

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-11-25	File(s): A376/20 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-12-03

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 Applicants request the Committee to approve a minor variance to allow the construction of a side entrance on the subject property, proposing a stair encroachment of 0.90m (approx. 2.95ft), into the required yard; whereas, By-law 0225-2007, as amended, permits a maximum stair encroachment of 0.61m (approx. 2.00ft), into the required side yard, in this instance.

Amendments

Based upon review of this Application, Staff notes that the Minor Variance application should be amended as follows, permitting:

1. A setback of 0.38m measured to the porch located within the northerly side yard; whereas, By-law 0225-2007, as amended, requires a minimum side yard of 1.20m to a porch within a side yard, in this instance.

Background

Property Address: 6801 Historic Trail

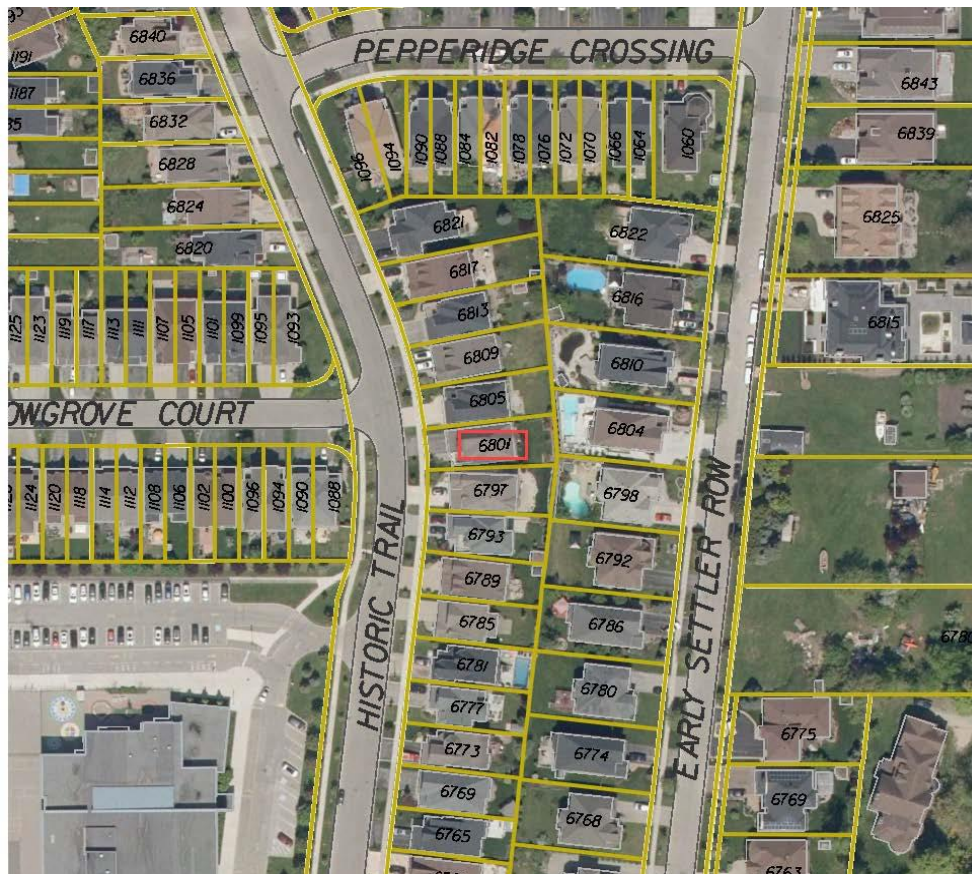
Mississauga Official Plan

Character Area: Meadowvale Village Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007**Zoning:** R10-1 (Residential)**Other Applications:****Building Permit:** 20-2452**Site and Area Context**

The subject property is located south-west of the Old Derry Road and Second Line West intersection, and currently houses a two-storey, single-detached dwelling. Contextually, the area is comprised of a mixture of detached and semi-detached residential structures. The properties within the immediate area possess lot frontages of approximately +/- 12.0m, with minimal vegetative / natural landscaped elements within the front yards.

The subject property is an interior parcel, with a lot area of approximately +/- 465.0m² and a lot frontage of approximately +/- 11.7m.



Comments

Planning

Section 45 of the *Planning Act* provides the Committee of Adjustment the authority to grant relief from the requirements stipulated by the municipal Zoning By-law, provided that such applications meet the requirements set out under Section 45(1) and/or 45(2) (a) or (b) of the *Planning Act*.

Staff comments concerning this minor variance request are as follows:

As is the case with the majority of below-grade entrances, Planning Staff note the absence of any true massing resulting from the proposal. Further, while the 0.38m setback is inherently limiting; such relief occurs at a pinch point within the interior side yard, with the remainder of the residential structure suitably setback. Also of note, access to the rear yard remains unencumbered, with the existing +/- 0.90m (southerly side yard) remaining unaltered.

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

Conclusion

The Planning and Building Department recommends that the Committee have regard for all comments and evidence provided by the Applicant and area residents when assessing if the application meets the requirements of Section 45(1) of the *Planning Act*.

Comments Prepared by: Roberto Vertolli, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's information are some photos which depict the area where the proposed side entrance is being proposed. We note that the Grading Plan (Plan C-36898) approved for this property under Registered Plan of Subdivision 43M-1395 depicts a rear to front drainage pattern meaning drainage from the rear yard was designed to be directed to the front via side yard swale. The requested reduction in the side yard setback significantly reduces the side yard setback and this would not allow for a fully functional drainage swale between the properties, resulting in some drainage being directed onto the adjacent property.





Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit application under file 20-2452. Based upon review of this Application, Staff notes that the Minor Variance application should be amended as follows, permitting:

1. A setback of 0.38m measured to the porch located within the northerly side yard; whereas, By-law 0225-2007, as amended, requires a minimum side yard of 1.20m to a porch within a side yard, in this instance.

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the December 3rd, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Application: DEF-A-328/20

Minor Variance Applications: A-351/20, A-359/20, A-376/20, A-383/20, A-390/20, A-392/20, A-397/20

Comments Prepared by: Diana Guida, Junior Planner