

City of Mississauga Department Comments

Date Finalized: 2024-09-19	File(s): A609.22 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-09-26 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 lot coverage of 45% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40% in this instance;
2. 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,
3. A rear yard setback of 7.00m (approx. 22.97ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 7.50m (approx. 24.61ft) in this instance.

Background

Property Address: 6746 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 lot coverage, 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 lot coverage. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot which would impact the streetscape as well as abutting properties. Staff are satisfied that the dwellings are appropriately designed and are complementary to the existing built form in the area. The increases in lot coverage are minor in nature and any impacts of the increased coverage generally face inward into the proposed development.

Variance 2 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 3 requests a reduced rear yard. The intent of the rear yard setback is to ensure that both an adequate buffer exists between the massing of primary structures on adjoining properties, as well as to create an appropriate amenity area within the rear yard. Staff note that this is one of the shallowest lots in the development and that the lot contains an angled rear lot line resulting in the required variance. The reduction is only required to the southwest corner of the dwelling. Staff are satisfied that an appropriate rear yard amenity area is maintained in this instance, and note that there are no separation concerns as the lands to the rear are protected and will not be developed.

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: Daniel Grdasic, 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

Appendix 2 – Zoning Comments

We note that a Building Permit is required. In the absence of a Building Permit 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: Emily Majeed, Planner-in-Training

Appendix 3 – Parks, Forestry & Environment

The Parks and Culture 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...;

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.
5. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, c.P. 13, as amended) and in accordance with the City's policies and by-laws.

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

Comments Prepared by: Nicholas Rocchetti, Planner in Training

Appendix 4 – Region of Peel

Please apply previous comments.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 5 – CVC

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 applicant is 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.

Please let me know if you have any questions or concerns.

Comments Prepared by: Stuti Bhatt, Junior Planner