

City of Mississauga Department Comments

Date Finalized: 2022-03-02	File(s): A410.21 Ward 7
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 new dwelling units proposing:

1. Four dwelling units to be located below the first storey whereas By-law 0225-2007, as amended, does not permit a dwelling unit to be located below the first storey in this instance; and
2. The finished floor level of a basement dwelling unit to be a minimum of 1.20m (approx. 3.94ft) and a maximum of 2.60m (approx. 8.53ft) below the highest grade level immediately adjacent to the dwelling unit whereas By-law 0225-2007, as amended, permits the finished floor level of a basement dwelling unit to be a maximum of 1.20m (approx. 3.94ft) below the highest grade level immediately adjacent to the dwelling unit in this instance.

Amendments

The variance(s) should be amended as follows:

2. The finished floor level of a basement dwelling unit to be a minimum of 1.20m (approx. 3.94ft) below the highest grade level immediately adjacent to the dwelling unit; whereas By-law 0225-2007, as amended, permits the finished floor level of a basement dwelling unit to be a maximum of 1.20m (approx. 3.94ft) below the highest grade level immediately adjacent to the dwelling unit in this instance.

Background

Property Address: 2200 Sherobee Rd

Mississauga Official Plan

Character Area: Downtown Hospital
Designation: Residential High Density

Zoning By-law 0225-2007

Zoning: RA3-8 - Residential

Other Applications: BP 3ALT 20-2119

Site and Area Context

The subject property is located on the south-east corner of Hurontario Street and Sherobee Road. It contains a 10-storey residential building with associated parking and limited landscaping. The surrounding area context includes a mix of high density residential uses, commercial uses, and institutional uses.

The applicant is proposing to add four dwelling units to the building below the first storey requiring variances to permit residential dwelling units below the first storey.



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 Downtown Hospital Neighbourhood Character Area and is designated Residential High Density in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits apartment dwellings, as well as some commercial uses at grade. 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 proposal maintains the residential nature of the existing building with limited alterations to the exterior. Staff are therefore of the opinion that the application 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 the four dwelling units being proposed to be below the first floor of the building. The intent of these provisions is to ensure that each unit would have appropriate light and fresh air, ensuring that they are liveable. Staff have worked with the applicant to incorporate design alterations to the existing windows and window wells servicing units 001 and 002 to allow for improved natural light and air flow and are now satisfied. Staff are of the opinion that the proposal 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 proposal represents appropriate development of the subject lands and that the additional dwelling units will benefit the community. The request is minor in nature and will not result in undue impacts to abutting properties or the streetscape.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections, comments or requirements with respect to C.A. 'A' 410/21.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 3ALT 20-2119. Based on review of the information currently available in this permit application, we advise that the variance(s) should be amended as follows:

2. The finished floor level of a basement dwelling unit to be a minimum of 1.20m (approx. 3.94ft) below the highest grade level immediately adjacent to the dwelling unit; whereas By-law 0225-2007, as amended, permits the finished floor level of a basement dwelling unit to be a maximum of 1.20m (approx. 3.94ft) below the highest grade level immediately adjacent to the dwelling unit in this instance.

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: Brian Bonner, Supervisor