

City of Mississauga Department Comments

Date Finalized: 2024-04-17	File(s): A170.24 Ward: 3
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-04-25 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. 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 below grade entrance facing a side street whereas By-law 0225-2007, as amended, does not permit this in this instance.

Background

Property Address: 4045 Sasha Court

Mississauga Official Plan

Character Area: **Rathwood Neighbourhood**
Designation: **Residential Low Density I**

Zoning By-law 0225-2007

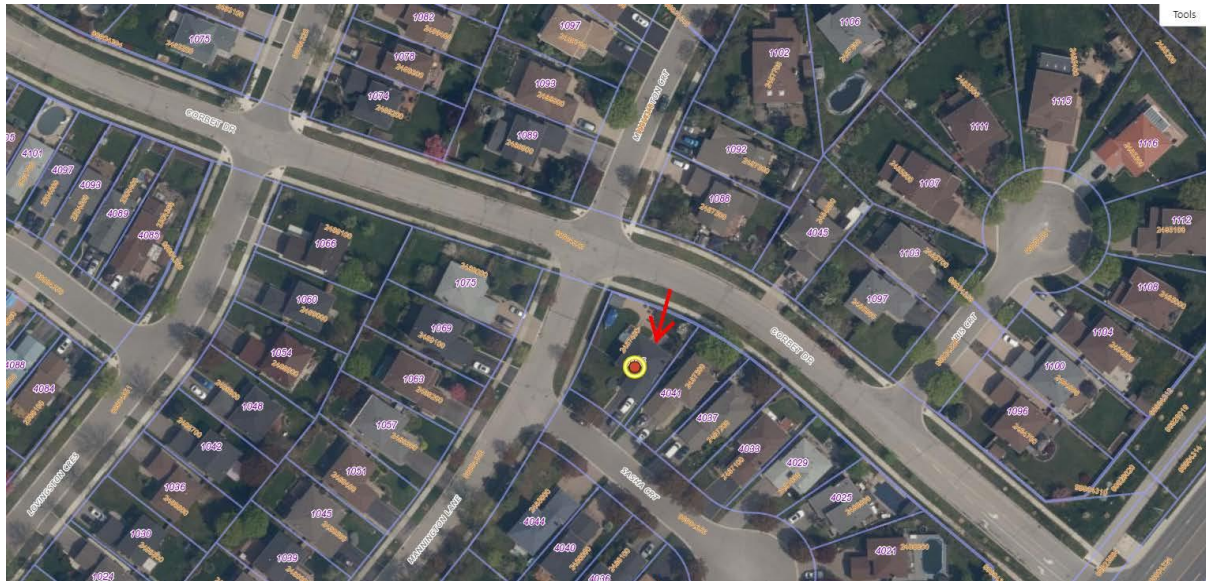
Zoning: R4- Residential

Other Applications: None

Site and Area Context

The subject property is located in the Rathwood Neighbourhood Character Area, northeast of the Burnhamthorpe Road East and Tomken Road intersection. The immediate neighbourhood primarily consists of two-storey detached dwellings with mature vegetation in the front yards. The subject property is a corner, through lot containing a two-storey detached dwelling with mature vegetation in the front yard.

The application is proposing to legalize an existing below grade entrance in the exterior side yard.



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 Rathwood Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached, semi-detached and duplex dwellings.

The requested variance relates to a below grade entrance facing a street. The property is a corner, through lot, abutting Sasha Court, Mannington Lane and Corbet Drive. The staircase is located in the exterior side yard facing Mannington Lane. The staircase is screened behind a fence and the entrance does not prevent access to the rear yard and amenity area. Furthermore, Planning staff note the absence of any true massing resulting from the proposal

and the provision of an appropriate setback from the property line therefore mitigating any negative impacts.

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: Shivani Chopra, Planning Associate

Appendices

Appendix 1 – Transportation and Works Comments

As the subject site is a corner lot and the below grade entrance is in an area which will not impact the existing drainage pattern or any of the adjacent properties, we have no drainage related concerns with the location of the below grade entrance.

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