

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-07-13	File(s): A279.21 Ward 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-22 1:00 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 the construction of an accessory structure (pool/spa glass enclosure) proposing an area of 24.60sq.m (approx. 264.79sq.ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 20.00sq.m (approx. 215.28sqm) in this instance.

Background

Property Address: 6905 Johnson Wagon Crescent

Mississauga Official Plan

Character Area: Meadowvale Village Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R9 - Residential

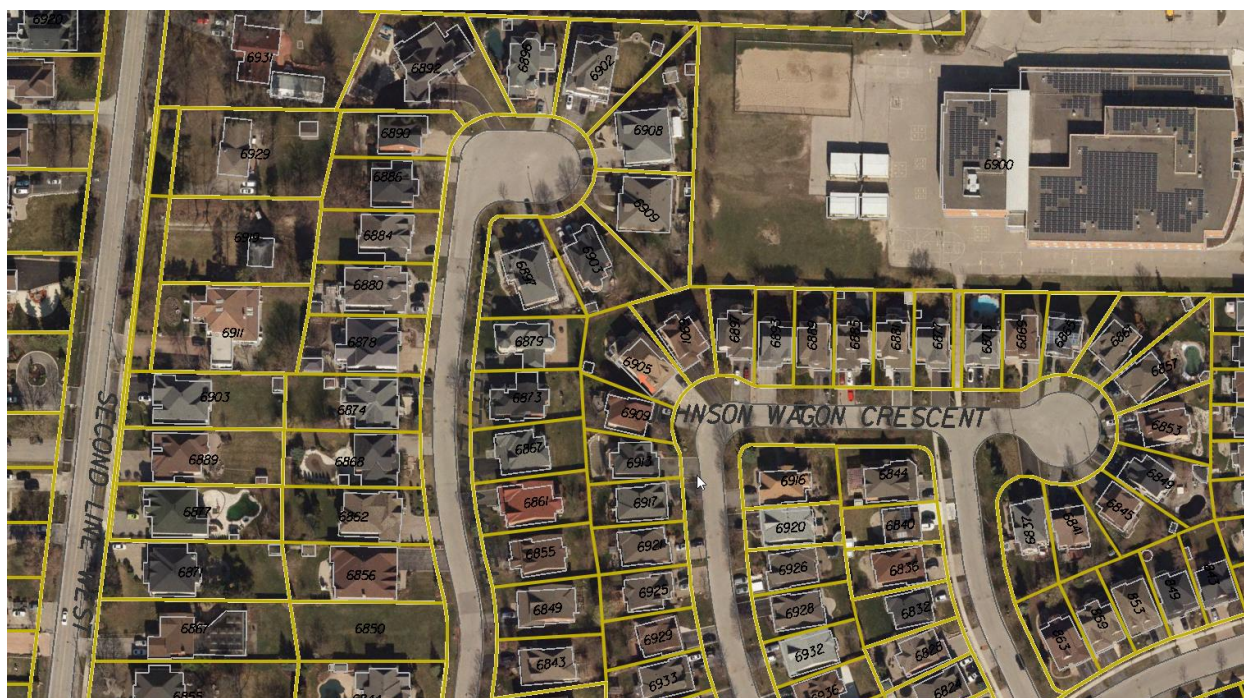
Other Applications: BP 9ALT 21-5979

Site and Area Context

The subject property is located east of Second Line West, between Old Derry Road and Highway 401. Currently it contains a two storey detached dwelling with an attached two car

garage, which is representative of the area's built form. The property has a lot area of +/- 759m² and contains limited vegetation, mainly within the right of way. While lot sizes in Meadowvale Village vary greatly, the lot pattern is more consistent in this section of the neighbourhood.

The applicant is proposing an accessory structure in the rear yard requiring a variance for floor 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?

Located in the Meadowvale Village Neighbourhood Character Area, the subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP).

This designation permits detached, semi-detached, duplex and triplex dwellings as well as 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 proposed accessory structure is in the rear of the property and is removed from the public view. Staff are of the opinion that the structure is appropriately sized and does not pose any significant impact to the abutting properties. 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 by-law provisions regarding accessory structures is to ensure that the structures are proportional to the lot and dwelling and are clearly accessory, while also ensuring that the structure does not present any massing concerns to neighbouring lots. The proposed structure is located centrally in the rear yard of the property, exceeding all required setbacks required under the zoning by-law. The accessory structure is a glass enclosure requiring no height variances, which mitigates any potential impacts on surrounding properties. Additionally the difference between the variance being sought and the current by-law regulations for the maximum area of an accessory structure is nearly indistinguishable. Staff is therefore of the opinion that the general intent and purpose of the by-law is maintained.

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

The proposed structure fits well with the subject property and is unlikely to cause any concerns, massing or otherwise, to adjacent properties. Staff are of the opinion that the proposal is desirable, appropriate, and minor.

Conclusion

The Planning and Building Department has no objections to the application.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This department has no objections to the applicant's request to allow for the construction of an accessory structure (pool/spa glass enclosure). We note from our site inspection of this property that the topography of this site is such that there is a significant grade which slopes to the rear and the accessory structure will not have an impact on the existing grading pattern.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 9ALT 21-5979. Based on review of the information currently available in this permit application, the variances, as requested are correct.

Please note that comments reflect those provided through the above permit application and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Brandon Eidner, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

N/A

Appendix 4 – Heritage

N/A

Appendix 5 – Region of Peel Comments

We have no comments or objections.