

# City of Mississauga Department Comments

Date Finalized: 2023-06-14	File(s): A159.23
To: Committee of Adjustment	Ward: 3
From: Committee of Adjustment Coordinator	Meeting date:2023-06-22 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the application.

## Application Details

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

1. A gross floor area of 274.60sq m (approx. 2955.77sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 217.31sq m (approx. 2339.11sq ft) in this instance; and,
2. A lot coverage of 45.3% (164.5sq m (approx. 1770.66sq ft)) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40% (144.96sq m (approx. 1560.34sq ft)) in this instance.

## Background

**Property Address:** 4152 Colfax Court

### Mississauga Official Plan

Character Area: Rathwood Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

**Zoning:** R5-8 - Residential

**Other Applications:** BP 9ALT 22-5086

### Site and Area Context

The subject property is located south-east of the Rockwood Road and Rathburn Road East intersection in the Rathwood neighbourhood. The property has a lot area of +/- 362.19 m<sup>2</sup> (+/- 3898.58 ft<sup>2</sup>), with a lot frontage of +/- 12.01 m (+/- 39.40 ft). It currently contains a two-storey detached dwelling with an attached garage. Some landscaping and vegetative elements are present on the property. The surrounding area context is predominantly residential, consisting of detached dwellings on similarly sized lots.

The applicant is proposing the construction of an addition requiring variances for gross floor area and the lot coverage.



## 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 designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP) which 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 additions are compatible with the surrounding

area and do not directly affect the adjoining properties. Staff is of the opinion 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?**

Variance 1 requests an increase in gross floor area. The intent in restricting the gross floor area of a dwelling is to maintain compatibility between the existing and new dwellings and ensuring that the existing and planned character of a neighbourhood is preserved. Staff are satisfied that the proposed addition appropriately balances the overall development with the existing built form and character of the neighbourhood.

Variance 2 requests an increase in lot coverage. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot which would impact the streetscape as well as abutting properties. The proposed dwelling's lot coverage represents only a minor increase, with a considerable portion being attributable to the proposed overhead cover for the deck in the rear yard. Staff are of the opinion that these features do not negatively impact the building's massing and do not represent overdevelopment of the lot.

Staff are therefore of the opinion that the lot coverage and gross floor area represent an appropriate balance between the existing and planned character of the area and that both 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 the proposal represents appropriate development of the subject property. The impacts of the variances will be minor in nature both on abutting properties and the streetscape.

Comments Prepared by: Shivani Chopra, Planner in Training

## 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, File No.: BP 9ALT 22-5086. From our site inspection of the property we note that we do not foresee any drainage related concerns with the addition.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

The Building Department is currently processing an application under file BP 9ALT 22-5086. Based on review of the information currently available in this application, the variances, as requested are correct.

Please note that comments reflect those provided through the above permit application submitted on 01/16/2023 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

### Appendix 3 – Region of Peel

**Minor Variance Application: A-23-159M – 4152 Colfax Court**

Development Engineering: Camila Marczuk (905) 791-7800 x8230

**Comments:**

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca).
- All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel design specifications. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca).
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca).

Comments Prepared by: Patrycia Menko, Junior Planner