

City of Mississauga Department Comments

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| Date Finalized: 2022-07-13 | File(s): A316.22 |
| 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 an addition proposing:

1. An interior side yard setback (northerly) of 1.17m (approx. 3.84ft) to the second storey, whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.81m (approx. 5.94ft) to a second storey in this instance; and,
2. An interior side yard setback (southerly) of 1.53m (approx. 5.02ft) to the second storey, whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.81m (approx. 5.94ft) to a second storey in this instance.

Background

Property Address: 2764 Kinnerton Cres

Mississauga Official Plan

Character Area: Sheridan Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

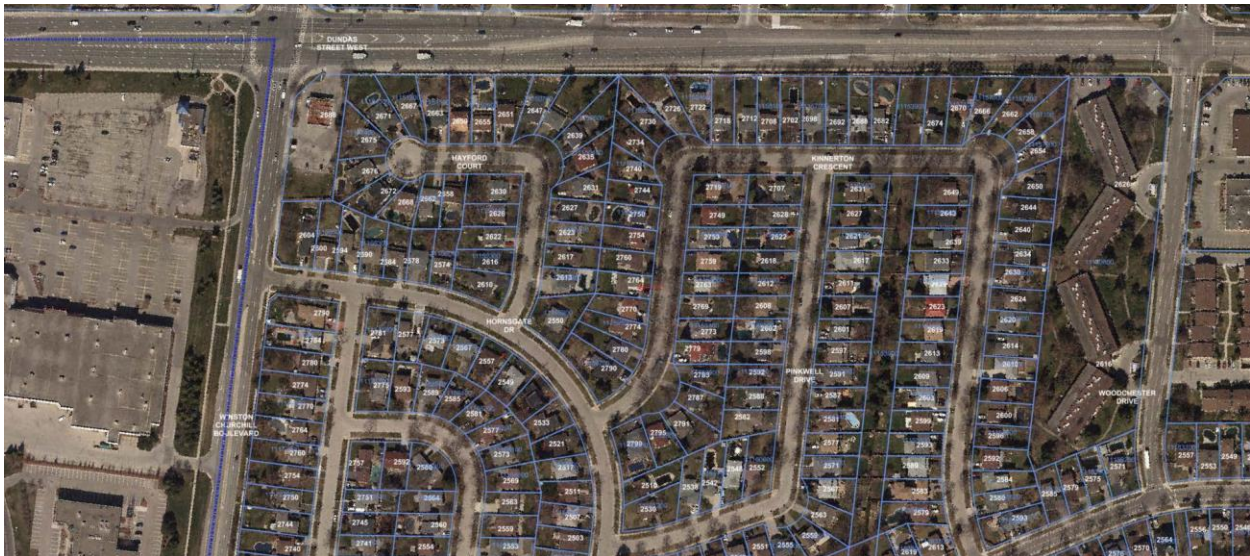
Zoning: R3 - Residential

Other Applications: None

Site and Area Context

The subject property is located within the Sheridan Neighbourhood Area, south of the Winston Churchill Boulevard and Dundas Street West intersection. The immediate neighbourhood is residential consisting of a mix of one and two-storey detached dwellings on lots with minimal vegetation in both the front and rear yards. Commercial uses are present along Winston Churchill Boulevard and Dundas Street West. The subject property contains a one-storey detached dwelling with minimal vegetation in the front yard.

The applicant is proposing a second storey addition requiring variances for interior side 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 are as follows:

The subject property is located in the Sheridan 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, and duplex dwellings.

The requested variances pertain to side yard setbacks. The general intent of this portion of the by-law 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. The proposed addition seeks to maintain the existing interior side yard setback provided to the first storey of the existing dwelling. The proposed setbacks maintain adequate access to the rear yard and provides an appropriate distance between primary structures on the adjoining lands.

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 the proposed addition will be addressed by our Development Construction Section through the future Building Permit process.



Comments Prepared by: John Salvino, 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

Appendix 3 – Region of Peel

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

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

Comments Prepared by: Joseph Filice, Junior Planner