

City of Mississauga Department Comments

Date Finalized: 2023-09-13	File(s): A361.23
To: Committee of Adjustment	Ward: 11
From: Committee of Adjustment Coordinator	Meeting date:2023-09-21 3:30:00 PM

Consolidated Recommendation

The City recommends the application be deferred.

Application Details

The applicant requests the Committee to approve a minor variance to allow a below grade stairwell to facilitate an entrance below grade in the exterior side yard whereas By-law 0225-2007, as amended, does not permit a below grade entrance in the exterior side yard in this instance.

Amendments

Based on review of the information currently available in this permit application, the variances, as requested, should be amended to add the following variance:

To permit a new pedestrian entrance facing a street to facilitate a second unit; whereas By-law 0225-2007, as amended, does not permit a new pedestrian entrance facing a street to facilitate a second unit in this instance.

Background

Property Address: 7118 Village Walk

Mississauga Official Plan

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

Zoning By-law 0225-2007

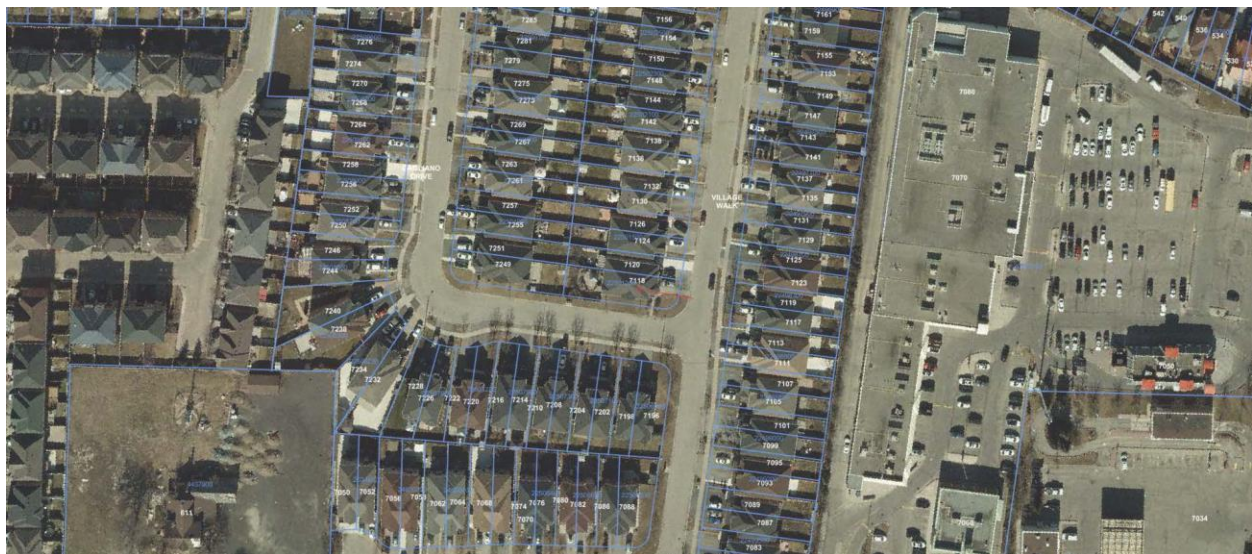
Zoning: RM5-27- Residential

Other Applications: SEC UNIT 23-8226

Site and Area Context

The subject property is located north-west of the Derry Road West & McLaughlin Road intersection in the Meadowvale Village Neighbourhood. It currently contains a semi-detached dwelling with an attached garage. The property is a corner lot and has some vegetation and landscaping elements in the front and exterior side yard. The surrounding area consists of detached dwellings, semi-detached dwellings and townhomes. Further, a commercial plaza is located to the east.

The applicant is proposing a below grade entrance requiring a variance for the location of the below grade entrance in the exterior side yard.



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 Churchill Meadows Neighbourhood Character Area and is designated Residential Medium Density 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.

While staff have no concerns with the location of the proposed below grade stairwell, staff note the proposed stairs are not screened from the streetscape view in any way. This creates impact to the streetscape that staff cannot support and does not maintain the character of the surrounding context.

Staff therefore recommends that the application be deferred in order to allow the applicant to confirm the required variances and either appropriately screen or relocate the proposed entrance.

Further, while Planning staff are not in a position to interpret the zoning by-law, staff note a variance appears to be required for driveway width of 6m or greater, whereas 5.2m is required.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

As the subject lot this is a corner lot and the below grade entrance is being proposed in an area which will not impact the existing drainage pattern or any of the adjacent properties, we have no drainage related concerns with the location of the below grade entrance.

Acknowledging that the existing widened driveway was constructed several years ago, we do note that the existing curb cut does not reflect a curb cut which would have been done by an approved City of Mississauga application process.







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 23-8226. Based on review of the information currently available in this permit application, the variances, as requested, should be amended to add the following variance:

To permit a new pedestrian entrance facing a street to facilitate a second unit; whereas By-law 0225-2007, as amended, does not permit a new pedestrian entrance facing a street to facilitate a second unit 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: Sibila Lass Weldt, Zoning Examiner

Appendix 3 – Region of Peel

Minor Variance: A-23-361M / 7118 Village Walk

Development Engineering: Brian Melnyk (905)-791-7800 x3602

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.
- All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel design specifications. 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