

# City of Mississauga Department Comments

Date Finalized: 2022-07-06	File(s): A298.22
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2022-07-14 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the application.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing a rear yard setback of 5.0m (approx. 16.4ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 7.5m (approx. 24.6ft) in this instance.

## Background

**Property Address:** 5182 Palomar Cres

### Mississauga Official Plan

Character Area: Hurontario Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

**Zoning:** R5-10 - Residential

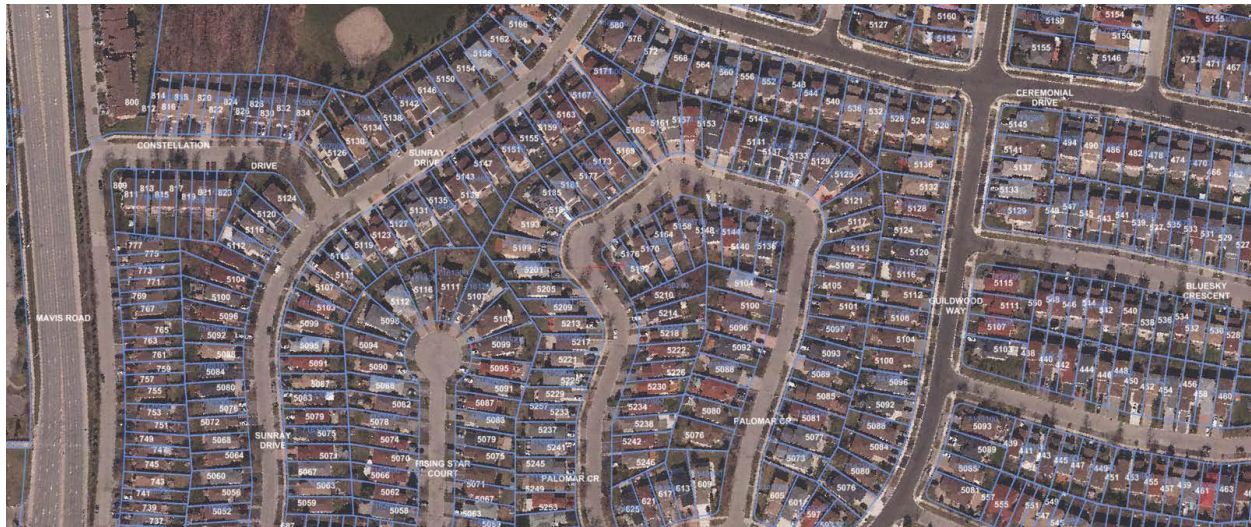
**Other Applications:** PREAPP 22-1638

### Site and Area Context

The subject property is located north-east of the Eglinton Avenue West and Mavis Road intersection in the Hurontario neighbourhood. It is a corner lot on the curve of Palomar Crescent and currently contains a detached dwelling. The lot has an area of +/- 440.57m<sup>2</sup> (4,742.26ft<sup>2</sup>). Limited vegetation/landscaping elements are present in both the front and rear yards. The

surrounding context is exclusively residential, consisting of a mix of detached and townhouse dwellings. The existing dwelling and subject property are similar in size and scale to the surrounding properties and detached dwellings.

The applicant is proposing a rear addition requiring a variance for rear 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 Hurontario Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, duplex and triplex dwellings, as well as other low-rise dwellings with individual frontages. 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 limited to one storey in height, which limits the impact to the streetscape. It is appropriate given existing site conditions and will have no impact on the landscape of the character area. Staff are therefore satisfied 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?**

The proposed variance requests a reduced rear yard setback to the addition. The intent of the rear yard setback is to ensure that both an adequate buffer exists between the massing of primary structures on adjoining properties, as well as create an appropriate amenity area within the rear yard. Staff are satisfied that an appropriate amenity area is maintained between the rear and exterior side yards. Furthermore an ample buffer between structures on abutting properties is maintained. Planning staff are therefore satisfied that the general intent and purpose of the zoning by-law are maintained.

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

Staff are satisfied that the proposal is minor in nature and will not create undue impacts on abutting properties or the streetscape. Furthermore staff are of the opinion that the application represents appropriate development of the subject lands.

Comments Prepared by: Alexander Davies, 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 Building Permit Process. From our site inspection of the property and since this is a corner lot where drainage will be directed towards Palomar Crescent and not the abutting properties, we do not foresee any drainage related concerns with the addition.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## Appendix 2 – Zoning Comments

The Building Department is currently processing a preapp application under file **PREAPP 22-1368**. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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: Maria Fernandez, 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