

# City of Mississauga

Memorandum:

## City Department and Agency Comments

Date Finalized: 2025-01-09	File(s): A378.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 1/16/2025 1:00:00 PM

### 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 an exterior side yard setback to a below grade entrance of 3.40m (approx. 11.15ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback to the below grade entrance of 4.50m (approx. 14.76ft) in this instance.

### Background

**Property Address: 5218 Palmetto Place**

#### Mississauga Official Plan

Character Area: Churchill Meadows Neighbourhood  
Designation: Medium Density

#### Zoning By-law 0225-2007

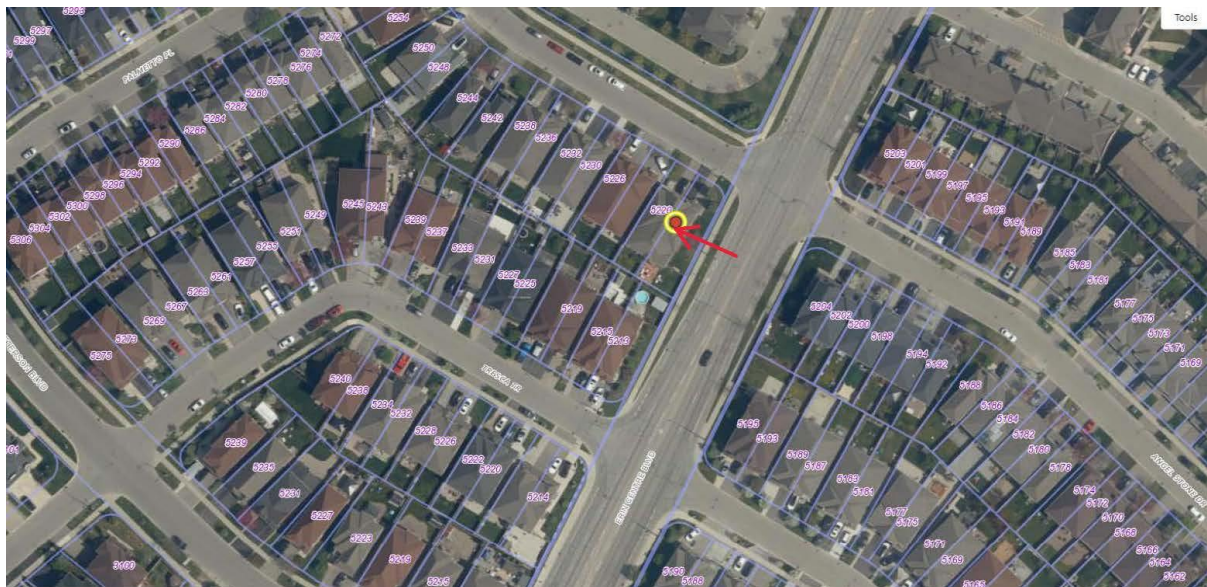
**Zoning: RM2-18-Residential**

**Other Applications: SEC UNIT 22-4384**

#### Site and Area Context

The subject property is located on the north side of Erin Centre Boulevard, west of the Winston Churchill Boulevard and Erin Centre Boulevard intersection in the Churchill Meadows Neighbourhood Character Area. It is a corner lot containing a two-storey semi-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, semi-detached and townhouse dwellings.

The applicant is proposing 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:

Planning staff note the Committee of Adjustment deferred the application on November 21<sup>st</sup>, 2024 due to the existing widened driveway on the property. The applicant worked with staff to reduce the driveway to 4.7m (15.41ft), which is the maximum width permitted in the by-law.

The subject property is located in the Churchill Meadows 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 with a proposed 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 proposed 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 is a corner lot and the below-grade entrance is being proposed in an area that will not impact the existing drainage pattern, 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 was processing Building Permit Application SEC UNIT 22-4384, in 2022, but a new application appears to have been made which is still in a pre-screening review (application BPA-105747). Zoning has not yet had the opportunity to review the most recent drawings and materials. Without the benefit of a fulsome review of the drawings and materials submitted as part of the new application, the variances requested cannot be confirmed at this time. There may be some changes to the variances as requested, and there may also be some additional variances required. Zoning staff would like the opportunity to complete the review and advise the applicant through the process the variances required to the applicable zoning provisions

Comments Prepared by: Emily Majeed, Planner-in-Training

### **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](mailto:jamie.meston@mississauga.ca).

Comments Prepared by: Jamie Meston, Landscape Technician

### **Appendix 4 – Region of Peel Comments**

Please note that our previous comments still apply.

Comments Prepared by: Petrele Francois, Junior Planner