

# City of Mississauga Department Comments

Date Finalized: 2024-03-01	File(s): A113.24 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-03-07 1:00:00 PM

## Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application, as requested, meets the requirements of Section 45(1) of the Planning Act.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the conversion of the existing detached garage into a second unit proposing a rear yard of 1.23m (approx. 4.04ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 1.80m (approx. 5.91ft) in this instance.

## Background

**Property Address:** 772 Melton Drive

### Mississauga Official Plan

Character Area: **Lakeview Neighbourhood**  
Designation: **Residential Low Density I**

### Zoning By-law 0225-2007

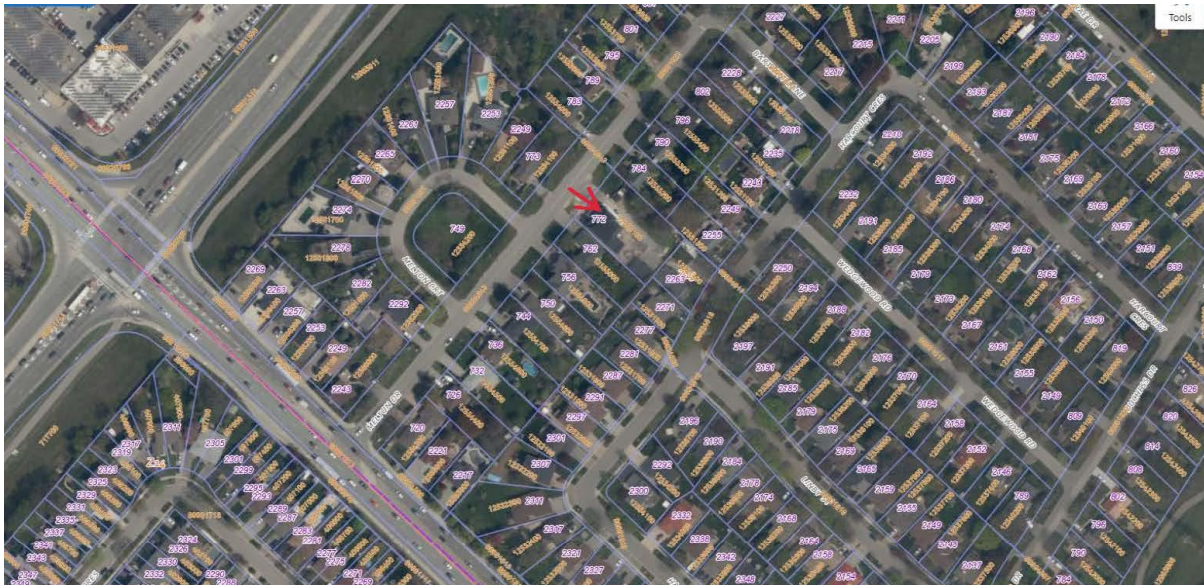
**Zoning:** R3-75-Residential

**Other Applications:** BP 23-7651.

### Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, southeast of Cawthra Road and Queensway East. The neighbourhood is entirely residential, consisting of one and two-storey detached dwellings with mature vegetation in the front yards. The subject property is the largest lot on Melton Drive with a lot frontage of 34.30m (112.53ft), containing a two-storey detached dwelling with no mature vegetation.

The application proposes a new additional residential unit requiring a variance for rear 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 are as follows:

Planning staff note that the applicant is proposing to convert an existing detached garage into a detached Additional Residential Unit (ARU).

To implement recent legislative changes under the *Planning Act* mandating the permission of three units on a residential parcel, new official plan and zoning by-law amendments have been enacted which introduce and regulate Additional Residential Units (ARUs).

Staff note that the same proposal received variances under application A421.23. Through the building permit phase an additional variance for a rear yard setback of 1.23m (approx. 4.04ft) was identified. Planning staff note that this setback is existing as the proposal involves

converting the existing detached garage into an ARU. The conversion of the detached garage will not include any increases to its footprint or height. Therefore, the proposed change of use and its existing location will not create any negative impacts on adjacent properties.

Through a detailed review of the application, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed you will find pictures of the existing garage. We note that we have previously visited the property for other applications where the applicant has constructed the existing structures within the limits of existing City and/or Regional easements. We are also noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed conversion of the garage into a second unit will be addressed by our Development Construction Section through the future Building Permit process.

Comments Prepared by: John Salvino, Development Engineering Technologist





## Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application BP 9NEW 23-7651. Based on the review of the information available in this application, the requested variance(s) is/are correct.

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: Brooke Herczeg, Zoning Examiner

## Appendix 3 – Region of Peel

**Minor Variance: A-24-113M / 772 Melton Drive**

Development Engineering: Brian Melnyk (905)-791-7800 x3602

**Comments:**

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- 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 [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca).
  - All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel design specifications. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@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 [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca).

Comments Prepared by: Ayooluwa Ayoola, Planner