

City of Mississauga Department Comments

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| Date Finalized: 2023-07-19 | File(s): A218.23 |
| To: Committee of Adjustment | Ward: 5 |
| From: Committee of Adjustment Coordinator | Meeting date:2023-07-27 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 a below grade stairwell proposing to permit a below grade stairwell (pedestrian entrance) facing the street to facilitate a second unit whereas By-law 0225-2007, as amended, does not allow a second entrance facing a street in this instance.

Background

Property Address: 7525 Catalpa Road

Mississauga Official Plan

Character Area: Malton NHD
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM1 - Residential

Other Applications: SEC UNIT 22-4333

Site and Area Context

The subject property is located south-west of the Goreway Drive and Brandon Gate Drive intersection in the Malton neighbourhood. It is an interior lot that contains a semi-detached dwelling with no garage. Limited landscaping/vegetative elements are present in the front and

rear yards. The surrounding area context is predominantly residential, consisting of two-storey semi-detached dwellings on similarly sized lots and detached dwellings on larger lots. Townhouse dwellings are also present, abutting the subject property to the east.

The applicant is proposing a below grade entrance facing the street for access to a planned secondary unit.



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 Malton 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, duplex and triplex dwellings, street townhouses as well as other low-rise dwellings with individual frontages. Section 9 of the MOP promote development with appropriate urban form and site design, regulating that such development is compatible with existing site conditions, the surrounding context, and the landscape of the character area. Staff are satisfied that the proposal does not significantly alter the existing dwelling. The proposed development is compatible with both the existing site conditions and the surrounding context, and therefore maintains the general intent and purpose of the official plan.

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

The requested variance relates to a below grade entrance. The intent of the by-law in prohibiting a below grade entrance from facing a street is to prevent any negative visual impact to the overall streetscape. In this instance, staff note the proposed entrance is located below the porch and is not visible to the street thereby limiting any potential impact. Furthermore, the positioning of the access stairs faces the side lot line away from the street rather than the front yard. Staff are therefore 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?

Staff are satisfied that the application is minor in nature. The proposed entrance will not have significant impacts on streetscape.

Comments Prepared by: Daniel Grdasic, 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 below grade entrance 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 an application under file SEC UNIT 22-4333. Based on review of the information currently available in this application, the variances, as requested are 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: Gary Gagnier; Zoning Examiner

Appendix 3 – Region of Peel

Minor Variance: A-23-218M - 7525 Catapla Road

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

Comments:

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- 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: Ayooluwa Ayoola, Junior Planner