

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-06-12	File(s): A168.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:6/19/2025 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application, subject to the amendments.

Application Details

The applicant requests the Committee to approve a minor variance to allow a below grade stairwell entrance in the exterior side yard proposing an exterior side yard setback of 3.24m (approx. 10.63ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 3.50m (approx. 11.49ft) in this instance.

Amendments

The Building Department is processing Building Permit application SEC UNIT 24-5628. Based on review of the information available in this application, we advise that following amendments are required:

1. An exterior side yard setback of 3.27m whereas By-Law 0225-2007, as amended, requires a minimum exterior side yard setback of 3.50m in this instance;
2. A below grade entrance with an enclosed stairwell in an exterior side yard whereas By-law 0225-2007, as amended, does not permit a below grade entrance in an exterior side yard in this instance.

Background

Property Address: 5570 Bonnie St

Mississauga Official Plan

Character Area: Churchill Meadows Neighbourhood
Designation: Residential Medium Density

Zoning By-law 0225-2007

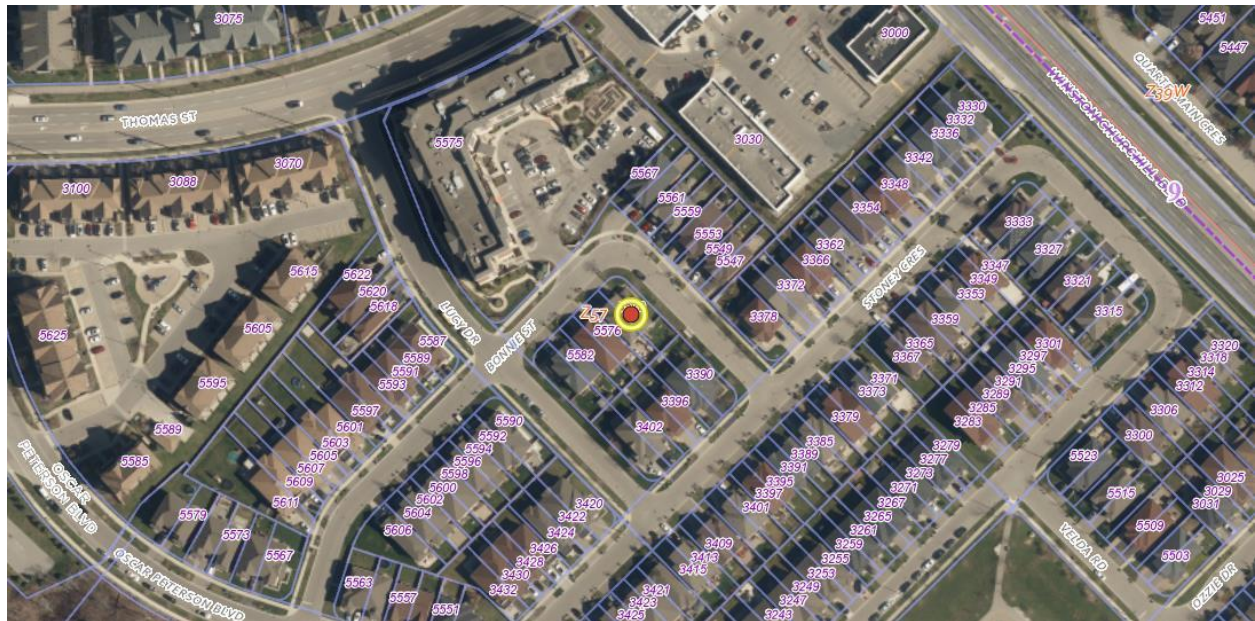
Zoning: RM5-48 - Residential

Other Applications: BP SEC UNIT 24-5628

Site and Area Context

The subject property is located south-west of the Winston Churchill Boulevard and Thomas Street intersection, in the Churchill Meadows Neighbourhood Character Area. The property contains a semi-detached dwelling, which represents the predominant residential built form in the immediate area. The lot area is +/- 333.00m² (3584.38ft²), which is consistent with the surrounding residential development.

The applicant is proposing a below grade entrance requiring a variance for an exterior 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 designated Residential Medium Density in the Mississauga Official Plan (MOP) and is within the Churchill Meadows Neighbourhood Character Area. Section 9.1 of the MOP states that driveway widths and associated setbacks should respect the identity and character of the surrounding context. Staff are satisfied that the below grade entrance is appropriate for both the subject property and surrounding context, and therefore 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?

Variance 1 proposes a reduced exterior side yard setback to the proposed dwelling. The intent of the side yard regulations in the by-law is to ensure that an adequate buffer exists between the massing of primary structures and the public realm, and access to the rear yard remains unencumbered and would not create a negative impact regarding drainage. The proposal maintains an appropriate setback from the street and does not infringe on the public realm. Staff are of the opinion that the proposed setback is sufficient to maintain access to the rear yard and maintains an adequate buffer. Furthermore, staff note the Transportation & Works Department has reviewed the application and does not have any concerns regarding drainage.

Variance 2 pertains to a below grade entrance into an exterior side yard. The intent of the regulations surrounding below grade entrances are to ensure that the entrances do not negatively impact the overall streetscape. In this instance the applicant has located the entrance behind the existing fence which appropriately screens the stairwell from both the front and exterior side yards. Staff are satisfied that any negative impact to the streetscape has been appropriately mitigated by the design and that the general intent and purpose of the Zoning By-law have been maintained.

Given the above, staff are satisfied that the proposal maintains the general intent and purpose of the zoning by-law.

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

Staff are satisfied that the proposed variance is minor in nature. The below grade entrance will not have a significant impact to either the surrounding context or streetscape, grading and drainage and access to the rear yard. Staff are also of the opinion that the application represents appropriate development of the subject property.

Comments Prepared by: Sara Ukaj, Planning Associate

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 SEC UNIT 24-5628. Based on review of the information available in this application, we advise that following amendments are required:

3. An exterior side yard setback of 3.27m whereas By-Law 0225-2007, as amended, requires a minimum exterior side yard setback of 3.50m in this instance;
4. A below grade entrance with an enclosed stairwell in an exterior side yard whereas By-law 0225-2007, as amended, does not permit a below grade entrance in an exterior side yard in this instance.

Our comments are based on the plans received by Zoning Staff for the building permit as submitted through ePlans on 02/25/2025. Please note that 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: Emily Majeed, 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 (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
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals may be 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: Ayooluwa Ayoola, Planner