

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-06-12	File(s): A171.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:6/19/2025 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application, subject to the amendment. 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 an accessory structure proposing:

1. A lot coverage of 48.00% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40.00% in this instance; and
2. An accessory structure area of 16.39sq m (approx. 176.42sq ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 10.00sq m (approx. 107.64sq ft) in this instance.

Amendments

While Planning staff are not in a position to provide a Zoning review, staff note the following amendments may be required:

3. side yard setbacks to hardscaping of 0.10m (approx. 0.32ft) whereas By-law 0225-2007, as amended, requires minimum interior side yard setbacks to hardscaping of 0.61m (approx. 2.00ft) in this instance.

Background

Property Address: 4026 Westminster PI

Mississauga Official Plan

Character Area: Rathburn Neighbourhood Character Area
Designation: Low Density I

Zoning By-law 0225-2007

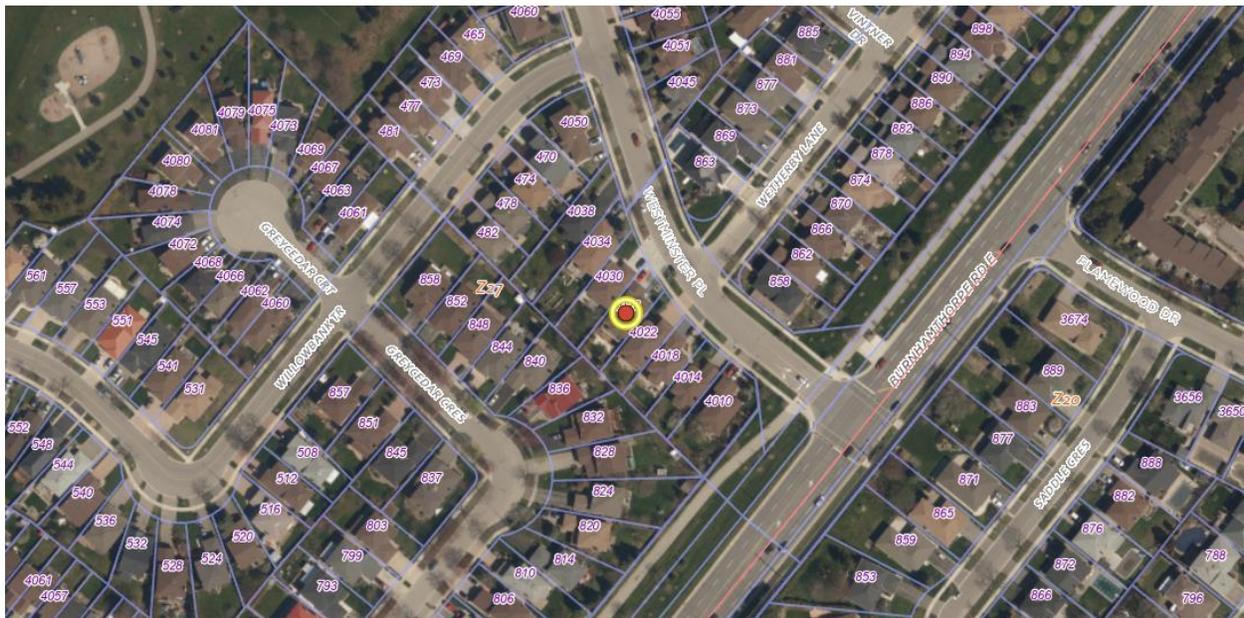
Zoning: RS - Residential

Other Applications: BP 9ALT 25-6740

Site and Area Context

The subject property is situated south-west of the Burnhamthorpe Road East and Westminster Place intersection. The subject property is an interior parcel with a lot area of +/493.40m² (1,618.76 ft²). The property currently contains a two-storey detached dwelling with a double-car garage and possesses minimal vegetation/ landscape elements in the front and rear yards. Contextually, the surrounding neighbourhood is comprised exclusively of detached dwellings with minimal vegetation and landscape elements in the front yards.

The application proposes an accessory structure requiring a variance for lot coverage and accessory structure area.



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 site is located within the Rathburn Neighbourhood Character Area, and designated Residential Low Density I by the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached dwellings; semi-detached dwellings; duplex dwellings; and, triplexes, street townhouses, and other forms of low-rise dwellings with individual frontages. 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 therefore satisfied that the proposal maintains the general intent and purpose of the official plan.

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

Variance 1 represents 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 as well as abutting properties. The existing dwelling accounts for 34.27% of the lot coverage with an proposed an additional 13.73% for the second storey deck, rear yard canopy and accessory structure. Staff note that the rear canopy is open on three sides, limiting any massing impacts to abutting properties. The proposed second storey deck is located above the proposed canopy and is approximate half of the depth of the proposed first storey canopy, this provides a gradual step back from the dwelling wall to the second storey deck and first storey canopy. Screening for the proposed second storey deck would help mitigate any privacy concerns from the neighbouring properties. Staff are satisfied that the proposal is sympathetic to both the planned character of the area and existing dwellings.

Variance 2 pertains to an increase accessory structure floor area. 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 that the massing impacts of the proposed shed would be less than the permitted total accessory structure floor area as of right. Staff find the proposed increase in floor area is minor and are of the opinion that the proposal does not represent overdevelopment of the lot. Staff note that the applicant has confirmed that they will be building the to the maximum permissible by-law requirement for height and therefore will not be requiring a height variance. Furthermore, the structure will not have any impacts to the streetscape or the residential character of the property.

Variance 3 pertains to a reduced setback to hardscaping in the rear yard. The intent of this regulation in the by-law is to ensure that an appropriate buffer exists between abutting

properties and that appropriate drainage patterns can be maintained. Staff note that the hardscaped area does not extend the entire length of the property line and maintains some soft landscaping in the rear yard. Transportation and Works staff have no concerns regarding drainage because the hardscaping does not extend to the rear lot line. This will allow for maintenance of the drainage swale ensuring that drainage from the abutting lots is not impeded.

Given the above, staff are satisfied that the proposal maintains 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 satisfied that the proposal represents appropriate development of the subject lands. The variances, both individually and cumulatively, are minor in nature and the proposed dwelling will not create any undue impacts to adjoining properties or the planned and existing character of the area.

Comments Prepared by: Sara Ukaj, Planning Associate

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for this property will be addressed through the Building Permit process, BP 9ALT 25-6740.

From our site inspection, and as evident in the attached photos, the applicant is in the process of site preparation for the proposed canopy, deck, patio, storage shed and artificial turf, as depicted on the submitted Site Plan drawings. We also note that there is an existing catch basin located at the rear of the property and any proposed works within the rear yard must not impact the function of the existing catch basin or existing drainage pattern on the subject lands.

Further, we note that the approved Lot Grading Plan for this property, Plan C24433 prepared by G. Eric Hanson Associates Limited (October 1983) indicates that the drainage from Lot #4 to the south and Lot #6 to the north were also designed to be directed into the catch basin located on the subject lands (Lot 5). With the above in mind, it is essential that any proposed works in the rear yard be constructed such that a drainage swale is maintained in the rear yard so that drainage from the abutting lots is not impeded.









Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Department is processing Building Permit/Certificate of Occupancy/ Preliminary Zoning Review/Independent Zoning Review application BP 9ALT 25-6740. Based on review of the information available in this application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Please note that comments reflect those provided through the above application. These comments may no longer be valid should there be changes contained within this Committee of Adjustment application that have not been submitted and reviewed through the application noted above. The applicant must submit any changes and/or updates to information and/or drawings separately through the above application in order to receive updated comments.

Comments Prepared by: Emily Majeed, 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: Ayooluwa Ayoola, Planner

Appendix 5 – Trans-Northern Pipelines Inc.

Thank you for providing Trans-Northern Pipeline Inc. (TNPI) with the application for minor variance to allow for an accessory structure with an area of 16.39 sq m, whereas the current By-law allows for an area of 10 sq m. The accessory structure is intended to provide more space for the family. TNPI currently operates two high-pressure petroleum products transmission pipeline within a 25 foot Right-of-Way (ROW) on the adjacent property to the West of the proposed development relating to 4026 Westminster Pl, Mississauga.

Please note the following in relation to the proposed development;

- Permanent structures are not allowed within the ROW and are recommended to be setback 10 m from the ROW
- Access to the ROW must be maintained at all times, for operational and maintenance purposes
- Any utilities proposed to cross the ROW will require a permit which may be requested by submitting an email to crossingrequestseast@tnpi.ca
- Any vehicles to cross the ROW, for temporary construction access, must obtain a permit to do so (see above email)
- If required, please submit the permit received to landroweast@tnpi.ca for tracking purposes

Please note, any development plans within the right-of-way will require a permit which can be requested by following the steps described near the end of this response.

Please note that, Trans-Northern is regulated by the Canada Energy Regulator. Section 335 (1) and (2) of the Canadian Energy Regulator Act, provides that:

- *It is prohibited for any person to construct a facility across, on, along or under a pipeline or engage in an activity that causes a ground disturbance within the prescribed area unless the construction or activity is authorized or required by the orders made under subsection (3) or (4) or regulations made under subsections (5) or (6) and done in accordance with them.*
- **Prohibition — vehicles and mobile equipment**

It is prohibited for any person to operate a vehicle or mobile equipment across a pipeline unless

- o (a) that operation is authorized or required by orders made under subsection (3) or (4) or regulations made under subsections (5) or (6) and done in accordance with them; or*

- o (b) the vehicle or equipment is operated within the travelled portion of a highway or public road.*

If there is to be development (not discovered in this review) within the 30 metres prescribed are additional steps will be required. Additionally, should the applicant propose to cross the pipeline with a vehicle or construct a facility across, on, along or under the pipeline, the applicant would be required to contact TNPI prior to commencement of their work to receive the required authorization.

Our pipelines are registered with On1Call, which upon receiving your request, quickly connects you/your representative with an individual at TNPI who will determine if a written approval is required before you can begin your proposed activities. If required, you will be prompted to request a Crossing Agreement/Permit and provided with information on how to proceed. Crossing Permits, issued for activities proposed within TNPI's easement, can be requested by email submission atcrossingrequestseast@tnpi.ca. Please note that it may take up to 10 business days to receive approval once all necessary information has been received.

Should the applicant require further information on the technical requirements related to ground disturbance or crossing of the pipeline, they may contact Michelle Gruszecki, Property and Right-of-Way Administrator via email at mgruszecki@tnpi.ca

Comments Prepared by: Michelle Gruszecki, Property & Right-of-Way Administrator