

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2025-06-12	File(s): A480.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 6/19/2025 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the application, subject to the amendment.

## Application Details

The applicant requests the Committee to approve a minor variance to allow for the construction of a new dwelling proposing:

1. A rear yard setback of 5.15m (approx. 16.90ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 7.50m (approx. 24.61ft) in this instance; and
2. A lot coverage of 42.33% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 37.1% in this instance.

### Amendments

The Building Division is processing Building Permit application 24-2570. Based on the review of the information available in this application, the requested variance #1 is correct. We advise the following amendment is required:

2. A lot coverage of 42.33% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35% in this instance.

## Background

**Property Address:** 5258 Creditview Rd

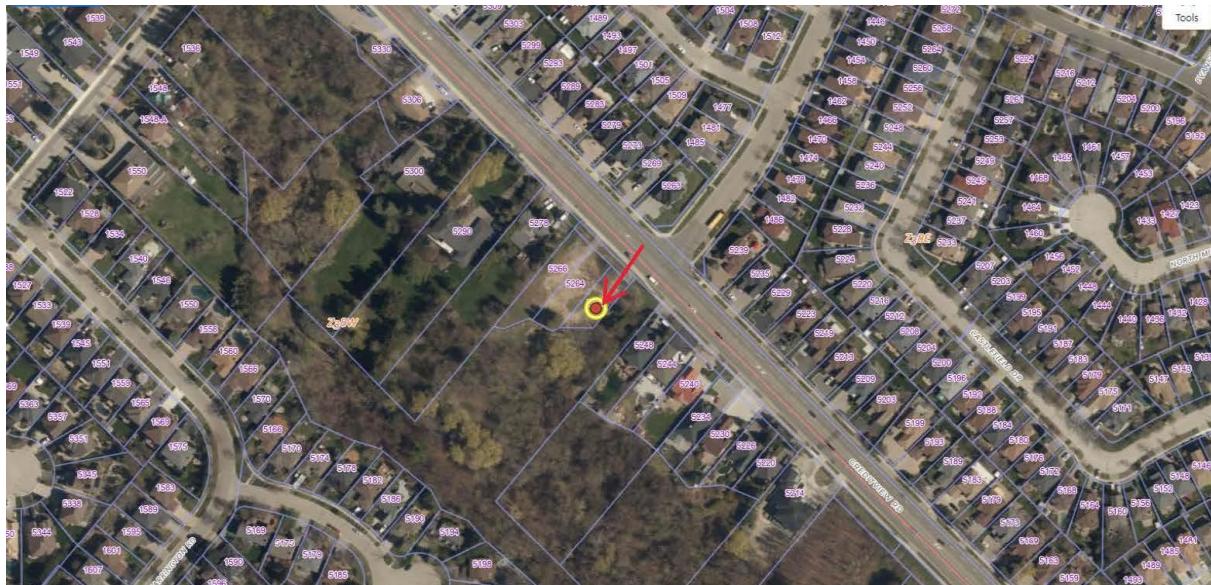
### Mississauga Official Plan

Character Area: East Credit Neighbourhood  
Designation: Residential Low Density II

**Zoning By-law 0225-2007****Zoning: R3 - Residential****Other Applications: Building Permit application 24-2570****Site and Area Context**

The subject property is located on the west side of Creditview Road, north of the intersection with Willowvale Gardens. It currently contains a detached dwelling with a detached garage. Significant mature vegetation is present on the subject property, especially in the rear yard. The surrounding area context is predominantly residential with lots of varying sizes. Staff note the subject property was one of the parcels approved under Consent Application B64.21.

The applicant is proposing to construct a new dwelling requiring variances for rear yard setback 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:

Planning staff note the applicant deferred the application on October 31<sup>st</sup>, 2024, due to the staff comments suggesting the proposal was an overdevelopment of the lot. Planning staff have endured conversations with the applicant and are satisfied with the revised proposal and that it sufficiently addresses concerns raised by staff.

The subject property is located in the East Credit Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). Section 9 of the Mississauga Official Plan (MOP) promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing conditions, the surrounding context and the landscape of the character area. Planning staff are of the opinion that the proposed dwelling is compatible with the surrounding neighbourhood and will not pose negative impacts on the surrounding community or natural feature.

Variance 1 requests an increase in lot coverage. 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 satisfied that the proposed lot coverage is not an overdevelopment of the lot and is in line with the planned and existing context of the neighbourhood.

Variance 2 requests a reduced rear yard setback. The intent of the rear yard setback is to ensure that both an adequate buffer exists between the massing of primary structures on adjoining properties and that an appropriate amenity area is provided within the rear yard. Planning staff note the rear yard property line is not parallel to the front lot line as a result of the previous severance and woodlot land dedication directly abutting the property to the rear. This results in the rear yard setback being measured at a pinch point with the dwelling. Planning staff note that the dwelling has been pulled forward allowing for a greater rear yard setback. Staff are satisfied that the increased rear yard setback provides an adequate buffer to the woodlot while also ensuring an appropriate amenity area is maintained.

As such, Planning staff are of the opinion that the proposal maintains the general intent and purpose of the official plan and zoning by-law, is minor in nature and represents appropriate development of the subject property.

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 new dwelling will be addressed through the Building Permit process.





Comments Prepared by: Tony Iacobucci, Development Engineering

## **Appendix 2 – Zoning Comments**

The Building Division is processing Building Permit application 24-2570. Based on the review of the information available in this application, the requested variance #1 is correct. We advise the following amendment is required:

2. A lot coverage of 42.33% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35% in this instance.

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: Andrea Patsalides, Zoning Examiner

## **Appendix 3 – Parks, Forestry & Environment**

### **Park Planning Comments**

The Parks and Culture Planning Section of the Community Services Department has no objections to the above noted minor variance application and advises as follows:

The lands to the rear of the property are owned by the City of Mississauga, identified as Carolyn Creek (P-250), classified as a Significant Natural Area within the City's Natural Heritage System, and zoned G1. A portion of the City owned lands abutting the property are zoned OS2 – City Park. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:

- a) ensuring that development in or adjacent to the Natural Heritage System protects and maintains the natural heritage features and their ecological functions through such means as tree preservation, appropriate location of building envelopes, grading, landscaping...;

Should the application be approved, the Parks and Culture Planning Section provides the following notes:

1. The applicant shall install hoarding with sediment control at the rear of the property abutting Carolyn Creek (P-250) prior to any construction or preserving activities to the satisfaction of the Community Services Department – Parks & Culture Planning Section. Hoarding shall be installed entirely on private property, 1.0m inside the property line, or along the dripline of any City owned tree(s) that are to be preserved in Carolyn Creek. Hoarding shall be in accordance with the most recent Community Services Standard



Detail 02830-2 Solid Board Construction Hoarding. Please contact Nicholas Rocchetti to arrange for a hoarding inspection.

2. Construction access from the adjacent park/greenlands is not permitted.
3. If access is required to City owned lands, a Consent to Enter Agreement/Park Access Permit will be required.
4. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.
5. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, c.P. 13, as amended) and in accordance with the City's policies and by-laws.

Should further information be required, please contact Nicholas Rocchetti, Planner – Park Planning, Community Services Department at 905-615-3200 ext. 4659 or via email [nicholas.rocchetti@mississauga.ca](mailto:nicholas.rocchetti@mississauga.ca).

Comments Prepared by: Nicholas Rocchetti, Planner

#### 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/>.

Please be advised the rear boundary of the subject property is adjacent to a Significant Natural Area (also known as site CRR5) within the City's Natural heritage System (NHS). Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:

- ensuring that development in or adjacent to the Natural Heritage System protects and maintains the natural heritage features and their ecological functions through such means as tree preservation, appropriate location of building envelopes, grading, landscaping...;

Based on the submitted materials the minor variance application is proposing relief for the rear yard setbacks and the maximum lot coverage. Given that the reduced rear yard setback does not relate to the 10m setback from the staked top of bank, located within the dedicated lands from a previous consent application, there are no concerns regarding the proposed variances in relation to the NHS. Should the application be approved, Community Services – Forestry provides the following recommendations:

- In an effort to maintain and enhance the natural heritage features adjacent to the rear of the property, Forestry recommends that any landscaping along the boundary of the Greenlands should only include native species that are common to the local watershed and appropriate for the site conditions. We recommend reviewing the following guidelines prepared by the Credit Valley Conservation Authority (CVC) to assist with the selection of appropriate species:
  - Credit Valley Conservation Authority. (2018). Plant Selection: Species List for Planting Plans within the Credit River Watershed. Link:  
<https://cvc.ca/document/plant-selection-guideline-species-list-for-planting-plans-within-the-credit-river-watershed/>

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

### Minor Variance Application: A-24-480M / 5258 Creditview Road

Development Engineering: Brian Melnyk ([brian.melnik@peelregion.ca](mailto:brian.melnik@peelregion.ca))(905) 791-7800 x3602

#### Comments:

- 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 by email at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca).
- 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 [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca).

- Installation of and alterations to property line water valves and chambers and sanitary/storm sewer maintenance holes require inspection by Region of Peel inspectors to confirm if these works are completed in accordance with Region of Peel Design Criteria, Standards, and Specifications.

Note: Petrele Francois ([petrele.francois@peelregion.ca](mailto:petrele.francois@peelregion.ca))(905) 791-7800 x3356

- Please be advised that the subject lands are located within a floodplain and the regulated area of the Credit Valley Conservation Authority (CVC). We request that City staff consider comments from the CVC and incorporate their conditions of approval appropriately.

Comments Prepared by: Petrele Francois, Junior Planner