

# City of Mississauga Department Comments

Date Finalized: 2024-04-24	File(s): A193.24 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-05-02 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 the construction of a new house proposing:

1. An eave height of 7.45m (approx. 24.44ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance;
2. A flat roof height of 9.86m (approx. 32.35ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof height of 7.50m (approx. 24.61ft) in this instance;
3. A driveway width of 17.67m (approx. 57.97ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 8.50m (approx. 27.89ft) in this instance;
4. A garage projection of 12.66m (approx. 41.53ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0m in this instance; and,
5. A dwelling depth of 25.10m (approx. 82.35ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance.

## Background

**Property Address:** 934 Lynnrod Court

### Mississauga Official Plan

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

### Zoning By-law 0225-2007

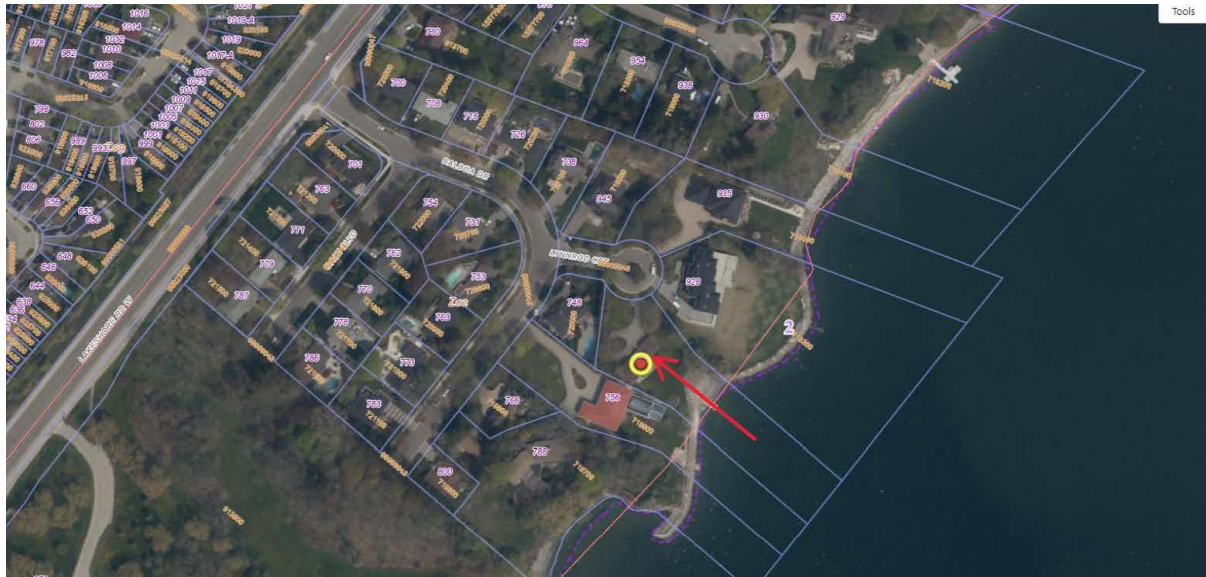
**Zoning:** **R1-2- Residential**

**Other Applications: none**

### Site and Area Context

The subject property is located within the Clarkson-Lorne Park Character Area, south of the Balboa Drive and Lakeshore Road West Intersection. The surrounding neighbourhood consists of one, one and a half and two storey-detached dwellings with mature vegetation in both the front and rear yards. The subject property contains an existing one-storey dwelling with vegetation in the front yard.

The applicant is proposing a new two-storey detached dwelling requesting variances related to dwelling heights, driveway width, garage projection and dwelling depth.



## 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 located within the Clarkson-Lorne Park Neighbourhood Area and is designated Residential Low Density I on Schedule 10 of the Mississauga Official Plan (MOP).

Planning staff note that the variances requested do not align with the measurements provided on the drawings submitted. Staff are also concerned that the variances requested are inaccurate. As such, Planning staff are unable to evaluate the application.

Staff recommend that the application be deferred to allow the applicant an opportunity to submit a building permit to confirm the accuracy of the requested variances and identify any new variances, if required. Once accurate variances have been identified by Zoning staff, Planning staff recommend that the applicant consult with Planning staff prior to scheduling a new hearing date.

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 dwelling will be addressed by our Development Construction Section through the future Building Permit process.

Comments Prepared by: John Salvino, Development Engineering Technologist





## Appendix 2 – Zoning Comments

We note that a Building Permit is required. In the absence of a Building Permit we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed.

The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

Comments Prepared by: Minan Song, Zoning Examiner

## Appendix 3 – CVC

Credit Valley Conservation (CVC) staff have reviewed the subject application and offer comments based on the following roles and responsibilities:

1. Delegated Responsibilities – providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 3.1 of the Provincial Policy Statement (2020);

2. Regulatory Responsibilities – providing comments to ensure the coordination of requirements under the *Conservation Authorities Act* Section 28 regulation, to eliminate unnecessary delay or duplication in process;
3. Source Protection Agency – providing advisory comments to assist with the implementation of the CTC Source Protection Plan under the *Clean Water Act*, as applicable.

### **CVC REGULATED AREA**

Based on our mapping, the subject property is regulated due to erosion hazard associated with Lake Ontario. As such, the property is regulated by CVC under Ontario Regulation 160/06. As such, the property is subject to the Development, Interference with Wetlands, and Alterations to Shorelines & Watercourses Regulation (Ontario Regulation 160/06). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

### **PROPOSAL:**

It is our understanding that the applicant is requesting the Committee to approve a minor variance to allow construction of a driveway proposing:

1. An eave height of 7.45m (approx. 24.44ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance;
2. A flat roof height of 9.86m (approx. 32.35ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof height of 7.50m (approx. 24.61ft) in this instance;
3. A driveway width of 17.67m (approx. 57.97ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 8.50m (approx. 27.89ft) in this instance;
4. A garage projection of 12.66m (approx. 41.53ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0m in this instance; and,
5. A dwelling depth of 25.10m (approx. 82.35ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance.

### **COMMENTS:**

The applicant has applied for a revision to a previously approved CVC permit FF 23/234. CVC staff have reviewed the revised plans and the changes proposed do not encroach into the CVC setback. Further, the proposed Minor Variances do not impact the CVC area of interest at the back of the property. As such, CVC staff have no objection to the approval of the minor variances proposed at this time.

The applicant is to note that CVC has not received payment of the review fee of \$478 for this Minor Variance application. The applicant should forward this directly to CVC at the earliest convenience.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at [stuti.bhatt@cvc.ca](mailto:stuti.bhatt@cvc.ca) or 905-670-1615 (ext. 350) should you have any further questions. Please circulate CVC on any future correspondence or applications regarding this site.

Comments Prepared by: Stuti Bhatt, Junior Planner

#### **Appendix 4 – Region of Peel**

##### **Minor Variance: A-24-193M / 934 Lynnrod Court**

Development Engineering: Wendy Jawdek (905) 791-7800 x6019

##### **Comments:**

- Installation of and alterations to property line water valves require inspection by Region of Peel inspectors to confirm if these works are completed in accordance with Region of Peel Design Criteria, standards, and specifications.
- Proposals to connect to an existing service lateral require approval from a Region of Peel inspector at construction stage.
- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections by email at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca).
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections by email at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca).
- All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel design specifications. For more information, please contact Servicing Connections by email at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca).
- The applicant shall verify the location of the existing service connections to the subject site and the contractor shall locate all existing utilities in the field. Requests for underground locates can be made at <https://www.ontarioonecall.ca/portal/>.
- For location of existing water and sanitary sewer Infrastructure please contact Records by e-mail at [PWServiceRequests@peelregion.ca](mailto:PWServiceRequests@peelregion.ca).

Planning: Petrele Francois (905) 791- 7800 x3356

##### **Comments:**

- The subject land is located within the CVC Flood Plain area. The Regional Official Plan (ROP) designates floodplains as a natural hazard under Policy 2.16.11. Within this designation, ROP policies seek to ensure that development and site alterations do not create new or aggravate existing flood plain management problems along flood susceptible landscapes. We rely on the environmental expertise of the CVC for the review of development applications located within or adjacent the regulated area in Peel. We, therefore, request that City staff consider comments from the CVC and incorporate their conditions of approval appropriately.

Comments Prepared by:     Petrele Francois, Junior Planner