

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-05-05	File(s): A169.21 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-05-13 1:00 PM

Consolidated Recommendation

The City has no objection to the variance, as requested. 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 a below grade entrance proposing an interior side yard setback of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) in this instance.

Background

Property Address: 268 Anthony Avenue

Mississauga Official Plan

Character Area: Hurontario Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R4 - Residential

Other Applications:

Site and Area Context

The subject property is located north-east of the Bristol Rd E and Wildwood Trail intersection. The property is an interior parcel with a lot area of +/- 377.9m² and a lot frontage of +/- 12.2m. Currently, the property houses a two-storey detached dwelling with minimal vegetation and landscape elements within the front and rear yards. Contextually, the area is comprised primarily of two-storey detached dwellings that possess lot frontages +/- 14.0m with minimal vegetation and landscape elements in the front yards.

The applicant is proposing a secondary unit that requires variances 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 Hurontario Neighbourhood character area and is 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

dwelling, duplex dwelling, triplex, street townhouse 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.

While the interior side yard setback has been reduced to 0.61m to accommodate the below grade entrance, the reduction is marginal. Access to the rear yard is available on the other side of the property and the proposed poses no drainage concerns. Additionally, 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. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

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

Appendices

Appendix 1 – Transportation and Works Comments

We are noting that the location of the proposed below grade entrance will not alter the existing grading and drainage pattern for this property.





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