

City of Mississauga Department Comments

Date Finalized: 2024-01-24	File(s): A372.23
To: Committee of Adjustment	Ward: 6
From: Committee of Adjustment Coordinator	Meeting date:2024-02-01 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a deck proposing a lot coverage of 45.73% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40% of the lot area in this instance.

Background

Property Address: 5951 Mersey St

Mississauga Official Plan

Character Area: East Credit Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R5 - Residential

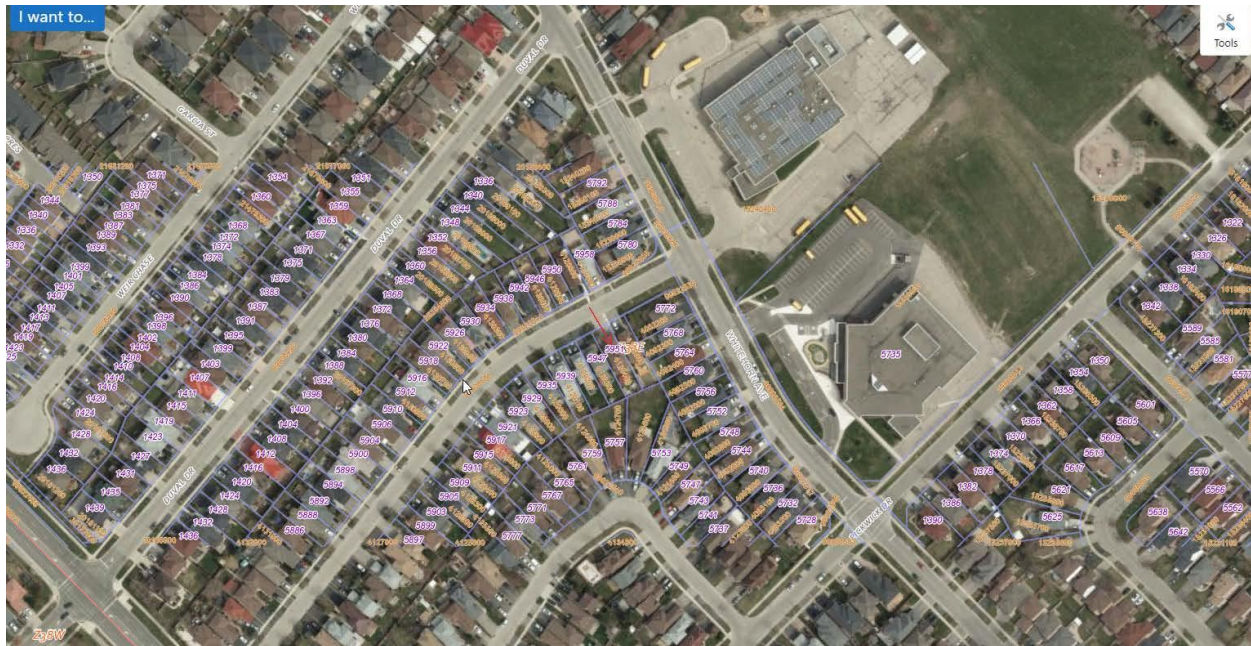
Other Applications: BP 23-7422

Site and Area Context

The subject property is located south-east side of the Britannia Road West and Creditview Road intersection. It currently contains a detached dwelling with an attached garage. The property has a lot area of +/- 385.20m² (4,146.25ft²), characteristic of lots along Mersey Street.

Limited vegetative and landscaping elements are present in both the front and rear yards. The surrounding area context is exclusively low density residential, consisting of detached dwellings.

The applicant is proposing to legalize an existing rear deck requiring a variance for 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:

The subject property is located in the East Credit Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). Section 9 of the 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 deck is appropriately sized for the subject property and is approximately in line with other decks along Mersey Street.

The proposed variance requests an increase in lot coverage. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot and to limit massing impacts on abutting properties. Staff note the main dwelling accounts for 35% of the total lot coverage, and the deck accounts for 6.49%. The remaining 4.24% is attributed to an existing accessory structure, which has not been legalized through the building permit process. Planning staff are

of the opinion that the proposed deck is appropriately located and sized for the subject property. The variance increase is marginal and within the intent of the zoning regulation.

Planning staff do not have concerns with the proposed variance. However while staff are not in a position to interpret the zoning by-law, staff note an additional variance for the maximum area occupied by an accessory structure is required for the accessory structure located in the rear yard.

Given the above, planning staff recommend the application be deferred in order to identify if additional variances are required.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference are the photos which were previously submitted for the October 26, 2023 hearing as we are unaware of any changes to the subject property.

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





Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application 23-7422. Based on review of the information available in this application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Please note that comments reflect those provided through the above application. These comments may no longer be valid should there be changes contained within this Committee of Adjustment application that have not been submitted and reviewed through the application

noted above. The applicant must submit any changes and/or updates to information and/or drawings separately through the above application in order to receive updated comments.

Comments Prepared by: Brooke Herczeg, Zoning Examiner

Appendix 3 – Region of Peel

Please apply previous comments.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner