

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2025-04-03	File(s): A77.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:4/10/2025 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 the construction of new walkout basement stairs and permit the existing linked dwelling to remain on the subject property and any additions/alterations to be developed in accordance with the RM1-3 regulations whereas By-law 0225-2007, as amended, does not permit a linked dwelling in a RM1-3 in this instance.

## Background

**Property Address:** 4293 Poltava Cres

### Mississauga Official Plan

Character Area: Rathwood Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

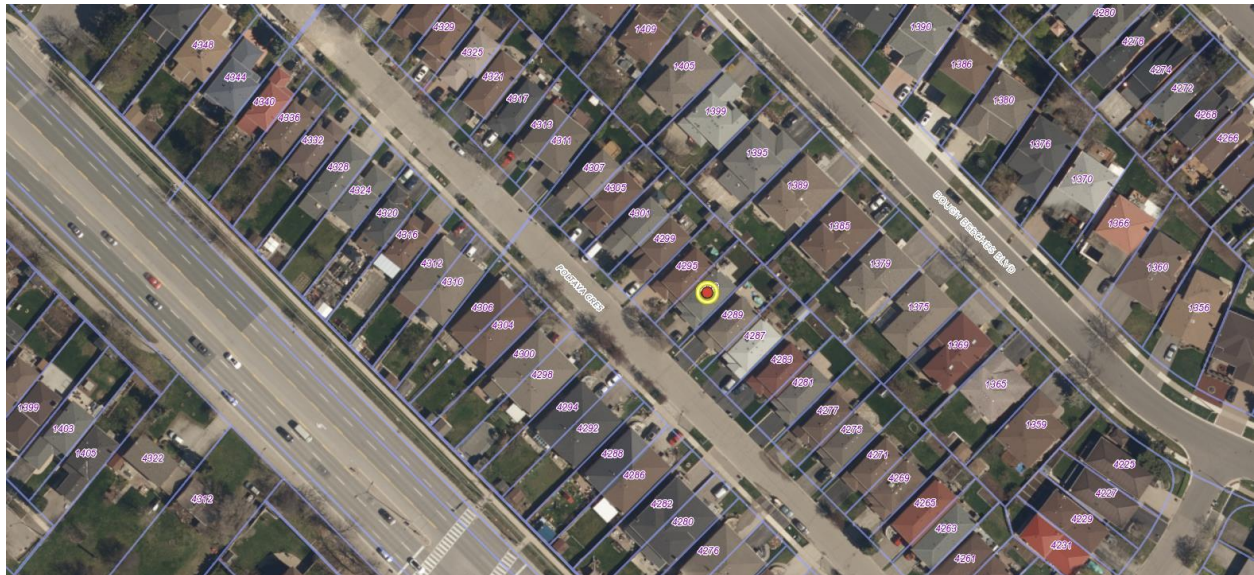
**Zoning:** RM1-3 Residential

**Other Applications:** BP 23-9612

### Site and Area Context

The subject property is located north-east of the Dixie Road and Rathburn Road East intersection in the Rathwood Neighbourhood Character Area. It is an interior lot containing a two-storey detached dwelling with an attached garage. Limited landscaping and vegetative elements are present through the subject property. The surrounding area context is exclusively residential, consisting of detached and semi-detached dwellings on similarly sized lots.

The applicant is proposing to construct a below grade entrance requiring a variance for a linked dwelling use.



## 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 Rathwood Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of 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. Planning staff are of the opinion that the proposal maintains the existing use and will not pose negative impacts on the surrounding

community. Planning staff are of the opinion that the general intent and purpose of the official plan are maintained.

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

The sole variance seeks to permit exterior alterations (below grade entrance) to an existing linked dwelling. The subject property is zoned RM1-3 which does not permit linked dwellings. Staff note the linked dwelling was built in 1980, in compliance with the zoning by-law at that time. The adoption of By-law 0225-2007 removed linked dwellings as a permitted housing form in all zones. Recognizing that the dwelling was constructed in conformity with the by-law in place at that time, which legally permitted the use, the impact of the housing form will not negatively impact the existing neighbourhood. Staff are of the opinion that the application is technical in nature and appropriate to be handled through the minor variance process. Furthermore, the request raises no concerns of a planning nature.

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

Staff are of the opinion that the proposal represents appropriate development of the subject property, and that the application is minor in nature. There are no impacts to the streetscape and abutting properties.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

The Transportation and Works Department has no objections to the proposed walkout basement stairs as they will not impact or alter the existing grading and drainage pattern on the subject site.









Comments Prepared by: Tony Iacobucci, Development Engineering

### **Appendix 2 – Zoning Comments**

The Building Division is processing Building Permit application 23-9612. Based on the review of the information available in this application, the requested variance(s) is/are 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: Andrew Wemekamp, 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:

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

Comments Prepared by: Jamie Meston, Landscape Technician

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

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner

#### **Appendix 5 – MTO**

\*The subject property described above appears to be located within the MTO Permit Control Area for Eastgate Parkway; as a result, the applicant should be made aware that an MTO Building & Land Use Permit(s) will be required from this office prior to the start of any onsite construction/works.

Information regarding the application process, forms and the policy can be found at the following link: <https://www.ontario.ca/page/highway-corridor-management>

Comments Prepared by: Nicole Hajjar, Corridor Management Officer