

## City of Mississauga Department Comments

Date Finalized: 2023-02-01	File(s): A541.22 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-02-23 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 that all required variances have been accurately identified.

### Application Details

The applicant requests the Committee to approve minor variances to allow an existing shed and landscaping proposing:

1. A driveway width of 13.43m (approx. 44.06ft) including the walkway whereas by-law 0225-2007, as amended, permits a maximum driveway width of 6.0m (approx. 19.68ft) including the walkway in this instance;
2. A rear setback of 0m to the paved deck whereas by-law 0225-2007, as amended, requires a minimum rear setback of 0.61m (approx. 2ft) to the paved deck in this instance;
3. A side setback of 0m to the paved deck whereas by-law 0225-2007, as amended, requires a minimum side setback of 0.61m (approx. 2ft) to the paved deck in this instance;
4. A rear setback of 0.47m (approx. 1.54ft) to the shed whereas by-law 0225-2007, as amended, requires a rear setback of 1.20m(approx. 3.93ft) to the shed in this instance;
5. A side setback of 1.15m (approx. 3.77ft) to the shed whereas by-law 0225-2007, as amended, requires a side setback of 1.20m(approx. 3.93ft) to the shed in this instance; and,
6. A hard landscaped area setback of 0m to all the lot lines whereas by-law 0225-2007, as amended, requires a minimum 0.61m (approx. 2ft) hard landscaped area setback to all the lot lines in this instance;
7. A front walkway width of 1.8m (approx. 5.90ft) which connects to a driveway whereas By-law 0225-2007, as amended, permits a walkway width of 1.5m (approx. 4.92ft) which connects to a driveway in this instance;
8. A side setback of 0.98m (approx. 3.21ft) to the rear shed roof eaves whereas By-law 0225-2007, as amended, require a side setback of 0.75m (approx. 2.46ft) to the rear shed roof eaves in this instance;
9. A rear setback of 0.21m (approx. 0.68ft) to the rear shed roof eaves whereas By-law

0225-2007, as amended, require a side setback of 0.75m (approx. 2.46ft) to the rear shed roof eaves in this instance;

10. A side setback of 0.56m (approx. 1.83ft) to the pool shed whereas By-law 0225-2007, as amended, requires a side setback of 1.20m (approx. 3.93ft) to the pool shed in this instance; and,

11. A side setback of 0.38m (approx. 1.24ft) to the pool shed roof eaves whereas By-law 0225-2007, as amended, requires a side setback of 0.75m (approx. 2.46ft) to the pool shed roof eaves in this instance.

### **Recommended Conditions**

Transportation and Works staff note an existing Bell Canada/Hydro easement along the westerly side limit and the rear limit of the property. A letter shall be received from Bell Canada and Alectra stating that they have no objection to the construction of the two accessory structures (sheds) and the patio hard surface within the limits of their easement.

## **Background**

**Property Address:** 1373 Saginaw Crescent

### **Mississauga Official Plan**

Character Area: Clarkson-Lorne Park Neighbourhood

Designation: Residential Low Density I

### **Zoning By-law 0225-2007**

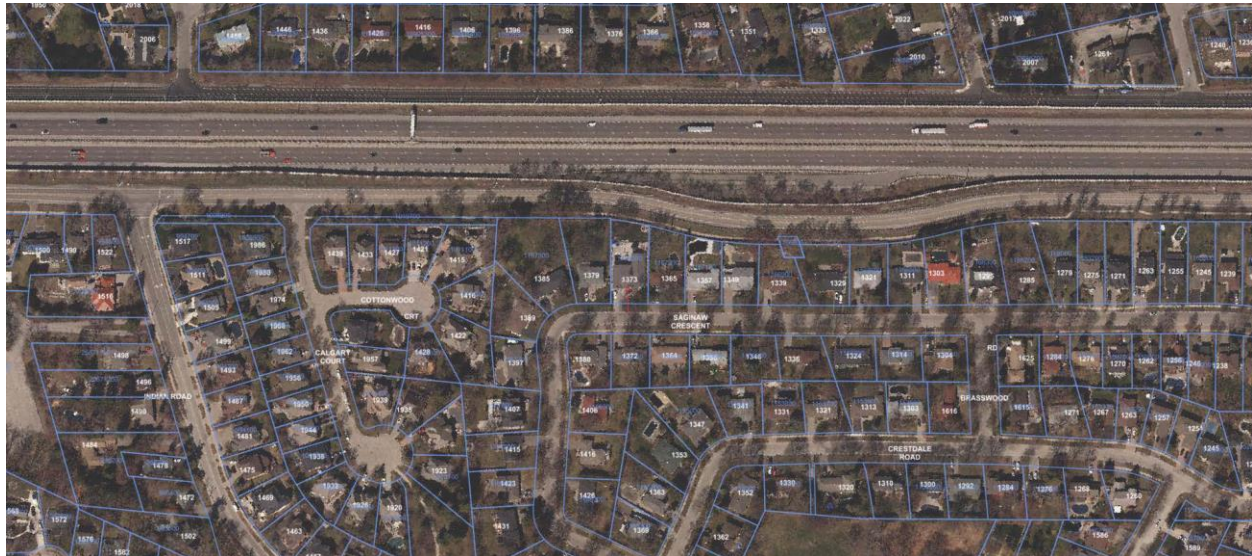
**Zoning:** R2-4-Residential

**Other Applications:** Preliminary Zoning Review application under file PREAPP 22-418

### **Site and Area Context**

The subject property is located in the Clarkson-Lorne Park Neighbourhood Character Area, southeast of the Indian Road and South Sheridan Way intersection. The immediate neighbourhood primarily consists of a mix of one and two-storey detached dwellings with mature vegetation in the front yards. The subject property contains a one-storey detached dwelling with mature vegetation in the front yard.

The applicant proposes a shed and landscaping requiring variances related to driveway width, walkway width and 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 request are as follows:

The subject property is designated Residential Low Density I on Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached, semi-detached and duplex dwellings.

The Committee deferred the above noted application on December 1, 2022, to address concerns related to the accuracy of the requested variances, excessive hardscaping, and driveway width.

While variance #1 remains unchanged from the applicant's original proposal, staff note that the applicant has redesigned and reduced the overall size of the walkway to ensure it is unable to accommodate additional parking. Furthermore, a driveway width variance would not be required if the walkway's length was excluded from the calculation of driveway width, as the driveway itself maintains a width of 5.43m (17.81ft). As such, staff is no concerns with this variance.

Variances #2 and 3 for 0m setbacks to hardscaped surfaces appear excessive; however, Transportation and Works staff have no drainage concerns associated with variance #2 as the amount of hardscaping is negligible. Furthermore, the applicant has satisfied Transportation and Works staff's concerns with respect to variance #3 through the installation of curbing to contain surface runoff.

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It is staff's opinion that the proposal is sympathetic to the surrounding area and does not impact the neighbouring properties or streetscape. Through a detailed review of the application, staff is 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: Connor DiPietro, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

We advise that our Development Construction Section has been on site and we have no concerns with the existing conditions.

We do advise however, that the survey plan submitted clearly shows an existing Bell Canada/Hydro easement along the westerly side limit and the rear limit of the property. We advise the applicant to obtain written confirmation from both Bell Canada and Alectra stating that they have no objection to the construction of the 2 sheds and the patio hard surface within the limits of their easement.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department has processed a Preliminary Zoning Review application under file PREAPP 22-418. Based on review of the information currently available in this permit application, we advise that more information is required in order to determine whether additional variance(s) will be required.

Please note that comments reflect those provided through the above permit application and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Sherri Takaloo, Zoning Examiner