

City of Mississauga Department Comments

Date Finalized: 2023-08-30	File(s): A252.23 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-09-07 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 an addition proposing:

1. A first floor side yard setback to the addition of 1.53m (approx. 5.02ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.80m (approx. 5.91ft) in this instance;
2. A second floor side yard setback to the addition of 1.51m (approx. 4.95ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 2.41m (approx. 7.91ft) in this instance; and,
3. A total combined side yard setback of 4.68m (approx. 15.35ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard setback of 5.32m (approx. 17.45ft) in this instance.

Background

Property Address: 1855 Matena Ave

Mississauga Official Plan

Character Area: Clarkson-Lorne Park Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3-1 - Residential

Other Applications: Building Permit under file BP 9ALT 23-5495

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southeast of the Lakeshore Road West and Clarkson Road South intersection. The immediate neighbourhood contains a mix of uses including institutional, commercial, employment and residential. The residential uses in the immediate area consist primarily of one, one and a half and two-storey detached dwellings with mature vegetation and landscape elements in both the front and side yards. The subject property contains a one and a half-storey dwelling with vegetation in the property's front yard.

The applicant is proposing an addition to the existing detached dwelling requiring variances related to side yard widths and 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 are as follows:

The subject property is located in the Clarkson-Lorne Park 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.

The applicant is proposing an addition to the existing one and a half storey detached dwelling. The addition is two storeys and will extend from the rear wall of the existing attached garage to the rear wall of the existing detached dwelling. The addition will fill in a void in the existing dwelling's envelope.

Staff note that from the street, the addition appears to only be an extension of the existing second storey of the dwelling over the existing one-storey attached garage.

Variances #1, 2 and 3 are of no concern to staff, the applicant is proposing the same setbacks to the addition as what currently exists to the attached garage. Staff are of the opinion that the proposed setbacks provide an appropriate buffer to the adjacent property to the east and ensure access to the rear yard is maintained. Lastly, the combined side yard width is an existing condition and is reflective of side yards found in the immediate area.

It is staff's opinion that the applicant's proposal is sympathetic to the surrounding area and does not impact the neighbouring properties. 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 addition are being addressed by our Development Construction Section through the Building Permit process BP9 ALT-23/5495.



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 23-5495. 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(s) or determine whether additional variance(s) will be required.

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: Gary Gagnier; Zoning Examiner

Appendix 3- Region of Peel

Minor Variance: A-23-252M / 1855 Matena Ave

Development Engineering: Brian Melnyk (905)-791-7800 x3602

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 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.
- All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel design specifications. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner