

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-11-04	File(s): A354/20 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-11-12

Consolidated Recommendation

The Planning and Building Department recommends that the application be deferred to permit the Applicant the opportunity to redesign the rear-yard addition.

Application Details

The Applicants request the Committee to approve a minor variance to allow the construction of a rear addition on the subject property, proposing a rear yard of 5.5m (approx. 18.0ft); whereas, By-law 0225-2007, as amended, requires a minimum rear yard of 7.5m (approx. 24.6ft), in this instance.

Amendments

Based upon review of this Application, Staff notes that the Minor Variance application should be amended as follows, permitting:

1. A rear yard of 5.5m (approx. 18.0ft); whereas, By-law 0225-2007, as amended, requires a minimum rear yard of 7.5m (approx. 24.6ft), in this instance.

Background

Property Address: 7305 Custer Crescent

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R4-64 (Residential)

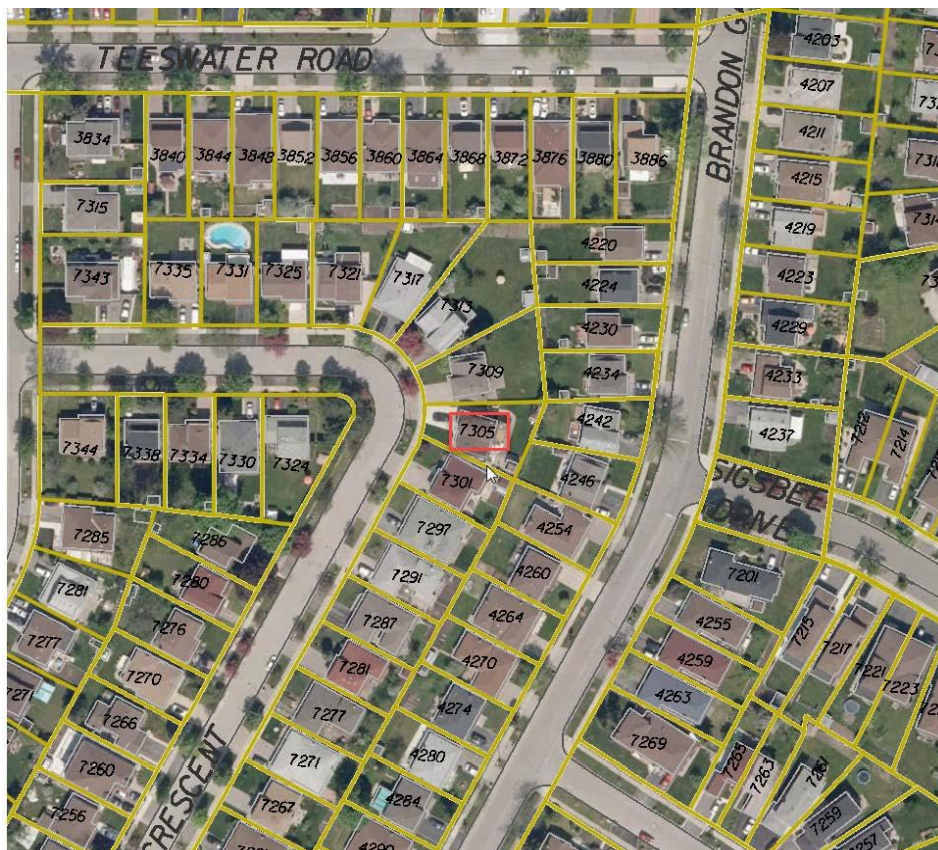
Other Applications:

Building Permit: 20-225

Site and Area Context

The subject property is located north-east of the Goreway Drive and Morning Star Drive intersection, and currently houses a two-storey detached dwelling with an attached single-car garage. Contextually, the surrounding neighbourhood is comprised exclusively of detached dwellings exhibiting a shared 1980's subdivision architectural style. The properties within the immediate area possess lot frontages of approximately +/-15.0m, with minimal vegetative / natural landscaped elements within the front yards.

The subject property is an interior parcel, with a lot area of approximately +/-520m² and a lot frontage of approximately +/-12.9m.



Comments

Planning

Section 45 of the *Planning Act* provides the Committee of Adjustment the authority to grant relief from the requirements stipulated by the municipal Zoning By-law, provided that such applications meet the requirements set out under Section 45(1) and/or 45(2) (a) or (b) of the *Planning Act*.

Staff comments concerning this minor variance request are as follows:

The Applicant is requesting relief to permit a second-storey addition, proposing a rear yard of 5.5m; whereas, a minimum of 7.5m is required, in this instance.

Planning Staff note, no variances are required for either building height or lot coverage.

The general intent of the Zoning By-law in establishing minimum rear yard requirements is to ensure that both an adequate buffer area exists between the massings of primary structures on adjoining properties, as well as create appropriate amenity space within the rear yard.

While ample amenity space remains; Planning Staff note, the flat-roof design, coupled with the “box” (/ rectangular) proposed architectural-style, results in significant and observable massing within the rear yard.

Further, the proposed construction, with the second-storey addition seated on elevated “stilts”, coupled with the multiple rear-facing windows, while itself not inherently offensive, does result in creating overlook / privacy concerns, especially when viewed in relation to the requested relief that seeks to reduce the required rear yard.

While Planning Staff can, in principle, support a rear yard reduction in many instances, any supportable design should be more sympathetic to the rear-facing neighbours, from both a massing and over-look perspective.

Conclusion

Based on the preceding, the Planning and Building Department recommends that the application be deferred in order for the applicant to redesign the rear-yard addition.

Comments Prepared by: Roberto Vertolli, 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 will be addressed through the Building Permit process.





Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit application under file 20-225. Based upon review of this Application, Staff notes that the Minor Variance application should be amended as follows, permitting:

2. A rear yard of 5.5m (approx. 18.0ft); whereas, By-law 0225-2007, as amended, requires a minimum rear yard of 7.5m (approx. 24.6ft), in this instance.

Comments Prepared by: Adam McCormack, Zoning Examiner

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the November 12th, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Minor Variance Applications: DEF-A-261/20, A-346/20, A-347/20, A-353/20, A-354/20, A-357/20, A-360/20, A-363/20, A-364/20, A-365/20, A-367/20, A-368/20, A-370/20, A-372/20

Comments Prepared by: Diana Guida, Junior Planner