

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2020-07-08	File(s): A140/20 Ward: 8
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-07-14

## Consolidated Recommendation

The City recommends that the application be deferred.

## Application Details

The applicants request the Committee to approve a minor variance to allow an addition on the subject property proposing a rear yard of 1.80m (approx. 5.91ft), whereas By-law 0225-2007, as amended, requires a rear yard of 7.50m (approx. 24.61ft) in this instance.

## Background

**Property Address:** 1911 Will Scarlett Drive

### Mississauga Official Plan

Character Area: Sheridan Neighbourhood  
Designation: Greenlands & Residential Density I

### Zoning By-law 0225-2007

**Zoning:** R1 (Residential)

### Other Applications

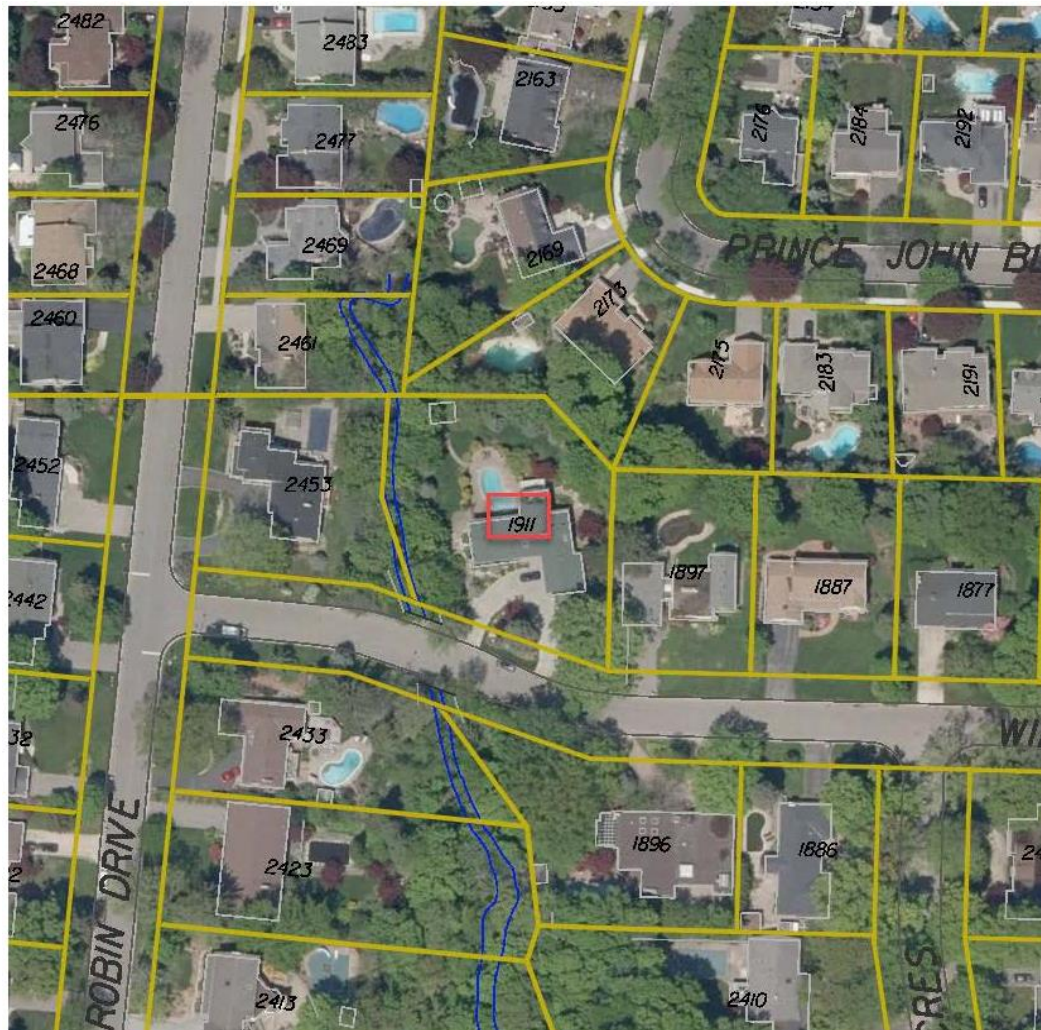
Pre-Application: 19-8808

### Site and Area Context

The subject property is located within the Sheridan Neighbourhood Character Area, southeast of Erin Mills Parkway and Dundas Street West. The immediate neighbourhood is entirely

residential, consisting of one and two storey detached dwellings with mature vegetation. The subject property is a large lot with mature vegetation around the perimeter of the property and contains a one storey dwelling. The subject property also contains Loyalist Creek along the westerly interior property line.

The application proposes a two storey addition, requiring a variance related to a rear yard setback of 1.80 m whereas 7.50 m is permitted.



## 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 Greenlands and Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached, semi-detached and duplex dwellings. The westerly portion of the subject property is designated Greenlands, however, the proposed two storey addition will be located on the easterly side of the dwelling and is sufficiently setback from the Greenlands designation. As per Section 9 of MOP, development is promoted 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. In this instance, a large amount of the addition encroaches significantly into a portion of the rear yard, removing a buffer to the adjacent property and eliminating a portion of rear yard amenity space. Recognizing the irregular lot configuration, a reduced rear yard setback can be supported; however, the proposal requests a significant deviation for a large portion of the addition to the rear lot line. Staff is of the opinion that the application should be deferred for redesign.

## Conclusion

The Planning and Building Department recommends that the application be deferred.

Comments Prepared by: Lucas Petricca, 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 carport will be addressed through the Building Permit process.

Comments Prepared by: David Martin, Supervisor Development Engineering

### Appendix 2 – Zoning Comments

The Planning and Building Department is currently processing a building permit application under file 19-8808. 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 reviewed by Zoning staff on 2020-02-26 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.

Comments Prepared by: Adam McCormack, Zoning Examiner

### Appendix 3 – Region of Peel Comments

#### Development Planning: Tracy Tang (905) 791-7800 x7190

Please be notified that the western portion of the subject land is within an area the Regional Official Plan (ROP) designates as a Core Valley of the Greenlands System in Peel, under Policy 2.3.2. The subject land is also located within the limits of the regulated area of the Credit Valley Conservation (CVC). The Region relies on the environmental expertise of the CVC for the review of development applications located within or adjacent to Core Areas of the Greenlands Systems in Peel and their potential impacts on the natural environment. Regional Planning staff therefore, request that the Committee and city staff consider comments from the CVC and incorporate their conditions of approval appropriately.

I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 7190 or by email at [tracy.tang@peelregion.ca](mailto:tracy.tang@peelregion.ca)

Comments Prepared by: Tracy Tang, Junior Planner

#### Appendix 4- Conservation Authority Comments

Credit Valley Conservation (CVC) staff have reviewed the subject application and offer comments based on the following roles and responsibilities:

1. Watershed Based Resource Management Agency and Public (commenting) Body under the Planning Act - providing comments based on CVC's Board approved policies;
2. Planning Advisory Services - providing environmental planning and technical advice/comments based on service agreements or memorandum of understanding;
3. Delegated Responsibilities – providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 3.1 of the Provincial Policy Statement (2014);
4. Regulatory Responsibilities – providing comments to ensure the coordination of requirements under the Conservation Authorities Act Section 28 regulation, to eliminate unnecessary delay or duplication in process;
5. Source Protection Agency – providing advisory comments to assist with the implementation of the CTC Source Protection Plan under the Clean Water Act, as applicable.

#### SITE CHARACTERISTICS:

Based on our mapping, the subject property is regulated due to floodplain and valley slope associated with Loyalist Creek which traverses the property. In addition, the property is located within the Credit River Watershed Natural Heritage System (CRWNHS). It is the policy of CVC and the Province of Ontario to conserve and protect the significant physical, hydrological and biological features associated with the functions of the above noted characteristics and to recommend that no development be permitted which would adversely affect the natural features or ecological functions of these areas.

#### ONTARIO REGULATION 160/06:

The property is subject to the Development, Interference with Wetlands, and Alterations to Shorelines & Watercourses Regulation (Ontario Regulation 160/06). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

#### PROPOSAL:

It is our understanding that the applicant requests the Committee to approve a minor variance to allow an addition on the subject property proposing a rear yard of 1.80 m (approx. 5.91 ft), whereas the By-law 0225-2007, as amended, requires a rear yard of 7.50 m (approx. 24.61 ft) in this instance.

#### COMMENTS:

Based on review of the provided information, CVC staff have **no concerns** to the requested minor variances. CVC staff have previously reviewed the proposed development through a permit application (FF 19/265) and issued a permit for an addition to the existing dwelling on

February 27, 2020. As such, CVC staff have **no objection** to its approval by the Committee at this time.

Please circulate CVC any future correspondence regarding this application.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at 905-670-1615 (ext. 236) should you have any further questions or concerns.

Comments Prepared by: Elizabeth Paudel, Planning Technician