

# City of Mississauga Department Comments

Date Finalized: 2024-06-12	File(s): A262.24
To: Committee of Adjustment	Ward: 4
From: Committee of Adjustment Coordinator	Meeting date:2024-06-20 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

## Application Details

The applicant requests the Committee to approve a minor variance to allow an addition proposing a side yard setback of 0.65m (approx. 2.13ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.20m (approx. 3.94ft) in this instance.

## Background

**Property Address:** 623 Hartfordshire Lane

### Mississauga Official Plan

Character Area: Creditview Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

**Zoning:** RM1-3-Residential

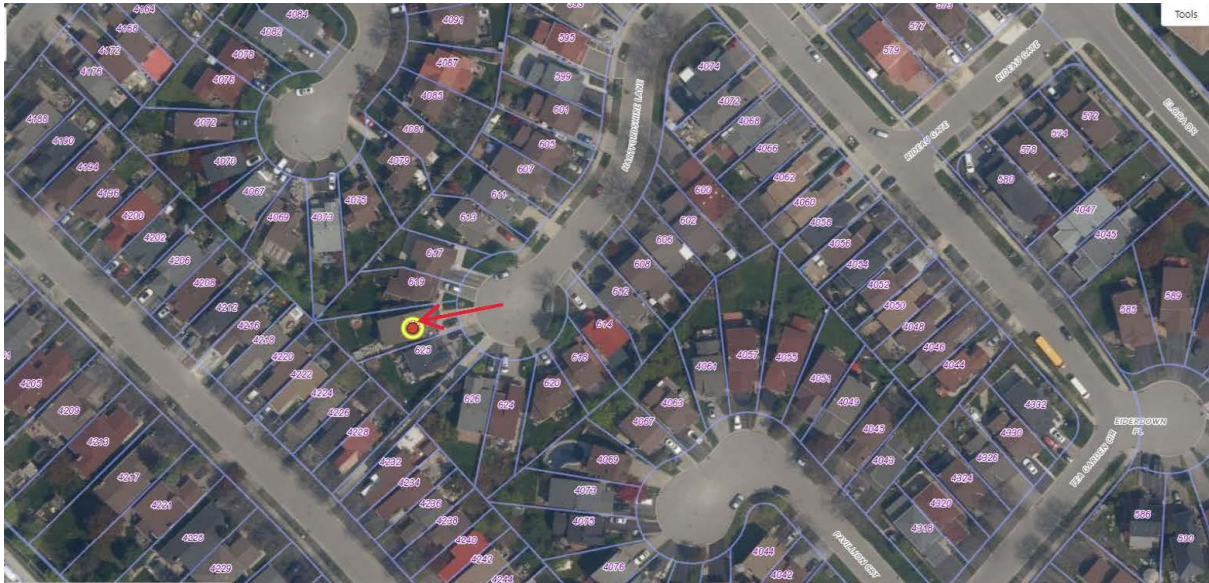
**Other Applications:** None

### Site and Area Context

The subject property is located north-east of the Burnhamthorpe Road and Mavis Road intersection in the Creditview Neighbourhood Character Area. It is located on an interior lot that contains a two-storey detached dwelling with an attached garage. Limited landscaping and

vegetative elements are present on the subject property. The surrounding area context is exclusively residential consisting of detached and semi-detached dwellings on various sized lots.

The applicant is proposing to construct an addition to the dwelling requiring a variance for side yard setback.



## 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 Erindale Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan. This designation permits detached dwellings. Section 9 of the 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. Planning staff are satisfied that the built form is appropriate for the subject property given the

surrounding context and will not negatively impact the streetscape. Staff are therefore of the opinion that the application 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 relates to a reduction in the side yard setback to the proposed second storey addition above the existing garage. The intent of the side yard setback regulation is to ensure that there is an appropriate buffer between structures on abutting properties, unencumbered access to the rear yard is maintained and appropriate drainage is provided. Staff note the dwelling requires a 1.2m (3.93ft) setback on both sides of the dwelling at the first and second storey. The second storey addition proposes to enclose the existing balcony located above the garage. The proposed addition will not encroach any further into the side yard than the existing dwelling. Staff note that no additional variances are sought for gross floor area, lot coverage or dwelling depth, mitigating any potential massing concerns on the site. Staff find the proposed reduction is negligible and that the proposed setback maintains an appropriate buffer between structures and provides unencumbered access to the rear yard. Transportation and Works staff have raised no drainage concerns. As such, staff are of the opinion that the requested variance is a minor deviation from the by-law and the application 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?**

Planning staff are satisfied that the proposed variance is minor in nature, represents appropriate development of the subject property and maintain the intent of both the official plan and zoning by-law.

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, T&W Development Engineering







### **Appendix 2 – Zoning Comments**

We note that a Building Permit is required. In the absence of a Building Permit we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed.

The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

Comments Prepared by: Brooke Herczeg, Zoning Examiner

### **Appendix 3 – Region of Peel**

We have no comments or objections to the following application.

Comments Prepared by: Petrele Francois, Junior Planner