

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2025-03-13	File(s): A48.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:3/20/2025 1:00:00 PM

## Consolidated Recommendation

This variance application was most recently updated as of March 10,2025 with revised drawings being sent to staff on March 13th, 2025. The revised submission has not been circulated to all commenting staff and therefore cannot confirm the accuracies of the variances being sought or if all variances have been identified.

The City has no objection to the application. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

## Application Details

The applicant requests the Committee to approve a minor variance to allow an attached Additional Residential Unit (ARU) proposing:

1. A rear yard setback of 5.38m (approx. 17.65ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 7.50m (approx. 24.61ft) in this instance;
2. An overhanging roof setback to the rear yard of 4.93m (approx. 16.17ft) whereas By-law 0225-2007, as amended, requires a minimum overhanging roof setback in the rear yard of 7.05m (approx. 23.13ft) in this instance;
3. A wooden porch setback to the rear yard of 4.47m (approx. 14.67ft) whereas By-law 0225-2007, as amended, requires a minimum wooden porch setback to the rear yard of 7.50m (approx. 23.13ft) in this instance; and
4. A lot coverage of 37.34% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance.

## Background

**Property Address:** 2643 Inlake Crt

**Mississauga Official Plan**

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

**Zoning By-law 0225-2007**

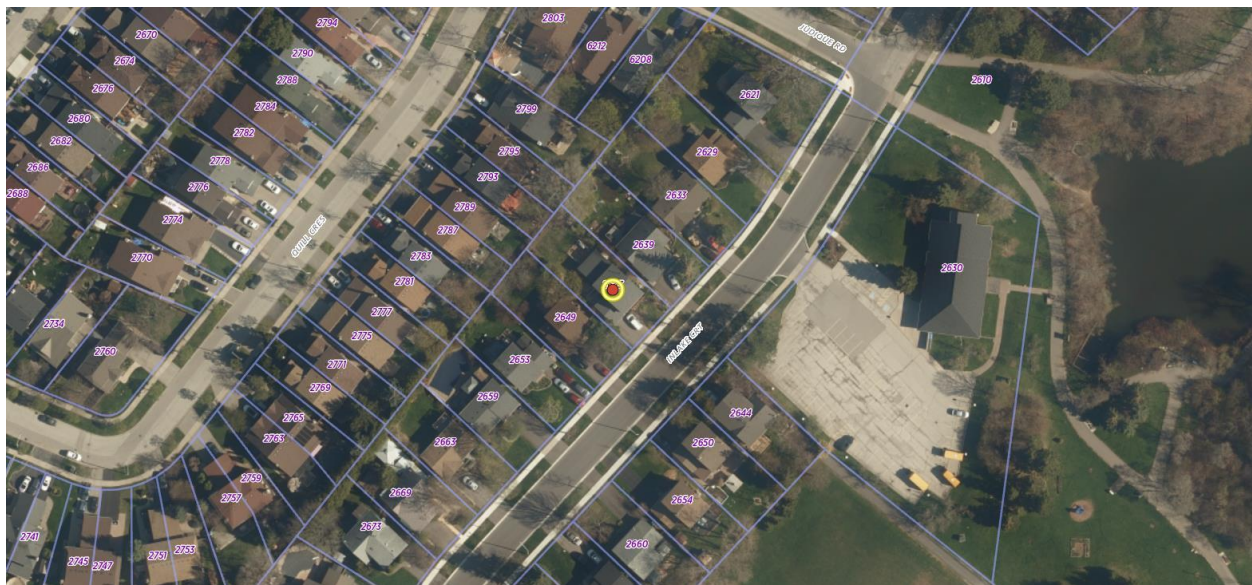
**Zoning:** R3-Residential

**Other Applications:** BP 9 NEW 24-5165

**Site and Area Context**

The subject property is located north-east of the Britannia Road West and Winston Churchill Boulevard intersection in the Meadowvale neighbourhood. It currently contains a two-storey detached dwelling with limited vegetation and landscaping elements in the front yard. The property has an approximate lot area of +/- 612.98m<sup>2</sup> (2011.9ft<sup>2</sup>). The surrounding area is comprised entirely of detached residential dwellings with minimal vegetation and landscape elements in the front yards.

The applicant is proposing to construct an Additional Residential Unit (ARU) attached to the principle dwelling requiring variances for rear yard setbacks and lot coverage.



## 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 Neighbourhood Character Area and is designated Residential Low Density I on Schedule 10 of the Mississauga Official Plan (MOP). This designation only permits detached dwellings. 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. Bill 23, More Homes Built Faster Act, 2022, requires official plans and zoning by-laws to permit “as of right” small-scale residential uses of up to three units per lot in areas where municipal services are available. Planning staff are of the opinion that the proposed built form of the ARU is appropriate for the subject property and that it will not negatively impact the streetscape. Further, staff are satisfied that the proposal respects the designated and surrounding land uses. Therefore, planning staff are of the opinion that the requested variances maintain the general purpose and intent of the official plan.

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

Variances #1 and 2 propose a reduction in the rear yard setback to the proposed ARU, and the roof overhang. The general intent of this portion of the by-law is to ensure an adequate buffer exists between the massing of structures on adjoining properties, that maintenance can be performed on the structures and that appropriate drainage can be maintained. While the proposed location of the addition (ARU) does reduce the rear yard setback, there is sufficient space to allow for structural maintenance and maintain drainage patterns. Staff note that the proposed setback in combination with the addition, being limited to one storey in height, mitigates any privacy and overlook concerns.

Variance 3 requests an increase encroachment into the rear yard to accommodate stairs to directly access the ARU dwelling. The applicant proposes a maximum encroachment of 0.84m, where the by-law only permits an encroachment of 0.6m, a variance of 0.24m. The intent of this regulation is to allow for a point of egress into a structure that is sufficiently setback from a property line to discourage any privacy or overlook issues. Staff have no issue with the increased encroachment as it still provides an appropriate setback and does not provide any increased impact regarding privacy or overlook already anticipated in the regulation.

Variance #4 represents an increase in overall lot coverage of 2.34%. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot that would impact the streetscape as well as abutting properties. Staff are of the opinion that the percent of lot coverage exceeding the maximum permitted represents a slight deviation to the by-law and will have no measurable impact over what is already been anticipated with the regulation. It is also important to note that recent changes to the by-law to permit ARUs would permit an additional 10% of lot coverage for the ARU. In this case, if the proposed ARU was detached, no lot coverage variance would be required.

Given the above, Planning staff are satisfied that the variances, both cumulatively and individually, maintain the general intent and purpose of the official plan and zoning by-law, are minor in nature and contribute to orderly development of the subject property.

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

Staff are of the opinion that the proposed ARU represents appropriate development of the lands and modest intensification. Staff are satisfied that these variances respect the surrounding context and that the impacts of the requested variances are minor and will not cause undue impacts on adjacent properties.

Comments Prepared by: Sara Ukaj, Planning Associate

## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed attached Additional Residential Unit (ARU) will be addressed through the Building Permit application BP 9 NEW 24-5165.







Comments Prepared by: Tony Iacobucci, Development Engineering

## **Appendix 2 – Zoning Comments**

The Building Department is processing Building Permit application 24-5165. Based on review of the information available in this application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required. Full Zoning review has not been finished.

Please note that comments reflect those provided through the above application. These comments may no longer be valid should there be changes contained within this Committee of Adjustment application that have not been submitted and reviewed through the application noted above. The applicant must submit any changes and/or updates to information and/or drawings separately through the above application in order to receive updated comments.

Comments Prepared by: Andrew Wemekamp, 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](mailto:jamie.meston@mississauga.ca).



Comments Prepared by: Jamie Meston, Landscape Technician

#### **Appendix 4 – Region of Peel Comments**

Development Engineering: Brian Melnyk (brian.melnik@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 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: Petrele Francois, Junior Planner