

City of Mississauga Department Comments

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| Date Finalized: 2021-12-01 | File(s): A479.21 Ward 6 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2021-12-09 1:00:00 PM |

Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure additional variances are not required.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction 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, a private road or a CEC-road in this instance.

Background

Property Address: 3336 Ellengale Drive

Mississauga Official Plan

Character Area: Erindale Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM1 - Residential

Other Applications: PREAPP 21-7200

Site and Area Context

The subject property is the corner property on the north-west corner of McBride Avenue and Ellengale Drive in the Erindale neighbourhood. It has a lot frontage of +/-15.18m (49.80ft), a lot

area of 522.34m² (5,622.42ft²) and currently contains a semi-detached dwelling with an attached garage. Limited landscaping/vegetation elements are present in both the front and rear yards. The surrounding context consists mostly of semi-detached and detached dwellings, however a park and church are present across McBride Avenue.

The applicant is proposing an addition on the subject property requiring a variance for a pedestrian entrance serving a secondary unit to be facing a 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:

Does the proposal maintain the general intent and purpose of the Official Plan?

The subject property is located in the Erindale Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, duplex and triplex dwellings, as well as other 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. Staff note that there are no requested variances for the addition itself, only the location of the proposed door. Furthermore the proposed door does not impact the property's permitted use as a semi-detached dwelling. Staff are therefore 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 by-law in prohibiting a pedestrian entrance facing a street to facilitate a second unit is to prevent negative visual impacts to the overall streetscape. Staff note that the proposed door faces the front property line, not the exterior side property line. The door is well set back from the front wall of the dwelling and is located at grade, with no stairs on the exterior of the dwelling necessary to service the door. This gives the door the appearance of a permitted side entrance to the primary dwelling, which would be permitted as of right, as opposed to an entrance for a secondary unit. Staff are therefore satisfied that the proposal maintains 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?

Staff are of the opinion that the proposal represents desirable development of the subject lands. The proposed door will not create a significant negative impact on the streetscape and can therefore be considered minor in nature.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We note that the Transportation and Works Department has no objections to the proposed side door entrance as it will not impact or alter the existing grading and drainage pattern for this property.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

A building permit is required; the Building Department has completed reviewing the preapp 21-7200. Based on review of the information currently available in this preapp, we advise that the variance as requested is correct, more information is required to determine whether additional variances maybe required.

Please note that comments reflect those provided through the above preapp 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