

# City of Mississauga Department Comments

Date Finalized: 2023-07-05	File(s): A193.23 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-07-13 1:00:00 PM

## Consolidated Recommendation

The City recommends that the application be deferred.

## Application Details

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

1. A lot coverage of 43.61% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35% in this instance;
2. An accessory structure height of 3.657m (approx. 12.00ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.00m (approx. 9.84ft) in this instance; and,
3. An accessory structure area of 25.66sq m (approx. 276.20sq 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.

## Recommended Conditions

Should the Committee choose to approve the application, Transportation and Works staff recommend that the left side of the shed be equipped with an eaves trough and down spout directed in such a manor to not impact the adjacent neighbour.

## Background

**Property Address:** 2640 Widemarr Road

### Mississauga Official Plan

**Character Area:** Clarkson-Lorne Park Neighbourhood

Designation: Residential Low Density II

### Zoning By-law 0225-2007

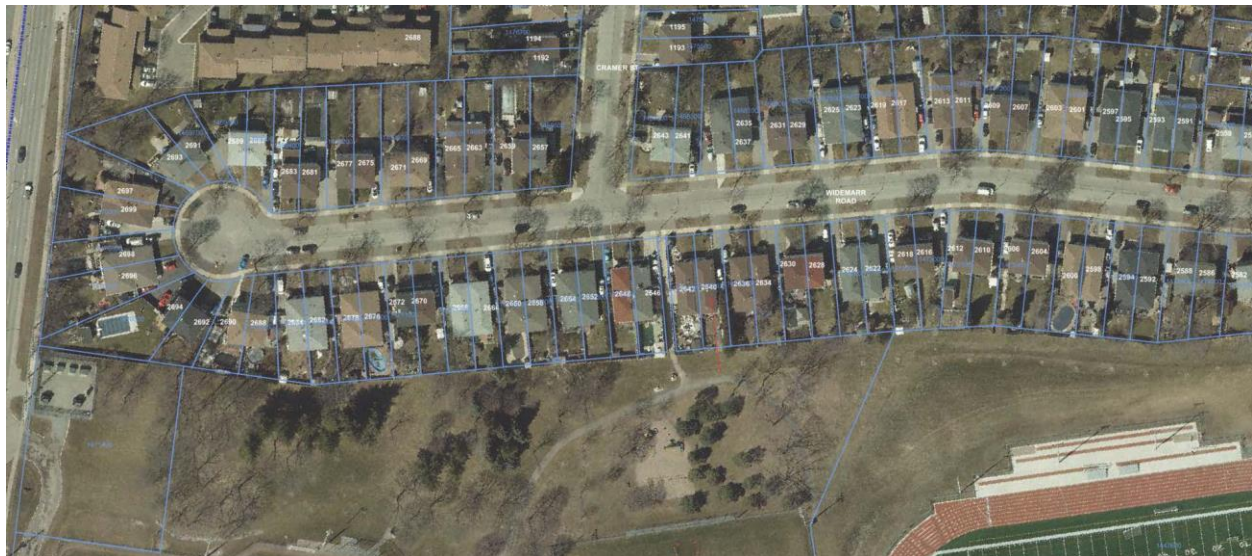
Zoning: RM1- Residential

Other Applications: BP 9NEW 22-3635

### Site and Area Context

The subject property is located in the Clarkson-Lorne Park Neighbourhood Character Area, northeast of the Winston Churchill Boulevard and Royal Windsor Drive intersection. The immediate neighbourhood is primarily residential, consisting of one and two-storey detached, semi-detached and townhouse dwellings with mature vegetation in the front yards. The subject property contains a one-storey semi-detached dwelling with mature vegetation in the front yard.

The applicant is proposing a new accessory structure requiring variances for lot coverage, accessory structure height and 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 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 and duplex and triplex dwellings.

Upon review of the application, Staff have identified concerns with variance #1, with respect to lot coverage. The intent of the zoning by-law is to ensure there is not an overdevelopment of the lot. In this instance, the applicant is proposing a lot coverage of 43.61% when a maximum lot coverage of 35% is permitted. The requested variance represents a significant deviation from the regulation and staff cannot confirm how much of the lot coverage is attributable to the detached dwelling's footprint as a lot coverage breakdown was not provided. Therefore, Planning staff are unable to evaluate the impact of the requested variance and the proposal as a whole. Furthermore, staff contacted the applicant on June 22<sup>nd</sup>, 2023, and did not receive a response.

As such, staff recommend that the application be deferred to allow the applicant an opportunity to provide staff with a breakdown of the lot coverage.

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 structure are being addressed by our Development Construction Section through the Building Permit process, File BP 9NEW-22/3635. We advise that the left side of the shed be equipped with an eaves trough and down spout directed in such a manner to not impact the adjacent neighbour.







Comments Prepared by: John Salvino, Development Engineering Technologist

## Appendix 2 – Zoning Comments

The Building Department is currently processing an application under file BP 9NEW 22-3635. 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 – Parks, Forestry & Environment

The Park Planning Section of the Community Services Department has no objections to the above noted minor variance application and advises as follows:

The lands adjacent to the property are owned by the City of Mississauga, identified as Clarkson Park (P-073) and zoned OS1 – Open Space – Community Park.

Should the application be approved, Community Services provides the following notes:

1. Construction access from the adjacent park/greenlands is not permitted.
2. If access is required to City owned lands, a Consent to Enter Agreement/Park Access Permit will be required.
3. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.

Should further information be required, please contact Nicholas Rocchetti, Park Planning Assistant, Community Services Department at 905-615-3200 ext. 4659 or via email [Nicholas.Rocchetti@mississauga.ca](mailto:Nicholas.Rocchetti@mississauga.ca).

Comments Prepared by: Nicholas Rocchetti, Park Planning Assistant

### Appendix 4 – Metrolinx

#### 2640 Widemarr Rd

Metrolinx is in receipt of the minor variance application for 2640 Widemarr Road to facilitate the construction of an accessory structure (garden shed). Metrolinx's comments on the subject application are noted below:

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

Comments Prepared by: Farah Faroque, Project Analyst

#### **Appendix 5 – Region of Peel**

We have no comments or objections.

Comments Prepared by: Patrycia Menko, Junior Planner