

# City of Mississauga Department Comments

Date Finalized: 2022-08-17	File(s): A399.22 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-08-25 1:00:00 PM

## Consolidated Recommendation

The City has no objection to the variances.

## 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 to the south of 1.06m (approx. 3.48ft) whereas By-law 0225-2007, as amended, requires a side yard setback to the south of 1.80m (approx. 5.91ft) in this instance;
2. An interior side yard setback to the north of 2.10m (approx. 6.89ft) whereas By-law 0225-2007, as amended, requires a side yard setback to the north of 2.81m (approx. 9.22ft) in this instance;
3. A garage projection of 2.18m (approx. 7.09ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0.00m in this instance;
4. A rear yard setback of 4.27m (approx. 14.01ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 7.50m (approx. 24.60ft) in this instance;
5. A combined side yard width of 3.16m (approx. 10.37ft) whereas By-law 0225-2007, as amended, requires a combined side yard setback of 3.66m (approx. 12.01ft) in this instance;
6. A rear yard setback to a shed of 1.49m (approx. 4.89ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback to a shed of 7.50m (approx. 24.60ft) in this instance; and,
7. A side yard setback to a shed of 0.31m (approx. 1.02ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback to a shed of 1.81m (approx. 5.94ft) in this instance.

## Background

**Property Address:** 2084 Stanfield Rd

## Mississauga Official Plan

Character Area: Lakeview Neighbourhood  
Designation: Residential Low Density I

## Zoning By-law 0225-2007

Zoning: R3-75 - Residential

**Other Applications:** Preliminary Zoning Review application under file PREAPP 22-2512

## Site and Area Context

The subject property is located in the Lakeview Neighbourhood Character Area, south of the Queensway East and Stanfield Road intersection. The immediate neighbourhood consists of a mix of older and newer one and two-storey detached dwellings on lots with mature vegetation in the front yards. Applewood United Church is located directly east of the subject property. The subject property contains a two-storey detached dwelling with mature vegetation in the front yard.

The applicant is proposing an addition requiring variances for setbacks and garage projection.



## 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 Lakeview Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, and duplex 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 proposal conforms to the designation and staff are of the opinion that the proposed built form is compatible with detached dwellings in the immediate area. Staff are 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?**

Variances #1, 2, 4, 5, 6 and 7 pertain to setbacks. Variances #1 and 2 relate to interior side yard setbacks. Variance #1 is measured to a below grade entrance in the southerly side yard. The remainder of the southern side yard exceeds the minimum required setback. Variance #2 is measured to a proposed garage in the northerly side yard. Staff note the remainder of the dwelling maintains a side yard setback of 2.44m (8ft). The proposed side yard variances represent a minor deviation from the minimum required setback and allow for adequate access to the rear yard. Variance #4 pertains to a rear yard setback. Staff have no concerns with this variance as the majority of dwelling exceeds the minimum rear yard requirement due to its positioning. This variance is only required because the rear yard line is angled which creates a pinch point between the lot line and the proposed attached garage. Variance #5 proposes a combined width of side yards of 3.16m (10.37ft). Staff have no concerns with this variance as the proposed side yards provide an adequate buffer between the massing of the dwelling and adjacent properties. Furthermore, the setbacks proposed are consistent with setbacks for dwellings in the immediate neighbourhood.

Variances #6 and 7 are to a shed. Staff is of the opinion that the setbacks proposed will provide an adequate buffer to the rear and side lot lines, allowing for sufficient space for for the ongoing maintenance of the structure.

Variance #3 pertains to a garage projection. The intent of the zoning by-law is to maintain a consistent streetscape, while ensuring the garage is not the dominant feature of the dwelling. Architecturally, staff note that the front façade of the dwelling is staggered thereby mitigating any potential impact from the garage projection. Projecting garages are a common design feature for the detached dwellings located along Stanfield Road.

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

Upon review of the application, staff are satisfied that the proposal represents appropriate development of the subject lands. The variances, both individually and cumulatively, are minor in

nature and will not create any undue impacts to adjoining properties or the planned or existing character of the area.

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 through the future Building Permit Application process.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a Preliminary Zoning Review application under file PREAPP 22-2512. Based on review of the information currently available in this permit application, variance # 4, as requested, is correct.

Furthermore, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) may be required.

Please note that comments reflect those provided through the above permit application submitted on 03/28/2022 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