

# City of Mississauga

Memorandum:

## City Department and Agency Comments

Date Finalized: 2025-03-27	File(s): A55.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:4/3/2025 1:00:00 PM

### Consolidated Recommendation

The City has no objections to the application.

### Application Details

The applicant requests the Committee to approve a minor variance to allow a new canopy over the existing deck proposing an exterior side yard setback of 4.12m (approx. 13.52ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 4.40m (approx. 14.44ft) in this instance.

### Background

**Property Address: 2968 Nipiwini Dr**

#### Mississauga Official Plan

Character Area: Meadowvale Neighbourhood  
Designation: Residential Low Density II

#### Zoning By-law 0225-2007

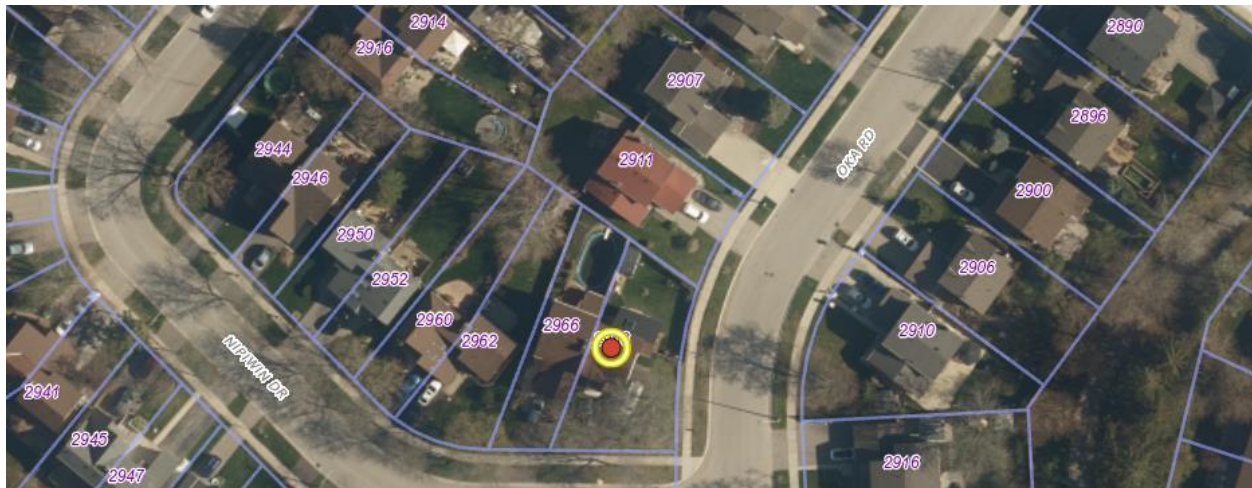
**Zoning: RM1-Residential**

**Other Applications: BP 9ALT24-5453**

### Site and Area Context

The subject property is located north-east of the Winston Churchill Boulevard and Britannia Road West intersection in the Meadowvale Neighbourhood Character Area. It has an approximate lot area of +/- 485.93 m<sup>2</sup> (5227.00ft<sup>2</sup>). The interior lot contains a two-storey semi-detached dwelling with an attached garage and limited vegetation exists on the subject property. The neighbourhood is primarily residential, consisting of detached and semi-detached dwellings on varied lot sizes.

The applicant is proposing the construction of a canopy over the existing deck requiring a variance for the exterior side 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:

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

The subject property is designated Residential Low Density II on Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached and duplex 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. The proposal represents a residential development that is in line with the designation. Staff are satisfied that the reduced

side yard will not negatively affect the surrounding community. Staff are therefore of the opinion that the proposal maintains the general intent and purpose of the Official Plan.

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

The sole variance proposes a reduction in the exterior side yard setback measured to the proposed addition. The general intent of side yard regulations in the by-law is to ensure that: an adequate buffer exists between the massing of primary structures on adjoining properties, appropriate drainage can be provided, and that access to the rear yard ultimately remains unencumbered. Staff note that the side property line does not run parallel to the proposed structure and that the proposed setback is a result of a pinch point between the building and the lot line. At its closest, the proposed side yard setback maintains an appropriate setback from the street and increases as the lot line moves away from the pinch point. Staff are of the opinion that the proposed setback is sufficient to maintain access to the rear yard and maintains an adequate buffer to the adjoining properties. Furthermore, Planning staff note that the Transportation & Works Department has reviewed the application and does not have any concerns regarding drainage.

Given the above, Planning staff are satisfied that the requested variances maintain the general intent and purpose of the Zoning By-law.

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

Planning staff are of the opinion that the proposal represent appropriate development of the subject property. The proposed variances, both individually and collectively, are minor in nature and are not expected to create undue impact on abutting properties or the streetscape.

Comments Prepared by: Sara Ukaj, Planning Associate

## Appendices

### Appendix 1 – Transportation and Works Comments

We note that the Transportation and Works Department has no objections to the existing deck and new canopy as it does not impact or alter the existing grading and drainage pattern for this property.







Comments Prepared by: Tony Iacobucci, Development Engineering

## **Appendix 2 – Zoning Comments**

The Building Division is processing Building Permit application BP 9ALT24-5453. Based on the review of the information available in this application, the requested variance is 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: Gary Gagnier, 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