

# City of Mississauga Department Comments

Date Finalized: 2023-06-14	File(s): A191.23
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2023-06-22 3:30:00 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, as requested, meets the requirements of Section 45(1) of the Planning Act.

## Application Details

The applicant requests the Committee to approve a minor variance to allow a dwelling and deck with a lot coverage of 43.6% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40.0% in this instance.

## Background

**Property Address:** 982 Silver Birch Trail

### Mississauga Official Plan

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

### Zoning By-law 0225-2007

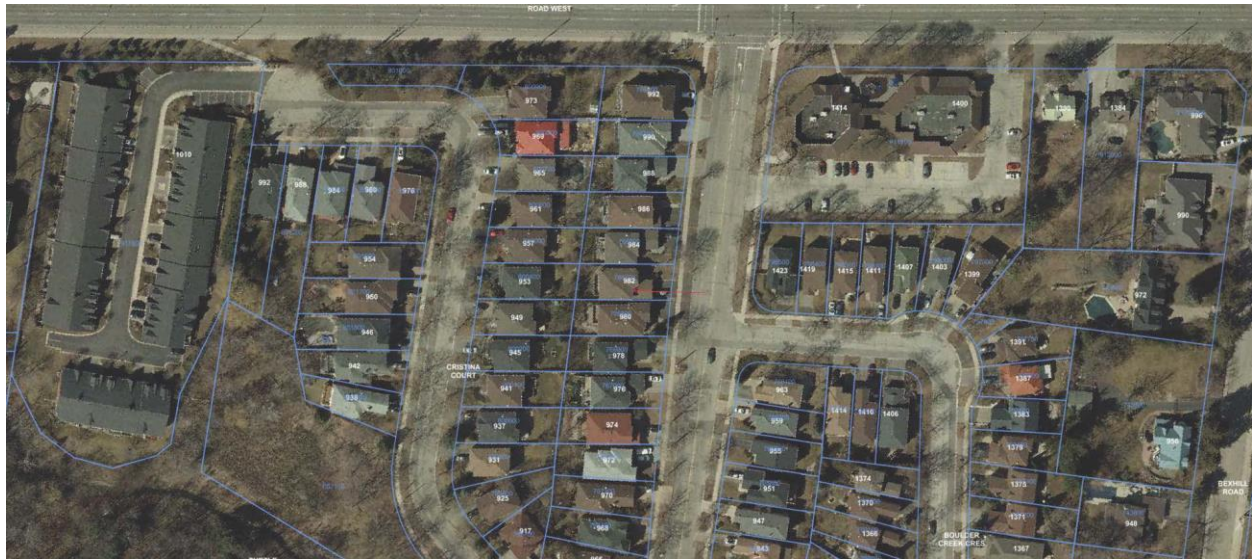
**Zoning:** R4-24- Residential

**Other Applications:** BP 9ALT 22-3752

### Site and Area Context

The subject property is located within the Clarkson - Lorne Park Neighbourhood Character Area, southwest of the Bexhill Road and Lakeshore Road West intersection. The immediate neighbourhood is entirely residential consisting of two-storey detached-dwellings. The subject property contains an existing two-storey detached dwelling with mature vegetation in the front yard.

The application proposes the construction of a deck requiring a variance for 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 are as follows:

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached, duplex, triplex, street townhouses and other forms of low-rise dwellings with individual frontages.

The intent in restricting lot coverage is to ensure there is not an overdevelopment of the lot. In this instance, the applicant is proposing a lot coverage of 43.6% when a maximum lot coverage of 40% is permitted.

The applicant is proposing to replace an existing deck requiring a variance for lot coverage. Based on the drawings submitted, approximately 5% of the lot coverage is attributable to the proposed deck. Staff note that rear yard decks are commonly found in the immediate area and are of the opinion that the proposed deck does not add significant massing to the overall dwelling. Furthermore, the proposed lot coverage represents a moderate increase from what is

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currently permitted and the remaining lot coverage is attributable to the existing detached dwelling's footprint. Lastly, the proposed coverage is consistent with lots in the surrounding neighbourhood.

Through a detailed review of the application, staff is 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: Connor DiPietro, 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 deck are being addressed by our Development Construction Section through the Building Permit process, File BP 9ALT-22/3752.



Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing an application under file BP 9ALT 22-3752. Based on review of the information currently available in this application, the variances, as requested are correct.

Please note that comments reflect those provided through the above permit application and

should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Gary Gagnier; Zoning Examiner

### **Appendix 3 – Region of Peel**

We have no comments or objections.

Comments Prepared by: Patrycia Menko, Junior Planner