

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2025-01-17	File(s): A565.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:1/23/2025 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the application, as amended, subject to the condition.

## Application Details

The applicant requests the Committee to approve a minor variance for an accessory structure proposing:

1. A lot coverage of 55.24% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40.00% in this instance;
2. A shed area of 11.16sq m (approx. 120.13sq ft) whereas By-law 0225-2007, as amended, permits a maximum shed area of 10.00sq m (approx. 107.64sq ft) in this instance.

## Amendments

The Building Division is processing Building Permit application BP 9ALT 22-4447. Based on review of the information available in this application, variance # 2 is correct, Zoning staff advise that following amendment is required:

1. A lot coverage of 55.24% (246.36 sqm) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40.00% (178.40 sqm) in this instance;

## Recommended Conditions and Terms

Should the Committee see merit in the application, Planning staff recommend a condition be tied to approval to restrict the increase in lot coverage to the existing decks.

## Background

**Property Address:** 2119 Danube Crt

### Mississauga Official Plan

Character Area: Sheridan Neighbourhood  
Designation: Residential Low Density II

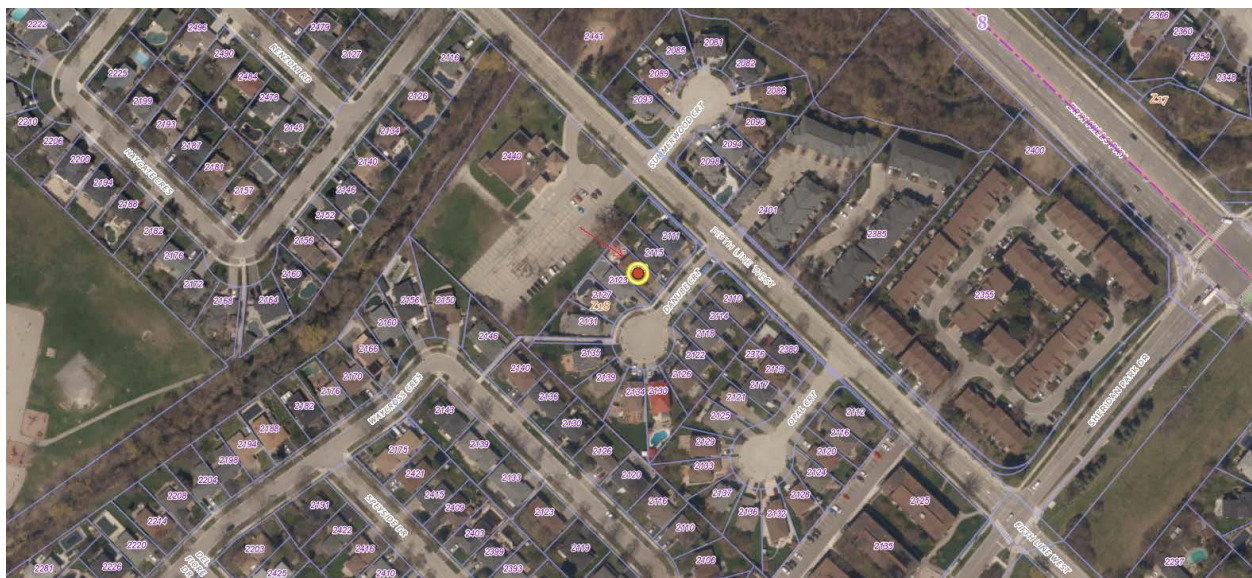
### Zoning By-law 0225-2007

**Zoning:** R4 - Residential

### Site and Area Context

The subject property is located within the Sheridan Neighbourhood Character Area, west of Fifth Line West and north of Sheridan Park Drive. The neighbourhood primarily consists of two-storey detached dwellings. The subject property contains an existing two-storey detached dwelling with an attached garage along with mature vegetation in the front yard.

The applicant is proposing an accessory structure requiring variances for accessory structure area and lot coverage.



## 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 of the four tests to this minor variance request are as follows:

#### **Does the proposal maintain the general intent and purpose of the Official Plan?**

The subject property is located in the Sheridan Neighbourhood West 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 in this instance. Section 9 of MOP promotes development with appropriate urban form and site design and contains policies that requires development to be compatible with the immediate vicinity.

The proposal respects the designated and surrounding land uses. Planning staff are of the opinion that the proposed built form of the accessory structure is appropriate for the subject property given surrounding conditions. Planning staff are satisfied that the general intent and purpose of the official plan are maintained.

#### **Does the proposal maintain the general intent and purpose of the Zoning By-law?**

Variance #1 requests an increase in the lot coverage. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot which would impact the streetscape as well as abutting properties. Staff note that the dwelling's footprint represents approximately 40% of the total lot coverage with an additional 2.46% attributable to the accessory structure. The remaining approx. 12.5% lot coverage is attributed to the upper and lower deck in the rear yard. The dwelling does not require relief from gross floor area or height regulations, thereby by limiting the impact of the building's massing. Staff are of the opinion that elements like the deck do not pose the same massing impacts as the dwelling and do not represent overdevelopment. Staff are satisfied that the lot coverage represents an appropriate balance between the existing and planned character of the area in this instance.

Variances #2 pertains to the proposed accessory structure which consists of a shed. 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. The enclosed structure is 11.16m<sup>2</sup> (120.13ft<sup>2</sup>) in size, 1.16m<sup>2</sup> greater in area than the by-law permits. Staff are of the opinion that the increase is negligible compared to as-of-right permissions already permitted. No variance is requested for combined accessory structure area or height, mitigating potential massing impacts.

Given the above, staff are satisfied that the intent and purpose of the zoning by-law are maintained.

**Is the proposal desirable for the appropriate development of the subject lands and minor in nature?**

Planning staff are of the opinion that the accessory building represents appropriate development of the subject property. It is appropriately located on the site and appropriately sized for the lot. Staff are satisfied that the proposal is compatible with the existing scale and character of the surrounding community. The variance is minor in nature and will not create any additional impacts to abutting properties when compared to as of right permissions.

Comments Prepared by: Shivani Chopra, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed please find pictures of the existing shed and deck. Considering the existing grading conditions on site, we have no concern from a drainage perspective for the shed or the deck.

Comments Prepared by: John Salvino, Development Engineering Technologist













## Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application BP 9ALT 22-4447. Based on review of the information available in this application, variance # 2 is correct, we advise that following amendment is required:

1. A lot coverage of 55.24% (246.36 sqm) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40.00% (178.40 sqm) in this instance;

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: Maria Fernandez, Zoning 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](mailto:jamie.meston@mississauga.ca).

Comments Prepared by: Jamie Meston, Landscape Technician

## Appendix 4 – Region of Peel Comments

Please be advised that part of the subject lands is partially located within 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