

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-04-24	File(s): A102.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:5/1/2025 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application, subject to the amendment. 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 a second unit proposing a below-grade stairwell within the exterior side yard whereas By-law 0225-2007, as amended, does not allow a below-grade stairwell within the exterior side yard in this instance.

Amendments

The Building Department is processing Building Permit application 25-6477. Based on review of the information available in this application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required. It should be noted that a zoning review has NOT been completed; however it is apparent that amendments may be required as follows:

- (1) "Proposed exterior side yard Below Grade Entrance with a setback of 6.25m to the exterior side lot line, whereas By-Law 0225-2007, as amended, does not permit/allow a retaining wall to facilitate an entrance below grade at any point in an exterior side yard."

Background

Property Address: 6340 Kindree Cir

Mississauga Official Plan

Character Area: Meadowvale Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

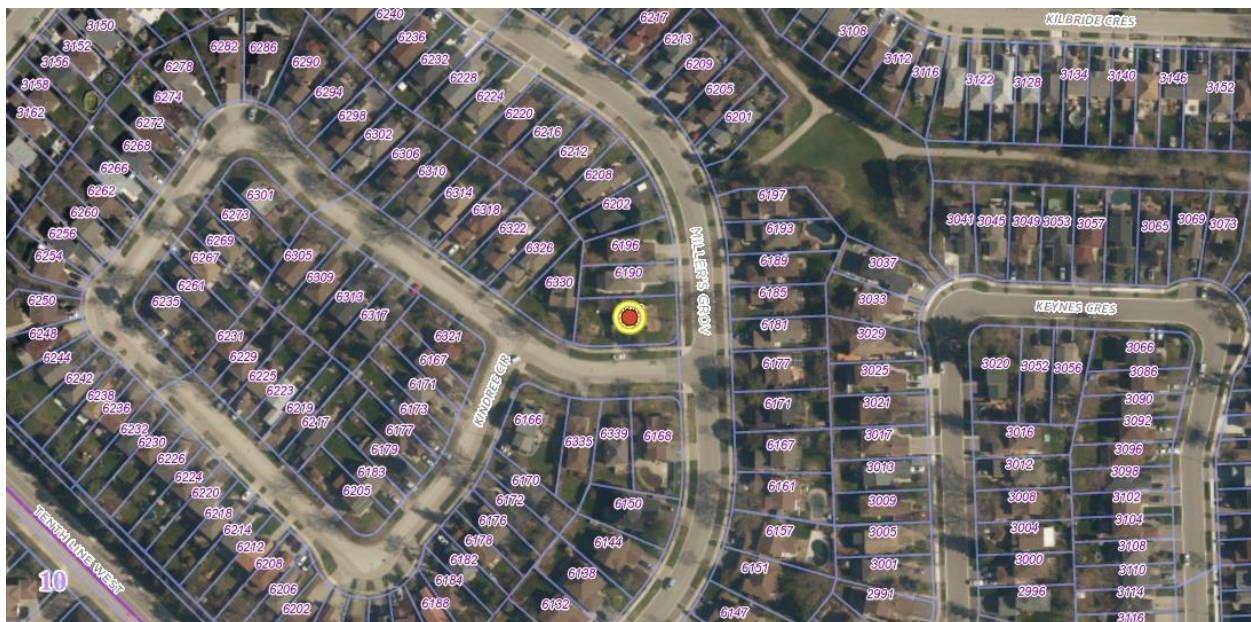
Zoning: R4-Residential

Other Applications: SEC UNIT 25-6477

Site and Area Context

The subject property is located north-east of the Britannia Road West and Tenth Line West intersection in the Meadowvale Neighbourhood Character Area. It is a corner lot containing a two-storey detached dwelling with an attached garage. Limited landscaping and vegetative elements are present on the subject property. The surrounding area is exclusively residential, consisting of detached and semi-detached dwellings on similarly sized lots.

The applicant is proposing a below grade entrance to facilitate a second unit requiring a variance for 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:

The subject property is located in the Meadowvale Neighbourhood Character Area and is designated Residential Low Density II 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 proposed vegetation minimizing any impacts to the streetscape.

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 vegetation which will appropriately screen the stairwell from view.

Staff are satisfied that any negative impact on 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 this property is a corner lot and the below grade entrance is being proposed in an area which will not impact the existing drainage pattern or any of the adjacent properties, 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 is processing Building Permit application 25-6477. Based on review of the information available in this application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required. It should be noted that a zoning review has NOT been completed; however it is apparent that amendments may be required as follows:

- (2) "Proposed exterior side yard Below Grade Entrance with a setback of 6.25m to the exterior side lot line, whereas By-Law 0225-2007, as amended, does not permit/allow a retaining wall to facilitate an entrance below grade at any point in an exterior side yard."

The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

Please note that comments reflect those provided through the above application. These comments may no longer be valid should there be changes contained within this Committee of Adjustment application that have not been submitted and reviewed through the application

noted above. The applicant must submit any changes and/or updates to information and/or drawings separately through the above application in order to receive updated comments.

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:

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: Sabrina Martins (sabrina.martins@peelregion.ca)(905) 791- 7800 x3094

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.

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- 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.
 - All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel design criteria. 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