

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-07-08	File(s): A260.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-15 1:00 PM

Consolidated Recommendation

The City has no objection to the variances, as amended.

Application Details

The applicant requests the Committee to approve a minor variance to allow an accessory structure proposing:

1. An accessory structure area of 26.48sq.m (approx. 285.03sq.ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 10.00sq.m (approx. 107.64sq.ft) in this instance; and
2. A centreline setback of 18.60m (approx. 61.02ft) whereas By-law 0225-2007, as amended, requires a minimum centreline setback of 23.11m (approx. 75.82ft) in this instance.

Recommended Conditions and Terms

Should the Committee see merit, we ask that the shed be equipped with eaves trough and down spout directed in such a manor not to impact the adjacent lands.

Background

Property Address: 2744 Hollington Crescent

Mississauga Official Plan

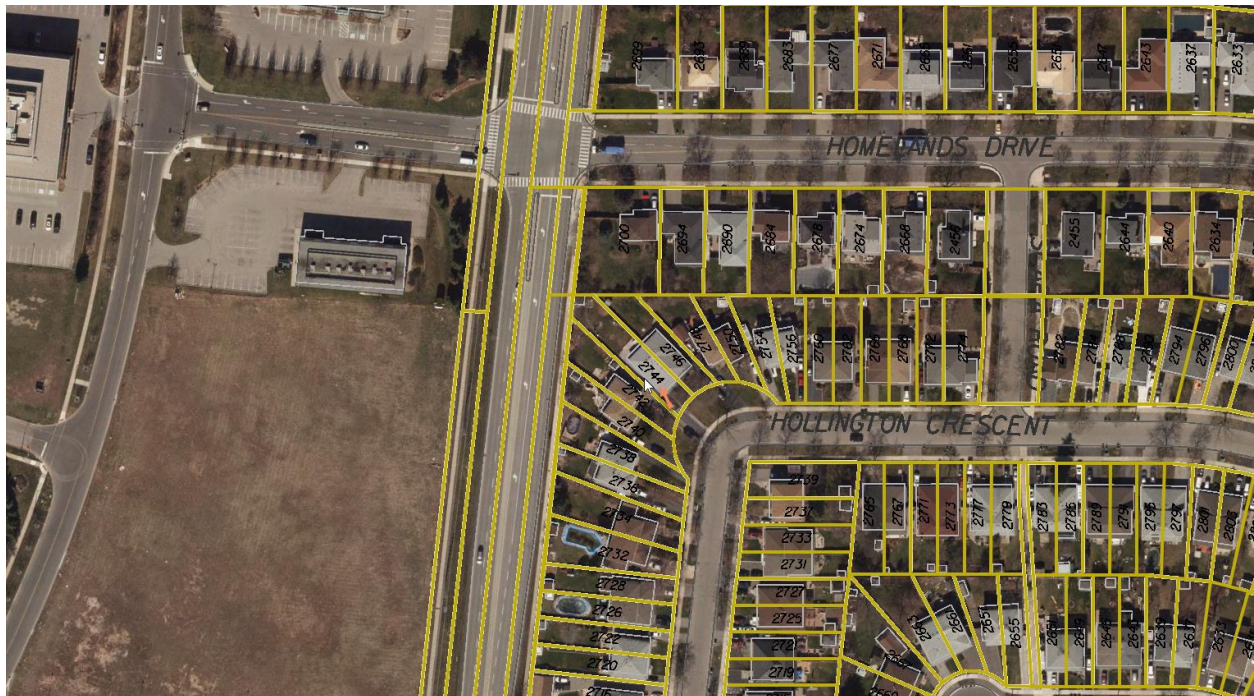
Character Area: Sheridan Neighbourhood
Designation: Residential Low Density II

Other Applications: BP 9NEW 21-5967

Zoning By-law 0225-2007**Zoning: RM1 - Residential****Site and Area Context**

The subject property is located within the Sheridan Neighbourhood Character Area, southeast of the Winston Churchill Boulevard and Dundas Street West intersection. The neighbourhood is entirely residential, consisting of one and two storey detached dwellings and semi-detached dwellings with mature vegetation.

The applicant is proposing an accessory structure requiring variances related to accessory structure area and centreline 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 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 site is located within the East Credit Neighbourhood Character Area, and is designated Residential Low Density II by the Mississauga Official Plan (MOP). The Residential Low Density II designation permits detached dwellings; semi-detached dwellings, duplex dwellings, triplexes, street townhouses and other forms of low-rise 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 structure is permitted within this designation; Staff is of the opinion that the general intent and purpose of the MOP is maintained.

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

The intent of the zoning by-law provisions regarding accessory structures is to ensure that the structures are proportional to the lot and dwelling and clearly accessory, while not presenting any massing concerns to neighbouring lots. The applicant's proposal for a shed having an area of 26.48m² is of no concern to Staff. The proposed shed is clearly subordinate to the main dwelling and is proportional to the lot. The Zoning By-law permits a maximum occupied combined area of 30m² for all accessory buildings and structures, subject to the accessory buildings/structures not going over the lot coverage.

Zoning identified an additional variance required for the proposed concrete slab underneath the proposed shed, as it appeared to be closer than 0.61 m to the interior side lot line. On June 22nd, the applicant's agent revised their site plan to ensure that the concrete slab would be set back 0.61 m from the interior lot line.

The applicant is proposing a centreline setback of 18.60m (approx. 61.02ft) while the by-law requires a minimum centreline setback of 23.11m (approx. 75.82ft) in this instance. The intent of this portion of the Zoning By-law is to ensure that any proposed construction will not come at the expense of a potential road widening. Transportation and Works Staff have not identified any issues with the proposed setback.

Staff is of the opinion 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?

Staff is of the opinion that the proposal is desirable for the appropriate development of the subject lands and is minor in nature. The proposed shed is under the maximum occupied

combined area of 30m² and Transportation and Works has not identified any issues with the proposed centreline setback.

Conclusion

Based upon the preceding information, it is the opinion of Staff that the variances, as requested, meet the general intent and purpose of both the MOP and Zoning By-law; are minor in nature; and, are desirable for the orderly development of the lands. To this end, the Planning and Building Department has no objection to the variances, as requested. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed please find a picture of where the proposed shed will be located. We ask that the shed be equipped with eaves trough and down spout directed in such a manor not to impact the adjacent lands.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 9NEW 21-5967. Based on review of the information currently available in this permit application, the variances requested are correct.

However, it is noted that the proposed concrete slab underneath the proposed accessory structure is closer than 0.61 m to the interior side lot line, which does not comply. Please see regulation 4.1.5.7 below for reference:

- Decorative paving, pool decking, and other hard surfaced landscape material are permitted an unlimited encroachment in a required [rear yard](#), provided that they do not exceed 0.3 m in height above grade at any point, and maintain a minimum setback to any [lot line](#) of 0.61 m. ([0297-2013](#)), ([0190-2014](#)), ([0144-2016](#))

A variance will be required, however at this time, I do not have sufficient information to confirm the dimension from the concrete slab (hard surface landscaping) to the interior lot line.

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: Brandon Eidner, Zoning Examiner

Appendix 5 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner