

# City of Mississauga Department Comments

Date Finalized: 2023-11-29	File(s): A84.23
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2023-12-07 1:30:00 PM

## Consolidated Recommendation

The City has no objection to the variances, as requested. Should Committee see merit in the application, Planning staff would recommend the condition identified below be imposed.

## Application Details

The applicant requests to Committee to approve a minor variance to allow hard landscaping and an addition in the rear yard proposing:

1. A hard surface landscaping setback of 0.00m whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (approx. 2.00ft) in this instance; and,
2. A building depth of 24.96m (approx. 81.89ft) whereas By-law 0225-2007, as amended, permits a maximum building depth of 20.00m (approx. 65.62ft) in this instance.

## Condition

A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments contained in Appendix 1 to this report.

## Background

**Property Address:** 1203 Saginaw Cres

### Mississauga Official Plan

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

## Zoning By-law 0225-2007

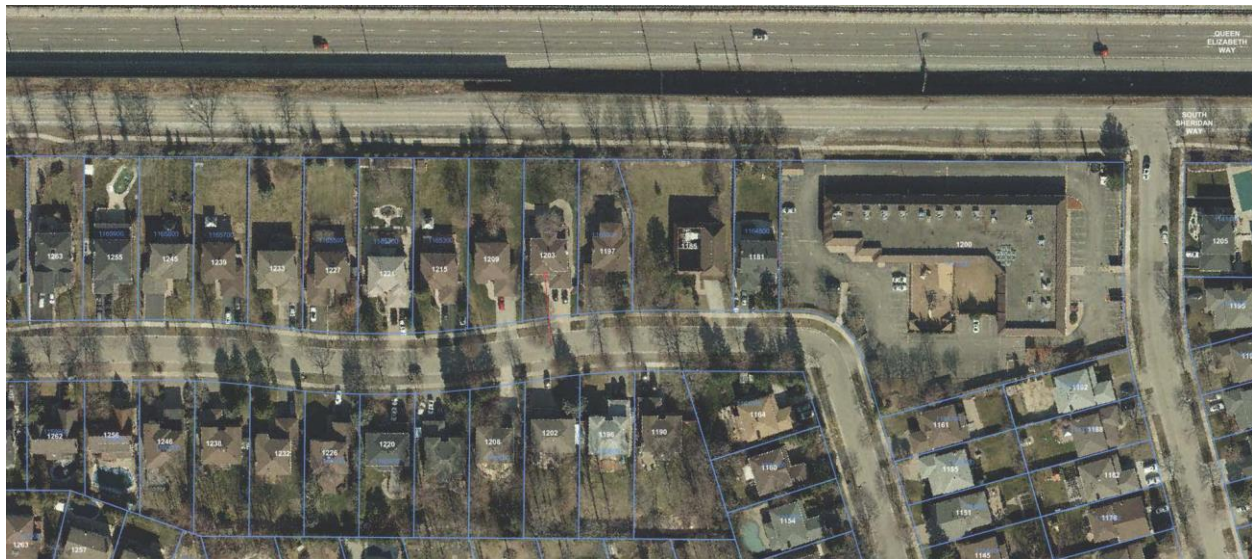
**Zoning:** R2-1 - Residential

**Other Applications:** PREAPP 22-5225

### Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, east of the South Sheridan Way and Indian Road intersection. The immediate neighbourhood is entirely residential consisting of one and two-storey detached dwellings, on large lots with mature vegetation in the front yards. The subject property contains a two-storey detached dwelling with mature vegetation in both of the front and rear yards.

The applicant is requesting to permit the existing hardscaping and addition requiring a variance for a side yard setback and dwelling depth.



## 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:

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The subject property is located in the Clarkson-Lorne Park Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached dwellings.

The above noted application was deferred by the Committee on June 1, 2023 and again on September 21, 2023.

Following the first deferral, Transportation and Works staff conducted a site inspection to determine if concerns raised with respect to flooding of the adjacent property to the west were a direct result of the as-built hard surface landscaping. Ponding issues were discovered.

During their site visit, Transportation and Works staff determined that a building permit was not issued to permit an existing one-storey addition on the subject property that extends 9.2m (30f.2t) from the rear wall of the dwelling into the rear yard. As a result, the application was deferred again to allow additional time to further investigate onsite conditions.

With respect to variance #1 for a 0m hard surface landscaping setback, Transportation and Works staff recommend that the applicant submit a grading plan to determine the impact of the requested variance. Planning staff echoes this request.

Through discussions with Zoning staff, Planning staff determined that an additional variance is required for dwelling depth (variance #2) to legalize the existing one-storey addition. Furthermore, a new building permit is under review for the addition. Staff has no concerns regarding variance #2. The addition does not pose any massing concerns as it is one-storey and does not require variances for height, setbacks, area or coverage.

As such, Planning staff has no objection to the above noted variances, subject to the condition identified above.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

This Department has had multiple discussions with our Development Construction Section, Building Department and Zoning Department. We are aware that the applicant has submitted a Building Permit Application that now reflects the existing conditions on site. Our Development Construction Section will eventually be circulated on this new Building Permit for comment regarding the grading conditions on site.

In Order to make appropriate comments for the applicant's request through the Minor Variance application, a grading plan would need to be reviewed by our Development Construction Section as part of this C of A process. Therefore, a grading plan must be submitted to this Department that shows how the surface drainage from the rear yard will be dealt with and not interfere with the neighbouring lot to the west. The surface drainage must be contained on the applicant's own lands and brought to the front of the lot. The plan must clearly show what is to happen with the existing 'raised' hard surface along the west lot limit and the existing down spouts. The plan must take into consideration the fact that the previously constructed swale that existed along this westerly common lot line has been completely eliminated and has caused ponding issues for the lot to the west.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department processed a permit under file PREAPP 22-5225. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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: Tage Crooks, Zoning Examiner

### Appendix 3- Region of Peel

Please apply previous comments.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner