

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2024-11-21	File(s): A505.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:11/28/2024 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 the construction of an accessory structure proposing:

1. An accessory structure area of 35.67sq m (approx. 383.95sq ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 20.00sq m (approx. 215.28sq ft) in this instance; and
2. An accessory structure height to the highest point of 5.61m (approx. 18.41ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height to the highest point of 3.50m (approx. 11.48ft) in this instance.

Background

Property Address: 1525 Glenburnie Rd

Mississauga Official Plan

Character Area: Mineola Neighborhood
Designation: Greenlands; Residential Low Density I

Zoning By-law 0225-2007

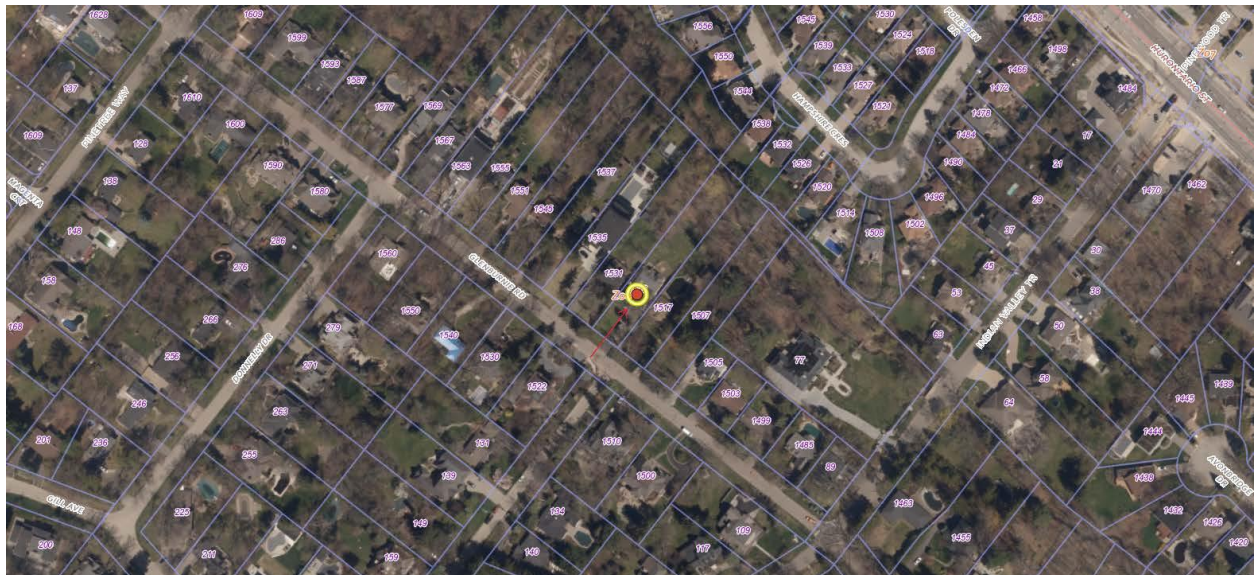
Zoning: R3-1 - Residential

Other Applications: Building Permit Application BP 9NEW 24-3238

Site and Area Context

The subject property is located within the Mineola Park Neighbourhood Character Area, north of Indian Valley Trail and west of Hurontario Street. The immediate neighbourhood is residential, consisting primarily of two-storey detached dwellings on large lots with significant mature vegetation in the front yards. The subject property contains a one-storey detached dwelling with mature vegetation in the front yard.

The application is proposing an accessory structure requiring variances related to accessory structure area and 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 designated Greenlands and Residential Low Density I on Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached and duplex dwellings. Section 16.18.1 of the MOP discourages large accessory structures and promotes minimal impact on adjacent neighbours with respect to overshadowing and overlook.

The applicant is proposing an accessory structure height of 5.61m (18.41ft) and an area of 35.67m² (approx. 383.95ft²). Staff note while the proposed area is within the permissible maximum combined accessory structure area of 60m², staff have concerns with the proposed height.

The intent of the Zoning by-law is to limit accessory structures to one storey in height. The proposed structure is two stories in height and is 2.11m (6.93ft) over the permissible regulations. Staff are of the opinion that the proposed height is excessive and does not maintain the intent of the by-law.

Further, staff note through a review of the site photographs provided by Transportation and Works staff, there appears to be a fireplace structure that has not been indicated in the submitted drawings and the building permit application. While staff are unable to confirm if the additional structure requires any variances, staff recommend the applicant update the drawings for an accurate Zoning review.

As such, staff recommend that the application be deferred to allow the applicant an opportunity to address the above noted concerns.

Comments Prepared by: Shivani Chopra, 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 structure are being addressed by our Development Construction Section through Building Permit BP 9NEW-24/3238.

Comments Prepared by: John Salvino, Development Engineering Technologist







Appendix 2 – Zoning Comments

The Building Division is processing Building Permit Application BP 9NEW 24-3238. Based on the review of the information available in this application, the requested variance(s) is/are correct.

Our comments may no longer be valid should there be changes in the Committee of Adjustment application that have yet to be submitted and reviewed through the Building Division application. To receive updated comments, the applicant must submit any changes to information or drawings separately through the above application.

Comments Prepared by: Andrew Wemekamp, Zoning Plans Examiner.

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.

Comments Prepared by: Jamie Meston, Landscape Technician

Appendix 4 – Region of Peel Comments

Minor Variance Application: A-24-505M / 1525 Glenburnie Road

Development Engineering: Brian Melnyk (brian.melnik@peelregion.ca)(905) 791-7800 x3602

Comments:

- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections by email at siteplanservicing@peelregion.ca.
- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more

information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.

Note: Petrele Francois (petrele.francois@peelregion.ca)(905) 791-7800 x3356

- Please be advised that part of the subject lands is located within a floodplain and the regulated area of the Credit Valley Conservation Authority (CVC). We request that City staff consider comments from the CVC and incorporate their conditions of approval appropriately.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 5 – MTO

Re: **A505.24- 1525 Glenburnie Rd** – Minor Variance

An MTO Building and Land Use permit was issued for the proposed work on 17 July 2024. As a condition of the permit, the work for which this permit was issued must commence within 6 months of the date that the permit was issued, or the permit shall be void and cancelled by the Ministry.

If you have any questions, please feel welcome to ask.

Comments Prepared by: Nicole Hajjar, Corridor Management Officer