

City of Mississauga Department Comments

Date Finalized: 2022-09-28	File(s): A428.22
To: Committee of Adjustment	Ward: 10
From: Committee of Adjustment Coordinator	Meeting date:2022-10-06 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be withdrawn. The applicant may wish to defer the application to ensure that additional variances are not required.

Application Details

The applicant requests the Committee to approve a minor variance to allow a second dwelling unit in the basement whereas By-law 0225-2007, as amended, does not permit a second dwelling unit in the basement in this instance.

Amendments

While Planning staff are unable to provide an interpretation of the zoning by-law, the requested variance does not appear to be required.

Background

Property Address: 3262 Sunlight Street

Mississauga Official Plan

Character Area: Churchill Meadows Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM2-19-Residential

Other Applications: None

Site and Area Context

The subject property is located north-west of the Tenth Line West and Tacc Drive intersection in the Churchill Meadows neighbourhood. It currently contains a two-storey semi-detached dwelling with an attached garage. Limited landscaping and vegetative elements are present in both the front and rear yards. The property has a lot area of +/- 217.6m² (2,342.2ft²), which is characteristic of other semi-detached dwellings in the surrounding area. The surrounding area is primarily residential, consisting of a mix of detached and semi-detached dwellings.

The applicant is proposing to construct a second dwelling unit on the subject property, requesting a variance for the use.



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 proposed variance requests to permit a second unit in the basement where it is not permitted. Provision 4.1.20 of Zoning By-law 0225-2007 permits a second unit within semi-detached dwellings as of right, and therefore the proposed variance would not be required. Furthermore,

provision 4.1.20.9 of the zoning by-law states that additional parking spaces shall not be required for a second unit resulting in the current conditions being sufficient for the additional dwelling unit.

Staff note that a building permit application has not been received by the City for this property and as a result staff cannot confirm the variances being requested. Should the applicant wish to confirm that no variances are required for the proposed construction, the applicant may wish to defer the application to submit a building permit application. Otherwise Planning staff recommend that the application be withdrawn.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference are photos depicting the subject property.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

We note that a Building Permit application is required. In the absence of a Building Permit application we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed.

The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

Comments Prepared by: Andrea Patsalides, Zoning Examiner