

City of Mississauga Department Comments

Date Finalized: 2022-01-19	File(s): A34.22 Ward 4
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-01-27 3:00:00 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 existing accessory structure (pergola) with an area of 18.48sq.m (approx. 198.92sq.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: 4958 Maxine Place

Mississauga Official Plan

Character Area: Hurontario Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

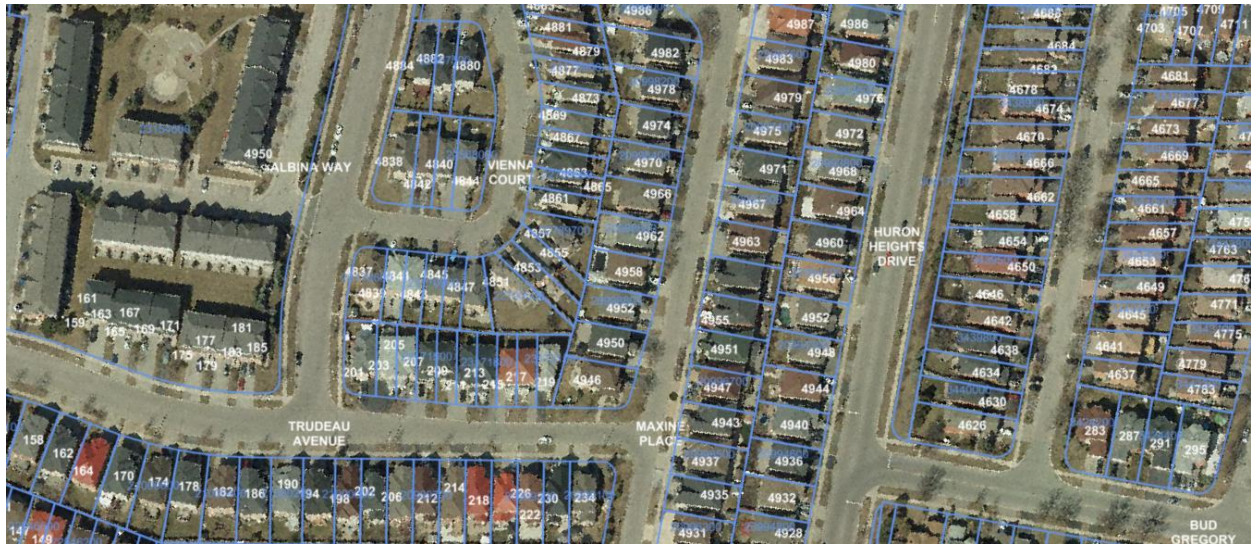
Zoning: R6-2 - Residential

Other Applications: BP 9ALT 21-5872

Site and Area Context

The subject property is located south-west of the Eglinton Avenue East and Huron Heights Drive intersection in the Hurontario neighbourhood. It contains a two storey detached dwelling with a lot frontage of +/- 13.8m (45.28ft) and a lot area of +/- 374.7m² (4,033.2ft²). There are

The applicant is proposing to permit an enlarged pergola in the rear yard requiring a variance for floor area.



Planning

Staff comments concerning the application of the four tests to this minor variance request are as follows:

The subject property is located in the Hurontario Neighbourhood Character Area and 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 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. Staff are of the opinion that the pergola does not impact the property's permitted use and is

compatible with existing site conditions and the surrounding context. The proposal therefore maintains the general intent and purpose of the Official Plan.

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

The requested variance is for an increase in floor area for an accessory structure. 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 are clearly accessory while not presenting any massing concerns to neighbouring lots. Staff note that no additional variances have been requested for height or setbacks, and that the structure represents less than 5% of the total lot area.

Furthermore the pergola structure is open on the sides and does not have a solid roof, limiting any massing impacts. It is the opinion of staff that the proposed structure is proportional, clearly accessory, and does not pose any massing concerns. The proposal therefore 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?

Planning staff are of the opinion that the pergola represents appropriate development of the subject property. It is appropriately located on the site and appropriately sized for the lot. The variance is minor in nature and will not create any additional impacts to abutting properties when compared to as of right permissions.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We have no drainage related concerns with the existing accessory structure (pergola).





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 21-5872. 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