

City of Mississauga Department Comments

Date Finalized: 2024-03-13	File(s): A51.24
To: Committee of Adjustment	Ward: 9
From: Committee of Adjustment Coordinator	Meeting date:2024-03-21 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure the accuracy of the requested variance and that additional variances are not required.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing a side yard setback of 0.88m (approx. 2.89ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.80m (approx. 5.91ft) in this instance.

Background

Property Address: 3107 Keynes Cres

Mississauga Official Plan

Character Area: Meadowvale Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM1-5- Residential

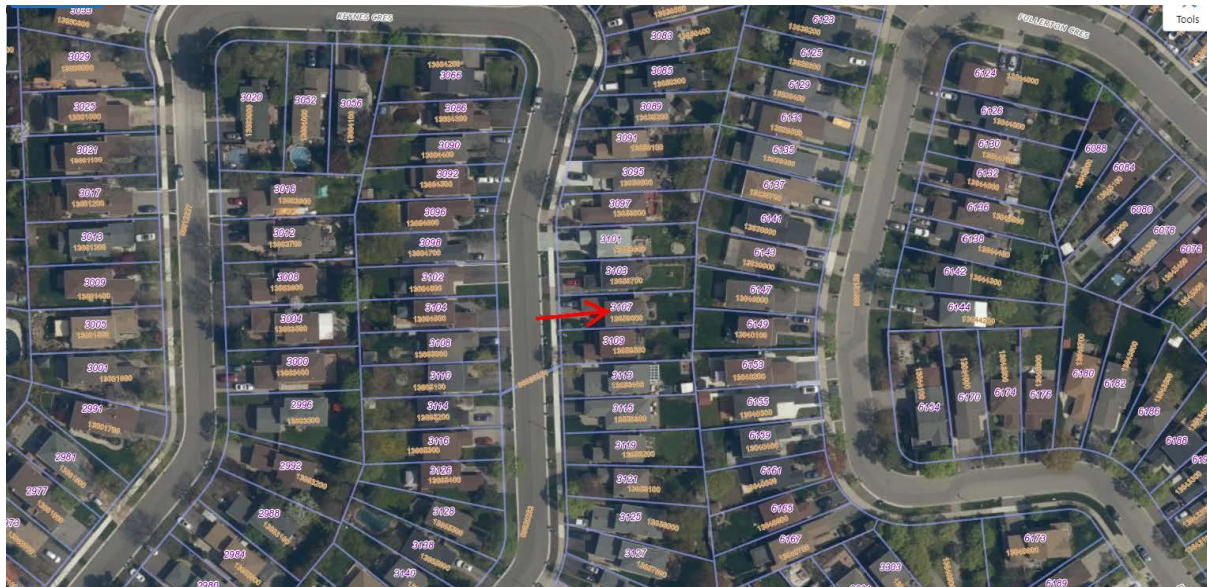
Other Applications: None

Site and Area Context

The subject property is located north-west of the Britannia Road West and Winston Churchill Boulevard intersection in the Meadowvale Neighbourhood Character Area. It is an interior lot containing a two-storey detached dwelling with an attached garage. The subject property has an

approximate lot area of +/- 354m² (3,810.42ft²) and a lot frontage of +/- 9.59m (31.46ft). Limited landscaping and vegetative elements are present on the subject property. The surrounding context is exclusively residential, consisting of detached dwellings on lots of varying sizes.

The applicant is proposing the construction of a rear yard addition requiring a variance for side 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 of the four tests to this minor variance request are as follows:

Planning staff note the application was deferred at the February 1st, 2024 hearing. The application is returning with the same proposed variance, requiring a setback for the construction of a new addition to the existing dwelling in the rear yard.

Does the proposal maintain the general intent and purpose of the Official Plan?

The subject property is located in the Meadowvale Neighbourhood Character Area and is designated Residential Low Density II 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. Staff are of the opinion that the proposed built form is compatible with detached dwellings in the immediate area and consistent with the land use designation. 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 sole variance proposed requests a reduction in the side yard setback. The intent of the side yard setback regulation is to ensure an appropriate buffer between structures on abutting properties is maintained, appropriate drainage can be provided and that access to the rear yard remains unencumbered. While staff are not in a position to interpret the zoning by-law, the subject property should be subject to the R4 zone regulations in the zoning by-law. The variance sought references a required side yard setback of 1.80m (5.90ft), whereas the required setback for an interior lot in a R4 zone is 1.20m (3.93ft). Staff note the south side yard setback for the proposed rear yard addition maintains a similar setback as the existing dwelling. Furthermore, staff note there is no additional variances sought for gross floor area, lot coverage or dwelling depth, which mitigates potential massing concerns on the site. Staff find the proposed reduction is negligible and that the proposed setback maintains an appropriate buffer between structures and that an unencumbered access to the rear yard remains. Transportation and Works staff have raised no drainage concerns. As such, staff are of the opinion that the requested variance is a minor deviation from the by-law and the application 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 lands. The variance is minor in nature and will not create any undue impacts to adjoining properties or the planned or existing character in the area.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We note that any Transportation and Works Department requirements for the proposed addition will be addressed through the Building Permit Process. From our site inspection we note that this property has, a rear to front drainage pattern and that there is an adequate setback along the northerly side of the dwelling to direct any drainage towards the front of the property.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

We note that a Building Permit is required. In the absence of a Building Permit we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed.

The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

Comments Prepared by: Minan Song, Planner in Training

Appendix 3- Region of Peel

Please apply previous comments.

Comments Prepared by: Ayooluwa Ayoola, Planner