

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-04-17	File(s): A84.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 4/24/2025 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 the addition of a second floor proposing:

1. A side yard setback to the second floor of 2.07m (approx. 6.79ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback to the second floor of 2.41m (approx. 7.91ft) in this instance; and
2. An eave setback from the second floor of 1.62m (approx. 5.31ft) whereas By-law 0225-2007, as amended, requires a minimum eave setback from the second floor of 1.96m (approx. 6.43ft) in this instance.

Background

Property Address: 3202 Flynn Cres

Mississauga Official Plan

Character Area: Erindale Neighbourhood
Designation: Residential Low Density I

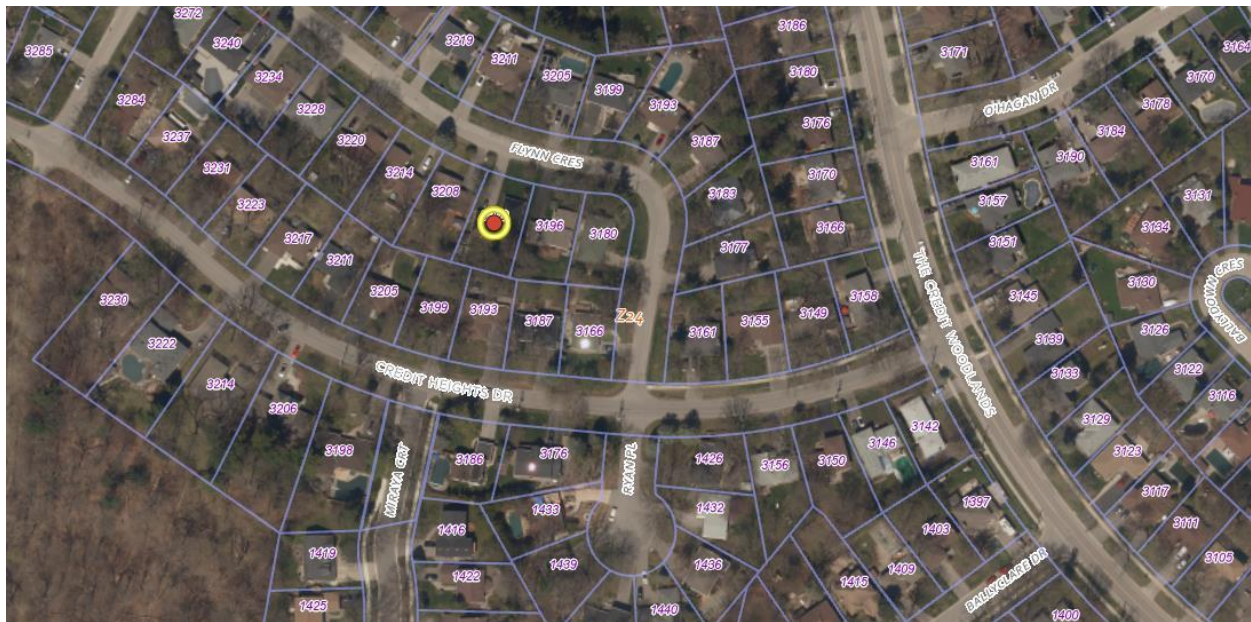
Zoning By-law 0225-2007

Zoning: R2-Residential

Other Applications: BP 9ALT 25-6140**Site and Area Context**

The subject property is located north-west of the Dundas Street West and The Credit Woodlands intersection in the Erindale Neighbourhood Character Area. It is an interior lot containing a single storey detached dwelling with an attached garage. Mature vegetation and limited landscaping elements are present throughout the subject property. The surrounding area is exclusively residential, consisting of detached dwellings on similarly sized lots.

The applicant is proposing to construct a second storey addition requiring variances for side yard setback to the second storey and eaves 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 Erindale Neighbourhood Character Area and is designated Residential Low Density I 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 existing site conditions, the surrounding context and the landscape of the character area. Staff are of the opinion the proposal is compatible with existing and planned character of the neighbourhood.

Variances 1 and 2 requests a reduction in the side yard setback to the second storey and an eaves setback. The intent of the side yard setback regulation is to ensure an adequate buffer between structures on abutting properties, appropriate drainage can be maintained and to ensure access to the rear yard remains encumbered. The second storey on the proposed dwelling is being built directly over the first storey and incurs the same side yard setback as the first storey. As such, it is staff's opinion that the requested variances are a minor deviation from the by-law and do not contribute to massing concerns on abutting properties. Furthermore, staff are satisfied that the proposed side yards provide an adequate buffer, appropriate drainage can be maintained and access to the rear yard remains unencumbered.

Given the above, staff are satisfied that the proposal maintains the general intent and purpose of the official plan and zoning by-law. Furthermore, staff are satisfied that the variances, both individually and cumulatively, are minor in nature and will not create any undue impacts to adjoining properties or the planned or existing character in the area.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

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 addition will be addressed through the Building Permit Process (BP 9 ALT 25-6140).

From our site inspection of the property, we note that we do not foresee any drainage related concerns with the second-floor addition provided that the existing drainage pattern is maintained.



Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application BP 9ALT 25-6140. Based on the review of the information available in this application, the requested variances 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: 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.

Comments Prepared by: Jamie Meston, Landscape Technician

Appendix 4 – Region of Peel Comments

Development Engineering: Wendy Jawdek (wendy.jawdek@peelregion.ca)|(905) 791-7800 x6019

Comments:

- Installation of and alterations to property line water valves and chambers and sanitary sewer maintenance holes require inspection by Region of Peel inspectors to confirm if these works are completed in accordance with Region of Peel Design, standards specification and procedures.
- Proposals to connect to an existing service lateral require approval from a Region of Peel inspector at construction stage.
- 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.
- All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel design criteria. For more information, please contact Servicing Connections at (905) 791-7800 x7973 or by email at servicingconnections@peelregion.ca.
- The applicant shall verify the location of the existing service connections to the subject site and the contractor shall locate all existing utilities in the field. Requests for underground locates can be made at <https://www.ontarioonecall.ca/portal/>
- For location of existing water and sanitary sewer infrastructure, please contact Records at (905) 791-7800 x7993 or by e-mail PWSERVICERequests@peelregion.ca.

Comments Prepared by: Petrele Francois, Junior Planner