

City of Mississauga Department Comments

Date Finalized: 2023-05-16	File(s): A30.23
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2023-05-25 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

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 3.90m (approx. 12.80ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 6.00m (approx. 19.69ft) in this instance;
2. An interior side yard setback of 1.83m (approx. 6.00ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.81m (approx. 5.94ft) in this instance;
3. A front yard setback of 7.50m (approx. 24.61ft) whereas By-law 0225-2007, as amended, permits a front yard setback of 6.00m (approx. 19.69ft) in this instance and,
4. A rear yard setback of 8.00m (approx. 26.25ft) whereas By-law 0225-2007, as amended, permits a rear yard setback of 3.00m (approx. 9.84ft) in this instance.

Background

Property Address: 192 Angelene St

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3-1 - Residential

Other Applications: None

Site and Area Context

The subject property is located south-east of the Hurontario Street and Mineola Road East intersection in Mineola. It has a lot area of +/- 537.93m² (5,790.23ft²), generally characteristic of the surrounding area. The immediate neighbourhood is primarily residential, consisting of older and newer one and two-storey detached dwellings on lots of varying sizes. The subject property contains an existing two-storey detached dwelling with some mature vegetation.

The applicant is proposing to construct a new detached dwelling requiring variances related to setbacks.



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:

Staff have reviewed the applicant's minor variance request and are of the opinion that the requested variances may be inaccurate and that additional variances may be required.

As such, staff recommend that the application be deferred to allow the applicant an opportunity to meet with Zoning staff to confirm the accuracy of the requested variances and to determine if

additional variances and/or building permits are required. Once accurate variances have been identified, staff recommends that the applicant discusses the proposal with Planning staff prior to resubmission.

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 dwelling will be addressed through the future Building Permit process.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

We note that a Building Permit is required. In the absence of a Building Permit we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed.

The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

Comments Prepared by: Brooke Herczeg, Zoning Examiner

Appendix 3 – Metrolinx

Metrolinx is in receipt of the minor variance application for 192 Angelene St to facilitate the construction of a new dwelling. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300m of Metrolinx's Oakville Subdivision which carries Metrolinx's Lakeshore West GO Train service.

- As per section 3.9 of the Federation of Canadian Municipalities and Railway Association of Canada's Guidelines for New Development in Proximity to Railway Operations, the Owner shall grant Metrolinx an environmental easement for operational emissions. The environmental easement provides clear notification to those who may acquire an interest in the subject property and reduces the potential for future land use conflicts. The environmental easement shall be registered on title of the subject property. A copy of the form of easement is included for the Owner's information. The applicant may contact Farah.Faroque@metrolinx.com with questions and to initiate the registration process. (It should be noted that the registration process can take up to 6 weeks).

Comments Prepared by: Farah Faroque, Intern

Appendix 4- Region of Peel

Minor Variance: A-23-030M – 192 Angelene Street

Development Engineering: Camila Marczuk (905) 791-7800 x8230

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 siteplanservicing@peelregion.ca.
- All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel design specifications. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@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 siteplanservicing@peelregion.ca.

Comments Prepared by: Patrycia Menko, Junior Planner