

# City of Mississauga

Memorandum:

## City Department and Agency Comments

Date Finalized: 2025-07-03	File(s): B16.25 A184.25 A185.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 7/10/2025 1:00:00 PM

### Consolidated Recommendation

City has no objections to the consent and variances for A185.25 however refuses variance #3 associated with A184.25. The applicant may wish to defer the application to ensure the accuracy of the requested variances and that additional variances are not required.

### Application Details

#### B16.25

The applicant requests the consent of the Committee to sever a parcel of land to create a new lot. The parcel of land has a frontage of approximately 14.13m (approx. 46.36ft) and an area of approximately 314.70sq m (approx. 3,387.40sq ft).

#### A184.25

The applicant requests the Committee to approve a minor variance for the severed land of B16.25 to allow the construction of a new dwelling proposing:

1. A corner lot frontage of 14.13m (approx. 46.36ft) whereas By-law 0225-2007, as amended, requires a minimum corner lot frontage of 19.50m (approx. 63.98ft) in this instance;
2. A corner lot area of 314.70sq m (approx. 3,387.40sq ft) whereas By-law 0225-2007, as amended, requires a minimum corner lot area of 335.00sq m (approx. 3,605.91sq ft) in this instance;
3. A front yard setback of 2.32m (approx. 7.61ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 3.00m (approx. 9.84ft) in this instance;
4. An encroachment of bay window into the exterior side yard of 0.56m (approx. 1.84ft) whereas By-law 0225-2007, as amended, permits a maximum encroachment of bay window into the exterior side yard of 0.50m (approx. 1.64ft) in this instance; and
5. An exterior side yard setback of 3.01m (approx. 9.88ft) whereas By-law 0225-2007,

as amended, requires a minimum exterior side yard setback of 6.00m (approx. 19.69ft) in this instance.

#### **A185.25**

The applicant requests the Committee to approve a minor variance for the retained land of B16.25 to allow the construction of a new dwelling proposing:

1. A lot frontage of 11.60m (approx. 38.06ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;
2. A lot area of 284.20sq m (approx. 3,059.10sq ft) whereas By-law 0225-2007, as amended, permits a maximum lot area of 260.00m (approx. 2,798.62sq ft) in this instance; and
3. A driveway width of 5.00m (approx. 16.40ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 3.80m (approx. 12.47ft) in this instance.

#### **Amendments**

While Planning staff are not in a position to provide a Zoning review, staff note that the following variances should be removed and amended:

#### **A184.25**

##### Not required as per RS-90:

1. A corner lot frontage of 14.13m (approx. 46.36ft) whereas By-law 0225-2007, as amended, requires a minimum corner lot frontage of 19.50m (approx. 63.98ft) in this instance;

##### Amended as per RS-90:

2. A corner lot area of 314.70sq m (approx. 3,387.40sq ft) whereas By-law 0225-2007, as amended, requires a minimum corner lot area of 370.00sq m (approx. 3,982.65sq ft) in this instance;
5. An exterior side yard setback of 3.01m (approx. 9.88ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 3.50m (approx. 11.48ft) in this instance.

#### **A185.25**

##### Not required as per RS-90:

1. A lot frontage of 11.60m (approx. 38.06ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;
2. A lot area of 284.20sq m (approx. 3,059.10sq ft) whereas By-law 0225-2007, as amended, permits a maximum lot area of 260.00m (approx. 2,798.62sq ft) in this instance;

#### **Recommended Conditions and/or Terms of consent**

- Appendix A – Conditions of Provisional Consent
- The variance application approved under File(s) A184.25 and A185.25 must be finalized

**Recommended Conditions and/or Terms of minor variance**

- Variance(s) approved under file(s) A184.25 and A185.25 shall lapse if the consent application under file B16.25 is not finalized within the time prescribed by legislation.

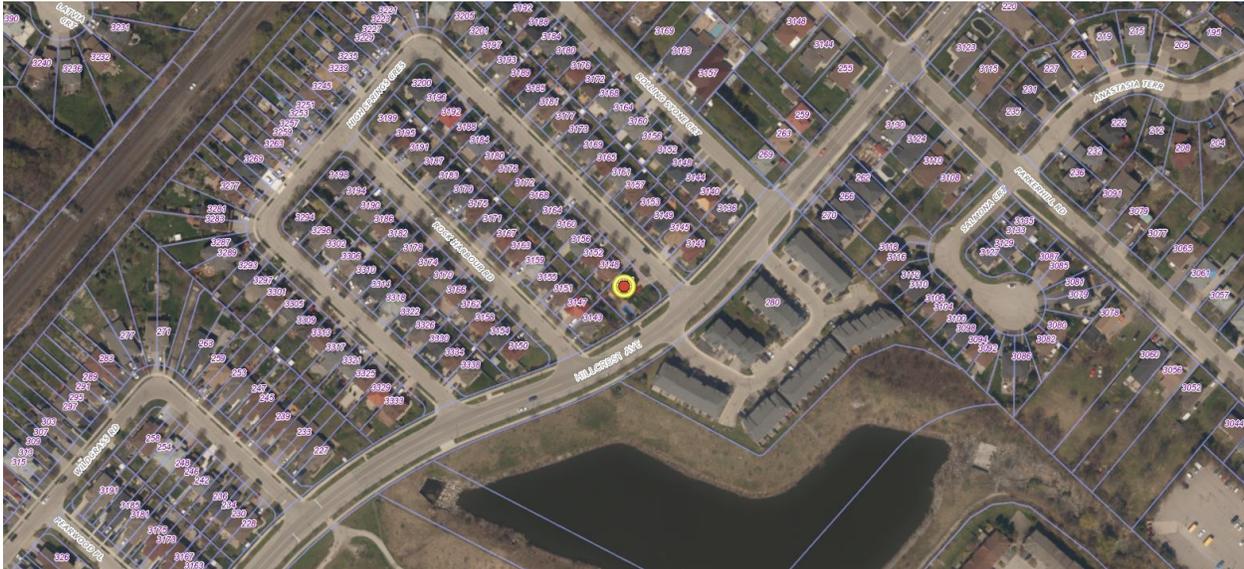
**Background****Property Address: 3144 High Springs Cres****Mississauga Official Plan**

Character Area: Cooksville Neighbourhood  
Designation: Residential Low Density II

**Zoning By-law 0225-2007****Zoning: RS-90 - Residential****Other Applications: None****Site and Area Context**

The subject property is located north-west of the Dundas Street East and Clayhill Drive intersection in the Cooksville neighbourhood. It currently contains a two-storey detached dwelling and has a lot frontage of +/- 25.75m (84.48ft) and a lot area of +/- 598.80m<sup>2</sup> (6,445.42ft<sup>2</sup>). Limited mature vegetation is present throughout the property. The surrounding area context consists exclusively of detached dwellings on lots of varying sizes.

The applicant is proposing to sever the parcel of land creating a new lot for the construction of a new two-storey detached dwelling. The new dwelling will require variances for lot frontage, lot area, front yard setback, window encroachment, driveway width and an exterior side yard setback.



## Comments

### Planning

#### Provincial Matters

The Provincial Policy Statement 2024 (PPS 2024) promotes efficient development and land use, directing the focus towards intensification and redevelopment. The proposal is consistent with the general directive in provincial policy.

#### Planning Act

Section 51 (24) of the *Planning Act* sets out the criteria for land division in the Province of Ontario. In evaluating such requests, the Committee needs to be satisfied that the proposal meets not only the criteria set out under Section 51(24), but also municipal requirements identify in local legislation.

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. In evaluating such requests, the Committee needs to be satisfied that the proposal meets the four tests set out in the *Planning Act*.

Staff comments concerning the applications for consent and the four tests to the minor variance request are as follows:

City Council passed *By-law 0048-2025* on April 2<sup>nd</sup>, 2025, amending City of Mississauga Zoning *By-law 0225-2007*. The by-law introduced amendments consolidating the R1 to R11, R15, RM1 and RM2 zones into two new low-rise residential zones, being Residential Large (RL) and

Residential Small (RS). The amendment also created new performance standards for each of the new zones. As such, the subject property is now zoned RS-90. While Planning staff are not in a position to provide a zoning review, it appears that the variances listed below should be removed and amended. It is recommended that the applicant confirm with Zoning staff the required variances.

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1. A corner lot frontage of 14.13m (approx. 46.36ft) whereas By-law 0225-2007, as amended, requires a minimum corner lot frontage of 19.50m (approx. 63.98ft) in this instance;

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5. An exterior side yard setback of 3.01m (approx. 9.88ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 3.50m (approx. 11.48ft) in this instance.

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2. A lot area of 284.20sq m (approx. 3,059.10sq ft) whereas By-law 0225-2007, as amended, permits a maximum lot area of 260.00m (approx. 2,798.62sq ft) in this instance;

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

The subject property is located in the Cooksville Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density II designation permits detached, semi-detached, and duplex dwellings in this instance. As per Section 16.1.2.1, the minimum frontage and area of new lots will be evaluated in the context of the existing lot pattern in the surrounding area. Additionally, Section 5.3.5 (Neighbourhoods) states that neighbourhoods are not meant to remain static, however, when new development occurs, it should be sensitive to the neighbourhoods existing and planned character.

The proposed severance is sensitive to the existing and planned character of the neighbourhood and will not result in significant adverse impacts to the community. The proposed parcels are consistent with detached lots found within the immediate neighbourhood. The addition of a residential dwelling would not result in negative impacts to the established neighbourhood character. The proposed severance represents sensitive intensification that is compatible with the existing and planned character of the neighbourhood. Staff are of the opinion that the application conforms to Section 51(24) of the Planning Act, more specifically

that the application conforms to the official plan and the lot sizes are suitable for the existing and proposed detached dwellings.

### **Does the proposal maintain the general intent and purpose of the Zoning By-law?**

Variance #2 for file A184.23 pertains to a corner lot area. The intent of this regulation in the zoning by-law are to ensure that new lots are appropriately sized and fit within the context of the surrounding area. The size of the severed lot is a direct result of the existing dwelling as the retained lot exceeds the minimum required lot area by 24 m<sup>2</sup> (258.33 ft<sup>2</sup>). While the additional area would not bring the severed lot into zoning compliance it would bring it significantly closer. That said, staff have no concerns with the proposed lot area and are of the opinion that it is not out of character within the immediate neighbourhood.

Variance #3 for A184.25 pertains to a further reduction to front yard setback from 3m to 2.32m. The result of this variance would create a new front yard setback of 2.32m. Where the required yard exceeds 1.20m the by-law allows as of right, a further encroachment of 0.60m for architectural features such as window wells and bay windows. This results in a front façade of the dwelling to be within 1.72m (5.64ft) of the front lot line. This is not consistent with the approximate 3m front yard setback established throughout the neighbourhood and is not consistent with the existing streetscape. Staff are of the opinion that this variance should be refused.

Variance #4 for A184.25 is required for a window well encroachment. Planning staff have no concerns regarding this variance as the structure has no massing and access to the rear yard is maintained via the easterly side yard.

Variances #5 for A184.25 relates to an exterior side yard setback. The general intent of the side yard regulations in the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties, that appropriate drainage can be provided and that access to the rear yard ultimately remains unencumbered. A detailed review of the immediate neighbourhood identified similar deficiencies for other for other detached dwellings was present. Staff are of the opinion that the reduction is minor and is not out of character within the immediate neighbourhood and access to the rear yard remains encumbered in the exterior side yard. Additionally, no drainage concerns had been identified by Transportation and Works.

Variances #3 for A185.25 relates to an increase in maximum driveway width. The intent of the driveway width regulations in the by-law is to permit a driveway that can accommodate two vehicles parked side by side, with the remainder of the front yard being soft landscaped area. Staff note that the site-specific by-law requirement does not allow for vehicles to be parked side by side. The applicant is proposing a driveway width that is similar to many other properties in the immediate neighbourhood that accommodates two vehicles parked side by side. Staff are satisfied that the width will restrict the parking to no more than two vehicles across and will be able to maintain sufficient soft landscaping area to maintain the character of the surrounding area.

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

The intent of the application is to create two new lots for the purpose of maintain the existing detached dwelling on one lot and the development of a new dwelling consistent on the other. The proposed new lots would maintain the general context of the surrounding area and would not result in any significant adverse impacts to the existing and planned character of the community. The applications represent an efficient use of land by promoting sensitive intensification that is compatible within the neighbourhood. Staff is of the opinion that the applications represent orderly development of the lands and are minor in nature.

Comments Prepared by: Sara Ukaj, Planning Associate

## Appendices

### Appendix 1 – Transportation and Works Comments

**Re: C.A. 'A' 185.25  
3144 High Springs Cres Ward 7**

We note that any Transportation and Works Department concerns/requirements for this property will be addressed under Consent Application 'B' 16/25.

**Re: C.A. 'B' 16.25  
3144 High Springs Cres Ward 7**

This Department has no objections to the applicant's request where the intent is to create a new residential lot. Should Committee see merit in the applicant's request we are providing the following conditions/requirements for Committee's consideration:

#### **A. Items Required Prior to the Issuance of Final Consent**

##### **1. Grading and Drainage Plan**

The applicant's consulting engineer will be required to prepare a Grading and Drainage Plan for the subject lands and submit it to this Department for review/approval. Sufficient details are to be shown to ensure grading compatibility with the adjacent lands.

Upon the review of the Grading and Drainage Plan, it may be determined that catch basins may be required and satisfactory arrangements will have to be made for the construction of same.

##### **2. Municipal Address Requirement**

Prior to the issuance of final consent, satisfactory arrangements are to be made with the Corporate Services Department, Information Technology Division, Digital Services & Mobility Section, Geospatial Solutions Group for the creation of new municipal addresses for the severed and retained lands. For further information, please contact Susie Campagna Tasca at (905) 615-3200 ext. 3088 or [susie.campagnatasca@mississauga.ca](mailto:susie.campagnatasca@mississauga.ca).

**B. GENERAL INFORMATION****1. Lot Grading and Drainage**

We advise the applicant that prior issuance of any building permits for the new dwelling(s), the owner will be required to submit a certified Lot Grading and Drainage Plan to this Department for review/approval. The Lot Grading and Drainage Plan is to contain sufficient detail to ensure grading compatibility with the adjacent properties. In addition, the owner will be required to submit the applicable lot grading and municipal services protection deposits.

**2. Servicing**

All costs incurred in providing any service laterals will be the responsibility of the owner. The owner will also be responsible for all costs incurred for the required road reinstatement (if required). If the service connections are to be installed by a private contractor retained by the owner, issuance of an open cut permit will be subject to the owner depositing adequate securities with the City to guarantee proper road reinstatement.

**3. Access**

The applicant will be required to apply for an Access Modification Permit prior to building permit issuance. We advise the applicant that all costs incurred in providing any new driveway entrance(s) to the subject lands or any modifications/reinstatement required will be the responsibility of the owner. Driveway accesses shall maintain a 1.5 m setback from aboveground features such as utilities and trees. We are also noting that should any utilities need to be relocated, all costs incurred will also be to the owner.

For further information regarding the above noted comments, please contact Tony Iacobucci at (905) 615-3200 ext. 5129 or [tony.iacobucci@mississauga.ca](mailto:tony.iacobucci@mississauga.ca)









Comments Prepared by: Tony Iacobucci, Development Engineering

## Appendix 2 – Zoning Comments

Zoning has no objection to the Consent application provided that the severed and retained lands comply with the provisions of Zoning By-law 0225-2007, as amended, with respect to, among other things, minimum lot frontage, minimum lot area, setbacks to the existing building(s), on site parking, etc., or alternatively, that any minor variance(s) is approved, final and binding and/or the demolition of any existing building(s) is complete.

We further advise that the proposed lot frontage is to be calculated in accordance with the following definition:

- The applicant is advised that Lot Frontage means the horizontal distance between the side lot lines and where these lines are not parallel means the distance between the side lot lines measured on a line parallel to and 7.5 m back from the front lot line.

We note that a Building Permit 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.

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**

#### Park Planning Comments

The Parks and Culture Planning Section of the Community Services Department has reviewed the consent application and advises as follows:

1. 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](mailto:nicholas.rocchetti@mississauga.ca).

Comments Prepared by: Nicholas Rocchetti, Planner

#### Forestry Comments

The Forestry Section of the Community Services Department has reviewed the consent application and advises as follows:

City of Mississauga Forestry Staff have attended the site and identified the following City owned trees within the municipal boulevard on High Springs Crescent:

- Linden (16cm DBH) – Good Condition – \$700.00
- Scotch Pine (19.5cm DBH) – Fair Condition - \$600.00 (Boundary)

Should the application be approved, Community Services wishes to impose the following conditions:

1. The applicant shall provide tree protection securities in the amount of \$1,300.00 for the preservation of the municipal trees.
2. The applicant shall provide a cash contribution of \$1,750.82 for the planting of two (2) street trees on High Springs Crescent and Hillcrest Avenue. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.

In addition, Forestry notes the following:

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.
4. The applicant shall provide framed tree hoarding at the dripline of the above noted trees prior to any construction to the satisfaction of City of Mississauga Forestry Staff. Please call Matthew McMullen at 905-615-3200 ext. 3508 or Mike Newbold at 905-615-3200 ext. 8280 to arrange a hoarding inspection.
5. Payment for street tree fees and other charges can be made at the Parks and Forestry customer service counter located at 950 Burnhamthorpe Road West, in the form of a certified cheque, bank draft, or money order made payable to "The Corporation of the City of Mississauga". A Submission of Fees and Securities form is required to process payment. Please contact Jamie Meston to request a Submission of Fees and Securities form and any other inquires regarding the payment process.

A Tree Removal 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: Brian Melnyk ([brian.melnyk@peelregion.ca](mailto:brian.melnyk@peelregion.ca)) | (905) 791-7800 x3602

#### **Comments:**

- Please note that severing the lands may adversely affect the existing location of the water and sanitary sewer services, if any exist. The result of this may require the applicant to install new water/sanitary servicing connections to either the severed or retained lands in compliance with the Ontario Building Code. The applicant may require the creation of private water/sanitary sewer servicing easements.

- 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](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 – 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](mailto: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](mailto:jenna.auger@metrolinx.com).

Comments Prepared by: Jenna Auger, Project Analyst

**Appendix A – Conditions of Provisional Consent****SHOULD THE COMMITTEE GRANT A PROVISIONAL CONSENT, THE FOLLOWING IS A LIST OF THE RECOMMENDED CONDITIONS TO BE ATTACHED TO THE DECISION AND THESE CONDITIONS MAY BE REVISED BY THE COMMITTEE AT THE PUBLIC MEETING.**

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding. ("A" 184/25 and "A" 185/25)
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated July 3, 2025.
5. A letter shall be received from the City of Mississauga, Park Planning, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated July 3, 2025.
6. A letter shall be received from the City of Mississauga, Forestry, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated July 3, 2025.
7. A letter shall be received from the Region of Peel, Development Services/Public Works, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated July 3, 2025.
8. A letter shall be received from Metrolinx indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated July 3, 2025.