

City of Mississauga Department Comments

Date Finalized: 2022-07-13	File(s): A295.22 Ward: 7
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-07-21 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure the accuracy of the requested variances and that additional variances are not required.

Application Details

The applicant requests the Committee to approve the construction of an accessory structure (cabana) proposing an accessory structure area of 41sqm (approx. 441sq.ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 20sq.m (approx. 215sq.ft) in this instance.

Background

Property Address: 57 Harborn Rd

Mississauga Official Plan

Character Area: Cooksville Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R1 - Residential

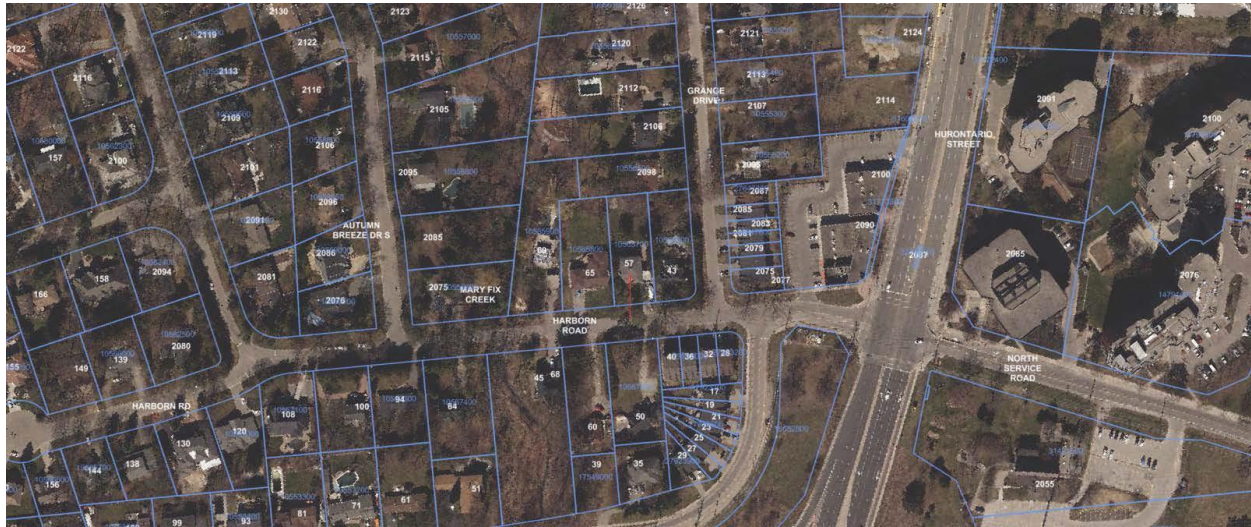
Other Applications:

Site and Area Context

The subject property is located north-west of the Hurontario Street and Queen Elizabeth Way interchange in the Cooksville neighbourhood, in an area known as Gordon Woods. The subject

property currently contains a two storey detached dwelling with an attached garage. It has a lot frontage of +/-22.86m (75ft) and a lot area of +/-1,392.6m² (14,989.82ft²). Some mature vegetation exists on the subject property, especially near the property lines. The surrounding context consists of detached and townhouse dwellings on lots of varying sizes.

The applicant is proposing to construct a new accessory structure on the subject property 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:

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 I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits only detached dwellings in this instance. 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 accessory structure does not impact the

property's permitted use and is compatible with existing site conditions and the surrounding context. The proposal therefore maintains the general intent and purpose of the official plan.

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

The requested variance is for an increase in floor area for an accessory structure. The intent of the zoning by-law provisions 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. Staff note that no additional variances have been requested for height or setbacks, and that the accessory structure represents less than 3% of the total lot area. Furthermore the proposed structure is largely open on the sides, limiting any massing impacts. It is the opinion of staff that the proposed structure is proportional, clearly accessory, and does not pose any massing concerns. The proposal therefore maintains 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?

Planning staff are of the opinion that the pergola represents appropriate development of the subject property. It is appropriately located on the site and appropriately sized for the lot. The variance is minor in nature and will not create any additional impacts to abutting properties when compared to as of right permissions.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that we have no objections to the proposed accessory structure. From our site inspection of the property we note that we do not foresee any drainage related concerns with the proposal provided that the accessory structure be equipped with an eavestrough and the downpipes be directed towards the applicant's rear yard away from the abutting property. From the enclosed photos it is evident that this property has a very large and sodded rear yard which can adequately accommodate any excess drainage from the proposal.







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 22-1024. 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

Appendix 3- Region of Peel

Development Planning: Joseph Filice (905) 791-7800 x3182

Comments: Please be advised that the subject property is located within the limits of the regulated area of the Credit Valley Conservation (CVC).

The Region relies on the environmental expertise of the CVC for the review of development applications located within or adjacent to this regulated area in Peel and their potential impacts on the natural environment. Regional Planning staff therefore, request that the Committee and city staff consider comments from the CVC and incorporate their conditions of approval appropriately.

Comments Prepared by: Joseph Filice, Junior Planner