

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2024-11-06	File(s): A484.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 11/14/2024 12:00:00 AM

Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

The applicant requests the Committee to approve a minor variance to allow a below grade entrance proposing an exterior side yard setback of 4.27m (approx. 14.01ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 5.49m (approx. 18.01ft) in this instance.

Background

Property Address: 7327 Aldercrest Dr

Mississauga Official Plan

Character Area: Meadowvale Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

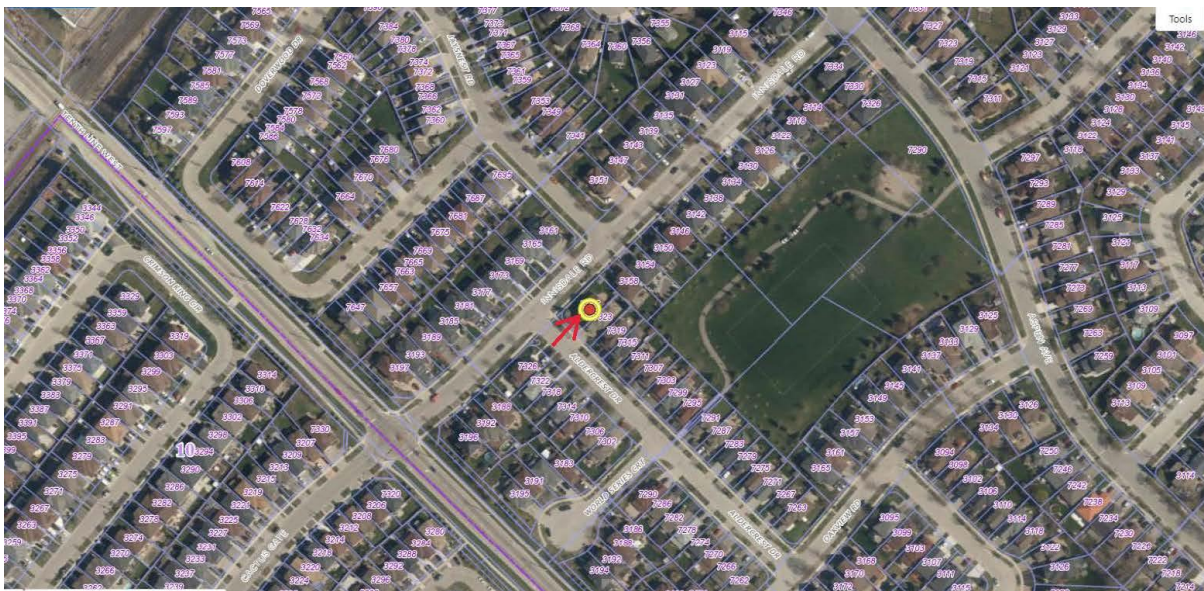
Zoning: R5 - Residential

Other Applications: None

Site and Area Context

The subject property is located south-east of the Tenth Line West and Argentia Road intersection in the Meadowvale 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 area context is predominantly residential, consisting of detached and semi-detached dwellings on similarly sized lots.

The applicant is proposing to construct a below grade entrance requiring a variance 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 Meadowvale Neighbourhood Character Area and is designated Residential Low Density II 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 with an existing privacy fence ensuring compatibility 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 and the public realm, and to ensure the entrance does not negatively impact the overall streetscape. In this instance, the applicant is proposing to 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 is 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 are minor in nature.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

As the subject lot this is a corner lot and the below grade entrance is being proposed in an area which 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

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 – Parks, Forestry & Environment

Forestry Comments

The Forestry Section of the Community Services Department has reviewed 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 Technician, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email jamie.meston@mississauga.ca.

Comments Prepared by: Jamie Meston, Landscape Technician

Appendix 4 – Region of Peel Comments

Minor Variance Application: A-24-484M / 7327 Aldercrest Drive

Development Engineering: Brian Melnyk (brian.melnyk@peelregion.ca)(905) 791-7800 x3602

Comments:

- 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 by email at siteplanservicing@peelregion.ca.

- 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.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 5 – Metrolinx

Metrolinx is in receipt of the Minor Variance application for 7327 Aldercrest Dr to allow a below grade entrance in support of a secondary suite in the basement of the existing dwelling as circulated on October 18th, 2024, and to be heard at Public Hearing on November 14th, 2024, at 1:00 PM. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300m of the CP Galt Subdivision which carries Metrolinx's Milton GO Train service.

GO/HEAVY-RAIL – ADVISORY COMMENTS

The Proponent is advised of the following:

- **Warning:** Metrolinx and its assigns and successors in interest operate commuter transit service within 300 metres from the subject land. In addition to the current use of these lands, there may be alterations to or expansions of the rail and other facilities on such lands in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx or any railway assigns or successors as aforesaid may expand their operations, which expansion may affect the environment of the occupants in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual units. Metrolinx will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under these lands.

Should you have any questions or concerns, please contact Farah.Faroque@metrolinx.com.

Comments Prepared by: Farah Faroque, Project Analyst, Third Party Project Review

Schedule 1

Conditions

- None