

# City of Mississauga Department Comments

Date Finalized: 2023-06-14	File(s): A154.23 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-06-22 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 a minor variance to allow the construction of an accessory structure proposing:

1. An interior side yard setback of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) in this instance;
2. An interior rear yard setback of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 1.20m (approx. 3.94ft) in this instance; and,
3. A maximum area occupied by an accessory structure of 37.9sq m (approx. 407.95sq ft) whereas By-law 0225-2007, as amended, permits a maximum area of 20.0sq m (approx. 215.28sq ft) in this instance.

## Background

**Property Address:** 2200 Robinwood Crt

### Mississauga Official Plan

Character Area: Central Erin Mills Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

**Zoning:** R2-8 - Residential

**Other Applications: BP 9NEW 23-6665****Site and Area Context**

The subject property is located south-east of the Fordmill Road and Robinwood Court intersection in the Central Erin Mills neighbourhood. The property has a lot area of +/- 927.19 m<sup>2</sup> (+/- 9980.19 ft<sup>2</sup>), with a lot frontage of +/- 21.90 m (+/- 71.85 ft). The surrounding area context is predominantly residential, consisting of detached dwellings on similarly sized lots. The property is in vicinity of municipal parks on the north and south side. Some landscaping and vegetative elements are present in both the front and exterior side yards.

The applicant is proposing the construction of an accessory structure requiring variances for maximum area occupied and setbacks for the interior side yard and interior rear yard.

**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 Central Erin Mills Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP).

This designation permits varying built forms, including detached dwellings, semi-detached dwellings, duplex dwellings, triplexes, street townhouses, and other forms of low-rise dwellings with individual frontages. 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 proposed construction is located at the rear of the property and would not be visible to the streetscape. Furthermore the proposal is clearly accessory to the permitted detached dwelling. Staff are therefore of the opinion that the general intent and purpose of the official plan are maintained.

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

Variance 1 and 2 request relief from rear and side yard setbacks. The general intent of this portion of the by-law is to ensure that an adequate buffer exists between the massing of structures on adjoining properties, that maintenance can be performed on the structures, and that appropriate drainage patterns can be maintained. Staff are of the opinion that the proposed reduced setback will not impact the ability to perform any required maintenance on the structure or provide appropriate drainage patterns. Furthermore staff note that the proposed reduction in the rear yard setback is only for a portion of the structure, and that the rear yard setback gradually increases from one corner of the accessory structure. Staff are therefore satisfied that appropriate buffers and access are maintained, and note that Transportation and Works staff have not raised any drainage related concerns.

Variance 3 relates to the maximum floor area of an accessory structure on the property. The intent of the zoning by-law provision regarding accessory structures is to ensure that the structures are proportional to the lot and dwelling and clearly accessory while not presenting any massing concerns to neighbouring lots. Staff note that the structure represents less than 5% of the total lot area and is clearly accessory to the primary structure on the property. Staff are satisfied that any massing impacts on abutting properties or the streetscape are minor in nature.

Given the above staff are of the opinion that the variances, both individually and cumulatively, maintain 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?**

Staff are satisfied that the proposal represents appropriate development of the subject property and will not have significant impacts on abutting properties or the streetscape when compared to an as of right condition. The requested variances, in the opinion of staff, are minor in nature.

Comments Prepared by: Shivani Chopra, Planner in Training

## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed accessory structure will be addressed through the Building Permit Process. Acknowledging that we were not able to access the rear yard on our site inspection, we note that we do not foresee any drainage related concerns with the proposal provided that the existing drainage pattern on the property be maintained.



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 23-6665. 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: Gary Gagnier; Zoning Examiner

### **Appendix 3 – Region of Peel**

#### **Minor Variance Application: A-23-154M – 2200 Robinwood Court**

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

#### **Comments:**

- There is a Regional easement on the subject property. Please be advised that unauthorized encroachments on Regional easements will not be permitted. Certain restrictions apply with respect to Regional easements as per the documents registered on title.

Comments Prepared by: Patrycia Menko, Junior Planner