

City of Mississauga Department Comments

Date Finalized: 2024-10-03 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): A438.24 Ward: 7
	Meeting date:2024-10-10 1:00:00 PM

Consolidated Recommendation

The City recommends the application be refused.

Application Details

The applicant requests the Committee to approve a minor variance to allow for an existing accessory structure (shed) in the front yard whereas By-law 0225-2007, as amended, does not permit an accessory structure in the front yard in this instance.

Background

Property Address: 1514 Adamson St

Mississauga Official Plan

Character Area: Erindale Neighbourhood
Designation: Residential Low Density I & Greenlands

Zoning By-law 0225-2007

Zoning: R2-22 - Residential

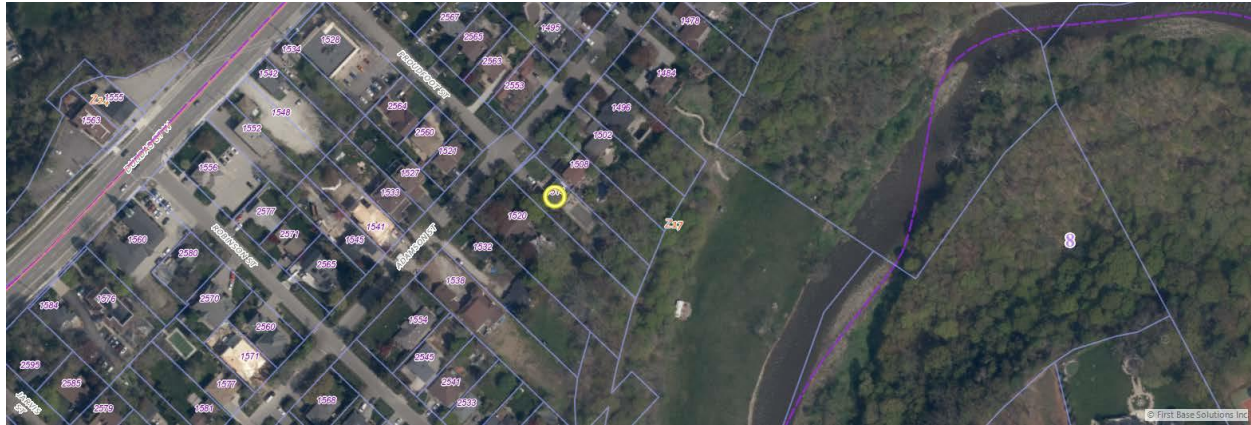
Other Applications: None

Site and Area Context

The subject property is located south-east of the Dundas Street West and Robinson Street intersection in the Erindale Neighbourhood Character Area. It is an interior lot containing a two-storey detached dwelling with attached garage. The subject property has an approximate lot area of +/- 1,648m² (17,738ft²). Mature vegetation is present throughout the subject property, as

the site abuts a Greenlands area and the Credit River to the south. The surrounding area context is predominantly residential and includes a mix of newer and original homes on lots of varying sizes. Non-residential uses are present along Dundas Street West.

The applicant is proposing to legalize an existing accessory structure in the front yard.



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 located in the Erindale Neighbourhood Character Area and is designated Residential Low Density I and Greenlands in Schedule 10 of the Mississauga Official Plan (MOP). 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. While the side lot line contains mature vegetation thereby screening the existing accessory structure from the abutting property, the existing accessory structure located in the front yard is not compatible with the surrounding area.

The sole variance requests an existing accessory structure be permitted to be located in the front yard. The City restricts structures in front yards in order to maintain a certain level of uniformity of the streetscape. Staff are of the opinion that the existing accessory structure is not appropriately located on the subject property.

Given the above, Planning staff are of the opinion that the proposal does not meet the general intent and purpose of the official plan and zoning by-law, is not minor in nature and does not contribute to orderly development on the subject property.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's ease of reference are photos depicting the accessory structure (shed) in the front yard.







Comments Prepared by: Tony Iacobucci, Development Engineering

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: Crystal Abainza, Zoning Examiner

Appendix 3 – CVC

Credit Valley Conservation (CVC) staff have reviewed the subject application and offer comments based on the following roles and responsibilities:

1. Delegated Responsibilities providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 3.1 of the Provincial Policy Statement (2020);

2. Regulatory Responsibilities providing comments to ensure the coordination of requirements under the Conservation Authorities Act Section 28 regulation, to eliminate unnecessary delay or duplication in process;
3. Source Protection Agency providing advisory comments to assist with the implementation of the CTC Source Protection Plan under the Clean Water Act, as applicable.
- 4.

CVC REGULATED AREA

Based on our mapping, the subject property is regulated due to slope hazard associated with Credit River. As such, the property is subject to the Prohibited Activities, Exemptions, and Permits Regulation (Ontario Regulation 41/24). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

PROPOSAL:

It is our understanding that the applicant is requesting the Committee to approve a minor variance to allow for an existing accessory structure (shed) in the front yard whereas By-law 0225-2007, as amended, does not permit an accessory structure in the front yard in this instance.

COMMENTS:

Based on the review of the information provided, it is our understanding that no new development is being proposed and the minor variance proposed at this time relates to existing conditions. As such, CVC has no objection to the approval of the minor variance as the accessory structure is sufficiently setback from the natural features of interest to CVC.

The applicant is advised that the subject property is regulated by CVC and the proposed works as well as any future development on the property will require a CVC permit.

The applicant is to note that CVC has not received payment of the review fee of \$478 for this Minor Variance application. The applicant should forward this directly to CVC at the earliest convenience.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at stuti.bhatt@cvc.ca or 905-670-1615 (ext. 350) should you have any further questions. Please circulate CVC on any future correspondence or applications regarding this site.

Comments Prepared by: Stuti Bhatt, Junior Planner

Appendix 4 – Region of Peel

Minor Variance Application: A-24-438M / 1514 Adamson Street

Planning: Petrele Francois (905) 791-7800 x3356

Comments:

- Please be advised that the subject lands are located in the regulated area of the Credit Valley Conservation Authority (CVC). We request that City staff consider comments from the CVC and incorporate their conditions of approval appropriately.

Comments Prepared by: Petrele Francois, Junior Planner