

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2025-03-20	File(s): A95.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:3/27/2025 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the application.

## Application Details

The applicant requests the Committee to approve a minor proposing:

1. A setback of 2.7m (approx. 8.86ft) from side wall of Block 1 to condominium road whereas by-law 0225-2007, as amended, requires a minimum setback of 4.5m (approx. 14.76ft) from side wall of stacked townhouse to condominium road in this instance;
2. A setback of 3.6m (approx. 11.81ft) from side wall of Block 8 to condominium road whereas by-law 0225-2007, as amended, requires a minimum setback of 4.5m (approx. 14.76ft) from side wall of stacked townhouse to condominium road in this instance;
3. A projection of wing wall outside of buildable area for Townhouse E and H whereas by-law 0225-2007, as amended, does not permit projection of wing wall outside of buildable area in this instance;
4. A projection of 2nd and 3rd storey outside of buildable area for Townhouse A-E and F-H whereas by-law 0225-2007, as amended, does not permit projection of 2nd and 3rd storey outside of buildable area in this instance;
5. An encroachment of porch of townhouse, inclusive of stairs, of 1.6m (approx. 5.25ft) into rear yard whereas by-law 0225-2007, as amended, does not permit encroachment of porch of townhouse, inclusive of stairs, into rear yard in this instance;
6. A projection of eave overhang outside of buildable area whereas by-law 0225-2007, as amended, does not permit projection of eave overhang outside of buildable area in this instance.

## Background

**Property Address:** 3111-3123 Cawthra Rd

## Mississauga Official Plan

Character Area: Applewood Neighbourhood  
Designation: Residential Medium Density

## Zoning By-law 0225-2007

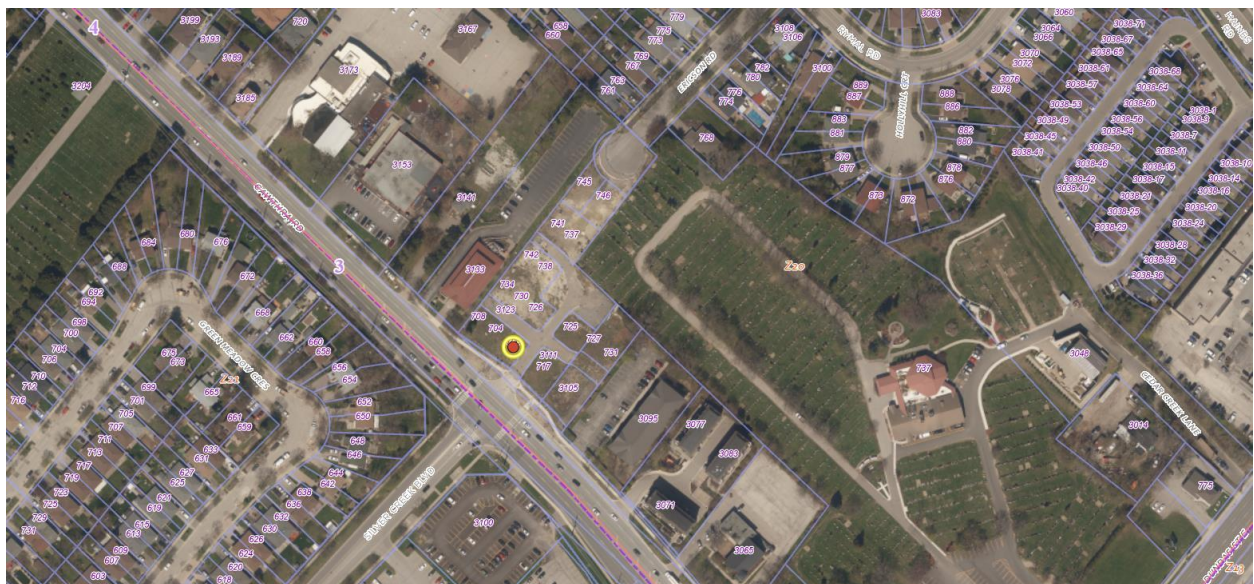
Zoning: RM8-15-Residential

Other Applications: SP 24-18

## Site and Area Context

The subject property is located along the east side of Cawthra Road, north-east of the Dundas Street East and Cawthra Road intersection in the Applewood Neighbourhood Character Area. It is an interior lot that is currently vacant with vegetative elements present throughout the property. The surrounding area context is exclusively residential, consisting of detached dwellings and townhouse dwellings. Additionally, places of religious assembly, day care facilities and a multi-tenant commercial plaza are also located in the greater context along Cawthra Road.

The applicant is proposing to build 24 stacked townhouse units, 8 dual frontage condominium townhouse units and 2 freehold detached dwellings requiring variances for setbacks to a condominium road, encroachment of porches and the projection of the second and third storey for townhouses A-H, wingwalls for townhouses E and H, and eave overhang.



## 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 within the Applewood Neighbourhood Character Area and is designated Residential Medium Density in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits all forms of townhouse dwellings.

The subject property is subject to an Ontario Land Tribunal settlement decision (PL170479) from March 2019, which rezoned the parcel to RM8-15, RM6-21 and R5-49 and designated the subject property Medium Density. The applicant is currently working on an active site plan application (SP 24-18) with the City's Development Planning team regarding the subject property. Planning staff note the nature of the four variances sought are to facilitate a design which has been conceptually approved by both the Urban Design and Development Planning teams through their review of the official plan amendment and rezoning application (OZ/OPA 16-1) and site plan approval applications (SP 18-133 & SP 24-18).

Variances 1 and 2 request a reduction from the side walls of Block 1 and Block 8 to a condominium road. The intent of the side yard provisions is to ensure access can be maintained around the dwelling, appropriate drainage patterns can be provided and that an appropriate buffer between the dwelling and internal condominium road can be maintained. Staff note the condominium road only provides access to residents and visitors of the proposed neighbourhood and will not be subject to any future road widenings. As such, the reduced setbacks for the development will ensure the proposal remains compatible with the surrounding neighbourhood. Staff are of the opinion that the reduced setbacks will not result in any negative impact on the streetscape and will incur appropriate landscaping materials, such as a retaining wall located between the townhouse and condominium road, to further minimize any potential impacts of the reduced setbacks. Staff are satisfied that the reduced setbacks will maintain access around the dwelling, appropriate drainage patterns can be provided and an adequate buffer exists between the townhouse dwelling and condominium road.

Variances 3, 4 and 6 requests the second and third stories for townhouses A-H, wingwalls for townhouses E and H, and eaves overhang be in accordance with the RM8-15 and RM6-21 site-specific zoning schedules. Upon review, staff note that the request is not for the whole block, but rather for a limited number of areas within the proposal. The requested variance represents a minor change to what has already been reviewed in consultation with municipal staff and do

not fundamentally change the intended design or functionality of the site. Planning staff are satisfied that the proposed variance will continue to facilitate a development that is appropriate for the subject property.

Variance 5 pertains to an increased encroachment for a porch and steps for townhouses A-H. The intent of this portion of the by-law is to ensure an appropriate buffer between the porch and lot line remains. Staff note that the request is minor in nature and are satisfied that the porch on the subject property is appropriately sized and setback from the rear lot line.

Planning staff are satisfied that the proposed variances will facilitate a development that is appropriate for the subject property and that the proposed variances meets the general intent of the by-law and will not significantly alter the envisioned development. Furthermore, Planning staff are satisfied that the proposed variances, both individually and cumulatively, meet the general intent and purpose of the official plan and zoning by-law, are minor in nature and result in orderly development of the subject property.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting that any Transportation and Works Department concerns/requirements for the proposed development are being addressed through the Site Plan Application, SP 18-133 W3. We also note that the City has processed Application's OZ/OPA 16-001 W3 and 21T-M 16001 W3 associated with the proposed development.

Comments Prepared by: Tony Iacobucci, Development Engineering

### Appendix 2 – Zoning Comments

The Building Division is processing Site Plan application SP 24-18. 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