

City of Mississauga Department Comments

Date Finalized: 2024-09-13	File(s): A421.24
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2024-09-21 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, subject to the recommended condition.

Application Details

The applicant requests the Committee to approve a minor variance to allow the existing accessory structure to remain proposing:

1. A side yard of 1.37m (approx. 4.49ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.81m (approx. 9.22ft) in this instance;
2. A height of 3.25m (approx. 10.66ft) whereas By-law 0225-2007, as amended, permits a maximum height of 2.87m (approx. 9.42ft) in this instance; and
3. A rear yard of 4.27m (approx. 14.01ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.61ft) in this instance.

Amendments

The Building Department is processing Preliminary Zoning Review application 24-3227. Based on review of the information available in this application, Zoning staff advise that following amendment(s) is/are required:

Variances 1 & 3 are not required.

Amend variance 2 to:

2. A height of 3.25m (approx. 10.66ft) whereas By-law 0225-2007, as amended, permits a maximum height of 3.00m in this instance;

Recommended Conditions and Terms

Transportation and Works staff recommend the following:

The far side of the gazebo closest to the adjoining neighbour be equipped with an eaves trough and down spout directed in such a manor to not impact the adjacent property.

Background

Property Address: 2084 Stanfield Rd

Mississauga Official Plan

Character Area: Lakeview Neighborhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

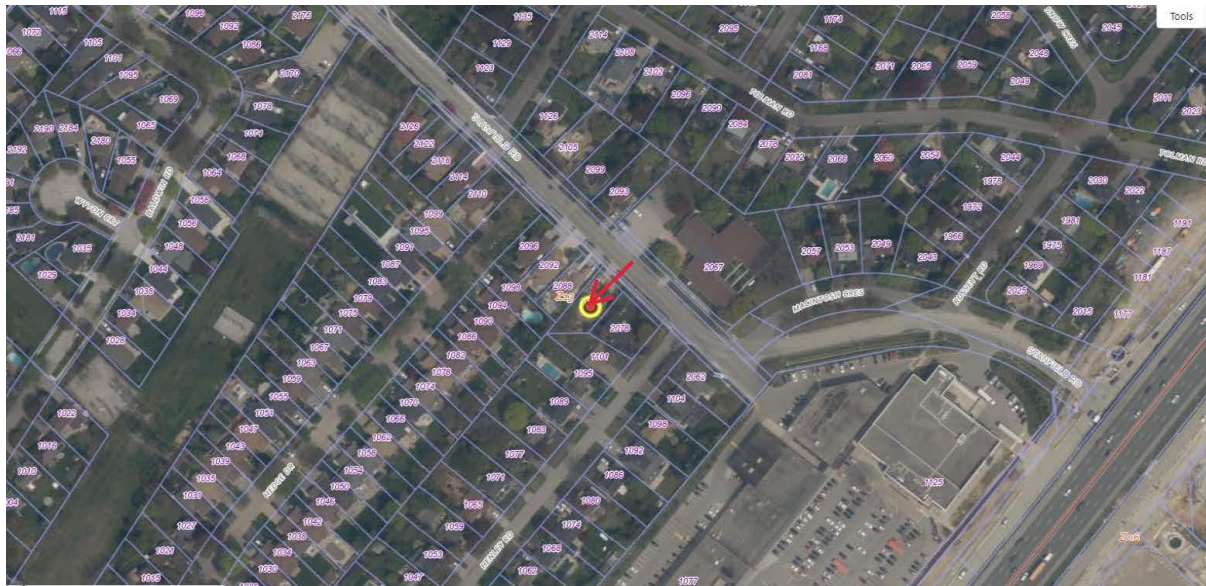
Zoning: R3-75 - Residential

Other Applications: Preliminary Zoning Review application 24-3227

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, north of North Service Road and west of Dixie Road. The immediate area consists of one and two storey detached dwellings. The subject property contains an existing two storey dwelling with mature vegetation in the front yard. Applewood United Church faces the property on the north side.

The applicant is proposing to legalize an existing gazebo requiring a variance for accessory structure 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 are as follows:

The subject property is located in the Lakeview Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan. Section 9 of the 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 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. The structure is open on all 4 sides and Zoning staff have confirmed no variances are required for area or setback, which limits the impacts of the massing. Staff find the proposed height increase to be minor. Furthermore, the structure will not have any impacts to the streetscape or the residential character of the property.

Given the above Planning staff are satisfied that the application maintains the general intent and purpose of both the official plan and zoning by-law, is minor in nature, and represents appropriate development of the subject property.

Comments Prepared by: Shivani Chopra, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed you will find pictures of the existing gazebo in the rear yard. We ask that the far side of the gazebo closest to the adjoining neighbour be equipped with an eaves trough and down spout directed in such a manor to not impact the adjacent property.

Comments Prepared by: John Salvino, Development Engineering Technologist







Appendix 2 – Zoning Comments

The Building Department is processing Preliminary Zoning Review application 24-3227. Based on review of the information available in this application, we advise that following amendment(s) is/are required:

Variances 1 & 3 are not required.

Amend variance 2 to:

2. A height of 3.25m (approx. 10.66ft) whereas By-law 0225-2007, as amended, permits a maximum height of 3.00m 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: Sibila Lass Weldt, Zoning Examiner

Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner