

# City of Mississauga Department Comments

Date Finalized: 2022-09-28	File(s): A434.22
To: Committee of Adjustment	Ward: 6
From: Committee of Adjustment Coordinator	Meeting date:2022-10-06 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 variance and that additional variances are not required.

## Application Details

The applicant requests the Committee to approve a reduced side yard setback of 0.56m (approx. 1.8ft) to the proposed below grade stairs whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.2m (approx. 3.9ft) in this instance.

## Background

**Property Address:** 4493 Gladebrook Crescent

### Mississauga Official Plan

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

### Zoning By-law 0225-2007

**Zoning:** R4-Residential

**Other Applications:** SEC UNIT 22-676

### Site and Area Context

The subject property is located south-west of the Eglinton Avenue West and Mavis Road intersection in the East Credit neighbourhood. It currently contains a two-storey detached dwelling with an attached garage. The property has a lot area of +/- 537.58m<sup>2</sup> (5,786.46ft<sup>2</sup>),

which is slightly larger than other dwellings in the surrounding area due to its location on the outside of the curve of Gladebrook Crescent. No landscaping or vegetative elements are present on the property. The surrounding area context is exclusively residential, consisting exclusively of detached dwellings.

The applicant is proposing to construct a below grade entrance 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:

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

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). 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

Should Committee see merit in the applicant's request we would recommend that the existing drainage pattern in the area of the proposed below grade entrance be maintained. We note that with a reduced 0.56M (approx. 1.8ft) setback, the reduced setback in this instance can still allow for drainage.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file SEC UNIT 22-676. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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: Alana Zheng, Zoning Examiner