

# City of Mississauga Department Comments

Date Finalized: 2023-06-14	File(s): A212.23
To: Committee of Adjustment	Ward: 11
From: Committee of Adjustment Coordinator	Meeting date:2023-06-22 3:30:00 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 an addition proposing:

1. A rear yard setback to a sunroom wall of 6.87m (approx. 22.54ft) whereas By-law 0225-2007, as amended requires a minimum rear yard setback of 7.50m (approx. 24.61ft) in this instance; and,
2. A rear yard setback to an eaves overhang of 6.45m (approx. 21.16ft) whereas By-law 0225-2007, as amended requires a minimum rear yard setback of 7.50m (approx. 24.61ft) in this instance.

## Background

**Property Address:** 6845 Johnson Wagon Cres

### Mississauga Official Plan

Character Area: Meadowvale Village Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

**Zoning:** R9- Residential

**Other Applications:** BP 9ALT 22-4196

### Site and Area Context

The subject property is located east of Second Line West, between Old Derry Road and Highway 401. The property contains a two storey detached dwelling with an attached two car garage, which is representative of the area's built form. The property has a lot area of +/- 759m<sup>2</sup> (+/- 8169.81 ft<sup>2</sup>) and with limited vegetation, mainly within the right of way. While lot sizes in Meadowvale Village vary greatly, the lot pattern is more consistent in this section of the neighbourhood.

The applicant is proposing an accessory structure in the rear yard requiring a variance for the 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?**

Located in the Meadowvale Village Neighbourhood Character Area, the subject property 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 forms of 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. The proposed addition is appropriately sized for the site and does not alter the property's use as a permitted detached dwelling. Staff are satisfied that the general intent and purpose of the official plan is maintained.

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

The requested variance is a reduction in the rear yard setback requirement. The intent of a rear yard setback is to ensure an adequate buffer between the massing of primary structures on adjoining properties is maintained, as well as to create an appropriate amenity area within the rear yard. Staff note that due to the positioning of the house on the property, the reduced setback is only measured to a single pinch point at the corner of the addition and increases as you move away from the corner. Furthermore the property is generously sized and maintains an appropriate rear yard amenity area. Staff are therefore of the opinion that the proposal maintains the general intent and purpose of the zoning by-law.

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

Staff are satisfied that the proposal represents appropriate development of the subject property. The proposed addition is appropriately located on the property, thereby limiting impacts on abutting properties to a degree that is minor in nature.

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 construction of an addition will be addressed through the Building Permit process, File No.: BP 9ALT 22-4196.







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 22-4196. 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 – Region of Peel**

We have no comments or objections.

Comments Prepared by:      Patrycia Menko, Junior Planner