

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-08-04	File(s): A297.21 Ward 6
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-12 1:00:00 PM

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 meets the requirements of Section 45 (1) of the Planning Act.

Application Details

The applicant requests the Committee to approve a minor variance to allow a concrete walkway proposing an interior side yard of 0.28m (approx. 0.92ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 0.61m (approx. 2.00ft) in this instance.

Background

Property Address: 1145 Blueheron Boulevard

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R5-5 - Residential

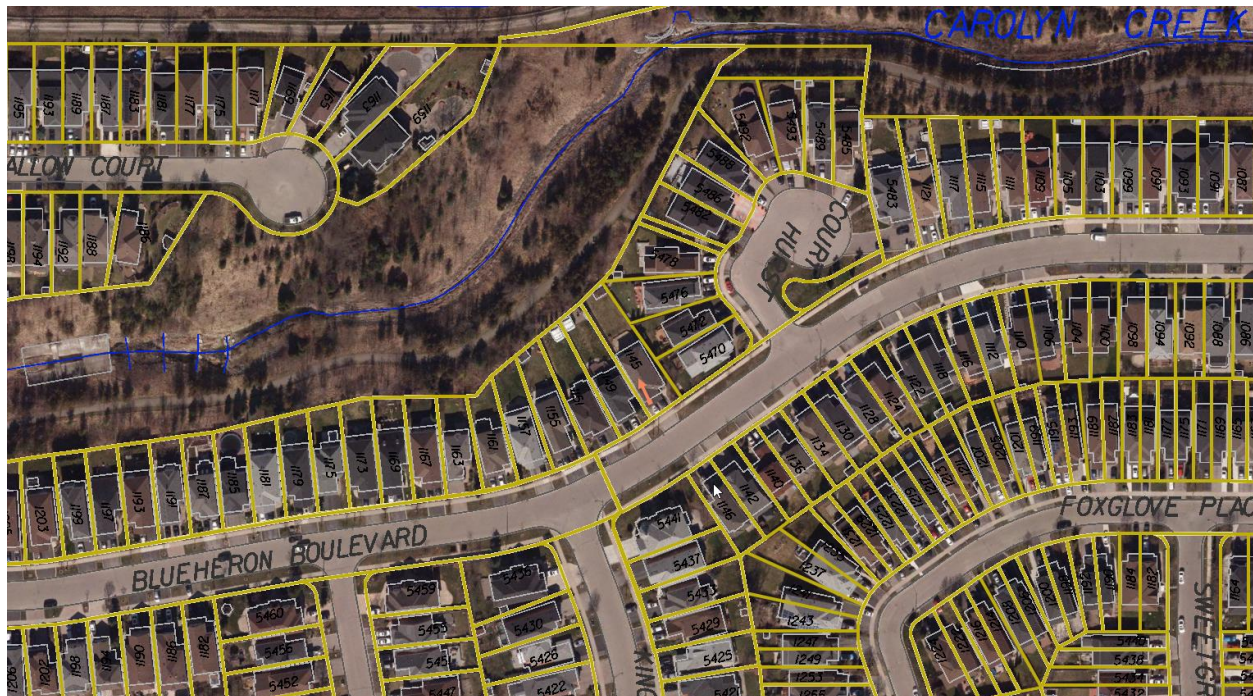
Other Applications: None

Site and Area Context

The subject property is located north-west of the Bristol Road West and Terry Fox Way intersection in the East Credit Neighbourhood. The property contains a detached dwelling and

backs onto Carolyn Creek. The subject and surrounding properties contain minimal vegetation. The surrounding context includes both detached and semi-detached dwellings.

The applicant is requesting a variance for setback to hardscaping to permit a new walkway on the property.



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 located in the East Credit Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits varying built forms, including detached dwellings with landscaping.

The intent of this regulation in the by-law is to ensure that an appropriate buffer exists between abutting properties and that appropriate drainage patterns can be maintained. The proposal does not extend the entire length of the property line and maintains a significant amount of soft

landscaping in the rear yard. Staff are of the opinion that the application is appropriate to be handled through the minor variance process and that the application raises no concerns of a planning nature.

Conclusion

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: Alexander Davies, Committee of Adjustment Planner

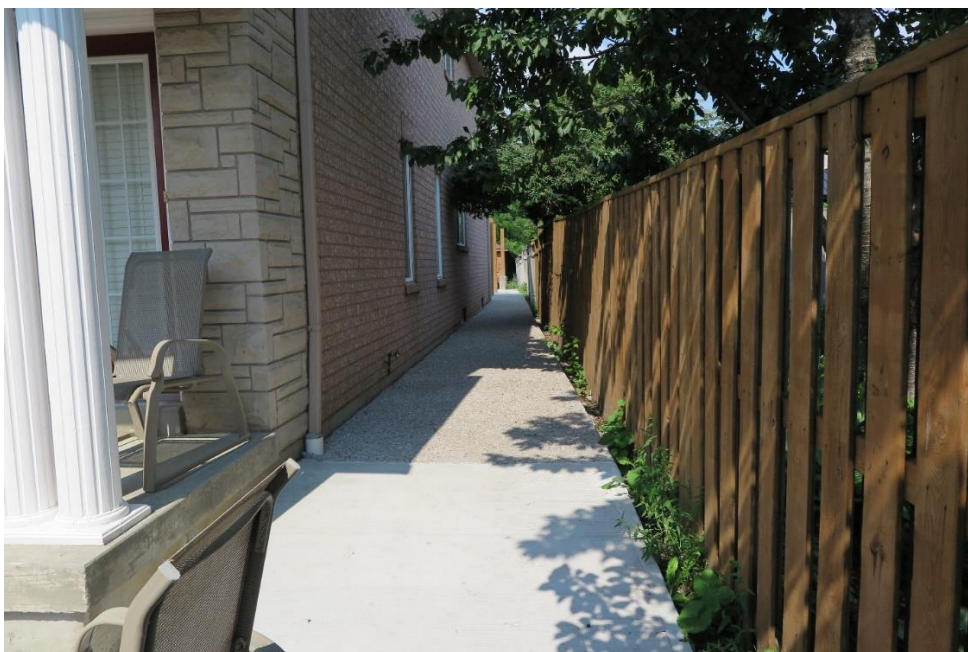
Appendices

Appendix 1 – Transportation and Works Comments

From our site inspection of the property we note that the drainage pattern for this property is considered a split drainage pattern which means that the high point is approximately in the middle of the dwelling and from that point some of the drainage is directed to the front and the rest to the rear yard. This property does have a large rear yard where the drainage from the rear yard is directed towards the abutting greenbelt area.

The concrete walkway constructed has an insufficient setback to the property line (0.28M) to allow for a proper drainage swale. In addition the applicant has constructed a significant size concrete slab at the rear connecting to the concrete walkway with a similar insufficient setback to the property line. The concrete slab at the rear appears to have a minimal slight slope towards the rear yard, however, the minimal setback to the property line would also have little to no impact in redirecting any drainage away from the abutting properties during a heavy rainfall and toward the rear. As there is no curbing or other measure constructed to redirect any drainage from the abutting properties, and without any feedback from the abutting neighbours (at least 2 properties could be impacted) or observing the direction of the runoff during a heavy rainfall, it is difficult to exactly determine any significant drainage related impacts.

In view of the above and should any drainage related concerns be raised by any of the abutting neighbours, we would then suggest that this application be deferred in order to address any modifications required to the poured concrete deck/walkway to alleviate any drainage related concerns.







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 reviewed the above noted minor variance application and advises as follows:

1. The lands to the rear of the property are City owned lands, identified as P-250, known as Carolyn Creek and within Significant Natural Area in the City's Natural Heritage System. 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 that the subject lands are subject to site plan control, should the application be approved, Community Services provides the following notes:

1. 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

Comments Prepared by: Jim Greenfield, Park Planner