

# City of Mississauga Department Comments

Date Finalized: 2021-10-12	File(s): A426.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-10-21 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, as requested, 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 for the construction of a new dwelling proposing:

1. An interior side yard setback of 1.22m (approx. 4.00ft) to the second storey whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.81m (approx. 5.94ft) to a second storey in this instance;
2. An interior side yard setback of 2.08m (approx. 6.82ft) to the third storey whereas By-law 0225-2007, as amended, requires a minimum interior yard setback of 2.42m (approx. 7.94ft) to a third storey in this instance; and
3. An exterior side yard setback of 1.38m (approx. 4.53ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 4.50m (approx. 14.76ft) in this instance.

## Background

**Property Address:** 1062 West Avenue

### Mississauga Official Plan

Character Area: Lakeview Neighbourhood  
Designation: Residential Medium Density

**Zoning By-law 0225-2007****Zoning: RM7-6 - Residential****Planning Applications: None****Site and Area Context**

The subject property is located within the Erin Mills Neighbourhood, northeast of Cawthra Road and Lakeshore Road East. The immediate area is residential consisting of one, two and three storey semi-detached and detached dwellings, on lots with mature vegetation in the front and side yards. The subject property is a one storey detached dwelling with mature vegetation in the front and interior side yard.

The applicant is proposing a new dwelling requiring variances for reduced side yard setbacks.

**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:

Since 1961, the Village of Port Credit Zoning By-law No. 1227 has permitted a variety of housing types for the subject lands including detached, duplex, triplex, double duplex, double triplex, fiveplex, converted dwelling and boarding or lodging house. In 1997, City Plan (the Official Plan) was adopted, permitting detached, semi-detached, duplex and other forms of dwellings with individual frontages on a public street. In 2007, the City undertook a zoning by-law conformity and consolidation exercise including public consultation, which adopted the current RM7 zone provisions.

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached, duplex, triplex and other forms of low rise dwellings with individual frontages. The requested variances pertain to side yard setbacks. Through a review of the immediate neighbourhood, similar deficiencies are common for detached dwellings. Therefore, the proposed setbacks are not out of character within the immediate neighbourhood. Additionally, the proposed setbacks maintain a sufficient buffer to the neighbouring properties and are large enough to ensure access to the rear yard is unencumbered. Lastly, the wide municipal boulevard adds an additional buffer to further mitigate any potential impacts created by the reduced exterior side yard setback. 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

Enclosed for Committee's information are photos depicting the subject property. We are noting that any Transportation and Works Department concerns/requirements for the proposed new detached dwelling on the subject property will be addressed through the Building Permit process.



Comments Prepared by: Dave Martin, Supervisor Development Engineering

### 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