

City of Mississauga Department Comments

Date Finalized: 2022-01-19	File(s): A65.22 Ward 3
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-01-27 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure the accuracy of the requested variances and that additional variances are not required.

Application Details

The applicant requests the Committee to approve a minor variance to allow an existing addition with an interior side yard setback of 0.991m (approx. 3.251ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) in this instance.

Background

Property Address: 3551 Cawthra Road

Mississauga Official Plan

Character Area: Applewood Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3 - Residential

Other Applications: None

Site and Area Context

The subject property is located on the east side of Cawthra Road, south of the Runningbrook Drive intersection. It currently contains a single storey detached dwelling with mature vegetation

and limited landscaping in both the front and rear yards. It has a lot frontage of +/- 15.25m (50ft) and a lot area of +/- 703.59m² (7,573.4ft²). The surrounding area context is predominantly residential, consisting of detached dwellings on lots of various sizes. Some commercial uses are present along Cawthra Road, including an office immediately to the north of the subject property.

The applicant is proposing an addition 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:

Does the proposal maintain the general intent and purpose of the Official Plan?

The subject property is located in the Applewood Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, and duplex dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. The proposed addition is relatively small and will not be visible

from the streetscape or most abutting properties. Staff are therefore satisfied that the application maintains the general intent and purpose of the Official Plan.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

The application requests a reduced side yard on the northerly side of the dwelling. The general intent of this portion of the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties, that access to the rear yard ultimately remains unencumbered, and that appropriate drainage can be accommodated. The proposed setback is measured only to a pinch point between the building and the lot line as the side wall of the dwelling is not parallel to the lot line. Staff are of the opinion that the reduced side yard maintains an appropriate buffer between dwellings and that appropriate drainage can be provided. Furthermore the proposed setback is sufficient to maintain access to the rear yard. The application therefore maintains the general intent and purpose of the Zoning By-law.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

Given the lack of potential impacts posed by the proposed addition to both abutting properties and the streetscape, staff are satisfied that the application is minor in nature. Planning staff are of the opinion that the proposal represents appropriate development of the subject property.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

From our site inspection of the property we note that we do not have any drainage related concerns with the addition.





Comments Prepared by: Tony Iacobucci, 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