

# City of Mississauga Department Comments

Date Finalized: 2021-10-12	File(s): A417.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-10-21 1:00:00 PM

## Consolidated Recommendation

The City has no objection to the variances, as requested.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an addition to the main dwelling proposing:

1. A rear yard setback of 6.89m (approx. 22.60ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 7.50m (approx. 24.61ft) in this instance; and
2. A lot coverage of 37.26% (262.70sq.m or 2,827.68sq.ft) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% (approx. 246.75sq.m. or 2,655.99sq.ft) in this instance.

## Background

**Property Address:** 1542 Myron Drive

### Mississauga Official Plan

Character Area: Lakeview Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

**Zoning:** R3-75 - Residential

**Planning Applications:** Building Permit BP 21-7310

### Site and Area Context

The subject property is located within the Lakeview Neighbourhood, southeast of Haig Boulevard and South Service Road. The immediate neighbourhood is residential consisting of one and two storey detached dwellings, on lots with mature vegetation in the front yards. The subject property is a one storey detached dwelling with vegetation in the front yard.

The applicant is proposing an addition to the main dwelling requiring variances for rear yard setback and lot coverage.

## 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 within the Lakeview Neighbourhood Character Area, and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached dwellings; semi-detached dwellings and duplex dwellings. 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 existing residential dwelling is permitted within this designation. Staff is of the opinion that the general intent and purpose of the MOP is maintained.

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

Variance #1 proposes a rear yard setback of 6.89m (approx. 22.60ft) where a minimum rear yard setback of 7.50m (approx. 24.61ft) is required. 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 create an appropriate amenity area within the rear yard. Staff is of the opinion that the proposed rear yard setback is a minor deviation from the minimum rear yard requirement in the zoning by-law. Furthermore, the rear yard setback ensures an adequate amenity area is accommodated in the rear yard and provides an adequate buffer between the dwelling and adjoining properties.

Variance #2 proposes a lot coverage of 37.26%, where a maximum of 35% is permitted. The intent of the zoning by-law is to ensure there isn't an overdevelopment of the lot. In this instance, the dwelling footprint maintains a lot coverage of approximately 31%, which is less than the maximum permitted under the by-law. The portion of the lot coverage that exceeds the by-law is only attributable to the front covered porch, eave overhang and shed. The covered

porch, eave overhang and shed do not add significant massing to the overall dwelling from what is currently permitted.

As such, staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

The proposed addition maintains the existing and planned context of the surrounding area and does not pose a negative impact to the neighbourhood. As a result, the dwelling will maintain compatibility with newer two storey dwellings. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed for Committee's information are photos depicting the subject property. We are noting that any Transportation and Works Department concerns/requirements for the proposed addition to the existing dwelling will be addressed through the Building Permit process.



Comments Prepared by: Dave Martin, Supervisor Development Engineering

### Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file BP 21-7310 based on latest review of the information currently available in this permit application on 2021-Aug-23, 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: Sherri Takaloo – Zoning Examiner