

# City of Mississauga Department Comments

Date Finalized: 2023-12-07	File(s): A470.23
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2023-12-14 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 choose to defer the application to ensure the accuracy of the requested variances and to determine if additional variances are required.

## Application Details

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

1. A lot coverage of 32.56% (425.39sq m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% (391.93sq m) in this instance;
2. A front yard setback of 6.53m (approx. 21.42ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 9.00m (approx. 29.53ft) in this instance;
3. A front yard setback to the front porch step of 6.40m (approx. 21.00ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.40m (approx. 24.28ft) in this instance; and,
4. A front yard setback to the front window well of 6.23m (approx. 20.44ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback to the front window well of 8.39m (approx. 27.53ft) in this instance.

## Background

**Property Address:** 1623 Magenta Court

### Mississauga Official Plan

Character Area: Mineola Neighbourhood  
Designation: Residential Low Density I

**Zoning By-law 0225-2007****Zoning: R2-4- Residential****Other Applications: none****Site and Area Context**

The subject property is located within the Mineola Neighbourhood Character Area, west of the South Service Road and Hurontario Street intersection. The immediate neighbourhood is entirely residential consisting of one and two-storey detached dwellings, on large lots with mature vegetation in the front yards. The subject property contains a one-storey detached dwelling with mature vegetation in both the front and rear yards.

The applicant is requesting permission to construct a new two-storey detached dwelling requiring variances for lot coverage and front yard 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:

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

Variance #1 pertains to lot coverage. The intent of the zoning by-law is to ensure there is not an overdevelopment of the lot. In this instance, the applicant is proposing a lot coverage of 32.56% where a maximum lot coverage of 30% is permitted. Staff note that approximately 28% of the lot coverage is attributable to the detached dwelling's footprint. The remaining lot coverage is attributable to a covered entries and a rear patio, which results in negligible massing to the dwelling.

Variances #2, 3 and 4 are with respect to front yard variances. The intent of a front yard setback is to ensure that a consistent character is maintained along the streetscape and that a sufficient front yard space is incorporated into the design of neighbourhoods. Planning staff are of the opinion that the proposed front yard variances align well with the established front yard setbacks in the nearby vicinity. Additionally, the applicant is providing a generous front yard space. Staff also note the presence of a substantial municipal boulevard, although owned by the City, seamlessly integrating into the front yard landscape providing the appearance of a lengthy setback.

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: 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 by our Development Construction Section 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: Minan Song, Planner in Training

### **Appendix 3 – Region of Peel**

#### **Minor Variance: A-23-470M / 1623 Magenta Court**

Development Engineering: Brian Melnyk (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 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](mailto: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](mailto: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](mailto:siteplanservicing@peelregion.ca).

Comments Prepared by: Ayooluwa Ayoola, Junior Planner