

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2024-11-21	File(s): A510.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 11/28/2024 1:00:00 PM

## Consolidated Recommendation

The City has no objection to the application.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. An eaves height of 6.50m (approx. 21.33ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance;
2. A combined side yard setback of 5.35m (approx. 17.55ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard setback of 7.83m (approx. 25.69ft) in this instance;
3. A gross floor area of 565.00sq m (approx. 6081.66sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 550.00sq m (approx. 5920.20sq ft) in this instance.

## Background

**Property Address:** 680 Meadow Wood Rd

### Mississauga Official Plan

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

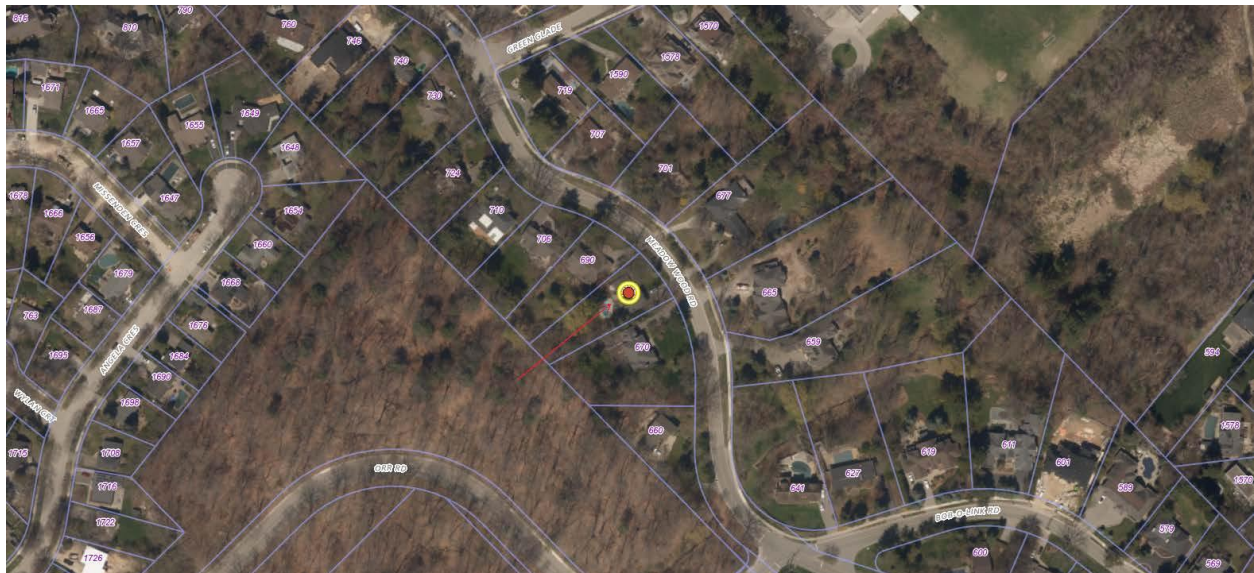
### Zoning By-law 0225-2007

**Zoning:** R1-2 - Residential

**Other Applications: Building Permit BP 9NEW-24/2800****Site and Area Context**

The subject property is located within the Clarkson – Lorne Park Neighbourhood Character Area, south of Lakeshore Road West and east of Clarkson Road South. The immediate area consists of one and two-storey single detached dwellings with significant mature vegetation in both the front and rear yards. The subject property contains a two-storey side split dwelling with vegetation in the front yard. The lot is reverse pie shaped and abuts a municipal park to the rear.

The application proposes a two-storey detached dwelling requiring variances for eaves height, combined side yard 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 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 site is located within the Clarkson-Lorne Park Neighbourhood and is designated Residential Low Density I by the Mississauga Official Plan (MOP). The Residential Low Density I designation permits only 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. It is staff's opinion that the proposed detached dwelling respects the designated and surrounding land use. Further, the proposal is consistent with newer two storey dwellings in the immediate area. Staff are satisfied that these variances maintain the general intent and purpose of the official plan.

**Does the proposal maintain the general intent and purpose of the Zoning By-law?**

Variance #1 requests an increase in height to the eaves. The intent of restricting height to the eaves is to lessen the visual massing of dwelling by bringing the edge of the roof closer to the ground. This lowers the overall pitch of the roof and keeps the dwelling within human scale. Staff are satisfied that the proposed increase in height is appropriate for the subject property and note that the increase is exceedingly minor (0.10m or 0.33ft), which will be imperceptible from the streetscape.

Variance #2 pertains to combined side yard setback. The general intent of setback regulations is to ensure that an adequate buffer exists between the massing of structures on adjoining properties. The proposed dwelling provides adequate individual side yard setbacks for both the sides, maintaining adequate buffer between properties. Further, through a review of the immediate neighbourhood concludes similar deficiencies are common for detached dwellings in the neighbourhood.

Variance #3 requests an increase in gross floor area. The intent in restricting gross floor area is to maintain compatibility between existing and new dwellings in order to ensure the existing and planned character of a neighbourhood is preserved. Staff are satisfied that the proposal is sympathetic to both the planned character of the area and existing dwellings. Staff are of the opinion that the increase poses limited impacts to abutting properties and that the increase is minor numerically.

Given the above, Staff are satisfied that the intent and purpose of the zoning by-law is maintained.

**Is the proposal desirable for the appropriate development of the subject lands and minor in nature?**

Staff are satisfied that the application is minor in nature and represents appropriate development of the subject lands. Staff are of the opinion that the variances, both individually and cumulatively, are minor in nature and will not create any undue impacts to adjoining properties or the planned or existing character of the area.

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-24/2800.

Comments Prepared by: John Salvino, Development Engineering Technologist



### Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application 24-2800. Based on the review of the information available in this application, the requested variances are correct.

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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: 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 to the rear of the property are owned by the City of Mississauga, identified as Meadowwood Park (P-006), classified as a 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. 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](mailto: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 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 the construction works of the proposed asphalt driveway will impact a City owned tree, likely resulting in tree injury. Care should be taken to protect the below noted tree as best as possible:

- Red Oak: 39cm DBH, good-fair condition, minimum Tree Protection Zone (TPZ) 2.4m, located southeast of the driveway, City tree.

Furthermore, Forestry notes that there are additional trees (City or boundary) along the property frontage. While these trees appear to be located outside the construction work zone, care should be taken to protect the below noted trees as best as possible:

- Serviceberry: 12cm DBH, good condition, minimum Tree Protection Zone (TPZ) 1.5m, located along property frontage, boundary tree.
- White Mulberry: 19cm DBH, good-fair condition, minimum Tree Protection Zone (TPZ) 1.5m, located along property frontage, City tree.
- Colorado Spruce: 9.5cm DBH, good-fair condition, minimum Tree Protection Zone (TPZ) 1.2m, located along property frontage, City tree.
- Colorado Spruce: 19.5cm DBH, fair condition, minimum Tree Protection Zone (TPZ) 1.5m, located along property frontage, City tree.

If necessary, Tree Protection Hoarding for City trees shall be installed as per By-law 0020-2022. Any public tree injuries and/or removals need to apply for Tree Application Permits as noted in Item 1. As per this By-law, no person shall perform any work within a TPZ without a valid permit.

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For privately owned trees to be protected, and where necessary, Tree Protection Hoarding shall be installed as per By-law 0021-2022. Any private tree injuries and/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 Technician, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email [jamie.meston@mississauga.ca](mailto:jamie.meston@mississauga.ca).

Comments Prepared by: Jamie Meston, Landscape Technician

## Appendix 4 – Region of Peel Comments

### Minor Variance Application: A-24-510M / 680 Meadow Wood Road

Development Engineering: Brian Melnyk ([brian.melnik@peelregion.ca](mailto:brian.melnik@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](mailto: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](mailto:siteplanservicing@peelregion.ca).

Comments Prepared by: Petrele Francois, Junior Planner

## Appendix 5 - Conservation Authority Comments

Credit Valley Conservation (CVC) staff have reviewed the subject application and offer comments based on the following roles and responsibilities:

1. Delegated Responsibilities \_ providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 5.1 and 5.2 of the *Provincial Planning Statement* (2024);
2. Regulatory Responsibilities \_ providing comments to ensure the coordination of requirements under the *Conservation Authorities Act Section 28 regulation*, to eliminate unnecessary delay or duplication in process.

3. Source Protection Agency – providing advisory comments to assist with the implementation of the CTC Source Protection Plan under the *Clean Water Act*, as applicable.

### **CVC REGULATED AREA**

Based on our mapping, the subject property is regulated due to watercourse (Sheridan Creek Tributary) that traverses through the property. As such, the property is subject to the Prohibited Activities, Exemptions, and Permits Regulation (Ontario Regulation 41/24). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

### **PROPOSAL:**

It is our understanding that the applicant is requesting the Committee to allow the construction of a new house proposing:

1. An eaves height of 6.50m (approx. 21.33ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance;
  1. A combined side yard setback of 5.35m (approx. 17.55ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard setback of 7.83m (approx. 25.69ft) in this instance;
  2. A gross floor area of 565.00sq m (approx. 6081.66sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 550.00sq m (approx. 5920.20sq ft) in this instance.

### **COMMENTS:**

CVC staff had previously reviewed the proposal for a two-storey dwelling unit and a septic tank and issued a clearance. Based on the review of the information provided it appears that the plans have changed, mainly the septic tank. However, CVC staff understands that the proposed minor variances are related to the proposed house. As such, we have **no objection** to the minor variances proposed at this time.

CVC staff further information related to the proposed septic tank. The applicant is advised to contact CVC to ensure that the proposed septic tank meets CVC's permitting requirements.

The applicant is to note that CVC has not received payment of the review fee of \$478 for this Minor Variance/Consent application. The applicant should forward this directly to CVC at the earliest convenience.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at [stuti.bhatt@cvc.ca](mailto:stuti.bhatt@cvc.ca) or 905-670-1615 (ext. 3500) should you have any further questions. Please circulate CVC on any future correspondence or applications regarding this site.

Comments Prepared by: Stuti Bhatt, Junior Planner