

City of Mississauga Department Comments

Date Finalized: 2024-07-03	File(s): A289.24
To: Committee of Adjustment	Ward: 8
From: Committee of Adjustment Coordinator	Meeting date:2024-07-11 3:30:00 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.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a below grade staircase proposing a side yard of 0.67m (approx. 2.20ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (approx. 3.94ft) in this instance.

Background

Property Address: 3253 Sir John's Homestead

Mississauga Official Plan

Character Area: Erin Mills Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

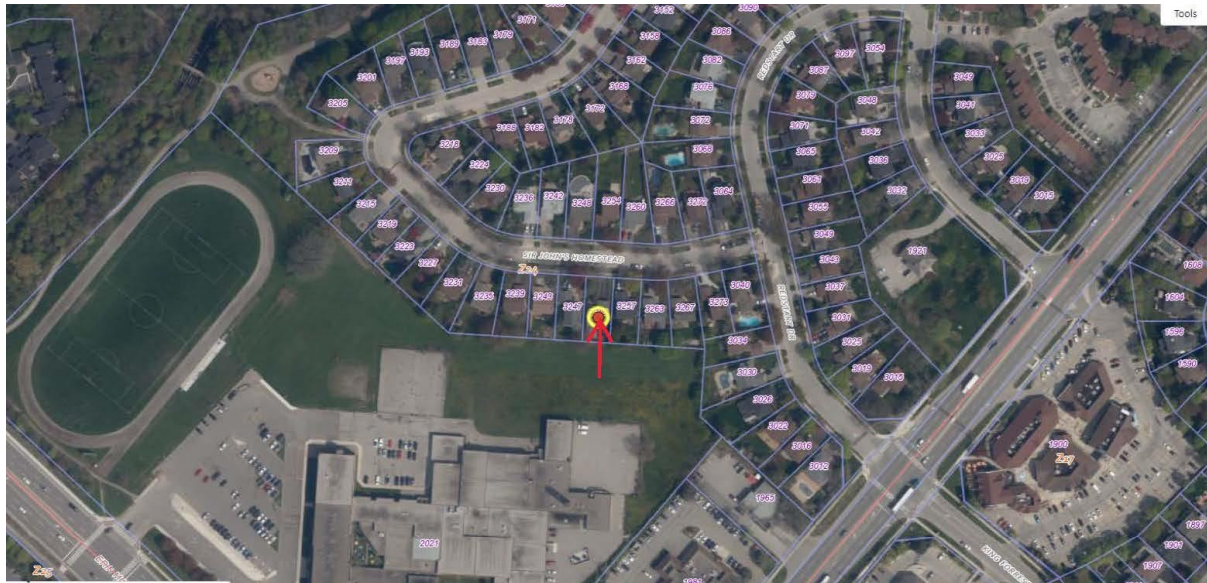
Zoning: R3 - Residential

Other Applications: Building Permit application 24-1181

Site and Area Context

The subject property is located in the Erin Mills Neighbourhood Character Area, northwest of the Dundas Street West and Mississauga Road intersection. The immediate neighbourhood primarily consists of two-storey detached dwellings with mature vegetation in the front yards. Row houses exist in the greater vicinity, east of the subject property. The subject property contains a two-storey detached dwelling with mature vegetation in the front yard.

The applicant proposes a below grade entrance requiring a variance for reduced 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 designated Residential Low Density II on Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density II designation permits a variety of residential uses, including detached dwellings.

Staff are satisfied that the proposal creates no impacts on massing or separation between structures, as the entry is located entirely below grade. Furthermore, access to the rear yard is maintained from the opposite side of the dwelling. Lastly, Transportation & Works staff have raised no drainage concerns regarding the below-grade entryway.

Through a detailed review, 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: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed below ground entrance will be addressed by our Development Construction Section through Permit SEC UNIT-24/1181.

Comments Prepared by: John Salvino, Development Engineering Technologist





Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application 24-1181. Based on the review of the information available in this application, the requested variance is correct.

Our comments may no longer be valid should there be changes in the Committee of Adjustment application that have yet to be submitted and reviewed through the Building Division application. To receive updated comments, the applicant must submit any changes to information or drawings separately through the above application.

Comments Prepared by: Sibila Lass Weldt, 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:

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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

Minor Variance: A-24-289M / 3253 Sir John's Homestead

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