

Committee of Adjustment Minor Variance Application

City of Mississauga 300 City Centre Drive
Mississauga ON L5B 3C1
Tel. No.: 905-615-3200 x5507 Fax. No.: 905-615-3950
Inquiries: committee.adjustment@mississauga.ca
Applications: cofa.applications@mississauga.ca



Web address for downloading Committee of Adjustment Information, Forms and Agendas:
<https://www.mississauga.ca/council/committees/committee-of-adjustment/>

Effective January 1, 2024, the fees for a minor variance application to the Committee of Adjustment are as follows:

RESIDENTIAL LOW AND MEDIUM DENSITY - driveways, decks, and accessory structures under 16 m ² (excluding detached garages) per application: - other low and medium density residential applications, per application:	\$ 749.00 \$1,283.00
ALL OTHER APPLICATIONS - Non-residential zones, high density residential applications, and non-residential use applications within residential zones, per application:	\$1,631.00*
MULTIPLE RESIDENTIAL APPLICATIONS - for the first 10 applications, per application: - in excess of the first 10 applications, per application:	\$1,283.00 \$ 52.00
DEFERRAL FEE - covers the administrative processing cost of providing additional notification for items that are deferred to a future meeting	\$212.00 to \$1,224.00
* additional circulation fee is required where relief is being requested from Table 2.1.2.1.1 of Zoning By-law 0225-2007, as amended. The fee will reflect the actual cost of circulation beyond the 60 m circulation to the use identified in Table 2.1.2.1.1. The additional circulation fee will be payable before the scheduled meeting.	

Once an application is deemed complete, staff will advise of the appropriate fee. Fees may be paid online by Visa, MasterCard, American Express or debit card. If paying by cheque, please make it payable to: "Treasurer of the City of Mississauga". Conservation Authority fees (if applicable) are paid separately to the relevant authority.

NOTICE TO ALL APPLICANTS OF MINOR VARIANCE APPLICATIONS TO THE CITY OF MISSISSAUGA COMMITTEE OF ADJUSTMENT

1. Before submitting your application to the Committee of Adjustment, it is strongly recommended that you verify the accuracy of the variances you are requesting either through the building permit, site plan application or zoning certificate of occupancy processes. However, if these processes do not apply, you are encouraged to submit your plans for a preliminary zoning review at <https://eplans.mississauga.ca>
2. **Consultation with the Planning and Building and Transportation and Works Departments, and the appropriate Conservation Authority (if applicable) may also be helpful. It is also advisable to reach out to your neighbours regarding your plans.**
3. If you are requesting a reduction in required parking, it is strongly recommended you provide a Letter of Justification for a 10% reduction or less, or a Parking Utilization Study for a greater than 10% reduction. Terms of Reference for a Parking Study can be obtained from <https://www.mississauga.ca/publication/parking-studies-terms-of-reference/> or by emailing parkingstudy.review@mississauga.ca. Planning and Building Department staff advised they will recommend deferral of a variance application if this information is not provided.
4. All additional materials (Letter of Use, Parking Utilization Study/Letter, etc.) should be included in the original submission package to allow sufficient time for staff's review of the material prior to the hearing, which can avoid a possible deferral of the application.
5. A public notice sign (to be provided to you) is to be posted in a prominent location on the subject property for a minimum of 10 days prior to the scheduled hearing date.
6. Conservation Authorities (CVC, HRCA and TRCA) may require that an application review fee be paid if the subject property is located within an area under their control. Please contact the appropriate conservation authority.
7. Development Charges may be payable prior to the issuance of a Building Permit.

Minor Variance Application Checklist

- Application Fee (to be confirmed by staff prior to payment)
- Application Form (all sections must be completed and form signed and commissioned)
- Property Owner Appointment and Authorization of Agent Form (all sections must be completed)
- Property Owner Acknowledgement of Public Information and Permission to Enter Property Form (all sections must be completed)
- Posting of Advisory Sign Form (all sections must be completed)
- Variance Acknowledgement Form (all sections must be completed)
- One digital copy of all sketches/plans must be provided to the Committee of Adjustment Office via email. All plans shall show the following, where applicable:
 - the lands owned by applicant outlined in red if more than one lot is shown on the plan
 - the boundaries and dimensions of the subject lands
 - the location, size and type of all existing and proposed buildings and structures on the subject land, indicating distance of the buildings or structures from the front yard, rear yard and side yard lot lines (in metric)
 - the approximate location of all natural and artificial features on the subject land and on the land adjacent to the subject land that , in the opinion of the applicant, may affect the application. Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks.
 - the current uses on the adjacent land to the subject property
 - the location, width and name of any road(s) within or abutting the subject land. Indicate whether the road is an unopened road allowance, a public travelled road, a private road or a right of way
 - the location and nature of any easements affecting the subject land
- Floor Plans and Building Elevations may be required (review with Committee of Adjustment staff to determine applicability)

NOTES:

While it is recommended that applicants review their application with representatives of any appropriate commenting agencies, the Committee of Adjustment will make a decision on the merits of the application.

- Planning and Building Department: eplans.devdes@mississauga.ca
- Transportation and Works Department: twdeveng@mississauga.ca
- Heritage Planning: 905-615-3200 x4061 or heritage.planning@mississauga.ca
- Any relevant conservation authority
- The Region of Peel, Public Works Department: 905-791-7800

The Committee of Adjustment requires that all properties subject to an application be properly identified in accordance with the following:

- (a) All buildings shall have the street number clearly displayed and visible from the street
- (b) In the event that a unit within a building is the subject of an application, the unit number shall be clearly displayed on the door of the unit

ADDITIONAL INFORMATION REGARDING THIS APPLICATION MAY BE OBTAINED
BY EMAILING THE COMMITTEE OF ADJUSTMENT OFFICE at
cofa.applications@mississauga.ca OR BY CALLING 905-615-3200 x5507



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Chair:	S. Patrizio
Vice Chairs:	J. Page
	F. Dale
	W. Shahrukh
	T. Rowan
	K. Ellis
	J. Robinson

Secretary-Treasurer: A. Davies

What is an application for Minor Variance?

The owner of a property, or any person authorized in writing by the owner, may apply to the Committee of Adjustment by means of an “Application for Minor Variance” for relief from the Zoning By-law.

Minor Variances may be granted provided that, in the opinion of the Committee, the request is minor in nature, is desirable for the appropriate development or use of the land, building or structure and if in the opinion of the Committee, the general intent and purpose of the Zoning By-law and the Official Plan are maintained.

The Committee of Adjustment is composed of seven members who are appointed by the Council of the City of Mississauga. The authority of the Committee of Adjustment is set out in the *Planning Act* (Provincial Statute).

How do I apply?

If you wish to apply to the Committee of Adjustment, you must fully complete the “Application for Minor Variance” form, submit the completed form along with the appropriate drawings which meet the minimum requirements as set out in the “Checklist” located on page 2. If you are acting as an agent for the purposes of the application, the Appointment & Authorization form is required to be signed by all registered owners of the property.

Applications are submitted by email to cofa.applications@mississauga.ca

If an application must be made in person, it is by appointment only at the Clerk’s Office, 300 City Centre Drive, 2nd Floor.

How much will it cost?

The processing fee for a “Minor Variance” application to the Committee of Adjustment is noted on the first page of the application package.

Once an application is deemed complete, staff will advise of the appropriate fee. Fees may be paid online by Visa, MasterCard, American Express or debit card. If paying by cheque, please make it payable to: “Treasurer of the City of Mississauga”.

Conservation Authority fees may be required if the subject property is located within an area under their control, and must be paid directly to the applicable authority. Please contact them for more information:

- **Toronto and Region Conservation Authority**
101 Exchange Avenue, Vaughan, Ont., L4K 5R6, 416-661-6600, Web Site: <http://www.trca.on.ca>
- **Credit Valley Conservation**
1255 Old Derry Road, Meadowvale, Ont., L5N 6R4, 905-670-1615, E-mail: cvc@mississauga.net
- **Conservation Halton**
2596 Britannia Road West, Burlington, Ont., L7P 0G3, 905-336-1158, E-mail: admin@hrca.on.ca

What happens next?

The Committee of Adjustment office prepares a Notice of Public Hearing which includes the details of your requested variance(s) and the date, time and place of the Public Hearing.

A notice sign is to be placed on the subject property by the applicant, and the Notice of Public Hearing is mailed to every owner within a 60 m (200 ft.) radius of the subject lands at least 10 days prior to the Committee Hearing.

The Notice of Public Hearing is also distributed to all City Departments, Members of Council, other outside agencies, the property owner and the authorized agent (if applicable).

The applicant or authorized agent may request a copy of staff comments and any other comments received prior to the public hearing.

What happens at the hearing?

At the Public Hearing you or your authorized agent will be required to make a verbal presentation of your case to the Committee. Presentations may also be made by any other interested parties in support of or in objection to your application.

The Committee considers all presentations for and against your proposal and renders a verbal decision in the presence of all interested parties at the time of the Public Hearing. An approval of your application may be subject to such conditions and/or restrictions as the Committee deems appropriate.

An individual may request to receive a copy of a Committee decision by email or in writing. When the Public Hearings are held in person, a form entitled "Request for Decision" is available at the Hearings or in the Committee of Adjustment Office.

To find out more about a particular application, contact us at committee.adjustment@mississauga.ca or 905-615-3200 x 5507.

What happens after the hearing?

A written decision from the Committee will be sent to the applicant, authorized agent and all persons that requested a copy of the decision within ten days from the date of the decision. At the end of the 20 day appeal period, if there has been no appeal filed, the decision will become final and binding and a notice to this effect will be issued.

Appeal Provisions

The decision of the Committee of Adjustment is subject to appeal within 20 days from the date the decision is signed by the Committee Members. (Please note: The decision is signed one week following the hearing date). During the appeal period the applicant, the municipality, certain public bodies and the Minister may file an appeal of the Committee's decision to the Ontario Land Tribunal (OLT). The notice of appeal is filed with the Secretary-Treasurer of the Committee of Adjustment.

The notice of appeal must be in writing and outline the reasons for the objection.

Payment of both the OLT fee and the City's administration fee may be done online. Proof of payment to the OLT is required with submission. If preferred, a certified cheque or money order may be included with a notice of appeal form which is available at <https://olt.gov.on.ca/appeals-process/forms/>. It is highly recommended to confirm the fee with the OLT prior to submission.

If paid by cheque, the City's administration fee to be paid for each application appealed, should be submitted with the appeal package, and made payable to the "Treasurer of City of Mississauga".

The notice of appeal, the fees and all required documents will be forwarded by the Secretary-Treasurer to the OLT. Once the OLT is in possession of the appeal package, all inquiries will be handled through their office.



File No. "A" _____

The Planning Act, R.S.O. 1990, c.P.13, as amended
APPLICATION FOR MINOR VARIANCE

The undersigned hereby applies to the Committee of Adjustment for the City of Mississauga under Section 45 of the Planning Act, R.S.O., 1990, c.P.13, as amended, for relief as described in this application from Zoning By-law No. 0225-2007, as amended.

1.0 Address & Legal Description (e.g. 123 Street Drive & Lot A, Plan M-1234)

2.0 Conservation Authority Review Information
Is the property within the regulated area of a Conservation Authority?
Yes* <input type="checkbox"/> No <input type="checkbox"/> Not Applicable <input type="checkbox"/> (as determined by the relevant Conservation Authority)
*If yes, separate payment shall be made directly to the appropriate Conservation Authority.

3.0 Applicant Information
Property Owner:
Address: _____ City: _____ Postal Code: _____
Phone: _____ Fax: _____
Email: _____

4.0 Authorized Agent Information
Authorized Agent:
Address: _____ City: _____ Postal Code: _____
Phone: _____ Fax: _____
Email: _____

5.0 Purpose of Application (Check all that apply)
New Build (House) <input type="checkbox"/> New Build (Other) <input type="checkbox"/> Addition <input type="checkbox"/> Accessory Structure <input type="checkbox"/> Driveway <input type="checkbox"/> Parking <input type="checkbox"/> Change of Use <input type="checkbox"/>
Other <input type="checkbox"/> Please specify: _____

6.0 Relief Required from the Zoning By-law (Please identify the relief you are requesting and the relevant Zoning By-law standard/requirement. If additional space is required, attach a separate sheet/letter.)		
Provision:	Proposed:	Requirement:
E.g. Interior Side Yard	0.90m	1.20m

7.0 Do any of the above variances relate to existing conditions?
Yes <input type="checkbox"/> No <input type="checkbox"/>

8.0 Have you discussed your proposal with Planning staff? *A pre-consultation with staff may help avoid deferrals and associated additional fees. If you wish to pre-consult with staff please contact Clerk's staff with your ward number or address so they can provide you with the appropriate contact information.
Yes <input type="checkbox"/> No* <input type="checkbox"/>

9.0 Why is it not possible to comply with the Zoning By-law requirements (Please describe the request and explain why it is not possible to comply with the provisions set out in the City's Zoning By-law. If additional space is required, attach a separate sheet/letter.)

10.0 Dimensions of the subject property (This is for the entire property, not a portion of the property that may be the subject of the application.)
Lot Frontage (metres/feet):
Lot Depth (metres/feet):
Lot Area (m ² , ft ² , hectares, acres):

11.0 Land Use, Official Plan and Zoning By-law Designation	
Official Plan Designation ¹ (e.g. Residential Low Density, Commercial, Employment)	
Zoning Category ¹ (e.g. Residential (R1, R2, RM1, RM2, etc.) Commercial (e.g. C1, C2, etc.)	
Existing Use of the Subject Lands:	
Proposed Use of the Subject Lands:	
Does this application result in the closure of a residence for seniors? Yes <input type="checkbox"/> No <input type="checkbox"/>	
¹ Please consult with the Planning and Building Department, Planning Services Centre to identify the Official Plan Designation and Zoning By-law Designation by calling 311 (905-615-4311 outside City limits) or emailing ePlans.devdes@mississauga.ca or by checking online at www.mississauga.ca/portal/residents/officialdocuments	

12.0 Details of all building(s) and structure(s) on the subject land. Please specify:		
	Existing	Proposed
a) type of building(s) or structure(s)		
b) gross floor area or dimensions of the building(s) or structure(s)		
c) the front and rear yard setbacks		
d) side yard setbacks		
e) height of the building or structure		

13.0 Property Information	
The date the subject land was acquired by the current owner:	
The date the existing buildings and structures were constructed on the subject land:	
The length of time the existing uses of the subject land have continued:	
Has the property been merged with or split from another property in the past year: Yes* <input type="checkbox"/> No <input type="checkbox"/>	
*If yes, please explain:	

14.0 Municipal services & access provided to the subject lands (check the appropriate boxes)			
<input type="checkbox"/> Water	If not available, by what means is it provided:		
<input type="checkbox"/> Sanitary Sewers	If not available, by what means is it provided:		
<input type="checkbox"/> Storm Sewers	If not available, by what means is it provided:		
Municipal Road <input type="checkbox"/>	Private Road <input type="checkbox"/>	Provincial Highway <input type="checkbox"/>	Other <input type="checkbox"/>
If other, please specify by what means:			

15.0 Other Planning Applications

If known, is or was the subject land the subject of any of the following development type applications:

Official Plan Amendment	Yes <input type="checkbox"/>	No <input type="checkbox"/>	File No.
Zoning By-law Amendment	Yes <input type="checkbox"/>	No <input type="checkbox"/>	File No.
Plan of Subdivision	Yes <input type="checkbox"/>	No <input type="checkbox"/>	File No.
Site Plan Approval	Yes <input type="checkbox"/>	No <input type="checkbox"/>	File No.
Certificate of Occupancy	Yes <input type="checkbox"/>	No <input type="checkbox"/>	File No.
Building Permit	Yes <input type="checkbox"/>	No <input type="checkbox"/>	File No.
Pre-Application Zoning Review	Yes <input type="checkbox"/>	No <input type="checkbox"/>	File No.
Previous Consent/Minor Variance Applications	Yes <input type="checkbox"/>	No <input type="checkbox"/>	File No.

DECLARATION OF PROPERTY OWNER OR AUTHORIZED AGENT

I, _____
Property Owner or Authorized Agent Name

of the _____ City in the _____ Region

declare that the statements and attached documentation contained within the application are accurate and true and I make this some declaration conscientiously believing it to be true and knowing that it is the same force and effect as if made under oath, and by virtue of the Canada Evidence Act.

NOTE: The Signature of the applicant or authorized agent must be witnessed by a Commissioner, etc. A Commissioner of Oaths is available in the Committee of Adjustment office, if needed.

DECLARED BEFORE ME

at _____

in the _____

this _____ day of _____ 20 _____

Signature of Applicant or Authorized Agent

I have the authority to bind the Corporation

Signature of Commissioner of Oaths

Name/Stamp of Commissioner, etc.



Property Owner
Appointment and Authorization of Agent
(TO BE SIGNED BY ALL REGISTERED OWNERS OF THE PROPERTY)

PROPERTY INFORMATION

Address/Legal Description:

PROPERTY OWNER APPOINTMENT AND AUTHORIZATION OF AGENT

I/We, the undersigned, being the registered property owner(s) of the above noted property hereby authorize

Authorized Agent's Name / Company

as my agent for the purpose of submitting this application to the Committee of Adjustment and acting on my/our behalf in relation to the application. The authority granted by this Agent Appointment and Authorization shall continue until I/We shall have revoked such authority in writing, and delivered such written revocation to the City of Mississauga, Committee of Adjustment. No such revocation shall, however, invalidate any action taken by me/our agent prior to the date the City of Mississauga, Committee of Adjustment received such written revocation.

Dated this _____ day of _____ 20_____.

I have the authority to bind the Corporation or Partnership, if applicable

Name or Property Owner or Signing Officer

Signature of Property Owner or Signing Officer

I have the authority to bind the Corporation or Partnership, if applicable

Name or Property Owner or Signing Officer

Signature of Property Owner or Signing Officer

NOTES:

1. If the owner is a corporation, this appointment and authorization shall include the statement that the person signing this appointment and authorization has authority to bind the corporation (or alternatively, the corporate seal shall be affixed hereto).
2. If the agent is a firm or corporation, specify whether all members of the firm or corporation are appointed or, if not, specify by name(s) the person(s) of the firm or corporation that are appointed.



Variance Acknowledgement

Please indicate how you obtained your Zoning Review (circle one):

Building Permit Site Plan Approval Pre-Application Zoning Review Occupancy/Zoning Certificate

Other/None*: _____

- * Please note a complete Zoning review is not conducted through the Committee of Adjustment process. It is the applicant/agent's responsibility to ensure a complete Zoning review has been performed prior to filing this application.

I,

(Applicant/Authorized Agent's Name)

acknowledge it is my responsibility to ensure all required variances for the project located at

(Property Address/Legal Description)

have been identified and listed on this form correctly, and that any errors may result in delays in processing, deferral fees, the inability to obtain other approvals, and/or a requirement for a second application (including the full application fee and any other associated fees).

Dated this _____ day of _____ 20 _____.

I have the authority to bind the Corporation or Partnership, if applicable

Name of Applicant/Authorized Agent

Signature of Applicant/Authorized Agent



MISSISSAUGA

**Property Owner Acknowledgement of
Public Information and Permission to
Enter Property**

PROPERTY INFORMATION

Address/Legal Description:

PROPERTY OWNER ACKNOWLEDGEMENT OF PUBLIC INFORMATION

Application information is collected under the authority of the Planning Act, R.S.O. 1990, c. P.13, as amended. In accordance with Section 1.0.1 of the Act, the City of Mississauga provides public access to all Planning Act applications and supporting documentation submitted to the City. I, the undersigned, being the registered property owner of the above noted property hereby agree and acknowledge that the information contained in the application and any documentation, including reports, studies and drawings, provided in support of the application, whether included with the application or submitted at any time subsequent to the filing of the application, by myself, my agents, consultants and solicitors, constitute public information and will become part of the public record. As such, and in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56, as amended or substituted from time to time, I hereby consent to the City of Mississauga making this request and its supporting documentation available to the general public, including copying, posting on the City’s website and/or releasing a copy of the request and any of its supporting documentation to any third party upon their request or otherwise, and as part of a standard distribution of copies of such documentation. I consent to the City releasing copies of any of the documentation to additional persons, including but not limited to Members of Council and resident associations.

I have the authority to bind the Corporation or Partnership, if applicable.

Name of Applicant/Authorized Agent

Signature of Applicant/Authorized Agent

Date

PROPERTY OWNER PERMISSION TO ENTER PROPERTY

I, the undersigned, being the registered property owner of the above noted property hereby irrevocably authorize and consent to the Committee of Adjustment Members, City of Mississauga staff and Region of Peel staff to enter upon the above noted property at any reasonable time for the purpose of evaluating the merits of the application.

I have the authority to bind the Corporation or Partnership, if applicable.

Name of Applicant/Authorized Agent

Signature of Applicant/Authorized Agent

Date

NOTE: The Committee of Adjustment requires that all properties be identified with the municipal address clearly visible from the street. Where there is no municipal address or the property is vacant, the property shall be identified in accordance with the Committee’s policy as outlined on the information sheet included with the Application. Failure to properly identify the subject property may result in the deferral of the application.



Posting of Advisory Sign – Minor Variance

This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

A sign will be made available to you upon submission of your application and the notice insert will be forwarded to you once the application has been processed. You are directed to post each sign in a prominent location that will enable the public to observe the sign.

The location of each sign will depend on the lot and location of any structures on it. However, the sign should be placed so as to be legible from the roadway in order to ensure the public can view the sign and make note of the telephone number should they wish to make inquiries. In most cases, please post the sign on a stake as you would a real estate sign. For commercial or industrial buildings, it may be appropriate to post the sign on the front wall of the building at its entrance. Please contact the undersigned if you have any queries on the sign location at (905) 615-3200 ext. 5507.

Each sign must be posted a minimum of 10 days prior to the scheduled hearing, until the day following the hearing. Please fill in the form below indicating your agreement to post the sign(s) as required. This form must be submitted with the application to become part of the file as evidence you have met with the *Planning Act* requirements. Failure to post the sign as required may result in a deferral of the application.

PROPERTY INFORMATION

Address/Legal Description:

I,

(Name of Applicant/Authorized Agent)

acknowledge that each sign must be posted at least 10 days prior to the scheduled hearing of my application and be replaced, if necessary, until the day following the hearing.

I have the authority to bind the Corporation or Partnership, if applicable.

Signature of Applicant/Authorized Agent

Date