

# City of Mississauga Department Comments

Date Finalized: 2022-07-13	File(s): A291.22
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2022-07-21 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, as requested, meets the requirements of Section 45(1) of the Planning Act. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling proposing a minimum combined width of side yards of 7.48m (approx. 24.54ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 7.68m (approx. 25.20ft) in this instance.

## Background

**Property Address:** 1694 Wedmore Way

### Mississauga Official Plan

Character Area: Clarkson – Lone Park Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

**Zoning:** R2-4 - Residential

**Other Applications:** SPI 21-108, PAM 21-86

### Site and Area Context

The subject property is located in the Clarkson-Lorne Park Neighbourhood Character Area, southeast of the Clarkson Road North and South Sheridan Way intersection. The immediate neighbourhood primarily consists of a mix of older and newer one and two-storey detached dwellings with mature vegetation in the front yards. The subject property contains a one and one half-storey detached dwelling with mature vegetation in the front yard.

The applicant proposes a new detached dwelling requiring a variance related to the combined width of side yards.



## 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 site is located within the Clarkson-Lorne Park Neighbourhood Character Area, and is designated Residential Low Density I by the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached dwellings. 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 structure is permitted within this designation.

The requested variance pertains to combined side yard width. The general intent of the side yard setback requirements is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties, and that access to the rear yard ultimately remains unencumbered. Staff note that the applicant meets the individual site yard setback requirements contained in the zoning by-law. The proposed reduction in side yard is minimal resulting in a negligible impact. The proposed setbacks allow for access to the rear yard to remain unobstructed and provides sufficient separation between the massing of primary structures on neighbouring properties in this instance.

Through a detailed review of the application, staff are 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 dwelling are being addressed through the Site Plan approval process, SPI-21/108.



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 21-108 W2. 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 or determine whether additional variance(s) will be required.

Please note that comments reflect those provided through the above site plan application submitted on 11/12/2021 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: Jeanine Benitez, Zoning Examiner

### **Appendix 3 – Parks, Forestry & Environment**

The Park Planning Section of the Community Services Department has no objections to the minor variance application and advises as follows:

1. The lands adjacent of the subject property are owned by the City of Mississauga, known as Benares Museum and Grounds (P-415).
2. Hoarding and park protection secured through the associated site plan control application (SP 21 108).
3. Construction access from the park is not permitted.
4. Stockpiling of construction materials and encroachment in the adjacent park is not permitted.

Should further information be required, please contact Jim Greenfield, Park Planner, Community Services Department at 905-615-3200 ext. 8538 or via email [jim.greenfield@mississauga.ca](mailto:jim.greenfield@mississauga.ca)

Comments Prepared by: Jim Greenfield, Park Planner

### **Appendix 4 – Region of Peel**

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

**Comments:** There is a Regional easement on the subject property. Please be advised that unauthorized encroachments on Regional easements will not be permitted. Certain restrictions apply with respect to Regional easements as per the documents registered on title.

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