

# City of Mississauga

Memorandum:

## City Department and Agency Comments

Date Finalized: 2024-11-06	File(s): A459.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 11/14/2024 1:00:00 PM

### Consolidated Recommendation

The City has no objection 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 proposing:

1. A lot coverage of 32.68% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30% in this instance; and,
2. An accessory structure area of 31.21sq m (approx. 335.94sq ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 20.00sq m (approx. 215.28sq ft) in this instance.

### Background

**Property Address:** 1493 Elite Rd

#### Mississauga Official Plan

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

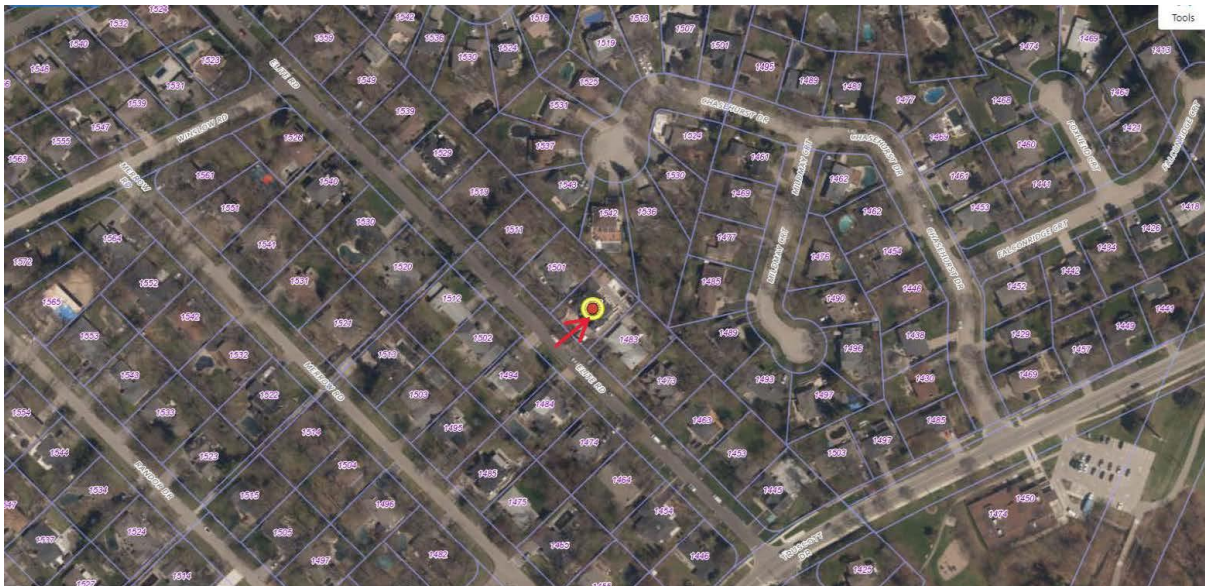
#### Zoning By-law 0225-2007

**Zoning:** R2-4 - Residential  
**Other Applications:** Building Permit 24-1053

## Site and Area Context

The subject property is located within the Clarkson – Lorne Park Neighbourhood Character Area, northwest of the Lorne Park Road and Truscott Drive intersection. Located south of the subject property on Truscott Drive is the Lorne Park Library. The immediate area consists of one and two-storey single detached dwellings with significant mature vegetation in both the front and rear yards. The subject property contains a two-storey detached dwelling with vegetation in the front yard.

The application proposes to legalize an existing accessory structure requiring variances for lot coverage and accessory structure area.



## 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 in Schedule 10 of the Mississauga Official Plan (MOP), which only permits detached dwellings in this instance. Section 9 of the MOP promotes development with appropriate urban form and site design, regulating that such

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development is compatible with: the existing site conditions, the surrounding context and the landscape of the character area.

Variance #1 requests an increase in the total lot coverage. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot which would impact the streetscape as well as abutting properties. The property has a lot area of 1162.21 m<sup>2</sup> (12510ft<sup>2</sup>). Through email correspondence, staff have received confirmation from the agent that the dwelling itself represents a lot coverage of approximately 30%. Staff note that the application requests an overall increase of 2.68% from the permissible regulation, which can be entirely attributed to the accessory structure. Staff are of the opinion that this does not pose the same massing impacts as the dwelling. Staff are satisfied that the requested increase in the overall lot coverage represents a minor deviation from the zoning by-law requirements.

Variance #2 requests an increase in the accessory structure area. 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 notably larger than a single accessory structure permitted on this property, staff note that three legally sized accessory structures placed side by side at the same location on the property would have a similar massing impact as the proposal. 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. No variance is required for accessory structure height, further mitigating negative impacts.

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

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed cabana will be addressed by our Development Construction Section through Building Permit BP 9NEW-24/1053.

We have had discussions with the home owner and he has willingly revised/relocated the down spouts in such a manor that the adjacent properties will not be impacted.

Comments Prepared by: John Salvino, Development Engineering Technologist







## Appendix 2 – Zoning Comments

The Building Department is processing Building Permit 24-1053. 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**

### Forestry Comments

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 – Region of Peel Comments**

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner