

City of Mississauga Department Comments

Date Finalized: 2024-03-28 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): A144.24 Ward: 6
	Meeting date:2024-04-04 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

The applicant requests the Committee to approve a minor variance to allow a rear yard setback to the stairs of 0.80m (approx. 2.62ft) whereas By-law 0225-2007, as amended requires a minimum setback of 4.50m (approx. 14.76ft) in this instance.

Background

Property Address: 935 Eglinton Ave W

Mississauga Official Plan

Character Area: **East Credit Neighbourhood**
Designation: **Residential Medium Density**

Zoning By-law 0225-2007

Zoning: **RM4-30- Residential**

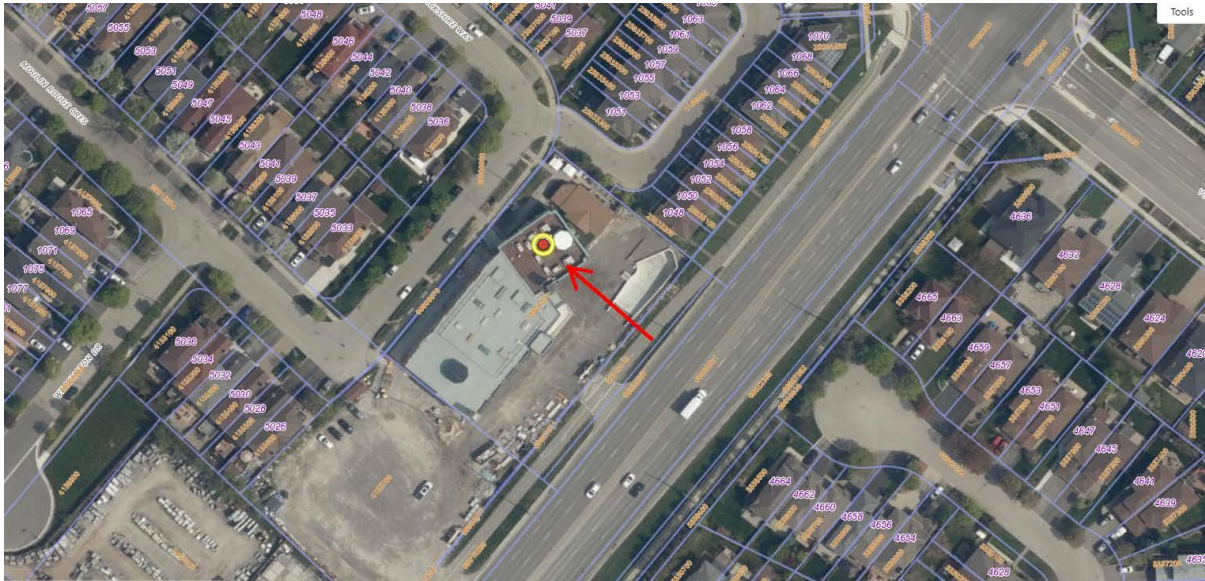
Other Applications: None

Site and Area Context

The subject property is located on the north side of Eglinton Avenue West, west of the Eglinton Avenue West and Mavis Road intersection in the East Credit Neighbourhood Character Area. The subject property contains a two-storey place of religious assembly and an adjacent private

elementary school that is currently under construction. Limited landscaping and vegetative elements are present on the subject property. The immediate area consists of detached, semi-detached and townhome dwellings on various lot sizes. Additionally, Toemar Landscape and Garden Supplies abuts the property to the west.

The applicant proposes the construction of an exterior enclosed stairwell for the private elementary school 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 East Credit Neighbourhood and is designated Residential Medium Density in Schedule 10 of the Mississauga Official Plan (MOP). 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. Staff are satisfied that the proposed stairwell is compatible with both existing site conditions and the surrounding context. Staff are satisfied that the proposal maintains the general intent and purpose of the official plan.

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

The sole variance requests a reduced rear yard setback from the proposed staircase to the property line. The intent of the rear yard provisions is to ensure an appropriate buffer between the massing of structures on abutting properties is maintained. Staff note the reduced setback is only required for the portion of the site where the proposed stairwell is to be constructed, as the remainder of the building maintains by-law setback requirements of 4.5m (14.76ft). Staff are satisfied that the proposal is designed to maintain an appropriate buffer between the abutting properties. As such, staff are satisfied that the proposal maintains the general intent and purpose of the zoning by-law.

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

Staff are satisfied that the impacts of the variance is minor in nature and staff are of the opinion that the application proposes appropriate development of the subject property.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference are photos depicting the area where the stairs are being proposed and note that we have no drainage related concerns.

Comments Prepared by: Tony Iacobucci, T&W Development Engineering





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: Minan Song, Planner in Training

Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Planner