

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-04-21	File(s): A156.21 Ward: 9
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-29 1:00 PM

Consolidated Recommendation

The City has no objection 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 below grade entrance proposing side yard of 0.00m whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (approx. 3.94ft) in this instance.

Background

Property Address: 3202 Harris Crescent

Mississauga Official Plan

Character Area: Meadowvale Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM1-5 - Residential

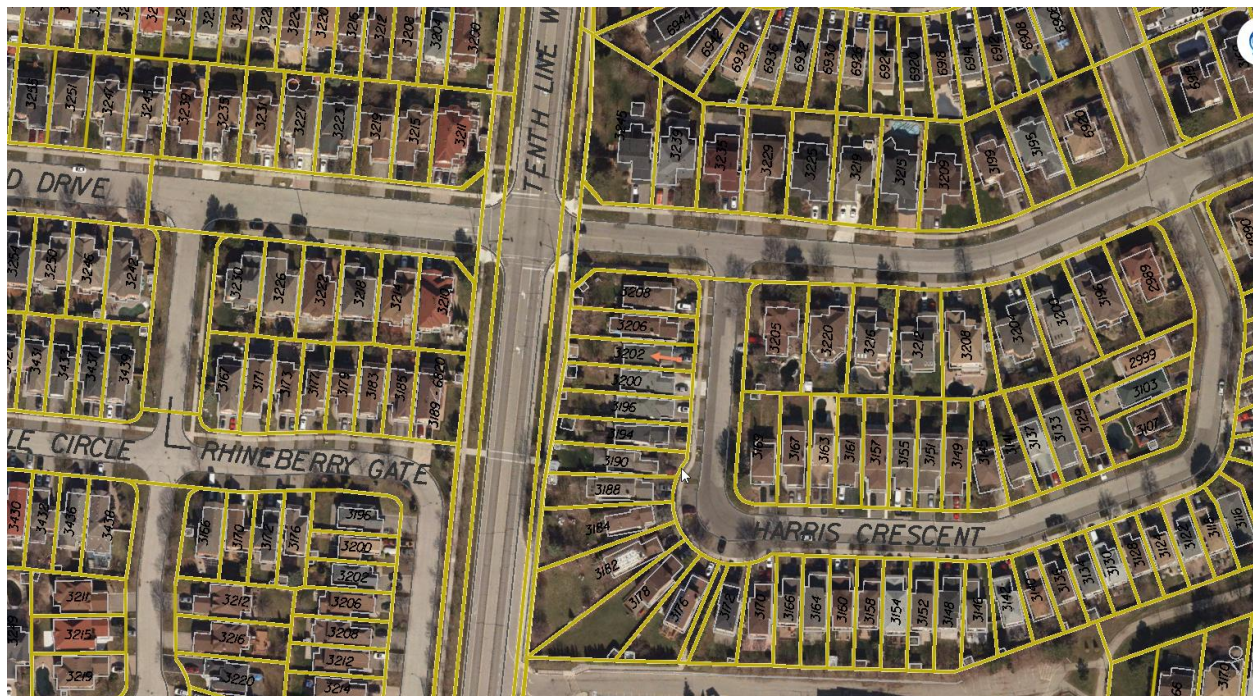
Other Applications: None

Site and Area Context

The property is located south-east of the Tenth Line W. and Vanderbilt Rd. intersection. The property is an interior parcel with a lot area of approximately +/- 393.41m² and a lot frontage of

approximately +/- 9.16m. The property currently houses a two-storey detached dwelling with minimal vegetation and landscaping elements within the front and rear yards. Contextually, the surrounding neighbourhood consists of two-storey detached homes. Properties in the immediate area possess lot frontages of +/- 9.0m, with minimal vegetation and landscape elements within the front yards.

The existing below grade entrance requires a variance for a reduced side yard setback.



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 are as follows:

The subject property is located within the Meadowvale Neighbourhood character area and designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density II designation permits detached dwellings; semi-detached dwellings, duplex dwellings triplexes, street townhouses and other forms of low-rise dwellings

with individual frontages. 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 secondary unit is permitted within this designation. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

The proposed entrance is setback from the street, located at the side of the dwelling and is screened by existing landscape elements. As the stairwell is located at a high point of the site grading, the drainage is able to be directed away from the stairwell in both directions resulting in no concerns. Furthermore the proposed grade entrance does not inhibit access to the rear yard as it remains accessible from both sides of the property. Planning staff note the absence of any true massing resulting from the proposal. Through a detailed review of the application, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Conclusion

The Planning and Building Department recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application meets the requirements of Section 45 (1) of the Planning Act.

Comments Prepared by: Brooke Herczeg RPP, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This property appears to have a split drainage pattern which means that the high point is approximately in the middle of the dwelling, the area where the entrances have been constructed. Both the applicant and the abutting property have constructed very similar below grade entrances at the same location. In the event that the abutting property has a drainage related concern, then both properties would have to work together to resolve same.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to confirm the accuracy of the requested variance(s) or determine whether additional variance(s) may be required.

The applicant is advised that a completed zoning review may identify additional instances of zoning non-compliance. The applicant may consider applying for a preliminary zoning review application and submit working drawings for a detailed zoning review to be completed. A minimum of 6-8 weeks will be required to process a preliminary zoning review application depending on the complexity of the proposal and the detail of the information submitted.

Comments Prepared by: Brandon Eidner, Zoning Examiner

Appendix 5 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner