

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-01-20	File(s): A1.21 Ward: 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2021-01-28

## Consolidated Recommendation

The City recommends deferral in order for the Applicant to ensure that all required variances have been accurately identified.

## Application Details

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

1. A lot coverage of 46.5% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.0% of the lot area in this instance; and
2. A rear yard of 5.76m (approx. 18.90ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.60ft) in this instance.

### Amendments

While Planning Staff are not in a position to provide an interpretation of the Zoning By-law; Staff note that variance #1 is not required and variance #2 be amended to the following:

- A rear yard of 5.76m (approx. 18.90ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.0m (approx. 24.60ft) in this instance.

## Background

**Property Address:** 3820 Janice Drive

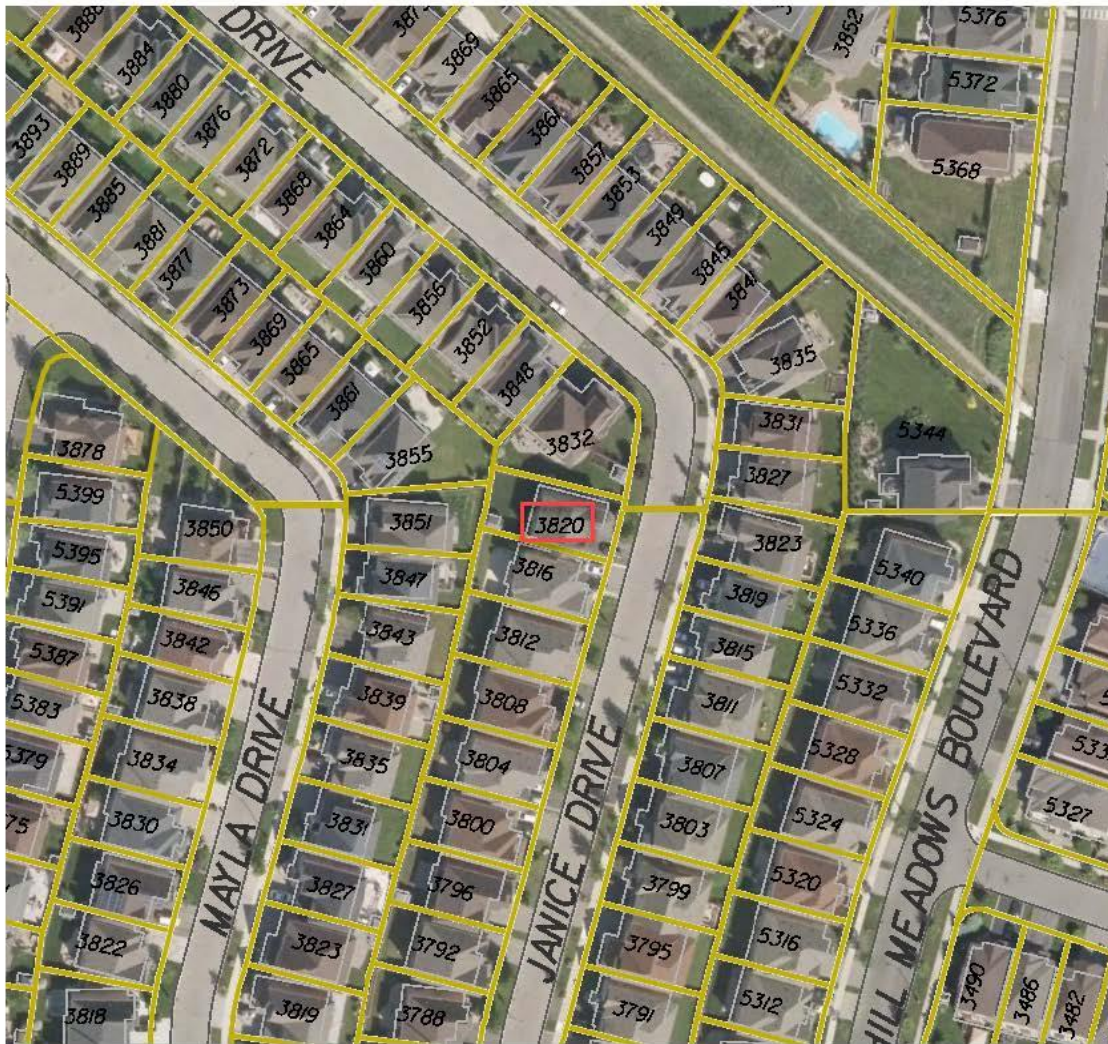
### Mississauga Official Plan

Character Area: Churchill meadows Neighbourhood Character Area  
Designation: Residential Low Density II

**Zoning By-law 0225-2007****Zoning: RM1-1 - Residential****Other Applications: None****Site and Area Context**

The subject property is located north-west of the Erin Centre Blvd. and Ninth Line intersection. The property is an interior parcel, with a lot area of +/- 383.0m<sup>2</sup> and a lot frontage of +/- 13.12m which currently houses a two-storey, detached dwelling with minimal vegetation and landscape elements within the front and rear yard. Contextually, the area is comprised exclusively of residential detached dwellings. The properties within the immediate area possess lot frontages of +/- 12.0m, with minimal vegetative / natural landscaped elements within the front yards.

The applicant is proposing an accessory structure requiring variances related to lot coverage 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 site is situated within the Churchill Meadows Character Area, and designated Residential Low Density II by 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.

While Planning Staff are not in a position to provide an interpretation of the Zoning By-law; Staff note variance #1 is not required and variance #2 should be amended to the following:

- A rear yard of 5.76m (approx. 18.90ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.0m (approx. 24.60ft) in this instance.

Staff echo Zoning's comments; The Building Department is not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to confirm the accuracy of the requested variances or determine whether additional variance(s) may be required.

Staff note that there are discrepancies in the requested variances and cannot determine whether they represent the orderly development of the lands, or whether the resulting effects are in fact minor in nature.

## Conclusion

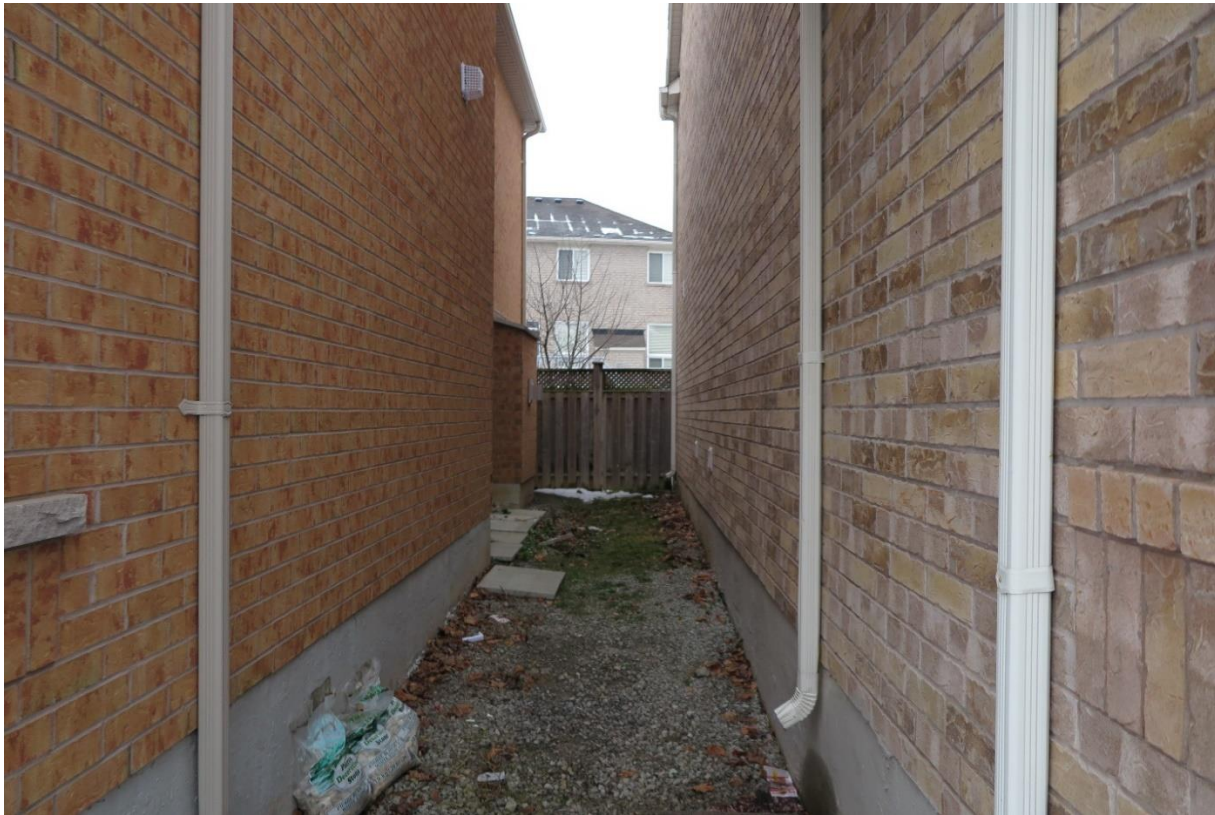
Based upon the preceding information, it is the opinion of Staff that the applicant defer the application to ensure that all required variances have been accurately identified.

Comments Prepared by: Brooke Herczeg RPP, 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 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 Technologist

### **Appendix 2 – Zoning Comments**

The Building Department is not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to confirm the accuracy of the requested variance(s) or determine whether additional variance(s) may be required.

The applicant is advised that a completed zoning review may identify additional instances of zoning non-compliance. The applicant may consider applying for a preliminary zoning review application and submit working drawings for a detailed zoning review to be completed. A minimum of 6-8 weeks will be required to process a preliminary zoning review application depending on the complexity of the proposal and the detail of the information submitted.

Comments Prepared by: Brandon Eidner, Zoning Examiner

### **Appendix 4 – Heritage**

No Heritage Concerns

Comments Prepared by: John Dunlop, Manager, Heritage Planning

**Appendix 5 – Region of Peel**

Regional Planning staff have reviewed the applications listed on the January 28th, 2021 Committee of Adjustment Agenda. We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner