

City of Mississauga Department Comments

Date Finalized: 2022-02-23	File(s): A227.21 Ward 6
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-03-03 1:00:00 PM

Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application meets the requirements of Section 45 (1) of the Planning Act.

Application Details

The applicant requests the Committee to approve a minor variance to allow an addition proposing a lot coverage of 40.9% whereas By-law 0225-2005, as amended, permits a maximum lot coverage of 35.0% in this instance.

Background

Property Address: 5234 Creditview Road

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R3 - Residential

Other Applications: None

Site and Area Context

The subject property is located north-west of the Creditview Road and Eglinton Avenue West intersection. The property is an interior parcel with a lot area of +/- 819.15m² (8,817ft²) and a lot

frontage of +/- 15m (49.2ft). Currently the property houses a 1-storey detached dwelling with vegetation and landscape elements in both the front and rear yards. Contextually, the area is comprised exclusively of detached dwellings that possess lot frontages of +/- 16.5m (54.1ft) and mature vegetation and landscape elements in the front and exterior side yards.

The applicant is proposing an addition to the existing dwelling requiring a variance for lot coverage.



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:

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). This designation permits detached, semi-detached, duplex and triplex dwellings, as well as other low-rise dwellings with individual frontages. 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 applicant is proposing an addition to the existing dwelling resulting in an increase in lot coverage. The intent of restricting lot coverage is to ensure that there isn't an overdevelopment of the lot. Overdevelopment of the lot can impact the streetscape and neighbouring properties. Staff note that the proposal is located at the rear of the dwelling and will not impact the streetscape.

Staff originally had concerns regarding the impacts to abutting properties caused by the massing and dwelling projections on neighbouring properties. The proposed sunroom is predominantly glass, including the roof, and does not reach the full height of the existing dwelling. Upon further review it is the opinion of staff that while the existing dwelling and proposed addition will project well beyond the rear wall of the adjacent dwellings, the height is limited and the proposal maintains an appropriate rear yard amenity area.

Given the above, staff are of the opinion that any impacts would be minor and that the request is appropriate to be handled through the minor variance process. Planning staff are of the opinion the request raises no concerns of a planning nature.

Comments Prepared by: Alexander Davies, 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 addition will be addressed through the Building Permit Process. We also note that we do not foresee any drainage related concerns with the proposed addition provided that the existing grading and drainage pattern be maintained on the property.

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.

We note that a building permit application is 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

Appendix 3 – Parks, Forestry and Environment Comments

The Park Planning Section of the Community Services Department has no objections to the above noted minor variance application and advises as follows:

- The lands adjacent to the property are City owned lands, identified as Carolyn Creek (P-250). 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:

- Stockpiling, construction access and encroachment of construction materials in the adjacent park/greenlands 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