

City of Mississauga Department Comments

Date Finalized: 2024-09-04	File(s): A406.24 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-09-12 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 addition proposing a flat roof height of 9.48m (approx. 31.10ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof height of 7.50m (approx. 24.61ft) in this instance.

Recommended Conditions and Terms

Should the Committee see merit in the application, Planning staff recommend that a condition be added to tie approval to the submitted drawings and to permit the variance for a two-storey dwelling only.

Background

Property Address: 1337 Whiteoaks Ave

Mississauga Official Plan

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

Zoning By-law 0225-2007

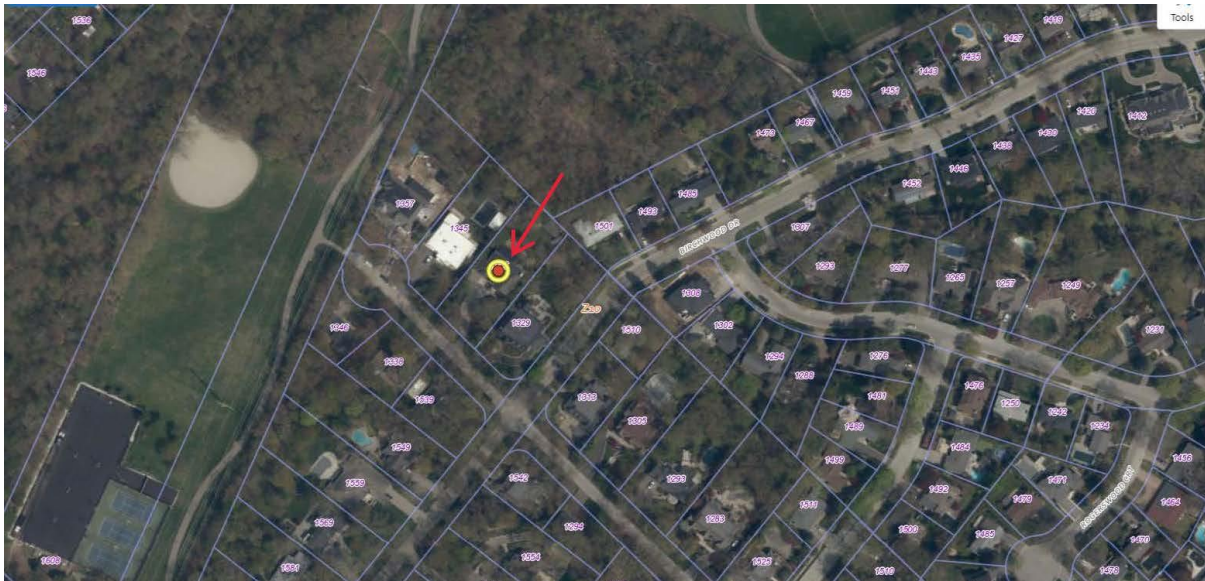
Zoning: R2-5 - Residential

Other Applications: Building Permit application BP 9ALT 24-519

Site and Area Context

The subject site is situated within the Clarkson - Lorne Park Neighbourhood Character Area, southwest of the Lorne Park Road and Truscott Drive intersection. The immediate vicinity encompasses a mix of residential, utility, school and greenlands uses. The residential uses primarily consist of two-storey detached dwellings. The subject site property contains a two-storey detached dwelling and features significant vegetation in the front yard. Lorne Park Secondary School abuts the property to the rear yard.

The proposed application seeks to develop a one storey garage addition requiring a variance for existing dwelling 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 designated Residential Low Density I on Schedule 10 of the Mississauga Official Plan (MOP). This designation permits only detached dwellings in this instance.

Staff note the proposal is for a one storey addition to the garage towards the rear. As a result, a variance for dwelling height has been identified. Staff note that the height is an existing condition, and no changes have been proposed to the main dwelling.

Planning staff typically does not support flat roof heights of this magnitude, however, the existing dwelling meets the intent of the flat roof height regulation, as it is limited to two-storeys. Staff also note that while the applicant requires a flat roof variance due to the definition of a flat roof and the design, the roof appears to be a sloped roof when viewed from the street. As such, staff are satisfied that the variance is technical in nature.

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.

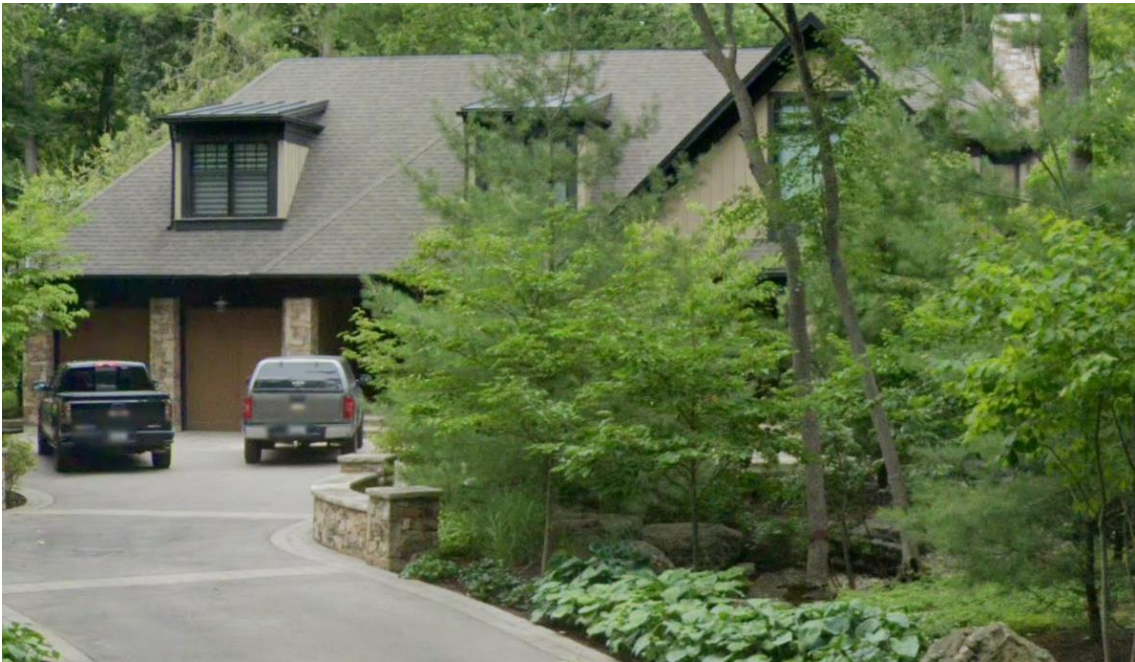
Comments Prepared by: Shivani Chopra, Committee of Adjustment Planner

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 garage addition are being addressed by our Development Construction Section through the Building Permit process, File BP 9NEW 24/519.

Comments Prepared by: John Salvino, Development Engineering Technologist



Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application BP 9ALT 24-519. Based on the review of the information available in this application, the requested variance is correct.

Our comments may no longer be valid should there be changes in the Committee of Adjustment application that have yet to be submitted and reviewed through the Building Division application. To receive updated comments, the applicant must submit any changes to information or drawings separately through the above application.

Comments Prepared by: Gary Gagnier; Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

The Forestry Section of the Community Services Department has reviewed 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