

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-01-23	File(s): A555.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:1/30/2025 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 an addition proposing:

1. A lot coverage of 38.20% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
2. A western side yard setback of 1.37m (approx. 4.49ft) whereas By-law 0225-2007, as amended, requires a minimum western side yard setback of 1.81m (approx. 5.94ft) in this instance;
3. A rear yard setback of 6.89m (approx. 22.61ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 7.50m (approx. 24.61ft) in this instance.

Background

Property Address: 364 Targa Rd

Mississauga Official Plan

Character Area: Cooksville Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

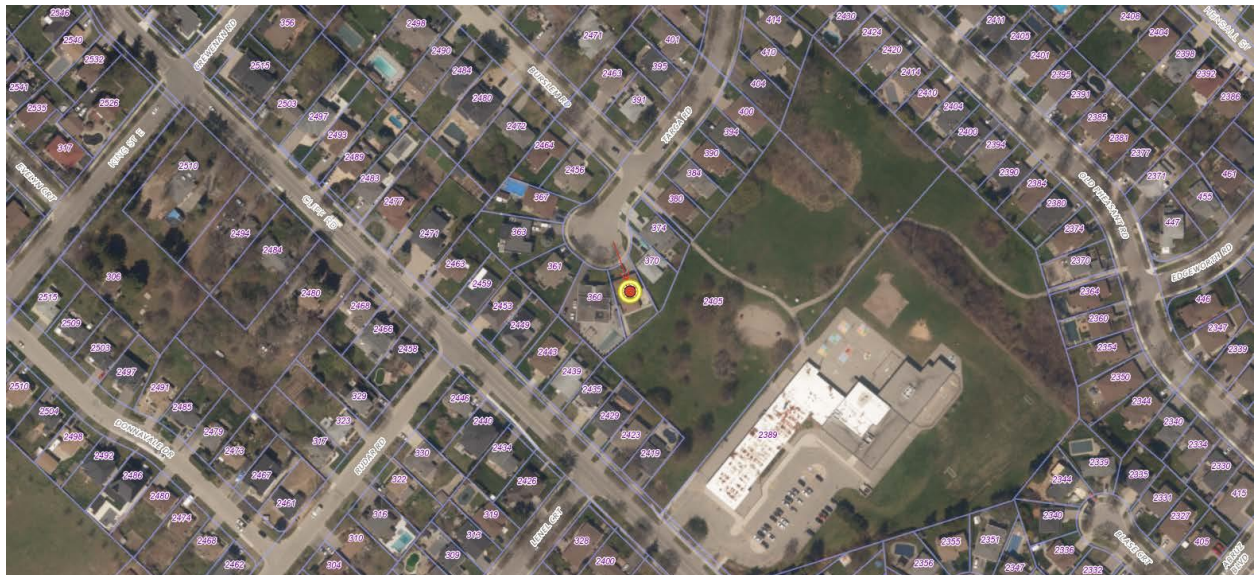
Zoning: R3 - Residential

Other Applications: None

Site and Area Context

The subject property is located north-west of the Queensway East and Cliff Road intersection in the Cooksville Neighbourhood Character Area. It has an approximate lot frontage of +/- 15.57m (51ft) and a lot area of +/- 634.67m² (6,831.53ft²). Currently the property contains a two-storey detached dwelling with an attached garage. The lot features mature vegetative and landscaping elements in both the front and rear yards. The surrounding area context is predominantly residential, consisting exclusively of detached dwellings on similarly sized lots. Ashwood Park is located directly south of the subject property, in close proximity to Clifton Public School.

The applicant is proposing to construct an addition requiring variances for lot coverage, side and rear yard setbacks



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 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 (MOP). This designation permits detached, semi-detached, and duplex dwellings. 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 has limited massing impacts on abutting properties and the surrounding community as a majority of the proposed addition is located in the rear yard and there no residential dwellings abutting the property to the rear and. Staff are therefore of the opinion that the proposed addition is in line with existing dwellings in the neighbourhood and the planned character of the surrounding community. Staff are therefore satisfied that the proposal maintains 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 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 proposed dwelling, inclusive of the addition, accounts for a total of 35.10% of the lot coverage, thereby representing a slight increase over the by-law requirement. An additional 3.2% of lot coverage would be attributed to the front porch, rear open deck, roof overhang and balcony. Staff note the proposed addition is located at the rear of the dwelling where massing impacts are reduced because subject property does not abut another residential property at the rear. Staff are satisfied that the proposal does not represent an overdevelopment of the subject property and is in line with both original and newer dwellings in the surrounding context.

Variances #2 requests a side yard setback to the west side of the dwelling. The intent of the side yard setback by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties, and that appropriate drainage patterns can be maintained on the subject property. Staff note the side yard setback variance is only for the second storey. The first storey meets the minimum side yard setback requirements of 1.2m (3.93ft), and that the applicant is proposing to align the second storey with the first storey of the proposed dwelling. Staff are satisfied that the proposed setback is consistent with the setbacks

found in the immediate area and will provide an adequate buffer to the abutting property to the west. Transportation & Work's staff have noted no drainage concerns at this time.

Variance #3 pertains to a rear yard setback to the proposed addition. The intent of the rear yard setback is to ensure that both an adequate buffer exists between the massing of primary structures on adjoining properties, as well as provides an appropriate amenity area within the rear yard. The rear yard setback is measured at a pinch point at the south-east corner of the property. This reduction can be considered negligible as it does not reduce the entire rear yard, but rather focuses on the pinch point. Staff are satisfied that the proposed rear yard setback variance is considered minor as it does not alter the character of the surrounding area or negatively impact neighboring properties while maintaining adequate amenity area in the rear yard.

Given the above, staff are satisfied that the requested variances maintain the general intent and purpose of the zoning by-law.

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

The proposed dwelling maintains the existing and planned context of the surrounding area and does not pose a negative impact to the neighbourhood by maintaining the planned character of the neighbourhood. Staff are of the opinion that the application represents orderly development of the lands and is minor in nature.

Comments Prepared by: Sara Ukaj, Planning Associate

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 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

- 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.
- Installation of and alterations to property line water valves require inspection by the Region of Peel.
- 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.

Comments Prepared by: Petrele Francois, Junior Planner