

City of Mississauga Department Comments

Date Finalized: 2022-01-19	File(s): A50.22 Ward 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-01-27 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. Stairs and retaining walls to facilitate an entrance below grade in the exterior side yard whereas By-law 0225-2007, as amended, does not permit stairs and retaining walls to facilitate an entrance below grade in an exterior side yard in this instance;
2. A new pedestrian entrance facing the street to facilitate a second unit whereas By-law 0225-2007, as amended, does not permit a new pedestrian entrance facing a street to facilitate a second unit in this instance; and,
3. A driveway width of 5.2m (approx. 17.1ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.7m (approx. 15.4ft) in this instance.

Background

Property Address: 3908 Quiet Creek Drive

Mississauga Official Plan

Character Area: Churchill Meadows Neighbourhood
Designation: Residential Medium Density

Zoning By-law 0225-2007

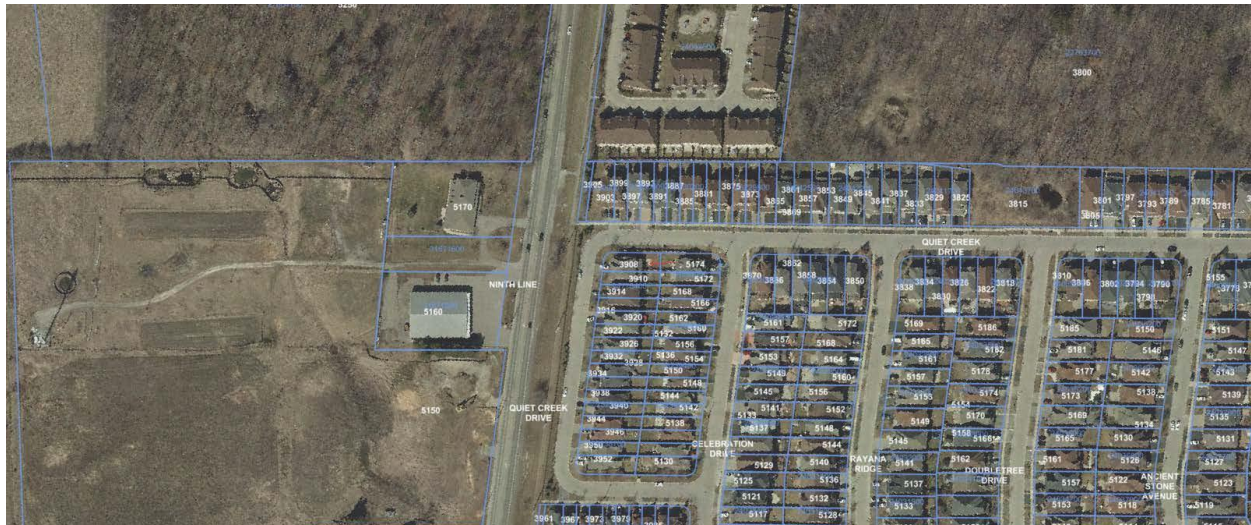
Zoning: RM2-18 - Residential

Other Applications: SEC UNIT 21-9568

Site and Area Context

The subject property is located south-east of the Erin Centre Boulevard and Ninth Line intersection in the Churchill Meadows neighbourhood. It is a corner lot and currently contains a semi-detached dwelling with an attached garage. The property has a lot frontage of +/- 10.6m (34.8ft), which is larger than the average semi-detached property in the surrounding area. The area context includes a mix of detached, semi-detached and townhouse dwellings on varying sized lots, as well as commercial uses across Ninth Line. Limited vegetation and landscaping elements are present in both the front and exterior side yards.

The applicant is proposing a below grade entrance and widened driveway requiring variances for the location of the entrance and driveway width.



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 Churchill Meadows 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. Staff are satisfied that the proposal does not significantly alter the existing dwelling. The development is compatible with both existing site conditions and the surrounding context, and therefore maintains the general intent and purpose of the Official Plan.

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

Variances 1 & 2 relate to a below grade entrance serving a secondary unit facing a street. The intent of the by-law in prohibiting a below grade entrance in the exterior side yard is to prevent negative visual impact to the overall streetscape. The proposed entrance is screened behind a fence surrounding the property and the entrance does not inhibit access to the rear yard and amenity area. Furthermore Planning staff note the absence of any true massing resulting from the proposal.

Variance 3 requests an increased driveway width. The intent of this portion of the By-law is to permit a driveway large enough to suitably accommodate the required number parking spaces for a dwelling, with the remainder of lands being soft landscaping. Staff note that due to the location of the property on a corner of Quiet Creek Drive the property has a wider frontage than most lots in the surrounding area. The subject property can therefore accommodate a wider driveway, while still maintaining appropriate soft landscaping in the front yard.

Given the above staff are of the opinion that the application 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?

Planning staff are satisfied that the proposed variances are minor in nature as impacts on the streetscape and abutting properties are limited. It is the opinion of staff that the proposal represents appropriate development of the subject property.

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 below grade entrance.

With regards to Variance #3, this department notes that with regard to the widened driveway within the municipal boulevard (the area between the municipal curb and property line) we would request that this area be reinstated with topsoil and sod should the application be modified to reflect a smaller driveway width within the subject property or if the application is not supported by the Committee.





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 21-9568. 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: Maria Fernandez, Zoning Examiner