

# City of Mississauga Department Comments

Date Finalized: 2024-05-22	File(s): A216.24
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2024-05-30 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 to allow an accessory structure proposing a side yard setback of 1.04m (approx. 3.41ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.80m (approx. 5.91ft) in this instance.

## Recommended Conditions and Terms

We ask that the down spout be re-connected and directed in such a manor to not impact the adjacent property.

## Background

**Property Address:** 455 Meadow Wood Road

### Mississauga Official Plan

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

### Zoning By-law 0225-2007

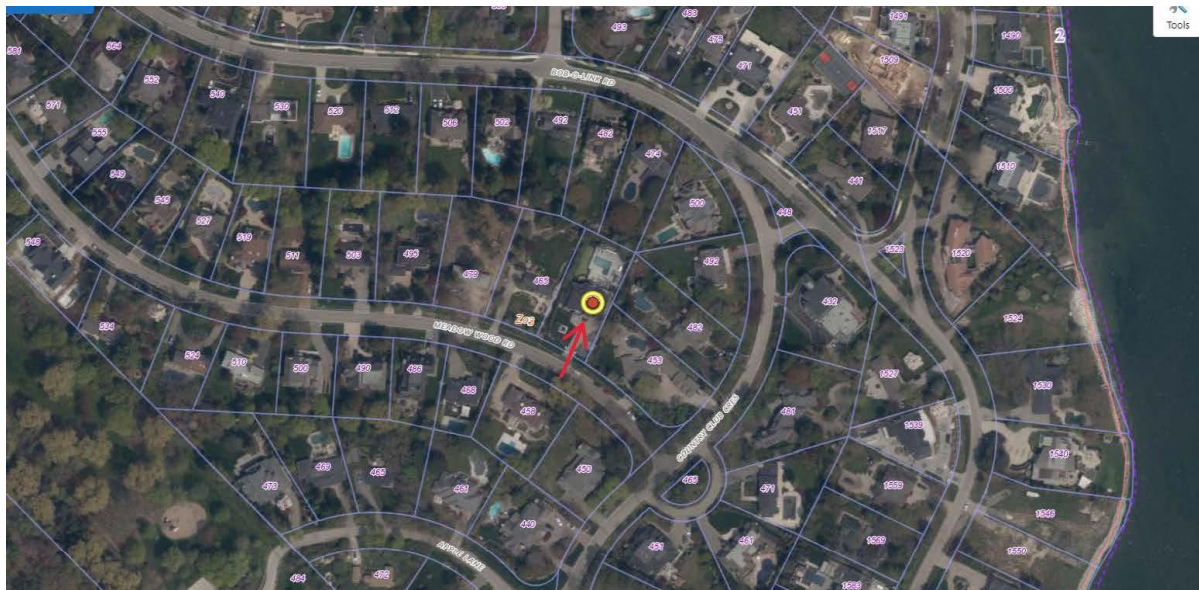
**Zoning:** R2-5- Residential

## Other Applications:

### Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southeast of Clarkson Road South and Orr Road. The immediate area consists of a mix of detached dwellings on large lots with mature vegetation. The subject property contains a two-storey detached dwelling with vegetation in the front, side, and rear yards.

The applicant is proposing to legalize a one-storey accessory structure requiring a variance for reduced side 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 subject property is located in the Clarkson-Lorne Park Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, and duplex dwellings.

The application proposes an accessory structure with a reduced side yard setback of 1.04 m (3.41 ft.), where a minimum side yard setback of 1.80 m (5.91 ft.) is required. Staff note that the

location of the structure is in the northerly side yard. Staff has no concerns with the proposed setback or the structure's location, subject to the above noted condition. The proposed structure does not obstruct access to the rear yard, as an additional access is maintained via the southerly side yard. Furthermore, the structure does not require any additional variances and as such, it is deemed by staff to be proportionate to the lot and the primary dwelling. Lastly, Staff are of the opinion that the proposed setback is reasonable and that the structure will not pose any massing concerns to the neighbouring property to the north.

Through a detailed review of the application, staff are 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

Attached are photos of the existing structure. During a site inspection of the property, it was evident that the down spout that had been installed on the structure had been removed or fallen off. We ask that the down spout be re-connected and directed in such a manor to not impact the adjacent property.

Comments Prepared by: John Salvino, Development Engineering Technologist













## Appendix 2 – Zoning Comments

We note that a Building Permit is required. In the absence of a Building Permit 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.

Comments Prepared by: Minan Song, Zoning Examiner

## Appendix 3 – Parks, Forestry & Environment

The Forestry Section of the Community Services Department has no objections to the above noted minor variance application and advises as follows:

1. No public trees shall be injured or removed. If public tree removal is required, a permit must be issued as per By-law 0020-2022.
2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Removal Permit, written consent must be obtained by both parties.

A Tree Removal Application to Permit the Injury or Destruction of Trees on Public and Private Property can be found at <https://www.mississauga.ca/publication/application-to-permit-the-injury-or-destruction-of-trees-on-public-and-private-property/>.

Should further information be required, please contact Rita Di Michele, By-law Inspector, Community Services Department at 905-615-3200 ext. 5872 or via email [rita.dimichele@mississauga.ca](mailto:rita.dimichele@mississauga.ca).

Comments Prepared by: Rita Di Michele, By-law Inspector

#### **Appendix 4 – Region of Peel**

We have no comments or objections to the following application: A-24-216.

Comments Prepared by: Petrele Francois, Junior Planner