

City of Mississauga Department Comments

Date Finalized: 2022-10-26	File(s): A452.22
To: Committee of Adjustment	Ward: 7
From: Committee of Adjustment Coordinator	Meeting date:2022-11-03 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 minor variances to allow the existing accessory structure (garage) to be maintained proposing:

1. A maximum accessory building height of 5m (approx. 16.4ft)) whereas By-law 0225-2007, as amended, permits a maximum accessory building height of 3.5m (approx. 11.49ft) in this instance; and,
2. An area occupied by an accessory building of 60sq.m (approx. 645.83sq.ft)) whereas By-law 0225-2007, as amended, permits a maximum area occupied by an accessory building of 20.0sq.m (approx. 215.27sq.ft) in this instance.

Recommended Conditions and Terms

The accessory structure shall be equipped with an eaves trough and the downpipe(s) be directed towards the applicant's rear yard area and away from the abutting properties.

Background

Property Address: 137 Paisley Blvd E.

Mississauga Official Plan

Character Area: Cooksville Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

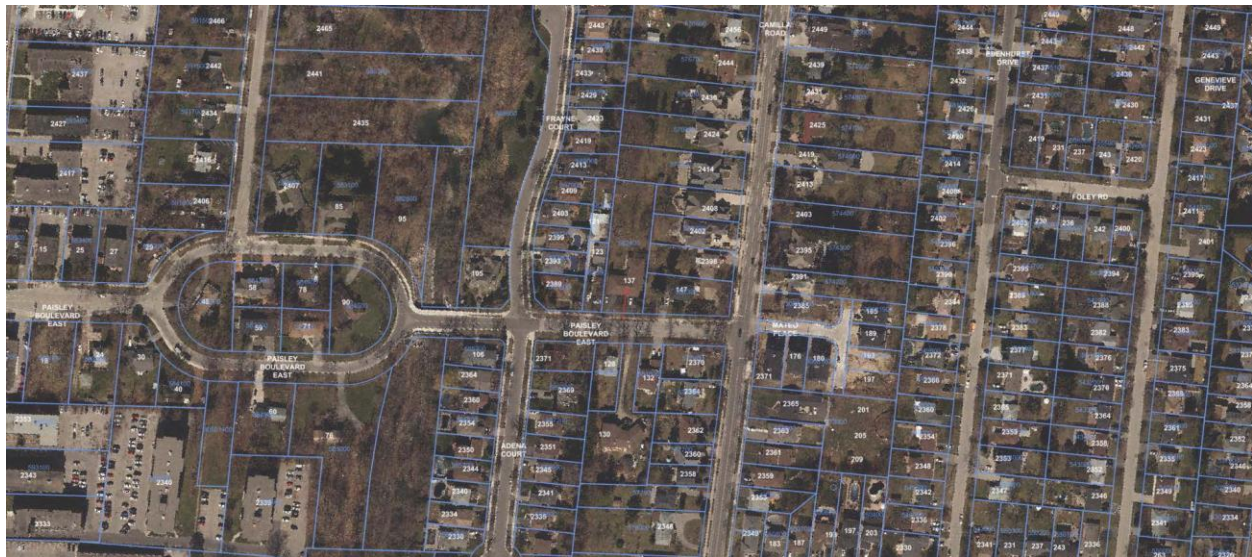
Zoning: R3-Residential

Other Applications: BP 9NEW 22-504

Site and Area Context

The subject property is located on the north side of Paisley Boulevard East, west of the intersection with Camilla Road. It currently contains a single storey detached dwelling with an attached garage. Mature vegetation is present within the rear yard of the property. The subject property has a lot area of +/- 2,404.82m² (25,885.27ft²) and a lot frontage of +/- 27.36m (89.76ft), making it one of the larger properties in the immediate area.

The applicant is proposing to construct an accessory structure in the rear yard requiring variances for height and 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 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 of the opinion that the accessory structure does not impact the property's permitted use and is compatible with existing site conditions. 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 variances are for an increase in height and 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 the accessory structure represents less than 3% of the total lot area. Furthermore staff note that, due to the property's significant size, the subject property would be able to facilitate a detached garage. The zoning by-law's provisions for detached garages permit a larger floor area and similar height as the proposed structure and would have similar 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 accessory structure 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

Enclosed are photos depicting the existing accessory structure (garage). It is our understanding from our conversation with the owner that the intent of the garage will be to store collector cars and there will be no driveway (hard surface area) constructed to access the garage and that any vehicles will be driven over the sodded area.

From our site inspection and attached photos of the property we note that we do not foresee any drainage related concerns with the proposal, however would suggest that the accessory structure be equipped with an eaves trough and the downpipe(s) be directed towards the applicant's rear yard area and away from the abutting properties. From the enclosed photos it is evident that this property has a very large and sodded rear yard which can adequately accommodate any significant amount of drainage.









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 22-504. 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 submitted on 02/03/2022 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: Jeanine Benitez, Zoning Examiner

Appendix 3 - Region of Peel

We have no comments or objections.

Comments Prepared by: Patrycia Menko, Junior Planner