

City of Mississauga Department Comments

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| Date Finalized: 2024-07-03 | File(s): A257.24 |
| To: Committee of Adjustment | Ward: 5 |
| From: Committee of Adjustment Coordinator | Meeting date:2024-06-20 1:00:00 PM |

Consolidated Recommendation

The City has no objections to the application.

Application Details

The applicant requests the Committee to approve a minor variance to allow a below grade entrance proposing a rear yard setback of 6.34m (approx. 20.80ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 7.50m (approx. 24.61ft) in this instance.

Background

Property Address: 530 Driftcurrent Drive, Unit 23

Mississauga Official Plan

Character Area: Hurontario Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R5-28- Residential

Other Applications: SEC UNIT 22-4908

Site and Area Context

The subject property is located south-east of the Kennedy Road and Bristol Road East intersection in the East Credit Neighbourhood Character Area. It is an interior 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 dwellings.

The applicant is proposing to construct a below grade entrance to facilitate a second unit 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 Hurontario Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). Section 9 of the 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 proposal represents a below grade entrance in the rear yard that would not impact the streetscape or character of the area. Staff are satisfied that the general intent and purpose of the official plan is maintained.

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

The sole variance requests a reduced rear yard setback. The intent of the rear yard setback is to ensure that an appropriate buffer between the massing of structures on abutting properties is provided, adequate drainage patterns are accommodated and an appropriate rear yard amenity area is maintained. Staff note that the variance is technical in nature as the subject property incurs a site-specific zoning schedule and regulations stating that no encroachments are permitted outside of the buildable area. Staff are satisfied that the proposed below grade entrance in the rear yard will maintain an appropriate buffer between the massing of the structures and that appropriate drainage will be maintained. Additionally, the rear yard amenity area will remain relatively unaffected by the proposed development. The proposal therefore 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 proposal is minor in nature and represents appropriate development for the subject property.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We note that the Transportation and Works Department has no objections to the proposed below grade entrance as it will not impact or alter the existing grading and drainage pattern for this property.





Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file SEC UNIT 22-4908. Based on review of the information currently available in this permit application, the variances, as requested are correct.

Please note that comments reflect those provided through the above permit application and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Tage Crooks, Planner Zoning Examination

Appendix 3 - Region of Peel

Minor Variance: A-24-257M / 530 Driftcurrent Drive, Unit #23

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