

City of Mississauga Department Comments

Date Finalized: 2021-12-22	File(s): A563.21
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2022-01-13 3:00:00 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, as requested, meets the requirements of Section 45(1) of the Planning Act. 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 the construction of an attached garage proposing:

1. A rear yard setback of 2.63m (approx. 8.63ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 7.50m (approx. 24.61ft) in this instance; and
2. A combined width of side yards of 4.97m (approx. 16.31ft) whereas By-law 0225-2007, as amended, requires a minimum combines width of side yards of 7.45m (approx. 24.44ft) in this instance.

Background

Property Address: 1503 Petrie Way

Mississauga Official Plan

Character Area: Clarkson-Lorne Park Neighbourhood
Designation: Greenlands & Residential Low Density I

Zoning By-law 0225-2007

Zoning: R2-4 - Residential

Other Applications: Consent - B42/20, Minor Variance – A183/20

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southeast of Meadow Wood Road and Lakeshore Road West. The neighbourhood is entirely residential consisting of large lots, containing one and two storey-detached dwellings. The subject property contains a one and half storey stone dwelling that was built in 1926 and is listed on Heritage Registry.

The application proposes the construction of an attached garage requiring variances for rear yard setback and combined width of side yards.



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 are as follows:

The subject property is designated Residential Low Density I and Greenlands in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached, semi-detached and duplex dwellings. The Greenlands designation only permits development on existing lots of record and are not in the regulatory storm floodplain or hazard

lands associated with a valley and watercourse corridor. The proposed garage respects the designated land uses.

Variance #1 proposes a rear yard setback of 2.63m (8.63ft) where a minimum rear yard setback of 7.50m (24.61ft) is required. Staff has no concerns with this variance as most of the rear yard exceeds the minimum rear yard requirement. Variance #1 is only required because the rear yard line is angled, creating a pinch point from the lot line to the proposed attached garage.

Variance #2 proposes a combined width of side yards of 4.97m (16.31ft) where a minimum combined width of side yards of 7.45m (24.44ft) is required. Staff has no concerns with this variance as the applicant is not seeking additional variances for the side yards. Furthermore, the side yards proposed provided an adequate buffer between the massing of the proposed dwelling and adjacent properties. The setbacks proposed are also consistent with setbacks for dwellings in the immediate neighbourhood, and provide an adequate amount of space to allow access for maintenance purposes

Through a detailed review of the application, staff is of the opinion that the proposed use is desirable and is appropriate to be handled through the minor variance process. The application raises no concerns of a planning nature.

Comments Prepared by: Connor DiPietro, 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 garage are being addressed through the current Building Permit process, File BP 9ALT 21/8481.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 21-8481. Based on review of the information currently available in this permit application, the variances, as requested are correct, more information is required to determine whether additional variances maybe required.

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Please note that comments reflect those provided through the above permit application and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Sherri Takaloo, Zoning Examiner

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 Turtle Creek & Glenleven Park (P-045) and within the Natural Hazard Lands, zoned G-1, that are also classified as a naturally significant area within 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.

Should the application be approved, Community Services provides the following notes:

1. Construction access from the adjacent park/greenlands is not permitted.
2. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.
3. Tree preservation hoarding and securities may be required as part of the site plan control process.

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