
Committee of Adjustment

Date: April 10, 2025
Time: 1:00 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 A42.25
38 Ben Machree Dr (Ward 1)
 - 4.2 A66.25
7420-7440 Ninth Line (Ward 9)
 - 4.3 A68.25
43 North Alarton St (Ward 5)
 - 4.4 A70.25
55 Coveseide Dr & 251 Masonry Way (Ward 1)
 - 4.5 A71.25
1340 Hickory Dr (Ward 3)
 - 4.6 A76.25
1987 Balsam Ave (Ward 2)
 - 4.7 A77.25
4293 Poltava Cres (Ward 3)
 - 4.8 A202.24
3091 Bonaventure Dr (Ward 5)
 - 4.9 A603.24
3703 Broomhill Cres (Ward 3)
 - 4.10 A13.25
1598 Calverton Crt (Ward 1)
 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 38 Ben Machree Dr, zoned R15-2 - 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 new house and an accessory dwelling unit proposing:

1. A height of eaves of 7.04m (approx. 23.10ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance;
2. A dwelling depth of 20.26m (approx. 66.47ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance; and
3. A lot coverage of 48.72%, whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40% in this instance;
4. A front yard setback of 5.11m (approx. 16.77ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 6.00m (19.69ft) in this instance; and
5. A height to the highest ridge of 10.21m (approx. 33.50ft) whereas By-law 0225-2007, as amended, permits a maximum height to the highest ridge of 9.5m (approx. 31.17ft) in this instance.

The Committee has set **Thursday, April 10, 2025 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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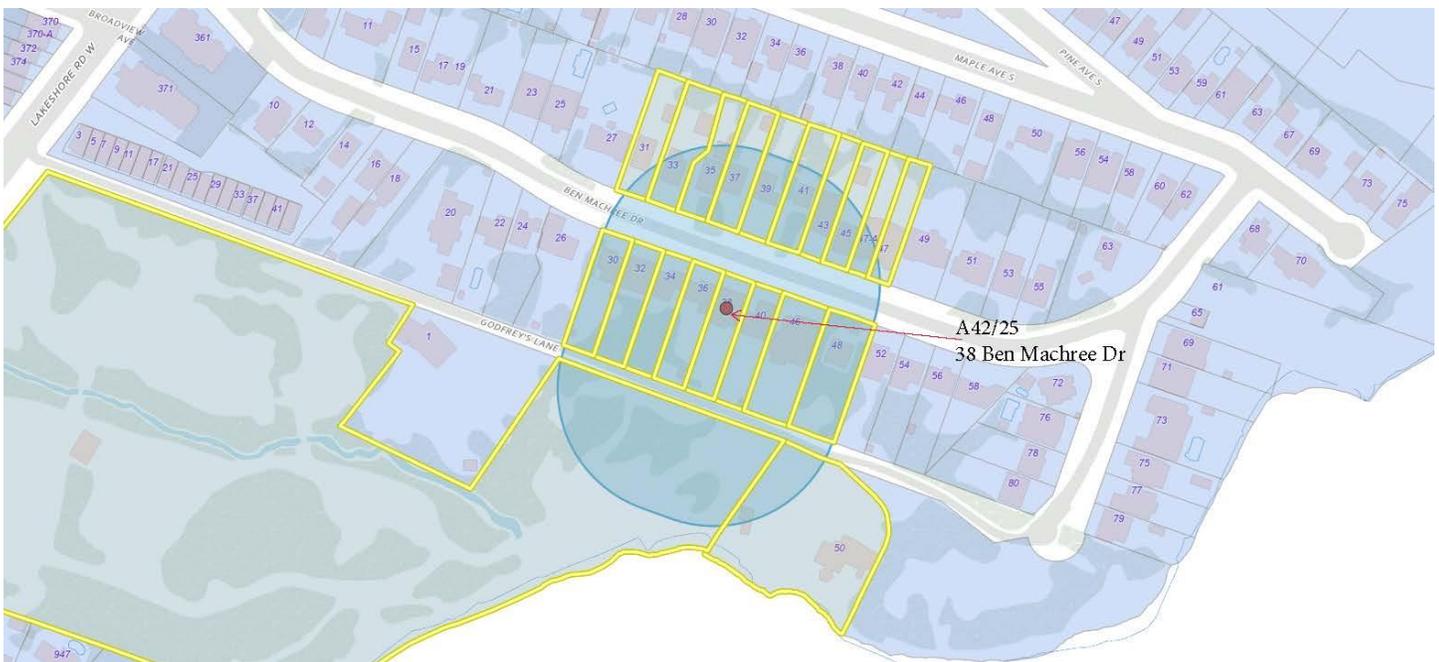
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-04-03	File(s): A42.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:4/10/2025 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a new house and an accessory dwelling unit proposing:

1. A height of eaves of 7.04m (approx. 23.10ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance;
2. A dwelling depth of 20.26m (approx. 66.47ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance; and
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5. A height to the highest ridge of 10.21m (approx. 33.50ft) whereas By-law 0225-2007, as amended, permits a maximum height to the highest ridge of 9.5m (approx. 31.17ft) in this instance.

Amendments

Through a review of the drawings submitted by the applicant, it appears that the proposed lot coverage is 49.4% whereas 40% is permitted. As such, Variance #3 should be amended.

Background

Property Address: 38 Ben Machree Dr

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (West)
Designation: Residential Low Density I

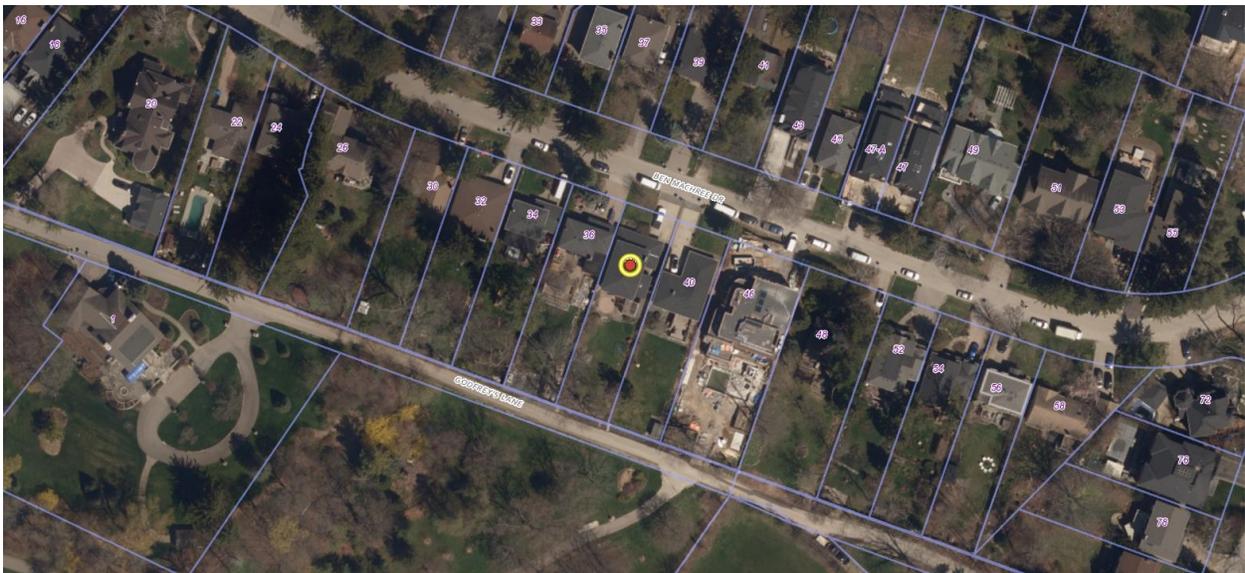
Zoning By-law 0225-2007

Zoning: R15-2 - Residential

Site and Area Context

The subject property is located within the Port Credit Neighbourhood Character Area, southwest of Mississauga Road and Lakeshore Road West. The immediate area is primarily low density residential, containing one and two storey detached dwellings with significant mature vegetation in the front yards. The subject property contains an existing two-storey detached dwelling with mature vegetation in the front yard.

The applicant is proposing a new dwelling requiring variances related to lot coverage, front yard setback, dwelling depth, dwelling and eave height.



Comments

Planning

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

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

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

The subject property is designated Residential Low Density I on Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached and duplex dwellings. Planning staff are of the opinion that the proposed built form is appropriate for the subject property given surrounding conditions and will not negatively impact the streetscape. Further, staff are satisfied that the proposal respects the surrounding context.

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

Variances #1 and #5 pertain to eave height and dwelling height. The intent of restricting height to the highest ridge and eaves is to lessen the visual massing of dwelling by lowering the overall pitch of the roof and bringing the edge of the roof closer to the ground. This keeps the overall height of the dwelling within human scale. Staff are of the opinion that the increase is minor in nature in this instance. Staff note that for portions of the property the average grade is below the finished grade, thereby reducing the appearance of the overall height of the structure. Further, the incorporation of architectural features like varying rooflines and windows in the dwelling's design further mitigates any massing impacts. Staff are satisfied that the proposed increases in height are appropriate for the subject property.

Variances #2 pertains to dwelling depth. The intent of the zoning by-law in regulating the dwelling depth is to minimize any impact of long walls on neighbouring lots as a direct result of the building massing. Staff are of the opinion that the increase in dwelling depth is very minor numerically and is consistent with the neighbouring dwellings.

Variance #3 requests an increase in the lot coverage. Based on the drawings submitted, it appears that a lot coverage of 49.4% is required whereas 40% is permitted. 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 that regulation 4.1.1.9 in the zoning by-law states the following:

The overall maximum lot coverage of a lot shall be permitted to increase by up to an additional 10%, of which 10% is solely calculated towards a detached ARU (Additional Residential Unit).

Staff note that the dwelling's footprint is within the permissible 40% and that the additional coverage can be attributed to the proposed ARU in the rear yard. Therefore, staff are satisfied that the proposal does not represent overdevelopment or negatively impact the streetscape.

Variance #4 pertains to front yard setback. The intent of a front yard setback is to ensure that a consistent character is maintained along the streetscape and that a sufficient front yard space is incorporated into the design of neighbourhoods. Staff note that no variance is required for the front wall of the dwelling and that the dwelling's main walls meet the minimum front yard requirements. It is staff's opinion that since the reduction is measured only to the covered porch, the proposal does not present massing concerns and maintains the character of the neighbourhood.

Given the above, staff are of the opinion that the variances meet 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?

Upon review of the application staff are satisfied that the proposal represents appropriate development of the subject lands. The variances, both individually and cumulatively, are minor in nature and 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

Enclosed you will find pictures at both the front and rear of the property. We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling and garden suite will be addressed by our Development Construction Section through the future Building Permit.

We note that there is an existing City owned 0.3m reserve across the rear frontage of the property along Godfrey's Lane. The applicant is advised that there will be no access permitted from Godfrey's Lane for any type of purpose (construction or residential related).

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: Carrie Chan Patch, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

Forestry Comments

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

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

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

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

Comments Prepared by: Jamie Meston, Landscape Technician

Appendix 4 – Region of Peel Comments

Development Engineering: Sabrina Martins (sabrina.martins@peelregion.ca)(905) 791- 7800 x3094

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. Regional Site Servicing Connection approvals may be 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.
- 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.

Conditions:

- A site servicing plan is required to ensure that arrangements satisfactory to the Region of Peel, Public Works shall be made with respect to the location of existing and installation of new services.

Comments Prepared by: Petrele Francois, Junior Planner

In Person and Virtual Public Hearing

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Details of the application and meeting information:

The property owner of 7420-7440 Ninth Line, zoned OS1-Open Space; PB1-Parkway Belt, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a Transportation Facility use within OS (Open Space) and PB (Parkway Belt) Zones whereas By-law 0225-2007, as amended, does not allow a Transportation Facility use within OS (Open Space) and PB (Parkway Belt) Zones in this instance.

The Committee has set **Thursday, April 10, 2025 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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1. A height to peak of the roof of 9.46m (approx. 31.04ft) whereas By-law 0225-2007, as amended, permits a maximum height to peak of the roof of 9.00m (approx. 29.53ft) in this instance;
2. A height to the underside of eaves of 6.71m (approx. 22.01ft) whereas By-law 0225-2007, as amended, permits a maximum height to the underside of eaves of 6.40m (approx. 21.00ft) in this instance;
3. A lot coverage of 32.90% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance; and
4. A gross floor area – infill residential of 331.01sq m (approx. 3,562.96sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area – infill residential of 296.96sq m (approx. 3,196.45sq ft) in this instance.

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City of Mississauga

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From: Committee of Adjustment Coordinator	Meeting date:4/10/2025 1:00:00 PM

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2. A height to the underside of eaves of 6.71m (approx. 22.01ft) whereas By-law 0225-2007, as amended, permits a maximum height to the underside of eaves of 6.40m (approx. 21.00ft) in this instance;
3. A lot coverage of 32.90% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance; and
4. A gross floor area – infill residential of 331.01sq m (approx. 3,562.96sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area – infill residential of 296.96sq m (approx. 3,196.45sq ft) in this instance.

Amendments

The Building Department is processing Building Permit application 25-5801. Based on review of the information available in this application, we advise that following amendment is required for item number four:

4. A gross floor area – infill residential of 353.00sq m (approx. 3,799.66sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area – infill residential of 296.96sq m (approx. 3,196.45sq ft) in this instance.

Background

Property Address: 43 North Alarton St

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

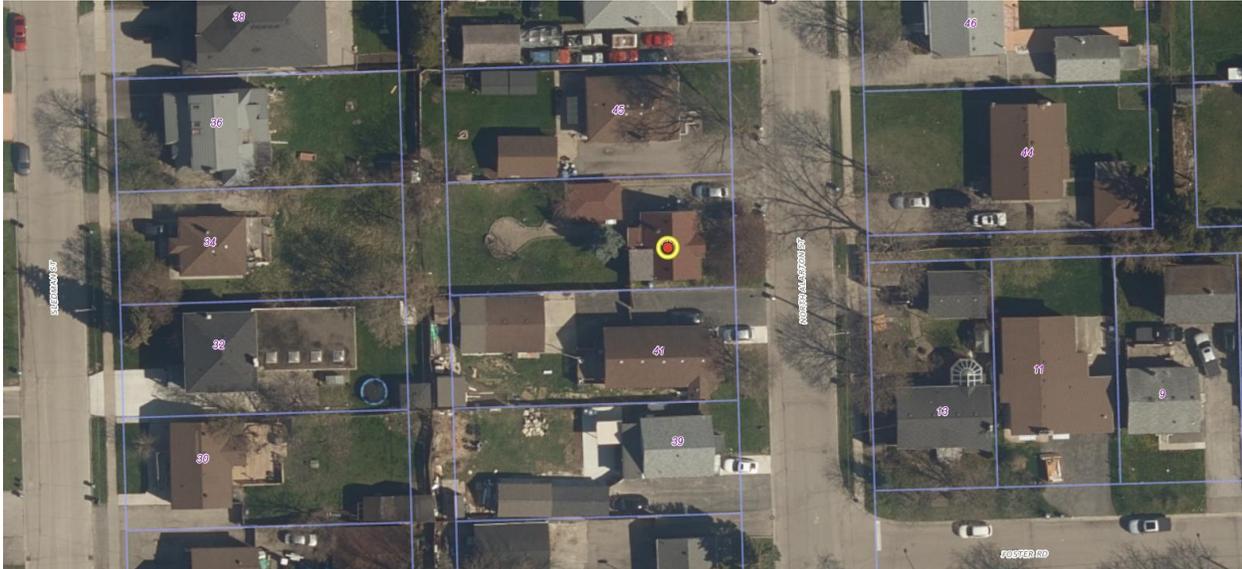
Zoning: R3-69-Residential

Other Applications: BP 25-5801

Site and Area Context

The property is located in the Malton Neighbourhood, north-west of the Derry Road East and Airport Road intersection. It currently houses a single storey, detached dwelling with minimal vegetation and landscaping elements within the front and rear yards. The subject property is an interior parcel with a lot area of approximately +/- 599.80m² (6,456.19ft²) and a lot frontage of approximately +/- 15.36m (50.39ft). The surrounding neighbourhood consists of single storey, detached homes with minimal landscape and vegetative elements within both the front and rear yards.

The Applicant is proposing a new two-storey detached dwelling, requiring variances related to dwelling height, eaves height, lot coverage and gross floor area.



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 Malton Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). The designation permits detached, semi-detached and duplex dwellings. Section 9 of the MOP promotes development with appropriate urban form and site design, requiring 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 appropriately balances both the existing and planned character of the surrounding area and are of the opinion that the application maintains the general intent and purpose of the official plan.

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

Variations 1 & 2 relate to the height of the eaves and the overall height of the dwelling. The intent of restricting height to the eaves and overall height is to lessen the visual massing of the dwelling by bringing the edge of the roof closer to the ground. This keeps the height of the dwelling within human scale. Variance 2 requests a 0.31m (1.01ft) increase in eave height and

will not have a significant impact on the massing of the dwelling. Staff note that the height proposed are consistent with others in the neighbourhood and accommodates a sloped roof that that reflects the character of the area.

Variance 3 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 are satisfied that the 2.9% increase in lot coverage is negligible, does not represent an overdevelopment of the subject property and is generally in line with both original and newer dwellings in the area.

Variance 4 requests an increase in gross floor area. The intent in restricting gross floor area is to maintain compatibility between existing and new dwellings in order to ensure the existing and planned character of a neighbourhood is preserved. The proposal represents a more moderate increase to the permissions of the by-law, is in line with new builds in the surrounding area and will not create a significant massing impact above the as of right permissions of the property. Staff are satisfied that the revised proposal appropriately balances the existing built form and character of the neighbourhood with the planned character envisioned by the Malton Infill Housing Study.

Given the above it is the opinion of Planning staff that the application maintains the general intent and purpose of the zoning by-law.

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

Upon review of the application staff are satisfied that the proposal represents appropriate development of the subject lands. The variances, both individually and cumulatively, are minor in nature and will not create any undue impacts to adjoining properties or the planned or existing character of the area.

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 new dwelling will be addressed through the Building Permit Process (BP 9NEW 25-5801).





Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application 25-5801. Based on review of the information available in this application, we advise that following amendment is required for item number four:

4. A gross floor area – infill residential of 353.00sq m (approx. 3,799.66sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area – infill residential of 296.96sq m (approx. 3,196.45sq ft) in this instance.

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

Comments Prepared by: Andrea Patsalides, Planner 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/>.

Additionally, Forestry notes that the layout and construction works affiliated with the proposed asphalt driveway on North Alarton St. will result in the removal of a City owned tree. Care should be taken to protect the below noted tree as best as possible:

- Flowering Crab Apple: 44cm DBH, good-fair condition, minimum Tree Protection Zone (TPZ) 2.6m, located along the northern edge of the proposed driveway.

If necessary, Tree Protection Hoarding for City trees shall be installed as per By-law 0020-2022. Any public tree injuries and/or removals need to apply for Tree Application Permits as noted in Item 1. As per this By-law, no person shall perform any work within a TPZ without a valid permit.

For privately owned trees to be protected, and where necessary, Tree Protection Hoarding shall be installed as per By-law 0021-2022. Any private tree injuries and/or removals (for trees 15cm DBH or greater) need to apply for Tree Application Permits as noted in Item 2.

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

Comments Prepared by: Jamie Meston, Landscape Technician

Appendix 4 – Region of Peel Comments

Development Engineering: Sabrina Martins (sabrina.martins@peelregion.ca) | (905) 791- 7800 x3094

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. Regional Site Servicing Connection approvals may be 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.
- 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.
- All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel design criteria. For more information, please contact Servicing Connections at (905) 791-7800 x7973 or by email at servicingconnections@peelregion.ca.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 5 – Metrolinx

- The subject property is located within 300m of the Metrolinx Weston Subdivision, which carries Metrolinx's Kitchener GO Train service.

GO/HEAVY-RAIL – CONDITIONS OF APPROVAL

- As per section 3.9 of the Federation of Canadian Municipalities and Railway Association of Canada's Guidelines for New Development in Proximity to Railway Operations, the Owner shall grant Metrolinx an environmental easement for operational emissions. The environmental easement provides clear notification to those who may acquire an interest in the subject property and reduces the potential for future land use conflicts. The environmental easement shall be registered on title of the subject property. A copy of the form of easement is included for the Owner's information. The applicant may contact jenna.auger@metrolinx.com with questions and to initiate the registration process. (It should be noted that the registration process can take up to 6 weeks).
- The Proponent shall provide confirmation to Metrolinx, that the following warning clause has been inserted into all Development Agreements, Offers to Purchase, and Agreements of Purchase and Sale or Lease of each unit:
 - **Warning:** Metrolinx and its assigns and successors in interest operate commuter transit service within 300 metres from the subject land. In addition to the current use of these lands, there may be alterations to or expansions of the rail and other facilities on

such lands in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx or any railway assigns or successors as aforesaid may expand their operations, which expansion may affect the environment of the occupants in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual units. Metrolinx will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under these lands.

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 55 Coveseide Dr & 251 Masonry Way, zoned RA3-36-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 reduced parking space dimensions proposing:

1. An obstruction up to 1.58m (approx. 5.18ft) on one side of the parking space for 15 parking spaces whereas By-law 0225-2007, as amended, permits a maximum obstruction on one side of a parking space of 1.00m (approx. 3.28ft) in this instance;
2. An obstruction up to 2.56m (approx. 8.40ft) on one side of the parking space for 2 parking spaces whereas By-law 0225-2007, as amended, permits a maximum obstruction on one side of a parking space of 1.00m (approx. 3.28ft) in this instance;
3. A parking space width of 2.54m (approx. 8.33ft) whereas By-law 0225-2007, as amended, requires a minimum parking space width of 2.60m (approx. 8.53ft) in this instance; and
4. A parking space width of 1.89m (approx. 6.20ft) and a parking space length of 4.52m (approx. 14.83ft) whereas By-law 0225-2007, as amended, requires a minimum parking space width of 2.60m (approx. 8.53ft) and a minimum parking space length of 5.20m (approx. 17.06ft) in this instance.

The Committee has set **Thursday, April 10, 2025 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

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

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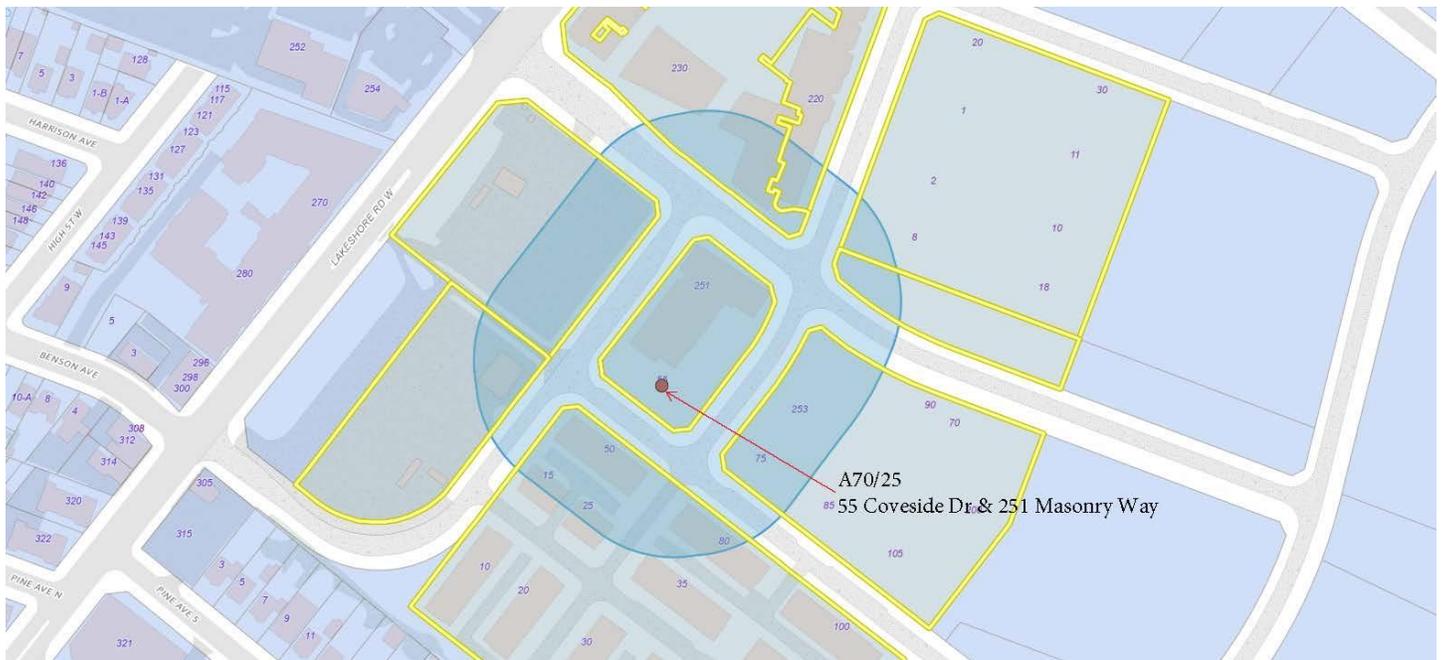
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Legal notice:

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-04-03	File(s): A70.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:4/10/2025 1:00:00 PM

Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the Applicant and area residents when assessing if the application meets the requirements of Section 45(1) of the Planning Act, subject to the recommended condition. 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 reduced parking space dimensions proposing:

1. An obstruction up to 1.58m (approx. 5.18ft) on one side of the parking space for 15 parking spaces whereas By-law 0225-2007, as amended, permits a maximum obstruction on one side of a parking space of 1.00m (approx. 3.28ft) in this instance;
2. An obstruction up to 2.56m (approx. 8.40ft) on one side of the parking space for 2 parking spaces whereas By-law 0225-2007, as amended, permits a maximum obstruction on one side of a parking space of 1.00m (approx. 3.28ft) in this instance;
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4. A parking space width of 1.89m (approx. 6.20ft) and a parking space length of 4.52m (approx. 14.83ft) whereas By-law 0225-2007, as amended, requires a minimum parking space width of 2.60m (approx. 8.53ft) and a minimum parking space length of 5.20m (approx. 17.06ft) in this instance.

Recommended Conditions and Terms

The applicant shall include a warning clause in Condominium Declaration to advise owners and potential purchasers of the size deficiency. The applicant shall register on title a warning clause identifying the parking spaces that are substandard in size.

Background

Property Address: 55 Covese Dr & 251 Masonry Way

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (West)
Designation: Residential High Density

Zoning By-law 0225-2007

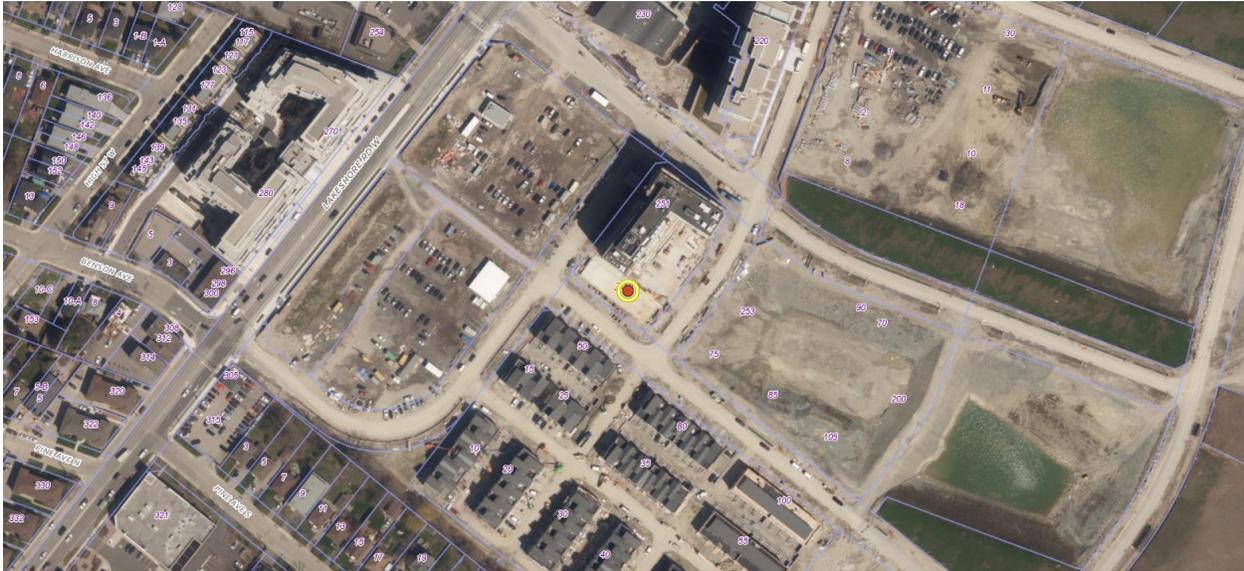
Zoning: RA3-36-Residential

Site and Area Context

The subject site is located within the Port Credit Neighbourhood (West) Character Area and forms part of the 29 hectare (72 acre) "Brightwater" development, located south-west of the Mississauga Road and Lakeshore Road West intersection. The immediate area consists of a range of residential, commercial and recreational uses. The Local Planning Appeal Tribunal (LPAT) (now Ontario Land Tribunal) through a settlement agreement between the applicant and the City approved an official plan and zoning amendment (OZ/OPA 17 12) which permitted a variety of uses including townhouses, mid and high-rise condominiums, retail, parkland and institutional uses on the 29-hectare (72-acre) site. A block plan accompanied the official plan and zoning by-law amendments. These applications added permissions for a variety of uses including townhouses, mid and high-rise condominiums, retail, parkland and institutional uses on the 29-hectare (72-acre) site.

The subject site is referred to as "Block G" (Block 7) within the Brightwater community (70 Mississauga Rd S & 181 Lakeshore Rd W).

The minor variance application is required to accommodate the as-built condition of residential parking spaces within the underground parking garage.



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 High Density in Schedule 10 of the Mississauga Official Plan (MOP), which permits apartment dwellings; uses permitted in the Residential Medium Density designation, accessory to apartment dwellings on the same property; and uses permitted in the Convenience Commercial designation at grade in apartment dwellings, except for commercial parking facilities, gas bars, and drive-through facilities.

The Site Plan Application for this block consisted of a 9-storey mid-rise building with 146 units adjacent to a block of 8 back-to-back townhomes and 4 townhomes was approved in April 2023.

The proposed variances pertain to 19 spaces (18 residential and 1 visitor) that are obstructed on one side or are deficient in width due to minor modifications made during the construction process.

The 19 obstructed parking spaces have minor deficiencies with respect to the width and length required by the zoning by-law, due to minor modifications during the construction process with regards to the addition of vertical pipes, fire extinguisher cabinets, and structure into and/or adjacent to parking spaces greater than 1.0 metre from the front or rear of the spaces. Planning

staff are satisfied that there will be no negative impact on the functionality of the parking spaces as the proposed dimensions represent minor deficiencies and can still accommodate vehicular parking.

Through a detailed review of the application, staff is 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 property were addressed as part of the previously approved Site Plan application SP-21/021 and Building Permit BP-9NEW 22/1262.

Comments Prepared by: John Salvino, Development Engineering Technologist



Appendix 2 – Zoning Comments

Zoning notes that the variances requested are the result of construction related modifications resulting after the Site Plan and Building Permit applications. 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: Carrie Chan Patch, Zoning Examiner

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 1340 Hickory Dr, zoned R3-Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance proposing a structure to be located in the front yard of a residential property whereas By-law 0225-2007, as amended, does not allow a structure to be located in the front yard of a residential property in this instance.

The Committee has set **Thursday, April 10, 2025 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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Additional Information:

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-04-03	File(s): A71.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:4/10/2025 1:00:00 PM

Consolidated Recommendation

The City recommends the application be refused.

Application Details

The applicant requests the Committee to approve a minor variance proposing a structure to be located in the front yard of a residential property whereas By-law 0225-2007, as amended, does not allow a structure to be located in the front yard of a residential property in this instance.

Background

Property Address: 1340 Hickory Dr

Mississauga Official Plan

Character Area: Rathwood Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3-Residential

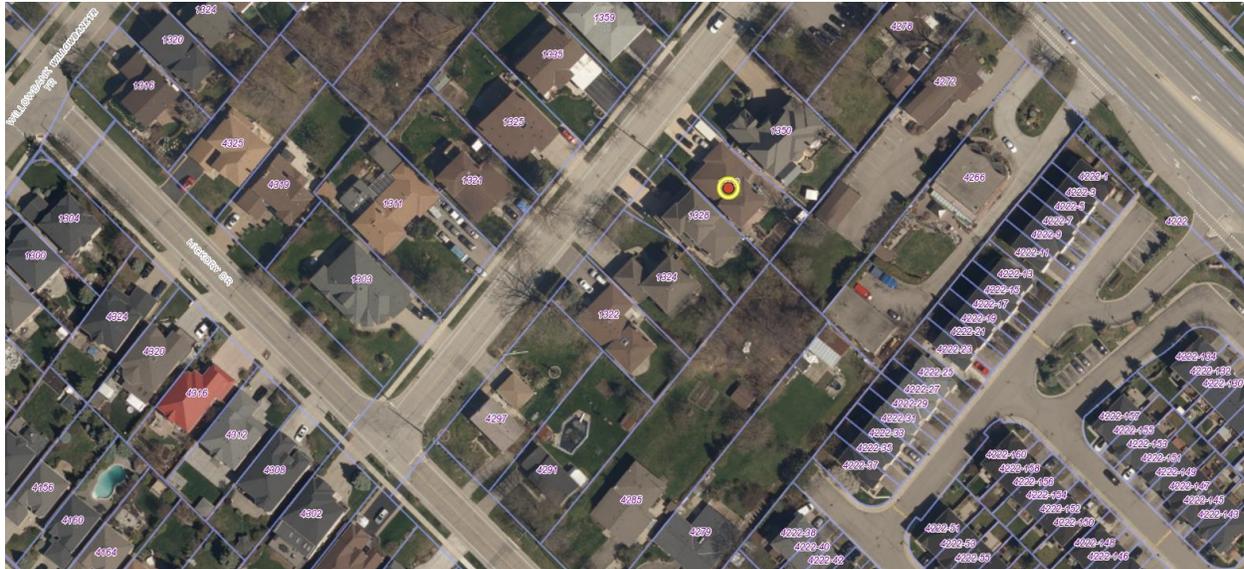
Other Applications: None

Site and Area Context

The subject property is located north-west of the Dixie Road and Rathburn Road East intersection in the Rathwood Neighbourhood Character Area. It is an interior lot containing a one-storey detached dwelling with an attached garage. Limited landscaping and vegetative

elements are present on the subject property. The property has an approximate frontage of +/- 15.35m (50.36ft) and a lot area of +/- 627.20m² (6,751.12ft²). The surrounding context is predominantly residential, consisting of detached dwellings on lots of varying sizes.

The applicant is proposing to legalize an existing structure in the front yard requiring a variance for the location of the structure.



Comments

Planning

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

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

Staff note the same proposal was supported by Planning staff and was subsequently approved for a temporary period of one (1) year by the Committee of Adjustment on January 11th, 2024 (A463.23). At the time, Planning staff noted there was an active building permit (BP 9ALT 14-1012) for interior alterations and first and second storey additions to the dwelling on the subject property. Section 2.1.21 in the zoning by-law references temporary buildings and structures can be used for a temporary period incidental to ongoing construction on the lot which has neither been finished or abandoned. Planning staff cited Section 2.1.21 and the active building permit as their rationale for supporting the proposal on a temporary basis.

Since the decision rendered by the Committee of Adjustment on January 11th, 2024, Municipal By-law Enforcement Officers and Building Inspectors have visited the subject property numerous times to identify whether the proposed works associated with the 2014 building permit were in progress. Building Inspection staff identified that the proposed works had never begun. On November 22nd, 2024, Building staff made the decision to revoke the 2014 building permit. A revocation letter was sent to the homeowner confirming that the 2014 building permit was no longer valid. Planning staff have confirmed there are no building permits that remain open on the subject property.

The subject property is located in the Rathwood Neighbourhood Character Area and is designated Residential Low Density I 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. The existing structure is not compatible with the surrounding area or existing neighbourhood conditions. Therefore, the proposal does not meet the general intent and purpose of the official plan.

The sole variance requests an existing structure be permitted to be located in the front yard. The City restricts structures in front yards in order to maintain a certain level of uniformity of the streetscape for aesthetic purposes. While staff note the structure is a construction trailer, there are no ongoing building permits corresponding to the subject property. With the accessory structure required to support dwelling renovations and the recent revoking of the building permit, staff are of the opinion that the existing accessory structure is not appropriately located on the subject property nor is it needed.

Given the above, Planning staff are of the opinion that the proposal does not meet the general intent and purpose of the official plan and zoning by-law, is not minor in nature and does not contribute to orderly development on the subject property.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's ease of reference are photos depicting the existing storage container on the driveway.





Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Carrie Chan Patch, Zoning Examiner

Appendix 3 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 4 – MTO

*The subject property described above appears to be located within the MTO Permit Control Area for Eastgate Parkway; 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. Of note, there does not appear to be a Building & Land Use Permit/ Application on file for the construction of the related detached single-family home. 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 for the same. The Applicant may apply for both structures on one application.

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 1987 Balsam Ave, zoned R3-2-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 an accessory structure proposing:

1. A rear yard setback of 0.914m (approx. 3.00ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 1.20m (approx. 3.94ft) in this instance;
2. An interior side yard setback of 0.914m (approx. 3.00ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) in this instance;
3. An accessory structure area of 30.10sq m (approx. 324.00sq ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 20.00sq m (approx. 215.28sq ft) in this instance; and
4. A height for an accessory structure of 3.95m (approx. 12.96ft) whereas By-law 0225-2007, as amended, permits a maximum height for an accessory structure of 3.50m (approx. 11.48ft) in this instance.

The Committee has set **Thursday, April 10, 2025 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

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- **In person:** The hearing will be held in person at Mississauga Civic Centre, Council Chambers, 300 City Centre Drive, 2nd Floor. Advance registration is preferred if you wish to speak at the hearing in person. If you wish to make a presentation you must send your request to speak and your presentation (as an attachment) via email to committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. A document projector will also be available, if preferred.
- **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.
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mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and the application file number or property address you are commenting on. If you wish to view the public hearing online and do not wish to speak, the hearing will be streamed at the following link: <http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>

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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/>.



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-04-03	File(s): A76.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:4/10/2025 1:00:00 PM

Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application meets the requirements of Section 45(1) of the Planning Act, subject to the recommended condition. 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 an accessory structure proposing:

1. A rear yard setback of 0.914m (approx. 3.00ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 1.20m (approx. 3.94ft) in this instance;
2. An interior side yard setback of 0.914m (approx. 3.00ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) in this instance;
3. An accessory structure area of 30.10sq m (approx. 324.00sq ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 20.00sq m (approx. 215.28sq ft) in this instance; and
4. A height for an accessory structure of 3.95m (approx. 12.96ft) whereas By-law 0225-2007, as amended, permits a maximum height for an accessory structure of 3.50m (approx. 11.48ft) in this instance.

Recommended Conditions and Terms

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

The structure be equipped with an eaves trough and down spout directed in such a manor to not impact any of the adjacent properties.

Background

Property Address: 1987 Balsam Ave

Mississauga Official Plan

Character Area: Clarkson - Lorne Park Neighborhood
Designation: Residential Low Density II

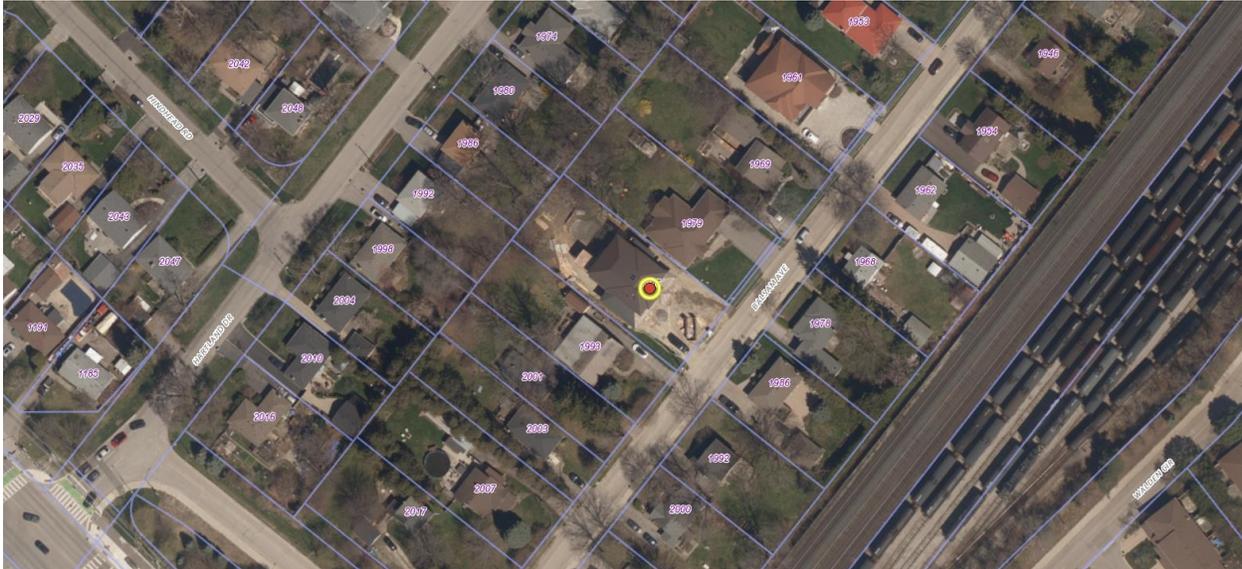
Zoning By-law 0225-2007

Zoning: R3-2-Residential
Other applications: Building Permit application BP 9NEW 25-5918.

Site and Area Context

The subject property is located northeast of the Southdown Road and Lakeshore Road West intersection. Currently the property houses a two-storey, detached dwelling with an attached garage. There are limited vegetative and landscape elements on the property. The immediate neighbourhood is comprised primarily of two-storey detached dwellings on lots of similar sizes.

The applicant is proposing an accessory structure requesting variances for rear yard setback, side yard setback, accessory structure area and height.



Comments

Planning

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

Staff comments concerning the application are as follows:

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

Variations #1 and #2 seek to reduce the rear and side yard setbacks measured to the existing accessory structure. Variations #3 and #4 pertain to accessory structure area and height. The general intent in regulating accessory structure setbacks is to ensure that an adequate buffer exists between the massing of structures on adjoining properties, that maintenance can be performed on the structures, and that appropriate drainage patterns can be maintained. Furthermore, that the structures are proportional to the lot and dwelling and clearly accessory while not presenting any massing concerns to neighbouring lots.

Staff are satisfied that the reduced setbacks will not impact the ability to perform any required maintenance on the structure. Staff note that the structure represents approximately 2.25% of the total lot area and is clearly accessory to the primary structure on the property. Staff are satisfied that any massing impacts on abutting properties are minor in nature. Staff also note that the height

variance is required only for the sloped portion of the roof. Lastly, the Transportation & Works Department has reviewed the application and note no drainage 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 accessory will be addressed by our Development Construction Section through Building Permit BP 9NEW-25/5918. We ask that the structure be equipped with an eaves trough and down spout directed in such a manor to not impact any of the adjacent properties.

Comments Prepared by: John Salvino, Development Engineering Technologist



Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application BP 9NEW 25-5918. 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: 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

Appendix 4 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 5 – Metrolinx

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

GO/HEAVY-RAIL – ADVISORY COMMENTS

- As the requested variances have minimal impact on Metrolinx property (i.e. Milton Corridor), Metrolinx has no objections to the specified variances should the Committee grant approval.
- The Proponent is advised of the following:
 - **Warning:** The Applicant is advised that the subject land is located within Metrolinx's 300 metres railway corridor zone of influence and as such is advised that Metrolinx and its assigns and successors in interest has or have a right-of-way within 300 metres from the subject land. The Applicant is further advised that there may be alterations to or expansions of the rail or other transit facilities on such right-of-way in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx to use the right-of-way or their assigns or successors as aforesaid may expand or alter their operations, which expansion or alteration may affect the environment of the occupants in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual lots, blocks or units

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

Comments Prepared by: Jenna Auger, Third Party Project Review

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 4293 Poltava Cres, zoned RM1-3 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 new walkout basement stairs and permit the existing linked dwelling to remain on the subject property and any additions/alterations to be developed in accordance with the RM1-3 regulations whereas By-law 0225-2007, as amended, does not permit a linked dwelling in a RM1-3 in this instance.

The Committee has set **Thursday, April 10, 2025 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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

Additional Information:

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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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- You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>.
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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: 2025-04-03	File(s): A77.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:4/10/2025 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of new walkout basement stairs and permit the existing linked dwelling to remain on the subject property and any additions/alterations to be developed in accordance with the RM1-3 regulations whereas By-law 0225-2007, as amended, does not permit a linked dwelling in a RM1-3 in this instance.

Background

Property Address: 4293 Poltava Cres

Mississauga Official Plan

Character Area: Rathwood Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

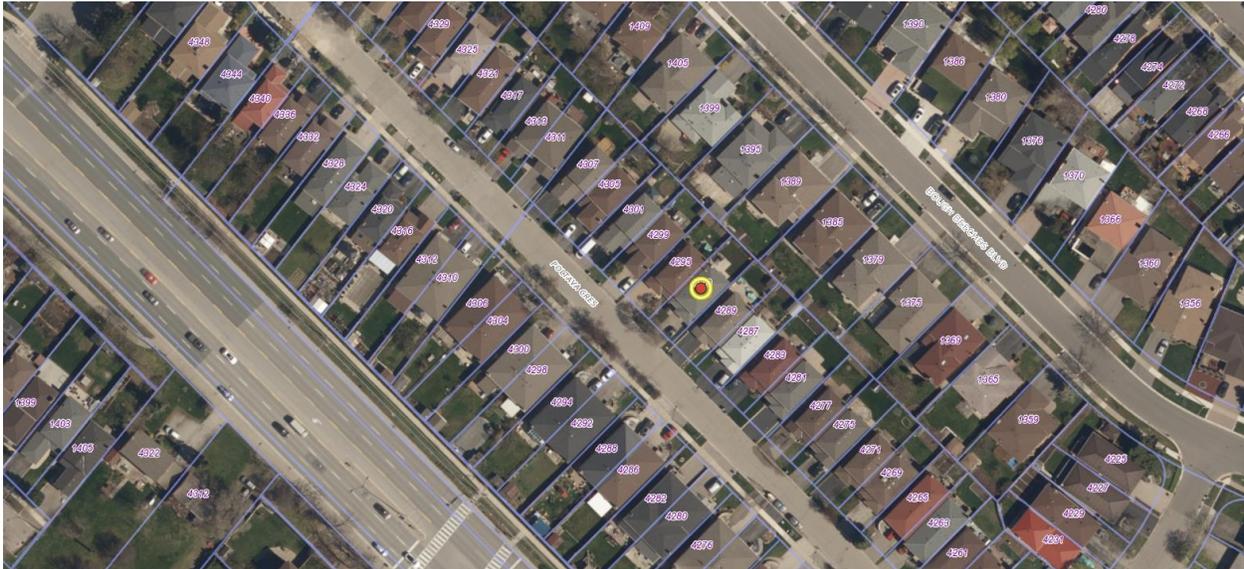
Zoning: RM1-3 Residential

Other Applications: BP 23-9612

Site and Area Context

The subject property is located north-east of the Dixie Road and Rathburn Road East intersection in the Rathwood Neighbourhood Character Area. It is an interior lot containing a two-storey detached dwelling with an attached garage. Limited landscaping and vegetative elements are present through the subject property. The surrounding area context is exclusively residential, consisting of detached and semi-detached dwellings on similarly sized lots.

The applicant is proposing to construct a below grade entrance requiring a variance for a linked dwelling use.



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 Rathwood Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). 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 proposal maintains the existing use and will not pose negative impacts on the surrounding

community. 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?

The sole variance seeks to permit exterior alterations (below grade entrance) to an existing linked dwelling. The subject property is zoned RM1-3 which does not permit linked dwellings. Staff note the linked dwelling was built in 1980, in compliance with the zoning by-law at that time. The adoption of By-law 0225-2007 removed linked dwellings as a permitted housing form in all zones. Recognizing that the dwelling was constructed in conformity with the by-law in place at that time, which legally permitted the use, the impact of the housing form will not negatively impact the existing neighbourhood. Staff are of the opinion that the application is technical in nature and appropriate to be handled through the minor variance process. Furthermore, the request raises no concerns of a planning nature.

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

Staff are of the opinion that the proposal represents appropriate development of the subject property, and that the application is minor in nature. There are no impacts to the streetscape and abutting properties.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

The Transportation and Works Department has no objections to the proposed walkout basement stairs as they will not impact or alter the existing grading and drainage pattern on the subject site.





Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application 23-9612. 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: Andrew Wemekamp, 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

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 5 – MTO

*The subject property described above appears to be located within the MTO Permit Control Area for Eastgate Parkway; 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: A202.24
Ward: 5

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 3091 Bonaventure 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 lot coverage of 30.69% (192.50sq m) whereas By-law 0225-2007, as amended permits a maximum lot coverage of 30% (188.12sq m) in this instance; and,
2. A gross floor area of 327.30sq m (approx. 3523.03sq ft) whereas By-law 0225-2007, as amended permits a maximum gross floor area of 275.41sq m (approx. 2964.49sq ft) in this instance.

The Committee has set **Thursday, April 10, 2025 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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

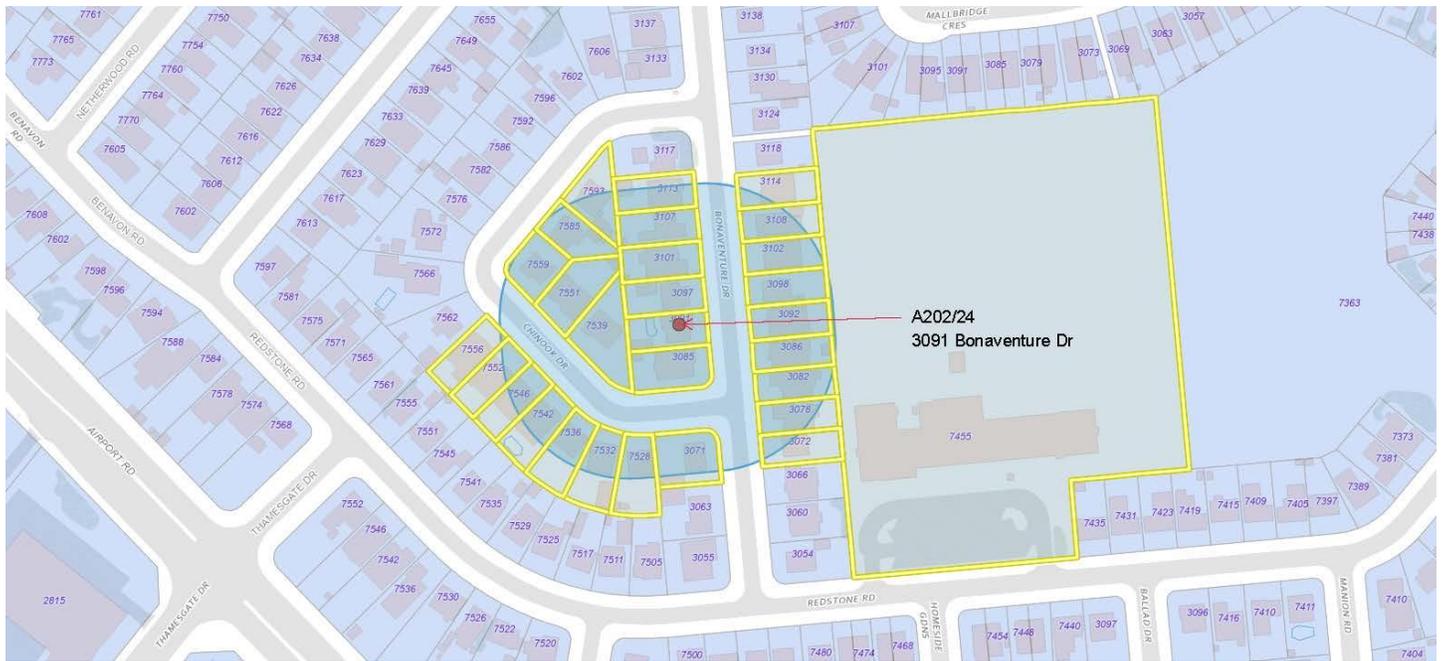
<http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>

Additional Information:

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-04-03	File(s): A202.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:4/10/2025 1:00:00 PM

Consolidated Recommendation

The city has no objections to the application.

Application Details

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

1. A lot coverage of 30.69% (192.50sq m) whereas By-law 0225-2007, as amended permits a maximum lot coverage of 30% (188.12sq m) in this instance; and,
2. A gross floor area of 327.30sq m (approx. 3523.03sq ft) whereas By-law 0225-2007, as amended permits a maximum gross floor area of 275.41sq m (approx. 2964.49sq ft) in this instance.

Background

Property Address: 3091 Bonaventure Drive

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

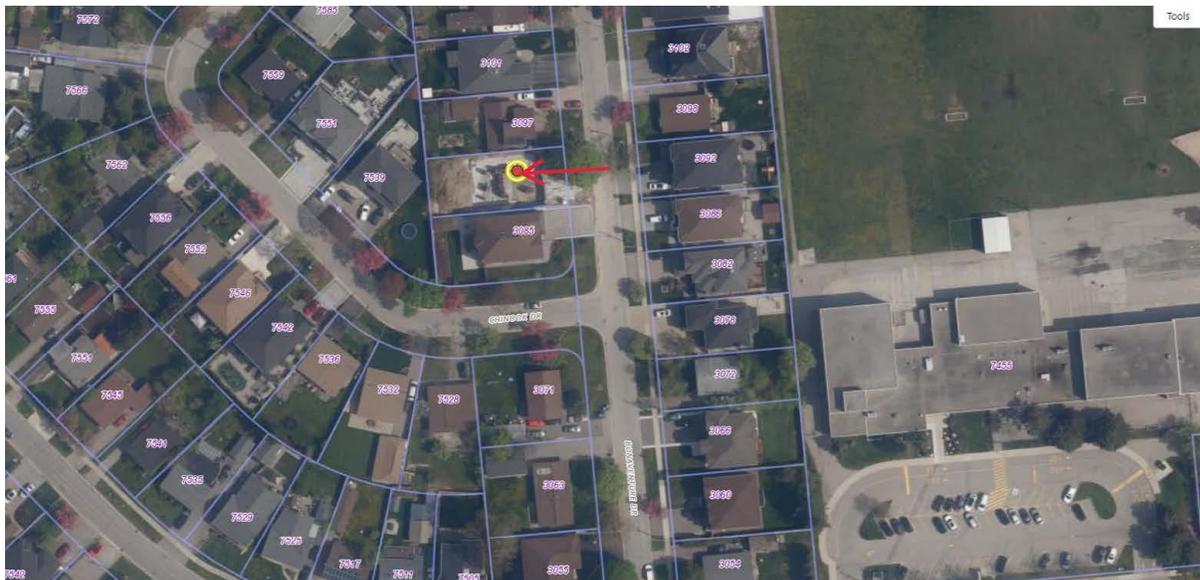
Zoning: R3-69-Residential

Other Applications: BP 9ALT 23-9789

Site and Area Context

The subject property is located north-east of the Airport Road and Thamesgate Drive intersection in the Malton Neighbourhood. It has a lot area of +/- 627.08m² (6,749.83ft²), a lot frontage of +/- 16.46m (54ft), and currently contains a single storey detached dwelling with minimal vegetation and landscaping elements in the front and rear yards. The surrounding neighbourhood consists of older single storey detached homes, as well as newer two storey detached dwellings on similarly sized lots.

The applicant is proposing to construct a new two-storey dwelling requiring variances for lot coverage and gross floor area.



Comments

Planning

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

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

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

The application proposes increases in the lot coverage and gross floor area. Staff note a previous application (A188.21) for the construction of a new dwelling was approved by the Committee of Adjustment on September 9th, 2021. Included within the approval was a gross floor area variance of 332.20m² (3,575.89ft²), which is greater than what the applicant is requesting in this application. Additionally, Staff note that this application was before committee on July 18th, 2024, and was deferred by city staff to address TRCA comments regarding the subject property being located within the Regulatory Floodplain.

While staff do not have any concerns with the proposed lot coverage variance, staff note that the Toronto and Region Conservation Authority had raised concerns about portions of the subject property being located within the Regulatory Floodplain in the previous submission. Since resubmitting to the committee, TRCA staff have had the opportunity to complete the application review and have stated that the TRCA has no objection to the approval of the application.

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 new dwelling will be addressed through the Building Permit Process (BP 9ALT 23-9789).



Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Division is processing a Building Permit application BP 9ALT 23-9789. 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: Maria Fernandez, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

Forestry Comments

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

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

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

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

Comments Prepared by: Jamie Meston, Landscape Technician

Appendix 4 – Region of Peel Comments

Minor Variance: A-24-202M / 3091 Bonaventure Drive

Development Engineering: Brian Melnyk (905) 791-7800 x3602

Comments:

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

Planning: Petrele Francois (905) 791-7800 x3356

Comments:

• The subject land is located in the regulated and floodplain area of the Toronto & Region Conservation Authority (TRCA). The Regional Official Plan (ROP) designates floodplains as a natural hazard under Policy 2.16.11. Within this designation, ROP policies seek to ensure that development and site alterations do not create new or aggravate existing flood plain management problems along flood susceptible riverine environments. We rely on the environmental expertise of the TRCA for the review of development applications located within or adjacent the regulated area in Peel. We, therefore, request that City staff consider comments from the TRCA and incorporate their conditions of approval appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the TRCA.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 5 – Toronto and Region Conservation Authority Comments

TRCA staff have reviewed the application in accordance with the Conservation Authorities Act (CA Act) and its associated regulations, which require TRCA to provide programs and services related to the risk of natural hazards within its jurisdiction. Whether acting on behalf of the Ministry of Natural Resources (MNR) or as a public body under the Planning Act, Conservation Authorities (CAs) must help ensure that decisions under the Planning Act are consistent with the natural hazards policies of the Provincial Planning Statement (PPS) and conform to any natural hazard policies in a Provincial Plan.

In addition, TRCA staff have also reviewed these applications in accordance with TRCA's permitting responsibilities under Section 28.1 of the CA Act. Where development activities are proposed within a TRCA Regulated Area (i.e., river or valley, wetlands, hazardous lands, etc.), a permit is required from TRCA. TRCA must ensure that where a proposal is within an area regulated by TRCA, that the proposal conforms with the appropriate policies of Section 8 of TRCA's Living City Policies (LCP), which evaluate a proposal's ability to meet the tests of the CA Act and regulation.

Purpose of the Application

TRCA staff understand that the purpose of Minor Variance Application is to allow the construction of a new house proposing:

1. A lot coverage of 30.69% (192.50 sq.m.) whereas By-law 0225-2007, as amended permits a maximum lot coverage of 30% (188.12 sq.m.) in this instance; and,
2. A gross floor area of 327.30 sq.m. (approx. 3523.03 sq.ft.) whereas By-law 0225-2007, as

amended permits a maximum gross floor area of 275.41sq m (approx. 2964.49 sq.ft.) in this instance.

It is our understanding that the requested variances are required to facilitate the replacement of a one-story dwelling with a gross floor area of 148.30 sq.m. with a two-story dwelling with a gross floor area of 327.30 sq.m. (with a below-grade entrance).

The proposed works also include the development of a 48.31 sq. m. (519 sq. ft.) pool, and a 25.56 sq. m. (274 sq. ft.) cabana.

Background

On November 15, 2024, TRCA issued permit no. PER-DPP-2024-00550 to construct a replacement 176.74 sq. m. (1894 sq. ft.) two storey dwelling with a walkout basement, 48.31 sq. m. (519 sq. ft.) pool, and 25.56 sq. m. (274 sq. ft.) cabana. The approved plans demonstrate that the current grade on the property is above the Regional Storm flood elevation and would be outside of the flood hazard. Further, all new openings also meeting dry passive floodproofing requirements including vertical buffer.

TRCA staff previously provided comments on Minor Variance A202.24 (July 3, 2024) and A188/21 (August 2021) and recommended deferral and conditional approval respectively. TRCA Permits were never issued for the proposals in these applications.

CA Act and O. Reg. 41/24

Given the above noted natural features and natural hazards, the subject lands are entirely located within TRCA's Regulated Area of the Mimico Creek Watershed and are subject to O. Reg. 41/24 and the CA Act. TRCA Permits were obtained by the applicant on November 15, 2024.

Application Specific Comments

The subject property is within TRCA's Regulated Area of the Mimico Creek Watershed owing to the proximity of a Regulatory Flood Plain associated with the Malton Flood Spill in close proximity to the rear yard. Based on our latest preliminary 2D modeling results, a small portion of the front yard and a large portion of the rear yard of the subject property is located within the Regulatory Flood Plain. The Water Surface Elevation at the rear is 172.095 masl and the WSE at the front is 172.079masl. Based on the approved permit plans, the existing house is not within the Flood Plain and the current grade on the property is above the Regional Storm flood elevation. Further, all new openings also meeting dry passive floodproofing requirements including vertical buffer.

Recommendation

As currently submitted, TRCA staff are of the opinion that the Minor Variance Application assigned City File No. **A202.24** is consistent with Provincial policy. Specifically, Section 5

(Natural Hazards) of the PPS. Additionally, it is staff's position that these applications conform with TRCA's LCP policies. As such, TRCA has **no objection** to the approval of the application.

Fees

We thank the applicant for the prompt payment of \$660.00 on June 25, 2024 during the first circulation of this minor variance application.

Comments Prepared by: Marina Janakovic, Planner I

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 3703 Broomhill Cres, zoned RM1 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an accessory structure proposing:

1. An combined occupied area for all accessory buildings and structures of 34.86sq.m (approx. 375.23sq.ft) whereas By-law 0225-2007, as amended, permits a maximum combined occupied area for all accessory buildings and structures of 30.00sq.m (approx. 322.92sq.ft) in this instance;
2. A height of 4.33m (approx. 14.21ft) whereas By-law 0225-2007, as amended, permits a maximum height of 3.00m (approx. 9.84ft) in this instance;
3. A rear yard of 0.25m (approx. 0.82ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 0.61m (approx. 2.00ft) in this instance;
4. An area of 18.58sq.m (approx. 199.99sq.ft) whereas By-law 0225-2007, as amended, permits a maximum area of 10.00sq.m (approx. 107.64sq.ft) in this instance; and
5. A lot coverage of 50.50% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35% of the lot area in this instance.

The Committee has set **Thursday, April 10, 2025 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

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

- **In person:** The hearing will be held in person at Mississauga Civic Centre, Council Chambers, 300 City Centre Drive, 2nd Floor. Advance registration is preferred if you wish to speak at the hearing in person. If you wish to make a presentation you must send your request to speak and your presentation (as an attachment) via email to committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. A document projector will also be available, if preferred.
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-04-03	File(s): A603.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:4/10/2025 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

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

1. An combined occupied area for all accessory buildings and structures of 34.86sq.m (approx. 375.23sq.ft) whereas By-law 0225-2007, as amended, permits a maximum combined occupied area for all accessory buildings and structures of 30.00sq.m (approx. 322.92sq.ft) in this instance;
2. A height of 4.33m (approx. 14.21ft) whereas By-law 0225-2007, as amended, permits a maximum height of 3.00m (approx. 9.84ft) in this instance;
3. A rear yard of 0.25m (approx. 0.82ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 0.61m (approx. 2.00ft) in this instance;
4. An area of 18.58sq.m (approx. 199.99sq.ft) whereas By-law 0225-2007, as amended, permits a maximum area of 10.00sq.m (approx. 107.64sq.ft) in this instance; and
5. A lot coverage of 50.50% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35% of the lot area in this instance.

Amendments

The Building Department is processing Building Permit application 24-212. Based on review of the information available in this application, we advise that following amendment(s) is/are required:

4. An area of 31.22sq.m (approx. 336.05sq.ft) whereas By-law 0225-2007, as amended, permits a maximum area of 10.00sq.m (approx. 107.64sq.ft) in this instance; (Reason - Eaves overhang on shed, greater then 0.45m wide, added to Accessory Structure Area.)

Background

Property Address: 3703 Broomhill Cres

Mississauga Official Plan

Character Area: Applewood Neighbourhood

Designation: Residential Low Density II

Zoning By-law 0225-2007

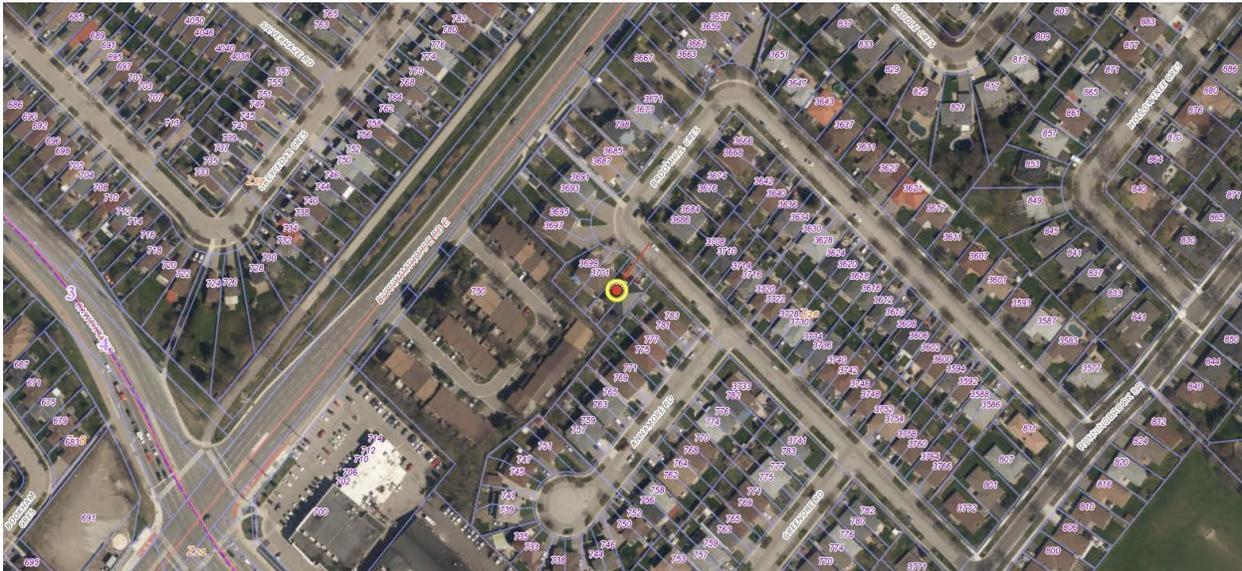
Zoning: RM1 - Residential

Other Applications: BP 24-212

Site and Area Context

The subject property is located north-east of the Burnhamthorpe Road East and Cawthra Road intersection in the Applewood Neighbourhood Character Area. It has an approximate lot frontage of +/- 8.33m (30ft) and a lot area of +/- 360.44m² (1,191.06ft²). Currently the property contains a two-storey semi-detached dwelling with an attached garage. The lot features limited vegetative and landscaping elements in both the front and rear yard. The surrounding area context is predominantly residential consisting of semi-detached dwellings on similarly sized lots, and townhouse dwellings located to the rear of the property.

The Applicant is proposing to construct an accessory structure requiring variances for accessory structure combined area, accessory structure area and height, rear yard setback to the eaves and lot coverage.



Comments

Planning

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

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

Planning staff note the applicant requested deferral of the application on January 30th, 2025, to verify that the correct variances were identified. In the previous Committee of Adjustment report, Zoning staff noted the applicant had not gone through a full review and that the variances could not be confirmed. Since then, a full review has been completed, and Zoning staff have amended variance #4 and confirmed the accuracy of the other variances.

Requested variances #1, 2 and 3 and the associated staff comments remain unchanged from the original submission.

Variance 4 relates to both the individual and combined area of the proposed accessory structure(s) on the subject property. The accessory structure area exceeds both the individual maximum area permitted for an individual accessory structure and total combined area for all accessory structures. The proposed accessory structure has a total area of 31.22m² (102.42ft²), of which the eaves of the accessory structure account for 12.64m² (136.05ft²). The massing impacts of the proposed shed, excluding eaves, would be less than the permitted three structures as of right. When combining the total area dedicated for all accessory structures, both existing and proposed, the proposal will result in a total accessory structure area of 34.86m² (375.22ft²), 4.86m² (15.94ft²) more than what is permitted as of right. The proposed increase in total accessory structures area is within the acceptable combined accessory structure area

limits. Staff are of the opinion that the proposed structure is clearly proportional and accessory to the lot and primary dwelling and will have no significant massing impacts on the surrounding properties.

Variance #5 requests an increase in lot coverage. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot that would impact the streetscape and abutting properties. Staff note the existing dwelling, and eaves account for approximately 37.13% of the lot coverage, furthermore, approximately 4.7% is attributed to the existing balcony, front porch and gazebo. Of the 50.5% lot coverage the proposed accessory structure and eaves account for an 8.67%, of which 3.5% is resulting from the eaves of the shed. Staff note that of the lot coverage that is being requested to accommodate the shed, 40.5% is attributed to the eaves. Staff are therefore of the opinion the proposed accessory structure does not represent an overdevelopment of the subject property and will not impose any massing concerns to the surrounding neighbourhood.

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

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

Comments Prepared by: Sara Ukaj, Planning Associate

Appendices

Appendix 1 – Transportation and Works Comments

From our site inspection of the property, we note that we do not foresee any drainage related concerns with the accessory structure provided that the existing drainage pattern be maintained. We note that the rear yard slopes towards the rear where drainage is directed towards an existing catch basin located on the abutting townhouse development located at 750 Burnhamthorpe Road East.







Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application 24-212. Based on review of the information available in this application, we advise that following amendment(s) is/are required:

#4 – Updated to "An area of 31.22sq.m (approx. 336.05sq.ft) whereas By-law 0225-2007, as amended, permits a maximum area of 10.00sq.m (approx. 107.64sq.ft) in this instance;" (Reason - Eaves overhang on shed, greater then 0.45m wide, added to Accessory Structure 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: Andrew Wemekamp, 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

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner



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, April 10, 2025 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

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

- **In person:** The hearing will be held in person at Mississauga Civic Centre, Council Chambers, 300 City Centre Drive, 2nd Floor. Advance registration is preferred if you wish to speak at the hearing in person. If you wish to make a presentation you must send your request to speak and your presentation (as an attachment) via email to committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. A document projector will also be available, if preferred.

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

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

Additional Information:

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

Committee of Adjustment Appeal Process:

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



Legal notice:

Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual (including being posted on the internet) upon request in

accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x5507.

Date Finalized: 2025-04-03 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): A13.25
	Meeting date:4/10/2025 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a 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 Department is processing Building Permit application 24-4420. Based on review of the information available in this application, Zoning staff advise that the following variances need to be amended:

- #1. A lot area of 787.19sq 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 6.21 m whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 7.50m (approx. 24.61ft) in this instance;
- #6. A setback to the column of 5.53m (approx. 18.14ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 6.90m in this instance;

Background

Property Address: 1598 Calverton Crt

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density I

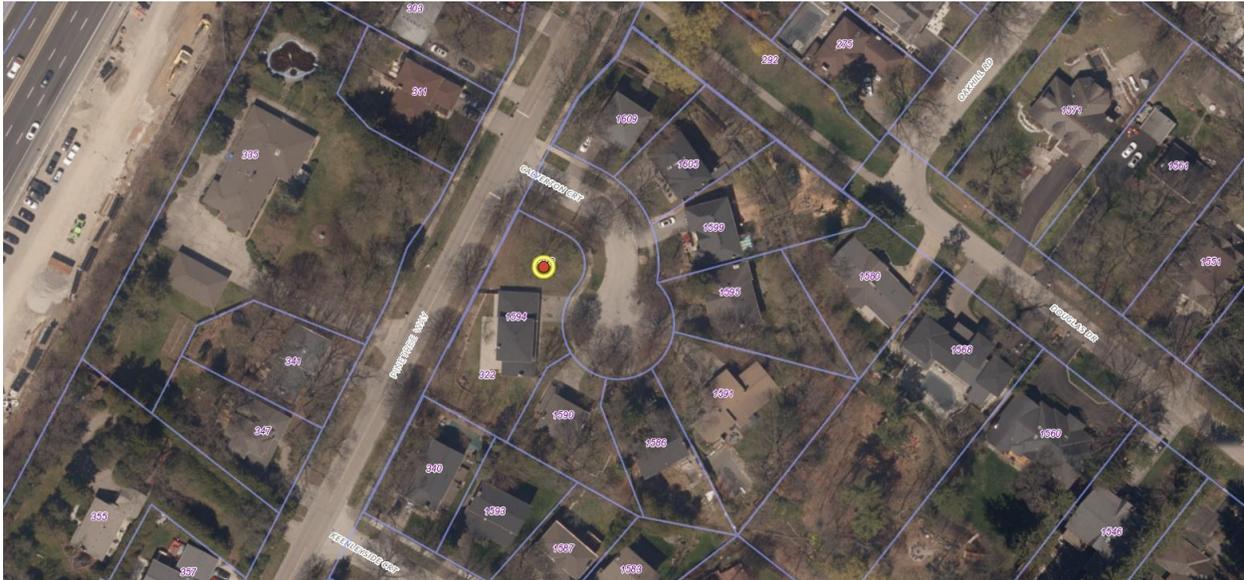
Zoning By-law 0225-2007

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 lot area, dwelling depth, flat roof height and setbacks.



Comments

Planning

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

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

Staff note that the property has been subject to multiple Committee of Adjustment applications previously.

The Committee approved applications B45.21, A293.21 and A294.21 on December 2nd, 2021. The applications were subsequently closed/withdrawn by the applicant.

The subject property was again before the Committee under files B28.24, A118.24 and A119.24 on June 20, 2024. The applications were supported by staff and provisionally approved.

The current application was before the Committee of Adjustment on February 27, 2025, wherein the file was deferred to allow the applicant an opportunity to finalise the consent application and to capture all required variances through a fulsome Zoning review. Staff have received confirmation from the applicant that the consent has been finalised, and Zoning staff have vetted the variances. Staff comments pertain to the amended variances.

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

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP), which permits 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 pertains to lot area. Staff note the lots were approved as part of a consent application under file B28.24, A118.24 and A119.24, wherein a similar variance for lot area was approved. Staff are satisfied that the proposed lot remains consistent in size with lots found within the immediate area.

Variance #2, #5, #6, #7, #8, #9 all pertain to setbacks measured to various elements of the dwelling. Staff note similar variances were previously approved and staff had supported the variances. Staff are satisfied that the requested variances represent a minor deviation from the minimum setback requirements. Staff have no concerns with the requested variances, as they are consistent with setbacks found within the immediate area.

Variance #3 pertains to dwelling depth. Planning staff are of the opinion that the requested dwelling depth is minor. Furthermore, the dwelling contains architectural features and building materials that break up its massing therefore the additional depth will not pose massing concerns for adjacent properties.

Variance #4 requests an increase in the flat roof height. Staff note that the increase is measured only to a small portion on the roof, which is further sloped in design. The dwelling itself has a height of 7.5m (24.61ft), which meets the zoning requirements. As such, staff are satisfied that the increase in height has a very limited impact on the neighbouring properties and the streetscape.

Given the above, 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 requested variances represent appropriate development of the lands. The request is minor and 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

As per our previous comments for the February 25, 2025 hearing We note that any Transportation and Works Department concerns/requirements for the proposed golf simulator building 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 Department is processing Building Permit application 24-4420. Based on review of the information available in this application, we advise that the following amendments are required:

1. A lot area of 787.19sq 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 6.21 m whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 7.50m (approx. 24.61ft) in this instance;
6. A setback to the column of 5.53m (approx. 18.14ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 6.90m in this instance;

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

Comments Prepared by: Sibila Lass Weldt, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

Forestry Comments

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

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

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

