

City of Mississauga Department Comments

Date Finalized: 2022-01-12	File(s): A9.22 Ward 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-01-20 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application. 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 addition with a setback of 2.8m (approx. 9.2ft) to lands zoned G1 (Greenlands) whereas By-law 0225-2007, as amended, requires a minimum setback of 5.0m (approx. 16.4ft) for all buildings and structures to lands zoned G1 (Greenlands) in this instance.

Background

Property Address: 1091 Sawyer Avenue

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3-75 - Residential
Other Applications:

Building Permit - BP 9ALT 21 8797

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, southeast of Atwater Avenue and Ogden Avenue. Serson Park abuts the subject property to the east. The immediate area consists of a mix of old and newer one and two storey dwellings with mature vegetation in the front yards. The subject property contains an existing one and one half storey dwelling with limited vegetation in the front yard.

The applicant is proposing construction of an addition to the residential dwelling requiring a variance for a building setback to a G1 zone.



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 Lakeview Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits single, semi-detached, duplex, triplex and townhouse dwellings.

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 proposed addition does not impact the property's permitted use as a detached dwelling and generally maintains the existing form of the building by only building out into the property's rear yard. 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?

The intent of setback regulations to G1 zones is to ensure an adequate buffer between development and the environmentally sensitive lands exists. The subject property and lands zoned G1 that are directly abutting the subject property to the east, are within the Credit Valley Conservation Authority's Regulatory Boundary. Credit Valley Conservation (CVC) staff note that there is existing development within this zone, and it has been determined that the proposed addition will not adversely impact any natural features contained within the G1 zone. Planning staff echo CVC staff's comments and note that the existing dwelling contained on the subject property has similar setbacks to the G1 zone.

Given the above, staff are satisfied that the application maintains 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?

Planning staff are of the opinion that any potential impacts of the reduced setback to the G1 Zone is minor in nature and no height variances are required. Furthermore, staff are of the opinion that the proposal represents appropriate development of the subject lands.

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 addition are being addressed by our Development Construction Section through the Building Permit process, File BP 9ALT 21/8797.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 9ALT 21-8797. Based on latest review of the information currently available in this permit application, we advise that a zoning review has not been completed and unable to confirm the accuracy of the requested variance or determine whether additional variances maybe required.

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 subject property are owned by the City of Mississauga, known as Serson Park (P-002).
2. Construction access from the park is not permitted.
3. Stockpiling of construction materials and encroachment in the adjacent park 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