

City of Mississauga Department Comments

Date Finalized: 2023-01-11	File(s): A647.22
To: Committee of Adjustment	Ward: 6
From: Committee of Adjustment Coordinator	Meeting date:2023-01-19 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 the construction of a below grade entrance proposing an interior side yard setback of 0.30m (approx. 0.98ft), whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) in this instance.

Background

Property Address: 1358 Beauty Bush Crt

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R4-7 - Residential

Other Applications: SEC UNIT 22-4603

Site and Area Context

The subject property is located south-east of the Eglinton Avenue West and Creditview Road intersection in the East Credit neighbourhood. It is a corner lot, on the interior curve of Beauty Bush Court, containing a two-storey detached dwelling with an attached garage. Some

vegetation is present in both the front and exterior side yards. The surrounding area context is residential, consisting of detached dwellings on generally similarly sized lots. Commercial uses and townhouse dwellings are present in the larger area context.

The applicant is proposing 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:

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). This designation permits detached, semi-detached, duplex and triplex dwellings, as well as other low-rise dwellings with individual frontages. The general intent of side yard regulations in the by-law is to ensure that: an adequate buffer exists between the massing of primary structures on adjoining properties, appropriate drainage can be provided, and access to the rear yard remains unencumbered. Staff note that the stairs do not create any additional massing that could impact abutting properties. Furthermore no drainage concerns have been raised by City staff and access to the rear of the property is maintained on the opposite side of the dwelling. Staff are therefore of the opinion that the application maintains the general intent and purpose of

both the official plan and zoning by-law, 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

From our review of the Grading Plan approved for this property and our site inspection of this property we note that the below grade entrance is being proposed in an area which will not impact the approved/existing drainage pattern. In view of the above we have no drainage related concerns with the location of the below grade entrance.





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 22-4603. 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: Brandon Eidner, Zoning Examiner

Appendix 3 – Region of Peel

Minor Variance Application: A-22-647M / 1358 Beauty Bush Court

Servicing: 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 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.

Comments Prepared by: Patrycia Menko – Junior Planner, Planning and Development Services