

# City of Mississauga Department Comments

Date Finalized: 2023-04-19	File(s): A745.22
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2023-04-27 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the application.

## Application Details

The applicant requests the Committee to approve a minor variance to permit an existing addition and shed proposing:

1. A rear yard setback to an addition of 6.85m (approx. 22.47ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 7.50m (approx. 24.61ft) in this instance;
2. An accessory building area of 16.89sq m (approx. 181.80sq ft) whereas By-law 0225-2007, as amended, permits a maximum accessory building area of 10.00sq m (approx. 107.64sq ft) in this instance and,
3. An accessory building height of 3.53m (approx. 11.58ft) whereas By-law 0225-2007, as amended, permits a maximum accessory building height of 3.00m (approx. 9.84ft) in this instance.

## Background

**Property Address:** 3638 Corliss Cres

### Mississauga Official Plan

Character Area: Malton Neighbourhood  
Designation: Residential Low Density II

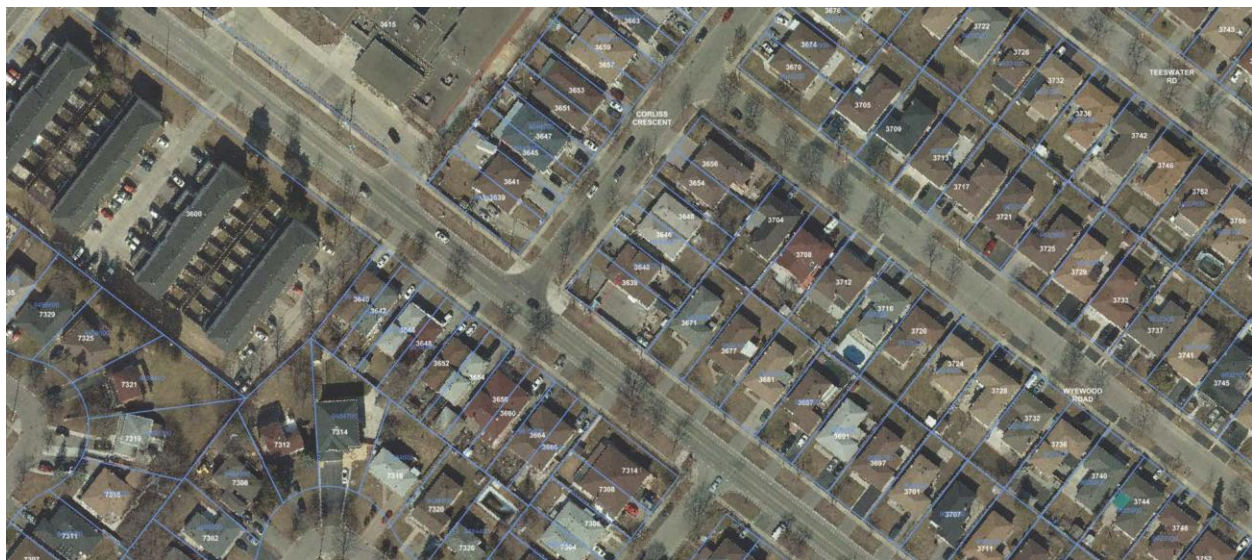
### Zoning By-law 0225-2007

**Zoning:** RM1- Residential

**Other Applications:** PREAPP 21-5455**Site and Area Context**

The subject property is located on the north-east corner of the Morning Star Drive and Corliss Crescent intersection. It currently contains a back split semi-detached dwelling with no garage. Limited landscaping/vegetative elements are present in the front, rear, and exterior side yards. The property has a lot frontage of +/- 16.76m (55ft), which is notably larger than other semi-detached dwellings in the area due to the property being a corner lot. The surrounding context is predominantly residential, consisting of a mix of detached, semi-detached and townhouse dwellings.

The applicant is proposing to legalize the existing addition and accessory structure requiring variances for rear yard setback, floor area, and height.

**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 Malton 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. Planning staff are satisfied that the proposal is appropriate given the existing site conditions and will not impact the larger character area. Staff are therefore of the opinion that the application maintains the general intent and purpose of the official plan.

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

Variance 1 proposes a reduced rear yard measured to an addition. The intent of a rear yard setback is to ensure an adequate buffer between the massing of primary structures on adjoining properties, as well as to create an appropriate amenity area within the rear yard. The proposed addition is limited in size and height, and staff are satisfied that an appropriate buffer is maintained. Furthermore the proposal maintains a sizable rear yard amenity area.

Variances 2 & 3 relate to the height and size of the 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. A portion of the structure is open, limiting its massing, and the roof is sloped which reduces the impact of the height as it is only measured to the highest point. Planning staff are satisfied that the structure will not pose significant massing impacts to the abutting properties and is appropriately sized for the subject property. Furthermore no variances have been requested for setbacks, limiting the impacts to abutting properties.

Given the above, Planning staff are 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 the impacts of the requested variances, both individually and cumulatively, will be minor in nature. Furthermore staff are satisfied that the proposal represents appropriate development of the subject property.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed for Committee's easy reference are a number of photos depicting the subject property. This department has no comments on the requested variances as it relates to the addition, and accessory structure.

We advise that the existing fence which the applicant has constructed in the front yard appears to be encroaching onto the municipal boulevard and not in compliance with the City's Fence By-law 0397-1978. The fencing in the front yard creates a sight visibility concerns for pedestrians and motorists and we request that modifications be made for the re-instatement of the fence to comply with by-law standards to the satisfaction of Transportation and Works Department, By-law Enforcement Division.































Comments Prepared by: Tony Iacobucci

## Appendix 2 – Zoning Comments

The Building Department has processed a Preliminary Zoning Review application under file PREAPP 21-5455. Based on review of the information currently available in this permit application, the variances as requested are correct.

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: Sherri Takaloo, Zoning Examiner

**Appendix 3- Region of Peel Comments**

We have no comments or objections.

Comments Prepared by:      Patrycia Menko, Junior Planner