

City of Mississauga Department Comments

Date Finalized: 2021-09-29	File(s): A372.21 Ward 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-10-07 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred to allow the applicant to relocate the proposed stairs.

Application Details

The applicant requests the Committee to approve a minor variance to allow a basement entrance in a front yard whereas By-law 0225-2007, as amended, does not permit a basement entrance in a front yard in this instance.

Amendments

The applicant requests the Committee to approve a minor variance to allow a stairwell to facilitate below grade entrance in an exterior side yard whereas By-law 0225-2007, as amended, does not permit a stairwell to facilitate below grade entrance in an exterior side yard in this instance.

Background

Property Address: 7319 Bellshire Gate

Mississauga Official Plan

Character Area: Meadowvale Village Neighbourhood
Designation: Residential Medium Density

Zoning By-law 0225-2007

Zoning: RM5-16 - Residential

Other Applications: BP 9ALT 21-7301**Site and Area Context**

The subject property is located north-east of the Derry Road West and Creditview Road intersection in the Meadowvale Village neighbourhood. It is a corner property with the exterior side yard facing Levi Creek Public School and Saint Barbara Elementary School across the street. The property contains a two storey townhouse dwelling with an attached garage and some vegetation and landscaping elements in both the front and rear yards. The surrounding context includes a mix of townhouse, semi-detached, and detached dwellings on lots of various sizes.

The applicant is proposing a below grade entrance requiring a variance for a stairwell in the exterior side 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 subject property is located in the Meadowvale Village Neighbourhood Character Area and is designated Residential Medium Density in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits semi-detached and townhouse 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 intent of the Zoning By-law in limiting stairwells in the exterior side yard is to ensure that the visual integrity of the streetscape is maintained. The applicant is proposing the stairwell in a location that, in the opinion of staff, is not sufficiently screened by vegetation or a fence to mitigate its impact on the streetscape. The visibility of the stairwell from the street is neither desirable nor appropriate.

Given the above staff are of the opinion that the application, as submitted, does not meet the four tests of a minor variance. Staff recommend that the application be deferred in order to relocate the proposed stairwell.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

As the subject lot this is a corner lot, this department foresees no drainage related concerns with the location of the proposed pedestrian entrance.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file BP 9ALT 21-7301. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

The applicant requests the Committee to approve a minor variance to allow a stairwell to facilitate below grade entrance in an exterior side yard whereas By-law 0225-2007, as amended, does not permit a stairwell to facilitate below grade entrance in an exterior side yard in this instance.

Please note that comments reflect those provided through the above permit application and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Alana Zheng, Zoning Examiner