

City of Mississauga Department Comments

Date Finalized: 2022-10-26	File(s): A490.22 Ward: 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-11-03 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 an existing below grade stairwell with a side yard setback of 0.68m (approx. 2.23ft), whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.20m (approx. 3.93ft) in this instance.

Background

Property Address: 6510 Saratoga Way

Mississauga Official Plan

Character Area: Lisgar Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R5 - Residential

Other Applications: BP 9ALT 21-10001

Site and Area Context

The subject property is located south-east of the Doug Leavens Boulevard and Ninth Line intersection in the Lisgar neighbourhood. It is an interior lot and currently contains a detached dwelling with an attached garage. The property has a lot frontage of +/- 10.6m (34.8ft), consistent with the abutting detached properties. The area context includes a mix of detached

and semi-detached dwellings on varying sized lots, as well as vacant lands across Ninth Line. Limited vegetation and landscaping elements are present in both the front and rear yards.

The applicant is proposing a below grade entrance requiring a variance for side 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:

The subject property is located in the Lisgar Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). 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 submitted site plan drawing does not appear to accurately or appropriately represent the existing or proposed conditions. The as built entrance appears to have a 0 metre setback, and staff are concerned that the existing roof over the entrance may encroach onto the abutting property. Furthermore Transportation and Works staff are unable to fully review the proposal's impact on drainage due to the discrepancy. Planning staff therefore recommend that the application be deferred to allow the applicant to submit drawings reflecting the as built condition.

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Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's reference are photos which depict the existing stairwell entrance, as constructed. From our site inspection and the photos it is clearly evident that the as-constructed below grade entrance does not accurately reflect the variance requested for a 0.68M setback nor the information depicted on Site Plan DWG: A01 submitted with the application.

The Site Plan submitted depicts the entrance stairwell stairs in a different location then the as constructed stairwell. The Site Plan also indicates that the stairwell will be in alignment with the rear of the garage wall, however from the photos it is clear that this area is only approximately 1 foot in width.

Accessibility to the location should also be questioned as there is very limited space between the garage wall and property line.

Upon the re submission of the correct information this section will comment on the grading and drainage concerns associated with the proposal which will also include comments pertaining to the downspouts of both the subject and neighbour's which are in very close proximity and directed in the direction of the existing below grade stairwell.







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 21-10001. 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: Alana Zheng, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

The Park Planning Section of the Community Services Department has no objections to the above noted minor variance application and advises as follows:

Should the application be approved, Community Services provides the following notes:

1. The lands adjacent of the subject property are owned by the City of Mississauga, known as Cordingley Park (P-364).
2. If future construction is required, access from the adjacent park/greenlands is not permitted.
3. If access is required to City owned lands, a Consent to Enter Agreement/Park Access Permit will be required.
4. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.

Should further information be required, please contact Nicholas Rocchetti, Park Planning Assistant, Community Services Department at 905-615-3200 ext. 4659 or via email Nicholas.Rocchetti@mississauga.ca.

Comments Prepared by: Nicholas Rocchetti, Park Planning Assistant

Appendix 4 - Region of Peel

Development Engineering: Camila Marczuk (905) 791-7800 x8230

Comments: Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at siteplanservicing@peelregion.ca

Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Region of Peel Site Servicing connection approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at siteplanservicing@peelregion.ca

Comments Prepared by: Patrycia Menko, Junior Planner