

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-02-20	File(s): A12.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2/27/2025 1:00:00 PM

Consolidated Recommendation

The City recommends the application be deferred to identify the correct variances.

Application Details

The applicant requests the Committee to approve a minor variance to allow hard surface pavement in the back yard proposing a rear yard setback of 0.61m (approx. 2.00 ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 1.20m (approx. 3.94ft) in this instance.

Background

Property Address: 1432 Quest Cir

Mississauga Official Plan

Character Area: Meadowvale Village Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM2-15-Residential

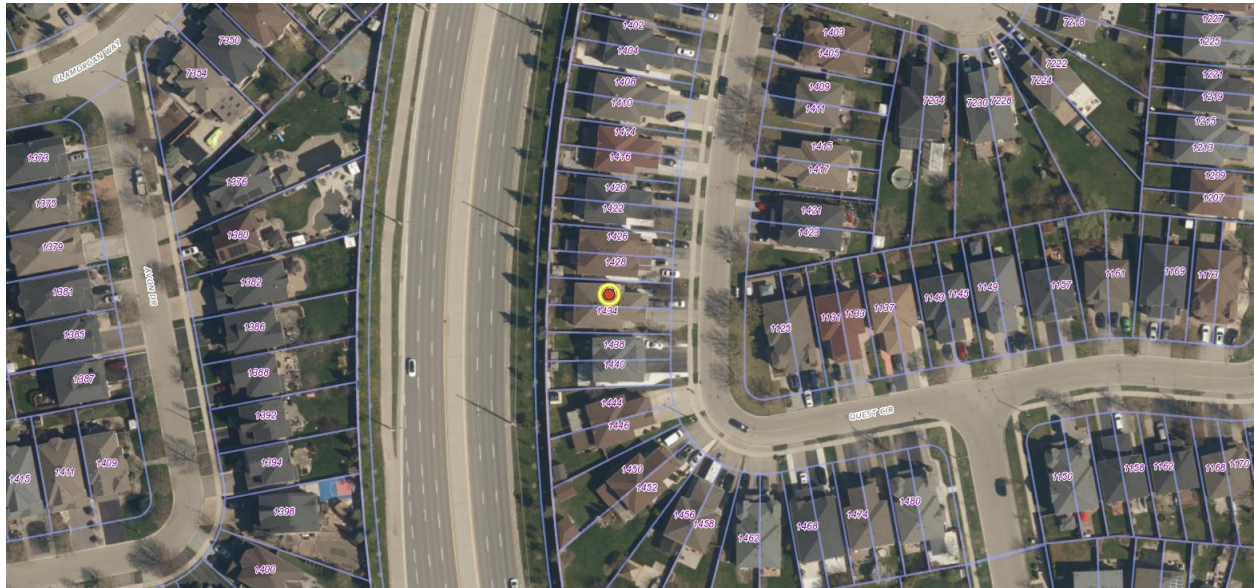
Other Applications: None

Site and Area Context

The subject property is located north-east of the Derry Road West and Creditview Road intersection in the Meadowvale Village Neighbourhood Character Area. It is an interior lot

containing a two-storey semi-detached dwelling with an attached garage. Limited landscaping and vegetative elements are present throughout the subject property. The surrounding area context is exclusively residential, consisting of detached and semi-detached dwellings.

The applicant is proposing to legalize the existing hard surface landscaping material in the rear yard 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 of the four tests to this minor variance request are as follows:

The subject property is located in the Meadowvale Village Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). Section 9 of the 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.

The proposed variance requests a reduction to the rear yard setback to accommodate the existing hard surfaced landscaping. The general intent of this portion of the by-law is to ensure appropriate drainage patterns can be maintained. Staff note Transportation & Work's staff have not identified any drainage concerns.

Staff note the by-law requirement for setbacks to hard surfaced landscaping material in the rear yard is 0.61m (2ft), as opposed to 1.2m (3.93ft) noted by the applicant. The drawings submitted note the existing hard surface landscape material being compliant to the by-law requirement, however site photos provided by Transportation & Work's staff depict the hard surface landscaping material potentially being within the 0.61m setback for both the side and rear yards. While Planning staff have no objections to the existing conditions, staff are suggesting deferral to ensure the applicant identifies the correct variances.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference are photos depicting the rear yard concrete hardscaping. From our site inspection and the attached photos, it is evident that this property has a rear to front drainage pattern which means that drainage is directed towards the front of the property. We note that the owner has left a sufficient area between the concrete and fence where drainage can adequately still be directed to the front and not impact the abutting property, in this regard we have no objection to the request.







Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

In the absence of a Development application 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.

For scope of work that does not require Site Plan Approval/Building Permit/Zoning Certificate of Occupancy Permit, the applicant may consider applying for a Preliminary Zoning Review application. A detailed site plan drawing and architectural plans are required for a detailed zoning review to be completed. A minimum of 6-8 weeks is required depending on the complexity of the proposal and the quality of information submitted.

Comments Prepared by: Emily Majeed, Planner-in-Training

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.

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.

Comments Prepared by: Jamie Meston, Landscape Technician

Appendix 4 – Region of Peel 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 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.
- 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: Brian Melnyk, Development Engineering