

# City of Mississauga Department Comments

Date Finalized: 2022-07-20	File(s): A353.22
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2022-07-28 3:00:00 PM

## Consolidated Recommendation

The City has no objection to the minor variance application.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling proposing:

1. A gross floor area infill of 590.05q.m (approx. 6,351.25sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area infill of 544.20sq.m (approx. 5,857.72sq.ft) in this instance;
2. A combined width of side yards of 6.16m (approx. 20.21ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 8.13m (approx. 26.67ft) in this instance; and,
3. A flat roof height of 8.87m (approx. 29.10ft) whereas By-law 0225-2007, as amended, permits a maximum flat rood height of 7.50m (approx. 24.61m) in this instance.

## Background

**Property Address:** 511 Meadow Wood Rd

### Mississauga Official Plan

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

### Zoning By-law 0225-2007

**Zoning:** R2-5 - Residential

**Other Applications:** Site Plan Application under file SPI 22-36.

## Site and Area Context

The subject property is located in the Clarkson-Lorne Park Neighbourhood Character Area, southeast of the Southdown Road and Royal Windsor Road intersection. The immediate neighbourhood consists of a mix of older and newer one and two-storey detached dwellings with mature vegetation in the front yards. The subject property contains a one-storey detached dwelling with mature vegetation in the front yard.

The applicant is proposing to construct a new dwelling and is seeking variances related to gross floor area, side yards and flat roof height.



## 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 designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached dwellings. New housing is encouraged to fit the scale and character of the surrounding area to ensure that new development has minimal impact on adjacent neighbours regarding overshadowing and overlook. The proposed detached

dwelling respects the designated land use and has regard for the distribution of massing on the property as a whole. The new development will not negatively impact the character streetscape. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

**Does the proposal maintain the general intent and purpose of the Zoning By-law?**

Variance #1 pertains to gross floor area. The intent of the zoning by-law is to maintain compatibility between existing and newer dwellings to ensure the existing and planned character of the neighbourhood is preserved. The proposed dwelling contains architectural features that break up the first and second storey, minimizing the overall massing in relation to the streetscape and neighbouring properties. The proposal is consistent with newer two-storey dwellings in the immediate area and does not pose a negative impact to the established neighbourhood character.

Variance #2 pertains to setbacks. Through a review of the immediate neighbourhood, similar deficiencies are common for detached dwellings. Therefore, the proposed setbacks are not out of character within the immediate neighbourhood. Additionally, the proposed setbacks maintain a sufficient buffer to the neighbouring properties, large enough to ensure access to the rear yard remains unencumbered.

Variance #3 pertains to flat roof height. The intent in restricting height to the flat roof is to reduce the overall massing of a flat roof dwelling compared to a sloped roof dwelling and to minimize its negative impacts on the streetscape and neighbouring properties. Variance #3 is required for two pillars, the rest of the dwelling maintains a flat roof height of 8.41m (27.59ft), which would still require a height variance. While staff note this appears excessive, there is a 0.47m (1.54ft) height discrepancy between average and established grade. Therefore, when standing perpendicular to the dwellings façade from the street, it would appear to be 7.94m (26ft), which is a minor deviation from the maximum flat roof height permitted.

As such, Planning staff have no concerns with the proposed variances and are of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

Planning staff are of the opinion that the impacts created by the proposed variances are minor in nature. The proposal respects the property's designated land use and is compatible with the surrounding area context. Staff are satisfied that the proposal represents appropriate development of the subject property.

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 dwelling will be addressed through the current Site Plan application SP-22/036.



Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan Application under file SPI 22-36. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be 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: Alana Zheng, Zoning Examiner

### Appendix 3 – Enbridge

#### Description of Application

We understand that this application is applying to build a single-family home on a lot within an established residential neighbourhood. The subject site is located on 511 Meadow Wood Rd in the Rattray Park Estates area.

As demonstrated in [Attachment 01 | Approximate Location of Pipeline Infrastructure](#) the proposed development is located within the 800-meter facility assessment area but is not within the pipeline assessment area of any pipelines. In addition, the site is approximately 350 meters south of an Enbridge pipeline.

#### Assessment & Requirements

Based on a review of the project materials provided the proposed development permit is not proposing any changes or increasing the neighbourhood density within the pipeline assessment area. Therefore, **Enbridge has expressed no objections to this project as proposed.**

Although Enbridge has expressed no objections to the proposed development permit the following recommendations and those included within [Attachment 02 | Enbridge Development Requirements](#) have been provided for reference and must be adhered to for all future development.

#### Requirements

- 1) **Obtain a Locate Request:** To identify the precise alignment of the pipeline on the subject lands, a Locate Request must be made prior to any ground disturbance taking place.
- 2) **No development is permitted within the Enbridge right-of-way** without Enbridge's written consent and without the presence of an Enbridge representative on site.
- 3) **Written Consent from Enbridge is required for ground disturbance within 30m perpendicularly on each side from the centreline of the pipeline known as the "Prescribed Area".** For more information about when written consent is required and how to submit an application, please see [Attachment 03 | Enbridge Pipeline Crossing Guidelines](#).
- 4) **Written Consent from Enbridge is required for all above and below ground crossings of the pipeline.** For more information about when written consent is required and how to submit an application, please see [Attachment 03 | Enbridge Pipeline Crossing Guidelines](#).

The written authorization request must include:

- a. Drawings with cross sections of the proposed roads and verification of the depth of cover from both sides of the road.
- b. Drawings should include any new utilities that will cross the right-of-way.
- 5) **Road Crossings:** Where future development such as a roadway or a parking area is proposed over the pipeline right-of-way, Enbridge may be required to carry out pipeline inspection and recoating of the existing pipeline(s) prior to the start of the development. The costs of Enbridge's design, inspection, recoating work and any other pipeline alteration as a result of the crossing will be borne by the Developer.
- 6) **Subdivision lot lines should not divide the pipeline right-of-way.** Wherever possible, subdivision boundaries should follow the right-of-way. If this is not possible specific language must be included in the offers of sale or lease. Please see **Attachment 02** for details.
- 7) **Development setbacks** from pipelines and rights-of-way are recommended in support of damage prevention and to allow both pipeline operators and developers buffer lands for operations and maintenance purposes.
- 8) **Landscaping** shall not take place on Enbridge's pipeline right-of-way without Enbridge's prior written consent and where consent is granted such landscaping must be performed in accordance with Enbridge's Pipeline Crossing Guidelines. Please see **Attachment 02** for details.
- 9) **Pathways** shall not be installed on Enbridge's pipeline right-of-way without Enbridge's prior written consent and where consent is granted pathways must be designed in accordance with Enbridge's requirements. Please see **Attachment 02** for details.
- 10) **Fencing** should be installed along the identified open space easement. Please see **Attachment 02** for details
- 11) **Written consent** must be obtained from Enbridge for ongoing activities such as mowing or maintenance of the pipeline right-of-way on public lands.
- 12) **Notifications of additional development for Class monitoring:** As per Federal and Provincial Regulatory Requirements and Standards, pipeline operators are required to monitor all new development in the vicinity of their pipelines that results in an increase in population or employment. Therefore, please keep us informed of any additional development being proposed within the Pipeline Assessment Area indicated in **Attachment 01 | Approximate Location of Pipeline Infrastructure.**

Comments Prepared by: Oliver Prcic, Community Planner