

City of Mississauga Department Comments

Date Finalized: 2023-05-24	File(s): A89.23 Ward: 3
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-06-01 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 requested, meets the requirements of Section 45(1) of the Planning Act. The applicant may wish to defer the application to verify the accuracy of the requested variance.

Application Details

The applicant requests the Committee to approve a minor variance to allow an existing commercial vehicle on the subject property proposing:

1. A commercial motor vehicle with a length of 5.70m (approx. 18.70ft) whereas By-law 0225-2007, as amended, permits a maximum length 5.60m (approx. 18.37ft) in this instance; and,
2. A commercial vehicle with a height of 2.40m (approx. 7.87ft) whereas By-law 0225-2007, as amended, permits a maximum height of 2.00m (approx. 6.56ft) in this instance.

Background

Property Address: 4344 Shelby Cres

Mississauga Official Plan

Character Area: Rathwood Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

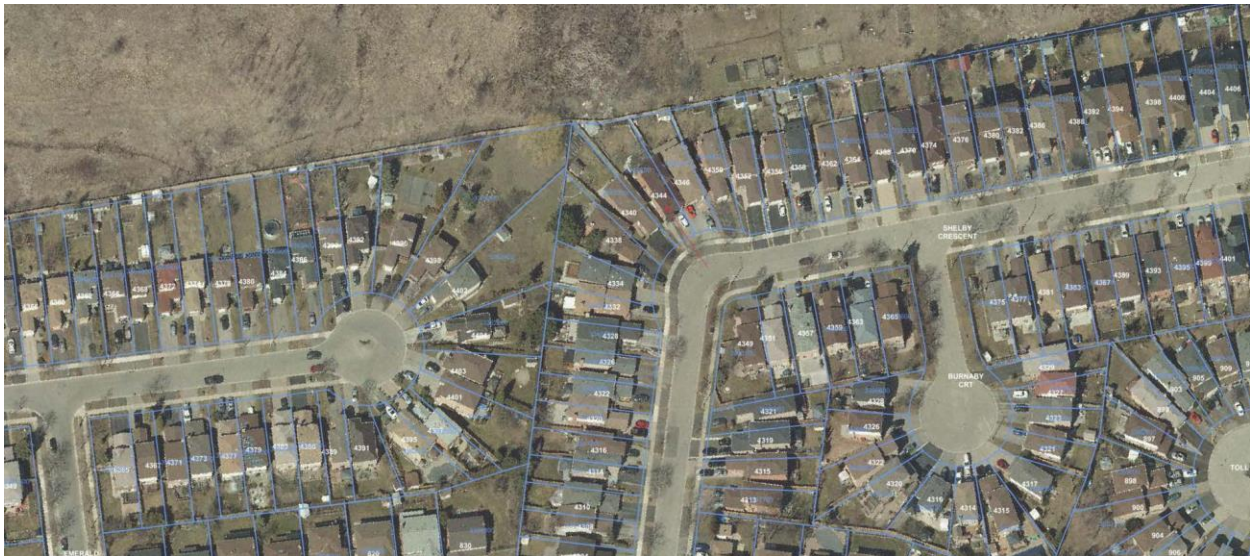
Zoning: RM1 - Residential

Other Applications: None

Site and Area Context

The subject property is located south-west of the Eastgate Parkway and Tomken Road intersection in the Rathwood neighbourhood. It is an interior lot containing a two-storey detached dwelling with an attached garage. Limited landscaping/vegetative elements are present in the front yard. The property is a pie lot on the curve of Shelby Crescent, with a slightly narrower frontage and wider rear. The surrounding context is exclusively residential, consisting of two-storey detached dwellings with attached garages on similarly sized lots.

The applicant is proposing to park a commercial vehicle requiring variances for length 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 of the four tests to this minor variance request are as follows:

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

Staff consider the proposed vehicle length and height to be a small deviation from the intent of the zoning by-law regulations in effect. Staff are of the opinion that the commercial vehicle size

is consistent with other vehicles parked in the vicinity of the subject property and will have a minimal impact on the 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: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed is a photo of the subject property but at the time of our site inspection the commercial motor vehicle was not present.



Comments Prepared by: Tony Iacobucci, 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

Appendix 3 –Region of Peel

We have no comments or objections.

Comments Prepared by: Patrycia Menko, Junior Planner