

# City of Mississauga Department Comments

Date Finalized: 2022-08-24 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): A406.22 Ward: 5
	Meeting date:2022-09-01 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the application.

## Application Details

The applicant requests the Committee to approve a minor variance application to permit a below grade entrance proposing a side yard setback of 0.87m (approx. 2.85ft) whereas By-law 0225-2007, as amended, requires a side yard setback of 1.2m (approx. 3.94ft) in this instance.

## Background

**Property Address:** 7801 Wildfern Dr

### Mississauga Official Plan

Character Area: Malton Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

**Zoning:** RM1 - Residential

**Other Applications:** BP 9ALT 22-2060

### Site and Area Context

The subject property is located north-west of the Finch Avenue and Darcel Avenue intersection in the Malton neighbourhood. It currently contains a two-storey semi-detached dwelling with an attached garage and a lot frontage of +/- 9m (29.5ft). Limited landscaping and vegetative elements are present on the subject property. The surrounding area context is predominantly

residential, consisting of a mix of detached and semi-detached dwellings. Industrial uses are present to the north, across the municipal border in Brampton.

The applicant is proposing a below grade entrance in the side yard, requiring a variance for the 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:

### **Does the proposal maintain the general intent and purpose of the Official Plan?**

The subject property is located in the Malton Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). 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 satisfied that the proposal is compatible with the existing site conditions and surrounding area context. It will have no impact on the streetscape or abutting properties and maintains the general intent and purpose of the official plan.

**Does the proposal maintain the general intent and purpose of the Zoning By-law?**

The intent of the side yard regulations in the by-law is to ensure that an appropriate buffer between structures on abutting properties is maintained as well as ensuring access to the rear yard and drainage patterns are preserved. The proposed steps and side entrance create no massing impacts or separation issues between structures while preserving access to the rear yard. Furthermore Transportation & Works staff have raised no significant drainage concerns regarding the proposal. Staff are therefore satisfied that the request 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?**

Staff are of the opinion that the side yard proposal represents appropriate development of the subject property and that the application is minor in nature. There are no impacts to the streetscape and circulation around the exterior of the dwelling is maintained.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

From our site inspection we note that both the subject and abutting property have both constructed a concrete walkways with a minimal area along the property line to allow for drainage to be directed to the front. In this regard we have no drainage related concerns as it relates to the existing basement entrance stairwell.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

### **Appendix 2 – Zoning Comments**

The Building Department is currently processing a Building Permit under file BP 9ALT 22-2060. 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**

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: Camila Marczuk, Development Engineering