

City of Mississauga Department Comments

Date Finalized: 2023-01-18	File(s): A701.22 Ward: 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-01-26 1:00:00 PM

Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application meets the requirements of Section 45 (1) of the Planning Act.

Application Details

The applicant requests the Committee to approve a minor variance to allow for the construction of a second unit proposing an exclusive single entrance for the below grade unit within a detached dwelling whereas By-law 0225-2007, as amended, does not permit an exclusive single entrance to a below grade unit within a detached dwelling in this instance.

Amendments

Based on review of the information currently available in this permit application, we advise that the variance should be amended as follows:

The applicant requests the Committee to approve a minor variance to allow the construction of a second unit which is not accessory to and located within a semi-detached dwelling due to the lack of an internal connection between the dwelling units whereas By-law 0225-2007, as amended, requires a second unit to be accessory to and located within the semi-detached dwelling in this instance.

Background

Property Address: 3243 Fanleaf Dr

Mississauga Official Plan

Character Area: Lisgar Neighbourhood

Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM5- Residential

Other Applications: SEC UNIT 22-4307

Site and Area Context

The subject property is located south-west of the Derry Road West and Tenth Line West intersection in the Lisgar neighbourhood. It currently contains a two-storey semi-detached dwelling with an attached garage. The property has a lot area of +/- 288.1m² (3,101.08ft²), characteristic of other semi-detached dwellings in the surrounding area. Limited landscaping and vegetative elements are present in both the front and rear yards. The surrounding area context includes a mix of detached, semi-detached, and townhouse dwellings on lots of varying sizes.

The applicant is proposing a second unit on the subject property requesting a variance for an exclusive second entrance.



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 property is located in the Lisgar Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits varying built forms, including semi-detached dwellings. Section 9 of the MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions, the surrounding context, and the landscape of the character area.

The proposed entrance is located within a side yard and at grade. It faces a privacy fence and will have no impacts to abutting properties or the streetscape. Staff are of the opinion that the application is appropriate to be handled through the minor variance process and that the application raises no concerns of a planning nature.

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

The Building Department is currently processing a Building Permit under file SEC UNIT 22-4307. Based on review of the information currently available in this permit application, we advise that the variance should be amended as follows:

The applicant requests the Committee to approve a minor variance to allow the construction of a second unit which is not accessory to and located within a semi-detached dwelling due to the lack of an internal connection between the dwelling units whereas By-law 0225-2007, as amended, requires a second unit to be accessory to and located within the semi-detached dwelling in this instance.

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: Richard Thompson, Zoning Examiner

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Appendix 3 – Conservation Halton

Please see below comments from Conservation Halton (CH) regarding the Pre-Con for **2343 Fanleaf Drive**.

- The subject property is not regulated by Conservation Halton (CH).
- Given the size of the site (approx. 0.03 ha.), CH defers the review of SWM to City of Mississauga Engineering staff.
- **Given the above, CH staff will not be in attendance for this pre-consultation meeting, and do not need to be circulated on the associated application.**

Comments Prepared by: Braden Fleming – Environmental Planner

Appendix 4 – Region of Peel

Minor Variance Application: A-701/22 3243 Fanleaf Drive

Servicing: Camila Marczuk (905) 791-7800 x8230

Comments:

- Please note that severing the lands may adversely affect the existing location of the water and sanitary sewer services, if any exist. The result of this may require the applicant to install new water / sanitary servicing connections to either the severed or retained lands in compliance with the Ontario Building Code. The applicant may require the creation of private water / sanitary sewer servicing easements. 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 905.791.7800 x7973 or by email 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: Patti Menko – Junior Planner, Planning and Development Services