

City of Mississauga Department Comments

Date Finalized: 2024-10-25	File(s): A481.24 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-10-31 1:00:00 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 for the construction of a dwelling proposing:

1. An eave height of 7.05m (approx. 23.13ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance; and,
2. A combined side yard width of 5.52m (approx. 18.11ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard width of 6.79m (approx. 22.28ft) in this instance.

Background

Property Address: 1550 Watersedge Rd

Mississauga Official Plan

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

Zoning By-law 0225-2007

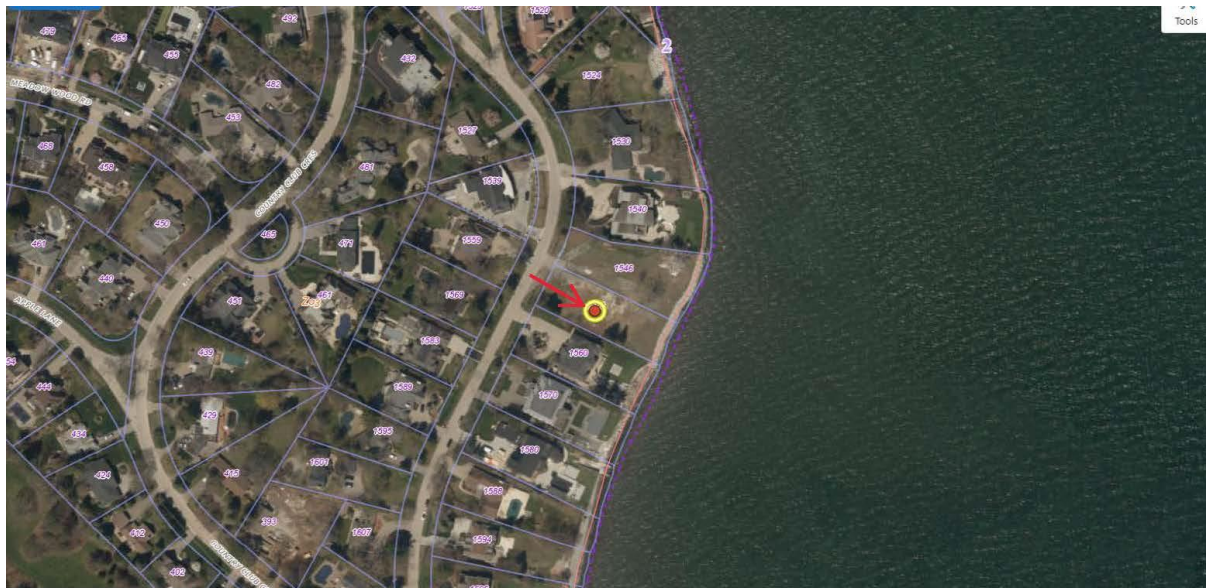
Zoning: R1-2

Other Applications: Building Permit application BP 9NEW 23-10691

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood, southeast of the Southdown Road and Lakeshore Road West intersection. The immediate neighbourhood is entirely residential consisting of one and two-storey detached dwellings on lots with mature vegetation in both the front and rear yards. The subject property is currently vacant.

The applicant is proposing a new two-storey detached dwelling requiring variances for eave height and combined side yard width.



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 site is located within the Clarkson-Lorne Park Character Area, and is designated Residential Low Density I by the Mississauga Official Plan (MOP). The Residential Low Density I designation permits only detached dwellings in this instance.

The subject property was before the Committee of Adjustment on July 11, 2024, under file A290.24 for variances pertaining to garage area, gross floor area and dwelling height. Staff had recommended support at the time and the application was approved by the Committee. Additional variances were identified following the approval of A290.24.

The current application requests variances for eave height and combined side yard width.

Variance #1 pertains to eave height. Planning staff are of the opinion that this increase is numerically minor and representative of heights found in the immediate area. The proposed dwelling also contains a variety of architectural materials and design features that visually breaks up the massing of the dwelling, such as staggered walls and varying materials. As such, the proposed dwelling would maintain compatibility with the surrounding area and would not negatively impact the character of the streetscape.

Variance #2 requests relief in the combined side yard width. Staff note that the proposed dwelling provides adequate individual setbacks for both the side yards. Staff are of the opinion that the dwelling maintains sufficient buffer between primary structures on neighboring properties. Further, through a review of the immediate neighborhood, staff are satisfied that the proposed setbacks are consistent with the setbacks found in the immediate area.

It is staff's opinion that the applicant's proposal is sympathetic to the surrounding area and does not impact the neighbouring properties. 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 dwelling are being addressed by our Development Construction Section through the Building Permit process, File BP 9NEW 23/10691.

Comments Prepared by: John Salvino, Development Engineering Technologist





Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application BP 9NEW 23-10691. Based on the review of the information available in this application, the requested variances are 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 Technician, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email jamie.meston@mississauga.ca.

Comments Prepared by: Jamie Meston, Landscape Technician

Appendix 4 – Region of Peel

Minor Variance Application: A-24-481M / 1550 Watersedge Road

Development Engineering: Brian Melnyk (brian.melnyk@peelregion.ca)|(905) 791-7800 x3602

Comments:

- 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.
- 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 at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.
- Installation of and alterations to property line water valves and chambers and sanitary/storm sewer maintenance holes 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.

Note: Petrele Francois (petrele.francois@peelregion.ca)|(905) 791-7800 x3356

- Please be advised that the subject lands are located within a floodplain and the regulated area of the Credit Valley Conservation Authority (CVC). We request that City staff consider comments from the CVC and incorporate their conditions of approval appropriately.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 5 – Credit Valley Conservation

With regards to the Minor Variance application as per the Committee of Adjustment October 31 agenda, CVC staff have issued a permit for the proposed development (see attached) and have no concerns with the approval of this application.

Please let me know if you have any questions or wish to discuss.

Comments Prepared by: Eric James, Junior Regulations Officer