

# City of Mississauga

Memorandum:

## City Department and Agency Comments

Date Finalized: 2021-03-03	File(s): A81.21 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-03-11 1:00 PM

## Consolidated Recommendation

The City has no objection to the variances, as requested.

## Application Details

The applicant requests the Committee to approve a minor variance to permit an accessory structure and deck proposing:

1. A lot coverage of 31.70% (370.70sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% (292.50sq.m) in this instance;
2. An area of an accessory structure of 49.80sq.m (approx. 536.04sq.ft) whereas By-law 0225-2007, as amended, permits a maximum area of an accessory structure of 20.00sq.m (approx. 215.28sq.ft) in this instance; and
3. A height of an accessory structure of 3.86m (approx. 12.66ft) whereas By-law 0225-2007, as amended, permits a maximum height of an accessory structure of 3.50m (approx. 11.48ft) in this instance.

## Background

**Property Address:** 6839 Early Settler Row

### Mississauga Official Plan

Character Area: Meadowvale Village Neighbourhood  
Designation: residential Low Density I

### Zoning By-law 0225-2007

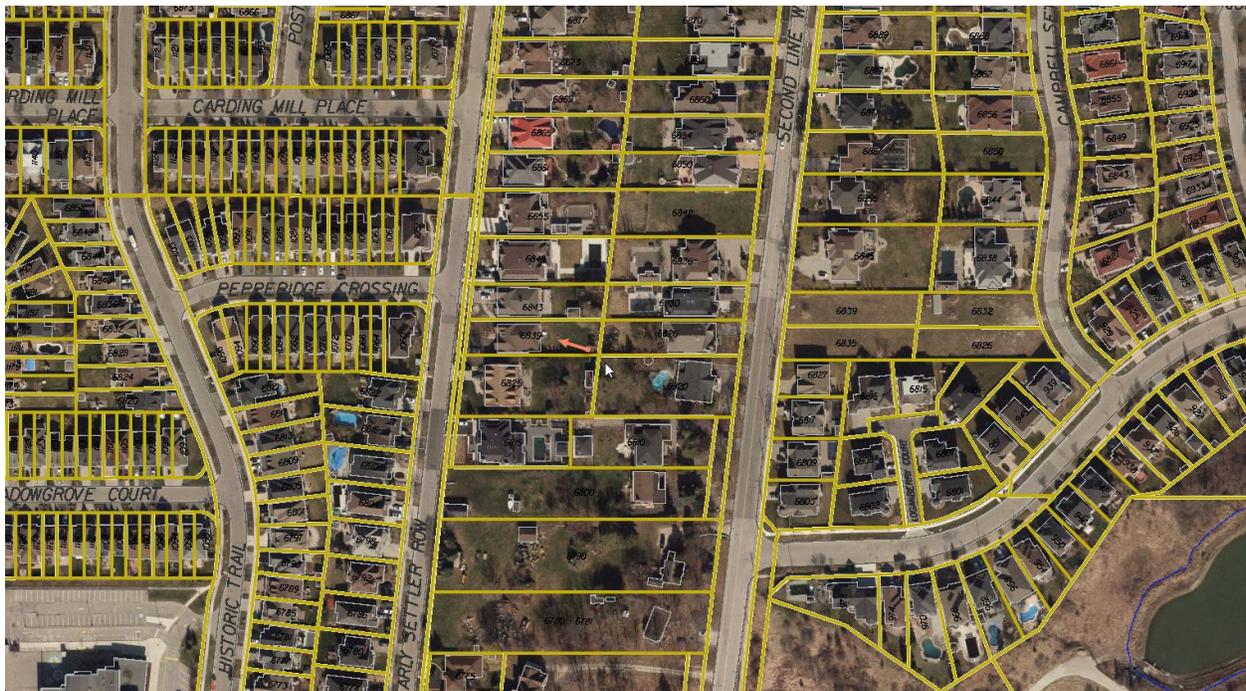
**Zoning:** R2-10 - Residential

## Other Applications: None

## Site and Area Context

The subject property is located north-west of the Lamplight Way and Second Line W intersection. The property is an interior parcel, with a lot area of +/- 1,170.1m<sup>2</sup> and a lot frontage of +/- 17.53m. Currently the property houses a two-storey, detached dwelling with minimal vegetation and landscape elements within the front and rear yards. Contextually, the area is comprised exclusively of residential two storey detached dwellings. The properties within the immediate area possess lot frontages of +/- 23.0m, with moderate vegetative / natural landscaped elements within the front yards.

The applicant is proposing an accessory structure and deck that require variances for lot coverage, area of an accessory structure and height of the accessory structure.



## 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:

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

The subject property is located in the Meadowvale Village Neighbourhood Character Area and designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached and duplex dwellings. 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. The proposed accessory structure is compatible with the surrounding area and does not pose a significant impact to the abutting properties. Staff is of the opinion 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?**

Variance #1 as requested pertains to lot coverage:

Staff received drawings prior to the submission of the minor variance application that corresponded with the variance, however it appears the wrong drawings were submitted with the application. This has since been rectified.

The intent in restricting lot coverage is to ensure that there is not an overdevelopment of the lot. The proposed covered porch is attached to the rear portion of the primary dwelling with direct access from the dwelling. While the massing will be noticeable from the neighbouring properties, the proposed lot coverage increase to 31.70% is negligible and largely inconsequential to the public realm. For all intents and purposes the maximum lot coverage permitted under the by-law (25%) would result in a building with a similar massing. The proposed will have a minor impact on the overall building size and is insignificant from the streetscape.

Variances #2, and #3 as requested pertain to proposed accessory structures:

The intent of the zoning by-law is to ensure that accessory structures are proportional to the lot and dwelling, thereby remaining secondary to the principle use while not presenting any massing concerns. Accessory structures contribute massing to the entirety of the property and should not over burden the primary structure. The applicant has proposed an accessory structure, including a covered area, of 49.80m<sup>2</sup> whereas the maximum area for a single accessory structure is 20m<sup>2</sup>. The enclosed area of the proposed structure measures to 36.4m<sup>2</sup> with the covered area being 13.4m<sup>2</sup> and open on two sides. In 2019 the provisions for accessory buildings and structures was amended to recognize and provide larger lots measuring greater than 750m<sup>2</sup> with more flexibility concerning accessory structures. Given that this lot is 1,170.01m<sup>2</sup>, which is greater than 750m<sup>2</sup> identified under the bylaw, the applicant is allowed to have a larger structure. The proposed structure is located at the rear of the property and cannot be seen from the street. Although the structure will be noticeable from the abutting properties, it is consistent with other structures of similar size within the immediate vicinity. Staff

are of the opinion that the massing of the accessory structure is distributed across the property and poses a minor impact to the neighbours. Planning Staff note variances #2 and #3 are minor in nature and raise no concerns of a planning nature.

**Is the proposal desirable for the appropriate development of the subject lands and minor in nature?**

Staff is of the opinion that proposed lot coverage and accessory structure will not have any significant impacts on the neighbouring properties and is consistent with the surrounding neighbourhood. As such, the variances requested are minor in nature and result in the orderly development of the lands. The application raises no concerns of a planning nature.

## **Conclusion**

The City has no objection to the variances, as requested.

Comments Prepared by: Brooke Herczeg, RPP 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 accessory structure and deck 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 20-3595. Based on review of the information currently available for this building permit, the variances, as requested are correct.

Our comments are based on the plans received by Zoning staff on 01/05/2021 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**

We have no comments or objections to the following applications:

Minor Variance Applications: A-48/21, A-58/21, A-69/21, A-72/21, A-73/21, A-75/21, A-76/21, A-77/21, A-78/21, A-79/21, A-80/21, A-81/21.

Comments Prepared by: Diana Guida, Junior Planner