

# City of Mississauga Department Comments

Date Finalized: 2022-02-09	File(s): A432.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-02-17 3:00:00 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.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an addition to the main dwelling with an exterior side yard setback of 4.69m (approx. 15.39ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 6.00m (approx. 19.69ft) in this instance.

### Amendments

The Building Department is currently processing a Site Plan Infill application under file SPI 21-7. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

The applicant requests the Committee approve a minor variance to allow the construction of an addition to the main dwelling with an exterior side yard setback of 4.39m (approx. 14.40ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 6.00m (approx. 19.69ft) in this instance.

## Background

**Property Address:** 1338 Daimler Road

### Mississauga Official Plan

Character Area: Clarkson-Lorne Park Neighbourhood

Designation: Residential Low Density II

### Zoning By-law 0225-2007

Zoning: R3 - Residential

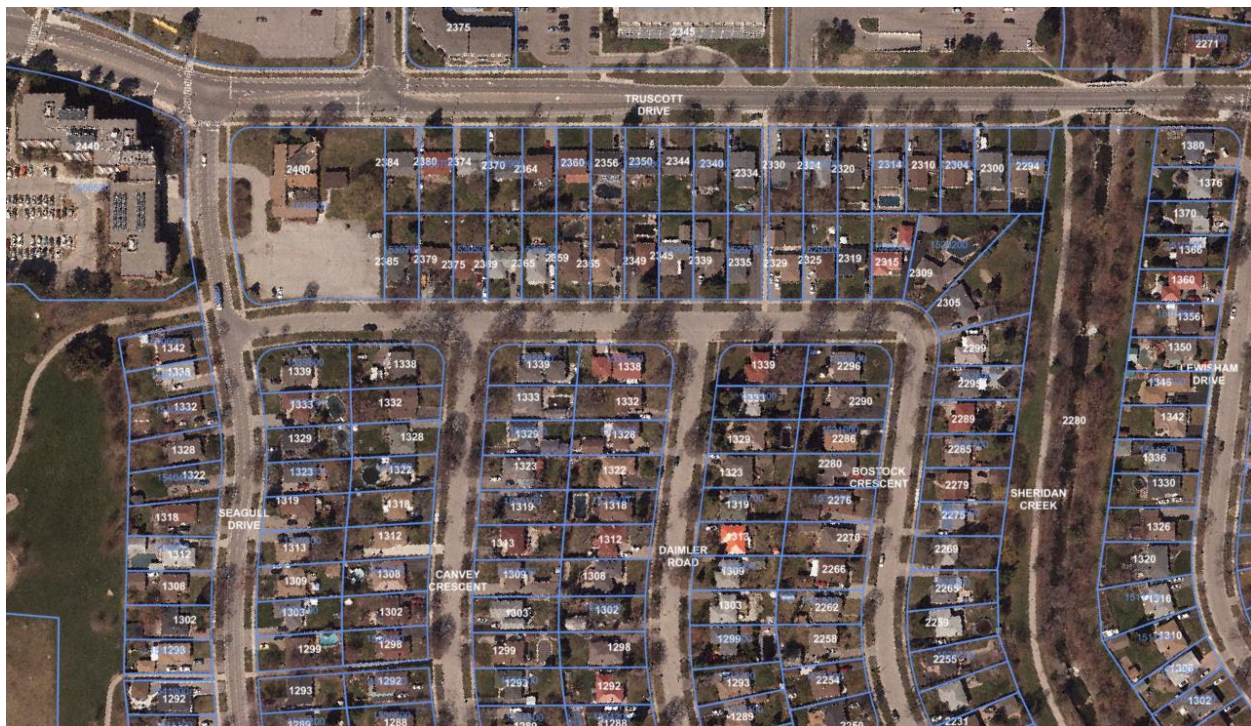
Other Applications:

Building Permit 20-2120

### Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southeast of Lakeshore Road West and Southdown Road. The immediate area consists of older one and one and a half storey dwellings with mature vegetation in the front yards. The subject property contains an existing one and a half storey dwelling with little vegetation in the front yard.

The applicant is proposing construction of an addition requiring a variance for a reduced exterior side yard.



---

## 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 located in the Clarkson-Lorne Park Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan. The designation permits detached, semi-detached and duplex dwellings.

The general intent of this portion of the by-law is to ensure that an adequate buffer exists between a structure's massing and the public realm. In this case, the variance abuts a public right of way. Staff has conducted a thorough a review of the immediate neighbourhood and note that similar deficiencies are common for detached dwellings in the neighbourhood. The size of the boulevard also provides additional buffering between the dwelling's massing and the travelled portion of the road, further mitigating any potential impact. It is Staff's opinion that the proposed setback is 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 Site Plan Application process, File SPM-21/007.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan Infill application under file SPI 21-7. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

The applicant requests the Committee to approve a minor variance to allow the construction of an addition to the main dwelling with an exterior side yard setback of 4.39m (approx. 14.40ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 6.00m (approx. 19.69ft) in this instance.

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: Alana Zheng, Zoning Examiner