

City of Mississauga Department Comments

Date Finalized: 2022-11-30	File(s): A624.22
To: Committee of Adjustment	Ward: 6
From: Committee of Adjustment Coordinator	Meeting date:2022-12-08 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

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

1. A lot coverage of 47.27% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 45% in this instance;
2. A rear yard setback of 4.42m (approx. 14.50ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 7.50m (approx. 24.61ft) in this instance;
3. A rear yard setback to the stairs of 3.90m (approx. 12.80ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback to the stairs of 6.89m (approx. 22.60ft) in this instance; and,
4. A rear yard setback to the eaves of 4.12m (approx. 13.52ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback to the eaves of 7.05m (approx. 23.13ft) in this instance.

Background

Property Address: 5891 Sidmouth St

Mississauga Official Plan

Character Area: East Credit Neighbourhood
Designation: Residential Low Density II

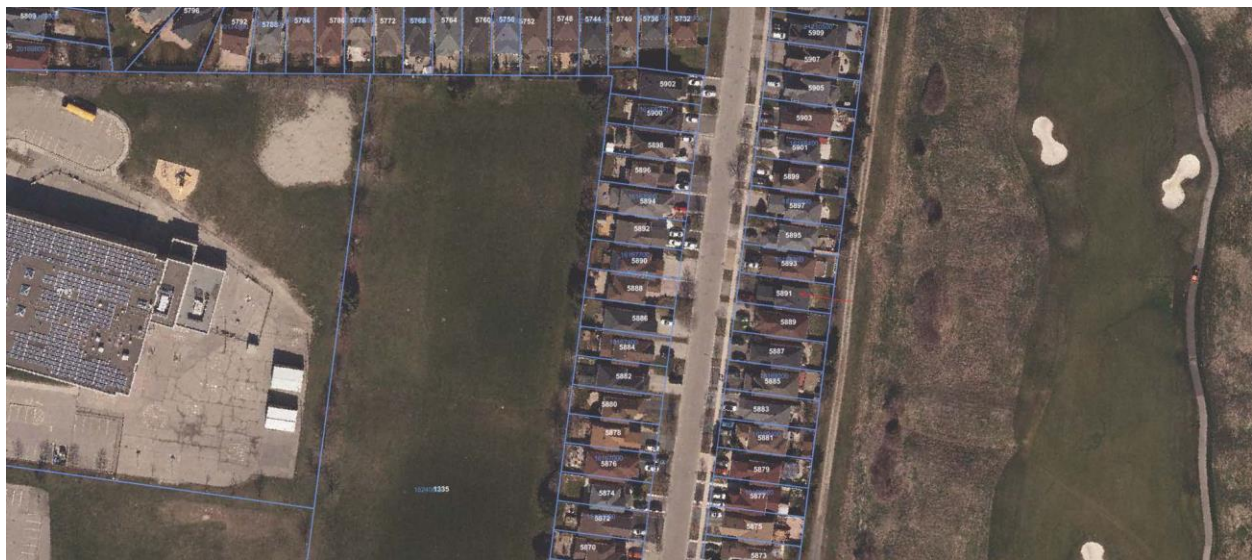
Zoning By-law 0225-2007

Zoning: R5-11 - Residential

Other Applications: BP 9ALT 22-2763**Site and Area Context**

The subject property is located south-west of the Creditview Road and Britannia Road West intersection in the East Credit neighbourhood. It currently contains a two-storey detached dwelling with an attached garage. The property has a lot area of +/- 309m² (3,326ft²), which is characteristic of the surrounding area. The surrounding context is predominantly residential, consisting of detached dwellings on similarly sized lots. The subject property backs onto the Brae Ben Golf Course.

The applicant is proposing a rear addition requiring variances for lot coverage and rear yard setbacks.

**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 East Credit 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.

Variances 2 through 4 request a reduction in the rear yard setback to the addition's main wall, steps, and eaves. 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. While the location abutting the Brae Ben Golf Course eliminates concerns surrounding the buffer to the property to the rear, staff are of the opinion that the proposed addition, in its current form, does not maintain an appropriate amenity area in the rear yard. Staff therefore recommend that the application be deferred to allow the applicant to redesign the proposed addition and increase the rear yard setback.

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 that the existing 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 22-2763. 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: Tage Crooks Zoning, Examiner

Appendix 3 – Parks, Forestry & Environment

The Park Planning Section of the Community Services Department has no objections to the minor variance application and advises as follows:

Should the application be approved, Community Services provides the following notes:

1. The lands adjacent of the subject property are owned by the City of Mississauga, known as Braeben Gold Course (P-430).
2. Construction access from the adjacent park/greenlands is not permitted.
3. If access is required to City owned lands, a Consent to Enter Agreement/Park Access Permit will be required.
4. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.

Should further information be required, please contact Nicholas Rocchetti, Park Planning Assistant, Community Services Department at 905-615-3200 ext. 4659 or via email Nicholas.Rocchetti@mississauga.ca.

Comments Prepared by: Nicholas Rocchetti, Park Planning Assistant

Appendix 4 – Region of Peel

We have no comments or objections.

Comments Prepared by: Patrycia Menko, Junior Planner