

City of Mississauga Department Comments

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| Date Finalized: 2024-03-01 To: Committee of Adjustment From: Committee of Adjustment Coordinator | File(s): A99.24 Ward: 8 |
| | Meeting date:2024-03-07 1:00:00 PM |

Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

The applicant requests the Committee to approve a minor variance to allow an accessory structure with an area of 29.73sq m (approx. 320.01sq ft) whereas By-law 0225-2007, as amended, permits a maximum area of 20.00sq m (approx. 215.28sq ft) in this instance.

Recommended Conditions and Terms

Transportation and Works Department recommend that the structure be equipped with an eaves trough and down spout directed in such a manor to not impact the adjacent lands.

Background

Property Address: 1856 Pine Siskin Court

Mississauga Official Plan

Character Area: **Erin Mills Neighbourhood**
Designation: **Residential Low Density I**

Zoning By-law 0225-2007

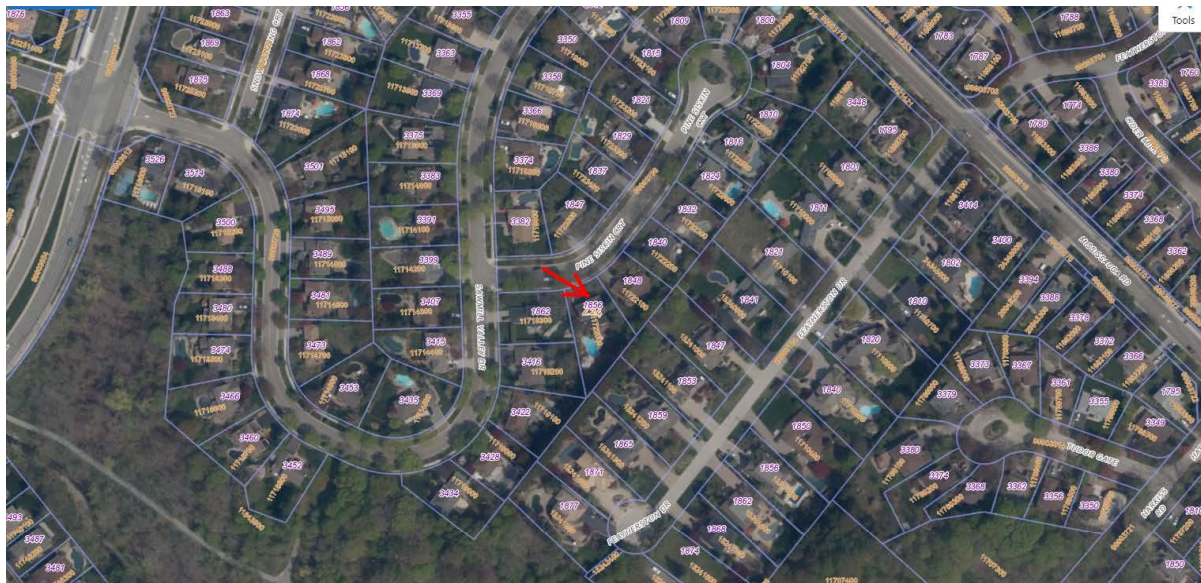
Zoning: R2-Residential

Other Applications: None

Site and Area Context

The subject property is located within the Erin Mills Neighbourhood Character Area, south-west of the Burnhamthorpe Road West and Mississauga Road intersection. The neighbourhood is entirely residential, consisting primarily of two-storey detached dwellings with mature vegetation in both the front and side yards. The subject property contains a two-storey detached dwelling with mature vegetation in the front yard.

The applicant is proposing an accessory structure requiring a variance for 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 subject property is located in the Erin Mills Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density I 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. The proposed accessory structure is to be located at the rear of the property and will not negatively impact the

streetscape. Furthermore staff are of the opinion that the proposed built form is compatible with the surrounding context and meets the general intent and purpose of the official plan.

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

The sole variance requested pertains to accessory structure area. 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 the structure represents 2.1% of the total lot coverage, which is under the permissible lot coverage of 5% of the total lot area for accessory structures. The proposed structure is clearly accessory to the primary structure on the property as the existing detached dwelling's footprint covers approximately 6 times the amount of area as the proposed structure. No variance is requested for accessory structure height, combined total accessory structure area or overall lot coverage. Further, the subject property has a deep rear yard due to the angled rear lot line and the proposed structure is located in a manor which exceeds all required setbacks, mitigating potential impacts to neighbouring lots.

Given the above staff are of the opinion that the proposed variance 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?

Staff are satisfied that the proposal represents appropriate development of the subject property and will not have significant impacts on abutting properties or the streetscape. The requested variance, in the opinion of staff, is minor in nature.

Comments Prepared by: Shivani Chopra, Planner in Training

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 will be addressed by our Development Construction Section through the future Building Permit process. We ask that the structure be equipped with an eaves trough and down spout directed in such a manor to not impact the adjacent lands.

Comments Prepared by: John Salvino, Development Engineering Technologist





Appendix 2 – Zoning Comments

We note that a Building Permit is required. In the absence of a Building Permit 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.

Comments Prepared by: Minan Song, Planner in Training

Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Planner