

City of Mississauga Department Comments

Date Finalized: 2023-01-18	File(s): A728.22
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2023-02-02 3:00:00 PM

Consolidated Recommendation

The City has no objection to the minor variance application. The applicant may wish to defer the application to ensure the accuracy of the requested variances and to determine if additional variances are required.

Application Details

The applicant requests the Committee to approve a minor variance to allow an existing shed proposing:

1. An accessory structure area of 11.20sq m (approx. 120.56sq 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 and,
2. An accessory structure height of 3.07m (approx. 10.07ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.00m (approx. 9.84ft) in this instance.

Background

Property Address: 535 Lynd Ave

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3-1 - Residential

Other Applications: none

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, northeast of the Cawthra Road and Arbor Road intersection. The neighbourhood is entirely residential, consisting of a mix of older and newer one and two-storey detached dwellings with significant mature vegetation in the front, rear and side yards. The subject property contains a newer two-storey single detached dwelling with mature vegetation in the front yard.

The application proposes an accessory structure requiring variances related to accessory structure area and height.



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 Mineola 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, triplex, street townhouse and 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. Planning staff note that the proposal maintains the permitted detached dwelling use and that the development is appropriate given existing site conditions and the surrounding context. Staff are therefore of the opinion that the general intent and purpose of the official plan are maintained.

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

The intent of the zoning by-law provisions regarding accessory structures is to ensure that the structures are proportional to the lot, dwelling, and clearly accessory while not presenting any massing concerns to neighbouring lots. Staff are of the opinion that the variances requested represent minor deviations from the maximum regulations contained in the zoning by-law. Furthermore, no additional accessory structures exist on the subject property. The subject property is also permitted a combined accessory structure area of 60m² (645.84ft) and the height variance requested is for a peak roof. The massing impact of a peaked roof is less than a flat roof as the highest height for a peaked roof is only to one point. The roof then slopes downward. Furthermore, the structure's massing impacts will be negligible, as the proposed variances are minor and the accessory structure does not require variances for reduced setbacks or lot coverage.

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

Planning staff are of the opinion that the proposal represents appropriate development of the subject property. Furthermore, it is the opinion of staff that the proposal does not pose any significant negative impacts to the streetscape or neighbouring lots, and represents an appropriate use of the amenity space. Through a detailed review, staff are of the opinion that the application raises no concerns of a planning nature.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committees information are photos of the existing shed. We have no drainage related concerns.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

In the absence of a Development application we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed. The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

For scope of work that does not require Site Plan Approval/Building Permit/Zoning Certificate of Occupancy Permit, the applicant may consider applying for a Preliminary Zoning Review application. A detailed site plan drawing and architectural plans are required for a detailed zoning review to be completed. A minimum of 6-8 weeks is required depending on the complexity of the proposal and the quality of information submitted.

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Comments Prepared by: Amy Campbell, Planner-in-Training

Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Patrycia Menko – Junior Planner, Planning and Development Services