

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2025-06-05	File(s): A145.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:6/12/2025 1:00:00 PM

## Consolidated Recommendation

The City recommends the application be deferred for redesign.

## Application Details

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

1. A lot coverage of 35.95% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance;
2. A left side yard setback to the second floor of 1.22m (approx. 4.00ft) whereas By-law 0225-2007, as amended, requires a minimum left side yard setback to the second floor of 1.81m (approx. 5.94ft) in this instance;
3. A building height to the highest ridge of 10.47m (approx. 34.35ft) whereas By-law 0225-2007, as amended, permits a maximum building height to the highest ridge of 9.00m (approx. 29.53ft) in this instance;
4. A gross floor area – infill residential of 382.78sq m (approx. 4,120.21sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area – infill residential of 265.77sq m (approx. 2,860.72sq ft) in this instance; and
5. A height from average grade to the lower edge of eaves of 7.33m (approx. 24.05ft) whereas By-law 0225-2007, as amended, permits a maximum height from average grade to the lower edge of eaves of 6.40m (approx. 21.00ft) in this instance.

### Recommended Terms & Conditions

#### TRCA

1. That the applicant provides the required \$660.00 planning review fee.
2. The applicant obtains a TRCA permit pursuant to Ontario Regulation 41/24 for the proposed works.

## Background

**Property Address: 3124 Bonaventure Dr**

**Mississauga Official Plan**

Character Area: Malton Neighbourhood  
Designation: Residential Low Density II

**Zoning By-law 0225-2007**

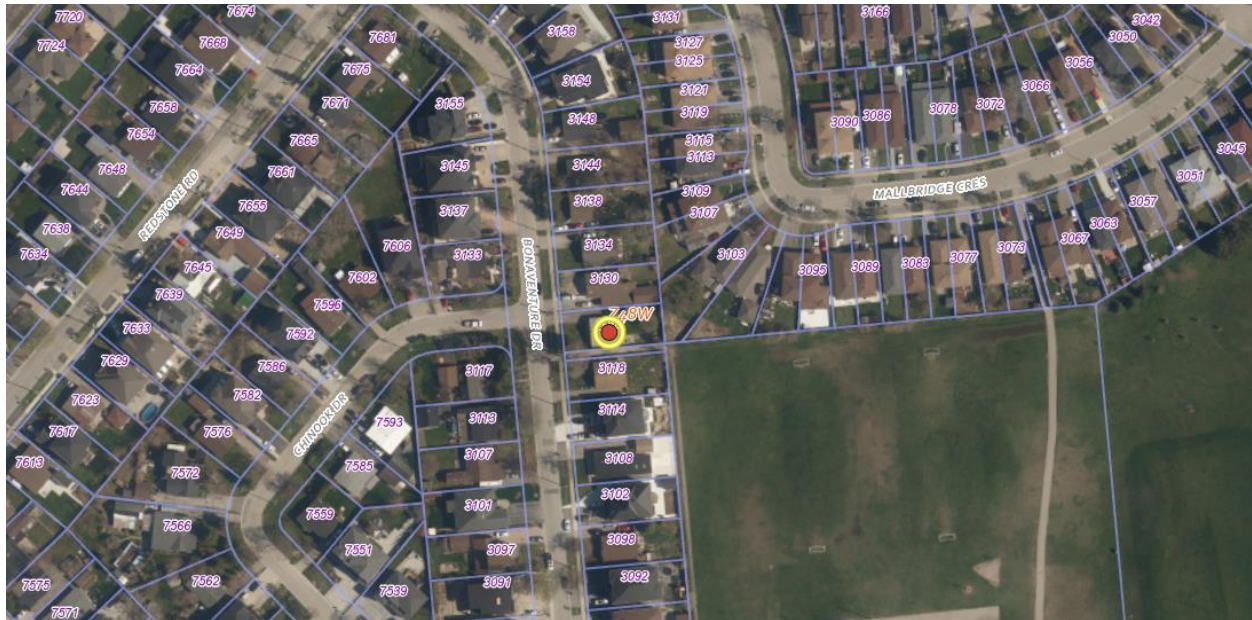
**Zoning: R3-69 - Residential**

**Other Applications: BP 9NEW 25-7016**

**Site and Area Context**

The subject property is located north-east of the Airport Road and Thamesgate Drive intersection in the Malton Neighbourhood Character Area. It is an interior lot containing a one-storey detached dwelling with a detached garage in the rear yard. Limited landscaping and vegetative elements are present throughout the subject property. The surrounding neighbourhood consists of a mix of detached dwellings on similarly sized lots and semi-detached dwellings on smaller lots.

The applicant is proposing the construction of a new dwelling requiring variances for dwelling and eaves height, lot coverage, side yard setback to the second storey 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 II in Schedule 10 of the Mississauga Official Plan. The designation permits detached, semi-detached and duplex dwellings. Section 9 of the 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.

Arising from public input expressed through the 'My Malton' Community Visioning exercise undertaken in 2015, the City completed the Malton Infill Housing Study. This study resulted in Council's adoption of new zoning regulations principally aimed at regulating the massing of dwellings in a manner that is sensitive to the surrounding context. The intent of the policies are to limit the overall massing of these dwellings and maintain compatibility between the existing and planned character of the neighbourhood. The application proposes an increase in lot coverage and gross floor area that are not consistent with the neighbourhood and do not maintain the intent

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of the infill regulations. This variance will create a dwelling with significant massing and cumulative impacts that will negatively influence the neighbourhood's character. As such, staff are of the opinion that the design is not compatible with the existing and planned development of the neighbourhood and recommend that the application be deferred for redesign.

Furthermore, City Council passed By-law 0048-2025 on April 2<sup>nd</sup>, 2025, amending City of Mississauga Zoning By-law 0225-2007, permitting semi-detached dwellings in residential areas that have historically been limited to detached dwellings. In addition to permitting semi-detached dwelling, the amendment also included updated performance standards for smaller lots. Further the amendment consolidated the R1 to R11, R15, RM1 and RM2 into two new low-rise residential zones: Residential Large (RL) and Residential Small (RS) with applicable performance standards. While Zoning staff have not confirmed the proposed variances, Planning staff are under the interpretation that the proposed variances concerning side yard setback to second storey and dwelling and eaves height are no longer required due to the new performance standards established in the City initiated amendment. However, Planning staff have concerns with the proposed lot coverage and gross floor area.

Given the above, Planning staff recommend the application be deferred for redesign.

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 new dwelling will be addressed through the Building Permit Process, BP 9NEW 25-7016.







Comments Prepared by: Tony Iacobucci, Development Engineering

## **Appendix 2 – Zoning Comments**

The Building Department is processing Building Permit application 25-7016. 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 variances or determine whether additional variances 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: 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/>.

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](mailto: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](mailto:wendy.jawdek@peelregion.ca))(905) 791-7800 x6019

### **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 is 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](mailto: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](mailto:PWServiceRequests@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](mailto:servicingconnections@peelregion.ca).

Comments Prepared by: Petrele Francois, Junior Planner

## **Appendix 5- 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 dwelling proposing:

1. A lot coverage of 35.95% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance;
2. A left side yard setback to the second floor of 1.22m (approx. 4.00ft) whereas By-law 0225-2007, as amended, requires a minimum left side yard setback to the second floor of 1.81m (approx. 5.94ft) in this instance;
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TRCA staff understand there is an existing single-family dwelling on-site. TRCA staff understand this minor variance is to facilitate a replacement dwelling.

**CA Act and O. Reg. 41/24**

The subject lands are partially located within TRCA's Regulated Area of the Mimico Creek Watershed and are subject to O. Reg. 41/24 and the CA Act. Based on the site plan submitted, the proposed location of the new dwelling is within the Regulated areas on the property. As such, a TRCA Permit pursuant to Ontario Regulation 41/24 will be required from TRCA prior to works beginning.

**Background**

The TRCA permit application (PER-DPP-2025-00928) is currently under review. The TRCA application form was received on April 15, 2025 from MEM Engineering Inc. TRCA staff thank the applicant for the prompt payment of the permit review fee on April 30, 2025 and will be finalizing our approval shortly.

**Application Specific Comments**

Based on our current mapping, TRCA staff can confirm that the Regulatory Floodplain is contained to Bonaventure Drive. The maximum regional floodplain elevation at the front of the property is approximately 172.08 masl. Replacement houses outside of the floodplain have to be setback 10m from the known flood hazard. From the submitted materials, TRCA staff are satisfied the proposed replacement dwelling is sufficiently setback from the flood hazard.

**Recommendation**

As currently submitted, TRCA staff are of the opinion that the Minor Variance Application assigned City File No. A145.25 is consistent with Provincial policy. Specifically, Section 5 (Natural Hazards) of the PPS. Additionally, it is staff's position that these applications are in conformity with TRCA's LCP policies. As such, TRCA has no objection to the approval of the application subject to the following conditions:

1. That the applicant provides the required \$660.00 planning review fee.
2. The applicant obtains a TRCA permit pursuant to Ontario Regulation 41/24 for the proposed works.

**Fee**

By copy of this letter, the applicant is advised that the TRCA has implemented a fee schedule for our planning application review services. This application is subject to a \$660.00 – Minor Variance review fee. The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible.

We thank you for the opportunity to comment. We trust these comments are of assistance. Should you have any additional questions or comments, please contact the undersigned.

Comments Prepared by: Marina Janakovic, Planner I