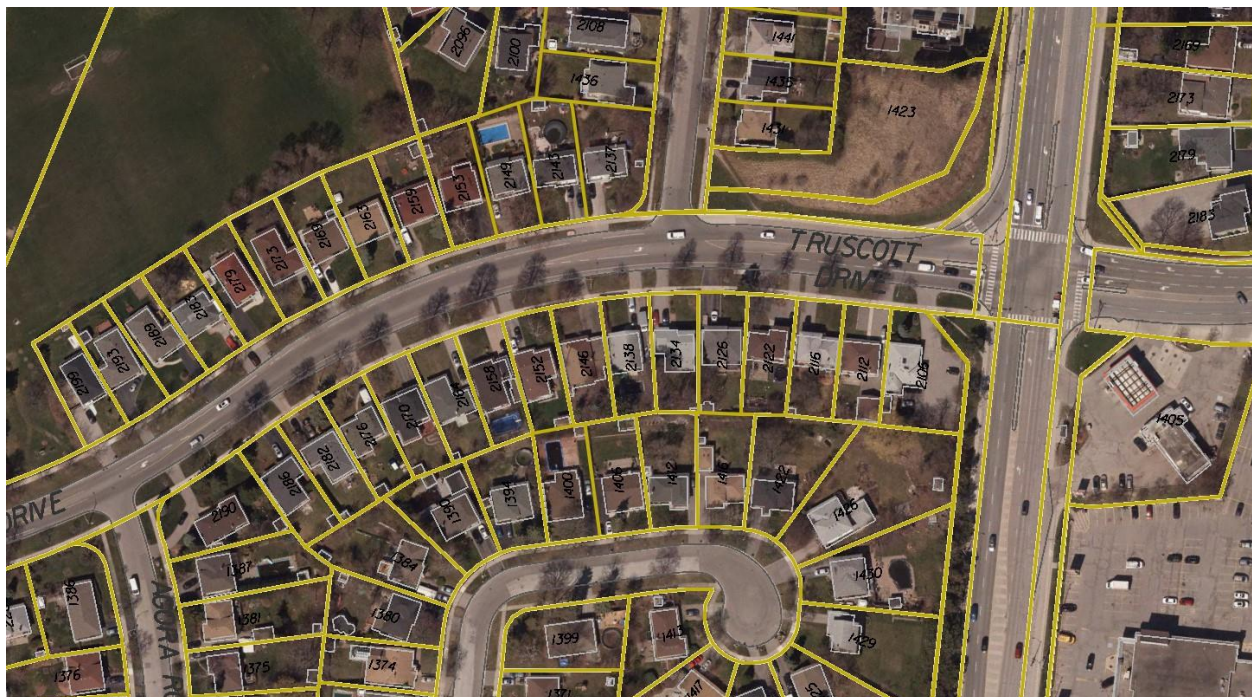
Zoning: **R3 - Residential**

Other Applications: Pre-Application Zoning Review 21-6974

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, northeast of Southdown Road and Truscott Drive. The immediate neighbourhood is residential, consisting of older one and two storey detached dwellings with mature vegetation in both the front and rear yards. The subject property contains an existing one and half storey dwelling with mature vegetation in the front and side yards.

The application proposes a new addition requiring variances related to side yards.



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 subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached dwellings, semi-detached dwellings, duplexes, triplexes, street townhouses and other forms of low-rise dwellings with individual frontages.

The applicant is seeking a setback measured from a lot line to a garage of 0.81m (2.66 ft.), where a minimum setback measured from a lot line to a garage of 1.20m (3.94 ft.) is required, and a side yard of 0.86m (2.82 ft.) where a minimum side yard of 1.20m (3.94 ft.) is required.

The general intent of the side yard requirements are to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties, and that access to the rear yard ultimately remains unencumbered. The dwelling's height is in keeping with the zoning by-law requirement and only small portions of the dwelling (at pinch points) require a setback and side yard variance. From a street view, the setback and side yard proposed on the east side of the property maintains the 1.2m requirement (3.94 ft.). The setback and side yard then taper at certain points, that is why variances are required. Furthermore, the addition does not change the existing dwelling's height. This ensures any potential impact is mitigated. Staff note that similar setbacks can be found in the area, and that an interior side yard of approximately 1.5m is provided on the west side of the property, which is greater than the zoning by-law requirement.

It is Staff's opinion that the proposed side yards/setbacks are sympathetic to the surrounding area and will have a negligible impact on the neighbouring properties. 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.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed addition will be addressed through the future Site Plan/Building Permit process.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Preliminary Zoning Review application under file PREAPP 21-6974. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Please note that comments reflect those provided through the above permit application and

should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Brandon Eidner, Zoning Examiner