

# City of Mississauga

Memorandum:

## City Department and Agency Comments

Date Finalized: 2024-10-30	File(s): A488.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:11/7/2024 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 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 an accessory structure height of 3.30m (approx. 10.83ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.00m (approx. 9.84ft) in this instance.

### Background

**Property Address: 2307 Malden Court**

#### Mississauga Official Plan

Character Area: Sheridan Neighbourhood  
Designation: Residential Low Density II

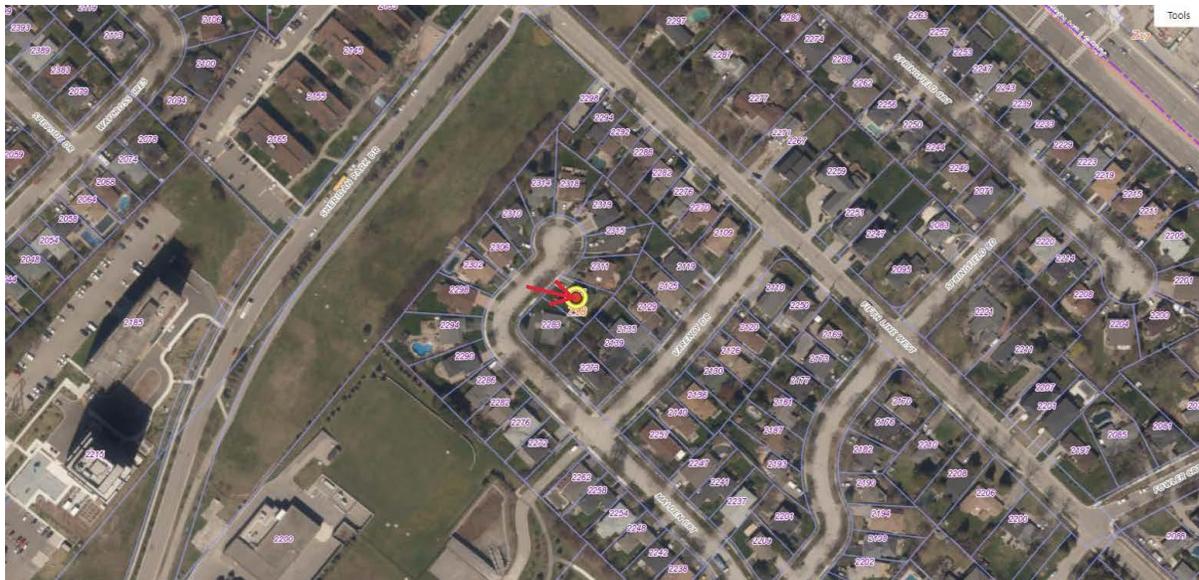
#### Zoning By-law 0225-2007

**Zoning: R3 - Residential**

## Site and Area Context

The subject property is located within the Sheridan Neighbourhood Character Area, west of Erin Mills Parkway and south of Sheridan Park Drive. The immediate area consists of one and two-storey single detached dwellings on large lots with mature vegetation in both the front and rear yards. The subject property contains a two-storey detached dwelling with mature vegetation in the front yard.

The application proposes to legalize an existing accessory structure requesting a variance for accessory structure height.



## 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 Sheridan Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached and duplex dwellings. Section 9 of MOP promotes development with appropriate urban form and site design and contains policies requiring development to be compatible with the immediate vicinity.

The proposed variance is required to legalize an existing accessory structure on the subject property. Variance #1 pertains to its height. The intent of the zoning by-law provisions regarding accessory structures is to ensure that the structures are proportional to the lot and dwelling and clearly accessory while not presenting any massing or overlook concerns to neighbouring lots.

Staff are of the opinion that the proposed height represents a small deviation from what is currently permitted as of right in the zoning by-law and are satisfied that the variance will have minimal massing impacts. Staff note the roof of the accessory structure is sloped in a manner where the height towards the neighbouring property is 2.7m(8.9ft), which is within the by-law permissions.

Furthermore, no variances have been requested for area, setbacks or coverage, limiting the impacts to abutting properties. As such, staff are of the opinion that the requested variance is minor in nature and the accessory structure meets the intent of the zoning by-law with respect to height regulations.

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: Shivani Chopra, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed you will find pictures of the existing structure. We have no concerns provided that the rear of the structure be equipped with an eaves trough and down spout at directed in such a manor to not impact the adjacent properties.

Comments Prepared by: John Salvino, Development Engineering Technologist



### Appendix 2 – Zoning Comments

In the absence of a Development application 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.

For scope of work that does not require Site Plan Approval/Building Permit/Zoning Certificate of Occupancy Permit, the applicant may consider applying for a Preliminary Zoning Review application. A detailed site plan drawing and architectural plans are required for a detailed zoning review to be completed. A minimum of 6-8 weeks is required depending on the complexity of the proposal and the quality of information submitted.

Comments Prepared by: Emily Majeed, Planner-in-Training

### **Appendix 3 – Parks, Forestry & Environment**

#### Forestry Comments

The Forestry Section of the Community Services Department has reviewed the above noted minor variance application and advises as follows:

1. No public trees shall be injured or removed. If public tree injury or removal is required, a permit must be issued as per By-law 0020-2022.
2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Removal Permit, written consent must be obtained by both parties.

A Tree Removal Application to Permit the Injury or Destruction of Trees on Public and Private Property can be found at <https://www.mississauga.ca/publication/application-to-permit-the-injury-or-destruction-of-trees-on-public-and-private-property/>.

Should further information be required, please contact Jamie Meston, Landscape Technician, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email [jamie.meston@mississauga.ca](mailto:jamie.meston@mississauga.ca).

Comments Prepared by: Jamie Meston, Landscape Technician

**Appendix 4 – Region of Peel Comments**

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner