

City of Mississauga Department Comments

Date Finalized: 2024-09-04	File(s): A379.24 Ward: 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-09-12 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

The applicant requests the Committee to approve a minor variance to allow a deck proposing;

1. A balcony projection of 1.01m (approx. 3.31ft) whereas By-law 0225-2007, as amended, permits a maximum balcony projection of 1.00m (approx. 3.28ft) in this instance;
2. A lot coverage of 48.40% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 45.00% in this instance.

Background

Property Address: 3926 Burdette Terr

Mississauga Official Plan

Character Area: Churchill Meadows Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM2-18 - Residential

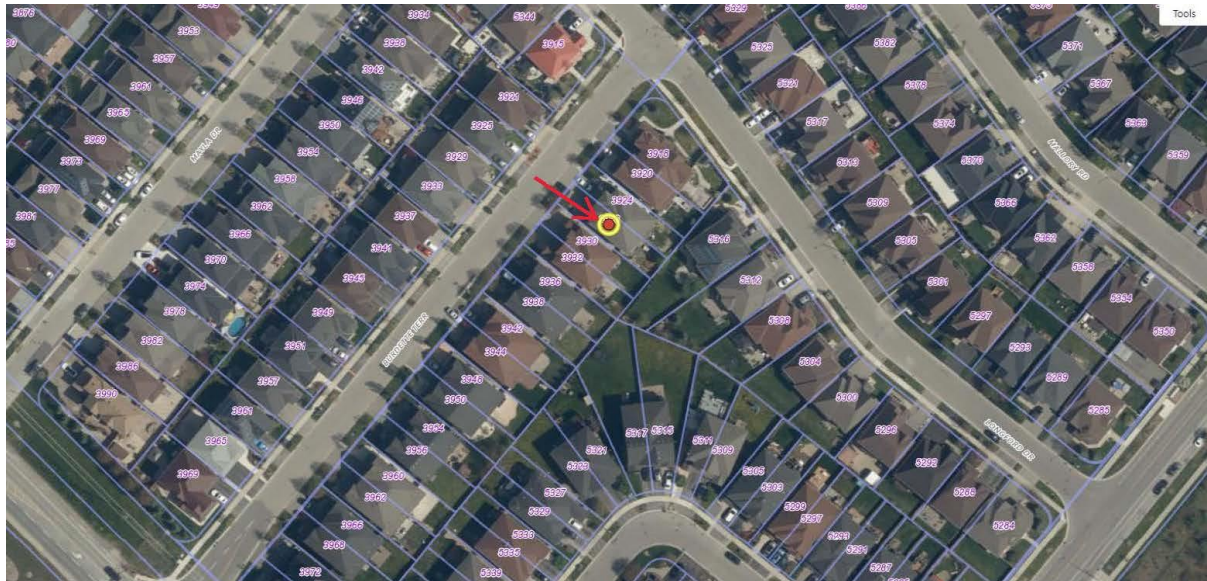
Other Applications: BP 9ALT 24-230

Site and Area Context

The subject property is north-east of the Erin Centre Boulevard and Ninth Line intersection in the Churchill Meadows Neighbourhood Character Area. It is an interior lot containing a two-

storey semi-detached dwelling with an attached garage. Limited landscaping and vegetative elements are present on the subject property. The surrounding context is predominantly residential, consisting of detached and semi-detached dwellings.

The applicant is proposing to construct a deck in the rear yard requiring variances for projection distance and 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 designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP).

Variance 1 relates to an increased balcony projection in the rear yard. Staff note the proposal will provide a deck area accessible from the first floor and a balcony area accessible from the second floor. The intent of this portion of the by-law is to ensure that an appropriate buffer between a balcony and lot lines are maintained. The proposed projection exceeds the maximum permissible projection by 0.01m (0.03ft). Staff note the increase is negligible and are satisfied that an appropriate rear yard amenity area is maintained with the construction of the deck and balcony.

Variance 2 requests an increase in lot coverage. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot which would impact the streetscape as well as abutting properties. Planning staff note the main dwelling and porch accounts for 39.8% of the lot coverage whereas the proposed deck and balcony only accounts for 8.6% of the lot coverage. Staff are of the opinion that these elements do not pose the same massing impacts as an enclosed structure and present negligible massing concerns. Staff are satisfied that the overall increase in lot coverage represents a minor deviation from the zoning by-law requirements. Further, staff are of the opinion that the proposal does not contribute to overdevelopment of the lot.

Given the above, staff are satisfied that the proposal maintains the general intent and purpose of the official plan and zoning by-law, is minor in nature and contributes to orderly development for the subject property.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference are some photos depicting the subject property.







Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application BP 9ALT 24-230. Based on the review of the information available in this application, the requested variance(s) is/are correct.

Our comments may no longer be valid should there be changes in the Committee of Adjustment application that have yet to be submitted and reviewed through the Building Division application. To receive updated comments, the applicant must submit any changes to information or drawings separately through the above application.

Comments Prepared by: Brooke Herczeg, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

The Forestry Section of the Community Services Department has no objections to the above noted minor variance application and advises as follows:

1. No public trees shall be injured or removed. If public tree injury or removal is required, a permit must be issued as per By-law 0020-2022.
2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Removal Permit, written consent must be obtained by both parties.

A Tree Removal Application to Permit the Injury or Destruction of Trees on Public and Private Property can be found at <https://www.mississauga.ca/publication/application-to-permit-the-injury-or-destruction-of-trees-on-public-and-private-property/>.

Should further information be required, please contact Jamie Meston, Landscape Architect Assistant, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email jamie.meston@mississauga.ca.

Comments Prepared by: Jamie Meston, Landscape Architect Assistant

Appendix 4 - Region of Peel

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner