

City of Mississauga Department Comments

Date Finalized: 2021-10-20	File(s): A436.21 Ward 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-10-28 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

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

Background

Property Address: 1 Oakington Place

Mississauga Official Plan

Character Area: Streetsville Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3 - Residential

Other Applications: None

Site and Area Context

The subject property is located north-east of the Kenninghall Boulevard and Falconer Drive intersection in the Streetsville neighbourhood. It is a corner property with frontage onto both Falconer Drive and Oakington Place. The property currently contains a two storey detached

dwelling with an attached garage and limited vegetation in both the front and rear yards. The surrounding context includes a mix of detached, semi-detached, and townhouse dwellings.

The applicant is proposing a below grade entrance requiring a variance for its location in the front 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 Streetsville Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached 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 below grade entrance in the front yard. We do note from our site inspection that a safety railing should be installed around the existing below grade entrance as opposed to planters/ cedar hedge.





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