

City of Mississauga Department Comments

Date Finalized: 2023-10-11	File(s): A379.23
To: Committee of Adjustment	Ward: 7
From: Committee of Adjustment Coordinator	Meeting date:2023-10-19 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 a covered deck proposing:

1. A rear yard of 3.61m (approx. 11.84ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.61ft) in this instance; and
2. A rear yard measured to the eaves of 4.13m (approx. 13.55ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to the eaves of 7.50m (approx. 24.61ft) in this instance.

Amendments

Zoning staff advise that the following variance should be amended as follows:

2. A rear yard measured to the covered deck eaves overhang of 4.13m (approx. 13.55ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to the covered deck eaves overhang of 7.05m (approx. 23.13ft) in this instance.

Background

Property Address: 268 Camelot Crt

Mississauga Official Plan

Character Area: Fairview Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007**Zoning: R4-20 - Residential****Other Applications: BP 9ALT 21-8237****Site and Area Context**

The subject property is located north-east of the Confederation Parkway and Central Parkway West intersection. It is a pie shaped lot located at Camelot Court cul-de-sac. It currently contains a two-storey detached dwelling with an attached garage. Limited landscaping and vegetative elements are present in both the front and rear yards. The surrounding area is predominantly residential, consisting of two-storey detached dwellings. Father Michael Goetz Secondary School lies across the property on Confederation Parkway.

The applicant is proposing a covered deck addition in the rear yard requiring variances for rear yard setback measured to deck and eaves.

**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 Fairview 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 covered deck 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?

Variances #1 and #2 request reduced rear yards measured to both the deck and the eaves. The intent of a rear yard setback is to maintain 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 note that due to the pie shape of the lot and 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 gradually increases to 7.56m (24.80ft) as you move away from the corner, which meets the minimum required regulations. Staff is of the opinion that the property maintains an appropriate rear yard amenity area and does not present massing concerns on adjacent properties. Planning staff are satisfied that an appropriate buffer and rear yard amenity area are maintained in this instance.

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

Enclosed for Committees easy reference are photos depicting the subject property. From our site inspection and the attached photos it is evident that this property has a front to rear drainage pattern which means that drainage from the property is directed towards the rear of the property. We also note that drainage from this property has been designed and currently drains into a catch basin located on the abutting property to the rear, between Lots 11 and 12. In view of the above we have no drainage related concerns with the existing covered wooden deck.

Comments Prepared by: Joe Alava, T&W Development Engineering





Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit application under file BP 9ALT 21-8237. Based on review of the information currently available in this permit application, variance # 1 is correct.

Furthermore, we advise that the following variance should be amended as follows:

2. A rear yard measured to the covered deck eaves overhang of 4.13m (approx. 13.55ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to the covered deck eaves overhang 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: Brandon Eidner, Zoning Examiner

Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner