

City of Mississauga Department Comments

Date Finalized: 2023-07-05	File(s): A228.23
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2023-07-13 3:30:00 PM

Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application, as requested, meets the requirements of Section 45(1) of the Planning Act.

Application Details

The applicant requests the Committee to approve a minor variance to allow an accessory structure proposing an accessory structure area of 25.86sq m (approx. 278.35sq ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 20.00sq m (approx. 215.28sq ft) in this instance.

Background

Property Address: 2590 Kenna Court

Mississauga Official Plan

Character Area: Sheridan Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

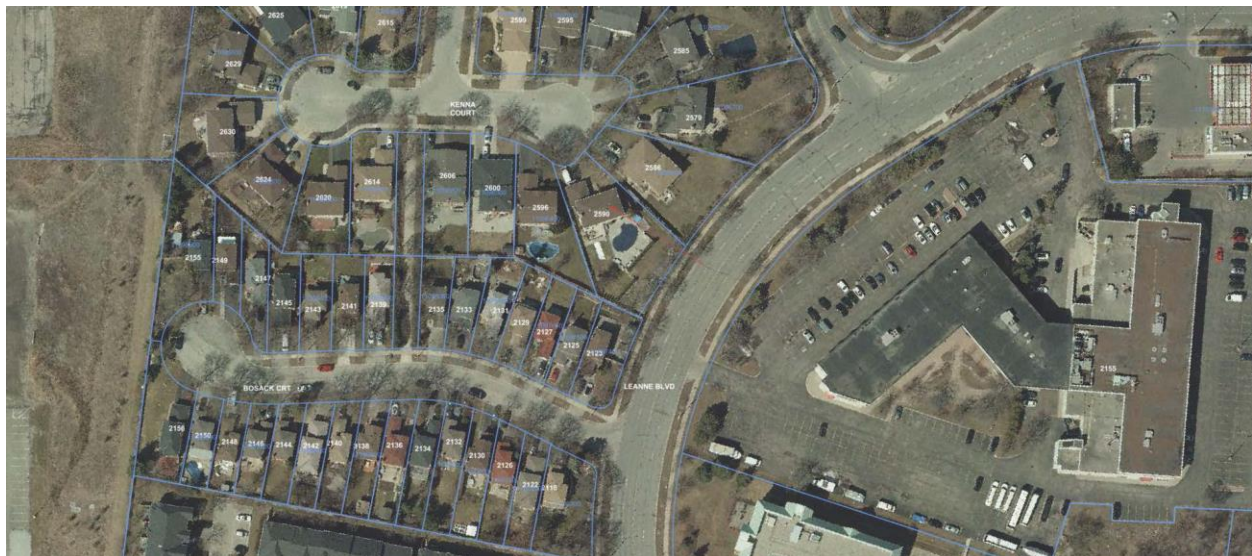
Zoning: R3- Residential

Other Applications: BP 23-6405

Site and Area Context

The subject property is located within the Sheridan Neighbourhood Character Area, east of the Leanne Boulevard and Erin Mills Parkway intersection. The surrounding neighbourhood consists of a mix of uses, including industrial and office uses. The residential uses primarily consist of two-storey detached dwellings on lots with mature vegetation in both the front and rear yards. The subject property contains an existing two-storey detached dwelling with mature vegetation in the front yard.

The applicant is proposing an accessory structure requiring a variance for accessory structure 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 are as follows:

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached, duplex, triplex, street townhouses and other forms of low-rise dwellings with individual frontages.

The requested variance pertains to accessory structure 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 proposed structure is clearly accessory, proportional to the lot and dwelling, and creates no massing concerns. Staff note that no variances for setbacks, lot

coverage or height are required, which can create an accessory structure with excessive massing. Furthermore, the proposal, inclusive of existing accessory structures on the subject property, is still below the combined accessory structure area requirement.

Transportation and Works staff attended the subject property and note that an additional accessory structure appears to be under construction. Staff note that the applicant may require additional variances for the structure if it does not comply with lot coverage, area or height requirements. Furthermore, the structure should be equipped with eaves in a manner to ensure there is no runoff onto adjacent lands.

Through a detailed review of the application, staff are of the opinion that the proposed use is desirable and is appropriate to be handled through the minor variance process and that the application raises no concerns of a planning nature.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

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 structure are being addressed by our Development Construction Section through the Building Permit process, File BP 9ALT-23/6405.

We advise that there is what appears to be the framework for a concrete slab under construction at the rear of the property which is not shown on the site plan. If this is a proposed shed then we ask that it be equipped with an eaves trough and down spout directed in such a manner to not flow out onto the Municipal property behind it.











Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing an application under file 23-6405. Based on review of the information currently available in this 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: Andrea Patsalides, Zoning Examiner

Appendix 3 – Region of Peel**Minor Variance: A-23-228M – 2590 Kenna 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