

City of Mississauga Department Comments

| | |
|---|---------------------------------------|
| Date Finalized: 2024-08-08 | File(s): A326.24 Ward: 10 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2024-08-15 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 with an interior side yard setback of 0.64m (approx. 2.10ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) in this instance.

Background

Property Address: 3845 Althorpe Circle

Mississauga Official Plan

Character Area: Lisgar Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R5-Residential

Other Applications: SEC UNIT 24-666

Site and Area Context

The subject property is located north-east of the Derry Road West and Ninth Line intersection in the Lisgar 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 and semi-detached dwellings.

The applicant is proposing to legalize an existing below grade entrance in the side yard to facilitate a second unit 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 Lisgar 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 be maintained. Staff note there is an appropriate buffer between the adjoining properties that allows for access to the rear yard to remain unencumbered 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

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. There is a significant slope towards the rear yard, and the existing drainage pattern is not impacted by the entrance.





Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Division is processing Building Permit SEC UNIT 24-666. 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: Candice Williams, Zoning Examiner

Appendix 3 – Region of Peel

Minor Variance Application: A-24-326M / 3845 Althorpe Circle

Development Engineering: Brian Melnyk (905) 791-7800 x3602

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.
- All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel design specifications. 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