

City of Mississauga Department Comments

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| Date Finalized: 2024-08-07 | File(s): A324.24 Ward: 2 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2024-08-15 3:30:00 PM |

Consolidated Recommendation

The City has no objections to the application. 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 for the construction of an accessory structure proposing:

1. An area occupied per accessory building and structure of 40.30sq m (approx. 433.79sq ft) whereas By-law 0225-2007, as amended, permits a maximum area occupied per accessory building and structure of 10.00sq m (approx. 107.64sq ft) in this instance;
2. An area occupied combined for all accessory buildings and structures of 40.30sq m (approx. 433.79sq ft) whereas By-law 0225-2007, as amended, permits a maximum area occupied combined for all accessory buildings and structures of 30.00sq m (approx. 322.92sq ft) in this instance; and,
3. A height to the highest point of the building or structure of 3.63m (approx. 11.91ft) whereas By-law 0225-2007, as amended, permits a maximum height to the highest point of the building or structure of 3.00m (approx. 9.84ft) in this instance.

Background

Property Address: 1466 Burns Lane

Mississauga Official Plan

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

Zoning By-law 0225-2007

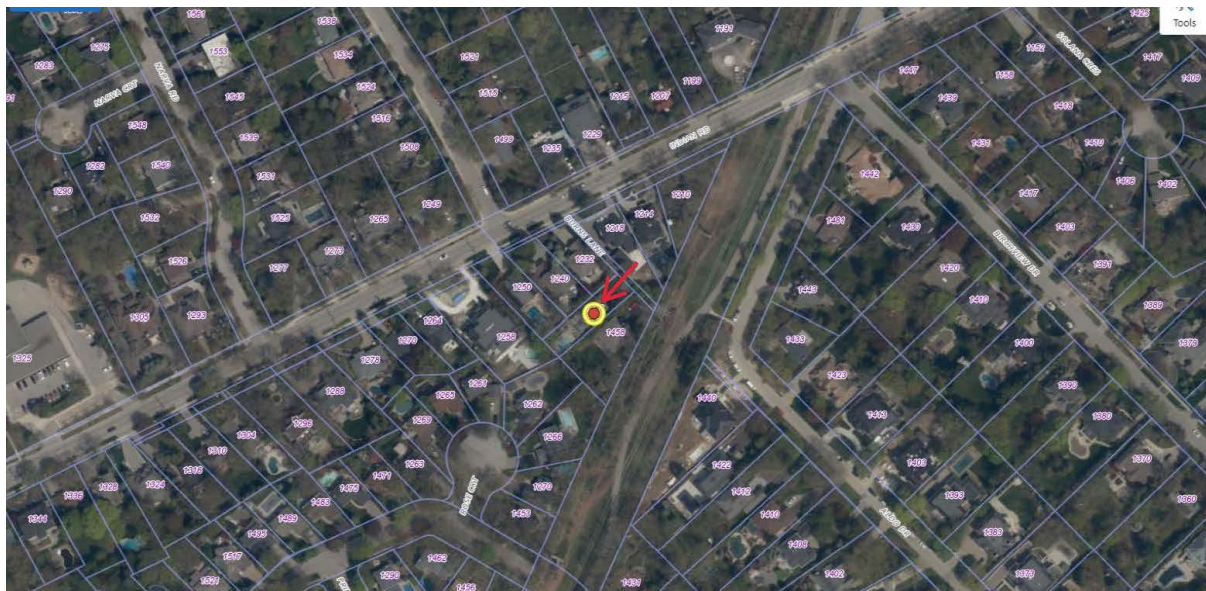
Zoning: R2-1-Residential

Other Applications: Building Permit 24-1840

Site and Area Context

The subject property is located southeast of the Indian Road and Lorne Park Road intersection in the Clarkson-Lorne Park neighbourhood. The surrounding area context is exclusively residential, consisting of a mix of one and two-storey detached dwellings on lots of varying sizes. The subject property currently contains a two-storey detached dwelling with mature vegetation in the front yard. Lorne-Park Public school is in the vicinity of the property.

The applicant is proposing an accessory structure requesting variances for accessory structure area and height.



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 in the Clarkson - Lorne Park Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan. This designation only permits detached dwellings in this area. Section 9 of the 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.

All variances relate to the accessory structure proposing an increase in the area and height. The intent of the zoning by-law provisions regarding accessory structures is to ensure that the structures are proportional to the lot and are clearly accessory, while not presenting any massing concerns to neighbouring lots. While the proposed accessory structure is larger than what is permitted on a property this size, staff note that a portion of the structure is open on two-sides, which mitigates massing concerns. Further, staff note that the by-law allows an accessory structure combined area of 60m² (645.83ft²) for lots 750m² (8072.93ft²) or larger. Staff are satisfied that the subject lot area of 733m² (7,889.95ft²) is suitable to accommodate the slightly larger proposed accessory structure. Further, no variance is requested for lot coverage and the main dwelling is approximately 5.3 times larger than the accessory structure. Staff are of the opinion that the proposed structure remains accessory to the principle use on the lands and are satisfied that any massing impacts on abutting properties are minor in nature.

Given the above Planning staff are satisfied that the application maintains the general intent and purpose of both the official plan and zoning by-law, is minor in nature, and represents appropriate development of the subject property.

Comments Prepared by: Shivani Chopra, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed are pictures of the area where the proposed cabana will be located. We note that any Transportation and Works Department concerns/requirements for the cabana are being addressed by our Development Construction Section through the Building Permit process, File BP 9NEW 24/1840.

Comments Prepared by: John Salvino, Development Engineering Technologist







Appendix 2 – Zoning Comments

The Building Department is processing Building Permit 24-1840. 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: Candice Williams, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

The Forestry Section of the Community Services Department has no objections to 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.

A Tree Removal 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 Architect Assistant, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email jamie.meston@mississauga.ca.

Comments Prepared by: Jamie Meston, Landscape Architect Assistant

Appendix 4 – Region of Peel

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner