
Committee of Adjustment

Date: May 1, 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

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905-615-3200 ext.5507 or 8246
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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 B74.24 A570.24 A571.24
5787 Hurontario St & 20 Traders Blvd E (Ward 5)

4.2 A54.25
2985 Drew Rd, Unit 118 (Ward 5)

4.3 A97.25
7060 Old Mill Lane (Ward 11)

4.4 A98.25
4100 Ponytrail Dr & 1850 Rathburn Rd E (Ward 3)

4.5 A100.25
2616 Cynara Rd (Ward 7)

4.6 A101.25
2220 Parker Dr (Ward 7)

4.7 A102.25
6340 Kindree Cir (Ward 9)

4.8 A111.25
1077 Orchard Rd (Ward 1)

4.9 A192.24
0 Stavebank Rd (Ward 1)

4.10 A579.24
916 Stainton Dr (Ward 6)

4.11 A35.25
6249 Prairie Cir (Ward 10)

5. OTHER BUSINESS

6. ADJOURNMENT



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: B74.24 A570.24 A571.24
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 5787 Hurontario St & 20 Traders Blvd E, zoned O3-1 - Office, has applied for consent under Section 53 and minor variance(s) under Section 45 of the Planning Act. B74.24

The applicant requests the Consent of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 69.62sq. m (approx. 749.39sq ft) and an area of approximately 00.60ha (approx. 64584.00sq ft).

A570.24

The applicant requests a minor variance for the retained lands of B74/24 proposing:

1. A front yard setback of 2.50m (approx. 8.20ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 3.00m (approx. 9.84ft) in this instance;
2. A landscape buffer of 2.50m (approx. 8.20ft) whereas By-law 0225-2007, as amended, requires a minimum landscape buffer of 4.50m (approx. 14.76ft) in this instance.

A571.24

The applicant requests a minor variance for the severed lands of B74/24 proposing:

1. A permanent outdoor patio whereas By-law 0225-2007, as amended, does not allow a permanent outdoor patio in this instance;
2. 1 loading spaces whereas By-law 0225-2007, as amended, requires a minimum of 2 loading spaces in this instance;
3. A front yard setback of 1.90m (approx. 6.23ft) in O3 Zone and E1 Zone whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 3.00m (approx. 9.84ft) in O3 Zone and a minimum front yard setback of 4.50m (approx. 14.76ft) in E1 Zone in this instance;
4. A landscape buffer from a lot line that is a street line of 1.90m (approx. 6.23ft) whereas By-law 0225-2007, as amended, requires a minimum landscape buffer from a lot line that is a street line of 3.00m (approx. 9.84ft) in this instance; and
5. A landscape buffer abutting a commercial zone of 0m whereas By-law 0225-2007, as amended, requires a minimum landscape buffer abutting a commercial zone of 3.00m (approx. 9.84ft) in this instance.

The Committee has set **Thursday, May 1, 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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- **By telephone:** Advance registration is required to speak virtually at the hearing. To register, please call 905-615-3200 x5507 by 4:30 PM on the Friday prior to the hearing. You must provide your name, phone number, and the application file number. Committee staff will provide you with call in details prior to the start of the hearing.
- **Submit a written comment:** Written comments to the Committee must be received no later than 4:30 p.m. on the Friday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and the application file number or property address you are commenting on.

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

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Additional Information:

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

Committee of Adjustment Appeal Process:

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



Legal notice:

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

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-04-24	File(s): B74.24 A570.24 A571.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 5/1/2025 1:00:00 PM

Consolidated Recommendation

The City recommends no objections to the consent and associated minor variance applications, subject to the conditions.

Application Details

B74.24

The applicant requests the Consent of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 69.62sq. m (approx. 749.39sq ft) and an area of approximately 00.60ha (approx. 64584.00sq ft).

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Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent
- The variance application approved under File(s) 'A570.24 & A571.24 must be finalized
- Should the Committee find merit in the application, Planning staff recommend the following condition:
 1. Evidence that the two properties are merged prior to the finalization of the consent application.

Recommended Conditions and/or Terms of minor variance

- Variance(s) approved under file(s) 'A570.24 & A571.24' shall lapse if the consent application under file 'B74.24' is not finalized within the time prescribed by legislation.
- The Forestry Section of the Community Services Department has reviewed the above noted consent/minor variance applications. Should the application be approved, Forestry wishes to impose the following conditions:
 1. The applicant shall provide a cash contribution of \$21,885.25 for the planting of twenty-five (25) street trees on Hurontario St. and 20 Traders Blvd. E. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.

Background

Property Address: 5787 Hurontario St & 20 Traders Blvd E

Mississauga Official Plan

Character Area: Gateway Corporate Centre

Designation: Office

Zoning By-law 0225-2007

Zoning: O3-1 - Office

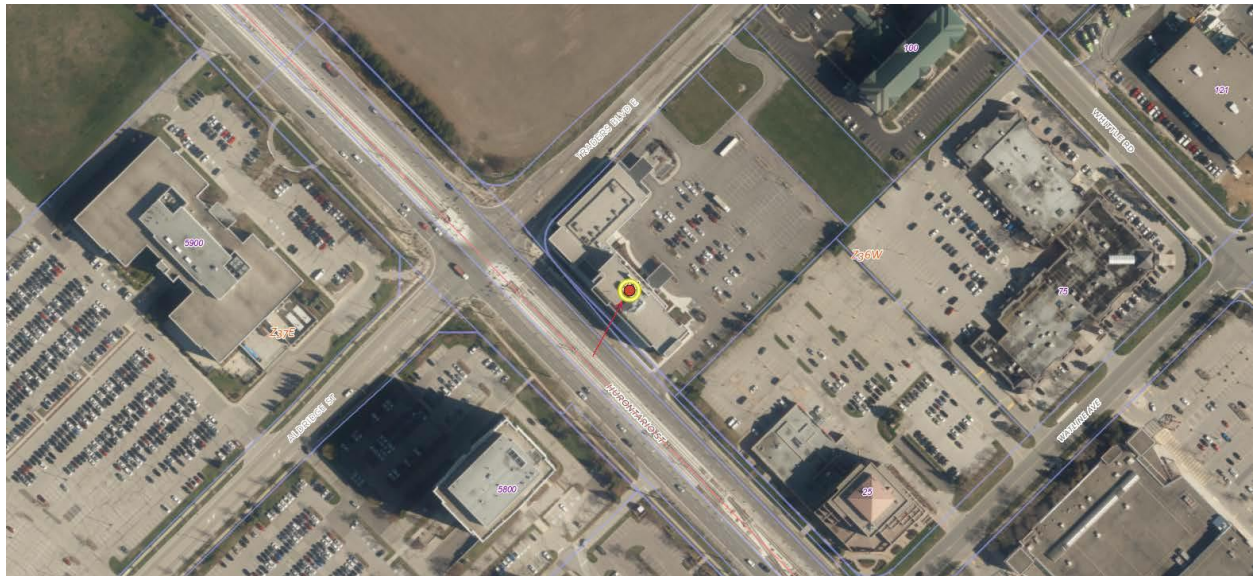
Other Applications: SP 24-57

Site and Area Context

The subject property is located on the south-east corner of the Hurontario Street and Traders Boulevard intersection in the Gateway Corporate Centre Character Area. It is a corner lot, containing a six-storey hotel with an attached banquet hall on the ground floor and an associated surface parking lot. Limited vegetation and landscaping elements are present throughout the subject property. The surrounding area context contains a mix of office, commercial and employment uses, as well as vacant lands, with varying built forms on lots of varied sizes.

The applicant is proposing to sever the existing parcels into two lots, requiring variances on both the retained and severed lands for front yard setback, landscaped buffers, a permanent outdoor patio use and loading spaces.

Planning staff note the subject property is split zoned as O3-1 (Office) and E1 (Employment). The eastern portion of the subject property, municipally known as 0 Traders Boulevard East, is a separate parcel which forms part of the subject property at 5787 Hurontario Street. Staff note due to the split zoning on the parcels, the lot lines for 0 Traders Boulevard East are aligned with the E1 zoning designation. While the proposal aims to sever the property into two distinct parcels, staff note two parcels already legally exist on the subject property. Through conversations with the applicant, Development Planning staff have indicated that the two existing parcels will need to be merged in order to facilitate the proposed severance.



Comments

Planning

Provincial Matters

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

Planning Act

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

Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to grant relief from the requirements of a municipal zoning by-law. In evaluating such requests, the Committee needs to be satisfied that the proposal meets the four tests set out in the *Planning Act*.

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

The subject property is located in the Gateway Corporate Centre Character Area and is designated Office. The designation permits a variety of office, commercial and business

activities uses including overnight accommodation. Staff are satisfied that the proposed lot will be appropriate to facilitate the uses envisioned in the official plan.

The applicant is currently working on an active site plan application (SP 24-57) with the City's Development Planning team regarding the subject property. Planning staff note the nature of the proposed consent and minor variance applications are to facilitate a design which is being conceptually evaluated by the Urban Design and Development Planning teams through their review of the site plan application.

Staff are satisfied that the application is consistent with the official plan, as the severed and retained lots will provide for adequately sized lots for the existing and proposed buildings. No minor variances are required for lot size or frontages. Staff are satisfied that the proposal will not negatively impact the area's lot fabric. Furthermore, staff have no concerns with the consent to sever regarding the criteria set out in Section 51(24) of the Planning Act, as the site is appropriately serviced and is suitable for the planned use of the property. Staff are therefore of the opinion that the application conforms to Section 51(24) of the Planning Act.

In addition to the proposed consent application, the applicant is requesting minor variances to legalize the existing conditions for the retained parcel.

Variances 1 and 2 pertains to a reduced front yard setback and landscaped buffer on the retained parcel, municipally known as 5787 Hurontario Street. The intent of the front yard setback provision is to ensure that a consistent character is maintained along the streetscape and that a sufficient front yard space is incorporated into the design. Additionally, the intent of the landscaped buffer regulation is to ensure that an appropriate buffer exists abutting all lot lines. Staff note the variances are triggered as a result of the existing conditions on the retained parcel. Staff are satisfied that the proposed variance contains a sufficient front yard space and landscaped area for the existing hotel.

Additional variances are required for the proposed hotel on the severed parcel and are evaluated below:

Variance 1 for the severed parcel requests a permanent outdoor patio in the front yard for the proposed hotel. Staff note the proposed outdoor patio will support the shared dining area for the hotel and are of the opinion that the outdoor patio is a typical function for a hotel offering food and beverage services. Staff are satisfied that the variance is minor and the patio use will not have a negative impact on the neighbouring properties or the streetscape.

Variance 2 requests a reduction for loading spaces. The intent of this regulation is to ensure there is adequate space reserved for the temporary parking of commercial motor vehicles while loading or unloading. Staff are of the opinion the proposed loading space supply is sufficient for the operation of the intended use on the site.

Variances 3 and 4 request a reduction for the front yard setback and landscape buffer along the front yard lot line. The intent of the front yard setback provision is to ensure that a consistent character is maintained along the streetscape and that a sufficient front yard space is incorporated into the design. Additionally, the intent of the landscaped buffer regulation is to ensure that an appropriate buffer exists abutting all lot lines. Staff note the variances are triggered due to the proposed outdoor patio being located within the landscaped buffer in the front yard. The proposed outdoor patio will only occupy a small portion of the front yard and is the only area that provides a deficient front yard setback and landscaped buffer, while the rest of the building will maintain the required front yard setback and landscaped buffer. Staff are of the opinion that the variance will pose negligible impacts to the streetscape along Traders Boulevard East.

Given the above, planning staff are therefore satisfied that the minor variance application maintains the general intent and purpose of both the official plan and zoning by-law, is minor in nature, and represents appropriate development of the subject property.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This department has no objections to the applicant's request to create two separate land parcels being Parcel 'A' (retained lands) and Parcel 'B' (severed lands). We note that Parcel 'A' contains an existing hotel (5787 Hurontario Street), and Parcel 'B' will have a proposed hotel.

A letter prepared by Weston Consulting dated March 19, 2025, has been submitted with this application to indicate the intent of the request. The letter indicates that through a recent Site Plan Review submission (SP 24-57) discussions were held with the city's Transportation and Traffic sections to determine the appropriate delineation of mutual access easements and shared parking easements for this Consent Application. In view of the above, driveway access and shared parking easements will have to be established through this consent application which would allow for a shared access arrangement between parcels 'A' and 'B'.

In view of the above and should Committee see merit in the applicant's request, we are providing the following conditions/requirements to be imposed as conditions of approval:

A. Items Required Prior to the Issuance of Final Consent

1. Plan of Severance Depicting Mutual Right-of-Way Easements

A Plan of Severance depicting any required mutual right-of-way easements will have to be provided and be satisfactory to our Traffic Section. As indicated, through the review of Site Plan Application SP 24-57 currently being reviewed by city staff, a requirement for mutual access and shared parking easements has been identified.

We note that a "Plan of Severance", Drawing No: CA-1 has already been circulated through the current Site Plan Application, however we need to ensure that it is in compliance with the proposed line of severance to be approved by the Committee.

2. Site Servicing Plan

A Site Servicing Plan is to be submitted for our review/approval which would clearly identify the location of any existing underground services located on Parcel 'A' (retained lands). Upon the review of the Site Servicing Plan and should it be confirmed that any underground services (specifically storm sewer) on Parcel 'A' cross into the severed lands (Parcel 'B'), then the need for private servicing easements will have to be addressed.

3. Draft 43R-Plan Requirement

Upon the review of items A1 and A2, a Reference Plan will be required for our review/approval in order that the location and width of any proposed servicing and access right-of-way easements to be established can accurately be described as parts on that Reference Plan.

4. Solicitor Letter Addressing Easement Requirements

Upon the review of items A1 and A2, and the confirmation of the required easement(s), the applicant/owner will be required to provide a letter/schedule prepared by the applicant's solicitor which would specifically describe any new private easement(s) to be established. It should also be noted that any documentation received will be forwarded as an attachment with our clearance memo to the Committee of Adjustment Office in order that any new proposed private easement(s) can be identified and incorporated into the Certificate of Secretary-Treasurer.

B. General Information

Site Plan Approval

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







Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan under file SP 24-57 W5. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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

Comments Prepared by: Tage Crooks, Planner Zoning Examination

Appendix 3 – Parks, Forestry & Environment

Park Planning Comments

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

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

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

Comments Prepared by: Nicholas Rocchetti, Planner

Forestry Comments

The Forestry Section of the Community Services Department has reviewed the above noted consent/minor variance applications. Should the application be approved, Forestry wishes to impose the following conditions:

1. The applicant shall provide a cash contribution of \$21,885.25 for the planting of twenty-five (25) street trees on Hurontario St. and 20 Traders Blvd. E. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.

In addition, Community Services notes the following:

1. No public trees shall be injured or removed. If public tree removal is required, a permit must be issued as per By-law 0020-2022.
2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Removal Permit, written consent must be obtained by both parties.
4. Payment for street tree fees and other charges can be made at the Parks and Forestry customer service counter located at 950 Burnhamthorpe Road West, in the form of a certified cheque, bank draft, or money order made payable to "The Corporation of the City of Mississauga". A Submission of Fees and Securities form is required to process payment. Please contact Jamie Meston to request a Submission of Fees and Securities form and any other inquiries regarding the payment process.

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: Alexandra Maria (alexandra.maria@peelregion.ca)(905) 791- 7800 x7991

Comments:

- The Region of Peel is presently reviewing a Site Plan for this application. We request the Committee to defer any decisions on this application until a satisfactory Site Plan is submitted by the applicant.
- Please note that severing the lands may adversely affect the existing location of the water and sanitary sewer services, if any exist. The result of this may require the applicant to install new water/sanitary servicing connections to either the severed or retained lands in compliance with the Ontario Building Code. The applicant may require the creation of private water/sanitary sewer servicing easements.

Conditions:

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

Comments Prepared by: Petrele Francois, Junior Planner

Appendix A – Conditions of Provisional Consent

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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding. ("A" 570/24) ("A" 571/24)
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated April 24, 2025.
5. A letter shall be received from the City of Mississauga, Park Planning, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated April 24, 2025.
6. A letter shall be received from the Region of Peel, Development Services/Public Works, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated April 24, 2025.



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A54.25
Ward: 5

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 2985 Drew Rd, Unit 118, zoned E2-38-Employment, 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 Service Establishment use (spa and hair salon) in E2 Zoning Area whereas By-law 0225-2007, as amended, does not allow a Service Establishment use (spa and hair salon) in E2 Zoning Area in this instance.

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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>

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-04-24	File(s): A54.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:5/1/2025 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 Service Establishment use (spa and hair salon) in E2 Zoning Area whereas By-law 0225-2007, as amended, does not allow a Service Establishment use (spa and hair salon) in E2 Zoning Area in this instance.

Recommended Conditions and Terms

Should Committee find merit in the application, the proposed Service Establishment Use (Spa & Hair Salon) should be limited to Unit 118 of the subject property.

Background

Property Address: 2985 Drew Rd, Unit 118

Mississauga Official Plan

Character Area: Northeast Employment Area
Designation: Business Employment

Zoning By-law 0225-2007

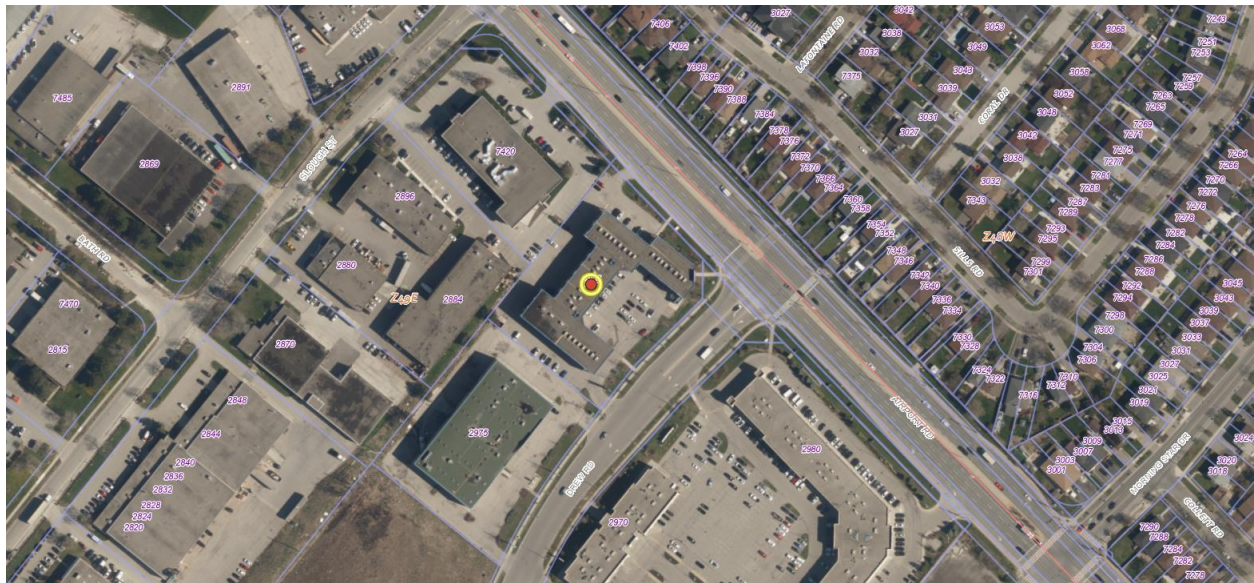
Zoning: E2-38-Employment

Other Applications: C 24-5619

Site and Area Context

The subject property is located on the north-west corner of the Airport Road and Drew Road intersection. There are no landscaping or vegetative elements present on the subject property. The surrounding area context consists primarily of commercial and industrial uses on lots of varying sizes. Residential uses are present east of Airport Road.

The applicant is proposing a spa and hair salon requiring a variance for Service Establishment use in a E2-38 zone.



Comments

Planning

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

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

The subject property is located in the Meadowvale Business Park Corporate Centre Character Area and is designated Business Employment in Schedule 10 of the Mississauga Official Plan

(MOP). This designation permits a variety of employment uses. Service Establishments are a commercial use permitted in the Convenience Commercial and Mixed Use designations not in Business Employment areas.

The applicant is requesting a Service Establishment Use in an Employment (E2-38) zone which currently permits light industrial/employment uses. The proposed use is not consistent or compatible with the permitted uses. As a result, Planning staff are of the opinion that the intent and purpose of the zoning by-law is not maintained by permitting uses not contemplated by the zone category and in accordance with an entirely different zoning framework.

Given the above, staff are of the opinion that the application fails to maintain the general intent and purpose of both the official plan and zoning by-law. Staff therefore recommend that the application be refused.

Comments Prepared by: Sara Ukaj, Planning Associate

Appendices

Appendix 1 – Transportation and Works Comments

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



Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Department is processing a Zoning Certificate of Occupancy application C24-5619. Based on the review of the information available in this application, the requested variance(s) is/are correct.

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

Comments Prepared by: Maria Fernandez, Zoning Examiner

Appendix 3 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 4- 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 propose a Service Establishment use (spa and hair salon) in E2 Zoning Area whereas By-law 0225-2007, as

amended, does not allow a Service Establishment use (spa and hair salon) in E2 Zoning Area in this instance.

TRCA staff understand that unit 118 is an existing unit (within Building D) on-site and no new development or building is being proposed.

It is our understanding that the requested variances are required to facilitate interior renovations only.

Background

On March 12, 2025, TRCA staff provided no objection to the approval of the 1st circulation of the minor variance application.

CA Act and O. Reg. 41/24

Given the above noted natural features and natural hazards, the subject lands are entirely within TRCA's Regulated Area of the Mimico Creek Watershed and are subject to O. Reg. 41/24 and the CA Act. As such, TRCA Permits will be required from TRCA prior to any works commencing within the TRCA Regulated Area.

Application Specific Comments

The entire subject property is located within the Regulatory Flood Plain. The Water Surface Elevation and velocity are 171.416m and 0.9633 m/s at the subject property respectively.

As noted above, no new development is being proposed within TRCA's Regulated Area. Therefore, a TRCA permit in accordance with Section 28.1 of the CA Act will not be required in this instance. Notwithstanding, TRCA has an interest in all future development on the above-mentioned property as it may be subject to a TRCA permit in accordance with Section 28.1 of the CA Act. Given the above, staff have no concerns with the minor variance application as currently proposed in the second submission.

Recommendation

As currently submitted, TRCA staff are of the opinion that the Minor Variance Application assigned City File No. **A54.25** is consistent with Provincial policy. Specifically, Section 5 (Natural Hazards) of the PPS. Additionally, it is staff's position that these applications are in conformity with TRCA's LCP policies. As such, TRCA has **no objection** to the approval of the application.

Fee

We thank the applicant for the prompt payment of \$1,250.00.

We thank you for the opportunity to comment. We trust these comments are of assistance. Should you have any additional questions or comments, please contact the undersigned.

City Department and Agency Comments	File:A54.25	2025/04/24	7
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Comments Prepared by: Marina Janakovic, Planner I



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A97.25
Ward: 11

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 7060 Old Mill Lane, zoned PB1-12-Parkway Belt, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling proposing:

1. A front yard setback of 7.39m (approx. 24.25ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 9.00m (approx. 29.53ft) in this instance;
2. All site development plans not be in compliance with Schedule PB12-1 of this exception whereas By-law 0225-2007, as amended, requires all site development plans be in compliance with Schedule PB12-1 of this exception in this instance.

The Committee has set **Thursday, May 1, 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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**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: 2025-04-24	File(s): A97.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:5/1/2025 1:00:00 PM

Consolidated Recommendation

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

Application Details

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

1. A front yard setback of 7.39m (approx. 24.25ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 9.00m (approx. 29.53ft) in this instance;
2. All site development plans not be in compliance with Schedule PB1-12 of this exception whereas By-law 0225-2007, as amended, requires all site development plans be in compliance with Schedule PB1-12 of this exception in this instance.

Background

Property Address: 7060 Old Mill Lane

Mississauga Official Plan

Character Area: Meadowvale Village Neighbourhood
Designation: Parkway Belt West Plan

Zoning By-law 0225-2007

Zoning: PB1-12-Parkway Belt

Other Applications: BP 9NEW 24-4078

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

The subject property is located in the Meadowvale Village Neighbourhood Character Area and is designated Parkway Belt West in Schedule 10 of the Mississauga Official Plan. Under the Parkway Belt West Plan the site is designated Complementary Use Area, which permits residential uses and the infilling of existing settlements. Furthermore, the lands proposed to be severed were subject to a rezoning under file OZ 18-4, which was approved and is currently in force, to allow a residential use on the parcel.

Variances 1 and 2 relate to a reduced front yard setback and development to be compliant with the site-specific zoning scheduled developed for the subject property through the rezoning file OZ 18-4. Staff note the subject property is designated under Part V of the Ontario Heritage Act as it forms part of the Meadowvale Village Heritage Conservation District (HCD). Furthermore, the proposal to redevelop the Heritage designated property was evaluated by Heritage Planning staff and presented in front of the Heritage Advisory Committee (HAC) on April 8th, 2025. The proposed variances are a result of Heritage Planning staff's comments to HAC which recommended approval of the proposed dwelling subject to the following conditions:

- 1) That the windows in the second storey dormer be six-over-six as per the HCD plan;
- 2) That the front porch be widened by 0.5 metres, and
- 3) That the house be shifted forward to preserve existing trees within the rear yard pending approval of a variance.

Due to Conditions 2 and 3, the proposed dwelling is required to be shifted 1.5m closer to the front yard lot line along Old Mill Lane. Planning staff note that the dwelling's building envelope, apart from the front yard porch, remains within the buildable area as specified in the PB1-12 site specific zoning schedule. Furthermore, the reduced front yard setback retains an appropriate front yard amenity area and maintains a consistent character along the streetscape. As such, staff are of the opinion the proposed dwelling and detached garage are appropriately located on the subject property and maintain the intent of the site-specific schedule developed in accordance with the subject property.

Given the above, Planning staff are of the opinion the proposal maintains the general intent and purpose of the official plan and zoning by-law. The proposed variances, both individually and cumulatively, result in orderly development of the subject property, are minor in nature and incur limited impacts to the streetscape.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling will be addressed through the Building Permit Process, File BP 24-4078.







Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application BP 9NEW 24-4078. Based on a review of the materials currently available in the Building Permit application and the materials provided as part of the Committee of Adjustment application, the design appears to have changed and as such, more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Please note the comments previously provided were based on a review of the above permit application and do not reflect any changes contained within this Committee of Adjustment application and, as such, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted as per standard resubmission procedures, separately through the Building Permit application process in order to receive updated comments.

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

Comments Prepared by: Carrie Chan Patch, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

Park Planning Comments

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

The lands to the rear of the property are owned by Credit Valley Conservation Authority, leased by the City of Mississauga, identified as Meadowvale Conservation Area (P-328), classified as a Significant Natural Area within the City's Natural Heritage System, and zoned G1. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:

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

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

1. Construction access from the adjacent park/greenlands is not permitted.
2. If access is required to City owned lands, a Consent to Enter Agreement/Park Access Permit will be required.
3. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.
4. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, c.P. 13, as amended) and in accordance with the City's policies and by-laws.

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

Comments Prepared by: Nicholas Rocchetti, Planner

Forestry Comments

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

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

The subject property is partially within and adjacent to a Significant Natural Area (also known as site CRR1) and zoned PB1-12. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored, and expanded through the following measures:

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

Based on the description of the relief required from the zoning by-law outlined, the proposed minor variance for the front yard setback is to facilitate the protection of the mature trees associated with the Significant Natural Area. On this basis, Community Services – Forestry, have no objections from a natural heritage perspective to the requested minor variance. Should the application be approved, Community Services – Forestry provides the following recommendations:

- Submit a digital copy of the environmental impact study (EIS) that was previously prepared by Credit Valley Conservation Authority (CVC) and North-South Environmental Inc. (dated February 2018; revised: September 2019) to complete CMS Forestry's records for the file.
- To ensure there is no net-negative ecological impact to the *Significant 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 on-site and off-site mitigation and compensation measures outlined in Section 6.2.2 of the environmental impact study (CVC and North-South, September 2019) that was previously prepared for the rezoning application that was submitted for a similar development proposal on the subject lands (see file: OZ 18-4). Specifically, this will include:

- Woodland replacement of the ~0.1ha of *Significant Woodland* located on the subject property. The recommended replacement planting should include a mixture of trees and shrubs and should occur within the Meadowvale Conservation Area at another location that is contiguous with this woodland. The recommended replacement planting density is 1,000 trees/ha, which would equate to 100 trees.
- Woodland edge enhancement plantings are required to occur within the subject property, along the newly created edge of the *Significant Woodland* and underneath the dripline of the *Significant Woodland*. As outlined in section 6.2.2 of the EIS, a total of 10 trees and 17 shrubs should be planted along the newly created woodland edge (i.e., the western edge of the proposed building envelope).
- In an effort to maintain and enhance the natural heritage features present within the rear of the property, Forestry recommends that any replacement and enhancement plantings required through the recommendations outlined in the EIS and through the City's Private Tree-Bylaws should only include native species that are common to the local watershed and appropriate for the site conditions. Please refer to Table 13 within Section 6.2.2 of the prepared EIS (CVC and North-South, September 2019) and the following guidelines prepared by the Credit Valley Conservation Authority (CVC) to assist with the selection of appropriate species:
 - Credit Valley Conservation Authority. (2018). Plant Selection: Species List for Planting Plans within the Credit River Watershed. Link: <https://cvc.ca/document/plant-selection-guideline-species-list-for-planting-plans-within-the-credit-river-watershed/>
- Tree and vegetation removals will not be permitted between the period of April 1st and October 1st to avoid potential impacts to breeding birds and roosting bats.

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. 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 – Credit Valley Conservation Comments

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

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

CVC REGULATED AREA

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

PROPOSAL:

It is our understanding that the applicant is requesting the Committee to allow the construction of a new dwelling proposing:

1. A front yard setback of 7.39m (approx. 24.25ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 9.00m (approx. 29.53ft) in this instance;

2. All site development plans not be in compliance with Schedule PB12-1 of this exception whereas By-law 02252007, as amended, requires all site development plans be in compliance with Schedule PB12-1 of this exception in this instance.

COMMENTS:

Based on the information provided, the proposed works are sufficiently setback from the natural hazard of concern to CVC. As such, CVC staff has **no objection** to the approval of the proposed minor variance at this time.

The applicant is to note that CVC has not received payment of the review fee of \$478 for this Minor Variance/Consent application. The applicant should forward this directly to CVC at the earliest convenience.

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

Comments Prepared by: Stuti Bhatt, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A98.25
Ward: 3

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 4100 Ponytrail Dr & 1850 Rathburn Rd E

, zoned RA4-46-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 rental apartment building proposing:

1. A building footprint partially outside of the Proposed Building D building envelope whereas By-law 0225-2007, as amended, requires building footprint located entirely within the Proposed Building D building envelope in this instance;
2. A building setback of 23.00m (approx. 75.46ft) between the Existing Building B and the Proposed Building D whereas By-law 0225-2007, as amended, requires a minimum building setback of 23.50m (approx. 77.10ft) between the Existing Building B and the Proposed Building D in this instance;
3. A front yard setback of 3.00m (approx. 9.84ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.50m (approx. 24.61ft) in this instance; and
4. A building height of twenty-five (25) storeys whereas By-law 0225-2007, as amended, permits a maximum building height of fifteen (15) storeys in this instance.

The Committee has set **Thursday, May 1, 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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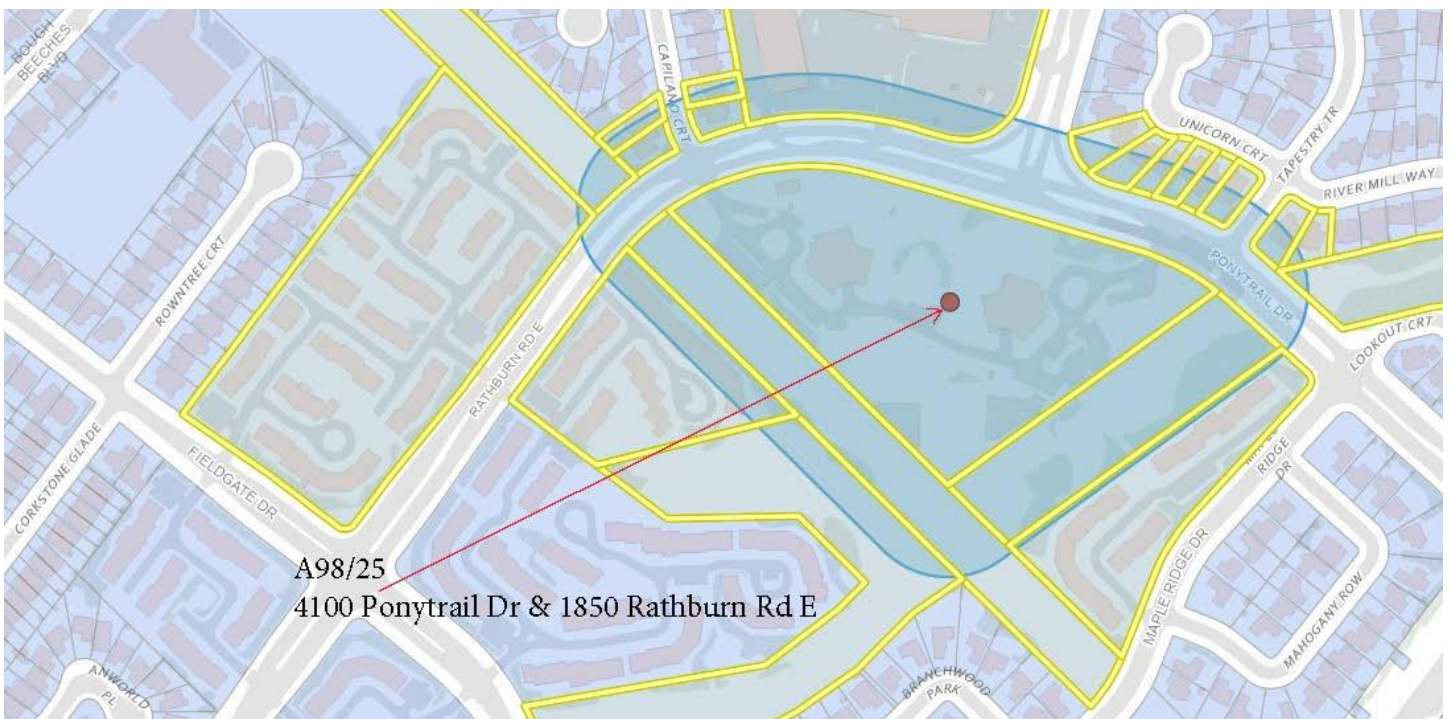
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-04-24	File(s): A98.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:5/1/2025 1:00:00 PM

Consolidated Recommendation

The City has no objections to variances 1, 2 & 3, however recommends variance 4 be refused. 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 rental apartment building proposing:

1. A building footprint partially outside of the Proposed Building D building envelope whereas By-law 0225-2007, as amended, requires building footprint located entirely within the Proposed Building D building envelope in this instance;
2. A building setback of 23.00m (approx. 75.46ft) between the Existing Building B and the Proposed Building D whereas By-law 0225-2007, as amended, requires a minimum building setback of 23.50m (approx. 77.10ft) between the Existing Building B and the Proposed Building D in this instance;
3. A front yard setback of 3.00m (approx. 9.84ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.50m (approx. 24.61ft) in this instance; and
4. A building height of twenty-five (25) storeys whereas By-law 0225-2007, as amended, permits a maximum building height of fifteen (15) storeys in this instance.

Background

Property Address: 4100 Ponytrail Dr & 1850 Rathburn Rd E

Mississauga Official Plan

Character Area: Rathwood Neighbourhood
Designation: High Density

Zoning By-law 0225-2007

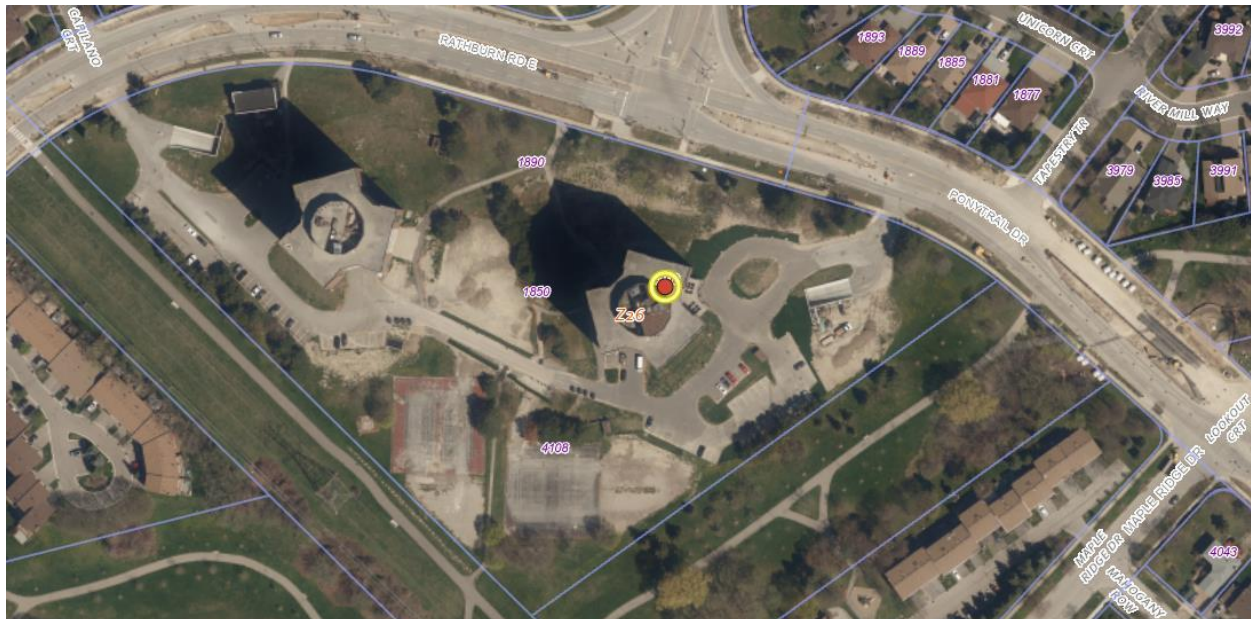
Zoning: RA4-46-Residential

Other Applications: SP 23-11

Site and Area Context

The subject property is located along the south side of Rathburn Road East, north-west of the Burnhamthorpe Road East and Ponytrail Drive intersection in the Rathwood Neighbourhood Character Area. The site has a total lot area of +/- 3.75 ha (9.26 ac) and contains two existing eighteen (18) storey apartment buildings with associate surface parking and an underground parking garage. Mature vegetation exists on the subject property. The surrounding area context is comprised of a mix of uses. There are residential properties in the form of detached, semi-detached, townhouse and apartment dwellings that are located in close proximity to the subject property. A commercial plaza, the Kingsbury Centre, is located directly across the street from the site. Additionally, a utilities corridor abuts the property to the rear.

The applicant is looking to construct an apartment building requiring variances for height, building separation, front yard setback and the building being located outside the buildable 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:

Planning staff note that Council adopted the recommendation in the Corporate Report dated February 2nd, 2016, recommending the approval of an application under File OZ-12-009 for an official plan amendment and zoning by-law amendment to permit the development of two new condominium apartment buildings with heights of twelve (12) and fifteen (15) storeys in addition to the two existing eighteen (18) storey rental apartment buildings at 1850 Rathburn Road East and 4100 Ponytrail Drive. The official plan and zoning by-law amendments added additional policies by creating “Special Site 3” in the Rathwood Neighbourhood Character Area of the Mississauga Official Plan (MOP). The property was rezoned to “RA4-46”, creating a site-specific zoning schedule and regulations pertaining to building locations, separation distances and heights of the existing and proposed apartment buildings. Both the official plan and zoning by-law amendments (BL 0075-2018 & 0076-2018) were passed by Council on April 25th, 2018. Planning staff note the variances sought in this proposal are required for the necessary amendments to the RA4-46 site-specific zoning approval.

Additionally, staff note the applicant is slated to attend a Development Application Review Committee (DARC) meeting on May 7th, 2025. The DARC meeting will be for a proposed official plan and zoning by-law amendments to build three (3) additional purpose-built rental apartment buildings in a phased approach on the subject property. This would result in a total of six (6) apartment buildings on the subject property if this minor variance application is approved. This total includes the two existing eighteen (18) storey apartment buildings, and four (4) new apartment buildings with heights ranging from 20-25 storeys.

The subject property is located in the Rathwood Neighbourhood Character Area and is designated Residential High Density in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits apartment dwellings, as well as select commercial uses at grade. In addition, the subject property forms part of Special Site 3 within the Rathwood Neighbourhood Character Area, reinforcing the subject property to be developed in a manner consistent with the 2018 official plan and zoning by-law amendments:

MOP policy 16.22.3.3.2 states “Notwithstanding the policies of this Plan, the following additional policy will apply:

- a. two apartment dwellings with a maximum height of 12 and 15 storeys will be permitted in addition to the two existing apartment dwellings of 18 storeys each.”

Planning staff note the nature of variances 1-3 are to facilitate a development that was conceptually reviewed by Planning staff through a previous official plan amendment, zoning by-law amendment and site plan application.

Variance 1 requests the building envelope (proposed building “D”) to be located outside of the identified buildable area on the RA4-46 site-specific zoning schedule in the zoning by-law. The intent of this provision is to establish an appropriate location of the proposed development on the subject property. The requested variance would result in siting the development in general conformance to the site-specific zoning schedule. Staff are satisfied that the proposal does not change the intended design or functionality of the site, and the building will be appropriately situated on the subject property.

Variance 2 requests a reduced building setback between existing building “B” and the proposed building “D”. The intent of the separation distance is to maximize access to sky views, natural daylighting, provide adequate privacy, minimize wind conditions and provide collective shade on the streetscape and open spaces. Staff are of the opinion that the proposed separation distance is negligible and maintains the intent of the zoning by-law.

Variance 3 pertains to a reduced front yard setback. The intent of the front yard setback provision is to ensure a sufficient buffer is provided between the streetscape and buildings/structures and to ensure that there is appropriate space for soft landscaping. As such, staff are of the opinion that the reduced front yard setback will still provide an appropriate soft landscaping area and will not result in any significant impacts on the future streetscape. Further, staff note the building will be recessed an additional 1.5m beyond the sixth floor, resulting in the majority of the building meeting the general intent of the front yard setback regulations and thus limiting impacts on the public realm.

Variance 4 requests a maximum building height of 25 storeys, an increase of ten (10) storeys beyond the maximum currently permitted in the by-law for building “D”. While Planning staff recognize the proposed building height is increasing, it is noted that the proposed increase does not result in a substantial change in the floor space index (FSI) previously approved through the official plan and zoning by-law amendments from 2018. In fact, the proposal maintains a similar intensity of development for the site, with the two previously approved fifteen (15) and twelve (12) storey buildings being combined into a single building. Notwithstanding this, the Special Site Policy for the subject property stipulates the maximum heights permitted for the subject parcel are to be capped at 15 storeys and does not contemplate a scenario where the approved buildings are combined into one. As a result, Planning staff are of the opinion that the proposed height is inconsistent with the intent of the official plan or zoning by-law as it is not consistent with the vision of the special site policy or site-specific zoning by-law established previously.

Planning staff are of the opinion that variances 1-3 maintains the general intent and purpose of the official plan and zoning by-law. The variances, both cumulatively and individually, are minor in nature and will not create undue impacts on abutting properties. The variances will continue to establish an appropriate built form on the subject property and generally maintains a built form that was envisioned in the original application.

Variance 4 is not minor in nature and will not maintain a built form as originally envisioned by the exception zone schedule. Should the Committee see merit in this variance, staff recommend that the height be limited to the 25 storeys proposed and in general conformance with the plans submitted.

Appendices

Appendix 1 – Transportation and Works Comments

We are noting that any Transportation and Works Department concerns/requirements for the proposed development will be addressed through Site Plan Application and Building Permit Process.





Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

Site Plan Application PAM 25-63 is still in a pre-application review. Zoning has not yet received the drawings and materials. Without the benefit of a fulsome review of the drawings and materials, the variances requested cannot be confirmed at this time. There may be some changes to the variances as requested, and there may also be some additional variances required. Zoning staff would like the opportunity to complete the review and advise the applicant of the variances required to the applicable zoning provisions.

Comments Prepared by: Carrie Chan Patch, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

Park Planning Comments

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

The lands to the abutting the property are owned by the City of Mississauga, identified as Shaver Trail (P-239), classified as a Significant Natural Area within the City's Natural Heritage System, and zoned G1. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:

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

The lands to the rear of the property are owned by Hydro One Networks Inc., leased by the City of Mississauga, identified as Chechalk Trail (P-536), and zoned U – Utility.

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

1. Given that the property is subject to a development application, OPA 12-09, all of Community Services' comments and/or requirements are being addressed through the development application.
2. Construction access from the adjacent park/greenlands is not permitted.
3. If access is required to City owned lands, a Consent to Enter Agreement/Park Access Permit will be required.

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

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

Comments Prepared by: Nicholas Rocchetti, Planner

Forestry Comments

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

1. No public trees shall be injured or removed. If public tree injury or removal is required, a permit must be issued as per By-law 0020-2022.
2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree 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: A100.25
Ward: 7

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 2616 Cynara Rd, 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 to allow an accessory structure proposing:

1. A side yard setback for an accessory structure of 0.05m (approx. 0.16ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback for an accessory structure of 0.61m (approx. 2.00ft) in this instance; and
2. An accessory structure height of 3.23m (approx. 10.60ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.00m (approx. 9.84ft) in this instance.

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

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-04-24	File(s): A100.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:5/1/2025 1:00:00 PM

Consolidated Recommendation

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

Application Details

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

1. A side yard setback for an accessory structure of 0.05m (approx. 0.16ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback for an accessory structure of 0.61m (approx. 2.00ft) in this instance; and
2. An accessory structure height of 3.23m (approx. 10.60ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.00m (approx. 9.84ft) in this instance.

Background

Property Address: 2616 Cynara Rd

Mississauga Official Plan

Character Area: Cooksville Neighbourhood (West)

Designation: Residential Low Density II

Zoning By-law 0225-2007

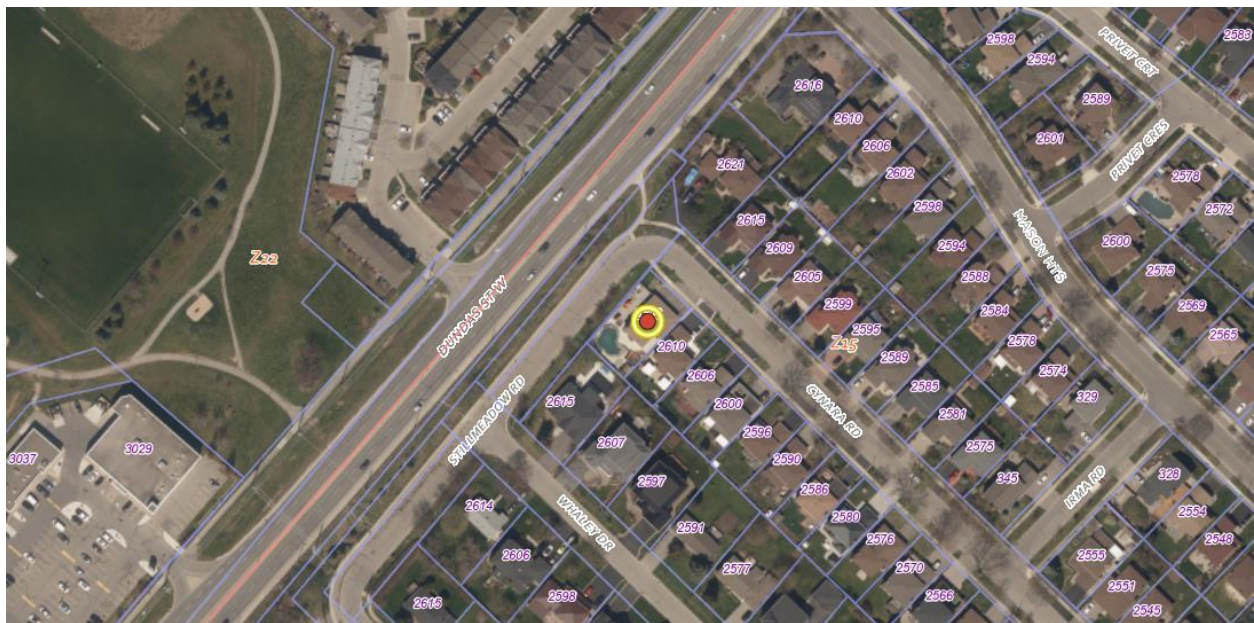
Zoning: R3-Residential

Other Applications: None

Site and Area Context

The subject property is located on the south-west corner of the Dundas Street West and Mason Heights intersection in the Cooksville Neighbourhood Character Area. It is a corner lot containing a two-storey dwelling with an attached garage. Limited landscaping and vegetative elements are present on the subject property. The surrounding area context is mostly residential, consisting mainly of detached dwellings. Townhouse dwellings are located on the north side of Dundas Street West.

The Applicant is requesting to legalize an existing accessory structure and shed requiring variances for side yard setback 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 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 Cooksville Neighbourhood Character Area and is designated Residential Low Density II. Section 9 of the Mississauga Official Plan (MOP) promotes development (including its features such as driveways and landscaping) with appropriate urban form and site design, regulating that such development is compatible with the existing conditions, the surrounding context and the landscape of the character area. The structure is compatible with the surrounding area and does not pose any significant impact to the abutting properties. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

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

Variance 1 requests relief from the side yard setbacks for the existing pergola. The general intent of this portion of the by-law is to ensure that an adequate buffer exists between the massing of the structures on adjoining properties, that maintenance can be performed on the structures and that appropriate drainage patterns can be maintained. With the proposed structure being open on all four sides, staff are of the opinion that there is a sufficient setback that will allow for the ability to perform any required maintenance on the structure or provide appropriate drainage patterns. Further, staff note Transportation and Works staff have not raised any drainage related concerns and have confirmed that any drainage from the rear yard can be adequately directed to the front of the property.

Variance 2 relates to an existing shed height. The intent of the height provision is to ensure that the structure is proportional to the lot and dwelling and are clearly accessory, while not presenting any massing concerns to the neighbouring lots. Staff note that the proposed height represents a minor deviation from what is currently permitted as of right in the zoning by-law and does not create any significant massing concerns to abutting properties. Staff note that the required side yard setbacks are being met for this structure and that the shed has a sloped roof design further limiting massing impacts.

Given the above, staff are of the opinion 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?

Staff are of the opinion that the proposed accessory structures does not have any significant impacts on neighbouring properties and represent appropriate development of the subject lands. As such, the variances are minor in nature and result in orderly development of the subject property.

Comments Prepared by: Sara Ukaj, Planning Associate

Appendices

Appendix 1 – Transportation and Works Comments

Attached for Committee's easy reference is a number of photos, specifically the accessory structure and deck on 2616 Cynara Road. We have reviewed our records and note that area grading Plan No: C-14830 prepared by R.E. Winter & Associates Ltd (Nov 1975) depicts the approved grading for this subdivision. As drainage from the subject lands was designed to drain in a southerly direction to a catch basin located at the south-west corner of 2610 Cynara Road we therefore advise we have no objection from a grading perspective.

The owner of the abutting property, 2610 Cynara Road has submitted a 94-page pdf titled "A100.25. Com.Res1.0" which also includes a survey plan on page 72 prepared by AKM Surveying Ltd dated August 2, 2024. The survey plan depicts a 10 ft storm easement, part 2A Plan 43R-4285 (LT 87534) located between 2610 and 2606 Cynara Drive where a shed and concrete pad appear to be encroaching into the easement. The 10ft storm easement is also depicted on Plan C-14835 and the neighbour should be advised that the shed and concrete pad should be removed from the city storm sewer easement.







Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Carrie Chan Patch, Zoning Examiner

Appendix 3 – 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: A101.25
Ward: 7

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 2220 Parker Dr, zoned R1-6-Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling proposing:

1. A hammerhead width of 5.66m (approx. 18.57ft) and a hammerhead length of 4.07m (approx. 13.35ft) whereas By-law 0225-2007, as amended, permits a maximum hammerhead width of 2.60m (approx. 8.53ft) and a maximum hammerhead length of 3.00m (approx. 9.84ft) in this instance;
2. Two attached garages whereas By-law 0225-2007, as amended, permits a maximum of one attached garage in this instance; and
3. A garage area of 116.81sq m (approx. 1,257.33sq ft) whereas By-law 0225-2007, as amended, permits a maximum garage area of 75.00sq m (approx. 807.29sq ft) in this instance.

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

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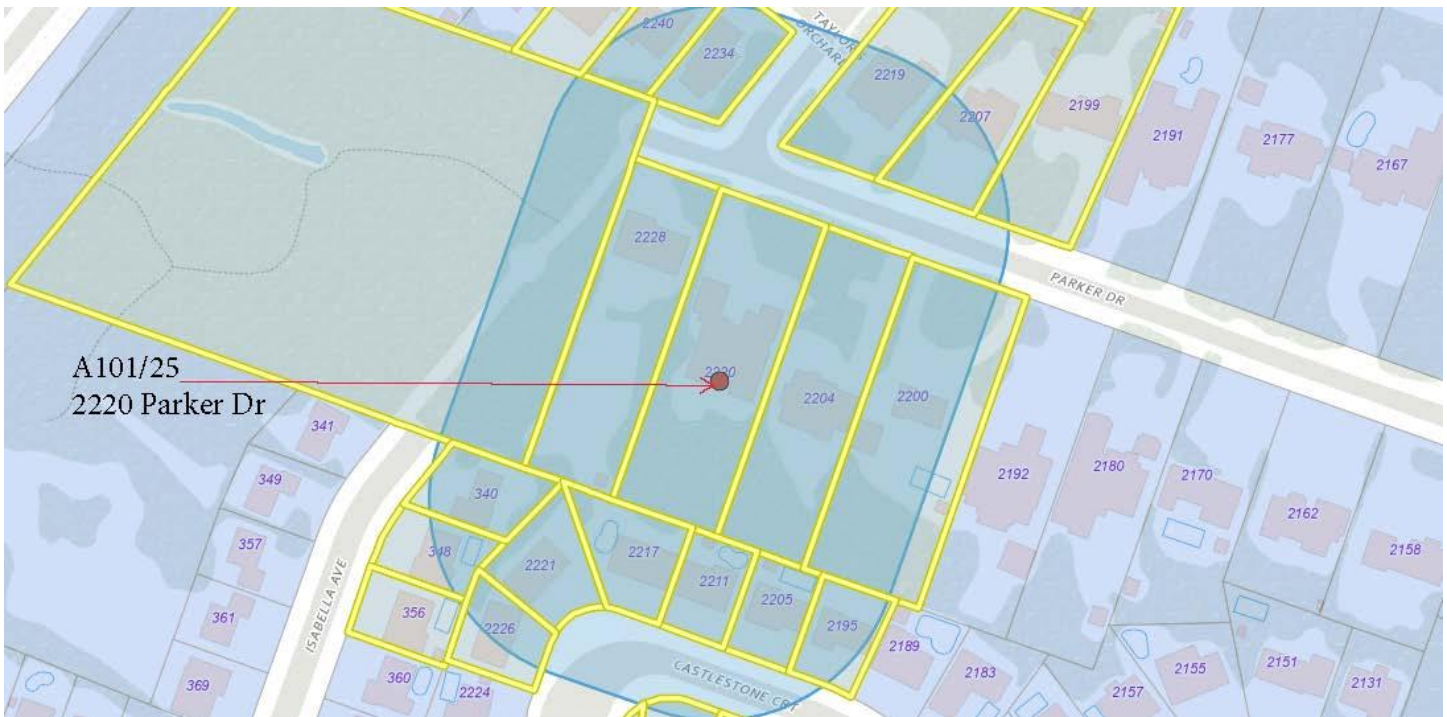
Additional Information:

- For more information about this matter, contact committee.adjustment@mississauga.ca or call 905-615-3200 x5507. Alternatively, information can be obtained in person by making an appointment with the Committee of Adjustment at 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Appointments can be booked using the "Book an appointment" button on the Committee's webpage:
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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: 2025-04-24	File(s): A101.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:5/1/2025 1:00:00 PM

Consolidated Recommendation

The City has no objections to Variances 2 and 3, however recommend Variance 1 be refused.

Application Details

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

1. A hammerhead width of 5.66m (approx. 18.57ft) and a hammerhead length of 4.07m (approx. 13.35ft) whereas By-law 0225-2007, as amended, permits a maximum hammerhead width of 2.60m (approx. 8.53ft) and a maximum hammerhead length of 3.00m (approx. 9.84ft) in this instance;
2. Two attached garages whereas By-law 0225-2007, as amended, permits a maximum of one attached garage in this instance; and
3. A garage area of 116.81sq m (approx. 1,257.33sq ft) whereas By-law 0225-2007, as amended, permits a maximum garage area of 75.00sq m (approx. 807.29sq ft) in this instance.

Background

Property Address: 2220 Parker Dr

Mississauga Official Plan

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

Zoning By-law 0225-2007

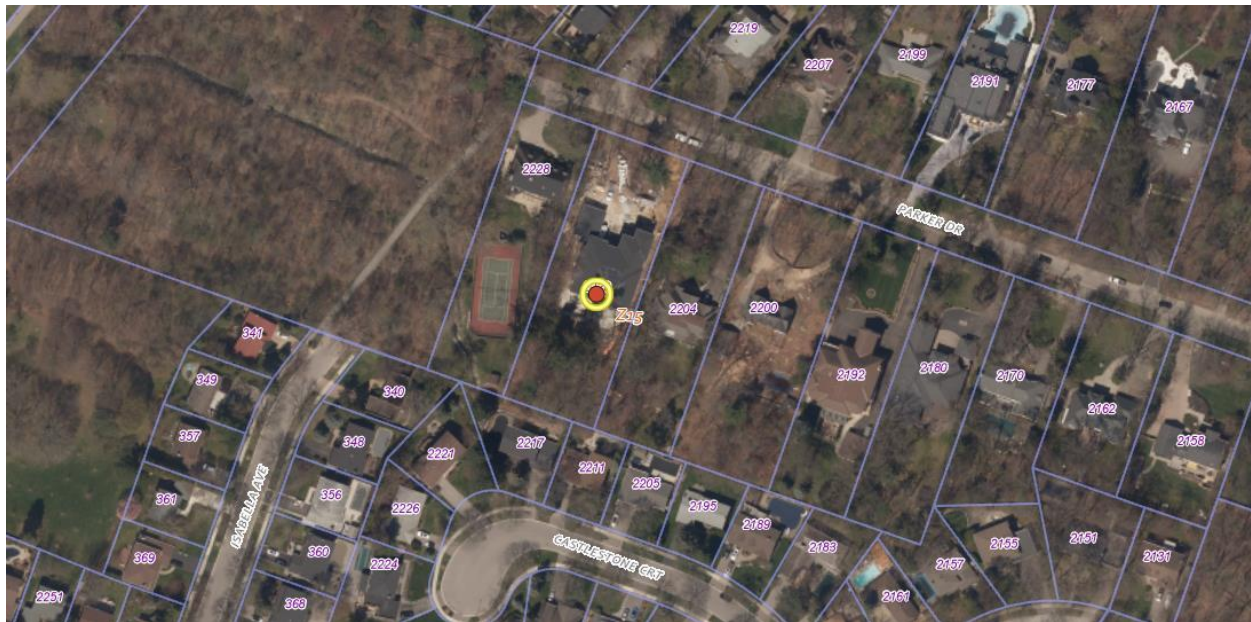
Zoning: R1-6-Residential

Other Applications: BP 9ALT 25-6180

Site and Area Context

The subject property is located south-west of the Queensway West and Hurontario Street intersection in the Gordon Woods Community within the Cooksville (West) Neighbourhood Character Area. It is an interior lot containing a two-storey detached dwelling and attached garage that is currently under construction. Mature vegetation and landscaping elements are present throughout the subject property. The surrounding area is exclusively residential, consisting of detached dwellings on varying lot sizes.

The applicant is proposing the construction of a new dwelling requiring variances for hammerhead length and width, two garages and garage 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 Cooksville Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density I designation permits only detached dwellings in this instance. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. The property also forms part of Special Site 4, which includes policies surrounding the maintenance of vegetation and generous setbacks.

Variance 1 proposes an increase to the hammerhead width and length. The intent of hammerhead regulations are to ensure that an appropriate space can be provided to allow vehicles to turn around and exit the property forwards while discouraging parking on the hammerhead itself. While staff have no concerns with the proposed length of the hammerhead, there are concerns with the proposed width of the hammerhead. Staff are of the opinion that the existing hammerhead will enable the parking of motor vehicles. Staff are of the opinion that the proposed width does not satisfy the four tests.

Variances 2 and 3 relate to two garages and the combined size of the garages, which exceeds the permissions provided in the by-law. The intent in restricting the overall number and individual size of an attached garage is to ensure that the detached dwelling remains residential in nature, keeping the majority of the structure's ground floor area attributed to livable space. Additionally, this portion of the by-law serves to minimize the visual impact resulting from the multiple or excessive garage faces from a streetscape perspective. In this instance, the garage area containing the majority of the garage gross floor area is side loaded and when combined with the mature vegetation on the subject property, the impacts of the increased garage area are limited on the streetscape. Additionally, given the size of the lot and proposed dwelling, the garage size can be suitably accommodated without dominating the use of the first floor.

Variances 2 and 3, as proposed, represent appropriate development of the lands with a dwelling that is well designed for the lot. It is the opinion of staff that the proposal presents no significant impacts to surrounding properties and is appropriate in the context of the neighbourhood. The variances, both individually and cumulatively, are minor in this instance.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling will be addressed through the Building Permit Process, Files BP 22-1616 (issued) and BP 9ALT 25-6180.





Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Division is processing Building Permit BP 9ALT 25-6180. Based on the review of the information available in this application, the requested variances are correct.

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

Comments Prepared by: Minan Song, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

Forestry Comments

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

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

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

Additionally, the subject property is fully within a Residential Woodland (also known as site CV6) within the City's Natural Heritage System and zoned R1-6. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:

- ensuring that development in or adjacent to the Natural Heritage System protects and maintains the natural heritage features and their ecological functions through such

means as tree preservation, appropriate location of building envelopes, grading, landscaping...;

Based on the description of the relief required from the zoning by-law outlined, the proposed minor variances are not expected to impact the natural heritage features or associated setbacks. Should the application be approved, Community Services – Forestry provides the following recommendation:

- In an effort to maintain and enhance the natural heritage features present within the property, Forestry recommends that any replacement trees required through the City's Private Tree-Bylaws should only include native species that are common to the local watershed and appropriate for the site conditions. We recommend reviewing the following guidelines prepared by the Credit Valley Conservation Authority (CVC) to assist with the selection of appropriate species:
 - Credit Valley Conservation Authority. (2018). Plant Selection: Species List for Planting Plans within the Credit River Watershed. Link: <https://cvc.ca/document/plant-selection-guideline-species-list-for-planting-plans-within-the-credit-river-watershed/>
- Based on Forestry's review of the Site Plan, Site Grading and Servicing Plan (C101, Skira & Associates Ltd, April 2021), various species included in the proposed landscaping were identified to be uncommon to the local watershed, non-native, and/or only suitable for the upper watershed (i.e., Town of Halton Hills, Town of Caledon, Town of Orangeville, Town of Erin, Township of East Garafraxa, Township of Amaranth, and Town of Mono). To maintain the character of the Residential Woodland, please remove the following species and replace them with alternative native species that are common to the local watershed and suitable for the local environmental conditions:
 - White Spruce (*Picea glauca*) is an upland species only suitable for planting within the upper Credit River watershed. Please replace with an appropriate species that is common to the local watershed.
 - Red Pine (*Pinus resinosa*) is considered to be a locally rare species. Please replace with appropriate alternative native species that is common to the local watershed.
 - Norway Spruce (*Picea abies*) is a non-native species. Please replace with appropriate alternative native species that is common to the local watershed.

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

Comments Prepared by: Jamie Meston, Landscape Technician

Appendix 4 – 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. 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



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A102.25
Ward: 9

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 6340 Kindree Cir, zoned R4-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 a second unit proposing a below-grade stairwell within the exterior side yard whereas By-law 0225-2007, as amended, does not allow a below-grade stairwell within the exterior side yard in this instance.

The Committee has set **Thursday, May 1, 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:

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Additional Information:

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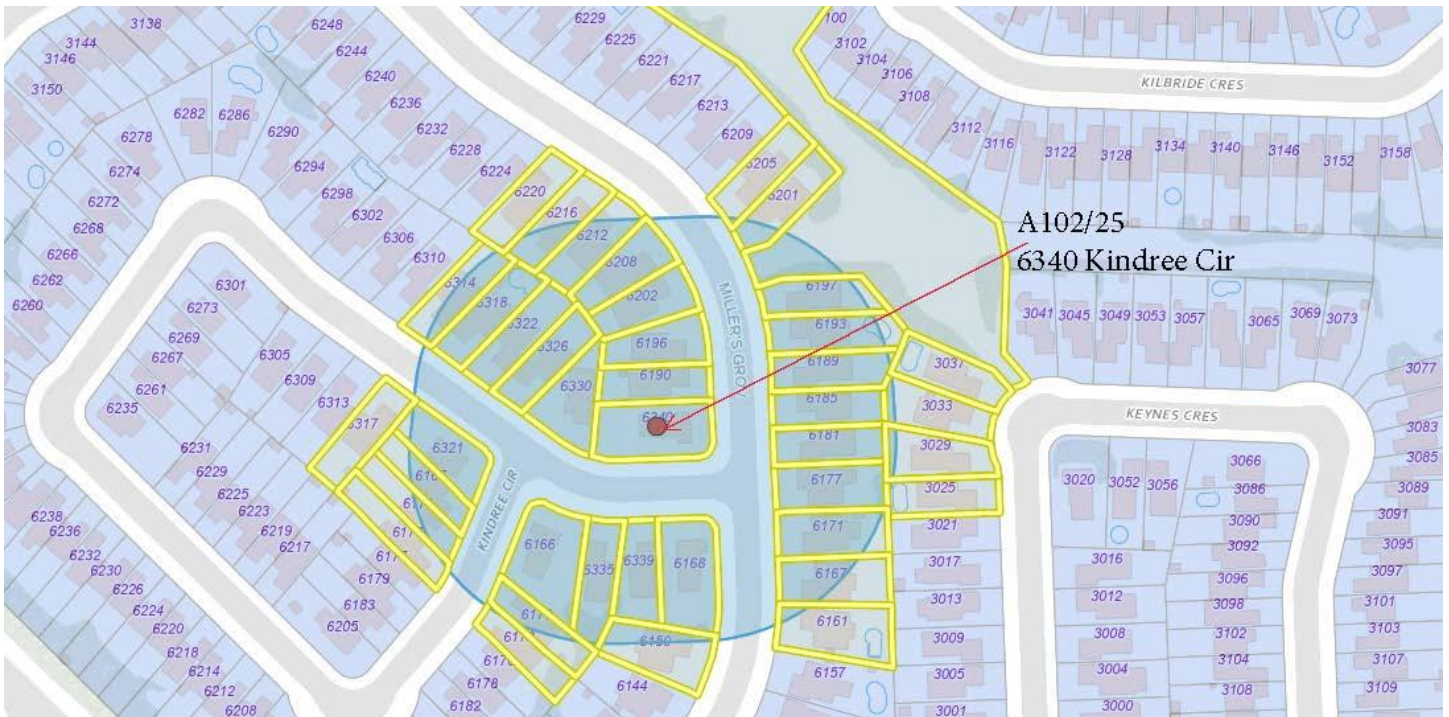
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-04-24	File(s): A102.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:5/1/2025 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow a second unit proposing a below-grade stairwell within the exterior side yard whereas By-law 0225-2007, as amended, does not allow a below-grade stairwell within the exterior side yard in this instance.

Amendments

The Building Department is processing Building Permit application 25-6477. Based on review of the information available in this application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required. It should be noted that a zoning review has NOT been completed; however it is apparent that amendments may be required as follows:

- (1) "Proposed exterior side yard Below Grade Entrance with a setback of 6.25m to the exterior side lot line, whereas By-Law 0225-2007, as amended, does not permit/allow a retaining wall to facilitate an entrance below grade at any point in an exterior side yard."

Background

Property Address: 6340 Kindree Cir

Mississauga Official Plan

Character Area: Meadowvale Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

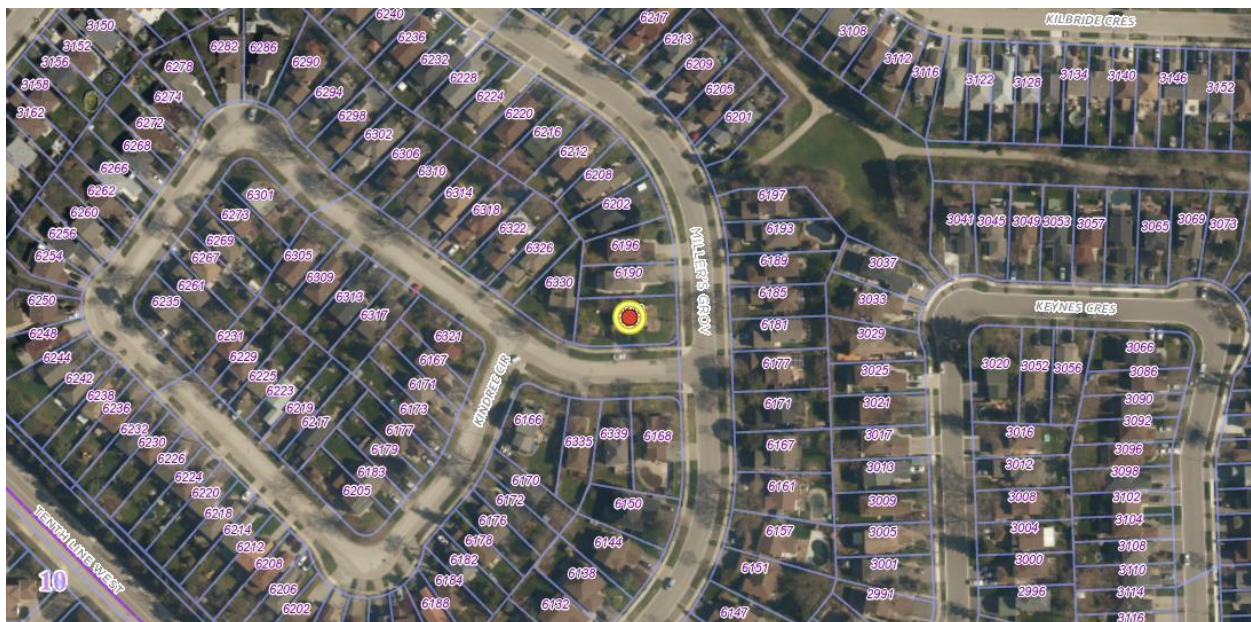
Zoning: R4-Residential

Other Applications: SEC UNIT 25-6477

Site and Area Context

The subject property is located north-east of the Britannia Road West and Tenth Line West intersection in the Meadowvale Neighbourhood Character Area. It is a corner lot containing a two-storey detached dwelling with an attached garage. Limited landscaping and vegetative elements are present on the subject property. The surrounding area is exclusively residential, consisting of detached and semi-detached dwellings on similarly sized lots.

The applicant is proposing a below grade entrance to facilitate a second unit requiring a variance for location of the below grade entrance in the exterior side yard.



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 Meadowvale Neighbourhood Character Area and is designated Residential Low Density II 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. Staff note that the entrance will be appropriately screened from the streetscape with proposed vegetation minimizing any impacts to the streetscape.

The sole variance requests a below grade stairwell to be located in the exterior side yard. The intent of the exterior side yard regulation is to ensure that an adequate buffer exists between a structure and the public realm, and to ensure the entrance does not negatively impact the overall streetscape. In this instance, the applicant is proposing to locate the entrance behind the proposed vegetation which will appropriately screen the stairwell from view.

Staff are satisfied that any negative impact on the streetscape is appropriately mitigated and that the proposal meets the general intent and purpose of the official plan and zoning by-law. Furthermore, the proposal contributes to orderly development of the subject property whose impacts to the streetscape and abutting properties are minor in nature.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

As this property is a corner lot and the below grade entrance is being proposed in an area which will not impact the existing drainage pattern or any of the adjacent properties, we have no drainage related concerns with the location of the below grade entrance.





Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application 25-6477. Based on review of the information available in this application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required. It should be noted that a zoning review has NOT been completed; however it is apparent that amendments may be required as follows:

- (2) “Proposed exterior side yard Below Grade Entrance with a setback of 6.25m to the exterior side lot line, whereas By-Law 0225-2007, as amended, does not permit/allow a retaining wall to facilitate an entrance below grade at any point in an exterior side yard.”

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.

Please note that comments reflect those provided through the above application. These comments may no longer be valid should there be changes contained within this Committee of Adjustment application that have not been submitted and reviewed through the application

noted above. The applicant must submit any changes and/or updates to information and/or drawings separately through the above application in order to receive updated comments.

Comments Prepared by: 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

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. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at (905) 791-7800 x7973 or by email at servicingconnections@peelregion.ca.

-
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 - 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



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A111.25
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 1077 Orchard Rd, zoned R3-75 - 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. An interior side yard setback of 1.20m (approx. 3.94ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.81m (approx. 5.94ft) in this instance;
2. An interior side yard setback of 1.33m (approx. 4.36ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.81m (approx. 5.94ft) in this instance;
3. A building height of 9.50m (approx. 31.17ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 7.50m (approx. 24.61ft) in this instance;
4. A height to the eaves of 7.91m (approx. 25.95ft) whereas By-law 0225-2007, as amended, permits a maximum height to the eaves of 6.40m (approx. 21.00ft) in this instance;
5. A front yard setback building projection of 0.67m (approx. 2.20ft) whereas By-law 0225-2007, as amended, permits a maximum front yard setback building projection of 0.61m (approx. 2.00ft) in this instance;
6. A building projection width of 3.56m (approx. 11.68ft) whereas By-law 0225-2007, as amended, permits a maximum building projection width of 3.00m (approx. 9.84ft) in this instance; and
7. A rectangular area measured from the inside face of walls of the garage of 4.59m x 5.57m (approx. 15.06ft x 18.27ft) whereas By-law 0225-2007, as amended, requires a minimum rectangular area measured from the inside face of walls of the garage of 2.75m x 6.00m (approx. 9.02ft x 19.69ft) in this instance.

The Committee has set **Thursday, May 1, 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:

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- **By telephone:** Advance registration is required to speak virtually at the hearing. To register, please call 905-615-3200 x5507 by 4:30 PM on the Friday prior to the hearing. You must provide your name, phone number, and the application file number. Committee staff will provide you with call in details prior to the start of the hearing.
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-04-24	File(s): A111.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:5/1/2025 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be refused.

Application Details

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

1. An interior side yard setback of 1.20m (approx. 3.94ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.81m (approx. 5.94ft) in this instance;
2. An interior side yard setback of 1.33m (approx. 4.36ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.81m (approx. 5.94ft) in this instance;
3. A building height of 9.50m (approx. 31.17ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 7.50m (approx. 24.61ft) in this instance;
4. A height to the eaves of 7.91m (approx. 25.95ft) whereas By-law 0225-2007, as amended, permits a maximum height to the eaves of 6.40m (approx. 21.00ft) in this instance;
5. A front yard setback building projection of 0.67m (approx. 2.20ft) whereas By-law 0225-2007, as amended, permits a maximum front yard setback building projection of 0.61m (approx. 2.00ft) in this instance;
6. A building projection width of 3.56m (approx. 11.68ft) whereas By-law 0225-2007, as amended, permits a maximum building projection width of 3.00m (approx. 9.84ft) in this instance; and
7. A rectangular area measured from the inside face of walls of the garage of 4.59m x 5.57m (approx. 15.06ft x 18.27ft) whereas By-law 0225-2007, as amended, requires a minimum rectangular area measured from the inside face of walls of the garage of 2.75m x 6.00m (approx. 9.02ft x 19.69ft) in this instance.

Background

Property Address: 1077 Orchard Rd

Mississauga Official Plan

Character Area: Lakeview Neighborhood
Designation: Residential Low Density II

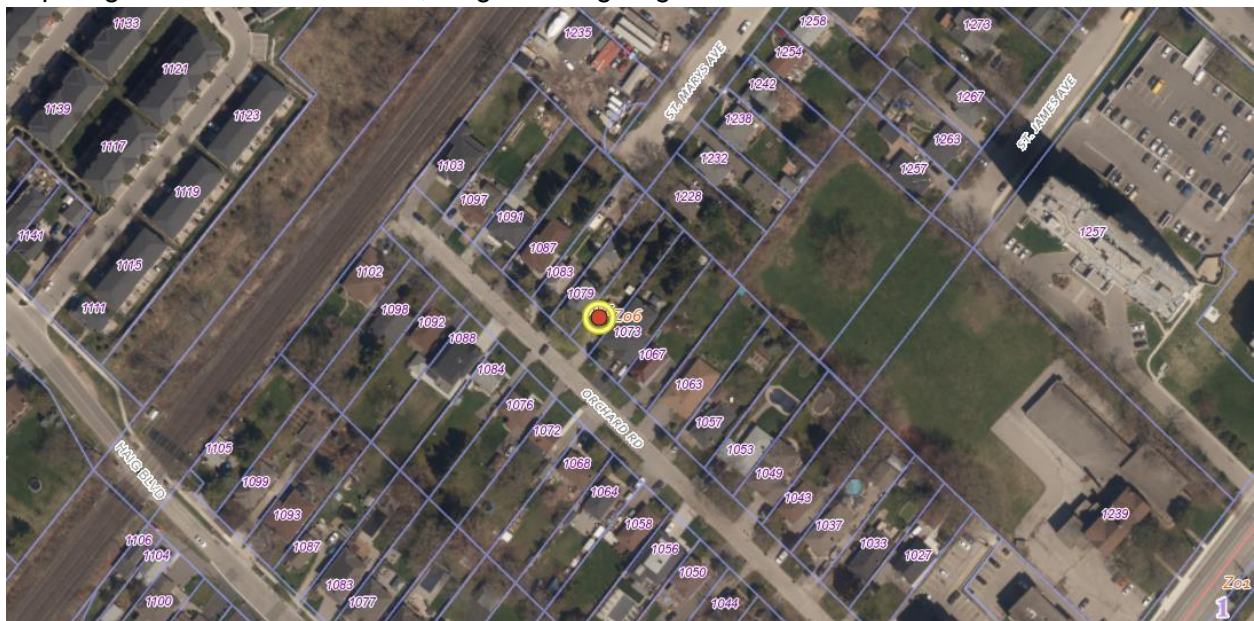
Zoning By-law 0225-2007

Zoning: R3-75 - Residential
Other Applications: Building Permit application 25-5848

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, northwest of the Lakeshore Road East and Dixie Road intersection. The immediate neighbourhood is primarily residential, consisting of old and new one and two-storey detached dwellings on lots with mature vegetation in the front yards. The subject property contains a new detached dwelling with vegetation in the front yard.

The applicant is proposing to legalize the existing detached dwelling requiring variances for setbacks, heights and garage dimensions.



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:

Staff note that the subject property was previously approved for variances pertaining to flat roof height, setbacks and garage dimensions by the Committee of Adjustment under file A235.22 on May 10, 2022. Staff were supportive of the proposal at the time. Under file A235.22, the variance for flat roof height requested an increase of 0.1m or 0.3ft. Staff note that the dwelling design presented under file A235.22 was entirely different than the design under the current application. Building permit BP 9NEW 22 3611 was issued for the previous design in September 2024.

Through site inspections, it was noted that the dwelling that has been constructed was not in accordance with the drawings approved by the Committee and the original building permit.

A new building permit BP 9ALT 25 5848 was filed in January 2025 to legalize the existing dwelling. The current Committee of Adjustment application seeks variances pertaining to flat roof height, eave height, interior side yard setbacks, garage dimensions and building projection.

Variances #3 and #4 pertain to height of the flat roof and eave height. The applicant is proposing a flat roof height of 9.5m (approx. 31.17ft), where a maximum flat roof height of 7.5m (approx. 24.61ft) is permitted.

Planning staff have concerns about the dwelling flat roof and eave height. An increase of 2m is being sought for the dwelling height. The intent in restricting height to the flat roof is to reduce the overall massing of a flat roof dwelling compared to a sloped roof dwelling and to minimize negative impacts on the streetscape and neighbouring properties. Furthermore, the intent is to restrict large flat roof dwellings which could accommodate a three-storey dwelling. Staff are of the opinion that the dwelling presents itself as three-storey dwelling from the streetscape. The immediate area primarily consists of one and two-storey detached dwellings, as such, the proposal is out of character with the neighbourhood.

Staff are of the opinion that the proposal does not maintain compatibility with the existing dwellings in the neighbourhood. These variances will create a dwelling with significant massing that will negatively impact the neighbourhood's character.

Staff are also of the opinion that the proposed dwelling and eave heights are excessive in nature and represent a major deviation from the permissible as-of-right regulations.

Staff note that Zoning staff have not confirmed the accuracy of the requested variances or if additional variances may be required. Further, staff are of the opinion that variances #5 and #6 appear to be oddly worded. As such, staff can not truly assess the impact of these variances and are unable to support the application as presented.

Staff are of the opinion that the built form being proposed is not appropriate, does not align with the existing neighbourhood character and poses major massing impacts. Staff are of the opinion that these variances are not minor in nature. As such, staff are of the opinion that the application be refused.

Comments Prepared by: Shivani Chopra, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling will be addressed by our Development Construction Section through Building Permit BP 9ALT-25/5848.

Comments Prepared by: John Salvino, Development Engineering Technologist



Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application 25-5848. Based on review of the information available in this application, we advise that more information is required in order to verify the accuracy of the requested variances or determine whether additional variances will be required.

Please note that comments reflect those provided through the above application. These comments may no longer be valid should there be changes contained within this Committee of Adjustment application that have not been submitted and reviewed through the application noted above. The applicant must submit any changes and/or updates to information and/or drawings separately through the above application in order to receive updated comments.

Comments Prepared by: 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/>.

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. 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



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A192.24
Ward: 1

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 0 Stavebank Rd, zoned C4 - Commercial, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a permanent patio accessory to an off-site restaurant located at 52 Lakeshore Rd E whereas By-law 0225-2007, as amended, does not permit such a use in this instance.

The Committee has set **Thursday, May 1, 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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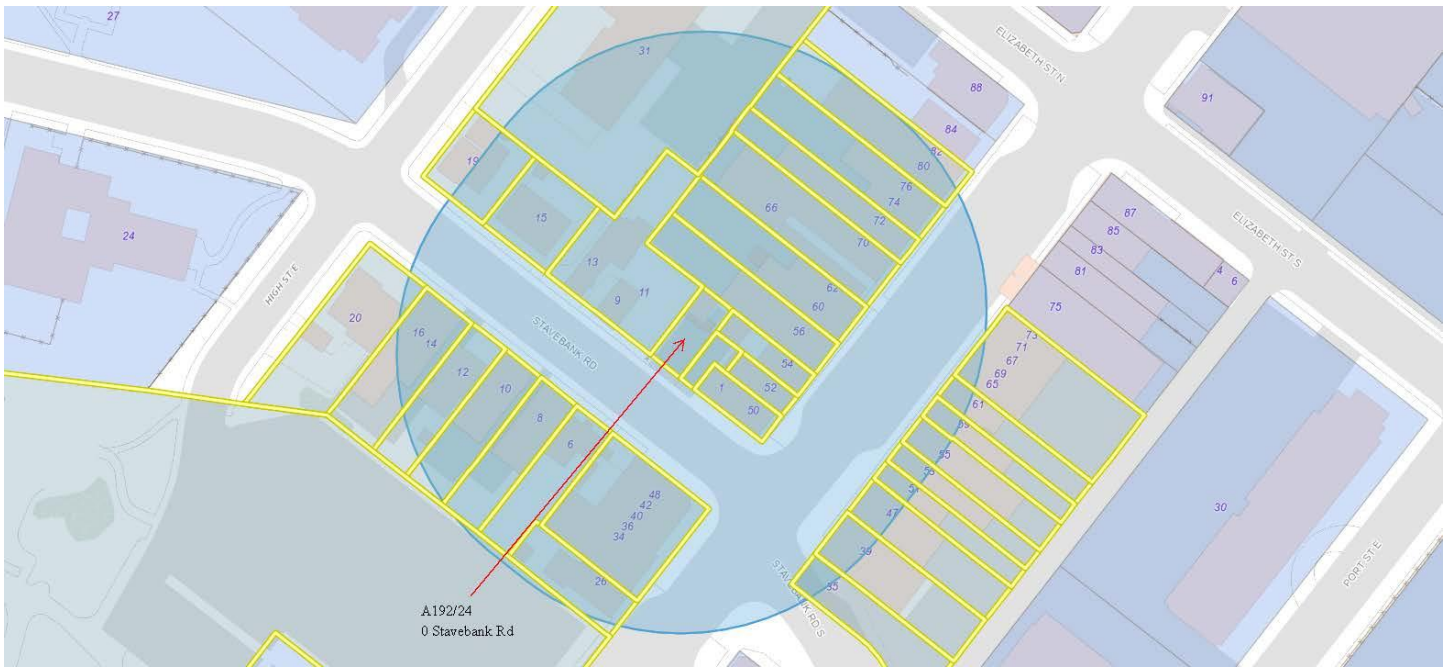
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-04-24	File(s): A192.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:5/1/2025 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 conditions. 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 a permanent patio accessory to an off-site restaurant located at 52 Lakeshore Rd E whereas By-law 0225-2007, as amended, does not permit such a use in this instance.

Recommended Conditions and Terms

Should the committee see merit in this application, Planning Staff recommend approving the requested variances subject to the following conditions:

1. The decision be tied as accessory to the restaurant located at 52 Lakeshore Rd E.
2. That the required Licencing Agreement is in place with the City of Mississauga for the portion of the patios which encroach into the road allowances.

Background

Property Address: 0 Stavebank Rd

Mississauga Official Plan

Character Area: **Port Credit Community Node**
Designation: **Mixed Use**

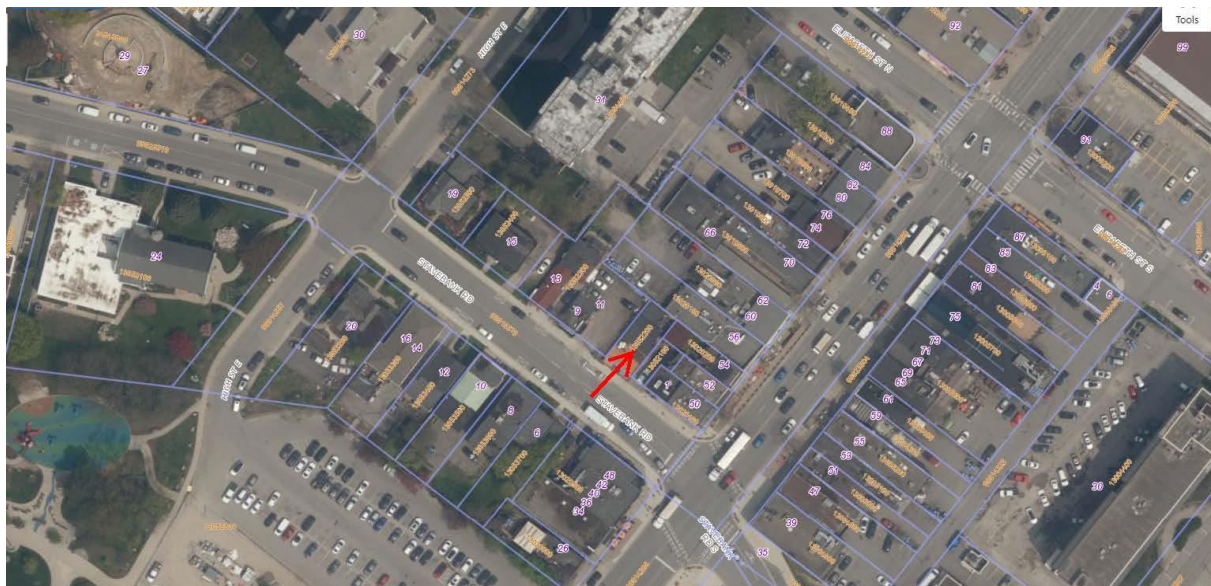
Zoning By-law 0225-2007

Zoning: **C4 - Commercial**

Site and Area Context

The subject property is located within the Port Credit Community Node, west of the Hurontario Street and Lakeshore Road East intersection. The subject site contains two commercial buildings with commercial uses. Minimal vegetation in the form of street trees align Lakeshore Road East. The broader area consists of a mix of commercial, high, and low-density residential uses with minimal vegetation throughout the properties.

The application proposes a variance to permit a permanent outdoor patio.



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 Mixed Use in Schedule 10 of the Mississauga Official Plan (MOP), which permits many uses, including commercial uses.

The subject property was before the Committee of Adjustment on May 2, 2024, wherein the file was deferred to allow the applicant an opportunity to submit a site plan application.

Staff note that the applicant met with Planning staff through a pre-application meeting (PAM) and will be required to submit a Site Plan application.

The sole variance requested pertains to the existing patio on 0 Stavebank Road. Staff note that a permanent patio is permitted in a C-4 zone under the current zoning by law and that the variance is required to allow it as a permanent use accessory to the restaurant on 52 Lakeshore Rd E, which is Zoned C4-66 and only permits temporary patios. Staff have no concerns with the proposal, as long as the patio remains accessory to the restaurant. Staff are of the opinion that there are no new impacts being introduced to the community and that the permanent patio is appropriate in this instance.

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

As per our previous comments for the May 2, 2024 hearing, we would have no objections to the continued use provided that the required Licencing Agreement is in place with the City of Mississauga for the portion of the patios which encroach into the road allowances. Should the applicant need a contact, they can proceed with contacting realtyservices@mississauga.ca.

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 for the proposed off site accessory Permanent outdoor patio, only the use was reviewed during the C25-6502.

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: Maria Fernandez, Zoning Examiner

Appendix 3 – 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: A579.24
Ward: 6

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 916 Stainton Dr, zoned RM1-2 - 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 for a driveway width of 6.30m (approx. 20.67ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

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

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-04-24	File(s): A579.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:5/1/2025 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow for a driveway width of 6.30m (approx. 20.67ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

Background

Property Address: 916 Stainton Dr

Mississauga Official Plan

Character Area: Erindale Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

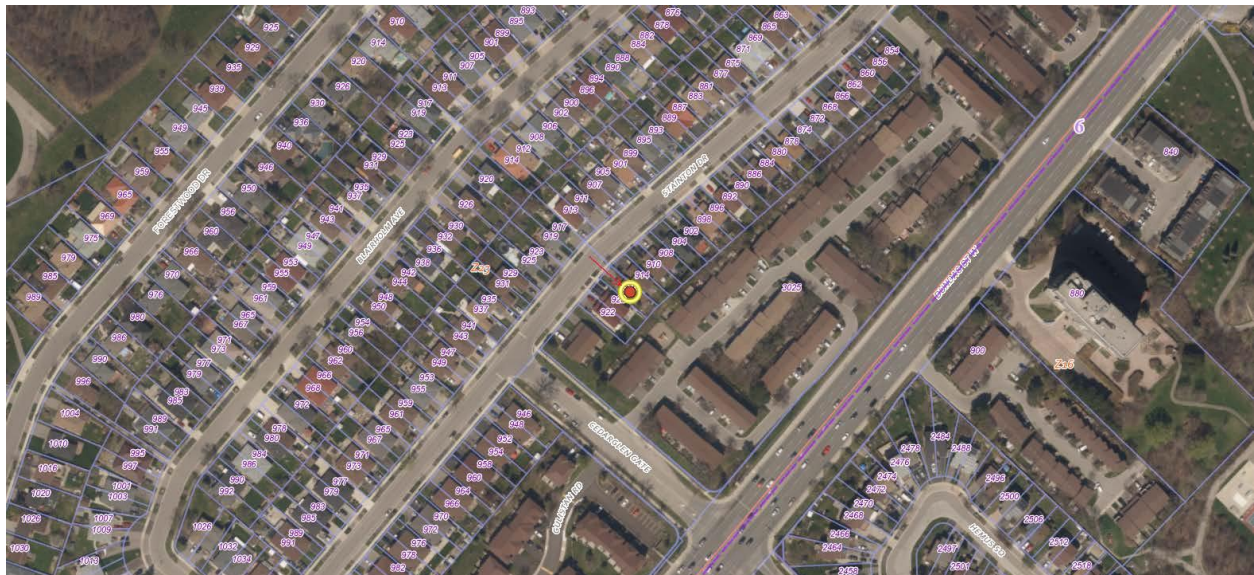
Zoning: RM1-2 - Residential

Other Applications: None

Site and Area Context

The subject property is located at the north-east corner of Dundas Street West and Erindale Station Road in the Erindale Neighbourhood Character Area. It is an interior lot containing a semi-detached dwelling with an attached garage. Limited vegetation and landscape elements are present throughout the subject property. The surrounding neighbourhood context consists of detached dwellings, semi-detached dwellings and townhouse dwellings. Additionally, various commercial uses are found along Dundas Street West.

The applicant is looking to legalize an existing driveway requiring a variance for the width.



Comments

Planning

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

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

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

The subject property is located in the Erindale Neighbourhood Character Area and is designated Residential Low Density II. Section 9 of the Mississauga Official Plan (MOP)

promotes development (including its features such as driveways and landscaping) with appropriate urban form and site design, regulating that such development is compatible with the existing conditions, the surrounding context and the landscape of the character area. The planned character of the area are dwellings accessed by appropriately sized driveways. The proposed driveway is compatible with the planned character of the area. Staff are of the opinion that the general intent and purpose of the official plan is maintained in this instance.

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

The sole variance requests an increase in driveway width. The intent of the driveway regulations in the by-law is to permit a driveway large enough to suitably accommodate the required number of parking spaces for a dwelling, with the remainder of lands in the front yard being soft landscaping. Staff are of the opinion that the increase in driveway width is minor and does not significantly reduce the front yard landscaping. Furthermore, staff are satisfied that the proposed driveway width does not facilitate the parking of additional vehicles across the driveway, nor does it create excessive hardscaping on the property.

Given the above, Planning staff are satisfied 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?

Staff are satisfied that the proposed variances meet the general intent and purpose of both the official plan and zoning by-law. Furthermore, staff note the proposal is minor in nature and represents appropriate development of the subject property.

Comments Prepared by: Sara Ukaj, Planning Associate

Appendices

Appendix 1 – Transportation and Works Comments

This department has no objections to the proposal submitted on the revised plan dated February 28, 2025 which depicts a 6.3M driveway width with an area of grass on both sides.





Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: 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

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A35.25
Ward: 10

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 6249 Prairie Cir, zoned R5-Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an addition to the existing dwelling use proposing:

1. A lot coverage of 42.30% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40.00% in this instance;
2. A rear yard setback of 6.31m (approx. 20.70ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 7.50m (approx. 24.61ft) in this instance;
3. An accessory structure setback to the rear yard of 0.30m (approx. 18.64ft) By-law 0225-2007, as amended, requires a minimum accessory structure setback to the rear yard of 0.61m (approx. 2.00ft) in this instance;
4. An accessory structure setback to the side yard of 0.30m (approx. 18.64ft) By-law 0225-2007, as amended, requires a minimum accessory structure setback to the side yard of 0.61m (approx. 2.00ft) in this instance;
5. A side yard setback for hard surfaced landscape material of 0.20m (approx. 0.66ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback for hard surfaced landscape material of 0.61m (approx. 2.00ft) in this instance;
6. A rear yard measured to a bay window of 5.68m (approx. 18.64ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to a bay window of 6.89m (approx. 22.60ft) in this instance;
7. A setback to steps of 6.56m (approx. 21.52ft) whereas By-law 0225-2007, as amended requires a minimum setback to steps of 6.90m (approx. 22.64ft) in this instance; and
8. A rear yard measured to eaves of 5.86m (approx. 19.23ft) whereas By-law 0225-2007, as amended requires a minimum rear yard measured to eaves of 7.05m (approx. 23.13ft) in this instance.

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

How to participate:

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

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

Friday prior to the hearing. If you have connection issues on the hearing date, please email virtualmeeting.help@mississauga.ca.

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

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

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

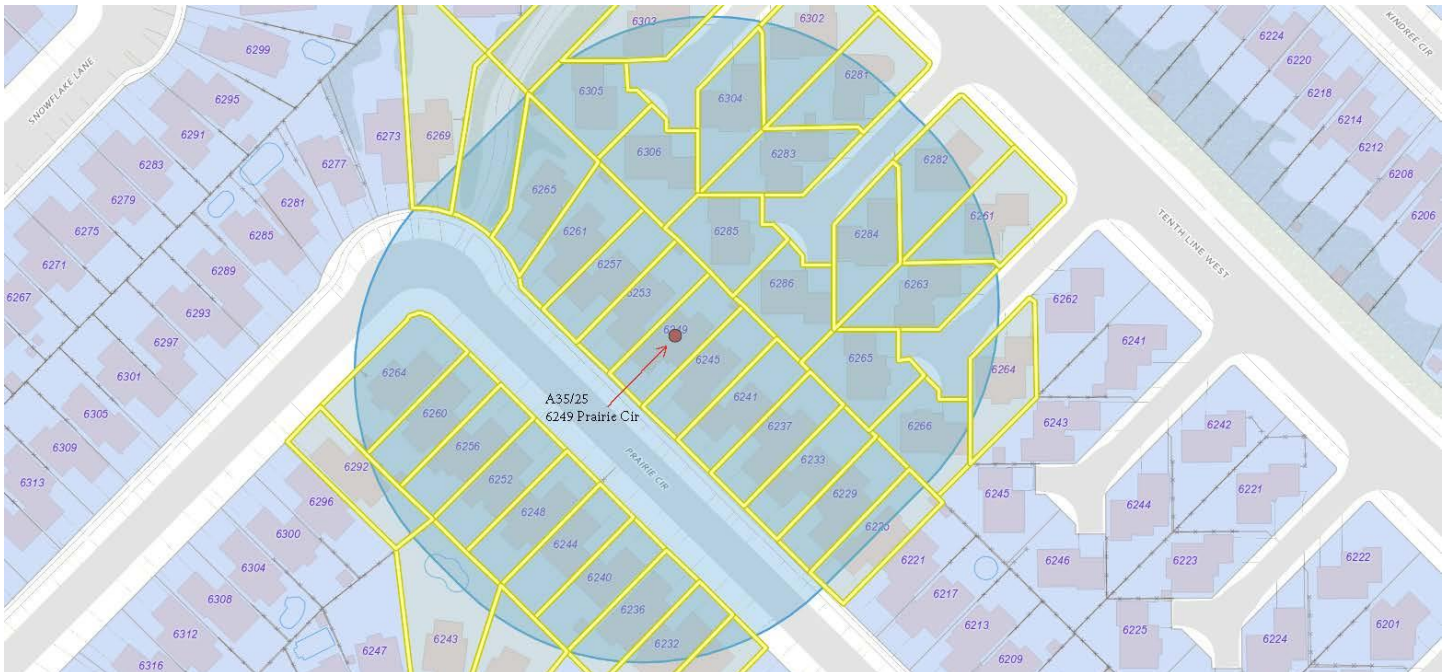
Additional Information:

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

Committee of Adjustment Appeal Process:

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

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



Legal notice:

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

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-04-24	File(s): A35.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 5/1/2025 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow an addition to the existing dwelling use proposing:

1. A lot coverage of 42.30% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40.00% in this instance;
2. A rear yard setback of 6.31m (approx. 20.70ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 7.50m (approx. 24.61ft) in this instance;
3. An accessory structure setback to the rear yard of 0.30m (approx. 18.64ft) By-law 0225-2007, as amended, requires a minimum accessory structure setback to the rear yard of 0.61m (approx. 2.00ft) in this instance;
4. An accessory structure setback to the side yard of 0.30m (approx. 18.64ft) By-law 0225-2007, as amended, requires a minimum accessory structure setback to the side yard of 0.61m (approx. 2.00ft) in this instance;
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7. A setback to steps of 6.56m (approx. 21.52ft) whereas By-law 0225-2007, as amended requires a minimum setback to steps of 6.90m (approx. 22.64ft) in this instance; and
8. A rear yard measured to eaves of 5.86m (approx. 19.23ft) whereas By-law 0225-2007, as amended requires a minimum rear yard measured to eaves of 7.05m (approx. 23.13ft) in this instance.

Amendments

The Building Department is processing Building Permit application 24-3905. Based on the review of the information available in this application, the requested variance(s) #1, #2, #5, #6, and #8 are correct. For Variances #6 & #7, it is apparent that amendments may be required as follows:

#6. A bay window projection of 1.82m (approx. 5.97ft) into the required rear yard, whereas By-law 0225-2007, as amended, requires a maximum bay window projection of 0.61m (approx. 2.00ft) into a required rear yard in this instance;

#7. A proposed stair encroachment of 0.94m (approx. 3.08ft) into a required rear yard, whereas By-law 0225-2007, as amended requires a maximum stair encroachment of 0.60m (approx. 1.97ft) into a required rear yard in this instance;

Background

Property Address: 6249 Prairie Cir

Mississauga Official Plan

Character Area: Lisgar Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

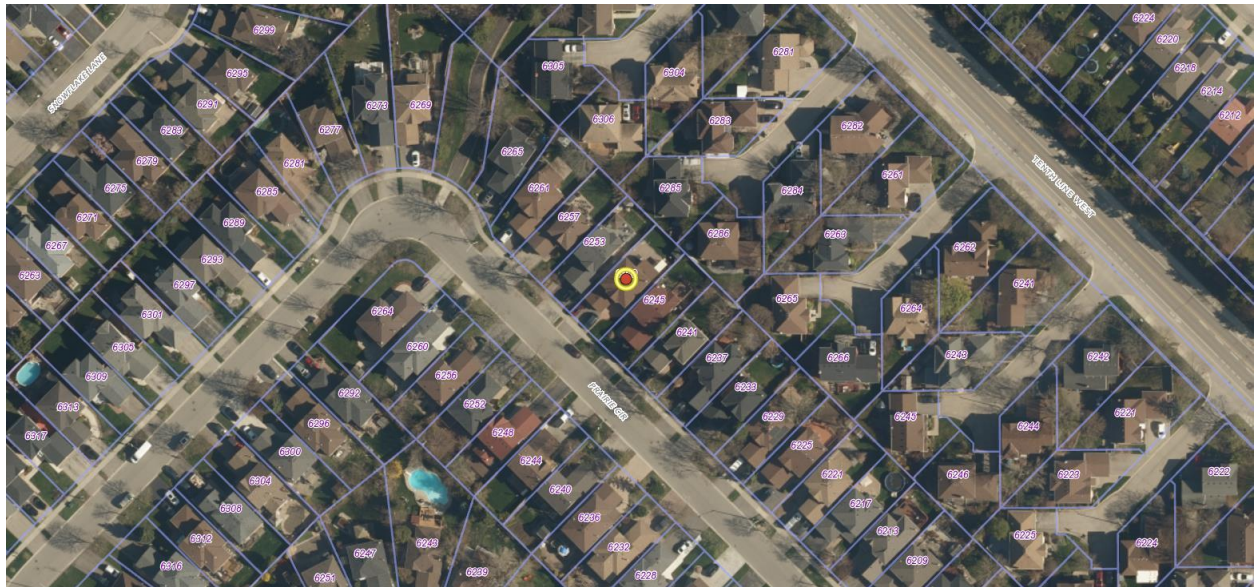
Zoning: R5-Residential

Other Applications: Building Permit 24-3905

Site and Area Context

The subject property is located north-west of the Britannia Road West and Tenth Line West intersection in the Lisgar neighbourhood. It is an interior lot containing a two-storey detached dwelling with attached garage. Limited landscaping/vegetative elements are present in both the front and rear yards. The property has an approximate area of +/- 367.6 m² (+/- 3,953.96 ft²), characteristic of lots in the area. The surrounding context is predominantly residential, consisting of two-storey detached dwellings on similarly sized lots.

The Applicant is proposing to construct an addition requiring variances for lot coverage, a rear yard set back, accessory structure setbacks and a hard surface landscaping setback.



Comments

Planning

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

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

This application previously came before the Committee on March 20th, 2025. The application was deferred to provide the applicant an opportunity to allow for a full zoning review to be completed to confirm the required variances.

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

The subject property is located in the Lisgar Neighbourhood Character Area and is designated Residential Low Density II. This designation permits detached, semi-detached, duplex and triplex dwellings, as well as street townhomes. Section 9 of the Mississauga Official Plan (MOP) promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing conditions, the surrounding context and the landscape of the character area. Planning staff are of the opinion that the proposed addition is compatible with the surrounding neighbourhood and would not pose negative impacts on the surrounding community or the natural feature. Staff are of the opinion that the general intent and purpose of the official plan is maintained in this instance.

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

The application previously before committee sought to permit an increased lot coverage, a reduced rear yard setback, side yard setback for hardscaping and a rear and side yard setback to an existing accessory structure. Staff comments pertaining to variances 1,2,3,4 and 5 remain supportive from the previous comments on March 20th, 2025.

Variances 6, 7 and 8 pertain to an increased bay window, stair and eaves encroachment. The intent of this portion of the by-law is to ensure that an appropriate buffer between the deck and stair to the lot lines is maintained. Staff note that the variances 6 and 7 are triggered solely by two features of the addition which includes a bay window and a set of stairs, which are both located at grade and do not represent the main rear wall of the dwelling and do not contribute to building mass or create any impacts on neighbouring properties. Further, the main rear wall of the addition proposes a greater setback than the projected stairs. Staff note that the eave encroachment only pertains to the eaves of the addition which represents less than half of the main rear wall of the dwelling and do not impose any massing impacts on abutting properties. Staff are satisfied that the variances are minor and meet the general intent of the zoning by-law.

Given the above, staff are of the opinion 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?

Staff are of the opinion that the proposed addition represents appropriate development of the lands. Staff are satisfied that the requested variance respect the surrounding context and that the impacts are minor and will not cause undue impacts on adjacent properties.

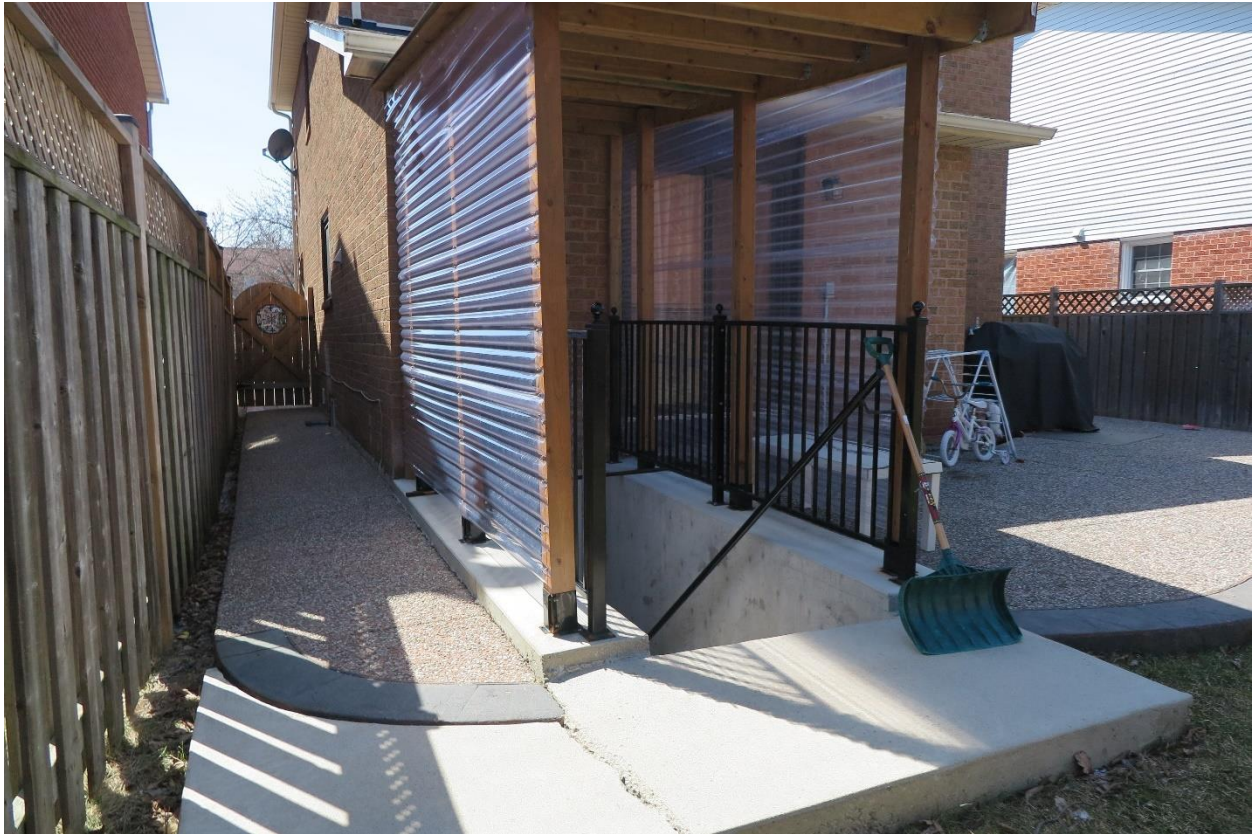
Comments Prepared by: Sara Ukaj, Planning Associate

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed addition will be addressed through the Building Permit Process, File BP 9 ALT 24-3905.







Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application 24-3905. Based on the review of the information available in this application, the requested variance(s) #1, #2, #5, #6, and #8 are correct. For Variances #6 & #7, it is apparent that amendments may be required as follows:

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#7 “Proposed stair encroachment of 0.94m (approx. 3.08ft) into a required rear yard, whereas By-law 0225-2007, as amended requires a maximum stair encroachment of 0.60m (approx. 1.97ft) into a required rear yard in this instance;

Please note that Variance #3 & #4 are not in scope of this Building Permit application and have not been reviewed by Zoning during this application process.

Please note that comments reflect those provided through the above application. These comments may no longer be valid should there be changes contained within this Committee of

Adjustment application that have not been submitted and reviewed through the application noted above. The applicant must submit any changes and/or updates to information and/or drawings separately through the above application in order to receive updated comments.

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

Comments Prepared by: Jamie Meston, Landscape Technician

Appendix 4 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner