

City of Mississauga Department Comments

Date Finalized: 2023-05-24 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): A137.23 Ward: 7
	Meeting date:2023-06-01 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application, as amended.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an accessory structure proposing a lot coverage of 34.00sq m (approx. 365.97sq ft) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00sq m (approx. 322.92ft) in this instance.

Amendments

Based on review of the information currently available in this permit application, the variance as requested is misworded. The lot coverage should be defined in terms of percentage of lot area and not a whole integer. The variance must be worded as such:

The applicant requests the Committee to approve a minor variance to allow the construction of an accessory structure proposing a lot coverage of 34% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30% of the lot area in this instance.

Background

Property Address: 992 Fredonia Dr

Mississauga Official Plan

Character Area: Erindale Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R2- Residential

Other Applications: BP 9ALT 23-5863

Site and Area Context

The subject property is located north-east of the Queensway West and Glengarry Road intersection. It currently contains a two-storey detached dwelling with an attached garage. Limited landscaping and vegetative elements are present in both the front and rear yards. The rear yard of the property abuts Queensway West. The surrounding area context is exclusively residential, consisting of two-storey detached dwellings on lots of varying sizes.

The applicant is proposing an accessory structure requiring a variance for lot coverage.



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 Erindale Neighbourhood Character Area and is

designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). 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 are satisfied that the proposal is appropriate given the existing site conditions and will not impact the residential character of the property. Staff are therefore of the opinion that the application 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 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. Planning staff are satisfied that the structure will not pose significant massing impacts to the abutting properties and maintains an appropriate outdoor amenity area in the rear yard. Furthermore no variances have been requested for height or setbacks, limiting the impacts to abutting properties. Given the above planning staff are satisfied that the application 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 impact of the requested variance will be minor in nature. Furthermore staff are satisfied that the proposal represents appropriate development of the subject property.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed accessory structure (proposed covered gazebo) will be addressed through the Building Permit Process. From our site inspection of the property we note that we do not foresee any drainage related concerns provided that the existing drainage pattern be maintained.





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 23-5863. Based on review of the information currently available in this permit application, the variance as requested is misworded. The lot coverage should be defined in terms of percentage of lot area and not a whole integer. The variance must be worded as such:

The applicant requests the Committee to approve a minor variance to allow the construction of an accessory structure proposing a lot coverage of 34% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30% of the lot area in this instance.

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: Tage Crooks, Zoning Examiner

Appendix 3 – Region of Peel

Minor Variance Application: A-23-137M – 992 Fredonia Drive

Development Engineering: Camila Marczuk (905) 791-7800 x8230

Comments:

- There is a Region of Peel easement on the subject property. Please be advised that unauthorized encroachments on Regional easements will not be permitted. Certain restrictions apply with respect to Regional easements as per the documents registered on title.

Comments Prepared by: Patrycia Menko, Junior Planner