

City of Mississauga Department Comments

Date Finalized: 2022-02-23	File(s): A80.22 Ward 4
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-03-03 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 to allow a below grade entrance with a door below the Regulatory Flood Level identified by Credit Valley Conservation whereas By-law 0225-2007, as amended, does not permit a door below the Regulatory Flood Level identified by the Conservation Authority having jurisdiction (Credit Valley Conservation) in this instance.

Recommended Conditions and Terms

The applicant shall provide confirmation satisfactory to the City of Mississauga that the existing basement apartment has been removed.

Background

Property Address: 3336 Rhonda Valley

Mississauga Official Plan

Character Area: Mississauga Valleys Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3 - Residential

Other Applications: BP 9ALT 21-9338

Site and Area Context

The subject property is located south-west of the Central Parkway East and Cliff Road North intersection in the Mississauga Valleys neighbourhood. It currently contains a detached back-split dwelling with an attached garage and limited landscaping and vegetation elements. The property backs onto Stonebrook Park and the Cooksville Creek. It has a lot frontage of +/- 16.21m (53.2ft) and a lot area of +/- 562.52m² (6,055ft²), which is characteristic of detached homes in the area. The surrounding context is exclusively residential, consisting of a mix of detached, semi-detached, and townhouse dwellings.

The applicant is proposing a below grade entrance requiring a variance due to the Regulatory Flood Level.



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 Mississauga Valleys 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 intent of limiting below grade entrances and doors below the Regulatory Flood Level is to limit the impacts of potential flooding on structures. In this instance Credit Valley Conservation staff have identified a Regulatory Flood Elevation of 118.85m. The applicant has provided drawings stamped by the conservation authority indicating that they have no objection to the below grade entrance with no second dwelling unit proposed.

Given that the City relies on the expertise of the Credit Valley Conservation Authority on these matters and the authority's indicated position on the request, staff have no objections to the application and are satisfied that the proposal meets the four tests as set out in the Planning Act.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Information submitted with the application indicates that the variance is for a below grade entrance door below the Regulatory Flood Level which was identified and reviewed by the Credit Valley Conservation (CVC). Acknowledging that the Credit Valley Conservation has jurisdiction with regard to this matter and correspondence provided from the CVC staff (Nov 2, 2021, e-mail from Eric James) indicates that they would have no concerns provided that the second dwelling was removed. This department has no further comments and supports the recommendation of the CVC.





Comments Prepared by: [Click here to insert name, title...](#)

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 9ALT 21-9338. Based on review of the information currently available in this permit application, the variances, as requested are 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: Maria Fernandez, Zoning Examiner

Appendix 3 – Parks, Forestry and Environment

The Park Planning Section of the Community Services Department has no objections to the above noted minor variance application and advises as follows:

1. The lands to the rear of the property are City owned lands, identified as Not Yet Named Park (P-087) and within the Natural Hazard Lands, zoned G-1, that are also classified as a naturally significant area within the City's Natural Heritage System. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:
 - a) ensuring that development in or adjacent to the Natural Heritage System protects and maintains the natural heritage features and their ecological functions through such means as tree preservation, appropriate location of building envelopes, grading, landscaping...;
 - b) placing those areas identified for protection, enhancement, restoration and expansion in public ownership, where feasible.

Should the application be approved, Community Services provides the following notes:

1. Construction access from the adjacent park/greenlands is not permitted.
2. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.

Should further information be required, please contact Jim Greenfield, Park Planner, Community Services Department