

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-02-20	File(s): A17.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2/27/2025 3:30:00 PM

Consolidated Recommendation

The City has no objections to the application, subject to the amendments.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a residential townhouse block proposing:

1. A rear yard setback to building 2 of 16.73 m (approx. 54.89 ft.), 17.5 m (approx. 57.41 ft.), and 18.1 m (approx. 59.38 ft.) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 17.7 m (approx. 58.1 ft.), 18.5 m (approx. 60.7 ft.), and 19.1 m (approx. 62.66 ft.) in this instance;
2. An eaves setback to building 2 of 17.2 m (approx. 56.43 ft.), 18 m (approx. 59.1 ft.), and 18.6 m (approx. 61 ft.) whereas By-law 0225-2007, as amended, requires a minimum eaves setback of 17.7 m (approx. 58.1 ft.), 18.5 m (approx. 60.7 ft.), and 19.1 m (approx. 62.66 ft.) in this instance;
3. An A/C setback to building 1 of 6.22 m (approx. 20.41 ft.) whereas By-law 0225-2007, as amended, requires a minimum A/C setback of 7.5 m (approx. 24.61 ft.) in this instance;
4. A window well setback to building 1 of 6.92 m (approx. 22.7 ft.) whereas By-law 0225-2007, as amended, requires a minimum window well setback of 7.5 m (approx. 24.61 ft.) in this instance; and
5. An eaves setback to building 1 of 7 m (approx. 22.97 ft.) whereas By-law 0225-2007, as amended, requires a minimum eaves setback of 7.5 m (approx. 24.61 ft.) in this instance.

Amendments

The Building Department is processing Site Plan application 22-104. Based on review of the information available in this application, we advise that following amendments are required:

1. A rear yard setback to building 2 of 16.73 m (approx. 54.89 ft.), 17.5 m (approx. 57.41 ft.), and 18.1 m (approx. 59.38 ft.) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 17.7 m (approx. 58.1 ft.), 18.5 m (approx. 60.7 ft.), and 19.1 m (approx. 62.66 ft.) in this instance;
2. Proposed A/C units for building 1 and building 2 outside the buildable area; whereas By-law 0225-2007, as amended, requires the A/C units to be within the buildable area in this instance;
3. A window well setback to building 1 of 6.92 m (approx. 22.7 ft.) whereas By-law 0225-2007, as amended, requires a minimum window well setback of 7.5 m (approx. 24.61 ft.) in this instance; and
4. Proposed eaves for building 1 and building 2 outside the buildable area; whereas By-law 0225-2007, as amended, requires the eaves to be within the buildable area in this instance.

Background

Property Address: 6611 Second Line W, 6635 Clock Crt, 6636 Clock Crt

Mississauga Official Plan

Character Area: Meadowvale Village Neighbourhood
Designation: Medium Density

Zoning By-law 0225-2007

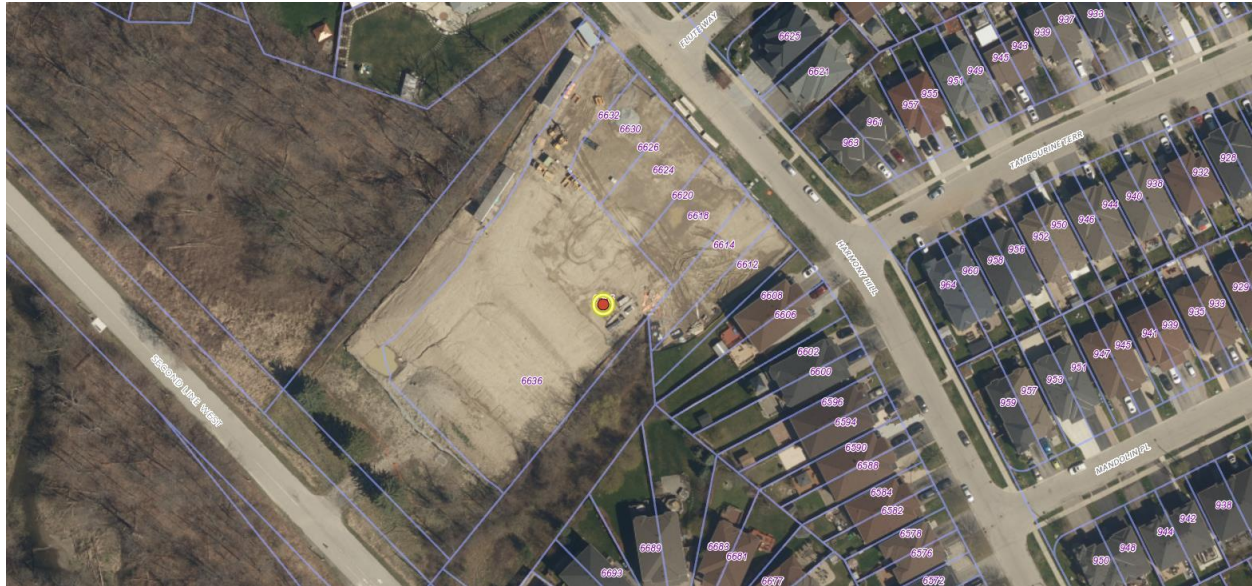
Zoning: RM4-79 - Residential

Other Applications: SP 22-104

Site and Area Context

The subject property is located south-east of the Second Line West and Sombrero Way intersection in the Meadowvale Village Neighbourhood Character Area. Currently, it is a vacant site with a lot area of 0.41ha (1.01ac). The proposal aims to construct thirteen (13) three-storey townhouses on a private condominium road. Limited landscaping and vegetative elements are present on the subject property. The surrounding area context is primarily residential, consisting of detached and semi-detached dwellings. Additionally, the Meadowvale Woods Park is located to the west of the subject property.

The applicant is proposing to construct townhouse dwellings requiring variances for rear yard setbacks, window well setback and the eaves and air conditioning units located outside the buildable area as identified on Schedule RM4-79 in Zoning By-law 0225-2007.



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 Medium Density on Schedule 10 of the Mississauga Official Plan (MOP) and is located in the Meadowvale Village Neighbourhood Character Area.

Planning staff note the nature of the four variances sought are to facilitate a design which has been conceptually approved by both the Urban Design and Development Planning teams through their review of the Site Plan Approval application (SP 22-104). Additionally, Zoning staff have provided amendments to the proposed variances.

Variances 1 requests reduced rear yard setbacks to the proposed building 2 of the development. The intent of the rear yard setback regulations is to ensure that both an adequate buffer exists between natural areas and/or primary structures on adjoining properties, as well as an appropriate rear yard amenity area for the dwellings. Staff note that a large portion of the site is located in the Credit Valley Conservation Authority's (CVC) regulated area. It is to be noted an increased rear yard setback to the proposed building 2 was required due to the site's proximity to a significant natural feature. Planning staff are of the opinion that the proposed setback regulations is negligible and will continue to maintain an appropriate buffer to the significant natural feature. The rear yard amenity area is relatively unaffected by the requested variance.

Staff also note the CVC has provided a clearance letter and has raised no objections to the request. The City relies on the expertise of the Credit Valley Conservation Authority on matters relating to natural features and are in agreement with their position.

Variance 3 pertains to a reduced window well setback to the proposed building 1. The intent of the by-law regulation is to ensure there is an appropriate buffer between the lot line and window well and allow for unimpeded access. Staff note the reduction is minor deviation from the by-law regulations and will maintain an appropriate buffer between the dwelling and lot line.

Variances 2 and 4 requests the proposed eaves and air conditioning units for both buildings 1 and 2 of the development to be built outside of the required buildable area, as noted in the site-specific zoning schedule RM4-79. Upon review, staff note that the request is for a limited number of areas within the proposal. The requested variance represents a minor change that have already been reviewed in consultation with municipal staff and do not fundamentally change the intended design or functionality of the site. Planning staff are satisfied that the proposed variance will continue to facilitate a development that is appropriate for the subject property.

Planning staff are satisfied that the proposed variances will facilitate a development that is appropriate for the subject property and that the proposed variances will meet the general intent of the by-law and will not significantly alter the envisioned development. Furthermore, Planning staff are satisfied that the proposed variances, both individually and cumulatively, meet the general intent and purpose of the official plan and zoning by-law, are minor in nature and result in orderly development of the subject property.

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 requirements for the proposed residential townhouse block will be addressed through the Building Permit Process. It should also be noted that the city is processing SP 22-104 and has processed Plan of Subdivision file 21T-17005 to address numerous site-specific conditions/requirements.



Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Department is processing Site Plan application 22-104. Based on review of the information available in this application, we advise that following amendments are required:

1. A rear yard setback to building 2 of 16.73 m (approx. 54.89 ft.), 17.5 m (approx. 57.41 ft.), and 18.1 m (approx. 59.38 ft.) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 17.7 m (approx. 58.1 ft.), 18.5 m (approx. 60.7 ft.), and 19.1 m (approx. 62.66 ft.) in this instance;
2. Proposed A/C units for building 1 and building 2 outside the buildable area; whereas By-law 0225-2007, as amended, requires the A/C units to be within the buildable area in this instance;
3. A window well setback to building 1 of 6.92 m (approx. 22.7 ft.) whereas By-law 0225-2007, as amended, requires a minimum window well setback of 7.5 m (approx. 24.61 ft.) in this instance; and
4. Proposed eaves for building 1 and building 2 outside the buildable area; whereas By-law 0225-2007, as amended, requires the eaves to be within the buildable area in this instance.

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: Andrea Patsalides, Planner

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 Fletcher's Flats (P-428), classified as a Significant Natural Area within the City's Natural Heritage System, and zoned G1. 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, the Parks and Culture Planning Section provides the following notes:

1. Given that the property is subject to a development application, T M17005 W11 and SP 22-104, all of Community Services' comments and/or requirements are being addressed through the development application(s).

2. 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.

Comments Prepared by: Nicholas Rocchetti, Planner

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. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at servicingconnections@peelregion.ca.
- 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 at 905.791.7800 x7973 or by email at servicingconnections@peelregion.ca.

Comments Prepared by: Brian Melnyk, Development Engineering

Appendix 5 – Ministry of Transportation

The subject sites described above appear to be located within the MTO Permit Control Area for Highway 401; as a result, the applicant should be made aware that an MTO Building & Land Use Permit(s) will be required from this office prior to the start of any onsite construction/works. These comments are preliminary only, and prior to any MTO permit applications being submitted, the MTO requests that the Municipality circulate the Official Plan & Zoning By-law / Site Plan Amendment Applications for the subject site for review, where we will provide more detailed comments, including what materials will be required for review as part of the Site Plan Application circulation.

Information regarding the application process, forms and the policy can be found at the following link: <https://www.ontario.ca/page/highway-corridor-management>

Comments Prepared by: Nicole Hajjar, Corridor Management Officer