

# City of Mississauga Department Comments

Date Finalized: 2022-08-10	File(s): A328.22 Ward: 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-08-18 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure additional variances are not required.

## 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 of 1.12m (approx. 3.67ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) in this instance;
2. A rear yard setback of 6.99m (approx. 22.93ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 7.50m (approx. 24.61ft) in this instance;
3. A rear yard setback of 6.69m (approx. 21.95ft) to the eaves whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 7.05m (approx. 23.13ft) in this instance; and,
4. A rear yard setback of 6.36m (approx. 20.87ft) to the stairs whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 6.89m (approx. 22.60ft) in this instance.

## Background

**Property Address:** 3352 Snowball Rd

### Mississauga Official Plan

Character Area: Lisgar Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

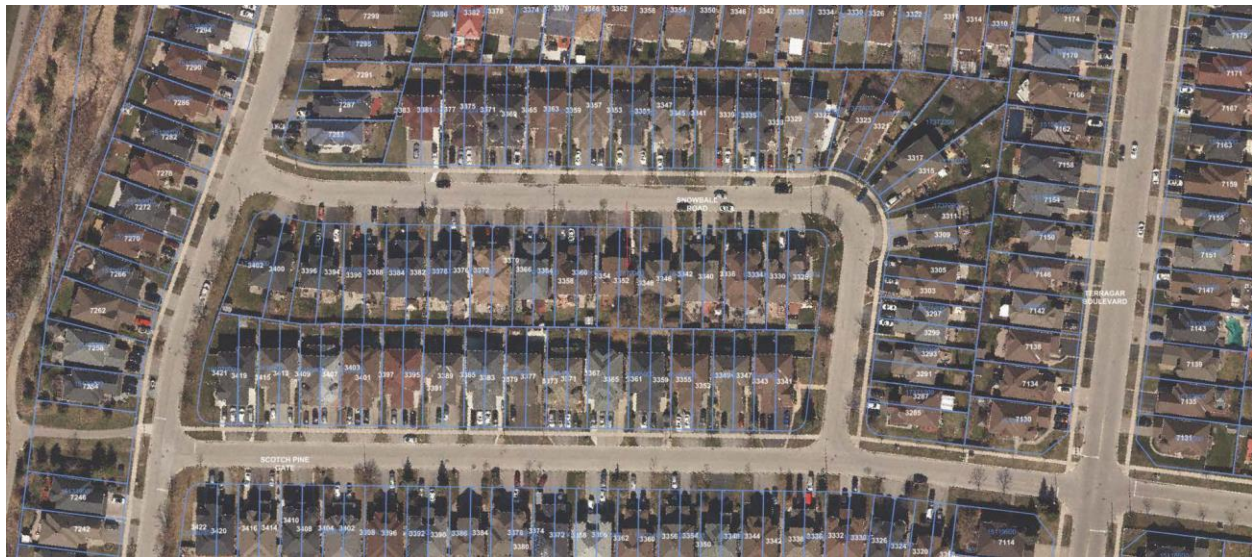
**Zoning:** RM2-3 - Residential

**Other Applications:** PREAPP 21-9497

### Site and Area Context

The subject property is located north-west of the Derry Road West and Terragar Boulevard intersection in the Lisgar neighbourhood. It currently contains a two storey semi-detached dwelling with an attached garage. Limited landscape and vegetative elements are present in both the front and rear yards. The surrounding context is exclusively residential, consisting of semi-detached dwellings on lots of similar sizes. Townhouses and detached dwellings are also present in the larger context.

The applicant is proposing to construct an addition requiring variances for side yard and rear yard setbacks.



## 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 Lisgar Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). 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 represents a modest increase to the massing of the dwelling and maintains the permitted semi-detached use of the property. 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?**

Variance 1 requests a reduced side yard on the easterly side of the dwelling. 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, access to the rear yard ultimately remains unencumbered, and that appropriate drainage can be accommodated. The proposed setback is in line with the existing side wall of the dwelling and would not cause any additional impacts over the existing condition. Staff are of the opinion that the reduced side yard maintains an appropriate buffer between dwellings and that appropriate drainage can be provided. Furthermore the proposed setback is sufficient to maintain access to the rear yard.

Variances 2, 3 & 4 request reduced rear yard setbacks to various aspects of 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, and that the proposed addition leaves an ample buffer between structures on abutting properties.

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?**

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 maintains an appropriate rear yard amenity area.

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.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

The Building Department is currently processing a Preliminary Zoning Review application under file PREAPP 21-9497. Based on review of the information currently available in this permit application, the variances, as requested are correct.

In addition, more information is required to determine if additional variances are need, such as setbacks for hard surface landscaping in the rear yard, as well as setbacks for the existing accessory structure in the rear yard.

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: Brandon Eidner, 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](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