

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-02-20	File(s): A10.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2/27/2025 3:30:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction for a detached residential dwelling proposing:

1. A Gross Floor Area of 440.03 sq.m (approx. 4736.44 sq.ft.) whereas By-law 0225-2007, as amended, permits a maximum Gross Floor Area of 386.60 sq.m (approx. 4161.33 sq. ft.) in this instance;
2. A lot coverage of 32.08% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30% in this instance; and
3. A combined width of side yards of 4.81 m (approx. 15.78 ft.) whereas By-law 0225-2007, as amended, requires a minimum of 6.36 m (approx. 20.87 ft.) in this instance.

Background

Property Address: 838 Caldwell Ave

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R2-4 - Residential Detached Dwelling

Other Applications: Building Permit application 24-5099

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, south of Indian Grove and South Sheridan Way. The subject property has an approximate lot frontage of +/- 25.79m (84.61ft) and a lot area of +/- 983.04m² (3,225.19ft²). Currently, the subject property contains an existing one storey dwelling with mature vegetation in the front and rear yard. The neighbourhood is primarily residential, consisting of one and two storey detached dwellings on large lots with mature vegetation. Additionally, the subject property abuts Tecumseh Public School to the east.

The applicant is proposing a new two storey dwelling, requiring variances related to GFA, lot coverage and combined side yard setback.



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:

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

The subject property is located in the Clarkson-Lorne Park Neighbourhood Character Area. The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached dwellings. 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. Planning staff are of the opinion that the proposed built form of the detached dwelling is compatible with the surrounding neighbourhood and will not pose negative impacts on the streetscape. 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 requests an increase in the GFA from 386.60m² (approx. 4161.33ft²) to 440.30m² (approx. 4,161.33ft²). The intent in restricting gross floor area is to maintain compatibility between existing and new dwellings and ensure the existing and planned character of a neighbourhood is preserved. Staff note that significant mature vegetation lines the property and buffers the development from the neighbouring lots thereby minimizing any massing impacts. Staff note that there is no variance requested for overall height of the dwelling and the lot coverage increase is minimal, limiting any massing impacts. Planning staff are of the opinion that the proposed increase is minor in nature and will not negatively impact the planned or existing character of the area. The dwelling meets the zoning regulations for overall dwelling height. Staff are of the opinion that the proposed increased in GFA is in line with newer dwellings in the surrounding context. Staff are therefore satisfied that the dwelling maintains an appropriate scale and are of the opinion that the general intent and purpose of the zoning by-law are maintained.

Variance #2 requests an increase in 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. Staff note the proposed dwelling accounts for approximately 25.5% of the lot coverage. The proposed cabana and covered porches (both front and rear yard) account for an additional 6.59% (approximately) to the total lot coverage. Staff are of the opinion the increase in lot coverage is negligible and does not represent an overdevelopment of the subject property.

Variance #3 pertains to the combined width of side yard setbacks. The general intent of the side yard regulations in the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties. Staff note that the proposed dwelling provides adequate side yard setbacks for both the northernly and southernly side yards, meeting the individual side yard setbacks required by the by-law.

Given the above, Planning staff are satisfied 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?

The proposed dwelling maintains the existing and planned context of the surrounding area and does not pose a negative impact to the neighbourhood by maintaining the planned character of the neighbourhood. Staff are of the opinion that the application represents orderly development of the lands and is minor in nature.

Comments Prepared by: Sara Ukaj, Planning Associate

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 Building Permit BP 9NEW-24/5099.

Comments Prepared by: John Salvino, Development Engineering Technologist





Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application 24-5099. 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: Sibila Lass Weldt, 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.

An 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 Comments

- 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 servicingconnections@peelregion.ca.
- 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 at 905.791.7800 x7973 or by email at servicingconnections@peelregion.ca.

Comments Prepared by: Brian Melnyk, Development Engineering