

# City of Mississauga Department Comments

Date Finalized: 2024-03-28	File(s): A469.23
To: Committee of Adjustment	Ward: 6
From: Committee of Adjustment Coordinator	Meeting date:2024-04-04 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a secondary unit entrance proposing to allow a stairwell, located at and accessible from the first storey or below the first storey of the dwelling in an interior side yard (provided that the interior side yard setback is a minimum of 1.20 m) with a encroachment of 0.87 m (approx. 2.85 ft) whereas By-law 0225-2007, permits a maximum stairwell encroachment of 0.60 m (approx. 1.97 ft) in this instance.

## Background

**Property Address:** 751 Millworks Crescent

### Mississauga Official Plan

**Character Area:** East Credit Neighbourhood  
**Designation:** Residential Medium Density

### Zoning By-law 0225-2007

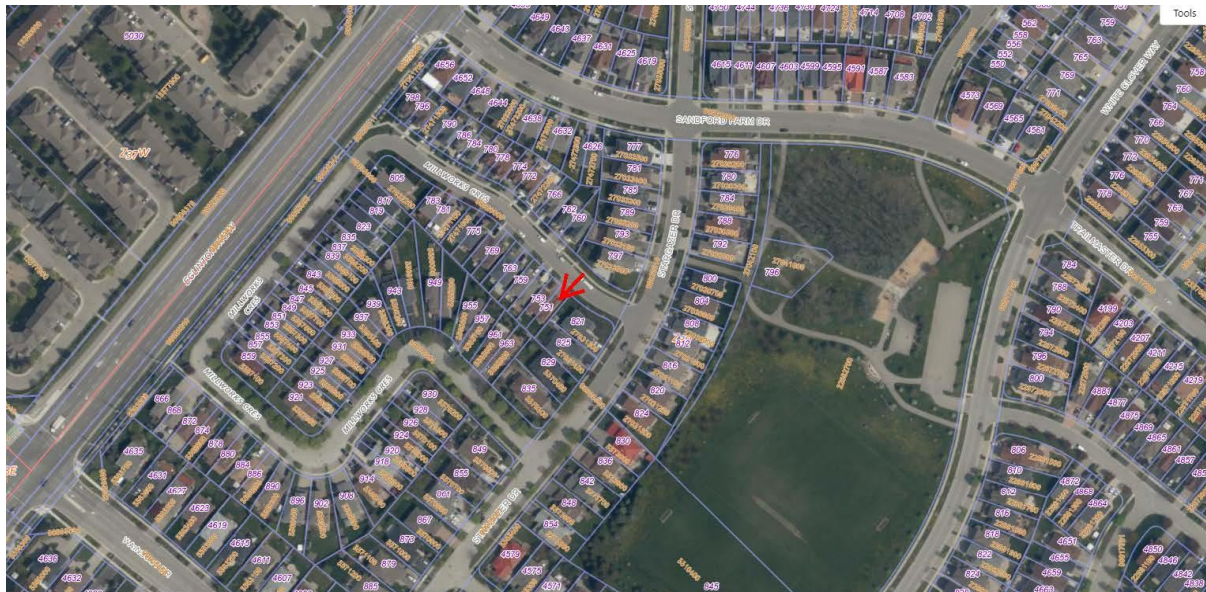
**Zoning:** RM2-49- Residential

**Other Applications:** BP 9ALT 24-540

### Site and Area Context

The subject property is located south-west of the Eglinton Avenue West and Mavis Road intersection in the East Credit neighbourhood. It is an interior lot containing a two-storey semi-detached dwelling with attached garage. Limited landscaping and vegetative elements are present on the subject property. The property has an approximate frontage of +/- 7.16m (23.49ft) and an area of +/- 221.06m<sup>2</sup> (2,379,47ft<sup>2</sup>), characteristic of lots in the area. The surrounding context is predominantly residential, consisting of two-storey detached and semi-detached dwellings.

The applicant is proposing an above grade staircase to facilitate a secondary unit requiring a variance for a stairwell encroachment.



## 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:

Staff note the application was deferred at the December 7<sup>th</sup> Committee of Adjustment Hearing to identify the correct variances. The subject property is located in the East Credit Neighbourhood Character Area and is designated Residential Medium Density in Schedule 10 of the Mississauga Official Plan (MOP).

The general intent of the encroachment regulation is to ensure that stairwells are not situated too close to property lines, an adequate buffer exists between primary structures on adjoining properties, appropriate drainage can be provided and that access to the rear yard remains unencumbered. The applicant has agreed to relocate the air conditioning unit to the rear yard to ensure access to the rear yard remains unencumbered. Staff note that the stairs are appropriately situated on the subject property. Furthermore, Transportation and Works staff have raised no drainage concerns with the site.

Staff are satisfied that the impacts of the variance are minor in nature and meet the general intent and purpose of the official plan and zoning by-law. Additionally, the proposal contributes to orderly development of the subject property.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

Should Committee see merit in the applicant's request we would recommend that the existing drainage pattern in the area of the proposed side stairwell be maintained. We note that the stairwell is being proposed in an area of the property where there will still be an adequate area to maintain a drainage swale and not alter the existing drainage pattern.

Comments Prepared by: Tony Iacobucci, T&W Development Engineering







**Appendix 2 – Zoning Comments**

The Building Department is processing Building Permit application BP 9ALT 24-540. Based on review of the information available in this application, we advise that more information is required in order to verify the accuracy of the requested variance or determine whether additional variance(s) will be required.

Please note that comments reflect those provided through the above application submitted on 02/08/2024. 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: Jeanine Benitez, Zoning Examiner

**Appendix 3 – Region of Peel**

Please apply previous comments.

Comments Prepared by: Ayooluwa Ayoola, Planner