

City of Mississauga Department Comments

Date Finalized: 2024-04-24	File(s): A186.24 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-05-02 1:00:00 PM

Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application meets the requirements of Section 45 (1) of the Planning Act. The applicant may wish to defer the application to ensure the accuracy of the requested variance and that additional variances are not required.

Application Details

The applicant requests the Committee to approve a minor variance to allow an accessory structure with an area of 16.82sq m (approx. 181.05sq 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: 1438 Garnet Ave

Mississauga Official Plan

Character Area: **Mineola Neighborhood**
Designation: **Residential Low Density II**

Zoning By-law 0225-2007

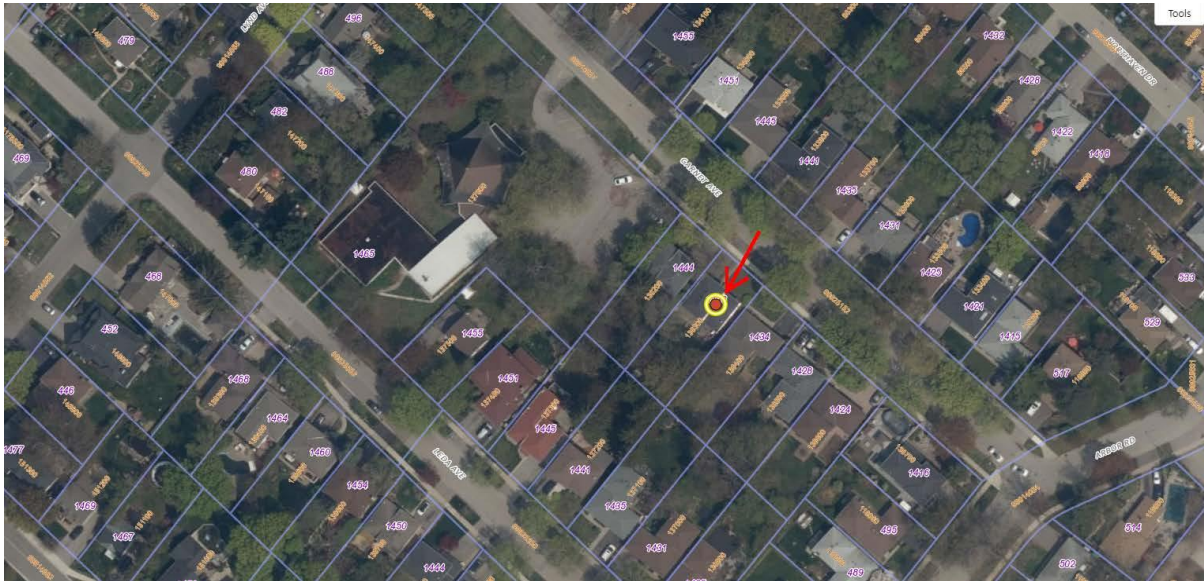
Zoning: R3-1- Residential

Other Applications: None

Site and Area Context

The subject property is located in the Mineola Neighbourhood Character Area, south of the Cawthra Road and South Service Road intersection. The immediate neighbourhood consists of a mix of one, one and a half and two-storey detached dwellings with vegetation in the front yards. The subject property contains a one-storey side split detached dwelling with mature vegetation in the front yard.

The application proposes to legalize an existing accessory structure in the rear yard requesting a variance for accessory structure 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 are as follows:

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 and other forms of low-rise dwellings with individual frontages.

The sole variance requested relates to accessory structure area on the subject property. 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 clearly accessory while not presenting any massing or overlook concerns to neighbouring lots. Staff note that while the proposed area of 16.82m² (181.05ft²) exceeds by-law area regulations for an individual accessory structure, the proposed area is within the maximum permissible combined area of 30m² (322.91ft²).

Furthermore, the accessory structure only represents approximately 2.5% of the total lot coverage. It is also noted that the accessory structure is approximately 10 times smaller than the dwelling. Staff are satisfied that the accessory structure is clearly accessory and proportionate to the lot.

No additional variances have been requested for setbacks, lot coverage and height, limiting the massing impacts to abutting properties.

Through a detailed review of the application, staff are of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Comments Prepared by: Shivani Chopra, Planning Associate

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed please find pictures of the structure which has been constructed. We advise that the structure must be equipped with an eaves trough and down spout directed in such a manor to not impact any of the adjacent properties.

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, Zoning Examiner

Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner