

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2025-04-17	File(s): A81.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 4/24/2025 1:00:00 PM

## Consolidated Recommendation

The city has no objection to the application.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling proposing:

1. A gross floor area – infill residential of 343.80sq m (approx. 3,700.63sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area – infill residential of 313.68sq m (approx. 3,376.42sq ft) in this instance;
2. An exterior side yard setback to a window well of 2.55m (approx. 8.36ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback to a window well of 5.40m (approx. 17.72ft) in this instance;
3. An exterior side yard setback of 3.51m (approx. 11.52ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 6.00m (approx. 19.69ft) in this instance; and
4. An exterior side yard setback to front porch of 2.14m (approx. 7.02ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback to a window well of 6.00m (approx. 19.69ft) in this instance.

## Background

**Property Address:** 85 Hammond Rd

### Mississauga Official Plan

**Character Area:** Streetsville Neighbourhood

Designation: **Residential Low Density I**

**Zoning By-law 0225-2007**

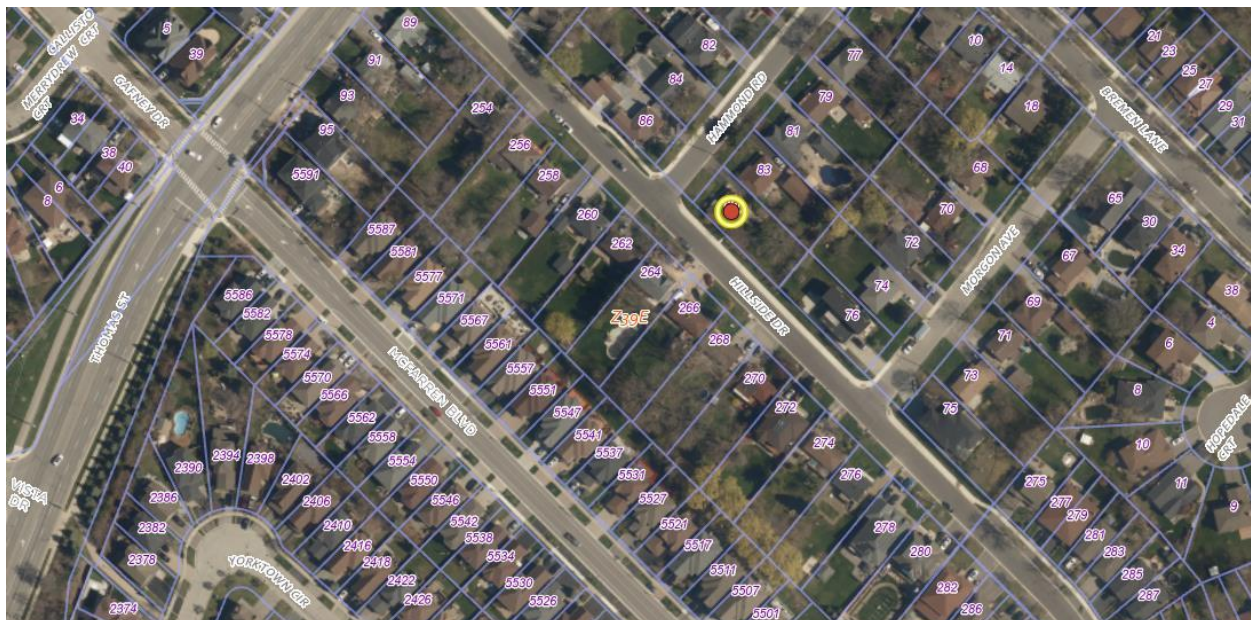
Zoning: **R3-69-Residential**

**Other Applications: BP 9 NEW 24-5597**

### Site and Area Context

The subject property is located south-west of the Thomas Street and Queen Street South intersection. It currently contains a detached dwelling with no garage on the subject property. The property has a lot area of +/- 816.89m<sup>2</sup> (8,792.93ft<sup>2</sup>), characteristic of lots along Hammond Road. Limited vegetative and landscaping elements are present on the subject property. The surrounding area context is exclusively low density residential, consisting of detached dwellings.

The applicant is proposing the construction of a new dwelling requiring variances for gross floor area (GFA), and exterior side yard 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 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. The proposal represents residential development in line with the designation and is compatible with the surrounding built form. Staff are satisfied that the general intent and purpose of the official plan are maintained.

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

Variance 1 requested an increased gross floor area of the dwelling. The intention of this provision is to ensure that new development is compatible with the surrounding built form and prevents the overdevelopment of the lot. The proposed variance is minor in nature and does not represent an over development of the site and does not negatively impact the planned character of the area. It is the opinion of staff that the proposed dwelling is appropriately sized for the subject property.

Variance 2 requests a reduced setback to the exterior side lot line for the window well. The intent of the side yard regulations in the by-law is to ensure that an adequate buffer exists between the massing of primary structures and the public realm, and access to the rear yard remains unencumbered. Staff note that the variance is being sought by the applicant to accommodate a window well in the exterior yard. Therefore, it is in staff's opinion that the window well will not create separation issues the neighbouring dwelling or the unencumbered access to the rear yard. Staff are satisfied that any negative impact to the streetscape will be appropriately mitigated and that the general intent and purpose of the zoning by-law will be maintained.

Variance 3 and 4 requests reduced setbacks from the exterior side lot line for the proposed dwelling and front porch. Staff note that these variances were addressed in a previous minor variance application for this property which was approved on April 18<sup>th</sup>, 2023 (A111.23).

Give the above, staff are satisfied that the variances maintain 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?**

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Planning staff are of the opinion that the proposed development has limited impacts on the surrounding properties. The redevelopment of the dwelling is appropriate for the subject lands and will not negatively impact the planned character of the neighbourhood. What about the minor assessment?

Comments Prepared by: Sara Ukaj, Planning Associate

## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the new dwelling will be addressed through the Building Permit Process (BP 9NEW 24 5597).







Comments Prepared by: Tony Iacobucci, Development Engineering

## **Appendix 2 – Zoning Comments**

The Building Department is processing Building Permit application 24-5597. Based on review of the information available in this application, we advise that variances #1 and #2 are correct. Variances #3 and #4 are not required as they were approved in the previous decision.

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

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## Appendix 3 – Parks, Forestry & Environment

### Forestry Comments

The Forestry Section of the Community Services Department has reviewed the above noted minor variance application and advises as follows:

1. No public trees shall be injured or removed. If public tree injury or removal is required, a permit must be issued as per By-law 0020-2022.
2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Removal Permit, written consent must be obtained by both parties.

An Application to Permit the Injury or Destruction of Trees on Public and Private Property can be found at <https://www.mississauga.ca/publication/application-to-permit-the-injury-or-destruction-of-trees-on-public-and-private-property/>.

Should further information be required, please contact Jamie Meston, Landscape Technician, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email [jamie.meston@mississauga.ca](mailto:jamie.meston@mississauga.ca).

Comments Prepared by: Jamie Meston, Landscape Technician

## Appendix 4 – Region of Peel Comments

Development Engineering: Wendy Jawdek ([wendy.jawdek@peelregion.ca](mailto:wendy.jawdek@peelregion.ca))(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 at (905) 791-7800 x7973 or by email at [servicingconnections@peelregion.ca](mailto:servicingconnections@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 [servicingconnections@peelregion.ca](mailto:servicingconnections@peelregion.ca).

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- All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel design criteria. For more information, please contact Servicing Connections at (905) 791-7800 x7973 or by email at [servicingconnections@peelregion.ca](mailto:servicingconnections@peelregion.ca).
  - Proposals to connect to an existing service lateral require approval from a Region of Peel inspector at construction stage.
  - The applicant shall verify the location of the existing service connections to the subject site and the contractor shall locate all existing utilities in the field. Requests for underground locates can be made at <https://www.ontarioonecall.ca/portal/>
  - For location of existing water and sanitary sewer infrastructure, please contact Records at (905) 791-7800 x7993 or by e-mail [PWServiceRequests@peelregion.ca](mailto:PWServiceRequests@peelregion.ca).

Comments Prepared by:      Petrele Francois, Junior Planner