
Committee of Adjustment

Date: February 27, 2025
Time: 3:30 PM
Location: Council Chambers, Civic Centre, 2nd Floor
300 City Centre Drive, Mississauga, Ontario, L5B 3C1
and Online Video Conference

Members

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

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 B1.25 A14.25

3570 Hawkestone Rd (Ward 6)

4.2 A576.24

5400 Dixie Rd (Ward 5)

4.3 A607.24

5511 Red Brush Dr (Ward 5)

4.4 A608.24

504 Lynd Ave (Ward 1)

4.5 A2.25

945 Meadow Wood Rd (Ward 2)

4.6 A10.25

838 Caldwell Ave (Ward 2)

4.7 A11.25

4764 Yarmarok Crt (Ward 4)

4.8 A13.25

1598 Calverton Crt (Ward 1)

4.9 A15.25

1546 Watersedge Rd (Ward 2)

4.10 A16.25

3443 Wolfedale Rd (Ward 6)

4.11 A17.25

6611 Second Line W, 6635 & 6636 Clock Crt (Ward 11)

4.12 A19.25

75 Courtneypark Dr W (Ward 5)

- 4.13 A23.25
 1141 Lakeshore Rd W (Ward 2)
- 4.14 A25.25
 2035 Lushes Ave (Ward 2)
- 4.15 A355.24
 3412 Etude Dr (Ward 5)
- 5. OTHER BUSINESS
- 6. ADJOURNMENT

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 3570 Hawkestone Rd, zoned E2-19-Employment, has applied for consent under Section 53 and minor variance(s) under Section 45 of the Planning Act. B1.25

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 102.46m (approx. 336.15ft) and an area of approximately 12.18 acres (approx. 4.93 hectares).

A14.25

The applicant requests the Committee to approve a minor variance for the severed lands of B1.25 to allow a private access easement proposing a lot frontage of 6.1m (approx. 20.01 ft) by way of a private easement whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 30.00m (approx. 98.43ft) onto a public road in this instance.

The Committee has set **Thursday, February 27, 2025 at 3:30 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.

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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: 2025-02-20	File(s): B1.25 A14.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2/27/2025 3:30:00 PM

Consolidated Recommendation

The City recommends the application be deferred.

Application Details

B1.25

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 102.46m (approx. 336.15ft) and an area of approximately 12.18 acres (approx. 4.93 hectares).

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The applicant requests the Committee to approve a minor variance for the severed lands of B1.25 to allow a private access easement proposing a lot frontage of 6.1m (approx. 20.01 ft) by way of a private easement whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 30.00m (approx. 98.43ft) onto a public road in this instance.

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent
- The variance application approved under File(s) “A14.25” must be finalized

Recommended Conditions and/or Terms of minor variance

- Variance(s) approved under file(s) “A14.25” shall lapse if the consent application under file “B1.25” is not finalized within the time prescribed by legislation.

Background

Property Address: 3570 Hawkestone Rd

Mississauga Official Plan

Character Area: Mavis-Erindale Employment Area
Designation: Business Employment

Zoning By-law 0225-2007

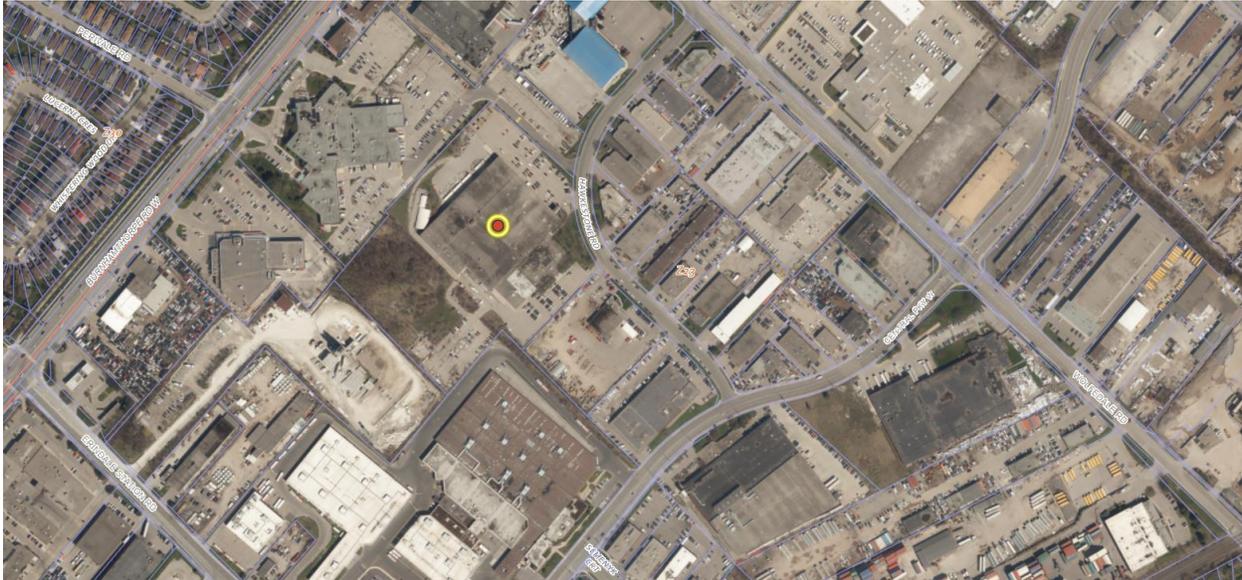
Zoning: E2-19-Employment

Other Applications: None

Site and Area Context

The subject property is located south-west of the Burnhamthorpe Road West and Wolfedale Road intersection in the Mavis-Erindale Employment Character Area. It currently contains a one-storey industrial building attached to a two-storey office component and associated surface parking lot. Limited landscaping and vegetative elements are present on the subject property. The surrounding area context is exclusively employment, consisting of one and two-storey industrial buildings on varied sized lots.

To the rear of the subject property contains a vacant parcel of surplus lands owned by the applicant. The applicant is proposing to sever the vacant parcel from the subject property and establish an access easement to ensure that the severed parcel has adequate access to a municipal right-of-way. A variance is required to allow a private access easement proposing a reduced 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:

A cover letter submitted with the application indicates that the applicant is currently in negotiations with the City of Mississauga to acquire the proposed severed lands in order to

allow for the expansion of the Mississauga Transit Central Parkway Garage located on the abutting south lands at 975 Central Parkway West.

The application is to sever 1.62ha (3.99ac) of surplus lands at the rear of the subject property with the ultimate goal to add it to 975 Central Parkway West. The retained lands on the east side of the subject property will have a lot area of 3.31 ha (8.18ac).

While Planning staff have no concerns with the severance of proposed lands and adding it to the 975 Central Parkway West in principle, staff are concerned with the current status of negotiations. Should negotiations fail to result in the City acquiring the severed portion, the Committee could be permitting a creation of a lot with no frontage with access only provided by way of an easement. As a result, staff are of the opinion that the application is premature.

Additionally, Transportation and Work's staff have provided concerns corresponding to the size of the access easement proposed. They are advising that modifications will be required to ensure the private access easement takes into consideration the on-site manoeuvrability and adequate internal site circulation patterns of any vehicles, including emergency service vehicles and commercial motor vehicles.

Given the outstanding concerns noted above, staff recommend the application be deferred.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

RE: 'A' 14.25 – 3570 Hawkestone Road

We are noting for Committee's information that any Transportation & Works Department concerns/requirements for this proposal will be addressed through Consent Application 'B' 1.25. As indicated in the Notice of Public Hearing a private access easement will be required, otherwise the severed parcel would be land locked. Through Consent Application 'B' 1.25 the location and width of the private access easement will be addressed. This Department notes that modifications will be required to the width of the proposed access easement depicted on the Site Concept Plan prepared by Glen Schnarr & Associates Inc. Any private access easement will have to take into consideration the on-site manoeuvrability of any vehicles, including emergency service vehicles, which would require access to the severed lands.

RE: 'B' 1.25 – 3570 Hawkestone Road

Indal Technologies Inc. (Canada) currently owns the lands municipally known as 3570 Hawkestone Road and operates a manufacturing facility. To the rear of the subject site there is a vacant parcel of surplus land also owned by the applicant. The intent of this application is to sever the vacant land from the subject site and establish an access easement to ensure that the severed parcel has adequate access to a municipal right-of-way.

The Site Concept Plan submitted by Glen Schnarr & Associates indicates a 6.1 m access easement at the southern limit of the subject site in favor of the severed lands. We are advising that modifications will be required to this proposed access easement, particularly the overall width and turning radii, to facilitate adequate turning movements for vehicles accessing the severed lands including emergency service vehicles.

We note be that a servicing easement will also be required to address the requirement for any municipal services as the severed lands do not have direct frontage onto a municipal right-of-way. Specifics pertaining to servicing easement will be addressed upon the review of a Functional Servicing Proposal.

We also note that there are several 43R-Plans deposited on this property and advise that restrictive easements may exist. With the consent application, any existing easement(s) would transfer with a change of title to the property.

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

A. Items Required Prior to the Issuance of Final Consent

1. Revised Site Concept Plan Depicting Access Easement

A Site Concept Plan prepared by Glen Schnarr & Associates Inc. (dated January 9, 2025) indicates a 6.1 m access easement at the southern limit of the subject site in favour of the severed lands. As proposed, this Department foresees maneuverability concerns with vehicles accessing the severed lands due to the proposed easement width and turning radii, specifically in proximity to the 90 degree turning locations.

This Department requires a revised Site Concept Pan depicting turning movement diagrams to demonstrate adequate internal site circulation patterns for vehicles, including emergency service vehicles, accessing the severed lands. The turning movement diagrams will assist in determining the required width of the access easement. We acknowledge that the access easement may be temporary in nature until the severed lands are merged on title with one of the abutting properties; however, once the severance is finalized the severed lands could be sold on the free market and therefore will require adequate access to Hawkestone Road.

2. Functional Servicing Proposal

We request that the applicant submit a Functional Servicing Proposal prepared by a Consulting Engineer for this Department's review/approval to confirm that all the necessary municipal services can be provided for the severed lands.

Acknowledging that the severed lands would not have any direct frontage onto a municipal right-of-way, a servicing easement would have to be established through the retained lands to Hawkestone Road.

3. Solicitor Letter Addressing Required Access Easement

The applicant/owner will be required to provide a 43R-Plan and letter/schedule prepared by the applicant's Solicitor that specifically describes the details of the new private access easement to be established. 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 to ensure that any new proposed private easement can be identified and be incorporated into the Certificate of Secretary-Treasurer.

B. General Information

1. Site Plan Approval

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

For further information regarding the above noted comments, please contact Tony Iacobucci at (905) 615-3200 ext. 5129 or tony.iacobucci@mississauga.ca.

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: Emily Majeed, Planner-in-Training

Appendix 3 – Parks, Forestry & Environment

Park Planning Comments

The Parks, Forestry and Environment Division of the Community Services Department has reviewed the consent application and advises as follows:

The subject property contains components of the City's Natural Heritage Systems (NHS), specifically *confirmed Natural Green Space* (i.e. woodland >0.5ha in size, >40m wide on average, and >60% tree canopy coverage as determined from air photo interpretation), and *candidate Significant Natural Area* (i.e. potential to support significant species or communities). 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...;
- b) placing those areas identified for protection, enhancement, restoration and expansion in public ownership, where feasible.

As per policy 6.3.25 of the City of Mississauga Official Plan, the creation of a new lot that extends into, or fragment ownership of Significant Natural Areas, Natural Green Spaces, Residential Woodland and their associated buffers will generally be discouraged by the City and will be supported by an environmental impact study. Based on the Parks, Forestry and Environment Division's review of the application, the proposed new lot lines are not fragmenting the ownership of the natural heritage features present.

Should the application be approved, Parks, Forestry and Environment wishes to impose the following condition(s):

1. An Environmental Impact Study (EIS) is to be submitted for review and approval. A checklist can be provided for reference upon request. Any potential development or site alteration on the severed lands should be predicated on the provision of an Environmental Impact Study that is reviewed and approved by the Community Services Department – Forestry Section.

In addition, Community Services notes the following:

1. The removal of woodland features should only be considered in cases where:
 - a) The woodland is not confirmed to be a Significant Natural Area.
 - b) All provincial and federal requirements under the Endangered Species Act and Risk Act are satisfied.
 - c) Development of an appropriate Ecosystem Offsetting/Compensation Plan through the EIS process to the satisfaction of the Community Services Department – Forestry Section. The ecosystem offsetting/compensation plan shall adhere to the Credit Valley Conservation Authority (CVC) Ecosystem Offsetting Guidelines (2020). Typically, this would include cash-in-lieu for the creation and maintenance of a new woodlands feature off-site. Please note that the City's current standard costing for per hectare (ha) woodland restoration is \$182,539.24/ha, indexed annually.
2. Should future development occur, 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 consent/minor variance application and advises as follows:

1. No public trees shall be injured or removed. If public tree injury or removal is required, a permit must be issued as per By-law 0020-2022.
2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Removal Permit, written consent must be obtained by both parties.

An Application to Permit the Injury or Destruction of Trees on Public and Private Property can be found at <https://www.mississauga.ca/publication/application-to-permit-the-injury-or-destruction-of-trees-on-public-and-private-property/>.

Should further information be required, please contact Jamie Meston, Landscape Technician, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email jamie.meston@mississauga.ca.

Comments Prepared by: Jamie Meston, Landscape Technician

Appendix 4 – Region of Peel Comments

Comments:

- Please note that severing the lands may adversely affect the existing location of the water and sanitary sewer services, if any exist. The result of this may require the applicant to install new water / sanitary servicing connections to either the severed or retained lands in compliance with the Ontario Building Code. The applicant may require the creation of private water / sanitary sewer servicing easements.
- 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. Regional site servicing connection approvals are required prior to the local municipality issuing full building permit. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at servicingconnections@peelregion.ca.

Condition:

- Arrangements satisfactory to the Region of Peel, Public Works shall be made with respect to the location of existing and installation of new services and/or possible required private and or municipal service easements.

Comments Prepared by: Brian Melnyk, Development Engineering

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. (A14.25)
4. A letter shall be received from the City of Mississauga, Transportation & Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated February 20, 2025.
5. A letter shall be received from the City of Mississauga, Parks, Forestry and Environment, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated February 20, 2025.
6. 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 20, 2025.



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A576.24
Ward: 5

In Person and Virtual Public Hearing

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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 5400 Dixie Rd, zoned C3-1 - Commercial, 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 building and addition proposing:

1. A northern building setback of 2.40m (approx. 7.87ft) whereas By-law 0225-2007, as amended, requires a minimum northern building setback of 4.50m (approx. 14.76ft) in this instance;
2. A 3-season restaurant patio in a C3-1 zone whereas By-law 0225-2007, as amended, does not permit a patio in a C3-1 zone in this instance;
3. A western landscape buffer of 2.40m (approx. 7.87ft) whereas By-law 0225-2007, as amended, requires a minimum western landscape buffer of 3.00m (approx. 9.84ft) in this instance;
4. A southern landscape buffer of 4.30m (approx. 14.11ft) whereas By-law 0225-2007, as amended, requires a minimum southern landscape buffer of 4.50m (approx. 14.76ft) in this instance;
5. A western drive aisle width of 6.90m (approx. 22.64ft) whereas By-law 0225-2007, as amended, requires a minimum western drive aisle width of 7.00m (approx. 22.97ft) in this instance.

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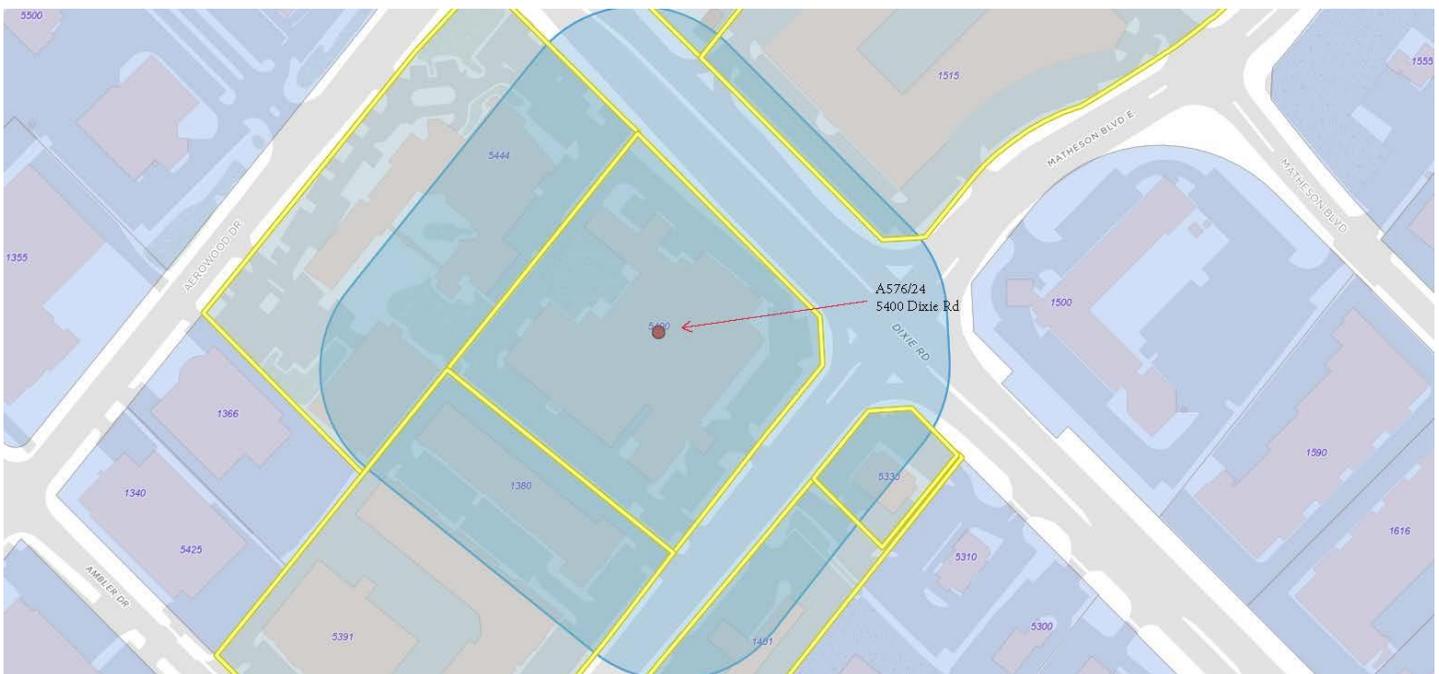
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Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process 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: 2025-02-20	File(s): A576.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2/27/2025 3:30:00 PM

Consolidated Recommendation

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

Application Details

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

1. A northern building setback of 2.40m (approx. 7.87ft) whereas By-law 0225-2007, as amended, requires a minimum northern building setback of 4.50m (approx. 14.76ft) in this instance;
2. A 3-season restaurant patio in a C3-1 zone whereas By-law 0225-2007, as amended, does not perm it a patio in a C3-1 zone in this instance;
3. A western landscape buffer of 2.40m (approx. 7.87ft) whereas By-law 0225-2007, as amended, requires a minimum western landscape buffer of 3.00m (approx. 9.84ft) in this instance;
4. A southern landscape buffer of 4.30m (approx. 14.11ft) whereas By-law 0225-2007, as amended, requires a minimum southern landscape buffer of 4.50m (approx. 14.76ft) in this instance;
5. A western drive aisle width of 6.90m (approx. 22.64ft) whereas By-law 0225-2007, as amended, requires a minimum western drive aisle width of 7.00m (approx. 22.97ft) in this instance.

Amendments

The Building Department is processing an Independent Zoning Review application IZR SP 23-9305. Based on the review of the information available in this application, the requested variances # 3 , 4 and 5 are correct.

We advise that following amendments are required for variances # 1 and 2:

1. A rear yard building setback of 2.40m (approx. 7.87ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard building setback of 4.50m (approx. 14.76ft) in this instance;
2. Variance # 2 is not required. Patio accessory to a restaurant is permitted as per Table 2.1.9.16 line 1.0 permitted in zones C1 to C4 (0100-2024).

Background

Property Address: 5400 Dixie Rd

Mississauga Official Plan

Character Area: Northeast Employment Area
Designation: Mixed Use

Zoning By-law 0225-2007

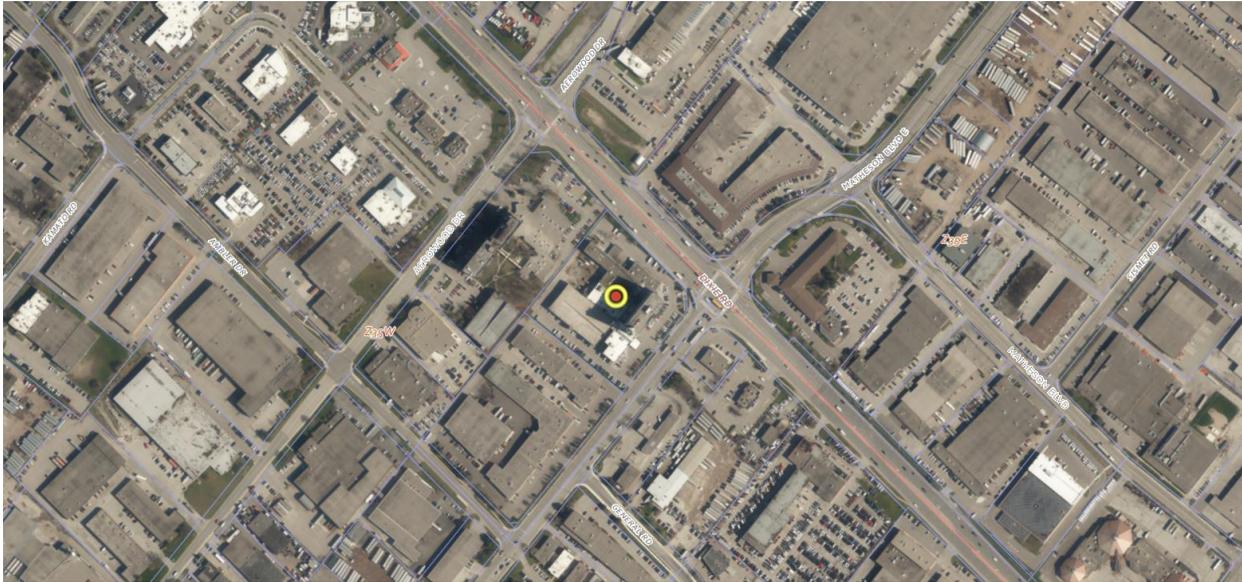
Zoning: C3-1 - Commercial

Other Applications: IZR SP 23-9305

Site and Area Context

The subject property is located at the north-west corner of the Dixie Road and Matheson Boulevard East intersection in the Northeast Employment Character Area. It is a corner lot containing a six-storey hotel, three-storey open air parking structure, restaurant and surface parking areas. Limited landscaping is located throughout the property with street trees located along the Dixie Road and Matheson Boulevard East frontages, as well as within the interior lot line landscape buffers.

The applicant is proposing an addition requiring variances for rear yard setback, landscape buffers and drive aisle 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:

The subject property is located in the Northeast Employment Character Area and is designated Mixed Use in Schedule 10 of the Mississauga Official Plan (MOP). 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.

Variance 1 pertains to a rear yard setback for the proposed secondary covered hotel entry. The intent of the rear yard setback provision is to ensure an adequate buffer exists between primary structures on adjoining properties and maintains appropriate drainage patterns. Staff note the applicant has confirmed the structure will be open on all three sides and that the reduced rear yard setback is triggered due to the covered hotel entry structure, which encompasses a small portion of the rear yard lot line. It should be noted that the proposed addition and open air parking structure comply to the required rear yard setback. Staff are satisfied that the proposed rear yard setback reduction will not negatively impact the abutting property or the current drainage patterns.

Variations 3 and 4 relate to a reduced landscaped buffers on the interior side lot line and along the Matheson Boulevard East frontage. The intent of this portion of the by-law is to ensure an appropriate buffer exists abutting all lot lines and between the street frontage and parking area. Staff are satisfied that both requests for a reduced landscaped buffer are negligible and provide an appropriate buffer between abutting lot lines as well as between the street frontage and parking area. Staff further note the presence of an additional landscaped buffer that is provided on the municipal right-of-way along the Matheson Boulevard East frontage. Staff are of the opinion the reduction of the landscaped buffer will not have a notable impact on the streetscape.

Variance 5 requests a reduced drive aisle width on the subject property. The intent of this regulation is to ensure there is a sufficient space for vehicles to access and exit parking stalls and allow for appropriate vehicular circulation within the subject property. As this is an existing condition and has accommodated appropriate site circulation in the past, staff are of the opinion that the reduced drive aisle width is negligible.

Planning staff are therefore satisfied that the minor variance application 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.

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 building and addition will be addressed through the Building Permit and Site Plan Approval Process.







Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Department is processing an Independent Zoning Review application IZR SP 23-9305. Based on review of the information available in this application. Based on the review of the information available in this application, the requested variances # 3 , 4 and 5 are correct.

We advise that following amendments are required for variances # 1 and 2:

1. A rear yard building setback of 2.40m (approx. 7.87ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard building setback of 4.50m (approx. 14.76ft) in this instance;
2. Variance # 2 is not required. Patio accessory to a restaurant is permitted as per Table 2.1.9.16 line 1.0 permitted in zones C1 to C4 (0100-2024).

Our comments may no longer be valid should there be changes in the Committee of Adjustment application that have yet to be submitted and reviewed through the Building Division application.

To receive updated comments, the applicant must submit any changes to information or drawings separately through the above application.

Comments Prepared by: Maria Fernandez, Zoning Examiner

Appendix 3 – Ministry of Transportation

The subject site described above appears to be located within the MTO Permit Control Area for Highway 403; as a result, the applicant should be made aware that an MTO Building & Land Use Permit(s) will be required from this office prior to the start of any onsite construction/works. These comments are preliminary only, and prior to any MTO permit applications being submitted, the MTO requests that the Municipality circulate the Official Plan & Zoning By-law / Site Plan Amendment Applications for the subject site for review, where we will provide more detailed comments, including what materials will be required for review as part of the Site Plan Application circulation.

Information regarding the application process, forms and the policy can be found at the following link:

<https://www.ontario.ca/page/highway-corridor-management>

Comments Prepared by: Nicole Hajjar, Corridor Management Officer

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 5511 Red Brush Dr, zoned R5 - 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 exterior stairs proposing a side yard of 0.36m (approx. 1.18ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 0.60m (approx. 1.97ft) in this instance.

The Committee has set **Thursday, February 27, 2025 at 3:30 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.

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-02-20	File(s): A607.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2/27/2025 3:30:00 PM

Consolidated Recommendation

The City recommends no objection to the application.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of exterior stairs proposing a side yard of 0.36m (approx. 1.18ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 0.60m (approx. 1.97ft) in this instance.

Background

Property Address: 5511 Red Brush Dr

Mississauga Official Plan

Character Area: Hurontario Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R5 - Residential

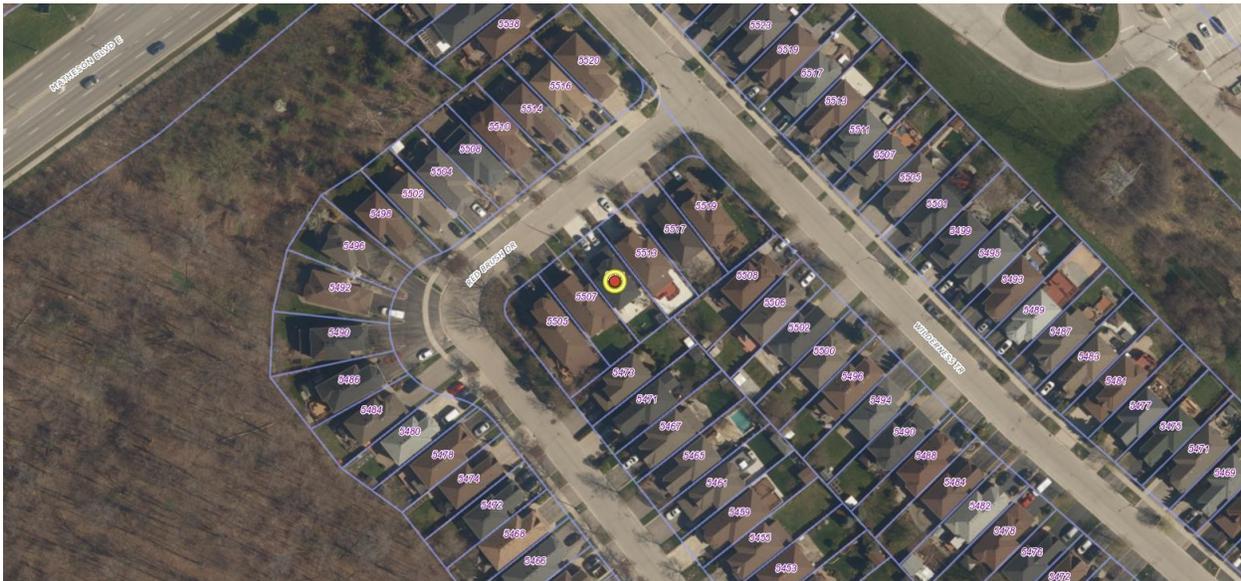
Other Applications: SEC UNIT 24-4867

Site and Area Context

The subject property is located south-east of the Kennedy Road and Matheson Boulevard East intersection in the Hurontario Neighbourhood Character Area. It contains a two-storey detached dwelling with an attached garage. Limited landscaping and vegetative elements are present in

both the front and rear yards. The surrounding context consists of detached dwellings on lots of similar sizes. Industrial uses and municipal recreation facilities (Iceland Arena) are also present within the larger area context.

The applicant is proposing the construction of an attached additional residential unit requiring a variance for side yard setback to the exterior 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:

The subject property is located in the Hurontario Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP).

The sole variance requests a reduction of the side yard setback to the additional residential unit entrance. The general intent of the side yard setback regulations to above grade stairs and landings is to ensure that they are not situated too close to property lines, an adequate buffer

exists between primary structures on adjoining properties, appropriate drainage can be provided and that access to the rear yard remains unencumbered. Staff note the proposed stairs will be appropriately situated on the subject property. Furthermore, Transportation and Work's staff have raised no drainage concerns with the site.

Staff are satisfied that the impacts of the variance are minor in nature and meet the general intent and purpose of the official plan and zoning by-law. Additionally, the proposal contributes 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 this property has a split drainage pattern which means that the high point is approximately in the middle of the dwelling in the area of the existing/proposed entrance stairwell. With the minimal 0.36M setback requested a drainage swale would not be functional, however, in this instance we do not foresee any significant concerns as the entrance is located at the high point and drainage could still be directed to both the front and rear of the dwelling.







Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application SEC UNIT 24-4867. 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.

Please note that comments reflect those provided through the above application submitted on 11/07/2024. 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: Jeanine Benitez, Zoning Examiner

Appendix 3 – Region of Peel Comments

- Please be advised that service connection sizes shall be in compliance with Ontario

Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at servicingconnections@peelregion.ca.

- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at servicingconnections@peelregion.ca.

Comments Prepared by: Brian Melnyk, Development Engineering



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A608.24
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 504 Lynd 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 the construction of a new dwelling proposing a height of 9.45m (approx. 31.00ft) whereas By-law 0225-2007, as amended, permits a maximum height of 7.50m (approx. 24.61ft) in this instance.

The Committee has set **Thursday, February 27, 2025 at 3:30 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: 2025-02-20	File(s): A608.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2/27/2025 3:30:00 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 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 a new dwelling proposing a height of 9.45m (approx. 31.00ft) whereas By-law 0225-2007, as amended, permits a maximum height of 7.50m (approx. 24.61ft) in this instance.

Background

Property Address: 504 Lynd Ave

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density II

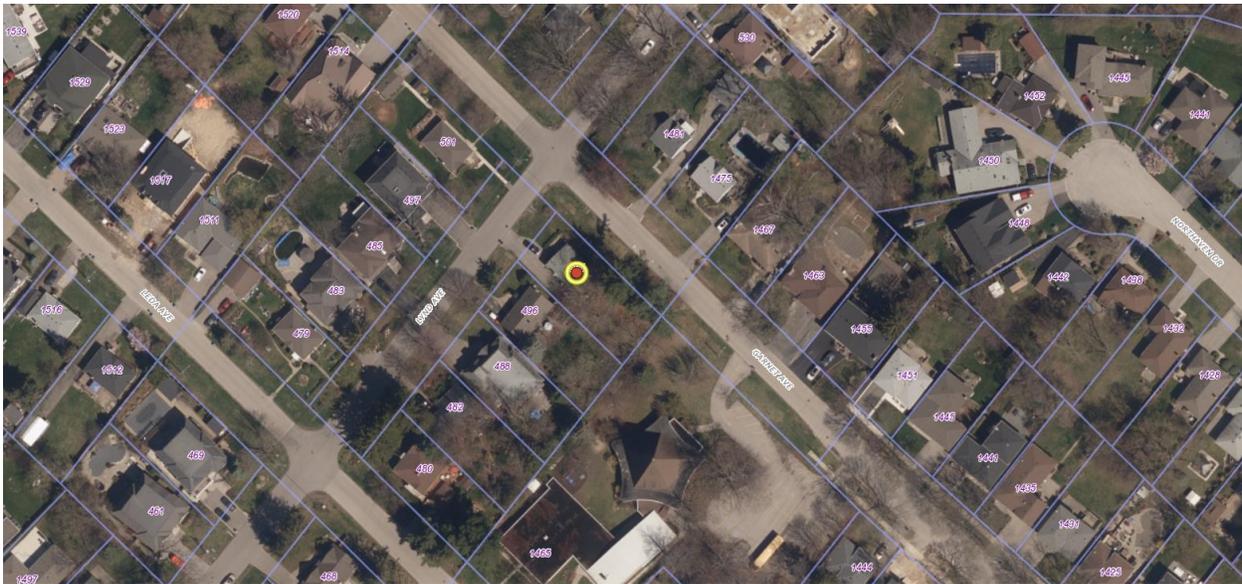
Zoning By-law 0225-2007

Zoning: R3-1 - Residential

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, northwest of the Cawthra Road and Arbor Road intersection. The neighbourhood is entirely residential, consisting of a mix of older and newer one and two-storey detached dwellings with significant mature vegetation in the front, rear and side yards. The subject property is currently under construction.

The application proposes a variance for 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 are as follows:

The property is located in the Mineola Neighbourhood Character Area and is designated Residential Low Density II on Schedule 10 of the Mississauga Official Plan (MOP). This designation permits only detached dwellings in this instance.

The subject property was before the Committee of Adjustment on June 20, 2024, for variances pertaining to a below grade entrance, dwelling depth, gross floor area, eave height, interior side yard setback and flat roof height. At the time, the agent had withdrawn the variance pertaining to flat roof height to redesign the roof into a sloped roof, to eliminate the need for a variance. Staff had recommended support, and the application was approved by the Committee.

The current application seeks a sole variance pertaining to flat roof height, identical to what was withdrawn originally. Staff are satisfied that no significant changes have been made to the drawings originally approved by the Committee. Further, while the roof is technically a flat roof due to slope calculation, the roof appears sloped from the streetscape. As such, staff are satisfied that the variance is technical in nature and have no concerns.

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 dwelling will be addressed by our Development Construction Section through Building Permit BP 9NEW-24/4000.

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: Sibila Lass Weldt, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

Appendix 4 – Region of Peel Comments

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at

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

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Comments Prepared by: Brian Melnyk, Development Engineering

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 945 Meadow Wood Rd, 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 detached dwelling proposing:

1. A driveway width of 11.85m (approx. 38.88ft) whereas By-law 0225-2007, as amended, permits a maximum drive width of 8.50m (approx. 27.89ft) in this instance;
2. A garage projection of 12.22m (approx. 40.09ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0m in this instance;
3. A dwelling unit depth of 25.35m (approx. 83.17ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m (approx. 65.62ft) in this instance; and
4. A combined width of side yards of 5.68m (approx. 18.64ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 6.00m (approx. 19.69 ft) in this instance.

The Committee has set **Thursday, February 27, 2025 at 3:30 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

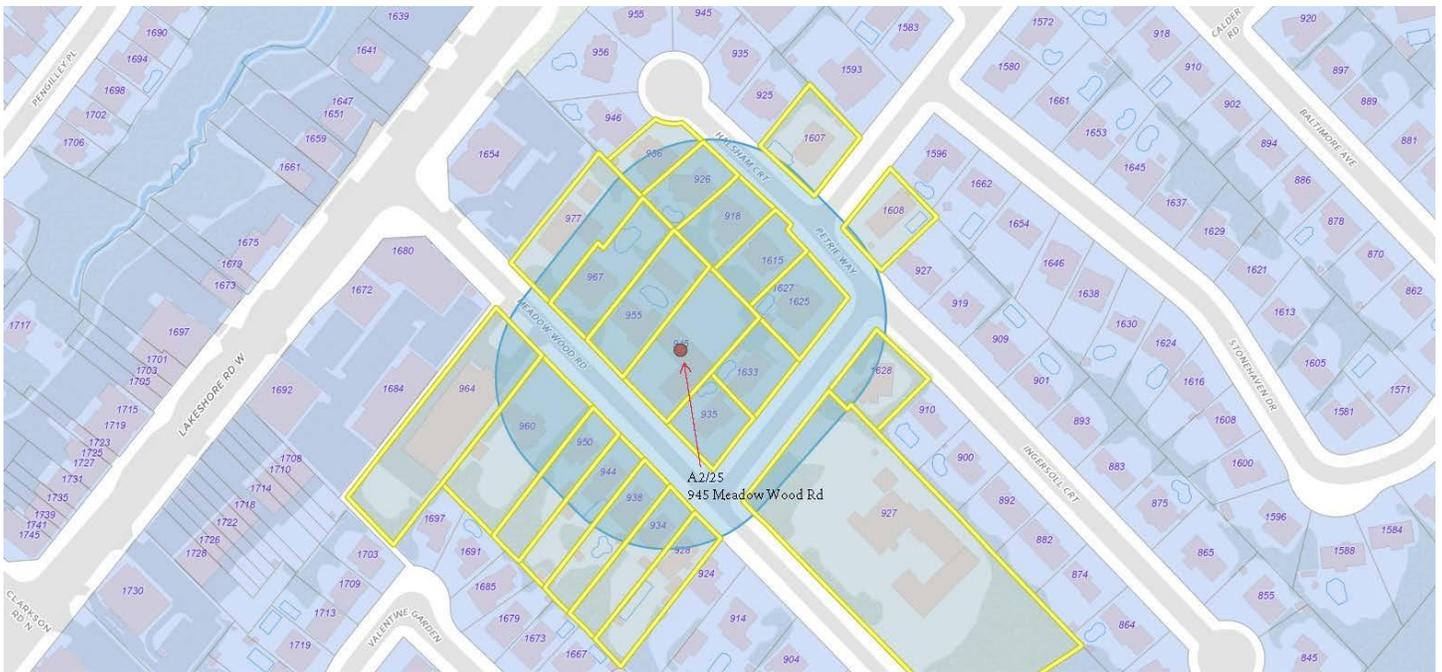
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Additional Information:

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Committee of Adjustment Appeal Process:

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-02-20	File(s): A2.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2/27/2025 3:30:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

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

1. A driveway width of 11.85m (approx. 38.88ft) whereas By-law 0225-2007, as amended, permits a maximum drive width of 8.50m (approx. 27.89ft) in this instance;
2. A garage projection of 12.22m (approx. 40.09ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0m in this instance;
3. A dwelling unit depth of 25.35m (approx. 83.17ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m (approx. 65.62ft) in this instance; and
4. A combined width of side yards of 5.68m (approx. 18.64ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 6.00m (approx. 19.69 ft) in this instance.

Background

Property Address: 945 Meadow Wood Rd

Mississauga Official Plan

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

Zoning By-law 0225-2007

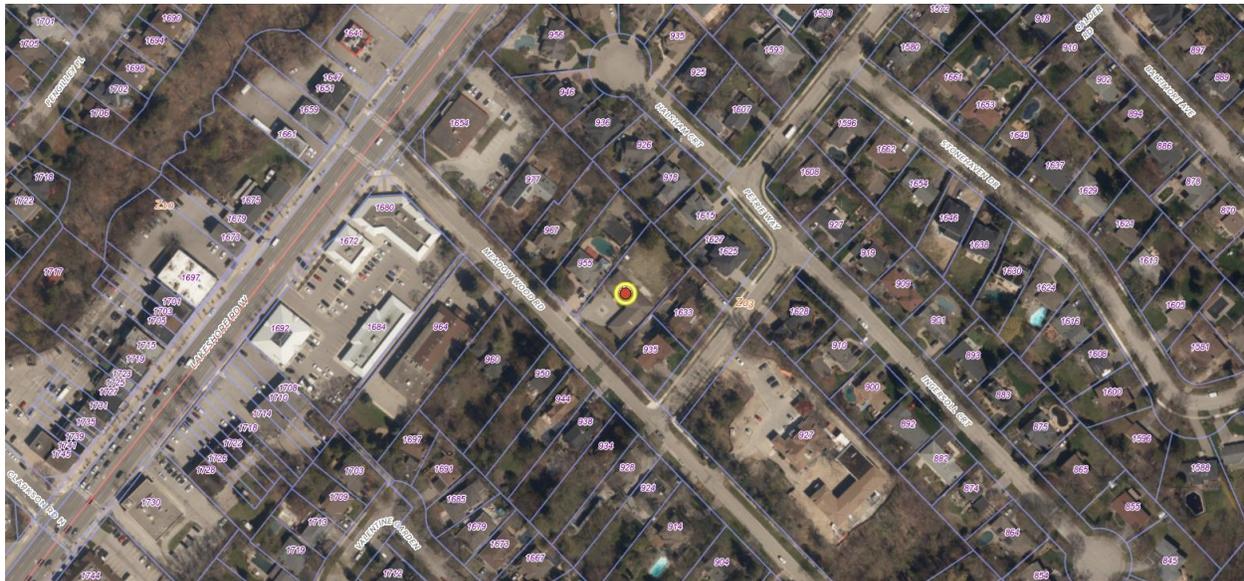
Zoning: R2-1-Residential

Other Applications: Building Permit application 24-4872

Site and Area Context

The subject property is located within the Clarkson – Lorne Park Neighbourhood Character Area, southeast of the Clarkson Road North and Lakeshore Road West intersection. It has an approximate lot frontage of +/- 29.99m (98.39ft) and a lot area of +/- 2087.04m² (6,847.24ft²). The subject property contains a one-storey detached dwelling with a side loaded attached garage. Mature vegetation lines the property along the street frontage. The immediate area consists of one and two-storey single detached dwellings on large lots with significant mature vegetation in both the front and rear yards.

The application proposes a new one-storey detached dwelling with a side loaded attached garage requiring variances for driveway width, garage projection, dwelling depth and a combined side yard setback.



Comments

Planning

Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to grant relief from the requirements of a municipal zoning by-law. Approval of applications must meet the requirements set out under 45(1) and/or 45(2) (a) or (b) in the *Planning Act*.

Staff comments concerning the application of the four tests to this minor variance request are as follows:

The subject property is located in the Clarkson-Lorne Park Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached dwellings only in this instance. 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 immediate area primarily consists of one and two-storey detached dwellings with front loading attached garages. The variances associated with dwelling depth and garage projection are a direct result of the side loading garage form, which are not part of the character of the area. The design of the proposed dwelling establishes the garage as the focal point as opposed to the dwelling itself which is not consistent with the policies and character of the neighbourhood. As a result, staff have concerns with the proposed variances 2 and 3. It is staff's understanding that the new dwelling will result in a demolition and redevelopment of the site. With this in mind, the dwelling should be redesigned to be consistent with the established character of the neighbourhood. Given the intent of the current policies the design, as proposed, is not consistent with the policies and may have impact on the established character of the neighbourhood.

Therefore, staff recommend that the application be deferred to allow the applicant an opportunity to redesign the dwelling.

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-24/4872.

Comments Prepared by: John Salvino, Development Engineering Technologist





Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application 24-4872. 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: Minan Song, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

Forestry Comments

The Forestry Section of the Community Services Department has reviewed the above noted minor variance application and advises as follows:

1. No public trees shall be injured or removed. If public tree injury or removal is required, a permit must be issued as per By-law 0020-2022.
2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Removal Permit, written consent must be obtained by both parties.

An Application to Permit the Injury or Destruction of Trees on Public and Private Property can be found at <https://www.mississauga.ca/publication/application-to-permit-the-injury-or-destruction-of-trees-on-public-and-private-property/>.

Should further information be required, please contact Jamie Meston, Landscape Technician, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email jamie.meston@mississauga.ca.

Comments Prepared by: Jamie Meston, Landscape Technician

Appendix 4 – Region of Peel Comments

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at servicingconnections@peelregion.ca.
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at servicingconnections@peelregion.ca.

Comments Prepared by: Brian Melnyk, Development Engineering

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 838 Caldwell Ave, zoned R2-4 - Residential Detached Dwelling, 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 for a detached residential dwelling proposing:

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

The Committee has set **Thursday, February 27, 2025 at 3:30 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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City of Mississauga

Memorandum:

City Department and Agency Comments

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

Consolidated Recommendation

The City has no objections to the application.

Application Details

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

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

Background

Property Address: 838 Caldwell Ave

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R2-4 - Residential Detached Dwelling

Other Applications: Building Permit application 24-5099

Site and Area Context

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

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



Comments

Planning

Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to grant relief from the requirements of a municipal zoning by-law. Approval of applications must meet the requirements set out under 45(1) and/or 45(2) (a) or (b) in the *Planning Act*.

Staff comments concerning the application of the four tests to this minor variance request are as follows:

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

The subject property is located in the Clarkson-Lorne Park Neighbourhood Character Area. The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached dwellings. Section 9 of the MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. Planning staff are of the opinion that the proposed built form of the detached dwelling is compatible with the surrounding neighbourhood and will not pose negative impacts on the streetscape. Planning staff are of the opinion that the general intent and purpose of the official plan are maintained.

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

Variance #1 requests an increase in the GFA from 386.60m² (approx. 4161.33ft²) to 440.30m² (approx. 4,161.33ft²). The intent in restricting gross floor area is to maintain compatibility between existing and new dwellings and ensure the existing and planned character of a neighbourhood is preserved. Staff note that significant mature vegetation lines the property and buffers the development from the neighbouring lots thereby minimizing any massing impacts. Staff note that there is no variance requested for overall height of the dwelling and the lot coverage increase is minimal, limiting any massing impacts. Planning staff are of the opinion that the proposed increase is minor in nature and will not negatively impact the planned or existing character of the area. The dwelling meets the zoning regulations for overall dwelling height. Staff are of the opinion that the proposed increased in GFA is in line with newer dwellings in the surrounding context. Staff are therefore satisfied that the dwelling maintains an appropriate scale and are of the opinion that the general intent and purpose of the zoning by-law are maintained.

Variance #2 requests an increase in lot coverage. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot which would impact the streetscape as well as abutting properties. Staff note the proposed dwelling accounts for approximately 25.5% of the lot coverage. The proposed cabana and covered porches (both front and rear yard) account for an additional 6.59% (approximately) to the total lot coverage. Staff are of the opinion the increase in lot coverage is negligible and does not represent an overdevelopment of the subject property.

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

Given the above, Planning staff are satisfied that the general intent and purpose of the zoning by-law is maintained.

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

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

Comments Prepared by: Sara Ukaj, Planning Associate

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling will be addressed by our Development Construction Section through Building Permit BP 9NEW-24/5099.

Comments Prepared by: John Salvino, Development Engineering Technologist





Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application 24-5099. Based on the review of the information available in this application, the requested variances are correct.

Our comments may no longer be valid should there be changes in the Committee of Adjustment application that have yet to be submitted and reviewed through the Building Division application. To receive updated comments, the applicant must submit any changes to information or drawings separately through the above application.

Comments Prepared by: Sibila Lass Weldt, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

Forestry Comments

The Forestry Section of the Community Services Department has reviewed the above noted minor variance application and advises as follows:

1. No public trees shall be injured or removed. If public tree injury or removal is required, a permit must be issued as per By-law 0020-2022.
2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Removal Permit, written consent must be obtained by both parties.

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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

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Comments Prepared by: Brian Melnyk, Development Engineering

In Person and Virtual Public Hearing

Why you received this letter:

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Details of the application and meeting information:

The property owner of 4764 Yarmarok Crt, zoned R5-41-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 Detached Additional Residential Unit proposing:

1. A height for Detached Additional Residential Unit (ARU) – flat roof of 7.41 m (approx. 24.31ft) whereas By-law 0225-2007, as amended, permits a maximum height for Detached Additional Residential Unit (ARU) – flat roof of 5.80 m (approx. 19.03ft) in this instance;
2. A Detached Additional Residential Unit (ARU) to be located in the side yard whereas By-law 0225-2007, as amended, requires a Detached Additional Residential Unit (ARU) to be located in the rear yard in this instance; and
3. A floor area for Detached Additional Residential Unit (ARU) of 93.54sq m (approx. 1006.86sq ft) whereas By-law 0225-2007, as amended, permits a maximum floor area for Detached Additional Residential Unit (ARU) of 10% of the lot area in this instance.

The Committee has set **Thursday, February 27, 2025 at 3:30 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: 2025-02-20	File(s): A11.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2/27/2025 3:30:00 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 Detached Additional Residential Unit proposing:

1. A height for Detached Additional Residential Unit (ARU) – flat roof of 7.41 m (approx. 24.31ft) whereas By-law 0225-2007, as amended, permits a maximum height for Detached Additional Residential Unit (ARU) – flat roof of 5.80 m (approx. 19.03ft) in this instance;
2. A Detached Additional Residential Unit (ARU) to be located in the side yard whereas By-law 0225-2007, as amended, requires a Detached Additional Residential Unit (ARU) to be located in the rear yard in this instance; and
3. A floor area for Detached Additional Residential Unit (ARU) of 93.54sq m (approx. 1006.86sq ft) whereas By-law 0225-2007, as amended, permits a maximum floor area for Detached Additional Residential Unit (ARU) of 10% of the lot area in this instance.

Amendments

The Building Department is processing Building Permit application BP 9NEW 24-4986. Based on the review of the information available in this application, we advise that following amendments are required:

2. A Detached Additional Residential Unit (ARU) to be located in the front yard and the interior side yard, whereas By-law 0225-2007, as amended, requires a Detached Additional Residential Unit (ARU) to be located in the rear yard in this instance;
3. A floor area for Detached Additional Residential Unit (ARU) of 93.54sq m (approx. 1006.86sq ft) whereas By-law 0225-2007, as amended, permits a maximum floor area for Detached

Additional Residential Unit (ARU) of 78.98sq m (approx. 850.13sq ft) which is 10% of the lot area in this instance.

Background

Property Address: 4764 Yarmarok Crt

Mississauga Official Plan

Character Area: Hurontario Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

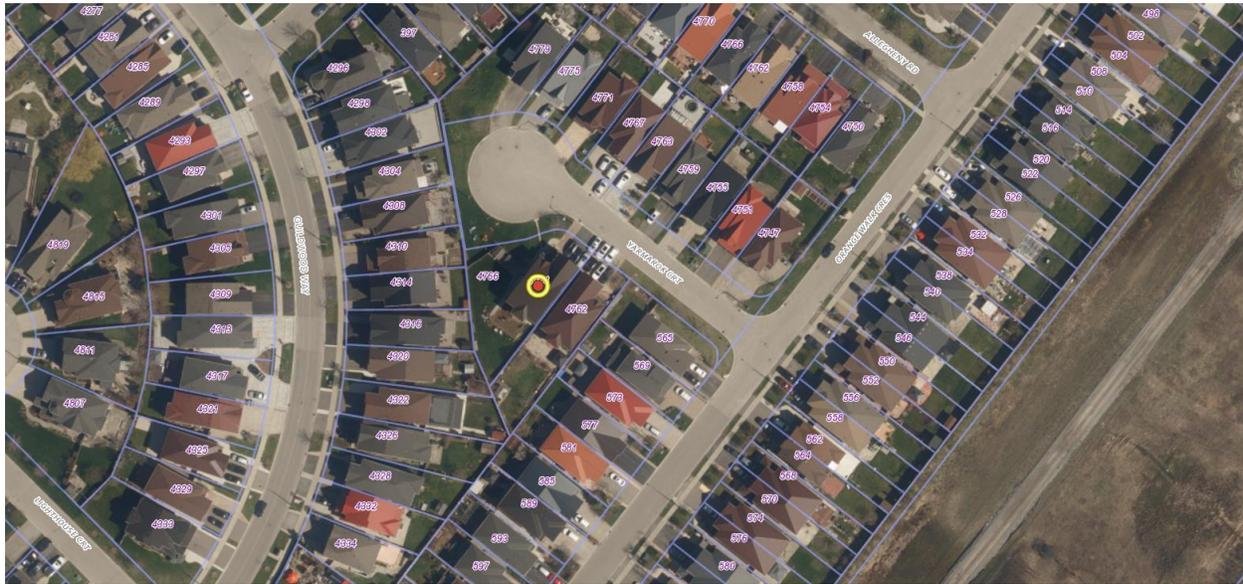
Zoning: R5-41-Residential

Other Applications: BP 9NEW 24-4986

Site and Area Context

The subject property is located north-east of the Highway 403 and Mavis Road interchange in the Hurontario Neighbourhood Character Area. It is an interior lot with a two-storey detached dwelling and attached garage. Limited landscaping and vegetative elements are present on the subject property. The surrounding area context is exclusively residential, consisting of detached and semi-detached dwellings.

The applicant is proposing to construct a two-storey detached additional residential unit in the front and interior side yard requiring variances for additional residential unit height, gross floor area and location.



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 Residential Low Density II on Schedule 10 of the Mississauga Official Plan (MOP). 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. Bill 23, More Homes Built Faster Act, 2022, requires official plans and zoning by-laws to permit “as of right” small-scale residential uses of up to three or four units per lot in areas where municipal services are available.

City Council passed By-Law 0174-2023, on November 10, 2023, amending the City’s parent zoning By-Law 0225-2007, to introduce and regulate Accessory Residential Units (ARU). The intent of the zoning by-law provisions regarding the size and height of the ARU is to ensure that the structure is subordinate to the primary dwelling, it is proportional to the lot and dwelling while not presenting any massing concerns to neighbouring lots. Staff note that the ARU area regulations are based on a property’s lot size.

While staff do not have any concerns with variances 2 and 3, staff are of the opinion variance 1 does not meet the intent of the zoning by-law. Staff note the height of the proposed detached ARU presents massing concerns to neighbouring lots is not a minor deviation from the by-law regulations. Further, Zoning staff note more information is required to determine if additional variances are required. As such, staff recommend 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 & Works Department concerns/requirements for the proposed Detached Additional Residential Unit will be addressed through the Building Permit Process (BP 9 NEW 24-4986).

From our site inspection, and as depicted in the photos, the driveway has been widened with no curb cut and abuts a light standard within the municipal boulevard. This Department requests that the municipal boulevard (area between the municipal curb and property line) in proximity to the existing light standard is re-instated with a topsoil and sodded condition. We also note that any driveway is to be a minimum of 1.5 m away from any utility, including light standards.









Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application BP 9NEW 24-4986. Based on the review of the information available in this application, we advise that following amendments are required:

2. A Detached Additional Residential Unit (ARU) to be located in the front yard and the interior side yard, whereas By-law 0225-2007, as amended, requires a Detached Additional Residential Unit (ARU) to be located in the rear yard in this instance;
3. A floor area for Detached Additional Residential Unit (ARU) of 93.54sq m (approx. 1006.86sq ft) whereas By-law 0225-2007, as amended, permits a maximum floor area for Detached Additional Residential Unit (ARU) of 78.98sq m (approx. 850.13sq ft) which is 10% of the lot area in this instance.

We also advise that more information is required in order to verify the accuracy of the remaining variance or to determine whether additional variance(s) will be required.

Please note that comments reflect those provided through the above application submitted on 11/14/2024. 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: Jeanine Benitez, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

Forestry Comments

The Forestry Section of the Community Services Department has reviewed the above noted minor variance application and advises as follows:

1. No public trees shall be injured or removed. If public tree injury or removal is required, a permit must be issued as per By-law 0020-2022.
2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Removal Permit, written consent must be obtained by both parties.

A Tree Removal Application to Permit the Injury or Destruction of Trees on Public and Private Property can be found at <https://www.mississauga.ca/publication/application-to-permit-the-injury-or-destruction-of-trees-on-public-and-private-property/>.

Should further information be required, please contact Jamie Meston, Landscape Technician, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email jamie.meston@mississauga.ca.

Comments Prepared by: Jamie Meston, Landscape Technician

Appendix 4 – Region of Peel Comments

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at servicingconnections@peelregion.ca.

- Any changes to the underground water or sanitary sewer will require review by the

Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at servicingconnections@peelregion.ca.

Comments Prepared by: Brian Melnyk, Development Engineering

Appendix 5 – Ministry of Transportation

The subject site described above appears to be located within the MTO Permit Control Area for Highway 403; as a result, the applicant should be made aware that an MTO Building & Land Use Permit(s) will be required from this office prior to the start of any onsite construction/works.

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

Comments Prepared by: Nicole Hajjar, Corridor Management Officer



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A13.25
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 1598 Calverton Crt, 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 detached dwelling proposing:

1. A lot area of 787.2sq m (approx. 8,473.35sq ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 810.00sq m (approx. 8,718.77sq ft) in this instance;
2. An exterior side yard setback of 5.42 m (approx. 17.78ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 7.50m (approx. 24.61ft) in this instance;
3. A dwelling unit depth of 21.41m (approx. 70.24ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m (approx. 65.62ft) in this instance;
4. A height – flat roof of 8.60m (approx. 28.22ft) whereas By-law 0225-2007, as amended, permits a maximum height – flat roof of 7.50m (approx. 24.61ft) in this instance;
5. A setback to the deck of 3.41m (approx. 11.19ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 5.90m (approx. 19.36ft) in this instance;
6. A setback to the decorative column of 5.53m (approx. 18.14ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 5.90m (approx. 19.36ft) in this instance;
7. A setback to the covered porch of 5.53m (approx. 18.14ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 5.90m (approx. 19.36ft) in this instance;
8. An exterior side yard setback to the second storey of 6.65m (approx. 21.82ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 7.50m (approx. 24.61ft) in this instance; and
9. A front yard setback of 6.63m (approx. 21.75ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.00m (approx. 22.97ft) in this instance.

The Committee has set **Thursday, February 27, 2025 at 3:30 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.

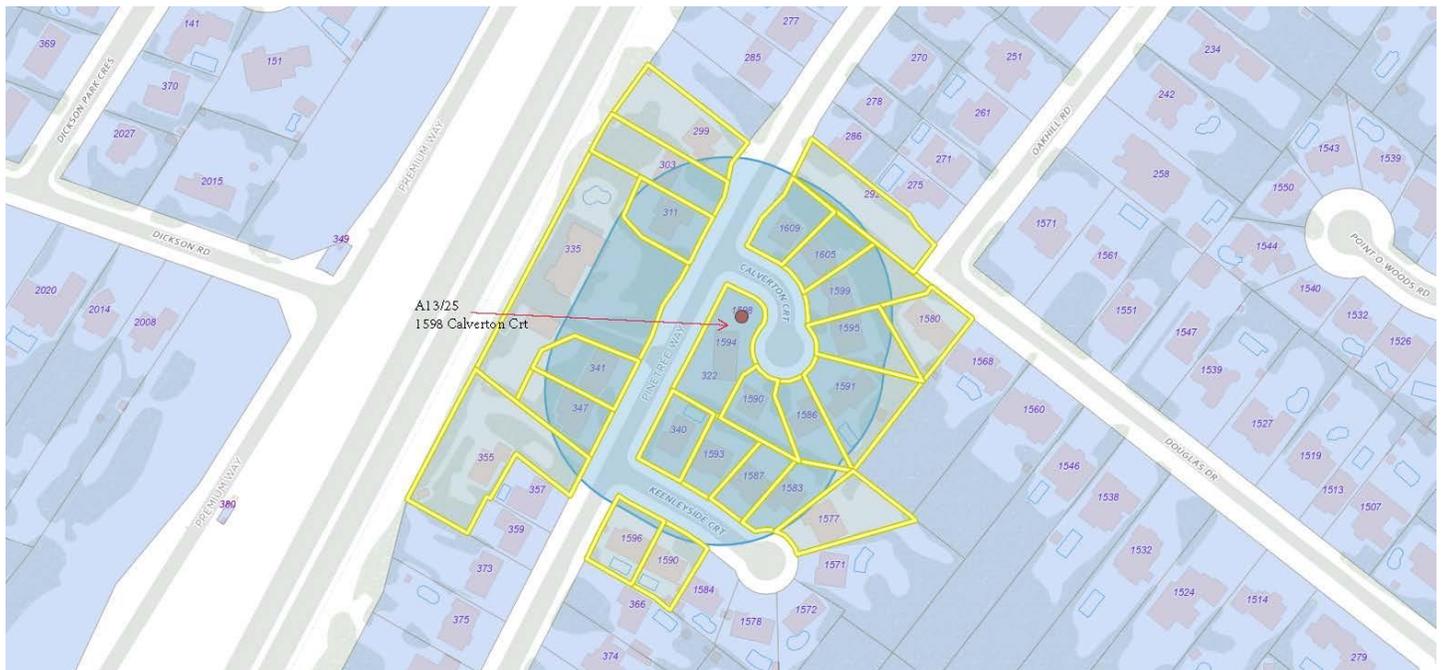
If you wish to view the public hearing online and do not wish to speak, the hearing will be streamed at the following link: <http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>

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: 2025-02-20	File(s): A13.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2/27/2025 3:30:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

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

1. A lot area of 787.2sq m (approx. 8,473.35sq ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 810.00sq m (approx. 8,718.77sq ft) in this instance;
2. An exterior side yard setback of 5.42 m (approx. 17.78ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 7.50m (approx. 24.61ft) in this instance;
3. A dwelling unit depth of 21.41m (approx. 70.24ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m (approx. 65.62ft) in this instance;
4. A height – flat roof of 8.60m (approx. 28.22ft) whereas By-law 0225-2007, as amended, permits a maximum height – flat roof of 7.50m (approx. 24.61ft) in this instance;
5. A setback to the deck of 3.41m (approx. 11.19ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 5.90m (approx. 19.36ft) in this instance;
6. A setback to the decorative column of 5.53m (approx. 18.14ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 5.90m (approx. 19.36ft) in this instance;
7. A setback to the covered porch of 5.53m (approx. 18.14ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 5.90m (approx. 19.36ft) in this instance;
8. An exterior side yard setback to the second storey of 6.65m (approx. 21.82ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 7.50m (approx. 24.61ft) in this instance; and
9. A front yard setback of 6.63m (approx. 21.75ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.00m (approx. 22.97ft) in this instance.

Amendments

The Building Division is processing Building Permit application 24-4420 for 1594 Calverton Crt. The address of the application was changed due to the applicant not moving forward with the severance of the lot. Based on the review of the information available in this application, we advise that variances #1, 6, 7 and 9 can be deleted. Variances #3 & 4 are correct. The following amendments are required:

2. An exterior side yard setback of 5.75 m whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 7.50m (approx. 24.61ft) in this instance (Calverton Crt).
5. A setback to the deck of 3.50m whereas By-law 0225-2007, as amended, requires a minimum setback of 5.90m (approx. 19.36ft) in this instance.
8. An exterior side yard setback to the second storey of 6.74m whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 7.50m (approx. 24.61ft) in this instance (Pinetree Way).

Background

Property Address: 1598 Calverton Crt

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R2-1-Residential
Other applications: Building Permit application 24-4420

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southeast of Stavebank Road and Pinetree Way within a cul-de-sac off Pinetree Way. The immediate neighbourhood is entirely residential consisting of one and two-storey detached dwellings with mature vegetation in the front yards. The subject property is currently vacant, under demolition.

The applicant is proposing a new dwelling requiring variances related to setbacks, dwelling depth and height.

application 24-4420), as though the lot had not been severed and as one lot (1594 Calverton Court).

Staff have confirmed with the applicant their intent to still complete the pending severance but following this application. Delaying the completion of the pending severance has resulted in Zoning's assessment not matching the final end result which has resulted in a number of variances not being required as they were already approved in the previous application and other required variances not being identified, such as gross floor area and front yard setback.

Staff are of the opinion that the application be deferred until the consent application is finalized and a final Zoning review is conducted capturing all required variances.

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-24/4420.

Comments Prepared by: John Salvino, Development Engineering Technologist





Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application 24-4420 for 1594 Calverton Crt. The address of the application was changed due to the applicant not moving forward with the severance of the lot. Based on the review of the information available in this application, we advise that variances #1, 6, 7 and 9 can be deleted. Variances #3 & 4 are correct. The following amendments are required:

2. An exterior side yard setback of 5.75 m whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 7.50m (approx. 24.61ft) in this instance (Calverton Crt).
5. A setback to the deck of 3.50m whereas By-law 0225-2007, as amended, requires a minimum setback of 5.90m (approx. 19.36ft) in this instance.
8. An exterior side yard setback to the second storey of 6.74m whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 7.50m (approx. 24.61ft) in this instance (Pinetree Way).

Our comments may no longer be valid should there be changes in the Committee of Adjustment application that have yet to be submitted and reviewed through the Building Division application.

To receive updated comments, the applicant must submit any changes to information or drawings separately through the above application.

Comments Prepared by: Sibila Lass Weldt, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

Forestry Comments

The Forestry Section of the Community Services Department has reviewed the above noted minor variance application and advises as follows:

1. No public trees shall be injured or removed. If public tree injury or removal is required, a permit must be issued as per By-law 0020-2022.
2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Removal Permit, written consent must be obtained by both parties.

An Application to Permit the Injury or Destruction of Trees on Public and Private Property can be found at <https://www.mississauga.ca/publication/application-to-permit-the-injury-or-destruction-of-trees-on-public-and-private-property/>.

Please be advised the subject property is fully within a component of the City's Natural Heritage System (NHS), specifically a Residential Woodland (also known as site M14). Section 6.3.24 and 6.3.19 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...;

Based on the submitted application materials, and previous documentation submitted for associated applications (A119.24, B28.24), Forestry has no objections from a natural heritage perspective regarding the proposed variances. Should the application be approved, Community Services – Forestry recommends the following:

- To ensure there is no net-negative ecological impact to the Residential Woodland, please be advised that in addition to any tree compensation requirements outlined through the Private and Public Tree Protection Bylaws, the applicant will be required to

meet the compensation measures outlined in sections 8.2.2 and 8.2.4 of the environmental impact study (Sumac Environmental Consulting Ltd., May 2023) that was previously prepared for minor variance and consent applications that were submitted for a similar development proposal on the subject lands (see files: B45.21, A293.21, & A294.21).

Should further information be required, please contact Jamie Meston, Landscape Technician, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email jamie.meston@mississauga.ca.

Comments Prepared by: Jamie Meston, Landscape Technician

Appendix 4 – Region of Peel Comments

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at servicingconnections@peelregion.ca.

- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at servicingconnections@peelregion.ca.

Comments Prepared by: Brian Melnyk, Development Engineering

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 1546 Watersedge Rd, zoned R1-2-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 detached dwelling proposing:

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

The Committee has set **Thursday, February 27, 2025 at 3:30 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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- **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:
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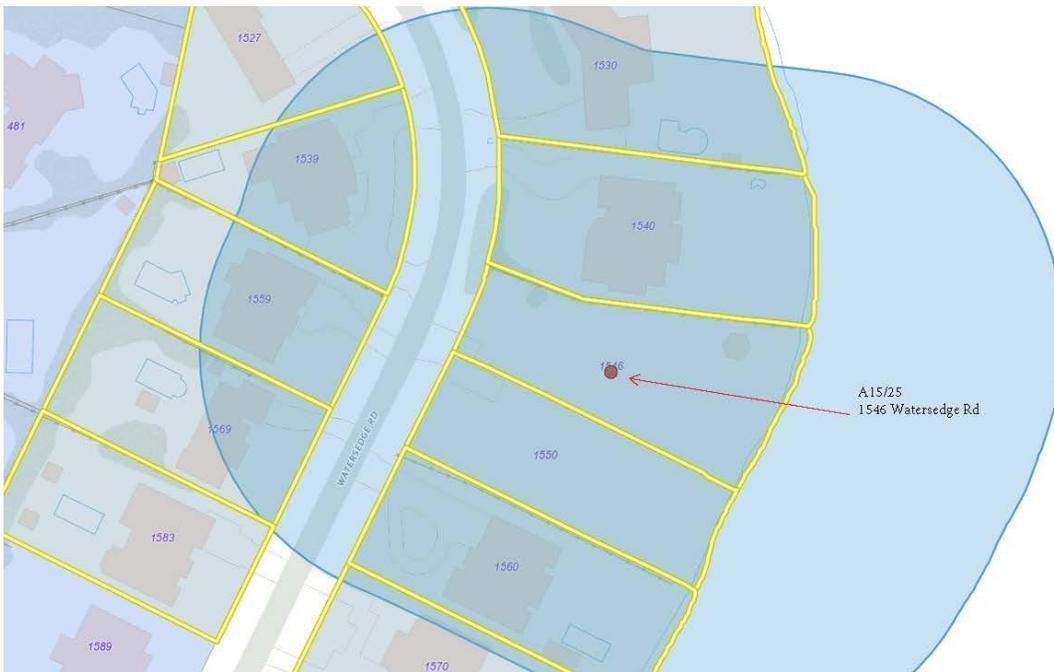
Additional Information:

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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:

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

Consolidated Recommendation

The City has no objection to the application.

Application Details

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

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

Background

Property Address: 1546 Watersedge Rd

Mississauga Official Plan

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

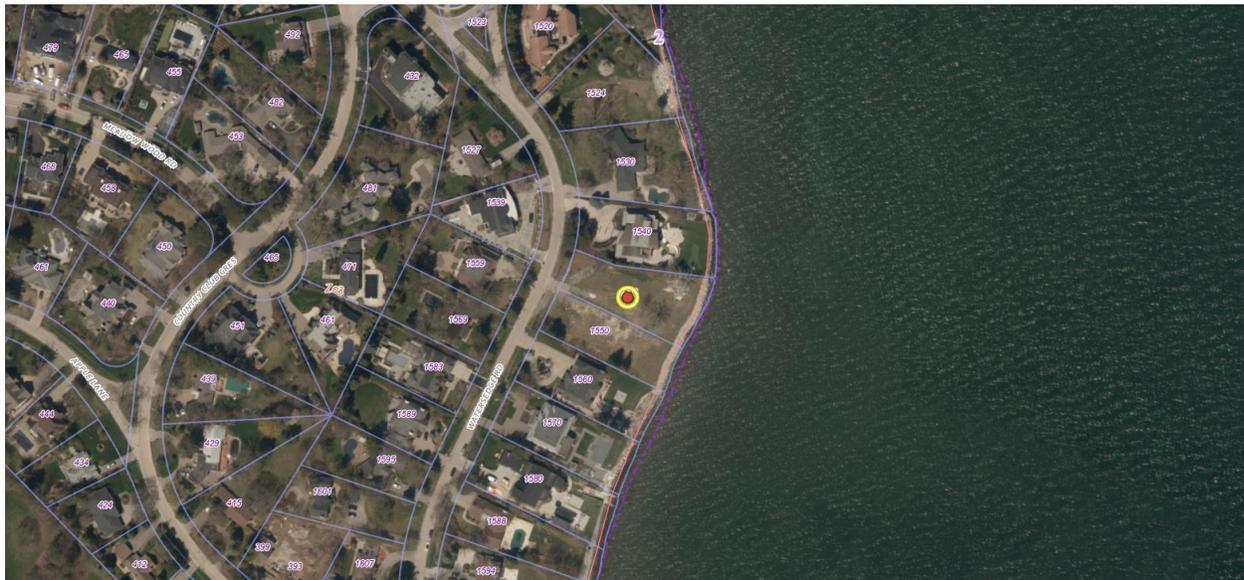
Zoning By-law 0225-2007

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

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood, southeast of the Southdown Road and Lakeshore Road West intersection. The immediate neighbourhood is entirely residential consisting of one and two-storey detached dwellings on lots with mature vegetation in both the front and rear yards. The subject property is currently vacant.

The applicant is proposing a new two-storey detached dwelling requiring variances for soft landscaping, gross floor area, garage area, setback and eave height and combined side yard width.



Comments

Planning

Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to grant relief from the requirements of a municipal zoning by-law. Approval of applications must meet the requirements set out under 45(1) and/or 45(2) (a) or (b) in the *Planning Act*.

Staff comments concerning the application of the four tests to this minor variance request are as follows:

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

The site is located within the Clarkson-Lorne Park Character Area and is designated Residential Low Density I by the Mississauga Official Plan (MOP). The Residential Low Density I designation permits only detached dwellings in this instance. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. Staff are satisfied that the proposal respects the designated land uses. Planning staff are of the opinion that the proposed built form of the detached dwelling is appropriate for the subject property given surrounding conditions and will not negatively impact the streetscape.

Planning staff are of the opinion that the general intent and purpose of the official plan are maintained.

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

Variance #1 requests a reduction in the soft landscape area. The intent of a soft landscape area is to help establish the character and identity of a neighbourhood, as well as ensure hardscaping does not dominate the lot frontage. The applicant has proposed a front yard soft landscape area of 30% whereas 40% is required. Staff note the driveway meets the by-law regulations, which limits excessive hardscaping impacts. Staff are satisfied the reduction in the landscaped area will not pose negative impacts from a streetscape perspective.

Variance #2 pertains to an increase in the gross floor area (GFA). The intent in restricting gross floor area is to maintain compatibility between existing and new dwellings and ensure the existing and planned character of a neighbourhood is preserved. Staff are satisfied that the proposal appropriately balances both the existing and planned built form and character of the neighbourhood. Furthermore, the dwelling is designed consists of staggered main walls, limiting the impacts of the massing.

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

Variance #4 requests relief in the combined side yard width. Staff note that the proposed dwelling provides adequate individual setbacks for both the side yards. Staff are of the opinion that the dwelling maintains sufficient buffer between primary structures on neighboring

properties. Further, through a review of the immediate neighborhood, staff are satisfied that the proposed setbacks are consistent with the setbacks found in the immediate area.

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

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

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

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

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

Comments Prepared by: Shivani Chopra, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling will be addressed by our Development Construction Section through Building Permit BP 9NEW-24/1342.

Comments Prepared by: John Salvino, Development Engineering Technologist



Appendix 2 – Zoning Comments

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

Our comments may no longer be valid should there be changes in the Committee of Adjustment application that have yet to be submitted and reviewed through the Building Division application. To receive updated comments, the applicant must submit any changes to information or drawings separately through the above application.

Comments Prepared by: Minan Song, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

Forestry Comments

The Forestry Section of the Community Services Department has reviewed the above noted minor variance application and advises as follows:

1. No public trees shall be injured or removed. If public tree injury or removal is required, a permit must be issued as per By-law 0020-2022.
2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Removal Permit, written consent must be obtained by both parties.

A Tree Removal Application to Permit the Injury or Destruction of Trees on Public and Private Property can be found at <https://www.mississauga.ca/publication/application-to-permit-the-injury-or-destruction-of-trees-on-public-and-private-property/>.

Should further information be required, please contact Jamie Meston, Landscape Technician, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email jamie.meston@mississauga.ca.

Comments Prepared by: Jamie Meston, Landscape Technician

Appendix 4 – Region of Peel Comments

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at servicingconnections@peelregion.ca.

- Any changes to the underground water or sanitary sewer will require review by the

Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at servicingconnections@peelregion.ca.

Comments Prepared by: Brian Melnyk, Development Engineering

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 3443 Wolfedale Rd, zoned E2-19-Employment, 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 sales use associated with the existing body repair shop proposing:

1. An accessory sales use to the existing body repair shop whereas By-law 0225-2007, as amended, does not permit an accessory sales use to the existing body repair shop in this instance;
2. 62 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 71 parking spaces in this instance;
3. 2 accessible parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 3 accessible parking spaces in this instance; and
4. A parking aisle width of 4.58m (approx. 15.03ft) whereas By-law 0225-2007, as amended, requires a minimum parking aisle width of 7.00m (approx. 22.97ft) in this instance.

The Committee has set **Thursday, February 27, 2025 at 3:30 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>

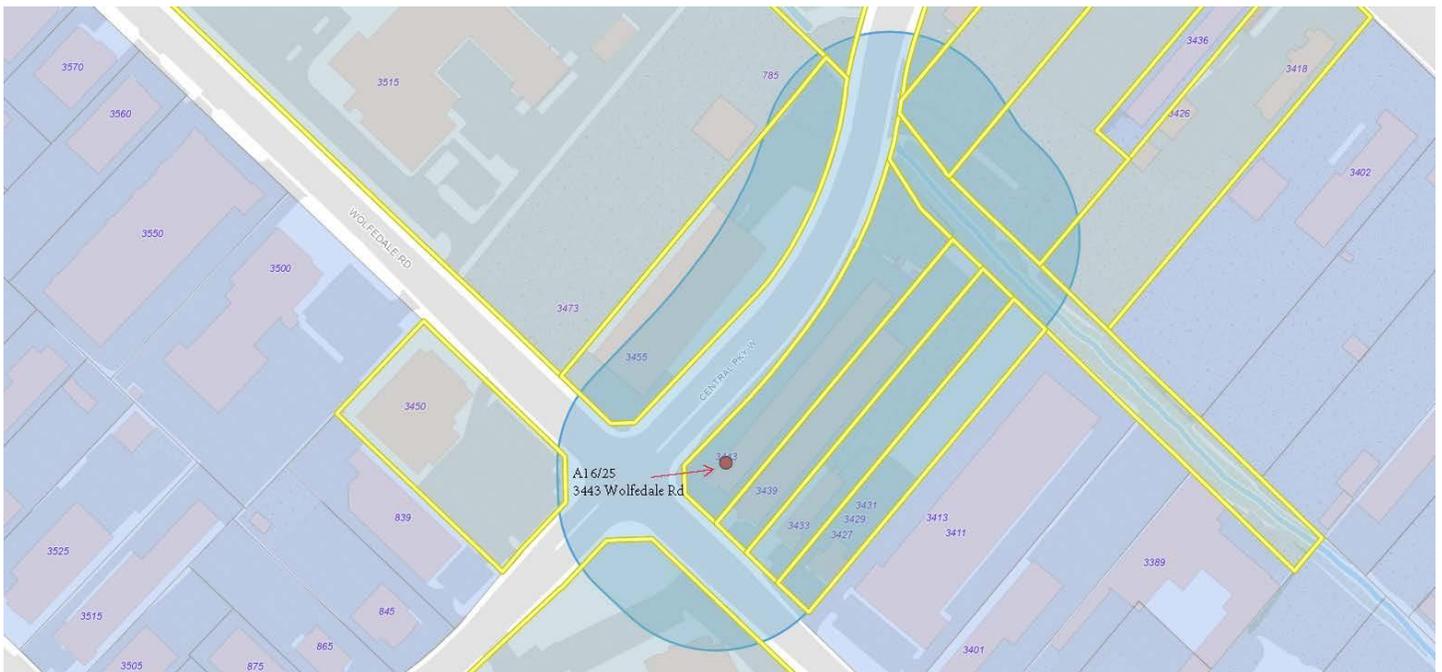
Additional Information:

- 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:
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-02-20	File(s): A16.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2/27/2025 3:30:00 PM

Consolidated Recommendation

The City recommends the application be deferred to identify the correct variances and submit the required documentation.

Application Details

The applicant requests the Committee to approve a minor variance to allow an accessory sales use associated with the existing body repair shop proposing:

1. An accessory sales use to the existing body repair shop whereas By-law 0225-2007, as amended, does not permit an accessory sales use to the existing body repair shop in this instance;
2. 62 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 71 parking spaces in this instance;
3. 2 accessible parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 3 accessible parking spaces in this instance; and
4. A parking aisle width of 4.58m (approx. 15.03ft) whereas By-law 0225-2007, as amended, requires a minimum parking aisle width of 7.00m (approx. 22.97ft) in this instance.

Amendments

The Building Department is currently processing a certificate of occupancy permit application under file 24-4365. Based on review of the information currently available for this application, we advise that the following variance(s) should be amended as follows:

1. A Motor Vehicle Sales, Leasing and/or Rental Facility – Restricted accessory to a Motor Vehicle Body Repair Facility; whereas By-law 0225-2007, as amended, does not permit a Motor Vehicle Sales, Leasing and/or Rental Facility – Restricted in this instance;

Background

Property Address: 3443 Wolfedale Rd

Mississauga Official Plan

Character Area: Mavis-Erindale Employment Area
Designation: Business Employment

Zoning By-law 0225-2007

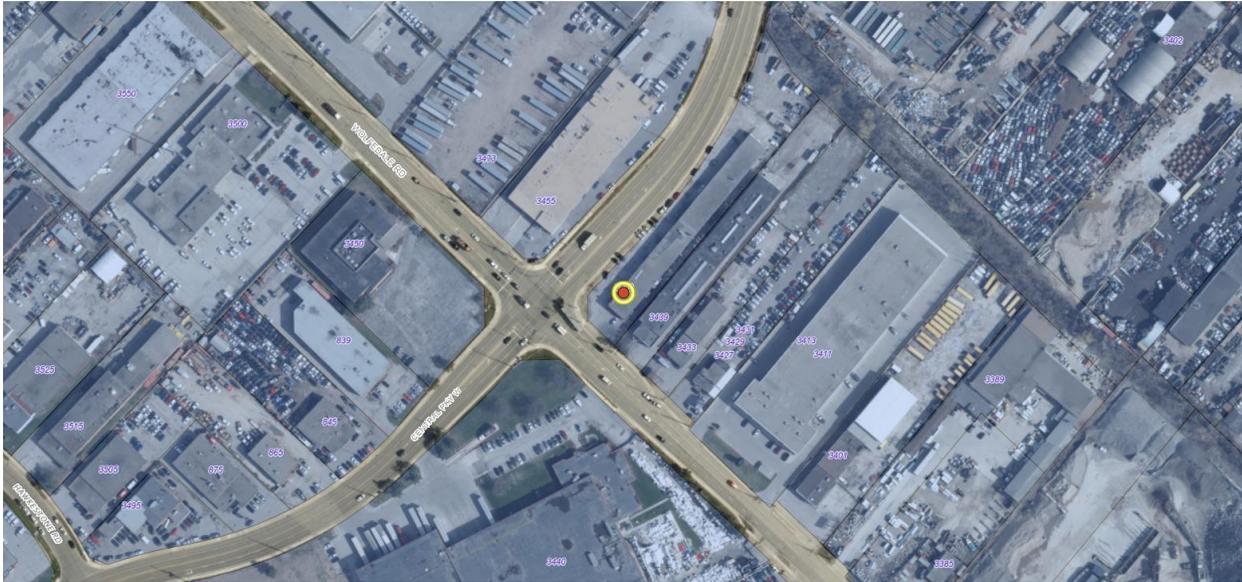
Zoning: E2-19-Employment

Other Applications: C 24-4365

Site and Area Context

The subject property is located on the south-east corner of the Wolfedale Road and Central Parkway West intersection in the Mavis-Erindale Employment Character Area. It is a corner lot containing a one-storey multi-tenant industrial building with an associated surface parking lot. There is no vegetation located on the subject property. The surrounding area context is exclusively employment, consisting of one and two-storey industrial buildings on varied sized lots.

The applicant is proposing an accessory motor vehicle sales, leasing and/or rental facility - restricted use on the subject property requiring variances for the use, drive aisle width, parking and accessible parking deficiencies.



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 Mavis-Erindale Employment Character Area and is designated Business Employment in Schedule 10 of the Mississauga Official Plan (MOP).

While staff have no concerns with the proposed accessory use and note the parking configuration and drive aisle width are conducive to existing conditions on the site, staff are of the opinion the application should be deferred.

Variance 2 requests a reduction in the total number of parking spaces. The intent of the zoning by-law in quantifying the required number of parking spaces is to ensure that each lot is self-sufficient in providing adequate parking accommodations based upon its intended use. Section 8.4 of the official plan contemplates potential reductions in parking requirements and alternative parking arrangements in appropriate situations. Municipal Parking staff have reviewed the variance request and note as follows:

With respect to Committee of Adjustment application 'A' 16/25, 3443 Wolfedale Road, the Applicant is requesting the Committee to approve a minor variance to allow an accessory sales use associated with the existing body repair shop proposing:

1. 62 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 71 parking spaces in this instance.

The proposed use will be associated with Unit 2 and includes 5 vehicle display spaces in the parking lot. Existing uses in the multi-unit building include a take-out restaurant and five motor vehicle repair facilities. The existing building has a GFA of 1,333 m² while Unit 2 has a GFA of 373 m². The subject site is in Parking Precinct 4 and is not within a protected Major Transit Station Area (MTSA).

Per the preliminary site plan of the proposed condition, dated December 10, 2024, 62 parking spaces are proposed, whereas a minimum of 71 parking spaces are required in this instance. As such, the site will be deficient 9 parking spaces or 13%. Municipal Parking staff note that the proposed site plan parking condition may not be representative of how the site currently accommodates parking.

Parking Rationale provided by Harper Dell & Associates, dated January 22, 2025, does not include any parking demand information with respect to customer and employee parking demand, customer vehicle storage/parking while under repair, hours of operation etc. Municipal Parking Staff require a satisfactory Parking Utilization Survey of the subject site in this instance.

The Applicant has not provided satisfactory justification to support the proposed parking reduction. As the parking deficiency is greater than 10% from the existing Zoning By-law 0225-2007, as amended, per the Parking Terms of Reference a satisfactory Parking Utilization Study is required. The Applicant should refer to the City's Parking [Terms of Reference](#) for parking justification requirements to be included with a formal submission. The Applicant should confirm the survey methodology with staff prior to conducting parking surveys.

The Building Department is currently processing a certificate of occupancy permit application under file 24-4365. Per Zoning Staff review of the information currently available for this building permit, the variances, as requested are correct.

Given the above, Municipal Parking staff recommend the application be deferred pending the submission of a satisfactory Parking Utilization Study (PUS).

Furthermore, Zoning staff note additional information is required to identify whether the proposed use can be deemed accessory and if the proposed accessible parking spaces meet the typical dimensions required for accessible spaces.

Planning staff echo Municipal Parking and Zoning staff's comments and are of the opinion the application should be deferred to submit the required documentation and identify whether additional variances may be required.

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 subject property. We note that this property was the subject of several applications in the past where this Department indicated concerns related to vehicles having no controlled access to Central Parkway West. It should be noted that this concern has been addressed through the implementation of concrete curbs along a significant portion of the Central Parkway West frontage.







Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Department is currently processing a certificate of occupancy permit application under file 24-4365. Based on review of the information currently available for this application, we advise that the following variance(s) should be amended as follows:

1. A Motor Vehicle Sales, Leasing and/or Rental Facility – Restricted accessory to a Motor Vehicle Body Repair Facility; whereas By-law 0225-2007, as amended, does not permit a Motor Vehicle Sales, Leasing and/or Rental Facility – Restricted in this instance;

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

2. 62 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 71 parking spaces in this instance;

3. 2 accessible parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 3 accessible parking spaces in this instance; and

4. A parking aisle width of 4.58m (approx. 15.03ft) whereas By-law 0225-2007, as amended, requires a minimum parking aisle width of 7.00m (approx. 22.97ft) in this instance.

Based on review of the information currently available for this application, we advise that more information is required to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required:

Provide a floor plan for the subject unit with labelling (office, repair area, etc.)

Provide accessible parking space typical dimension. One Type A (3.4m X 5.2m) and one Type B (2.4m X 5.2m) is required with a 1.5 access aisle in between. See Illustration number 15 in subsection 1.3.15 in Mississauga Zoning By-law 0225-2007, as amended, for reference.

More detailed description of the proposed business operation indicating how the Motor Vehicle Sales, Leasing and/or Rental Facility – Restricted is an accessory use (as indicated in variance application) and not a stand-alone use.

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

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 Not Yet Named (P-527)*.

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: Nichlas Rocchetti, Planner

Appendix 5 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 6 - 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 flood hazard associated with Wolfedale creek. 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 an accessory sales use associated with the existing body repair shop proposing:

1. An accessory sales use to the existing body repair shop whereas By-law 0225-2007, as amended, does not permit an accessory sales use to the existing body repair shop in this instance;
2. 62 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 71 parking spaces in this instance;
3. 2 accessible parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 3 accessible parking spaces in this instance; and
4. A parking aisle width of 4.58m (approx. 15.03ft) whereas By-law 0225-2007, as amended, requires a minimum parking aisle width of 7.00m (approx. 22.97ft) in this instance.

COMMENTS:

Based on the review of the information provided, it is our understanding that the proposed minor variances are for existing conditions and no new development is being proposed on the subject property. As such, CVC staff have no objection to the approval of the minor variance at this time.

The applicant is to note, that a small portion of the subject property at the rear is within the CVC regulated area and any future development will require a CVC permit/clearance.

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

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 6611 Second Line W, 6635 Clock Crt, 6636 Clock Crt, zoned RM4-79 - 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 residential townhouse block proposing:

1. A rear yard setback to building 2 of 16.73 m (approx. 54.89 ft.), 17.5 m (approx. 57.41 ft.), and 18.1 m (approx. 59.38 ft.) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 17.7 m (approx. 58.1 ft.), 18.5 m (approx. 60.7 ft.), and 19.1 m (approx. 62.66 ft.) in this instance;
2. An eaves setback to building 2 of 17.2 m (approx. 56.43 ft.), 18 m (approx. 59.1 ft.), and 18.6 m (approx. 61 ft.) whereas By-law 0225-2007, as amended, requires a minimum eaves setback of 17.7 m (approx. 58.1 ft.), 18.5 m (approx. 60.7 ft.), and 19.1 m (approx. 62.66 ft.) in this instance;
3. An A/C setback to building 1 of 6.22 m (approx. 20.41 ft.) whereas By-law 0225-2007, as amended, requires a minimum A/C setback of 7.5 m (approx. 24.61 ft.) in this instance;
4. A window well setback to building 1 of 6.92 m (approx. 22.7 ft.) whereas By-law 0225-2007, as amended, requires a minimum window well setback of 7.5 m (approx. 24.61 ft.) in this instance; and
5. An eaves setback to building 1 of 7 m (approx. 22.97 ft.) whereas By-law 0225-2007, as amended, requires a minimum eaves setback of 7.5 m (approx. 24.61 ft.) in this instance.

The Committee has set **Thursday, February 27, 2025 at 3:30 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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- **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.
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If you wish to view the public hearing online and do not wish to speak, the hearing will be streamed at the following link:
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<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: 2025-02-20	File(s): A17.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2/27/2025 3:30:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a residential townhouse block proposing:

1. A rear yard setback to building 2 of 16.73 m (approx. 54.89 ft.), 17.5 m (approx. 57.41 ft.), and 18.1 m (approx. 59.38 ft.) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 17.7 m (approx. 58.1 ft.), 18.5 m (approx. 60.7 ft.), and 19.1 m (approx. 62.66 ft.) in this instance;
2. An eaves setback to building 2 of 17.2 m (approx. 56.43 ft.), 18 m (approx. 59.1 ft.), and 18.6 m (approx. 61 ft.) whereas By-law 0225-2007, as amended, requires a minimum eaves setback of 17.7 m (approx. 58.1 ft.), 18.5 m (approx. 60.7 ft.), and 19.1 m (approx. 62.66 ft.) in this instance;
3. An A/C setback to building 1 of 6.22 m (approx. 20.41 ft.) whereas By-law 0225-2007, as amended, requires a minimum A/C setback of 7.5 m (approx. 24.61 ft.) in this instance;
4. A window well setback to building 1 of 6.92 m (approx. 22.7 ft.) whereas By-law 0225-2007, as amended, requires a minimum window well setback of 7.5 m (approx. 24.61 ft.) in this instance; and
5. An eaves setback to building 1 of 7 m (approx. 22.97 ft.) whereas By-law 0225-2007, as amended, requires a minimum eaves setback of 7.5 m (approx. 24.61 ft.) in this instance.

Amendments

The Building Department is processing Site Plan application 22-104. Based on review of the information available in this application, we advise that following amendments are required:

1. A rear yard setback to building 2 of 16.73 m (approx. 54.89 ft.), 17.5 m (approx. 57.41 ft.), and 18.1 m (approx. 59.38 ft.) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 17.7 m (approx. 58.1 ft.), 18.5 m (approx. 60.7 ft.), and 19.1 m (approx. 62.66 ft.) in this instance;
2. Proposed A/C units for building 1 and building 2 outside the buildable area; whereas By-law 0225-2007, as amended, requires the A/C units to be within the buildable area in this instance;
3. A window well setback to building 1 of 6.92 m (approx. 22.7 ft.) whereas By-law 0225-2007, as amended, requires a minimum window well setback of 7.5 m (approx. 24.61 ft.) in this instance; and
4. Proposed eaves for building 1 and building 2 outside the buildable area; whereas By-law 0225-2007, as amended, requires the eaves to be within the buildable area in this instance.

Background

Property Address: 6611 Second Line W, 6635 Clock Crt, 6636 Clock Crt

Mississauga Official Plan

Character Area: Meadowvale Village Neighbourhood
Designation: Medium Density

Zoning By-law 0225-2007

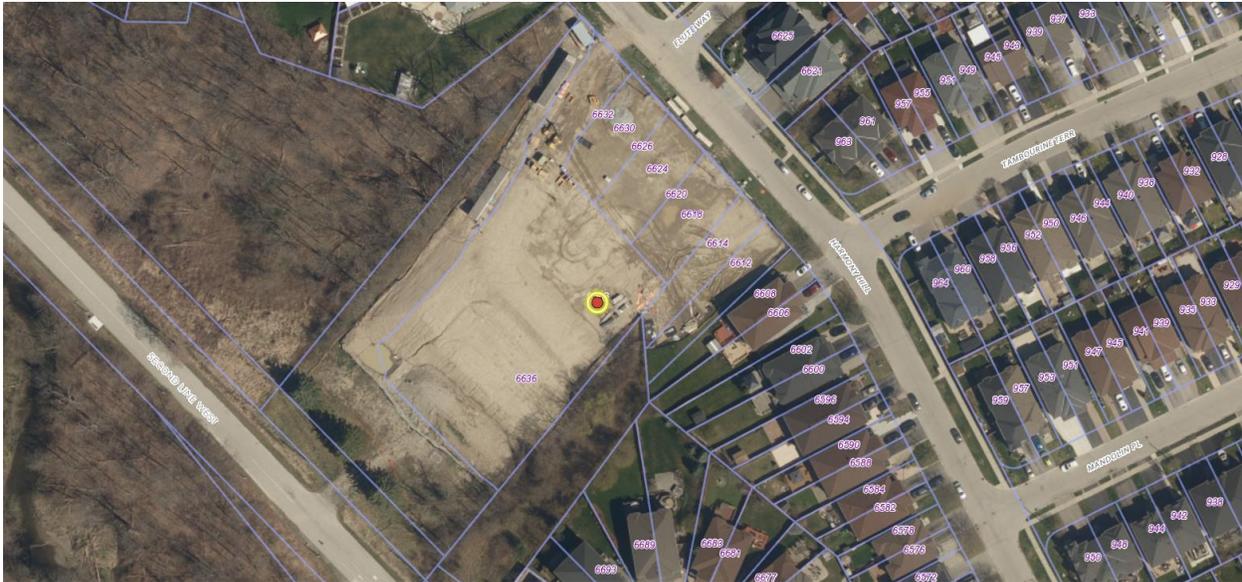
Zoning: RM4-79 - Residential

Other Applications: SP 22-104

Site and Area Context

The subject property is located south-east of the Second Line West and Sombrero Way intersection in the Meadowvale Village Neighbourhood Character Area. Currently, it is a vacant site with a lot area of 0.41ha (1.01ac). The proposal aims to construct thirteen (13) three-storey townhouses on a private condominium road. Limited landscaping and vegetative elements are present on the subject property. The surrounding area context is primarily residential, consisting of detached and semi-detached dwellings. Additionally, the Meadowvale Woods Park is located to the west of the subject property.

The applicant is proposing to construct townhouse dwellings requiring variances for rear yard setbacks, window well setback and the eaves and air conditioning units located outside the buildable area as identified on Schedule RM4-79 in Zoning By-law 0225-2007.



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 Medium Density on Schedule 10 of the Mississauga Official Plan (MOP) and is located in the Meadowvale Village Neighbourhood Character Area.

Planning staff note the nature of the four variances sought are to facilitate a design which has been conceptually approved by both the Urban Design and Development Planning teams through their review of the Site Plan Approval application (SP 22-104). Additionally, Zoning staff have provided amendments to the proposed variances.

Variance 1 requests reduced rear yard setbacks to the proposed building 2 of the development. The intent of the rear yard setback regulations is to ensure that both an adequate buffer exists between natural areas and/or primary structures on adjoining properties, as well as an appropriate rear yard amenity area for the dwellings. Staff note that a large portion of the site is located in the Credit Valley Conservation Authority's (CVC) regulated area. It is to be noted an increased rear yard setback to the proposed building 2 was required due to the site's proximity to a significant natural feature. Planning staff are of the opinion that the proposed setback regulations is negligible and will continue to maintain an appropriate buffer to the significant natural feature. The rear yard amenity area is relatively unaffected by the requested variance.

Staff also note the CVC has provided a clearance letter and has raised no objections to the request. The City relies on the expertise of the Credit Valley Conservation Authority on matters relating to natural features and are in agreement with their position.

Variance 3 pertains to a reduced window well setback to the proposed building 1. The intent of the by-law regulation is to ensure there is an appropriate buffer between the lot line and window well and allow for unimpeded access. Staff note the reduction is minor deviation from the by-law regulations and will maintain an appropriate buffer between the dwelling and lot line.

Variance 2 and 4 requests the proposed eaves and air conditioning units for both buildings 1 and 2 of the development to be built outside of the required buildable area, as noted in the site-specific zoning schedule RM4-79. Upon review, staff note that the request is for a limited number of areas within the proposal. The requested variance represents a minor change that have already been reviewed in consultation with municipal staff and do not fundamentally change the intended design or functionality of the site. Planning staff are satisfied that the proposed variance will continue to facilitate a development that is appropriate for the subject property.

Planning staff are satisfied that the proposed variances will facilitate a development that is appropriate for the subject property and that the proposed variances will meet the general intent of the by-law and will not significantly alter the envisioned development. Furthermore, Planning staff are satisfied that the proposed variances, both individually and cumulatively, meet the general intent and purpose of the official plan and zoning by-law, are minor in nature and result in orderly 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 requirements for the proposed residential townhouse block will be addressed through the Building Permit Process. It should also be noted that the city is processing SP 22-104 and has processed Plan of Subdivision file 21T-17005 to address numerous site-specific conditions/requirements.



Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Department is processing Site Plan application 22-104. Based on review of the information available in this application, we advise that following amendments are required:

1. A rear yard setback to building 2 of 16.73 m (approx. 54.89 ft.), 17.5 m (approx. 57.41 ft.), and 18.1 m (approx. 59.38 ft.) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 17.7 m (approx. 58.1 ft.), 18.5 m (approx. 60.7 ft.), and 19.1 m (approx. 62.66 ft.) in this instance;
2. Proposed A/C units for building 1 and building 2 outside the buildable area; whereas By-law 0225-2007, as amended, requires the A/C units to be within the buildable area in this instance;
3. A window well setback to building 1 of 6.92 m (approx. 22.7 ft.) whereas By-law 0225-2007, as amended, requires a minimum window well setback of 7.5 m (approx. 24.61 ft.) in this instance; and
4. Proposed eaves for building 1 and building 2 outside the buildable area; whereas By-law 0225-2007, as amended, requires the eaves to be within the buildable area 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: Andrea Patsalides, Planner

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 Fletcher's Flats (P-428), 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...;

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

1. Given that the property is subject to a development application, T M17005 W11 and SP 22-104, all of Community Services' comments and/or requirements are being addressed through the development application(s).

2. 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

Appendix 4 – Region of Peel Comments

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at servicingconnections@peelregion.ca.
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at servicingconnections@peelregion.ca.

Comments Prepared by: Brian Melnyk, Development Engineering

Appendix 5 – Ministry of Transportation

The subject sites described above appear to be located within the MTO Permit Control Area for Highway 401; as a result, the applicant should be made aware that an MTO Building & Land Use Permit(s) will be required from this office prior to the start of any onsite construction/works. These comments are preliminary only, and prior to any MTO permit applications being submitted, the MTO requests that the Municipality circulate the Official Plan & Zoning By-law / Site Plan Amendment Applications for the subject site for review, where we will provide more detailed comments, including what materials will be required for review as part of the Site Plan Application circulation.

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

Comments Prepared by: Nicole Hajjar, Corridor Management Officer



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A19.25
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 75 Courtneypark Dr W, zoned O2-1-Office, 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 outdoor play area associated with the daycare center proposing 247 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 325 parking spaces in this instance.

The Committee has set **Thursday, February 27, 2025 at 3:30 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: 2025-02-20	File(s): A19.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2/27/2025 3:30:00 PM

Consolidated Recommendation

The City recommends the application be withdrawn.

Application Details

The applicant requests the Committee to approve a minor variance to allow an outdoor play area associated with the daycare center proposing 247 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 325 parking spaces in this instance.

Background

Property Address: 75 Courtneypark Dr W

Mississauga Official Plan

Character Area: Gateway Corporate Centre
Designation: Office

Zoning By-law 0225-2007

Zoning: O2-1-Office

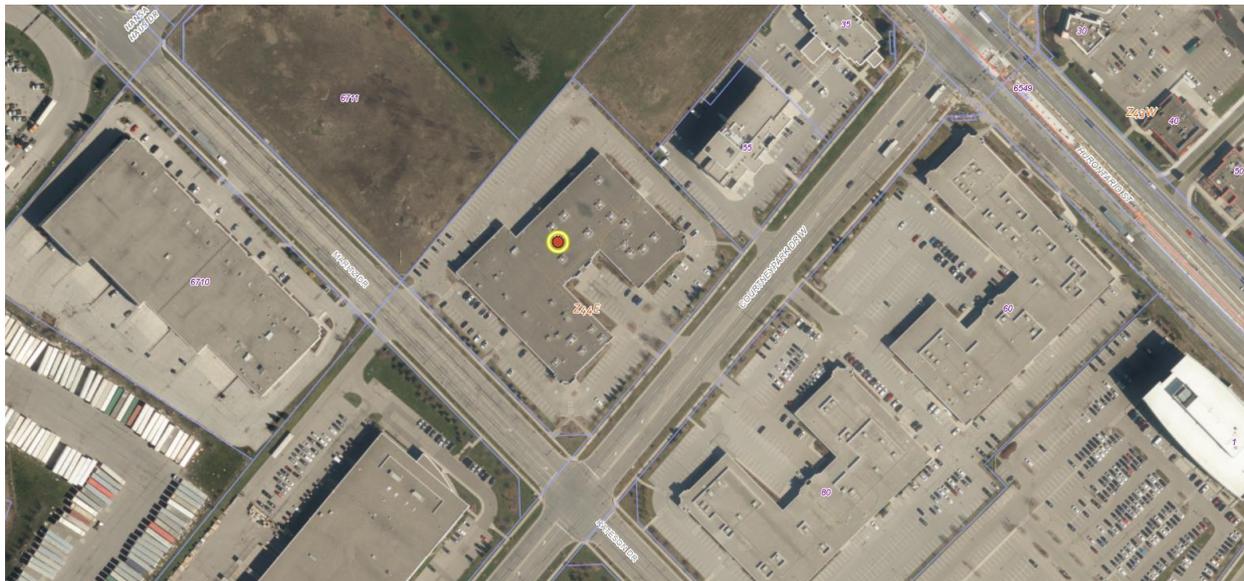
Other Applications: BP 3ALT 25-6253

Site and Area Context

The subject property is a multi-tenant commercial plaza located north-west of the Hurontario Street and Courtneypark Drive West intersection. The subject building contains multiple units

with varying uses. The immediate neighbourhood consists of a mixture of office and employment uses. Minimal vegetation exists in the form of urban street trees.

The applicant is proposing interior alterations to Unit 2C of the subject property requiring a variance for 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 a previous minor variance application, A218.24, was approved by the Committee of Adjustment on May 30th, 2024 for a parking deficiency proposing 262 parking spaces, whereas 325 were required.

The subject property is located in the Northeast Employment Area (West) Character Area and is designated Business Employment and Mixed Use in Schedule 10 of the Mississauga Official Plan (MOP).

The intent of the zoning by-law quantifying the required number of parking spaces is to ensure that each lot is self-sufficient in providing adequate parking accommodations based upon its intended use. Section 8.4 of the official plan contemplates potential reductions in parking requirements and alternative parking arrangements in appropriate situations.

Planning staff note that the Cutting Red Tape to Build More Home Act, 2024 (Bill 185) received royal assent on June 6th, 2024. The Province of Ontario restricts municipal councils from approving official plans or enacting zoning by-laws requiring parking in Protected Major Transit Station Areas (MTSA). As the subject property is located in the Courtnepark MTSA, Planning staff note the minor variance is not required due to the proclamation of Bill 185.

Based on the preceding information, Planning staff recommend the application be withdrawn.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This department has no objections to the applicant's request.





Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Division is processing a Building Permit application BP 3ALT 25-6253. Based on the review of the information available in this application, the requested variances is not required due to the property located within the Major Transit Station Area.

Our comments may no longer be valid should there be changes in the Committee of Adjustment application that have yet to be submitted and reviewed through the Building Division application. To receive updated comments, the applicant must submit any changes to information or drawings separately through the above application.

Comments Prepared by: Maria Fernandez, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

Forestry Comments

The Forestry Section of the Community Services Department has reviewed the above noted minor variance application and advises as follows:

1. No public trees shall be injured or removed. If public tree injury or removal is required, a permit must be issued as per By-law 0020-2022.
2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Removal Permit, written consent must be obtained by both parties.

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

- There is a 16m wide Regional sanitary sewer and water easement on the subject property. Please be advised that unauthorized encroachments on Regional easements will not be permitted. Certain restrictions apply with respect to Regional easements as per the documents registered on title.

Comments Prepared by: Brian Melnyk, Development Engineering

Appendix 5 – Metrolinx

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

HuLRT – ADVISORY COMMENTS

- 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.

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 1141 Lakeshore Rd W, 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 renovation of a detached garage proposing:

1. A lot coverage of 36.40% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance;
2. A combined width of side yards of 2.76m (approx. 9.06ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 4.50m (approx. 14.76ft) in this instance;
3. A height of detached garage of 7.50m (approx. 24.61ft) whereas By-law 0225-2007, as amended, permits a maximum height of detached garage of 4.60m (approx. 15.09ft) in this instance;
4. A front yard setback of 2.80m (approx. 9.19ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 9.00m (approx. 29.53ft) in this instance;
5. A setback from Lakeshore Rd W centre line of 23.70m (approx. 77.76ft) whereas By-law 0225-2007, as amended, requires a minimum setback from Lakeshore Rd W centre line of 26.50m (approx. 86.94ft) in this instance;
6. A projection of garage beyond dwelling of 7.60m (approx. 24.93ft) whereas By-law 0225-2007, as amended, permits a maximum projection of garage beyond dwelling of 0m in this instance;
7. A detached garage located in the front yard whereas By-law 0225-2007, as amended, does not permit a detached garage located in the front yard in this instance;
8. A setback to the rear deck of 0.77m (approx. 2.53ft) whereas By-law 0225-2007, as amended, requires a minimum setback to the rear deck of 1.20m (approx. 3.94ft) in this instance; and
9. A side yard setback to the detached garage (north side) of 1.20m (approx. 3.94ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback to the detached garage (north side) of 1.80m (approx. 5.91ft) in this instance.

The Committee has set **Thursday, February 27, 2025 at 3:30 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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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.

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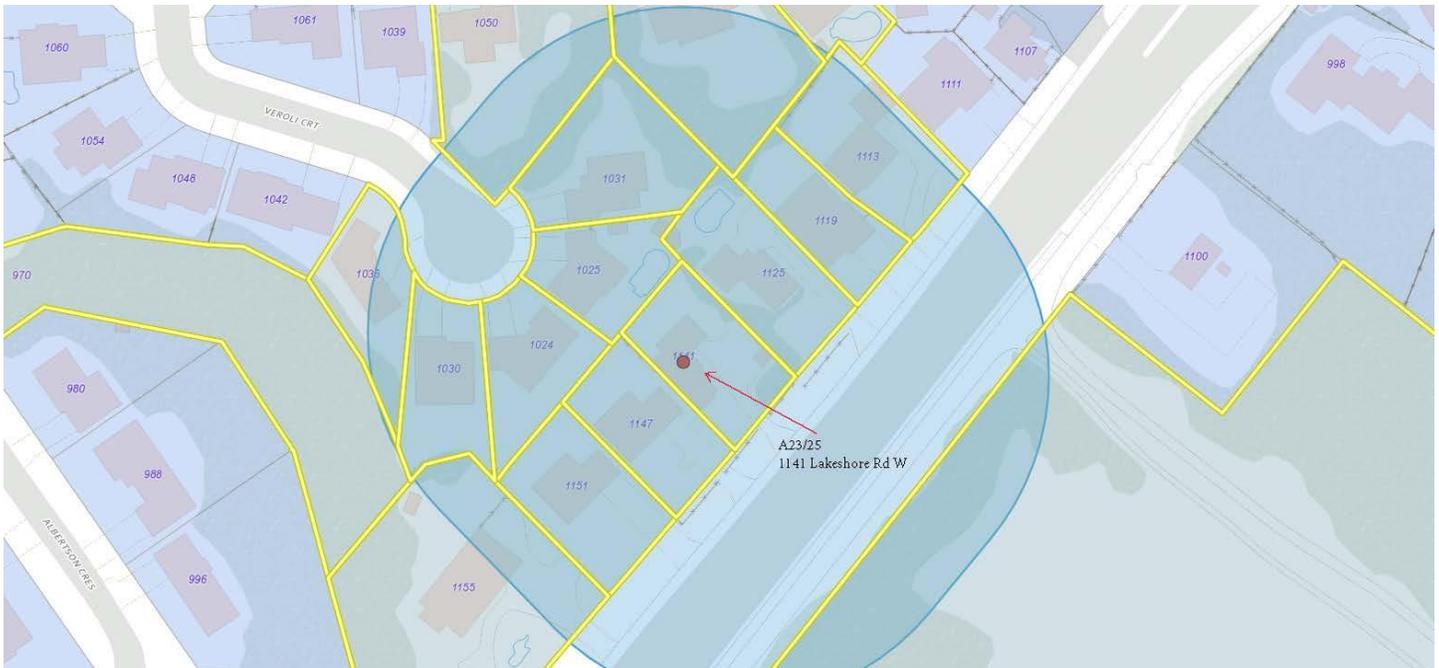
Additional Information:

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-02-20	File(s): A23.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2/27/2025 3:30:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

The applicant requests the Committee to approve a minor variance to allow renovation of a detached garage proposing:

1. A lot coverage of 36.40% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance;
2. A combined width of side yards of 2.76m (approx. 9.06ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 4.50m (approx. 14.76ft) in this instance;
3. A height of detached garage of 7.50m (approx. 24.61ft) whereas By-law 0225-2007, as amended, permits a maximum height of detached garage of 4.60m (approx. 15.09ft) in this instance;
4. A front yard setback of 2.80m (approx. 9.19ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 9.00m (approx. 29.53ft) in this instance;
5. A setback from Lakeshore Rd W centre line of 23.70m (approx. 77.76ft) whereas By-law 0225-2007, as amended, requires a minimum setback from Lakeshore Rd W centre line of 26.50m (approx. 86.94ft) in this instance;
6. A projection of garage beyond dwelling of 7.60m (approx. 24.93ft) whereas By-law 0225-2007, as amended, permits a maximum projection of garage beyond dwelling of 0m in this instance;
7. A detached garage located in the front yard whereas By-law 0225-2007, as amended, does not permit a detached garage located in the front yard in this instance;
8. A setback to the rear deck of 0.77m (approx. 2.53ft) whereas By-law 0225-2007, as amended, requires a minimum setback to the rear deck of 1.20m (approx. 3.94ft) in this instance; and
9. A side yard setback to the detached garage (north side) of 1.20m (approx. 3.94ft)

whereas By-law 0225-2007, as amended, requires a minimum side yard setback to the detached garage (north side) of 1.80m (approx. 5.91ft) in this instance.

Background

Property Address: 1141 Lakeshore Rd W

Mississauga Official Plan

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

Zoning By-law 0225-2007

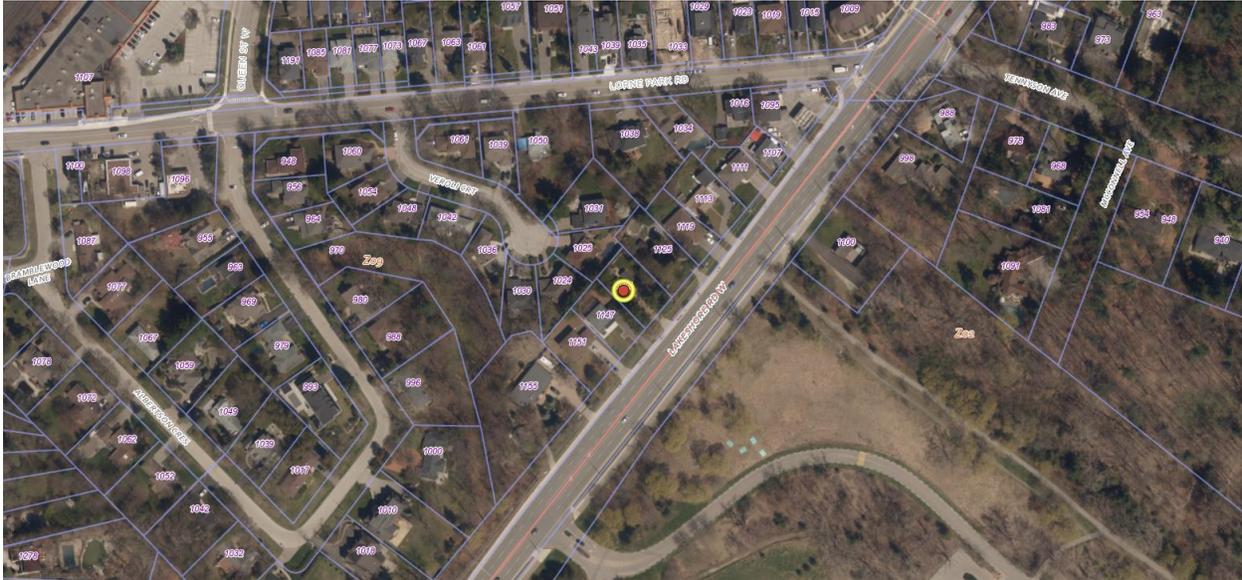
Zoning: R2-1-Residential

Other Applications: Building Permit application BP 9NEW 23-10035

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, northeast of the Lorne Park Road and Lakeshore Road West intersection. 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 and detached carport along with vegetation in the front yard.

The applicant is proposing an addition to the dwelling and a new detached garage requesting variances for lot coverage, combined width of side yards, setbacks and detached garage height, projection and location.



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 Clarkson - Lorne Park Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density I designation only permits detached dwellings.

The proposal includes an addition to the existing dwelling and new detached garage in the front yard requiring variances for lot coverage, combined width of side yards, setbacks and detached garage height, projection and location.

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 note the following official plan policies under Section 16.5.1.4:

- a. preserve and enhance the generous front, rear and side yard setbacks;
- d. garages should be recessed or located behind the main face of the house. Alternatively, garages should be located in the rear of the property;

e. ensure that new development has minimal impact on its adjacent neighbours with respect to overshadowing and overlook;

j. the building mass, side yards and rear yards should respect and relate to those of adjacent lots.

The intent of the official plan policies is to ensure that garages are subordinate to the main dwelling. Further, the policies encourage the preservation and enhancement of landscaping and vegetative elements in the front yard and discourage garages in the front yard.

Planning staff are of the opinion that the size of the proposed two-storey garage is not compatible with the surrounding neighbourhood and poses notable concerns regarding its size, massing and emphasis in relation to the dwelling and the streetscape.

As such, staff recommend that the application be deferred to redesign the dwelling and the detached garage to address the concerns raised above.

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 detached garage will be addressed by our Development Construction Section through Building Permit BP 9NEW-23/10035.

Comments Prepared by: John Salvino, Development Engineering Technologist





Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application BP 9NEW 23-10035. 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: Gary Gagnier, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

Forestry Comments

The Forestry Section of the Community Services Department has reviewed the above noted minor variance application and advises as follows:

1. No public trees shall be injured or removed. If public tree injury or removal is required, a permit must be issued as per By-law 0020-2022.
2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Removal Permit, written consent must be obtained by both parties.

A Tree Removal Application to Permit the Injury or Destruction of Trees on Public and Private Property can be found at <https://www.mississauga.ca/publication/application-to-permit-the-injury-or-destruction-of-trees-on-public-and-private-property/>.

Should further information be required, please contact Jamie Meston, Landscape Technician, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email jamie.meston@mississauga.ca.

Comments Prepared by: Jamie Meston, Landscape Technician

Appendix 4 – Region of Peel Comments

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at servicingconnections@peelregion.ca.

- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at servicingconnections@peelregion.ca.

Comments Prepared by: Brian Melnyk, Development Engineering



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A25.25
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 2035 Lushes Ave, zoned RM4-59 - 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 fire station proposing:

1. A parking setback to a Residential zone of 2.66m (approx. 8.73ft) whereas By-law 0225-2007, as amended, requires a minimum parking setback of 4.50m (approx. 14.76ft) in this instance;
2. A soft landscaped area of 24.78% whereas By-law 0225-2007, as amended, requires a minimum soft landscaped area of 40% in this instance; and
3. A driveway width of 27.53m (approx. 90.32ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 8.50m (approx. 27.89ft) in this instance.

The Committee has set **Thursday, February 27, 2025 at 3:30 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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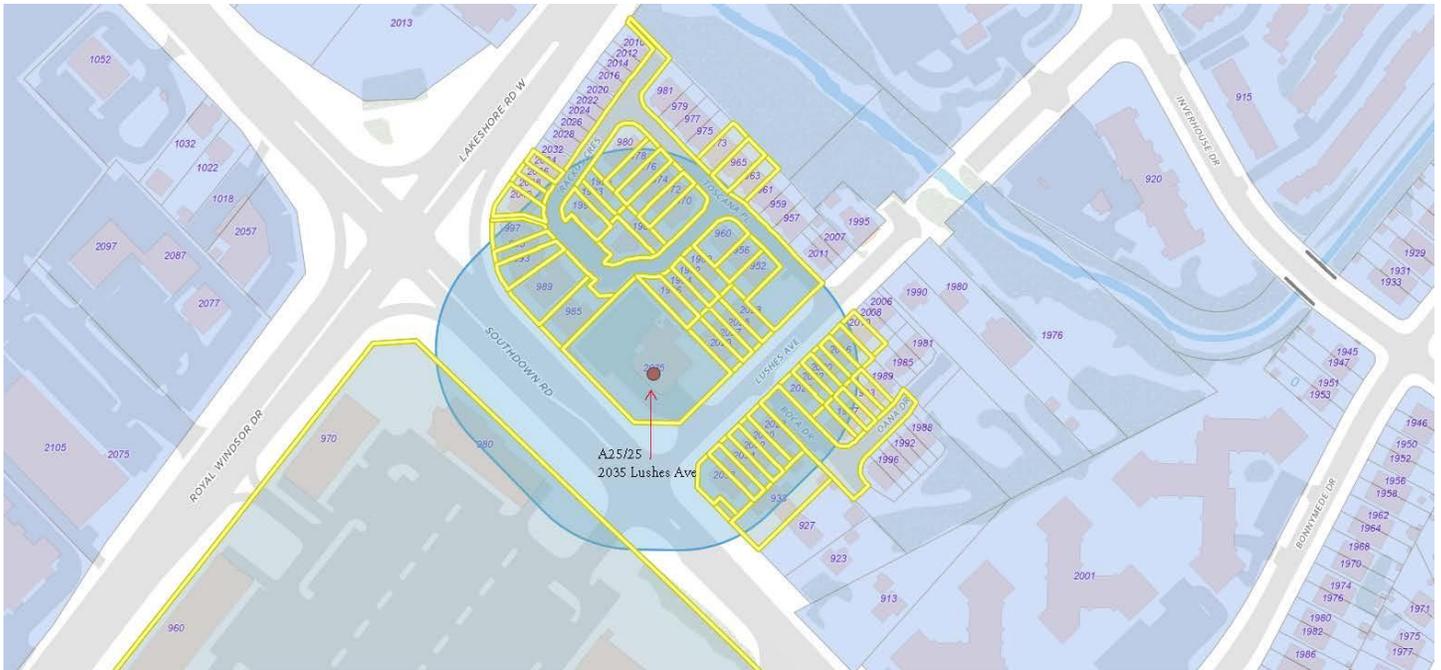
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-02-20	File(s): A25.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2/27/2025 3:30:00 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 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 a fire station proposing:

1. A parking setback to a Residential zone of 2.66m (approx. 8.73ft) whereas By-law 0225-2007, as amended, requires a minimum parking setback of 4.50m (approx. 14.76ft) in this instance;
2. A soft landscaped area of 24.78% whereas By-law 0225-2007, as amended, requires a minimum soft landscaped area of 40% in this instance; and
3. A driveway width of 27.53m (approx. 90.32ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 8.50m (approx. 27.89ft) in this instance.

Background

Property Address: 2035 Lushes Ave

Mississauga Official Plan

Character Area: Clarkson Village Community Node
Designation: Residential Medium Density

Zoning By-law 0225-2007

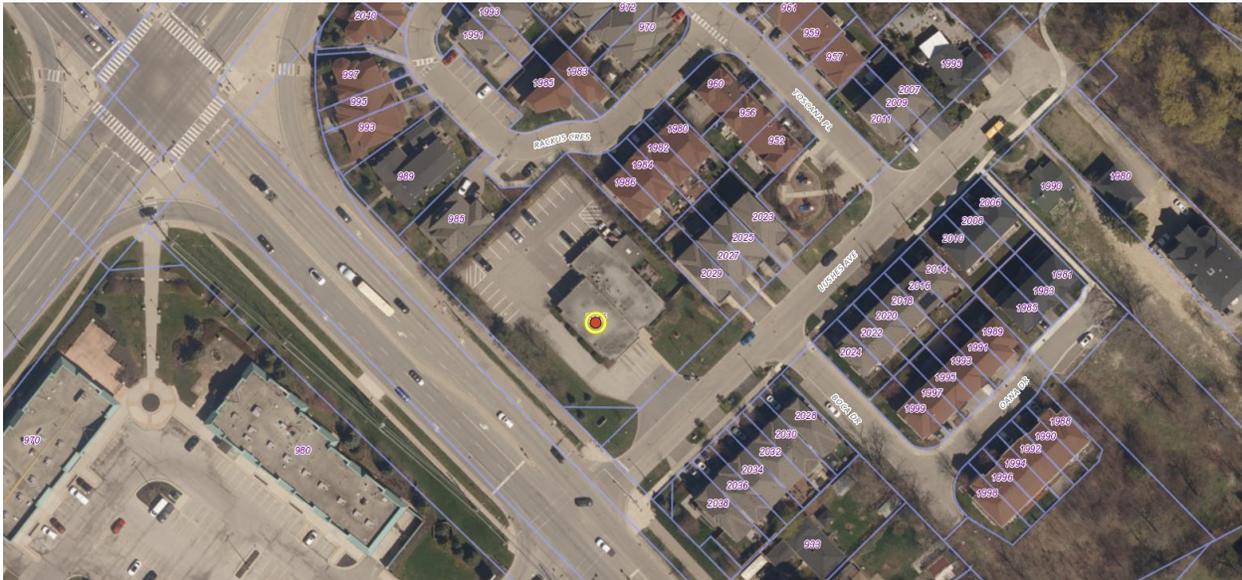
Zoning: RM4-59 - Residential

Other Applications: Site Plan application SP 24-55 W2

Site and Area Context

The subject property is located within the Clarkson Village Community Node Character Area, south of Lakeshore Road West and east of Southdown Road. The immediate neighbourhood mainly consists of townhouses with a variety of commercial uses directly across from the subject property. The subject property currently contains a fire station with some vegetation located along the property lines.

The applicant is proposing an addition to the existing fire station requiring a variance for driveway width, soft landscaped area and parking setback to residential zone.



Comments

Planning

Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to grant relief from the requirements of a municipal zoning by-law. Approval of applications must meet the requirements set out under 45(1) and/or 45(2) (a) or (b) in the *Planning Act*.

Staff comments concerning the application are as follows:

The subject property is designated Residential Medium Density in Schedule 10 of the Mississauga Official Plan (MOP). Emergency Services are defined as Community Infrastructure in the official plan and are permitted in all land use designations, except Greenlands and Parkway Belt West unless specifically allowed.

Staff are of the opinion that the requested variances are required and essential to ensure proper functioning of the site for its intended use as a fire station. Staff are satisfied that the variances #1 and #3 are an existing condition and that the addition does not introduce new negative impacts. Staff have discussed the proposal with the Planner reviewing the associated site plan application and have identified no concerns with the applicant's proposal.

Through a detailed review of the application, staff is of the opinion that the revised 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

Enclosed are pictures of the existing Fire Station and driveway. We note for Committee's information that any Transportation and Works Department concerns/requirements for the site will be addressed through the future Building Permit process.

Comments Prepared by: John Salvino, Development Engineering Technologist







Appendix 2 – Zoning Comments

The Building Department is processing Site Plan application SP 24-55 W2. 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: Gary Gagnier, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

Forestry Comments

The Forestry Section of the Community Services Department has reviewed the above noted minor variance application and advises as follows:

1. No public trees shall be injured or removed. If public tree injury or removal is required, a permit must be issued as per By-law 0020-2022.
2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Removal Permit, written consent must be obtained by both parties.

An Application to Permit the Injury or Destruction of Trees on Public and Private Property can be found at <https://www.mississauga.ca/publication/application-to-permit-the-injury-or-destruction-of-trees-on-public-and-private-property/>.

Should further information be required, please contact Jamie Meston, Landscape Technician, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email jamie.meston@mississauga.ca.

Comments Prepared by: Jamie Meston, Landscape Technician

In Person and Virtual Public Hearing

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Details of the application and meeting information:

The property owner of 3412 Etude Drive, 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 360.72sq m (approx. 3,882.76sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 306.61sq m (approx. 3300.35sq ft) in this instance;
2. A dwelling height of 9.55m (approx. 31.33ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling height of 9.00m (approx. 29.53ft) in this instance;
3. An eave height of 7.27m (approx. 23.85ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance; and
4. An Additional Residential Unit (ARU) area of 90.54sq.m (approx. 974.56sq.ft) whereas By-law 0225-2007, as amended, permits a maximum ARU area of 78.30sq.m (approx. 842.81sq.ft) in this instance.

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<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: 2025-02-20	File(s): A355.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2/27/2025 3:30:00 PM

Consolidated Recommendation

The City recommends the application be deferred to identify the correct variances.

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 360.72sq m (approx. 3,882.76sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 306.61sq m (approx. 3300.35sq ft) in this instance;
2. A dwelling height of 9.55m (approx. 31.33ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling height of 9.00m (approx. 29.53ft) in this instance;
3. An eave height of 7.27m (approx. 23.85ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance; and
4. An Additional Residential Unit (ARU) area of 90.54sq.m (approx. 974.56sq.ft) whereas By-law 0225-2007, as amended, permits a maximum ARU area of 78.30sq.m (approx. 842.81sq.ft) in this instance.

Background

Property Address: 3412 Etude Drive

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

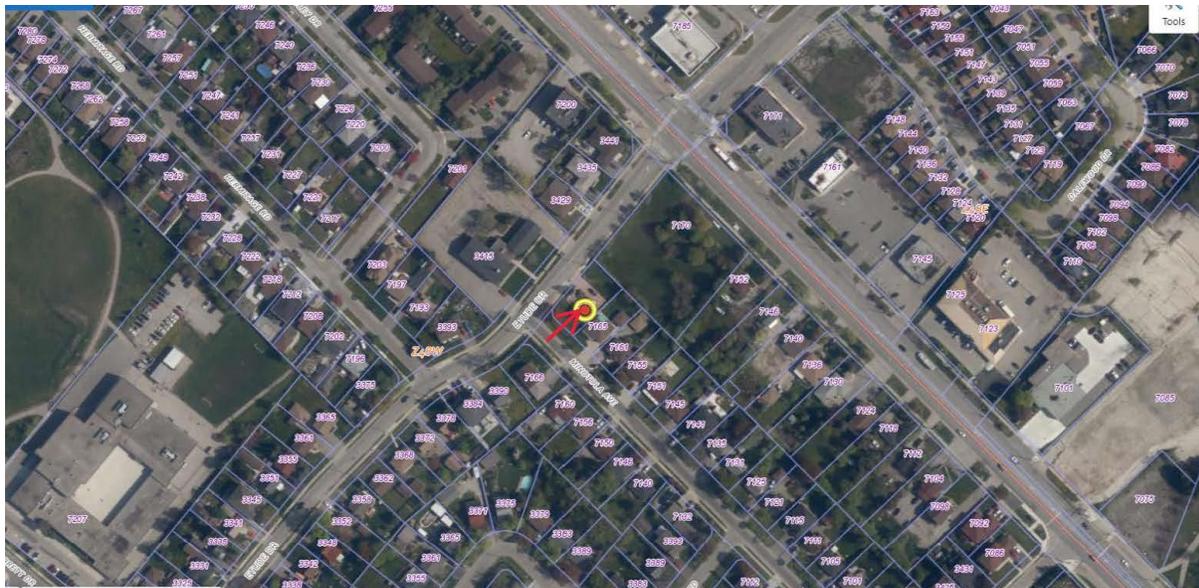
Zoning: R3-69- Residential

Other Applications: BP 9NEW 24 2449 & BP 9NEW 25 6313 ARU

Site and Area Context

The subject property is located on the south side of Etude Drive, west of the Goreway Drive and Etude Drive intersection in the Malton Neighbourhood Character Area. It has a lot area of +/- 776.46m² (8,357.74ft²), and currently contains a single-storey detached home with limited landscaping and vegetative elements on the subject property. The surrounding area context is predominantly residential, consisting of a mix of detached and semi-detached dwellings. Additionally, a place of religious assembly, Malton Baptist Church, is located across Etude Drive to the north, and various mainstreet commercial buildings are located along Goreway Drive.

The applicant is proposing to construct a new dwelling and additional residential unit requiring variances for the gross floor area of the primary dwelling and detached additional residential unit as well as the primary dwelling height and corresponding eaves 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:

Planning staff note the applicant deferred the application on January 16th, 2025 due to the proposed variances not being identified correctly. Planning staff noted no concerns with the proposal's built form at the time, however suggested the applicant contact Zoning staff to confirm if any additional variances that may be required for the primary dwelling and associated detached additional residential unit.

Planning staff still have no concerns with the proposed built form and proposed variances, however staff are recommending deferral in order for the applicant to identify the correct variances. Zoning staff have also indicated that additional information is required to verify the accuracy of the requested variances or determine whether additional variances will be required.

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

The Building Department is processing Building Permit applications **BP 9NEW 24-2449** and **BP 9NEW 25-6313**. Based on review of the information available in these applications, 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 applications. 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 applications noted above. The applicant must submit any changes and/or updates to information and/or drawings separately through the above applications in order to receive updated comments.

Comments Prepared by: Emily Majeed, Planner-in-Training

Appendix 3 – Parks, Forestry & Environment

Forestry Comments

The Forestry Section of the Community Services Department has reviewed the above noted minor variance application and advises as follows:

1. No public trees shall be injured or removed. If public tree injury or removal is required, a permit must be issued as per By-law 0020-2022.
2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Removal Permit, written consent must be obtained by both parties.

An Application to Permit the Injury or Destruction of Trees on Public and Private Property can be found at <https://www.mississauga.ca/publication/application-to-permit-the-injury-or-destruction-of-trees-on-public-and-private-property/>.

Should further information be required, please contact Jamie Meston, Landscape Technician, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email jamie.meston@mississauga.ca.

Comments Prepared by: Jamie Meston, Landscape Technician