

City of Mississauga Department Comments

Date Finalized: 2022-01-05	File(s): A574.21 Ward 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-01-13 3:00:00 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 below grade entrance to facilitate a second unit proposing:

1. An interior side yard setback of 0.30m (approx. 0.98ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) in this instance; and
2. Two parking spaces whereas By-law 0225-2007, as amended, requires 3 parking spaces in this instance.

Background

Property Address: 3389 Stoney Crescent

Mississauga Official Plan

Character Area: Churchill Meadows Neighbourhood
Designation: Residential Medium Density

Zoning By-law 0225-2007

Zoning: RM5-48 - Residential

Other Applications: None

Site and Area Context

The subject property is located south-west of the Winston Churchill Boulevard and Thomas Street intersection, in the Churchill Meadows Neighbourhood Character Area. The property contains a semi-detached dwelling, which represents the predominant residential built form in the immediate area. The lot has a frontage of +/- 6.8m (22.3ft), which is consistent with the surrounding residential development.

The applicant is in the process of applying for a second unit on the property, requiring variances for parking and 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 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 designated Residential Medium Density in the Mississauga Official Plan (MOP) and is within the Churchill Meadows Neighbourhood Character Area. Section 7.2 of the MOP indicates that Mississauga will provide opportunities for a variety of affordable dwelling types and encourage the development of new rental units. Secondary units play a vital role in

today's housing market by representing an affordable option for housing for area residents as well as providing additional rental stock in the City. Furthermore, Section 8.4 of the Official Plan contemplates potential reductions in parking requirements and alternative parking arrangements in appropriate situations. Staff are satisfied that the proposal maintains the general intent and purpose of the Official Plan.

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

Variance 1 requests a reduced side yard setback measured to the stairs servicing the second unit entrance. The general intent of this portion of the by-law is to ensure that: an adequate buffer exists between the massing of primary structures on adjoining properties, access to the rear yard ultimately remains unencumbered, and that appropriate drainage can be provided. The proposed entrance is located approximately at grade, requiring only 3 steps on either side of the door, and is appropriately located in a side yard. The steps create no massing issues and the risers on either side of the door allow for continued access to the rear yard. Furthermore the Transportation and Works Department has raised no concerns regarding drainage. Staff are therefore satisfied that variance 1 maintains the general intent and purpose of the Zoning By-law.

Variance 2 requests a total of two parking spaces to be provided whereas three parking spaces are required. Municipal Parking staff have reviewed the application and note as follows:

Generally, the City is supportive of second units given proposed policies in Bill 108 and the City's Housing Strategy, assuming the necessary parking requirements can be reasonably accommodated. In accordance with Council Resolution 160-91, while the Applicant cannot accommodate three parking spaces within their front yard "proper", the property possess both a single car garage, and a contiguous combined driveway and municipal boulevard length long enough to house two vehicles parked in tandem. This results in two spaces being provided on the property and a third space being provided partially on the property/municipal boulevard.

Staff note that the driveway on this property is long enough to accommodate 2 cars in tandem, in addition to the single car garage. Therefore, Staff can support the proposed variance.

Given the above, Planning staff are satisfied that variance 2 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?

The requested variances represent appropriate development of the lands and modest intensification. The request is minor and is reflective of the surrounding context. Staff are of the opinion that the impacts of the requested variance are minor and will not cause undue impacts on adjacent properties.

City Department and Agency Comments	File:A574.21	2022/01/05	4
-------------------------------------	--------------	------------	---

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

From the enclosed are photos we note that the existing side door is at a much higher elevation than the existing grade. The Notice of Public Hearing indicates a below grade entrance having a setback of 0.30m, whereas DWG No: A-1 submitted indicates a wood deck/stairs with 3 risers leading to the basement.

Regardless of the information submitted, the proposed entrance will be located at the high point and the drainage pattern should not be impacted, however access to the rear yard will be restricted.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist