

City of Mississauga Department Comments

Date Finalized: 2024-07-17	File(s): A305.24 Ward: 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-07-25 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 a change of use proposing:

1. A Linked Dwelling use within an RM1 - Residential Zone; whereas By-law 0225-2007, as amended, does not permit such a use in this instance; and,
2. A Linked Dwelling to be developed in accordance with the RM1 – Residential regulations contained in Table 4.8.1; whereas By-law 0225-2007, as amended, does not permit a Linked Dwelling in an RM1 - Residential zone in this instance.

Background

Property Address: 3186 Owls Foot Dr

Mississauga Official Plan

Character Area: Churchill Meadows Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

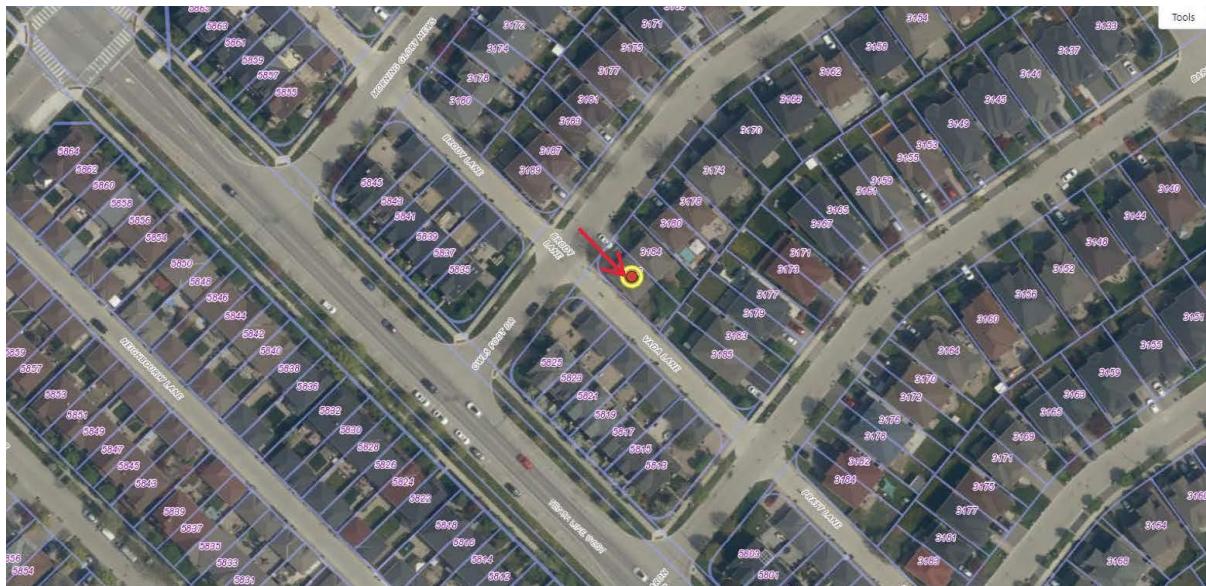
Zoning: RM-1 - Residential

Other Applications: SEC UNIT 24-1284

Site and Area Context

The subject property is located south-east of the McDowell Drive and Tenth Line West intersection in the Churchill Meadows Neighbourhood Character Area. It currently contains a two-storey linked dwelling with an attached garage on a corner lot. Limited landscaping and vegetative elements are present on the subject property. The surrounding context is predominantly residential, consisting of a mix of detached, semi-detached and linked dwellings.

The applicant is proposing to legalize an existing at-grade side door entrance to facilitate an additional residential unit requiring variances to permit the use and allow the exterior alteration to the 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 Churchill Meadows Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). Section 9 of the MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with existing site conditions, the surrounding context, and the landscape of the character area.

The requested variances seeks to permit alterations to an existing linked dwelling. The subject property is zoned RM1-1 which does not permit linked dwellings. Any alterations to the existing structure requires a variance to permit the existing use. Staff note the linked dwelling was built in 2001 and was in compliance with the zoning by-law at that time. The adoption of By-law 0225-2007, removed linked dwellings as a permitted housing form in all zones. Recognizing the dwelling was constructed in conformity with the by-law in place at that time and the works being proposed do not alter any established setback, height regulations, lot coverage or gross floor area, the variances being sought will have no impact on the existing community and will not significantly impact or alter the existing dwelling.

Staff are off 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: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference are photos depicting the subject dwelling and note that we have no drainage related concerns with the request.





Comments Prepared by: Mike Russo, Development Engineering

Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application SEC UNIT 24-1284. Based on the review of the information available in this application, the requested variances are correct.

Our comments may no longer be valid should there be changes in the Committee of Adjustment application that have yet to be submitted and reviewed through the Building Division application. To receive updated comments, the applicant must submit any changes to information or drawings separately through the above application.

Comments Prepared by: Minan Song, 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 Jamie Meston, Landscape Architect Assistant, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email jamie.meston@mississauga.ca.

Comments Prepared by: Jamie Meston, Landscape Architect Assistant

Appendix 4 – Region of Peel

Minor Variance: A-24-305M / 3186 Owls Foot Drive

Development Engineering: Wendy Jawdek (905) 791-7800 x6019

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 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 may be required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections by email at siteplanservicing@peelregion.ca

Comments Prepared by: Petrele Francois, Junior Planner