

# City of Mississauga Department Comments

Date Finalized: 2022-10-12	File(s): A358.22
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2022-10-20 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 with:

1. A side yard setback of 0.41m (approx. 1.35ft) to the accessory structure whereas By-law 0225-2007, as amended, requires a minimum 0.61m (approx. 2.00ft) in this instance;
2. A roof overhang setback to the lot line of 0.11m (approx. 0.36ft) whereas By-law 0225-2007, as amended, requires a roof overhang setback of 0.16m (approx. 0.52m) in this instance;
3. An accessory structure area of 20.21sq.m (approx. 217.54sq.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,
4. An accessory structure height to the ridge of 3.70m (approx. 12.14ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.00m (approx. 9.84ft) in this instance.

## Recommended Conditions and Terms

Transportation and Works staff request that the shed be equipped with an eaves trough and down spout directed in such a manor to not impact the adjacent properties.

## Background

**Property Address:** 2278 Homelands Dr

### Mississauga Official Plan

**Character Area:** Sheridan Neighbourhood

Designation: Residential Low Density II

### Zoning By-law 0225-2007

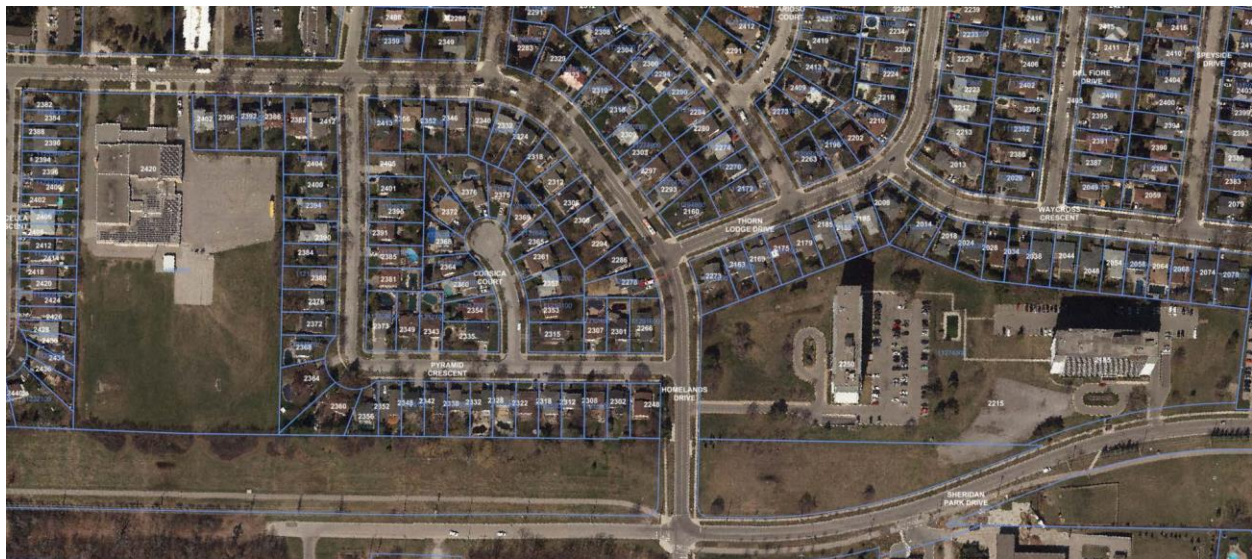
Zoning: R3 - Residential

Other Applications: Building permit under file BP 21-9637

### Site and Area Context

The subject property is located within the Sheridan Neighbourhood Character Area, northwest of the Erin Mills Parkway and Sheridan Park Drive intersection. The immediate neighbourhood is primarily residential, consisting of one and two storey-detached dwellings. A 14-storey apartment building (east of the subject property) with mature vegetation elements in the front yards is also present in the neighbourhood. The subject property contains an existing two storey detached dwelling with vegetation in the front yard.

The applicant is proposing an accessory structure that requires variances related to the accessory structure height, area and 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 are as follows:

The subject property is located within the Sheridan Neighbourhood Character Area, and is designated Residential Low Density II by Mississauga Official Plan (MOP). The proposed structure is permitted within this designation.

The Committee deferred this application on July 20<sup>th</sup>, 2022 to allow the applicant an opportunity to redesign the proposal to address massing concerns associated with the cumulative impact of increasing the accessory structure's height and area, as well as reducing its setbacks.

The applicant has since reduced the structure's height from 4.82m (15.81ft) to 3.7m (12.14ft), increased the rear yard setback from 0.3m (0.98ft) to 0.65ft (2.13ft), and shed area from 19.27m<sup>2</sup> (207.42ft<sup>2</sup>) to 20.21m<sup>2</sup> (217.54ft<sup>2</sup>). The applicant's revisions address most of Staff's concerns. However, through discussions with Transportation and Works, Planning staff are still concerned that the reduction proposed in Variance #2 may not provide adequate space for an eaves trough without encroaching onto the neighbouring property to the south. As such, staff has no Planning concerns regarding variances #1, 3 and 4, but cannot support Variance #2. As such, staff recommends that the application be deferred to allow the applicant an opportunity to increase the setback to the roof overhang.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner



## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed for Committees information are photos of the existing structure. We ask that the shed be equipped with an eaves trough and down spout directed in such a manor to not impact the adjacent properties. Our Development Construction is currently commenting through BP 9NEW 21/9637.





Comments Prepared by: John Salvino, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

The Building Department is currently processing a Building Permit under file BP 9NEW 21-9637. Based on review of the information currently available in this permit application, variances # 1 and 3, as requested are correct.

We also advise that more information is required in order to verify the accuracy of the remaining requested variance(s) or to determine whether additional variance(s) will be required.

Please note that comments reflect those provided through the above permit application resubmitted on 08/17/2022 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: Jeanine Benitez, Zoning Examiner