

# City of Mississauga Department Comments

Date Finalized: 2024-08-08	File(s): A335.24 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 proposing an interior side yard setback of 0.47m (approx. 1.54ft) 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:** 3317 Waxwing Drive

### Mississauga Official Plan

Character Area: Lisgar Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

**Zoning:** R4-Residential

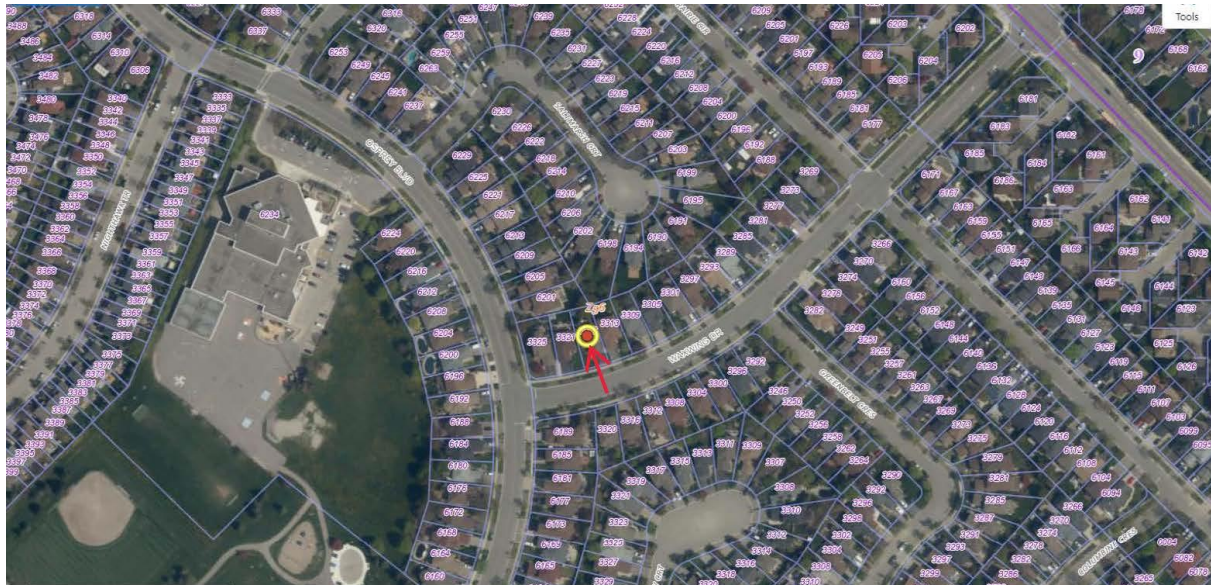
**Other Applications:** SEC UNIT 24-1702

### Site and Area Context

The subject property is located north-west of the Tenth Line West and Britannia Road West 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 construct a 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 requested 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, access to the rear yard remains 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.

Staff note that the applicant has provided an updated site plan that depicts the existing conditions of the walkway leading to the front entryway and associated garden bed at staff's request. Further the revised plan has also been updated to locate the future walkway connective the driveway and the proposed access to the below grade stairwell.

While Planning staff are not in a position to interpret the zoning by-law, staff note an additional variance for two walkway attachments are required, whereas only one walkway attachment is permitted on the subject property. Staff have no objections should the additional variance be sought, as it provides appropriate access to the additional residential unit in the basement from the front yard to the location of the below grade stairwell in the side yard. Additionally, the subject property maintains the required soft landscaping ratio in the front yard.

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 Division is processing Building Permit application SEC UNIT 24-1702. Based on the review of the information available in this application, the requested variance(s) is/are 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: Alana Zheng, Planner Zoning Examination

### **Appendix 3 – Region of Peel**

**Minor Variance Application: A-24-335M / 3317 Waxwing Drive**

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

**Comments:**

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- 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