

City of Mississauga Department Comments

Date Finalized: 2023-07-12	File(s): A227.23 Ward: 7
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-07-20 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application, as amended.

Application Details

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

1. A rear yard setback of 5.99m (approx. 19.65ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 7.50m (approx. 24.61ft) in this instance;
2. An eave encroachment of 0.71m (approx. 2.33ft) whereas By-law 0225-2007, as amended, permits a maximum eave encroachment of 0.45m (approx. 1.48ft) in this instance.

Amendments

We advise that variance number two (2) should be amended as follows:

2. A rear yard setback for eaves of 5.22m (approx. 17.13ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback for eaves of 7.05m (approx. 23.13ft) in this instance;

Background

Property Address: 2344 Blase Court

Mississauga Official Plan

Character Area: **Cooksville NHD (East)**
Designation: **Residential Low Density I**

Zoning By-law 0225-2007

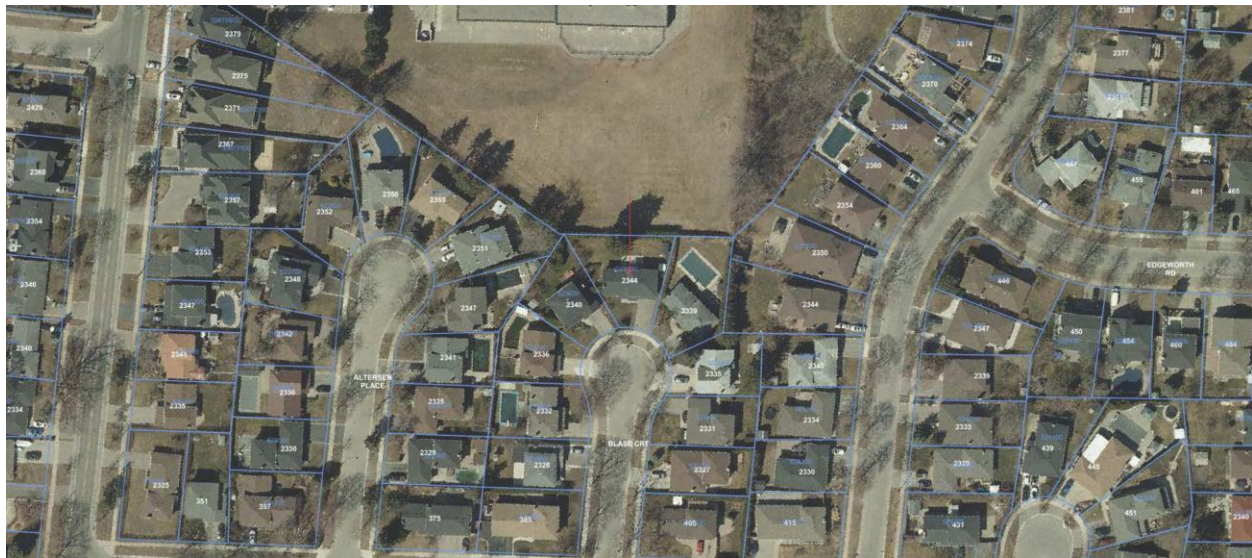
Zoning: R3- Residential

Other Applications: Building Permit 23-6624

Site and Area Context

The subject property is located north-east of the Cliff Road and Queensway East intersection in the Cooksville neighbourhood. It currently contains a one and a half storey detached dwelling with an attached garage. The property is a pie shaped lot on the exterior of the road curve and has a slightly smaller frontage than surrounding interior lots. The subject property has a lot frontage of +/- 10.45m (+/-34.28ft) and a lot area of +/- 742.43m² (+/-7991.45ft²). There are limited landscaping and vegetation elements in both the front and rear yards. The surrounding area context is predominantly residential, consisting of a mix of single and two storey detached dwellings on lots of varying sizes. The property abuts Clifton Public School and Ashwood Park on its rear side.

The applicant is proposing to construct an addition on the subject property requiring variances for reduced rear yard.



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 located in the Cooksville Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). 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 located at the rear of the property, which minimizing any impact to the streetscape. Furthermore, staff note that no variances are proposed to the lot coverage or height for the proposed addition. Therefore the proposal maintains the residential character of the lot and surrounding area. Staff are satisfied 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?

Variances 1 & 2 request reduced rear yards measured to both the wall and the eaves. The intent of a rear yard setback is to ensure an adequate buffer between the massing of primary structures on adjoining properties, as well as to create an appropriate amenity area within the rear yard. Staff are satisfied that an appropriate amenity area is maintained due to the size and shape of the lot. Furthermore staff are of the opinion that an appropriate buffer between structures on abutting properties is maintained.

Planning staff are therefore satisfied that 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 any negative impacts to abutting properties will be minor in nature. Furthermore the proposal represents appropriate development of the subject property and maintains an appropriate rear yard amenity area.

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. 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 23-6624. Based on review of the information currently available in this permit application, we advise that variance number two (2) should be amended as follows:

2. A rear yard setback for eaves of 5.22m (approx. 17.13ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback for eaves of 7.05m (approx. 23.13ft) in this instance;

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: Andrea Patsalides, Zoning Examiner

Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner