

City of Mississauga Department Comments

Date Finalized: 2024-07-03	File(s): A284.24 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-07-11 3:30:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a backyard deck and swimming pool proposing a lot coverage of 38.95% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance.

Background

Property Address: 5297 Forest Hill Dr

Mississauga Official Plan

Character Area: Central Erin Mills Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R2-8

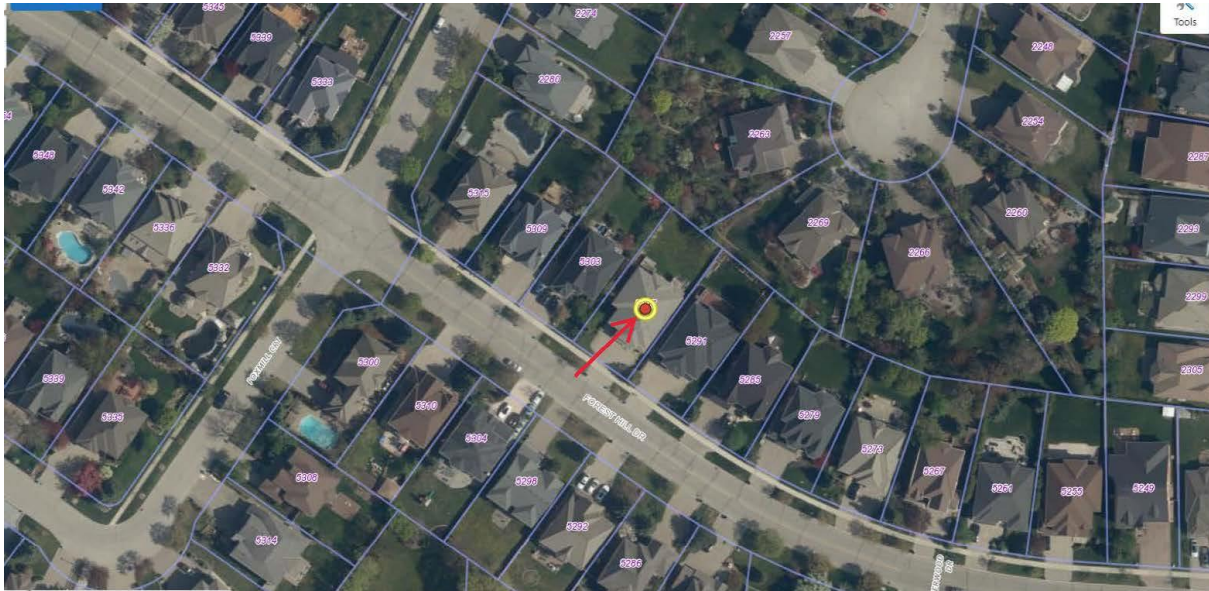
Other Applications: Building Permit application 24-538

Site and Area Context

The subject property is located within the Central Erin Mills Neighbourhood Character Area, north-east of the Eglinton Avenue West and Erin Mills Parkway intersection. The immediate area consists primarily of two storey detached dwellings with mature vegetation in the front yard.

The subject property contains an existing two-storey detached dwelling with limited vegetation in the front yard.

The applicant is proposing the construction of a deck requesting 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 are as follows:

The subject property is located in the Central Erin Mills Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, duplex, triplexes, street townhouses and other forms of low-rise dwellings with individual frontages.

The variance requested pertains to lot coverage. Staff note the drawings provided do not provide a breakdown of the existing and proposed lot coverage, which is essential for staff to review the impact of the variance. Staff reached out to the applicant on June 25th, 2024, to obtain the required information, however, the applicant did not provide sufficient information within the stipulated timeframe. As a result, staff are unable to accurately assess the application against the four tests of the minor variance application.

Further, through a review of the site photographs and the drawings provided, it appears that the drawings do not match existing site conditions. While Planning staff are not in a position to

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interpret the zoning by-law, it appears that the driveway width is excessive and does not meet the by-law regulations.

Given these concerns, staff are recommending a deferral of the application. This deferral is intended to provide the applicant with the opportunity to engage in discussions with Planning staff regarding the existing driveway and to provide the missing information.

Comments Prepared by: Shivani Chopra, Planning Associate

Appendices

Appendix 1 – Transportation and Works Comments

From our site inspection of the property, we note that we do not foresee any drainage related concerns with the backyard deck and swimming pool.





Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application 24-538. Based on review of the information available in this application, we advise that more information is required in order to verify the accuracy of the requested variance or determine whether additional variance will be required.

Please note that comments reflect those provided through the above application. These comments may no longer be valid should there be changes contained within this Committee of Adjustment application that have not been submitted and reviewed through the application noted above. The applicant must submit any changes and/or updates to information and/or drawings separately through the above application in order to receive updated comments.

Comments Prepared by: Andrea Patsalides, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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

1. No public trees shall be injured or removed. If public tree removal is required, a permit must be issued as per By-law 0020-2022.
2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Removal Permit, written consent must be obtained by both parties.

A Tree Removal Application to Permit the Injury or Destruction of Trees on Public and Private Property can be found at <https://www.mississauga.ca/publication/application-to-permit-the-injury-or-destruction-of-trees-on-public-and-private-property/>.

Should further information be required, please contact Rita Di Michele, By-law Inspector, Community Services Department at 905-615-3200 ext. 5872 or via email rita.dimichele@mississauga.ca.

Comments Prepared by: Rita Di Michele, By-law Inspector

Appendix 4 – Region of Peel

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner