

City of Mississauga Department Comments

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| Date Finalized: 2023-02-01 | File(s): A734.22 |
| To: Committee of Adjustment | Ward: 9 |
| From: Committee of Adjustment Coordinator | Meeting date:2023-02-09 1:00:00 PM |

Consolidated Recommendation

The City has no objections to the application, as amended.

Application Details

The applicant requests the Committee to approve a minor variance to allow a below grade entrance proposing:

1. A second unit landing height of 0.36m (approx. 1.18ft) whereas By-law 0225-2007, as amended, permits a maximum second unit landing height of 0.30m (approx. 0.98ft) in this instance and,
2. A window well encroachment into the interior side yard of 0.35m (approx. 1.15ft) whereas By-law 0225-2007, as amended, permits a maximum window well encroachment into the interior side yard of 0.59m (approx. 1.94ft) in this instance.

Amendments

Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

1. An uncovered porch to facilitate entry into a second unit with a height of 0.36m (approx. 1.18ft) whereas By-law 0225-2007, as amended, permits an uncovered porch to facilitate entry into a second unit with a maximum height of 0.30m (approx. 0.98ft) in this instance and,
2. An interior side yard setback to a window well of 0.35m (approx. 1.15ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 0.59m (approx. 1.94ft) to a window well located in the interior side yard, in this instance.

Background

Property Address: 3121 Kilbride Cres

Mississauga Official Plan

Character Area: Meadowvale Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

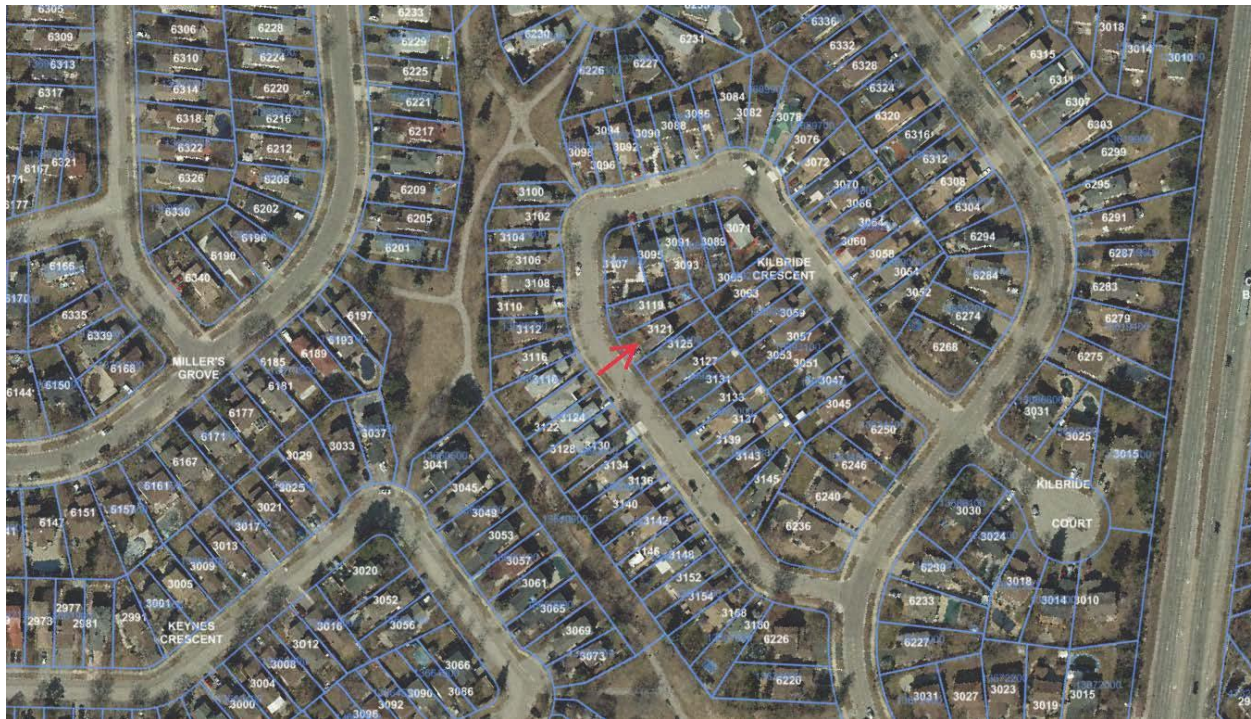
Zoning: RM1-5 - Residential

Other Applications: BP 9ALT 22-4714

Site and Area Context

The subject property is located north-west of the Winston Churchill Boulevard and Britannia Road West intersection in the Meadowvale neighbourhood. It currently contains a two-storey detached dwelling with an attached garage. Limited landscaping and vegetative elements are present in both the front and rear yards. The property has an approximate lot area of +/- 390.66m² (4,205ft²), which is characteristic of surrounding lots. The surrounding area is exclusively residential, consisting of detached dwellings on lots of generally similar sizes. Semi-detached dwellings are present in the larger area context.

The applicant is proposing a second unit requiring variances for side yard setback to a window well and height of a porch serving the second entrance.



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 Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached and duplex 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. Planning staff are satisfied that the proposal will have no impacts to the streetscape or the surrounding context in general. Staff are therefore of the opinion that the general intent and purpose of the official plan are maintained.

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

Variance 1 requests relief from the provisions regarding a porch servicing an entrance to a second unit. The intent of these regulations are to ensure that a landing can be appropriately sized while not impacting privacy and allowing for appropriate setbacks. The proposed increase in height of 6cm (approx. 2in) is exceedingly minor and will have no impacts to privacy, massing, or drainage.

Variance 2 requests a reduced side yard measured to a window well. The general intent of side yard regulations in the by-law is to ensure that: an adequate buffer exists between the massing of primary structures on adjoining properties, appropriate drainage can be provided, and access to the rear yard remains unencumbered. Staff note that the window well will not create any additional massing that could impact abutting properties. Furthermore no drainage concerns have been raised by City staff and access to the rear of the property is maintained on the opposite side of the dwelling.

Given the above, Planning staff are satisfied that the application maintains the general intent and purpose of the zoning by-law.

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

Planning staff are satisfied that the variances, both individually and cumulatively, are minor in nature. There will be no significant impacts to the streetscape or abutting property, and the proposal represents desirable development of the subject property.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference are photos depicting the subject property.





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 22-4714. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

1. An uncovered porch to facilitate entry into a second unit with a height of 0.36m (approx. 1.18ft) whereas By-law 0225-2007, as amended, permits an uncovered porch to facilitate entry into a second unit with a maximum height of 0.30m (approx. 0.98ft) in this instance and,
2. An interior side yard setback to a window well of 0.35m (approx. 1.15ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 0.59m (approx. 1.94ft) to a window well located in the interior 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: Brandon Eidner, Zoning Examiner

Appendix 3 – Region of Peel

Minor Variance Application: A-734/22, 3221 Killbride Crescent

Servicing: 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 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.

Comments Prepared by: Patrycia Menko – Junior Planner, Planning and Development Services