

City of Mississauga Department Comments

Date Finalized: 2022-01-19	File(s): A482.21 Ward 6
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-01-27 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 a below grade entrance proposing an interior side yard setback of 0.69m (approx. 2.26ft), 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: 824 White Clover Way

Mississauga Official Plan

Character Area: East Credit Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

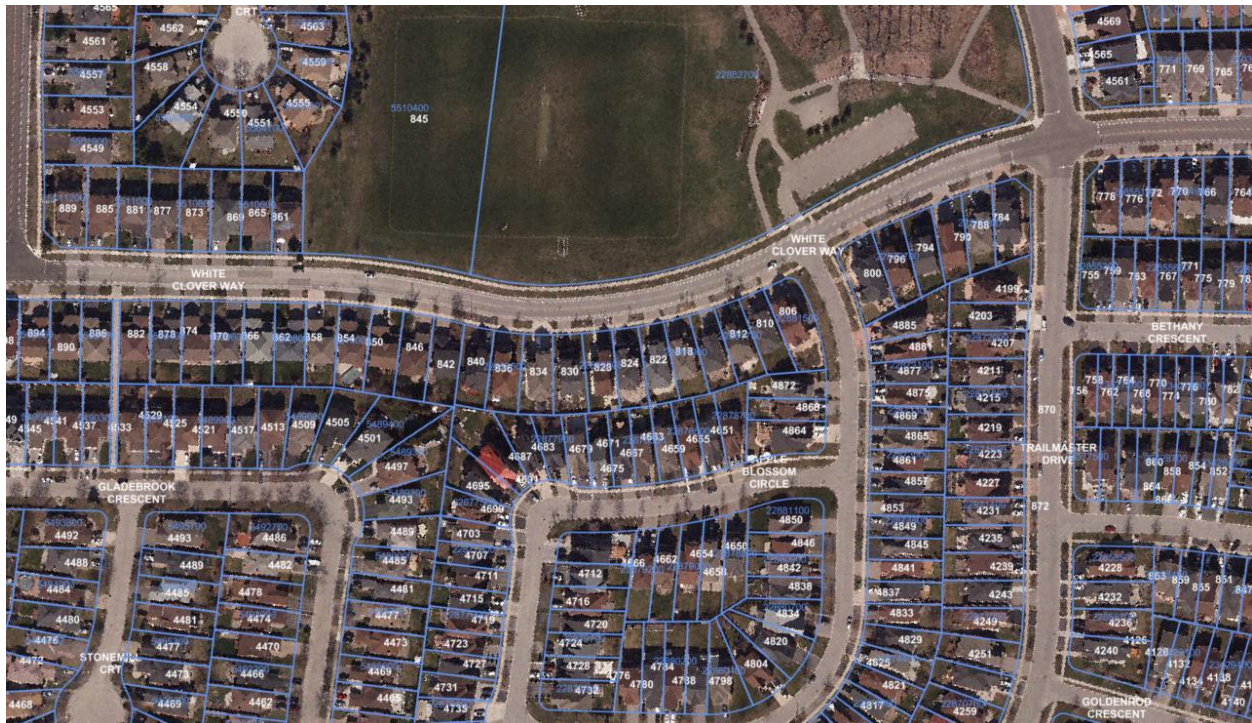
Zoning: R4-42 - Residential

Site and Area Context

The subject property is located on the south side of White Clover Way, west of the Mavis Road intersection in the East Credit neighbourhood. It contains a detached dwelling with an attached

garage and has a lot frontage of +/- 12.75m (41.8ft). There are limited landscaping and vegetation elements in both the front and rear yards. The surrounding area context consists exclusively of detached dwellings on lots of similar sizes, as well as Sandford Farm Park located across the street.

The applicant is proposing a below grade entrance requiring a variance for the 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 East Credit Neighbourhood 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, appropriate drainage can be provided, and access to the rear yard remains unencumbered. Staff note that the stairs do not create any additional massing that could impact abutting properties. Furthermore no drainage concerns have been raised by City staff and access to the rear of the property is maintained on the opposite side of the dwelling. 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

We note that the Grading Plan approved for this property depicts a split drainage pattern which means that the high point is approximately in the middle of the dwelling and as the entrance stairwell will be located in the area of this high point, we have no drainage related concerns.





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