

City of Mississauga

Memorandum:

City Department and Agency Comments

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| Date Finalized: 2021-02-24 To: Committee of Adjustment From: Committee of Adjustment Coordinator | File(s): A60.21 Ward: 7 |
| | Meeting date: 2021-03-04 1:00PM |

Consolidated Recommendation

The City has no objection to the variance as requested. 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 the construction of a basement entrance proposing:

1. A stairwell to facilitate a below grade entrance in the front yard whereas By-law 0225-2007, as amended, does not permit a stairwell to facilitate a below grade entrance in the front yard in this instance; and
2. A pedestrian entrance facing a street to facilitate a second unit whereas By-law 0225-2007, as amended, does not permit a pedestrian entrance facing a street to facilitate a second unit in this instance.

Background

Property Address: 2344 Kenbarb Road

Mississauga Official Plan

Character Area: Cooksville Neighbourhood (West)
Designation: Residential Low Density I

Zoning By-law 0225-2007

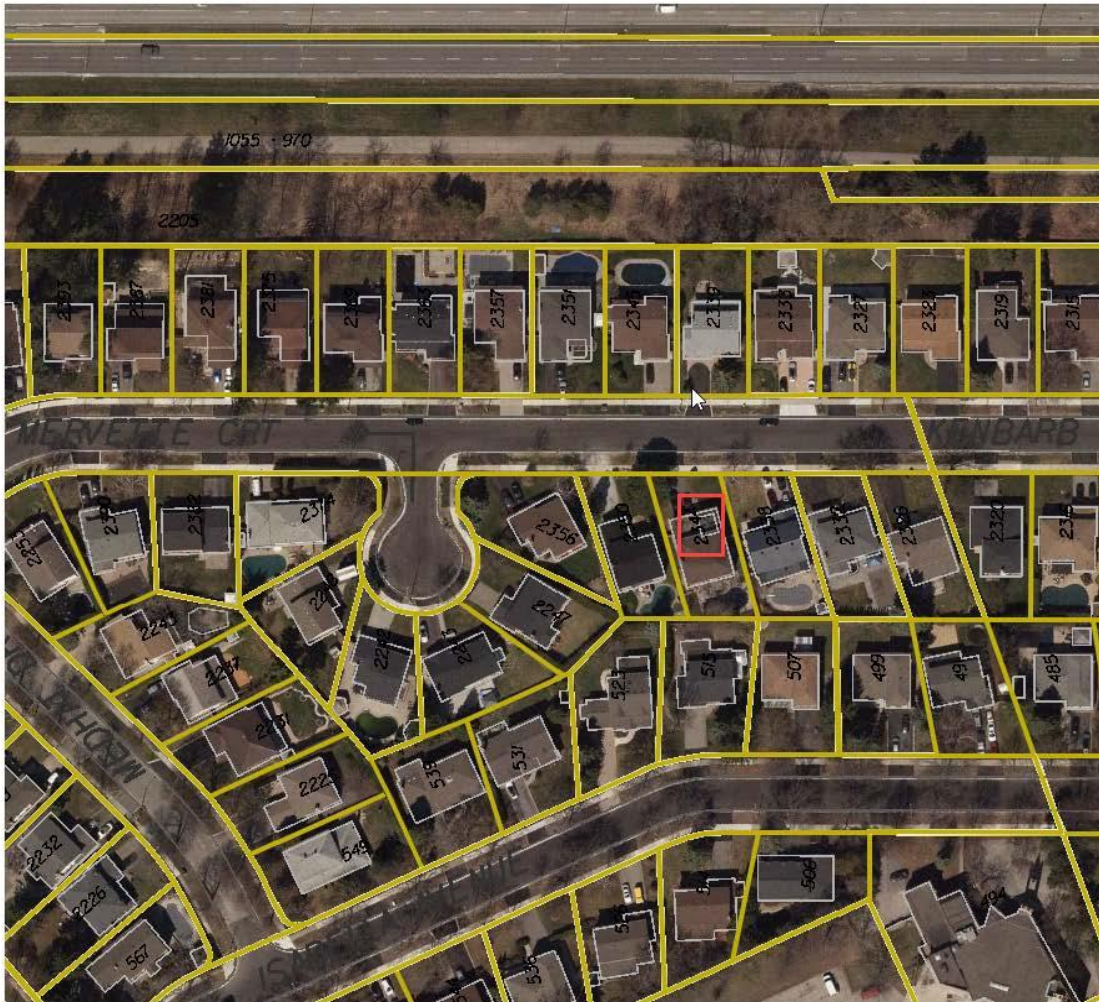
Zoning: R2 - Residential

Other Applications: SEC UNIT 20-4340 SU

Site and Area Context

The subject property is located south-east of the Stavebank Rd and Queensway W. intersection. The property is an interior parcel with a lot area of +/- 711.58m² and a lot frontage of +/- 18.9m. Currently the property houses a two-storey, detached dwelling with mature vegetation and landscape elements within the front and rear yards. Contextually, the area is comprised primarily of two-storey detached dwellings that possess lot frontages +/-18.0m and mature vegetation and landscape elements in the front yards.

The applicant is proposing a secondary unit that requires variances for a stairwell to a below grade entrance and a secondary unit entrance facing the street.



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 located within the Cooksville Neighbourhood character area and designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached dwellings; semi-detached dwellings and duplex dwellings. 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. The proposed secondary unit is permitted within this designation; Staff is of the opinion that the general intent and purpose of the official plan is maintained.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

The intent of the by-law in prohibiting a below grade entrance in the front yard and facing a street is to prevent a negative visual impact to the overall streetscape. While the proposed entrance faces the street, the proposed is located within an existing portico that sufficiently screens the entranceway. Additionally, the property possesses existing landscape elements that provide a visual buffer between the proposed entrance and streetscape, softening the impact. Staff are of the opinion that this deviation from the by-law can be supported based on existing built conditions of the portico and landscaping. Staff note that in the absence of a Second Unit or Building Permit application Staff are unable to verify the accuracy of the requested variances, or determine whether additional variance(s) will be required. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

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

The proposed secondary unit entrance is sufficiently screened and will not impact the streetscape. Planning Staff are of the opinion that this application represents the orderly development of the lands, and is minor in nature.

Conclusion

The City has no objection to the variance as requested. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Comments Prepared by: Brooke Herczeg RPP, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting that the location of the proposed basement entrance will not alter the existing grading and drainage pattern for this property.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to confirm the accuracy of the requested variance(s) or determine whether additional variance(s) may be required.

The applicant is advised that a completed zoning review may identify additional instances of zoning non-compliance. The applicant may consider applying for a preliminary zoning review application and submit working drawings for a detailed zoning review to be completed. A minimum of 6-8 weeks will be required to process a preliminary zoning review application depending on the complexity of the proposal and the detail of the information submitted.

Comments Prepared by: Brandon Eidner, Zoning Examiner

Appendix 5 – Region of Peel Comments

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| City Department and Agency Comments | File:A60.21 | 2021/02/24 | 8 |
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We have no comments or objections to the following applications:

Minor Variance Applications: A-30/21, A-54/21, A-56/21, A-57/21, A-59/21, A-60/21, A-62/21, A-64/21, A-66/21.

Comments Prepared by: Diana Guida, Junior Planner