
Committee of Adjustment

Date: February 13, 2025
Time: 1:00 PM
Location: Online Video Conference

Members

Sebastian Patrizio (Chair)
John Page
Wajeeha Shahrukh
Timothy Rowan
Janice Robinson
Ken Ellis
Frank Dale

PLEASE BE ADVISED THAT THE FEBRUARY 13, 2025 HEARING HAS BEEN CHANGED TO VIRTUAL ONLY DUE TO ONGOING ROAD AND WEATHER CONDITIONS. PLEASE CALL 905-615-3200 x5507 IF YOU NEED ACCESS TO THE VIRTUAL HEARING.

Contacts

Evan Pu, Committee of Adjustment Coordinator, Legislative Services

905-615-3200 ext.5507 or 8246

evan.pu@mississauga.ca

Natalia Joffre, Committee of Adjustment Coordinator, Legislative Services

905-615-3200 ext.5507 or 8696

natalia.joffreanez@mississauga.ca

PUBLIC MEETING STATEMENT: While some planning matters, such as consent or minor variance applications, do not specifically require that you participate in the process in order to appeal, the OLT has the power to dismiss an appeal without holding a hearing if the appeal is not based on any apparent land use planning grounds and is not made in good faith or is frivolous or vexatious, or is made only for the purpose of delay.

Send written submissions or request notification of future meetings to:

Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, Attn: Committee of Adjustment Coordinators – 2nd Floor 300 City Centre Drive, Mississauga, ON, L5B 3C1 or

Email: committee.adjustment@mississauga.ca. Written submissions must be received by the Friday prior to the hearing.

Requests to speak:

Pre-registration is required to speak virtually (by computer or telephone) at a hearing. Pre-registration is

preferred but not required to appear in person. Requests can be made by email: committee.adjustment@mississauga.ca or by phone: 905-615-3200 ext.5507 and must be received by the Friday prior to the hearing.If you do not wish to speak, the hearing will be livestreamed here: www.mississauga.ca/portal/cityhall/council-and-committee-videos.

-
1. CALL TO ORDER
 2. DECLARATION OF CONFLICT OF INTEREST
 3. DEFERRALS OR WITHDRAWALS
 4. MATTERS TO BE CONSIDERED
 - 4.1 B86.24, A615.24
5145 Dixie Rd (Ward 5)
 - 4.2 B87.24
5150 Spectrum Way (Ward 5)
 - 4.3 B37.24, A271.24, A272.24
1271 Lorne Park Rd (Ward 2)
 - 4.4 A407.22
812 Buckingham Crt (Ward 6)
 - 4.5 A469.24
1610 Kenmuir Ave (Ward 1)
 - 4.6 A598.24
1375 Blythe Rd (Ward 8)
 - 4.7 A605.24
1085 Meredith Ave (Ward 1)
 - 4.8 A610.24
3425 Capricorn Cres (Ward 5)
 - 4.9 A613.24
4329 Wilcox Rd (Ward 4)
 - 4.10 A616.24
1439 Avonbridge Dr (Ward 1)
 - 4.11 A617.24
1217 Lakebreeze Dr (Ward 1)
 - 4.12 A99.21
4573 Mississauga Road (Ward 8)

- 4.13 A493.22
1414 Lochlin Tr (Ward 1)
- 4.14 A482.24
3104 Churchill Ave (Ward 5)
- 4.15 A518.24
780 Parkland Ave (Ward 2)
- 5. **OTHER BUSINESS**
- 6. **ADJOURNMENT**



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: B86.24 A615.24
Ward: 5

In Person and Virtual Public Hearing

Why you received this letter:

You are receiving this letter because you are the owner of a neighbouring property within 60m (200ft) of the subject property, or are the agent/interested party/owner of the property for the application.

Details of the application and meeting information:

The property owner of 5145 Dixie Rd, zoned C3-1 - Commercial, has applied for consent under Section 53 and minor variance(s) under Section 45 of the Planning Act. B86.24

The applicant requests the consent of the Committee to sever a parcel of land to create a new lot. The parcel of land has a frontage of approximately 38.74m (127.10ft) and an area of approximately 1656.20sq.m (17,827.19sq.ft).

A615.24

The applicant requests the Committee to approve a minor variance to allow the creation of a new lot, being the severed lands of application B86/24, proposing a lot frontage of 38.74m (approx. 127.10ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 48.00m (approx. 157.48ft) in this instance.

The Committee has set **Thursday, February 13, 2025 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

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- **In person:** The hearing will be held in person at Mississauga Civic Centre, Council Chambers, 300 City Centre Drive, 2nd Floor. Advance registration is preferred if you wish to speak at the hearing in person. If you wish to make a presentation you must send your request to speak and your presentation (as an attachment) via email to committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. A document projector will also be available, if preferred.
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- **Submit a written comment:** Written comments to the Committee must be received no later than 4:30 p.m. on the Friday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and the application file number or property address you are commenting on.

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<http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>

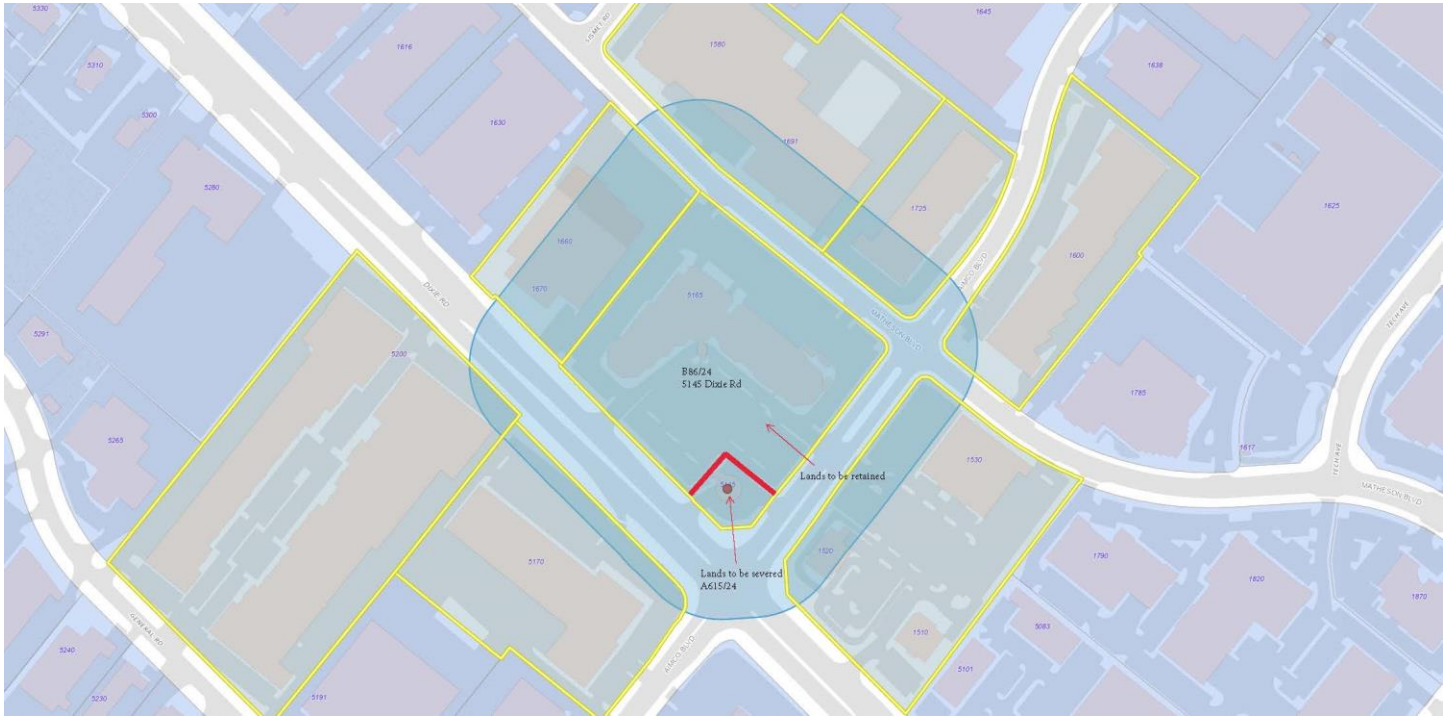
Additional Information:

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- You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>.
- If you wish to be notified of the decision of the Committee, you must submit a written request to committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. This will also entitle you to be advised of any Ontario Land Tribunal (OLT) appeals.

Committee of Adjustment Appeal Process:

The Province of Ontario’s Bill 23, the More Homes Built Faster Act, 2022, limits who is allowed to appeal decisions made by the Committee of Adjustment. Going forward, only the applicant, the municipality, certain public bodies and the Minister can appeal a decision to the OLT. Individuals are no longer permitted to do so. For more information please see the “Appeal process” section on the Committee of Adjustment webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.



Legal notice:

Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual (including being posted on the internet) upon request in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x5507.

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-02-06	File(s): B86.24 A615.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2/13/2025 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

B86.24

The applicant requests the consent of the Committee to sever a parcel of land to create a new lot. The parcel of land has a frontage of approximately 38.74m (127.10ft) and an area of approximately 1656.20sq.m (17,827.19sq.ft).

A615.24

The applicant requests the Committee to approve a minor variance to allow the creation of a new lot, being the severed lands of application B86/24, proposing a lot frontage of 38.74m (approx. 127.10ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 48.00m (approx. 157.48ft) in this instance.

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent
- The variance application approved under File(s) 'A615.24' must be finalized

Recommended Conditions and/or Terms of minor variance

- Variance(s) approved under file(s) 'A615.24' shall lapse if the consent application under file 'B86.24' is not finalized within the time prescribed by legislation.

Background

Property Address: 5145 Dixie Rd

Mississauga Official Plan

Character Area: Northeast Employment Area (West)
Designation: Mixed Use

Zoning By-law 0225-2007

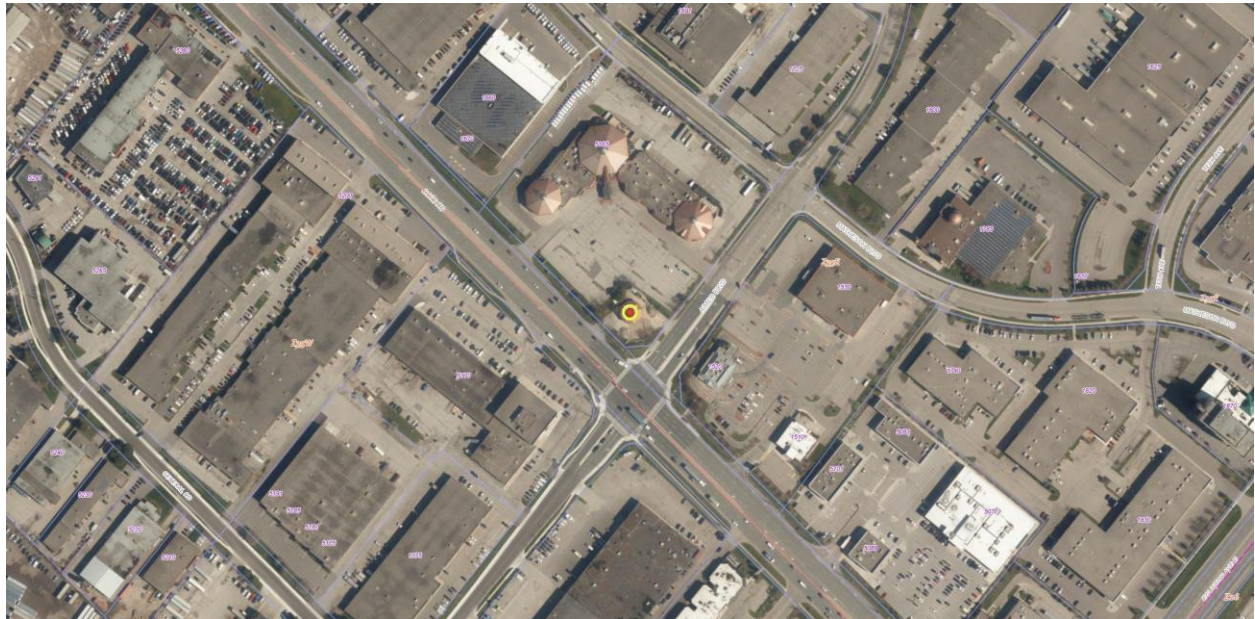
Zoning: C3-1 - Commercial

Other Applications: None

Site and Area Context

The subject property is located on the north-east corner of the Dixie Road and Aimco Boulevard intersection in the Northeast Employment Character Area. It currently contains a multi-tenant commercial plaza with an associated parking lot. Vegetative elements are limited to location abutting property lines, characteristic of the surrounding area. The surrounding context contains a mix of commercial and employment uses in low rise buildings.

The applicant is proposing to sever the existing property into 2 lots requiring a variance for lot frontage.



Comments

Planning

Provincial Matters

The Provincial Policy Statement 2024 (PPS 2024) promotes efficient development and land use, directing the focus towards intensification and redevelopment. The proposal is consistent with the general directive in provincial policy.

Planning Act

Section 51 (24) of the *Planning Act* sets out the criteria for land division in the Province of Ontario. In evaluating such requests, the Committee needs to be satisfied that the proposal meets not only the criteria set out under Section 51(24), but also municipal requirements identify in local legislation.

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. In evaluating such requests, the Committee needs to be satisfied that the proposal meets the four tests set out in the *Planning Act*.

Staff comments concerning the applications for consent and the four tests to the minor variance request are as follows:

Staff note a consent application mirroring the same proposed lot lines as this proposal was brought before the Committee of the Adjustment and was approved on November 17th, 2022. Staff note the consent lapsed, as the applicant was unable to clear the conditions of consent within the time prescribed by legislation. Additionally, a minor variance application was brought before the Committee of Adjustment on March 23rd, 2023, for reduced lot frontage and side yard setbacks. The minor variance application was approved, however zoning staff determined the lot frontage variance was not required. The same lot frontage variance is also being considered for this proposal.

The subject property is located in the Northeast Employment Area and is designated Mixed Use in Schedule 10 of the Mississauga Official Plan (MOP). The Mixed Use designation permits a variety of commercial and employment uses. 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 application is consistent with the official plan as the severed and retained lands will provide adequately sized lots and are appropriate to facilitate the use(s) envisioned in the official plan. Furthermore, staff have no concerns with the severance regarding the criteria set out in Section 51(24) of the Planning Act as the site is appropriately serviced and is suitable for the planned use of the property. Staff are therefore of the opinion that the application conforms to Section 51(24) of the Planning Act.

In addition to the consent application, the applicant has submitted a minor variance application, under file A615.24, requesting a reduction to the lot frontage for the severed parcel. The intent of the lot frontage provision in the zoning by-law is to ensure that new lots are appropriately sized and fit within the context of the surrounding area. Planning staff are satisfied that the lot fits appropriately into the character of the surrounding area and are complementary to the existing lot fabric. However, as noted above, staff note a variance for lot frontage may not be required and direct the applicant to contact zoning for further clarification.

Given the above, Planning staff are therefore satisfied that the proposal 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.

Planning staff also note a preliminary application meeting (PAM 24-179) occurred with Development Planning staff on October 24th, 2024, to construct a 14-storey hotel on the subject property. The plans submitted for PAM 24-179 depicted a prospective hotel and parking area straddling across the proposed northern boundary line dividing the proposed severed and retained parcels as per the scope of the consent application. Planning staff note they would not support a proposal where the orientation of a structure or building straddles a newly created lot line devised through a separate consent process.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Information submitted with this application indicates that the intent is to create a new lot. Under the previous severance application for this site (file 'B' 63-22) this department provided a comment requesting that confirmation be received that no easements would be required as there was an existing service station, and we needed to confirm the location of any underground services. We note that the service station has been removed and the property is currently vacant.

It should be acknowledged that the city recently processed application PAM 24-179 for this property which proposed a 14-story hotel. The property limits shown on the Site Plan for the proposed hotel do not align with the property limits proposed under this severance application and we questioned the PAM 24-179 request. It should be noted that this department would not be in support of any structures (i.e. hotel) straddling different property lines.

In view of the above, and should Committee see merit in the subject applications we provide the following comments for the Committee's consideration:

A. Items Required Prior to the Issuance of Final Consent:

1. Road Widening on Matheson Boulevard and Sight Triangle Requirements

Satisfactory arrangement will have to be made for the gratuitous dedication to the City of Mississauga for a right of way widening towards the ultimate 26 metre right-of-way of Matheson Boulevard as identified in the Official Plan.

In addition, a 10 metre Sight Triangle at the north-west corner of Aimco Boulevard and Matheson Boulevard will be required.

The applicant's surveyor is to prepare and submit a draft reference plan to this department for review and approval. We are advising that any particulars with regards to land dedications will have to be to the satisfaction of our traffic section, Trans.Projects@mississauga.ca and also verified by the City's Ontario Land Surveyor which can be contacted at viorel.mares@mississauga.ca

2. Environmental Site Assessment (ESA) for Road Widening

As a road widening across the frontage of Matheson Boulevard is being requested, in accordance with Corporate Policy 09-08-02, a Phase 1 Environmental Site Assessment (ESA) will be required. The report should be prepared in accordance with O. Reg 153/04 (as amended), signed and dated by a Qualified Person as defined in O. Reg 153/04 (as amended) and include a clause or be accompanied by a letter signed by the author of the report or a Principal of the Consulting Firm, which allows the City of Mississauga to make reliance on the findings and conclusions presented in the report.

If the Phase One ESA indicates potential for contamination, a Phase Two Environmental Site Assessment will be required. If contamination is confirmed, a Remedial Action Plan that appropriately addresses the contamination will be required. Recommendations contained within the plan will be implemented by way of conditions to the development approval.

3. Mutual Access Easement with Residual Lands (5165 Dixie Road)

The applicant/owner will be required to establish a Mutual Access Easement between 5145 (severed lands) and 5165 (residual lands) Dixie Road. We are advising that any particulars with regards to this Mutual Access Easement will have to be to the satisfaction of our traffic section. It is advisable that the applicant contact our traffic section at Trans.Projects@mississauga.ca with regards to any of the pertinent details such as the exact location and width of this Mutual Access Easement.

4. Solicitor Letter and 43R-Plan Addressing Required Easement(s)

The applicant/owner will be required to provide a 43R-Plan and letter prepared by the applicant's Solicitor which would specifically describe the new private Mutual Access Easement to be established through this application.

It should also be noted that any documentation received will be forwarded as an attachment with our clearance memo to the Committee of Adjustment Office in order that any new easement(s) can be identified and be incorporated into the Certificate of Secretary-Treasurer.

B. General Information

1. Site Plan Approval

Any re-development of the subject lands will require the owner obtaining Site Plan Approval where any site-specific conditions/requirements relating to detailed lot grading and drainage, servicing, access, etc. can be addressed.





Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

Zoning has no objection to the Consent application provided that the severed and retained lands comply with the provisions of Zoning By-law 0225-2007, as amended, with respect to, among other things, minimum lot frontage, minimum lot area, setbacks to the existing building(s), on site parking, etc., or alternatively, that any minor variance(s) is approved, final and binding and/or the demolition of any existing building(s) is complete.

We further advise that the proposed lot frontage is to be calculated in accordance with the following definition:

- The applicant is advised that Lot Frontage means the horizontal distance between the side lot lines and where these lines are not parallel means the distance between the side lot lines measured on a line parallel to and 7.5 m back from the front lot line.

Comments Prepared by: Crystal Abainza, Zoning Examiner

Appendix 3 – Region of Peel Comments

- The Region requests the gratuitous dedication of lands along Regional Road 4 (Dixie Road) that has a right of way of 50.5 metres:
 - 25.25 metres from the centreline of the road allowance within 245 metres of an intersection to protect for the provision of but not limited to: utilities, sidewalks, multiuse paths and transit bays/shelters.
- The Region will require the gratuitous dedication of a 15 x 15 metre daylight triangle at the intersection of Dixie Road and Amico Boulevard.
- The Region will require the gratuitous dedication of a 0.3 metre reserve along the frontage Regional Road 4 (Dixie Road) behind the property line and daylight triangle, except at any approved access point.
- The applicant shall gratuitously dedicate these lands to the Region, free and clear of all encumbrances, and shall provide the Region with the necessary title documents and reference plan(s) to confirm the Region's right-of-way. All costs associated with land transfer are the responsibility of the applicant.
- The Region is in support of the continued use of the restricted right-in/right-out access to the retained lands.
- The Region is not in support of the access to Dixie Road from the severed lot. Access will only be supported from Amico Boulevard. The Region requests that the applicant establish provisions to be put in place by way of easements for interconnectivity between the retained and severed properties.

Condition:

- Satisfactory arrangement shall be made between the owner and the Region regarding land dedication and access configuration.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix A – Conditions of Provisional Consent

SHOULD THE COMMITTEE GRANT A PROVISIONAL CONSENT, THE FOLLOWING IS A LIST OF THE RECOMMENDED CONDITIONS TO BE ATTACHED TO THE DECISION AND THESE CONDITIONS MAY BE REVISED BY THE COMMITTEE AT THE PUBLIC MEETING.

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding. ("A" 615/24)
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated February 6, 2025.
5. A letter shall be received from the Region of Peel, Development Services/Public Works, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated February 6, 2025.

NOTE:

Subsection 50(3) and/or 50(5) of the Planning Act shall apply to any subsequent conveyance or transaction that is subject to this consent and the Secretary-Treasurer's Certificate shall contain reference to this stipulation.

In Person and Virtual Public Hearing

Why you received this letter:

You are receiving this letter because you are the owner of a neighbouring property within 60m (200ft) of the subject property, or are the agent/interested party/owner of the property for the application.

Details of the application and meeting information:

The property owner of 5150 Spectrum Way, zoned E1-19 - Employment, has applied for Consent under Section 53 of the Planning Act. The applicant requests the consent of the Committee to sever a parcel of land to create a new lot. The parcel of land has a frontage of approximately 66.45m (218.01ft) and an area of approximately 2.17ha (5.36ac).

The Committee has set **Thursday, February 13, 2025 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown.

How to participate:

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If you wish to be notified of the decision of the Committee of Adjustment in respect of the proposed consent, you must make a written request to the Committee of Adjustment via email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. This will also entitle you to be advised of any Ontario Land Tribunal (OLT) appeals.

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-02-06	File(s): B87.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2/13/2025 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

The applicant requests the consent of the Committee to sever a parcel of land to create a new lot. The parcel of land has a frontage of approximately 66.45m (218.01ft) and an area of approximately 2.17ha (5.36ac).

Recommended Conditions and/or Terms

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 5150 Spectrum Way

Mississauga Official Plan

Character Area: Airport Corporate Centre
Designation: Business Employment, Greenlands

Zoning By-law 0225-2007

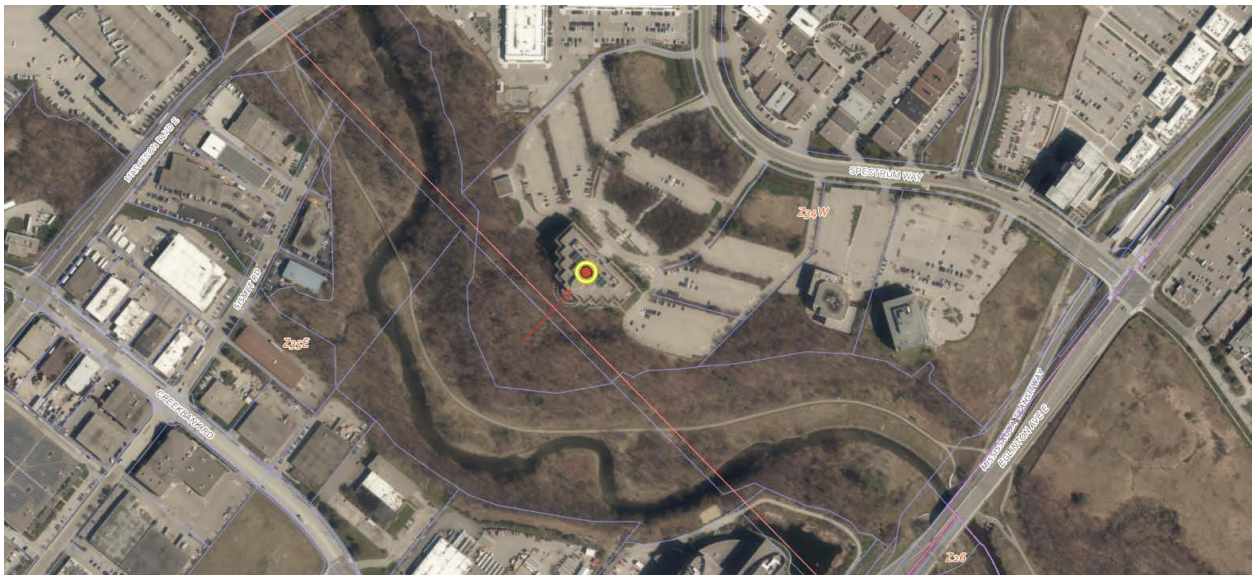
Zoning: E1-19 - Employment

Other Applications: None

Site and Area Context

The subject property is located on the west side of Spectrum Way, north of the Eglinton Avenue East intersection in the Airport Corporate Centre Character Area. Currently, it contains a 6-storey office building and associated surface parking lot. There is significant mature vegetation to the rear (west boundary) of the property, abutting the Etobicoke Creek. The surrounding area context includes a mix of parkland, office, commercial and industrial buildings of various sizes and heights.

The applicant is proposing to sever the existing property into 2 lots.



Comments

Planning

Provincial Matters

The Provincial Policy Statement 2024 (PPS 2024) promotes efficient development and land use, directing the focus towards intensification and redevelopment. The proposal is consistent with the general directive in provincial policy.

Planning Act

Section 51 (24) of the *Planning Act* sets out the criteria for land division in the Province of Ontario. In evaluating such requests, the Committee needs to be satisfied that the proposal

meets not only the criteria set out under Section 51(24), but also municipal requirements identify in local legislation.

Staff comments concerning the application are as follows:

The subject property is located in the Airport Corporate Centre Character Area and is designated Business Employment in Schedule 10 of the Mississauga Official Plan (MOP). The Business Employment designation permits a variety of employment uses, including major office. 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 application is consistent with the official plan as the severed and retained lands will provide adequately sized lots and are appropriate to facilitate the use(s) envisioned in the official plan. Furthermore, staff have no concerns with the severance regarding the criteria set out in Section 51(24) of the Planning Act as the site is appropriately serviced and is suitable for the planned use of the property. Staff are therefore of the opinion that the application conforms to Section 51(24) of the Planning Act.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

The Transportation and Works Department has no objections to the applicant's request where the intent of the Consent Application is to create a new lot. This property currently has three access points onto Spectrum Way and it's our understanding that no modifications will be required to these existing access locations, however mutual right-of way easements will be required between the parcels.

The applicant has provided a servicing investigation in support of the proposed severance prepared by Skira & Associates Ltd, Consulting Engineers dated November 11, 2024. This servicing investigation also contains a color-coded subsurface utility engineering investigation prepared by 4 Sight Utility Engineers which references the numerous underground utilities, i.e. Storm, sanitary, water, gas, hydro, etc. From our review of the subservice utility engineering investigation we can confirm that servicing easements will be required.

Having reviewed the submitted information, particularly the Skira & Associates servicing investigation, we note that several private easements will be required between the two parcels. In this regard a solicitor letter will be required to confirm that the various proposed easements are accurately identified.

In view of the above, and should Committee see merit in the subject applications we provide the following comments for the Committee's consideration:

A. Items Required Prior to the Issuance of Final Consent

1. Solicitor Letter and 43R-Plan Addressing Required Easement(s)

As indicated above the applicant has already provided the background material required to assist in the review of any required/proposed easements. In addition to the submitted material, the applicant/owner will be required to provide a 43R-Plan and letter prepared by the applicant's Solicitor which would specifically describe any new private easement(s) to be established through this application.

It should also be noted that any documentation received will be forwarded as an attachment with our clearance memo to the Committee of Adjustment Office in order that any new proposed private easement(s) can be identified and be incorporated into the Certificate of Secretary-Treasurer.

B. General Information**1. Site Plan Approval**

Any re-development of the subject lands will require the owner obtaining Site Plan Approval where any site-specific conditions/requirements relating to detailed lot grading and drainage, servicing, access, etc. can be addressed.

Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

Zoning has no objection to the Consent application provided that the severed and retained lands comply with the provisions of Zoning By-law 0225-2007, as amended, with respect to, among other things, minimum lot frontage, minimum lot area, setbacks to the existing building(s), on site parking, etc., or alternatively, that any minor variance(s) is approved, final and binding and/or the demolition of any existing building(s) is complete.

We further advise that the proposed lot frontage is to be calculated in accordance with the following definition:

- The applicant is advised that Lot Frontage means the horizontal distance between the side lot lines and where these lines are not parallel means the distance between the side lot lines measured on a line parallel to and 7.5 m back from the front lot line.

Comments Prepared by: Crystal Abainza, Zoning Examiner

Appendix 3 – Heritage

The property has archaeological potential due to its proximity to a present or past watercourse or known archaeological resource. Due to the archaeological potential, an archaeological assessment must be completed. The applicant should contact the Ministry of Citizenship and Multiculturalism to determine if an archaeological assessment has been completed for this property. If an assessment has already been completed, please provide Heritage Planning with a letter from the Ministry confirming all archaeological resource concerns have met licensing and resource conservation requirements for the property. If an assessment has not been completed a licenced archaeologist with experience in (heritage resource management) must be retained by the property owner in order to meet the requirements of the Ministry.

Comments Prepared by: Andrew Douglas, Heritage Analyst

Appendix 4 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix A – Conditions of Provisional Consent

SHOULD THE COMMITTEE GRANT A PROVISIONAL CONSENT, THE FOLLOWING IS A LIST OF THE RECOMMENDED CONDITIONS TO BE ATTACHED TO THE DECISION AND THESE CONDITIONS MAY BE REVISED BY THE COMMITTEE AT THE PUBLIC MEETING.

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding.
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated February 6, 2025.

NOTE:

Subsection 50(3) and/or 50(5) of the Planning Act, shall apply to any subsequent conveyance or transaction that is subject to this consent and the Secretary-Treasurer's Certificate shall contain reference to this stipulation.



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: B37.24 A271.24 A272.24
Ward: 2

In Person and Virtual Public Hearing

Why you received this letter:

You are receiving this letter because you are the owner of a neighbouring property within 60m (200ft) of the subject property, or are the agent/interested party/owner of the property for the application.

Details of the application and meeting information:

The property owner of 1271 Lorne Park Rd, zoned R2-5- Residential, has applied for consent under Section 53 and minor variance(s) under Section 45 of the Planning Act. B37/24

The applicant requests the Consent of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 22.45m (approx. 73.66ft) and an area of approximately 544.59sq. m (approx. 5861.97sq ft). A271/24

The applicant requests a minor variance for the severed lands of B37/24 proposing:

1. A lot area of 544.69sq m (approx. 5863.04sq ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 695.00sq m (approx. 7480.98sq ft) in this instance;
2. A lot frontage of 22.45m (approx. 73.66ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 30.00m (approx. 98.43ft) in this instance;
3. A front yard setback of 5.69m (approx. 18.67ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 9.00m (approx. 29.53ft) in this instance;
4. A building height to the highest ridge of 9.76m (approx. 32.02ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.00m (approx. 29.53ft) in this instance;
5. A gross floor area of 329.46sq m (approx. 3546.31sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 298.93sq m (approx. 3217.68sq ft) in this instance;
6. A combined width of side yards of 23.80% whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 27.00% in this instance;
7. A lot coverage of 31.80% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance;
8. An eave height of 7.63m (approx. 25.03ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance; and,
9. A garage projection beyond the front wall or exterior side wall of the first storey of 0.30m (approx. 0.98ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0m in this instance.

A272/24

The applicant requests a minor variance for the retained lands of B37/24 proposing:

1. A lot frontage of 18.45m (approx. 60.53ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 30.00m (approx. 98.43ft) in this instance;
2. A lot area of 635.79sq m (approx. 6843.64sq ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 810.00sq m (approx. 8718.84sq ft) in this instance;
3. A front yard setback of 5.94m (approx. 19.49ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.50m (approx. 24.61ft) in this instance;
4. A rear yard (corner lot) of 2.41m (approx. 7.91ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard (corner lot) of 3.00m (approx. 9.84ft) in this instance;
5. A lot coverage of 30.70% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance;
6. An eave height of 7.52m (approx. 24.67ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance;
7. A garage projection beyond the front wall or exterior side wall of the first storey of 2.03m (approx. 6.66ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0m in this instance;
8. A building height to the highest ridge of 9.63m (approx. 31.99ft) whereas By-law 0225-2007, as amended, permits a

maximum building height of 9.00m (approx. 31.59ft) in this instance;

9. An exterior side yard setback of 3.85m (approx. 12.63ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 7.50m (approx. 24.61ft) in this instance; and,

10. A gross floor area of 352.29sq m (approx. 3792.02sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 317.15sq m (approx. 3413.80sq ft) in this instance.

The Committee has set **Thursday, February 13, 2025 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

Public participation at hearings helps the Committee make informed decisions. There are several methods to participate:

- **In person:** The hearing will be held in person at Mississauga Civic Centre, Council Chambers, 300 City Centre Drive, 2nd Floor. Advance registration is preferred if you wish to speak at the hearing in person. If you wish to make a presentation you must send your request to speak and your presentation (as an attachment) via email to committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. A document projector will also be available, if preferred.
- **Electronically (computer, tablet or smartphone):** Advance registration is required to speak virtually at the hearing. If you wish to make a presentation at the hearing you must send your request to speak and your presentation material (as an attachment) via email to committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. If you have connection issues on the hearing date, please email virtualmeeting.help@mississauga.ca.
- **By telephone:** Advance registration is required to speak virtually at the hearing. To register, please call 905-615-3200 x5507 by 4:30 PM on the Friday prior to the hearing. You must provide your name, phone number, and the application file number. Committee staff will provide you with call in details prior to the start of the hearing.
- **Submit a written comment:** Written comments to the Committee must be received no later than 4:30 p.m. on the Friday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and the application file number or property address you are commenting on.

If you wish to view the public hearing online and do not wish to speak, the hearing will be streamed at the following link:

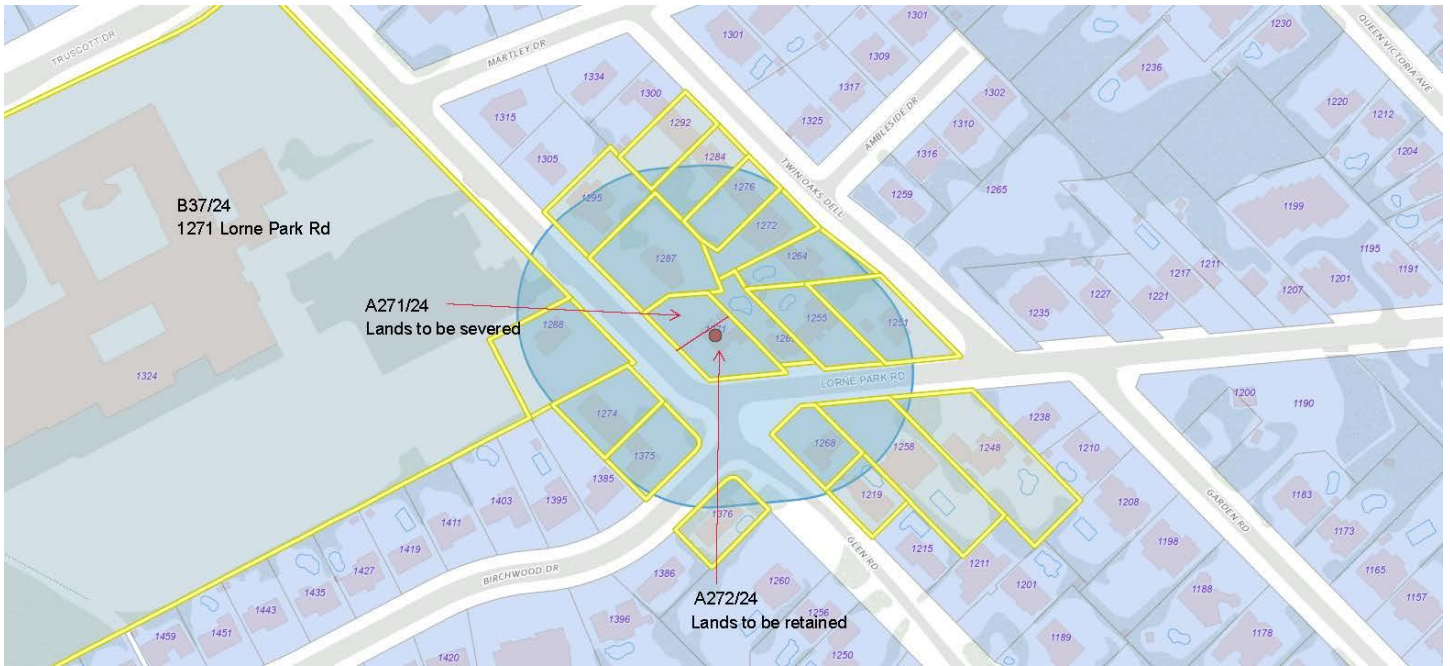
<http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>

Additional Information:

- For more information about this matter, contact committee.adjustment@mississauga.ca or call 905-615-3200 x5507. Alternatively, information can be obtained in person by making an appointment with the Committee of Adjustment at 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Appointments can be booked using the "Book an appointment" button on the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.
- You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>.
- If you wish to be notified of the decision of the Committee, you must submit a written request to committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. This will also entitle you to be advised of any Ontario Land Tribunal (OLT) appeals.

Committee of Adjustment Appeal Process:

The Province of Ontario's Bill 23, the More Homes Built Faster Act, 2022, limits who is allowed to appeal decisions made by the Committee of Adjustment. Going forward, only the applicant, the municipality, certain public bodies and the Minister can appeal a decision to the OLT. Individuals are no longer permitted to do so. For more information please see the "Appeal process" section on the Committee of Adjustment webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.



Legal notice:

Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual (including being posted on the internet) upon request in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x5507.

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-02-06	File(s): B37.24 A271.24 A272.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2/13/2025 1:00:00 PM

Consolidated Recommendation

The City has no objections to the requested consent and minor variance applications, as amended. 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

B37/24

The applicant requests the Consent of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 22.45m (approx. 73.66ft) and an area of approximately 544.59sq. m (approx. 5861.97sq ft).

A271/24

The applicant requests a minor variance for the severed lands of B37/24 proposing:

1. A lot area of 544.69sq m (approx. 5863.04sq ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 695.00sq m (approx. 7480.98sq ft) in this instance;
2. A lot frontage of 22.45m (approx. 73.66ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 30.00m (approx. 98.43ft) in this instance;
3. A front yard setback of 5.69m (approx. 18.67ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 9.00m (approx. 29.53ft) in this instance;
4. A building height to the highest ridge of 9.76m (approx. 32.02ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.00m (approx. 29.53ft) in this instance;
5. A gross floor area of 329.46sq m (approx. 3546.31sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 298.93sq m (approx. 3217.68sq ft) in this instance;
6. A combined width of side yards of 23.80% whereas By-law 0225-2007, as

amended, requires a minimum combined width of side yards of 27.00% in this instance;

7. A lot coverage of 31.80% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance;

8. An eave height of 7.63m (approx. 25.03ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance; and,

9. A garage projection beyond the front wall or exterior side wall of the first storey of 0.30m (approx. 0.98ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0m in this instance.

A272/24

The applicant requests a minor variance for the retained lands of B37/24 proposing:

1. A lot frontage of 18.45m (approx. 60.53ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 30.00m (approx. 98.43ft) in this instance;

2. A lot area of 635.79sq m (approx. 6843.64sq ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 810.00sq m (approx. 8718.84sq ft) in this instance;

3. A front yard setback of 5.94m (approx. 19.49ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.50m (approx. 24.61ft) in this instance;

4. A rear yard (corner lot) of 2.41m (approx. 7.91ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard (corner lot) of 3.00m (approx. 9.84ft) in this instance;

5. A lot coverage of 30.70% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance;

6. An eave height of 7.52m (approx. 24.67ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance;

7. A garage projection beyond the front wall or exterior side wall of the first storey of 2.03m (approx. 6.66ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0m in this instance;

8. A building height to the highest ridge of 9.63m (approx. 31.99ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.00m (approx. 31.59ft) in this instance;

9. An exterior side yard setback of 3.85m (approx. 12.63ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 7.50m (approx. 24.61ft) in this instance; and,

10. A gross floor area of 352.29sq m (approx. 3792.02sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 317.15sq m (approx. 3413.80sq ft) in this instance.

Amendments

Planning staff received revised drawings from the applicant on January 16, 2025. While Planning staff are not in a position to provide a Zoning review, staff note the following amendments may be required:

B37/24

The applicant requests the Consent of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 22.87m and an area of approximately 491.95sq. m.

A271/24

The applicant requests a minor variance for the severed lands of B37/24 proposing:

1. A lot area of 491.95sq m (approx. 5863.04sq ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 695.00sq m (approx. 7480.98sq ft) in this instance;
2. A lot frontage of 22.87m whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 30.00m (approx. 98.43ft) in this instance;
5. A gross floor area of 311.96sq m whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 288.39sq m in this instance;
6. A combined width of side yards of 22.5% whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 27.00% in this instance;
7. A lot coverage of 33.44% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance;

A272/24

The applicant requests a minor variance for the retained lands of B37/24 proposing:

1. A lot frontage of 22.89m whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 30.00m (approx. 98.43ft) in this instance;
2. A lot area of 688.52sq m whereas By-law 0225-2007, as amended, requires a minimum lot area of 810.00sq m (approx. 8718.84sq ft) in this instance;
6. An eave height of 7.53m whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance;
7. A garage projection beyond the front wall or exterior side wall of the first storey of 3.99m whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0m in this instance;
8. A building height to the highest ridge of 9.64m whereas By-law 0225-2007, as amended, permits a maximum building height of 9.00m (approx. 31.59ft) in this instance;
10. A gross floor area of 351.24sq m whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 327.7sq m (approx. 3413.80sq ft) in this instance.

Variance #5 pertaining to lot coverage is not required.

Background

Property Address: 1271 Lorne Park Rd

Mississauga Official Plan

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

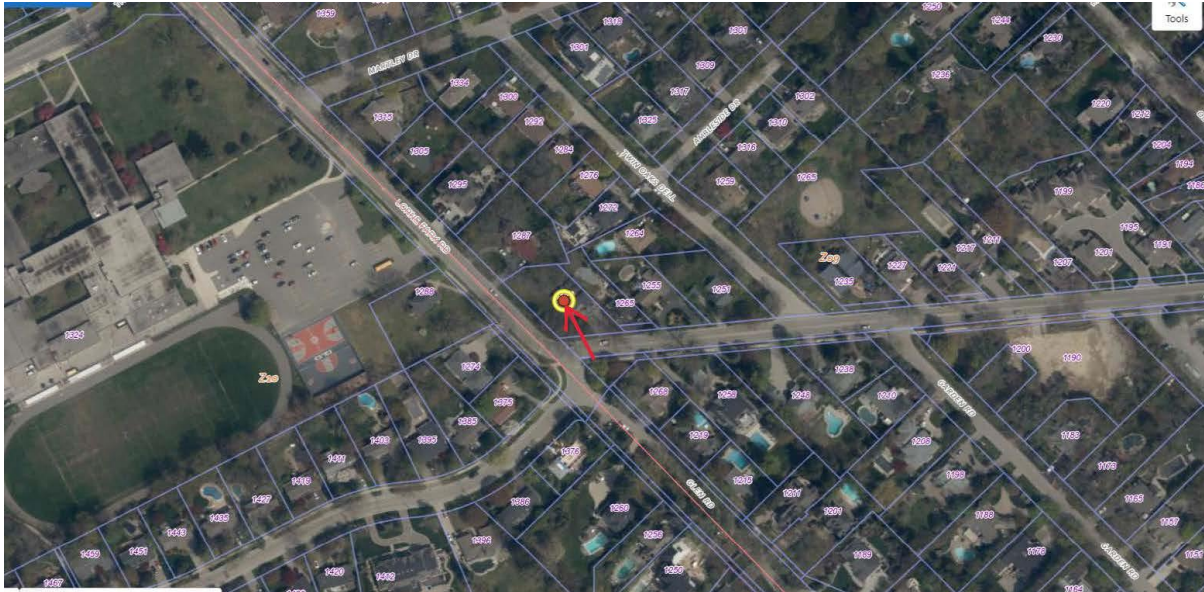
Zoning By-law 0225-2007

Zoning: R2-5- Residential

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, northeast of the Lorne Park Road and Birchwood Drive intersection. The Neighbourhood is predominantly low density residential, with a school and some commercial uses within the vicinity of the site. The residential uses consist of one and two-storey detached and semi-detached dwellings with mature vegetation and landscape elements in the front yards. The subject property contains an existing one-storey detached dwelling with mature vegetation in the front yard.

The applicant is proposing to demolish the existing one-storey detached dwelling and sever the property into two new parcels. The applicant is proposing a two-storey detached dwelling on each lot requiring variances related to frontage, lot area, lot coverage, setbacks, dwelling height, eave height, garage projection, gross floor area, side yard width and gross floor area.



Comments

Planning

Provincial Matters

The Provincial Policy Statement 2024 (PPS 2024) promotes efficient development and land use, directing the focus towards intensification and redevelopment. The proposal is consistent with the general directive in provincial policy.

Planning Act

Section 51 (24) of the *Planning Act* sets out the criteria for land division in the Province of Ontario. In evaluating such requests, the Committee needs to be satisfied that the proposal meets not only the criteria set out under Section 51(24), but also municipal requirements identify in local legislation.

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. In evaluating such requests, the Committee needs to be satisfied that the proposal meets the four tests set out in the *Planning Act*.

Staff comments concerning the applications for consent and the four tests to the minor variance request are as follows:

The application was previously before the Committee of Adjustment on June 20, 2024, and November 14, 2024. The file was deferred on June 20, 2024, to address Transportation and Works staff's concerns regarding the proposed lot area and frontage variances due to land

dedications across the entirety of the property frontage for the future widening of the Lorne Park Road right of way. The applicant worked with TW staff to address those concerns and revised the proposed lot areas and frontages.

Further, the application was again deferred on November 14, 2024, wherein staff had noted concerns regarding the proposed lot coverage, building height and the lack of amenity area. Additionally, due to the inaccuracies in the variances, staff were unable to review the proposal.

The applicant has since worked with Planning staff to revise the proposal and address massing concerns. The applicant has sent revised drawings dated January 16, 2025, which indicate adjusted lot lines and requires revised variances (as noted in the amendments). As such, staff comments pertain to the revised list of variances.

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

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan, which permits detached dwellings only in this instance. The applicant is proposing to sever the subject property into two new lots for the purpose of constructing two-storey detached dwellings.

As per Section 16.1.2.1, to preserve the character of lands designated Residential Low Density I and Residential Low Density II, the minimum frontage and area of new lots will be evaluated in the context of the existing lot pattern in the surrounding area. Furthermore, Section 5.3.5 (Neighbourhoods) states that neighbourhoods are not meant to remain static, however, when new development occurs, it should be sensitive to the neighbourhoods existing and planned character. The proposed severance represents sensitive intensification that is compatible with the area due to the range of lot sizes within the existing neighbourhood fabric. The immediate area consists of lots that have frontages as low as approximately 18m (59ft). The proposed lots are generally in line with the existing and planned character of the area. Recognizing that intensification does not have to mirror existing development, the proposed severance is sensitive to the existing and planned character of the neighbourhood and will not result in significant adverse impacts to the community.

Staff are of the opinion that the application conforms to Section 51(24) of the Planning Act, more specifically that the application conforms to the official plan and is suitable for the purpose of developing two detached dwellings.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

Variance #1 (A271.24) and Variance #2 (A272.24) pertain to lot areas. Variance #2 (A271.24) and Variance #1 (A272.24) pertain to lot frontages. The intent of the zoning by-law is to ensure that new lots are appropriately sized and fit within the context of the surrounding area. Staff note that the subject property is required to do a land dedication across the property lot frontage for the future widening of the Lorne Park Road right of way, which has impacted the proposed lot areas and frontages. Staff are of the opinion that the proposed lot frontages are generally reflective of the existing area context due to the existing eclectic lot fabric, which contains frontages ranging from approximately 18m (59ft) to 38m (124.6ft). Through a comprehensive review of the surrounding lands, planning staff are satisfied that the proposal fits appropriately

into the character of the surrounding area and is complementary to the existing and proposed lot fabric. Further, staff are satisfied that the proposal does not impact the character of the neighbourhood from a streetscape perspective.

Variance #3 (A271.24 and A272.24) requests relief in the front yard setback regulations. The intent of a front yard setback is to ensure that a consistent character is maintained along the streetscape and that a sufficient front yard space is incorporated into the design of neighbourhoods. Staff are of the opinion that the variance is required to facilitate the land dedication. Staff are satisfied that the dwellings maintain a consistent character along the streetscape visually. Further, for A272.24, retained lands, the front yard is technical due to the zoning regulations and the exterior side yard functions as the functional front yard. Staff are satisfied that the reduction is consistent with other dwellings found in the neighbourhood and maintains the streetscape.

Variance #4 (A271.24) and Variance #8 (A272.24) request an increase in the building height. Variance #8 (A271.24) and Variance #6 (A272.24) request an increase in eave height. The intent of restricting height to the highest ridge and eaves is to lessen the visual massing of 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 that for severed lands, the average grade is below the finished grade by 0.15m (0.49ft) and for retained lands, by 0.36m (1.18ft) due to the grading of the property, mitigating the height increase. Staff are satisfied that the proposed increases in height are appropriate and minor for the subject property. Further, staff are of the opinion that incorporation of architectural features like varying roof lines and windows in the design further mitigates any massing impacts.

Variance #4 (A272.24) pertains to rear yard setback. The intent in restricting rear yard setbacks is to ensure that an adequate buffer is maintained between neighbouring properties and appropriate rear yard amenity area is maintained. Staff note that the variance is technical in nature due to the technical front lot line. Due to the design and orientation of the dwelling, the technical rear yard functions as the side yard in this instance. Staff are satisfied that an appropriate buffer is provided, and an appropriate amenity area is maintained

Variance #5 (A271.24) and Variance #10 (A272.24) pertain to 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 a moderate increase that is in line with new builds in the surrounding area and will not create a significant massing impact above the as of right permissions of the property.

Variance #6 (A271.24) pertains to combined width of side yards. Variance #9 (A272.24) requests reduced exterior side yard setback. 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 and the public realm and to ensure access to the rear yard remains unencumbered. For the retained lands (A272.24), the dwelling design is staggered and as such, the variance is required only for a portion of the dwelling. For the severed lands (A271.24), staff note the dwelling meets individual side yard setbacks. Through a review of the immediate neighbourhood, the proposed side yards are not out of character within the immediate

neighbourhood. Furthermore, the proposed setbacks maintain a sufficient buffer to the neighbouring properties and ensures access to the rear yard remains unencumbered.

Variance #7 (A271.24) 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. Staff are of the opinion that the dwelling has been designed to be suitably accommodated on the severed parcel. Staff are satisfied that the proposal does not represent an overdevelopment of the subject property.

Variance #9 (A271.24) and Variance #7 (A272.24) pertain to garage projection. The intent of the zoning by-law with respect to garage projections is to maintain a consistent streetscape, while ensuring the garage is not the dominant feature of the dwelling. For A271.24, the garage projection requested is 0.30m or 0.98ft. Staff are of the opinion that the increase is negligible and will not be perceptible from the streetscape. For A272.24, staff note the garage is located in the exterior side yard. As such, the variance is technical in nature. Staff have no concerns with the requested variance and are satisfied that the garage is not the dominant feature of the dwelling.

Given the above, staff are of the opinion 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?

It is staff's opinion that the proposed development is sympathetic to the surrounding area and the proposed lots are capable of reasonably accommodating new detached dwellings. Furthermore, the proposed variances for the retained and severed properties are consistent with existing properties in the area. As such, it is staff's opinion that the proposed development is appropriate and represents a sensitive form of intensification that is minor in nature.

Comments Prepared by: Shivani Chopra, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting that any Transportation and Works Department concerns/requirements for this property will be addressed under Consent Application ‘B’ 37/24.

We advise that since the initial submission, the applicant has been in contact with our Traffic Section and a resolution on a Draft ‘R’ Plan has been reached regarding the required land dedication along the frontage of the property.

Should Committee see merit in the applicant's request we are providing the following conditions/requirements for Committee's consideration:

A. Items Required Prior to the Issuance of Final Consent

1. Overall Grading/Servicing and Drainage Plan

The applicant's consulting engineer will be required to prepare an Overall Grading/Servicing and Drainage Plan which contains sufficient details to ensure grading compatibility with the adjacent lands and existing servicing for the lands and submit the grading and drainage proposal to this department for review/approval.

2. Municipal Address Requirement

Prior to the issuance of final consent, satisfactory arrangements are to be made with Corporate Services Department, Information Technology Division, Digital Services & Mobility Section, Geospatial Solutions Group for the creation of new municipal addresses for the severed and retained lands. For further information, please contact Susie Tasca at (905) 615-3200 ext. 3088 or susie.tasca@mississauga.ca

3. Dedication of Road Widening

The Owner will be required to gratuitously dedicate the following to the City of Mississauga:

A right of way widening towards the ultimate 26 metre right-of-way of Lorne Park Road as identified in the Official Plan. This condition will be cleared upon receipt of confirmation Legal Services identifying that the transfer has taken place and associated fees have been paid.

For any clarification or questions regarding this requirement please contact Mohammed Ayesch at x8529.

4. Fee Requirements as Per Fees and Charges By-Law

As per the City of Mississauga's Fees and Charges By-law there will be a fee required to be paid to the Legal Services Department for their services, in particular for the preparation of legal documents. The fee amount payable will be in accordance with the current Fees and Charges Bylaw and be submitted to the Transportation and Works Department in the form of a certified cheque.

5. Environmental Site Screening Questionnaire

As per the land dedication requirement, a completed Environmental Site Screening Questionnaire and Declaration (ESSQD) form (Rev. 2020 02), signed by a Commissioner of Oaths and the owner, must be submitted to the Transportation and Works Department for review.

For any clarification or questions regarding this requirement please contact Jessica Yong at x3174.

For further information regarding the above noted comments, please contact John Salvino at (905) 615-3200 ext. 5183 or john.salvino@mississauga.ca

B. GENERAL INFORMATION

1. Lot Grading and Drainage

We advise the applicant that issuance of any building permits for the new dwelling(s) will be subject to the owner submitting a certified lot grading and drainage plan to this Department for review/approval. The grading and drainage plan is to contain sufficient detail to ensure grading compatibility with the adjacent properties. In addition, the owner will be required to submit the applicable lot grading and municipal services protection deposits.

2. Servicing

All costs incurred in providing any service laterals will be the responsibility of the owner. The owner will also be responsible for all costs incurred for the required road reinstatement (if required). If the service connections are to be installed by a private contractor retained by the owner, issuance of an open cut permit will be subject to the owner depositing adequate securities with the City to guarantee proper road reinstatement.

3. Access

The applicant will be required to apply for Access Modification Permits prior to Site Plan Approval and/or Building Permit Issuance. We advise the applicant that all costs incurred in providing any new driveway entrance(s) to the subject lands or any modifications/reinstatement required, would be at cost to the owner.

Driveway accesses shall maintain a 1.5m setback from aboveground features such as utilities and trees. We are also noting that should any utilities need to be relocated, all costs incurred will also be to the owner.

The most southerly lot shall have driveway access onto the east/west portion of Lorne Park Road. The most northerly lot shall have access onto the north/south portion of Lorne Park Road. Any new driveway shall maximize the corner clearance from the bend/intersection of Lorne Park Road, to the extent possible.

4. Storm Outlet

The storm sewer outlet for this site is the existing 825mm storm sewer on Lorne Park Road. The applicant is encouraged to design the basement elevation 1 metre above the obvert of the storm sewer on the street to eliminate the need for a sump pump.

Please note that in cases of a high groundwater table where a sump pump could run continuously if a sump pump was implemented, the applicants should consider raising the basement elevation to be at least 1.0 meter above the groundwater level. It is the owner's responsibility to satisfy themselves with these conditions as the City has no obligation to address any concerns with the operating conditions of private sump pump systems.

G. Russell,

Supervisor, Development Engineering South

905-615-3200, ext. 5833

Comments Prepared by: Geoff Russell, Supervisor, Development Engineering South





Appendix 2 – Zoning Comments

Zoning has no objection to the Consent application provided that the severed and retained lands comply with the provisions of Zoning By-law 0225-2007, as amended, with respect to, among other things, minimum lot frontage, minimum lot area, setbacks to the existing building(s), on site parking, etc., or alternatively, that any minor variance(s) is approved, final and binding and/or the demolition of any existing building(s) is complete.

We further advise that the proposed lot frontage is to be calculated in accordance with the following definition:

- The applicant is advised that Lot Frontage means the horizontal distance between the side lot lines and where these lines are not parallel means the distance between the side lot lines measured on a line parallel to and 7.5 m back from the front lot line.

We note that a Building Permit is required. In the absence of a Building Permit we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed.

The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

Comments Prepared by: Crystal Abainza, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

Park Planning Comments

The Parks & Culture Planning Section of the Community Services Department has reviewed the consent application and advises as follows:

1. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, c.P. 13, as amended) and in accordance with the City's policies and by-laws.

Should further information be required, please contact Nicholas Rocchetti, Planner – Park Planning, Community Services Department at 905-615-3200 ext. 4659 or via email nicholas.rocchetti@mississauga.ca.

Comments Prepared by: Nicholas Rocchetti, Planner

Forestry Comments

The Forestry Section of the Community Services Department has reviewed the consent application and advises as follows:

City of Mississauga Forestry Staff have attended the site and identified the following City owned trees within the municipal boulevard on Lorne Park Road:

- Pin Oak (88cm DBH) - Good Condition - \$14,200.00
- Pin Oak (53cm DBH) - Good Condition - \$4,800.00 (Boundary)
- Pin Oak (104cm DBH) – Good Condition – \$19,300.00
- Siberian Elm (12cm DBH) – Good Condition - \$200.00

Should the application be approved, Community Services wishes to impose the following conditions:

1. The applicant shall provide tree protection securities in the amount of \$38,500.00 for the preservation of the municipal trees.
2. The applicant shall provide a cash contribution of \$875.41 for the planting of one (1) street tree on Lorne Park Road. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.

In addition, Forestry notes the following:

1. No public trees shall be injured or removed. If public tree 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.
4. The applicant shall provide framed tree hoarding at the dripline of the above noted trees prior to any construction to the satisfaction of City of Mississauga Forestry Staff. Please call Matthew McMullen at 905-615-3200 ext. 3508 or Mike Newbold at 905-615-3200 ext. 8280 to arrange a hoarding inspection.
5. Payment for street tree fees and other charges can be made at the Parks and Forestry customer service counter located at 950 Burnhamthorpe Road West, in the form of a certified cheque, bank draft, or money order made payable to "The Corporation of the City of Mississauga". A Submission of Fees and Securities form is required to process payment. Please contact Rita Di Michele to request a Submission of Fees and Securities form and any other inquires regarding the payment process.

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, 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 – Heritage

The property has archaeological potential due to its proximity to a present or past watercourse or known archaeological resource. Due to the archaeological potential, an archaeological assessment must be completed. The applicant should contact the Ministry of Citizenship and Multiculturalism to determine if an archaeological assessment has been completed for this property. If an assessment has already been completed, please provide Heritage Planning with a letter from the Ministry confirming all archaeological resource concerns have met licensing and resource conservation requirements for the property. If an assessment has not be completed a licenced archaeologist with experience in (heritage resource management) must be retained by the property owner in order to meet the requirements of the Ministry.

Appendix A – Conditions of Provisional Consent

SHOULD THE COMMITTEE GRANT A PROVISIONAL CONSENT, THE FOLLOWING IS A LIST OF THE RECOMMENDED CONDITIONS TO BE ATTACHED TO THE DECISION AND THESE CONDITIONS MAY BE REVISED BY THE COMMITTEE AT THE PUBLIC MEETING.

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding. ("A" 271/24 and "A" 272/24)
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated February 6, 2025.
5. A letter shall be received from the City of Mississauga, Forestry, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated February 6, 2025.

NOTE:

Subsection 50(3) and/or 50(5) of the Planning Act shall apply to any subsequent conveyance or transaction that is subject to this consent and the Secretary-Treasurer's Certificate shall contain reference to this stipulation.

In Person and Virtual Public Hearing

Why you received this letter:

You are receiving this letter because you are the owner of a neighbouring property within 60m (200ft) of the subject property, or are the agent/interested party/owner of the property for the application.

Details of the application and meeting information:

The property owner of 812 Buckingham Crt, zoned RM2-2, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance application to permit an existing driveway proposing a width of 6m (approx. 19.69ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 5.2m (approx. 17.06ft) in this instance.

The Committee has set **Thursday, February 13, 2025 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

Public participation at hearings helps the Committee make informed decisions. There are several methods to participate:

- **In person:** The hearing will be held in person at Mississauga Civic Centre, Council Chambers, 300 City Centre Drive, 2nd Floor. Advance registration is preferred if you wish to speak at the hearing in person. If you wish to make a presentation you must send your request to speak and your presentation (as an attachment) via email to committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. A document projector will also be available, if preferred.
- **Electronically (computer, tablet or smartphone):** Advance registration is required to speak virtually at the hearing. If you wish to make a presentation at the hearing you must send your request to speak and your presentation material (as an attachment) via email to committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. If you have connection issues on the hearing date, please email virtualmeeting.help@mississauga.ca.
- **By telephone:** Advance registration is required to speak virtually at the hearing. To register, please call 905-615-3200 x5507 by 4:30 PM on the Friday prior to the hearing. You must provide your name, phone number, and the application file number. Committee staff will provide you with call in details prior to the start of the hearing.
- **Submit a written comment:** Written comments to the Committee must be received no later than 4:30 p.m. on the Friday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and the application file number or property address you are commenting on.

If you wish to view the public hearing online and do not wish to speak, the hearing will be streamed at the following link: <http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>

Additional Information:

- For more information about this matter, contact committee.adjustment@mississauga.ca or call 905-615-3200 x5507. Alternatively, information can be obtained in person by making an appointment with the Committee of Adjustment at 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Appointments can be booked using the

“Book an appointment” button on the Committee’s webpage:

<https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

- You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>.
- If you wish to be notified of the decision of the Committee, you must submit a written request to committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. This will also entitle you to be advised of any Ontario Land Tribunal (OLT) appeals.

Committee of Adjustment Appeal Process:

The Province of Ontario’s Bill 23, the More Homes Built Faster Act, 2022, limits who is allowed to appeal decisions made by the Committee of Adjustment. Going forward, only the applicant, the municipality, certain public bodies and the Minister can appeal a decision to the OLT. Individuals are no longer permitted to do so. For more information please see the “Appeal process” section on the Committee of Adjustment webpage:

<https://www.mississauga.ca/council/committees/committee-of-adjustment/>.



Legal notice:

Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual (including being posted on the internet) upon request in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x5507.

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-02-06	File(s): A407.22
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2/13/2025 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application, subject to the amendment. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

The applicant requests the Committee to approve a minor variance application to permit an existing driveway proposing a width of 6m (approx. 19.69ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 5.2m (approx. 17.06ft) in this instance.

Amendments

Should the Committee see merit in the application, Planning staff recommend the following amendment:

The applicant requests the Committee to approve a minor variance application to permit an existing driveway proposing a width of 6.7m (approx. 21.98ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.0m (19.68ft) in this instance.

Background

Property Address: 812 Buckingham Crt

Mississauga Official Plan

Character Area: Creditview Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007**Zoning: RM2-2****Other Applications: None****Site and Area Context**

The subject property is located north-west of the Rathburn Road West and Mavis Road intersection in the Creditview Neighbourhood Character Area. It is an interior lot containing a two-storey detached dwelling with an attached garage. Limited landscaping and vegetative elements are present on the subject property. The surrounding area is exclusively residential, consisting of detached dwellings on similarly sized lots. Additionally, the Creditview Woods Park abuts the property to the rear.

The applicant is attempting to legalize the existing driveway requiring a variance for driveway 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:

Staff note the proposal requests a variance for a 6.0m (19.68ft) driveway width, whereas the by-law requirement is 5.2m (17.06ft). While Planning staff are not in a position to interpret the zoning by-law, staff note a detached dwelling in the RM2 zone is measured in compliance with the R5 zone regulations. The subject property contains a detached dwelling and is therefore permitted a maximum driveway width of 6.0m, as per the R5 zone regulations. Staff note the applicant has revised their drawings to illustrate the driveway width at its widest point, thereby depicting a 6.7m (21.98ft) driveway width.

The subject property is located in the Meadowvale Village Neighbourhood Character Area and is designated Residential Low Density II. Section 9 of the Mississauga Official Plan (MOP) promotes development (including its features such as driveways and landscaping) with appropriate urban form and site design, regulating that such development is compatible with the existing conditions, the surrounding context and the landscape of the character area.

The sole variance relates to a widened driveway on the subject property. The planned character of the area are dwellings serviced by appropriately sized driveways that can accommodate the parking required by the zoning by-law for each property. The intent of the driveway width regulations in the by-law is to permit a driveway that can accommodate two vehicles parked side by side, with the remainder of the front yard being soft landscaped area. Staff are of the opinion that the increase in driveway width is minor, while the proposed driveway width does not facilitate the parking of additional vehicles across the driveway, nor does it create excessive hardscaping on the property. Staff note the driveway width measures 6.7m at its widest point and tapers down to 6m at the end of the driveway.

Planning staff are of the opinion that the proposal maintains the general intent and purpose of the official plan and zoning by-law, is minor in nature and represents appropriate development of the subject property. The proposal will not have any additional impacts to abutting properties.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's ease of reference are photos depicting the existing driveway. From our site inspection we note that there is an existing light standard within the municipal boulevard; however, the separation distance exceeds the Transportation & Works Department minimum 1.5 m requirement from the driveway.

Should Committee approve the request we would suggest that the property owner submit an application for an Access Modification Permit to the Traffic Planning Section to extend the existing curb cut to reflect the approved driveway width.



Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

In the absence of a Development application we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed. The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

For scope of work that does not require Site Plan Approval/Building Permit/Zoning Certificate of Occupancy Permit, the applicant may consider applying for a Preliminary Zoning Review application. A detailed site plan drawing and architectural plans are required for a detailed zoning review to be completed. A minimum of 6-8 weeks is required depending on the complexity of the proposal and the quality of information submitted.

Comments Prepared by: Crystal Abainza, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

Park Planning Comments

The Parks and Culture Planning Section of the Community Services Department has no objections to the above noted minor variance application and advises as follows:

The lands adjacent to the property are owned by the City of Mississauga, identified as Creditview Woods (P-229), zoned OS1 – Open Space – Community Park.

Should the application be approved, the Parks and Culture Planning Section provides the following notes:

1. If future construction is required, access from the adjacent park/greenlands is not permitted.
2. If access is required to City owned lands, a Consent to Enter Agreement/Park Access Permit will be required.
3. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.

Should further information be required, please contact Nicholas Rocchetti, Planner – Park Planning, Community Services Department at 905-615-3200 ext. 4659 or via email nicholas.rocchetti@mississauga.ca.

Comments Prepared by: Nicholas Rocchetti, Planner

Appendix 4 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

AMENDED NOTICE

File: A469.24

Ward: 1

In Person and Virtual Public Hearing

Why you received this letter:

You are receiving this letter because you are the owner of a neighbouring property within 60m (200ft) of the subject property, or are the agent/interested party/owner of the property for the application.

Details of the application and meeting information:

The property owner of 1610 Kenmuir Ave, zoned R3-1 Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an accessory structure and driveway proposing:

1. A rear yard setback to an accessory structure of 0.45m (approx. 1.48ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback to an accessory structure of 0.61m (approx. 2.00ft) in this instance;
2. A side yard setback to an accessory structure of 0.53m (approx. 1.74ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback to an accessory structure of 0.61m (approx. 2.00ft) in this instance;
3. A walkway width of 2.19m (approx. 7.19ft) whereas By-law 0225-2007, as amended, permits a maximum walkway width of 1.50m (approx. 4.92ft) in this instance;
4. A driveway width of 6.35m (approx. 20.83ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance;
5. An accessory structure area of 11.67sq m (approx. 125.62sq ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 10.00sq m (approx. 107.64sq ft) in this instance.

The Committee has set **Thursday, February 13, 2025 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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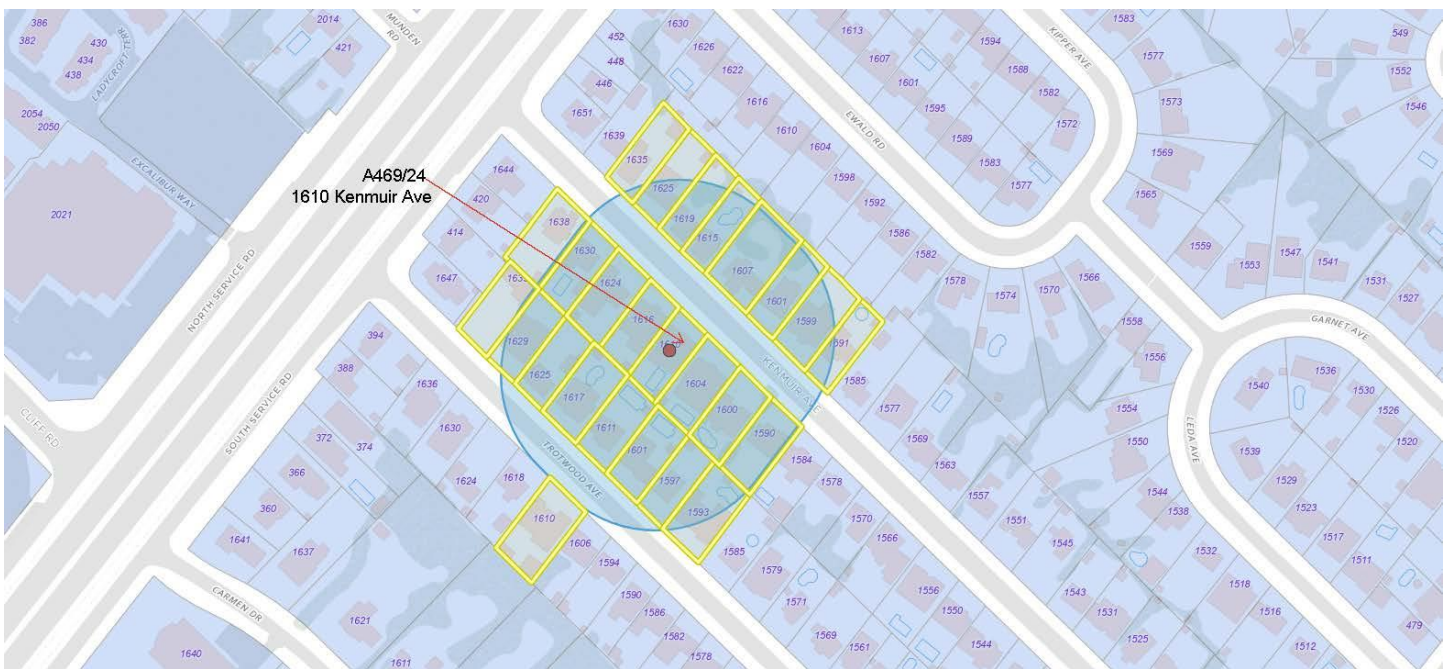
mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and the application file number or property address you are commenting on. If you wish to view the public hearing online and do not wish to speak, the hearing will be streamed at the following link: <http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>

Additional Information:

- For more information about this matter, contact committee.adjustment@mississauga.ca or call 905-615-3200 x5507. Alternatively, information can be obtained in person by making an appointment with the Committee of Adjustment at 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Appointments can be booked using the “Book an appointment” button on the Committee’s webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.
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- If you wish to be notified of the decision of the Committee, you must submit a written request to committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. This will also entitle you to be advised of any Ontario Land Tribunal (OLT) appeals.

Committee of Adjustment Appeal Process:

The Province of Ontario’s Bill 23, the More Homes Built Faster Act, 2022, limits who is allowed to appeal decisions made by the Committee of Adjustment. Going forward, only the applicant, the municipality, certain public bodies and the Minister can appeal a decision to the OLT. Individuals are no longer permitted to do so. For more information please see the “Appeal process” section on the Committee of Adjustment webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.



Legal notice:

Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual (including being posted on the internet) upon request in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x5507.

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-02-06	File(s): A469.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2/13/2025 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application, as amended. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

The applicant requests the Committee to approve a minor variance to allow an accessory structure and driveway proposing:

1. A rear yard setback to an accessory structure of 0.45m (approx. 1.48ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback to an accessory structure of 0.61m (approx. 2.00ft) in this instance;
2. A side yard setback to an accessory structure of 0.53m (approx. 1.74ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback to an accessory structure of 0.61m (approx. 2.00ft) in this instance;
3. A walkway width of 2.19m (approx. 7.19ft) whereas By-law 0225-2007, as amended, permits a maximum walkway width of 1.50m (approx. 4.92ft) in this instance;
4. A driveway width of 6.35m (approx. 20.83ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance;
5. An accessory structure area of 11.67sq m (approx. 125.62sq ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 10.00sq m (approx. 107.64sq ft) in this instance.

Amendments

While Planning staff are not in a position to provide a Zoning review, staff note the following amendments are required:

#3 A walkway width of 1.8m (5.11ft) is required whereas a maximum walkway width of 1.50m (4.11ft) is permitted.

#4 A driveway width of 9.09m (29.98ft) is required whereas a maximum driveway width of 8.5m (27.88ft) is permitted.

Background

Property Address: 1610 Kenmuir Ave

Mississauga Official Plan

Character Area: Mineola Neighborhood
Designation: Residential Low Density II

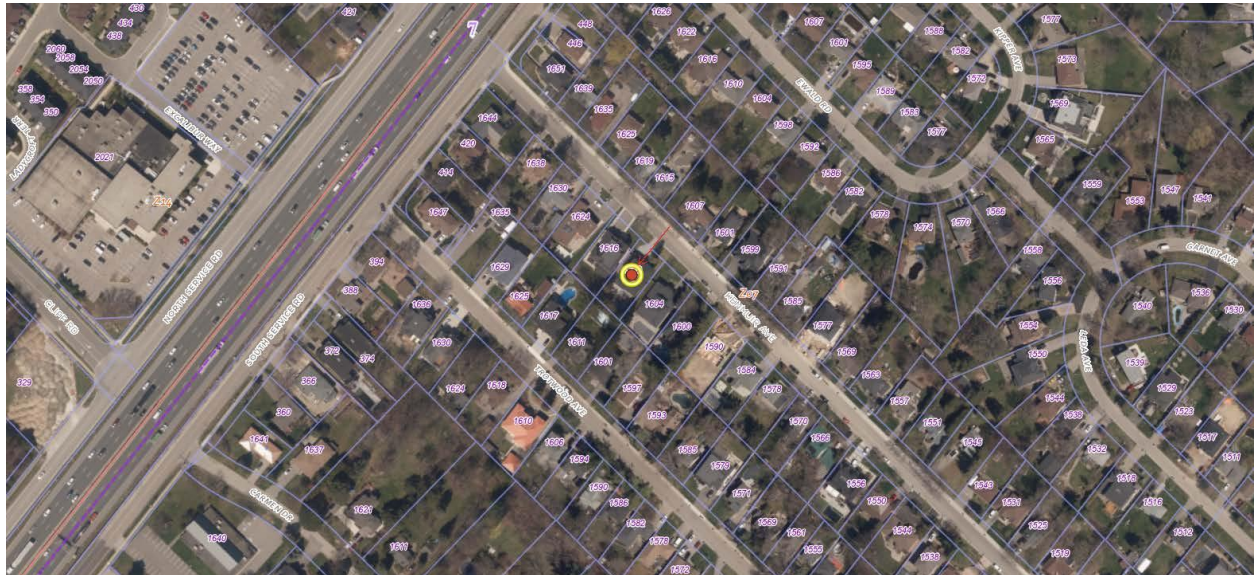
Zoning By-law 0225-2007

Zoning: R3-1 – Residential

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southwest of the Cawthra Road and South Service Road intersection. The neighbourhood is entirely residential, consisting of one and older/newer two storey detached dwellings with mature vegetation. The subject property contains an existing two-storey dwelling with mature vegetation in both the front and rear yard.

The applicant is proposing to legalize an existing accessory structure and driveway requiring variances for accessory structure area, setbacks, walkway width and driveway 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 subject property is located in the Mineola Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached dwellings only. 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.

Variances #1 and #2 pertain to rear and side yard setbacks measured to the existing accessory structure. The general intent of the by-law is to ensure that an adequate buffer exists between the massing of structures on adjoining properties, that maintenance can be performed on the structures, and that appropriate drainage patterns can be maintained. Staff are of the opinion that the decrease in the proposed setbacks is minor numerically and does not impact the ability to perform maintenance around the structure. Further, staff are satisfied that an adequate buffer is maintained between structures on adjoining properties and that the variances do not impact drainage patterns.

Variance #5 requests an increase in the accessory structure area. The intent of the subject zoning by-law provisions is to ensure that the structures are proportional to the lot and dwelling and are clearly accessory, while not presenting any massing concerns to neighbouring lots. Staff note that the structure represents 1.5% of the total lot coverage, which is under the

permissible lot coverage of 5% of the total lot area for accessory structures. The proposed structure is clearly accessory to the primary structure on the property as the existing detached dwelling's footprint covers approximately 5 times the amount of area as the accessory structure. No variance is requested for accessory structure height, combined total accessory structure area or overall lot coverage, which further mitigates potential impacts.

Planning staff have reviewed the revised drawings submitted by the applicant on January 27, 2025.

Variance #3, as amended, pertains to walkway width. The intent of the walkway attachment provision is to help define the entryway and to permit safe movement of pedestrians to the dwelling while prohibiting vehicle accommodation. Staff note the variance requested is measured diagonally at its widest measurement and that the walkway maintains a width of 1.5m (4.11ft) measured parallel to the driveway. Staff are of the opinion that the proposed walkway is appropriately sized for the subject property. Given the nature of the walkway design and location, staff are satisfied that the walkways will not accommodate vehicular access and parking.

Variance #4, as amended, requests an increase in the driveway width. City Council passed By-Law 0182-2024, on October 09, 2024, amending the City's parent zoning By-Law 0225-2007, to permit a maximum driveway width of 8.5m (27.88ft) for lot frontages 17m or greater. The subject property has a frontage of 18.29m. As such, the subject property is permitted a driveway width of 8.5m (27.88ft), whereas 9.09m (29.8ft) is proposed. The driveway maintains a width of 7.7m (25.2ft) for the major portion of it, which is well below the maximum permissible regulation. Staff note the driveway width variance is measured at the widest point, inclusive of the walkway width. Staff are satisfied that the portion of the driveway that exceeds the regulation will not be able to facilitate additional parking or vehicular movement. Furthermore, the proposed driveway does not require additional variances for setbacks or soft landscaping.

Staff have no concerns with the proposed variances and are of the opinion that the general intent and purpose of the zoning by-law is maintained.

Planning staff are of the opinion that the overall impact created by the proposed variances are minor in nature. The proposal respects the property's designated land use and is compatible with the surrounding area context.

Comments Prepared by: Shivani Chopra, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed please find pictures of the existing shed and driveway. We ask that the shed be equipped with an eaves trough and down spout directed in such a manor to not impact the adjacent properties.

Comments Prepared by: John Salvino, Development Engineering Technologist









Appendix 2 – Zoning Comments

In the absence of a Development application we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed. The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

For scope of work that does not require Site Plan Approval/Building Permit/Zoning Certificate of Occupancy Permit, the applicant may consider applying for a Preliminary Zoning Review application. A detailed site plan drawing and architectural plans are required for a detailed zoning review to be completed. A minimum of 6-8 weeks is required depending on the complexity of the proposal and the quality of information submitted.

Comments Prepared by: Crystal Abainza, 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

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner

In Person and Virtual Public Hearing

Why you received this letter:

You are receiving this letter because you are the owner of a neighbouring property within 60m (200ft) of the subject property, or are the agent/interested party/owner of the property for the application.

Details of the application and meeting information:

The property owner of 1375 Blythe Rd, zoned R1-5 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing an interior side yard of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 6.00m (approx. 19.69ft) in this instance.

The Committee has set **Thursday, February 13, 2025 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

Public participation at hearings helps the Committee make informed decisions. There are several methods to participate:

- **In person:** The hearing will be held in person at Mississauga Civic Centre, Council Chambers, 300 City Centre Drive, 2nd Floor. Advance registration is preferred if you wish to speak at the hearing in person. If you wish to make a presentation you must send your request to speak and your presentation (as an attachment) via email to committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. A document projector will also be available, if preferred.
- **Electronically (computer, tablet or smartphone):** Advance registration is required to speak virtually at the hearing. If you wish to make a presentation at the hearing you must send your request to speak and your presentation material (as an attachment) via email to committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. If you have connection issues on the hearing date, please email virtualmeeting.help@mississauga.ca.
- **By telephone:** Advance registration is required to speak virtually at the hearing. To register, please call 905-615-3200 x5507 by 4:30 PM on the Friday prior to the hearing. You must provide your name, phone number, and the application file number. Committee staff will provide you with call in details prior to the start of the hearing.
- **Submit a written comment:** Written comments to the Committee must be received no later than 4:30 p.m. on the Friday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and the application file number or property address you are commenting on.

If you wish to view the public hearing online and do not wish to speak, the hearing will be streamed at the following link: <http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>

Additional Information:

- For more information about this matter, contact committee.adjustment@mississauga.ca or call 905-615-3200 x5507. Alternatively, information can be obtained in person by making an appointment with the Committee of Adjustment at 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Appointments can be booked using the

“Book an appointment” button on the Committee’s webpage:

<https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

- You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>.
- If you wish to be notified of the decision of the Committee, you must submit a written request to committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. This will also entitle you to be advised of any Ontario Land Tribunal (OLT) appeals.

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-02-06	File(s): A598.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2/13/2025 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing an interior side yard of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 6.00m (approx. 19.69ft) in this instance.

Background

Property Address: 1375 Blythe Rd

Mississauga Official Plan

Character Area: Sheridan Neighbourhood Character Area
Designation: Residential Low Density I

Zoning By-law 0225-2007

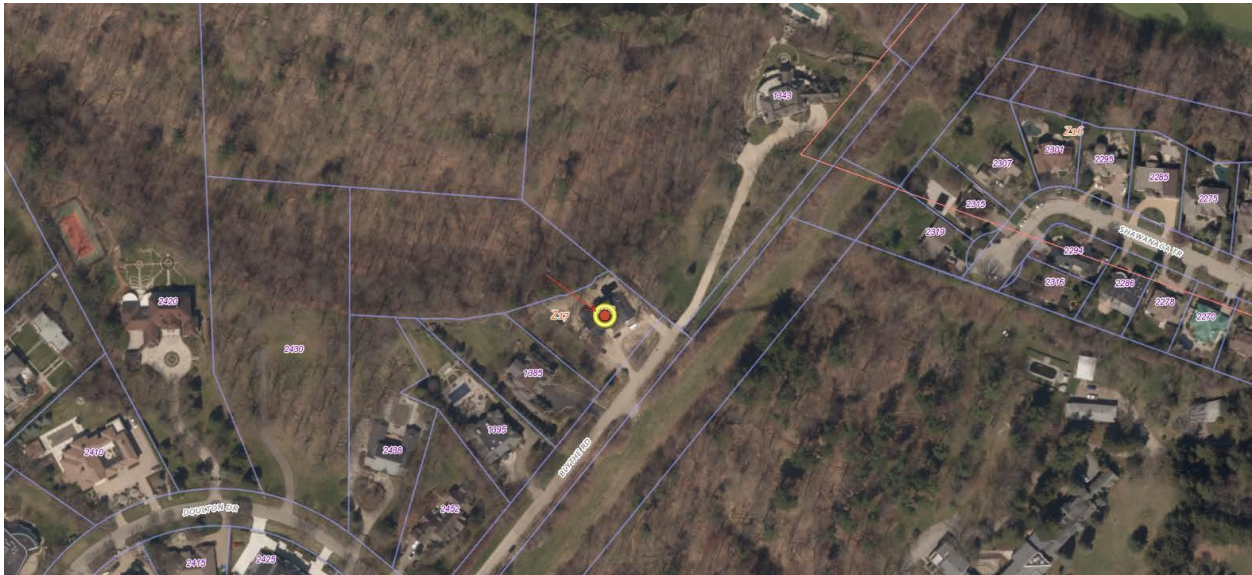
Zoning: R1-5 - Residential

Other Applications: None

Site and Area Context

The subject property is located within the Sheridan Neighbourhood Character Area, northwest of Mississauga Road and Shawanaga Trail. It has an approximate lot frontage of +/- 54.12m (177.55ft) and a lot area of +/- 2,749.25m² (9,019.84ft²). The immediate area consists of detached dwellings on large lots with significant mature vegetation. The subject property contains a two-storey detached dwelling with mature vegetation in the front, side, and rear yards.

The applicant is proposing to construct a new attached garage requiring a variance for a 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 Sheridan Neighbourhood Character Area. The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached, and duplex 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 garage addition has limited massing impacts on the abutting properties and the surrounding community. The abutting properties are buffered by mature tree canopies which limits massing impacts on neighbouring lots. Staff note that the neighbouring dwelling at 1343 Blythe is significantly setback from the property line which abuts the proposed garage on the subject property, further demonstrating the negligible massing impacts on the neighbouring property. Staff are therefore of the opinion that the proposed dwelling is in line with existing dwellings in the neighbourhood and the planned character of the surrounding community. Staff are satisfied that the proposal maintains the general intent and purpose of the official plan.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

The side yard setback variance pertains to the proposed garage. 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. The proposed garage addition provides an adequate side yard setback to the eastern lot line, maintaining access to the rear yard and space between primary structures on neighbouring properties. Staff note that although the proposed side yard setback appears numerically significant, it is considered negligible as the neighbouring dwelling is located on a large lot significant setback from the side lot line. Staff are satisfied that the proposal is negligible from a massing perspective and will provide an adequate buffer to the public realm. The application therefore maintains 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 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 addition will be addressed by our Development Construction Section through the Building Permit process BP-9ALT-24/78.

Comments Prepared by: John Salvino, Development Engineering Technologist









Appendix 2 – Zoning Comments

We note that a Building Permit is required. In the absence of a Building Permit we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed.

The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

Comments Prepared by: Crystal Abainza, 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

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 5 - Conservation Authority Comments

Credit Valley Conservation (CVC) staff have reviewed the subject application and offer comments based on the following roles and responsibilities:

1. Delegated Responsibilities providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 5.1 and 5.2 of the Provincial Planning Statement (2024);
2. Regulatory Responsibilities providing comments to ensure the coordination of requirements under the Conservation Authorities Act Section 28 regulation, to eliminate unnecessary delay or duplication in process.
3. Source Protection Agency providing advisory comments to assist with the implementation of the CTC Source Protection Plan under the Clean Water Act, as applicable.

CVC REGULATED AREA

Based on our mapping, the subject property is regulated due to slope hazard associated with Credit River. As such, the property is subject to the Prohibited Activities, Exemptions,

and Permits Regulation (Ontario Regulation 41/24). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

PROPOSAL:

It is our understanding that the applicant is requesting the Committee to allow the construction of an addition proposing an interior side yard of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 6.00m (approx. 19.69ft) in this instance.

COMMENTS:

Based on the review of the information provided, CVC staff have no objection with the approval of the minor variance proposed at this time. CVC staff have review the proposal as part of permit application FF 23/198.

The applicant is advised to contact CVC for any future development proposed on the subject property.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at stuti.bhatt@cvc.ca or 905-670-1615 (ext. 3500) should you have any further questions. Please circulate CVC on any future correspondence or applications regarding this site.

Comments Prepared by: Stuti Bhatt, Junior Planner

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-02-06	File(s): A605.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2/13/2025 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application, subject to the amendments.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing:

1. 0 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 2 parking spaces in this instance;
2. A front yard softscape of 28.7% of the front yard area whereas By-law 0225-2007, as amended, requires a minimum front yard softscape of 40% of the front yard area in this instance;
3. An eave height of 6.87m (approx. 22.54ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance;
4. An westerly side yard measured to the second storey of 0.48m (approx. 1.57ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the second storey of 1.81m (approx. 5.94ft) in this instance;
5. An easterly side yard measured to the first and second storeys of 1.27m (approx. 4.17ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the first and second storeys of 1.81m (approx. 5.94ft) in this instance;
6. An easterly side yard measured to the balcony of 0.63m (approx. 2.07ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the balcony of 1.81m (approx. 5.94ft) in this instance;
7. A walk out located in the front of the building whereas By-law 0225-2007, as amended, does not permit a walk out in the front of the building in this instance;
8. A front yard of 2.74m (approx. 8.99ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m (approx. 24.61ft) in this instance;
9. A front yard measured to the eaves of 1.37m (approx. 4.49ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the eaves of 7.05m (approx. 23.13ft) in this instance;

10. A front side yard measured to a balcony of 1.22m (approx. 4.00ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the balcony of 1.81m (approx. 5.94ft) in this instance; and

11. A setback to hardscaping of 0.0m whereas By-law 0225-2007, as amended, requires a minimum setback to hardscaping of 0.61m (approx. 2.00ft) in this instance; and

12. A side yard measured to a driveway of 0.0m whereas By-law 0225-2007, as amended, requires a minimum side yard measured to a driveway of 0.60m (approx. 1.97ft) in this instance.

Amendments

The Building Department is processing Building Permit application SEC UNIT 24-4290 for an addition to the existing dwelling. Based on review of the information available in this application, we advise that variances #2, 5, 7, 11 and 12 are no longer required.

The following amendments are required:

6. An westerly side yard measured to the balcony of 0.48m (approx. 1.57ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the balcony of 1.81m (approx. 5.94ft) in this instance;

8. A front yard of 1.45m (approx. 4.76ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m (approx. 24.61ft) in this instance;

The following additional variance is required:

13. A front yard measured to front porch stairs of 0.44m (approx. 1.44ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to front porch stairs of 5.90m (approx. 19.36ft) in this instance;

Background

Property Address: 1085 Meredith Ave

Mississauga Official Plan

Character Area: **Lakeview Neighbourhood**

Designation: **Residential Low Density II**

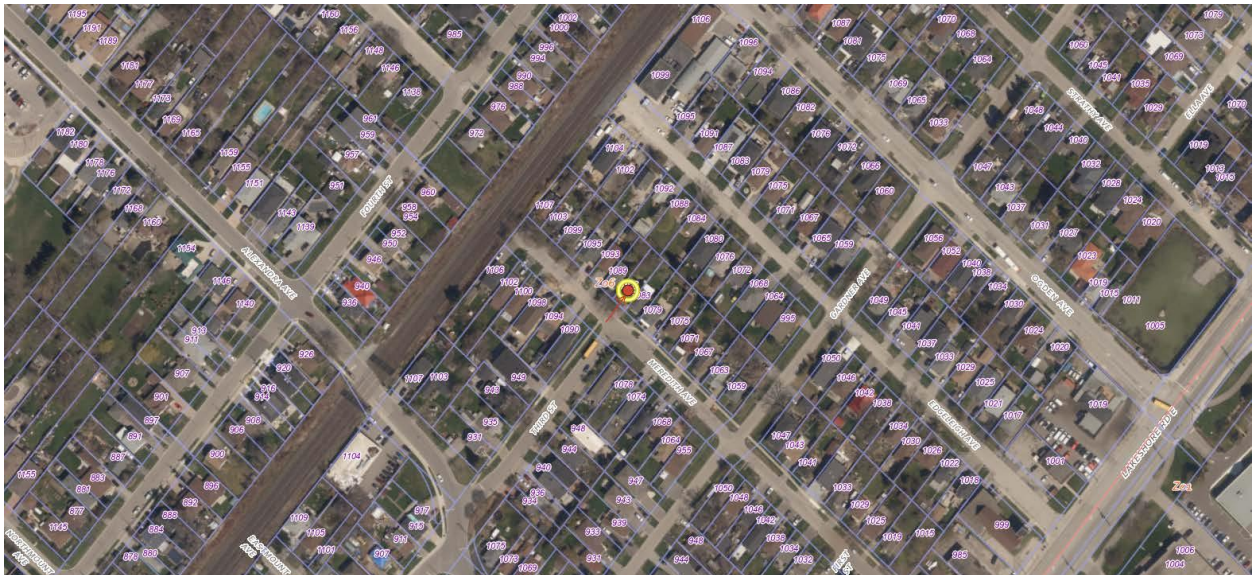
Zoning By-law 0225-2007

Zoning: R3-75 - Residential

Other Applications: SEC UNIT-24/4290**Site and Area Context**

The subject property is located north-west of the Lakeshore Road East and Ogden Avenue intersection in the Lakeview Neighbourhood Character Area. It has an approximate lot frontage of $\pm 9.14\text{m}$ (29.98ft) and a lot area of $\pm 318.07\text{m}^2$ (1043.53ft²). Currently the property contains a single storey detached dwelling and features a mature tree in both the front and rear yard. Immediately north of the subject property is the railway corridor. The surrounding vicinity contains predominantly residential uses consisting of detached dwellings on similarly sized lots. Further south of the subject property is the Lakeshore Road East corridor that contains mainstreet commercial uses and will be serviced by the incoming Lakeshore Bus Rapid Transit system that has completed the Environmental Assessment and is currently in the design phase.

The applicant is proposing to construct a second storey addition requiring variances for parking spaces, eaves height, side yard setbacks to the second storey and balcony respectively and front yard setback measured to the dwelling itself, the eaves, a second storey balcony and porch stairs.

**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:

Upon initial review of the application, planning staff had concerns regarding the proposed basement walkout in the front yard and the associated variances being sought. The applicant has since redesigned the proposal to relocate the basement walkout to a porch with an entrance into the principle residence. Revised drawings and amendments were submitted by the applicant to the Committee of Adjustment office dated January 30th. As such, variances pertaining to soft landscaping, a walk out, eastern side yard setback to the first and second storey, driveway and hardscaping setbacks no longer required. Planning staff have reviewed the revised design and have provided comments based on the amended variances.

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

The subject property is located within the Lakeview Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density II designation permits detached dwellings; semi-detached dwellings; duplex dwellings; and, triplexes, street townhouses, and other forms of low-rise dwellings with individual frontages. 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.

Staff note that the proposed second storey addition is compatible with existing built form located in the vicinity and maintains the planned character of the area. Planning staff are of the opinion that the proposed addition is appropriate for the subject property and will not negatively impact the streetscape.

Given the existing conditions and surrounding area of the dwelling, staff are satisfied that the proposal maintains the general intent and purpose of the official plan.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

Staff note that variance #1 requests the Committee to approve 0 parking spaces on site, whereas the Zoning By-law requires 2 parking spaces wholly contained on site. Currently, the one storey existing dwelling contains a driveway that is located mostly within the City's right-of-way that extends on site and leads to a driveway that is situated along the southerly property line, adjacent to the existing dwelling. Based on a site visit and in view of images of the existing conditions, it appears that the property owner is able to park a car within the existing portion of the driveway that is adjacent to the dwelling, in addition to the space that is within the right-of-way. Based on the submitted drawings of the new addition, it appears that the driveway space adjacent to the dwelling will be maintained, as the proposal largely maintains the existing dwelling footprint and will extend further into the property. The driveway portion located within the right-of-way is intended to remain as well.

Despite the demonstrated ability to fit a car within the portion of the driveway along the side of the dwelling and within the right-of-way, Zoning does not consider these areas as formal parking spaces as per the Zoning By-law and as such, the subject variance is required. Due to this

interpretation by Zoning staff, Planning staff note that Municipal Parking comments suggest that parking justification is required to support the requested reduction in parking. While Planning staff recognize this request, we are recommending approval of the variance for the following reasons:

- The driveway configuration is an existing condition and is a condition that exists on similar lots with older, one storey bungalow dwellings that are situated close to the front property line within the surrounding neighbourhood.
- The addition is to the second storey of the existing dwelling and the current foundation and footprint will be maintained, preserving the existing driveway portion that is adjacent to the house and allowing an on site ability for vehicular parking.
- There is an ability to accommodate the parking of vehicles within the driveway portion that is adjacent to the house along the southerly property line.

Variance #3 pertains to eave height. The intent in restricting height to the eaves is to lessen the visual massing of 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 are satisfied that the proposed increase of 0.47m (1.54ft) is minor numerically. Staff note that the overall height of the dwelling is within the by-law requirement. Further, staff are satisfied the increase will be negligible and that incorporation of architectural features like varying materials and windows in the dwelling design further mitigates any massing impacts.

Variances #4 and 6 pertain to reductions in the eastern side yard setbacks for the second storey and balcony respectively. 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. Staff note that first storey side yard setback is an existing condition, the applicant is proposing to align the second storey addition to the existing dwelling. Further, the balcony setback is recessed from the overall setback of the second storey, minimizing potential impacts. Staff are satisfied the proposed setbacks provide an adequate buffer between the massing of primary structures and have limited impacts on adjoining properties given existing conditions.

Variances #8, #9, #10 and #13, as amended, pertain to the front yard setback measured to the dwelling itself, the eaves, a second storey balcony and porch stairs. The intent of a front yard setback is to ensure that a consistent character is maintained along the streetscape and that a sufficient front yard space is incorporated into the design of neighbourhoods. Staff note that the front yard setback is an existing condition, which is consistent with other dwellings found in the immediate neighbourhood included Meredith Ave, Edgeleigh Ave, Ogden Ave and Strathy Ave. The reduced front yard is required to accommodate an existing unenclosed porch with stairs. The proposed stairs extend about 2 steps closer to the front lot line from what is currently existing on the property. The additionally 2 steps do not significantly impact the front yard amenity space, and it is consistent with dwellings in the surrounding neighbourhood given existing conditions. The proposed second storey balcony projects slightly from the proposed covered porch, but not beyond the stairs creating a layered design, which helps reduce massing impacts. Upon review of the neighbourhood, similar balconies can be found in the immediate neighbourhood. The proposed balcony does not impede on front yard amenity space, given that it is proposed on the second storey. It is in staffs' opinion that the proposal does not pose significant massing concerns. Staff have no concerns with the requested variances and are of

the opinion that the reduction in the front yard is an existing condition that keeps in mind the existing character of the immediate neighbourhood.

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: 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 SEC UNIT-24/4290.

We note that the drainage configuration for this lot is 'front to back'. The applicant is advised that through the Building Permit process, the Development Construction Technologist will be visiting the site (before and after construction) to ensure that the drainage on site will not impact any of the adjacent lots. Specifically because of the construction of the concrete walkway along the side of the dwelling at a zero lot line setback. The walkway must be flush with the existing ground, not elevated in any manor.

Comments Prepared by: John Salvino, Development Engineering Technologist



Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application SEC UNIT 24-4290. Based on review of the information available in this application, we advise that variances #2, 5, 7, 11 and 12 are no longer required. Following amendments are required for variances #6 and 8:

6. An westerly side yard measured to the balcony of 0.48m (approx. 1.57ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the balcony of 1.81m (approx. 5.94ft) in this instance;

8. A front yard of 1.45m (approx. 4.76ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m (approx. 24.61ft) in this instance;

Additional variance is required as follows:

- A front yard measured to front porch stairs of 0.44m (approx. 1.44ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to front porch stairs of 5.90m (approx. 19.36ft) in this instance;

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: Alana Zheng, Supervisor Zoning Examination

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 – Municipal Parking

A – 605/24 With respect to Committee of Adjustment application 'A' 605/24, 1085 Meredith Avenue, the Applicant is requesting the Committee to approve a minor variance to allow the construction of an addition proposing:

- 0 parking space whereas By-law 0225-2007, as amended, requires a minimum of 2 parking spaces in this instance.

Per the submitted application materials, the driveway of this property is located mostly outside of property boundaries; the driveway is mainly in the municipal right-of-way. Although a driveway would constitute space for cars to park, these spaces are considered not to be in compliance with the City's Zoning By-law.

The proposal is for a second storey addition as well as an additional residential unit (ARU) in the basement. As per Zoning's confirmation, there is no parking requirement for the ARU and as such this is not included in the property's parking requirement. However, the primary house is in deficiency for the parking spaces that are required as per the City's Zoning By-law. Staff note, there is no on-street parking available on Meredith Avenue; majority of the street also prohibits parking at anytime as per the City's Traffic By-law.

The Applicant has not provided satisfactory justification to support the proposed parking reduction per the Parking Terms of Reference. Municipal Parking staff recommend the application be deferred pending the submission of the required justification. The Applicant should confirm the terms of reference requirements with staff prior to re-submission.

In lieu of seeking a parking reduction, Municipal Parking staff encourage the Applicant to make an attempt to accommodate the two by-law required parking spaces for the primary house within the limits of the site.

Comments Prepared by: Paulina Armacinski, Transportation Planner

Appendix 5 – 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.
- 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.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 6 – Metrolinx

Metrolinx is in receipt of the Minor Variance application for 1085 Meredith Avenue to allow the construction of an addition to the existing building in which will accommodate for a second unit in the basement, as circulated on January 9th, 2025, and to be heard at Public Hearing on

February 13th, 2025, at 1:00 PM. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300m, adjacent to, the Metrolinx Oakville Subdivision which carries Metrolinx's Lakeshore West GO Train service.

GO/HEAVY-RAIL – CONDITIONS OF APPROVAL

- As per section 3.9 of the Federation of Canadian Municipalities and Railway Association of Canada's Guidelines for New Development in Proximity to Railway Operations, the Owner shall grant Metrolinx an environmental easement for operational emissions. The environmental easement provides clear notification to those who may acquire an interest in the subject property and reduces the potential for future land use conflicts. The environmental easement shall be registered on title of the subject property. A copy of the form of easement is included for the Owner's information. The applicant may contact jenna.auger@metrolinx.com with questions and to initiate the registration process. (It should be noted that the registration process can take up to 6 weeks).
- The Proponent shall provide confirmation to Metrolinx, that the following warning clause has been inserted into all Development Agreements, Offers to Purchase, and Agreements of Purchase and Sale or Lease of each unit:
 - **Warning:** The Applicant is advised that the subject land is located within Metrolinx's 300 metres railway corridor zone of influence and as such is advised that Metrolinx and its assigns and successors in interest has or have a right-of-way within 300 metres from the subject land. The Applicant is further advised that there may be alterations to or expansions of the rail or other transit facilities on such right-of-way in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx to use the right-of-way or their assigns or successors as aforesaid may expand or alter their operations, which expansion or alteration may affect the environment of the occupants in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual lots, blocks or units.

Should you have any questions or concerns, please contact jenna.auger@metrolinx.com.

Comments Prepared by: Jenna Auger, Third Party Project Review



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A610.24
Ward: 5

In Person and Virtual Public Hearing

Why you received this letter:

You are receiving this letter because you are the owner of a neighbouring property within 60m (200ft) of the subject property, or are the agent/interested party/owner of the property for the application.

Details of the application and meeting information:

The property owner of 3425 Capricorn Cres, zoned R3-69 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A gross floor area of 365.33sq.m (approx. 3,932.38sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 283.17sq.m (approx. 3,048.02sq.ft) in this instance;
2. A lot coverage of 30.90% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30% of the lot area in this instance; and
3. A flat roof height of 8.13m (approx. 26.67ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof height of 7.50m (approx. 24.61ft) in this instance.

The Committee has set **Thursday, February 13, 2025 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

Public participation at hearings helps the Committee make informed decisions. There are several methods to participate:

- **In person:** The hearing will be held in person at Mississauga Civic Centre, Council Chambers, 300 City Centre Drive, 2nd Floor. Advance registration is preferred if you wish to speak at the hearing in person. If you wish to make a presentation you must send your request to speak and your presentation (as an attachment) via email to committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. A document projector will also be available, if preferred.
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- **By telephone:** Advance registration is required to speak virtually at the hearing. To register, please call 905-615-3200 x5507 by 4:30 PM on the Friday prior to the hearing. You must provide your name, phone number, and the application file number. Committee staff will provide you with call in details prior to the start of the hearing.
- **Submit a written comment:** Written comments to the Committee must be received no later than 4:30 p.m. on the Friday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and the application file number or property address you are commenting on.

If you wish to view the public hearing online and do not wish to speak, the hearing will be streamed at the following link:

<http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>

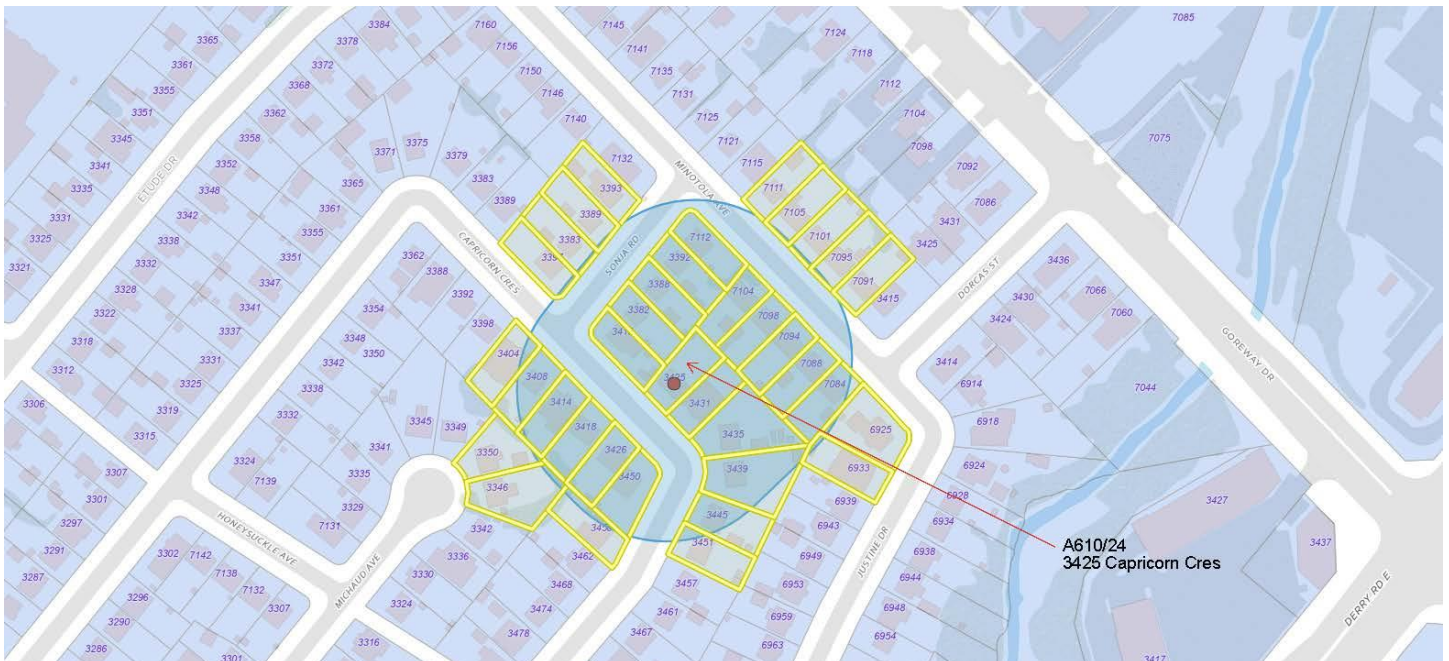
Additional Information:

- For more information about this matter, contact committee.adjustment@mississauga.ca or call 905-615-3200 x5507. Alternatively, information can be obtained in person by making an appointment with the Committee of Adjustment at 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Appointments can be booked using the “Book an appointment” button on the Committee’s webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.
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Committee of Adjustment Appeal Process:

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Legal notice:

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-02-06	File(s): A610.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2/13/2025 1:00:00 PM

Consolidated Recommendation

The City recommends the application be deferred for redesign.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A gross floor area of 365.33sq.m (approx. 3,932.38sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 283.17sq.m (approx. 3,048.02sq.ft) in this instance;
2. A lot coverage of 30.90% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30% of the lot area in this instance; and
3. A flat roof height of 8.13m (approx. 26.67ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof height of 7.50m (approx. 24.61ft) in this instance.

Background

Property Address: 3425 Capricorn Cres

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

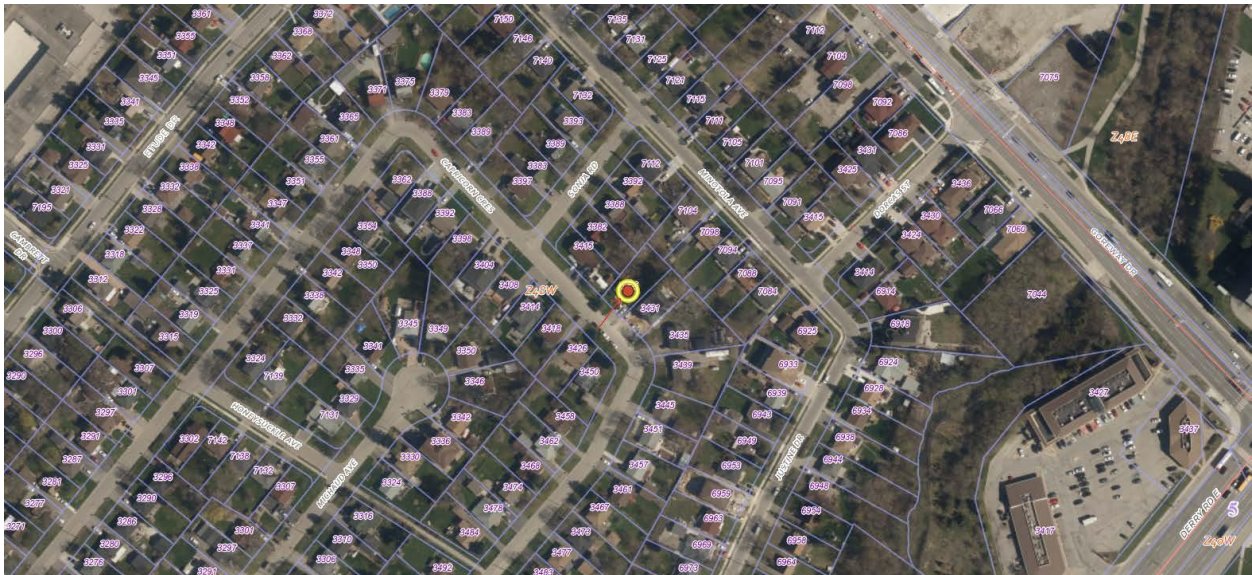
Zoning: R3-69 - Residential

Other Applications: None

Site and Area Context

The subject property is located north-west of the Derry Road East and Goreway Drive intersection in the Malton Neighbourhood Character Area. It is an interior lot containing a one-storey detached dwelling with no garage. Limited landscaping and vegetative elements are present throughout the site. The surrounding area context is exclusively residential, consisting of detached dwellings on lots of generally similar sizes.

The applicant is proposing to construct a new dwelling requiring variances for gross floor area, lot coverage and dwelling height.



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:

The subject property is located in the Malton Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan. The designation permits detached, semi-detached and duplex 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.

Arising from public input expressed through the 'My Malton' Community Visioning exercise undertaken in 2015, the City completed the Malton Infill Housing Study. This study resulted in Council's adoption of zoning regulations principally aimed at regulating the massing of dwellings in a manner that is sensitive to the surrounding context. The intent of the policies are to limit the overall massing of these dwellings and maintain compatibility between the existing and planned character of the neighbourhood. The applicant proposes an increase in gross floor area that is not consistent with the neighbourhood and does not maintain the intent of the infill regulations. These variances will create a dwelling with significant massing and impacts that will negatively influence the neighbourhood's character. As such, staff are of the opinion that the design is not compatible with the existing and planned development of the neighbourhood and recommend that the application be deferred for redesign.

Comments Prepared by: Daniel Grdasic, 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 new dwelling will be addressed through the Building Permit process.





Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

We note that a Building Permit is required. In the absence of a Building Permit we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed.

The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

Comments Prepared by: Crystal Abainza, 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.
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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.
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Comments Prepared by: Petrele Francois, Junior Planner

In Person and Virtual Public Hearing

Why you received this letter:

You are receiving this letter because you are the owner of a neighbouring property within 60m (200ft) of the subject property, or are the agent/interested party/owner of the property for the application.

Details of the application and meeting information:

The property owner of 4329 Wilcox Rd, zoned PB1 - Parkway Belt, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the existing accessory structure to remain on the property proposing:

1. An accessory structure whereas By-law 0225-2007, as amended, does not permit an accessory structure in this instance; and
2. A rear yard of 4.68m (approx. 15.35ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 15.00m (approx. 49.21ft) in this instance.

The Committee has set **Thursday, February 13, 2025 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-02-06	File(s): A613.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2/13/2025 1:00:00 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 existing accessory structure to remain on the property proposing:

1. An accessory structure whereas By-law 0225-2007, as amended, does not permit an accessory structure in this instance; and
2. A rear yard of 4.68m (approx. 15.35ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 15.00m (approx. 49.21ft) in this instance.

Amendments

The Building Division is processing Building Permit application BP 9NEW 24-5117. Based on review of the information available in this application, we advise that following amendment(s) is/are required:

1. To permit a Cabana (Area of 27.24m² & Height of 4.91m) with wood patio (18.85m²) on the subject property within the PB1 - Park Belt zone; whereas By-law 0225-2007, as amended, does not permit Cabana with a wood patio on the subject property within the PB1 - Park Belt zone in this instance;
2. To permit a Cabana rear yard setback of 4.68 m; whereas By-law 0225-2007, as amended, requires a minimum rear yard of 15.00 m (49.21 ft.) in this instance;

Background

Property Address: 4329 Wilcox Rd

Mississauga Official Plan

Character Area: Rathwood Neighbourhood
Designation: Parkway Belt West Plan

Zoning By-law 0225-2007

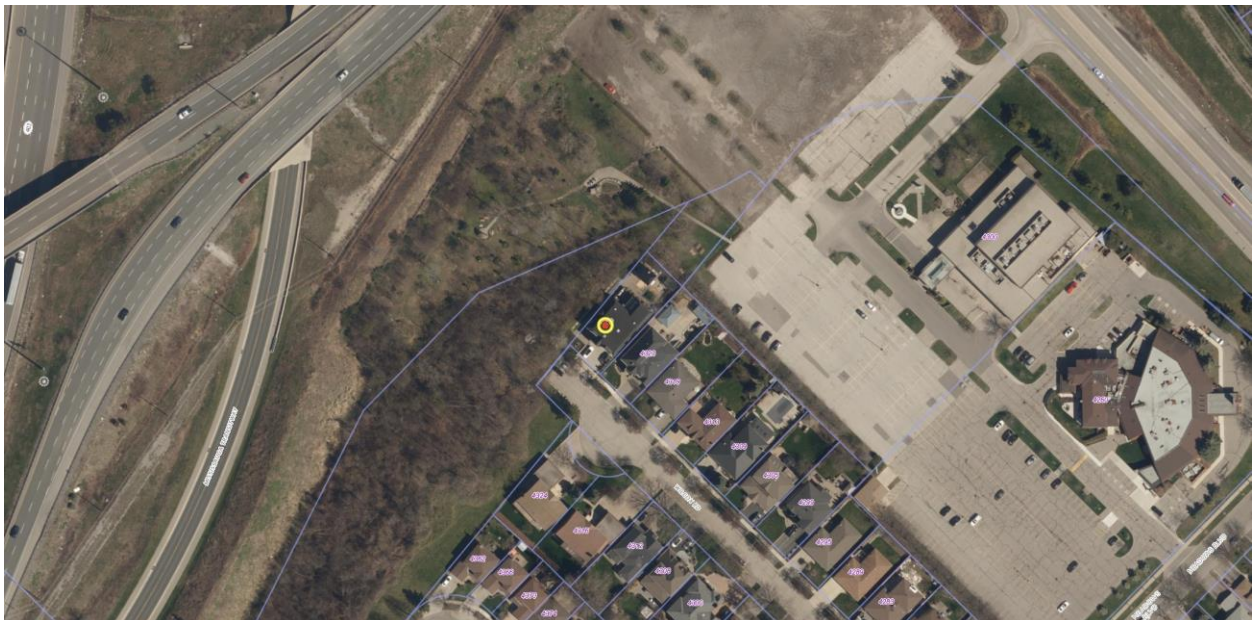
Zoning: PB1 - Parkway Belt

Other Applications: BP 9NEW 24-5117

Site and Area Context

The subject property is located north-west of the Cawthra Road and Meadows Boulevard intersection in the Rathwood Neighbourhood Character Area. It is an interior lot containing a two-storey dwelling with an attached garage. Limited landscaping and vegetative elements are present throughout the subject property. The surrounding area is exclusively residential, consisting of detached dwellings. Additionally, the lands abutting the subject property directly to the north are the Parkway Belt West Plan lands and the St. Maximilian Kolbe Parish Place of Religious Assembly to the east.

The applicant is proposing to legalize the existing accessory structure on the subject property requiring variances for the structure and rear 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:

The subject property is designated Parkway Belt West on Schedule 10 of the Mississauga Official Plan (MOP). Staff note Wilcox Road was established prior to the development of Highway 403 and the cul-de-sac was added in the late 1980s when the lands on the west side of the street were developed. The dwelling on the subject property legally existed prior to the adoption of the Parkway Belt West Plan, and is therefore a permitted use. The subject property is an outlier on Wilcox Road because it is designated as Parkway Belt West, whereas the remainder of the street is designated as Residential Low Density I. Similarly, the subject property is zoned PB1, whereas the remainder of the street is zoned R3.

Variance 1 requests that the accessory structure be permitted on the subject property. Staff note while the subject property falls within the Parkway Belt West Plan designation, the variance is technical as the parcel contains a residential dwelling that is legally permitted. While the existing accessory structure is taller than what the by-law permits in a residential zone, staff note massing impacts are limited as the only other residential property is located directly to the south. The accessory structure is positioned centrally in the rear yard and is located closer to the north side lot line, where the neighbouring property is zoned PB1 and contains heavy, mature vegetation. Staff are of the opinion that accessory structures are a typical function of residential lots. Staff are satisfied the proposed accessory structure is subordinate to the primary dwelling on the residential parcel, is appropriately located on the subject property and has regard for the larger residential context.

Variance 2 requests a reduced rear yard setback for the accessory structure. The required front yard, rear and side yard setbacks for the PB1 zone are intended to create an ample buffer to provide separation and definition of urban area boundaries, infrastructure corridors and open spaces. As mentioned above, the variance is technical as the parcel contains a residential dwelling that is legally permitted. The proposed rear yard is 4.68m (15.35ft), whereas 1.2m (3.93ft) would be required if the subject lot was zoned R3. Staff are of the opinion the existing accessory structure provides an adequate buffer between structures on adjoining properties, that maintenance can be performed on the structure and that appropriate drainage patterns can be maintained.

Given the above, staff are satisfied that the variances, both individually and cumulatively, meet the general intent and purpose of the official plan and zoning by-law, are minor in nature and contribute to orderly development of the subject property.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We note that the Transportation and Works Department has no objections to the applicant's request to permit the existing accessory structure as we observed no drainage related concerns on this property from our site inspection.





Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application BP 9NEW 24-5117. Based on review of the information available in this application, we advise that following amendment(s) is/are required:

3. To permit a Cabana (Area of 27.24m² & Height of 4.91m) with wood patio (18.85m²) on the subject property within the PB1 - Park Belt zone; whereas By-law 0225-2007, as amended, does not permit Cabana with a wood patio on the subject property within the PB1 - Park Belt zone in this instance;
4. To permit a Cabana rear yard setback of 4.68 m; whereas By-law 0225-2007, as amended, requires a minimum rear yard of 15.00 m (49.21 ft.) in this instance;

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: Andrew Wemekamp. Zoning Examiner

Appendix 3 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner

In Person and Virtual Public Hearing

Why you received this letter:

You are receiving this letter because you are the owner of a neighbouring property within 60m (200ft) of the subject property, or are the agent/interested party/owner of the property for the application.

Details of the application and meeting information:

The property owner of 1439 Avonbridge Dr, zoned R2-1 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A garage projection of 4.57m (approx. 14.99ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0m in this instance;
2. A height of 10.15m (approx. 33.30ft) whereas By-law 0225-2007, as amended, permits a maximum height of 9.00m (approx. 29.53ft) in this instance;
3. An easterly side yard with two storeys of 2.15m (approx. 7.05ft) whereas By-law 0225-2007, as amended, requires a minimum side yard with two storeys of 2.41m (approx. 7.91ft) in this instance;
4. A combined width of side yards of 4.53m (approx. 14.86ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 4.93m (approx. 16.17ft) in this instance;
5. An eave height of 7.50m (approx. 24.61ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance;
6. A window well encroachment on the west side of 0.84m (approx. 2.76ft) whereas By-law 0225-2007, as amended, permits a maximum window well encroachment of 0.61m (approx. 2.00ft) in this instance; and
7. An eave encroachment of 0.72m (approx. 2.36ft) whereas By-law 0225-2007, as amended, permits a maximum eave encroachment of 0m in this instance.

The Committee has set **Thursday, February 13, 2025 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

Public participation at hearings helps the Committee make informed decisions. There are several methods to participate:

- **In person:** The hearing will be held in person at Mississauga Civic Centre, Council Chambers, 300 City Centre Drive, 2nd Floor. Advance registration is preferred if you wish to speak at the hearing in person. If you wish to make a presentation you must send your request to speak and your presentation (as an attachment) via email to committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. A document projector will also be available, if preferred.
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- **Submit a written comment:** Written comments to the Committee must be received no later than 4:30 p.m. on the Friday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and the application file number or property address you are commenting on.

If you wish to view the public hearing online and do not wish to speak, the hearing will be streamed at the following link:
<http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>

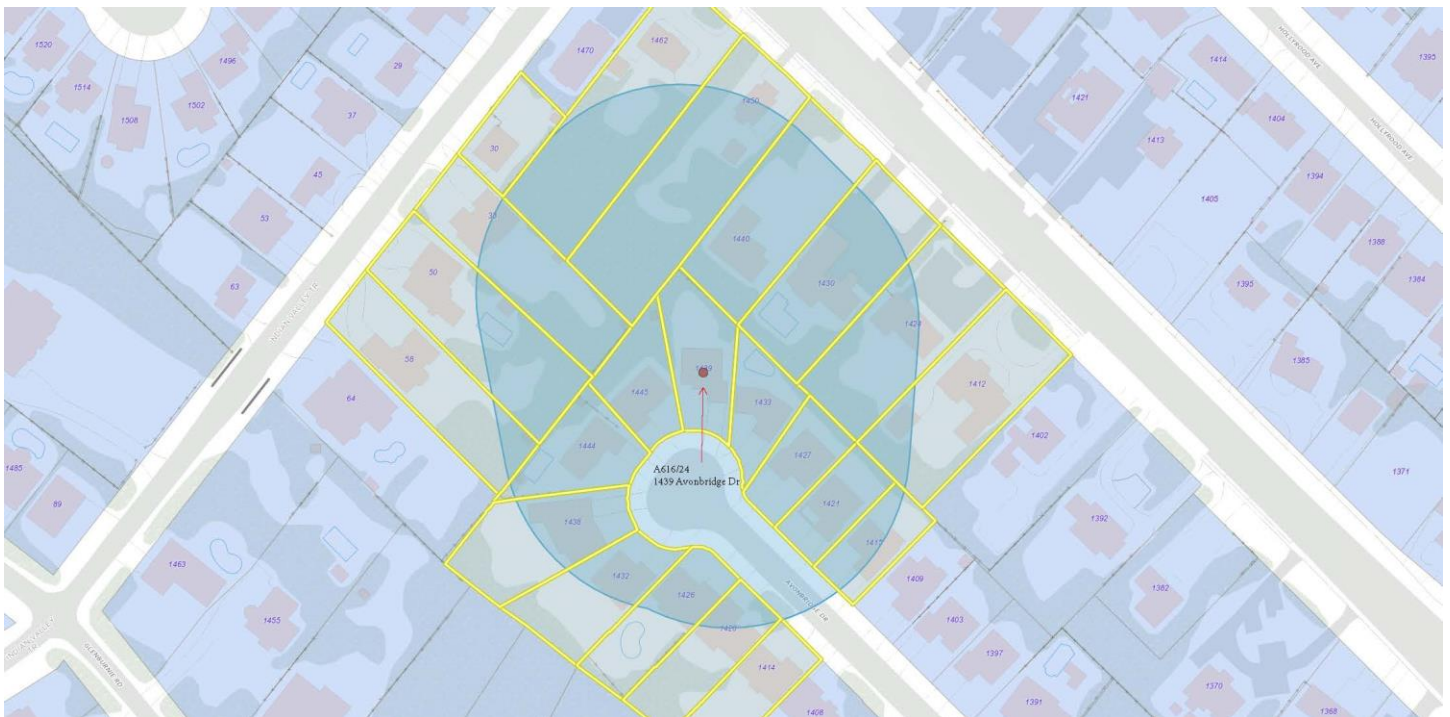
Additional Information:

- For more information about this matter, contact committee.adjustment@mississauga.ca or call 905-615-3200 x5507. Alternatively, information can be obtained in person by making an appointment with the Committee of Adjustment at 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Appointments can be booked using the “Book an appointment” button on the Committee’s webpage:
<https://www.mississauga.ca/council/committees/committee-of-adjustment/>.
- You can review city staff and agency comments one week before the hearing at the following link:
<http://www.mississauga.ca/portal/cityhall/calendar>.
- If you wish to be notified of the decision of the Committee, you must submit a written request to committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. This will also entitle you to be advised of any Ontario Land Tribunal (OLT) appeals.

Committee of Adjustment Appeal Process:

The Province of Ontario’s Bill 23, the More Homes Built Faster Act, 2022, limits who is allowed to appeal decisions made by the Committee of Adjustment. Going forward, only the applicant, the municipality, certain public bodies and the Minister can appeal a decision to the OLT. Individuals are no longer permitted to do so. For more information please see the “Appeal process” section on the Committee of Adjustment webpage:

<https://www.mississauga.ca/council/committees/committee-of-adjustment/>.



Legal notice:

Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual (including being posted on the internet) upon request in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x5507.

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-02-06	File(s): A616.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2/13/2025 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application, subject to the amendment.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A garage projection of 4.57m (approx. 14.99ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0m in this instance;
2. A height of 10.15m (approx. 33.30ft) whereas By-law 0225-2007, as amended, permits a maximum height of 9.00m (approx. 29.53ft) in this instance;
3. An easterly side yard with two storeys of 2.15m (approx. 7.05ft) whereas By-law 0225-2007, as amended, requires a minimum side yard with two storeys of 2.41m (approx. 7.91ft) in this instance;
4. A combined width of side yards of 4.53m (approx. 14.86ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 4.93m (approx. 16.17ft) in this instance;
5. An eave height of 7.50m (approx. 24.61ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance;
6. A window well encroachment on the west side of 0.84m (approx. 2.76ft) whereas By-law 0225-2007, as amended, permits a maximum window well encroachment of 0.61m (approx. 2.00ft) in this instance; and
7. An eave encroachment of 0.72m (approx. 2.36ft) whereas By-law 0225-2007, as amended, permits a maximum eave encroachment of 0m in this instance.

Amendments

Amend:

2. A height of 10.13m (approx. 33.30ft) whereas By-law 0225-2007, as amended, permits a maximum height of 9.00m (approx. 29.53ft) in this instance;
3. An easterly side yard with two storeys of 2.10m (approx. 6.88ft) whereas By-law 0225-2007, as amended, requires a minimum side yard with two storeys of 2.41m (approx. 7.91ft) in this instance;
5. An eave height of 7.19m (approx. 23.58ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance;
7. A minimum setback to eaves on the west side of 1.40m (approx. 4.59ft) whereas By-law 0225-2007, as amended, requires a minimum setback to eaves of 2.41m (7.91ft) in this instance.

Remove:

6. A window well encroachment on the west side of 0.84m (approx. 2.76ft) whereas By-law 0225-2007, as amended, permits a maximum window well encroachment of 0.61m (approx. 2.00ft) in this instance;

Background

Property Address: 1439 Avonbridge Dr

Mississauga Official Plan

Character Area: **Mineola Neighbourhood**
Designation: **Residential Low Density I**

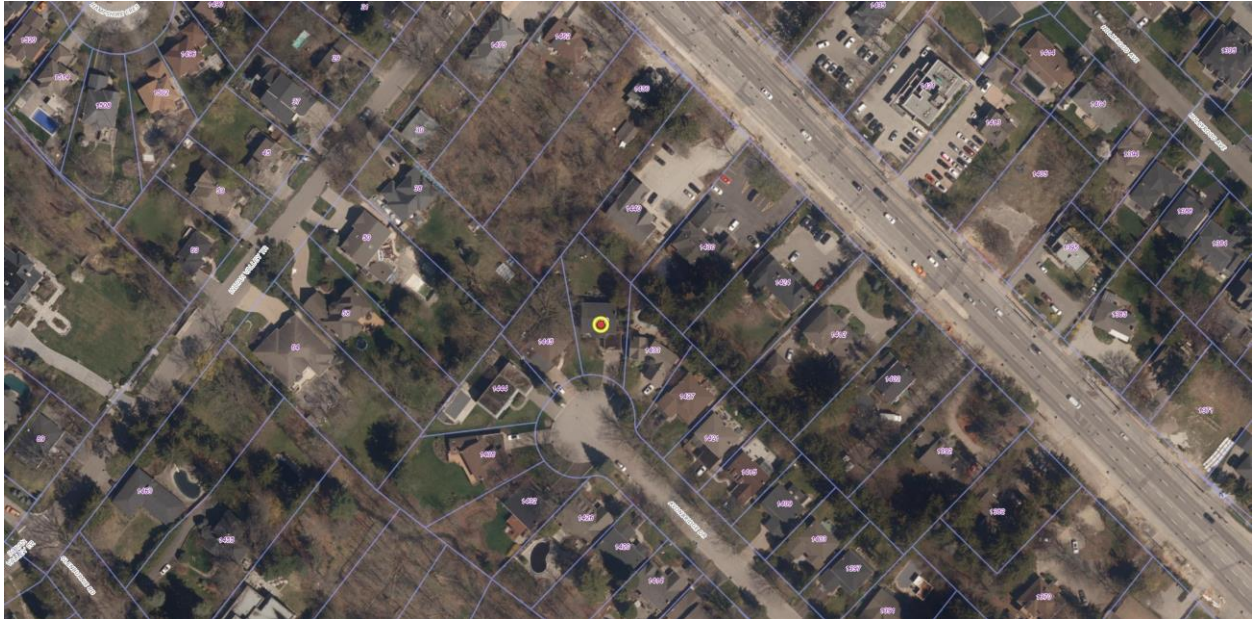
Zoning By-law 0225-2007

Zoning: R2-1 - Residential

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southeast of the Pinewood Trail and Hurontario Street intersection. It has an approximate lot frontage of +/- 18.28m (59.97ft) and a lot area of +/- 1,017.90m² (3,339.56ft²). Currently the property contains an existing two-storey dwelling with limited vegetation in the front and side yards. The immediate neighbourhood is entirely residential, consisting primarily of one and two storey-detached dwellings on large lots with vegetation in the front yards.

The applicant is proposing to construct a new dwelling requiring variances related to a garage projection, dwelling height, side yard setbacks, and eaves height and 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 Mineola Neighbourhood Character Area. The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached, and duplex 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 appropriate for the subject property given surrounding conditions and will not negatively impact the streetscape. Further, staff are satisfied that the proposal respects the designated and surrounding land uses. 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 pertains to garage projection. The intent of the zoning by-law is to maintain a consistent streetscape, while ensuring the garage is not the dominant feature of the dwelling. Staff note that the dwelling has been designed in a manner that projects the front porch to balance the garage projection. Staff are satisfied that this minimizes the impact of the garage projection, ensuring the garage is not the dominant feature of the dwelling.

Variances #2 and #5 request an increase in the dwelling and eave height respectively. The intent of restricting height to the highest ridge and eaves is to lessen the visual massing of 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 are satisfied that the proposed increases in height are appropriate for the subject property and note that for portions of the property the average grade is below the finished grade by 1.04m (3.41ft), reducing the appearance of the overall height of the structure. Further, staff are of the opinion that incorporation of architectural features like varying materials, windows in the dwelling design, and decorative columns, further mitigates any massing impacts. Staff also acknowledge that based on a thorough review of the immediate neighbourhood and drawings provided, similar dwellings are common for in the immediate neighbourhood.

Variances #3 pertains to side yard setbacks measured to the second store. 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. Staff note the reduction in the side yard setback is measured to the second storey and the eaves. The first storey meets the minimum individual side yard setback requirement, and the applicant is proposing to align the second storey on top of the first storey. Staff are satisfied that the proposed setbacks are consistent with the setbacks found in the immediate area and provide an adequate buffer.

Variance #4 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. The proposed dwelling provides adequate side yard setbacks for both the northernly and southernly side yards allowing for direct access to the rear yard, sufficient space to maintain the structure and provide the necessary drainage. Staff notes that the proposed setbacks meet the individual side yard setbacks required by the by-law.

Variances #5 requests a reduced side yard setbacks to the eaves of the second storey. The intent of the side yard regulations in the by-law is to ensure than an adequate buffer exists between the massing of primary structures on adjoining properties. Staff note the reduction in the side yard setback is measured to the eaves and that the first storey meets the minimum indivial setback requirement. Staff are satisfied the proposed setbacks provide an adequate buffer between the massing of primary structures and have limited impacts on adjoining properties.

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

Staff are satisfied that the proposal represents the appropriate development of the subject lands. It is staff's opinion that the proposal poses no massing concerns on abutting properties. Planning staff are satisfied that the impacts of the variances, both individually and cumulatively, are minor in nature. Furthermore, staff are of the opinion that the application proposes appropriate development of the subject property.

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-24/4423.

Comments Prepared by: John Salvino, Development Engineering Technologist



Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit application under file 24-4423.

Based on review of the information currently available for this building permit, the variances, as requested are correct:

1. A garage projection of 4.57m (approx. 14.99ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0m in this instance;
4. A combined width of side yards of 4.53m (approx. 14.86ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 4.93m (approx. 16.17ft) in this instance;

Based on review of the information currently available for this building permit, we advise that the following variance(s) should be amended as follows:

AMEND:

2. A height of 10.13m (approx. 33.30ft) whereas By-law 0225-2007, as amended, permits a maximum height of 9.00m (approx. 29.53ft) in this instance;
3. An easterly side yard with two storeys of 2.10m (approx. 6.88ft) whereas By-law 0225-2007, as amended, requires a minimum side yard with two storeys of 2.41m (approx. 7.91ft) in this instance;
5. An eave height of 7.19m (approx. 23.58ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance;
7. A minimum setback to eaves on the west side of 1.40m (approx. 4.59ft) whereas By-law 0225-2007, as amended, requires a minimum setback to eaves of 2.41m (7.91ft) in this instance.

REMOVE:

6. A window well encroachment on the west side of 0.84m (approx. 2.76ft) whereas By-law 0225-2007, as amended, permits a maximum window well encroachment of 0.61m (approx. 2.00ft) in this instance;

Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: RAMSEN HEDOO

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

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.
- 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.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 5 – Metrolinx

Metrolinx is in receipt of the Minor Variance application for 1439 Avonbridge Drive to allow the construction of a new two-storey dwelling (the existing two-storey unit will be demolished), as circulated on January 9th, 2025, and to be heard at Public Hearing on February 13th, 2025, at 1:00 PM. Metrolinx's comments on the subject application are noted below:

- The subject property is located within the Municipal Consent and Roadway Coordination review zone of Metrolinx's Hurontario LRT.

HuLRT – ADVISORY COMMENTS

- At this stage Metrolinx doesn't have any major comments but any work within Metrolinx ROW or within 60 m of the HuLRT will require approval and coordination with Metrolinx.

- The applicant should be advised that Metrolinx and its contractors will be utilizing the Hurontario Street right-of-way, and its intersections, during the project's Construction Period. Based on the location of the subject property, there is potential for construction coordination and traffic staging conflicts.

- Should construction of the Hazel McCallion LRT and the proposed development occur simultaneously, Metrolinx will require the developer to submit schedule or staging plans to coordinate access to both parties.

- Please be advised that Metrolinx/ our Technical Advisor would be a stakeholder providing comments on the comprehensive application of this site should future development be contemplated. Please continue to engage Metrolinx should future developments be contemplated on the subject site.

Should you have any questions or concerns, please contact jenna.auger@metrolinx.com.

Comments Prepared by: Jenna Auger, Third Party Project Review



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A617.24
Ward: 1

In Person and Virtual Public Hearing

Why you received this letter:

You are receiving this letter because you are the owner of a neighbouring property within 60m (200ft) of the subject property, or are the agent/interested party/owner of the property for the application.

Details of the application and meeting information:

The property owner of 1217 Lakebreeze Dr, zoned R3-1, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new detached dwelling proposing:

1. An exterior side yard of 4.89m (approx. 16.04ft) whereas By-law 0225-2007, as amended, permits a minimum exterior side yard of 6.00m (approx. 19.69ft) in this instance;
2. A front yard setback of 5.36m (approx. 17.59ft) whereas By-law 0225-2007, as amended, permits a minimum front yard setback of 5.55m (approx. 18.21ft) in this instance;
3. A dwelling depth of 21.31m (approx. 69.91ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
4. A gross floor area (infill residential) of 456.72sq m (approx. 4922.87sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area (infill residential) of 402.00 sq m (approx. 4327.09sq ft) in this instance; and
5. A height of eaves of 6.92m (approx. 22.70ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 6.40m (approx. 21.00ft) in this instance.

The Committee has set **Thursday, February 13, 2025 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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- **Submit a written comment:** Written comments to the Committee must be received no later than 4:30 p.m. on the Friday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and the application file number or property address you are commenting on.

If you wish to view the public hearing online and do not wish to speak, the hearing will be streamed at the following link: <http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>

Additional Information:

- For more information about this matter, contact committee.adjustment@mississauga.ca or call 905-615-3200 x5507. Alternatively, information can be obtained in person by making an appointment with the Committee of Adjustment at 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Appointments can be booked using the “Book an appointment” button on the Committee’s webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.
- You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>.
- If you wish to be notified of the decision of the Committee, you must submit a written request to committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. This will also entitle you to be advised of any Ontario Land Tribunal (OLT) appeals.

Committee of Adjustment Appeal Process:

The Province of Ontario’s Bill 23, the More Homes Built Faster Act, 2022, limits who is allowed to appeal decisions made by the Committee of Adjustment. Going forward, only the applicant, the municipality, certain public bodies and the Minister can appeal a decision to the OLT. Individuals are no longer permitted to do so. For more information please see the “Appeal process” section on the Committee of Adjustment webpage:

<https://www.mississauga.ca/council/committees/committee-of-adjustment/>.



Legal notice:

Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual (including being posted on the internet) upon request in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x5507.

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-02-06	File(s): A617.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2/13/2025 1:00:00 PM

Consolidated Recommendation

The City has no objection to the application, as amended.

Application Details

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

1. An exterior side yard of 4.89m (approx. 16.04ft) whereas By-law 0225-2007, as amended, permits a minimum exterior side yard of 6.00m (approx. 19.69ft) in this instance;
2. A front yard setback of 5.36m (approx. 17.59ft) whereas By-law 0225-2007, as amended, permits a minimum front yard setback of 5.55m (approx. 18.21ft) in this instance;
3. A dwelling depth of 21.31m (approx. 69.91ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
4. A gross floor area (infill residential) of 456.72sq m (approx. 4923.5sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area (infill residential) of 402.00 sq m (approx. 4327.09sq ft) in this instance; and
5. A height of eaves of 6.92m (approx. 22.70ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 6.40m (approx. 21.00ft) in this instance.

Amendments

The Building Department is processing Building Permit application 24-4111. Based on review of the information available in this application, Zoning staff advise that variances #1, 3 & 5 are correct, and following amendments are required:

2. A front yard setback to the eaves of 5.36m (approx. 17.59ft) whereas By-law 0225-2007, as amended, permits a minimum front yard setback to the eaves of 5.55m (approx. 18.21ft) in this instance;

Background

Property Address: 1217 Lakebreeze Dr

Mississauga Official Plan

Character Area: Mineola Neighborhood
Designation: Residential Low Density II

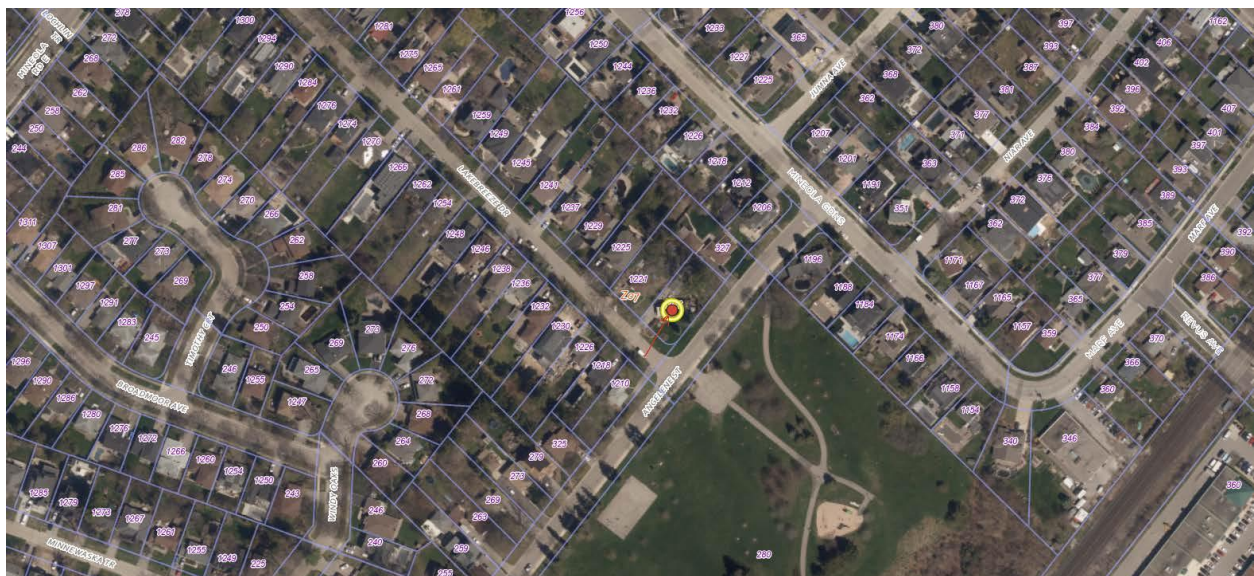
Zoning By-law 0225-2007

Zoning: R3-1
Other Applications: Building Permit application 24-4111

Site and Area Context

The subject property is located within the Mineola Park Neighbourhood Character Area, south of Mineola Road East and east of Hurontario Street. The immediate neighbourhood is entirely residential, consisting of large one and two storey detached dwellings with significant mature vegetation. The subject property contains an existing one-storey detached dwelling with a detached garage along with mature vegetation in the front yard.

The applicant is proposing a new detached dwelling requiring variances for exterior side yard setback, front yard setback, dwelling depth, gross floor area and eave height.



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 Mineola Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low-Density II designation permits detached, semi-detached, duplex, triplex, street townhouses and other forms of low-rise dwellings with individual frontages. Section 16.18.1 of the Mineola Neighbourhood Character policies note that new housing is encouraged to fit the scale and character of the surrounding area to ensure that new development has minimal impact on adjacent neighbours with respect to overshadowing and overlook. The proposed detached dwelling is compatible with the surrounding context and will not negatively impact the streetscape. As such, Staff are of the opinion that the proposed dwelling conforms to the general intent and purpose of the official plan.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

Variance #1 requests relief from the exterior side yard setback regulations. The general intent of this portion of the by-law is to ensure that an adequate buffer exists between the massing of structures on adjoining properties and the public realm, that access to the rear yard remains unencumbered, and that appropriate drainage patterns can be maintained. Staff note the setback is only measured to a planter. The dwelling design is staggered on the exterior side and maintains a setback varying from 5.58m (18.3ft) to 6.10m (20ft). Through a review, planning staff are satisfied that the proposed side yard is appropriate and maintains a sufficient buffer to the neighbouring properties and to the public realm.

Variance #2, as amended, requests a decrease in the front yard setback measured to the eaves. The intent of a front yard setback is to ensure that eaves are sufficiently setback from all property lines. Staff note that the requested variance represents a minor deviation from the zoning by-law requirements. Further, the dwelling meets the front yard requirements, and the setback relief is required only for the eaves. Staff are satisfied that there is no massing concerns associated with the eaves.

Variance #3 requests an increase in the dwelling depth. The intent of the zoning by-law in regulating the dwelling depth is to minimize any impact of long walls on neighbouring lots as a direct result of the building massing. Staff note the dwelling design is staggered and a major

portion of which maintains a depth of 20.45m (67ft). Staff are of the opinion that the request will not create any impact on adjoining properties.

Variance #4 pertains to gross floor area (GFA). Staff have received confirmation from the applicant's agent via an email dated January 22, 2025, that a GFA of 456.72m² (4908ft²) is required. Additionally, the agent has confirmed that the amendment to the GFA suggested by Zoning staff is not required at this time. The intent in restricting gross floor area is to maintain compatibility between existing and new dwellings in order to ensure the existing and planned character of a neighbourhood is preserved. Staff are of the opinion that the proposed dwelling is consistent with newer two-storey dwellings in the immediate area and does not pose a negative impact to the established neighbourhood character. Staff are satisfied that the design of the proposed dwelling is sympathetic to both the planned character of the area and existing dwellings and that the proposed increase is appropriate in this instance.

Variance #5 is regarding eave height. The intent of restricting height to the highest ridge and eaves is to lessen the visual massing of 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 are of the opinion that the increase in eave height is minor in nature in this instance. The incorporation of architectural features like varying rooflines and windows in the dwelling's design further mitigates any impacts of. Staff are satisfied that the proposed increase in height is appropriate for the subject property and note that no overall height variance is required.

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?

Staff are satisfied that the proposal represents appropriate development of the subject lands. It is staff's opinion that the proposal does not pose massing concerns on abutting properties. 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 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-24/4111.

Comments Prepared by: John Salvino, Development Engineering Technologist





Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application 24-4111. Based on review of the information available in this application, we advise that variances #1, 3 & 5 are correct, and following amendments are required:

2. A front yard setback to the eaves of 5.36m (approx. 17.59ft) whereas By-law 0225-2007, as amended, permits a minimum front yard setback to the eaves of 5.55m (approx. 18.21ft) in this instance;
4. A gross floor area (infill residential) of 465.35sq m whereas By-law 0225-2007, as amended, permits a maximum gross floor area (infill residential) of 402.00 sq m (approx. 4327.09sq ft) in this instance;

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.

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.
- 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.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 5 – Metrolinx

Metrolinx is in receipt of the Minor Variance application for 1217 Lakebreeze Drive to allow the construction of a new two-storey dwelling (the existing unit will be demolished), as circulated on January 9th, 2025, and to be heard at Public Hearing on February 13th, 2025, at 1:00 PM.

Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300m, adjacent to, the Metrolinx Oakville Subdivision which carries Metrolinx's Lakeshore West GO Train service.

GO/HEAVY-RAIL – CONDITIONS OF APPROVAL

- As per section 3.9 of the Federation of Canadian Municipalities and Railway Association of Canada's Guidelines for New Development in Proximity to Railway Operations, the Owner shall grant Metrolinx an environmental easement for operational emissions. The environmental easement provides clear notification to those who may acquire an interest in the subject property and reduces the potential for future land use conflicts. The environmental easement shall be registered on title of the subject property. A copy of the form of easement is included for the Owner's information. The applicant may contact jenna.auger@metrolinx.com with questions and to initiate the registration process. (It should be noted that the registration process can take up to 6 weeks).

- The Proponent shall provide confirmation to Metrolinx, that the following warning clause has been inserted into all Development Agreements, Offers to Purchase, and Agreements of Purchase and Sale or Lease of each unit:

- **Warning:** The Applicant is advised that the subject land is located within Metrolinx's 300 metres railway corridor zone of influence and as such is advised that Metrolinx and its assigns and successors in interest has or have a right-of-way within 300 metres from the subject land. The Applicant is further advised that there may be alterations to or expansions of the rail or other transit facilities on such right-of-way in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx to use the right-of-way or their assigns or successors as aforesaid may expand or alter their operations, which expansion or alteration may affect the environment of the occupants in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual lots, blocks or units.

Should you have any questions or concerns, please contact jenna.auger@metrolinx.com.

Comments Prepared by: Jenna Auger, Third Party Project Review

In Person and Virtual Public Hearing

Why you received this letter:

You are receiving this letter because you are the owner of a neighbouring property within 60m (200ft) of the subject property, or are the agent/interested party/owner of the property for the application.

Details of the application and meeting information:

The property owner of 4573 Mississauga Road, zoned R1 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing:

1. A lot coverage of 40.3% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% of the lot area in this instance; and
2. A rear yard of 6.52m (approx. 21.39ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.61ft) in this instance.

The Committee has set **Thursday, February 13, 2025 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

Public participation at hearings helps the Committee make informed decisions. There are several methods to participate:

- **In person:** The hearing will be held in person at Mississauga Civic Centre, Council Chambers, 300 City Centre Drive, 2nd Floor. Advance registration is preferred if you wish to speak at the hearing in person. If you wish to make a presentation you must send your request to speak and your presentation (as an attachment) via email to committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. A document projector will also be available, if preferred.
- **Electronically (computer, tablet or smartphone):** Advance registration is required to speak virtually at the hearing. If you wish to make a presentation at the hearing you must send your request to speak and your presentation material (as an attachment) via email to committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. If you have connection issues on the hearing date, please email virtualmeeting.help@mississauga.ca.
- **By telephone:** Advance registration is required to speak virtually at the hearing. To register, please call 905-615-3200 x5507 by 4:30 PM on the Friday prior to the hearing. You must provide your name, phone number, and the application file number. Committee staff will provide you with call in details prior to the start of the hearing.
- **Submit a written comment:** Written comments to the Committee must be received no later than 4:30 p.m. on the Friday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and the application file number or property address you are commenting on.

If you wish to view the public hearing online and do not wish to speak, the hearing will be streamed at the following link:

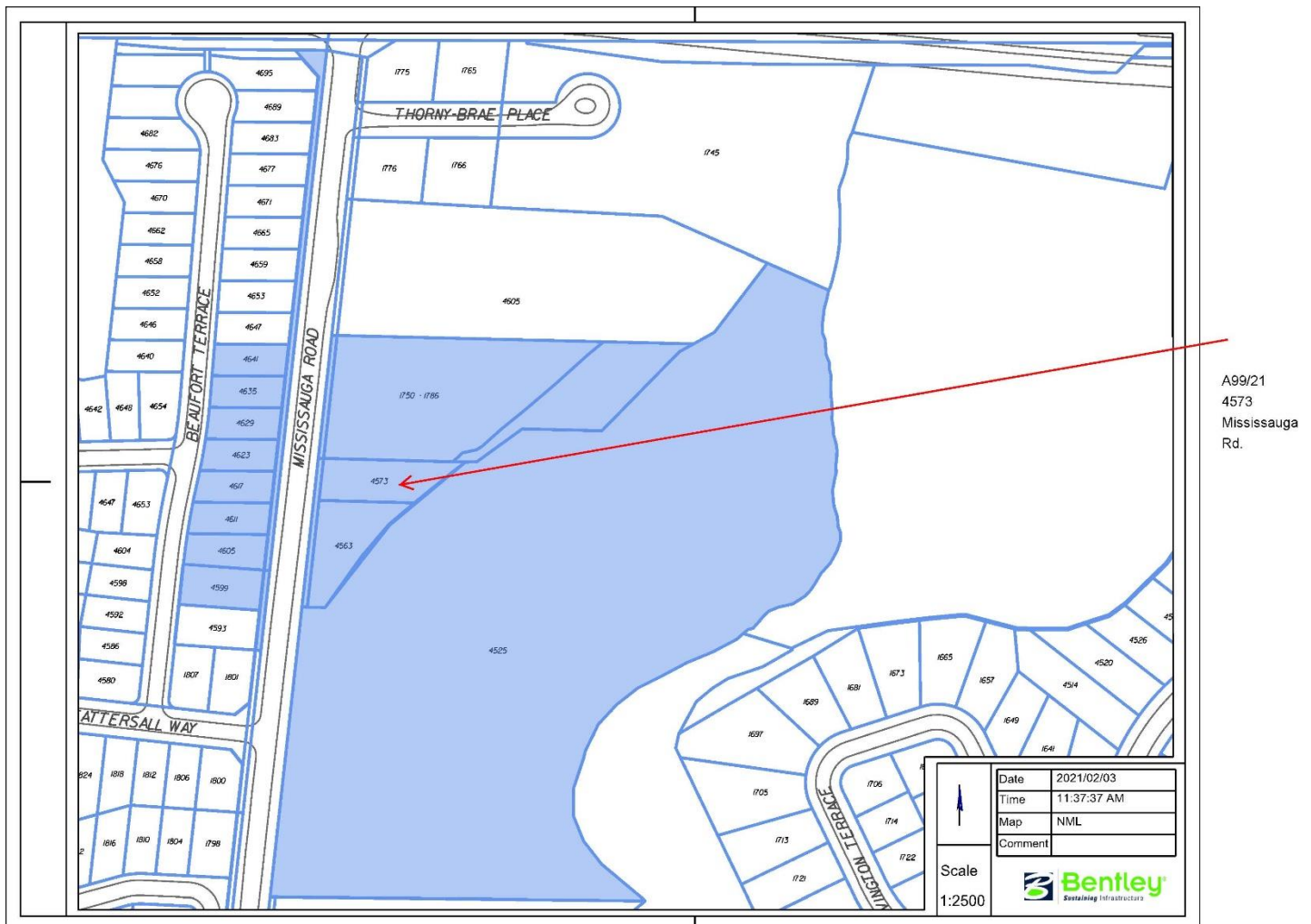
<http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>

Additional Information:

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A99/21
4573
Mississauga
Rd.

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-02-06	File(s): A99.21
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2/13/2025 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 amended, meets the requirements of Section 45(1) of the Planning Act. 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 to allow the construction of an addition proposing:

1. A lot coverage of 40.3% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% of the lot area in this instance; and
2. A rear yard of 6.52m (approx. 21.39ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.61ft) in this instance.

Amendments

Staff have received revised information from the applicant, and it appears that the following variance is also required:

Variance #3 requests 32.5% whereas the zoning bylaw requires 40% of the front yard and/or exterior side yard to be soft landscaping.

Background

Property Address: 4573 Mississauga Road

Mississauga Official Plan

Character Area: Central Erin Mills Neighbourhood
Designation: Residential Low Density I

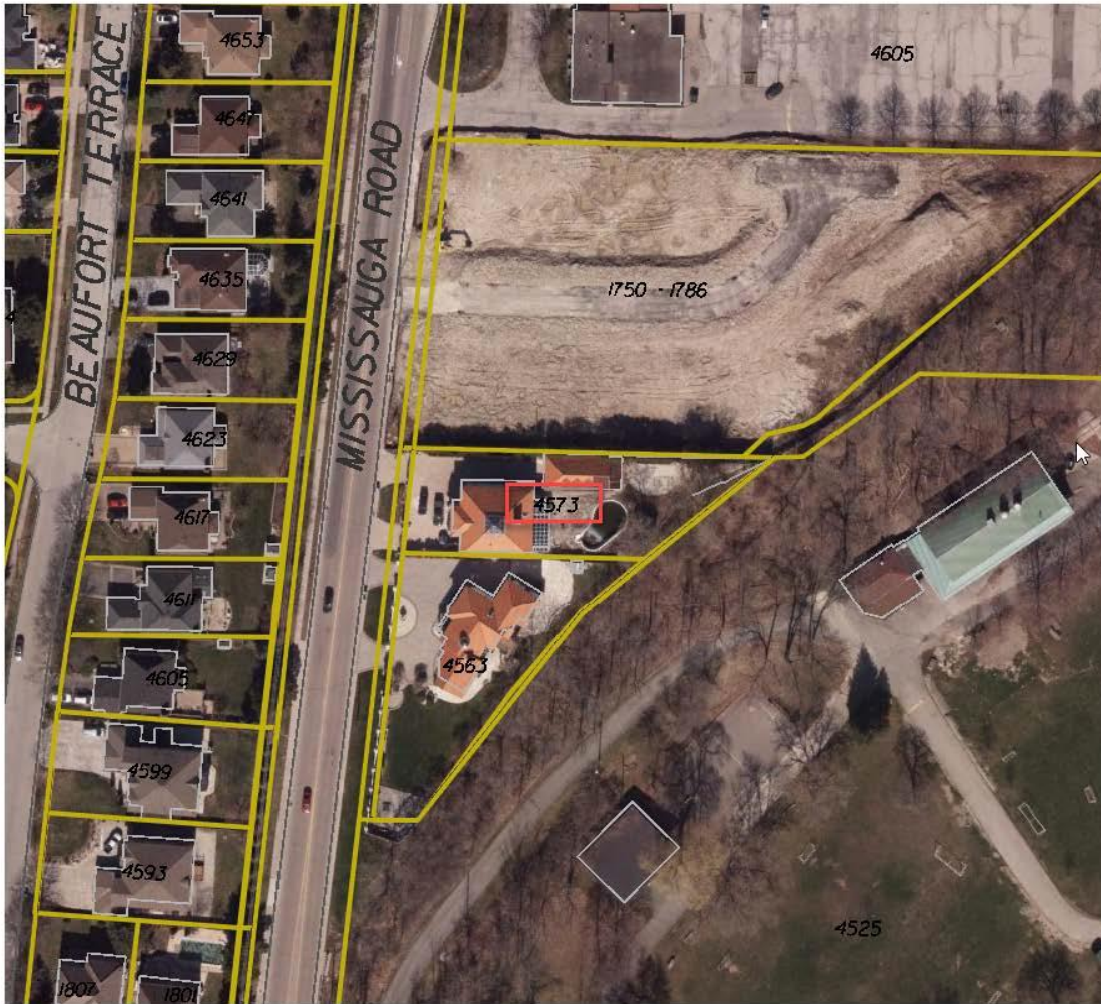
Zoning By-law 0225-2007

Zoning: R1 - Residential
Other Applications: Preliminary Zoning Review application PREAPP 20-1633

Site and Area Context

The subject property is located within the Central Erin Mills Neighbourhood, south of Eglinton Avenue West and Mississauga Road. The immediate neighbourhood is primarily residential, consisting of two storey detached dwelling with mature vegetation. The property abuts Croatian Parish Private Park to the north. The subject property contains an existing two storey detached dwelling and abuts a heavily treed area which is zoned and designated Greenlands.

The applicant is proposing an accessory structure that requires variances related to lot coverage and side and rear yard setbacks and a variance for the existing soft landscaping.



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:

Planning staff note that the application was before the Committee of Adjustment on April 8, 2021, seeking similar variances. At the time, Planning staff had no objection to the proposal. However, the application deferred to obtain approval from the Credit Valley Conservation Authority (CVC).

The applicant received a CVC permit dated November 5, 2024. At the time this application was submitted to the Committee of Adjustment clerks office, the applicant provided drawings that did not match the CVC permit drawings. As such, revised drawings have been provided by the applicant on January 20, 2025, that correspond to the CVC permit.

CVC have no concerns with the proposal, and as such, Planning comments remain the same. The existing dwelling is at 15.4%, while the pool enclosure and addition represent 16.4%. Staff remain satisfied that the proposal will not pose any negative impacts and have no concerns with the proposal.

Staff note the applicant is requesting Variance #3, pertaining to reduced soft landscaping in the front/exterior side yard. Staff note this is an existing condition and that no variance is requested for driveway width. Staff have no concerns with this variance.

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 proposed addition will be addressed by our Development Construction Section through the future Building Permit process.

Comments Prepared by: John Salvino, Development Engineering Technologist



Appendix 2 – Zoning Comments

The Building Department is processing Preliminary Zoning Review application PREAPP 20-1633. 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: Alana Zheng, Supervisor Zoning Examination

Appendix 3 – Parks, Forestry & Environment

Park Planning Comments

The Parks and Culture Planning Section of the Community Services Department has no objections to the above noted minor variance application and advises as follows:

The lands to the rear of the property are owned by the City of Mississauga, identified as Not Yet Named (P-539)*, classified as a Significant Natural Area within the City's Natural Heritage System, and zoned G1. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:

- a) ensuring that development in or adjacent to the Natural Heritage System protects and maintains the natural heritage features and their ecological functions through such means as tree preservation, appropriate location of building envelopes, grading, landscaping...;

In accordance with the zoning by-law (0225-2007), Section 4.1.8.1 states *the minimum setback for all **buildings, structures, parking areas and swimming pools** in Residential Zones to all lands zoned G1 or G2 Base Zone, shall be greater of 5.0 m or the required **yard/setback**.*

The submitted site plan (SP-1) identifies an existing deck to be replaced. The existing deck is encroaching onto City owned lands, and not meeting the required setbacks to a G1 zone.

Should the application be approved, the Parks and Culture Planning Section provides the following notes:

1. All existing encroachments are to be removed from adjacent City owned lands.
2. Should the deck be replaced, the Community Services Department requires the greater of 5.0 m required setback to the abutting lands zoned G1.
3. Construction access from the adjacent park/greenlands is not permitted.
4. If access is required to City owned lands, a Consent to Enter Agreement/Park Access Permit will be required.

5. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.
6. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, c.P. 13, as amended) and in accordance with the City's policies and by-laws.

Should further information be required, please contact Nicholas Rocchetti, Planner – Park Planning, Community Services Department at 905-615-3200 ext. 4659 or via email nicholas.rocchetti@mississauga.ca.

Comments Prepared by: Nicholas Rocchetti, Planner

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 Permit Application, 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/>.

Please be advised the subject property is directly adjacent to and overlaps with a component of the City's Natural Heritage System (NHS), specifically *CRR1 Significant Natural Area* and the associated *Credit River (Eglinton to Dundas) Environmentally Sensitive or Significant Area (ESA)*, which includes natural heritage features such as *Significant Valleyland, Fish Habitat, Significant Woodland*, and *candidate Significant Wildlife Habitat*. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:

- Ensuring that development in or adjacent to the Natural Heritage System protects and maintains the natural heritage features and their ecological functions through such means as tree preservation, appropriate location of building envelopes, grading, landscaping...;

Given that a “no-mow” zone has been established by the applicant through previous consultation with Credit Valley Conservation Authority (CVC), and there are no plans to encroach into this area, Forestry has no objections from a natural heritage perspective. Should the application be approved, Community Services – Forestry recommends the following:

- Submit an Erosion and Sediment Control (ESC) Plan that is to the satisfaction of Community Services – Forestry.
- Stockpiling and staging of construction materials and equipment must be located outside of the identified “no-mow area” being protected on site.
- The L-200 Landscape Plan (SDG, October 10th, 2024) indicates that a variety of non-invasive ornamental and cultivar species are proposed for planting adjacent to the “no-mow” area located along the rear of the property. To mitigate the spread of non-native species into the neighbouring natural area, Forestry recommends that the landscape plans include only native species that are common to the local watershed and appropriate for the site conditions. We recommend using the following guidelines prepared by Credit Valley Conservation Authority (CVC) to inform the selection of an appropriate seed mix and woody vegetation:
 - Credit Valley Conservation Authority. (2018). Plant Selection: Species List for Planting Plans within the Credit River Watershed. Link: <https://cvc.ca/document/plant-selection-guideline-species-list-for-planting-plans-within-the-credit-river-watershed/>

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 - Conservation Authority Comments

Credit Valley Conservation (CVC) staff have reviewed the subject application and offer comments based on the following roles and responsibilities:

1. Delegated Responsibilities providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 5.1 and 5.2 of the Provincial Planning Statement (2024);
2. Regulatory Responsibilities providing comments to ensure the coordination of requirements under the Conservation Authorities Act Section 28 regulation, to eliminate unnecessary delay or duplication in process.
3. Source Protection Agency providing advisory comments to assist with the implementation of the CTC Source Protection Plan under the Clean Water Act, as applicable.

CVC REGULATED AREA

Based on our mapping, the subject property is regulated due to slope hazard associated with Credit River. As such, the property is subject to the Prohibited Activities, Exemptions, and Permits Regulation (Ontario Regulation 41/24). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

PROPOSAL:

It is our understanding that the applicant is requesting the Committee to approve a minor variance to allow the construction of an addition proposing:

1. A lot coverage of 40.3% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% of the lot area in this instance; and
2. A rear yard of 6.52m (approx. 21.39ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.61ft) in this instance.

COMMENTS:

Based on the review of the information provided (see below image for updated site plan provided on Monday January 20th, 2025) CVC staff has no objection to the approval of the minor variances at this time. CVC staff have reviewed proposed works as part of permit application FF 24/240.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at stuti.bhatt@cvc.ca or 905-670-1615 (ext. 3500) should you have any further questions. Please circulate CVC on any future correspondence or applications regarding this site.

Updated plan provided by applicant to CVC staff on January 20, 2025:



Comments Prepared by: Stuti Bhatt, Junior Planner

In Person and Virtual Public Hearing

Why you received this letter:

You are receiving this letter because you are the owner of a neighbouring property within 60m (200ft) of the subject property, or are the agent/interested party/owner of the property for the application.

Details of the application and meeting information:

The property owner of 1414 Lochlin Tr, zoned R2-4 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling proposing:

1. A combined side yard width of 6.25m (approx. 20.51ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard width of 6.58m (approx. 21.59ft) in this instance;
2. A gross floor area of 454.39sq m (approx. 4,891.01sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 414.49sq m (approx. 4,461.53sq ft) in this instance; and
3. A height to the eaves of 6.65m (approx. 21.82ft) whereas By-law 0225-2007, as amended, permits a maximum height to the eaves of 6.40m (approx. 21.00ft) in this instance.

The Committee has set **Thursday, February 13, 2025 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

Public participation at hearings helps the Committee make informed decisions. There are several methods to participate:

- **In person:** The hearing will be held in person at Mississauga Civic Centre, Council Chambers, 300 City Centre Drive, 2nd Floor. Advance registration is preferred if you wish to speak at the hearing in person. If you wish to make a presentation you must send your request to speak and your presentation (as an attachment) via email to committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. A document projector will also be available, if preferred.
- **Electronically (computer, tablet or smartphone):** Advance registration is required to speak virtually at the hearing. If you wish to make a presentation at the hearing you must send your request to speak and your presentation material (as an attachment) via email to committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. If you have connection issues on the hearing date, please email virtualmeeting.help@mississauga.ca.
- **By telephone:** Advance registration is required to speak virtually at the hearing. To register, please call 905-615-3200 x5507 by 4:30 PM on the Friday prior to the hearing. You must provide your name, phone number, and the application file number. Committee staff will provide you with call in details prior to the start of the hearing.
- **Submit a written comment:** Written comments to the Committee must be received no later than 4:30 p.m. on the Friday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and the application file number or property address you are commenting on.

If you wish to view the public hearing online and do not wish to speak, the hearing will be streamed at the following link:

<http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>

Additional Information:

- For more information about this matter, contact committee.adjustment@mississauga.ca or call 905-615-3200 x5507. Alternatively, information can be obtained in person by making an appointment with the Committee of Adjustment at 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Appointments can be booked using the “Book an appointment” button on the Committee’s webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.
- You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>.
- If you wish to be notified of the decision of the Committee, you must submit a written request to committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. This will also entitle you to be advised of any Ontario Land Tribunal (OLT) appeals.

Committee of Adjustment Appeal Process:

The Province of Ontario’s Bill 23, the More Homes Built Faster Act, 2022, limits who is allowed to appeal decisions made by the Committee of Adjustment. Going forward, only the applicant, the municipality, certain public bodies and the Minister can appeal a decision to the OLT. Individuals are no longer permitted to do so. For more information please see the “Appeal process” section on the Committee of Adjustment webpage:

<https://www.mississauga.ca/council/committees/committee-of-adjustment/>.



Legal notice:

Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual (including being posted on the internet) upon request in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x5507.

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-02-06	File(s): A493.22
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2/13/2025 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

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

1. A combined side yard width of 6.25m (approx. 20.51ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard width of 6.58m (approx. 21.59ft) in this instance;
2. A gross floor area of 454.39sq m (approx. 4,891.01sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 414.49sq m (approx. 4,461.53sq ft) in this instance; and
3. A height to the eaves of 6.65m (approx. 21.82ft) whereas By-law 0225-2007, as amended, permits a maximum height to the eaves of 6.40m (approx. 21.00ft) in this instance.

Background

Property Address: 1414 Lochlin Tr

Mississauga Official Plan

Character Area: **Mineola Neighbourhood**

Designation: **Residential Low Density I**

Zoning By-law 0225-2007

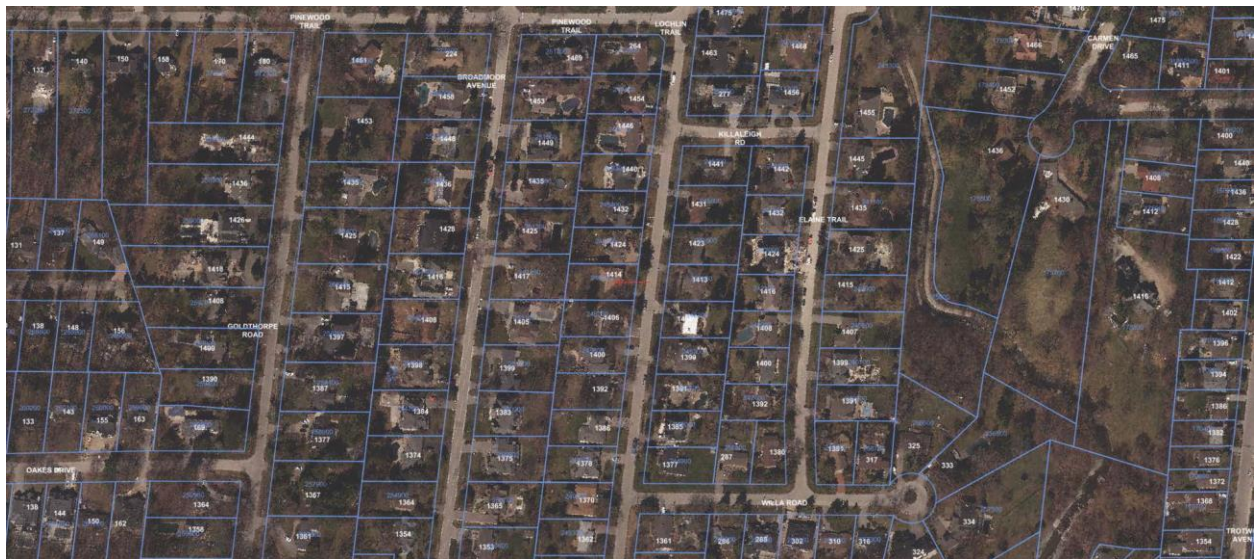
Zoning: R2-4 - Residential

Other Applications: None

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southeast of the Pinewood Trail and Hurontario Street intersection. It has an approximate lot frontage of +/- 24.27m (79.95ft) and a lot area of +/- 1,122.49m² (3,682.71ft²). Currently the property contains an existing two-storey dwelling with mature vegetation in the front and rear yards. The immediate neighbourhood is entirely residential, consisting primarily of one and two storey-detached dwellings on large lots with significant mature vegetation in the front yards.

The applicant is proposing to construct a new dwelling requiring variances related to a combined side yard setback, gross floor area and eaves height.



Comments

Planning

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:

Staff note that this application came before Committee on November 10, 2022, requesting variances related to combined side yard setback, GFA, setback to the eaves, lot coverage and five additional variances pertaining to side yard setbacks to the first and second stories of the dwelling. The application was deferred to allow the applicant an opportunity to meet with staff to verify the requested variances to submit additional information and ensure that no additional variances are required. The correct variances have been identified. While the zoning review has not been completed and the applicant has amended their application to address anticipated deficiencies.

A zoning reviewing has not been completed, the current application is seeking variances for a combined side yard setback, GFA and eave height. The combined side yard setback and GFA proposed in this application have been improved significantly since the 2022.

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

The subject property is located in the Mineola Neighbourhood Character Area. The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached, and duplex 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 subject property and adjoining lots are buffered by large tree canopies which provide screening that limits the massing impacts resulting from the proposed increase in GFA and eaves height. Additionally, the proposed gross floor area of the dwelling is in line with the existing dwellings in the surrounding community. Staff are of the opinion that the proposed dwelling is in line with existing dwellings in the neighbourhood and the planned character of the community. Staff are therefore satisfied that the proposal maintains the general intent and purpose of the official plan.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

Variance #1 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. The proposed dwelling provides adequate side yard setbacks for both the northernly and southernly side yards allowing for direct access to the rear yard, sufficient space to maintain the structure and provide the necessary drainage. Staff note that the proposed setbacks meet the individual side yard setbacks required by the by-law. Staff also acknowledge that based on a review of the immediate neighbourhood, similar deficiencies are common for detached dwellings in the neighbourhood.

Variance #2 requests a 9.6% increase in the GFA from 414.49m² (approx. 4,461.53ft²) to 454.39 m² (approx. 4,891.01ft²). 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 the increase in GFA is less than 10% from what is permitted as of right in the by-law. Additionally, significant mature vegetation lines the property lines and buffers the development from the neighbouring lots and minimizing any massing impacts. Furthermore, there is no variance requested for lot coverage and/or overall height of the dwelling, limiting 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 dwelling height and lot coverage. 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 #3 is required for an increase in eave height. The intent of restricting height to the eaves is to lessen the visual massing of 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. Planning staff have no concerns regarding this variance. No overall height variance is required. The proposed dwelling also contains a variety of architectural materials and design features that visually breaks up the massing of the dwelling, such as roof design, decorative columns and varying window sizes. As such, the proposed dwelling maintains compatibility with the surrounding area and would not negatively impact the character of the streetscape.

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 the future Building Permit process.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

We note that a Building Permit is required. In the absence of a Building Permit we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed.

The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

Comments Prepared by: Alana Zheng, Supervisor Zoning Examination

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

In Person and Virtual Public Hearing

Why you received this letter:

You are receiving this letter because you are the owner of a neighbouring property within 60m (200ft) of the subject property, or are the agent/interested party/owner of the property for the application.

Details of the application and meeting information:

The property owner of 3104 Churchill Ave, zoned R4-1 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A lot coverage of 33.55% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance;
2. An eaves height of 6.71m (approx. 22.02ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance;
3. A gross floor area (residential infill) of 229.53sq. m (approx. 2470.66sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area (residential infill) of 174.34sq. m (approx. 1876.60sq ft) in this instance; and,
4. 2 parking spaces for a 2-unit dwelling whereas By-law 0225-2007, as amended, requires a minimum of 3 parking spaces for a 2-unit dwelling in this instance.

The Committee has set **Thursday, February 13, 2025 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and the application file number or property address you are commenting on. If you wish to view the public hearing online and do not wish to speak, the hearing will be streamed at the following link: <http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-02-06	File(s): A482.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2/13/2025 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A lot coverage of 33.55% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance;
2. An eaves height of 6.71m (approx. 22.02ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance;
3. A gross floor area (residential infill) of 229.53sq. m (approx. 2470.66sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area (residential infill) of 174.34sq. m (approx. 1876.60sq ft) in this instance; and,
4. 2 parking spaces for a 2-unit dwelling whereas By-law 0225-2007, as amended, requires a minimum of 3 parking spaces for a 2-unit dwelling in this instance.

Background

Property Address: 3104 Churchill Ave

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

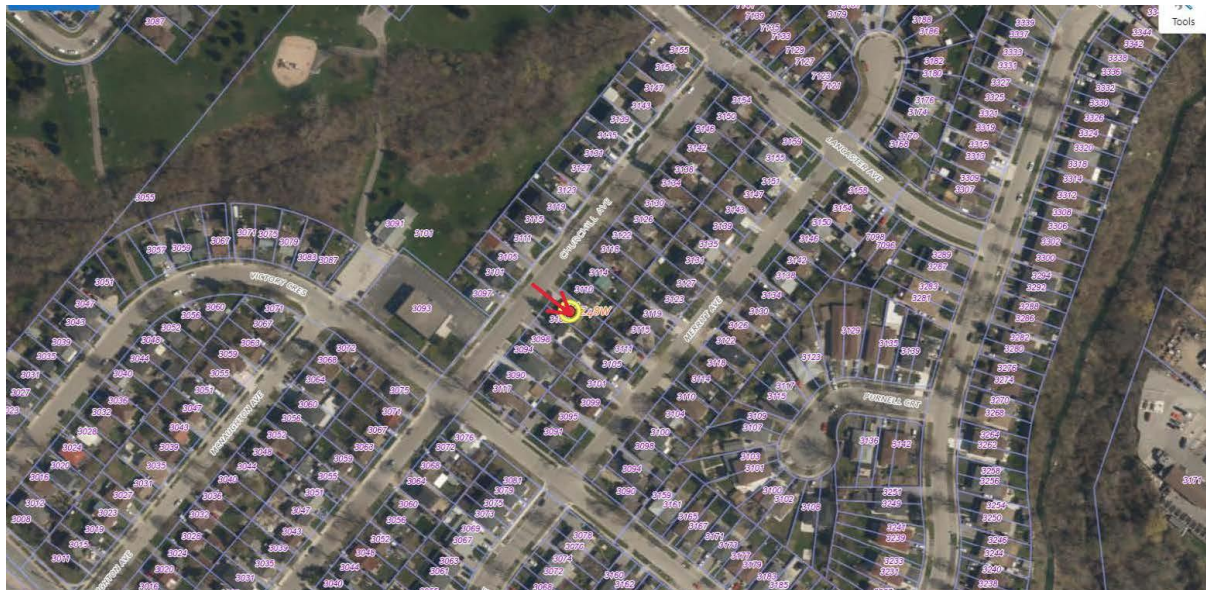
Zoning: R4-1 - Residential

Other Applications: None

Site and Area Context

The subject property is located north-east of the Airport Road and Derry Road East intersection in the Malton Neighbourhood Character Area. It is an interior lot containing a one-storey detached dwelling and a one-storey detached garage in the rear yard. Limited landscaping and vegetative elements are present throughout the site. The surrounding area is exclusively residential, consisting of detached and semi-detached dwellings on varied sized lots.

The applicant is proposing to construct a new dwelling requiring variances for lot coverage, eaves height, gross floor area and a parking deficiency.



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:

Planning staff note the applicant requested deferral of the application on November 14th, 2024, to ensure the correct variances were identified. In the previous report, staff noted the applicant calculated the required gross floor area based on the R3-69 site-specific zone regulations, rather than the subject property's R4-1 zoning.

The subject property is located in the Malton Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan. 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. Staff note the presence of larger infill dwellings along this particular portion of Churchill Avenue. Staff are therefore satisfied that the proposal is in line with the existing dwellings in the neighbourhood and the planned character of the surrounding community. Staff are of the opinion that the proposal maintains the general intent and purpose of the official plan.

Variance 1 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 represents a lot coverage of approximately 32.58%, while the remaining 0.97% of the proposed lot coverage pertains to the front porch. Staff are satisfied that the proposal does not represent an overdevelopment of the subject property and is in line with both original and newer dwellings in the surrounding context.

Variance 2 pertains to an increase for eave height. The intent of restricting height to the eaves is to lessen the visual massing of the dwelling by bringing the edge of the roof closer to the ground. This keeps the overall height and eaves of the dwelling within human scale. Staff are of the opinion that the impacts of the requested eave height are negligible and represent a minor deviation from what the by-law envisions. The proposal maintains a human scale and does not exacerbate the visual massing of the dwelling.

Variance 3 requests an increase in gross floor area. The intent in restricting gross floor area is to maintain compatibility between existing and new dwellings while ensuring the existing and planned character of a neighbourhood is preserved. Staff are satisfied that the proposal appropriately balances the existing built form and character of the neighbourhood with the planned character envisioned by the Malton Infill Housing Study.

Variance 4 pertains to a reduction in parking for the residential subject property. Municipal Parking staff reviewed the variance and have provided the following comments:

With respect to Committee of Adjustment application 'A' 482/24, 3104 Churchill Avenue, the applicant is requesting to allow the construction of a new house proposing:

- 2 parking spaces for a 2-unit dwelling whereas By-law 0225-2007, as amended, requires a minimum of 3 parking spaces in this instance.

This site is subject to the provisions of Bill 185, Cutting Red Tape to Build More Homes Act, 2024. As a result, a review of zoning by-law minimum parking requirements is not required in this instance.

Planning staff further note the subject property is located within the Malton GO Major Transit Station Area, and are in agreement with Municipal Parking staff's position on the parking variance not being required.

Based on the preceding information, staff are satisfied the proposal maintains the general intent and purpose of the zoning by-law.

Staff are of the opinion that the variances, both individually and cumulatively, are minor in nature and represent appropriate development of the subject property.

Comments Prepared by: Daniel Grdasic, 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 new dwelling will be addressed through the Building Permit process.





Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

We note that a Building Permit is required. In the absence of a Building Permit we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed.

The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

Comments Prepared by: Crystal Abainza, 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

- 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.

Comments Prepared by: Petrele Francois, Junior Planner

In Person and Virtual Public Hearing

Why you received this letter:

You are receiving this letter because you are the owner of a neighbouring property within 60m (200ft) of the subject property, or are the agent/interested party/owner of the property for the application.

Details of the application and meeting information:

The property owner of 780 Parkland Ave, zoned R2-4 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow for the construction of a new dwelling proposing:

1. A lot frontage of 20.42m (approx. 67.00ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 22.50m (approx. 73.82ft) in this instance;
2. A dwelling height (flat roof) of 12.00m (approx. 39.37ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling height of 7.50m (approx. 24.61ft) in this instance;
3. An accessory structure area of 37.93sq m (approx. 408.28sq 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;
4. A driveway width beyond 6.0m of a garage face of 14.83m (approx. 48.66ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width beyond 6.0m of a garage face of 8.50m (approx. 27.89ft) in this instance;
5. A dwelling depth of 26.39m (approx. 86.59ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
6. A driveway width within 6.0m of a garage face of 14.83m (approx. 48.66ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width within 6.0m of a garage face of 10.50m (approx. 34.45ft) in this instance;
7. A walkway attachment width of 3.00m (approx. 9.84ft) whereas By-law 0225-2007, as amended, permits a maximum walkway attachment width of 1.50m (approx. 4.92ft) in this instance;
8. 2 walkways attached to the driveway on the same side whereas By-law 0225-2007, as amended, permits a maximum of 1 walkway attachment per side in this instance;
9. A garage area of 127.83sq m (approx. 1375.96sq ft) whereas By-law 0225-2007, as amended, permits a maximum garage area of 75.00sq m (approx. 807.30sq ft) in this instance;
10. An accessory structure height of 4.69m (approx. 15.39ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.50m (approx. 11.48ft) in this instance; and,
11. An eave height of 7.62m (approx. 25.00ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance.

The Committee has set **Thursday, February 13, 2025 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

Public participation at hearings helps the Committee make informed decisions. There are several methods to participate:

- **In person:** The hearing will be held in person at Mississauga Civic Centre, Council Chambers, 300 City Centre Drive, 2nd Floor. Advance registration is preferred if you wish to speak at the hearing in person. If you wish to

make a presentation you must send your request to speak and your presentation (as an attachment) via email to committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. A document projector will also be available, if preferred.

- **Electronically (computer, tablet or smartphone):** Advance registration is required to speak virtually at the hearing. If you wish to make a presentation at the hearing you must send your request to speak and your presentation material (as an attachment) via email to committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. If you have connection issues on the hearing date, please email virtualmeeting.help@mississauga.ca.
- **By telephone:** Advance registration is required to speak virtually at the hearing. To register, please call 905-615-3200 x5507 by 4:30 PM on the Friday prior to the hearing. You must provide your name, phone number, and the application file number. Committee staff will provide you with call in details prior to the start of the hearing.
- **Submit a written comment:** Written comments to the Committee must be received no later than 4:30 p.m. on the Friday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and the application file number or property address you are commenting on.

If you wish to view the public hearing online and do not wish to speak, the hearing will be streamed at the following link: <http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>

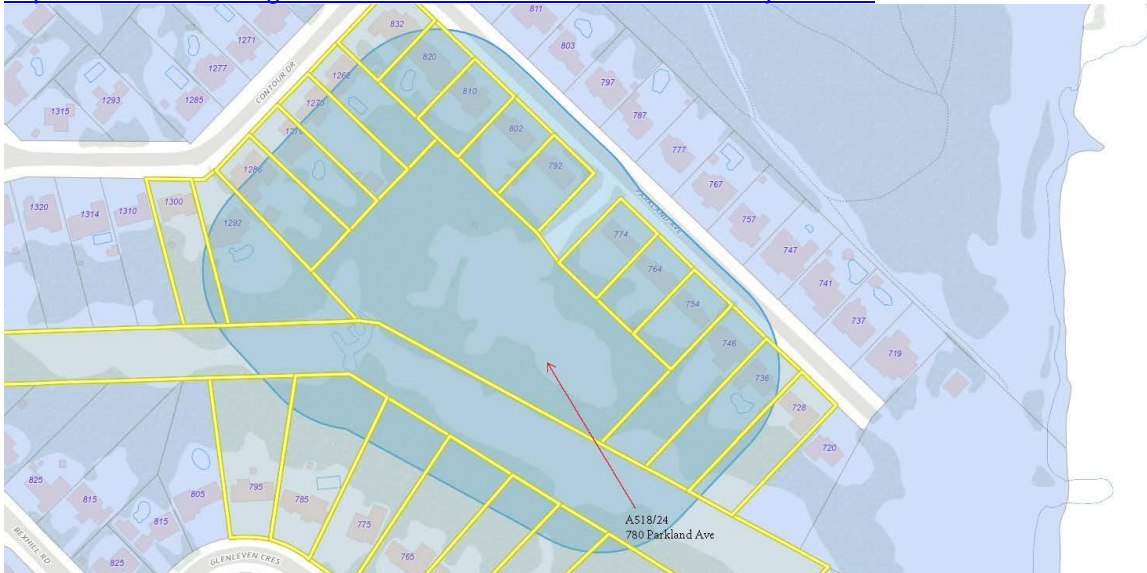
Additional Information:

- For more information about this matter, contact committee.adjustment@mississauga.ca or call 905-615-3200 x5507. Alternatively, information can be obtained in person by making an appointment with the Committee of Adjustment at 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Appointments can be booked using the "Book an appointment" button on the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.
- You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>.
- If you wish to be notified of the decision of the Committee, you must submit a written request to committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. This will also entitle you to be advised of any Ontario Land Tribunal (OLT) appeals.

Committee of Adjustment Appeal Process:

The Province of Ontario's Bill 23, the More Homes Built Faster Act, 2022, limits who is allowed to appeal decisions made by the Committee of Adjustment. Going forward, only the applicant, the municipality, certain public bodies and the Minister can appeal a decision to the OLT. Individuals are no longer permitted to do so. For more information please see the "Appeal process" section on the Committee of Adjustment webpage:

<https://www.mississauga.ca/council/committees/committee-of-adjustment/>.



Legal notice:

Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual (including being posted on the internet) upon request in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x5507.

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-02-06	File(s): A518.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2/13/2025 1:00:00 PM

Consolidated Recommendation

The City has no objection to the application, subject to the condition.

Application Details

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

1. A lot frontage of 20.42m (approx. 67.00ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 22.50m (approx. 73.82ft) in this instance;
2. A dwelling height (flat roof) of 12.00m (approx. 39.37ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling height of 7.50m (approx. 24.61ft) in this instance;
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amended, permits a maximum accessory structure height of 3.50m (approx. 11.48ft) in this instance; and,

11. An eave height of 7.62m (approx. 25.00ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance.

Recommended Conditions and Terms

Should the Committee see merit in the application, Transportation and Works staff are recommending the following condition:

Documented evidence of the land exchange be provided to Transportation and Works staff.

Background

Property Address: 780 Parkland Ave

Mississauga Official Plan

Character Area: Clarkson - Lorne Park Neighborhood
Designation: Greenlands; Residential Low Density I

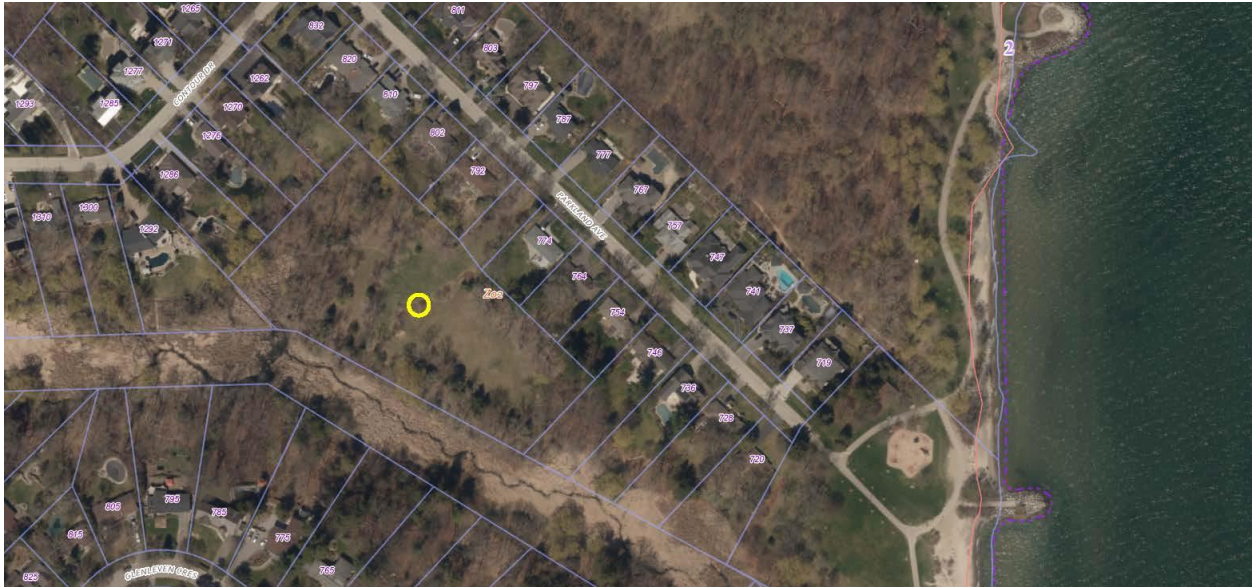
Zoning By-law 0225-2007

Zoning: R2-4 - Residential
Other Applications: IZR SP 24-2323

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, south of Lakeshore Road West and west of Parkland Avenue. The neighbourhood is primarily residential consisting of one and two-storey detached dwellings with mature vegetation and landscape elements in the front yards. The subject property is a vacant parcel of land, approximately 3.7 acres in size. The lot is accessed through 0 Bernida Road, which is a City-owned parcel of land.

The applicant is proposing a two-storey detached dwelling requiring variances for lot frontage, driveway width, dwelling height, eave height, dwelling depth, walkway attachment width, number of walkways, garage area and accessory structure area and height.



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 and Greenlands by the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached dwellings in this instance.

Planning staff note that the application was before the Committee of Adjustment on November 21, 2024. Staff had recommended the file be deferred due to concerns regarding access through an undeveloped right of way, 0 Bernida Road. At the time of previous application, there was no development planned on Bernida Road. Transportation and Works staff had objections to an encroachment agreement as well. As such, the application was deferred to allow the applicant an opportunity to resolve concerns regarding appropriate access and adequate servicing.

The applicant has since worked with Planning, Realty Services and Transportation and Works staff. The applicant and Realty Services are working on a land exchange agreement, wherein the applicant is to acquire the City owned Bernida Road lands in order to obtain Municipal frontage on Parkland and achieve site servicing of the property. Further, as part of the exchange, the City will receive the top of bank hazard lands at the rear of the property.

Planning staff note that in comments dated November 21, 2024, staff had no objection to the variances being sought. Staff recognised the limited impacts of the proposal to the neighbouring properties and the streetscape, and the application was only deferred to address access and servicing concerns with respect to 0 Bernida Road. As there is no change to the variances being sought and the proposal, staff comments remain the same recommending support of the application.

Comments Prepared by: Shivani Chopra, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Our previous comments for the November 21, 2024 hearing identified the applicant would need to further discuss both servicing and access constraints with The City as there is no Municipal frontage to access Parkland Avenue. Following the November 21, 2024 hearing the applicant and their team approached the City regarding a land exchange proposal. The proposal was found to be satisfactory and Realty has taken the lead on further coordination.

Our Realty Section has advised that the applicant has begun the process for their acquisition of the City owned Bernida Road lands in order to obtain Municipal frontage on Parkland and achieve site servicing of the property. As part of the exchange the City will receive the top of bank hazard lands at the rear of the property. The details of the exchange are yet to be fully realized following appraisal of both properties coordinated by the City at the applicant's expense. The conditions of the exchange will be solicited to the applicant for further coordination/finalization.

Realty advises that the process of the applicant acquiring the City owned lands will take some time. The lands will need to be declared as 'surplus lands' by The City, a report will need to be prepared to go to Council as well as Draft 'R' Plans prepared by the applicant.

Considering this information, we recommend that the Committee of Adjustment Minor Variance application be approved on the condition that documented evidence of the land exchange is provided. Proceeding this way confirms our support of the variance application while minimizing risk to the City that could be associated with a premature approval ahead of the finalization of the exchange. Conditional approval also mitigates the need for the applicant and Committee to revisit the matter by way of a deferral at a later date.

Comments Prepared by: Geoff Russell, Supervisor, Development Engineering - South

Appendix 2 – Zoning Comments

The Building Division is processing Independent Zoning Review application IZR SP 24-2323. 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: Alana Zheng, Supervisor Zoning Examination

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 Permit Application, 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/>.

Additionally, Forestry notes that an encroachment agreement needs to be approved for the construction works and installation associated with Bernida Road. This encroachment agreement will require a Tree Inventory and Arborist Report as per City of Mississauga Terms of Reference Arborist Reports, Tree Inventory/Survey & Tree Preservation Plans (September 2022).

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- Conservation Authority Comments

Based on the review of the information provided, CVC has no objection with the approval of the proposed minor variances at this time. CVC has reviewed and issued permit as part of permit application FF 23/063.

Any revisions made to the previously approved plans will need to be reviewed by CVC.

Please contact me if you have any questions or concerns.

Comments Prepared by: Stuti Bhatt, Junior Planner