

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-03-17	File(s): A92.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-03-25 1:00 PM

Consolidated Recommendation

The City has no objections to the requested variances, as amended.

Application Details

The applicant request the Committee to approve a minor variance to allow accessory structures proposing:

1. A lot coverage of accessory structures of 113.53sq.m (approx. 1222.03sq.ft) or 7% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of accessory structures of 79.13sq.m (approx. 851.75sq.ft) or 5% of the lot area in this instance;
2. A combined area of accessory structures of 113.53sq.m (approx. 1222.03sq.ft) whereas By-law 0225-2007, as amended, permits a maximum combined area of accessory structures of 60.00sq.m (approx. 645.84sq.ft) in this instance;
3. An accessory structure area of 45.89sq.m (approx. 493.996sq.ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 20.00sq.m (approx. 215.29sq.ft) in this instance; and
4. A height of an accessory structure of 4.08m (approx. 13.39ft) whereas By-law 0225-2007, as amended, permits a maximum height of an accessory structure of 3.50m (approx. 11.48ft) in this instance.

Amendments

Variances #1 and 4 should be amended as follows:

- A lot coverage of accessory structures of 113.53sq.m (approx. 1222.03sq.ft) or 7.2% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of accessory structures of 79.13sq.m (approx. 851.75sq.ft) or 5% of the lot area in this instance;
- A height of 4.08m (approx. 13.39ft) measured from established grade to highest point of accessory structure, whereas By-law 0225-2007, as amended, permits a maximum

height of 3.50m (approx. 11.48ft) measured from established grade to highest point of accessory structure, in this instance.

Recommended Conditions and Terms

Should Committee see merit in this application, we would request that the shed be equipped on the rear side with an eaves trough and down spout directed such that it will not impact the adjacent property.

Background

Property Address: 2257 Melton Court

Mississauga Official Plan

Character Area: Lakeview Neighbourhood

Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3-75 (Residential)

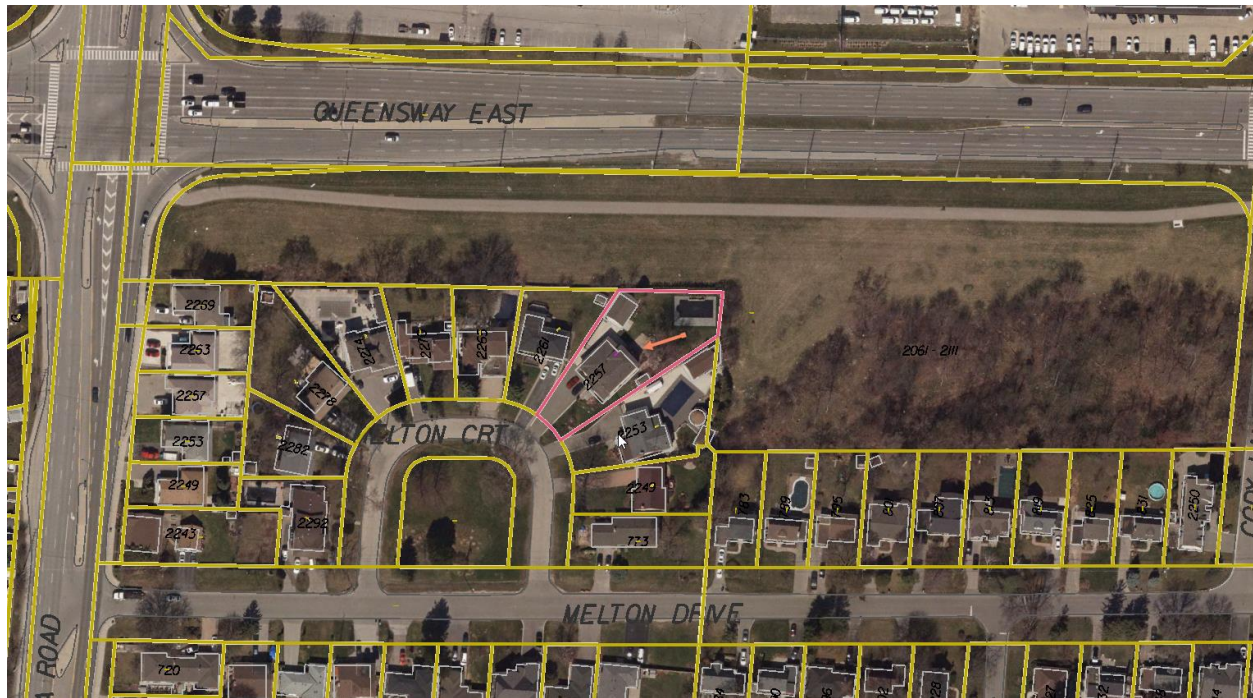
Other Applications:

Building Permit: 20-2583

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, southeast of Queensway East and Cawthra Road. The neighbourhood is entirely residential, consisting of one and two storey detached dwellings with mature vegetation. Immediately north of the subject property is Queensway East. The subject property contains a two storey dwelling with a detached garage in the rear yard and little vegetation.

The application proposes an accessory structure, requiring variances related to occupied area and combined area of an accessory structure, height 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:

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

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP) which 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 located towards the centre of the rear yard and is significantly setback from abutting properties, reducing the overall impact of the increased area and maintaining compatibility with the surrounding neighbourhood. As such, 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?

Variances #1-4 propose an increase in lot coverage, area and height related to the accessory structures. The intent of the zoning by-law provisions regarding accessory structures is to ensure that the structures are proportional to the lot, the dwelling and clearly are accessory while not presenting any massing concerns to neighbouring lots. In this instance, the existing detached garage is also included in the combined area for accessory structures. There are no changes being proposed to the garage. The applicant is proposing a second structure that is mostly opened with an enclosed area for change rooms. This structure has an area of 45.89 m² and is setback approximately 10.75 m from the abutting property to the west. The increased setback of the structure combined with a majority of the structure being open, minimizes the overall impact that the additional area of the structure might have on the neighbouring property. Additionally, the structure contains a sloped roof which further reduces the massing of the structure and the increased roof height. Finally, the structure abuts Queensway East at the rear lessening the impact to the immediate neighbourhood overall. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

The proposed location and setback of the accessory structure reduces the overall impact to the neighbouring properties. The existing detached garage has an area of 55.74 m² and contributes to the combined area and lot coverage of accessory structures. However, the detached garage does not add any significant massing concerns from what is existing. The proposed accessory structure is mostly open and contains a sloped roof further mitigating the impact to neighbouring properties. As such, staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

Conclusion

The Planning and Building Department has no objections to the requested variances, as amended.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Attached for Committee's information are pictures showing the existing garage and shed. Should Committee see merit in this application, we would request that the shed be equipped on the rear side with an eaves trough and down spout directed such that it will not impact the adjacent property.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file BP 9NEW 20-2583. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

- A lot coverage of accessory structures of 113.53sq.m (approx. 1222.03sq.ft) or 7.2% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of accessory structures of 79.13sq.m (approx. 851.75sq.ft) or 5% of the lot area in this instance;
- A height of 4.08m (approx. 13.39ft) measured from established grade to highest point of accessory structure, whereas By-law 0225-2007, as amended, permits a maximum height of 3.50m (approx. 11.48ft) measured from established grade to highest point of accessory structure, in this instance.

Please note that comments reflect those provided through the above permit application and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these

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comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Alana Zheng, Zoning Examiner

Appendix 5 – Region of Peel Comments

We have no comments or objections to the following applications:

Minor Variance Applications: A-67/21, A-68/21, A-83/21, A-84/21, A-85/21, A-87/21, A-88/21, A-89/21, A-92/21, A-93/21, A-94/21.

Comments Prepared by: Diana Guida, Junior Planner