

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-03-13	File(s): A39.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:3/20/2025 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 a below grade entrance stairwell in the interior side yard proposing an interior side yard setback of 0.18m (approx. 0.59ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 0.30m (approx. 0.98ft) in this instance.

Amendments

The Building Department is processing Building Permit application SEC UNIT 25-6030. Based on review of the information available in this application, zoning staff advise that following amendment(s) is required:

The applicant requests the Committee to approve a minor variance to allow a below grade entrance stairwell in the interior side yard proposing an interior side yard setback of 0.18m (approx. 0.59ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.93ft) in this instance.

Background

Property Address: 5815 Rainspring Dr

Mississauga Official Plan

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

Zoning By-law 0225-2007

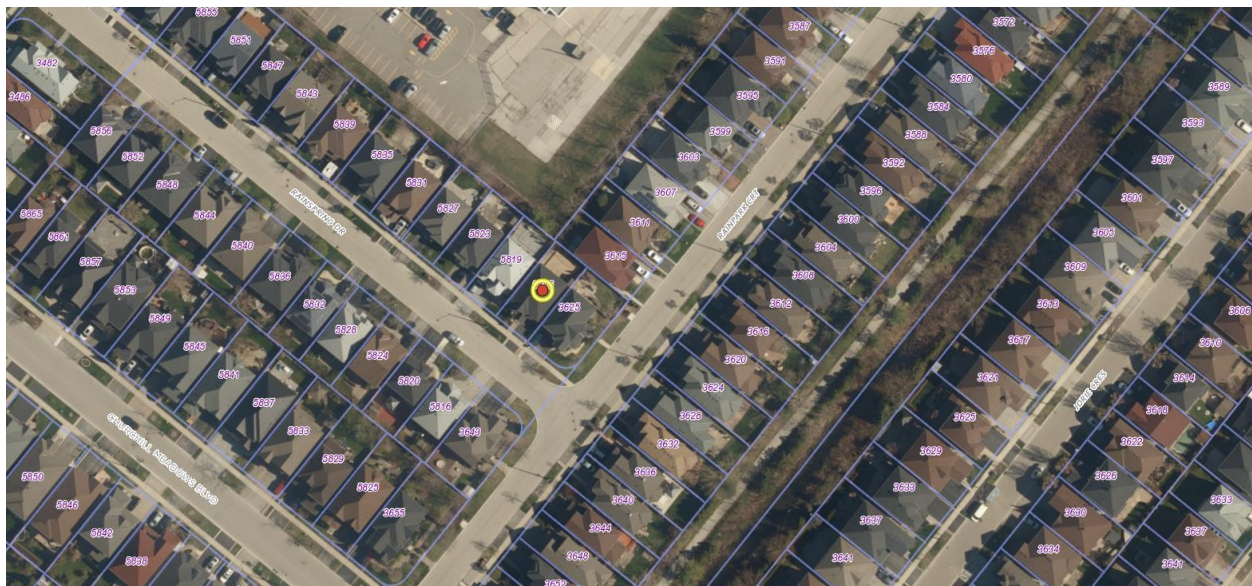
Zoning: R7-1 - Residential

Other Applications: SEC UNIT 25-6030

Site and Area Context

The subject property is located north-east of the Thomas Street and Ninth Line intersection in Churchill Meadows. The property has an approximate lot area of +/- 271.27m² (2,919.92ft²). It currently contains a two-storey detached dwelling with an attached garage. Limited landscaping and vegetative elements are present in the front yard. The surrounding area is exclusively residential, consisting of detached dwellings on similarly sized lots with limited vegetation. The property abuts a St. Faustina Catholic Elementary school to the rear of the property.

The applicant is proposing a below grade entrance requiring variances for a 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:

Does the proposal maintain the general intent and purpose of the Official Plan?

The subject property is located in the Churchill Meadows 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 and triplex dwellings, as well as other low-rise dwellings with individual frontages.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

The general intent of the side yard regulations in the by-law is to ensure that an adequate buffer exists between primary structures on adjoining properties, appropriate drainage can be provided and that access to the rear yard remains unencumbered. Staff note the proposed below grade stairwell is appropriately situated on the subject property maintaining unencumbered access to the rear yard through the other side yard. Furthermore, Transportation and Works staff have raised no drainage related concerns and access to the rear yard is maintained.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

Staff are 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: Sara Ukaj, Planning Associate

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed addition will be addressed through the Building Permit application SEC UNIT 25-6030.





Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application SEC UNIT 25-6030 submitted on 01/27/2025. Based on review of the information available in this application, we advise that following amendment(s) is required:

The applicant requests the Committee to approve a minor variance to allow a below grade entrance stairwell in the interior side yard proposing an interior side yard setback of 0.18m (approx. 0.59ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.93ft) 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: Jeanine Benitez, 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.

An 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

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

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. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at servicingconnections@peelregion.ca.
- 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 at 905.791.7800 x7973 or by email at servicingconnections@peelregion.ca.

Comments Prepared by: Petrele Francois, Junior Planner