

# City of Mississauga Department Comments

Date Finalized: 2022-05-25	File(s): A68.22 Ward 6
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-06-02 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure the accuracy of the requested variances and that additional variances are not required.

## Application Details

The applicant requests the Committee to approve a minor variance to allow an existing concrete hardscaping with:

1. A setback (westerly) of 0.26m (approx. 0.85ft) from the hardscaping to the side lot line whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (approx. 2.00ft) from hardscaping to any lot line in this instance;
2. A setback (easterly) of 0.25m (approx. 0.82ft) from the hardscaping to the side lot line whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (approx. 2.00ft) from hardscaping to any lot line in this instance; and,
3. A setback of 0.35m (approx. 1.15ft) from the hardscaping to the rear lot line whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (approx. 2.00ft) from hardscaping to any lot line in this instance.

## Background

**Property Address:** 1459 Pickwick Drive

### Mississauga Official Plan

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

### Zoning By-law 0225-2007

**Zoning:** R4-7 - Residential

**Other Applications:** None

### Site and Area Context

The subject property is located on the north side of Pickwick Road, east of the Creditview Road intersection. It currently contains a two-storey detached dwelling with an attached garage. Limited landscaping and vegetative elements are present in both the front and rear yards, with significant hardscaping located in the rear yard. The property has a lot area of +/- 413.76m<sup>2</sup> (4,453.68ft<sup>2</sup>), which is characteristic of the area. The surrounding area context is predominantly residential, consisting of detached dwellings on similarly sized lots as well as townhouses.

The applicant is proposing to retain the rear yard hardscaping thereby requiring variances for setbacks to the side and rear lot lines.



## 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 East Credit Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). 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. Rear yard hardscaping is common in the surrounding context and creates no massing concerns to the streetscape or abutting properties. Staff are therefore of the opinion 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 proposed variances all relate to hardscaping in the rear yard. The intent of hardscaping setback regulations is to ensure that appropriate drainage patterns can be maintained. Staff note that Transportation and Works staff have raised no drainage concerns surrounding these variances and that a setback is maintained around the entirety of the yard. Staff are therefore satisfied that the general intent and purpose of the zoning by-law are maintained.

**Is the proposal desirable for the appropriate development of the subject lands and minor in nature?**

Staff are satisfied that the proposal represents appropriate development of the subject land. The request is minor in nature and will not have any additional impacts to abutting properties when compared to an as of right condition.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

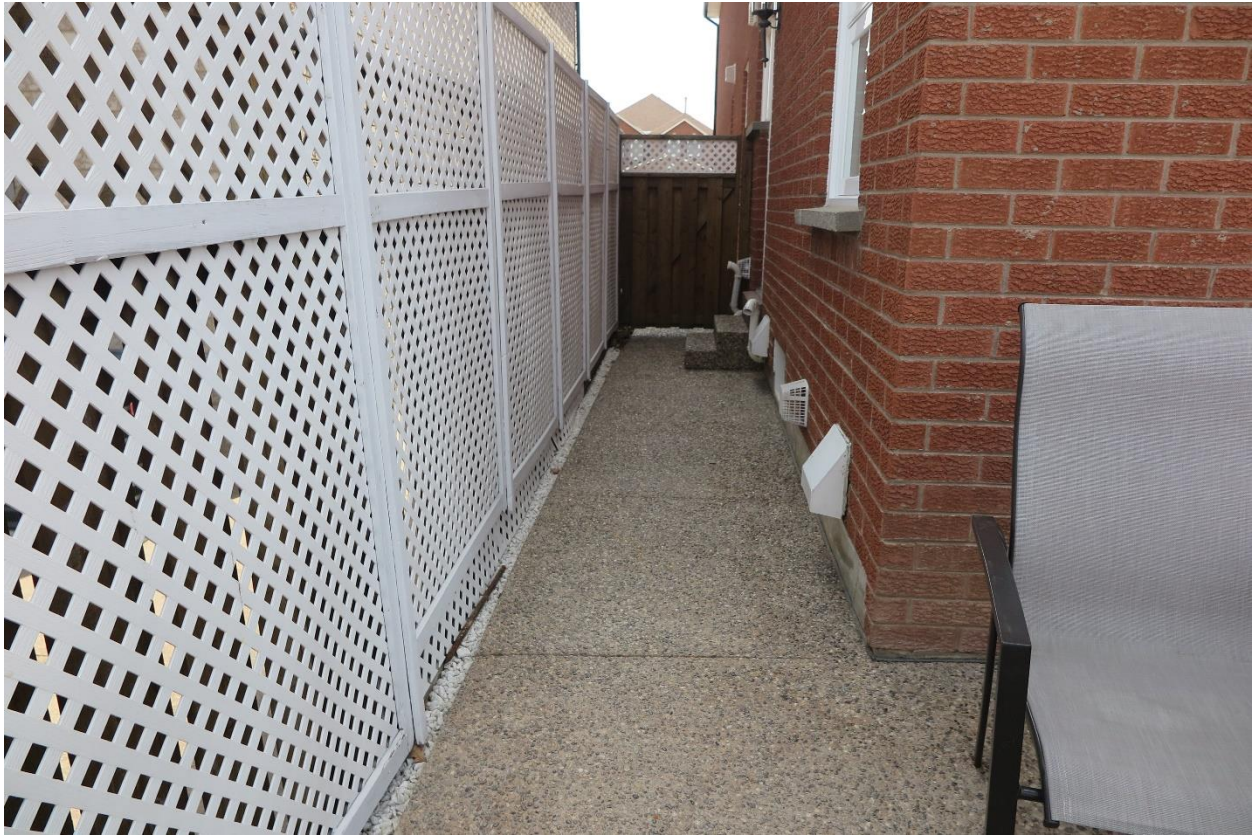
Enclosed are photos which depict the existing concrete hardscaping in the various areas of the property. Acknowledging the reduced setback, the applicant has placed gravel within the reduced setback areas (ie 0.26M, 0.25m and 0.35M) which should still allow the drainage to be directed in the area in which drainage was originally designed to flow.















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: Brandon Eidner, Zoning Examiner