

# City of Mississauga Department Comments

Date Finalized: 2023-03-01	File(s): A751.22
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2023-03-09 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the minor variance application. 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 a shed proposing:

1. A shed in the front yard whereas By-law 0225-2007, as amended, does not permit a shed in the front yard in this instance and,
2. A side yard setback to the shed of 0.62m (approx. 2.03ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.20m (approx. 3.94ft) in this instance.

## Background

**Property Address:** 1524 Chasehurst Dr

### Mississauga Official Plan

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

### Zoning By-law 0225-2007

**Zoning:** R2-1 - Residential

**Other Applications:** None

## Site and Area Context

The subject property is located within the Clarkson-Lorne Park Character Area, northwest of the Truscott Drive and Lorne Park Road intersection. The surrounding neighbourhood consists of one and a half and two storey-detached dwellings with mature vegetation in both the front and rear yards. The subject property contains an existing one and a half storey dwelling with mature vegetation in the front yard.

The applicant is proposing an accessory structure requiring variances related to setbacks and location.



## 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:

**Does the proposal maintain the general intent and purpose of the Official Plan?**

The subject property is located within the Clarkson-Lorne Park Neighbourhood Area, and is designated Residential Low Density I on Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached and duplex dwellings with individual frontages. Section 9 of 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 proposed accessory structure is appropriately sized for the subject property and is clearly accessory to the primary dwelling use. No variances have been requested for height or floor area of the structure. Staff are satisfied that the request maintains the general intent and purpose of the official plan.

**Does the proposal maintain the general intent and purpose of the Zoning By-law?**

Variance #1 requests an existing accessory structure to be located in a front yard. The City restricts structures in front yards in order to maintain a certain level of uniformity of the streetscape for aesthetic purposes. In this instance, however, the variance is technical as the yard deemed to be the front yard under the zoning by-law is functionally the exterior side yard/rear yard of the subject property. The driveway and façade of the dwelling are located in the exterior side yard in this instance. Furthermore, an existing fence screens a majority of the structure's massing from the street.

Variance #2 requests a reduced side yard measured to an existing accessory structure. The intent of the side yard provisions is to ensure that an adequate buffer exists between structures on abutting properties and that maintenance can be performed on the structure as needed. Staff are satisfied that the proposed setbacks leave appropriate buffers to the adjacent properties and that any impact of massing of the structure is limited as there are no other variances required for the structure.

Staff are therefore satisfied that the proposal maintains the general intent and purpose of the zoning by-law.

**Is the proposal desirable for the appropriate development of the subject lands and minor in nature?**

Planning staff are of the opinion that the proposal represents appropriate development of the subject property. Furthermore, it is the opinion of staff that the proposal does not pose any significant negative impacts to the streetscape or neighbouring lots, and represents an appropriate use of the amenity space. Through a detailed review, staff are of the opinion that 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

Enclosed for Committees easy reference are photos of the existing shed. We have no drainage related concerns.











Comments Prepared by: John Salvino, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

In the absence of a Development application 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.

For scope of work that does not require Site Plan Approval/Building Permit/Zoning Certificate of Occupancy Permit, the applicant may consider applying for a Preliminary Zoning Review application. A detailed site plan drawing and architectural plans are required for a detailed zoning review to be completed. A minimum of 6-8 weeks is required depending on the complexity of the proposal and the quality of information submitted.

Comments Prepared by: Brooke Herczeg, Zoning Examiner

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### **Appendix 3 – Region of Peel**

We have no comments or objections.

Comments Prepared by: Patrycia Menko – Junior Planner, Planning and Development Services