

City of Mississauga Department Comments

Date Finalized: 2021-09-08 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): A367.21 Ward 10
	Meeting date:2021-09-16 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 to allow an addition proposing a rear yard of 5.55m (approx. 18.21ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.60ft) in this instance.

Background

Property Address: 3983 Pondview Way

Mississauga Official Plan

Character Area: Lisgar Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R7-25 - Residential

Other Applications: BP 9ALT 21-6361

Site and Area Context

The subject property is located south-east of the Ninth Line and Osprey Boulevard intersection in the Lisgar Neighbourhood. The property contains a two storey detached dwelling with an attached two car garage. The surrounding context consists exclusively of detached dwellings with attached garages. The property contains no notable vegetation which is characteristic of the area.

The applicant is proposing a rear addition on the property requiring a variance for rear yard setback.



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 Lisgar Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, duplex and triplex dwellings, as well as other low-rise dwellings with individual frontages. 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. The proposal represents a small addition to a permitted detached dwelling that would not impact the streetscape or character of the area. Staff are satisfied that the general intent and purpose of the Official Plan is maintained.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

The intent of the rear yard provisions in the By-law is to ensure that there is a sufficient buffer between primary structures on abutting lots as well as to ensure an appropriate rear yard amenity area for the dwelling. The proposal represents a small addition that does not span the entirety of the width of the dwelling and replaces an existing deck on the subject property. Staff are satisfied that an appropriate buffer is maintained with the property to the rear and that the rear yard amenity area is relatively unaffected by the proposed development. The proposal therefore maintains 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?

Staff are satisfied that any impacts of the proposed addition are minor in nature. Furthermore the proposal represents appropriate development for the subject property which respects massing concerns and the property's rear yard amenity area.

Comments Prepared by: Alexander Davies, 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 the existing grading and drainage pattern be maintained.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file BP 9ALT 21-6361. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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.

Comments Prepared by: Alana Zheng, Zoning Examiner