

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-07-03	File(s): A180.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:7/10/2025 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application, subject to the amendment.

Application Details

The applicant requests the Committee to approve a minor variance to allow a below grade entrance in the interior side yard proposing an interior side yard setback of 0.80m (approx. 2.62ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) in this instance.

Amendments

The Building Department is processing Building Permit application SEC UNIT 25-7950. Based on review of the information available in this application, we advise that following amendment is required:

The applicant requests the Committee to approve a minor variance to allow a below grade entrance in the interior side yard proposing an interior side yard setback of 0.55m (approx. 1.80ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) in this instance.

Background

Property Address: 7307 Cork Tree Row

Mississauga Official Plan

Character Area: Lisgar Neighbourhood

Designation: Residential Low Density II

Zoning By-law 0225-2007

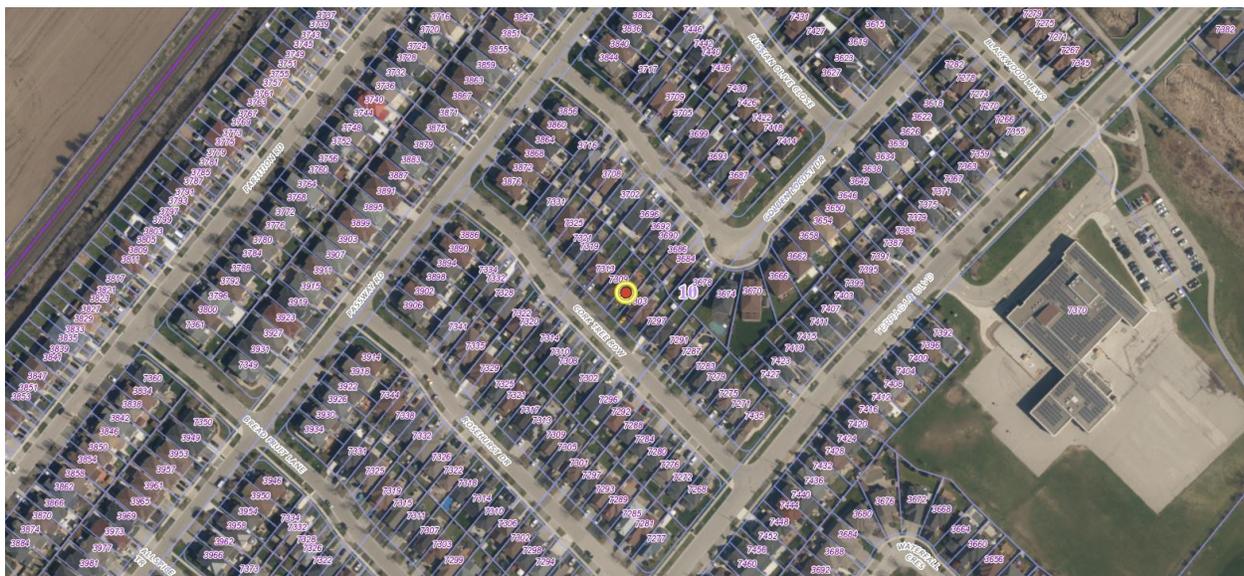
Zoning: RS - Residential

Other Applications: BP SEC UNIT 25-7950

Site and Area Context

The subject property is located north-east of the Terragar Boulevard and Ninth Line intersection in the Lisgar neighbourhood. It currently contains a two-storey semi-detached dwelling with a lot frontage of +/- 7.67m (25.16ft). Limited landscaping and vegetative elements are present in both the front and rear yards. The surrounding area context is exclusively residential, consisting of detached dwellings on similarly sized lots and semi-detached dwellings on smaller lots. The larger area context includes vacant lands located along the west side of Ninth Line and a hydro corridor to the north.

The applicant is proposing a below grade entrance requiring a variance for an interior side yard setback.



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:

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

The subject property is located in the Lisgar Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). 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 below grade entrance is appropriate for both the subject property and surrounding context, and therefore 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?

The sole variance requested pertains to a reduced interior side yard. The intent of the side yard provisions in the by-law are to ensure that access can be maintained around the structure, appropriate drainage patterns can be provided, and that an appropriate buffer between structures on abutting properties can be maintained. The reduced side yard would facilitate a below grade entrance providing access to the secondary unit. This proposal does not create a physical barrier or prevent direct access to the rear yard. Staff also note that Transportation & Works staff have raised no drainage concerns regarding the proposal. Staff are therefore satisfied that the request maintains the general intent and purpose of the by-law

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

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

Staff are satisfied that the proposed variance is minor in nature. The below grade entrance will not have a significant impact to either the surrounding context or streetscape, grading and drainage and access to the rear yard. Staff are also of the opinion that the application represents appropriate development of the subject property.

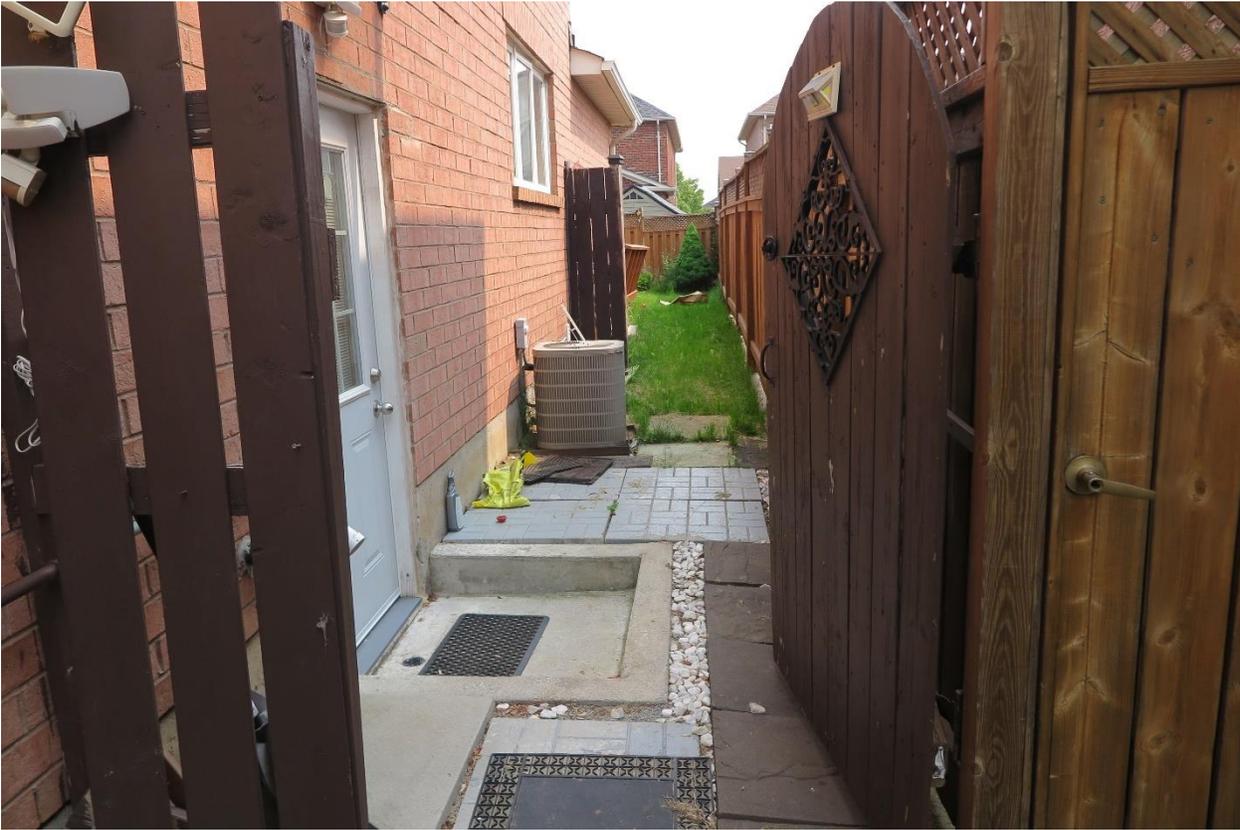
Comments Prepared by: Sara Ukaj, Planning Associate

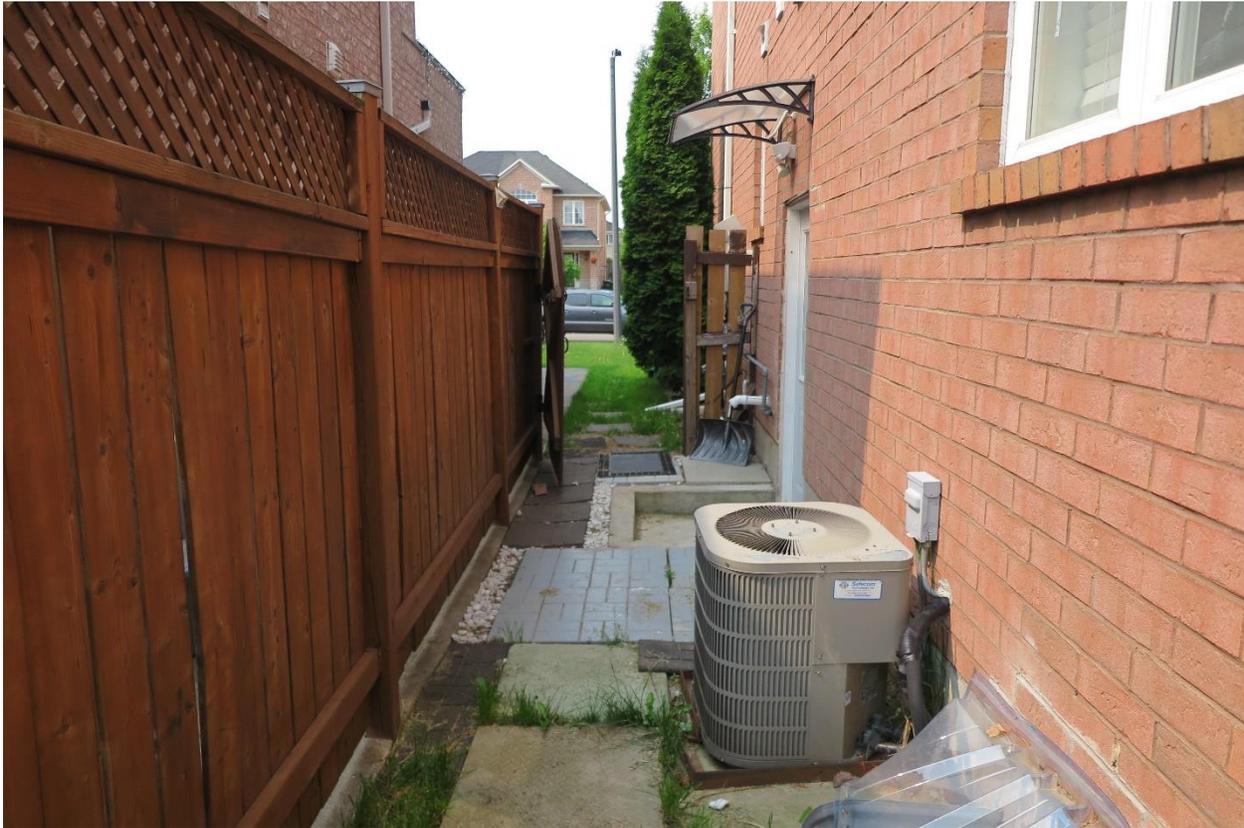
Appendices

Appendix 1 – Transportation and Works Comments

This department has no objections to the applicant's request. We also note that the 0.80M (2.62ft) setback allows for an adequate area for drainage.







Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application SEC UNIT 25-7950. Based on review of the information available in this application, we advise that following amendment is required:

The applicant requests the Committee to approve a minor variance to allow a below grade entrance in the interior side yard proposing an interior side yard setback of 0.55m (approx. 1.80ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) 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: Crystal Abainza, 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: Brian Melnyk (brian.melnyk@peelregion.ca) | (905) 791-7800 x3602

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.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 5 – Metrolinx

- The subject property is located within 300m of the Canadian Pacific (CP) Galt Subdivision, which carries Metrolinx's Milton 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 jenna.auger@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 unit:
 - 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 contact jenna.auger@metrolinx.com.

Comments Prepared by: Jenna Auger, Project Analyst