

City of Mississauga

Memorandum:

City Department and Agency Comments

93Date Finalized: 2024-10-25	File(s): A493.24 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:10/31/2024 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 proposing:

1. A south side yard setback of 0.36m (approx. 1.18ft) whereas By-law 0225-2007, as amended, requires a minimum south side yard setback of 0.61m (approx. 2.00ft) in this instance;
2. A north side yard setback of 0.45m (approx. 1.48ft) whereas By-law 0225-2007, as amended, requires a minimum north side yard setback of 0.61m (approx. 2.00ft) in this instance;
3. stairs as a retaining wall whereas By-law 0225-2007, as amended, does not permit stairs as a retaining wall in this instance.

Background

Property Address: 5917 Rayshaw Cres

Mississauga Official Plan

Character Area: Streetsville Neighbourhood
Designation: Residential Low Density II

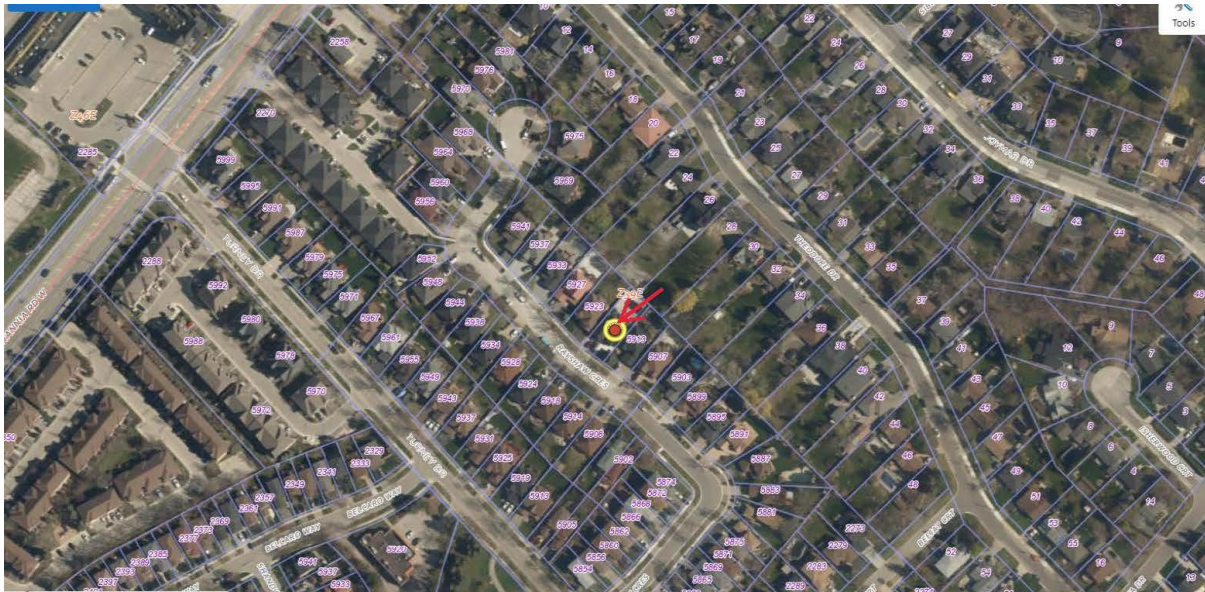
Zoning By-law 0225-2007

Zoning: R3 - Residential

Site and Area Context

The subject property is located south-west of the Britannia Road West and Queen Street South intersection in the Streetsville Neighbourhood Character Area. It currently contains a two-storey detached dwelling with an attached garage. Limited landscaping and vegetative elements are present throughout the subject property. The surrounding area context is exclusively residential, consisting of detached dwellings on varied sized lots.

The applicant required a variance for a reduced side yard setback for hard surfaced landscaping material in the year 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 Streetsville 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 sole variance requests a reduced side yard setback for the hard surfaced landscaping. The general intent of this portion of the by-law is to ensure appropriate drainage patterns can be maintained. Staff note Transportation & Work's staff have not identified any drainage concerns.

While Planning staff are not in a position to interpret the zoning by-law, staff note variance 3 is not required. Zoning staff have confirmed there is no by-law regulation which regulates whether stairs can be a retaining wall.

Staff are of the opinion that the proposal maintains the general purpose and intent of the official plan and zoning by-law, is minor in nature and represents appropriate development of the subject property. The proposal will not have any additional impacts to abutting properties.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

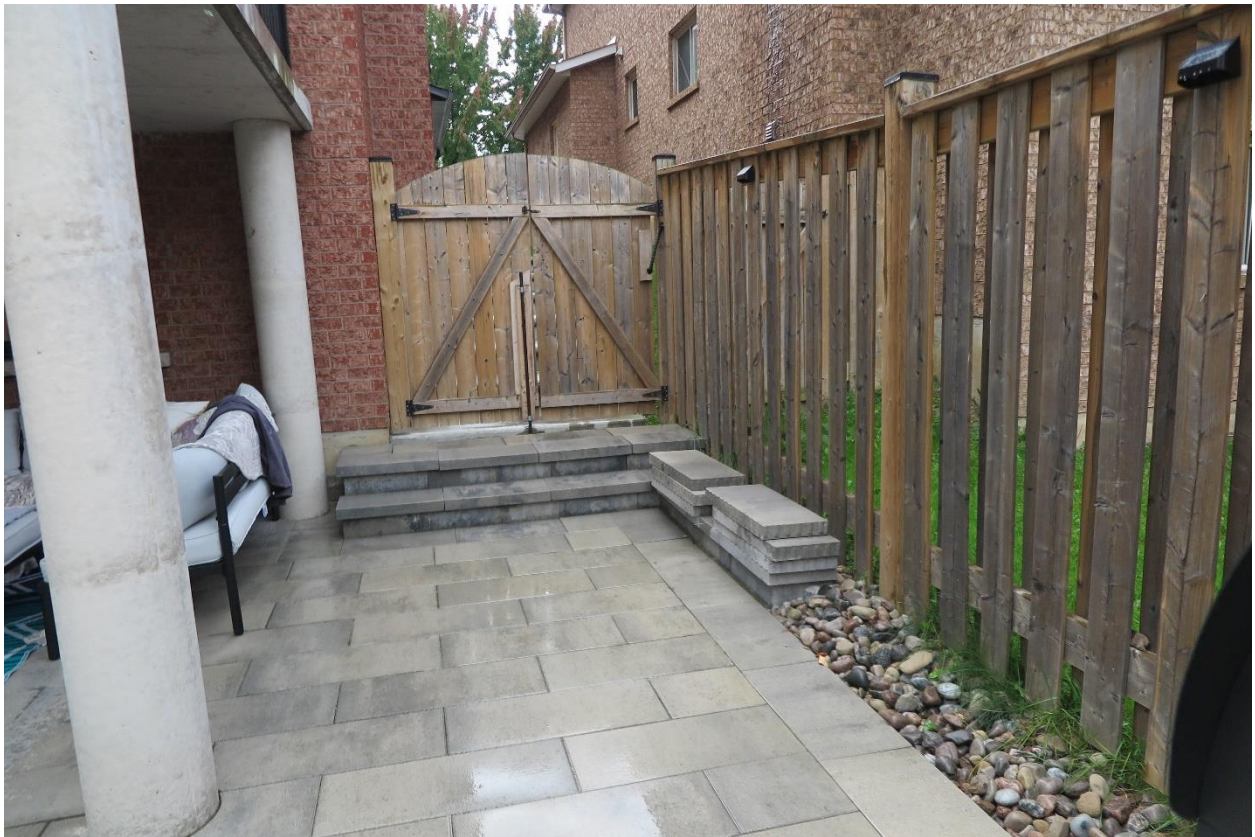
Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference are photos depicting the subject property. From our site inspection and the attached photos, it is evident that this property has a front to rear drainage pattern which means that drainage is directed toward the rear of the property. We do not foresee any drainage related concerns with the hard surfaced landscape areas constructed which would impact on the two the abutting properties. With regard to the property to the rear, it is currently undeveloped and due to the existing topography of these lands any drainage from this property was always intended to be directed to the rear.









Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

We note that a Building Permit is required. In the absence of a Building Permit we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed.

The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

Comments Prepared by: Crystal Abainza, Zoning Examiner

Appendix 3 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner