

# City of Mississauga Department Comments

Date Finalized: 2022-07-06	File(s): A292.22
To: Committee of Adjustment	Ward: 7
From: Committee of Adjustment Coordinator	Meeting date:2022-07-14 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 the construction of a new dwelling proposing:

1. A lot coverage of 39.89% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance; and,
2. A setback to the stairwell and retaining wall of 0.9m (approx. 3.0ft) whereas By-law 0225-2007, as amended, requires a minimum setback to a stairwell and retaining wall of 1.2m (approx. 3.9ft) in this instance.

## Background

**Property Address:** 1571 Adamson St

### Mississauga Official Plan

Character Area: Erindale Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

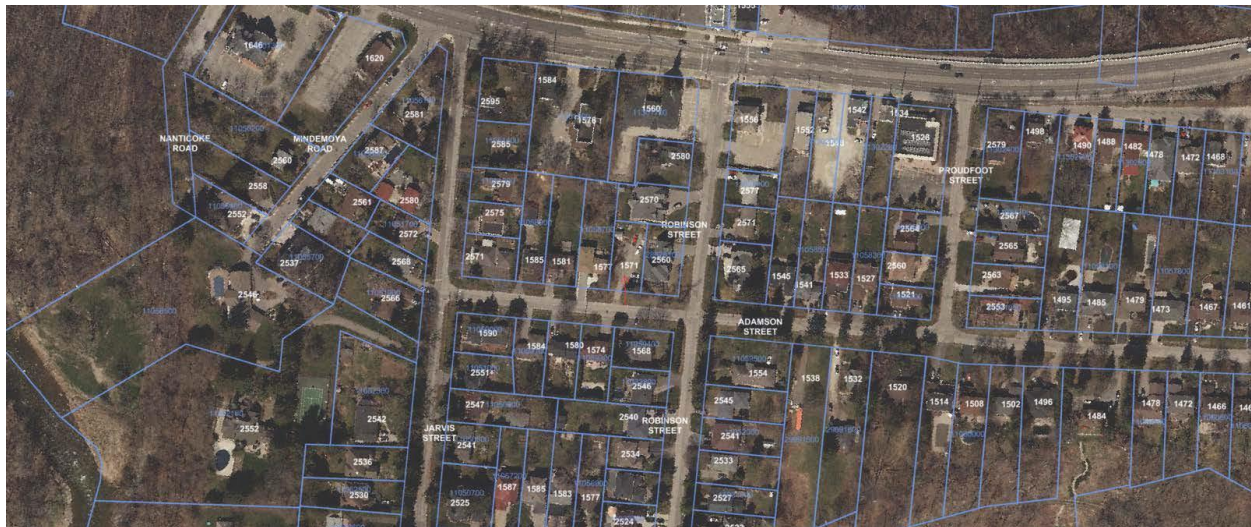
**Zoning:** R2-22 - Residential

**Other Applications:** None

### Site and Area Context

The subject property is located south-east of the Dundas Street West and Jarvis Street intersection in Erindale Village. Currently the property is vacant and has a lot area of 707.9m<sup>2</sup> (7,619.77ft<sup>2</sup>) and a lot frontage of 18.36m (60.24ft). Limited vegetative and landscaping elements are present on the property. The surrounding area context is predominantly residential and includes a mix of newer and original homes on lots of varying sizes. Non-residential uses are present along Dundas Street West.

The applicant is proposing a new dwelling requiring variances for lot coverage and setback to a stairwell.



## 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 Erindale Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits only detached dwellings in this instance. 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. Staff are satisfied that the proposed dwelling is compatible with the surrounding context and is appropriate given site conditions. Staff are therefore of the opinion that the general intent and purpose of the official plan are maintained.

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

Variance 1 requests an increase in lot coverage. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot and to limit massing impacts on abutting properties. Planning staff note that the enclosed portion of the proposed dwelling appears to comply with the general intent of the permitted lot coverage as the majority of the overage is attributed to the rear covered patio. Covered patios do not create the same massing concerns as the enclosed portions of the dwelling and is limited in height. Staff are satisfied that the proposal does not represent an overdevelopment of the subject property and is in line with both original and newer dwellings in the area.

Variance 2 requests a reduced side yard measured to a below grade staircase. The intent of the side yard regulations in the by-law is to ensure that an appropriate buffer between structures on abutting properties is maintained as well as ensuring appropriate access to the rear yard and appropriate drainage is preserved. The proposed steps and side entrance create no massing impacts or separation issues between structures while preserving access to the rear yard from the other side of the dwelling. Furthermore Transportation & Works staff have raised no significant drainage concerns regarding the proposal.

Given the above, staff are therefore satisfied that the request 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?**

Planning staff are of the opinion that any negative impacts to abutting properties will be minor in nature. Furthermore the proposal represents appropriate development of the subject property and improves the rear yard amenity area.

## 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 new dwelling will be addressed through the Building Permit process.







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.

Furthermore, we note that a Building Permit is 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: Andrew Wemekamp, Zoning Examiner

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**Appendix 3 – Region of Peel Comments**

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

**Comments:** 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 contact Servicing Connections at

[siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca)

Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Region of Peel Site Servicing connection approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca)

Comments Prepared by: Joseph Filice, Junior Planner