

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2024-11-14	File(s): A451.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 11/21/2024 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 an addition proposing a lot coverage of 28.04% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% in this instance.

Background

Property Address: 2240 Taylor's Orchard

Mississauga Official Plan

Character Area: Cooksville Neighbourhood (West)
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R1--7

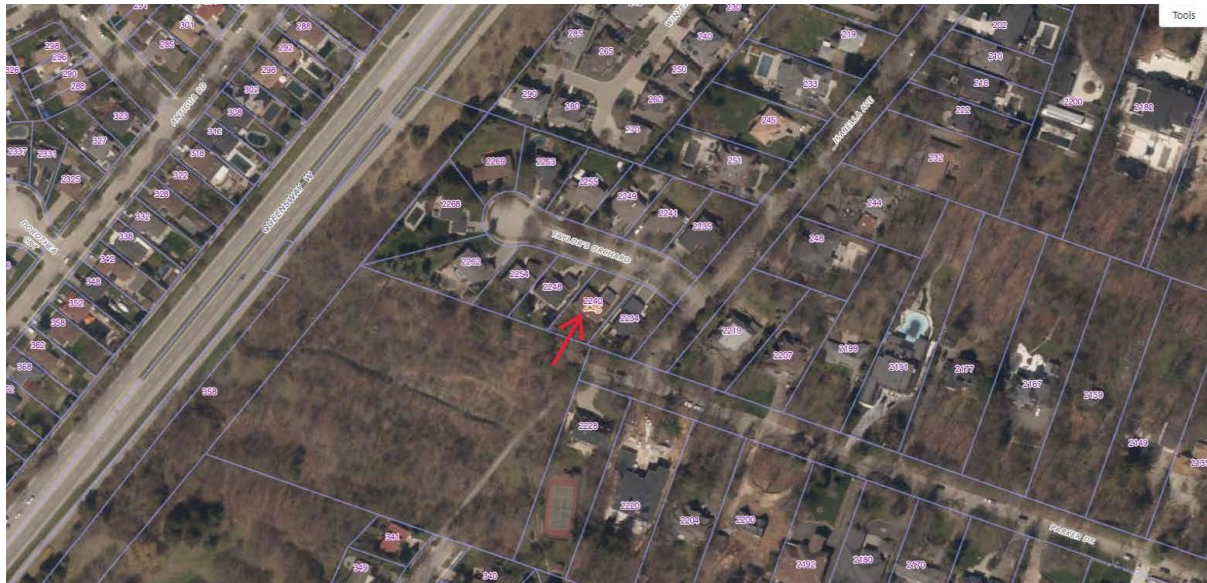
Other Applications: None

Site and Area Context

The subject property is located south-west of the Queensway West and Gordon Drive intersection in the Cooksville Neighbourhood Character Area. It is an interior lot containing a

two-storey detached dwelling with an attached garage. Mature vegetative elements are present in both the front and rear yards. The property has an approximate area of +/- 972.96m² (10,472.85ft²), characteristic of lots in the area. The surrounding context is predominantly residential, consisting of two-storey detached dwellings.

The applicant is proposing to construct an addition on the subject property requiring 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 of the four tests to this minor variance request are as follows:

Planning staff note the Committee of Adjustment approved an application (A435.23) for an increase in gross floor area corresponding to a proposed addition to the existing dwelling at the November 23rd, 2023 hearing.

The subject property is located in the Cooksville Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan. 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. Planning staff are satisfied that the built form is appropriate for the subject property given surrounding conditions and will not negatively impact the streetscape. Staff are therefore of the opinion that the application maintains the general intent and purpose of the official plan.

The sole variance 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 note the existing dwelling and covered porch in the front yard will account for 23.68%% of the lot coverage, whereas the proposed covered loggia and deck in the rear yard will add an additional 4.36% of the lot coverage. Staff further note that the covered loggia will be one-storey in height and the deck will be open on all four sides, limiting massing impacts to the abutting property to the west. No additional variances for setbacks or height are proposed. Staff are satisfied that the proposal does not represent an overdevelopment of the subject property and is sympathetic to both the planned character of the area and existing dwellings.

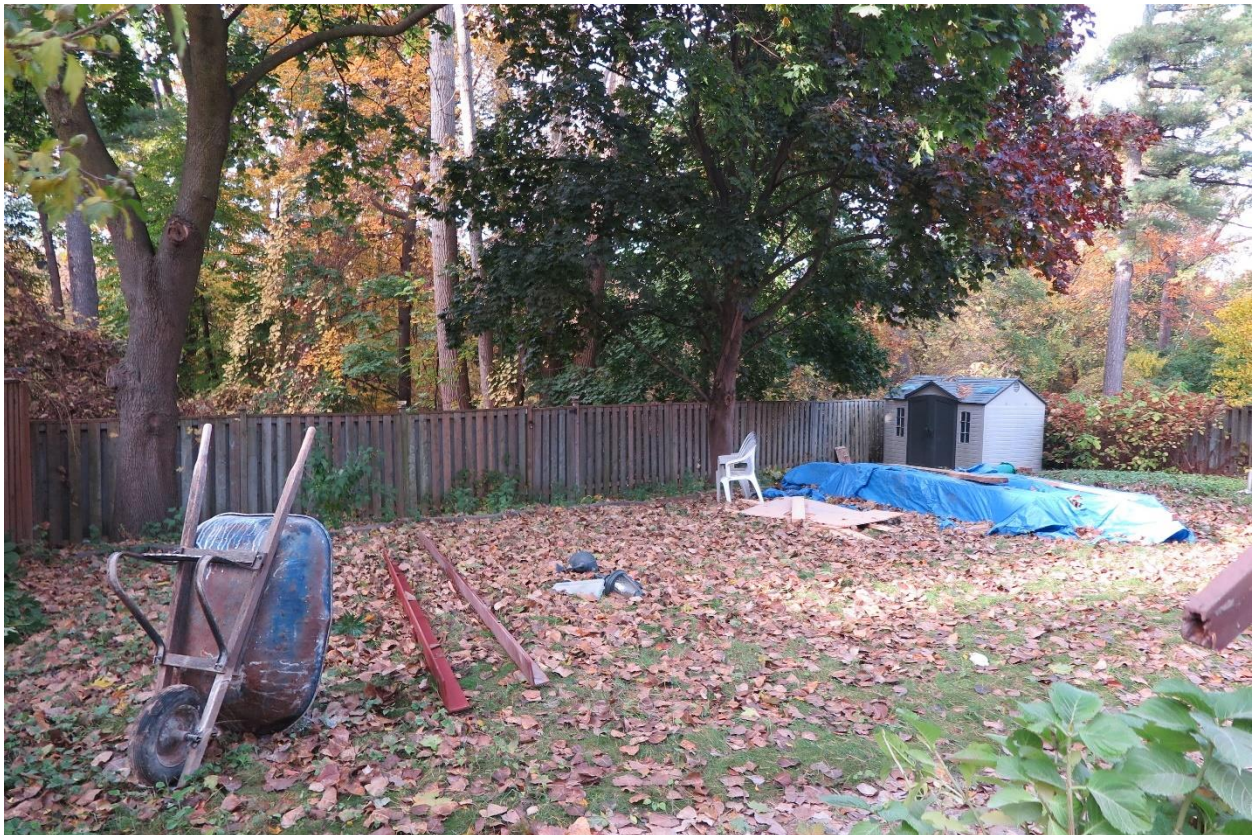
Given the above, Planning staff are of the opinion that the proposal meets the general intent and purpose of the official plan and zoning by-law, is minor in nature and represents appropriate development of the subject property. Additionally, the proposed development will have only minor impacts on the surrounding properties and the streetscape, and that the redevelopment of the welling represents appropriate development of the subject lands. The request is appropriate for the site and does not negatively impact the planned character of the neighbourhood.

Comments Prepared by: Daniel Grdasic, 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 addition will be addressed through the Building Permit Process. From our site inspection of the property, we note that we do not foresee any drainage related concerns with the addition provided that the existing drainage pattern be maintained.





Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

We note that a Building Permit (Revision) 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: Sibila Lass Weldt, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

Park Planning Comments

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 adjacent to the property are owned by the City of Mississauga, identified as Stillmeadow Park (P-082), zoned OS1 – Open Space – Community Park.

Should the application be approved, Community Services provides the following notes:

1. Construction access from the adjacent park/greenlands is not permitted.
2. If access is required to City owned lands, a Consent to Enter Agreement/Park Access Permit will be required.
3. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.
4. 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 – Park Planning, Community Services Department at 905-615-3200 ext. 4659 or via email nicholas.rocchetti@mississauga.ca.

Comments Prepared by: Nicholas Rocchetti, Planner

Forestry Comments

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 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 Technician, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email jamie.meston@mississauga.ca.

Comments Prepared by: Jamie Meston, Landscape Technician

Appendix 4 – Region of Peel Comments

Minor Variance Application: A-24-451M / 2240 Taylor's Orchard

Development Engineering: Brian Melnyk (brian.melnyk@peelregion.ca)(905) 791-7800 x3602

Comments:

- 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 by email at siteplanservicing@peelregion.ca.
- 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.

Comments Prepared by: Petrele Francois, Junior Planner