

City of Mississauga Department Comments

Date Finalized: 2022-11-02	File(s): A516.22
To: Committee of Adjustment	Ward: 7
From: Committee of Adjustment Coordinator	Meeting date:2022-11-10 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred to allow the applicant to reduce the size of the accessory structure.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an accessory structure proposing:

1. A maximum area occupied per accessory structure of 75.50sq.m (approx. 812.68sq. ft) whereas By-law 0225-2007, as amended, permits a maximum area occupied per accessory structure of 20.00sq. m (approx. 215.28sq. ft) in this instance;
2. A maximum area occupied per all accessory structures of 75.50sq.m (approx. 812.68sq. ft) whereas By-law 0225-2007, as amended, permits a maximum area occupied for all accessory structures of 60.00sq. m (approx. 645.84sq. ft) in this instance;
3. An accessory structure height of 3.72m (approx. 12.20ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.50m (approx. 11.48ft) in this instance; and,
4. A side yard setback to the accessory structure of 0.93m (approx. 3.05ft) whereas By-law 0225-2007, as amended, requires a side yard setback to the accessory structure of 1.20m (approx. 3.94ft) in this instance.

Background

Property Address: 2109 Gordon Drive

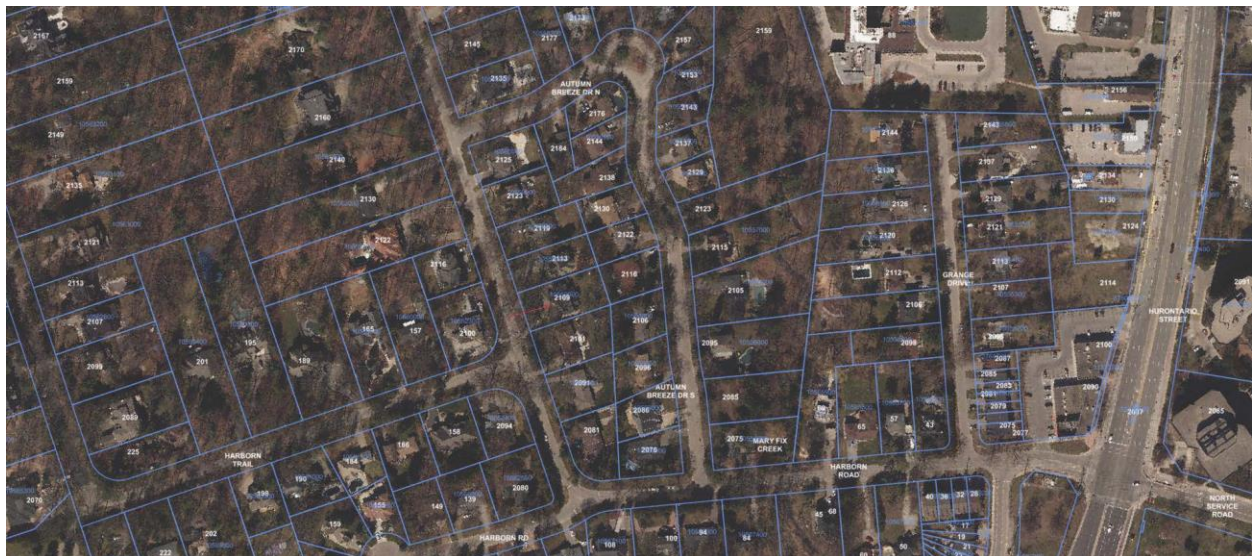
Mississauga Official Plan

Character Area: Cooksville Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007**Zoning: R1-7 - Residential****Other Applications:** BP 9NEW 22-1871**Site and Area Context**

The subject property is located south-west of the Hurontario Street and Queensway West intersection in an area known as Gordon Woods. It currently contains a two-storey detached dwelling and has a lot area of +/- 1,528.53m² (16,453ft²). Mature vegetation is present in both the front and rear yards. The surrounding area context is exclusively residential, consisting of detached dwellings on lots of varying sizes.

The applicant is proposing a new accessory structure requiring variances for floor area, height, and side yard setback.

**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 Cooksville Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density I 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. The property also forms part of Special Site 4, which includes policies surrounding the maintenance of vegetation and generous setbacks.

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. The proposed structure creates notable massing and exceeds nearly all accessory structure regulations in the by-law. Staff note that three separate accessory structures built to the maximum by-law specifications on the property would not be permitted to have the same combined area of the proposed structure. The proposal places a long, blank wall facing the neighbouring property and does little to break up the continuous massing along the lot line.

Given the above, Planning staff are of the opinion that the application should 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 requirements for the proposed accessory structure will be addressed through the Building Permit Process.

From our site inspection of the property and our review of Site Plan DWG No: A100 submitted, we note that we do not foresee any drainage related concerns with the location that the proposed pool cabana is being proposed. It should also be noted that that the drawings submitted indicate that eavetroughs and downspouts will be installed and would request that the downspouts be installed such that drainage not impact on the abutting property.





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 22-1871. 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: Maria Fernandez, Zoning Examiner

Appendix 3 – Region of Peel

Development Engineering: Camila Marczuk (905) 791-7800 x8230

Comments: This site does not have frontage on existing municipal sanitary sewer.

Comments Prepared by: Patrycia Menko, Junior Planner