

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-06-16	File(s): A227.21 Ward: 6
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-06-24 1:00 PM

## Consolidated Recommendation

The City recommends that the application be deferred to permit the Applicant the opportunity to redesign the addition.

## Application Details

The applicant requests the Committee to approve a minor variance to allow an addition proposing a lot coverage of 40.9% whereas By-law 0225-2005, as amended, permits a maximum lot coverage of 35.0% in this instance.

## Background

**Property Address:** 5234 Creditview Road

### Mississauga Official Plan

Character Area: East Credit NHD  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

**Zoning:** R3 - Residential

**Other Applications:** None

### Site and Area Context

The subject property is located north-west of the Creditview Road and Eglinton Avenue West intersection. The property is an interior parcel with a lot area of +/- 819.15m<sup>2</sup> and a lot frontage

of +/- 15m. Currently the property houses a two-storey, detached dwelling with vegetation and landscape elements in both the front and rear yards. Contextually, the area is comprised exclusively of two-storey detached dwellings that possess lot frontages of +/- 16.5m and mature vegetation and landscape elements in the front and exterior side yards.

The applicant is proposing an addition to the existing dwelling requiring a variance for lot coverage.



## 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:

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached, semi-detached, duplex and Street townhouse dwellings. The applicant is proposing an addition to the existing dwelling resulting in an increase in lot coverage. The intent of restricting lot coverage is to ensure that there isn't an overdevelopment of the lot. Overdevelopment of the lot can impact the streetscape and neighbouring properties. While the proposed addition is located towards the rear of the property and will not affect the streetscape, staff are concerned that it may negatively impact the neighbouring property as a result of overlook/loss of privacy in their rear yard. Staff are also concerned with the depth of the addition projecting into the rear yard, as it will significantly reduce the usable space of the rear yard, resulting in the overdevelopment of the lot. As such, staff recommends that the application be deferred to allow for the redesign of the addition to reduce the overall lot coverage.

### Conclusion

The Planning and Building Department recommends that the application be deferred.

Comments Prepared by: Connor DiPietro, 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 proposed addition will be addressed through the Building Permit Process. We also note that we do not foresee any drainage related concerns with the proposed addition provided that the existing grading and drainage pattern be maintained on the property.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to confirm the accuracy of the requested variance(s) or determine whether additional variance(s) may be required.

The applicant is advised that a completed zoning review may identify additional instances of zoning non-compliance. The applicant may consider applying for a preliminary zoning review application and submit working drawings for a detailed zoning review to be completed. A minimum of 6-8 weeks will be required to process a preliminary zoning review application depending on the complexity of the proposal and the detail of the information submitted.

Comments Prepared by: Daniel Grdasic, Planning Associate

### Appendix 3 – Parks, Forestry & Environment

The Park Planning Section of the Community Services Department has no objections to the above noted minor variance application and advises as follows:

- The lands adjacent to the property are City owned lands, identified as Carolyn Creek (P-250). Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:
  - a) ensuring that development in or adjacent to the Natural Heritage System protects and maintains the natural heritage features and their ecological functions through such means as tree preservation, appropriate location of building envelopes, grading, landscaping...;
  - b) placing those areas identified for protection, enhancement, restoration and expansion in public ownership, where feasible.

Given the property is subject to site plan control, should the application be approved, Community Services provides the following notes:

- Stockpiling, construction access and encroachment of construction materials in the adjacent park/greenlands is not permitted.

Should further information be required, please contact Jim Greenfield, Park Planner, Community Services Department at 905-615-3200 ext. 8538 or via email [jim.greenfield@mississauga.ca](mailto:jim.greenfield@mississauga.ca)

Comments Prepared by: Jim Greenfield, Park Planner

## **Appendix 5 – Region of Peel Comments**

Development Engineering: Camila Marczuk (905) 791-7800 x8230

Please note that severing the lands may adversely affect the existing location of the water and sanitary sewer services, if any exist. The result of this may require the applicant to install new water / sanitary servicing connections to either the severed or retained lands in compliance with the Ontario Building Code. The applicant may require the creation of private water / sanitary sewer servicing easements. 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.

Comments Prepared by: Diana Guida, Junior Planner

## **Appendix 6- Conservation Authority Comments**

Credit Valley Conservation (CVC) staff have reviewed the subject application and offer comments based on the following roles and responsibilities:

1. Watershed Based Resource Management Agency and Public (commenting) Body under the *Planning Act* - providing comments based on CVC's Board approved policies;
2. Planning Advisory Services - providing environmental planning and technical advice/comments based on service agreements or memorandum of understanding;
3. Delegated Responsibilities – providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 3.1 of the *Provincial Policy Statement (2020)*;
4. Regulatory Responsibilities – providing comments to ensure the coordination of requirements under the *Conservation Authorities Act Section 28 regulation*, to eliminate unnecessary delay or duplication in process;
5. Source Protection Agency – providing advisory comments to assist with the implementation of the *CTC Source Protection Plan* under the *Clean Water Act*, as applicable.

### **SITE CHARACTERISTICS:**

The subject property is traversed by the valley slope associated with Carolyn Creek, and is located within and adjacent to the Credit River Watershed Natural Heritage System (NHS), City of Mississauga NHS, and Region of Peel Greenlands. It is the policy of CVC and the Province of Ontario to conserve and protect the significant physical, hydrological and biological features

associated with the functions of the above noted characteristics and to recommend that no development be permitted which would adversely affect the natural features or ecological functions of these areas.

**ONTARIO REGULATION 160/06:**

The property is subject to the Development, Interference with Wetlands, and Alterations to Shorelines & Watercourses Regulation (Ontario Regulation 160/06). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

**PROPOSAL:**

It is our understanding that the applicants request the Committee to approve a minor variance to allow an addition proposing a lot coverage of 40.9% whereas By-law 0225-2005, as amended, permits a maximum lot coverage of 35.0% in this instance.

**COMMENTS:**

Based on the review of the information, CVC staff have **no concerns** with the requested variance. CVC staff have reviewed the proposed development through a pre-consultation (PD 21/097). As such, CVC staff have **no objection** to the approval of this minor variance by the Committee at this time.

Please note that a CVC permit will be required for the proposed works.

Please circulate CVC any future correspondence regarding this application.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at 905-670-1615 (ext. 236) should you have any further questions or concerns.

Comments Prepared by: Edlizabeth Paudel, Junior Planner