

# City of Mississauga

Memorandum:

## City Department and Agency Comments

Date Finalized: 2020-06-30	File(s): A120/20 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-07-09

### 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.

### Application Details

The applicants request the Committee to approve a minor variance to allow the construction of a new home on the subject property proposing:

1. A garage projection of 0.48m (approx. 1.57ft) whereas By-law 0225-2007, as amended, does not permit a garage projection in this instance;
2. A northerly side yard to the first storey of 1.25m (approx. 4.10ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.80m (approx. 5.91ft) in this instance;
3. A northerly side yard to the second storey of 1.25m (approx. 4.10ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m (approx. 7.91ft) in this instance;
4. A southerly side yard to the first storey of 1.27m (approx. 4.17ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.80m (approx. 5.91ft) in this instance;
5. A southerly side yard to the second storey of 1.27m (approx. 4.17ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m (approx. 7.91ft) in this instance;
6. A southerly side yard to the south front balcony of 0.86m (approx. 2.82ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m (approx. 7.91ft) in this instance;
7. A northerly side yard to the north front balcony of 1.23m (approx. 4.04ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m (approx. 7.91ft) in this instance;
8. A northerly side yard to the porch of 1.25m (approx. 4.10ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.80m (approx. 5.91ft) in this instance; and

9. A hammerhead on a lot with a frontage of 11.05m (approx. 36.25ft) whereas By-law 0225-2007, as amended, does not permit a hammerhead on a lot with a frontage of less than 15.00m (approx. 49.21ft) in this instance.

### **Amendments**

4. A southerly side yard of 1.2m measured to the first storey of the dwelling; whereas By-law 0225-2007, as amended, requires a minimum of 1.8m measured to the first storey.

5. A southerly side yard of 1.2m measured to the second storey of the dwelling; whereas By-law 0225-2007, as amended, requires a minimum of 2.41m measured to the second storey.

8. A northerly side yard setback of 1.23m measured to the front porch; whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.8m.

An additional variance is required:

10. A dwelling unit depth of 20.4m; whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20m.

## **Background**

**Property Address:** 1610 Indian Road

### **Mississauga Official Plan**

**Character Area:** Clarkson-Lorne Park Neighbourhood  
**Designation:** Residential Low Density I

### **Zoning By-law 0225-2007**

**Zoning:** R2-1 (Residential)

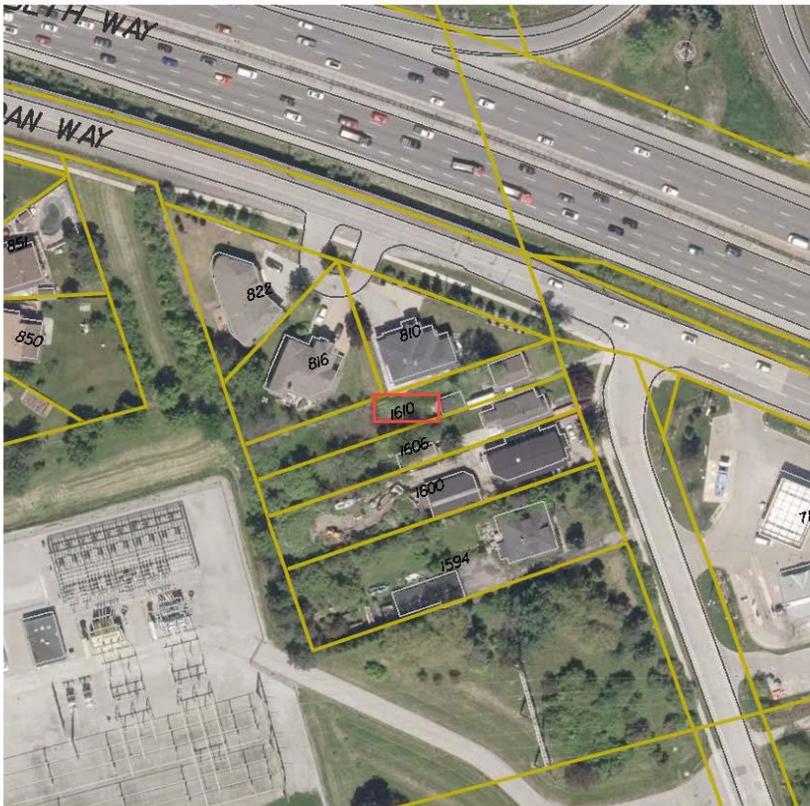
### **Other Applications**

Site Plan Application: 19-38

## Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, on the south west corner of South Sheridan Way and Indian Grove. The immediate area on Indian Grove contains one and two storey detached dwellings with mature vegetation. The east side of Indian Grove, across the subject property contains a gas station with an accessory Tim Horton's. Abutting the subject property to the rear is the hydro corridor. The subject property contains an existing one storey dwelling with a detached garage in the rear yard.

The application proposes a new two storey dwelling, requiring variances related to garage projection, side yards and a hammerhead driveway.



## 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:

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.

### Conclusion

The Planning and Building Department 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*.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

We note for Committee's information that the City is currently processing a Site Plan Application for this property, Reference SPI-19/038. Transportation and Works Department concerns/requirements for this property will be addressed through the Site Plan Process.

Comments Prepared by: David Martin, Supervisor Development Engineering

### Appendix 2 – Zoning Comments

The Planning and Building Department is currently processing a site plan approval application under file 19-38. Based on review of the information currently available for this application, we advise that the following variances should be amended as follows:

4. A southerly side yard of 1.2m measured to the first storey of the dwelling; whereas By-law 0225-2007, as amended, requires a minimum of 1.8m measured to the first storey.
5. A southerly side yard of 1.2m measured to the second storey of the dwelling; whereas By-law 0225-2007, as amended, requires a minimum of 2.41m measured to the second storey.
8. A northerly side yard setback of 1.23m measured to the front porch; whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.8m.

An additional variance is required:

10. A dwelling unit depth of 20.4m; whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20m.

Our comments are based on the plans received by Zoning staff on 2020-01-04 for the above captioned site plan application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid.

Comments Prepared by: Brian Bonner, Zoning Examiner

### Appendix 3 – Region of Peel Comments

Development Engineering: Camila Marczuk (905) 791-7800 x8230

Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service

may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please call our Site Servicing Technicians at 905.791.7800 x7973 or by email at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca)

I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 7190 or by email at [tracy.tang@peelregion.ca](mailto:tracy.tang@peelregion.ca)

Comments Prepared by: Tracy Tang, Junior Planner

#### **Appendix 4 – Ministry of Transportation of Ontario**

**1610 Indian Grove**, will require a MTO Building permit for any structural changes on the property (change in size to the garage).

Comments Prepared by: Corey Caple, Corridor Management Officer