

# City of Mississauga Department Comments

Date Finalized: 2022-12-07	File(s): A543.22
To: Committee of Adjustment	Ward: 8
From: Committee of Adjustment Coordinator	Meeting date:2022-12-15 1:00:00 PM

## Consolidated Recommendation

The City has no objection to the minor variance application. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an accessory structure proposing a lot coverage of 33.74sq m (approx. 363.17sq ft) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 20.00sq m (approx. 215.28sq ft) in this instance.

## Recommended Conditions and Terms

Should the Committee see merit in the application, staff request that the accessory structures be equipped with eaves troughs and downspouts to be directed in such a manor to not impact the neighbouring properties.

## Background

**Property Address:** 2158 Heswall Crt

### Mississauga Official Plan

Character Area: Sheridan Neighbourhood  
Designation: Residential Low Density I

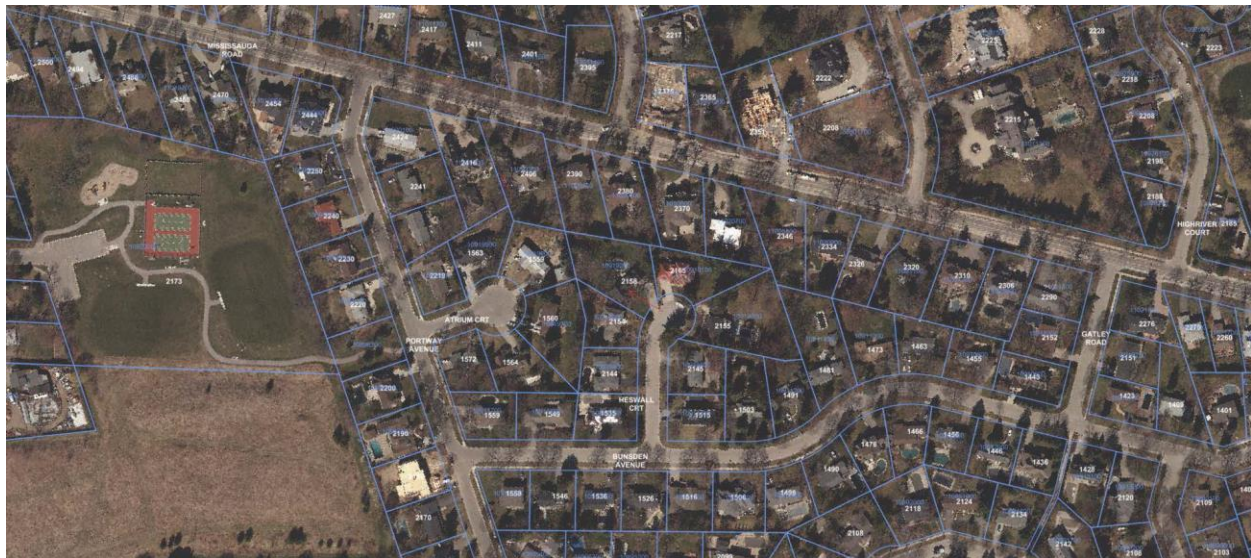
### Zoning By-law 0225-2007

**Zoning:** R1- Residential

**Other Applications:** BP 9NEW 22-2806**Site and Area Context**

The subject property is located south-east of the Mississauga Road and Portway Avenue intersection in the Sheridan Neighbourhood. It is a pie shaped lot located at the end of the Heswall Court cul-de-sac and has a lot area of +/- 2,200.4m<sup>2</sup> (23,685ft<sup>2</sup>). Currently the property contains a two-storey detached dwelling with an attached garage. Some 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 an accessory structure 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 site is located within the Sheridan Neighbourhood Character Area, and is designated Residential Low Density I under Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached, semi-detached and duplex dwellings.

Section 9 of the 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 satisfied that the proposed accessory structure is appropriate for the subject property and is clearly accessory to the permitted detached dwelling. The general intent and purpose of the official plan is therefore maintained.

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

Variance #1 relates to 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 to the principle use, and that there are no massing concerns to neighbouring lots. Staff note that the floor area of the accessory structure (pool house) represents approximately 1.53% of the total lot area, approximately seven times less than the size of the existing dwelling on the subject property (10.86% coverage). Staff further note that the maximum total combined floor area permitted for accessory structures is 60m<sup>2</sup> (645.83ft<sup>2</sup>), not exceeding more than 5% of the lot coverage. The total combined floor area for all accessory structures on the subject property is 49.34m<sup>2</sup> (531.09ft<sup>2</sup>), with a lot coverage of 2.24%. It is staff's opinion that the proposed structure is proportional, clearly accessory, and does not pose any massing concerns.

As such, Planning staff have no concerns with the proposed variances and are of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

Planning staff are of the opinion that this application represents the orderly development of the lands and is minor in nature. The accessory structure poses no significant massing impact and does not impose upon the neighbouring properties.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner



## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed for Committee's easy reference are photos of the rear yard. We ask that all structures (existing and proposed) be equipped with an eaves trough and down spout directed in such a manner to not impact the adjacent properties.











Comments Prepared by: John Salvino, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

The Building Department is currently processing a Building Permit under file BP 9NEW 22-2806. 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.

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Comments Prepared by:     Brandon Eidner, Zoning Examiner

**Appendix 3 – Region of Peel**

We have no comments or objections.

Comments Prepared by:     Patrycia Menko, Junior Planner