

City of Mississauga Department Comments

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| Date Finalized: 2023-09-13 | File(s): A351.23 Ward: 8 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2023-09-21 3:30:00 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.

Application Details

The applicant requests the Committee to approve a minor variance to allow an addition proposing a deck with the rear yard setback of 5.64m (approx. 18.50ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 6.50m (approx. 21.33ft) in this instance.

Background

Property Address: 3611 Southwick Street

Mississauga Official Plan

Character Area: Churchill Meadows Neighbourhood
Designation: Residential Medium Density

Zoning By-law 0225-2007

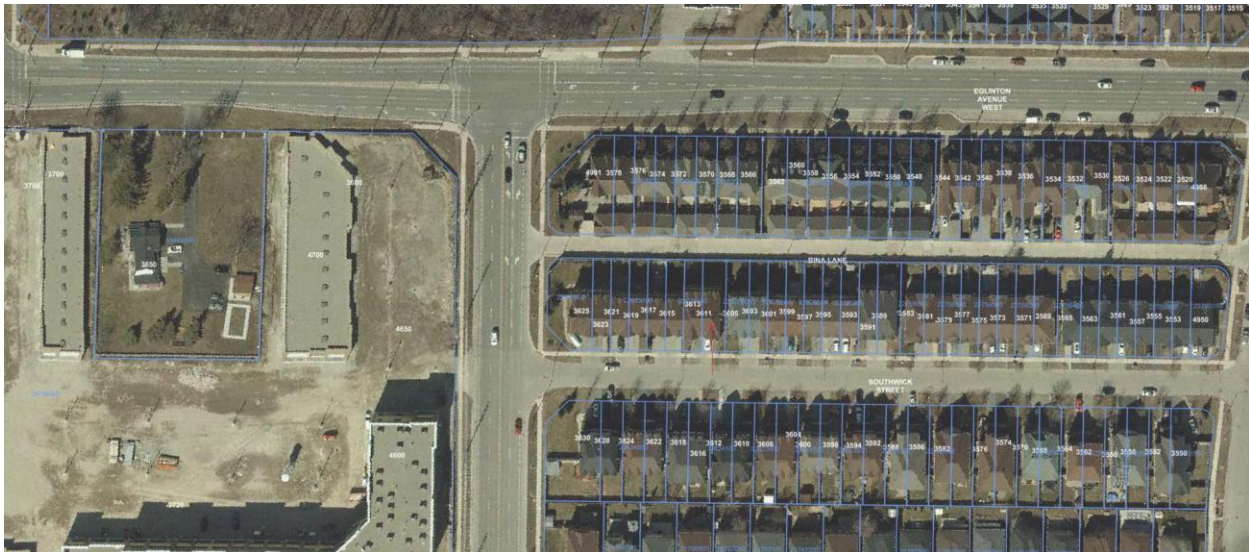
Zoning: RM5-21- Residential

Other Applications: BP23-7811

Site and Area Context

The subject property is located within the Churchill Meadows Neighbourhood Character Area, east of Eglinton Avenue West. The immediate area consists of two-storey townhouse dwellings with attached garage. The subject property contains an existing two-storey townhouse dwelling with an attached garage and limited vegetation in the front yard. The subject property is in close vicinity to commercial uses on the west side of the property.

The applicant is proposing a deck in the rear yard requiring a variance for 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 designated Residential Medium Density in Schedule 10 of the Mississauga Official Plan (MOP) which permits townhouse dwellings.

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.

The variance requested is to a deck projecting from the second storey of the dwelling.

Staff have no concerns regarding the applicant's proposal as the proposed deck does not require additional variances for side yard setbacks. Therefore, the deck will not pose privacy or overlook concerns to the adjacent neighbours. Furthermore, the deck is not covered posing

minimal massing impacts to adjacent properties. Lastly, the proposal maintains the existing amenity in the rear yard as the deck is located on the second storey of the dwelling.

Through a detailed review of the application, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, 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

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed addition are being addressed by our Development Construction Section through the Building Permit process BP9 ALT-23/7811.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit application under file BP23-7811. 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 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: Brooke Herczeg, Zoning Examiner

Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner