

City of Mississauga Department Comments

Date Finalized: 2024-07-03	File(s): A175.24
To: Committee of Adjustment	Ward: 6
From: Committee of Adjustment Coordinator	Meeting date:2024-07-11 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 below grade entrance proposing an interior side yard setback of 0.04m (approx. 0.13ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.21m (approx. 3.97ft) in this instance.

Background

Property Address: 1032 Blueheron Blvd

Mississauga Official Plan

Character Area: East Credit Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R5- Residential

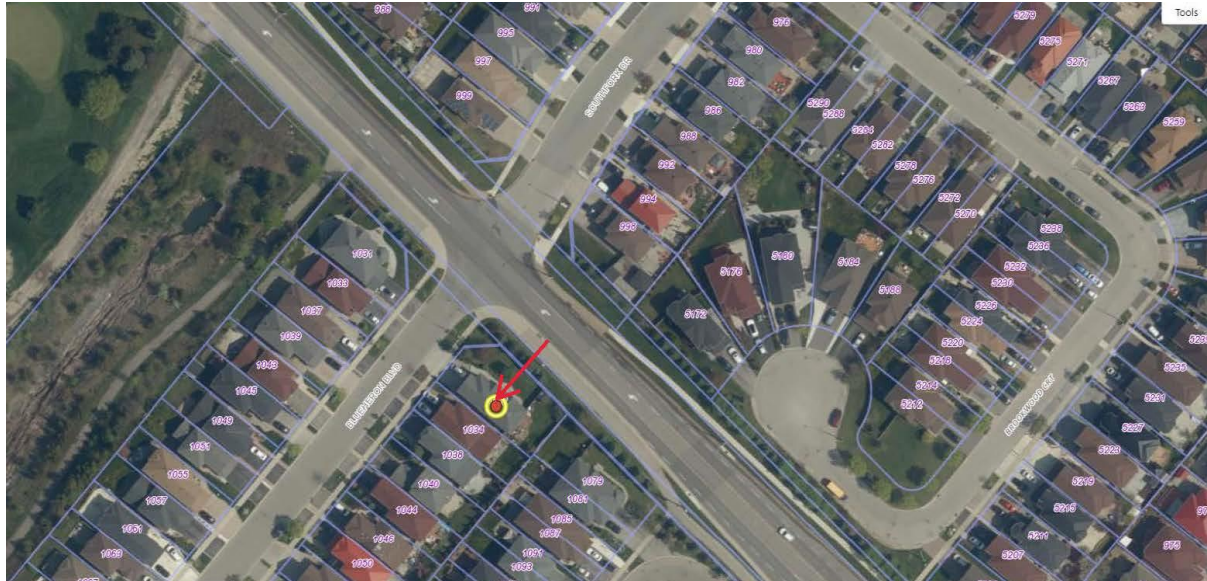
Other Applications: BP 9ALT 24-969

Site and Area Context

The subject property is located north-west of the Bristol Road West and Terry Fox Way intersection in the East Credit Neighbourhood Character Area. It is a corner lot containing a two-storey detached dwelling with an attached garage. Limited landscaping and vegetative elements

are present on the subject property. The surrounding context is predominantly residential, consisting of detached and semi-detached dwellings. Additionally, Braeburn Golf Course is located north of the subject property.

The applicant is proposing to legalize a below grade entrance for personal access 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:

The subject property is located in the East Credit Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP).

The sole variance requests a reduced side yard setback to the below grade stairwell. The intent of this provision is to ensure that an appropriate buffer is provided between the massing of structures on abutting properties, access to the rear yard remains unencumbered and that appropriate drainage patterns are maintained. Staff note there is an appropriate buffer between the adjoining properties, access to the rear yard remains unencumbered on the opposite side of the dwelling and Transportation and Works staff have raised no drainage concerns with the site.

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: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

From our site inspection we note that the abutting property has also constructed a below grade entrance located approximately opposite the applicant's proposal. Acknowledging that both the abutting neighbour and the subject property will be slightly impeding the drainage pattern in a similar way within their side yard setbacks, we are not concerned with any drainage impacts (if any).





Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application BP 9ALT 24-969. Based on review of the information available in this application, we advise that more information is required in order to verify the accuracy of the requested variance or determine whether additional variances will be required.

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 – Parks, Forestry & Environment

The Forestry Section of the Community Services Department has no objections to the above noted minor variance application and advises as follows:

1. No public trees shall be injured or removed. If public tree removal is required, a permit must be issued as per By-law 0020-2022.
2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Removal Permit, written consent must be obtained by both parties.

A Tree Removal Application to Permit the Injury or Destruction of Trees on Public and Private Property can be found at <https://www.mississauga.ca/publication/application-to-permit-the-injury-or-destruction-of-trees-on-public-and-private-property/>.

Should further information be required, please contact Rita Di Michele, By-law Inspector, Community Services Department at 905-615-3200 ext. 5872 or via email rita.dimichele@mississauga.ca.

Comments Prepared by: Rita Di Michele, By-law Inspector

Appendix 4 – Region of Peel Comments**Minor Variance: A-24-175M / 1032 Blueheron Blvd.**

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 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: Petrele Francois, Junior Planner