

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-04-03	File(s): A76.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:4/10/2025 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, subject to the recommended condition. 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:

1. A rear yard setback of 0.914m (approx. 3.00ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 1.20m (approx. 3.94ft) in this instance;
2. An interior side yard setback of 0.914m (approx. 3.00ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) in this instance;
3. An accessory structure area of 30.10sq m (approx. 324.00sq 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
4. A height for an accessory structure of 3.95m (approx. 12.96ft) whereas By-law 0225-2007, as amended, permits a maximum height for an accessory structure of 3.50m (approx. 11.48ft) in this instance.

Recommended Conditions and Terms

Should the Committee see merit in the application, Transportation and Works staff recommend the following condition:

The structure be equipped with an eaves trough and down spout directed in such a manor to not impact any of the adjacent properties.

Background

Property Address: 1987 Balsam Ave

Mississauga Official Plan

Character Area: Clarkson - Lorne Park Neighborhood
Designation: Residential Low Density II

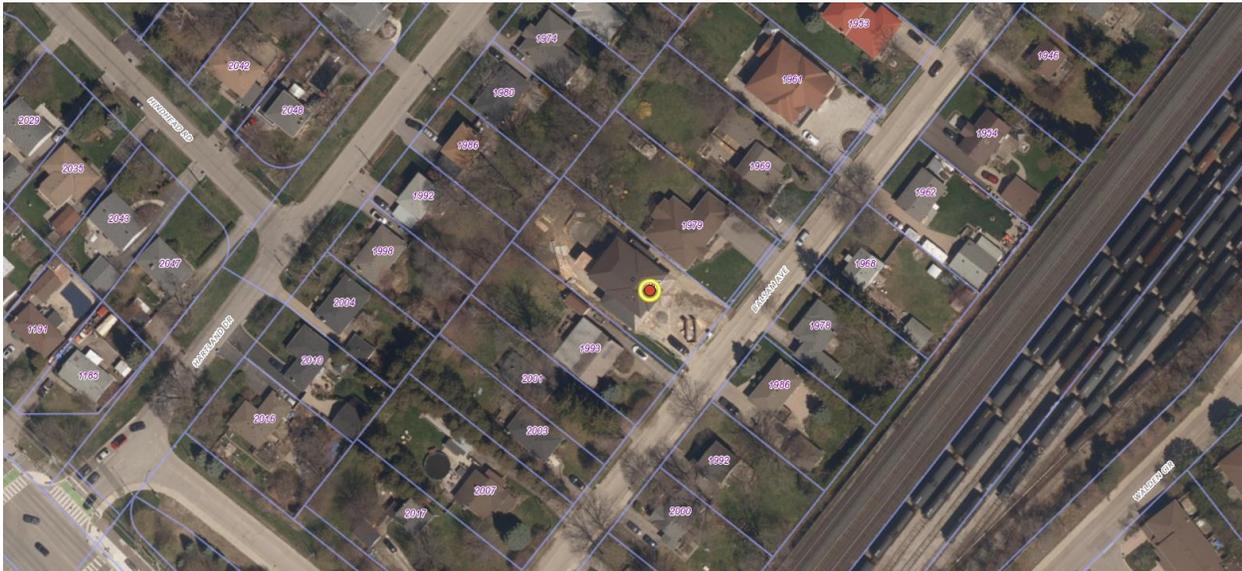
Zoning By-law 0225-2007

Zoning: R3-2-Residential
Other applications: Building Permit application BP 9NEW 25-5918.

Site and Area Context

The subject property is located northeast of the Southdown Road and Lakeshore Road West intersection. Currently the property houses a two-storey, detached dwelling with an attached garage. There are limited vegetative and landscape elements on the property. The immediate neighbourhood is comprised primarily of two-storey detached dwellings on lots of similar sizes.

The applicant is proposing an accessory structure requesting variances for rear yard setback, side yard setback, 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 located in the Clarkson Lorne Park Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached dwellings only in this instance.

Variations #1 and #2 seek to reduce the rear and side yard setbacks measured to the existing accessory structure. Variations #3 and #4 pertain to accessory structure area and height. The general intent in regulating accessory structure setbacks 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. Furthermore, that the structures are proportional to the lot and dwelling and clearly accessory while not presenting any massing concerns to neighbouring lots.

Staff are satisfied that the reduced setbacks will not impact the ability to perform any required maintenance on the structure. Staff note that the structure represents approximately 2.25% of the total lot area and is clearly accessory to the primary structure on the property. Staff are satisfied that any massing impacts on abutting properties are minor in nature. Staff also note that the height

variance is required only for the sloped portion of the roof. Lastly, the Transportation & Works Department has reviewed the application and note no drainage 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

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed accessory will be addressed by our Development Construction Section through Building Permit BP 9NEW-25/5918. We ask that the structure be equipped with an eaves trough and down spout directed in such a manor to not impact any of the adjacent properties.

Comments Prepared by: John Salvino, Development Engineering Technologist



Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application BP 9NEW 25-5918. Based on the review of the information available in this application, the requested variances 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: Gary Gagnier, 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 – Metrolinx

- The subject property is located within 300m of the Metrolinx Oakville Subdivision, which carries Metrolinx's Lakeshore West GO Train service.

GO/HEAVY-RAIL – ADVISORY COMMENTS

- As the requested variances have minimal impact on Metrolinx property (i.e. Milton Corridor), Metrolinx has no objections to the specified variances should the Committee grant approval.
- The Proponent is advised of the following:
 - **Warning:** The Applicant is advised that the subject land is located within Metrolinx's 300 metres railway corridor zone of influence and as such is advised that Metrolinx and its assigns and successors in interest has or have a right-of-way within 300 metres from the subject land. The Applicant is further advised that there may be alterations to or expansions of the rail or other transit facilities on such right-of-way in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx to use the right-of-way or their assigns or successors as aforesaid may expand or alter their operations, which expansion or alteration may affect the environment of the occupants in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual lots, blocks or units

Should you have any questions or concerns, please contact jenna.auger@metrolinx.com.

Comments Prepared by: Jenna Auger, Third Party Project Review