

City of Mississauga Department Comments

Date Finalized: 2023-01-25	File(s): A699.22 Ward: 10
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.

Application Details

The applicant requests the Committee to approve a minor variance to allow for the construction of a below grade entrance proposing an interior side yard setback of 0.71m (approx. 2.33ft) 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: 5967 Manzanillo Cres

Mississauga Official Plan

Character Area: Churchill Meadows Neighbourhood
Designation: Residential Medium Density

Zoning By-law 0225-2007

Zoning: RM1-14 - Residential

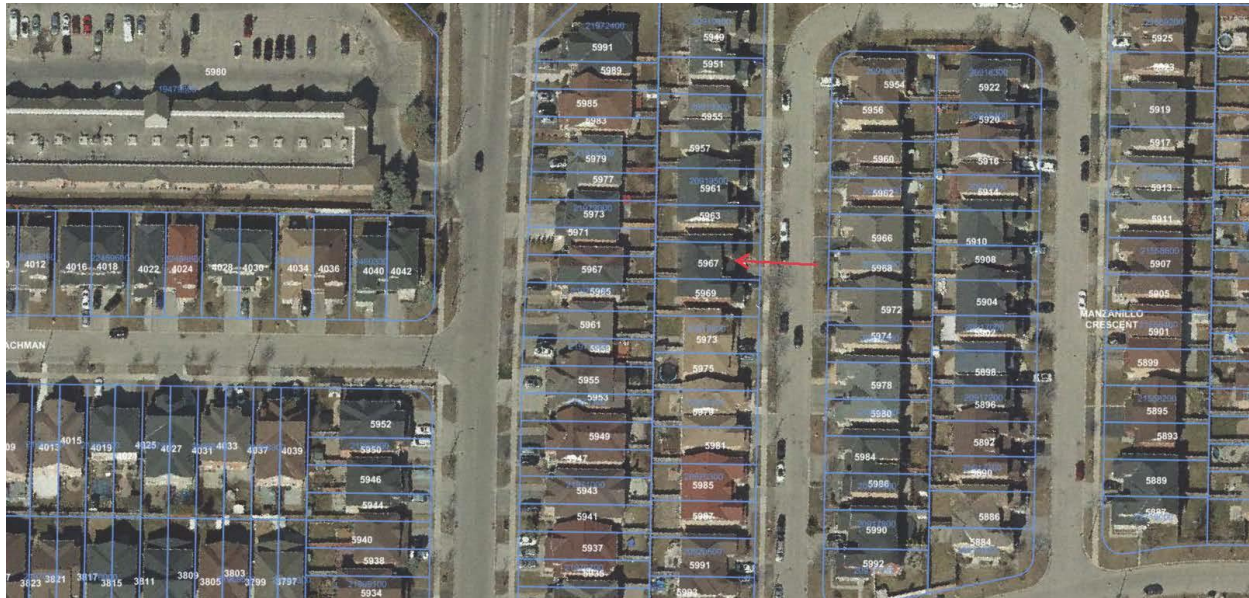
Other Applications: BP 9ALT 22-3472

Site and Area Context

The subject property is located south-east of the Britannia Road West and Churchill Meadows Boulevard intersection in the Churchill Meadows neighbourhood. It is an interior lot containing a two-storey semi-detached dwelling with an attached garage. Limited landscaping/vegetative

elements are present in both the front and rear yards. The property has an approximate lot area of 237.89m² (2,561ft²), which is characteristic of lots in the area. The surrounding context is predominantly residential, consisting of two-storey semi-detached dwellings on similarly sized lots and detached dwellings on larger lots. Townhouse dwellings and a commercial plaza 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 Creditview Neighbourhood Character Area and is designated Residential Medium Density II in Schedule 10 of the Mississauga Official Plan (MOP).

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. While the proposed side yard represents the only exterior access to the rear of the property, staff are satisfied that the proposed setback and limited depth of the stairs (3 risers) will permit appropriate access to be maintained. 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 the existing grading and drainage pattern for this property can still be maintained with a 0.71M setback to 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 BP 9ALT 22-3472. 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: Andrea Patsalides, Zoning Examiner

Appendix 3 – Conservation Halton

Please see below comments from Conservation Halton (CH) regarding the Pre-Con for **5967 Manzanillo Crescent**.

- The subject property is not regulated by Conservation Halton (CH).
- Given the size of the site (approx. 0.04 ha.), CH defers the review of SWM to City of Mississauga Engineering staff.
- **Given the above, CH staff will not be in attendance for this pre-consultation meeting, and do not need to be circulated on the associated application.**

Comments Prepared by: Braden Fleming – Environmental Planner

Appendix 4 – Region of Peel

Minor Variance Application: A-699/22, 5967 Manzanilla Crescent

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