

City of Mississauga Department Comments

Date Finalized: 2022-08-17	File(s): A373.22 Ward: 7
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-08-25 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 permit the construction of a below grade entrance proposing:

1. A below grade stairwell in the front yard whereas By-law 0225-2007, as amended, does not permit a below grade stairwell in the front yard in this instance;
2. A second unit entrance facing a street whereas By-law 0225-2007, as amended, does not permit a second unit entrance facing a street in this instance;
3. A front yard setback to a below grade stairwell of 7.80m (approximately 25.59ft) whereas By-law 0225-2007, as amended, requires a front yard setback to a below grade stairwell of 9.00m (approximately 29.52ft) in this instance;
4. An interior side yard setback to a second floor addition of 1.83m (approximately 6.00ft) whereas By-law 0225-2007, as amended, requires an interior side yard setback to a second floor addition of 2.41m (approximately 7.91ft) in this instance;
5. An interior side yard setback to a second floor eaves overhang of 1.42m (approximately 4.66ft) whereas By-law 0225-2007, as amended, requires an interior side yard setback to a second floor eaves overhang of 1.96m (approximately 6.43ft) in this instance; and
6. An interior side yard setback to a balcony of 1.83m (approximately 6.00ft) whereas By-law 0225-2007, as amended, requires an interior side yard setback to a balcony of 2.41m (approximately 7.91ft) in this instance.

Amendments

We advise that the following variances be amended as follows:

3. A front yard setback to a below grade stairwell of 7.79m (approximately 25.56ft) whereas By-law 0225-2007, as amended, requires a front yard setback to a below grade

stairwell of 9.00m (approximately 29.52ft) in this instance;

6. An interior side yard setback to a balcony located in the front yard of 1.83m (approximately 6.00ft) whereas By-law 0225-2007, as amended, requires an interior side yard setback to a balcony located in the front yard of 2.41m (approximately 7.91ft) in this instance.

Background

Property Address: 2262 Medhat Drive

Mississauga Official Plan

Character Area: Cooksville Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

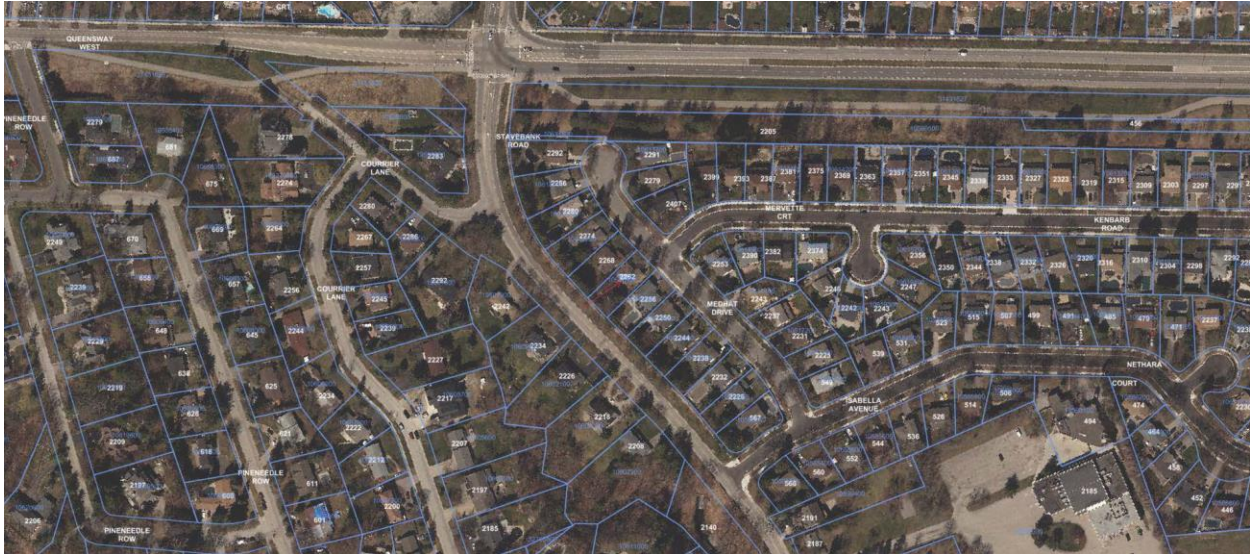
Zoning: R2 - Residential

Other Applications: PREAPP 22-1927

Site and Area Context

The subject property is located south-east of the Queensway West and Stavebank Road intersection. While the property fronts onto Medhat Drive, the rear property line abuts Stavebank Road. The property currently contains a two-storey detached dwelling with a lot frontage of +/- 18.29m (60.01ft). Some mature vegetation is present in both the front and rear yards of the subject property. The surrounding area context is predominantly residential, consisting of detached homes on lots of varying sizes.

The applicant is proposing an addition and below grade entrance requiring variances for the entrance location and setback, as well as setbacks to the addition.



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 only detached dwellings in this instance. 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.

While staff have no objections to variances 4, 5 & 6 as they relate to the proposed addition, staff have concerns surrounding variances 1, 2 & 3 to facilitate the below grade entrance in the front yard. The intent of the zoning by-law in limiting stairwells in the front and exterior side yards is to ensure that the visual integrity of the streetscape is maintained. The applicant is proposing the stairwell in the front yard which, in the opinion of staff, is not sufficiently screened to mitigate its impact on the streetscape and is not compatible with the surrounding context. The visibility of the stairwell from the street is neither desirable nor appropriate, and staff therefore recommend that the application be deferred in order to allow the applicant to relocate the proposed entrance.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We note that the location of the proposed below grade entrance 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 Preliminary Zoning Review application under file PREAPP 22-1927. Based on review of the information currently available in this permit application, variances # 1, 2, 4 and 5, as requested are correct.

Furthermore, we advise that the following variances be amended as follows:

3. A front yard setback to a below grade stairwell of 7.79m (approximately 25.56ft) whereas By-law 0225-2007, as amended, requires a front yard setback to a below grade stairwell of 9.00m (approximately 29.52ft) in this instance;

6. An interior side yard setback to a balcony located in the front yard of 1.83m (approximately 6.00ft) whereas By-law 0225-2007, as amended, requires an interior side yard setback to a balcony located in the front yard of 2.41m (approximately 7.91ft) 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: Brandon Eidner, Zoning Examiner