

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-10-14	File(s): A318/20 Ward: 8
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-10-22

Consolidated Recommendation

The City does not object to the requested variances. However, the applicant may choose to defer the application to submit a permit application and verify the requested variances and ensure additional variances are not required.

Application Details

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

1. A area of an accessory structure of 57.43sq.m (approx. 618.17sq.ft) whereas By-law 0225-2007, as amended, permits a maximum area of an accessory structure of 20.00sq.m (approx 215.28ft.) in this instance;
2. An combined area of all accessory structures and building of 71.92sq.m (approx. 774.14sq.ft) whereas By-law 0225-2007, as amended, a combined area of all accessory structures and buildings of 60.00sq.m (approx. 645.84sq.ft) in this instance; and
3. A lot coverage for all accessory structures of 6.70% (71.92sq.m) whereas By-law 0225-2007, as amended, permits a maximum of 5.00% (53.44sq.m) in this instance.

Background

Property Address: 13 Bunsden Avenue

Mississauga Official Plan

Character Area: Sheridan Neighbourhood
Designation: Residential Low Density I

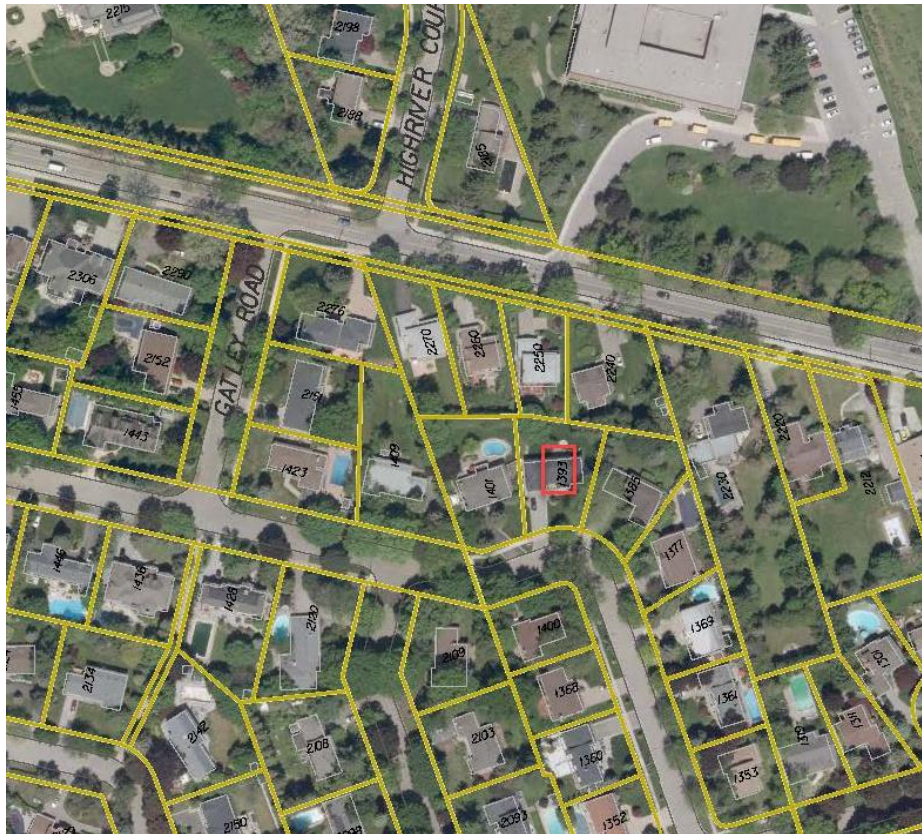
Zoning By-law 0225-2007

Zoning: R1 (Residential)

Site and Area Context

The subject property is located within the Sheridan Neighbourhood Character Area, northwest of Mississauga Road and North Sheridan Way. The neighbourhood is primarily residential consisting of one and two storey detached dwellings with significant mature vegetation. The subject property is a pie shaped lot containing an existing two storey dwelling with mature vegetation in the rear yard.

The application proposes two accessory structures in the rear yard, requiring variances related to increased area and lot coverage.



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 designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached, semi-detached and duplex dwellings. Section 9 of 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 structures are accessory to the primary residential use and are compatible with the surrounding context as the structures are sufficiently setback from neighbouring properties and do not pose any unacceptable adverse impacts. 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?

Variance #1 and 3 relate to the increased lot coverage and occupied area of Structure 1 labelled on the submitted site plan, while variance #2 relates to the area of all structures on-site. The intent of the zoning by-law provisions regarding accessory structures is to ensure that the structures are proportional to the lot and clearly accessory to the dwelling while not presenting any massing concerns to neighbouring lots. The accessory structure labelled as Structure 1 is setback 4.59 m from the rear lot line and 6.49 m from the interior side lot line, significantly greater than the permitted 1.20 m setback within the by-law, thereby reducing the impact of the size of the structure. Additionally, all structures on-site are open on all sides and contain mature vegetation surrounding them, further mitigating any potential massing impacts to neighbouring properties. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

The proposed accessory structures are sufficiently setback to neighbouring properties, thereby, minimizing any impact the structures may have. The proposed structures are open on all sides and maintain a height less than what the zoning by-law permits, reducing the massing of the structures. Finally, the rear yard contains mature vegetation, screening the structures to abutting properties and mitigating the overall impact of the structures. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

Conclusion

The Planning and Building Department has no objections to the requested variances. However, the applicant may choose to defer the application to submit a permit application and verify the requested variances and ensure additional variances are not required.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference are photos depicting the existing structure and the area where the other is proposed.





Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Planning and Building Department is not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to confirm the accuracy of the requested variances or determine whether additional variances may be required.

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the October 22nd, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Minor Variance Applications: A-316/20, A-318/20, A-319/20, A-320/20, A-321/20, A-322/20, A-323/20, A-324/20, A-325/20, A-328/20, A-356/20.

I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 8243 or by email at diana.guida@peelregion.ca.

Comments Prepared by: Diana Guida, Junior Planner