

City of Mississauga Department Comments

Date Finalized: 2023-07-05	File(s): A213.23 Ward: 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-07-13 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application, as amended. The applicant may wish to defer the application to ensure additional variances are not required.

Application Details

The applicant requests the Committee to approve a minor variance to allow a below grade entrance proposing a side yard setback of 0.10m (approx. 0.33ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 0.30m (approx. 0.98ft) in this instance.

Amendments

We advise that the variance should be amended as follows:

Allow a below grade entrance proposing a side yard setback of 0.10m (approx. 0.33ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.20m (approx. 3.94ft) in this instance.

Background

Property Address: 3221 Ridgeleigh Heights

Mississauga Official Plan

Character Area: **Churchill Meadows NHD**
Designation: **Residential Low Density II**

Zoning By-law 0225-2007

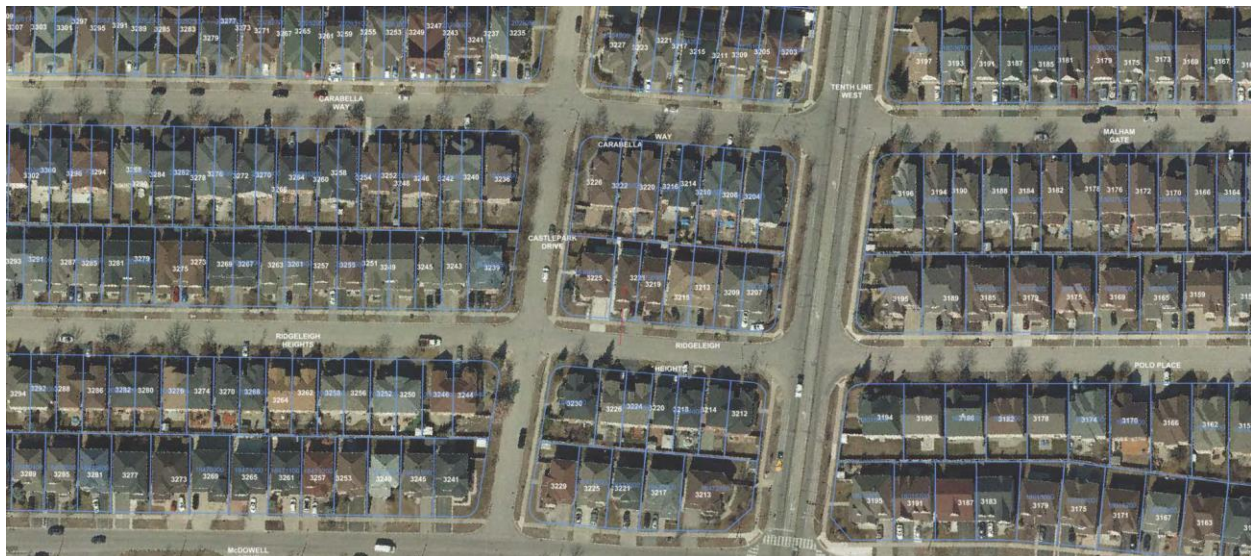
Zoning: **RM1-1 - Residential**

Other Applications: BP 9ALT 23-6810

Site and Area Context

The subject property is located south-west of the Tenth Line West and Ridgeleigh Heights 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 +/-236.70 m² (+/- 2547.81 ft²) and a lot frontage of +/- 8.96m (+/- 29.39 ft), 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 are also 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:

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 Schedule 10 of the Mississauga Official Plan (MOP).

The general intent of the 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 Transportation & Works staff have raised no drainage concerns. While the proposed side yard represents the only access to the rear of the property, staff are satisfied that the limited depth of the stairs (2 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: Shivani Chopra, Planner in Training

Appendices

Appendix 1 – Transportation and Works Comments

We note that the Transportation and Works Department has no objections to the proposed below grade 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

The Building Department is currently processing a Building Permit under file BP 9ALT 23-6810. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

Allow a below grade entrance proposing a side yard setback of 0.10m (approx. 0.33ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.20m (approx. 3.94ft) in this instance

We also advise that more information is required in order to determine whether additional variance(s) will be required.

Please note that comments reflect those provided through the above permit application submitted on 04/11/2023 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: Jeanine Benitez, Zoning Examiner

Appendix 3 – Region of Peel

Minor Variance: A-23-213M – 3221 Ridgeleigh Heights

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.
- All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel design specifications. 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