

City of Mississauga Department Comments

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| Date Finalized: 2021-09-15 | File(s): A359.21 Ward 6 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2021-09-23 1:00:00 PM |

Consolidated Recommendation

The City has no objections to the application.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a new entrance proposing a new pedestrian entrance facing a street, whereas By-law 0225-2007, as amended, does not permit a new pedestrian entrance to face a street in this instance.

Amendments

The applicant requests the Committee to approve a minor variance to allow the construction of a new entrance proposing a new pedestrian entrance facing a street to facilitate a second unit, whereas By-law 0225-2007, as amended, does not permit a new pedestrian entrance facing a street, a private road or a CEC - road, to facilitate a second unit.

Background

Property Address: 851 Genovese Place

Mississauga Official Plan

Character Area: East Credit Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

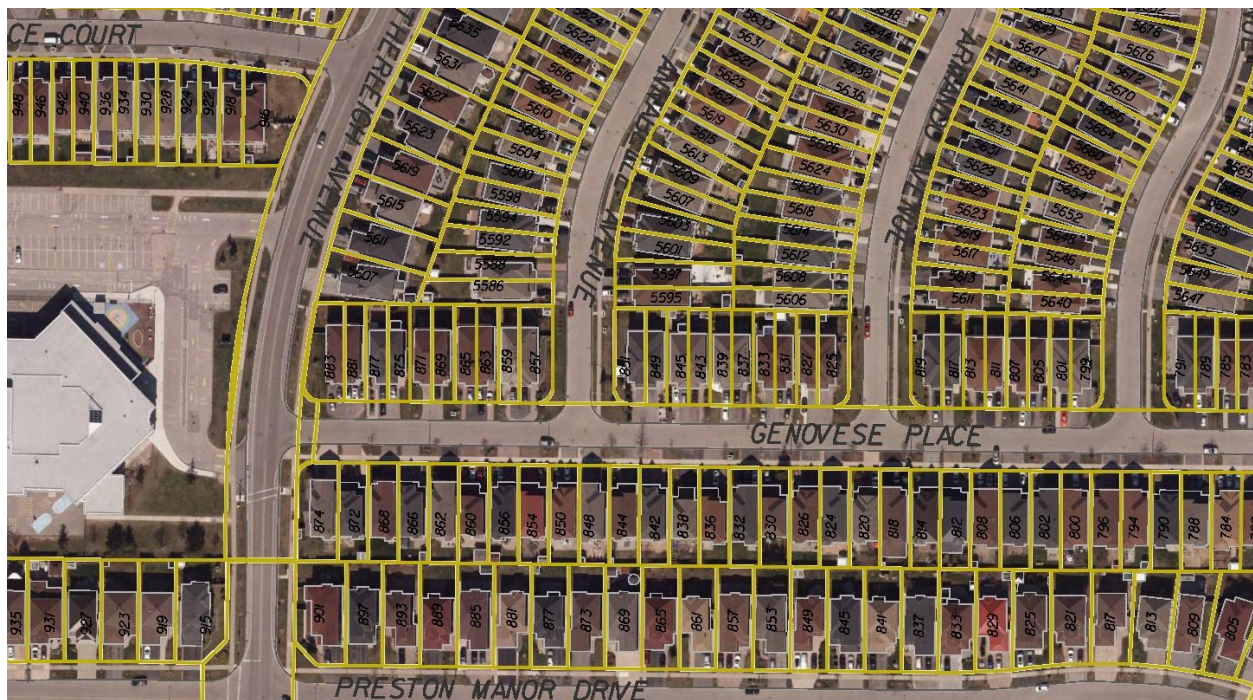
Zoning: RM2-26 - Residential

Other Applications: SEC UNIT 21-5705

Site and Area Context

The subject property is located north-west of the Mavis Road and Preston Manor Drive intersection in the East Credit Neighbourhood. It is a corner property containing a semi-detached dwelling with an attached garage. The surrounding neighbourhood includes both semi-detached and detached dwellings with some vegetation and landscape elements in the front and rear yards.

The applicant is proposing a below grade entrance to facilitate a second unit requiring a variance for it to be located in the exterior side 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 East Credit Neighbourhood Character Area and is designated Residential Low Density II 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 applicant is proposing a secondary unit within a permitted dwelling. Staff note that the entrance is appropriately hidden behind an existing privacy fence. Staff are satisfied that the general intent and purpose of the Official Plan are maintained.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

The intent of the regulations surrounding second unit entrances are to ensure that the entrances do not negatively impact the overall streetscape. In this instance the applicant has located the entrance behind an existing privacy fence which appropriately screens the stairwell from the streetscape. Staff are satisfied that any negative impact to the streetscape has been appropriately mitigated and that the general intent and purpose of the Zoning By-law have been maintained.

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 is well screened by the existing fence and will not have significant impacts on the streetscape. Furthermore the addition of a permitted second unit represents appropriate development of the subject lands.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

As the subject lot this is a corner lot, this department foresees no drainage related concerns with the location of the proposed pedestrian entrance.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a second unit application under file Second unit 21-5705. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

The applicant requests the Committee to approve a minor variance to allow the construction of a new entrance proposing a new pedestrian entrance facing a street **to facilitate a second unit**, whereas By-law 0225-2007, as amended, does not permit a new pedestrian entrance facing a street, a private road or a CEC - road, to facilitate a second unit.

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: Sherri Takaloo – Zoning Examiner