

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2024-11-14	File(s): A523.24 Ward: 10
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 that all required variances have been accurately identified.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a sun room proposing a rear yard of 5.20m (approx. 17.06ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.61ft) in this instance.

Background

Property Address: 5479 Freshwater Dr

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R6-1 - Residential

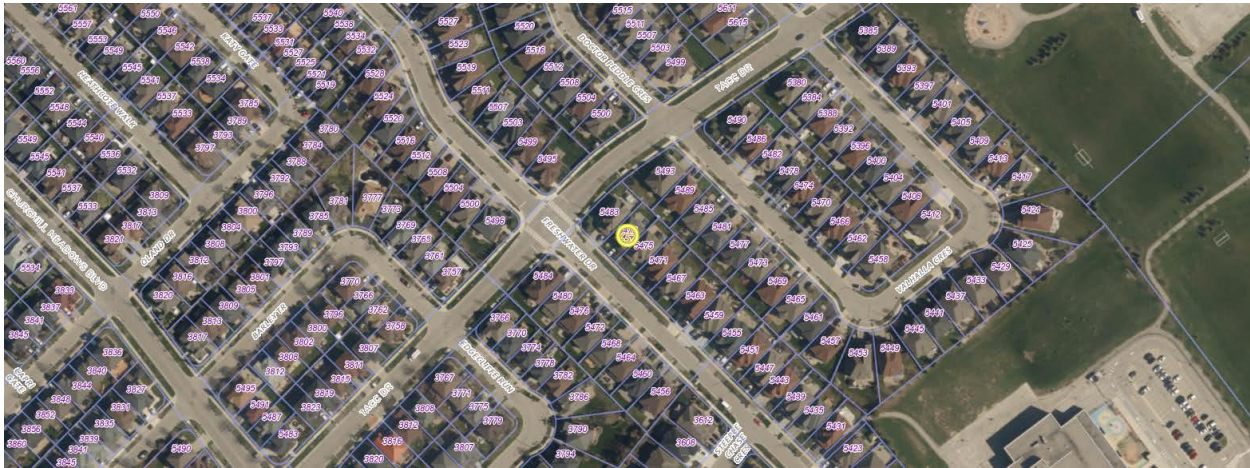
Other Applications: None

Site and Area Context

The subject property is located north-east of the Churchill Meadows Boulevard and Erin Centre Boulevard intersection in the Churchill Meadows Neighbourhood Character Area. It is an interior

lot containing a two-storey detached dwelling with an attached garage. Limited landscaping elements are present on the subject property. The surrounding area context is exclusively residential, consisting of detached dwellings on similarly sized lots.

The applicant is proposing to construct an addition in the rear yard requiring a variance for rear yard setback.



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 I 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 the existing site conditions, the surrounding context and the landscape of the character area. The proposal represents a small addition at the rear of the existing detached dwelling and therefore does not impact the streetscape or character of the area.

The sole variance pertains to a reduced rear yard setback due to the construction of a one-storey addition. The intent of the rear yard provision in the by-law is to ensure that there is a sufficient buffer between primary structures on abutting lots and an appropriate rear yard amenity area for the dwelling. The proposal represents a modest addition that is one-storey in

height. Staff are satisfied that an appropriate buffer is maintained and that the rear yard amenity area is relatively unaffected by the proposed development. Staff further note that similar rear yard setbacks exist on other sites in the immediate neighbourhood and that Transportation and Work's staff have raised no drainage concerns.

Staff are of the opinion that the proposal maintains the general intent and purpose of the official plan and zoning by-law, is minor in nature and contributes to orderly development of the subject property. The variance will not create any undue impacts to the abutting properties.

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 sunroom 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 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

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

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner