

City of Mississauga Department Comments

Date Finalized: 2024-05-22	File(s): A204.24
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2024-05-30 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, as amended, meets the requirements of Section 45(1) of the Planning Act.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an accessory structure with an area of 18.58sq m (approx. 199.99sq 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.

Amendments

The Building Department is processing Building Permit Application 23-9921. Based on review of the information available in this application, we advise that following amendment(s) are required:

1. Proposed Accessory Structure with area occupied of 18.58 m²; where as By-Law 0225-2007, as amended, requires a maximum area of 10 m² in this instance.
2. Proposed Accessory Structure with height of 3.22 m; where as By-Law 0225-2007, as amended, requires a maximum height of 3 m in this instance.

Recommended Conditions and Terms

Transportation and Works staff recommend that the structure be equipped with an eaves trough and down spout located in such a manor to not impact any of the adjacent properties.

Background

Property Address: 61 Wanita Road

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (East)

Designation: Residential Low Density I

Zoning By-law 0225-2007

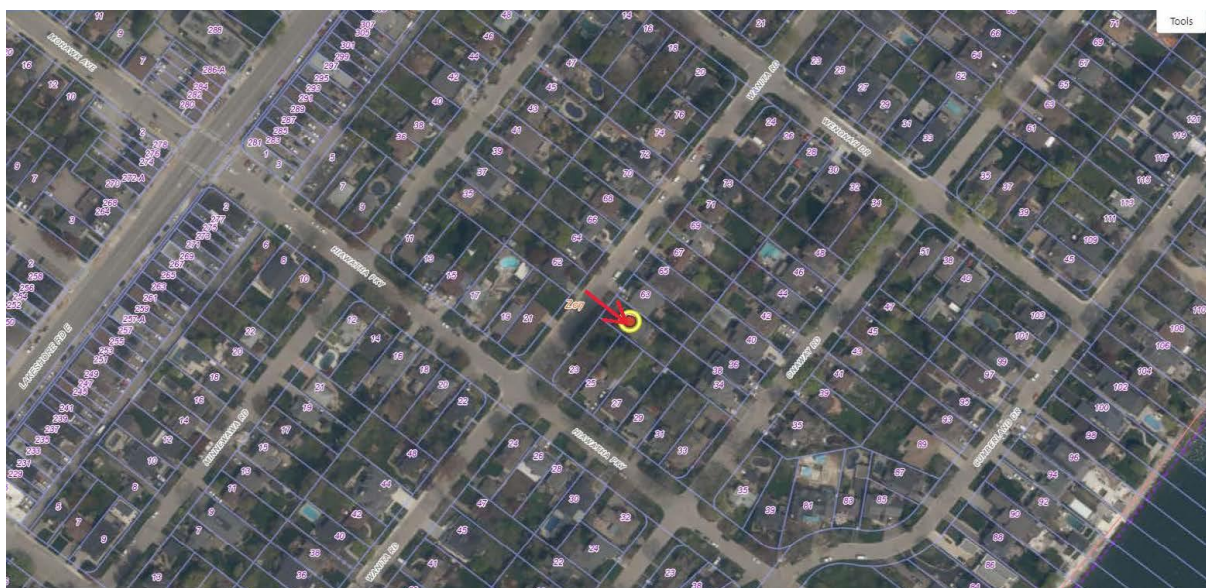
Zoning: R15-8-Residential

Other Applications: Building Permit Application 23-9921

Site and Area Context

The subject property is located within the Port Credit Neighbourhood East Character Area, south Lakeshore Road East and east of Hiawatha Parkway. The immediate area majorly consists of detached dwellings on lots generally uniform in size. The subject property contains a two-storey detached dwelling with mature vegetation in the front and side yards.

The applicant is proposing a one-storey accessory structure requiring variances for 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 as follows:

The subject property is located in the Port Credit Neighbourhood East Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached and duplex dwellings. Section 9 of MOP promotes development with appropriate urban form and site design and contains policies that requires development to be compatible with the immediate vicinity.

The proposed variances are required to facilitate the construction of an accessory structure on the subject property. Variance #1 pertains to accessory structure area and Variance #2 pertains to its height. 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 individual proposed area exceeds the by-law regulations, it is within the maximum permissible combined area of 30m² (322.91ft²) and that there are no other existing accessory structures on the property.

Staff further note that the floor area of the structure represents approximately 2.67% of the total lot area, approximately 10 and a half times less than the size of the existing dwelling (28.37% coverage) on the subject property. Therefore, the proposed structure is clearly proportional and accessory to the lot and primary dwelling.

Staff are of the opinion that the proposed height represents a small deviation from what is currently permitted as of right in the zoning by-law and are satisfied of minimal massing impacts as a result of the variance request.

Furthermore, no variances have been requested for setbacks or coverage, limiting the impacts to abutting properties. As such, staff are of the opinion that the request variances are minor in nature and the accessory structure meets the intent of the zoning by-law with respect to height and area regulations.

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.

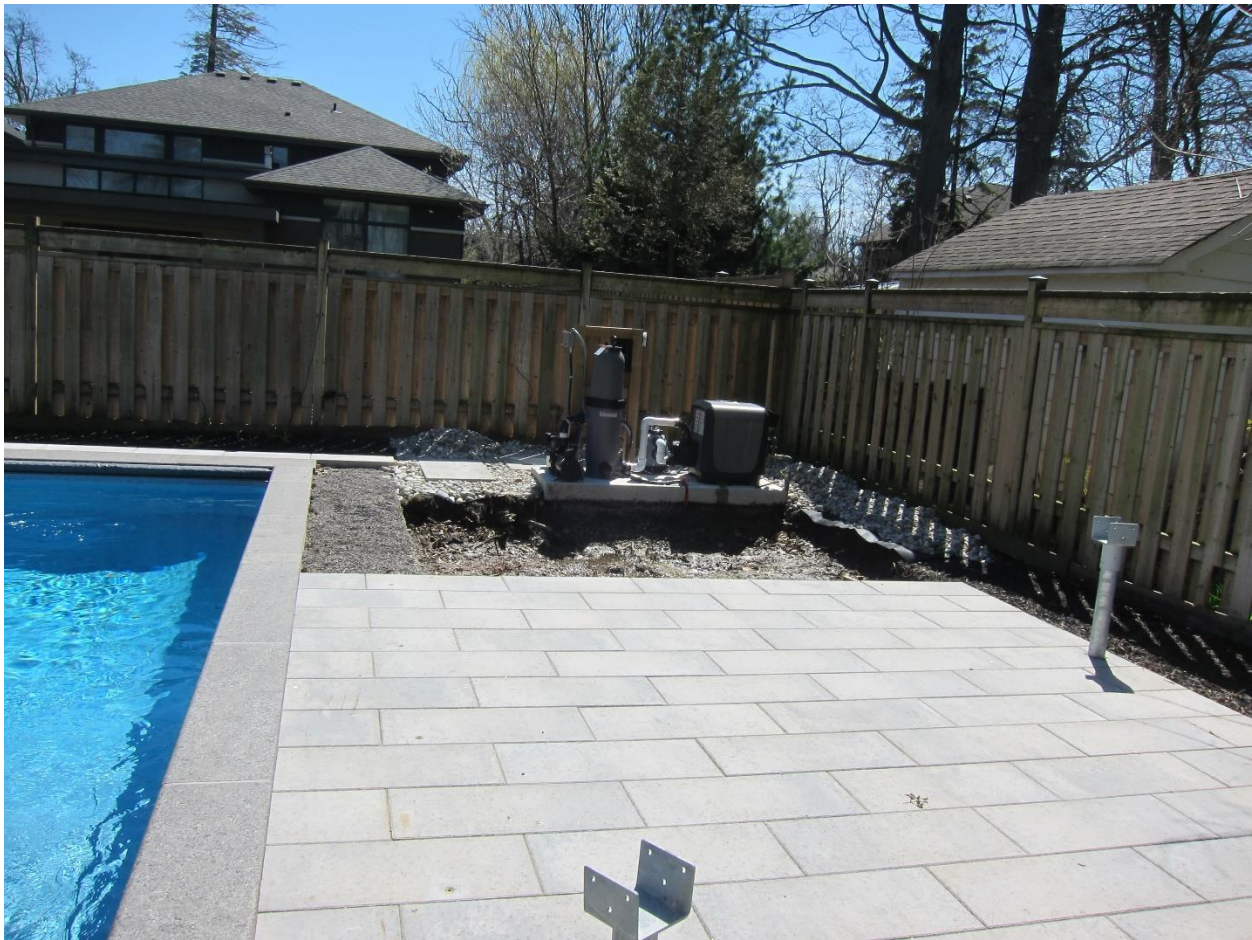
Comments Prepared by: Shivani Chopra, Planning Associate

Appendices

Appendix 1 – Transportation and Works Comments

Please see that attached photo indicating the location of the proposed structure. We ask that the structure be equipped with an eaves trough and down spout located in such a manor to not impact any of the adjacent properties.

Comments Prepared by: John Salvino, Development Engineering Technologist



Appendix 2 – Zoning Comments

The Building Department is processing Building Permit Application 23-9921. Based on review of the information available in this application, we advise that following amendment(s) are required:

3. Proposed Accessory Structure with area occupied of 18.58 m²; where as By-Law 0225-2007, as amended, requires a maximum area of 10 m² in this instance.
4. Proposed Accessory Structure with height of 3.22 m; where as By-Law 0225-2007, as amended, requires a maximum height of 3 m in this instance.

Our comments may no longer be valid should there be changes in the Committee of Adjustment application that have yet to be submitted and reviewed through the Building Division application. To receive updated comments, the applicant must submit any changes to information or drawings separately through the above application.

Comments Prepared by: Candice Williams, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

The Forestry Section of the Community Services Department has no objections to the above noted minor variance application and advises as follows:

1. No public trees shall be injured or removed. If public tree removal is required, a permit must be issued as per By-law 0020-2022.
2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Removal Permit, written consent must be obtained by both parties.

A Tree Removal Application to Permit the Injury or Destruction of Trees on Public and Private Property can be found at <https://www.mississauga.ca/publication/application-to-permit-the-injury-or-destruction-of-trees-on-public-and-private-property/>.

Should further information be required, please contact Rita Di Michele, By-law Inspector, Community Services Department at 905-615-3200 ext. 5872 or via email rita.dimichele@mississauga.ca.

Comments Prepared by: Rita Di Michele, By-law Inspector

Appendix 4 – Region of Peel

We have no comments or objections to the following application: A-24-204M.

Comments Prepared by: Petrele Francois, Junior Planner