

Date Finalized: 2025-04-03 To: Committee of Adjustment	File(s): A13.25
From: Committee of Adjustment Coordinator	Meeting date:4/10/2025 1:00:00 PM

Consolidated Recommendation

The City has no objection to the application, as amended.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a detached dwelling proposing:

1. A lot area of 787.2sq m (approx. 8,473.35sq ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 810.00sq m (approx. 8,718.77sq ft) in this instance;
2. An exterior side yard setback of 5.42 m (approx. 17.78ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 7.50m (approx. 24.61ft) in this instance;
3. A dwelling unit depth of 21.41m (approx. 70.24ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m (approx. 65.62ft) in this instance;
4. A height – flat roof of 8.60m (approx. 28.22ft) whereas By-law 0225-2007, as amended, permits a maximum height – flat roof of 7.50m (approx. 24.61ft) in this instance;
5. A setback to the deck of 3.41m (approx. 11.19ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 5.90m (approx. 19.36ft) in this instance;
6. A setback to the decorative column of 5.53m (approx. 18.14ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 5.90m (approx. 19.36ft) in this instance;
7. A setback to the covered porch of 5.53m (approx. 18.14ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 5.90m (approx. 19.36ft) in this instance;
8. An exterior side yard setback to the second storey of 6.65m (approx. 21.82ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 7.50m (approx. 24.61ft) in this instance; and
9. A front yard setback of 6.63m (approx. 21.75ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.00m (approx. 22.97ft) in this instance.

Amendments

The Building Department is processing Building Permit application 24-4420. Based on review of the information available in this application, Zoning staff advise that the following variances need to be amended:

- #1. A lot area of 787.19sq m (approx. 8,473.35sq ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 810.00sq m (approx. 8,718.77sq ft) in this instance;
- #2. An exterior side yard setback of 6.21 m whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 7.50m (approx. 24.61ft) in this instance;
- #6. A setback to the column of 5.53m (approx. 18.14ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 6.90m in this instance;

Background

Property Address: 1598 Calverton Crt

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density I

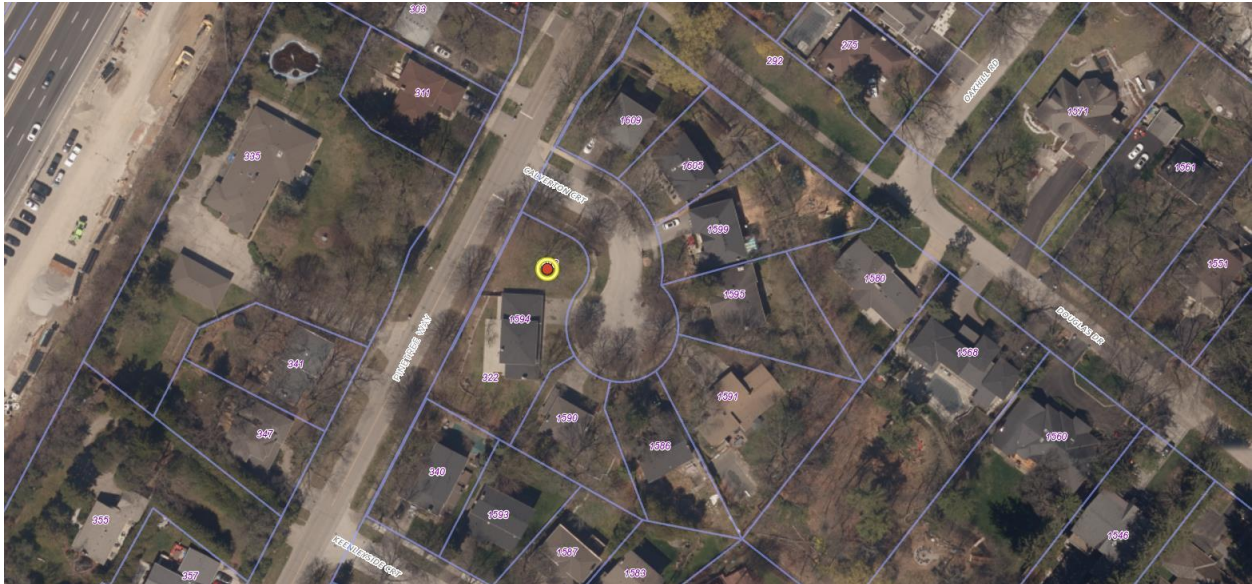
Zoning By-law 0225-2007

Zoning: R2-1-Residential
Other applications: Building Permit application 24-4420

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southeast of Stavebank Road and Pinetree Way within a cul-de-sac off Pinetree Way. The immediate neighbourhood is entirely residential consisting of one and two-storey detached dwellings with mature vegetation in the front yards. The subject property is currently vacant, under demolition.

The applicant is proposing a new dwelling requiring variances related to lot area, dwelling depth, flat roof height and setbacks.



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:

Staff note that the property has been subject to multiple Committee of Adjustment applications previously.

The Committee approved applications B45.21, A293.21 and A294.21 on December 2nd, 2021. The applications were subsequently closed/withdrawn by the applicant.

The subject property was again before the Committee under files B28.24, A118.24 and A119.24 on June 20, 2024. The applications were supported by staff and provisionally approved.

The current application was before the Committee of Adjustment on February 27, 2025, wherein the file was deferred to allow the applicant an opportunity to finalise the consent application and to capture all required variances through a fulsome Zoning review. Staff have received confirmation from the applicant that the consent has been finalised, and Zoning staff have vetted the variances. Staff comments pertain to the amended variances.

Does the proposal maintain the general intent and purpose of the Official Plan?

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached dwellings in this instance. 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. Staff are satisfied that the proposal respects the designated land uses. Planning staff are of the opinion that the proposed built form of the detached dwelling is appropriate for the subject property given surrounding conditions and will not negatively impact the streetscape.

Planning staff are of the opinion that the general intent and purpose of the official plan are maintained.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

Variance #1 pertains to lot area. Staff note the lots were approved as part of a consent application under file B28.24, A118.24 and A119.24, wherein a similar variance for lot area was approved. Staff are satisfied that the proposed lot remains consistent in size with lots found within the immediate area.

Variance #2, #5, #6, #7, #8, #9 all pertain to setbacks measured to various elements of the dwelling. Staff note similar variances were previously approved and staff had supported the variances. Staff are satisfied that the requested variances represent a minor deviation from the minimum setback requirements. Staff have no concerns with the requested variances, as they are consistent with setbacks found within the immediate area.

Variance #3 pertains to dwelling depth. Planning staff are of the opinion that the requested dwelling depth is minor. Furthermore, the dwelling contains architectural features and building materials that break up its massing therefore the additional depth will not pose massing concerns for adjacent properties.

Variance #4 requests an increase in the flat roof height. Staff note that the increase is measured only to a small portion on the roof, which is further sloped in design. The dwelling itself has a height of 7.5m (24.61ft), which meets the zoning requirements. As such, staff are satisfied that the increase in height has a very limited impact on the neighbouring properties and the streetscape.

Given the above, staff are satisfied that the general intent and purpose of the zoning by-law is maintained.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

The requested variances represent appropriate development of the lands. The request is minor and is compatible with the surrounding context. Staff are satisfied that the proposal represents appropriate development of the subject lands. The variances, both individually and cumulatively, are minor in nature and the proposal will not create any undue impacts to adjoining properties or the planned or existing character of the area.

Comments Prepared by: Shivani Chopra, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

As per our previous comments for the February 25, 2025 hearing We note that any Transportation and Works Department concerns/requirements for the proposed golf simulator building will be addressed by our Development Construction Section through Building Permit BP 9NEW-24/4420.

Comments Prepared by: John Salvino, Development Engineering Technologist



Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application 24-4420. Based on review of the information available in this application, we advise that the following amendments are required:

1. A lot area of 787.19sq m (approx. 8,473.35sq ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 810.00sq m (approx. 8,718.77sq ft) in this instance;
2. An exterior side yard setback of 6.21 m whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 7.50m (approx. 24.61ft) in this instance;
6. A setback to the column of 5.53m (approx. 18.14ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 6.90m in this instance;

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/>.

Please be advised the subject property is fully within a component of the City's Natural Heritage System (NHS), specifically a Residential Woodland (also known as site M14). Section 6.3.24 and 6.3.19 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored, and expanded through the following measures:

- Ensuring that development in or adjacent to the Natural Heritage System protects and maintains the natural heritage features and their ecological functions through such means as tree preservation, appropriate location of building envelopes, grading, landscaping...;

Based on the submitted application materials, and previous documentation submitted for associated applications (A119.24, B28.24), Forestry has no objections from a natural heritage perspective regarding the proposed variances. Should the application be approved, Community Services – Forestry recommends the following:

- To ensure there is no net-negative ecological impact to the Residential Woodland, please be advised that in addition to any tree compensation requirements outlined through the Private and Public Tree Protection Bylaws, the applicant will be required to meet the compensation measures outlined in sections 8.2.2 and 8.2.4 of the environmental impact study (Sumac Environmental Consulting Ltd., May 2023) that was previously prepared for minor variance and consent applications that were submitted for a similar development proposal on the subject lands (see files: B45.21, A293.21, & A294.21).

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

- 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.

- 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.

Comments Prepared by: Brian Melnyk, Development Engineering

