

City of Mississauga Department Comments

Date Finalized: 2024-04-10	File(s): A112.24
To: Committee of Adjustment	Ward: 6
From: Committee of Adjustment Coordinator	Meeting date:2024-04-18 1:00:00 PM

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, meets the requirements of Section 45(1) of the Planning Act. The applicant may wish to defer the application to ensure the accuracy of the requested variances and that additional variances are not required.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a below grade entrance proposing an interior side yard setback of 0.07m (approx. 0.29ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) in this instance.

Background

Property Address: 5430 Remington Court

Mississauga Official Plan

Character Area: East Credit Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R5-5- Residential

Other Applications: None

Site and Area Context

The subject property is located north-east of the Bristol Road West and Creditview Road intersection in the East Credit Neighbourhood. It is an interior lot containing a two-storey detached dwelling with an attached garage. Limited landscaping and vegetative elements are present on the subject property. The property has an approximate area of +/- 539.67m² (5,808.95ft²), characteristic of lots in the area. The surrounding context is predominantly residential, consisting of detached dwellings.

The applicant is proposing a below grade entrance for personal access requiring a variance for 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 are as follows:

The subject property is located in the East Credit Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, duplex, triplexes, street townhouses and other forms of low-rise dwellings with individual frontages.

The application was deferred on March 7th 2024, to allow the applicant an opportunity to work with Transportation and Works staff to address drainage concerns. Planning staff had no concerns with the proposal at the time. Staff note the applicant has worked with the Transportation and Works staff to resolve the resulting drainage issues.

City Department and Agency Comments	File:A112.24	2024/04/10	3
-------------------------------------	--------------	------------	---

As such, Planning staff reiterate comments made in their original report dated March 7th, 2024 that the proposal is appropriately located on the property, maintains access to the rear yard and does not negatively impact neighbouring properties. Through a detailed review of the application, staff are 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.

Comments Prepared by: Shivani Chopra, Planning Associate

Appendices

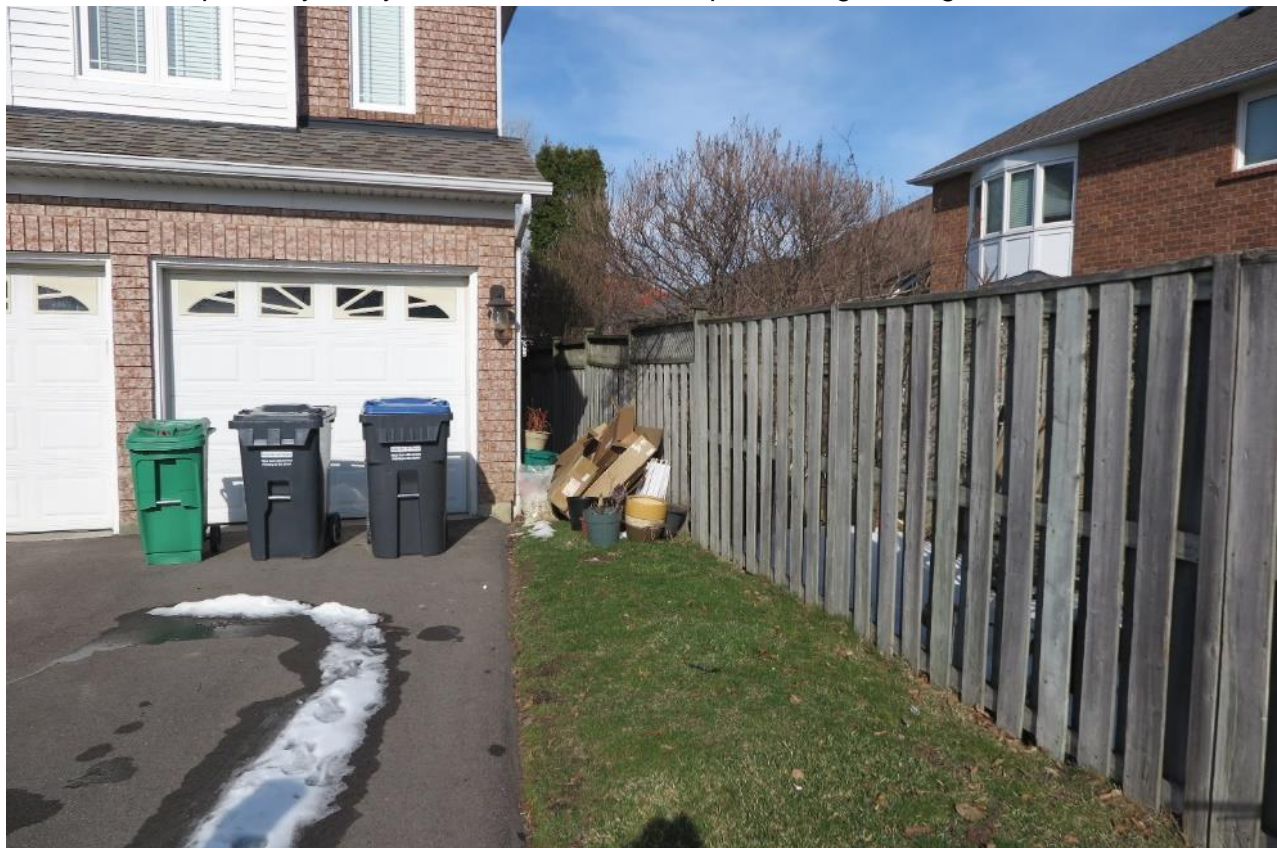
Appendix 1 – Transportation and Works Comments

Further to our previous comments submitted for the March 7, 2024 Hearing we are advising that we have no objections or requirements to the applicant's request to permit the construction of the below grade entrance proposing an interior side yard setback of 0.07 M.

In our previous comments we had noted that from our site inspection, the attached photos and the survey plan submitted that this was not your typical lot where there is another property immediately abutting the side yard. In this instance there are 4 other lots (Lots 148 to 151, Plan 43M-1172) which abut the side yard. We reviewed Grading Plan (Plan C-33818) approved for this property under Registered Plan of Subdivision 43M-1172 which indicates that the drainage from the side yard, along with the 4 abutting properties was designed to flow into the catchbasin located on Lot 148 (Plan 43M-1172).

We have discussed this application with the applicant and they are aware that some very minor regrading will be required in the area in the front of the below grade entrance to ensure that there will be no drainage impacts on the abutting property.

Comments Prepared by: Tony Iacobucci, T&W Development Engineering





Appendix 2 – Zoning Comments

We note that a Building Permit is required. In the absence of a Building Permit we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed.

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.

Comments Prepared by: Minan Song, Planner in Training