

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-04-03	File(s): A202.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 4/10/2025 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 variance to allow the construction of a new house proposing:

1. A lot coverage of 30.69% (192.50sq m) whereas By-law 0225-2007, as amended permits a maximum lot coverage of 30% (188.12sq m) in this instance; and,
2. A gross floor area of 327.30sq m (approx. 3523.03sq ft) whereas By-law 0225-2007, as amended permits a maximum gross floor area of 275.41sq m (approx. 2964.49sq ft) in this instance.

Background

Property Address: 3091 Bonaventure Drive

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

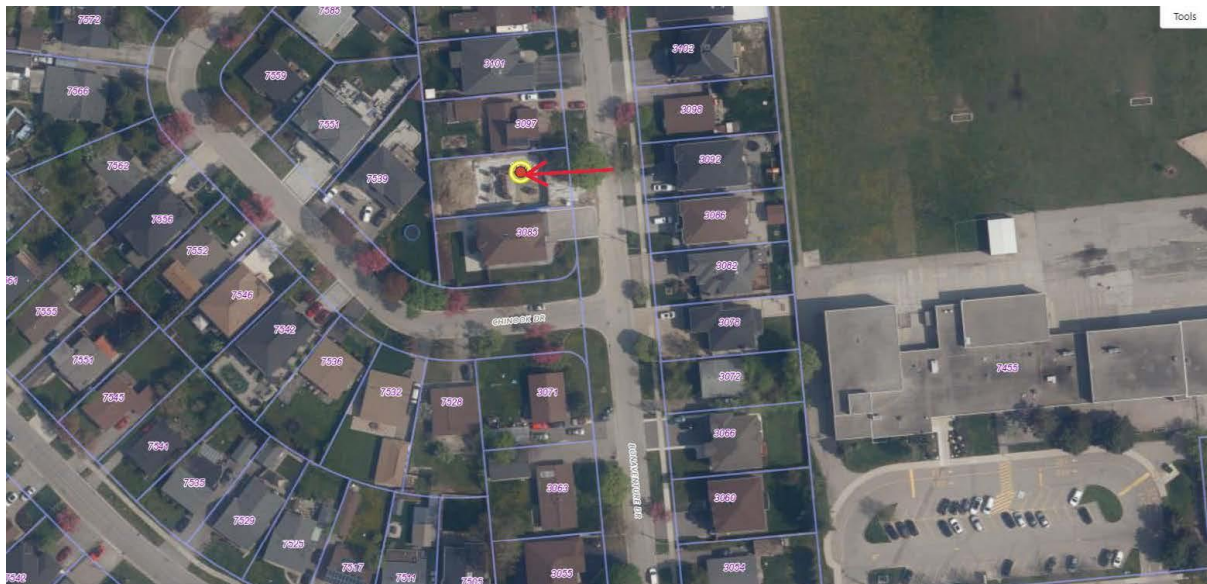
Zoning: R3-69-Residential

Other Applications: BP 9ALT 23-9789

Site and Area Context

The subject property is located north-east of the Airport Road and Thamesgate Drive intersection in the Malton Neighbourhood. It has a lot area of +/- 627.08m² (6,749.83ft²), a lot frontage of +/- 16.46m (54ft), and currently contains a single storey detached dwelling with minimal vegetation and landscaping elements in the front and rear yards. The surrounding neighbourhood consists of older single storey detached homes, as well as newer two storey detached dwellings on similarly sized lots.

The applicant is proposing to construct a new two-storey dwelling requiring variances for lot coverage and gross floor area.



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 Malton Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP).

The application proposes increases in the lot coverage and gross floor area. Staff note a previous application (A188.21) for the construction of a new dwelling was approved by the Committee of Adjustment on September 9th, 2021. Included within the approval was a gross floor area variance of 332.20m² (3,575.89ft²), which is greater than what the applicant is requesting in this application. Additionally, Staff note that this application was before committee on July 18th, 2024, and was deferred by city staff to address TRCA comments regarding the subject property being located within the Regulatory Floodplain.

While staff do not have any concerns with the proposed lot coverage variance, staff note that the Toronto and Region Conservation Authority had raised concerns about portions of the subject property being located within the Regulatory Floodplain in the previous submission. Since resubmitting to the committee, TRCA staff have had the opportunity to complete the application review and have stated that the TRCA has no objection to the approval of the application.

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 new dwelling will be addressed through the Building Permit Process (BP 9ALT 23-9789).



Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Division is processing a Building Permit application BP 9ALT 23-9789. 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: Maria Fernandez, 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.

Comments Prepared by: Jamie Meston, Landscape Technician

Appendix 4 – Region of Peel Comments

Minor Variance: A-24-202M / 3091 Bonaventure Drive

Development Engineering: Brian Melnyk (905) 791-7800 x3602

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 siteplanservicing@peelregion.ca.
- All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel design specifications. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@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 siteplanservicing@peelregion.ca.

Planning: Petrele Francois (905) 791-7800 x3356

Comments:

• The subject land is located in the regulated and floodplain area of the Toronto & Region Conservation Authority (TRCA). The Regional Official Plan (ROP) designates floodplains as a natural hazard under Policy 2.16.11. Within this designation, ROP policies seek to ensure that development and site alterations do not create new or aggravate existing flood plain management problems along flood susceptible riverine environments. We rely on the environmental expertise of the TRCA for the review of development applications located within or adjacent the regulated area in Peel. We, therefore, request that City staff consider comments from the TRCA and incorporate their conditions of approval appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the TRCA.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 5 – Toronto and Region Conservation Authority Comments

TRCA staff have reviewed the application in accordance with the Conservation Authorities Act (CA Act) and its associated regulations, which require TRCA to provide programs and services related to the risk of natural hazards within its jurisdiction. Whether acting on behalf of the Ministry of Natural Resources (MNR) or as a public body under the Planning Act, Conservation Authorities (CAs) must help ensure that decisions under the Planning Act are consistent with the natural hazards policies of the Provincial Planning Statement (PPS) and conform to any natural hazard policies in a Provincial Plan.

In addition, TRCA staff have also reviewed these applications in accordance with TRCA's permitting responsibilities under Section 28.1 of the CA Act. Where development activities are proposed within a TRCA Regulated Area (i.e., river or valley, wetlands, hazardous lands, etc.), a permit is required from TRCA. TRCA must ensure that where a proposal is within an area regulated by TRCA, that the proposal conforms with the appropriate policies of Section 8 of TRCA's Living City Policies (LCP), which evaluate a proposal's ability to meet the tests of the CA Act and regulation.

Purpose of the Application

TRCA staff understand that the purpose of Minor Variance Application is to allow the construction of a new house proposing:

1. A lot coverage of 30.69% (192.50 sq.m.) whereas By-law 0225-2007, as amended permits a maximum lot coverage of 30% (188.12 sq.m.) in this instance; and,
2. A gross floor area of 327.30 sq.m. (approx. 3523.03 sq.ft.) whereas By-law 0225-2007, as

amended permits a maximum gross floor area of 275.41sq m (approx. 2964.49 sq.ft.) in this instance.

It is our understanding that the requested variances are required to facilitate the replacement of a one-story dwelling with a gross floor area of 148.30 sq.m. with a two-story dwelling with a gross floor area of 327.30 sq.m. (with a below-grade entrance).

The proposed works also include the development of a 48.31 sq. m. (519 sq. ft.) pool, and a 25.56 sq. m. (274 sq. ft.) cabana.

Background

On November 15, 2024, TRCA issued permit no. PER-DPP-2024-00550 to construct a replacement 176.74 sq. m. (1894 sq. ft.) two storey dwelling with a walkout basement, 48.31 sq. m. (519 sq. ft.) pool, and 25.56 sq. m. (274 sq. ft.) cabana. The approved plans demonstrate that the current grade on the property is above the Regional Storm flood elevation and would be outside of the flood hazard. Further, all new openings also meeting dry passive floodproofing requirements including vertical buffer.

TRCA staff previously provided comments on Minor Variance A202.24 (July 3, 2024) and A188/21 (August 2021) and recommended deferral and conditional approval respectively. TRCA Permits were never issued for the proposals in these applications.

CA Act and O. Reg. 41/24

Given the above noted natural features and natural hazards, the subject lands are entirely located within TRCA's Regulated Area of the Mimico Creek Watershed and are subject to O. Reg. 41/24 and the CA Act. TRCA Permits were obtained by the applicant on November 15, 2024.

Application Specific Comments

The subject property is within TRCA's Regulated Area of the Mimico Creek Watershed owing to the proximity of a Regulatory Flood Plain associated with the Malton Flood Spill in close proximity to the rear yard. Based on our latest preliminary 2D modeling results, a small portion of the front yard and a large portion of the rear yard of the subject property is located within the Regulatory Flood Plain. The Water Surface Elevation at the rear is 172.095 masl and the WSE at the front is 172.079masl. Based on the approved permit plans, the existing house is not within the Flood Plain and the current grade on the property is above the Regional Storm flood elevation. Further, all new openings also meeting dry passive floodproofing requirements including vertical buffer.

Recommendation

As currently submitted, TRCA staff are of the opinion that the Minor Variance Application assigned City File No. **A202.24** is consistent with Provincial policy. Specifically, Section 5

(Natural Hazards) of the PPS. Additionally, it is staff's position that these applications conform with TRCA's LCP policies. As such, TRCA has **no objection** to the approval of the application.

Fees

We thank the applicant for the prompt payment of \$660.00 on June 25, 2024 during the first circulation of this minor variance application.

Comments Prepared by: Marina Janakovic, Planner I