

City of Mississauga Department Comments

Date Finalized: 2023-10-25	File(s): A480.22
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2023-11-02 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 ensure that all required variances have been accurately identified.

Application Details

The applicant requests the Committee to approve a minor variance for an existing shed on the subject property proposing:

1. An accessory structure (shed) with an area of 39.39sq.m (approx. 423.99sq ft) whereas By-law 0225-2007, as amended, permits an accessory structure with a maximum area of 20.00sq.m (approx. 215.28sq ft) in this instance;
2. A rear yard setback to a shed of 0.91m (approx. 2.99ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard shed setback to a shed of 1.20m (approx. 3.94ft) in this instance; and,
3. To permit an accessory structure height (shed) of 3.89m (approx. 12.76ft) whereas By-law 0225-2007, as amended, permits an accessory structure height of 3.0m (approx. 9.84ft) in this instance.

Amendments

The Building Department is currently processing an application under file BP 9NEW 22-2393. Based on review of the information currently available in this application, the variances #2 and 3, as requested are correct.

However, we advise that variance #1 should be amended as follows:

1. An accessory structure (shed) with an area of 39.39sq.m (approx. 423.99sq ft) whereas By-law 0225-2007, as amended, permits an accessory structure with a maximum area of 10.00sq.m (approx. 107.63sq ft) in this instance;

In addition, one more minor variance is required:

4. A maximum area of 39.39sq.m (approx. 423.99sq ft) occupied for all combined accessory buildings and structures whereas By-law 0225-2007, as amended, permits a maximum area occupied for all combined accessory buildings and structures of 30 sq.m (approx. 322.92sq ft) in this instance;

Background

Property Address: 1262 Canvey Cres

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R3 - Residential

Other Applications: BP 9NEW 22-2393

Site and Area Context

The subject property is located within the Clarkson – Lorne Park Neighbourhood Character Area, southwest of the Southdown Road and Truscott Drive intersection. The immediate area consists of a mix of older and newer one-storey detached dwellings on lots with limited vegetation in the front yards. Further south of the subject property, semi-detached and townhouse dwellings can be found. The subject property contains an existing one-storey detached dwelling with limited vegetation in the front yard.

The applicant is seeking to permit an existing shed, requiring variances related to accessory structure area, height and rear yard setback.



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 Committee deferred the above noted application on November 17th, 2022, March 23rd, 2023 and August 17, 2023. The first submission was deferred to allow the applicant an opportunity to confirm the accuracy of the requested variances with Zoning staff and to provide revised drawings indicating the area, setbacks and dimensions of both accessory structures. The second submission was deferred to allow the applicant an opportunity to redesign the proposal to address concerns related to accessory structure area and height. The third submission was deferred to allow the applicant an opportunity to address concerns regarding the massing of the proposal.

Since the first submission, the applicant has revised the original shed proposal and is proposing to remove the smaller accessory structure and the “temporary green house” on the subject property. These accessory structures are detailed on the “As Built Shed #1” plan included in the submission.. Staff note that this proposal represents an improvement from the existing onsite conditions. Staff are of the opinion that the revised proposal is sympathetic to the surrounding area and does not impact the neighbouring properties or streetscape. Through a detailed review of the application, staff are of the opinion that the revised 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 both structures are to be equipped with eaves trough and down spout directed in such a manner to not impact adjacent lands. The smaller shed would require an eaves along the rear side. The larger shed would require an eaves at the right side where the single man door is located. All down spouts are to be directed in such a manner to not impact the adjacent lands.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing an application under file BP 9NEW 22-2393. Based on review of the information currently available in this application, the variances #2 and 3, as requested are correct.

However, we advise that variance #1 should be amended as follows:

5. An accessory structure (shed) with an area of 39.39sq.m (approx. 423.99sq ft) whereas By-law 0225-2007, as amended, permits an accessory structure with a maximum area of 10.00sq.m (approx. 107.63sq ft) in this instance;

In addition, one more minor variance is required:

4. A maximum area of 39.39sq.m (approx. 423.99sq ft) occupied for all combined accessory buildings and structures whereas By-law 0225-2007, as amended, permits a maximum area occupied for all combined accessory buildings and structures of 30 sq.m (approx. 322.92sq ft) in this instance;

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: Maria Fernandez, Zoning Examiner

Appendix 3 – Region of Peel

Please apply previous comments.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner