

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2025-08-21	File(s): A255.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:8/28/2025 1:00:00 PM

## Consolidated Recommendation

The City has no objection to the application.

## Application Details

The applicant requests the Committee to approve a minor variance to allow an addition proposing:

1. An interior side yard setback of 0.575m (approx. 1.89ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.80m (approx. 5.91ft) in this instance; and
2. An eaves setback of 0.297m (approx. 0.97ft) whereas By-law 0225-2007, as amended, requires a minimum eaves setback of 1.35m (approx. 4.43ft) in this instance.

## Background

**Property Address:** 1290 Minaki Rd

### Mississauga Official Plan

Character Area: Mineola Neighborhood  
Designation: Greenlands; Residential Low Density I

### Zoning By-law 0225-2007

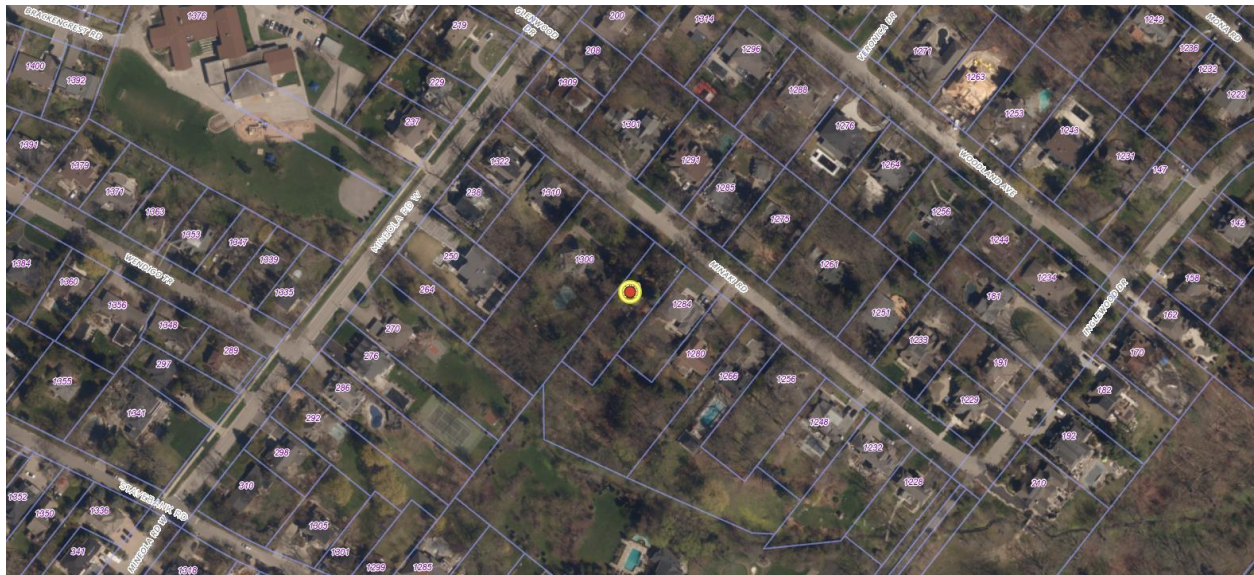
**Zoning:** RL-7 - Residential

**Other Applications:** Building Permit application BP 9NEW 25-8265

## Site and Area Context

The subject property is located within the Mineola Neighbourhood, southeast of Stavebank Road and Mineola Road West. The neighbourhood is entirely residential consisting of newer and older one and two storey detached dwellings on large lots with mature vegetation. The subject property is a two-storey detached dwelling with mature vegetation in the front yard.

The applicant is proposing an addition to the dwelling requiring variances for side yard and eave 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 site is located within the Mineola Neighbourhood Character Area and is designated Residential Low Density I and Greenlands by the Mississauga Official Plan (MOP). The

Residential Low Density I designation permits detached, semi-detached and duplex dwellings. 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 applicant is proposing a one storey addition to the rear of the property. Planning staff are satisfied that the built form is appropriate for the subject property given the surrounding context and will not negatively impact the streetscape. Staff are satisfied 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?**

Variances #1 and #2 pertain to side yard setback measured to the dwelling and eave side yard setback. The general intent of this portion of the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties. Staff note that the one storey addition is proposed to align with the existing dwelling, which benefits from legal non-conforming status for the existing setbacks. The proposed one storey addition will have the same setback as the existing dwelling, which is consistent with other two-storey detached dwellings found in the immediate area. As such, it is staff's opinion that the requested variances are a minor deviation from the by-law and do not pose any concerns.

Given the above, it is the opinion of Planning staff that the application 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 and that the proposed setbacks do not pose any massing concerns. The variances 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-25/8265.

Comments Prepared by: John Salvino, Development Engineering Technologist









## Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application BP 9NEW 25-8265. 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/>.

Additionally, the entire property is encompassed by a *Residential Woodland* (known as site M14) within the City's Natural Heritage System and zoned RL-7 (i.e., Large Lot Detached and Semi-Detached). 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 description of the relief required from the zoning by-law, the proposed minor variances relate to the interior side yard setback (i.e., from 1.8m to 0.575m) and eaves setback (i.e., from 1.35m to 0.297m) to permit a single-storey addition to the rear (South) of an existing single-detached dwelling.

On this basis, Community Services – Forestry, have no objections to the requested minor variances from a natural heritage perspective. Should the application be approved, Community Services – Forestry provides the following recommendation:

- In an effort to maintain and enhance the natural heritage features present within the property, Forestry recommends that any tree replacements required through the City's Private Tree Bylaws and Public Tree Bylaws should only include native species that are common to the local watershed and appropriate for the site conditions. We recommend that selection of seed mix and trees be supported by reviewing the following guidelines prepared by the Credit Valley Conservation Authority (CVC):
  - 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**

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

##### **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 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](mailto: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](mailto:PWSERVICERequests@peelregion.ca).
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals may be 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](mailto:servicingconnections@peelregion.ca).

Comments Prepared by: Petrele Francois, Junior Planner