

City of Mississauga Department Comments

Date Finalized: 2022-02-02	File(s): A548.21
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2022-02-10 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

The applicant requests the Committee to approve a minor variance to allow a deck and garage proposing:

1. A lot coverage of 35% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25% in this instance; and
2. A setback of 0.0m from the deck and existing dwelling to the lands zoned G1 (Greenland) whereas By-law 0225-2007, as amended, requires a minimum setback for all buildings and structures of 5.0m (approx. 16.4ft) to all lands zoned G1 (Greenland) in this instance.

Background

Property Address: 531 Cochise Crescent

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R1-2 - Residential, G1 - Greenland

Other Applications:

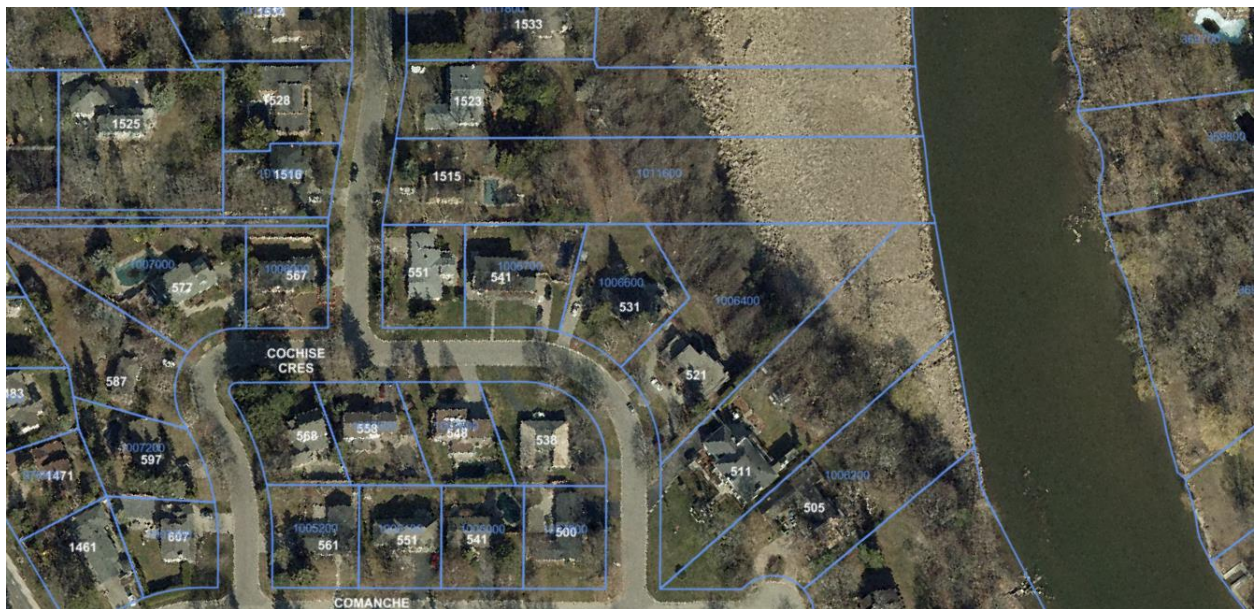
Building Permit – BP 9ALT 19.8941

Site Plan – SPAX 20.98

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southeast of Mississauga Road and the Queen Elizabeth Way. The immediate area consists of a mix of one and two storey-detached dwellings on lots with mature vegetation. The subject property contains an existing one-storey detached dwelling with mature vegetation in the front and side yards.

The applicant is seeking to allow a deck and garage on the subject property. As such, the development requires variances for lot coverage and setbacks 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 Clarkson-Lorne Park Neighbourhood Character Area and is designated Residential Low Density I and Greenlands in Schedule 10 of the Mississauga Official Plan (MOP). The Greenlands designation represents most of the rear yard of the property with the remaining lands having a Residential Low Density I designation, which includes the entire front yard, side yards and a portion of the rear yard. The Residential Low Density I designation permits single-detached 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 deck and garage will be located entirely on lands designated Residential Low Density I, which permits decks and garages structures. 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?

Variance #1 pertains to lot coverage. The intent of the zoning by-law is to ensure there is not an overdevelopment of the lot. In this instance, the applicant is proposing a lot coverage of 35% when a maximum lot coverage of 25% is permitted. Staff note that the subject property is split zoned and the development must meet the regulations of each zone. Regarding lot coverage for the proposed development, if it could be calculated against the entirety of the property area, the proposed development would have a lot coverage of approximately 24%, which is within by-law regulations. As such, Planning staff have no concerns with this variance.

Variance #2 pertains to setbacks from a G1 Zone. The intent of setback regulations to G1 zones is to ensure an adequate buffer between development and the environmentally sensitive lands is maintained. Lands located in the subject property's rear yard are zoned G1 and are within the Credit Valley Conservation Authority's Regulatory Boundary. Credit Valley Conservation (CVC) staff have raised no concerns with the applicant's proposal. Furthermore, the reduced setback will not adversely impact any natural features contained within the G1 zone. Planning staff echo CVC staff's comments.

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 setbacks to the G1 Zone are minor in nature. Furthermore, the proposed structures do not represent an overdevelopment of the lot. 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 proposed garage and deck will be addressed by our Development Construction Section through Building Permit BP 9ALT-19/8941.





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 19-8941. Based on review of the information currently available for this building permit, the variances, as requested are correct.

Our comments are based on the plans received by Zoning staff on 08/31/2021 for the above captioned building permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: Adam McCormack, Zoning Examiner

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:

1. The lands to the rear of the property are City owned lands, identified as Not to be Named Park (P-234) and within the Significant Natural Area, 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.

Given the property is subject to site plan control, 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