

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2020-11-25	File(s): A359/20 Ward: 3
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-12-03

## 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 amended, meets the requirements of Section 45(1) of the *Planning Act*.

## Application Details

The Applicants request the Committee to approve a minor variance to allow the construction of an addition on the subject property, proposing:

1. An interior side yard of 0.70m (approx. 2.30ft); whereas, By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (approx. 3.94ft), in this instance; and,
2. An interior side yard measured to a porch of 0.70m (approx. 2.30ft); whereas, By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (approx. 3.94ft), in this instance.

## Amendments

Based upon review of this Application, Staff notes that the Minor Variance application should be amended as follows, permitting:

1. A southerly side yard of 0.76m; whereas, By-law 0225-2007, as amended, requires a minimum side yard of 1.20m, in this instance; and,
2. A southerly side yard measured to a porch of 0.76m; whereas, By-law 0225-2007, as amended, requires a minimum side yard of 1.20m, in this instance.

## Background

**Property Address:** 4239 Torino Crescent

**Mississauga Official Plan**

Character Area: Rathwood Neighbourhood  
Designation: Residential Low Density II

**Zoning By-law 0225-2007**

**Zoning:** RM2-1 (Residential)

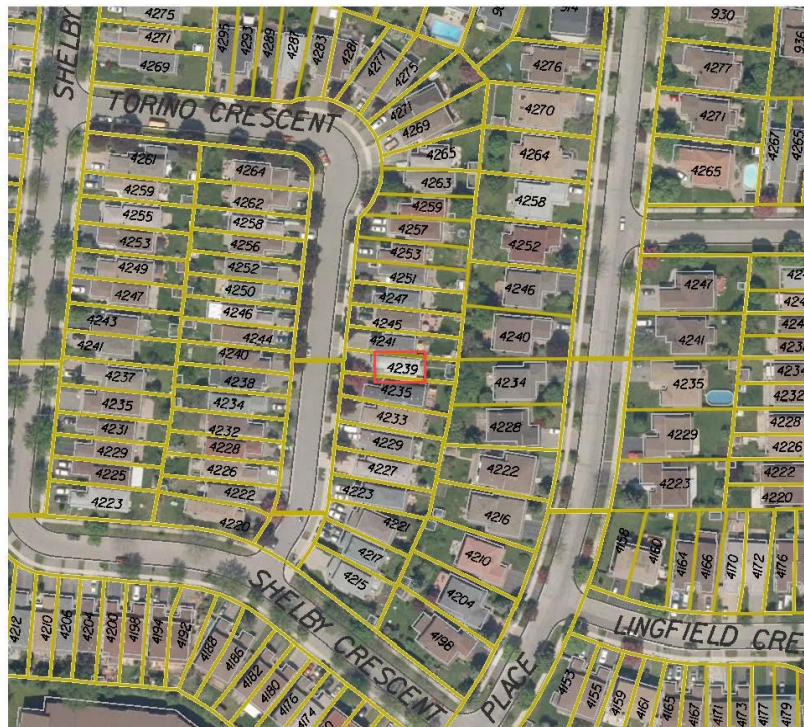
**Other Applications:**

Building Permit: 20-2990

**Site and Area Context**

The subject property is located north-west of the Rathburn Road East and Tomken Road intersection, and currently houses a two-storey, single-detached dwelling. Contextually, the area is comprised of a mixture of detached and semi-detached residential structures. The properties within the immediate area possess lot frontages of approximately +/- 7.6m, with minimal vegetative / natural landscaped elements within the front yards.

The subject property is an interior parcel, with a lot area of 289.9m<sup>2</sup> and a lot frontage of 7.8m.



## Comments

### Planning

Section 45 of the *Planning Act* provides the Committee of Adjustment the authority to grant relief from the requirements stipulated by the municipal Zoning By-law, provided that such applications meet the requirements set out under Section 45(1) and/or 45(2) (a) or (b) of the *Planning Act*.

Staff comments concerning this minor variance request are as follows:

The Applicant is proposing to convert the existing porch area into a two-storey addition.

As the structure's footprint is fundamentally remaining the same, with the proposed construction not exceeding / contained within the existing exterior façade, Planning Staff cannot discern any additional undue impact created as a result of the proposal, as it pertains to the nature of the requested variances.

Through a detailed review, Staff is 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.

## Conclusion

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The Planning and Building Department recommends that the Committee have regard for all comments and evidence provided by the Applicant and area residents when assessing if the application meets the requirements of Section 45(1) of the *Planning Act*.

Comments Prepared by: Roberto Vertolli, 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 will be addressed through the Building Permit Process. From our site inspection of the property we note that we do not foresee any drainage related concerns with the addition.







Comments Prepared by: David Martin, Supervisor Development Engineering

## Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit application under file 20-2990. Based upon review of this Application, Staff notes that the Minor Variance application should be amended as follows, permitting:

1. A southerly side yard of 0.76m; whereas, By-law 0225-2007, as amended, requires a minimum side yard of 1.20m, in this instance; and,
2. A southerly side yard measured to a porch of 0.76m; whereas, By-law 0225-2007, as amended, requires a minimum side yard of 1.20m, in this instance.

Comments Prepared by: Brian Bonner, Zoning Examiner

## Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the December 3<sup>rd</sup>, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

**Deferred Application:** DEF-A-328/20

**Minor Variance Applications:** A-351/20, A-359/20, A-376/20, A-383/20, A-390/20, A-392/20, A-397/20

Comments Prepared by: Diana Guida, Junior Planner