

# City of Mississauga Department Comments

Date Finalized: 2024-07-17	File(s): A321.24 Ward: 7
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-07-25 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 with an area of 29.04sq m (approx. 312.58sq 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:** 2099 Stavebank Road

### Mississauga Official Plan

Character Area: Cooksville Neighbourhood (West)  
Designation: Residential Low Density I & Greenlands

### Zoning By-law 0225-2007

**Zoning:** R1-Residential

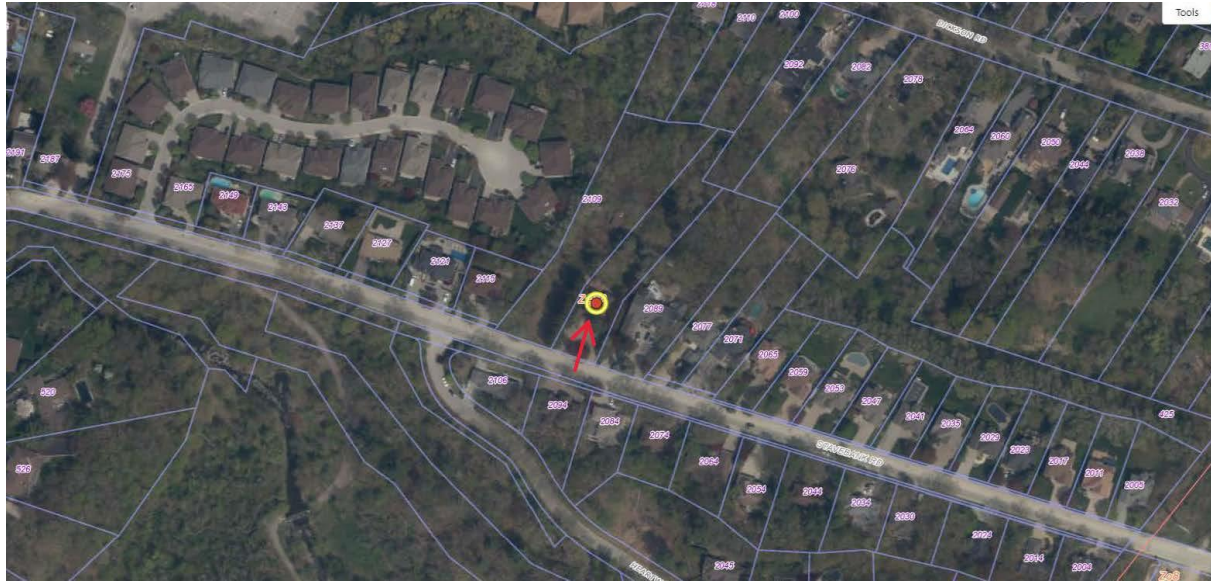
**Other Applications:** BP 24-1634

### Site and Area Context

The subject property is located south-east of the Queensway West and Mavis Road intersection in the Cooksville Neighbourhood Character Area. It currently contains a two-storey dwelling with an attached garage that is currently under construction. Mature vegetation is present throughout

the subject property. The surrounding area context is predominantly residential, consisting of detached dwellings.

The applicant is proposing to construct an accessory structure in the rear yard 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 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 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. Staff are therefore of the opinion that the proposal maintains the general intent and purpose of the official plan.

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

The sole variance relates to an increase in accessory structure area. While the proposed accessory structure is notably larger than a single accessory structure permitted on this property, staff note that three legally sized accessory structures placed side by side in the same location on the property would have a similar massing impact as the proposal. No additional variances for height or 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. Additionally, the Credit Valley Conservation Authority (CVC) has no concern with the approval of the minor variance as the proposed works are setback sufficiently from the natural features of interest to CVC. Staff are satisfied the proposal 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 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 pool house will be addressed through the applicants active Building Permit BP 24-1634.





Comments Prepared by: Mike Russo, Development Engineering

## Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application 24-1634. Based on the review of the information available in this application, the requested variance is correct.

Our comments may no longer be valid should there be changes in the Committee of Adjustment application that have yet to be submitted and reviewed through the Building Division application. To receive updated comments, the applicant must submit any changes to information or drawings separately through the above application.

Comments Prepared by: Sibila Lass Weldt, Zoning Examiner

## Appendix 3 – Region of Peel

### Minor Variance: A-24-321M / 2099 Stavebank Road

Planning: Petrele Francois (905) 791-7800 x3356

#### Comments:

- The subject land is located in the regulated and floodplain area of the Credit Valley Conservation Authority (CVC). The Regional Official Plan (ROP) designates floodplains as a natural hazard under Policy 2.16.11. Within this designation, ROP policies seek to ensure that development and site alterations do not create new or aggravate existing flood plain management problems along flood susceptible riverine environments. We rely on the environmental expertise of the CVC for the review of development applications located within or adjacent the regulated area in Peel. We, therefore, request that City staff consider comments from the CVC and incorporate their conditions of approval appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the CVC.

Comments Prepared by: Petrele Francois, Junior Planner

## Appendix 4 – CVC

Credit Valley Conservation (CVC) staff have reviewed the subject application and offer comments based on the following roles and responsibilities:

1. Delegated Responsibilities – providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 3.1 of the Provincial Policy Statement (2020);
2. Regulatory Responsibilities – providing comments to ensure the coordination of requirements under the *Conservation Authorities Act* Section 28 regulation, to eliminate unnecessary delay or duplication in process;

3. Source Protection Agency – providing advisory comments to assist with the implementation of the CTC Source Protection Plan under the *Clean Water Act*, as applicable.

**CVC REGULATED AREA**

Based on our mapping, the subject property is regulated due slope hazard associated with Stavebank creek. As such, the property is subject to the Prohibited Activities, Exemptions, and Permits Regulation (Ontario Regulation 41/24). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

**PROPOSAL:**

It is our understanding that the applicant is requesting the Committee to approve a minor variance to allow an accessory structure with an area of 29.04sq m (approx. 312.58sq 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.

**COMMENTS:**

Based on the review of the information provided, CVC has no concern with the approval of the minor variance at this time as the proposed works are setback sufficiently from the natural features of interest to CVC.

CVC staff has reviewed and approved the proposed works as part of clearance SP 24/Chan. The applicant is to note that the property is regulated by CVC and any new development proposed will require a CVC review and may need a CVC permit.

The applicant is to note that CVC has not received payment of the review fee of \$478 for this Minor Variance application. The applicant should forward this directly to CVC at the earliest convenience.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at [stuti.bhatt@cvc.ca](mailto:stuti.bhatt@cvc.ca) or 905-670-1615 (ext. 350) should you have any further questions. Please circulate CVC on any future correspondence or applications regarding this site.

Comments Prepared by: Stuti Bhatt, Junior Planner