

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-01-09	File(s): A567.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:1/16/2025 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 the accuracy of the requested variances and that additional variances are not required.

Application Details

The applicant requests the Committee to approve a minor variance to allow an accessory structure proposing a side yard setback of 1.03m (approx. 3.38ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.20m (approx. 3.94ft) in this instance.

Background

Property Address: 2711 Spruce Needle Crt

Mississauga Official Plan

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

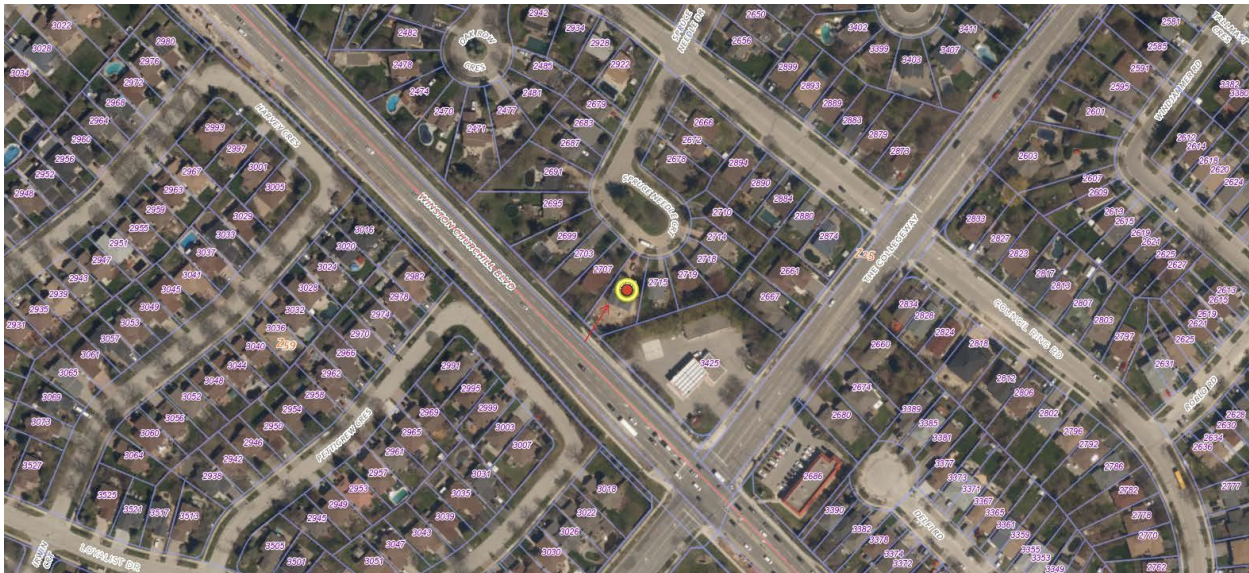
Zoning By-law 0225-2007

Zoning: R4 - Residential

Site and Area Context

The subject property is located northeast of The Collegeway and Winston Churchill Boulevard intersection in the Erin Mills Neighbourhood character area. The lot currently contains a two-storey detached dwelling with an attached garage. Some landscaping and vegetative elements are present in the front yard. The lot is pie-shaped with an approximate lot frontage of +/-8.72m (+/-28.6ft), characteristic of other lots in the area. The surrounding context is predominantly residential, consisting of detached dwellings on lots of generally similar sizes. The property abuts a Petro Canada gas bar on the south.

The applicant is proposing a variance for side yard setback to an 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 I in Schedule 10 of the Mississauga Official Plan (MOP).

This designation permits varying residential built forms, including detached, semi-detached and duplex dwellings.

The sole requested variance seeks to reduce the side yard measured to the accessory structure. The general intent of this portion of the by-law is to ensure that an adequate buffer exists between the massing of structures on adjoining properties, that maintenance can be performed on the structures, and that appropriate drainage patterns can be maintained. Staff note the setback is measured only to a pinch point. The accessory structure and lot line are not parallel, and the setback increases to 2.36m (7.9ft) as you move along to the structure towards the rear side.

Staff are of the opinion that the proposed reduced setbacks will not impact the ability to perform any required maintenance on the structure or provide appropriate drainage patterns. No variance is requested for accessory structure height or structure area, mitigating any massing concerns.

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

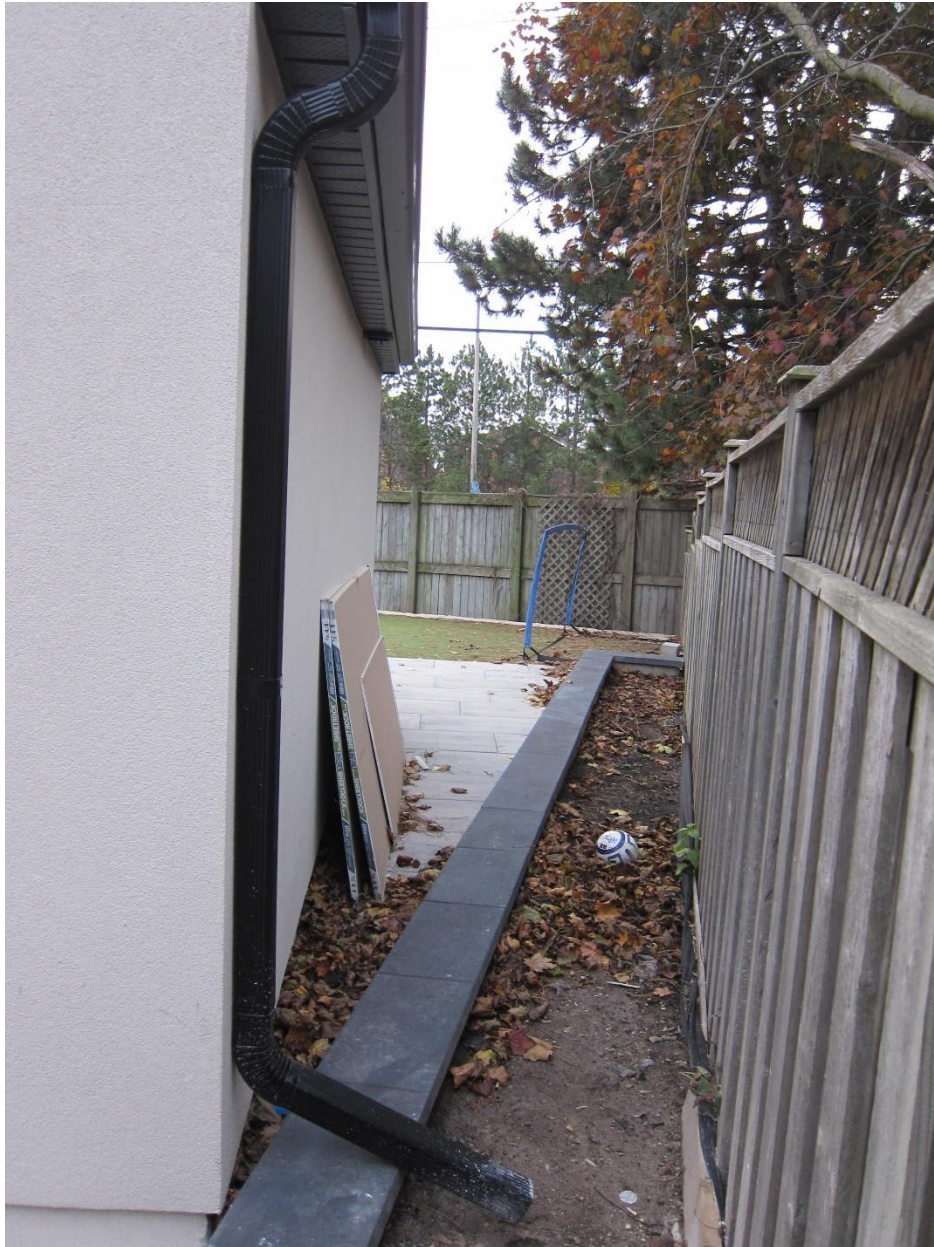
Attached you will find pictures of the existing structure. We draw attention to the down spout at the rear of the shed that is directing the roof top drainage directly onto the neighbouring property. We ask that the down spout be relocated in such a manor to direct the roof top drainage onto the applicant's 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: 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.

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