

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-07-03	File(s): A187.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 7/10/2025 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application, as amended.

Application Details

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

1. An exterior side yard setback of 2.91m (approx. 9.55ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 3.50m (approx. 11.48ft) in this instance;
2. A dwelling unit depth of 21.81m (approx. 71.56ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m (approx. 65.62ft) in this instance; and
3. A height to the highest ridge of 11.48m (approx. 37.66ft) whereas By-law 0225-2007, as amended, permits a maximum height to the highest ridge of 10.70m (approx. 35.10ft) in this instance.

Amendments

While Planning staff are not in a position to provide a Zoning review, through a review of revised drawings received on June 27, 2025, staff note the following amendment to Variance #3 is required:

3. A height to the highest ridge of 10.89m (approx. 35.6ft) whereas By-law 0225-2007, as amended, permits a maximum height to the highest ridge of 10.70m (approx. 35.10ft) in this instance.

Background

Property Address: 23 Cumberland Dr

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (East)

Designation: Residential Low Density I

Zoning By-law 0225-2007

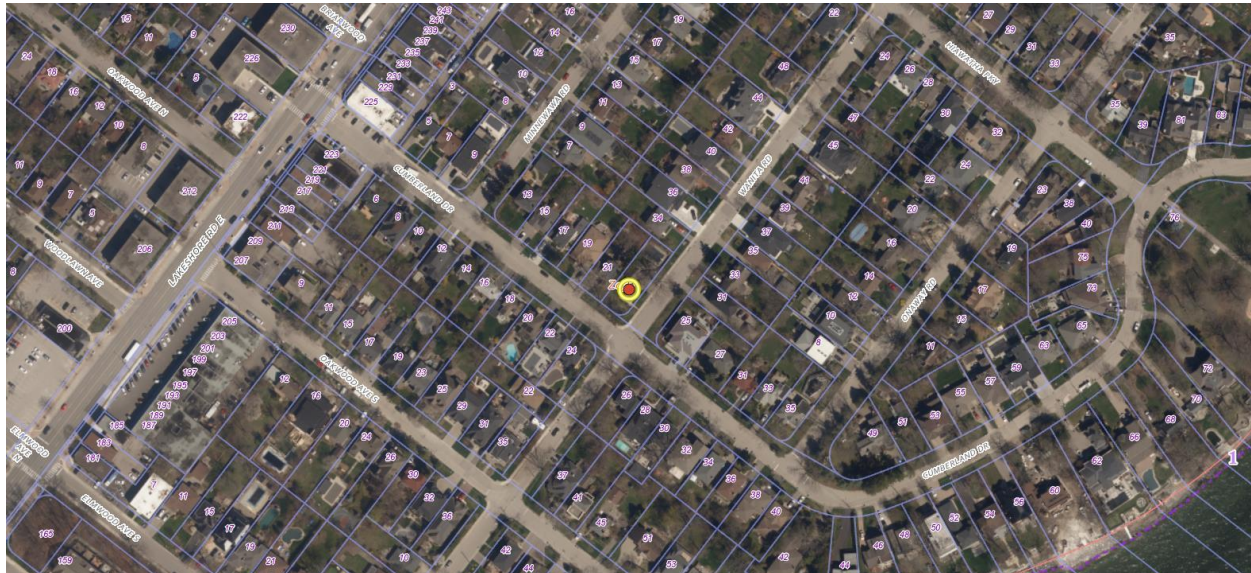
Zoning: RS-192 - Residential

Other Applications: Building Permit application 25-7565

Site and Area Context

The subject property is located within the Port Credit East Neighbourhood Character Area, southeast of the Hurontario Street and Lakeshore Road East intersection. The immediate neighbourhood is primarily residential, consisting of one and two-storey detached dwellings on large lots with mature vegetation. The subject property is a corner lot with an area of 688m² (7,405.57ft²) and contains an existing two-storey detached dwelling with mature vegetation in the front yard.

The applicant is proposing a new two-storey detached dwelling requiring variances for dwelling depth, height and 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 located within the Port Credit East Neighbourhood Area and is designated Residential Low-Density I. The Residential Low Density I designation permits only detached dwellings in this area. Planning staff are of the opinion that the proposed built form is appropriate for the subject property given surrounding conditions and will not negatively impact the streetscape. Further, staff are satisfied that the proposal respects the land use designation.

Therefore, planning staff are of the opinion that the general intent and purpose of the official plan are maintained.

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

Variance #1 requests a relief from the exterior side yard regulations. The general intent of this portion of the by-law is to ensure that an adequate buffer exists between a structure's massing and, in this case, the public realm. Staff note the reduction is measured to a portion only, due to the staggered design of the dwelling. The majority of the dwelling maintains a setback of 3.52m (11.54ft), which exceeds by-law requirements. Through a review of the

immediate neighbourhood, similar deficiencies are common for detached dwellings. Furthermore, the proposed side yard is not out of character within the immediate neighbourhood and maintains a sufficient buffer to the neighbouring properties.

Variance #2 pertains to dwelling depth. The intent of the zoning by-law in regulating the dwelling depth is to minimize any impact of long walls on neighbouring lots as a direct result of the building massing. Dwelling depth is calculated from the outside of the front wall to the outside of the rear wall. Since the subject property is a corner lot, in this instance, the front yard technically functions as an exterior side yard with the exterior side yard containing the front porch. Staff are of the opinion that this variance is technical in nature as the depth from the façade of the dwelling to the functional back wall is 11.79m (+/- 38.8ft) and that the increase has a minimal impact on neighbouring lots.

Variance #3 requests an increase in the dwelling height. Staff worked with the applicant to reduce the dwelling height. Staff received revised elevations from the applicant on June 27, 2025, reducing the overall dwelling height to 10.89m, thereby decreasing the height variance by approximately 0.6m (1.96ft) from the original proposal. The current variance seeks a height increase of 0.19m or 0.6ft. Through a review of the elevations provided, it appears that average grade sits approximately 0.25m (0.85ft) lower than finished grade. Staff are satisfied that this discrepancy mitigates the height increase. The proposed dwelling also contains a variety of architectural materials and design features that visually breaks up the massing of the dwelling, such as staggered walls, multiple rooflines, decorative columns and varying window sizes. As such, the proposed dwelling maintains compatibility with the surrounding area and would not negatively impact the character of the streetscape. No variances are required for gross floor area or lot coverage which could have exacerbated massing impacts.

Given the above, staff are of the opinion that the application therefore maintains 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?

Upon review of the application staff are satisfied that the proposal represents appropriate development of the subject lands. 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 of the area.

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 dwelling will be addressed by our Development Construction Section through Building Permit BP 9NEW-25/7565.

Comments Prepared by: John Salvino, Development Engineering Technologist





Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application 25-7565. 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 Permit Application, 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/>.

Additionally, Forestry notes that the construction works affiliated with the proposed asphalt driveway (and associated site grading works) will likely result in the removal of an existing 137cm DBH Silver Maple tree on Cumberland Drive (see additional details below). Furthermore, additional construction works affiliated with this application may impact additional City owned trees, potentially resulting in tree injury or tree removal (see additional details below). Care should be taken to protect the below noted trees as best as possible:

- Silver Maple: 137cm DBH, good-fair condition, minimum tree protection zone (TPZ) 8m, located northwest of the proposed driveway, boundary tree (City and private property).
- Norway Spruce: 60cm DBH (estimated), good condition, minimum tree protection zone (TPZ) 3.6m, located southeast of the proposed walkway, City owned tree.
- White Birch: 19.5cm DBH, good-fair condition, minimum tree protection zone (TPZ) 1.5m, located south of the proposed walkway, City owned tree.
- Silver Maple: 134cm DBH, good condition, minimum tree protection zone (TPZ) 8m, located southeast of the proposed loggia slab, City owned tree.

If necessary, Tree Protection Hoarding for City trees shall be installed as per By-law 0020-2022. Any public tree injuries and/or removals need to apply for Tree Application Permits as noted in Item 1. As per this By-law, no person shall perform any work within a TPZ without a valid permit.

For privately owned trees to be protected, and where necessary, Tree Protection Hoarding shall be installed as per By-law 0021-2022. Any private tree injuries and/or removals (for trees 15cm DBH or greater) need to apply for Tree Application Permits as noted in Item 2.

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: Brian Melnyk (brian.melnyk@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 is 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.

Comments Prepared by: Petrele Francois, Junior Planner