

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-01-09	File(s): A502.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 1/16/2025 1:00:00 PM

Consolidated Recommendation

The City recommends the application be deferred for redesign.

Application Details

The applicant requests the Committee to approve a minor variance to allow a patio proposing:

1. A northern side yard setback of 0.15m (approx. 0.49ft) whereas By-law 0225-2007, as amended, requires a minimum northern side yard setback of 0.60m (approx. 1.97ft) in this instance;
2. A southern side yard setback of 0.19m (approx. 0.62ft) whereas By-law 0225-2007, as amended, requires a minimum southern side yard setback of 0.60m (approx. 1.97ft) in this instance.

Background

Property Address: 7253 Second Line West

Mississauga Official Plan

Character Area: Meadowvale Village Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

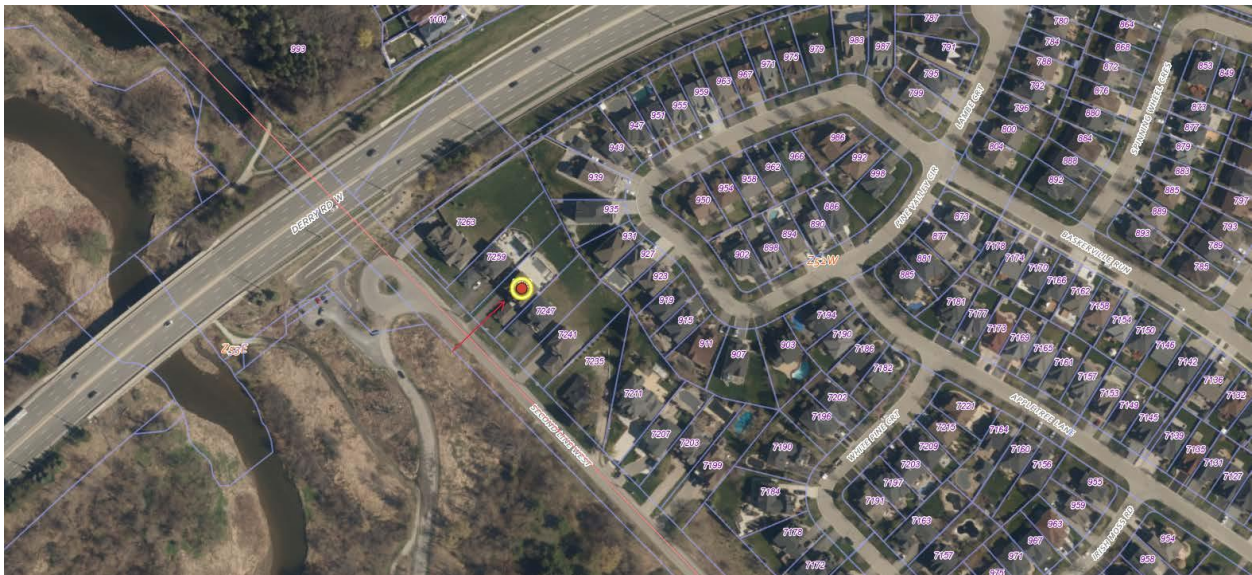
Zoning: R1 - Residential

Other Applications: None

Site and Area Context

The subject property is located on the east side of the Second Line West, north of the Second Line West and Old Derry Road intersection in the Meadowvale Village Neighbourhood Character Area. It is an interior lot containing a two-storey detached dwelling with an attached garage. The subject property slopes severely from rear of the lot to front contains limited vegetative and landscaping elements throughout. The surrounding area context is exclusively residential, consisting of detached and semi-detached dwellings.

The applicant is proposing to legalize the existing hardscaping in the rear yard requiring variances for side and 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 Meadowvale Village Neighbourhood Character Area and is designated Residential Low Density II 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 sole variance requests a reduced side yard setback for the hard surfaced landscaping. The general intent of this portion of the by-law is to ensure appropriate drainage patterns can be maintained. Planning staff note Transportation & Work's staff have identified several concerns with the position and setback of the existing hard surfaced landscaping in the rear yard as it does not allow for fully functional drainage swales on both sides of the property.

Planning staff echo Transportation & Work's staff comments and recommend the application be deferred for redesign of the rear yard hard surfaced landscaping.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This department cannot support the requested variances to reduce the northern and southern side yard setbacks as this reduction significantly reduces the side yard setback and would not allow for fully functional drainage swales on both sides of the property.

As clearly evident from the enclosed photos and from our site inspection, the topography of this property is unique as there is a very steep slope at the rear and all of the drainage from the rear yard can only be directed towards the front. There is an approximate 7.0 M grade differential from the rear property line to the rear of the existing dwelling and an additional 3.0M grade differential from the rear of the dwelling to the front property line.

The General Site and Grading Plan (A0.3) prepared by Skira and Associates Ltd (stamped and approved November 25, 2016) depicts all the pertinent grading and drainage details. The approved Grading Plan shows the rear to front drainage pattern, where the drainage from the rear yard is split approximately 7.5M from the rear of the dwelling and redirected to both side yards which is then directed to the front of the dwelling.

Information submitted by the applicant and DWG A1.00 submitted makes reference to the installation of weeping tiles to accommodate the drainage. From our site inspection we also observed two pvc pipes which we assume are proposed to be utilized to collect the drainage. Acknowledging the significant drainage area in the rear yard, and the significant slope, the sheet runoff from any significant rainfall can simply not be accommodated by the proposed weeping tile, but only by a proper drainage swale.

In view of the above we cannot support the request and strongly recommend that drainage swales be re-instated on both property lines to reflect the approved Grading Plan which would mean modifications to the existing patio. In this specific scenario and acknowledging that the zoning by-law only requires a 0.60M setback, it would also be our recommendation to provide a greater setback, at least a 1.0M setback to the patio to ensure that a proper drainage swale can be constructed.

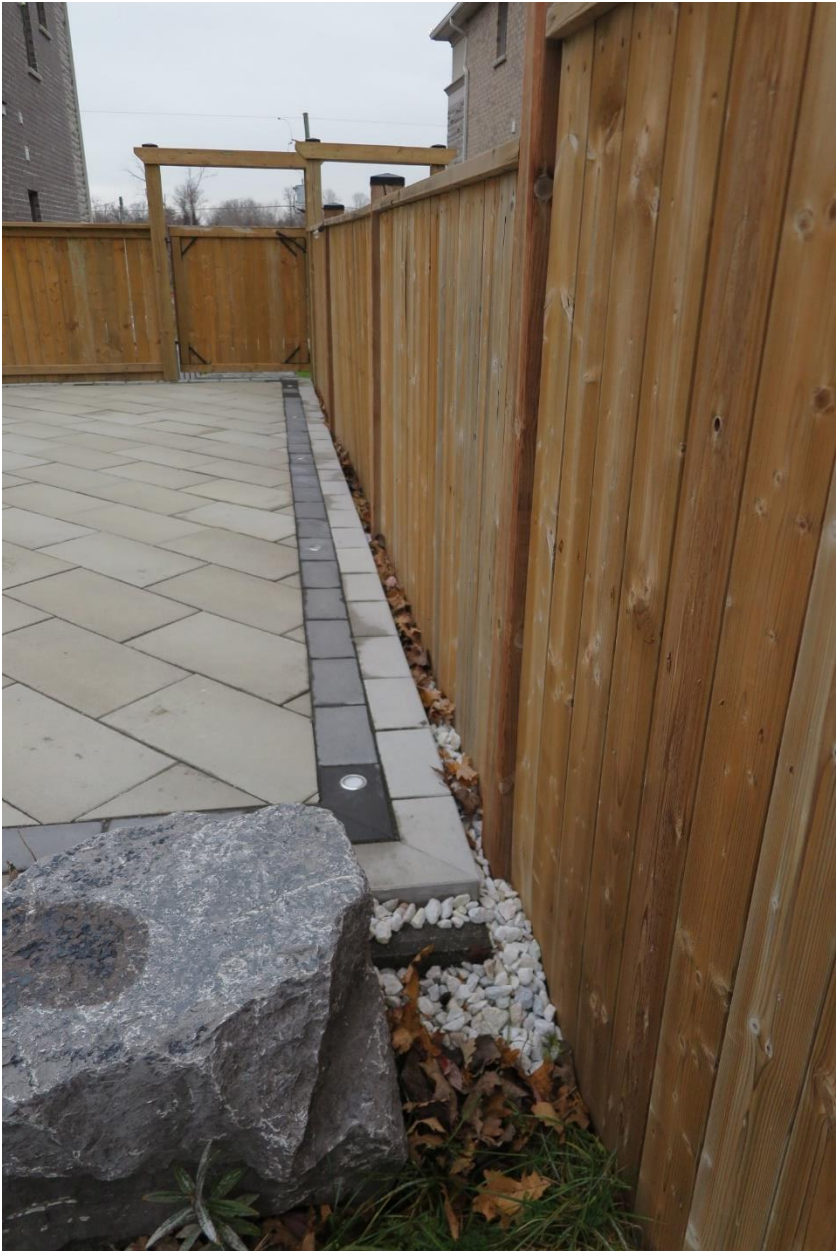
Should the applicant want to discuss this further with the writer of these comments, feel free to contact the representative from the Transportation and Works Department (tony.iacobucci@mississauga.ca).















Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

In the absence of a Development application 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.

For scope of work that does not require Site Plan Approval/Building Permit/Zoning Certificate of Occupancy Permit, the applicant may consider applying for a Preliminary Zoning Review application. A detailed site plan drawing and architectural plans are required for a detailed zoning review to be completed. A minimum of 6-8 weeks is required depending on the complexity of the proposal and the quality of information submitted.

Comments Prepared by: Emily Majeed, Planner-in-Training

Appendix 3 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 4- Conservation Authority Comments

Please see below CVC comments for minor variance application for above-mentioned property:

The subject property at 7253 Second Line West in Mississauga does not contain any floodplains, watercourses, shorelines, wetlands, valley slopes or other environmental features of interest to Credit Valley Conservation (CVC). Furthermore, the property is not subject to Ontario Regulation 41/24, (the Prohibited Activities, Exemptions, and Permits Regulation) or to the policies of CVC at this time.

If you have any further questions, please do not hesitate to contact the undersigned.

Comments Prepared by: Stuti Bhatt, Junior Planner