

City of Mississauga Department Comments

Date Finalized: 2022-05-25	File(s): A220.22 Ward 4
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-06-02 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application, as amended.

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 a below grade entrance located in the exterior side yard whereas By-law 0225-2007, as amended, does not permit a below grade entrance in an exterior side yard in this instance.

Amendments

We note that the following variance should be added:

2. To allow the construction of a new pedestrian entrance facing a street in the exterior side yard whereas By-law 0225-2007, as amended, does not permit a new pedestrian entrance facing a street, a private road or a CEC - road, to facilitate a second unit, in this instance.

Background

Property Address: 4404 Guildwood Way

Mississauga Official Plan

Character Area: Hurontario Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

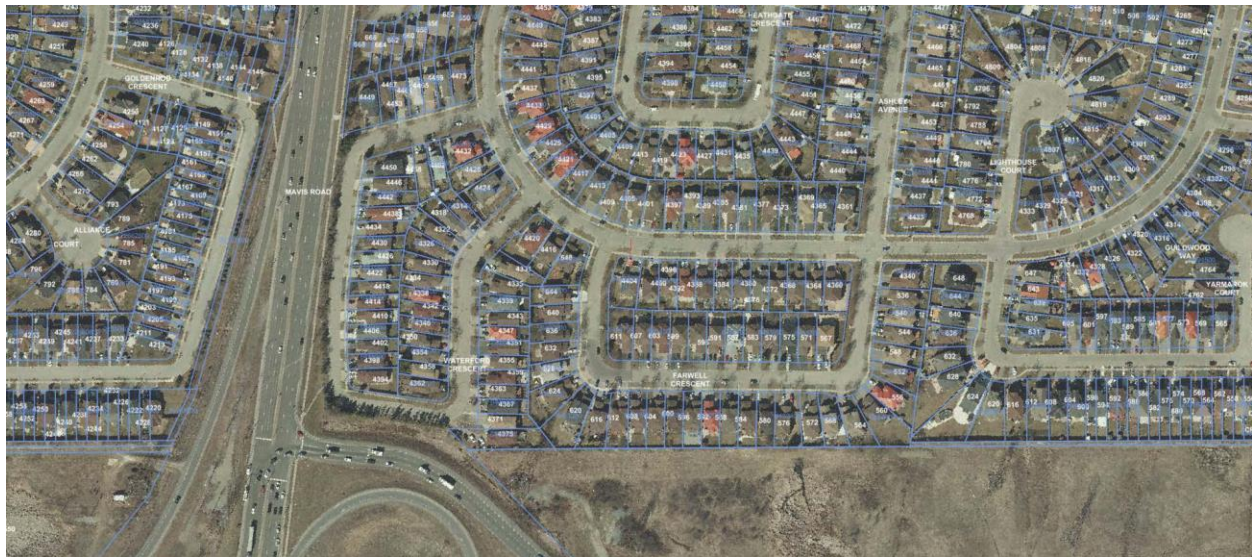
Zoning: R4-20 - Residential

Other Applications: SEC UNIT 21-6996

Site and Area Context

The subject property is located south-east of the Mavis Road and Huntington Ridge Drive intersection in the Hurontario neighbourhood. It currently contains a two-storey detached dwelling with an attached garage and has a lot area of +/- 618.16m² (6,653.82ft²). Limited landscaping and vegetative elements are present in both the front and exterior side yards. The surrounding area context is exclusively residential, consisting of detached dwellings on generally similarly sized lots.

The applicant is proposing a below grade entrance requiring a variance for its location in the 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:

Does the proposal maintain the general intent and purpose of the Official Plan?

The subject property is located in the Hurontario 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, duplex and triplex dwellings, as well as other low-rise dwellings with individual frontages. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is to be compatible with the existing site conditions, the surrounding context, and the landscape of the character area. Planning staff are of the opinion that the proposed below grade entrance is appropriately located on the subject property and will not create any impacts to the surrounding context. Staff are therefore satisfied that the general intent and purpose of the official plan is maintained.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

The requested variance proposes stairs to facilitate a below grade entrance within an exterior side yard. Zoning staff have identified an additional required variance for a second unit entrance facing a street. The intent of these provisions are to limit the visual impact of second entrances on streetscapes. Staff are satisfied that the entrance is appropriately located behind a privacy fence and that the existing fence provides adequate screening to prevent any detrimental impacts to the streetscape. Planning staff are therefore of the opinion that the general intent and purpose of the zoning by-law are maintained.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

Planning staff are of the opinion that the impacts of the proposal on both the streetscape and abutting properties are minor in nature in this instance. Furthermore, the proposal represents appropriate development of the subject property at an appropriate scale and intensity of use.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

As the subject lot this is a corner lot and the below grade entrance is being proposed in an area which will not impact the existing drainage pattern or any of the adjacent properties, we have no drainage related concerns with the location of the 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 21-6996. Based on review of the information currently available for this application, the variance, as requested is correct. Furthermore, we note that the following variance should be added:

2. To allow the construction of a new pedestrian entrance facing a street in the exterior side yard whereas By-law 0225-2007, as amended, does not permit a new pedestrian entrance facing a street, a private road or a CEC - road, to facilitate a second unit, in this instance.

Please note that 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: Sherri Takaloo, Zoning Examiner

Appendix 3 – Region of Peel Comments

Comments: Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections [at siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca)

Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Region of Peel Site Servicing connection approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at siteplanservicing@peelregion.ca

Comments Prepared by: Camila Marczuk, Development Engineering