

# City of Mississauga Department Comments

Date Finalized: 2023-09-13	File(s): A193.23 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-09-21 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 an accessory structure proposing:

1. A lot coverage of 41.35% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35% in this instance;
2. An accessory structure height of 3.66m (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.

## 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, duplex and triplex dwellings.

The application was deferred on July 13, 2023, to allow the applicant an opportunity to provide staff with a breakdown of the proposed lot coverage. The applicant has provided a revised drawing with design statistics that breakdown the lot coverage. Furthermore, the applicant has

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reduced the proposed lot coverage from 43.61% to 41.35%. Variances #2 and 3 remain the same.

Variance #1 relates to lot coverage. Staff have evaluated the lot coverage breakdown provided and are of the opinion that the proposal does not represent an overdevelopment of the property. The existing detached dwelling accounts for approximately 34.37% of the total lot coverage. The remaining 6.98% is attributable to the proposed accessory structure. Staff are of the opinion that the proposed structure is both accessory and proportional to the existing lot and dwelling.

Furthermore, staff have no concerns regarding variances #2 and 3 relating to accessory structure height and area. The requested height variance represents a minor increase over the maximum height permitted. With respect to the accessory structure area, while the proposed area is more than double what is permitted for an individual structure, a combined area of 30m<sup>2</sup> (322.92m<sup>2</sup>) is permitted for accessory structures. With no additional accessory structures on the property, either existing or proposed, the proposed accessory structure area is within the overall intent of the total accessory area permitted.

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: 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 to the rear of 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.

4. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, c.P. 13, as amended) and in accordance with the City's policies and by-laws.

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 – Region of Peel**

Please apply previous comments.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner

#### **Appendix 5 - Metrolinx**

##### 2640 Widemarr Rd - A 193.22 - DEFERRED

Metrolinx is in receipt of the minor variance application for 2640 Widemarr Rd to facilitate the construction of a new accessory structure (shed) in the rear yard. 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