

City of Mississauga Department Comments

Date Finalized: 2023-02-06	File(s): A755.22
To: Committee of Adjustment	Ward: 8
From: Committee of Adjustment Coordinator	Meeting date:2023-03-02 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, as requested, meets the requirements of Section 45(1) of the Planning Act. The applicant may wish to defer the application to ensure the accuracy of the variances and to determine if additional variances are required.

Application Details

The applicant requests the Committee to approve a minor variance to allow an existing below grade entrance proposing:

1. A below grade entrance in an 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 and,
2. A new pedestrian entrance facing a street to facilitate a second unit whereas By-law 0225-2007, as amended, does not permit a new pedestrian entrance facing a street to facilitate a second unit in this instance.

Background

Property Address: 3329 Huxley Dr

Mississauga Official Plan

Character Area: Erin Mills Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

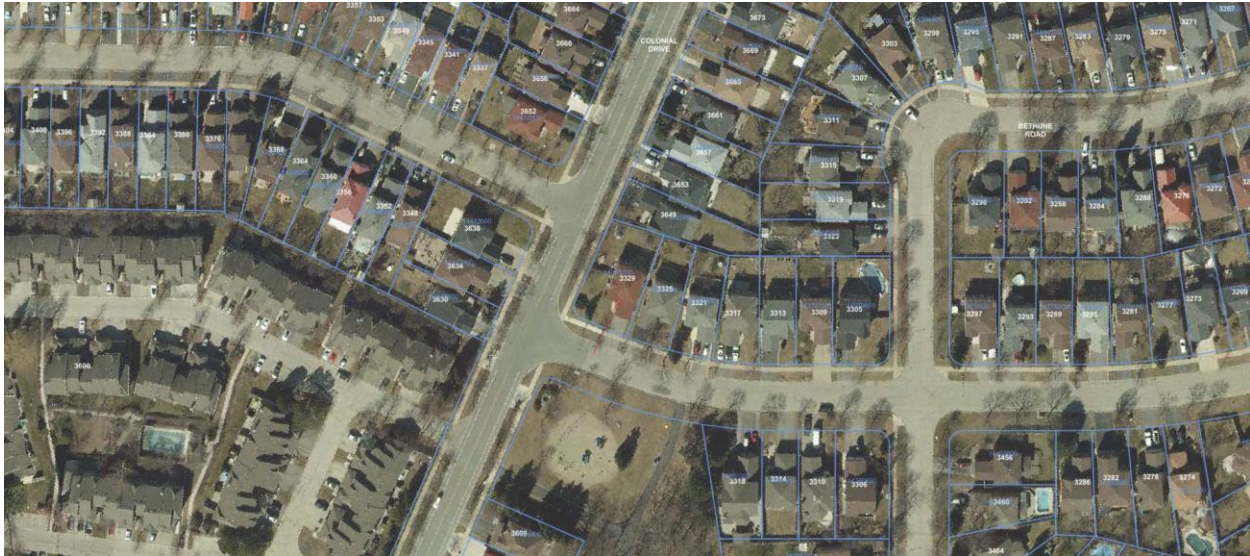
Zoning: R4-52 - Residential

Other Applications: none

Site and Area Context

The subject property is located within the Erin Mills Neighbourhood Character Area, southwest of the Burnhamthorpe Road West and Winston Churchill Boulevard intersection. Immediately south of the subject property is Tom Chater Memorial Park. The neighbourhood is entirely residential consisting of two-storey detached dwellings, on lots with vegetation in the front yards. The subject property is a corner lot, which contains a two-storey detached dwelling with vegetation in the front and exterior side yards.

The application is for an existing a second unit requiring variances related to the location of the 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*.

"[Enter info here]"

Staff comments concerning the application are as follows:

The subject property is located within the Erin Mills Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density II designation permits detached dwellings and secondary units.

The requested variances are required to accommodate an existing below-grade pedestrian entrance to a second unit in an exterior side yard facing a street. The intent of the by-law in prohibiting a below grade entrance in the front/exterior yard and facing a street is to prevent a negative visual impact to the overall streetscape. An existing 1.8m (5.91ft) high fence will entirely screen the entrance from the streetscape resulting in negligible visual impacts to the streetscape.

Through a detailed review of the application, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

As you can see from the attached photo, the below grade entrance has not yet been constructed. We advise that this is a flanking lot, where the wall of the dwelling is facing a Municipal frontage. We have no drainage related concerns.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

We note that a Building Permit is required. In the absence of a Building Permit 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: Brooke Herczeg, Zoning Examiner

Appendix 3 – Region of Peel

Minor Variance Application: A-755/22, 3329 Huxley Drive

Development Engineering: Camila Marczuk (905) 791-7800 x8230

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 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. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.

Comments Prepared by: Patrycia Menko – Junior Planner, Planning and Development Services