

City of Mississauga Department Comments

Date Finalized: 2023-03-01	File(s): A2.23 Ward: 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-03-09 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 a below grade entrance proposing a reduced setback of 0.10m (approx. 0.32ft) whereas By-law 0225-2007, as amended, requires an interior side yard setback of 1.22m (approx. 4ft) in this instance.

Background

Property Address: 3356 Forrestdale Circle

Mississauga Official Plan

Character Area: Lisgar Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R5-Residential

Other Applications: None

Site and Area Context

The subject property is located north-west of the Tenth Line West and Trelawney Circle intersection in the Lisgar neighbourhood. It currently contains a two-storey detached dwelling

with an attached garage. The property has a lot area of +/- 326.42m² (3,513.56ft²), characteristic of other detached dwellings in the surrounding area. Limited landscaping and vegetative elements are present in both the front and rear yards. The surrounding area context is exclusively residential, containing detached dwellings on lots of generally similar sizes.

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 Lisgar Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits a variety of residential built forms, including detached 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, access to the rear of the property is maintained on the opposite side of the dwelling and no specific drainage concerns have been raised by City staff. 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 Grading Plan approved for this property (DWG C-30652) depicts a split drainage pattern and depicts the high point in elevation at approximately at the rear of the dwelling (typically the high pint is in the middle of the dwelling). As the proposed below grade entrance is being proposed in an area where there is still some drainage being directed to the front of the dwelling, the very minimal reduced setback of 0.10M (approx. 0.32ft) can be problematic. In this regard we suggest that even a slight increase in this setback would alleviate some of the drainage concerns in the area of the below grade entrance.





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: Brooke Herczeg, Zoning Examiner

Appendix 3 – Conservation Halton

Please see below comments from Conservation Halton (CH) regarding the Minor Variance for **3356 Forrestdale Circle**.

- The subject property is not regulated by Conservation Halton (CH).
- Given the size of the site (approx. 0.03 ha.), CH defers the review of SWM to City of Mississauga Engineering staff.

Comments Prepared by: Braden Fleming – Environmental Planner

Appendix 4 – Region of Peel

Minor Variance Application: A-2/23, 3356 Forrestdale Circle

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, Planning and Development Services