

City of Mississauga Department Comments

Date Finalized: 2024-06-12	File(s): A188.22
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2024-06-20 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 a minor variance to allow an accessory structure proposing:

1. A rear yard setback to the pool equipment of 0.20m (approx. 0.66ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback to the pool equipment of 0.61m (approx. 2.00ft) in this instance;
2. An exterior side yard setback to the pool equipment of 0.30m (approx. 0.98ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback to the pool equipment of 0.61m (approx. 2.00ft) in this instance;
3. An exterior side yard setback to the shed of 0.31m (approx. 1.02ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback to the shed of 7.50m (approx. 24.61ft) in this instance;
4. A hard surface landscaping (including low retaining wall) setback to a lot line of 0m whereas By-law 0225-2007, as amended, requires a minimum hard surface landscaping (including low retaining wall) setback to a lot line of 0.61m (approx. 2.00ft) in this instance; and,
5. An eaves setback for the accessory structure of 0m whereas By-law 0225-2007, as amended, requires a minimum eaves setback for the accessory structure of 0.16m (approx. 0.52ft) in this instance.

Recommended Conditions and Terms

Should the Committee see merit in the application, staff requests that the existing fence and retaining wall encroaching into the municipal right-of-way must be relocated to be located within the applicant's own lands.

Background

Property Address: 169 Donnelly Dr

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R2-4 - Residential

Site and Area Context

The subject property is located in the Mineola Neighbourhood Character Area, northwest of the Glenburnie Road and Indian Valley Trail intersection. The immediate neighbourhood consists of a mix of older and newer one and two-storey detached dwellings with mature vegetation in the front yards. The subject property contains a two-storey detached dwelling with mature vegetation in the front yard.

The application is proposing to legalize an existing accessory structure requiring variances related to 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 designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached dwellings.

The requested variances are required to legalize reduced setbacks to an existing accessory structure, concrete pad, and pool equipment. Planning staff have reviewed the proposal with Transportation and Works staff who have visited the site and reviewed the application. Transportation and Works staff have no concerns with the applicant's proposal from a drainage perspective. Furthermore, the proposed setbacks to the accessory structure will ensure adequate space is available for maintenance purposes.

Through a detailed review of the application, staff are 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

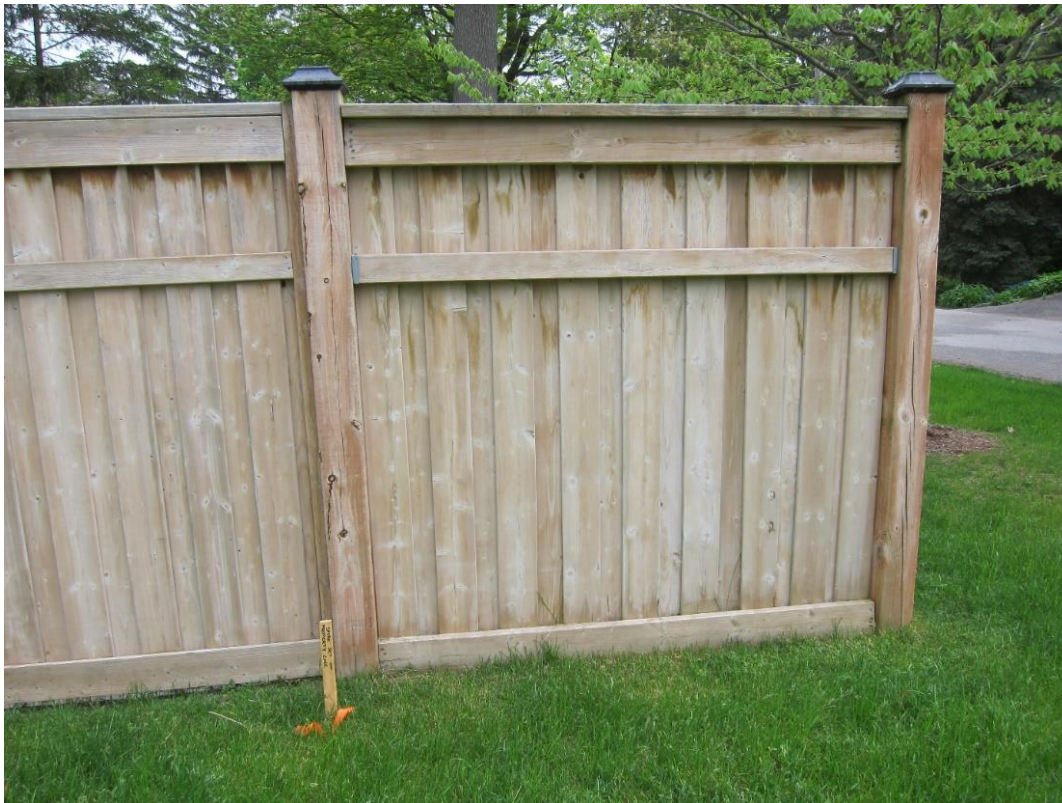
Attached please find pictures of the existing shed structure and wood fencing. It appears that a surveyor has been on site as you will notice the wood stake with orange ribbon depicting the property limit. We advise that the fence and retaining wall are currently located on the Municipal right of way for Donnelly Drive. The fence and retaining wall must be relocated to be within the applicant's own 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 to the following application.

Comments Prepared by: Petrele Francois, Junior Planner