

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-05-27 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): A197.21
	Meeting date:2021-06-03 1:00 PM

## Consolidated Recommendation

The City has no objection to the variances, as requested; however the Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

## Application Details

The applicants request the Committee to approve a minor variance to allow the construction of a workshop on the subject property proposing:

1. A lot coverage of 26% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25% of the lot area in this instance; and
2. An accessory structure size of 25sq.m (approx. 269.10sq.ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure size of 20sq.m (approx. 215.28sq.ft) in this instance.

## Amendments

The following variances should be amended as follows:

1. A lot coverage of 26.46% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25% of the lot area in this instance
2. An accessory structure size of 25sq.m (approx. 269.10sq.ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure size of 20sq.m (approx. 215.28sq.ft) in this instance.

## Recommended Conditions:

We request that a minimum of a 5 ft. setback be maintained to the side yard property line.

## Background

**Property Address:** 1759 Kildare Court

### Mississauga Official Plan

Character Area: East Credit NHD  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

**Zoning:** R1 - Residential

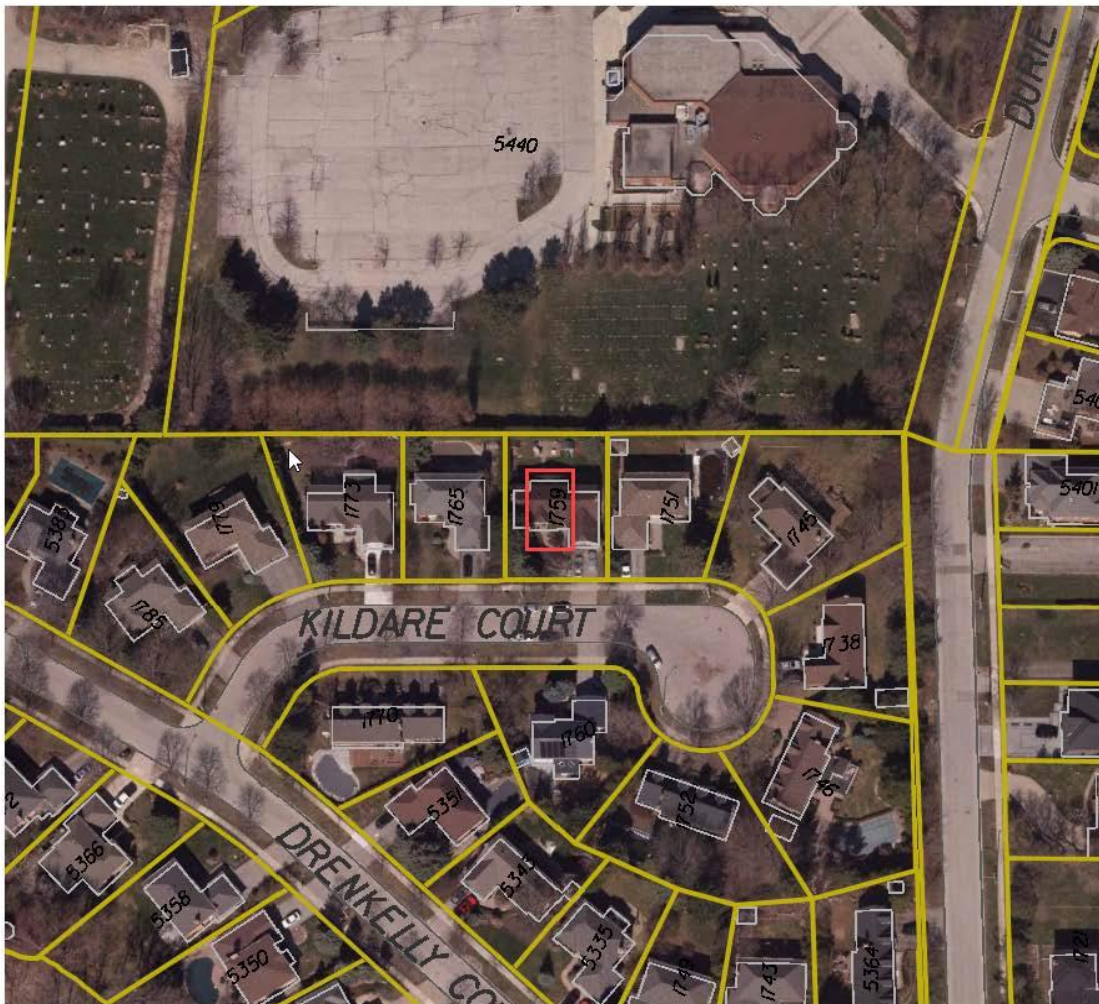
### Other Applications:

**BP 9NEW 21-4885**

### Site and Area Context

The property is located north of the Drenkelly Court and Kildare Court intersection and currently houses a 2 storey detached dwelling with mature vegetation and landscape elements in the front and rear yards. The subject property is an interior parcel, with a lot area of approximately +/- 759.4m<sup>2</sup> and a lot frontage of approximately +/- 22.86m. Contextually, the surrounding neighbourhood consists exclusively of detached dwellings. The properties within the immediate area possess lot frontages of +/- 18.5m, with mature vegetative / natural landscaped elements within the front yards.

The applicant is proposing an accessory structure requiring variances for the accessory structure size 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 site is located within the East Credit Neighbourhood Character Area, and is designated Residential Low Density I by the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached dwellings; semi-detached dwellings 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 structure is permitted within this designation; Staff is of the opinion that the general intent and purpose of the MOP is maintained.

#### **Does the proposal maintain the general intent and purpose of the Zoning By-law?**

The intent of the zoning by-law provisions regarding accessory structures is to ensure that the structures are proportional to the lot, dwelling and are clearly accessory. The proposed is a single storey workshop possesses no significant massing impact and does not impose any impact upon the neighbouring properties. Furthermore, existing hedges on the north, east and south of the property screen the proposed workshop from the neighbouring properties. The proposed workshop cannot be seen from the street as a mature tree screens it.

The property abuts a cemetery and St. Joseph's Parish to the north however; the proposed workshop would have no impact on these uses.

Staff would note that the variance, as requested, meets the general purpose or intent of the Zoning By-law and that the proposed structure meets the required setbacks and height.

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

Planning Staff are of the opinion that this application represents the orderly development of the lands, and is minor in nature. The proposed workshop poses no significant massing impact and does not impose upon the neighbouring properties.

## Conclusion

Based upon the preceding information, it is the opinion of Staff that the variances, as amended, meet the general intent and purpose of both the MOP and Zoning By-law; are minor in nature; and, are desirable for the orderly development of the lands. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Comments Prepared by: Connor DiPietro, Planning Associate



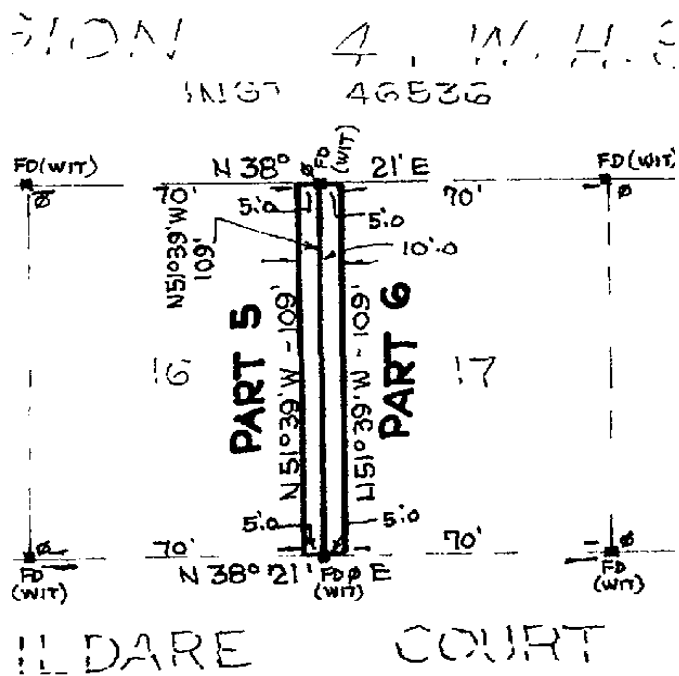
## Appendices

### Appendix 1 – Transportation and Works Comments

Acknowledging that we have no grading and drainage related concerns with the proposed workshop, we request that a minimum of a 5 ft. setback be maintained to the side yard property line. At the time of our site inspection we discussed with the owner that there may be a storm sewer easement between the subject and abutting property to the west but did not have the details available. Further to our review we note that there is a 10ft storm sewer easement, 5 ft. being on the subject property. The entire storm sewer easement is identified as Parts 5 & 6 on Plan 43R-6483, Part 6 being on the subject lands.

In view of the above we would have no objections to the request provided that the proposed workshop does not encroach into the limits of the storm sewer easement.





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**Appendix 2 – Zoning Comments**

The Building Department is currently processing a building permit under file BP 9NEW 21 - 4885. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

3. A lot coverage of 26.46% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25% of the lot area in this instance; and
4. An accessory structure size of 25sq.m (approx. 269.10sq.ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure size of 20sq.m (approx. 215.28sq.ft) 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 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.

Comments Prepared by: Diana Guida, Junior Planner