

# City of Mississauga Department Comments

Date Finalized: 2023-05-24	File(s): A163.23
To: Committee of Adjustment	Ward: 6
From: Committee of Adjustment Coordinator	Meeting date:2023-06-01 3:30:00 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.

## 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 for a second unit whereas By-law 0225-2007, as amended, does not permit a below grade entrance in an exterior side yard in this instance; and,
2. An exterior side yard setback to the below grade entrance of 3.83m (approx. 12.57ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 4.50m (approx. 14.76ft) in this instance.

## Background

**Property Address:** 1721 Village View Place

### Mississauga Official Plan

Character Area: East Credit Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

**Zoning:** R4-20 - Residential

**Other Applications:** SEC UNIT 22-3583

## Site and Area Context

The subject property is located north-west of the Bristol Road West and River Grove Avenue intersection in the East Credit neighbourhood. It currently contains a two-storey detached dwelling with an attached garage. It is a corner property, with limited landscaping and vegetative elements in both the front and exterior side yards. The surrounding context is predominantly residential, consisting of detached dwellings on lots of generally similar sizes.

The applicant is proposing a second unit on the subject property requiring variances for the below grade 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 East Credit Neighbourhood Character Area and is designated Residential Low Density I in Section 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, and duplex dwellings.

The existing below grade entrance was previously applied for under file A216/07 and was refused by the Committee due to concerns that the entrance may be used to facilitate a secondary unit in the basement. Upon appeal to the OMB the entrance was approved under file

PL070612, with a condition that no secondary suite shall be created in the dwelling. Secondary suites are now permitted in Mississauga, and staff are satisfied that the use of the entrance for a secondary unit will not create any additional impacts over its present use.

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: 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 below grade entrance as it does 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 an application under file SEC UNIT 22-3583. Based on review of the information currently available in this application, the variances, as requested are correct.

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: Maria Fernandez, Zoning Examiner

## Appendix 3 – Region of Peel

### Minor Variance Application: A-23-163M – 1721 Village View Place

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](mailto: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](mailto: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](mailto:siteplanservicing@peelregion.ca).

Comments Prepared by: Patrycia Menko, Junior Planner