

City of Mississauga Department Comments

Date Finalized: 2022-02-23	File(s): A45.22 Ward 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-03-03 1:00:00 PM

Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the Applicant and area residents when assessing if the application, as requested, meets the requirements of Section 45(1) of the Planning Act.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a deck with a rear yard setback of 1.61m (approx. 5.28ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 2.50m (approx. 8.20ft) in this instance.

Background

Property Address: 3794 Allcroft Road

Mississauga Official Plan

Character Area: Lisgar Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM2 - Residential

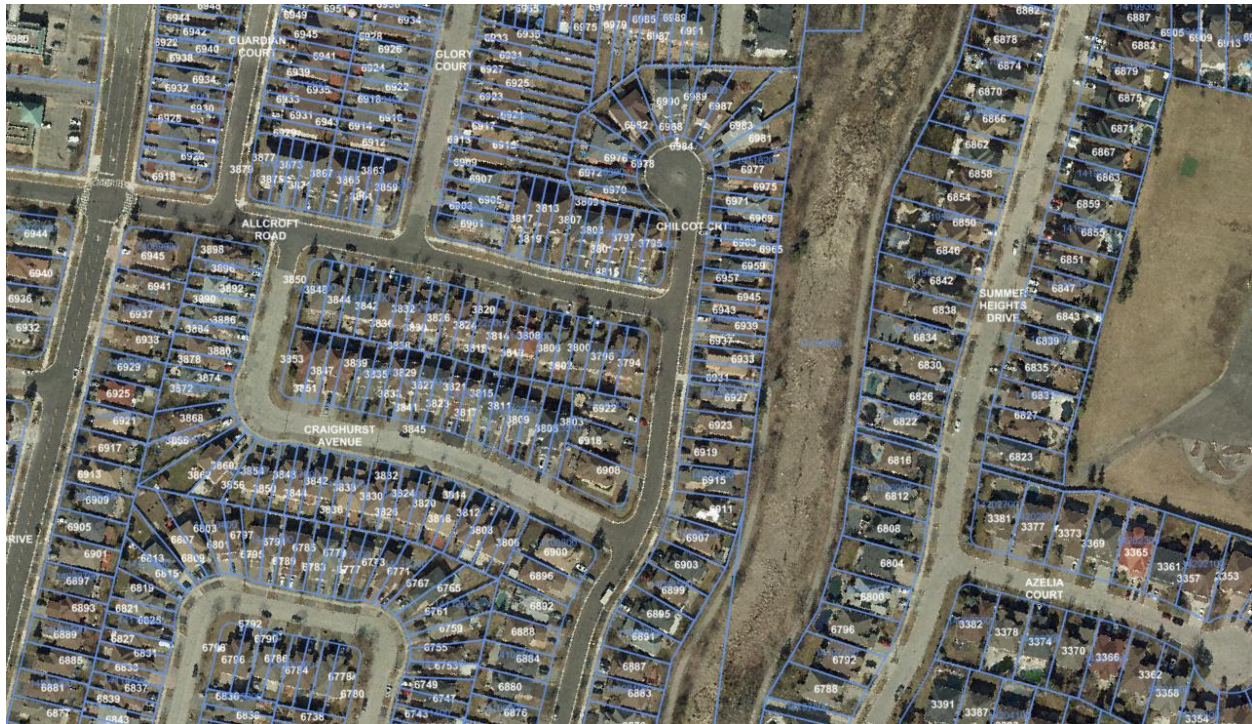
Other Applications: BP 9ALT 21-8962

Site and Area Context

The subject property is located south-east of the Derry Road West and Lisgar Drive intersection in the Lisgar neighbourhood. It has a lot area of +/- 337.05m² (3,628ft²) and currently contains a

semi-detached dwelling with an attached garage. There are limited landscaping and vegetation elements in the front, rear, and exterior side yards. This surrounding area is exclusively residential, consisting mostly of a mix of detached and semi-detached dwellings.

The applicant is proposing a rear deck 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:

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). The Residential Low Density II designation permits detached semi-detached, duplex and triplex dwellings, as well as other low-rise dwellings with individual frontages.

The intent of the rear yard setback is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties and that an appropriate amenity area remains within the rear yard. The proposal aims to expand use of the rear yard amenity area and does not impact the streetscape. The scale of development does not appear to pose any significant negative impact on neighbouring properties, and the lower deck will not cause any overview concerns as it abuts the front yard of the property to the rear. Staff additionally note that the subject property provides adequate landscaped open space in both the exterior side yard and rear yard.

Staff are satisfied that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

As this is a corner lot and provided that the existing drainage pattern is maintained in the rear yard, this department foresees no drainage related concerns with the existing lower deck. From the Site Plan submitted it is indicated that a 1.6M setback will be maintained from the proposed deck to the property line which can accommodate the existing drainage swale.





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 21-8962. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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: Brandon Eidner, Zoning Examiner