

# City of Mississauga Department Comments

Date Finalized: 2024-08-08	File(s): A330.24
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2024-08-15 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the application, subject to the amendment.

## Application Details

The applicant requests the Committee to approve a minor variance to allow for the construction of a below grade entrance proposing:

1. A pedestrian entrance facing a street to facilitate a second unit in the basement whereas By-law 0225-2007, as amended, does not permit a pedestrian entrance facing a street to facilitate a second unit in the basement in this instance;
2. A below grade stairwell and below grade door in the exterior side yard to facilitate a second unit in the basement whereas By-law 0225-2007, as amended, does not permit a below grade stairwell and below grade door in the exterior side yard to facilitate a second unit in the basement in this instance; and,
3. An exterior side yard setback to the below grade stairwell of 4.06m (approx. 13.32ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback to the below grade stairwell of 4.50m (approx. 14.76ft) in this instance.

## Amendments

The Building Department is processing Building Permit BP 9ALT 24-1763. Based on review of the information available in this application, we advise that following amendment(s) is/are required:

Remove all variances. Amend to:

1. A below grade stairwell entrance in the exterior side yard whereas By-law 0225-2007, as amended, does not permit a below grade stairwell entrance in the exterior side yard.

## Background

**Property Address:** 185 Springbrooke Crescent

### Mississauga Official Plan

Character Area: Hurontario Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

**Zoning:** R4-20-Residential

**Other Applications:** BP 9ALT 24-1763

### Site and Area Context

The subject property is located north-west of Hurontario Street and Ceremonial Drive in the Hurontario 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 dwellings.

The applicant is proposing to construct a below grade entrance for personal access requiring variances for the location of the below grade entrance in the exterior side yard.



## 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 Hurontario Neighbourhood Character Area and is designated Medium Density in Schedule 10 of the Mississauga Official Plan (MOP). Section 9 of 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. Staff note that the entrance will be appropriately screened from the streetscape by the existing privacy fence and will be compatible with the surrounding context.

The sole variance requests a below grade stairwell to be located in the exterior side yard. The intent of the exterior side yard regulation is to ensure that an adequate buffer exists between a structure's massing and the public realm, and to ensure the entrance does not negatively impact the overall streetscape. In this instance, the applicant will locate the entrance behind the existing privacy fence which will appropriately screen the stairwell from view.

Staff are satisfied that any negative impact to the streetscape will be appropriately mitigated and that the proposal meets the general intent and purpose of the official plan and zoning by-law. Furthermore, the proposal contributes to orderly development of the subject property whose impacts to the streetscape and abutting properties will be minor in nature.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

As the subject lot is a corner lot, and the below grade entrance is being proposed in an area that will not impact the existing drainage pattern or any of the adjacent properties, we have no drainage related concerns with the location of the below grade entrance.





Comments Prepared by: Tony Iacobucci, Development Engineering

## Appendix 2 – Zoning Comments

The Building Department is processing Building Permit BP 9ALT 24-1763. Based on review of the information available in this application, we advise that following amendment(s) is/are required:

Remove all variances. Amend to:

1. A below grade stairwell entrance in the exterior side yard whereas By-law 0225-2007, as amended, does not permit a below grade stairwell entrance in the exterior side yard.

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: Minan Song, 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 injury or 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 Jamie Meston, Landscape Architect Assistant, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email [jamie.meston@mississauga.ca](mailto:jamie.meston@mississauga.ca).

Comments Prepared by: Jamie Meston, Landscape Architect Assistant

### Appendix 4 – 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](mailto: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](mailto: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](mailto:siteplanservicing@peelregion.ca).

Comments Prepared by: Petrele Francois, Junior Planner