

# City of Mississauga Department Comments

Date Finalized: 2023-06-14	File(s): A56.23
To: Committee of Adjustment	Ward: 3
From: Committee of Adjustment Coordinator	Meeting date:2023-06-22 3:30:00 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 existing cabana proposing:

1. An accessory structure area of 27.77sq m (approx. 298.91sq ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 10.00sq m (approx. 107.64sq. ft) in this instance; and,
2. A lot coverage of 36.26% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35% in this instance.

## Background

**Property Address:** 3619 Autumn Harvest Dr

### Mississauga Official Plan

Character Area: Applewood Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

**Zoning:** R3- Residential

**Other Applications:** BP 9NEW 22-4443

### Site and Area Context

The subject property is located south-east of the Burnhamthorpe Road East and Tomken Road intersection in the Applewood neighbourhood. It currently contains a single-storey detached dwelling with an attached garage. Limited landscaping and vegetative elements are present in both the front and rear yards. The property has a lot area of +/- 646.49m<sup>2</sup> (+/- 6,958.76ft<sup>2</sup>), characteristic of other detached dwellings in the area. The surrounding context is predominantly residential, consisting of detached dwellings on similarly sized lots. Semi-detached dwellings are present in the larger area context.

The applicant is seeking to legalize the existing accessory structure requiring variances for floor area and lot coverage.



## 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 Applewood Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan. 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.

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 intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot which would impact the streetscape as well as abutting properties. The structure is open on all 4 sides and does not require height or setback variances, which limits the impacts of the massing. Staff find the proposed lot coverage increase to be minor and are of the opinion that the proposal does not represent overdevelopment of the lot. Furthermore the structure will not have any impacts to the streetscape or the residential character of the property.

Given the above Planning staff are satisfied that the application maintains the general intent and purpose of both the official plan and zoning by-law, is minor in nature, and represents appropriate development of the subject property.

Comments Prepared by: Shivani Chopra, Planner in Training

## Appendices

### Appendix 1 – Transportation and Works Comments

We note that the Transportation and Works Department has no objections to the accessory structure as it does not impact or alter the existing grading and drainage pattern for this property. From our site inspection we note that the drainage from the structure is directed towards the rear into the mature cedar hedge (on the applicant's property) and then directed towards the front of the property within the gravel drainage swale. We also observed that the property to the rear is at a higher elevation so there should be no drainage impact to the property at the rear.







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 22-4443. 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**

Please apply previous comments.

Comments Prepared by: Patrycia Menko, Junior Planner