

City of Mississauga Department Comments

Date Finalized: 2024-01-04	File(s): A4.24
To: Committee of Adjustment	Ward: 11
From: Committee of Adjustment Coordinator	Meeting date:2024-01-11 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 entrance proposing a below grade stairwell located in a front yard with a setback of 5.19m (approx. 17.03ft) whereas By-law 0225-2007, as amended, does not permit a below grade stairwell in a front yard in this instance.

Background

Property Address: 116 Vista Blvd

Mississauga Official Plan

Character Area: Streetsville Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R2-50- Residential

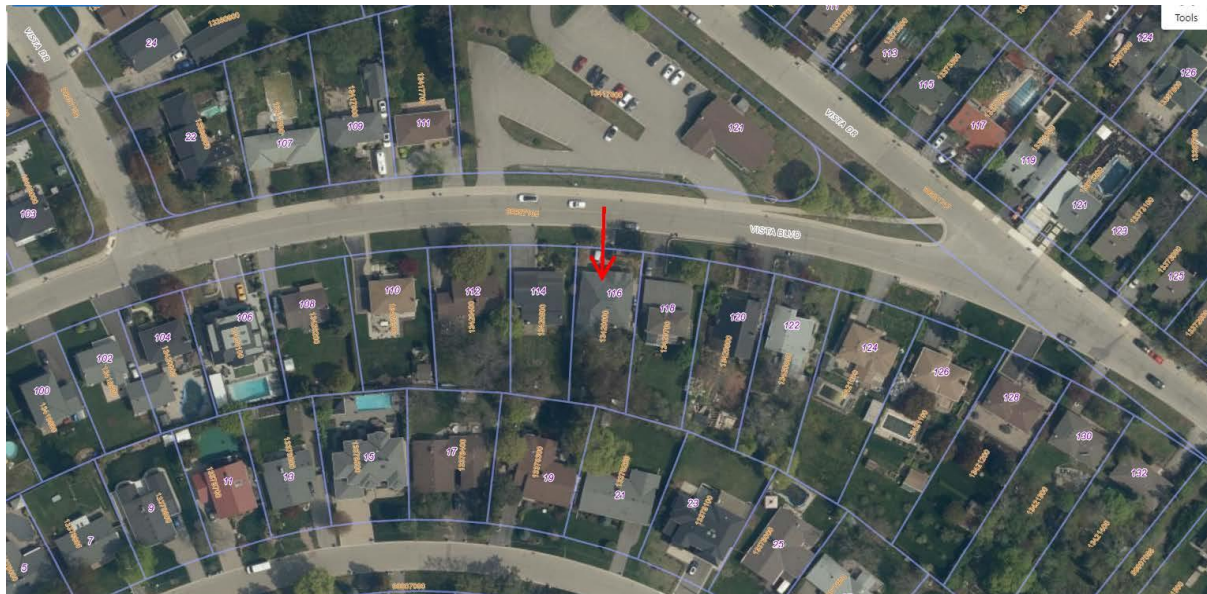
Other Applications: BP 9ALT 23-9826

Site and Area Context

The subject property is located north-east of the Thomas Street and Erin Mills Parkway intersection in the Streetsville Neighbourhood Character Area. It is an interior lot and currently contains a two-storey detached dwelling with an attached garage. The subject property has a lot

area of 753.37m² (8,109.20ft²) and a lot frontage of 17.99m (59.02ft). Mature vegetation and limited landscaping elements exist in both the front and rear yards. The surrounding context is exclusively residential, consisting of detached dwellings on lots of varying sizes. Additionally, the Streetsville Baptist Church is located directly across the street from the subject property.

The applicant is proposing the construction of a below grade stairwell in the front yard requiring a variance for the location of the below grade stairwell.



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 within the Streetsville Neighbourhood Character Area and is designated Residential Low Density I 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. The proposed dwelling conforms to the designation and staff are of the opinion that the proposal appropriately balances the planned character of the area

and the existing built form of the surrounding context. Staff are satisfied 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?

The proposed variance relates to a below grade entrance in the front yard. The intent of the zoning by-law in limiting stairwells in the front yard is to ensure the visual integrity of the streetscape is maintained. The applicant is proposing the stairwell in the front yard which can be sufficiently screened by the existing vegetation and incorporated into the design of the dwelling, mitigating its impact on the streetscape. Furthermore, the grade of the property assists in mitigating the below grade entrance's impact on the streetscape, as it appears as an extension of the existing front porch. Staff note the below grade entrance is appropriate and compatible with the surrounding context. Staff are satisfied that the proposal maintains the general intent and purpose of the zoning by-law.

While planning staff are not in a position to interpret the zoning by-law, staff note the setback variance to the front lot line for the below grade entrance may not be required. The only variance required is for the location of the below grade stairwell in the front yard.

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

The request as proposed represents appropriate development of the lands. It is the opinion of staff that the proposal represent no significant impacts to surrounding properties and is appropriate in the context of the neighbourhood. The variances are minor in nature.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

The Transportation and Works Department has no objections to the proposed below grade entrance in the front yard. From our site inspection and enclosed photos it is evident that there is a significant grade differential in the area of the proposed stairwell where the land slopes towards the driveway located on the abutting property. In this regard, we would recommend that special attention should be given to any regrading in this area to lessen the drainage currently being directed to the abutting property. We note that some minor regrading may be required in the front yard area to redirect some of the drainage towards the roadway.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application BP 9ALT 23-9826. Based on review of the information available in this application, we advise that the variances, as requested, are correct.

Please note that comments reflect those provided through the above application. These comments may no longer be valid should there be changes contained within this Committee of Adjustment application that have not been submitted and reviewed through the application noted above. The applicant must submit any changes and/or updates to information and/or drawings separately through the above application in order to receive updated comments.

Comments Prepared by: Candice Williams, Zoning Examiner

Appendix 3- Region of Peel

Minor Variance: A-24-004M / 116 Vista Blvd

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