

City of Mississauga Department Comments

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| Date Finalized: 2022-01-12 | File(s): A561.21 Ward 11 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2022-01-20 1:00:00 PM |

Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure the accuracy of the requested variances and that additional variances are not required.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an accessory structure with an interior side yard setback (westerly) of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) in this instance.

Background

Property Address: 5150 Elmridge Drive

Mississauga Official Plan

Character Area: Central Erin Mills Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R2-8 - Residential

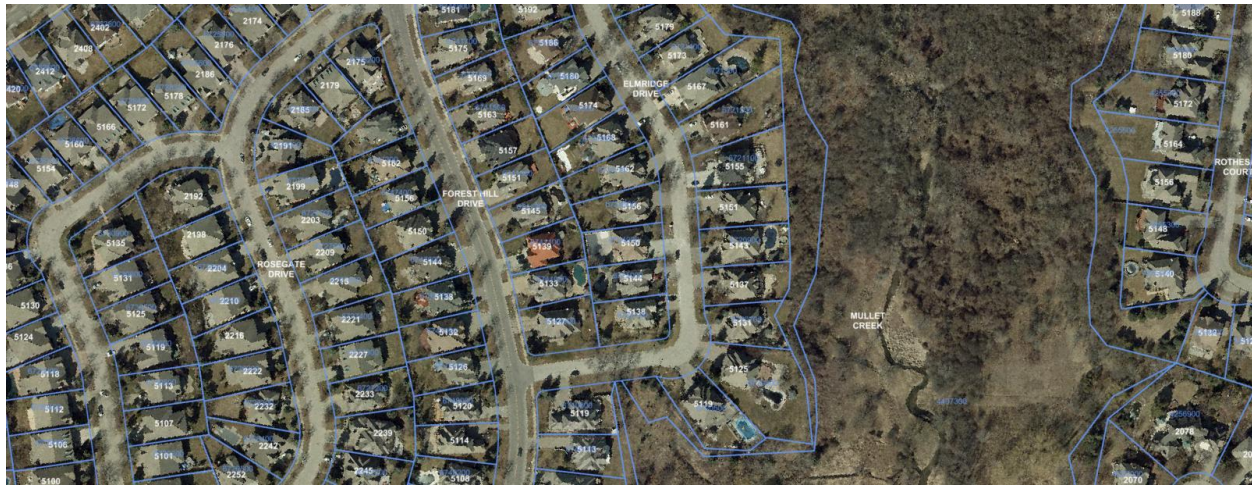
Other Applications: BP 9NEW 21-6457

Site and Area Context

The subject property is located north-west of the Eglinton Avenue West and Mississauga Road intersection. It has a lot frontage of +/- 20m (65.6ft), a lot area of +/- 874.25m² (9,410.3ft²) and

contains a detached dwelling with an attached garage. Some landscaping and vegetation elements are present in both the front and rear yards. The surrounding area context consists exclusively of detached dwellings on similarly sized lots.

The applicant is proposing a shed in the rear yard requiring a variance for the 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 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 subject property is located in the Central Erin Mills 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. 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. Staff are satisfied that the proposed accessory structure is appropriate for the subject property and is clearly accessory to the permitted detached dwelling. The general intent and purpose of the Official Plan is therefore maintained.

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

The variance requested in this application proposes a reduction in the required side yard for the accessory structure. The general intent of this portion of the by-law is to ensure that an adequate buffer exists between the massing of structures on adjoining properties, that maintenance can be performed on the structures, and that appropriate drainage patterns can be maintained. Staff are satisfied that the proposed setback is appropriate in this instance and note that no additional variances for height or floor area are requested, which would create additional impacts. Furthermore Transportation & Works has not raised any drainage related concerns. Staff are therefore satisfied that the general intent and purpose of the Zoning By-law are maintained.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

Staff are satisfied that the application is minor in nature and will not create undue impacts on abutting properties. The proposed structure represents appropriate development within the rear yard amenity area and, in the opinion of staff, meets the four tests of a minor variance.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting that we have no drainage related concerns with the existing accessory structure (shed).





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 9NEW 21-6457. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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: Alana Zheng, Zoning Examiner