

City of Mississauga Department Comments

Date Finalized: 2022-06-08	File(s): A268.22
To: Committee of Adjustment	Ward: 6
From: Committee of Adjustment Coordinator	Meeting date:2022-06-16 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application, as amended. The applicant may wish to defer the application to ensure additional variances are not required.

Application Details

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

1. A lot coverage of 36.58% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance; and,
2. A hard surface area setback of 0.0m whereas By-law 0225-2007, as amended, requires a minimum hard surface area setback of 0.61m (approx. 2.00ft) in this instance.

Amendments

We advise that the variances should be amended as follows:

1. A lot coverage of 36.58% (201.57m²) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% (192.86m²) in this instance; and,
2. A rear yard hard surface area southerly setback of 0.0m whereas By-law 0225-2007, as amended, requires a minimum hard surface area setback of 0.61m (approx. 2.00ft) in this instance.

Background

Property Address: 4423 Beacon Lane

Mississauga Official Plan

Character Area: Creditview Neighbourhood

Designation: Residential Low Density I

Zoning By-law 0225-2007

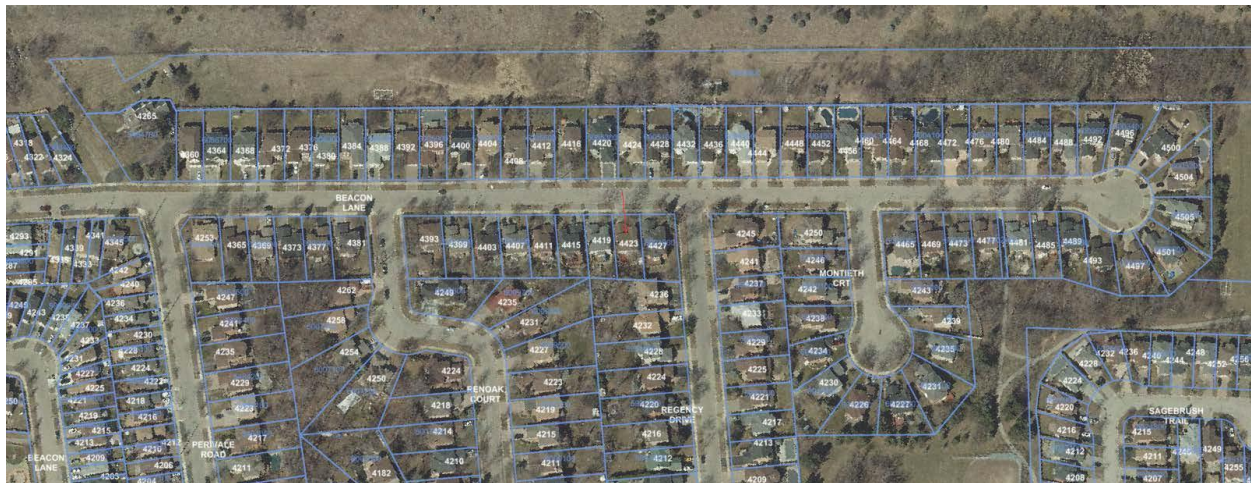
Zoning: R3 - Residential

Other Applications: PREAPP 21-9567

Site and Area Context

The subject property is located north-east of the Rathburn Road West and Perivale Road intersection in the Creditview neighbourhood. It currently contains a two storey detached dwelling and has a lot area of +/- 550.68m² (5,927.47ft²). Limited landscaping and vegetative elements are present in both the front and rear yards. The surrounding area context is predominantly residential, consisting of detached dwellings on generally similarly sized lots.

The applicant is proposing a rear yard addition requiring variances for lot coverage and setback to hardscaping.



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 Creditview Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of 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. The proposed addition is appropriately sized for the subject property and will not create any significant massing or overlook issues for abutting properties. Staff are satisfied that the request maintains the general intent and purpose of the official plan.

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

Variance 1 requests an increase in lot coverage. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot and to limit massing impacts on abutting properties. Planning staff are of the opinion that the proposed addition is appropriately located and sized for the subject property, and note that the addition is limited to one-storey in height. The proposal will not impact the established streetscape and retains an appropriate rear yard amenity area. It is staff's opinion that the addition does not represent an overdevelopment of the lot.

Variance 2 relates to the replacement of the existing hardscaping in both the side and rear yards. The intent of hardscaping setback regulations is to ensure that appropriate drainage patterns can be maintained. Staff note that Transportation and Works staff have raised no drainage concerns surrounding this variance, and that it represents only a small portion of the yard.

Given the above Planning staff are satisfied that the general intent and purpose of the zoning by-law are maintained.

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

Planning staff are of the opinion that any negative impacts to abutting properties will be minor in nature. Furthermore the proposal represents appropriate development of the subject property.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

From our site inspection we do not foresee any drainage related concerns with the proposed addition and note that any Transportation and Works Department requirements will be addressed through the Building Permit Process. With regards to variance#2, we also have no drainage related concerns with the requested 0.0M setback.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a preliminary zoning application under file PREAPP 21-9567. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

1. A lot coverage of 36.58% (201.57m²) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% (192.86m²) in this instance; and,
2. A rear yard hard surface area southerly setback of 0.0m whereas By-law 0225-2007, as amended, requires a minimum hard surface area setback of 0.61m (approx. 2.00ft) in this instance.

We also advise that more information is required in order to determine whether additional variance(s) will be required.

Please note that comments reflect those provided through the above permit application submitted on 03/22/2022 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: Jeanine Benitez, Zoning Examiner