

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-03-13	File(s): A41.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 3/20/2025 1:00:00 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 new dwelling proposing:

1. A lot coverage of 26.29% (423.56sq m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% (402.73sq m) in this instance;
2. A height to the underside of soffit of 6.97m (approx. 22.87ft) whereas By-law 0225-2007, as amended, permits a maximum height to the underside of soffit of 6.40m (approx. 30.00ft) in this instance;
3. A combined width of side yards of 5.74m (approx. 18.83ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 8.27m (approx. 27.13ft) in this instance; and
4. A gross floor area – infill residential of 589.89sq m (approx. 6,349.52ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area – infill residential of 512.19sq m (approx. 5,513.17sq ft) in this instance.

Background

Property Address: 1495 Mississauga Rd

Mississauga Official Plan

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

Zoning By-law 0225-2007

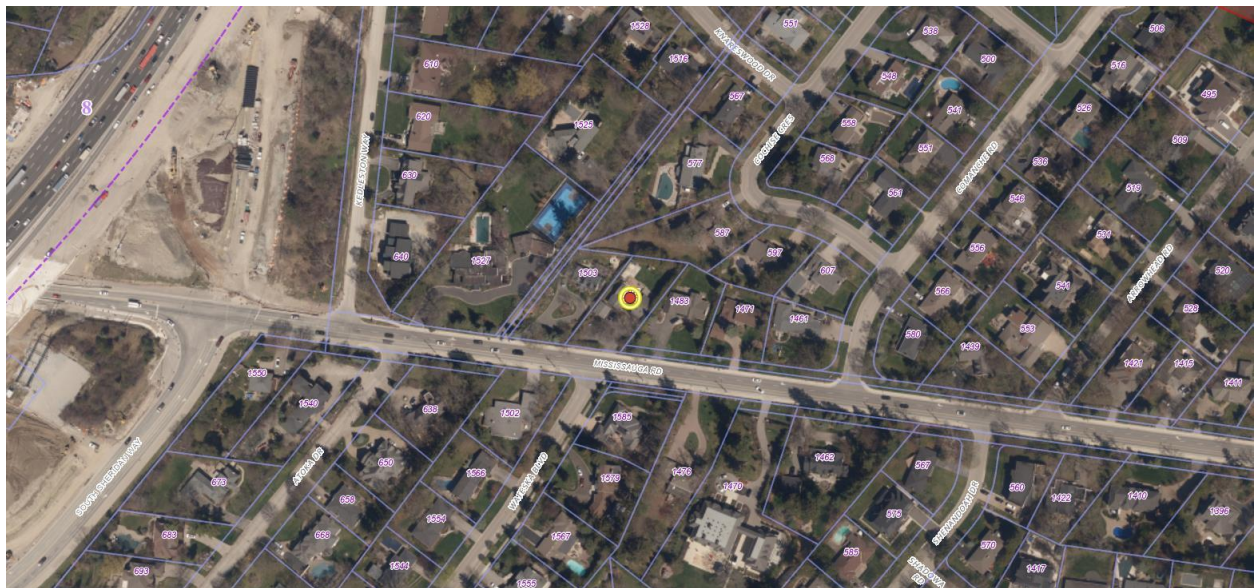
Zoning: R1-2-Residential

Other Applications: Building Permit application BP 9NEW 24-4396.

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, northwest of the Indian Road and Mississauga Road intersection. The immediate neighbourhood is primarily residential consisting of one and two-storey detached dwellings on large lots with mature vegetation in the front yards. The subject property contains a one-storey detached dwelling with mature vegetation in the front yard.

The applicant is proposing a new dwelling requiring variances for lot coverage, eave height, combined width of side yards and gross floor area (GFA).



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 and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan. This designation 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. The proposed dwelling represents a permitted use and possesses a built form that is in line with the planned character of the area. Planning staff are of the opinion that the proposal is appropriate for the subject property given surrounding conditions and will not negatively impact the streetscape. Staff are therefore satisfied 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 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. In this instance the proposed dwelling's footprint represents 20.76% of the total lot coverage, which is within the maximum permissible by-law regulations. Therefore, the variance is only required to accommodate the front porch and rear deck. The uncovered rear deck represents 4.55% of the lot coverage, while the front porch represents 0.97% of the lot coverage. It is staff's opinion that the overage is attributed to these elements, which have limited massing impacts on abutting properties. As such, staff are satisfied that the proposal does not represent an overdevelopment of the subject property.

Variance #2 requests an increase in the eave height. The intent of restricting height of the eaves is to lessen the visual massing of the dwelling by lowering the overall pitch of the roof and bringing the edge of the roof closer to the ground. This keeps the overall height of the dwelling within human scale. Staff note the variance requests an increase of 0.57m or 1.87ft. The relationship between average grade and finished grade varies between approximately 0.25m (0.82ft) to 0.69m (2.26ft). Visually this reduces the eave height and gives the impression that it is in compliance or closer to compliance with the regulations. Staff note no variance is requested for overall dwelling height. Staff are satisfied that the increase will be imperceptible from the streetscape and is exceedingly minor.

Variance #3 relates to combined side yard width of the subject property. The 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. Through a review of the immediate neighbourhood, similar deficiencies are common for detached dwellings. The proposed dwelling provides adequate individual side yard setbacks for both the sides, meeting the by-law requirement, maintaining adequate buffer between properties. Staff are satisfied that the proposed combined side yard width is not out of character within the immediate neighbourhood and maintains a sufficient buffer to the neighbouring properties.

Variance #4 requests an increase in the gross floor area. The intent in restricting gross floor area is to maintain compatibility between existing and new dwellings and ensuring that the

existing and planned character of a neighbourhood is preserved. Staff are of the opinion that the gross floor area request represents an increase that is in line with new builds in the surrounding area and will not create a significant massing impact. Staff are satisfied that the proposal is sympathetic to both the planned character of the area and existing dwellings.

Given the above, staff are satisfied that the 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?

Staff are satisfied that the proposal represents appropriate development of the subject lands. It is staff's opinion that the proposal poses no massing concerns on abutting properties. Staff are of the opinion that the application maintains the existing and planned context of the surrounding area. Further, staff are satisfied that the variances, both individually and cumulatively, are minor in nature as the proposal will not create any undue impacts to adjoining properties.

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-24/4396.

Comments Prepared by: John Salvino, Development Engineering Technologist



Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application **BP 9NEW 24-4396**. 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: Maria Fernandez, 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

Development Engineering: Brian Melnyk (brian.melnik@peelregion.ca)/(905) 791-7800 x3602
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: Petrele Francois, Junior Planner

Appendix 5 – MTO

The subject site described above appears to be located within the MTO Permit Control Area for the QEW; as a result, the applicant should be made aware that an MTO Building & Land Use Permit(s) will be required from this office prior to the start of any onsite construction/works.

Information regarding the application process, forms and the policy can be found at the following link: <https://www.ontario.ca/page/highway-corridor-management>

Comments Prepared by: Nicole Hajjar, Corridor Management Officer