

# City of Mississauga Department Comments

Date Finalized: 2023-09-13	File(s): A335.23
To: Committee of Adjustment	Ward: 8
From: Committee of Adjustment Coordinator	Meeting date:2023-09-21 1:00:00 PM

## Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application, as requested, meets the requirements of Section 45(1) of the Planning Act.

## Application Details

The applicant requests the Committee to approve a minor variance to allow a below grade stairwell proposing a setback from the side lot line of 0.76m (approx. 2.49ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.20m (approx. 3.94ft) in this instance.

## Background

**Property Address:** 3471 Drummond Road

### Mississauga Official Plan

Character Area: Erin Mills Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

**Zoning:** R4-520 Residential

**Other Applications:** None

### Site and Area Context

The subject property is located in the Erin Mills Neighbourhood Character Area, northwest of the Ridgeway Drive and Burnhamthorpe Road West intersection. The immediate neighbourhood is

primarily residential, consisting of one and two-storey detached dwellings. The area south of Ridgeway Drive, to the west of the subject property consists of Employment uses. The subject property is a corner lot containing a two-storey detached dwelling with mature vegetation in the front yard.

The applicant is proposing a below grade stairwell 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 are as follows:

The subject property is located in the Erin Mills 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. Section 9 of 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 requested variance pertains to side yard setbacks. The general intent of this portion of the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties, and that access to the rear yard ultimately remains unencumbered. The entrance does not inhibit access to the rear yard and amenity area, as appropriate access is maintained via the westerly side yard. Furthermore, planning staff note the absence of any true

massing resulting from the below grade entrance, therefore resulting in negligible impacts to the neighbouring property.

Through a detailed review of the application, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed below grade entrance were addressed by our Development Construction Section through the previous Building Permit process BP9 ALT-22/4600.



Comments Prepared by: John Salvino, 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: Candice Williams, Zoning Examiner

### **Appendix 3 – Region of Peel**

#### **Minor Variance: A-23-335M / 3471 Drummond Road**

Development Engineering: Brian Melnyk (905)-791-7800 x3602

#### **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](mailto: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](mailto: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](mailto:siteplanservicing@peelregion.ca).

Comments Prepared by: Ayooluwa Ayoola, Junior Planner