

City of Mississauga Department Comments

Date Finalized: 2021-11-10	File(s): A472.21 Ward 6
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-11-18 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure the accuracy of the requested variances and that additional variances are not required.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction an accessory structure proposing:

1. An interior side yard setback of 0.381m (approx. 1.250ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 0.610m (approx. 2.001ft) in this instance; and
2. A rear yard setback of 0.381m (approx. 1.250ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 0.610m (approx. 2.001ft) in this instance.

Background

Property Address: 5496 Edencroft Crescent

Mississauga Official Plan

Character Area: East Credit Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

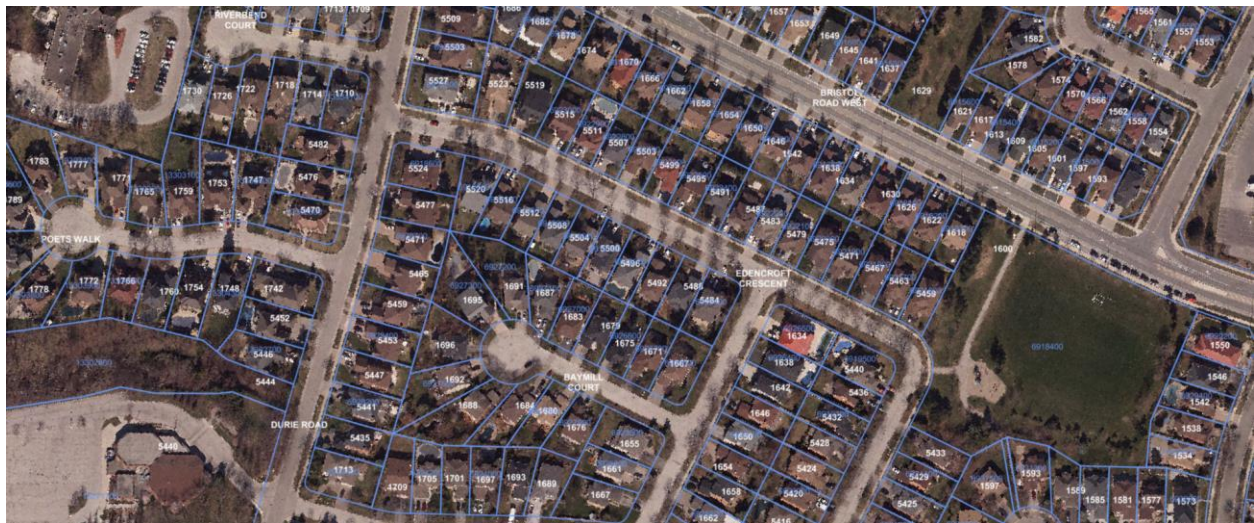
Zoning: R3-22 - Residential

Other Applications: None

Site and Area Context

The subject property is located south-west of the Bristol Road West and Durie Road intersection in the East Credit neighbourhood. It currently contains a detached dwelling with an attached garage. The subject property has a lot frontage of +/- 15.24m (50ft) and a lot area of +/- 555.93m² (5,983.98ft²). Landscape/vegetation elements are present in both the front and rear yards. The surrounding context consists exclusively of detached dwellings on similarly sized lots.

The applicant is proposing an accessory structure requiring variances for setbacks to the rear and side property lines.



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 East Credit 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. Staff are satisfied that the proposed accessory structure is appropriate for the subject property and is clearly accessory to the permitted detached dwelling. The general intent and purpose of the Official Plan is therefore maintained.

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

The variances requested as part of this application propose a reduction in the required rear and side yards for the accessory structure. The general intent of this portion of the by-law is to ensure that an adequate buffer exists between the massing of structures on adjoining properties, that maintenance can be performed on the structures, and that appropriate drainage patterns can be maintained. Staff are satisfied that the proposed setback is appropriate in this instance and note that no additional variances for height or floor area are requested, which would create additional impacts. Furthermore Transportation & Works has not raised any drainage related concerns. Staff are therefore satisfied that the general intent and purpose of the Zoning By-law are maintained.

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

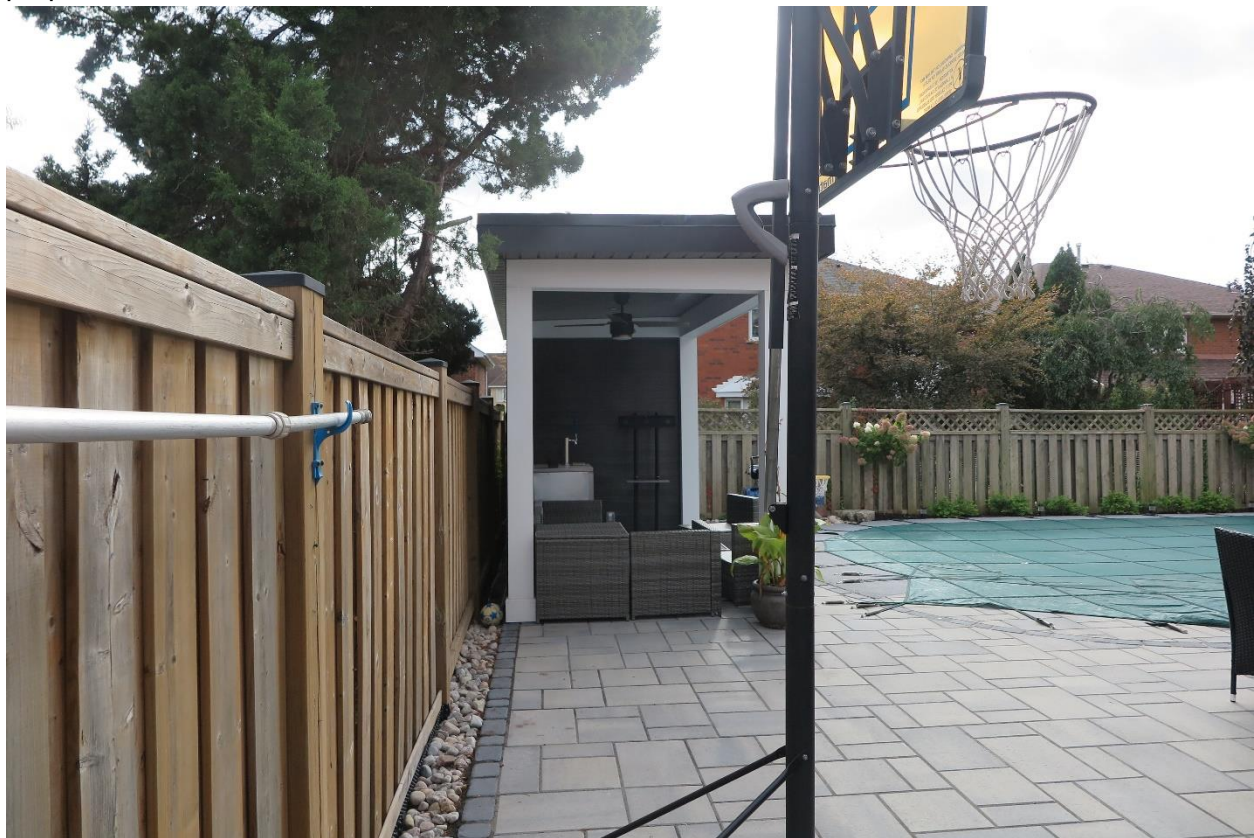
Staff are satisfied that the application is minor in nature and will not create undue impacts on abutting properties. The proposed structure represents appropriate development within the rear yard amenity area and, in the opinion of staff, meets the four tests of a minor variance.

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 accessory structure. We note that the applicant has placed some gravel (like a French drain) abutting the fence which should allow some of the drainage from the general area of the structure to be directed to the front. Should there be a drainage concern the structure could always be equipped with an eavetrough and the downspout(s) located such that any drainage will not impact on the abutting properties.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to confirm the accuracy of the requested variance(s) or determine whether additional variance(s) may be required.

The applicant is advised that a completed zoning review may identify additional instances of zoning non-compliance. The applicant may consider applying for a preliminary zoning review application and submit working drawings for a detailed zoning review to be completed. A minimum of 6-8 weeks will be required to process a preliminary zoning review application depending on the complexity of the proposal and the detail of the information submitted.

Comments Prepared by: Brandon Eidner, Zoning Examiner