

City of Mississauga Department Comments

Date Finalized: 2024-04-10	File(s): A128.24 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-04-18 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 39.93% (228.18sq m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% (199.99sq m) in this instance;
2. An area occupied for all accessory structures of 38.24sq m (approx. 411.61sq ft) whereas By-law 0225-2007, as amended, permits a maximum area for all accessory structures of 30.00sq m (approx. 322.92sq ft) in this instance; and,
3. An area occupied for a single accessory structure of 38.24sq m (approx. 411.61sq ft) whereas By-law 0225-2007, as amended, permits a maximum area for a single accessory structure of 10.00sq m (approx. 107.64sq ft) in this instance.

Background

Property Address: 7562 Middlebrook Street

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

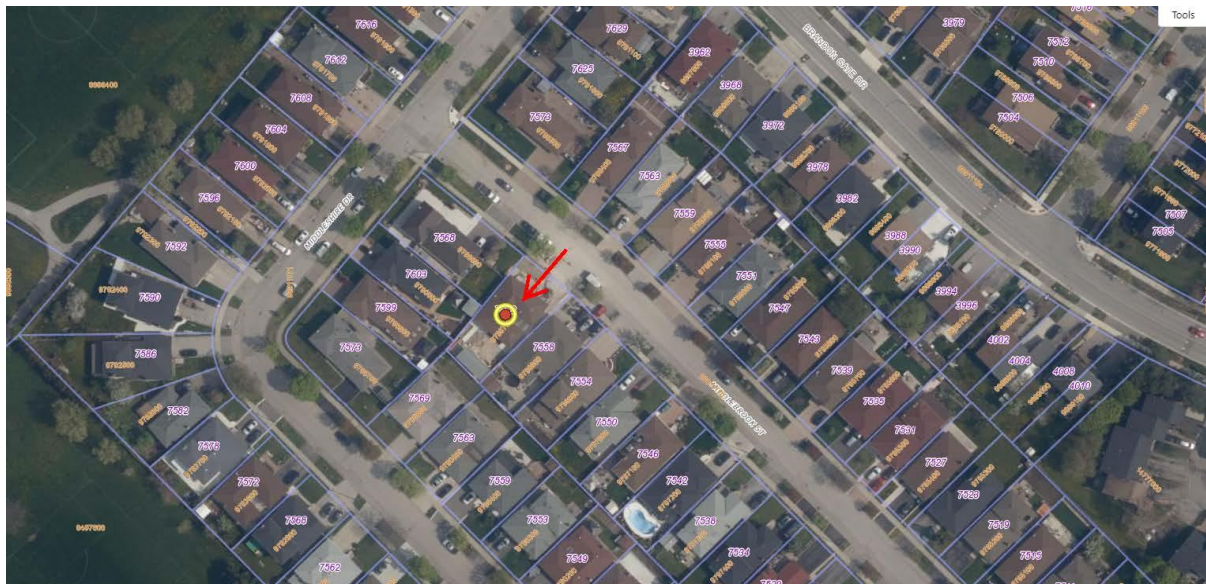
Zoning: R4-64- Residential

Other Applications: Building Permit application 23-8303

Site and Area Context

The subject property is located within the Malton Neighbourhood Character Area, northeast of Goreway Drive and south of Finch Avenue. The immediate neighbourhood is entirely residential consisting of an eclectic mix of detached and semi-detached dwellings with limited vegetation in the front yards. The subject property contains an existing one storey dwelling with limited vegetation in the front yard.

The applicant is proposing to legalize an existing accessory structure requiring variances related to lot coverage and 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 Malton Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan. The Residential Low-Density II designation permits detached, semi-detached, duplex, triplex, street townhouses and

other forms of low-rise dwellings with individual frontages. 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 proposal respects the designated and surrounding land uses. The accessory structure is located at the rear of the property and staff are satisfied it will not negatively impact the streetscape. Furthermore, staff are of the opinion that the built form is compatible with the surrounding context and meets the general intent and purpose of the official plan.

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

Variance #1 requests an increase to the total lot coverage for the property. The intent of the lot coverage provision in the zoning by-law is to ensure that the lot is not overdeveloped to the detriment of the streetscape and neighbouring properties. Upon review of the drawings, staff note that the existing dwelling and front porch account for a lot coverage of 33.24%, which is below the permitted 35% on the subject property. The accessory structure represents an additional lot coverage of 6.69%. Staff note that the accessory structure is primarily an open structure with the major portion of the area consisting of a canopy and is located in the rear yard. Staff are satisfied that the increase in lot coverage is appropriate for the accessory structure and does not represent an overdevelopment of the lot.

Variances #2 and #3 both relate to the floor area of accessory structures on the property. The intent of the zoning by-law provisions regarding accessory structures is to ensure that the structures are proportional to the lot and are clearly accessory, while not presenting any massing concerns to neighbouring lots. Out of the total 38.24m² (411.61 ft²) of accessory structure area, the shed itself has an area of 8.24 m² (88.69 ft²). The accessory structure mainly consists of a canopy that does not have significant massing impacts because it's open on all four sides. Furthermore, no additional variances for setbacks or height have been requested, further mitigating any potential impacts to abutting properties. Staff are of the opinion that the request is minor in nature and clearly accessory in nature to the principal dwelling. Staff are satisfied that the proposal maintains the general intent and purpose of the zoning by-law.

Based on the above, staff are of the opinion that the general intent and purpose of the by-law is maintained in this instance.

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 any significant impacts on neighbouring properties or the streetscape and represents an appropriate development of the subject lands. As such, the variances are minor in nature and result in the orderly development of the subject property.

Comments Prepared by: Shivani Chopra, Planning Associate

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's information are photos depicting the existing accessory structure. From our site inspection of the property, we note that we do not foresee any drainage related concerns as there is a significant slope towards the front of the dwelling. We do note that the accessory structure has been equipped with an evestrough and downpipe, however, we could not confirm if the downpipe has been directed towards the applicant's rear yard and away from the abutting property.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application 23-8303. Based on the review of the information available in this application, the requested variances are 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

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Planner