

City of Mississauga Department Comments

Date Finalized: 2022-03-02	File(s): A110.22 Ward 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-03-10 1:00:00 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 proposing:

1. A new pedestrian entrance facing a 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,
2. A stairwell to facilitate an entrance below grade located in the front yard whereas By-la2 0225-2007, as amended, does not permit a stairwell to facilitate an entrance below grade in a front yard in this instance.

Background

Property Address: 3008 Britannia Rd W

Mississauga Official Plan

Character Area: Churchill Meadows Neighbourhood
Designation: Residential Medium Density

Zoning By-law 0225-2007

Zoning: RM5-22(2) - Residential

Other Applications: SEC UNIT 21-8102

Site and Area Context

The subject property is located on the south-west corner of the Britannia Road West and Winston Churchill Boulevard intersection. It is a through lot with frontage onto both Britannia Road West and Farmlea Lane. The property contains a 2-storey townhouse dwelling with a detached garage and has a lot area of 737m² (7,933ft²), which is considerably larger than the surrounding properties. Aside from the gas station on the opposite side of Winston Churchill Boulevard, the surrounding area context is exclusively residential, consisting of detached, semi-detached, and townhouse dwellings.

The applicant is proposing a below grade entrance, requiring a variance for its location in the front yard.



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 the 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?

The requested variances 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 property is a through lot, abutting both Britannia Road West and Farmlea Lane. Due to the shorter lot line (the Farmlea Lane yard), where the stairs are proposed is considered the front yard. In practice, however, the site is designed in such a way that the apparent front of the house faces Britannia Road West with the Farmlea Lane yard functioning as the rear yard of the property. Farmlea Lane provides direct access to the garages for multiple properties that front onto Britannia Road West, Winston Churchill Boulevard, and Shelford Terrace. The proposed stairs would be located within the fenced portion of the yard on the subject property, screening them from view. Furthermore, Planning staff note the absence of any true massing resulting from the proposal. 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

We have no drainage related concerns with the location of the proposed/existing below grade entrance.





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 21-8102. 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: Brandon Eidner, Zoning Examiner