

# City of Mississauga Department Comments

Date Finalized: 2021-10-27	File(s): A419.21 Ward 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-11-04 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 the construction a gazebo proposing:

1. An accessory structure to be permitted in the front yard whereas By-law 0225-2007, as amended, does not permit an accessory structure in the front yard in this instance;
2. An interior side yard setback of 0.85m (approx. 2.79ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) in this instance; and
3. To permit a side yard setback of 0.79m (approx. 2.59ft) for an existing shed, whereas By-law 0225-2007, as amended, requires a side yard setback of 1.20m (approx. 3.94ft) for an accessory structure in this instance.

## Background

**Property Address:** 5140 Amana Place

### Mississauga Official Plan

Character Area: Central Erin Mills Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

**Zoning:** R3 - Residential

**Other Applications:** BP 9ALT 21-7617

The subject property is located in the Central Erin Mills Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation 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 accessory structure is appropriately sized for the subject property and is clearly accessory to the primary dwelling use. No variances have been requested for height or floor area of the structure. Staff are satisfied that the request maintains 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 accessory structure to be located in a front yard. The City restricts structures in front yards in order to maintain a certain level of uniformity of the streetscape for aesthetic purposes. In this instance, however, the variance is technical as the yard deemed to be the front yard under the Zoning By-law is functionally the exterior side yard/rear yard of the subject property. The orientation of the site and the existing fencing causes the Amana Place frontage to present as the front yard rather than the Barbertown Road frontage, and therefore the gazebo is appropriately located on the lot.

Variances 2 and 3 request reduced side yards measured to the proposed gazebo and an existing shed. The intent of the side yard provisions is to ensure that an adequate buffer exists between structures on abutting properties and that maintenance can be performed on the structures as needed. Staff are satisfied that the proposed setbacks leave appropriate buffers to the adjacent properties and that any impact of massing of the structures is limited as there are no other variances required for the structures.

Staff are therefore satisfied that 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?**

Any impacts of the proposed structure are minor in nature and staff note that the construction of the structure in an as-of-right configuration would have similar impacts on abutting properties as its current location. Staff are satisfied that the proposal represents appropriate development of the subject lands and is minor in nature.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed for Committee's easy reference are photos depicting the existing gazebo as constructed. From our site inspection we note that this is a corner lot and the gazebo has been constructed in a location where any drainage from the roof can/will be directed towards the street ditch on Barbertown Road. It should also be noted that the existing gazebo could be equipped with an eavetrough and the downspout(s) located such that any drainage be directed towards the street ditch on Barbertown Road.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

The Building Department is currently processing a Building Permit application under file BP 21-7617. 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: Richard Thompson, Zoning Examiner