

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2025-03-20	File(s): A479.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:3/27/2025 1:00:00 PM

## Consolidated Recommendation

The city has no objective to the application, subject the amendment.

## Application Details

The applicant requests the Committee to approve a minor variance to legalize an accessory structure proposing an accessory structure height of 3.66m (approx. 12.01ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.00m (approx. 9.84ft) in this instance.

### Amendments

Planning staff recommend the following variance:

2. A rear yard setback of 0.48m (approx. 1.57ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 0.61m (approx. 2.00ft) in this instance.

## Background

**Property Address:** 7153 Saint Barbara Blvd

### Mississauga Official Plan

Character Area: Meadowvale Village Neighbourhood  
Designation: Residential Low Density II

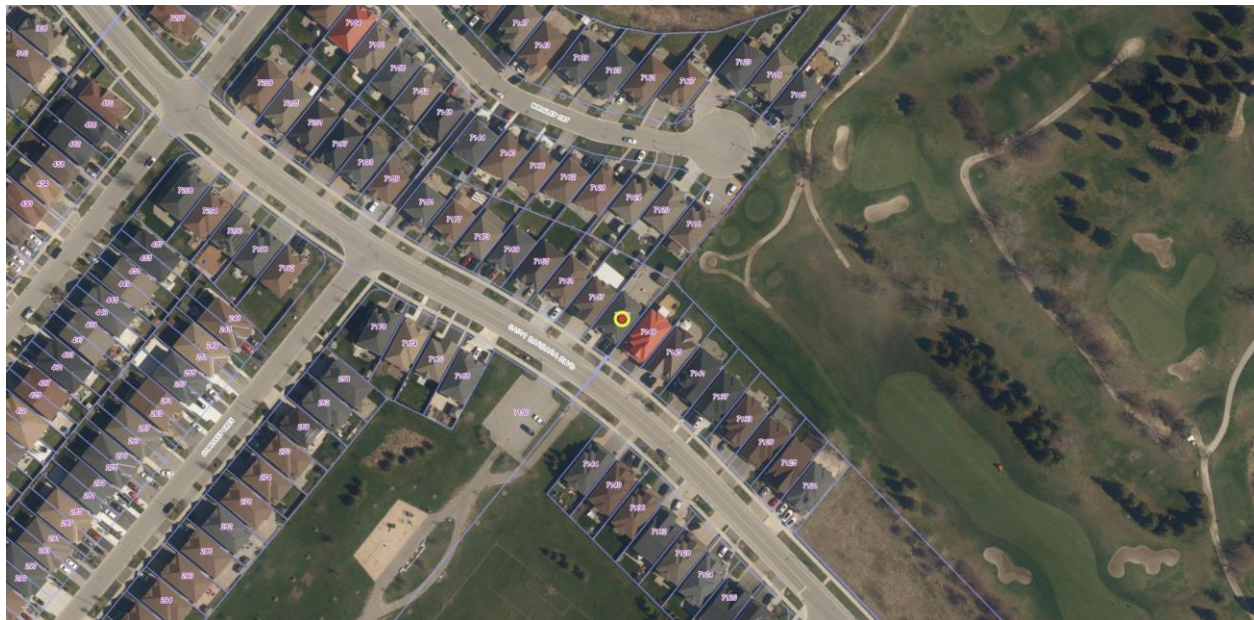
### Zoning By-law 0225-2007

**Zoning:** R3 - Residential

**Other Applications: BP 9NEW 95302****Site and Area Context**

The subject property is located north-east of the Derry Road West and McLaughlin Road intersection in the Meadowvale Village Neighbourhood Character Area. It is an interior lot containing a two-storey detached dwelling with an attached garage. Limited landscaping and vegetative elements are present in the front and rear yards. The property has an approximate frontage of +/- 12.00m (39.37ft) and a lot area of +/- 449.10m<sup>2</sup> (1473.42ft<sup>2</sup>), characteristic of lots in the area. The surrounding context is predominantly residential, consisting of two-storey detached dwellings on similarly sized lots and Derrydale Golf Course abutting the subject property to the east.

The applicant is proposing to legalise an existing accessory structure requiring variances for height and rear yard setback.

**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 East Credit Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. Staff are of the opinion that the existing accessory structure has not and will continue to not have any negative impact on the abutting properties or the surrounding community. Staff are of the opinion that the general intent and purpose of the Official Plan is maintained.

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

The only requested variance relates to accessory structure 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 are clearly accessory, while not presenting any massing concerns to neighbouring lots. Staff note the increased height is due to the peaked roof design and represents a small deviation from what is currently permitted as of right in the zoning by-law. Therefore, staff do not anticipate any massing concerns as a result of the variance request.

Variance #2, as recommend by planning staff as per table 4.1.2.2 (Zoning By-law 0225-2007), requests a reduced rear yard setback 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 are of the opinion that the proposed reduced setback of 0.13m (0.41ft) will not impact the ability to perform ongoing maintenance on the structure or provide appropriate drainage patterns. Furthermore, staff note that the proposed reduction is only for a portion of the structure and that the majority of the structure exceeds the setback requirements.

Given the above staff are of the opinion that the variances, both individually and cumulatively, maintain the general intent and purpose of the zoning by-law.

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

Staff are of the opinion that the proposal creates only minor impacts on abutting properties and the streetscape. Furthermore, staff are satisfied that the proposed accessory structure is appropriately sized and located and therefore represents appropriate development of the subject lands.

Comments Prepared by: Sara Ukaj, Planning Associate

## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference are photos depicting the accessory structure. The design of the structure would not allow for an eavestrough/downspout to be added, however, even if one was installed it would not impact the direction the drainage is directed to as the abutting property to the south is at a much lower elevation.

It is our understanding that the City is also processing an application for the subject property, BP 9NEW 95302.









Comments Prepared by: Tony Iacobucci, Development Engineering

## 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: Carrie Chan Patch, Zoning Examiner