

City of Mississauga Department Comments

Date Finalized: 2023-01-11	File(s): A572.22
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2023-01-19 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. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

The applicant requests the Committee to approve a minor variance to construct a one-storey sunroom addition in the rear yard proposing a rear yard setback of 5.55m (approx. 18.20ft) whereas by-law 0225-2007, as amended, requires a minimum rear yard setback of 7.5m (approx. 24.60ft) in this instance.

Background

Property Address: 890 Ninth Street

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

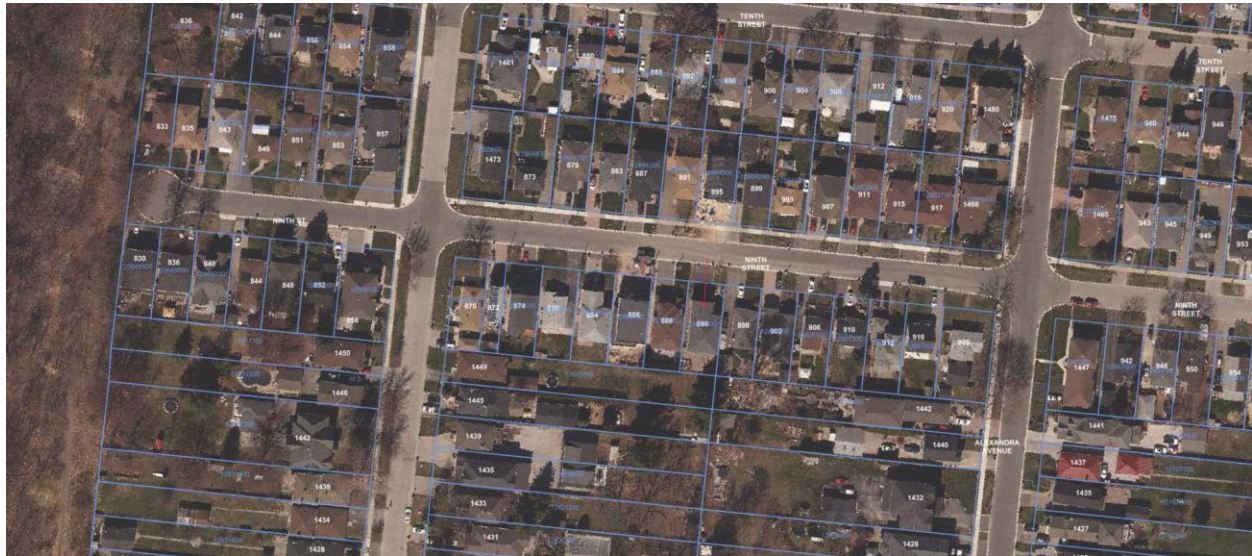
Zoning: RM1-26-Residential

Other Applications: None

Site and Area Context

The subject property is located in the Lakeview Neighbourhood Character Area, northwest of the Atwater Avenue and Alexandra Avenue intersection. The immediate neighbourhood primarily consists of a mix of older and newer one and two-storey detached dwellings with vegetation in the front yards. The subject property contains a two-storey detached dwelling with little vegetation in the front yard.

The applicant is proposing an addition requiring a variance related to the 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 are as follows:

The subject property is located within the Lakeview Neighbourhood Area and is designated Residential Low Density II. This designation permits detached, semi-detached, duplex, triplex and street townhouse uses, as well as other forms of low-rise dwellings with individual frontages.

The proposal is for a one-storey rear addition. The applicant is requesting a variance for a reduced rear yard setback of 5.55m (18.2ft) where a minimum setback of 7.5m (24.6ft) 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 have no concerns with this variance as the proposed addition (sunroom) is one-storey and the applicant is not seeking any variances for gross floor area, height or lot coverage which can create additional massing and pose concerns

if excessive. Furthermore, the requested variance is only required because of the proposed addition. The rest of the dwelling exceeds the minimum rear yard setback requirement.

Through a detailed review of the application, staff is of the opinion that the proposed use is desirable and is appropriate to be handled through the minor variance process. The application raises no concerns of a planning nature.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections, comments or requirements with respect to C.A. 'A' 572/22.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

We note that a Building Permit is required. In the absence of a Building Permit 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 objections.

Comments Prepared by: Patrycia Menko – Junior Planner, Planning and Development Services