

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2020-11-18	File(s): A388/20 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-11-26

## Consolidated Recommendation

The City recommends that the application be deferred to verify the accuracy of the requested variances.

## Application Details

The applicants request the Committee to approve a minor variance to allow the construction of a new house on the subject property proposing:

1. A height of 8.16m (approx. 26.77ft) whereas By-law 0225-2007, as amended, permits a maximum height of 7.50m (approx. 24.61ft) in this instance;
2. A side yard of 1.24m (approx. 4.07ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.94ft) in this instance;
3. A building depth of 23.55m (approx. 77.26ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance; and
4. A garage projection of 1.22m (approx. 4.00ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0.00m in this instance.

## Background

**Property Address:** 1447 Myron Drive

### Mississauga Official Plan

Character Area: Lakeview Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

**Zoning:** R3-75 (Residential)

## 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 designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached and duplex dwellings. The official plan policies for lands within the Lakeview Neighbourhood Character Area are contained within the Lakeview Local Area Plan and are within the Orchard Heights boundary of the Central Residential Neighbourhood Precinct. As per Section 10.3 (Built Form Types) of the Lakeview Local Area Plan, new housing within Lakeview should maintain the existing character of the area. The proposed dwelling has regard for the existing and planned character of the surrounding area as the proposal is not out of context with newer two storey dwellings.

Through discussions with the Zoning Division, it appears the plans submitted through this minor variance application and the pre-application differ. The Zoning Division has stated that the pre-application proposes a flat roof height of 8.46 m whereas this application proposes a flat roof height of 8.16 m. It should be noted that variance #4 proposing a garage projection is not required as the R3-75 (Residential) zone does not contain a provision regulating garage projections. While staff have no concerns with the variances outlined in this application, it is recommended that this application be deferred to verify the proposed plans and accuracy of the variances.

## **Conclusion**

The Planning and Building Department recommends that the application be deferred to verify the accuracy of the requested variances.

Comments Prepared by: Lucas Petricca, 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 through the future Building Permit process.



Comments Prepared by: David Martin, Supervisor Development Engineering

### Appendix 2 – Zoning Comments

The Planning and Building Department is currently processing a pre-application under file 20-2588. Based on review of the information currently available for this application, we advise that more information is required to verify the accuracy of the requested variances or determine



whether additional variances will be required. The pre-application proposes the variances outlined below:

1. A height of 8.46m (approx. 27.75ft) whereas By-law 0225-2007, as amended, permits a maximum height of 7.50m (approx. 24.61ft) in this instance;
2. A side yard of 1.60m (approx. 5.25ft) for the second floor interior side yard setback whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.94ft) in this instance;
3. A building depth of 22.02m (approx. 72.24ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance.

The approval documents for the existing shed or the full architectural plans and setbacks to the property lines in order to verify zoning compliance/non-compliance has not been provided and required; also the shed area has not been calculated in lot coverage calculations.

Comments Prepared by: Shahrzad (Sherri) Takaloo, Zoning Examiner

## **Appendix 5 – Region of Peel Comments**

### Development Engineering: Camila Marczuk (905) 791-7800 x8230

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 call our Site Servicing Technicians at 905.791.7800 x7973 or by email at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca)

### Development Planning: Diana Guida (905) 791-7800 x8243

Please be advised that a portion of the subject property is located within an area the Regional Official Plan (ROP) designates as Potential Natural Areas and Corridors (PNAC) woodland in the Region's Greenlands System, under Policy 2.3.2. Within these designations, ROP policies seek to protect environmental resources.

Please be advised that a portion of the subject property is also located within the limits of the regulated area of the Credit Valley Conservation (CVC).

The Region relies on the environmental expertise of the CVC for the review of development applications within or adjacent to Greenlands Systems in Peel and their potential impacts on the natural environment. Regional Planning staff therefore, request that the Committee and city staff consider comments from the CVC and incorporate their conditions of approval appropriately.

Comments Prepared by: Diana Guida, Junior Planner

## Appendix 6- Conservation Authority Comments

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

1. Watershed Based Resource Management Agency and Public (commenting) Body under the Planning Act - providing comments based on CVC's Board approved policies;
2. Planning Advisory Services - providing environmental planning and technical advice/comments based on service agreements or memorandum of understanding;
3. Delegated Responsibilities – providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 3.1 of the Provincial Policy Statement (2014);
4. 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;
5. Source Protection Agency – providing advisory comments to assist with the implementation of the CTC Source Protection Plan under the Clean Water Act, as applicable.

### SITE CHARACTERISTICS:

The subject property is regulated due to floodplain and valley slope associated with Applewood Creek. In addition, the property appears to be located within the Natural Site (LV14) of the City's Natural Heritage System and the Credit River Watershed Natural Heritage System (CRWNH).

It is the policy of CVC and the Province of Ontario to conserve and protect the significant physical, hydrological and biological features associated with the functions of the above noted characteristics and to recommend that no development be permitted which would adversely affect the natural features or ecological functions of these areas.

### ONTARIO REGULATION 160/06:

The property is subject to the Development, Interference with Wetlands, and Alterations to Shorelines & Watercourses Regulation (Ontario Regulation 160/06). 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 applicants request the Committee to approve a minor variance to allow the construction of a new house on the subject property proposing:

1. A height of 8.16m (approx, 26.77ft) whereas By-law 0225-2007, as amended, permits a maximum height of 7.50m (approx. 24.61ft) in this instance;
2. A side yard of 1.24m (approx. 4.07ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.94ft) in this instance;

3. A building depth of 23.55m (approx. 77.26ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance; and
4. A garage projection of 1.22m (approx. 4.00ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0.00m in this instance.

**COMMENTS:**

Based on the review of the information, CVC staff have **no concerns** and **no objection** to the approval of the minor variances by the Committee at this time.

It should be noted that a CVC permit is required for the proposed development.

Please circulate CVC any future correspondence regarding this application.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at 905-670-1615 (ext. 220) should you have any further questions or concerns.

Comments Prepared by: Mishaal Rizwan, Planning Technician