

City of Mississauga Department Comments

Date Finalized: 2022-03-02	File(s): A100.22 Ward: 8
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-03-10 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of two accessory buildings (garden shed and pool house) proposing:

1. An accessory building (pool house) area of 26.7sq.m (approx. 287.4sq.ft) whereas By-law 0225-2007, as amended, permits a maximum accessory building area of 20.0sq.m (approx. 215.3sq.ft) in this instance;
2. An accessory building (pool house) height of 4.0m (approx. 13.1ft) whereas By-law 0225-2007, as amended, permits a maximum accessory building height to the highest point of the building of 3.5m (approx. 11.5ft) in this instance; and,
3. An accessory building (garden shed) height of 4.0m (approx. 13.1ft) whereas By-law 0225-2007, as amended, permits a maximum accessory building height to the highest point of the building of 3.5m (approx. 11.5ft) in this instance.

Background

Property Address: 3661 Greenbower Court

Mississauga Official Plan

Character Area: Erin Mills Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R2 - Residential

Other Applications: Preliminary Zoning Review - PREAPP 21-8880

Site and Area Context

The subject property is located within the Erin Mills Neighbourhood Character Area, southeast of the Burnhamthorpe Road West and Winston Churchill Boulevard intersection. The immediate neighbourhood is entirely residential consisting of two-storey detached dwellings on lots with mature vegetation in the front and side yards. The subject property contains a two-storey detached dwelling with vegetation in the front yard.

The applicant is proposing two accessory buildings requiring variances for accessory building area and height.



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 within the Erin Mills Neighbourhood Character Area, and is designated Residential Low Density I on Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density I 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. Staff are satisfied that the proposed accessory buildings are appropriate for the subject property and are accessory to the permitted detached dwelling. The general intent and purpose of the Official Plan is therefore 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 buildings is to ensure that the buildings are proportional to the lot and dwelling, and are clearly accessory while not presenting any massing concerns to neighbouring lots. The proposed buildings are proportional to the lot, as the buildings (combined) cover 2.3% of the lot and have a combined footprint of nearly 6 times smaller than the dwelling's footprint. Furthermore, the buildings do not exceed the maximum allowable combined area for accessory buildings and maintain the required setbacks.

The proposed heights of the buildings are clearly subordinate to the dwelling. Furthermore, the roofs of the buildings do not maintain a height of 4.0m (13.1ft), as they slope downward from 4.0m (13.1ft) at the highest point, to 2.76m (9.06ft) and 2.48m (8.14ft). Lastly, the proposed heights represent a minor deviation from the 3.5m (11.5ft) maximum. Planning Staff have no concerns with the proposed variances and are 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?

Planning Staff are of the opinion that this application represents the orderly development of the lands, and is minor in nature. The accessory buildings are proportional to the lot and dwelling, are clearly accessory, and pose no significant massing impacts to the neighbouring properties.

Comments Prepared by: Connor DiPietro, 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 building will be addressed through the future Building Permit process. The structures in question are not under construction at this time.







Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Preliminary Zoning Review application under file PREAPP 21-8880. Based on review of the information currently available in this permit application, we advise that variance 1 is correct.

In addition, 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: Brandon Eidner, Zoning Examiner