

# City of Mississauga Department Comments

Date Finalized: 2021-09-28	File(s): A386.21
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2021-10-07 3:00:00 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 a shed proposing:

1. A setback measured from a shed to a side lot line of 0.51m (approx. 1.67ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured to a side lot line of 0.61 (approx. 2.00ft) in this instance; and
2. A setback measured from a shed to a rear lot line of 0.46m (approx. 1.51ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured to a rear lot line of 0.61 (approx. 2.00ft) in this instance.

## Amendments

Zoning staff note, in order to ensure consistency with the Zoning By-law 0225-2007, the variances may be altered to say "Accessory Structure (shed)" instead of "Shed".

1. A setback measured from a Accessory Structure (shed) to a side lot line of 0.51m (approx. 1.67ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured to a side lot line of 0.61 (approx. 2.00ft) in this instance; and
2. A setback measured from a Accessory Structure (shed) to a rear lot line of 0.46m (approx. 1.51ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured to a rear lot line of 0.61 (approx. 2.00ft) in this instance

## Recommended Conditions and Terms

Should the Committee see merit, we ask that the accessory structure (shed) be equipped with an eaves trough and down spout directed in such a manor not to impact any adjacent properties.

## Background

**Property Address:** 890 Ninth Street

### Mississauga Official Plan

Character Area: Lakeview Neighbourhood  
Designation: Low Density II

### Zoning By-law 0225-2007

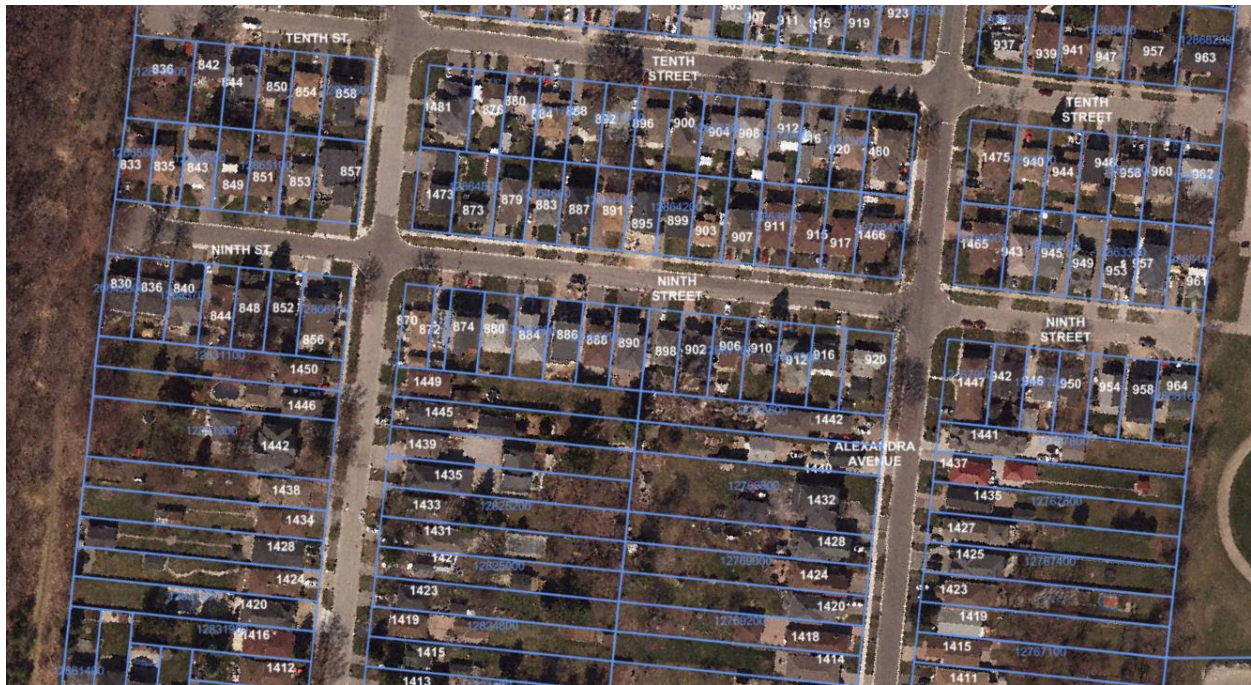
**Zoning:** RM1-26 - Residential

**Other Planning Applications:** Unknown

### Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, southeast of Cawthra Road and South Service Road. The neighbourhood is entirely residential consisting of old and new one and two storey detached dwellings on lots with mature vegetation in the front yards. The subject property includes a two storey detached dwelling with landscape elements in the front yard.

The application proposes an accessory structure (shed) requiring variances for setbacks.



## 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 II in Schedule 10 of the Mississauga Official Plan, which permits Accessory Structures. Variances #1 and #2 pertain to side and rear yard setbacks. Similar deficiencies for Accessory Structures are found in the immediate area, including the abutting property to the east. The proposed setbacks are not out of character within the immediate neighbourhood, and are a minor deviation from what is permitted in the zoning by-law. 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.

## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed are photos of the existing shed. Should Committee see merit in the applicant's request we ask that the rear side of the shed be equipped with an eaves trough and a down spout directed in such a manor to impact any adjacent properties.







Comments Prepared by: John Salvino, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

The Building Department is not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to confirm the accuracy of the requested variance(s) or determine whether additional variance(s) may be required.

In order to ensure consistency with the Zoning By-law 0225-2007, the variances may be altered to say “Accessory Structure (shed)” instead of “Shed”.

The applicant is advised that a completed zoning review may identify additional instances of zoning non-compliance. The applicant may consider applying for a preliminary zoning review application and submit working drawings for a detailed zoning review to be completed. A minimum of 6-8 weeks will be required to process a preliminary zoning review application depending on the complexity of the proposal and the detail of the information submitted.

Comments Prepared by: Brandon Eidner, Zoning Examiner