

City of Mississauga Department Comments

Date Finalized: 2022-09-14	File(s): A415.22
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2022-09-22 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.

Application Details

The applicant requests the Committee to approve a minor variance to allow a maximum balcony projection of 4.06m (approx. 13.3ft) whereas By-law 0225-2007, as amended, permits a maximum balcony projection of 1.00m (approx. 3.3ft) in this instance.

Background

Property Address: 1160 Walden Circle Unit 12

Mississauga Official Plan

Character Area: Clarkson Village Community Node
Designation: Residential Medium Density

Zoning By-law 0225-2007

Zoning: RM4 - Residential

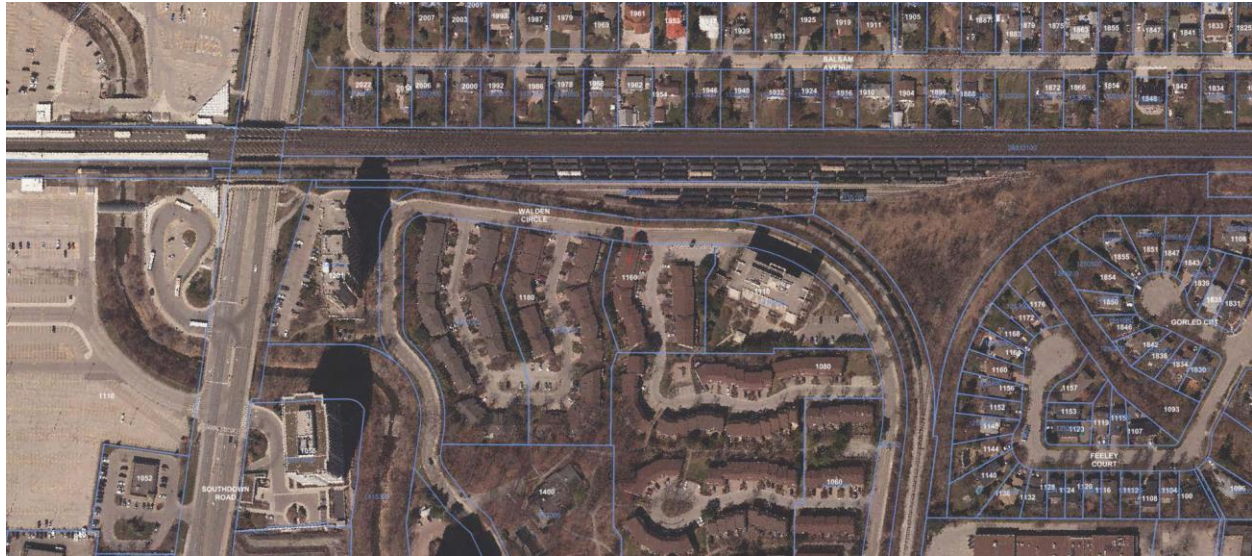
Other Applications:

Site and Area Context

The subject property is located within the Clarkson Village Community Node Character Area, northeast of the Southdown Road and Lakeshore Road West intersection. The subject property

has a residential condominium townhouse complex, consisting of three-storey townhouse dwellings. The townhouse complex contains significant mature vegetation.

The application proposes a rear yard balcony for Unit 12 requiring variances related to the balcony's projection and area beneath the balcony.



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 designated Residential Medium Density on Schedule 10 of the Mississauga Official Plan (MOP) which permits townhouse dwellings.

Staff note that the Committee of Adjustment has granted similar variances for balcony projections for townhouse units within the condominium complex in the past. 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

This Department has no objections, comments or requirements with respect to C.A. 'A'415/22.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 9ALT 22-2655. Based on review of the information currently available in this permit application, the variance, as requested is correct.

Furthermore, we also advise that more information is required to determine whether additional variance(s) will be required.

Please note that comments reflect those provided through the above permit application submitted on 07/26/2022 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

Appendix 4 – CN Rail

Please be advised that all future planning and development related circulations to CN must be sent to proximity@cn.ca

Thank you for circulating CN on the minor variance application for 1160 Walden Circle. It is noted that the subject site is located in proximity to a CN rail yard. Given that the proposed use is existing and the application is to allow for additional balcony projection, CN's only comment would be as following:

- The Owner shall be required to grant CN an environmental easement for operational noise and vibration emissions, registered against the subject property in favour of CN.

Comments Prepared by: Saadia Jamil, Senior Planner

Appendix 5- Metrolinx

Metrolinx is in receipt of the minor variance application for 1160 Walden Circle Unit 12 to allow a maximum balcony projection of 4.06m. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300 meters of Metrolinx's Oakville Subdivision which carries Metrolinx's Lakeshore West GO Train service.
- The Proponent is advised that the development lands, 1160 Walden Circle Unit 12, are located within Metrolinx's 300 metres railway corridor zone of influence and as such is advised that Metrolinx and its assigns and successors in interest has or have a right-of-way within 300 metres from the development lands. The Applicant is further advised that there may be alterations to or expansions of the rail facilities on such right-of-way in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx to use the right-of-way or their assigns or successors as aforesaid may expand their operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). Metrolinx will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way.

Comments Prepared by: Harrison Rong, Project Coordinator