

City of Mississauga Department Comments

Date Finalized: 2024-08-22	File(s): A369.24
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2024-08-29 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, as requested, 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 new house proposing:

1. A combined side yard width of 5.33m (approx. 17.49ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard width of 7.05m (approx. 23.13ft) in this instance; and,
2. A gross floor area of 434.98sq. m (approx. 4682.12sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 407.28sq m (approx. 4383.96sq ft) in this instance.

Background

Property Address: 999 Cresthampton Lane

Mississauga Official Plan

Character Area: Clarkson - Lorne Park Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

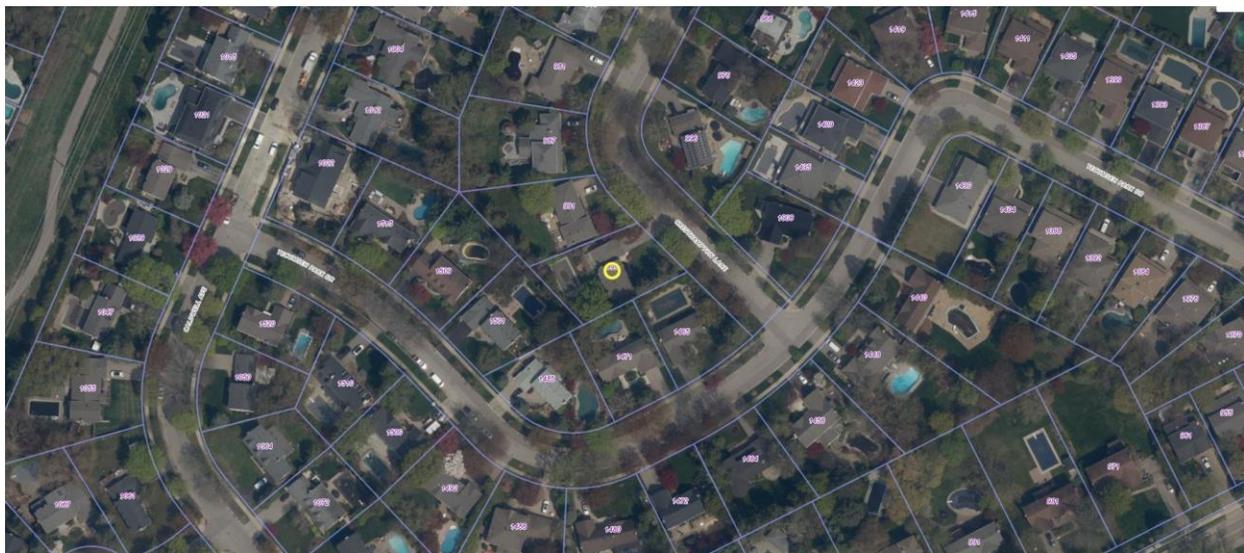
Zoning: R2-4-Residential

Other Applications: Building Permit 24-2099

Site and Area Context

The subject property is located within the Clarkson - Lorne Park Neighbourhood Character Area, west of Indian Road and south of Mississauga Road. The immediate area consists of one and two storey detached dwellings. The subject property contains an existing two storey dwelling with mature vegetation in the front yard.

The applicant is proposing a new detached dwelling requiring variances for combined side yard setback width and gross floor area.



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 Clarkson-Lorne Park Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached dwellings in this instance. 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. Staff are satisfied that the proposed built form is compatible with existing site conditions and the surrounding context.

Variance #1 pertains to the combined width of side yard setbacks. The proposed dwelling provides adequate side yard setbacks for both the northerly and southerly side yards,

maintaining access to the rear yard and space between primary structures on neighbouring properties. Further, through a review of the immediate neighbourhood, similar deficiencies are common for detached dwellings in the neighbourhood.

Variance #2 requests an increase in the GFA from 434.98m² (approx. 4682.12ft²) to 407.28m² (approx. 4383.96ft²). Planning staff are of the opinion that the proposed increase is minor in nature and will not negatively impact the planned or existing character of the area. Further, the dwelling meets the zoning regulations for dwelling height and lot coverage. Staff are therefore satisfied that the dwelling maintains an appropriate scale and are of the opinion that the general intent and purpose of the zoning by-law are maintained.

Staff are of the opinion that the proposal represents appropriate development of the subject property and that the dwelling is in line with surrounding redevelopment with minimal impacts on abutting properties or the streetscape.

Through a detailed review of the application, staff are of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Comments Prepared by: Shivani Chopra, 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 dwelling will be addressed by our Development Construction Section through Building Permit BP 9NEW-24/2099.

Comments Prepared by: John Salvino, Development Engineering Technologist



Appendix 2 – Zoning Comments

The Building Division is processing Building Permit 24-2099. 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: Candice Williams, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

The Forestry Section of the Community Services Department has reviewed the above noted minor variance application and advises as follows:

1. No public trees shall be injured or removed. If public tree injury or 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 Permit Application, written consent must be obtained by both parties.

An 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/>.

Additionally, Forestry notes that the proposed asphalt driveway apron to be widened and re-paved on Cresthampton Lane may result in the injury of the following two (2) trees:

- Norway Maple (51.5cm DBH), minimum Tree Protection Zone (TPZ) 3.6m, located north of the driveway.
- Norway Maple (42cm DBH), minimum Tree Protection Zone (TPZ) 3.0m, located south of the driveway.

The above noted trees are located on City property and are both considered to be mature trees in good condition. The minimum Tree Protection Zones (TPZ) as per the City of Mississauga Tree Preservation and Protection Standards have been noted above. Care should be taken to work within the Limit of Construction as shown on the Site Grading Plan (CV-101) to minimize potential encroachment into the minimum TPZs, and Tree Protection Hoarding for City trees shall be installed as per By-law 0020-2022.

Forestry also notes that there are utility replacements taking place on private property only (Ex. 125mm SAN Lateral and Ex. 25mm CU Water). These replacement works are to remain on

private property, as shown on the Site Grading Plan (CV-101), as encroachment into the City boulevard will likely impact the existing Norway Maple (42cm DBH).

For privately owned trees to be protected, Tree Protection Hoarding shall be installed as per By-law 0021-2022. Any private tree injuries or removals (for trees 15cm DBH or greater) need to apply for Tree Application Permits as noted in Item 2.

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 Application: A-23-369M / 999 Cresthampton Lane

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

Comments:

- The applicant shall verify the location of the existing service connections to the subject site and the contractor shall locate all existing utilities in the field. Requests for underground locates can be made at <https://www.ontarioonecall.ca/portal/>
- For location of existing water and sanitary sewer infrastructure please contact Records by e-mail at PWServiceRequests@peelregion.ca
- Installation of and alterations to property line water valves and chambers and sanitary/storm sewer maintenance holes require inspection by Region of Peel inspectors to confirm if these works are completed in accordance with Region of Peel Design Criteria, Standards, and Specifications.
- 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: Petrele Francois, Junior Planner