

City of Mississauga Department Comments

Date Finalized: 2022-04-13	File(s): A93.22 Ward 4
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-04-21 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 the construction of a shed with an accessory structure area of 29.09sq.m (approx. 313.12sq.ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 10.00sq.m (approx. 107.64sq.ft) in this instance.

Amendments

The variances should be amended as follows:

...an accessory structure area of 29.13sq.m (approx. 313.55sq.ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 10.00sq.m (approx. 107.64sq.ft) in this instance.

Background

Property Address: 84 Voltarie Crescent

Mississauga Official Plan

Character Area: Downtown Fairview
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM1 - Residential

Other Applications: BP 9NEW 21-6952

Site and Area Context

The subject property is located south-east of the Fairview Road East and Mississauga Valley Boulevard intersection. It has a lot frontage of +/- 8.5m (27.9ft), a lot area of +/- 427.51m² (4,601.68ft²) and currently contains a semi-detached dwelling. Limited landscape and vegetation elements are present in both the front and rear yards. The surrounding area context consists of a mix of detached and semi-detached dwellings on lots of varying sizes, as well as townhouse dwellings.

The applicant is proposing an accessory structure in the rear yard requiring a variance for floor area.



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:

The subject property is located in the Downtown Fairview Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). 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.

The variance requests an increased floor area for an accessory structure in the rear yard. The intent of accessory structure regulations within the zoning by-law is to ensure that the structures are proportional to the lot and dwelling and clearly accessory while not presenting any massing concerns to neighbouring lots. While the lot is pie shaped with a larger rear yard and has the ability to accommodate a larger accessory structure, Planning staff are of the opinion that the proposed structure's size is excessive and not in character for the surrounding area. Staff therefore recommend that the application be deferred in order to allow the applicant to reduce the size of the proposed structure.

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 shed/accessory structure will be addressed through the Building Permit Process. We note from our site inspection and enclosed photos that the rear yard is at a significantly higher elevation than the roadway and all existing drainage from the rear yard is currently directed towards the roadway. In this regard we do not foresee any drainage related concerns but recommend that the shed/accessory structure be equipped with an evestrough and the downspout(s) be located such that drainage is not directed onto the abutting properties.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 9NEW 21-6952. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

...an accessory structure area of 29.13sq.m (approx. 313.55sq.ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 10.00sq.m (approx. 107.64sq.ft) in this instance.

Furthermore, an additional variance for a reduced setback of 0.0 m to the hard surface landscaping in the rear yard, whereas 0.61 m is 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