

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2024-12-04	File(s): A549.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 12/12/2024 3:30:00 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 a side yard setback of 0.87m (approx. 2.85ft) whereas the By-law 0225-2007, as amended, requires a minimum side yard setback of 1.20m (approx. 3.94ft) in this instance.

Background

Property Address: 6900 Old Creditview Rd

Mississauga Official Plan

Character Area: Meadowvale Village Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM2-5 - Residential

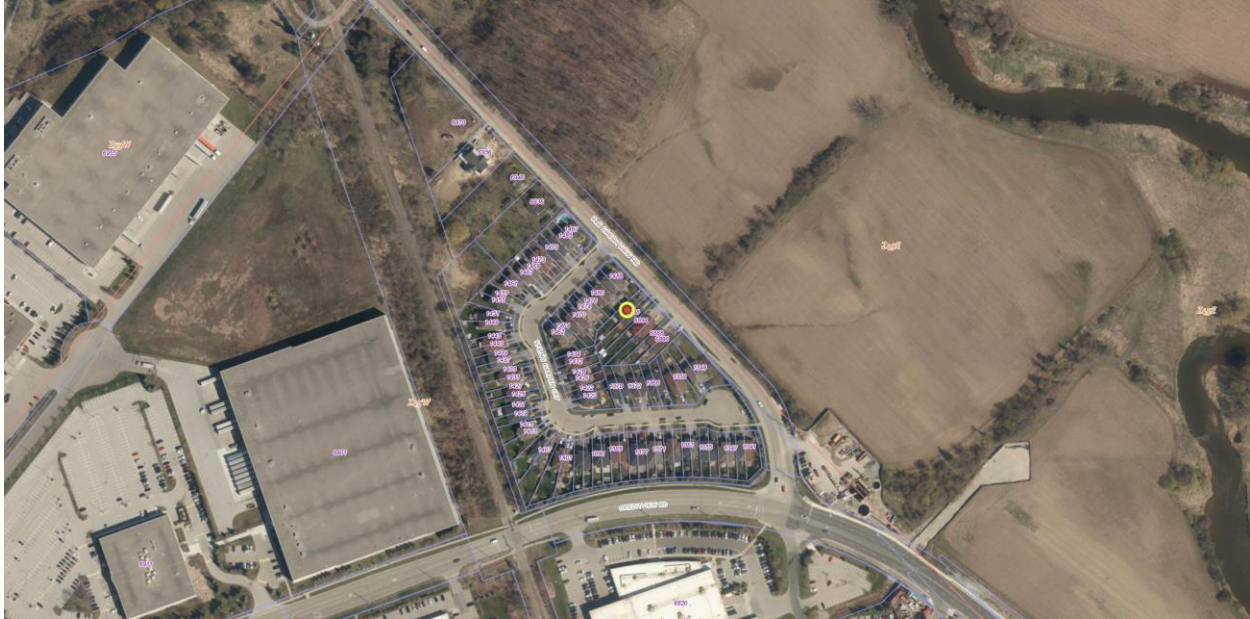
Other Applications: Building Permit application 24-1585

Site and Area Context

The subject property is located east of the Creditview Road and Derry Road West intersection in the Meadowvale Village Neighbourhood Character Area. It is an interior lot containing a semi-

detached dwelling with an attached garage. Limited landscaping and vegetative elements are present on the subject property. The surrounding area context is exclusively residential, consisting of semi-detached dwellings on similarly sized lots.

The applicant is proposing to construct a below grade entrance for personal access 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 Meadowvale Village Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, duplex, triplex and street house dwellings. 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.

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 primary structures on abutting properties, ensuring 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.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Should Committee see merit in the applicant's request we would recommend that the existing drainage pattern in the area of the proposed below grade entrance be maintained. We note that the stairwell is being proposed in an area of the property where there will still be an adequate area to maintain a drainage swale and not alter the existing drainage pattern.





Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application 24-1585. 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: Andrea Patsalides, 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-24-549M / 6900 Old Creditview Road

Development Engineering: Wendy Jawdek (wendy.jawdek@peelregion.ca)(905) 791-7800 x6019

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.
- 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.

Comments Prepared by: Petrele Francois, Junior Planner