

City of Mississauga Department Comments

Date Finalized: 2023-06-07	File(s): A165.23 Ward: 7
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-06-15 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application, as amended, and subject to the condition.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a below grade entrance proposing an area occupied per walkout of 4.30sq m (approx. 46.29sq. ft) whereas By-law 0225-2007, as amended, permits a maximum area of 0.00sq m in this instance.

Amendments

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

1. A below grade stairwell located in the exterior side yard, whereas By-law 0225-2007, as amended, does not permit a below grade stairwell in the exterior side yard, in this instance;
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.

Recommended Conditions and Terms

The applicant shall maintain a wooden privacy fence screening the entrance from the Consulate Road and Paisley Boulevard West frontages with a minimum height of 1.8m and in accordance with the Fence By-law.

Background

Property Address: 146 Consulate Road

Mississauga Official Plan

Character Area: Cooksville Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R4- Residential

Other Applications: SEC UNIT 22-4383

Site and Area Context

The subject property is located on the north side of Paisley Boulevard West, west of the Confederation Parkway intersection. It currently contains a two-storey detached dwelling with a lot area of +/- 510.36m² (5,493.5ft²). Some vegetative elements are present in the front and exterior side yards. The surrounding area context is predominantly residential, consisting of a mix of detached, semi-detached, and apartment dwellings.

The applicant is proposing a below grade entrance to facilitate a second unit in the exterior side yard, requiring a variance for the location.



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:

Does the proposal maintain the general intent and purpose of the Official Plan?

The subject property is located in the Cooksville Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, and duplex dwellings. The applicant is proposing a secondary unit within a permitted dwelling. Staff note that the entrance is appropriately hidden behind the existing privacy fence and are satisfied that the general intent and purpose of the official plan are maintained.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

The intent of the regulations surrounding second unit and below grade entrances are to ensure that the entrances do not negatively impact the overall streetscape. In this instance the applicant has screened the entrance with a privacy fence, appropriately screening the stairwell from the streetscape. Staff are satisfied that any negative impact to the streetscape has been appropriately mitigated and that the general intent and purpose of the zoning by-law have been maintained.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

Staff are satisfied that the application is minor in nature. The proposed entrance is well screened by the existing fence and will not have significant impacts on the streetscape. Furthermore the addition of a permitted second unit represents appropriate development of the subject lands.

Comments Prepared by: Shivani Chopra, Planner in Training

Appendices

Appendix 1 – Transportation and Works Comments

We note that the Transportation and Works Department has no objections to the existing below grade entrance as it will 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 a Building Permit under file SEC UNIT 22-4383. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

1. A below grade stairwell located in the exterior side yard, whereas By-law 0225-2007, as amended, does not permit a below grade stairwell in the exterior side yard, in this instance;

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.

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: Brandon Eidner, Zoning Examiner

Appendix 3 – Region of Peel

Minor Variance: A-23-165M – 146 Consulate Road

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