

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-01-17	File(s): A578.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:1/23/2025 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

The applicant requests the Committee to approve a minor variance for an accessory structure proposing a residential unit coverage of 44.22sq.m (approx. 475.98sq.ft) whereas By-law 0225-2007, as amended, permits a maximum residential unit coverage of 34.83sq.m (approx. 374.91sq.ft) in this instance.

Amendments

The Building Department is currently processing a building permit under file BP 9NEW 24-4583. Based on review of the information currently available in this permit application, the variance must be amended to the following:

- To permit a maximum lot coverage of 47.5% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 45% in this instance.

Background

Property Address: 1665 Warren Dr

Mississauga Official Plan

Character Area: Rathwood Neighbourhood

Designation: Residential Low Density I

Zoning By-law 0225-2007

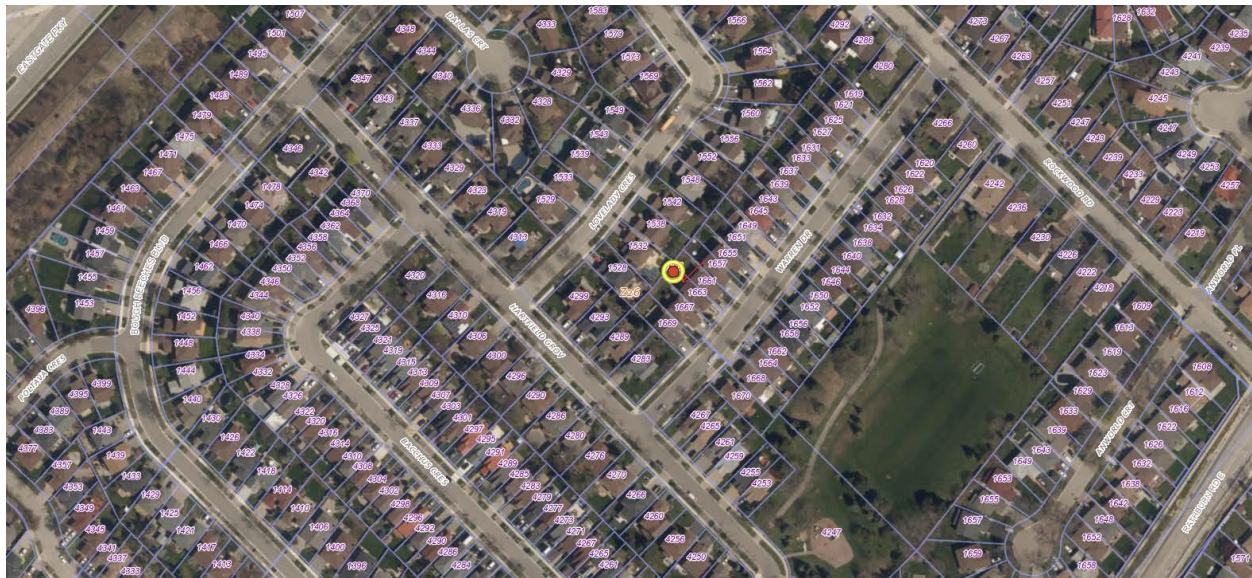
Zoning: RM1 - Residential

Other Applications: BP 9NEW 24-4583

Site and Area Context

The subject property is located north-east of the Rathburn Road East and Dixie Road intersection in the Rathwood Neighbourhood Character Area. It is an interior lot containing a semi-detached dwelling with an attached garage. Limited landscaping and vegetative elements are present on the subject property. The surrounding area is exclusively residential, consisting of detached and semi-detached dwellings on similarly sized lots.

The applicant is proposing to construct a detached additional residential unit requiring variances 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:

The subject property is designated Residential Low Density I on Schedule 10 of the Mississauga Official Plan (MOP). 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. Bill 23, More Homes Built Faster Act, 2022, requires official plans and zoning by-laws to permit “as of right” small-scale residential uses of up to three units per lot in areas where municipal services are available.

Planning staff are of the opinion that the proposed built form of the detached additional residential unit (ARU) is appropriate for the subject property and that it will not negatively impact the streetscape. Further, staff are satisfied that the proposal respects the designated and surrounding land uses. Therefore, Planning staff are of the opinion that the requested variances maintain the general intent and purpose of the official plan.

City Council passed By-Law 0174-2023, on November 10, 2023, amending the City’s parent zoning By-Law 0225-2007, to introduce and regulate ARUs.

The sole variance pertains to the ARU lot coverage. The intent of the zoning by-law provisions regarding the size of the ARU is to ensure the structure is proportional to the lot and dwelling while not presenting any massing concerns to neighbouring lots. Staff note that the ARU regulations are based on a property’s lot size and that the overall maximum lot coverage of a lot shall be permitted to increase by up to an additional 10%, of which 10% is solely calculated towards a detached ARU. The proposed ARU totals 12.7% of the lot coverage. Staff are satisfied that these are minor deviations from the permissible by-law regulations and that the proposed ARU is accessory to the main dwelling and property. Additionally, staff are of the opinion that the proposed ARU is located appropriately on the subject property and it is one-storey in height and requests no additional setback variances, mitigating potential negative impacts to neighbouring lots.

Staff are of the opinion that the proposal represents appropriate development of the lands and modest intensification. Staff are satisfied that the proposal maintains the general intent and purpose of the official plan and zoning by-law. Furthermore, staff are of the opinion that the proposed variance respects the surrounding neighbourhood context and that the impacts of the requested variances are minor and will not cause undue impacts on adjacent properties.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's ease of reference are photos depicting the subject property. We note that any Transportation and Works Department concerns/requirements for this property will be addressed under application BP 9NEW 24 2583 ARU.







Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file BP 9NEW 24-4583. Based on review of the information currently available in this permit application, the variance must be amended to the following:

- To permit a maximum lot coverage of 47.5% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 45% in this instance.

Please note that comments reflect those provided through the above permit application and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments. Staff also note that they have asked for further details regarding established grade. This may trigger additional variances.

Comments Prepared by: Tage Crooks, Planner Zoning Examination

City of Mississauga

Memorandum:

City Department and Agency Comments

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

- 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

City of Mississauga

Memorandum:

City Department and Agency Comments