

City of Mississauga Department Comments

Date Finalized: 2024-04-24	File(s): A194.24
To: Committee of Adjustment	Ward: 4
From: Committee of Adjustment Coordinator	Meeting date:2024-05-02 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application, subject to the condition.

Application Details

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

Amendments

The Building Department is currently processing a building permit under file SEC UNIT 24-302. Based on review of the information currently available in this permit application, the variance, as requested is correct however an additional variance indicating the following is necessary:

The applicant requests the Committee to approve a minor variance to permit a below grade entrance with a front yard setback of 8.7 metres whereas By-law 0225-2007, as amended, has no setback regulations for below grade stairs within a front yard.

Recommended Conditions and Terms

Should Committee see merit in the application, construction related to this variance shall be in general conformance with the drawings approved by the Committee.

Background

Property Address: 363 Winfield Terr

Mississauga Official Plan

Character Area: **Hurontario Neighbourhood**
Designation: **Residential Low Density II**

Zoning By-law 0225-2007

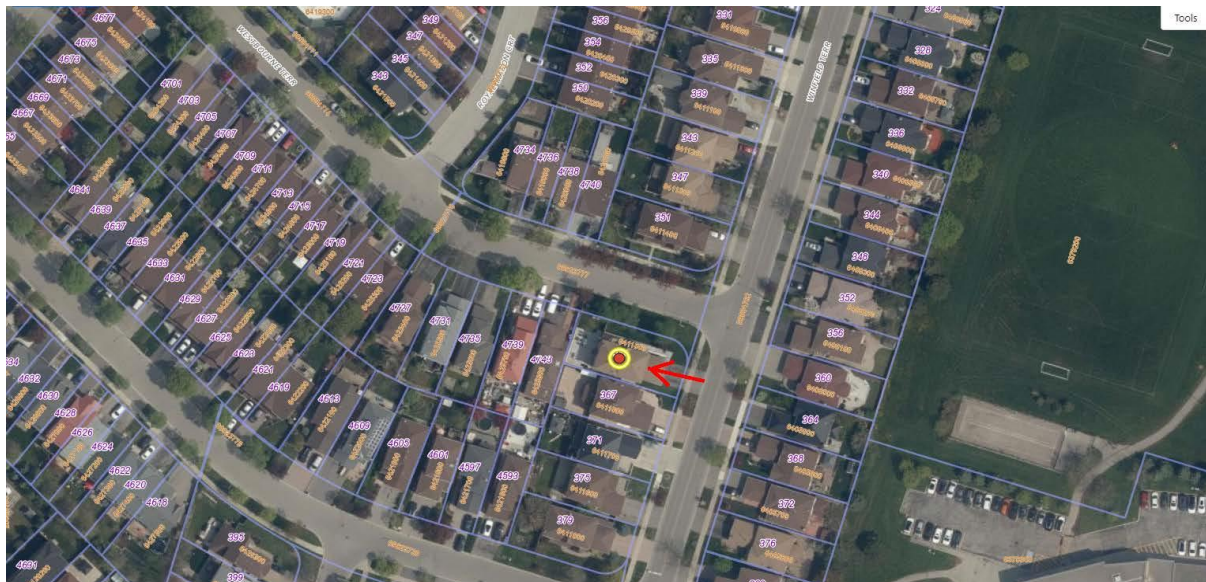
Zoning: R4-15-Residential

Other Applications: SEC UNIT 24-302

Site and Area Context

The subject property is located within the Hurontario Neighbourhood Character Area, south-east of the Eglinton Avenue West and Confederation Parkway intersection. It is a corner lot containing a two-storey detached dwelling with an attached garage. Limited landscaping and vegetative elements are present in the front yard. The property has an approximate lot area of +/- 496.40m² (5,343.20ft²), characteristic of lots in the area. The surrounding context is predominantly residential, consisting of two-storey detached and semi-detached dwellings on similarly sized lots.

The applicant is proposing to construct a below grade stairwell in the front yard to facilitate a second unit requiring variances to permit the below grade entrance in the front 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:

Does the proposal maintain the general intent and purpose of the Official Plan?

The subject property is located in the Hurontario 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 variances relate to a below grade entrance located in the front yard. The intent of the by-law in prohibiting a below grade entrance in a front yard is to prevent any negative visual impact to the overall streetscape. The subject property is a corner lot and the main entrance of the dwelling is located on the exterior side yard wall facing the flanking street, Westbourne Terrace. The proposed second entrance will be located on the front yard wall side of the dwelling but will be neatly hidden and screened by the existing attached garage on the subject property. Staff note the below grade entrance is appropriately located on the subject property and the proposed door will not be visible from the street. This will prevent any negative visual impact to the overall streetscape. 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

The below-grade entrance is being proposed in an area that will not impact the existing drainage pattern or any of the adjacent properties. In this regard, we have no drainage related concerns with the location of the below-grade entrance.





Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file SEC UNIT 24-302.

Based on review of the information currently available in this permit application, the variance, as requested is correct however an additional variance indicating the following is necessary:

The applicant requests the Committee to approve a minor variance to permit a below grade entrance with a front yard setback of 8.7 metres whereas By-law 0225-2007, as amended, has no setback regulations for below grade stairs within a front yard.

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: Tage Crooks, Planner Zoning Examination

Appendix 3 – Region of Peel

Minor Variance: A-24-194M / 363 Winfield Terrace

Development Engineering: Wendy Jawdek (905) 791-7800 x6019

Comments:

- Installation of and alterations to property line water valves require inspection by Region of Peel inspectors to confirm if these works are completed in accordance with Region of Peel Design Criteria, Standards, and Specifications.
- Proposals to connect to an existing service lateral require approval from a Region of Peel inspector at construction stage.
- Please be advised that service connection sizes shall be in compliance with the 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 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 may be required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections by email at siteplanservicing@peelregion.ca.

Comments Prepared by: Petrele Francois, Junior Planner