

# City of Mississauga Department Comments

Date Finalized: 2023-11-29	File(s): A448.23
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2023-12-07 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 entrance with a side yard setback of 0.70m (approx. 2.30ft) 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:** 963 Dormer Street

### Mississauga Official Plan

Character Area: Lakeview Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

**Zoning:** R3-75- Residential

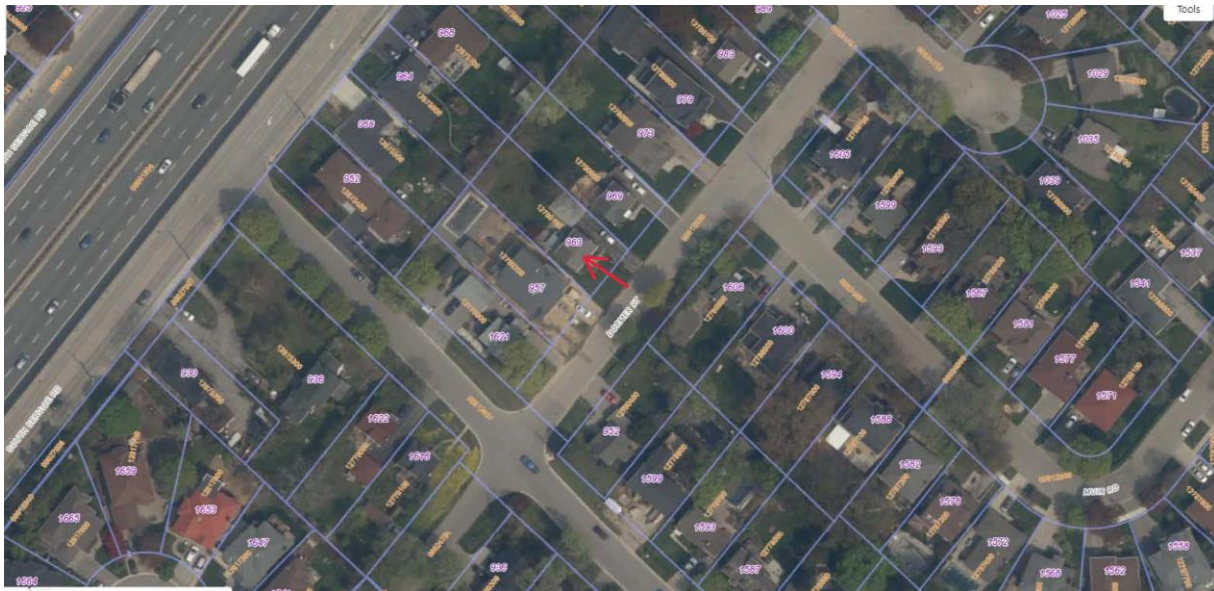
**Other Applications:** Building Permit application SEC UNIT 23-8713.

### Site and Area Context

The subject property is located in the Lakeview Neighbourhood Character Area, northeast of the South Service Road and Alexandra Boulevard intersection. The immediate neighbourhood is

primarily residential, consisting of one and two-storey detached dwellings. The subject property is an interior lot containing a two-storey detached dwelling with little 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 Lakeview 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 a side yard setback to a below grade entrance. 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, that access to the rear yard ultimately remains unencumbered and that the structure does not create drainage issues. The entrance does not inhibit access to the rear yard and amenity area, as appropriate access is maintained via the easterly 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. Drainage impacts will be evaluated at the building permit stage.

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 are being addressed by our Development Construction Section through SEC UNIT 23/8713.







Comments Prepared by: John Salvino, Development Engineering Technologist

## Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application SEC UNIT 23-8713. Based on review of the information available in this application, we advise that the variances, as requested, are correct.

Please note that comments reflect those provided through the above application. These comments may no longer be valid should there be changes contained within this Committee of Adjustment application that have not been submitted and reviewed through the application noted above. The applicant must submit any changes and/or updates to information and/or drawings separately through the above application in order to receive updated comments.

Comments Prepared by: Gary Gagnier; Zoning Examiner

**Appendix 3- Region of Peel****Minor Variance: A-23-448M / 963 Dormer St**Development Engineering: Wendy Jawdek (905)-791-7800 x6019**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 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 may be required prior to the Local Municipality issuing building permit. For more information, please contact Servicing Connections by email at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca)

Comments Prepared by: Ayooluwa Ayoola, Junior Planner