

# City of Mississauga Department Comments

Date Finalized: 2024-03-13	File(s): A115.24 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-03-21 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the application.

## Application Details

The applicant requests the Committee to allow a minor variance to allow the construction of an addition proposing a setback to railway lands of 24.54m (approx. 80.51ft) whereas By-law 0225-2007, as amended, requires a minimum setback to the railway lands of 30.00m (approx. 98.43ft) in this instance.

### Amendments

The Building Department is processing Building Permit application 23-9140. Based on review of the information available in this application, we advise that following amendment(s) is/are required:

To allow a minor variance to allow the construction of an addition proposing a setback to railway lands of 22.58m whereas By-law 0225-2007, as amended, requires a minimum setback to the railway lands of 30.00m in this instance.

## Background

**Property Address:** 34 Falconer Drive

### Mississauga Official Plan

Character Area: Streetsville Neighbourhood  
Designation: Residential Low Density II

**Zoning By-law 0225-2007**

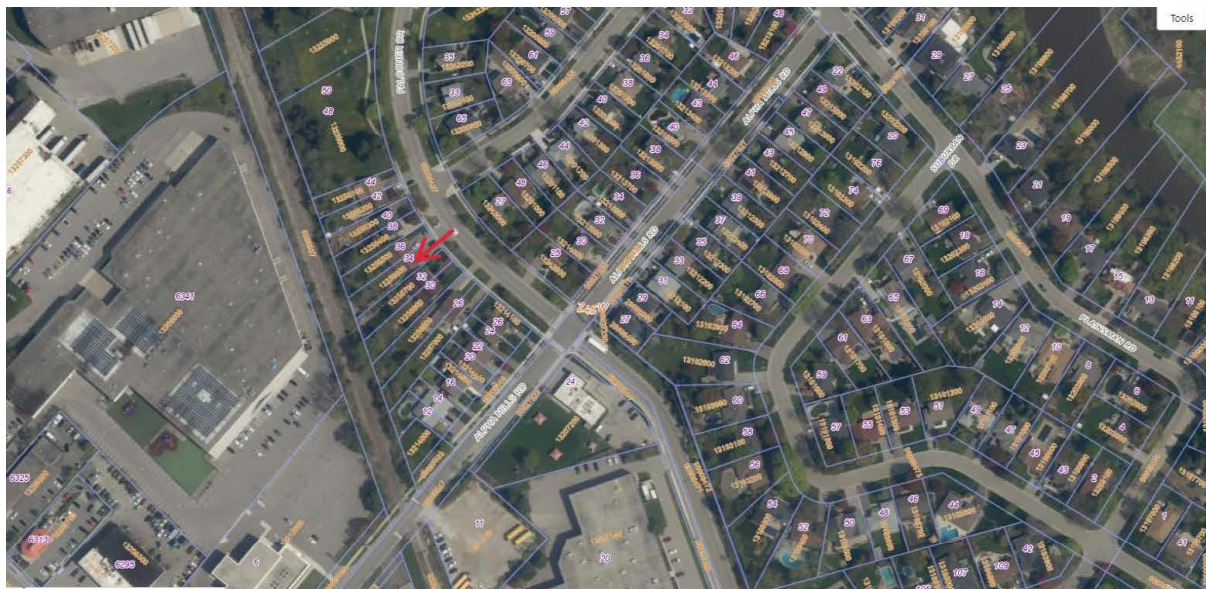
**Zoning:** RM1-19- Residential

**Other Applications:** BP 23-9140

### Site and Area Context

The subject property is located north-east of the Britannia Road West and Queen Street North intersection in the Streetsville Neighbourhood Character Area. It currently contains a semi-detached dwelling with an attached garage. Limited landscaping and vegetative elements are present on the subject property. The property has an approximate lot frontage of +/- 8.40m (27.55ft) and an approximate lot area of +/- 615.78m<sup>2</sup> (6,628.20ft<sup>2</sup>), which is characteristic of the surrounding area. The surrounding area context is predominantly residential, consisting of detached and semi-detached dwellings, however commercial and industrial uses are present along Falconer Drive.

The applicant is proposing to construct an addition requiring a variance for setback to railway lands.



## 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 Streetsville Neighbourhood Character Area and is designated Residential Low Density I 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. Staff are therefore of the opinion that the proposal maintains the general intent and purpose of the official plan.

**Does the proposal maintain the general intent and purpose of the Zoning By-law?**

The sole variance requests a reduction in setback to the railway right of way abutting the property to the rear. Despite the reduction, the proposed addition to the existing dwelling maintains a significant setback to the railway tracks. Additionally, staff note the dwellings further north along Falconer Drive also have a reduced setback to the railway right of way. Staff are not in receipt of any objections from the owner of the railway lands. Staff are satisfied that the proposal maintains the general intent and purpose of the zoning by-law.

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

Staff are satisfied that the variance is minor in nature and will not have significant impacts to the surrounding context or streetscape. Staff are also of the opinion that the proposal represents appropriate development of the subject property.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

We note that the Transportation and Works Department has no objections to the proposed addition as it will not impact or alter the existing grading and drainage pattern for this property.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist.

## Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application 23-9140. Based on review of the information available in this application, we advise that following amendment(s) is/are required:

To allow a minor variance to allow the construction of an addition proposing a setback to railway lands of 22.58m whereas By-law 0225-2007, as amended, requires a minimum setback to the railway lands of 30.00m in this instance.

Our comments may no longer be valid should there be changes in the Committee of Adjustment application that have yet to be submitted and reviewed through the Building Division application. To receive updated comments, the applicant must submit any changes to information or drawings separately through the above application.

Comments Prepared by: Sibila Lass Weldt, Zoning Examiner

## Appendix 3 – Region of Peel

### Minor Variance: A-24-115M / 34 Falconer Dr

Development Engineering: Wendy Jawdek (905)-791-7800 x6019

#### 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 by email 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. Site Servicing approvals may be required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections by email at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca)

Comments Prepared by: Ayooluwa Ayoola, Planner