

# City of Mississauga Department Comments

Date Finalized: 2022-06-15	File(s): A272.22
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2022-06-23 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 choose to defer the application to verify the accuracy of the requested variances.

## Application Details

The applicant requests the Committee to approve a minor variance for the development of a 16 unit condominium townhouse project proposing minimum side yard setbacks of 2.75m (approx. 9.02ft) whereas By-law 0225-2007, as amended, requires minimum side yard setbacks of 3.00m (approx. 9.84ft) in this instance.

## Background

**Property Address:** 115-145 High St W

### Mississauga Official Plan

Character Area: Port Credit Neighbourhood (West)  
Designation: Mixed Use

### Zoning By-law 0225-2007

**Zoning:** C4-59, C4-66 - Commercial

**Other Applications:** Condominium application under file CDM 19-10.

### Site and Area Context

The subject property is located within the Port Credit Neighbourhood Character Area, west of Lakeshore Road West and Mississauga Road North. The subject property underwent an official plan and zoning amendment (OZ/OPA 13/16) and a site plan application (SP 15/75) to permit 139 apartment units and 170 rental retirement units, retail uses and 16 townhouses. The townhouse dwellings are the subject of this application. The surrounding area contains a mix of detached and semi-detached dwellings north of High Street West and commercial uses abutting the subject property to the west and east.

The applicant is seeking a variance 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 are as follows:

The subject property is located in the Port Credit Neighbourhood (West) character area and is designated Mixed Use in Schedule 10 of the Mississauga Official Plan. The designation permits residential uses.

The general intent and purpose for the side yard setback regulations is to ensure that an adequate buffer exists between a structure's massing, primary structures on adjoining properties and the public realm. In this case, the applicant is proposing reduced side yard setbacks for small portions of the west limit of Block 1 and east limit of Block 4. The rest of Blocks 1 and 4 generally maintain a setback of over 2.8m (9.2ft). Staff are of the opinion that the

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proposed setbacks provide an adequate buffer from the side lot lines. Furthermore, the proposed setbacks are a minor deviation from the zoning by-law's minimum requirement and will not cause massing concerns for adjoining properties or the public realm.

It is Staff's opinion that the proposed 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 this property have been addressed through HOZ-16/002 and currently through Draft Plan of Condominium, CDM-19/010. We have no concerns with the proposed reduced side yard setback for the west limit of Block 1 and the east limit of Block 4.







Comments Prepared by: John Salvino, Development Engineering Technologist

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**Appendix 2 – Zoning Comments**

The Building Department is currently processing a Condominium application under file CDM 19-10. 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

**Appendix 3 – Metrolinx Comments**

Metrolinx is in receipt of the minor variance application for 115-145 High Street West to facilitate relief of the side yard setbacks. Metrolinx concludes that the minor variance has no implications on Metrolinx property. Metrolinx has no comments should the Committee choose to grant approval.

Comments Prepared by: Harrison Rong, Project Co-ordinator