

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2024-10-25	File(s): A470.24 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:10/31/2024 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 meets the requirements of Section 45(1) of the Planning Act. 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 a new house proposing a rear yard setback of 5.93m (approx. 19.46ft) 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: 452 South Service Rd

Mississauga Official Plan

Character Area: Mineola Neighborhood
Designation: Residential Low Density II

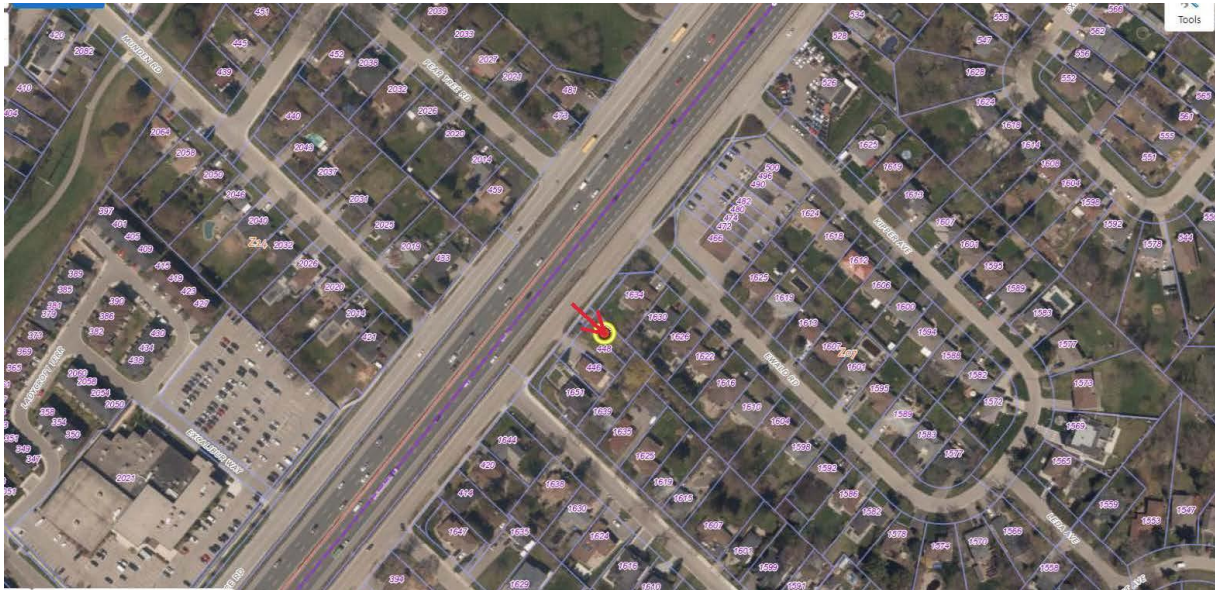
Zoning By-law 0225-2007

Zoning: R3-1 - Residential

Site and Area Context

The subject property is located southwest of the South Service Road and Cawthra Road intersection in the Mineola neighbourhood. The subject lot is currently vacant. Limited landscaping and vegetation elements are present. The surrounding area context is primarily residential, consisting of detached dwellings.

The applicant is proposing the construction of a new dwelling requesting a variance for 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 located in the Mineola Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). The designation permits detached dwellings only in this instance. The proposed detached dwelling respects the designated and surrounding land use and maintains the general intent and purpose of the Official Plan.

The sole requested variance is a reduction in the rear yard setback requirement. The intent of a rear yard setback is to ensure an adequate buffer between the massing of primary structures on adjoining properties, as well as to create an appropriate amenity area within the rear yard. Staff note this property is located within the Ministry of Transportation permit control area and therefore requires a front yard setback of 14m, resulting in reduced rear yard setbacks. Staff note the reduced setback is consistent with the immediate neighbouring properties. Staff are satisfied that an appropriate amenity area is provided. Furthermore, an ample buffer between structures on abutting properties is maintained. Staff are therefore of the opinion that the proposal maintains the general intent and purpose of the zoning by-law.

Staff are satisfied that the proposal represents appropriate development of the subject property.

Through a review of the application, staff are of the opinion that the application is appropriate to be handled through the minor variance process and presents no concerns of a planning nature.

Comments Prepared by: Shivani Chopra, 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: Crystal Abainza, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

Forestry Comments

The Forestry Section of the Community Services Department has reviewed the above noted minor variance application and advises as follows:

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.

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 Jamie Meston, Landscape Technician, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email jamie.meston@mississauga.ca.

Comments Prepared by: Jamie Meston, Landscape Technician

Appendix 4 – Region of Peel Comments

Minor Variance Application: A-24-470M / 452 South Service Road

Development Engineering: Brian Melnyk (brian.melnyk@peelregion.ca)(905) 791-7800 x3602

Comments:

- 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 by email at siteplanservicing@peelregion.ca.
- 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.

- Installation of and alterations to property line water valves and chambers and sanitary/storm sewer maintenance holes require inspection by Region of Peel inspectors to confirm if these works are completed in accordance with Region of Peel Design Criteria, Standards, and Specifications.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 5 – MTO

Re: **A470.24- 452 South Service Rd** – Minor Variance

The subject site is located within the MTO Permit Control Area for the QEW; as a result, the applicant should be made aware that an MTO Building & Land Use Permit(s) are required from this office prior to the start of any onsite construction/works. Further, it should be made clear that the 14m setback must be measured from the southern limit of South Service Road.

Information regarding the application process, forms and the policy can be found at the following link:

<https://www.ontario.ca/page/highway-corridor-management>

Comments Prepared by: Nicole Hajjar, Corridor Management Officer