

City of Mississauga Department Comments

Date Finalized: 2022-02-09	File(s): A63.22
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2022-02-17 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

The applicant requests the Committee to approve a minor variance to allow an existing accessory structure with:

1. An accessory structure area of 55.3sq.m (approx. 595.2sq.ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 10.0sq.m (approx. 107.6sq.ft) in this instance;
2. An accessory structure height of 3.38m (approx. 11.09ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.00m (approx. 9.84ft) in this instance;
3. An interior side yard setback and a rear yard setback of 0.30m (approx. 0.98ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback and rear yard setback of 0.61m (approx. 2.00ft) in this instance; and,
4. A lot coverage of 34.8% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.0% in this instance.

Background

Property Address: 900 Atwater Avenue

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

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Zoning: **RM1-26 - Residential**

Other Applications: Building Permit - BP 9NEW 20-3296

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, east of the Atwater Avenue and Cawthra Road intersection. Directly abutting the subject property to the north is Queen of Heaven Separate School. The residential portion of the neighbourhood consists of one and two storey-detached dwellings, on lots with mature vegetation in the front yards. The subject property contains a two-storey detached dwelling with no vegetation in the front yard.

The applicant is requesting to permit an existing accessory structure that requires variances accessory structure area & height, lot coverage and setbacks.

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:

Staff is of the opinion that the proposed structure may cause drainage concerns. Transportation and Works' (T&W's) Development Construction Section, is asking for more information and recommends that a grading plan be submitted in order to determine the impact of the structure with regards to surface drainage.

Planning staff are also of the opinion that the proposed structure's gross floor area is excessive and will cause significant massing issues. The proposed structure is not proportional to the lot or dwelling, as it covers more than 8% of the property, or approximately 1/3 of the dwelling's total lot coverage.

Planning staff are unable to accurately evaluate the impacts of the proposed structure's height because the calculation of established grade is incorrect. Based on discussions with Zoning Staff, it was determined that the established grade points were not included at the correct locations.

Due to the inaccuracies and concerns raised above, Planning staff are unable to complete a full review of the application at this time and recommend the application be deferred to give the applicant an opportunity to redesign the proposal and submit the requested information.

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Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's information are photos depicting the accessory structure. We draw attention to the photos of the rear side of the structure. All downspouts have been directed towards the neighboring property at the rear. All downspouts would need to be redirected to splash internally to the applicant's own lands in order to not impact the adjacent properties. Through the current Building Permit Application process (BP 9NEW 20/3296) our Development Construction Section is asking for further information regarding downspout locations, swale locations, setbacks, catch basin locations and existing elevations surrounding the property. This department suggests that the application be deferred until such time that the applicant has submitted a grading plan that clearly shows all of the requested information so that a determination can be made on the impact of the structure with regards to surface drainage.









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 20-3296. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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