

City of Mississauga Department Comments

Date Finalized: 2022-12-07	File(s): A608.22
To: Committee of Adjustment	Ward: 11
From: Committee of Adjustment Coordinator	Meeting date:2022-12-15 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 the construction of a new dwelling proposing:

1. A sloped roof height of 11.60m (approx. 38.06ft) whereas By-law 0225-2007, as amended, permits a maximum sloped roof height of 10.70m (approx. 35.10ft) in this instance; and,
2. An interior side yard setback to a G2 Zone of 1.20m (approx. 3.94ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback to a G2 Zone of 5.00m (approx. 16.40ft) in this instance.

Background

Property Address: 6725 Longview Place

Mississauga Official Plan

Character Area: Meadowvale Village Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R11 - Residential

Other Applications: None

Site and Area Context

The subject property is located south-east of the Derry Road West and McLaughlin Road intersection in the Meadowvale Village neighbourhood. It is one of 37 currently vacant lots along the east side of Longview Place that is proposed to be developed. The properties have lot areas ranging between +/- 292.74m² (3,151.03ft²) and +/- 536.3m² (5,772.69ft²) and lot frontages from +/- 9.75m (31.99ft) to +/- 12m (39.37ft). The surrounding area context includes residential uses to the west, employment uses to the north along Derry Road West, and open space uses to the east and south.

The applicant is proposing to construct a new dwelling on the subject property, requiring variances for a setback and 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 located in the Meadowvale Village Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan. This designation permits detached dwellings. Section 9 of the 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 proposal represents a compatible built form with the existing development across Longview Place, with many of the impacts limited to within the larger development itself and not the surrounding neighbourhood. 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 requests an increase in height. The intent of restricting height is to lessen the visual massing of dwelling. The requested height increases are generally minor in nature, and staff note that the dwellings have been designed in a way that does not emphasize the height of the dwelling from the streetscape. The eaves on the front elevations have been brought down to incorporate the top floor within the roofline, keeping the elevation at a more human scale. The side and rear elevations, where the impacts would mostly be felt, will generally be facing either the open space surrounding the development or the other dwellings within the new development itself.

Variance 2 requests a reduced setback to a Greenlands zone. The intent of this regulation is to ensure an appropriate setback to development from natural features is maintained. Staff note that the requested setback is measured to a pinch point due to an angled property line, with the setback generally being larger than the requested variance. The angled property line provides a further setback from the natural feature outside of the subject property.

Given the above, Planning staff are of the opinion 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 the impacts of the variances, both individually and cumulatively, are minor in nature. Furthermore staff are satisfied that the proposal represents appropriate development of the subject lands.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting that the Transportation and Works Department has no objections to the applicant's request and any requirements for the proposed dwellings will be addressed through the Building Permit process.

As the subject lands are located with Registered Plan of Subdivision 43M-2113, these lots will also be subject to the conditions of the Servicing/Subdivision Agreement for Registered Plan 43M-2113 with regards to any grading and drainage, municipal services and any restrictions pertaining to the issuance of a Building Permit.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

We note that a Building Permit application is required. In the absence of a Building Permit application we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed.

The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

Comments Prepared by: Amy Campbell, Planner-in-Training

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:

The lands to the rear of the property are owned by the City of Mississauga, identified as Derry West Greenbelt (P-433) and classified as Significant Natural Area within the City's Natural Heritage System and zoned G2. 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.

Should the application be approved, Community Services provides the following notes:

1. Access from the adjacent City owned lands is not permitted.
2. Construction access from the adjacent park/greenlands is not permitted.
3. If access is required to City owned lands, a Consent to Enter Agreement/Park Access Permit will be required.
4. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.

Should further information be required, please contact Nicholas Rocchetti, Park Planning Assistant, Community Services Department at 905-615-3200 ext. 4659 or via email Nicholas.Rocchetti@mississauga.ca.

Comments Prepared by: Nicholas Rocchetti, Park Planning Assistant

Appendix 4 – Region of Peel

Traffic Development: Catherine Barnes (905) 791-7800 x7569

Comments:

- All traffic related matters are being addressed via the associated subdivision.

Development Planning: Patrycia Menko (905) 791-7800 x3114

Comments:

- The subject land is located in the regulated area of the Credit Valley Conservation Authority (CVC). We rely on the environmental expertise of the CVC Authority for the review of development applications located within or adjacent to the regulated area in Peel and their potential impacts on the natural environment.
- We therefore request that the City of Mississauga Committee of Adjustment and staff consider comments from the CVC Authority and incorporate their requirements appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the CVC Authority.

Comments Prepared by: Patrycia Menko, Junior Planner

Appendix 5 – Credit Valley Conservation

**Re: CVC File No. A 22/578-614
Municipality File No. A 578/22-614/22
The Ravines Limited
Longview Place
Part of Lot 10, Con 1 WHS
City of Mississauga**

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 (2020)*;
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:

The subject property is regulated for floodplain and valley slope associated with Fletcher's Creek. Other natural heritage features of CVC interest on and adjacent to the property include the Region of Peel Core Greenlands, City of Mississauga Natural Heritage System (NHS), and the Credit River Watershed NHS (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 minor variances to allow the construction of new dwellings proposing different lot coverages and roof heights, with two particular lots requesting a reduction to the interior and rear yard setbacks.

Comments:

Based on our review of the information, CVC staff have **no concerns** with the requested variances. CVC staff have previously reviewed these properties through a Draft Plan of Subdivision application (21T 13/007) and provided clearance for registration on December 14, 2020. As such, we have **no objection** to the proposed minor variances.

The applicants are to note that a portion of the properties are regulated by CVC and development within the Regulated Area will require a CVC permit. Please contact CVC for pre-consultation on permit requirements.

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.

Please circulate CVC any future correspondence regarding this application.

Comments Prepared by: Elizabeth Paudel, Planner