

City of Mississauga Department Comments

Date Finalized: 2024-07-03	File(s): A256.24
To: Committee of Adjustment	Ward: 11
From: Committee of Adjustment Coordinator	Meeting date:2024-07-11 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 amended, meets the requirements of Section 45(1) of the Planning Act. The applicant may wish to defer the application to ensure the accuracy of the requested variances and that additional variances are not required.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a below grade entrance with an interior side yard setback of 0.16m (approx. 0.52ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.08m (approx. 3.54ft) in this instance.

Background

Property Address: 880 Blyleven Blvd

Mississauga Official Plan

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

Zoning By-law 0225-2007

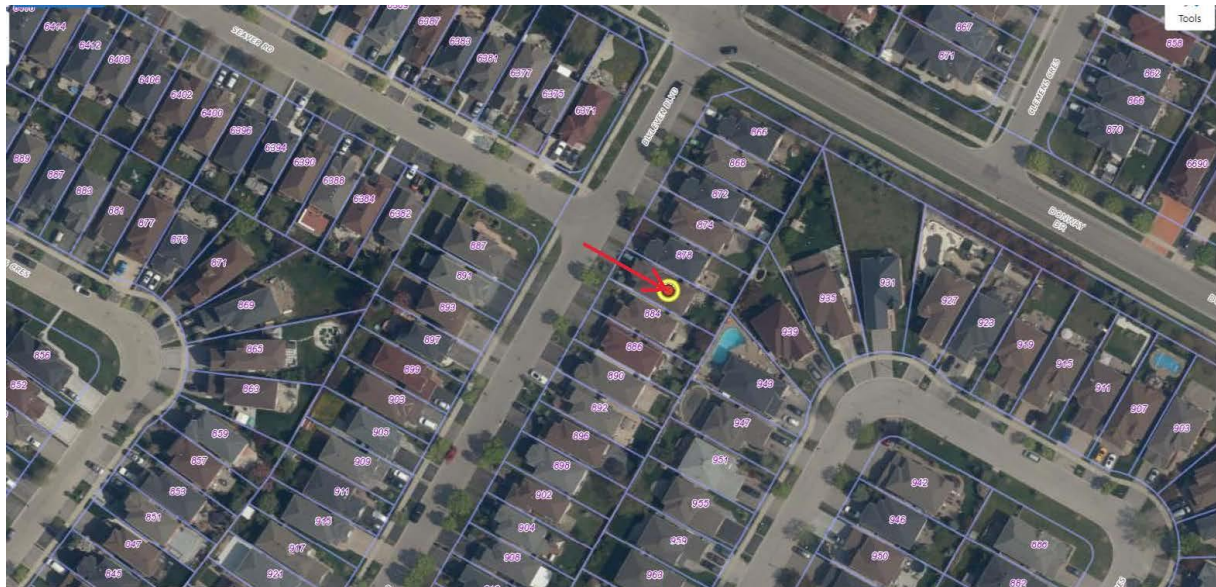
Zoning: R5-Residential

Other Applications: None

Site and Area Context

The subject property is located north-west of the Mavis Road and Britannia Road West intersection in the East Credit Neighbourhood. It contains a two-storey detached dwelling with an attached garage. Some landscaping and vegetative elements are present on the subject property. The surrounding context is predominantly residential, consisting of detached dwellings on similarly sized lots.

The applicant is proposing a below grade entrance requesting 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 East Credit Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP).

The general intent of the side yard regulations in the by-law is to ensure that: an adequate buffer exists between the massing of primary structures on adjoining properties, appropriate drainage can be provided, and access to the rear yard remains unencumbered. Staff note that the stairs do not create any additional massing that could impact abutting properties as the structure is entirely below grade. Furthermore Transportation & Works staff have raised no drainage concerns. Staff are satisfied that the limited depth of the stairs (1 riser) will still allow for appropriate access to be maintained to the rear of the property.

Through a detailed review of the application, staff are 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

Enclosed are photos depicting the constructed below grade entrance. Acknowledging the reduced side yard setback of 0.16 m, a small gravel area exists abutting the stairwell entrance to allow for any drainage.





Comments Prepared by: Tony Iacobucci, 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: Brooke Herczeg, Zoning Examiner

Appendix 3 – Region of Peel

Minor Variance: A-24-256M / 880 Blyleven 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