

City of Mississauga Department Comments

Date Finalized: 2022-01-12	File(s): A573.21 Ward 4
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-01-20 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 an existing below grade entrance with an interior side yard setback of 1.16m (approx. 3.81ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) in this instance.

Background

Property Address: 161 Voltaire Crescent

Mississauga Official Plan

Character Area: Downtown Fairview
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM1 - Residential

Other Applications: None

Site and Area Context

The subject property is located south-east of the Fairview Road East and Mississauga Valley Boulevard intersection. It has a lot frontage of +/- 10m (32.8ft), a lot area of +/- 348.78m²

(3,754.24ft²), and currently contains a semi-detached dwelling. Limited landscape and vegetation elements are present in both the front and rear yards. The surrounding area context consists of a mix of detached and semi-detached dwellings on lots of varying sizes.

The applicant is proposing a below grade entrance in the rear yard requiring a variance for side 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 of the four tests to this minor variance request are as follows:

The subject property is located in the Downtown Fairview Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, duplex and triplex dwellings, as well as other low-rise dwellings with individual frontages. The general intent of 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 that appropriate drainage can be provided. Staff note that the proposed variance represents a deficiency of 4cm, which is minor in nature, and that the stairs

do not create any additional massing that could impact abutting properties. Furthermore no drainage concerns have been raised by City staff. Staff are therefore of the opinion that the application maintains the general intent and purpose of both the Official Plan and Zoning By-law, is minor in nature, and represents appropriate development of the subject property.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

The Transportation and Works Department has no objections to the existing below grade entrance as it is located in an area which will not impact or alter the existing grading and drainage pattern for this property.





Comments Prepared by: Tony Iacobucci, 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.

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