

City of Mississauga Department Comments

Date Finalized: 2023-04-12	File(s): A65.23
To: Committee of Adjustment	Ward: 4
From: Committee of Adjustment Coordinator	Meeting date:2023-04-20 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 the construction of a rear yard addition proposing an alteration of the existing linked dwelling to be developed in accordance with detached regulations of the RM-3 zone whereas By-law 0225-2007, as amended, does not permit a linked dwelling to be developed in accordance with detached regulations of the RM-3 zone in this instance.

Amendments

Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

The applicant requests the Committee to approve a minor variance to allow the construction of a rear yard addition proposing an alteration of the existing linked dwelling to be developed in accordance with **Semi-detached** regulations of the **RM1-3** zone whereas By-law 0225-2007, as amended, does not permit a linked dwelling to be developed in accordance with **Semi-detached** regulations of the **RM1-3** zone in this instance.

Background

Property Address: 4103 Tea Garden Circle

Mississauga Official Plan

Character Area: Creditview Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM1-3-Residential

Other Applications: SU 22-4574

Site and Area Context

The subject property is located south-west of the Rathburn Road West and Elora Drive intersection in the Creditview neighbourhood. It currently contains a two-storey linked dwelling with limited landscaping and vegetative elements in both the front and rear yards. The property has a lot area of +/- 584.16m² (6,287.85ft²), generally in line with other lots in the area, and backs onto Elora Drive. The surrounding area context is predominantly residential, consisting of a mix of linked and detached dwellings.

The applicant is proposing an addition requiring a variance to alter a linked dwelling.



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 Creditview 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.

The requested variance seeks to permit alterations to the existing linked dwelling. The subject property is zoned RM1-3 which does not permit linked dwellings, and therefore a variance is required to allow alterations to the existing structure.

Staff are of the opinion that the application is technical in nature and appropriate to be handled through the minor variance process. Furthermore 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 rear yard addition will be addressed through the Building Permit process. From our site inspection we do not foresee any drainage related concerns as this property is significantly sloped to the rear where there are no residential dwellings.











Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file SU 22-4574. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

The applicant requests the Committee to approve a minor variance to allow the construction of a rear yard addition proposing an alteration of the existing linked dwelling to be developed in accordance with **Semi-detached** regulations of the **RM1-3** zone whereas By-law 0225-2007, as amended, does not permit a linked dwelling to be developed in accordance with **Semi-detached** regulations of the **RM1-3** zone in this instance.

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: Sherri Takaloo, Zoning Examiner

Appendix 3 – Region of Peel Comments

Minor Variance Application: A-65/23 – 4103 Tea Garden Circle

Development Engineering: Camila Marczuk (905) 791-7800 x8230

Comments:

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.

Comments Prepared by: Patrycia Menko, Junior Planner