

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-04-03	File(s): A603.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:4/10/2025 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an accessory structure proposing:

1. An combined occupied area for all accessory buildings and structures of 34.86sq.m (approx. 375.23sq.ft) whereas By-law 0225-2007, as amended, permits a maximum combined occupied area for all accessory buildings and structures of 30.00sq.m (approx. 322.92sq.ft) in this instance;
2. A height of 4.33m (approx. 14.21ft) whereas By-law 0225-2007, as amended, permits a maximum height of 3.00m (approx. 9.84ft) in this instance;
3. A rear yard of 0.25m (approx. 0.82ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 0.61m (approx. 2.00ft) in this instance;
4. An area of 18.58sq.m (approx. 199.99sq.ft) whereas By-law 0225-2007, as amended, permits a maximum area of 10.00sq.m (approx. 107.64sq.ft) in this instance; and
5. A lot coverage of 50.50% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35% of the lot area in this instance.

Amendments

The Building Department is processing Building Permit application 24-212. Based on review of the information available in this application, we advise that following amendment(s) is/are required:

4. An area of 31.22sq.m (approx. 336.05sq.ft) whereas By-law 0225-2007, as amended, permits a maximum area of 10.00sq.m (approx. 107.64sq.ft) in this instance; (Reason - Eaves overhang on shed, greater then 0.45m wide, added to Accessory Structure Area.)

Background

Property Address: 3703 Broomhill Cres

Mississauga Official Plan

Character Area: Applewood Neighbourhood

Designation: Residential Low Density II

Zoning By-law 0225-2007

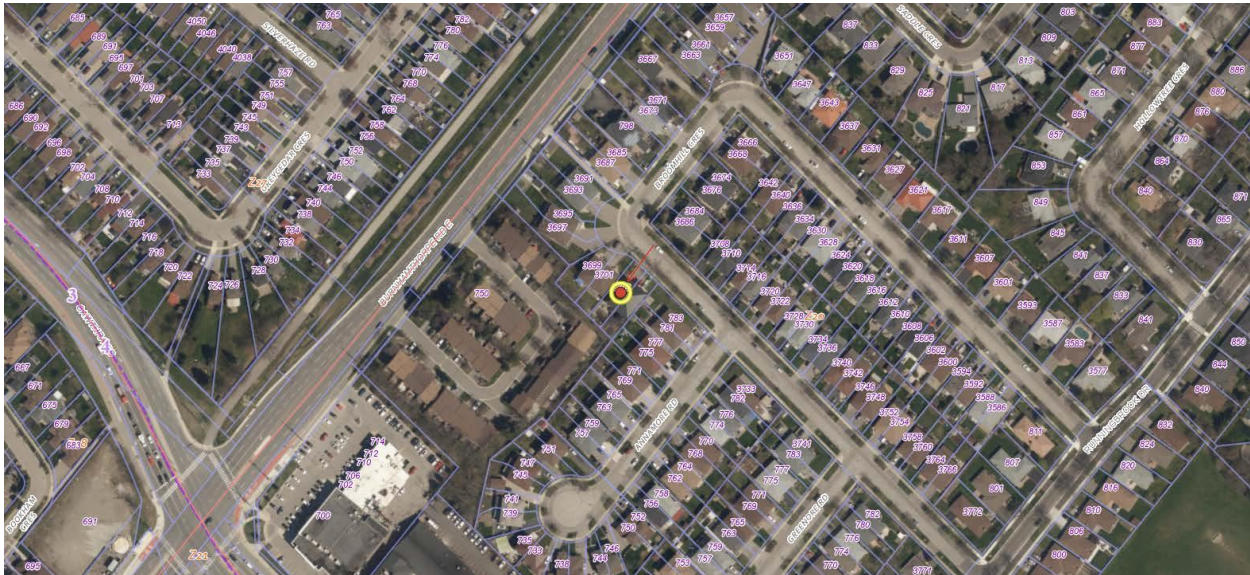
Zoning: RM1 - Residential

Other Applications: BP 24-212

Site and Area Context

The subject property is located north-east of the Burnhamthorpe Road East and Cawthra Road intersection in the Applewood Neighbourhood Character Area. It has an approximate lot frontage of +/- 8.33m (30ft) and a lot area of +/- 360.44m² (1,191.06ft²). Currently the property contains a two-storey semi-detached dwelling with an attached garage. The lot features limited vegetative and landscaping elements in both the front and rear yard. The surrounding area context is predominantly residential consisting of semi-detached dwellings on similarly sized lots, and townhouse dwellings located to the rear of the property.

The Applicant is proposing to construct an accessory structure requiring variances for accessory structure combined area, accessory structure area and height, rear yard setback to the eaves 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:

Planning staff note the applicant requested deferral of the application on January 30th, 2025, to verify that the correct variances were identified. In the previous Committee of Adjustment report, Zoning staff noted the applicant had not gone through a full review and that the variances could not be confirmed. Since then, a full review has been completed, and Zoning staff have amended variance #4 and confirmed the accuracy of the other variances.

Requested variances #1, 2 and 3 and the associated staff comments remain unchanged from the original submission.

Variance 4 relates to both the individual and combined area of the proposed accessory structure(s) on the subject property. The accessory structure area exceeds both the individual maximum area permitted for an individual accessory structure and total combined area for all accessory structures. The proposed accessory structure has a total area of 31.22m² (102.42ft²), of which the eaves of the accessory structure account for 12.64m² (136.05ft²). The massing impacts of the proposed shed, excluding eaves, would be less than the permitted three structures as of right. When combining the total area dedicated for all accessory structures, both existing and proposed, the proposal will result in a total accessory structure area of 34.86m² (375.22ft²), 4.86m² (15.94ft²) more than what is permitted as of right. The proposed increase in total accessory structures area is within the acceptable combined accessory structure area

limits. Staff are of the opinion that the proposed structure is clearly proportional and accessory to the lot and primary dwelling and will have no significant massing impacts on the surrounding properties.

Variance #5 requests an increase in lot coverage. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot that would impact the streetscape and abutting properties. Staff note the existing dwelling, and eaves account for approximately 37.13% of the lot coverage, furthermore, approximately 4.7% is attributed to the existing balcony, front porch and gazebo. Of the 50.5% lot coverage the proposed accessory structure and eaves account for an 8.67%, of which 3.5% is resulting from the eaves of the shed. Staff note that of the lot coverage that is being requested to accommodate the shed, 40.5% is attributed to the eaves. Staff are therefore of the opinion the proposed accessory structure does not represent an overdevelopment of the subject property and will not impose any massing concerns to the surrounding neighbourhood.

Based on the information in the previous and current report, staff are satisfied the proposal maintains the general intent and purpose of the zoning by-law.

Staff are of the opinion that the variances, both individually and cumulatively, are minor in nature and represent appropriate development of the subject property.

Comments Prepared by: Sara Ukaj, Planning Associate

Appendices

Appendix 1 – Transportation and Works Comments

From our site inspection of the property, we note that we do not foresee any drainage related concerns with the accessory structure provided that the existing drainage pattern be maintained. We note that the rear yard slopes towards the rear where drainage is directed towards an existing catch basin located on the abutting townhouse development located at 750 Burnhamthorpe Road East.







Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application 24-212. Based on review of the information available in this application, we advise that following amendment(s) is/are required:

#4 – Updated to "An area of 31.22sq.m (approx. 336.05sq.ft) whereas By-law 0225-2007, as amended, permits a maximum area of 10.00sq.m (approx. 107.64sq.ft) in this instance;" (Reason - Eaves overhang on shed, greater than 0.45m wide, added to Accessory Structure Area.)

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: Andrew Wemekamp, 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