

City of Mississauga Department Comments

Date Finalized: 2022-02-09	File(s): A32.22 Ward 9
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-02-17 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be refused.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an entrance for a second unit proposing a new pedestrian entrance facing the street, whereas By-law 0225-2007, as amended, does not permit a new pedestrian entrance to face a street in this instance.

Background

Property Address: 6336 Atherly Crescent

Mississauga Official Plan

Character Area: Meadowvale Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM1 - Residential

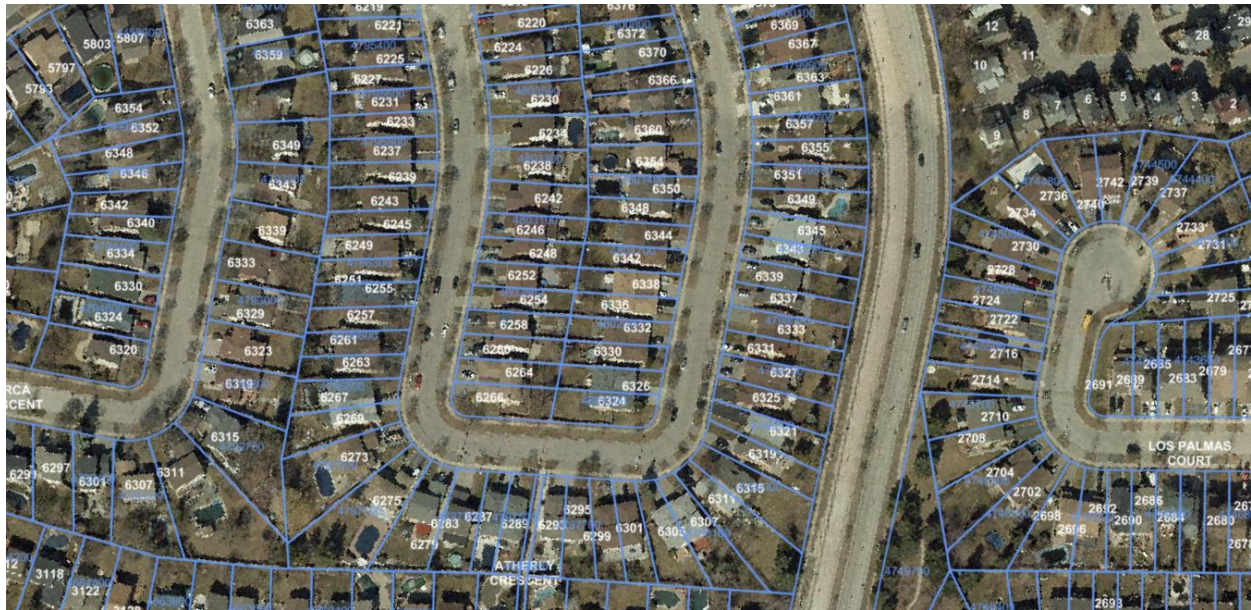
Other Applications: SEC UNIT 21-7540

Site and Area Context

The subject property is located south-west of the Glen Erin Drive and Montevideo Road intersection in the Meadowvale neighbourhood. It currently contains a back split semi-detached dwelling with a lot frontage of +/- 9.1m (29.9ft) and a lot area of +/- 350.71m² (3,775ft²). Limited

landscaping and vegetation elements are present on the subject property. The surrounding area context is exclusively residential, consisting of a mix of detached, semi-detached, and townhouse dwellings.

The applicant is proposing a second unit requiring a variance for the location of the entrance.



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 Meadowvale 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 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. The intent of the by-law in prohibiting an

entrance facilitating a second unit facing a street is to prevent negative visual impact to the overall streetscape.

The proposed entrance is clearly visible from the streetscape as it is on the front wall of the dwelling and has no screening whatsoever, in direct contradiction to the intent of the Zoning By-law. Furthermore it represents development that is inconsistent and not compatible with the surrounding area context. It is therefore the opinion of staff that the proposal does not meet the general intent or purpose of the Official Plan or Zoning By-law and is not minor or appropriate. Staff recommend that the application be refused.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting that the proposed entrance will be in a location where it will not impact the existing drainage pattern for this property.



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 21-7540. Based on review of the information currently available in this permit application, the variance, as requested is correct. However, we also advise that more information is required in order to determine whether additional variance(s) will be required.

Please note that comments reflect those provided through the above permit application submitted on 2021/07/27 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: Jeanine Benitez, Zoning Examiner