

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-04-17	File(s): A89.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 4/24/2025 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 an addition proposing:

1. A height of eaves of 7.15m (approx. 23.46ft) whereas By-law 0225-2007, as amended, permits a maximum height of eaves of 6.40m (approx. 21.00ft) in this instance;
2. A combined width of side yards of 2.45m (approx. 8.04ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 4.91m (approx. 16.11ft) in this instance;
3. A right interior side yard setback to the first and second storey of 1.23m (approx. 4.04ft) whereas By-law 0225-2007, as amended, requires a minimum right interior side yard setback to the first and second storey of 2.41m (approx. 7.91ft) in this instance;
4. A left interior side yard setback to the first and second storey of 1.22m (approx. 4.00ft) whereas By-law 0225-2007, as amended, requires a minimum left interior side yard setback to the first and second storey of 2.41m (approx. 7.91ft) in this instance;
5. An eaves setback to the interior right side lot line of 0.62m (approx. 2.00ft) whereas By-law 0225-2007, as amended, requires a minimum eaves setback to the interior right side lot line of 1.96m (approx. 6.43ft) in this instance; and
6. An eaves setback to the interior left side lot line of 0.61m (approx. 2.03ft) whereas By-law 0225-2007, as amended, requires a minimum eaves setback to the interior right side lot line of 1.96m (approx. 6.43ft) in this instance.

Background

Property Address: 1594 Kipper Ave

Mississauga Official Plan

Character Area: Mineola Neighborhood
Designation: Residential Low Density II

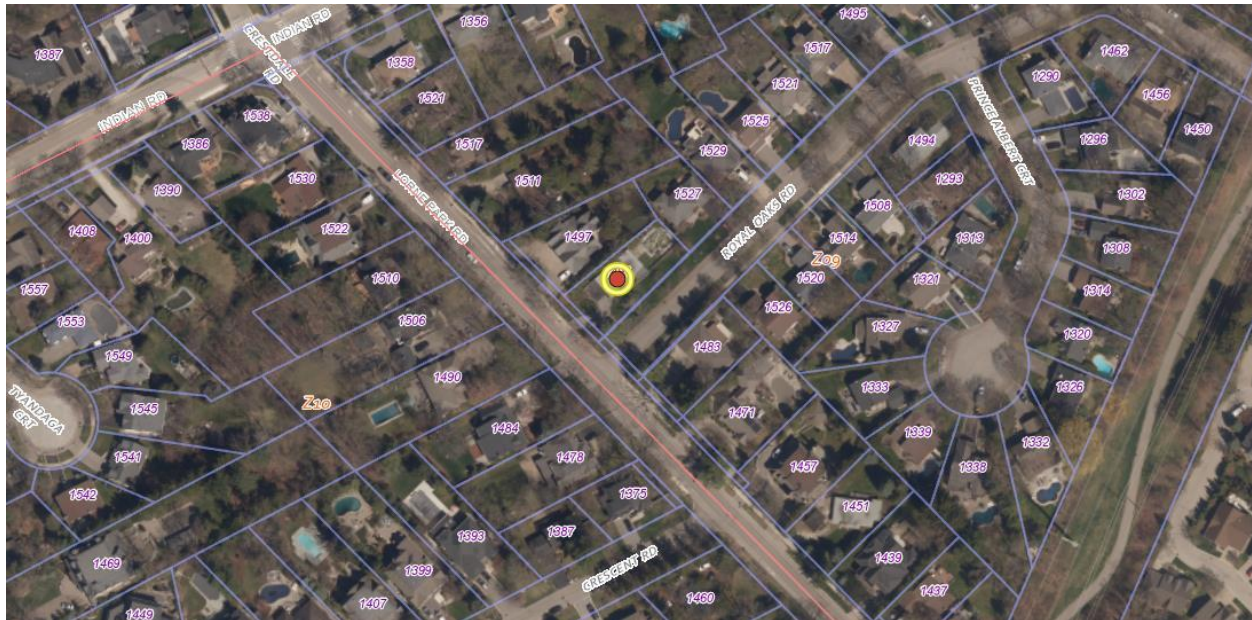
Zoning By-law 0225-2007

Zoning: R3-1-Residential
Other Applications: Building Permit BP 9ALT 25-5938

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, south-west of the Cawthra Road and South Service Road intersection. The immediate neighbourhood is entirely residential consisting of one, one and half and two-storey detached dwellings, on lots with mature vegetation in the front yards. The subject property contains a one-storey detached dwelling with vegetation in the front yard. There are mixed residential commercial units in the vicinity along South Service Road.

The applicant is proposing to construct a second storey addition requesting variances related to eave height and setbacks.



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:

The subject property is designated Residential Low Density II on Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached dwellings only in this instance.

Variance #1 requests an increase in the eave height. The intent of restricting height to the eaves is to lessen the visual massing of dwelling by lowering the overall pitch of the roof and bringing the edge of the roof closer to the ground. This keeps the overall height of the dwelling within human scale. Staff are of the opinion that the increase is minor in nature in this instance. Further, no overall dwelling height variance is required, mitigating massing impacts. Staff are satisfied that the proposed increase in eave height is appropriate for the subject property.

Variances #2 - #6 all pertain to reductions in setbacks. Variance #2 requests a reduction in the combined width of side yards. Variances #3 - #6 pertain to setbacks measured to the first and second storey and the eaves. The intent of the side yard regulations in the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties, access to the rear yard remains unencumbered, and that appropriate drainage patterns can be maintained. The application proposes a second storey addition that sits directly

on top of the existing first storey. No exterior changes are proposed to the first storey. This allows the proposal to maintain existing side yard setbacks.

Staff have no concerns with the requested variances, as they are consistent with setbacks found within the immediate area. Staff are satisfied that the proposal maintains an appropriate buffer between adjoining properties. Staff are of the opinion that by maintaining the existing setbacks, the proposal does not hinder access to the rear yard. Further, Transportation and Works staff have raised no drainage concerns.

Through a detailed review of the application, staff are 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: Shivani Chopra, 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 by our Development Construction Section through Building Permit BP 9ALT-25/5938.

Comments Prepared by: John Salvino, Development Engineering Technologist



Appendix 2 – Zoning Comments

The Building Division is processing Building Permit BP 9ALT 25-5938. 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: Minan Song, 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