

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-03-20	File(s): A59.25
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. 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 a shed in the rear yard proposing a shed height of 4.72m (approx. 15.49ft) whereas By-law 0225-2007, as amended, permits a maximum shed height of 3.50m (approx. 11.48ft) in this instance.

Background

Property Address: 1345 Gatehouse Dr

Mississauga Official Plan

Character Area: Clarkson-Lorne Park Neighbourhood
Designation: Greenlands & Residential Low Density I

Zoning By-law 0225-2007

Zoning: R2-4-Residential

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southeast of the Bexhill Road and Lakeshore Road West intersection. It contains a two-storey detached dwelling with mature vegetation in the front yard. It has an approximate frontage of +/- 24.43m (80.15ft) and a lot area of +/- 1531.78 m² (5025.52ft²). The immediate area consists of one and two-storey detached dwellings on large lots with significant mature vegetation in both front, side and rear yards.

The application proposes an accessory structure requiring a variance for a 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 of the four tests to this minor variance request are as follows:

Staff note the subject property lies within a CVC regulated zone, as per CVC review, the proposed accessory structure does not require a CVC permit as it is less than 15m². The applicant has provided a copy of the communication from the CVC to the committee as outlined below.

“Based on the review of the information provided, it is our understanding that the proposed shed has an area of less than 15 square meters. In accordance with Ontario

Regulation 41/24 (O.Reg. 41/24), structures that are equal to or less than 15 square meters in area are exempt from requiring a CVC permit. The shed subject to this application meets this exemption. Please note that the shed is currently planned to be situated within a valley slope.

To ensure long-term protection and management of hazardous lands relocating the shed outside of the identified valley (including associated buffer zones) should be considered.”

Planning staff have had communication with the Stuti, the Planner at the CVC to confirming the information above.

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

The subject property is located in the Clarkson-Lorne Park Neighbourhood Character Area and is designated Residential Low Density I and Greenlands on Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached dwellings. 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?

Variance #1 relates to the existing 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 accessory structure itself is 2.67m (8.75ft), it is the location of the accessory structure which triggers the height variance. The additional 2.05m (6.72ft) are attributed to the support beams that sit in the “Natural Feature line” as identified on the site plan. Given the valley slope, the proposed accessory structure height that would be visible from average grade is within the permissible height. It is in staff’s opinion that the variance is technical in nature. Therefore, staff do not anticipate any massing concerns as a result of the variance request.

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 in relation to the requested height variance. Furthermore, staff are satisfied that the proposed accessory structure is appropriately sized and therefore not negatively impact the surrounding community.

Comments Prepared by: Sara Ukaj, Planning Associate

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for easy reference are pictures of the existing shed. We advise that the shed is situated entirely on lands that are regulated by The Credit Valley Conservation Authority. All approvals must come from them.

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: Carrie Chan Patch, 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.

An 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

Appendix 5- Conservation Authority Comments

Credit Valley Conservation (CVC) staff have reviewed the subject application and offer comments based on the following roles and responsibilities:

1. Delegated Responsibilities providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 5.1 and 5.2 of the Provincial Planning Statement (2024);
2. Regulatory Responsibilities providing comments to ensure the coordination of requirements under the Conservation Authorities Act Section 28 regulation, to eliminate unnecessary delay or duplication in process.
3. Source Protection Agency providing advisory comments to assist with the implementation of the CTC Source Protection Plan under the Clean Water Act, as applicable.

CVC REGULATED AREA

Based on our mapping, the subject property is regulated due to slope hazard associated with Turtle creek. As such, the property is subject to the Prohibited Activities, Exemptions, and Permits Regulation (Ontario Regulation 41/24). This regulation prohibits altering a

watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

PROPOSAL:

It is our understanding that the applicant is requesting the Committee to allow a shed in the rear yard proposing a shed height of 4.72m (approx. 15.49ft) whereas By-law 0225-2007, as amended, permits a maximum shed height of 3.50m (approx. 11.48ft) in this instance.

COMMENTS:

Based on the review of the information provided, it is our understanding that the proposed shed has an area of less than 15 square meters. In accordance with Ontario Regulation 41/24 (O.Reg. 41/24), structures that are equal to or less than 15 square meters in area are exempt from requiring a CVC permit. The shed subject to this application meets this exemption.

Please note that the shed is currently planned to be situated within a valley slope. To ensure long-term protection and management of hazardous lands relocating the shed outside of the identified valley (including associated buffer zones) should be considered.

The applicant is advised that the subject property is regulated by CVC and any future works proposed will require a CVC review and may need a CVC permit.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at stuti.bhatt@cvc.ca or 905-670-1615 (ext. 3500) should you have any further questions. Please circulate CVC on any future correspondence or applications regarding this site.

Comments Prepared by: Stuti Bhatt, Junior Planner