

# City of Mississauga Department Comments

Date Finalized: 2022-03-16	File(s): A575.21 Ward 9
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-03-24 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 a below grade entrance to facilitate a second unit proposing:

1. A pedestrian entrance facing a street whereas By-law 0225-2007, as amended, does not permit a pedestrian entrance facing a street, a private road or a CEC - road, to facilitate a second unit; and
2. A below grade entrance in the exterior side yard whereas By-law 0225-2007, as amended, does not permit stairs, stairwells or retaining walls to facilitate an entrance below grade at any point in an exterior side yard in this instance.

## Background

**Property Address:** 3205 Anderson Crescent

### Mississauga Official Plan

Character Area: Meadowvale Neighbourhood

Designation: Residential Low Density II

### Zoning By-law 0225-2007

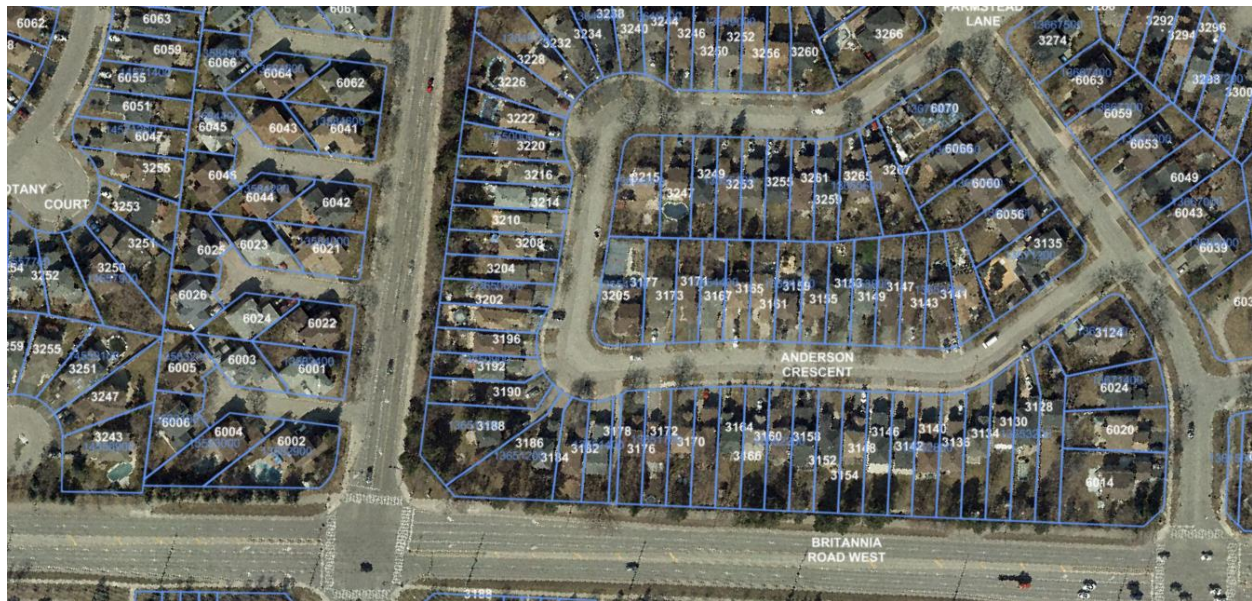
**Zoning:** RM1-5 - Residential

**Other Applications:** None

### Site and Area Context

The subject property is a corner lot located north-east of the Britannia Road West and Tenth Line West intersection. It contains a detached dwelling with a lot frontage of +/- 18m (59ft) and a lot area of +/- 657.49m<sup>2</sup> (7,077ft<sup>2</sup>). Some landscaping elements are present in both the front and exterior side yards. The surrounding area context is residential, consisting exclusively of detached dwellings on similarly sized lots.

The applicant is proposing a below grade entrance for a second unit, requiring variances for its location in an exterior side 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:

The subject application was previously before the Committee on January 20, 2022. Staff were unsupportive of the original application due to the lack of screening and the impact on the streetscape. While the applicant has proposed screening in their resubmission, staff have concerns surrounding the future viability of vegetative screening. Furthermore staff note that the area where the plantings are considered does not match the site plan and is paved, resulting in

questions surrounding if the paving will be removed or if the vegetation will be in movable pots. Staff therefore remain unable to support the application.

In addition to the above comments on the requested variance, the existing driveway continues to appear different than the driveway shown on the drawings. Staff note that the width of the driveway appears to be larger than is permitted under the Zoning By-law. Staff have concerns with the existing width of the driveway and its impact on the streetscape, however are unable to comment if the driveway meets the four tests of a minor variance without confirmation of the width and an appropriate Site Plan. As such the applicant may wish to resubmit the application with any additional necessary variances and an updated drawing for review.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner



## Appendices

### Appendix 1 – Transportation and Works Comments

As the subject lot is a corner lot, this department foresees no drainage related concerns with the location of the proposed pedestrian entrance.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

The Building Department is not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to confirm the accuracy of the requested variance(s) or determine whether additional variance(s) may be required.

We note that a Building Permit is required.

The applicant is advised that a completed zoning review may identify additional instances of zoning non-compliance. The applicant may consider applying for a preliminary zoning review application and submit working drawings for a detailed zoning review to be completed. A minimum of 6-8 weeks will be required to process a preliminary zoning review application depending on the complexity of the proposal and the detail of the information submitted.

Comments Prepared by: Brandon Eidner, Zoning Examiner