

# City of Mississauga Department Comments

Date Finalized: 2023-09-13	File(s): A356.23 Ward: 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-09-21 3:30:00 PM

## Consolidated Recommendation

The City has no objections to the application.

## Application Details

The applicant requests the Committee to approve a minor variance to allow a pedestrian entrance facing a street to facilitate a second unit in the basement whereas By-law 0225-2007, as amended, does not permit a pedestrian entrance facing a street to facilitate a second unit in this instance.

## Background

**Property Address:** 3071 Lavenham Place

### Mississauga Official Plan

Character Area: Churchill Meadows Neighbourhood  
Designation: Residential Medium Density

### Zoning By-law 0225-2007

**Zoning:** RM1-14- Residential

**Other Applications:** SEC UNIT 23-6522

### Site and Area Context

The subject property is a corner property on the north-east corner of Lavenham Place and Shelford Terrace in the Churchill Meadows neighbourhood. It has a lot area of 323.13m<sup>2</sup> (3478.14ft<sup>2</sup>) and currently contains a semi-detached dwelling with an attached garage. Limited

landscaping/vegetation elements are present in the front, rear and exterior side yard. The surrounding context consists of mostly semi-detached dwellings and detached dwellings.

The applicant is proposing a secondary unit on the subject property requiring a variance for a pedestrian entrance serving a secondary unit to be facing a street.



## 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). 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 proposed door does not impact the property's permitted use and staff 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 by-law in prohibiting a pedestrian entrance facing a street to facilitate a second unit is to prevent negative visual impacts to the overall streetscape. Staff note that the proposed door faces the exterior side property line. The door is well set back from the exterior side yard property line and is located at grade, with no stairs on the exterior of the dwelling necessary to service the door. This gives the door the appearance of a permitted side entrance to the primary dwelling, which would be permitted as of right, as opposed to an entrance for a secondary unit. Staff are therefore satisfied that the proposal 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 of the opinion that the proposal represents desirable development of the subject lands. The proposed door will not create a significant negative impact on the streetscape and can therefore be considered minor in nature.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

As the subject lot this is a corner lot and the below grade entrance is being proposed in an area which will not impact the existing drainage pattern or any of the adjacent properties, we have no drainage related concerns with the location of the below grade entrance.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

### **Appendix 2 – Zoning Comments**

The Building Department is currently processing an application under file SEC UNIT 23-6522. 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: A-23-356M / 3071 Lavenham Place**

Development Engineering: Brian Melnyk (905)-791-7800 x3602**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: Ayooluwa Ayoola, Junior Planner