

City of Mississauga Department Comments

Date Finalized: 2023-07-19	File(s): A245.23
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2023-07-27 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 allow an accessory structure proposing:

1. A lot coverage of 47.1% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 45% in this instance;
2. An accessory structure area of 32.51sq m (approx. 349.93sq 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,
3. A combined accessory structure area of 32.51sq m (approx. 349.93sq ft) whereas By-law 0225-2007, as amended, permits a maximum combined accessory structure area of 30.00sq m (approx. 322.92sq ft) in this instance.

Background

Property Address: 5248 Champlain Trail

Mississauga Official Plan

Character Area: Hurontario NHD
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R4-22- Residential

Other Applications: BP 9NEW 23-3239

Site and Area Context

The subject property is located north-west of the McLaughlin Road and Bristol Road West intersection in the Hurontario neighbourhood. It currently contains a two-storey detached dwelling with an attached garage and has a lot area of +/- 445.35 m² (+/- 4793.70 m²). Mature vegetation and landscaping is present in both the front and rear yards. The surrounding context is exclusively residential, consisting of detached dwellings on lots of varying sizes.

The applicant is proposing an accessory structure requiring variances for 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:

Does the proposal maintain the general intent and purpose of the Official Plan?

The subject property is located in the Hurontario Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, duplex and triplex dwellings, as well as other low-rise dwellings with individual frontages. 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. Despite the size of the accessory structure, it is not out of character with the surrounding area and is appropriately located on the subject property. Given this, staff are of the opinion that the structure is appropriately sized and does not pose any significant impact to the abutting properties. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

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

The proposed variances request an increase in accessory structure area, an increase in lot coverage, and an increased combined accessory structure area respectively. 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 clearly accessory while not presenting any massing concerns to neighbouring lots. While the proposed accessory structure is notably larger than a single accessory structure permitted on this property, the lack of walls surrounding the structure reduces its massing impact. Staff note that three legally sized accessory structures placed side by side at the same location on the property would have a similar massing impact as the proposal. Regarding the combined floor area of the accessory structures, staff find this request is minor in nature and that the additional floor area located on the property creates limited impact. Furthermore, the existing vegetation on the property and neighbouring properties provide screening to mitigate any potential impact. No additional variances for setbacks or height have been requested, further limiting any potential impacts to abutting properties. Staff are of the opinion that the size of the structure is appropriate for and proportionate to the lot and therefore does not create any massing issues or represent an overdevelopment of the subject property.

Given the above, Planning staff are of the opinion that the request maintains 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 of the opinion that the proposal represents the appropriate development of the subject land. The request is minor in nature and will not have any additional impacts to abutting properties when compared to an as of right condition.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's reference are photos which depict the area where the accessory structure has been constructed. We note that the Grading Plan approved for this property for Lot#163 Plan 43M-804 (Grading Plan C-23724 by Marshall Macklin Monaghan Ltd) indicates that drainage from the rear yard was designed to be directed to the rear property towards the abutting properties to the rear in a south-westerly direction. The accessory structure constructed is of a significant size which does result in additional drainage runoff being directed onto the adjacent properties.

From our site inspection and without having access to the abutting properties to the rear we are unable to confirm if there has been any significant drainage impacts on the abutting properties, however any modifications to reduce the roof area of the accessory structure would lessen any drainage concerns.







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 23-3239. 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: Tage Crooks, Zoning Examiner

Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner