

# City of Mississauga Department Comments

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| Date Finalized: 2022-07-13                | File(s): A312.22                      |
| To: Committee of Adjustment               | Ward: 2                               |
| From: Committee of Adjustment Coordinator | Meeting date:2022-07-21<br>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.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a below grade entrance proposing a minimum side yard setback of 0.74m (approx. 2.43ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.20m (approx. 3.94ft) to the stairs, stairwells or retaining walls to facilitate an entrance below grade in this instance.

## Background

**Property Address:** 2600 Hornsgate Dr

### Mississauga Official Plan

Character Area: Sheridan Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

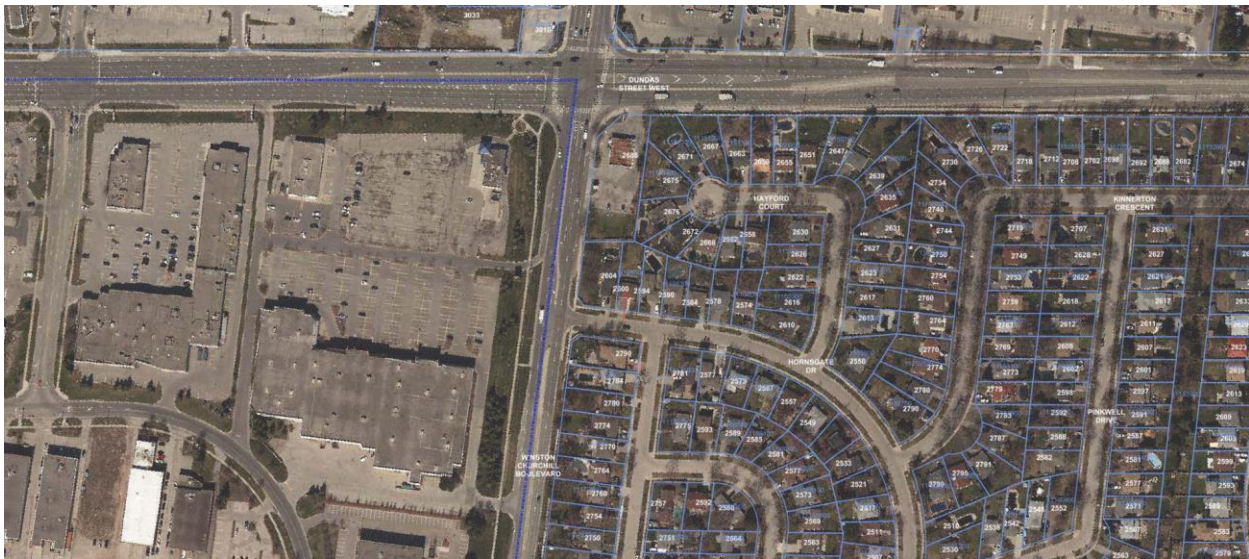
**Zoning:** R3 - Residential

**Other Applications:** BP 9ALT 22-2098

### Site and Area Context

The subject property is located within the Sheridan Neighbourhood Area, south of the Winston Churchill Boulevard and Dundas Street West intersection. The immediate neighbourhood is residential consisting of a mix of one and two-storey detached dwellings on lots with minimal vegetation in both the front and rear yards. Commercial uses are present along Winston Churchill Boulevard and Dundas Street West. The subject property contains a two-storey detached dwelling with minimal vegetation in the front yard.

The applicant is proposing a below grade entrance requiring a variance for interior 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 are as follows:

The subject property is located in the Sheridan 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, and duplex dwellings. 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.

The requested variance pertains to side yard setbacks. The general intent of this portion of the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties, and that access to the rear yard ultimately remains unencumbered. The entrance does not inhibit access to the rear yard and amenity area, as appropriate access is maintained via the westerly side yard. Furthermore, planning staff note the absence of any true massing resulting from the below grade entrance, therefore resulting in negligible impacts to the neighbouring property.

Through a detailed review of the application, staff is 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

Enclosed are photos of the area where the basement entrance is proposed. We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed below grade entrance are being addressed by our Development Construction Section through Building Permit BP 9ALT-22/2098.





Comments Prepared by: John Salvino, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

The Building Department is currently processing a Building Permit under file BP 9ALT 22-2098. Based on review of the information currently available in this permit application, the variance, as requested is correct.

Please note that comments reflect those provided through the above permit application and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Tage Crooks, Zoning Examiner

**Appendix 3 – Region of Peel**

Development Engineering: Camila Marczuk (905) 791-7800 x8230

**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

[siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca)

Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Region of Peel Site Servicing connection approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca)

Comments Prepared by: Joseph Filice, Junior Planner