

# City of Mississauga

# Corporate Report



<p>Date: November 8, 2023</p> <p>To: Chair and Members of Planning and Development Committee</p> <p>From: Andrew Whittemore, M.U.R.P., Commissioner of Planning &amp; Building</p>	<p>Originator's files: CD.06-ACC (All Wards)</p> <hr/> <p>Meeting date: November 27, 2023</p>
--	---

## Subject

### **INFORMATION REPORT (ALL WARDS)**

### **Zoning By-law Regulations for Accessory Buildings and Structures**

**File: CD.06-ACC (ALL WARDS)**

## Recommendation

That the report dated November 8, 2023, from the Commissioner of Planning and Building, under File CD.06-ACC (All Wards), be received for information.

## Background

At General Committee on September 6th, 2023, staff were directed to prepare a report to outline the history on zoning changes for accessory buildings and structures (hereinafter referred to as accessory structures), including data on complaints, as well as any implications of maintaining the regulations to the by-law. This direction was prompted by concerns from a resident regarding zoning amendments made in 2019. Therefore, the intent of this report is to clarify the origin of those amendments for accessory structures, compare the original and the amended regulations, and to provide a high-level analysis on the impacts of those amendments.

## Comments

### Comparison of Old and New Regulations

Table 1 below provides a comparison between the regulations for accessory buildings and structures before and after the 2019 amendments.

Accessory Buildings and Structures Regulation	Prior to 2019 Amendment	2019 Amendment	
		<i>Lot Area Less than 750m<sup>2</sup></i>	<i>Lot Area Greater or Equal to 750m<sup>2</sup></i>
Maximum area occupied per accessory building and structure	10 m <sup>2</sup> (110 ft. <sup>2</sup> )	10 m <sup>2</sup> (110 ft. <sup>2</sup> )	20 m <sup>2</sup> (220 ft. <sup>2</sup> )
Types of Structure	1 Pergola, 1 Gazebo and 1 Additional Accessory Building and Structure (e.g. shed)	n/a	n/a
Maximum area occupied combined for all accessory buildings and structures	30 m <sup>2</sup> (320 ft. <sup>2</sup> )	30 m <sup>2</sup> (320 ft. <sup>2</sup> )	60 m <sup>2</sup> (640 ft. <sup>2</sup> )
Maximum lot coverage combined for all accessory buildings and structures	n/a	n/a	5% of the lot area
Maximum Height	3.0 m (10 ft.)	3.0 m (10 ft.)	3.5 m (11.5 ft.)

Table 1: Accessory Structures Zoning By-Law Comparison

Origin of Zoning Amendments

In 2019, due to the number of minor variance applications for accessory structures, staff were directed to review the regulations and increase the flexibility for larger lots. As a result, zoning amendments were approved that provided greater permissions for size and height for accessory structures on lots greater than 750 m<sup>2</sup>. However, on lots less than 750 m<sup>2</sup>, which make up the majority of lots in the City, the permissions were generally unchanged. All lots were granted the flexibility to choose the type(s) of accessory structure, no longer being limited to one of each of the following: one pergola, one gazebo and one other accessory structure.

Resulting Effect of Zoning Amendments

As the purpose of the amendment was to increase the flexibility in the zoning by-law, the intended result was to decrease the need for residents to submit applications for minor variances to the Committee of Adjustment. An analysis was performed to assess the number of applications for variances made prior to the amendment with the number of applications made after. The years analyzed were 2016-2018 and 2020-2022, with 2019 omitted as it was the year the amendments took place. Between these two timeframes, the Committee of Adjustment saw a 10.4% decrease in the number of variance applications relating to accessory structures. This decrease demonstrates that the amendments have fulfilled Council and staff's intent.

### Complaints

Between 2016-2018 and 2020-2022, the total number of complaints regarding compliance to the City of Mississauga's property standards almost doubled. Despite the numerical increase, the proportion of complaints relating to accessory structures decreased from 1.02% between 2016-2018 to 0.08% between 2020-2022. These results are however inconclusive, providing limited insight as to reason for the complaints, as well as whether any correlation to the 2019 accessory structures zoning by-law amendments exist. It should also be noted, that zoning by-laws cannot control aesthetics or materials used for accessory structures, property standards or other similar issues that may result from accessory structures.

## **Financial Impact**

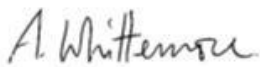
Not applicable.

## **Conclusion**

The amendments made in 2019 have provided greater flexibility for residents and have resulted in fewer variances regarding accessory structures. At this time, staff are of the opinion that no changes are necessary for the regulations regarding accessory structures.

## **Attachments**

Appendix 1: 2019/05/31 Recommendation Report (CD.06-ACC)



---

Andrew Whitemore, M.U.R.P., Commissioner of Planning & Building

Prepared by: Courtney Plato, Planning Associate