

# City of Mississauga Department Comments

Date Finalized: 2023-11-22	File(s): A454.23
To: Committee of Adjustment	Ward: 7
From: Committee of Adjustment Coordinator	Meeting date:2023-11-30 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

## Application Details

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

1. An accessory structure area of 52.95sq m (approx. 569.95sq 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;
2. A combined lot coverage of all accessory buildings and structures of 6.73% whereas By-law 0225-2007, as amended, permits a maximum combined lot coverage of 5.00% in this instance; and,
3. An accessory structure height of 4.30m (approx. 14.11ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.50m (approx. 11.48ft) in this instance.

## Background

**Property Address:** 2460 Genevieve Drive

### Mississauga Official Plan

Character Area: Cooksville Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

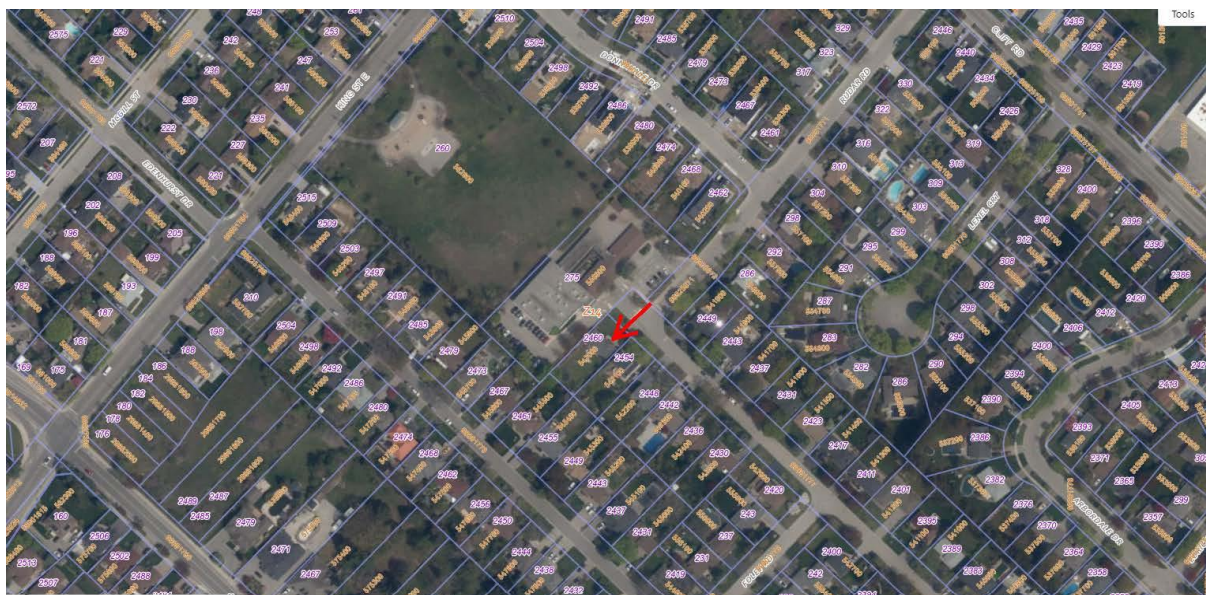
**Zoning:** R3- Residential

## Other Applications: None

## Site and Area Context

The subject property is located south-west of the Dundas Street East and Cliff Road 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 frontage of +/- 18.29m (60ft) and a lot area of +/- 835.67m<sup>2</sup> (8,995.07ft<sup>2</sup>), characteristic of lots in the area. The surrounding context is residential, consisting of two-storey detached dwellings on similarly sized lots and a private school directly abutting the property to the north.

The applicant is proposing an accessory structure requiring variances for accessory structure area, lot coverage and height.



## 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 Cooksville Neighbourhood Character Area and is designated Residential Low Density I 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 proposed accessory structure is appropriately located to the rear of the property, separated from the public realm. The structure does not pose any significant impact to the abutting properties due to its location in the rear yard on the subject property. 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 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 to the primary use of the lot, while not presenting any massing concerns to neighbouring properties.

Variance 1 pertains to the floor area of the accessory structure. While the proposed accessory structure is notably larger than a single accessory structure permitted on this property, the lack of walls surrounding the structure reduce 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. Additionally, the proposed structure is positioned centrally in the rear yard and has been shifted closer to the north side lot line, where the neighbouring property is a school. 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 requests an increased lot coverage for the accessory structure. 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. While the proposal represents an accessory structure lot coverage larger than staff would normally support, staff note the proposed structure is single storey in height, and when combined with the open sides of the structure and its location in the rear yard, it results in limited massing impacts to the abutting residential properties. Staff note the floor area of the proposed structure represents approximately 6.33% of the total lot area, approximately two and a half times less than the size of the existing dwelling on the subject property (14.94% coverage). Furthermore no variance is required for overall lot coverage. Staff are satisfied the proposed structure remains clearly accessory to the principle use on the subject property, does not represent overdevelopment and results in an accessory structure that is appropriately sized for the property.

Variance 3 relates to an increase in the accessory structure height. Planning staff initially had concerns with the proposed height. Staff have worked with the applicant to reduce the accessory structure height by 0.3m (0.98ft) bringing the overall height of the structure to 4m (13.12ft). Staff note the increased height is due to the peaked roof design and that the reduced 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 of the opinion that the proposed accessory structure will not have significant impacts on the 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

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. From our site inspection of the property we note that we do not foresee any drainage related concerns with the structure provided that the existing drainage pattern on the property be maintained.

Comments Prepared by: Joe Alava, T&W Development Engineering







## Appendix 2 – Zoning Comments

We note that a Building Permit is required. In the absence of a Building Permit 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.

Comments Prepared by: Minan Song, Planner in Training

## Appendix 3- Region of Peel

### Minor Variance: A-23-454M / 2460 Genevieve Drive

Development Engineering: Brian Melnyk (905)-791-7800 x3602

#### Comments:

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections by email at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca)
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the Local Municipality issuing Building Permit. For more information, please contact Servicing Connections by email at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca)

- All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel Design Specifications. For more information, please contact Servicing Connections by email at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca)

Comments Prepared by: Ayooluwa Ayoola, Junior Planner