

# City of Mississauga Department Comments

Date Finalized: 2022-05-25	File(s): A251.22
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2022-06-02 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. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing a rear yard setback of 4.90m (approx. 16.08ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 7.50m (approx. 24.61ft) in this instance.

## Background

**Property Address:** 92 Foxhunt Crt

### Mississauga Official Plan

Character Area: Mineola Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

**Zoning:** R3-2 - Residential  
**Other Applications:**

## Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, northeast of Hurontario Street and Mineola Road East. The immediate area consists of a mix of older and newer one and two-storey detached dwellings with mature vegetation throughout the properties. The subject property contains an existing one-storey detached dwelling with mature vegetation in the front yard.

The applicant is proposing an addition requiring a variance for a rear 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 are as follows:

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached, semi-detached and duplex dwellings.

Variance #1 proposes a rear yard setback of 4.90m (16.08ft) where a minimum rear yard setback of 7.50m (24.61ft) is required. 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, as well as create an appropriate amenity area within the rear yard. Staff have no concerns with this variance as the proposed addition (sunroom) is one-storey and does not require any height variances. Therefore, staff are not concerned with the massing of the structure. Furthermore,

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most of the rear yard meets the minimum rear yard requirement. Variance #1 is only required because of the proposed addition, and the way the addition is angled, creating a pinch point from the lot line to the proposed addition. The rest of the addition maintains a greater rear yard setback.

Through a detailed review of the application, staff is of the opinion that the proposed use is desirable and is appropriate to be handled through the minor variance process. The application raises no concerns of a planning nature.

Comments Prepared by: Connor DiPietro, 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 through the future Site Plan Application process.



Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to confirm the accuracy of the requested variance(s) or determine whether additional variance(s) may be required.

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Furthermore, we note that a Building Permit is required.

The applicant is advised that a completed zoning review may identify additional instances of zoning non-compliance. The applicant may consider applying for a preliminary zoning review application and submit working drawings for a detailed zoning review to be completed. A minimum of 6-8 weeks will be required to process a preliminary zoning review application depending on the complexity of the proposal and the detail of the information submitted.

Comments Prepared by: Brandon Eidner, Zoning Examiner