

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

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

## Consolidated Recommendation

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

## Application Details

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

1. A lot frontage of 20.42m (approx. 67.00ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 22.50m (approx. 73.82ft) in this instance;
2. A dwelling height (flat roof) of 12.00m (approx. 39.37ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling height of 7.50m (approx. 24.61ft) in this instance;
3. An accessory structure area of 37.93sq m (approx. 408.28sq ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 20.00sq m (approx. 215.28sq ft) in this instance;
4. A driveway width beyond 6.0m of a garage face of 14.83m (approx. 48.66ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width beyond 6.0m of a garage face of 8.50m (approx. 27.89ft) in this instance;
5. A dwelling depth of 26.39m (approx. 86.59ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
6. A driveway width within 6.0m of a garage face of 14.83m (approx. 48.66ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width within 6.0m of a garage face of 10.50m (approx. 34.45ft) in this instance;
7. A walkway attachment width of 3.00m (approx. 9.84ft) whereas By-law 0225-2007, as amended, permits a maximum walkway attachment width of 1.50m (approx. 4.92ft) in this instance;
8. 2 walkways attached to the driveway on the same side whereas By-law 0225-2007, as amended, permits a maximum of 1 walkway attachment per side in this instance;
9. A garage area of 127.83sq m (approx. 1375.96sq ft) whereas By-law 0225-2007, as amended, permits a maximum garage area of 75.00sq m (approx. 807.30sq ft) in this instance;
10. An accessory structure height of 4.69m (approx. 15.39ft) whereas By-law 0225-2007, as

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amended, permits a maximum accessory structure height of 3.50m (approx. 11.48ft) in this instance; and,

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

### **Recommended Conditions and Terms**

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

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

## **Background**

**Property Address: 780 Parkland Ave**

### **Mississauga Official Plan**

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

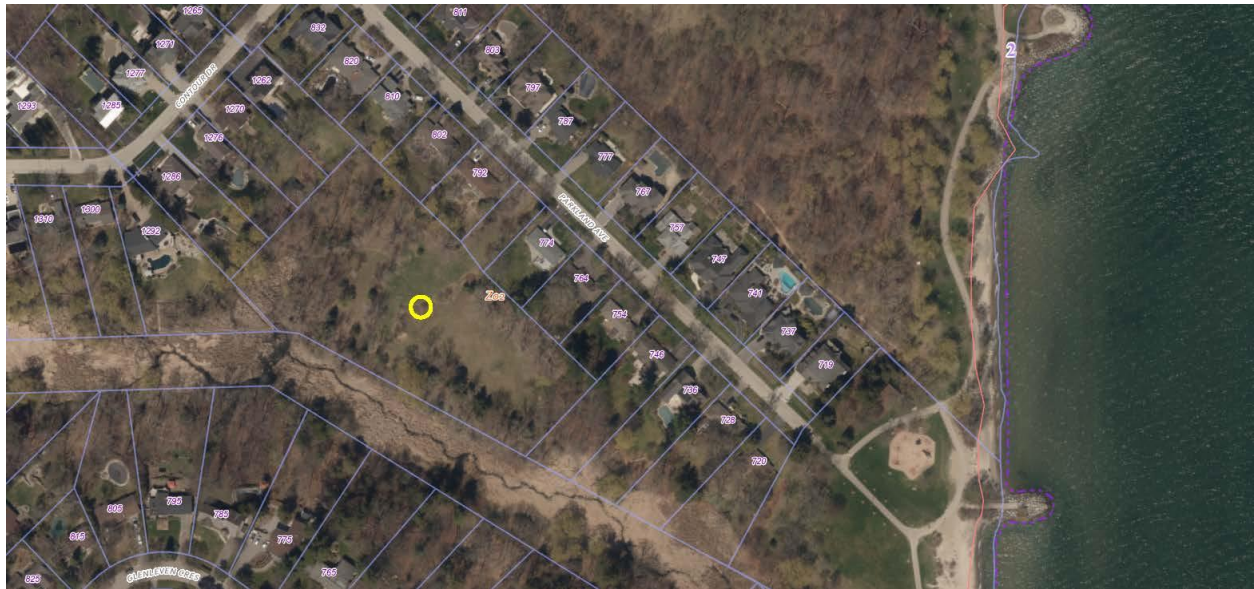
### **Zoning By-law 0225-2007**

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

### **Site and Area Context**

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

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



## Comments

### Planning

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

Staff comments concerning the application are as follows:

The site is located within the Clarkson-Lorne Park Character Area and is designated Residential Low Density I and Greenlands by the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached dwellings in this instance.

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

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

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

Comments Prepared by: Shivani Chopra, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

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

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

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

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

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

### Appendix 2 – Zoning Comments

The Building Division is processing Independent Zoning Review application IZR SP 24-2323. Based on the review of the information available in this application, the requested variances are correct.

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

Comments Prepared by: Alana Zheng, Supervisor Zoning Examination

### **Appendix 3 – Parks, Forestry & Environment**

#### Forestry Comments

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

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

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

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

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

Comments Prepared by: Jamie Meston, Landscape Technician

### **Appendix 4- Conservation Authority Comments**

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

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

Please contact me if you have any questions or concerns.

Comments Prepared by: Stuti Bhatt, Junior Planner