

# City of Mississauga Department Comments

Date Finalized: 2023-07-07	<b>REVISED</b>	File(s): A562.22 Ward: 8
To: Committee of Adjustment		
From: Committee of Adjustment Coordinator		Meeting date:2023-07-13 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, as requested, meets the requirements of Section 45(1) of the Planning Act. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

## Application Details

The applicant requests the Committee to approve minor variances to construct a pool shed in the rear yard proposing:

1. An eaves setback of 0.31m (approx. 1.01ft) whereas by-law 0225-2007, as amended, requires a minimum eaves setback of 2.55m (approx. 8.36ft) in this instance; and,
2. A side setback of 0.49m (approx. 1.60ft) to the pool shed whereas by-law 0225-2007, as amended, requires a minimum side setback of 3.00m (approx. 9.84ft) to the pool shed in this instance.

## Recommended Conditions

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

## Background

**Property Address:** 3645 Greenbower Court

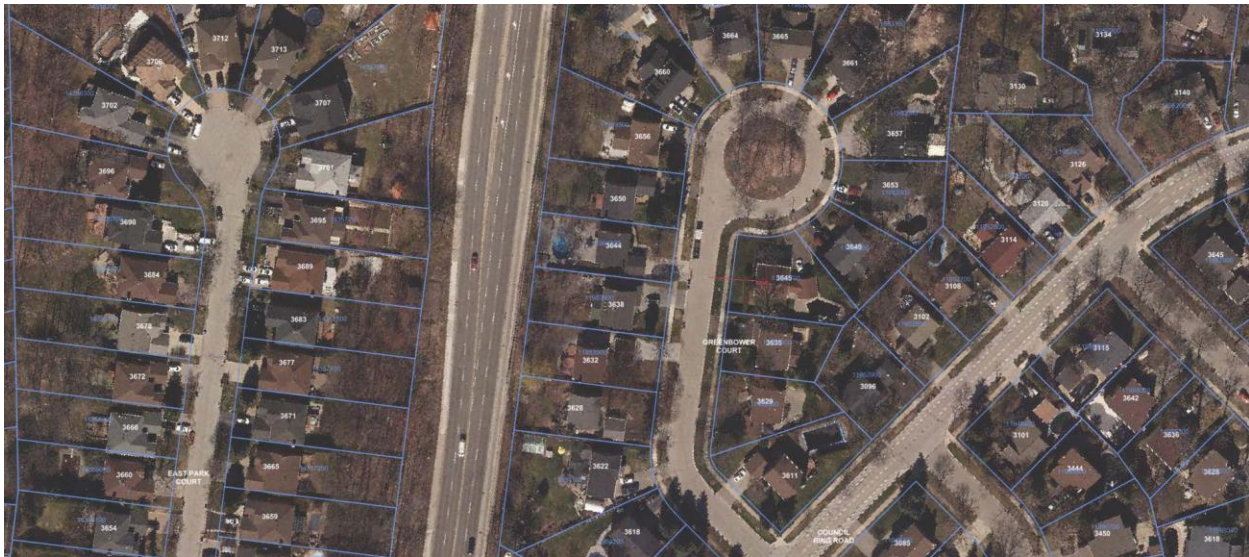
### Mississauga Official Plan

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

**Zoning By-law 0225-2007****Zoning: R2-Residential****Other Applications: none****Site and Area Context**

The subject property is located in the Erin Mills Neighbourhood Character Area, south of the Burnhamthorpe Road West and Winston Churchill Boulevard intersection. The immediate neighbourhood consists of two-storey detached dwellings on lots with mature vegetation in the front yards. The subject property contains a two-storey detached dwelling with mature vegetation in the front yard.

The applicant is proposing an accessory structure requiring variances for 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 requested variances are for setbacks to an accessory structure. Staff is of the opinion that the proposed setbacks are sufficient and will provide an adequate buffer to the easterly side lot line, allowing for sufficient space for the ongoing maintenance of the structure. Furthermore, the structure only requires setback variances to one point. The easterly side yard setback then increases as you move further into the lot, to a maximum of 0.98m (3.22ft). Staff note that the structure does not contain walls and that the applicant is not requesting additional variances for height or lot coverage, which can exacerbate the massing impact of a structure. As such, staff are of the opinion that the structure will not pose massing concerns.

It is staff's opinion that the applicant's proposal is sympathetic to the surrounding area and does not impact the neighbouring properties. Through a detailed review of the application, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed pool shed will be addressed by our Development Construction Section through the future Building Permit process. We advise that the shed must be equipped with an eaves trough and down spout that is directed in such a manor to not impact the adjacent property.







Comments Prepared by: John Salvino, Development Engineering Technologist

## Appendix 2 – Zoning Comments

The Building Department is currently processing an application under file PREAPP 22-2957. Based on review of the information currently available in this application, the variances, as requested are correct.

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: Andrew Wemekamp, Zoning Examiner

**Appendix 3 – Region of Peel**

We have no comments or objections.

Comments Prepared by: Patrycia Menko, Junior Planner