

City of Mississauga Department Comments

Date Finalized: 2022-09-07	File(s): A396.22
To: Committee of Adjustment	Ward: 6
From: Committee of Adjustment Coordinator	Meeting date:2022-09-15 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure the accuracy of the requested variances and that additional variances are not required.

Application Details

The applicant requests the Committee to approve a minor variance application for a new below grade entrance proposing:

1. A proposed stair, stairwell and retaining wall for a below grade entrance to be located in the front and exterior side yard whereas By-law 0225-2007, as amended, does not allow a proposed stair, stairwell and retaining wall for a below grade entrance to be located in the front and exterior side yard in this instance;
2. Access to the basement level mechanical and laundry through the garage whereas By-law 0225-2007, as amended, does not permit access to the basement level mechanical and laundry through the garage in this instance; and,
3. A pedestrian entrance facing the street to facilitate a second unit whereas By-law 0225-2007, as amended, does not permit a pedestrian entrance facing the street to facilitate a second unit in this instance.

Background

Property Address: 3206 Flanagan Cres

Mississauga Official Plan

Character Area: Erindale Neighbourhood
Designation: Residential Low Density I

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 Erindale Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits only detached dwellings in this instance. 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 screened 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 are maintained.

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

Variances 1 & 3 propose to facilitate a below grade entrance within the front yard, facing the street. The intent of these provisions are to limit the visual impact of second entrances on streetscapes. Due to the grading on the property, the proposed entrance will be near grade, giving the route to the secondary entrance the appearance of a walkway rather than a staircase to a separate entrance. Staff are satisfied that the proposed location of the entrance and the main dwelling's porch provides adequate screening to prevent any detrimental impacts to the streetscape.

Variance 2 requests access to the storage and laundry rooms to be provided via the garage, with no access through either the principle residence or accessory unit. While staff note that they have no objection to this set up as there are no anticipated impacts to abutting properties or the streetscape, Zoning staff have identified that the current configuration may result in the portion of the dwelling being classified as an accessory structure and that additional variances may be required.

Given the above staff are of the opinion that the application, as requested, maintains the general intent and purpose of the zoning by-law, however the applicant may wish to defer the application to ensure the accuracy of the requested variances.

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

We note that the Transportation and Works Department has no objections to the proposed below grade entrance as it will not impact or alter the existing grading and drainage pattern for this property.





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 22-2099. Based on review of the information currently available in this permit application, variances # 1 and 3, as requested are correct.

More information is required in order to verify variance # 2.

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

Appendix 3 – Region of Peel

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

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 Engineer