

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-04-24	File(s): A97.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:5/1/2025 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 the construction of a new dwelling proposing:

1. A front yard setback of 7.39m (approx. 24.25ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 9.00m (approx. 29.53ft) in this instance;
2. All site development plans not be in compliance with Schedule PB1-12 of this exception whereas By-law 0225-2007, as amended, requires all site development plans be in compliance with Schedule PB1-12 of this exception in this instance.

Background

Property Address: 7060 Old Mill Lane

Mississauga Official Plan

Character Area: Meadowvale Village Neighbourhood
Designation: Parkway Belt West Plan

Zoning By-law 0225-2007

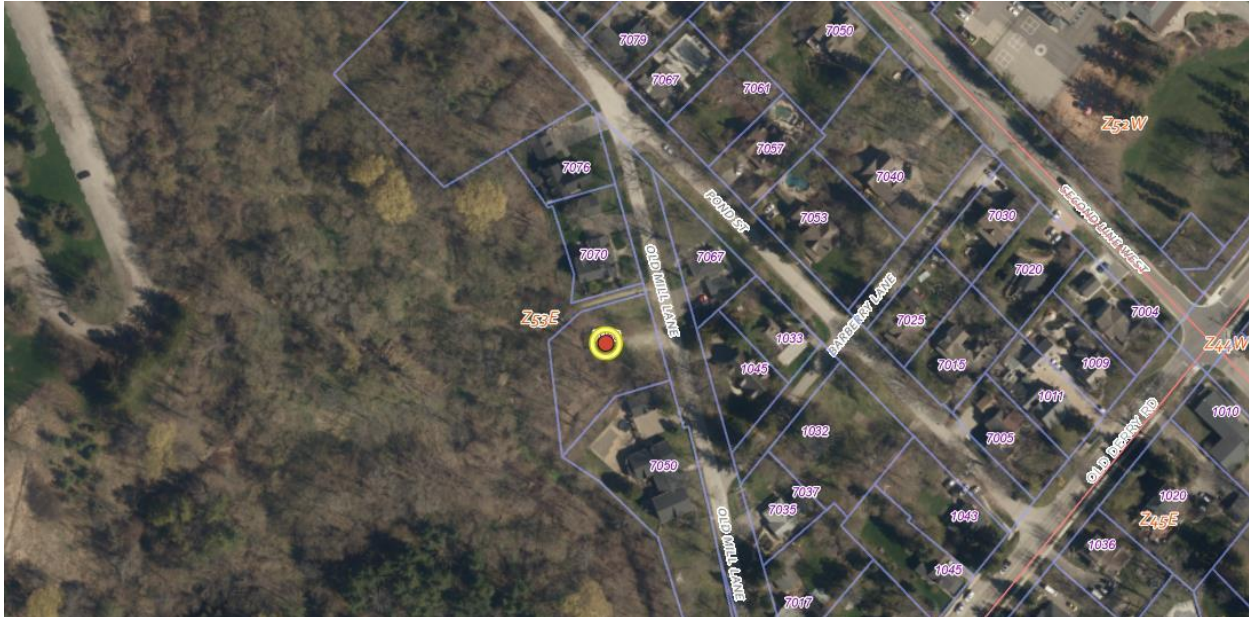
Zoning: PB1-12-Parkway Belt

Other Applications: BP 9NEW 24-4078

Site and Area Context

The subject property is located north-west of the Second Line West and Old Derry Road intersection in the Meadowvale Village Neighbourhood Character Area. It currently contains a single storey garage erected by the Credit Valley Conservation Authority. Significant mature vegetation is present throughout the property, and also contains part of the Credit River. The conservation area is surrounded by a mix of residential uses and vacant lands.

The applicant is proposing to construct a new dwelling and detached garage requiring variances for front yard setback and that development be compliant with the associated site-specific zoning schedule.



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 Meadowvale Village Neighbourhood Character Area and is designated Parkway Belt West in Schedule 10 of the Mississauga Official Plan. Under the Parkway Belt West Plan the site is designated Complementary Use Area, which permits residential uses and the infilling of existing settlements. Furthermore, the lands proposed to be severed were subject to a rezoning under file OZ 18-4, which was approved and is currently in force, to allow a residential use on the parcel.

Variations 1 and 2 relate to a reduced front yard setback and development to be compliant with the site-specific zoning scheduled developed for the subject property through the rezoning file OZ 18-4. Staff note the subject property is designated under Part V of the Ontario Heritage Act as it forms part of the Meadowvale Village Heritage Conservation District (HCD). Furthermore, the proposal to redevelop the Heritage designated property was evaluated by Heritage Planning staff and presented in front of the Heritage Advisory Committee (HAC) on April 8th, 2025. The proposed variations are a result of Heritage Planning staff's comments to HAC which recommended approval of the proposed dwelling subject to the following conditions:

- 1) That the windows in the second storey dormer be six-over-six as per the HCD plan;
- 2) That the front porch be widened by 0.5 metres, and
- 3) That the house be shifted forward to preserve existing trees within the rear yard pending approval of a variance.

Due to Conditions 2 and 3, the proposed dwelling is required to be shifted 1.5m closer to the front yard lot line along Old Mill Lane. Planning staff note that the dwelling's building envelope, apart from the front yard porch, remains within the buildable area as specified in the PB1-12 site specific zoning schedule. Furthermore, the reduced front yard setback retains an appropriate front yard amenity area and maintains a consistent character along the streetscape. As such, staff are of the opinion the proposed dwelling and detached garage are appropriately located on the subject property and maintain the intent of the site-specific schedule developed in accordance with the subject property.

Given the above, Planning staff are of the opinion the proposal maintains the general intent and purpose of the official plan and zoning by-law. The proposed variations, both individually and cumulatively, result in orderly development of the subject property, are minor in nature and incur limited impacts to the streetscape.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling will be addressed through the Building Permit Process, File BP 24-4078.







Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application BP 9NEW 24-4078. Based on a review of the materials currently available in the Building Permit application and the materials provided as part of the Committee of Adjustment application, the design appears to have changed and as such, 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 the comments previously provided were based on a review of the above permit application and do not reflect any changes contained within this Committee of Adjustment application and, as such, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted as per standard resubmission procedures, separately through the Building Permit application process in order to receive updated comments.

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

Comments Prepared by: Carrie Chan Patch, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

Park Planning Comments

The Parks and Culture Planning Section of the Community Services Department has no objections to the above noted minor variance application and advises as follows:

The lands to the rear of the property are owned by Credit Valley Conservation Authority, leased by the City of Mississauga, identified as Meadowvale Conservation Area (P-328), classified as a Significant Natural Area within the City's Natural Heritage System, and zoned G1. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:

- a) 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...;

Should the application be approved, the Parks and Culture Planning Section provides the following notes:

1. Construction access from the adjacent park/greenlands is not permitted.
2. If access is required to City owned lands, a Consent to Enter Agreement/Park Access Permit will be required.
3. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.
4. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, c.P. 13, as amended) and in accordance with the City's policies and by-laws.

Should further information be required, please contact Nicholas Rocchetti, Planner – Park Planning, Community Services Department at 905-615-3200 ext. 4659 or via email nicholas.rocchetti@mississauga.ca.

Comments Prepared by: Nicholas Rocchetti, Planner

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/>.

The subject property is partially within and adjacent to a Significant Natural Area (also known as site CRR1) and zoned PB1-12. Section 6.3.24 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 description of the relief required from the zoning by-law outlined, the proposed minor variance for the front yard setback is to facilitate the protection of the mature trees associated with the Significant Natural Area. On this basis, Community Services – Forestry, have no objections from a natural heritage perspective to the requested minor variance. Should the application be approved, Community Services – Forestry provides the following recommendations:

- Submit a digital copy of the environmental impact study (EIS) that was previously prepared by Credit Valley Conservation Authority (CVC) and North-South Environmental Inc. (dated February 2018; revised: September 2019) to complete CMS Forestry's records for the file.
- To ensure there is no net-negative ecological impact to the *Significant 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 on-site and off-site mitigation and compensation measures outlined in Section 6.2.2 of the environmental impact study (CVC and North-South, September 2019) that was previously prepared for the rezoning application that was submitted for a similar development proposal on the subject lands (see file: OZ 18-4). Specifically, this will include:

- Woodland replacement of the ~0.1ha of *Significant Woodland* located on the subject property. The recommended replacement planting should include a mixture of trees and shrubs and should occur within the Meadowvale Conservation Area at another location that is contiguous with this woodland. The recommended replacement planting density is 1,000 trees/ha, which would equate to 100 trees.
- Woodland edge enhancement plantings are required to occur within the subject property, along the newly created edge of the *Significant Woodland* and underneath the dripline of the *Significant Woodland*. As outlined in section 6.2.2 of the EIS, a total of 10 trees and 17 shrubs should be planted along the newly created woodland edge (i.e., the western edge of the proposed building envelope).
- In an effort to maintain and enhance the natural heritage features present within the rear of the property, Forestry recommends that any replacement and enhancement plantings required through the recommendations outlined in the EIS and through the City's Private Tree-Bylaws should only include native species that are common to the local watershed and appropriate for the site conditions. Please refer to Table 13 within Section 6.2.2 of the prepared EIS (CVC and North-South, September 2019) and the following guidelines prepared by the Credit Valley Conservation Authority (CVC) to assist with the selection of appropriate species:
 - Credit Valley Conservation Authority. (2018). Plant Selection: Species List for Planting Plans within the Credit River Watershed. Link: <https://cvc.ca/document/plant-selection-guideline-species-list-for-planting-plans-within-the-credit-river-watershed/>
- Tree and vegetation removals will not be permitted between the period of April 1st and October 1st to avoid potential impacts to breeding birds and roosting bats.

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: Sabrina Martins (sabrina.martins@peelregion.ca)(905) 791- 7800 x3094

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.
- 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.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 5 – Credit Valley Conservation Comments

Credit Valley Conservation (CVC) staff have reviewed the subject application and offer comments based on the following roles and responsibilities:

1. Delegated Responsibilities providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 5.1 and 5.2 of the *Provincial Planning Statement (2024)*;
2. Regulatory Responsibilities providing comments to ensure the coordination of requirements under the *Conservation Authorities Act Section 28 regulation*, to eliminate unnecessary delay or duplication in process.
3. Source Protection Agency providing advisory comments to assist with the implementation of the CTC Source Protection Plan under the *Clean Water Act*, as applicable.

CVC REGULATED AREA

Based on our mapping, the subject property is regulated due to flood hazard associated with Credit River. As such, the property is subject to the Prohibited Activities, Exemptions, and Permits Regulation (Ontario Regulation 41/24). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

PROPOSAL:

It is our understanding that the applicant is requesting the Committee to allow the construction of a new dwelling proposing:

1. A front yard setback of 7.39m (approx. 24.25ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 9.00m (approx. 29.53ft) in this instance;

2. All site development plans not be in compliance with Schedule PB12-1 of this exception whereas By-law 02252007, as amended, requires all site development plans be in compliance with Schedule PB12-1 of this exception in this instance.

COMMENTS:

Based on the information provided, the proposed works are sufficiently setback from the natural hazard of concern to CVC. As such, CVC staff has **no objection** to the approval of the proposed minor variance at this time.

The applicant is to note that CVC has not received payment of the review fee of \$478 for this Minor Variance/Consent application. The applicant should forward this directly to CVC at the earliest convenience.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at stuti.bhatt@cvc.ca or 905-670-1615 (ext. 3500) should you have any further questions. Please circulate CVC on any future correspondence or applications regarding this site.

Comments Prepared by: Stuti Bhatt, Junior Planner