

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-01-06	File(s): A4.21 Ward: 6
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-01-14

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 requested, 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 rear yard from a G2-2 zone measured to a window well of 2.34m (approx. 7.68ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard from a G2-2 zone measured to a window well of 6.89m (approx. 22.60ft) in this instance.

Background

Property Address: 1106 Windbrook Grove

Mississauga Official Plan

Character Area: East Credit Neighbourhood Character Area
Designation: Residential Medium Density

Zoning By-law 0225-2007

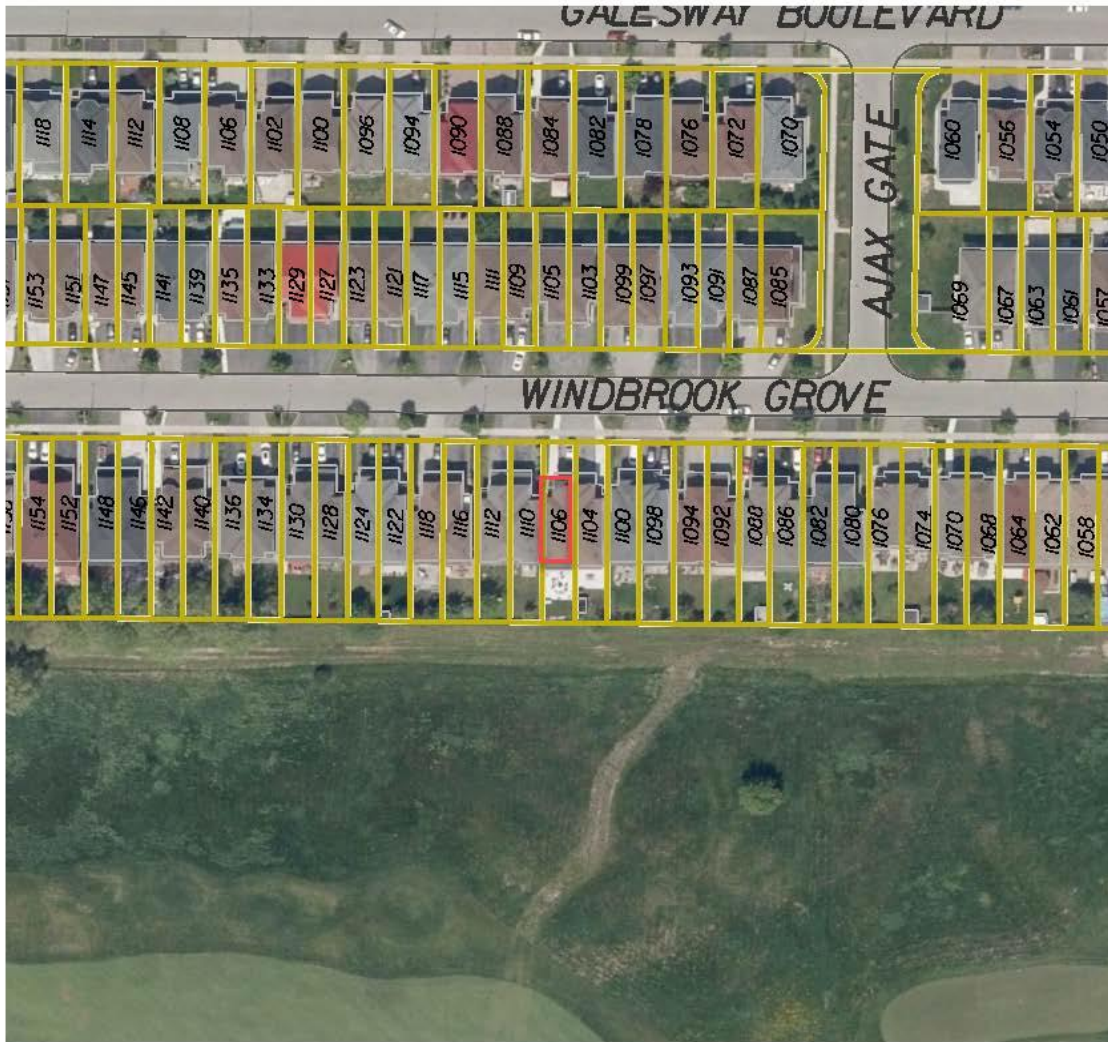
Zoning: RM5-13 - Residential & G2-2 - Greenlands

Other Applications: BPA 20-1051

Site and Area Context

The subject property is located directly north of the BraeBen Golf Course and south-west of the major intersection of Britannia Road West and Terry Fox Way. The property currently houses a two-storey semi-detached dwelling with an attached single-car garage with minimal vegetation and landscaping in the front and rear yard. Contextually, the surrounding neighbourhood is comprised exclusively of semi-detached dwellings with minimal landscape elements in the front yards that possess lot frontages of +/-6.0m.

The subject property is an exterior parcel, with a lot area of +/- 263.84m² and a lot frontage of +/- 6.8m. The applicant is proposing a window well, requiring a variance for encroachment into the Greenland area located in the rear 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 intent of the Zoning By-law for a split-zone is to permit residential townhouses within an area that allows a limited range of uses and activities specific to the protection of natural features, natural heritage and conservation areas. Pursuant to section 1.1.4 (More than One Zone) when a lot is divided into more than one zone, each portion of the lot shall comply with the applicable provisions of the zone in which it is situated. As such, the applicant is proposing a window well at grade, which is an insignificant variance to the G2-2 zone. The Credit Valley Conservation Authority (CVC) has identified this property does not appear to be regulated by CVC and note, no concerns with this proposal. Staff is 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.

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: Brooke Herczeg RPP, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We have no objections to the requested variance for a reduced window well setback to the 'G' Greenbelt zone in this instance. We question also whether the proposed rear yard is to remain concrete as currently constructed or sod as indicated on the proposed site plan. We noted that special attention should be given to the direction of drainage from the concrete patio if it is to remain to not adversely impact the adjacent neighbour(s).





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit application under file SEC UNIT 20-1051. Based on review of the information currently available for this building permit, the variances, as requested are correct.

Our comments are based on the plans received by Zoning staff on 8/2/2020 for the above captioned building permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: Brian Bonner – Zoning Examiner

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the January 14th, 2021 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Minor Variance Applications: A-395/20, A-408/20, A-410/20, A-411/20, A-412/20, A-417/20, A-418/20, A-2/21, A-4/21, A-6/21.

Comments Prepared by: Diana Guida, Junior Planner