

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-04-03	File(s): A71.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 4/10/2025 1:00:00 PM

Consolidated Recommendation

The City recommends the application be refused.

Application Details

The applicant requests the Committee to approve a minor variance proposing a structure to be located in the front yard of a residential property whereas By-law 0225-2007, as amended, does not allow a structure to be located in the front yard of a residential property in this instance.

Background

Property Address: 1340 Hickory Dr

Mississauga Official Plan

Character Area: Rathwood Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3-Residential

Other Applications: None

Site and Area Context

The subject property is located north-west of the Dixie Road and Rathburn Road East intersection in the Rathwood Neighbourhood Character Area. It is an interior lot containing a one-storey detached dwelling with an attached garage. Limited landscaping and vegetative

Staff note the same proposal was supported by Planning staff and was subsequently approved for a temporary period of one (1) year by the Committee of Adjustment on January 11th, 2024 (A463.23). At the time, Planning staff noted there was an active building permit (BP 9ALT 14-1012) for interior alterations and first and second storey additions to the dwelling on the subject property. Section 2.1.21 in the zoning by-law references temporary buildings and structures can be used for a temporary period incidental to ongoing construction on the lot which has neither been finished or abandoned. Planning staff cited Section 2.1.21 and the active building permit as their rationale for supporting the proposal on a temporary basis.

Since the decision rendered by the Committee of Adjustment on January 11th, 2024, Municipal By-law Enforcement Officers and Building Inspectors have visited the subject property numerous times to identify whether the proposed works associated with the 2014 building permit were in progress. Building Inspection staff identified that the proposed works had never begun. On November 22nd, 2024, Building staff made the decision to revoke the 2014 building permit. A revocation letter was sent to the homeowner confirming that the 2014 building permit was no longer valid. Planning staff have confirmed there are no building permits that remain open on the subject property.

The subject property is located in the Rathwood Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context and the landscape of the character area. The existing structure is not compatible with the surrounding area or existing neighbourhood conditions. Therefore, the proposal does not meet the general intent and purpose of the official plan.

The sole variance requests an existing structure be permitted to be located in the front yard. The City restricts structures in front yards in order to maintain a certain level of uniformity of the streetscape for aesthetic purposes. While staff note the structure is a construction trailer, there are no ongoing building permits corresponding to the subject property. With the accessory structure required to support dwelling renovations and the recent revoking of the building permit, staff are of the opinion that the existing accessory structure is not appropriately located on the subject property nor is it needed.

Given the above, Planning staff are of the opinion that the proposal does not meet the general intent and purpose of the official plan and zoning by-law, is not minor in nature and does not contribute to orderly development on the subject property.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's ease of reference are photos depicting the existing storage container on the driveway.





Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

We note that a Building Permit is required. In the absence of a Building Permit, we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed.

The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

Comments Prepared by: Carrie Chan Patch, Zoning Examiner

Appendix 3 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 4 – MTO

*The subject property described above appears to be located within the MTO Permit Control Area for Eastgate Parkway; as a result, the applicant should be made aware that an MTO Building & Land Use Permit(s) will be required from this office prior to the start of any onsite construction/works. Of note, there does not appear to be a Building & Land Use Permit/ Application on file for the construction of the related detached single-family home. The Applicant should be made aware that an MTO Building & Land Use Permit(s) will be required from this office prior to the start of any onsite construction/works for the same. The Applicant may apply for both structures on one application.

Information regarding the application process, forms and the policy can be found at the following link: <https://www.ontario.ca/page/highway-corridor-management>

Comments Prepared by: Nicole Hajjar, Corridor Management Officer