

# City of Mississauga Department Comments

Date Finalized: 2024-10-03	File(s): A193.24 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-10-10 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure the accuracy of the requested variances and that additional variances are not required.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A flat roof height of 8.79m (approx. 28.84ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof height of 7.50m (approx. 24.61ft) in this instance;
2. A driveway width of 17.62m (approx. 57.81ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 8.50m (approx. 27.89ft) in this instance;
3. A garage projection of 13.27m (approx. 43.54ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0m in this instance; and,
4. 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

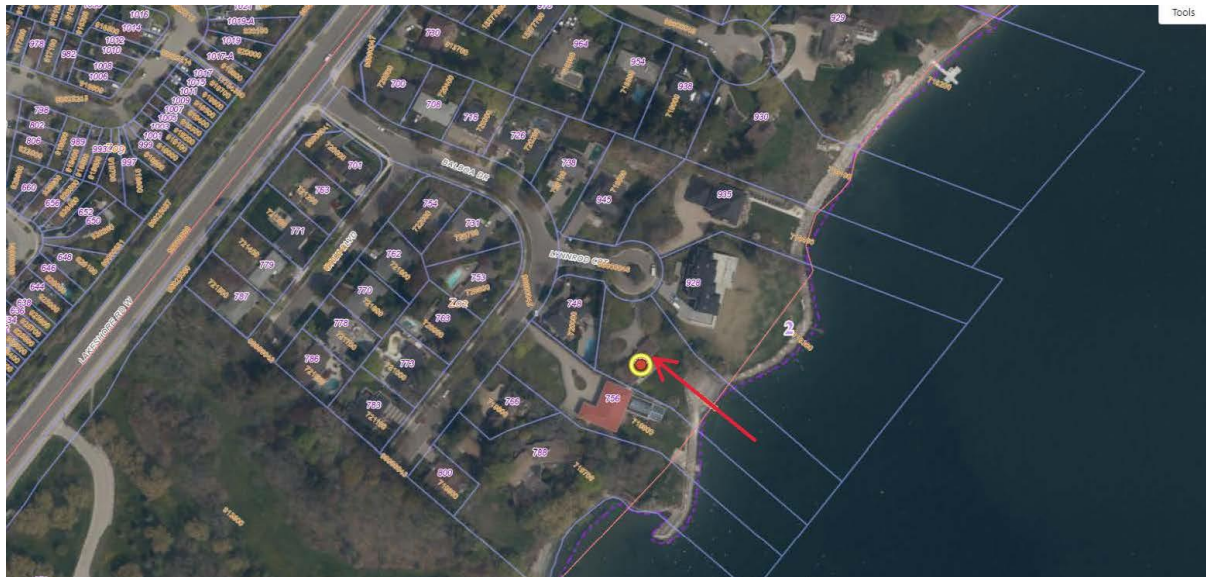
**Zoning:** R1-2- Residential

## 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 height, 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 of the four tests to this minor variance request are as follows:

Staff note this application was before the Committee of Adjustment on May 02, 2024, wherein staff had recommended deferral to allow the applicant an opportunity to accurately identify all the variances.

**Does the proposal maintain the general intent and purpose of the Official Plan?**

The subject property is located within the Clarkson-Lorne Park Neighbourhood Area and is designated Residential Low Density I. The Residential Low Density I designation permits only detached dwellings in this area. Planning staff are of the opinion that the proposed built form is appropriate for the subject property given surrounding conditions and will not negatively impact the streetscape. Further, staff are satisfied that the proposal respects the surrounding context. Therefore, planning staff are of the opinion that the general intent and purpose of the official plan are maintained.

**Does the proposal maintain the general intent and purpose of the Zoning By-law?**

Variance #1 pertains to flat roof height. The intent in restricting height to the flat roof is to reduce the overall massing of a flat roof dwelling compared to a sloped roof dwelling and to minimize its negative impacts on the streetscape and neighbouring properties. Staff note that the dwelling has multiple rooflines and all of them present as sloped roof from the streetscape and that the flat roof variance is technical due to the roof slope calculation. Additionally, staff note there is a discrepancy between the established and finished grade which further mitigates any negative impacts. Staff are satisfied that the proposed dwelling maintains the scale of newer dwellings within the immediate area.

Variance #2 requests an increase in the driveway width. The intent of this portion of the by-law is to permit a driveway large enough to suitably accommodate the required number parking spaces for a dwelling, with the remainder of lands being soft landscaping. Staff are of the opinion that the proposed driveway width is technical in nature as the measurement is taken diagonally across the roundabout portion of the driveway. The proposed driveway maintains a width of 3.74m (12.27ft) at the street and the driveway maintains the required front yard landscaping, presenting no concerns with hardscaping.

Variance #3 pertains to garage projection and #4 pertains to dwelling depth respectively. The intent of the zoning by-law with respect to garage projections is to maintain a consistent streetscape, while ensuring the garage is not the dominant feature of the dwelling. The intent of the zoning by-law in regulating the dwelling depth is to minimize any impact of long walls on neighbouring lots as a direct result of the building massing. Staff are of the opinion that the variances arise due to the irregular shape of the lot and the dwelling's orientation. The L-shaped design of the dwelling does not present the full projection and dwelling depth to the streetscape and the neighbouring properties. Further, the dwelling does not require relief from any lot coverage or gross floor area regulations, which could have had the effect of exacerbating a building's massing. Staff are satisfied that the proposed dwelling contains architectural features that break up the massing, minimizing the overall impact.

Staff have no concerns with the proposed variances and are of the opinion that the general intent and purpose of the zoning by-law is maintained.

**Is the proposal desirable for the appropriate development of the subject lands and minor in nature?**

Planning staff are of the opinion that the overall impact created by the proposed variance is minor in nature. It is staff's opinion that the proposed dwelling is sympathetic to the surrounding area

and does not impact the neighbouring properties. The proposal respects the property's designated land use and is compatible with the surrounding area context. Staff are satisfied that the proposal represents appropriate development of the subject property.

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 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: Crystal Abainza, 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 Technician, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email [jamie.meston@mississauga.ca](mailto:jamie.meston@mississauga.ca).

Comments Prepared by: Jamie Meston, Landscape Technician

#### **Appendix 4 – CVC**

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.

Please let me know if you have any questions or concerns.

Comments Prepared by: Stuti Bhatt, Junior Planner

#### **Appendix 5 – Region of Peel**

Please apply nay previous comments.

Comments Prepared by: Petrele Francois, Junior Planner