

# City of Mississauga Department Comments

Date Finalized: 2023-08-09	File(s): A700.22
To: Committee of Adjustment	Ward: 4
From: Committee of Adjustment Coordinator	Meeting date:2023-08-17 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure additional variances are not required.

## Application Details

The applicant requests the Committee to approve a minor variance to allow an existing accessory structure proposing:

1. An accessory structure area of 11.14sq m (approx. 120.00 sq 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. An accessory structure height of 3.20m (approx. 10.50ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.00m (approx. 9.84ft) in this instance.

## Background

**Property Address:** 4516 Whitelodge Cres

### Mississauga Official Plan

Character Area: Hurontario Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

**Zoning:** R4-15 - Residential

**Other Applications:**

## Site and Area Context

The subject property is located north-west of the Highway 403 & Hurontario Street intersection. It is an interior lot containing a two-storey detached dwelling with an attached garage. Limited landscaping/vegetative elements are present in both the front and rear yards. The property has a lot area of +/- 405.09m<sup>2</sup> (+/- 4,360.35ft<sup>2</sup>), characteristic of lots in the area. The surrounding context is residential, consisting of two-storey detached dwellings.

The applicant requires variances for area and height to legalize the existing accessory structure.



## 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). 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 existing accessory structure is appropriately located to the rear of the property, is compatible with the surrounding area and

does not pose any significant impact to the abutting properties. Staff are 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 existing accessory structure requires variances to area and height. The intent of the accessory structure regulations is to ensure that the structure is proportional to the lot and dwelling and are clearly accessory to the primary use of the lot, while not presenting any massing concerns to neighbouring properties.

Variance 1 relates to the floor area of the accessory structure. The floor area exceeds the by-law by 1.14 m<sup>2</sup>. No additional variances for setbacks have been requested further mitigating any potential impact. Staff are of the opinion that the proposed structure remains accessory to the principle use on the lands and are satisfied that any massing impacts on abutting properties are minor in nature.

Variance 2 relates to an increase in accessory structure height. The intent of the height provision is to ensure that the structure is proportional to the lot and dwelling and are clearly accessory, while not presenting any massing concerns to the neighbouring lots. Staff note that the proposed height represents a small deviation from what is currently permitted as of right in the zoning by-law.

Given the above, staff are of the opinion that the variances 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 off the opinion that the proposed accessory structures does not have any significant impacts on neighbouring properties and represent appropriate development of the subject lands.

As such, the variances are minor in nature and result in orderly development of the subject property.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed for Committee's information are photos which depict the existing accessory structure and the area immediately surrounding the shed. We note that the Grading Plan (DWG C-21031) approved for this property under Registered Plan of Subdivision 43M-573 indicates that drainage from the rear yard was designed to drain to the existing catch basin located on the abutting property to the south (Lot# 112).

From our site inspection and the attached photos it is evident that any previous drainage swales have been impacted by both the shed constructed on this property and also the shed constructed by the abutting neighbour to the south. The abutting neighbour has also re-routed the downpipe (attached to the fence) to drain to the rear.

Comments Prepared by: Joe Alava, Development Engineering







## Appendix 2 – Zoning Comments

In the absence of a Development application we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed. The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

For scope of work that does not require Site Plan Approval/Building Permit/Zoning Certificate of Occupancy Permit, the applicant may consider applying for a Preliminary Zoning Review application. A detailed site plan drawing and architectural plans are required for a detailed zoning review to be completed. A minimum of 6-8 weeks is required depending on the complexity of the proposal and the quality of information submitted.

Comments Prepared by: Brooke Herczeg, Zoning Examiner

## Appendix 3- Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Ayoola Ayooluwa, Junior Planner