

# City of Mississauga Department Comments

Date Finalized: 2022-06-08	File(s): A247.22 Ward: 9
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-06-16 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the application, subject to the condition. The applicant may wish to defer the application to ensure additional variances are not required.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a below-grade entrance proposing:

1. To permit a below grade entrance to facilitate a second unit 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;
2. To permit a new pedestrian entrance facing a street whereas By-law 0225-2007, as amended, does not permit a new pedestrian entrance to face a street, a private road, or a CEC-road in this instance.

## Recommended Conditions and Terms

A privacy fence in accordance with the Fence By-law and with a minimum height of 1.80m (5.91ft) shall be maintained around the below grade entrance.

## Background

**Property Address:** 7695 Doverwood Dr

### Mississauga Official Plan

Character Area: Meadowvale Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

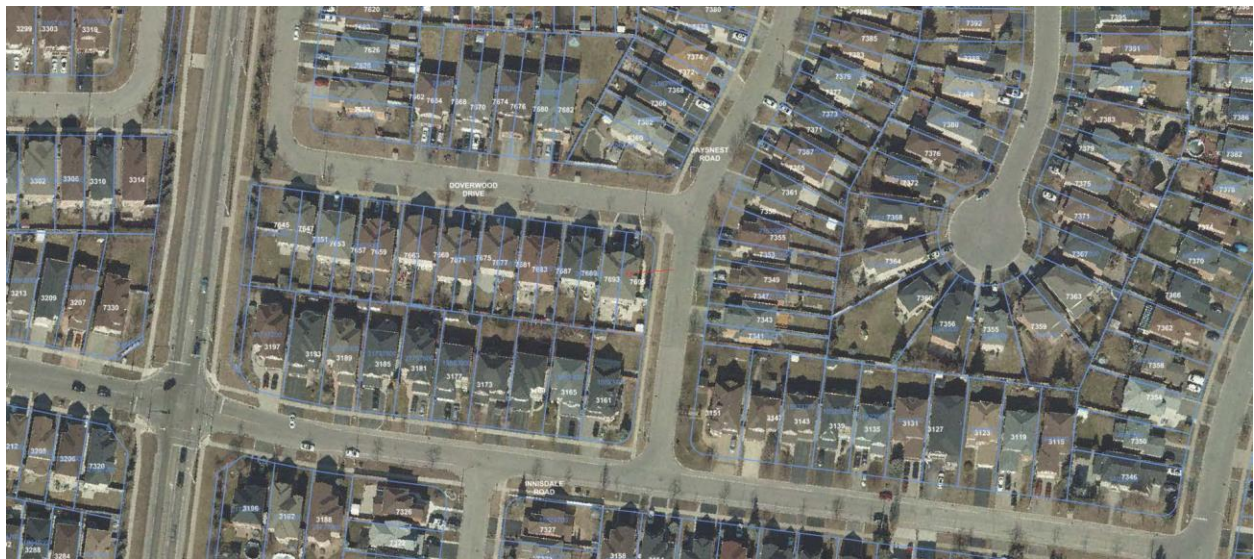
**Zoning:** RM2-25 - Residential

**Other Applications:** SEC UNIT 22-716

### Site and Area Context

The subject property is located north-east of the Tenth Line West and Innisdale Road intersection in the Meadowvale neighbourhood. It currently contains a two-storey semi-detached dwelling with an attached garage. Limited landscaping and vegetative elements are present in the front and exterior side yards of the property. The surrounding area context is exclusively residential, consisting of a mix of semi-detached dwellings on similarly sized lots and detached homes on larger lots.

The applicant is proposing a below grade entrance in the exterior side yard, requiring variances for the location.



## 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 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 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 variances propose stairs to facilitate a below grade entrance within an exterior side yard and an 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 is a corner lot and the below grade entrance is being proposed in an area which will not impact the existing drainage pattern or impact on 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 second unit application under file SEC UNIT 22-716. Based on review of the information currently available in this permit application, the variances, as requested are correct. 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 02/15/2022 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

## **Appendix 3 – Metrolinx Comments**

Metrolinx is in receipt of the minor variance application for 7695 Doverwood Drive to facilitate the construction of a new below grade entrance to facilitate a second unit located in the exterior side yard. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300 meters of CP Rail's Galt Subdivision which carries Metrolinx's Milton GO Train service.
- The Proponent is advised that the development lands, 7695 Doverwood Drive are located within Metrolinx's 300 metres railway corridor zone of influence and as such is advised that Metrolinx and its assigns and successors in interest has or have a right-of-way within 300 metres from the development lands. The Applicant is further advised that there may be alterations to or expansions of the rail facilities on such right-of-way in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx to use the right-of-way or their assigns or successors as aforesaid may expand their operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). Metrolinx will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way.

Comments Prepared by: Harrison Rong, Project Coordinator, Third Party Projects Review

## **Appendix 4 – 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](mailto:siteplanservicing@peelregion.ca)

Comments Prepared by: Camila Marczuk, Development Engineering