

City of Mississauga Department Comments

Date Finalized: 2023-07-05	File(s): A235.23 Ward: 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-07-13 3:30:00 PM

Consolidated Recommendation

The City has no objections to the application, subject to the condition. The applicant may wish to defer the application to ensure the accuracy of the requested variances and that no additional variances are required.

Application Details

The applicant requests the Committee to approve a minor variance to allow a below grade entrance proposing a below grade entrance in an exterior side yard facing a street whereas By-law 0225-2007, as amended, does not permit a below grade entrance facing a street in this instance.

Recommended Conditions and Terms

The applicant shall install and maintain a privacy screening fence adjacent to the entrance to the secondary unit, as shown on the site plan. The screening shall be in accordance with the fence by-law and shall be a minimum of 1.80 metres (5.91 feet) tall.

Background

Property Address: 3859 Coachman Circle

Mississauga Official Plan

Character Area: **Churchill Meadows NHD**
Designation: **Residential Medium Density**

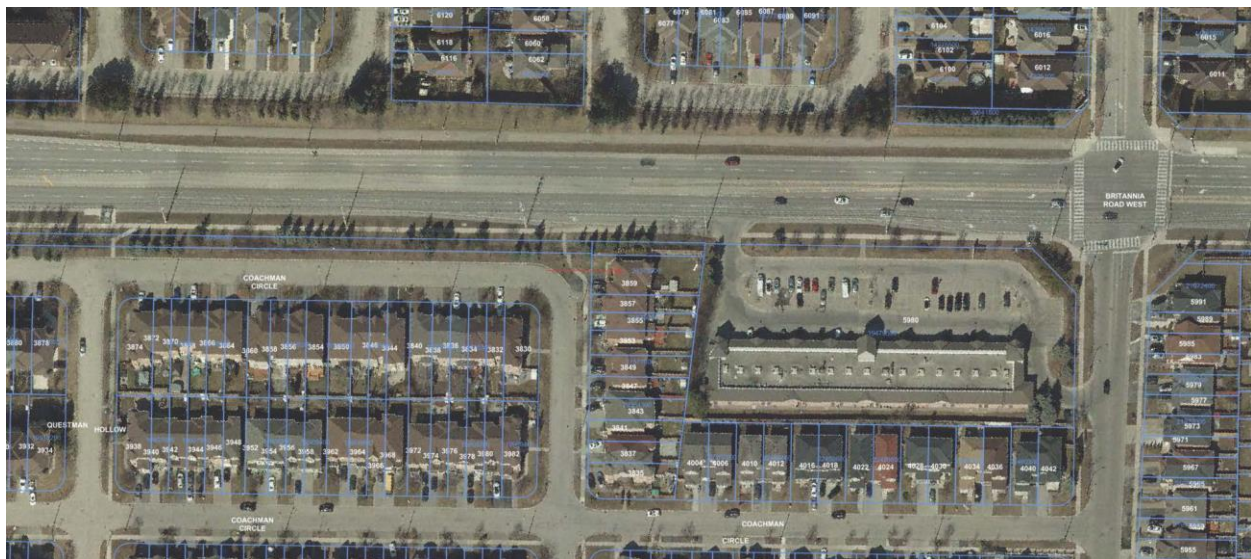
Zoning By-law 0225-2007

Zoning: **RM5-37 - Residential**

Other Applications: None**Site and Area Context**

The subject property is located north-east of the Britannia Road West and Coachman Circle intersection in the Churchill Meadows neighbourhood. It is a corner lot that contains a semi-detached 2-storey dwelling with an attached garage. There are limited landscaping elements present on the subject property, however mature vegetation is present in both the front and exterior side yards. The surrounding area context is predominantly residential, consisting of a mix of semi-detached and detached dwellings. The subject property is in close proximity to a shopping centre on the north-east side of the property, along Britannia Road West.

The applicant is proposing a 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:

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

The subject property is located in the Churchill Meadows Neighbourhood Character Area and is designated Residential Medium Density in Schedule 10 of the Mississauga Official Plan (MOP).

This designation permits detached, semi-detached, duplex and triplex dwellings, as well as other low-rise dwellings with individual frontages. 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. Staff are satisfied that the proposal does not significantly alter the existing dwelling. The proposed development is compatible with both the existing site conditions and the surrounding context, and therefore maintains the general intent and purpose of the official plan.

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

The requested variance relates to a below grade entrance. The intent of the by-law in prohibiting a below grade entrance in the exterior side yard is to prevent negative visual impact to the overall streetscape. The proposed entrance is screened behind a fence surrounding the property and the entrance does not prevent access to the rear yard and amenity area. Furthermore Planning staff note the absence of any true massing resulting from the proposal and the provision of an appropriate setback from the property line. Staff are therefore satisfied that the application maintains the general intent and purpose of the zoning by-law.

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

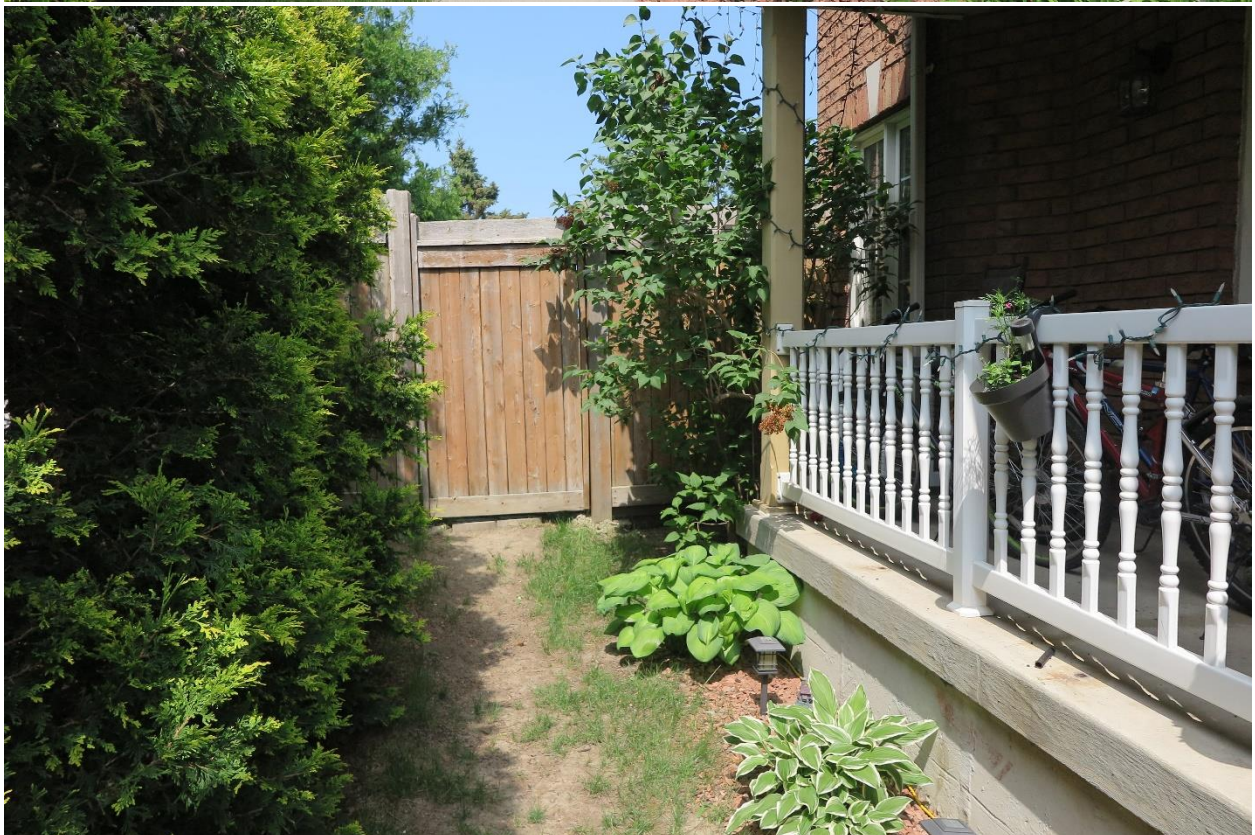
Staff are satisfied that the application is minor in nature. The proposed entrance is screened by the proposed fence and will not have significant impacts on the streetscape.

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 proposed 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

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: Sibila Lass Weldt, Zoning Examiner

Appendix 3 – Region of Peel

Minor Variance: A-23-235M – 859 Coachman Circle

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