

City of Mississauga Department Comments

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| Date Finalized: 2023-01-25 | File(s): A648.22 Ward: 5 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2023-02-02 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 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 proposing a north side yard setback of 0.64m (approx. 2.10ft), whereas By-law 0225-2007, as amended, requires a minimum north side yard setback of 1.20m (approx. 3.94ft) in this instance.

Background

Property Address: 7637 Almadale Crt

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3-69 - Residential

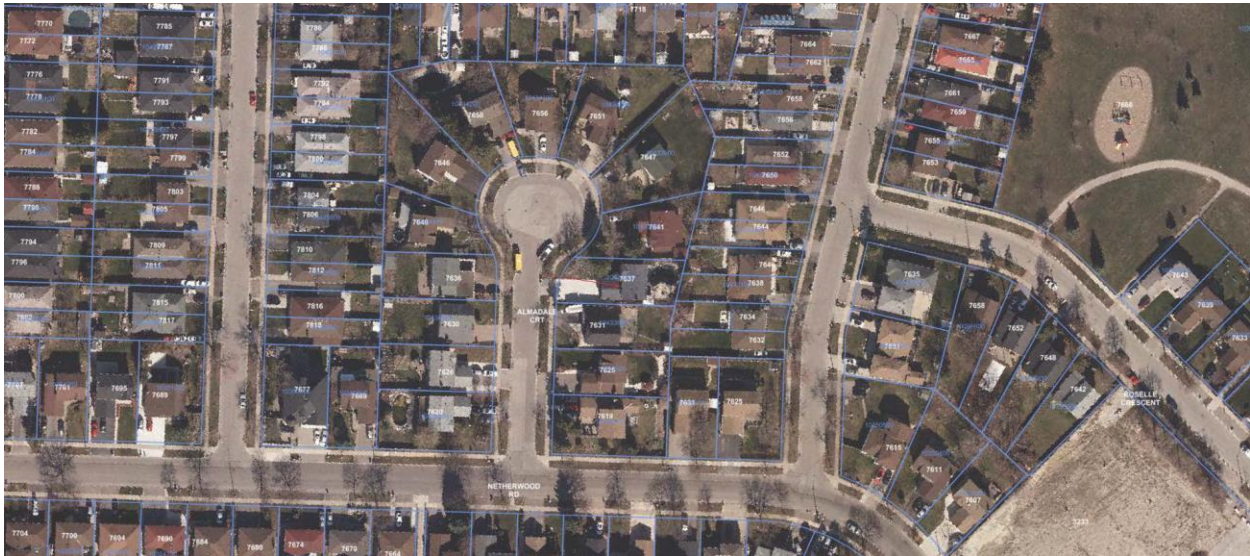
Other Applications: None

Site and Area Context

The subject property is located north-east of the Airport Road and Thamesgate Drive intersection in Malton. It currently contains a two storey detached dwelling with an attached

garage. Some vegetative and landscape elements are present in both the front and rear yards. Almadale Court consists exclusively of detached dwellings, however semi-detached dwellings are present in the larger area context. The subject property has a lot area of +/- 600.72m² (6,466ft²).

The applicant is proposing to construct a below grade entrance requiring a variance for the side yard setback to the stairs.



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 Malton 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, and duplex dwellings.

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

We note that the Transportation and Works Department has no objections to the proposed side door 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

We note that a Building Permit is required. In the absence of a Building Permit we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed.

The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

Comments Prepared by: Amy Campbell, Planner-in-Training

Appendix 3 – Region of Peel

Minor Variance Application: A-648/22, 7637 Almadale 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. 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

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