

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-08-18	File(s): A321.21 Ward 7
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-26 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing:

1. A side yard (easterly) of 1.27m (approx. 4.17ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.93ft) in this instance;
2. A side yard (westerly) of 1.17m (approx. 3.84ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.93ft) in this instance;
3. An area of an accessory structure (rear shed) of 14.00sq.m (approx. 150.70sq.ft) whereas By-law 0225-2007, as amended, permits a maximum area of an accessory structure of 10.00sq.m (approx. 107.64sq.ft) in this instance; and
4. A height of an accessory structure (rear shed) of 3.27m (approx. 10.73ft) whereas By-law 0225-2007, as amended, permits a maximum height of an accessory structure of 3.00m (approx. 9.84ft) in this instance.

Amendments

"[Enter amendments to variances]"

Recommended Conditions and Terms

"[Enter terms and conditions here]"

Background

Property Address: 2355 Genevieve Drive

Mississauga Official Plan

Character Area: Cooksville Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3 - Residential

Other Applications: PREAPP 21-6188

Site and Area Context

The subject property is located north-west of the Queensway East and Cliff Road intersection in the Cooksville Neighbourhood. The property currently contains a side split dwelling and has a lot frontage of +/- 20.73m and a lot area of +/- 735.7m². The surrounding area contains a mix of one and two storey dwellings with attached garages on similarly sized lots. There are pockets of mature vegetation throughout the neighbourhood.

The applicant is proposing a second floor addition requiring variances for both the side yard setbacks as well as an existing 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 Cooksville Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan. This designation permits detached, semi-detached, duplex and triplex dwellings, as well as other low rise dwellings with individual frontages. 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. Staff are of the opinion that the proposed built form is compatible with the surrounding context and meets the general intent and purpose of the Official Plan.

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

The first two variances propose reduced side yards. The intent of the side yard regulations are to ensure an adequate buffer between the massing of structures on abutting properties and to ensure access to the rear yard remains unencumbered. The proposed side yards represent the existing side yards on the property. The applicant is proposing to build on top of the existing first storey and will not be encroaching farther into either side yard than the existing structure. Staff are satisfied that maintaining the existing side yards provides an adequate buffer and permits continued access to the rear yard, and therefore the variances meet the general intent and purpose of the Zoning By-law.

The final two variances relate to an existing accessory structure in the rear yard. The intent of the regulations regarding accessory structures is to ensure that the structures are proportional to the lot and dwelling and are clearly accessory while not presenting any massing concerns to neighbouring lots. Based on a review of the application, staff are satisfied that the accessory structure is appropriately sized. Staff note that had the property been an extra 15m² larger the structure's floor area and height would have been permitted as of right. Staff are satisfied that the variances relating to the accessory structure meet the general intent and purpose of the Zoning By-law.

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

Staff are satisfied that the proposal represents appropriate development of the subject property and will not have significant impacts on abutting properties. The requested variances are minor in nature, representing existing conditions on the subject property.

Conclusion

The Planning & Building Department has no objections to the application.

Comments Prepared by: Alexander Davies, 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.

With regards to the accessory structure we do not foresee any drainage related concerns with the location of the shed, however we note that the shed does encroach into the limits of what appears to be a utility easement.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file PREAPP 21-6188. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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 3 – Parks, Forestry & Environment

N/A

Appendix 4 – Heritage

N/A

Appendix 5 – Region of Peel Comments

"[Enter Region of Peel comments]"

Comments Prepared by: [Click here to insert name, title...](#)