

City of Mississauga Department Comments

Date Finalized: 2023-04-26	File(s): A95.23
To: Committee of Adjustment	Ward: 8
From: Committee of Adjustment Coordinator	Meeting date:2023-05-04 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 an existing basement apartment proposing a linked dwelling within an RM1 Zone whereas By-law 0225-2007, as amended, does not permit a linked dwelling in an RM1 Zone in this instance.

Amendments

The Building Department is currently processing a Building Permit application under file SEC UNIT 22-2591. Based on review of the information currently available in this permit application, the variances should be amended as such:

1. To permit Linked Dwelling use within an RM1 - Residential zone; whereas By-law 0225- 2007, as amended, does not permit a Linked Dwelling in an RM1 - Residential zone.
2. A Linked Dwelling be developed in accordance with the RM1 - Residential regulations contained in Table 4.8.1; whereas By-law 0225-2007, as amended, does not permit a Linked Dwelling in an RM1 - Residential zone.

Background

Property Address: 4146 Wheelwright Cres

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: RM1 - Residential

Other Applications: Building Permit application under file SEC UNIT 22-2591

Site and Area Context

The subject property is located within the Erin Mills Neighbourhood Character Area, southeast of the Erin Mills Parkway and Highway 403 overpass. The immediate neighbourhood is entirely residential, consisting of two-storey detached dwellings with mature vegetation and landscape elements in both the front and side yards. The subject property contains a two-storey dwelling with mature vegetation in the property's front yard.

The applicant is requesting a variance to allow an existing second unit within the basement of a linked dwelling.



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 Erin Mills Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). Section 9 of 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 amended variances seek to permit alterations to the existing linked dwelling. The subject property is zoned RM1 which does not permit linked dwellings, and therefore variances are required to allow alterations to the existing building.

Staff are of the opinion that the application is technical in nature and appropriate to be handled through the minor variance process. Furthermore the request raises no concerns of a planning nature.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections, comments or requirements with respect to C.A. 'A' 95/23.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit application under file SEC UNIT 22-2591. Based on review of the information currently available in this permit application, the variances should be amended as such:

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2. A Linked Dwelling be developed in accordance with the RM1 - Residential regulations contained in Table 4.8.1; whereas By-law 0225-2007, as amended, does not permit a Linked Dwelling in an RM1 - Residential zone.

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: Tage Crooks, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

The Park Planning Section of the Community Services Department has no objections to the above noted minor variance application and advises as follows:

The lands to the rear of the property are owned by the City of Mississauga, identified as Trapper's Green (P-175) and zoned OS1 – Open Space – Community Park.

Should the application be approved, Community Services provides the following notes:

1. If future construction is required, access from the adjacent park/greenlands is not permitted.
2. If access is required to City owned lands, a Consent to Enter Agreement/Park Access Permit will be required.

3. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.

Should further information be required, please contact Nicholas Rocchetti, Park Planning Assistant, Community Services Department at 905-615-3200 ext. 4659 or via email Nicholas.Rocchetti@mississauga.ca.

Comments Prepared by: Nicholas Rocchetti, Park Planning Assistant

Appendix 4 – Region of Peel

Minor Variance Application: A-95/23 – 4146 Wheelwright Crescent

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.
- All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel design specifications. 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