

# City of Mississauga Department Comments

Date Finalized: 2023-10-25	File(s): A398.23
To: Committee of Adjustment	Ward: 8
From: Committee of Adjustment Coordinator	Meeting date:2023-11-02 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 accessory structure proposing:

1. An interior side yard setback to the shed of 0.35m (approx. 1.15ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 0.61m (approx. 2.00ft) in this instance;
2. A rear yard setback to the shed of 0.35m (approx. 0.61ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 0.61m (approx. 2.00ft) in this instance;
3. A shed area of 13.38sq m (approx. 144.02sq ft) whereas By-law 0225-2007, as amended, permits a maximum area of 10.00sq m (approx. 107.64sq ft) in this instance; and,
4. A shed height of 3.66m (approx. 12.01ft) whereas By-law 0225-2007, as amended, permits a maximum shed height of 3.00m (approx. 9.84ft) in this instance.

## Background

**Property Address:** 4033 Loyalist Drive

### Mississauga Official Plan

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

### Zoning By-law 0225-2007

**Zoning:** R4- Residential

**Other Applications: none**

### Site and Area Context

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

The applicant is seeking variances related to an existing accessory structure.



## 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 in the Erin Mills Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits a variety of uses including detached dwellings.

Through discussions with Zoning staff, Planning staff are of the opinion that additional variances for setbacks to the eaves of the accessory structure will be required. Furthermore, Transportation and Works staff are requesting that the structure include an eaves trough and downspout directed in such a manner not to impact the adjacent lands. Due to the proximity of

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the eaves to the side and rear lot lines, staff are of the opinion that an eaves trough may encroach onto adjacent lands.

As such, Planning staff request that the application be deferred to allow the applicant an opportunity to reconfigure the roof line in a manor to allow for an eaves trough to be installed without encroaching onto the neighbouring lands. Planning staff has no concerns regarding the remaining variances at this time.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed you will find pictures of the existing structure. We draw attention to the rear yard setback. In situations like these, we always ask for the structure to include an eaves trough and downspout directed in such a manor to not impact the adjacent lands. However, in this instance, due to the roof overhang distance at the rear, installing an eaves trough along this edge will result in encroachment onto the neighbouring lands. The roof line must be reconfigured in such a manor to allow for an eaves to be installed without encroaching onto the neighbouring lands.









Comments Prepared by: John Salvino, 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: Brooke Herczeg, Zoning Examiner

## Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner