

# City of Mississauga Department Comments

Date Finalized: 2022-05-25	File(s): A276.22 Ward 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-06-02 1:00:00 PM

## Consolidated Recommendation

The City recommends that the application be deferred.

## Application Details

The applicant requests the Committee to approve a minor variance to allow an existing accessory structure (shed) with:

1. An accessory structure (shed) area of 10.48sq.m (approx. 112.81sq.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 minimum side yard setback of 0.38m (approx. 1.25ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 0.61m (approx. 2.00ft) in this instance.

## Background

**Property Address:** 1465 Safeway Cres

### Mississauga Official Plan

Character Area: Lakeview Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

**Zoning:** R3-75 - Residential

**Other Applications:**

**Site and Area Context**

The subject property is located within the Lakeview Neighbourhood Character Area, southeast of the Dixie Road and Queensway Road East intersection. The immediate area consists of a mix of one and two-storey detached dwellings with mature vegetation in the front yards. The subject property contains an existing two-storey detached dwelling with vegetation in the front yard.

The applicant is proposing an accessory structure requiring variances for accessory structure area and 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 designated Residential Low Density I on Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached dwellings.

Through discussions with Transportation & Works and Zoning staff, Planning staff has determined that additional variances for the proposed concrete pad foundation may be required.

Furthermore, Planning staff is of the opinion that the proposed side yard setback will not provide an adequate buffer between the proposed structure and the easterly lot line. Through discussions, staff note that Transportation & Works staff have recommended the installation of an eaves trough on the east side of the accessory structure. Given the proximity of the accessory structure to the easterly lot line, Planning staff are of the opinion that an eaves trough may encroach onto the neighbouring property to the east.

As such, Planning staff cannot support the proposal and recommend that the application be deferred to allow the applicant an opportunity to address staff's concerns with respect to the side yard setback and to meet with Zoning staff to identify any additional variances that may be required.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

## 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 shed be equipped with an eaves trough and down spout directed in such a manner as to not impact the adjacent property.

Due to the sheds proximity to the side lot line (0.38m), the applicant must take into consideration to not have the eaves encroach onto the neighbouring property after it is installed.













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.

Furthermore, we note that a Building Permit is required.

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