

City of Mississauga Department Comments

Date Finalized: 2021-10-12	File(s): A397.21
To: Committee of Adjustment	Ward: 8
From: Committee of Adjustment Coordinator	Meeting date:2021-10-21 1:00:00 PM

Consolidated Recommendation

The City has no objection to the variances, 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:

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

Background

Property Address: 3230 Galbraith Drive

Mississauga Official Plan

Character Area: Erin Mills Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

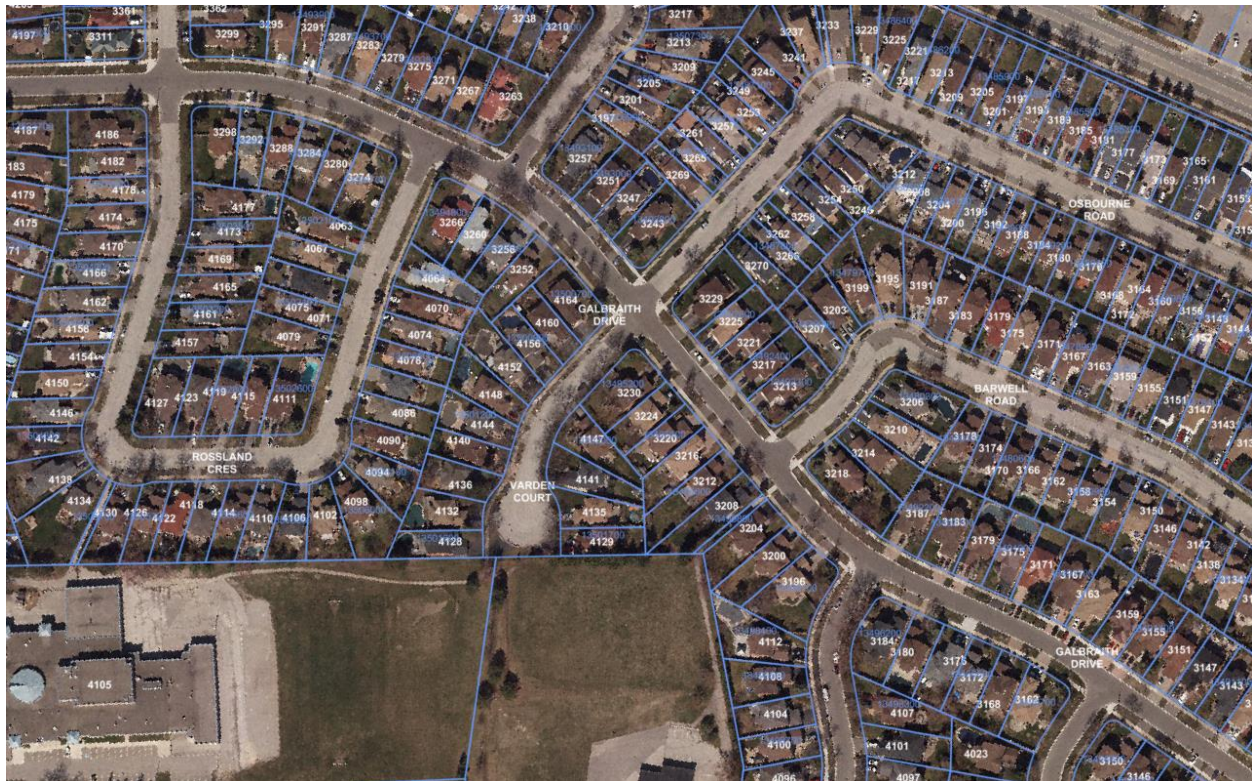
Planning Applications: Building Permit BPA-76836

Zoning: R4-52 - Residential

Site and Area Context

The subject property is located within the Erin Mills Neighbourhood, southwest of Winston Churchill Boulevard and Burnhamthorpe Road West. The neighbourhood is entirely residential consisting of two storey detached dwellings with mature vegetation in the side yards. The subject property is a two storey detached dwelling with vegetation in both the front and exterior side yard.

The applicant is proposing a pedestrian entrance requiring variances for a secondary unit entrance facing the street and a below grade entrance 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 within the Erin Mills 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, semi-detached, duplex and triplex dwellings. 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.

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

The intent of the by-law in prohibiting a below grade entrance in the front/exterior yard and facing a street is to prevent a negative visual impact to the overall streetscape. While the proposed below grade entrance faces the street, it will be located behind an existing fence and hedge that hides the proposed entrance from the streetscape, softening the impact. Staff is supportive of Variances #1 and #2 and are of the opinion that these maintain 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?

The proposed secondary unit entrance is sufficiently screened and will not impact the streetscape. Planning Staff are of the opinion that this application represents the orderly development of the lands, and is minor in nature.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This department has no objections or any drainage related concerns with the proposed basement entrance stairwell located in the exterior side yard and enclosed behind the privacy fence.







Comments Prepared by: Dave Martin, Supervisor Development Engineering

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