

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-02-27	File(s): A62.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:3/6/2025 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, as requested, meets the requirements of Section 45(1) of the Planning Act.

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 9.21m (approx. 30.22ft) whereas By-law 0225-2007, as amended, permits a maximum height of 7.50m (approx. 24.61ft) in this instance;
2. A height measured to the eaves of 7.17m (approx. 23.52ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m (approx. 21.00ft) in this instance;
3. A side yard measured to the eaves of 0.75m (approx. 2.46ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the eaves of 1.97m (approx. 6.46ft) in this instance; and
4. A side yard measured to a third storey of 1.20m (approx. 3.94ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to a third storey of 2.42m (approx. 7.94ft) in this instance.

Background

Property Address: 1062 Alexandra Ave

Mississauga Official Plan

Character Area: Lakeview Neighborhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

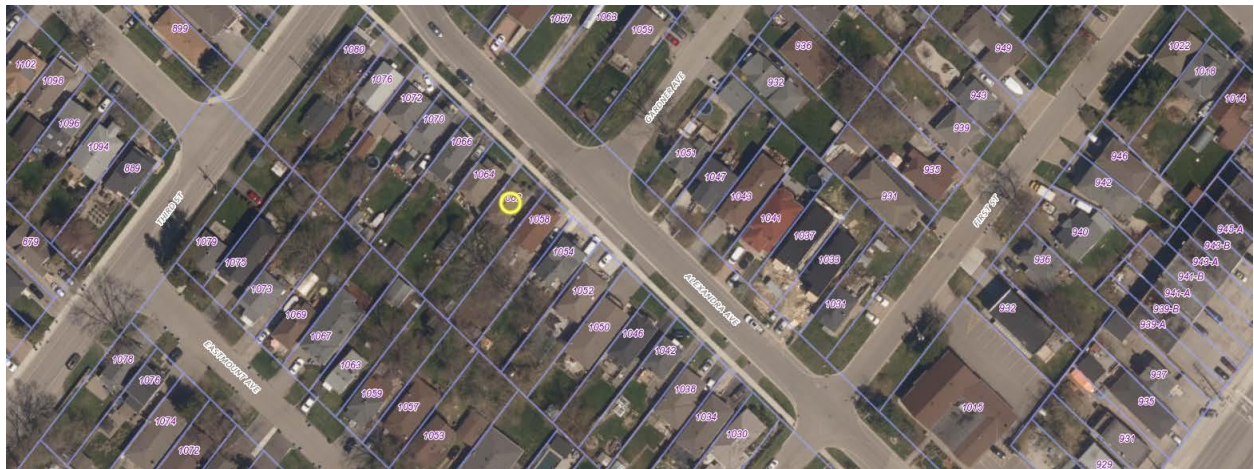
Zoning: R3-75 - Residential

Other Applications: Building Permit application 24-2056

Site and Area Context

The subject property is located in the Lakeview Neighbourhood Character Area, northeast of the Lakeshore Road East and Cawthra Road intersection. The immediate neighbourhood primarily consists of a mix of older and newer one and two-storey detached dwellings with vegetation in the front yards. The subject property contains a one-storey detached dwelling with vegetation in the front yard.

The applicant is proposing a new dwelling requiring variances for dwelling height, eaves height and setbacks.



Staff comments concerning the application are as follows:

The subject property is located within the Lakeview Neighbourhood Area and is designated Residential Low Density II. This designation permits detached, semi-detached, duplex, triplexes, street townhouses and other forms of low-rise dwellings with individual frontages.

Staff note that the subject property was before the Committee of Adjustment on November 21, 2024 under file A504.24 for variances pertaining to lot coverage, dwelling height, eaves height and setbacks. Staff had recommended support of the application, and the variances were approved by the Committee.

The current application requires variances for height, eave height and setbacks to eaves and third storey. The current proposal is identical to what was previously approved by the Committee. No changes have been made to the design and the approved drawings.

During the building permit process, Zoning staff identified that a portion of the second storey would be considered as the third storey.

The current application seeks a side yard setback of 1.20m (3.94ft) measured to the third storey and an eave setback of 0.75m (2.46ft). Identical height and eave height variances were previously approved under file A504.24. Staff are of the opinion that the variances are technical in nature, required to facilitate the zoning interpretation and have no concerns.

Through a detailed review of the application, staff are of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Comments Prepared by: Shivani Chopra, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling will be addressed by our Development Construction Section through Building Permit BP 9NEW-24/2056.

Comments Prepared by: John Salvino, Development Engineering Technologist



Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application 24-2056. Based on the review of the information available in this application, the requested variances are correct.

Please Note – App no. A-504/24 was previously approved on NOV 21, 2024 for the same project design. During the previous application, Zoning reviewed the project as a 2 storey dwelling. Although the project has not changed designs, due to the conditions added to A-504/24, technically the zoning bylaw views a very small portion of the dwelling as a 3 storey area (one bedroom and washroom shown on the second floor plans). Based on this, updated Minor Variances have been added. The design presented here has not changed from the approved App no. A-504/24.

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

Comments Prepared by: Andrew Wemekamp, Zoning Examiner.

Appendix 3 – Parks, Forestry & Environment

Forestry Comments

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

1. No public trees shall be injured or removed. If public tree injury or removal is required, a permit must be issued as per By-law 0020-2022.
2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree 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 the construction works affiliated with the asphalt driveway widening may impact the following City owned trees, potentially resulting in tree injury. Care should be taken to protect the below noted trees as best as possible:

- Red Maple: 15cm DBH (approx.), good condition, minimum Tree Protection Zone (TPZ) 1.2m, located north of asphalt driveway, City tree.

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- Flowering Crab Apple: 25cm DBH, good-fair condition, minimum Tree Protection Zone (TPZ) 1.8m, located south of asphalt driveway, City tree.

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

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

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

Comments Prepared by: Jamie Meston, Landscape Technician

Appendix 4 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 5 – Metrolinx

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

GO/HEAVY-RAIL – CONDITIONS OF APPROVAL

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

and successors in interest has or have a right-of-way within 300 metres from the subject land. The Applicant is further advised that there may be alterations to or expansions of the rail or other transit facilities on such right-of-way in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx to use the right-of-way or their assigns or successors as aforesaid may expand or alter their operations, which expansion or alteration may affect the environment of the occupants in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual lots, blocks or units.

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

Comments Prepared by: Jenna Auger, Third Party Project Review