

City of Mississauga Department Comments

Date Finalized: 2021-11-16	File(s): A487.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-11-25 1:00:00 PM

Consolidated Recommendation

The City has no objection to the variances, as requested. 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 the construction of an accessory structure (cabana) proposing:

1. An interior side yard setback of 0.64m (approx. 2.10ft) whereas By-law 0225-007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) in this instance; and
2. A rear yard setback of 0.64m (approx. 2.10ft) whereas By-law 0225-007, as amended, requires a minimum rear yard setback of 1.20m (approx. 3.94ft) in this instance.

Recommended Conditions and Terms

Should Committee see merit in the applicant's request, we ask that the structure be equipped with an eaves trough and down spout on the 2 rear sides. The down spout is to be positioned/directed in such a manor to not impact the adjacent properties.

Background

Property Address: 500 Arrowhead Road

Mississauga Official Plan

Character Area: Clarkson – Lorne Park Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

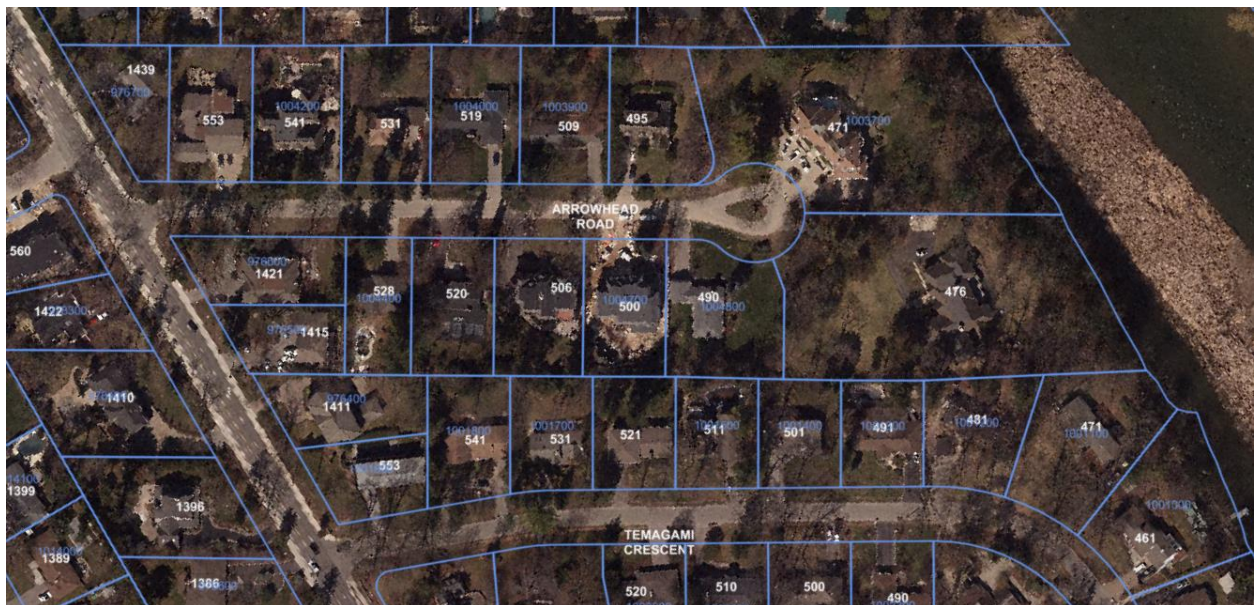
Zoning: R1-2 - Residential

Other Planning Applications: Site Plan Approval: SP18/105 W2, Minor Variance A19/19M, BP 9NEW 19-6602

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, northeast of Mississauga Road and Indian Road. The immediate area consists of old and new one and two-storey detached dwellings with mature vegetation in the front yards. The subject property contains an existing two-storey dwelling with vegetation in the front yard.

The applicant is proposing construction of an accessory structure (cabana) requiring variances for setbacks.



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:

The subject property is located within the Clarkson-Lorne Park Character Area, and is designated Residential Low Density I by Mississauga Official Plan (MOP). The proposed structure is permitted within this designation. Staff is of the opinion that the intent and purpose of the Official Plan is maintained.

The applicant has requested reduced setbacks of an accessory structure measured to a side and rear lot lines of 0.64m (approx. 2.10ft) when a minimum of 1.20m (approx. 3.94ft) is required. 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 concerns to neighbouring lots. Staff is of the opinion that the proposed setbacks provide an adequate buffer from the lot lines. No additional variances for the accessory structure, such as structure height or size are required, which mitigates any potential massing concerns and ensures the accessory structure is proportional. Staff is of the opinion that the intent and purpose of the zoning by-law is maintained.

The proposed accessory structure is clearly proportional to the lot and dwelling. Furthermore, the proposed setbacks provide an adequate buffer to structures on adjoining properties. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's information are photos of the existing structure. Should Committee see merit in the applicant's request, we ask that the structure be equipped with an eaves trough and down spout on the 2 rear sides. The down spout is to be positioned/directed in such a manner to not impact the adjacent properties.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to confirm the accuracy of the requested variance(s) or determine whether additional variance(s) may be required.

The applicant is advised that a completed zoning review may identify additional instances of zoning non-compliance. The applicant may consider applying for a preliminary zoning review application and submit working drawings for a detailed zoning review to be completed. A minimum of 6-8 weeks will be required to process a preliminary zoning review application depending on the complexity of the proposal and the detail of the information submitted.

Comments Prepared by: Daniel Grdasic, Planning Associate