

City of Mississauga Department Comments

Date Finalized: 2022-05-04	File(s): A228.22 Ward 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-05-12 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an escape window well with a rear yard setback of 6.77m (approx. 22.21ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 6.89m (approx. 22.60ft) in this instance.

Background

Property Address: 7429 Saint Barbara Blvd

Mississauga Official Plan

Character Area: Meadowvale Village Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM2-33 - Residential

Other Applications: SEC UNIT 21-8600

Site and Area Context

The subject property is located north-east of the McLaughlin Road and Panhellenic Drive intersection in the Meadowvale Village neighbourhood. It currently contains a two-storey semi-detached dwelling with an attached garage. Limited landscaping and vegetative elements are

present in both the front and rear yards. The property has a lot area of 229.5m² (2,470.3ft²) which is characteristic of the area. The surrounding context is residential, consisting of a mix of semi-detached and detached dwellings. The property abuts the municipal border with Brampton and a hydro corridor to the north.

The applicant is proposing to construct a window well requiring a variance for rear 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 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 in the Meadowvale Village Neighbourhood Character Area and is designated Residential Low Density II in Section 10 of the Mississauga Official Plan (MOP). Section 9 of the MOP promotes development (including its elements such as driveways) 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 window well is appropriately sized and located for the property and will have no impacts on the surrounding context or streetscape. Staff are satisfied that the general intent and purpose of the official plan is therefore maintained.

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

The intent of the rear yard regulations are to ensure an appropriate buffer between the massing of structures on adjoining properties is maintained and that a sufficient rear yard amenity area is provided for the dwelling. The proposed window well presents no massing concerns and does not significantly impact the rear yard amenity space. Staff are therefore of the opinion that the general intent and purpose of the zoning by-law is maintained in this instance.

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

Planning staff are satisfied that the proposed window well represents appropriate development of the subject property. It creates no massing concerns to abutting properties or the streetscape, and in the opinion of staff is minor in nature.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We note that the Transportation and Works Department has no objections to the proposed construction of the escape window well as it will not impact or 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 currently processing a Building Permit under file SEC UNIT 21-8600. Based on review of the information currently available in this permit application, the variance, as requested is correct.

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: Maria Fernandez, Zoning Examiner