

City of Mississauga Department Comments

Date Finalized: 2023-04-19	File(s): A106.23 Ward: 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-04-27 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application, as amended.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a basement unit proposing a rear yard setback from the escape window well of 6.26m (approx. 20.54ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 6.89m (approx. 22.60ft) in this instance.

Amendments

Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

1. The applicant requests the Committee to approve a minor variance to allow the construction of a basement unit proposing a rear yard setback from the escape window well of 6.26m (approx. 20.54ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 6.30m (approx. 20.60ft) in this instance

Background

Property Address: 5836 Delle Donne Dr

Mississauga Official Plan

Character Area: Churchill Meadows Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

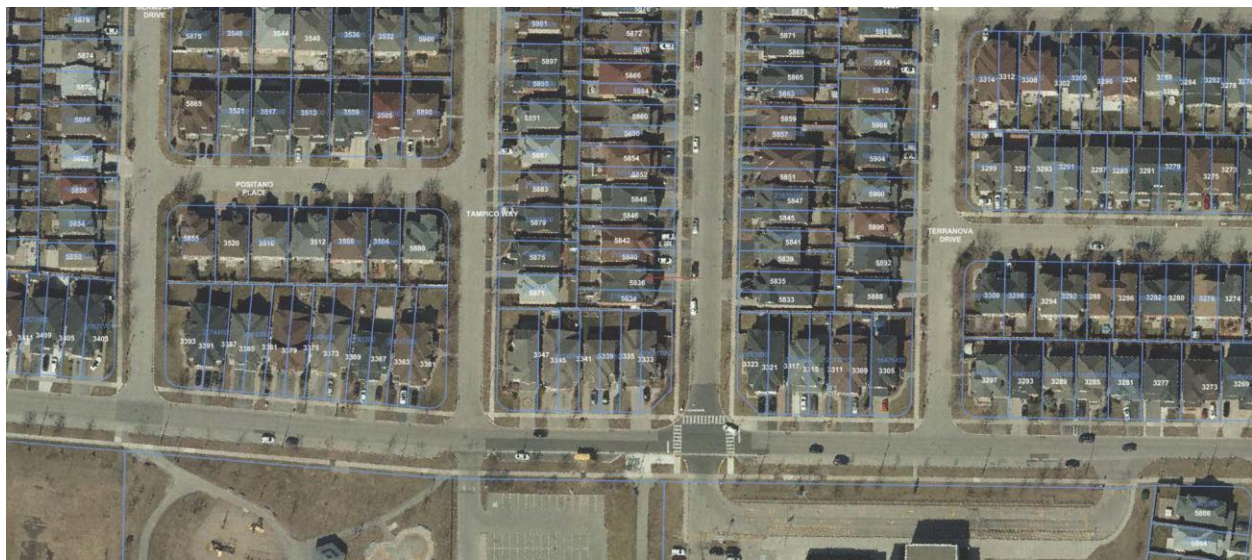
Zoning: RM2-19- Residential

Other Applications: SEC UNIT 22-84

Site and Area Context

The subject property is located south-west of the Britannia Road West and Tenth Line West intersection in the Churchill Meadows neighbourhood. It currently contains a two-storey semi-detached dwelling with an attached garage. Limited landscaping and vegetative elements are present in both the front and rear yards. The surrounding area context is predominantly residential, consisting of a mix of detached and semi-detached dwellings on uniformly sized lots.

The applicant is proposing a new window well requiring a variance for rear 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:

Does the proposal maintain the general intent and purpose of the Official Plan?

The subject property is located in the Churchill Meadows Neighbourhood Character Area and is designated Residential Low Density II in Section 10 of the Mississauga Official Plan (MOP). Section 9 of the 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. The proposed window well is appropriately sized and located and will have no impacts on the surrounding context or streetscape. Staff are satisfied that the general intent and purpose of the official plan is therefore maintained.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

The intent of the rear yard regulations are to ensure an appropriate buffer between the massing of structures on adjoining properties is maintained and that a sufficient rear yard amenity area is provided for the dwelling. The proposed window well presents no massing concerns and does not significantly impact the rear yard amenity space. Staff are therefore of the opinion that the general intent and purpose of the zoning by-law is maintained in this instance.

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

Planning staff are satisfied that the proposed window well represents appropriate development of the subject property. It creates no massing concerns to abutting properties or the streetscape, and in the opinion of staff is minor in nature.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections, comments or requirements with respect to C.A. 'A' 106/23.

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 22-84. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

2. The applicant requests the Committee to approve a minor variance to allow the construction of a basement unit proposing a rear yard setback from the escape window well of 6.26m (approx. 20.54ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 6.30m (approx. 20.60ft) 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 Comments

Minor Variance Application: A-106/23 – 5836 Delle Donne Drive

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 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