

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-02-20	File(s): A15.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2/27/2025 3:30:00 PM

Consolidated Recommendation

The City has no objection to the application.

Application Details

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

1. A soft landscape area of 30% whereas By-law 0225-2007, as amended, requires a minimum soft landscape area of 40% in this instance;
2. A gross floor area – infill residential of 694.60sq m (approx. 7,476.61sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area – infill residential of 641.04sq m (approx. 6,900.10ft) in this instance;
3. A garage area of 138.00sq m (approx. 1,485.42sq ft) whereas By-law 0225-2007, as amended, permits a maximum garage area of 75.00sq m (approx. 807.29sq ft) in this instance;
4. A combined width of side yards of 4.37m (approx. 14.34ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 6.37m (approx. 20.90ft) in this instance;
5. A height of eaves of 6.82m (approx. 22.38ft) whereas By-law 0225-2007, as amended, permits a maximum height of eaves of 6.40m (approx. 21.00ft) in this instance; and
6. An interior side yard setback to the second storey of 1.99m (approx. 6.53ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback to the second storey of 2.41m (approx. 7.91ft) in this instance.

Background

Property Address: 1546 Watersedge Rd

Mississauga Official Plan

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

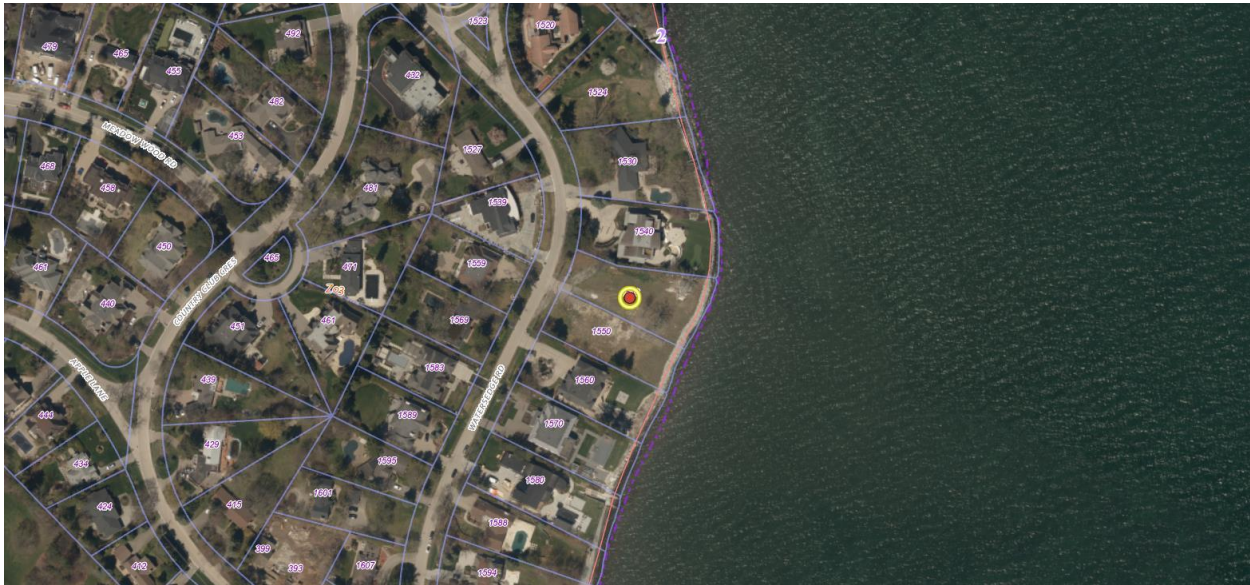
Zoning By-law 0225-2007

Zoning: R1-2-Residential
Other Applications: Building Permit application BP 9NEW 24-1342

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 soft landscaping, gross floor area, garage area, setback and 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 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 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. Section 9 of 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. Staff are satisfied that the proposal respects the designated land uses. Planning staff are of the opinion that the proposed built form of the detached dwelling is appropriate for the subject property given surrounding conditions and will not negatively impact 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 a reduction in the soft landscape area. The intent of a soft landscape area is to help establish the character and identity of a neighbourhood, as well as ensure hardscaping does not dominate the lot frontage. The applicant has proposed a front yard soft landscape area of 30% whereas 40% is required. Staff note the driveway meets the by-law regulations, which limits excessive hardscaping impacts. Staff are satisfied the reduction in the landscaped area will not pose negative impacts from a streetscape perspective.

Variance #2 pertains to an increase in the gross floor area (GFA). 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 are satisfied that the proposal appropriately balances both the existing and planned built form and character of the neighbourhood. Furthermore, the dwelling is designed consists of staggered main walls, limiting the impacts of the massing.

Variance #3 requests an increase in the garage area. Staff note the variance is technical in nature. The proposed garage area consists of both above and below grade garage area. Staff are satisfied that the garage will not pose any massing concerns or take away from the residential nature of the dwelling.

Variance #4 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.

Variance #5 requests an increase in eave height. The intent of restricting eaves height is to lessen the visual massing of the dwelling while lowering the overall pitch of the roof and bringing the edge of the roof closer to the ground, thus keeping the dwelling within a human scale. Staff note that no overall height variance is required. Staff are of the opinion that the proposed eave height represents a minor deviation from the regulation.

Variance #6 is regarding setback measured to the second storey. The general intent of the side yard regulations in the by-law, in this instance, is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties. The first storey meets the minimum side yard setback requirement, and the applicant is proposing to align the second storey on top of the first. Staff note that the setback variance is only for a portion of the dwelling and does not span the entire width of the side wall of the dwelling.

Given the above, staff are satisfied that the requested variances maintain the general intent and purpose of the zoning by-law.

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

The requested variances represent appropriate development of the lands. The request is compatible with the surrounding context. Staff are satisfied that the proposal represents appropriate development of the subject lands. The variances, both individually and cumulatively, are minor in nature and the proposal will not create any undue impacts to adjoining properties or the planned or existing character of the area.

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 Building Permit BP 9NEW-24/1342.

Comments Prepared by: John Salvino, Development Engineering Technologist



Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application BP 9NEW 24-1342. Based on the review of the information available in this application, the requested variance(s) is/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: Minan Song, 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.

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