

# City of Mississauga Department Comments

Date Finalized: 2024-01-10	File(s): A25.24 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-01-18 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure the accuracy of the requested variances and that additional variances are not required.

## Application Details

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

1. An interior side yard setback of 1.54m (approx. 5.05ft) whereas the By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.80m (approx. 5.91ft) in this instance; and,
2. A combined side yard width of 4.31m (approx. 14.14ft) whereas the By-law 0225-2007, as amended, requires a minimum combined side yard width of 4.94m (approx. 16.21ft) in this instance.

## Background

**Property Address:** 1244 Mineola Gardens

### 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 within the Mineola Neighbourhood Character Area, south-west of Cawthra Road and Atwater Avenue. The neighbourhood consists of one and two storey detached dwellings with mature vegetation. The subject property contains an existing one and a half storey detached dwelling with limited vegetation within the front yard.

The applicant is proposing an addition requesting variances for side yard setback and combined width of side yards.



## 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 subject property is located within the Mineola Neighbourhood Character Area, and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density II designation permits detached, semi-detached, duplex, triplexes, street townhouses and other forms of low-rise dwellings with individual frontages. 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. Staff are of the opinion that the proposed dwelling maintains the permitted residential use and is designed to respect both the existing on-site conditions and the surrounding context. Planning 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?**

Variance #1 and #2 pertain to individual and combined side yards of the subject property respectively. The intent of the side yard regulations in the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties and to ensure access to the rear yard remains unencumbered. Variance #1 pertains to the east-side yard setback measured at 1.54m (5.05ft) to the proposed one-storey garage. Staff note that the proposed addition is located on the east side of the property. No significant changes are proposed to the west side of the dwelling which meets the required setbacks. Through a review of the immediate neighbourhood, the proposed side yards are not out of character within the immediate neighbourhood. Furthermore, the proposed setback maintains a sufficient buffer to the neighbouring properties and ensures access to the rear yard remains unencumbered. Staff are also of the opinion that the proposed buffer between the proposed one-storey addition and adjacent dwelling to the east will mitigate any massing concerns.

Given the above, Planning staff are satisfied 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?**

Planning staff are satisfied that the variances, both individually and cumulatively, are minor in nature and will not create significant impacts on abutting properties or the streetscape. Staff are also of the opinion that the proposal represents an appropriate development of the subject property.

Comments Prepared by: Shivani Chopra, Planner in Training

## 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 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.

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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-24-025M / 1244 Mineola Gardens**

Development Engineering: Wendy Jawdek (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. Regional Site Servicing Connection approvals are required prior to the Local Municipality issuing full Building Permit. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections 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 may be required prior to the Local Municipality issuing Building Permit. For more information, please contact Servicing Connections by email at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca)

Comments Prepared by: Ayooluwa Ayoola, Junior Planner