

# City of Mississauga

Memorandum:

## City Department and Agency Comments

Date Finalized: 2025-02-20	File(s): A612.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2/27/2025 1:00:00 PM

### Consolidated Recommendation

The City recommends that the application be deferred.

### Application Details

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

1. A height of 8.60m (approx. 28.22ft) whereas By-law 0225-2007, as amended, permits a maximum height of 7.50m (approx. 24.61ft) in this instance; and
2. A parapet height of 9.30m (approx. 30.51ft) whereas By-law 0225-2007, as amended, permits a maximum parapet height of 7.50m (approx. 24.61ft) in this instance

### Amendments

The Building Department is processing Building Permit application 24-2940. Based on review of the information available in this application, we advise that variance #2 can be deleted. The following amendment is required:

The following amendments are required:

1. A height of 9.30m (approx. 30.51ft) whereas By-law 0225-2007, as amended, permits a maximum height of 7.50m (approx. 24.61ft) in this instance; and

The following variance is removed:

2. A parapet height of 9.30m (approx. 30.51ft) whereas By-law 0225-2007, as amended, permits a maximum parapet height of 7.50m (approx. 24.61ft) in this instance

## Background

**Property Address:** 1258 St. Mary's Ave

### Mississauga Official Plan

**Character Area:** Lakeview Neighborhood

**Designation:** Residential Low Density II

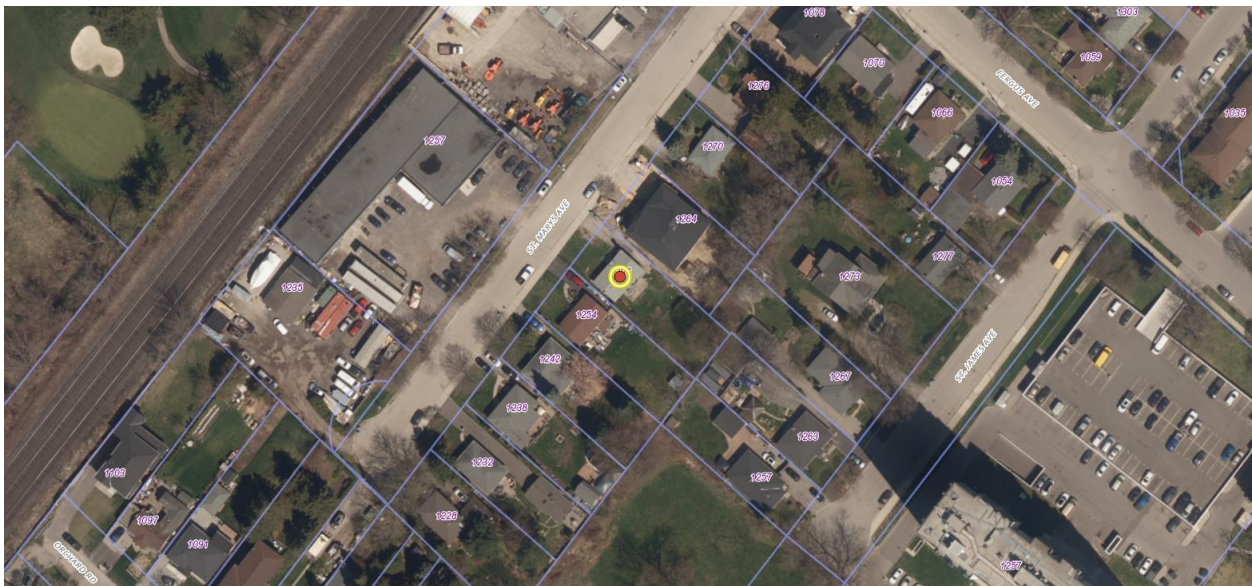
### Zoning By-law 0225-2007

**Zoning:** R3-75 - Residential

### Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, northwest of the Dixie Road and Lakeshore Road East intersection. The neighbourhood contains a mix of industrial, commercial and residential uses. The residential uses consist of high-density residential uses along Lakeshore Road East and one and two-storey detached dwellings with significant mature vegetation in the front, rear and side yards. The subject property contains a one-storey single detached dwelling with vegetation in the front yard.

The application proposes a two-storey detached dwelling requiring variances for dwelling height.



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## 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 Lakeview Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density II designation permits detached dwellings.

Staff have concerns with Variance #1 requesting an increase in flat 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 note the proposed dwelling appears three stories in height from the front elevation.

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 proposed dwelling height is excessive in nature and represent a major deviation from the permissible as-of-right regulations.

Given the above, staff are recommending a deferral of the application. This deferral is intended to provide the applicant with the opportunity to engage in discussions with Planning staff regarding issues identified above and potentially redesign the proposed dwelling.

Comments Prepared by: Sara Ukaj, Planning Associate

## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling will be addressed by our Development Construction Section through Building Permit BP 9NEW-24/2940.

Comments Prepared by: John Salvino, Development Engineering Technologist



### Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application 24-2940. Based on review of the information available in this application, we advise that variance #2 can be deleted. The following amendment is required:

1. A height of 9.30m (approx. 30.51ft) whereas By-law 0225-2007, as amended, permits a maximum height of 7.50m (approx. 24.61ft) in this instance; and

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/>.

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