

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2025-01-23	File(s): A596.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:1/30/2025 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 for a liveable space in the existing unfinished cold room proposing an exterior side yard setback of 3.34m (approx. 10.96ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 4.50m (approx. 14.76ft) in this instance.

### Amendments

The Building Department is processing Building Permit SEC UNIT 24-3790. Based on review of the information available in this application, we advise that following amendment is required:

1. To permit a window well in the exterior side yard with a setback of 2.80m (approx. 9.19ft) whereas By-law 0225-2007, as amended, requires a minimum setback for a window well in the exterior side yard setback of 3.90m (approx. 12.80ft) in this instance.

## Background

**Property Address:** 3050 Ozzie Dr

### Mississauga Official Plan

Character Area: Churchill Meadows Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

**Zoning: RM2-55 - Residential**

**Other Applications: SEC UNIT 24-3790**

### Site and Area Context

The subject property is located south-west of the Winston Churchill Boulevard and Thomas Street 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 area context is predominantly residential, consisting of detached and semi-detached dwellings. Additionally, the McCracken Community Park is located across the street from the subject property.

The applicant is proposing to construct an additional residential unit in the basement requiring a variance for window well 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 within the Churchill Meadows Neighbourhood Character Area and is designated Residential Low Density II by 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 exterior side yard setback measured from the window well. The intent of the side yard regulations in the by-law is to ensure that an adequate buffer exists between the window well and public realm, it does not negatively impact the overall streetscape, appropriate drainage patterns can be maintained and access to the rear yard remains unencumbered. Staff note the dwelling itself complies with the required exterior side yard setback. In this instance, the proposed setback for the window well is negligible thereby providing an adequate buffer to the public realm, maintaining appropriate drainage patterns and sufficient access to the rear yard.

Staff are satisfied that the proposal maintains the general intent and purpose of the official plan, zoning by-law, is minor in nature and represents orderly development of the subject property.

While Planning staff are not in a position to interpret the zoning by-law, staff note the driveway depicted on the site plan does not match the existing conditions of the subject property. Planning staff note that a variance for the driveway may be required, as the zoning by-law requires a 4.7m (15.41ft) maximum driveway width.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

This department has no drainage related concerns with the applicant's request.





Comments Prepared by: Tony Iacobucci, Development Engineering

## **Appendix 2 – Zoning Comments**

The Building Department is processing Building Permit SEC UNIT 24-3790. Based on review of the information available in this application, we advise that following amendment is required:

1. To permit a window well in the exterior side yard with a setback of 2.80m (approx. 9.19ft) whereas By-law 0225-2007, as amended, requires a minimum setback for a window well in the exterior side yard setback of 3.90m (approx. 12.80ft) in this instance.

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: Gary Gagnier, Zoning Examiner

## **Appendix 3 – Region of Peel 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. All works associated with the servicing of this site will be at the applicant's expense.
- Installation of and alterations to property line water valves require inspection by the Region of Peel.
- 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](mailto:siteplanservicing@peelregion.ca).

Comments Prepared by: Petrele Francois, Junior Planner