

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-06-05	File(s): A151.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:5/12/2025 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be withdrawn, however the applicant may wish to defer the application to ensure that all required variances have been accurately identified.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 an eaves height of 7.24m (approx. 23.75ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance.

Background

Property Address: 1204 Kane Rd

Mississauga Official Plan

Character Area: Clarkson - Lorne Park Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

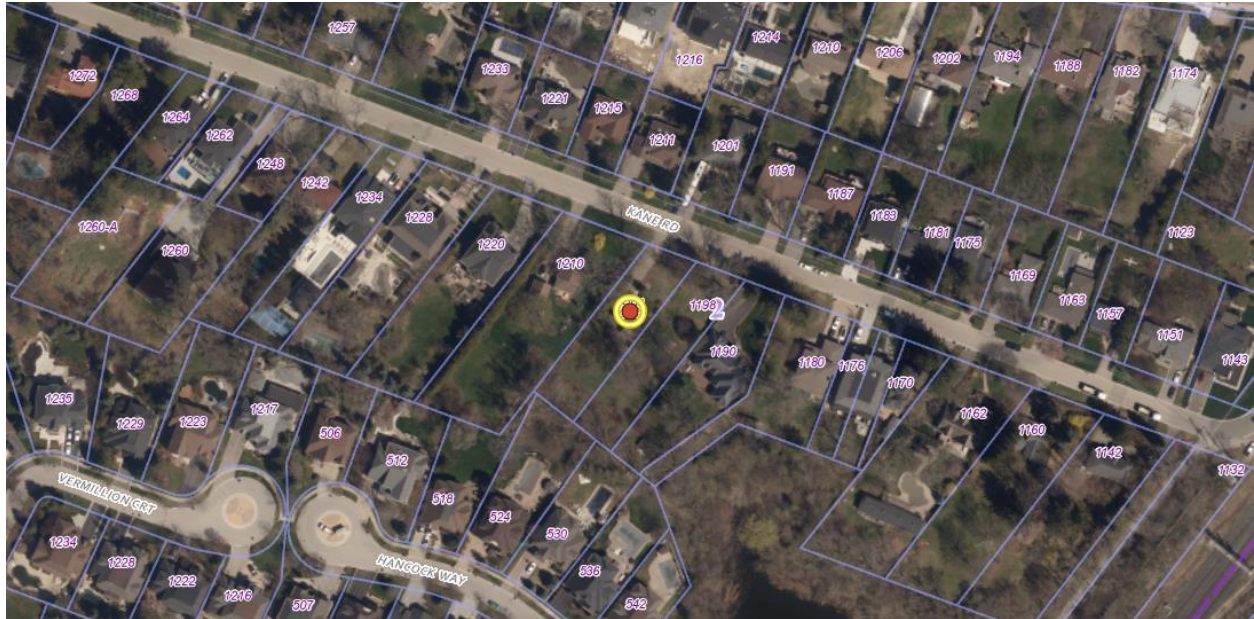
Zoning: R2-1 - Residential

Other Applications: None

Site and Area Context

The subject site is located within the Clarkson-Lorne Park Neighbourhood Character Area, southwest of Indian Road and Mississauga Road. The immediate neighbourhood is entirely

The application is proposing a new two-storey dwelling requesting a variance for eave height.



Planning

Staff comments concerning the application are as follows:

The subject property is designated Residential Low Density I on Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached dwellings only in this instance.

City Council passed *By-law 0048-2025* on April 2nd, 2025, amending City of Mississauga Zoning *By-law 0225-2007*. The by-law introduced amendments that consolidated the R1 to R11, R15, RM1 and RM2 into two new low-rise residential zones: Residential Large (RL) and Residential Small (RS) and establish new performance standards. As such, the subject property is now zoned RL-4.

The new by-law does not regulate eave heights in the RL-4 zone. While Zoning staff have not confirmed the accuracy of the proposed variance and Planning staff are not in a position to provide a Zoning review, staff's interpretation is that the proposed minor variance is no longer required.

As such, Planning staff recommend the application be withdrawn. However, Planning staff note that as Zoning staff has not been given the opportunity to conduct a fulsome review of the revised building permit application, additional variances may be required.

Comments Prepared by: Shivani Chopra, 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 by our Development Construction Section through Building Permit BP 9NEW-24/3064.

Comments Prepared by: John Salvino, Development Engineering Technologist



Appendix 2 – Zoning Comments

We note that a Building Permit (revision to 24-3064) is required. In the absence of a Building Permit we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed.

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

Comments Prepared by: Carrie Chan Patch, 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:

- 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.

- 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.
- For location of existing water and sanitary sewer infrastructure, please contact Records at (905) 791-7800 x7993 or by e-mail 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.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 5 – Metrolinx

The subject property is located within 300m of the Metrolinx Oakville Subdivision which carries Metrolinx's Lakeshore West GO Train service.

GO/HEAVY-RAIL – CONDITIONS OF APPROVAL

As per section 3.9 of the Federation of Canadian Municipalities and Railway Association of Canada's Guidelines for New Development in Proximity to Railway Operations, the Owner shall grant Metrolinx an environmental easement for operational emissions. The environmental easement provides clear notification to those who may acquire an interest in the subject property and reduces the potential for future land use conflicts. The environmental easement shall be registered on title of the subject property. A copy of the form of easement is included for the Owner's information. The applicant may contact Farah.Faroque@metrolinx.com with questions and to initiate the registration process. (It should be noted that the registration process can take up to 6 weeks).

The Proponent shall provide confirmation to Metrolinx, that the following warning clause has been inserted into all Development Agreements, Offers to Purchase, and Agreements of Purchase and Sale or Lease of each dwelling unit within 300 metres of the Railway Corridor: Warning: The Applicant is advised that the subject land is located within Metrolinx's 300 metres railway corridor zone of influence and as such is advised that Metrolinx and its assigns and successors in interest has or have a right-of-way within 300 metres from the subject land. The Applicant is further advised that there may be alterations to or expansions of the rail or other transit facilities on such right-of-way in the future including the possibility that Metrolinx or any

railway entering into an agreement with Metrolinx to use the right-of-way or their assigns or successors as aforesaid may expand or alter their operations, which expansion or alteration may affect the environment of the occupants in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual lots, blocks or units.

Should you have any questions or concerns, please do not hesitate to contact me.

Comments Prepared by: Farah Faroque, Project Analyst