

City of Mississauga Department Comments

Date Finalized: 2021-10-26	File(s): A442.21
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2021-11-04 1:00:00 PM

Consolidated Recommendation

The City has no objection to the variances, as requested.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a covered patio proposing:

1. An accessory structure height of 3.41m (approx. 11.19ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.0m (approx. 9.84ft) in this instance; and
2. An accessory structure area of 23.41sq.m (approx. 251.83sq.ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 10.00sq.m (approx. 107.64sq.ft) in this instance.

Background

Property Address: 1836 Medallion Court

Mississauga Official Plan

Character Area: Clarkson-Lorne Park neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

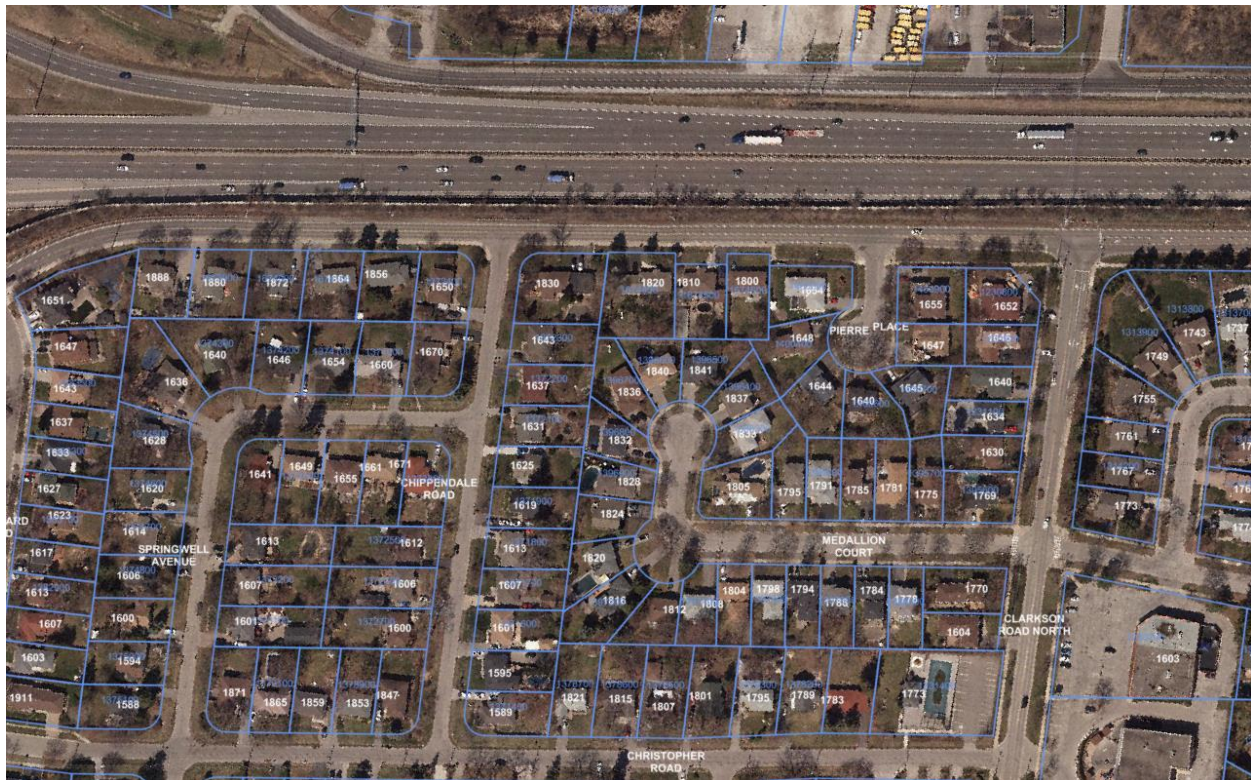
Zoning: R3-1 - Residential

Other Applications: Site Plan Approval – PAM 21-235 W2 and Building Permit BP 9ALT 21-7101

Site and Area Context

The subject property is located within the Clarkson – Lorne Park Neighbourhood, northeast of Southdown Road and South Sheridan Way. The neighbourhood is entirely residential consisting of one and two storey detached dwellings, on lots with mature vegetation in the front yards. The subject property is a one storey detached dwelling with mature vegetation in the front yard.

The applicant is proposing a covered patio in the rear yard requiring variances for accessory structure height and 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 site is located within the Clarkson- Lorne Park Neighbourhood Character Area, and is designated Residential Low Density II by the Mississauga Official Plan (MOP). The Residential Low Density II designation permits detached, semi-detached, duplex, triplex and street townhouse 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 structure is permitted within this designation; Staff is of the opinion that the general intent and purpose of the MOP is maintained.

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

The applicant is proposing a accessory structure with a height of 3.41m (approx. 11.19ft) where a maximum accessory structure height of 3.0m (approx. 9.84ft) is permitted, and a accessory structure area of 23.41m² (approx. 251.83ft²) where a maximum accessory structure area of 10.00m² (approx. 107.64ft²) is permitted. The intent of the zoning by-law provisions regarding accessory structures is to ensure that the structures are proportional to the lot and dwelling and clearly accessory while not presenting any massing concerns to neighbouring lots.

The accessory structure is a covered patio (predominantly an open structure), resulting in no massing concerns. The proposed covered patio's height is clearly subordinate to the dwelling. Furthermore, the height of the covered patio is concealed from the streetscape because of the property's shape and location of the garage. The proposed accessory structure area appears excessive, however, the applicant is permitted a maximum combined area of 30m² for all accessory structures. As such, Planning staff have no concerns with the proposed variances and are 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?

Planning Staff are of the opinion that this application represents the orderly development of the lands, and is minor in nature. The covered patio poses no significant massing impact and does not impose upon the neighbouring properties.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections, comments or requirements with respect to C.A. 'A' 442/21.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 21-7107 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: Sherri Takaloo, Zoning Examiner