

# City of Mississauga

Memorandum:

## City Department and Agency Comments

Date Finalized: 2026-04-30	File(s): A92.26
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:5/7/2026 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 amended, 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 a below-grade entrance proposing a side yard setback of 0.80m (approx. 2.62ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.20m (approx. 3.94ft) in this instance.

### Amendments

The Building Division is processing Building Permit application SEC UNIT 26-1132. Based on the review of the information available in this application, the requested variance is correct. Zoning staff advise that an additional variance is required:

An eaves encroachment of 0.65m (setback of 0.55m) whereas By-law 0225-2007, as amended, permits a maximum encroachment of 0.45m (setback of 0.75m) in this instance.

### Background

**Property Address: 3119 Vanderbilt Rd**

### Mississauga Official Plan

Character Area: Meadowvale Neighborhood  
Designation: Residential Low-Rise I

## Zoning By-law 0225-2007

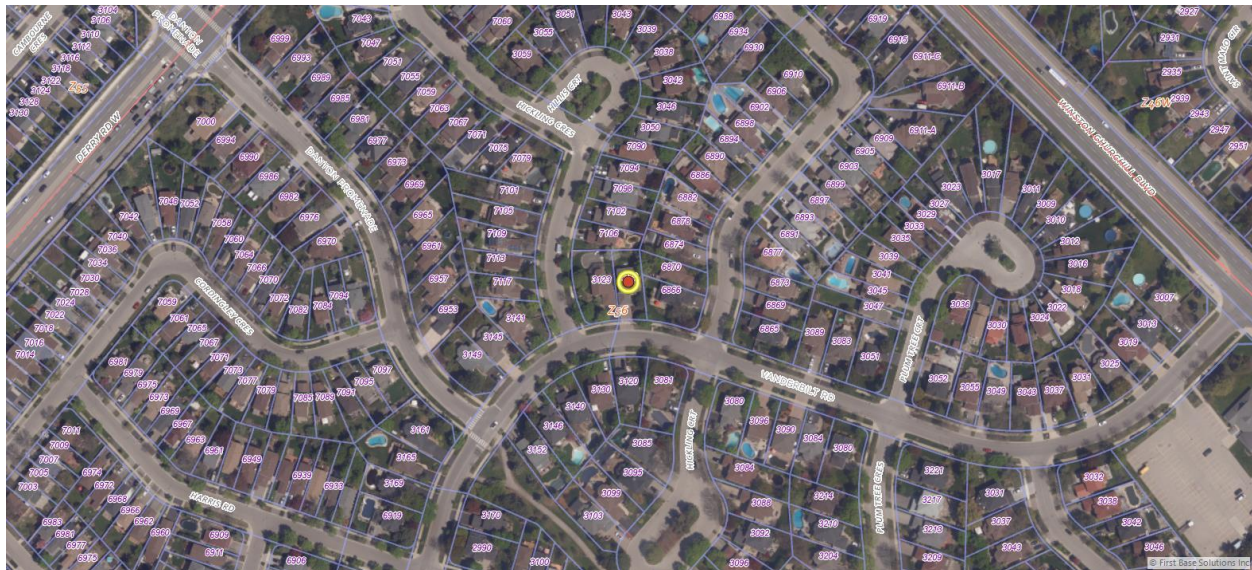
**Zoning:** RL - Residential

**Other Applications:** Building Permit application SEC UNIT 26-1132

### Site and Area Context

The subject property is located within the Meadowvale Neighbourhood Character Area, southwest of Derry Road West and Winston Churchill Boulevard intersection. The neighbourhood consists of newer and older one and two-storey detached dwellings. The subject property contains an existing two-storey detached dwelling with mature vegetation in the front yard. There are townhouse dwellings across from the subject property.

The applicant is proposing a below grade entrance requesting variances for side yard setback and eaves encroachment.



## Comments

Planning

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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 located in the Meadowvale Neighbourhood Character Area and is designated Residential Low-Rise I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits all low-rise street-facing dwellings, up to three storeys. The proposed addition respects the designation and maintains a permitted use. Bill 23, *More Homes Built Faster Act*, 2022, requires official plans and zoning by-laws to permit “as of right” small-scale residential uses of up to three units per lot in areas where municipal services are available.

Variance #1 requests a reduction in the interior side yard setback and variance #2 pertains to eave encroachment associated to the reduced side yard setback. The general intent of the side yard regulations in the by-law is to ensure that there are no negative massing impacts, appropriate drainage can be provided, and access to the rear yard remains unencumbered. The proposal is for a below grade staircase to access a side entrance into the basement secondary unit. This proposal creates no impacts on massing or separation between structures and preserves access to the rear yard on the other side of the dwelling. Furthermore, Development Construction and Engineering staff have raised no drainage concerns regarding the proposal.

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 – Development Engineering & Construction

We note that this Section has no objections to the proposed below grade entrance as it will not impact or alter the existing grading and drainage pattern for this property.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## Appendix 2 – Zoning

The Building Division is processing Building Permit application SEC UNIT 26-1132. Based on the review of the information available in this application, the requested variance is correct. We advise that the following variance is required:

An eaves encroachment of 0.65m (setback of 0.55m) whereas By-law 0225-2007, as amended, permits a maximum encroachment of 0.45m (setback of 0.75m) 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: Crystal Abainza, Zoning Examiner

## Appendix 3 – Parks, Forestry & Environment

### Forestry Comments

The Forestry Section of the Community Services Department has reviewed the consent application and advises as follows:

City of Mississauga Forestry Staff have attended the site and identified the following City owned trees within the municipal boulevard on Vanderbuilt Rd.

- Norway Maple (31cm DBH) – Good Condition - \$2,000.00
- Honey Locust (6cm DBH) – Good Condition - \$901.67

Should the application be approved, Community Services wishes to impose the following conditions:

1. The applicant shall provide tree protection securities in the amount of \$2901.67 for the preservation of the municipal trees.

In addition, Forestry notes the following:

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.
4. The applicant shall provide framed tree hoarding at the dripline of the above noted trees prior to any construction to the satisfaction of City of Mississauga Forestry Staff. Please call Michael Lipka 905-615-3200 ext. 5236 to arrange a hoarding inspection.
5. Payment for street tree fees and other charges can be made at the Parks and Forestry customer service counter located at 3240 Mavis Rd, in the form of a certified cheque, bank draft, or money order made payable to "The Corporation of the City of Mississauga". A Submission of Fees and Securities form is required to process payment. Please contact Rita Di Michele to request a Submission of Fees and Securities form and any other inquires regarding the payment process.

A Tree Removal 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 Rita Di Michele, ByLaw Officer, Forestry Section, Community Services Department at 905-615-3200 ext. 5872 or via email [rita.dimichele@mississauga.ca](mailto:rita.dimichele@mississauga.ca).

Comments Prepared by: Rita Di Michele, ByLaw Officer