

# City of Mississauga Department Comments

Date Finalized: 2023-01-18	File(s): A707.22
To: Committee of Adjustment	Ward: 3
From: Committee of Adjustment Coordinator	Meeting date:2023-01-26 1:00:00 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 meets the requirements of Section 45 (1) of the Planning Act. The applicant may wish to defer the application to ensure the accuracy of the requested variance and that additional variances are not required.

## Application Details

The applicant requests the Committee to approve a minor variance to allow an existing accessory structure proposing a shed length of 4.50m (approx. 14.76ft) whereas By-law 0225-2007, as amended, permits a maximum shed length of 3.05m (approx. 10.01ft) in this instance.

## Background

**Property Address:** 4298 Forest Fire Lane

### Mississauga Official Plan

Character Area: Rathwood Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

**Zoning:** RM1-20 - Residential

**Other Applications:**

**Site and Area Context**

The subject property is located south-east of the Cawthra Road and Eastgate Parkway intersection in the Rathwood neighbourhood. It currently contains a two-storey detached dwelling with an attached garage. The property has a lot area of +/- 418.31m<sup>2</sup> (4,502.65ft<sup>2</sup>) and backs onto the Cawthra Road right of way. Limited landscaping and vegetative features are present in both the front and rear yards. The surrounding context is predominantly residential, consisting of detached dwellings on lots of varying sizes. A cultural centre and place of religious assembly are present across Cawthra Road.

The applicant is proposing a shed in the rear yard proposing a variance for shed length.



## 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 Rathwood Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits varying built forms, including detached dwellings. Section 9 of the 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 accessory structure is located in the rear yard and does not require variances for height or setbacks. Furthermore it is partially open, with a small porch area attached to it. The longer wall faces Cawthra Road, which abuts the property to the rear, and is separated from the street by a fence that conceals the majority of the fence from the roadway. While staff have no objections to the application, staff note that accessory structure length is not regulated by the zoning by-law, and the variance may therefore be incorrect or unnecessary. Staff note that the structure raises no concerns of a planning nature.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

We note that the Transportation and Works Department has no objections to the existing accessory structure as it will not impact or alter the existing grading and drainage pattern for this property.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

### **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: Amy Campbell, Planner-in-Training

### **Appendix 3 – Region of Peel**

We have no comments or objections.

Comments Prepared by: Patti Menko – Junior Planner, Planning and Development Services