

City of Mississauga Department Comments

Date Finalized: 2022-11-02	File(s): A491.22 Ward: 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-11-10 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application, as amended. 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 encroaching into the rear yard with a lot area of 24.44% whereas By-law 0225-2007, as amended, requires a minimum of 25% of the lot area in the rear yard to contain no encroachments in this instance.

Amendments

Variance #1 should be amended as follows:

1) The applicant requests the Committee to approve a minor variance to allow the construction of a below grade entrance encroaching into the required landscape area whereas By-law 0225-2007, as amended, requires a minimum landscape area of 25% to contain no encroachments in this instance

Furthermore, we advise to add an additional variance as follows:

2) Below grade stairwell encroaching into the non-buildable area whereas By-law 0225-2007 (Figure 4.5.1) does not permit encroaching into the triangle non-buildable area.

Background

Property Address: 6602 Snow Goose Lane

Mississauga Official Plan

Character Area: Lisgar Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

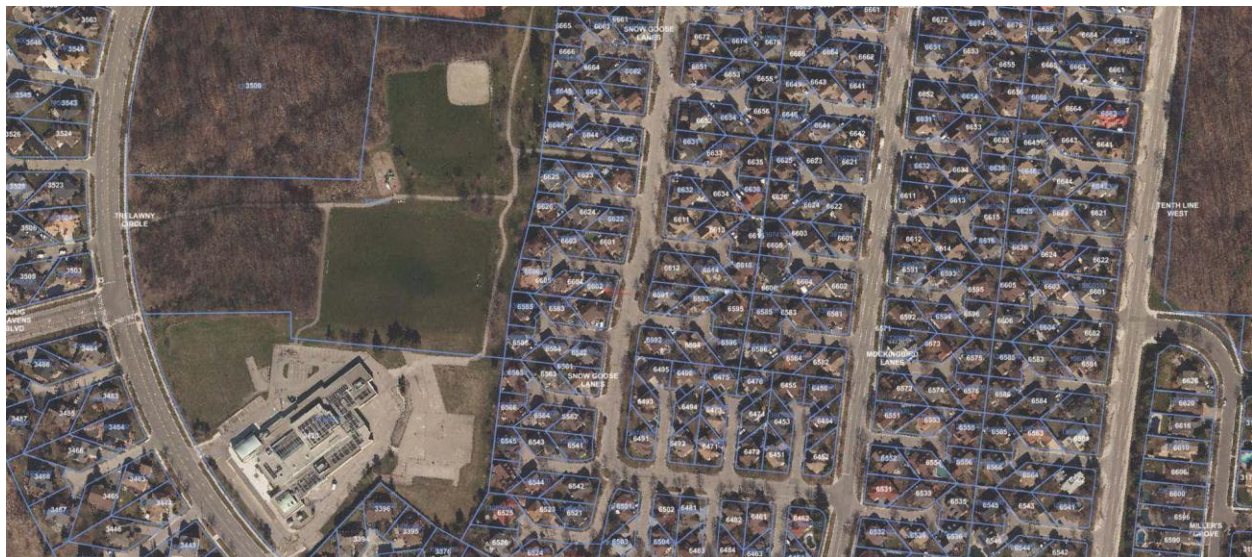
Zoning: R14-Residential

Other Applications: SEC UNIT 22-2189

Site and Area Context

The subject property is located north-west of the intersection of Tenth Line West and the south leg of Trelawney Circle, in a development known as The Trelawney. The Trelawney development is characterised by angular lots fronting onto smaller laneways, and consists exclusively of detached dwellings with attached garages. Limited vegetative and landscaping elements are present on the subject property.

The applicant is proposing a below grade entrance requiring a variance for an encroachment within the rear yard.



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 Lisgar 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 requested variance proposes an encroachment into the minimum required landscaped rear yard. Zoning staff have identified a further required variance, to allow a below grade stairwell to encroach into a non-buildable area. Due to the unique lot shapes and dwelling siting patterns in the surrounding context, provisions were introduced into the zoning by-law to ensure appropriate separation of structures and usable amenity areas. Upon review of the application Planning staff are satisfied that the proposal does not create any separation issues and maintains appropriate amenity areas on the subject property. Staff are therefore satisfied that the general intent and purpose of the zoning by-law is maintained.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

Planning staff are satisfied that the proposal will have minor to negligible impacts on both abutting properties and the streetscape. Staff are therefore of the opinion that the application 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 Transportation and Works Department has no objections to the proposed below grade entrance as it 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 currently processing a Building Permit under file SEC UNIT 22-2189. Based on review of the information currently available in this permit application, we advise that the variance #1 should be amended as follows:

1. A below grade stairwell encroaching into the required landscape area whereas By-law 0225-2007, as amended, requires a minimum landscape area of 25% to contain no encroachments, in this instance.

Please note for variance #1, the percentage of proposed landscape area couldn't be confirmed with the information provided and as such, more information/calculation is required to confirm the proposed landscape area percentage.

Furthermore, we advise that the following variance should be added:

2. A below grade stairwell encroaching into the non-buildable area whereas By-law 0225-2007 (Figure 4.5.1), as amended, does not permit encroaching into the triangle non-buildable area, in this instance.

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: Maria Fernandez, 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

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

City Department and Agency Comments	File:A491.22	2022/11/02	7
-------------------------------------	--------------	------------	---

municipality issuing building permit. For more information, please contact Servicing Connections at siteplanservicing@peelregion.ca

Comments Prepared by: Patrycia Menko, Junior Planner