

# City of Mississauga Department Comments

Date Finalized: 2022-07-06	File(s): A238.22
To: Committee of Adjustment	Ward: 7
From: Committee of Adjustment Coordinator	Meeting date:2022-07-14 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the application, as amended. The applicant may wish to defer the application to ensure the accuracy of the revised variance and that additional variances are not required.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a covered porch proposing a lot coverage of 44.59% (approx. 155.39sq.m. or 1,672.60sq.ft) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% (approx. 121.96sq.m or 1,312.77sq.ft) in this instance.

### Amendments

Through discussions with the applicant, it is the understanding of Planning staff that the applicant wishes to amend the application as follows:

The applicant requests the Committee to approve a minor variance to allow the construction of a covered porch proposing a lot coverage of 39.3% (approx. 155.39sq.m. or 1,672.60sq.ft) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% (approx. 121.96sq.m or 1,312.77sq.ft) in this instance.

## Background

**Property Address:** 79 Antigua Rd

### Mississauga Official Plan

Character Area: Cooksville Neighbourhood  
Designation: Residential Low Density II

## Zoning By-law 0225-2007

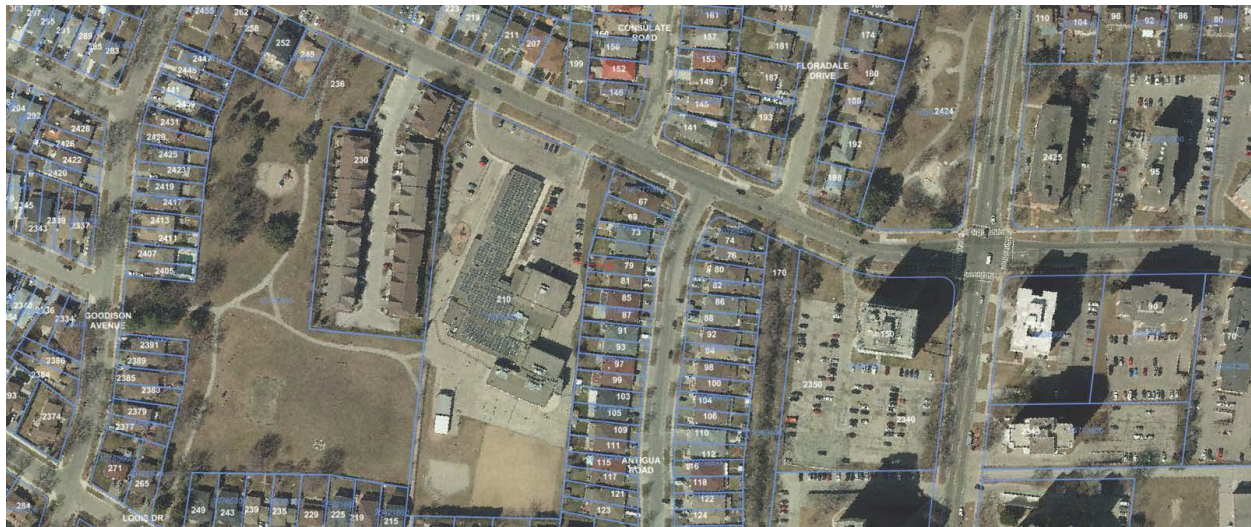
**Zoning:** RM1 - Residential

**Other Applications:** BP 9ALT 21-4851

## Site and Area Context

The subject property is located south-west of the Confederation Parkway and Paisley Boulevard West intersection in the Cooksville neighbourhood. It currently contains a two-storey semi-detached dwelling with a lot area of +/- 348.46m<sup>2</sup> (3,750.79ft<sup>2</sup>) and backs onto Floradale Public School. Limited landscaping and vegetative elements are present in both the front and rear yards. The surrounding area context is predominantly residential, consisting of a mix of detached, semi-detached, and apartment dwellings on lots of various sizes.

The applicant is proposing a rear yard covered porch requiring a variance for 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 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 (MOP). 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 covered patio is appropriately sized for the property, improves the rear yard amenity area, and will have no negative impacts to the streetscape. Staff are therefore satisfied that the general intent and purpose of the official plan are maintained.

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

The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot and to limit massing impacts on abutting properties. Planning staff are of the opinion that the proposed patio cover is appropriately located and sized for the subject property, and note that the existing dwelling appears to account for the entirety of the permitted lot coverage. The proposal aims to improve the rear yard amenity area, does not impact the streetscape, and in the opinion of staff does not represent an overdevelopment of the lot. Staff are therefore satisfied that the general intent and purpose of the zoning by-law are maintained.

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

Planning staff are of the opinion that any negative impacts to abutting properties will be minor in nature. Furthermore the proposal represents appropriate development of the subject property and improves the rear yard amenity area.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed are some photos which depict the constructed covered porch. We have also enclosed a photo of the rear yard which depicts an existing shed which has been constructed over a 10 ft. Storm Sewer Easement (Plan C-16131). The city drawing depict a catch basin in the rear yard of this property which was designed to also accommodate drainage from the abutting property to the north. The 10ft Storm Easement continues to the south (approximately 6 semi-detached dwellings) and then connects to the storm sewer on Antigua Road.

Should Committee see merit in the applicant's request for the covered porch, we would suggest that the applicant install an eavesthrough on the covered porch with any downpipe (s) be directed away from the abutting properties and drainage directed to the catch basin located on this property.

Concerning the shed encroachment onto a city storm sewer easement we would request that the shed (accessory structure) be removed, or alternatively that satisfactory arrangements be made with the City of Mississauga for an Easement Encroachment Agreement for the shed encroachment. Should the applicant need a contact, they can proceed with contacting [realtyservices@mississauga.ca](mailto:realtyservices@mississauga.ca).











Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

The Building Department is currently processing a Building Permit under file BP 9ALT 21-4851. 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: Brandon Eidner, Zoning Examiner