

# City of Mississauga Department Comments

Date Finalized: 2022-10-19	File(s): A412.22
To: Committee of Adjustment	Ward: 4
From: Committee of Adjustment Coordinator	Meeting date:2022-10-27 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure the accuracy of the requested variances and that additional variances are not required.

## Application Details

The applicant requests the Committee to approve a minor variance to allow a rear addition proposing a rear yard setback of 4.11m (approx. 13.4ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 7.5m (approx. 24.6ft) in this instance.

## Background

**Property Address:** 4076 Chelmsford Crt

### Mississauga Official Plan

Character Area: Creditview Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

**Zoning:** RM1-3-Residential

**Other Applications:** None

### Site and Area Context

The subject property is located south-east of the Rathburn Road West and Mavis Road intersection. It is a pie shaped lot at the end of the Chelmsford Court cul-de-sac, with an approximate lot area of +/- 346.26m<sup>2</sup> (3,727.11ft<sup>2</sup>). The property houses a two-storey semi-

detached dwelling with limited landscape elements in both the front and rear yards. The surrounding area is comprised of a mix of detached and semi-detached dwellings on varying sized lots.

The applicant is proposing a rear addition 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 Creditview 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, 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 proposed addition is limited to one storey in height having a negligible impact to the streetscape. It is appropriate given existing site conditions and will have no impact on the landscape of the character area. Staff are therefore satisfied that the general intent and purpose of the official plan are maintained.

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

The proposed variance requests a reduced rear yard setback to the addition. 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 to create an appropriate amenity area within the rear yard. Staff are satisfied that an appropriate amenity area is maintained due to the shape of the lot. Furthermore staff are of the opinion that an appropriate buffer between structures on abutting properties is maintained. Planning staff are therefore satisfied that the general intent and purpose of the zoning by-law are maintained.

While staff have no objections to the application as requested, staff note that an additional variance for setback to the eaves may be required due to their additional encroachment into the reduced rear yard. The applicant may therefore wish to defer the application to submit a building permit and ensure additional variances are not required.

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

Staff are satisfied that the proposal is minor in nature and will not create undue impacts on abutting properties or the streetscape. Furthermore staff are of the opinion that the application represents appropriate development of the subject lands.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner



## Appendices

### Appendix 1 – Transportation and Works Comments

Transportation and Works Department requirements for the proposed addition will be addressed through the Building Permit Process. From our site inspection of the property we do not foresee any drainage related concerns with the addition provided that the existing drainage pattern is maintained on the property.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

### **Appendix 2 – Zoning Comments**

We note that a Building Permit application is required. In the absence of a Building Permit application we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed.

The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

Comments Prepared by: Amy Campbell, Planner-in-Training

### **Appendix 3 – Region of Peel**

We have no comments or objections

Comments Prepared by: Patrycia Menko, Junior Planner