

City of Mississauga Department Comments

Date Finalized: 2022-02-02	File(s): A53.22 Ward 3
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-02-10 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an addition with:

1. 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 to facilitate a second unit in this instance;
2. A stairwell to facilitate an entrance below grade in the exterior side yard whereas By-law 0225-2007, as amended, does not permit a stairwell to facilitate an entrance below grade in an exterior side yard in this instance;
3. An exterior side yard setback of 3.54m (approx. 11.61ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 6.00m (approx. 19.69ft) in this instance;
4. A rear yard setback to the hard surfaced landscaping from the interior side lot line of 0.00m whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 0.61m (approx. 2.00ft) to hard surfaced landscaping in this instance; and,
5. An interior side yard setback of 0.00m to the hard surface landscaping whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 0.61m (approx. 2.00ft) to hard surfaced landscaping in this instance.

Amendments

We also advise that the following variance be amended as follows:

4. A rear yard setback to the hard surfaced landscaping of 0.00m whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 0.61m (approx. 2.00ft) to hard surfaced landscaping in this instance;

Background

Property Address: 1569 Lovelady Crescent

Mississauga Official Plan

Character Area: Rathwood Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3 - Residential

Other Applications: PREAPP 21-9190

Site and Area Context

The subject property is located south-east of the Dixie Road and Eastgate Parkway intersection in the Rathwood neighbourhood. It is a corner lot, on the interior of the curve of Lovelady Crescent, and contains a detached 2-storey dwelling with an attached garage. There are limited landscaping elements present on the subject property, however mature vegetation is present in both the front and exterior side yards. The surrounding area context is exclusively residential, consisting predominantly of detached dwellings. Some semi-detached dwellings are present as well.

The applicant is proposing an addition to facilitate a second unit requiring variances for entrance locations, exterior side yard setback, and setbacks to hardscaping.

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:

The subject property is located in the Rathwood Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, and duplex 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.

In this instance Planning staff are particularly concerned with variance 1. The intent of this portion of the By-law is to prevent negative visual impact to the overall streetscape. The proposed entrance is not screened in any form and additionally faces the same direction as the entrance to the primary unit, giving the structure the appearance of a semi-detached dwelling. This represents a considerable impact to the streetscape and does not maintain the character of the surrounding context. Staff are therefore of the opinion that the application should be deferred in order to allow the applicant to relocate the proposed entrance.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed new secondary suite will be addressed through the Building Permit Process.

With regards to variances for a 0.00m setback to the hard surface area, it is recommended that the minimum 0.61m (approx. 2.0ft) be maintained to ensure that any drainage swales would not be impacted.









Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department has completed reviewing Preliminary Zoning Review application PREAPP 21-9190. Based on review of the information currently available in this permit application, the variances, as requested are correct.

We also advise that the following variance be amended as follows:

4. A rear yard setback to the hard surfaced landscaping of 0.00m whereas By-law 0225 2007, as amended, requires a minimum rear yard setback of 0.61m (approx. 2.00ft) to hard surfaced landscaping in this instance;

Our comments are based on the plans received by Zoning staff on 2021-12-01 for the above captioned application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been reviewed through the application process, these comments may no longer be valid. Any changes and/or updates to information

and/or drawings must be submitted, as per standard resubmission procedure, separately through a new preliminary zoning review application in order to receive updated comments.

Comments Prepared by: Brian Bonner, Supervisor