

# City of Mississauga

Memorandum:

## City Department and Agency Comments

Date Finalized: 2021-02-17	File(s): A354.20 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-02-25

### Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application meets the requirements of Section 45 (1) of the Planning Act. The applicant may choose to defer the application to submit updated plans through the building permit process and verify the accuracy of the variance.

### 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 6.12m (approx. 20.08ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.60ft) in this instance.

### Amendments

The Building Department is currently processing a building permit application under file BP 9ALT 20-2225. Based on review of the information currently available for this building permit, we advise that the following variance(s) should be amended as follows:

a rear yard setback of 5.51m whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.60ft) in this instance

### Background

**Property Address:** 7305 Custer Crescent

### Mississauga Official Plan

Character Area: Malton Neighbourhood  
Designation: Residential Low Density II

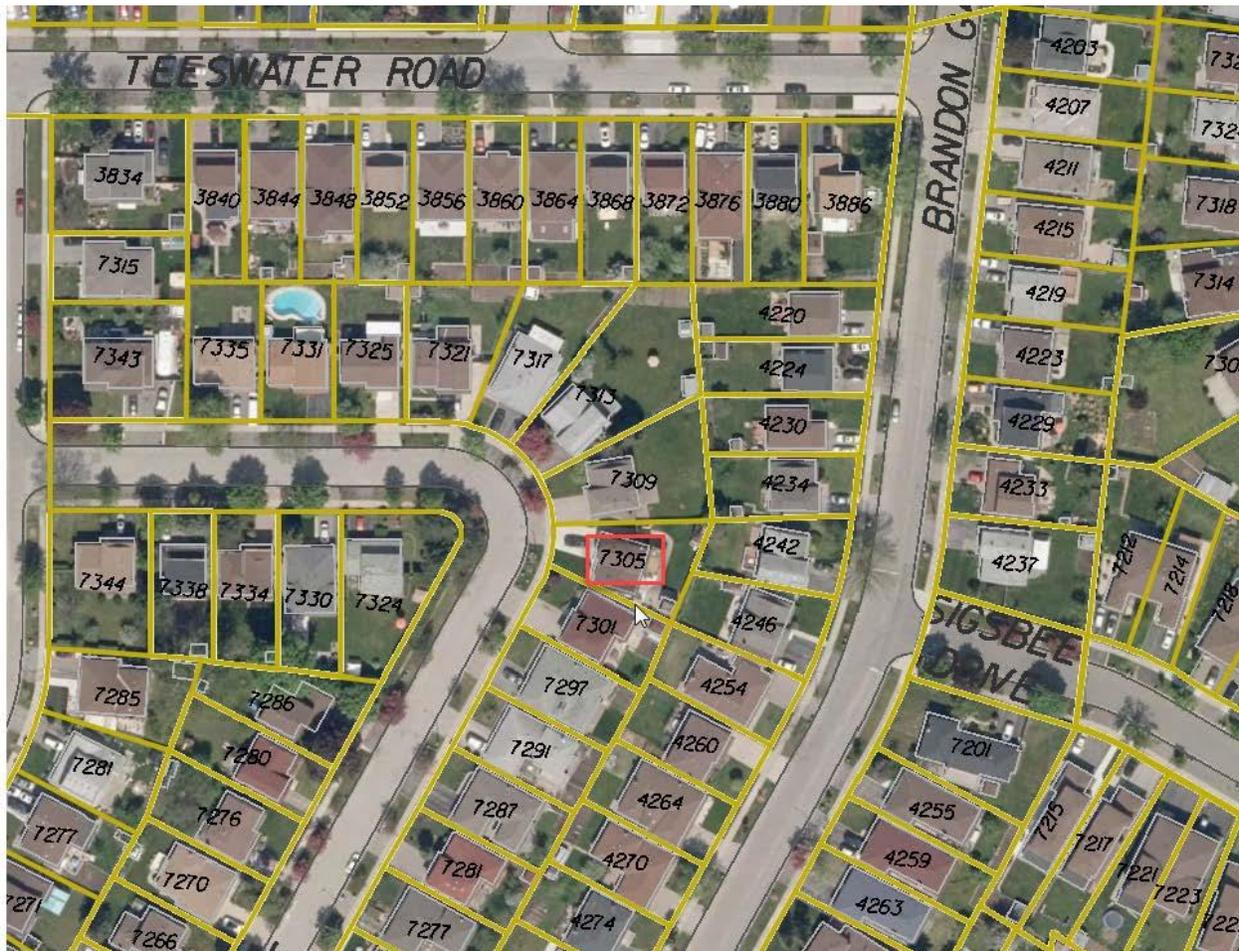
**Zoning By-law 0225-2007****Zoning:** R4-64 (Residential)**Other Applications:**

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 +/-15.0 m with minimal vegetative / natural landscaped elements within the front yards.

The applicant is proposing a rear second storey addition which requires a variance related to a deficient rear 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 are as follows:

The application was previously deferred to increase the rear yard setback. The applicant has revised the drawings to increase the proposed rear yard setback to from 5.51 m to 6.12. The proposed setback is measured to the narrowest point, however, from the widest point, the rear yard setback is 6.93 m. The proposed addition does not continue throughout the entire width of the dwelling, lessening the visual impact of the proposed addition to abutting properties. As such, staff is of the opinion that the application is appropriate to be handled through the minor variance process.

## Conclusion

The Planning and Building Department recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application meets the requirements of Section 45 (1) of the Planning Act. The applicant may choose to defer the application to submit updated plans through the building permit process and verify the accuracy of the variance.

Comments Prepared by: Lucas Petricca, 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: Tony Iacobucci, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit application under file BP 9ALT 20-2225. Based on review of the information currently available for this building permit, we advise that the following variance(s) should be amended as follows:

a rear yard setback of 5.51m whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.60ft) in this instance

Our comments are based on the plans received by Zoning staff on 08/19/2020 for the above captioned building permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: A. McCormack

### Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the February 25th, 2021 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-290/20, DEF-A-354/20, DEF-A-377/20.

Comments Prepared by: Diana Guida, Junior Planner