

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-04-17	File(s): A82.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 4/24/2025 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

The applicant requests the Committee to approve a minor variance to allow a veterinary clinic proposing:

1. A front yard setback of 2.52m (approx. 8.27ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 4.50m (approx. 14.76ft) in this instance;
2. An interior side yard setback of 1.50m (approx. 4.92ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 7.50m (approx. 24.61ft) in this instance; and
3. A depth of landscape buffer along street line of 0m whereas By-law 0225-2007, as amended, requires a minimum depth of landscape buffer along street line of 4.50m (approx. 14.76ft) in this instance.

Background

Property Address: 1325 Burnhamthorpe Rd E

Mississauga Official Plan

Character Area: Rathwood-Applewood Community Node
Designation: Office

Zoning By-law 0225-2007

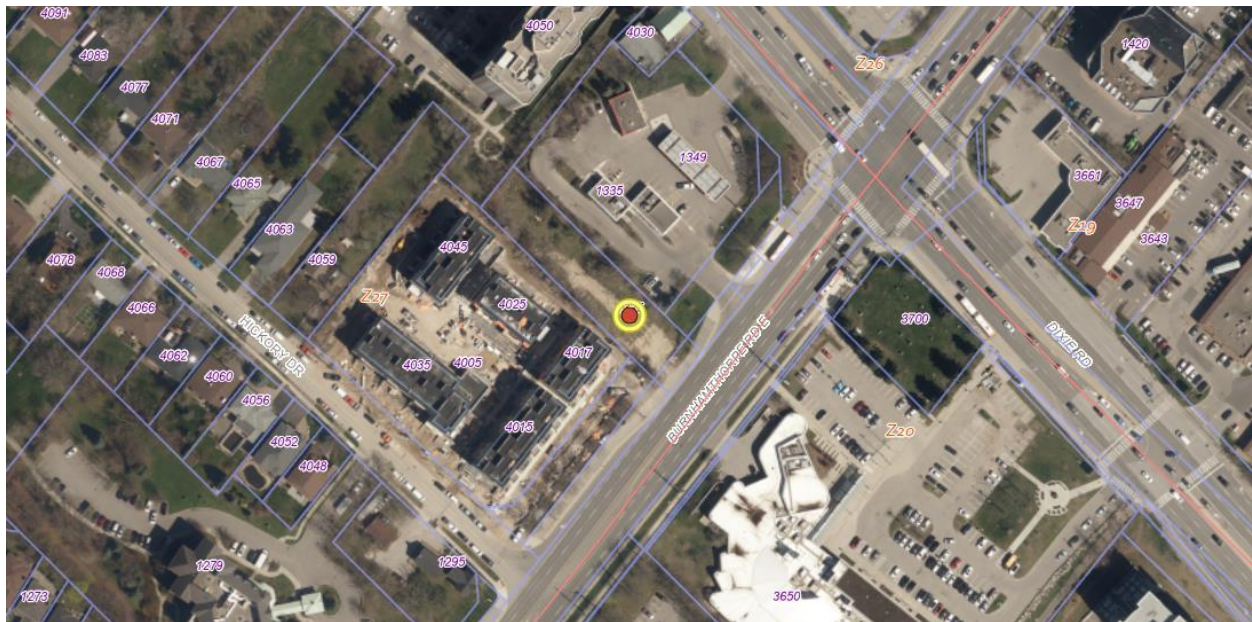
Zoning: O1-Office

Other Applications: SP 25-22

Site and Area Context

The subject property is located along the north side of Burnhamthorpe Road East, west of the Dixie Road and Burnhamthorpe Road East intersection in the Rathwood-Applewood Community Node Character Area. It is a vacant interior lot containing mature, vegetative elements. The surrounding area is primarily comprised of a mix of residential uses including apartments, townhouse and detached dwellings. Additionally, Planning staff note commercial and institutional uses along Dixie Road are located in close proximity.

The applicant is proposing to construct a four-storey office building requiring variances for a reduced landscape buffer, front and side yard 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:

The same proposal and subsequent minor variance application (A365.15) was heard by the Committee of Adjustment on August 27th, 2015. The proposal sought a reduction from the proposed office building to the easterly side yard of 1.50m (4.92ft), whereas 7.50m (24.60ft) was required, reduced side yard landscaped buffers of 1.20m (3.93ft) and 1.50m (4.92ft), whereas 4.50m (14.76ft) was required, and a parking reduction. Planning staff note the applicant is currently working with City staff on an active site plan application regarding the four-storey office on the subject property. The minor variance application was approved by the Committee of Adjustment in 2015, however during the initial site plan review, a right-of-way (ROW) land dedication along Burnhamthorpe Road was missed by the applicant and the City staff. A revised site plan incorporating the land dedication has been submitted to staff resulting in the variances contained in this application. These variances are as follows: a reduced front yard setback and landscape buffer.

The subject property is located in the Rathwood-Applewood Community Node Character Area and is designated Office in Schedule 10 of the Mississauga Official Plan (MOP). Planning staff note the proposal maintains the permitted office use as per the MOP designation.

Variances 1 and 3 request a reduced front yard setback measured to the building and the elimination of the landscaped buffer to the street line. Staff note that the City is taking a road widening along the front of the subject property thereby reducing the front yard setback from 4.50m (14.76ft) to 2.52m (8.27ft) and eliminating the 4.50m (14.76ft) landscape buffer. The intent of these regulations is to ensure appropriate buffers are provided from the street line and a consistent character is maintained along the streetscape. Staff note both the front yard setback and landscaped buffer for the proposal met the permissible by-law requirements previously, however as a result of the land dedication, the variances are now required. The front yard setback variance is measured to a pinch point on one corner and increases from there. Planning staff are satisfied that appropriate buffers and the character of the streetscape is maintained between the proposed office and front lot line. Additionally, staff note the nature of the variances sought are to facilitate a design which has been conceptually approved by both Urban Design and Development Planning through their review of the site plan application.

Variance 2 requests a reduced side yard setback from the east side lot line to the proposed office building. Planning staff note the previous minor variance decision (A365.15) on the subject property concerning the same proposal approved a side yard setback of 1.50m (4.92ft). Through conversations with Zoning staff, it has been confirmed this variance is not required and can be withdrawn.

Planning staff are satisfied that the proposal will facilitate a development that is appropriate for the subject property. 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

Enclosed for Committee's ease of reference are photos depicting the subject property.

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for this property will be addressed through the Site Plan Application process (SP 14-150 W3).



Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Department is processing site plan approval application SP 14-150. Based on review of the information available in this application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Please note that comments reflect those provided through the above application. These comments may no longer be valid should there be changes contained within this Committee of Adjustment application that have not been submitted and reviewed through the application noted above. The applicant must submit any changes and/or updates to information and/or drawings separately through the above application in order to receive updated comments.

Comments Prepared by: Ladan Javanbakht-Samani, 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

Development Engineering: Wendy Jawdek (wendy.jawdek@peelregion.ca)|(905) 791-7800 x6019

Comments:

- Installation of and alterations to property line water valves and chambers and sanitary sewer maintenance holes require inspection by Region of Peel inspectors to confirm if these works are completed in accordance with Region of Peel Design, standards specification and procedures.
- Proposals to connect to an existing service lateral require approval from a Region of Peel inspector at construction stage.
- 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.
- All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel design criteria. For more information, please contact Servicing Connections at (905) 791-7800 x7973 or by email at servicingconnections@peelregion.ca.
- The applicant shall verify the location of the existing service connections to the subject site and the contractor shall locate all existing utilities in the field. Requests for underground locates can be made at <https://www.ontarioonecall.ca/portal/>
- For location of existing water and sanitary sewer infrastructure, please contact Records at (905) 791-7800 x7993 or by e-mail PWSERVICERequests@peelregion.ca.

Comments Prepared by: Petrele Francois, Junior Planner