

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-08-11	File(s): A329.21 Ward 6
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-19 1:00:00 PM

## Consolidated Recommendation

The City recommends that the application be deferred.

## Application Details

The applicant requests the Committee to approve a minor variance to allow a second unit proposing:

1. A stairwell to facilitate an entrance below grade in an exterior side yard, whereas By-law 0225-2007, as amended, does not permit a stairwell to facilitate an entrance below grade in an exterior side yard in this instance; and
2. A pedestrian entrance facing a street to facilitate a second unit whereas By-law 0225-2007, as amended, does not permit a pedestrian entrance facing a street to facilitate a second unit in this instance.

## Background

**Property Address:** 5245 Alicante Street

### Mississauga Official Plan

Character Area: East Credit Neighbourhood

Designation: Residential Medium Density

### Zoning By-law 0225-2007

**Zoning:** RM5 - Residential

**Other Applications:** SEC UNIT 21-6884

## Site and Area Context

The subject property is located south-west of the Terry Fox Way and Bristol Road West intersection in the East Credit Neighbourhood. It is a corner lot with a frontage of +/- 12.38m (133ft.) and a lot area of +/- 454.67m<sup>2</sup> (4,894sq.ft.). The dwelling on the property is a link dwelling with mature vegetation in both the front and exterior side yard. The surrounding neighbourhood includes both link and detached dwellings with vegetation in the front and rear yards.

In order to facilitate a legal second unit the applicant is requesting variances for the entrance to the unit to face the street.



## 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:

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). 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 intent of the regulations relating to entrances for second units in the zoning by-law is to ensure that the secondary unit does not have a negative impact on the streetscape.

The applicant is proposing a below grade entrance to a secondary unit that would be visible from both the front and exterior side yards. While both yards to contain mature vegetation, it is the opinion of staff that the existing vegetation is insufficient to buffer the proposed entrance or mitigate its impacts on the streetscape. Furthermore the development is not compatible with the surrounding context and does not represent appropriate development for the subject property. Staff do not find that the impacts to the streetscape are minor in nature and recommend that the application be deferred in order to allow the applicant to relocate the proposed entrance.

## Conclusion

The Planning & Building Department recommends that the application be deferred.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner



## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed are photos depicting the subject property. We also note that as this is a corner property, the proposed entrance stairwell will not alter the existing drainage pattern.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

The Building Department is currently processing a building permit under file SEC UNIT 21-6884. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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: Alana Zheng, Zoning Examiner