

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

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

## Consolidated Recommendation

The City recommends that the application be deferred.

## Application Details

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

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

## Amendments

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

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

## Background

**Property Address:** 1598 Calverton Crt

### Mississauga Official Plan

Character Area: Mineola Neighbourhood  
Designation: Residential Low Density I

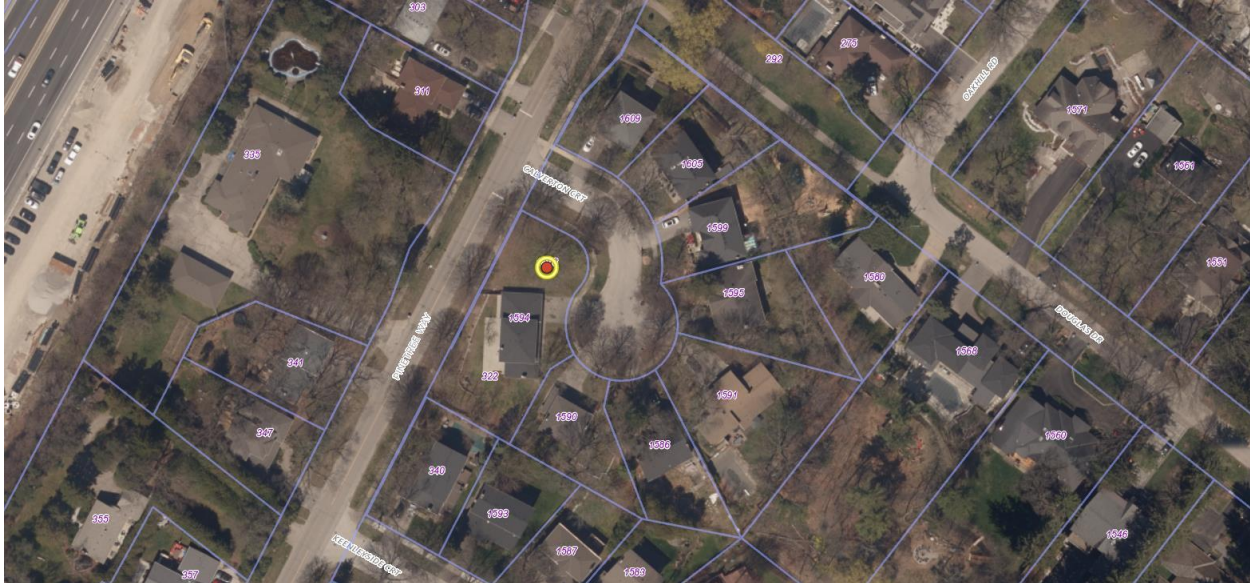
### Zoning By-law 0225-2007

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

### Site and Area Context

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

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



## Comments

### Planning

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

Staff comments concerning the application are as follows:

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached and duplex dwellings.

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

The subject property was again before the Committee under files B28.24, A118.24 and A119.24 on June 20, 2024. The applications were supported by staff and provisionally approved. The previous application A119.24 contained almost identical variances as the current application.

Staff note that as the severance and minor variances were approved provisionally, as the variances do not come into effect until the conditions for severance are cleared. With the previous application currently in provisional status, Zoning has reviewed this application (Building Permit

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

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

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

Comments Prepared by: Shivani Chopra, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling will be addressed by our Development Construction Section through Building Permit BP 9NEW-24/4420.

Comments Prepared by: John Salvino, Development Engineering Technologist





## Appendix 2 – Zoning Comments

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

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

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

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

Comments Prepared by: Sibila Lass Weldt, Zoning Examiner

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

#### Forestry Comments

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

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

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

Please be advised the subject property is fully within a component of the City's Natural Heritage System (NHS), specifically a Residential Woodland (also known as site M14). Section 6.3.24 and 6.3.19 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored, and expanded through the following measures:

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

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

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



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

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

Comments Prepared by: Jamie Meston, Landscape Technician

#### **Appendix 4 – Region of Peel Comments**

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

Comments Prepared by: Brian Melnyk, Development Engineering