

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

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| Date Finalized: 2025-03-20                | File(s): A61.25                      |
| To: Committee of Adjustment               |                                      |
| From: Committee of Adjustment Coordinator | Meeting date:3/27/2025<br>1:00:00 PM |

## Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application, as amended, meets the requirements of Section 45(1) of the Planning Act.

## Application Details

The applicant requests the Committee to approve a minor variance to allow a new below grade entrance proposing an interior side yard setback of 0.95m (approx. 3.12ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) in this instance.

### Amendments

The Building Division is processing Building Permit application SEC UNIT 25-6367. 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 0.95m (approx. 3.12ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) in this instance.

## Background

**Property Address:** 3416 Burgess Cres

**Mississauga Official Plan**

Character Area: Erin Mills Neighbourhood  
Designation: Residential Low Density II

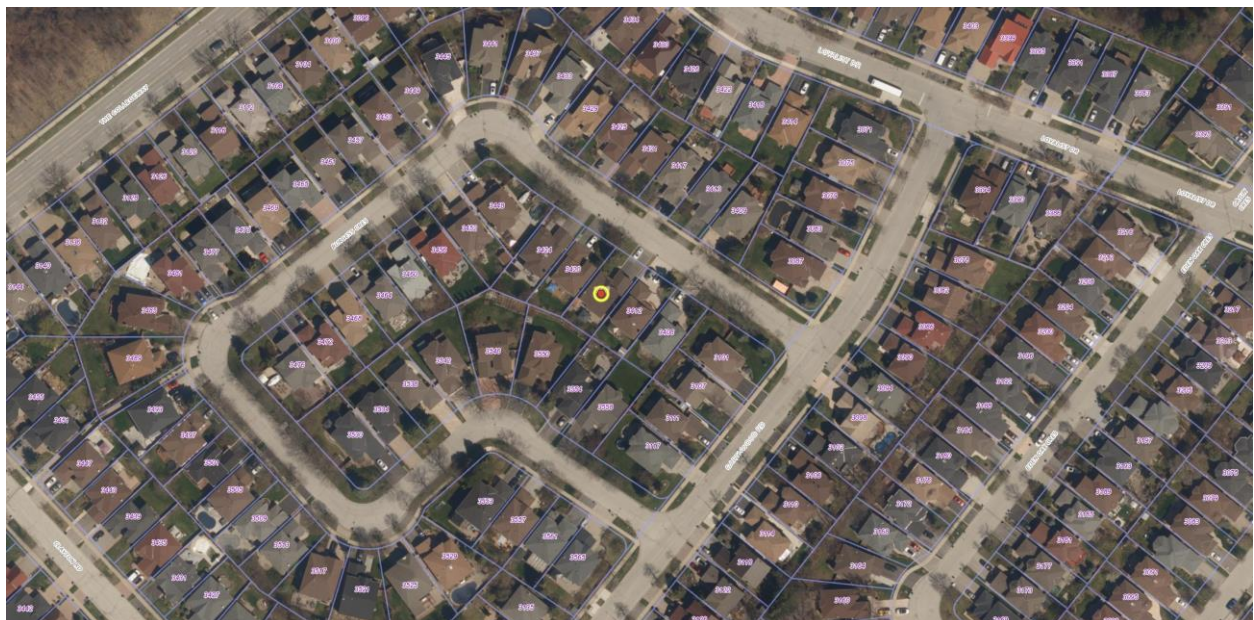
### **Zoning By-law 0225-2007**

**Zoning: R4 - Residential**  
**Other Applications: Building Permit application SEC UNIT 25-6367**

### **Site and Area Context**

The subject property is located south-west of the Winston Churchill Boulevard and The Collegeway intersection in the Erin Mills Neighbourhood. It contains a two-storey detached dwelling with an attached garage. Some landscaping and vegetative elements are present on the subject property. The surrounding context is predominantly residential, consisting of detached dwellings on similarly sized lots.

The applicant is proposing a below grade entrance requiring a variance for side yard setback.



## **Comments**

### **Planning**

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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 are as follows:

The subject property is located in the Erin Mills Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP).

The general intent of the side yard regulations in the by-law is to ensure that appropriate drainage can be provided, and access to the rear yard remains unencumbered. The proposal is for a below grade staircase to access a side entrance into the basement secondary unit. This proposal creates no impacts on massing or separation between structures and preserves access to the rear yard on the other side of the dwelling. Furthermore Transportation & Works staff have raised no drainage concerns regarding the proposal.

Through a detailed review of the application, staff are of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Comments Prepared by: Shivani Chopra, Committee of Adjustment Planner

## 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 below grade entrance will be addressed by our Development Construction Section through Building Permit SEC UNIT 25/6367.

Comments Prepared by: John Salvino, Development Engineering Technologist







## Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application SEC UNIT 25-6367. 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 0.95m (approx. 3.12ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) 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: Crystal Abainza, Zoning Examiner

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## **Appendix 5 – Region of Peel Comments**

We have no comments or objections.

Comments Prepared by:     Petrele Francois, Junior Planner