

City of Mississauga Department Comments

Date Finalized: 2023-10-11	File(s): A382.23
To: Committee of Adjustment	Ward: 9
From: Committee of Adjustment Coordinator	Meeting date:2023-10-19 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

The applicant requests the Committee to approve a minor variance to permit a new pedestrian entrance and driveway proposing:

1. A new pedestrian entrance facing the street to facilitate a second unit whereas By-law 0225-2007, as amended, does not permit this in this instance;
2. A driveway width of 6.10m (approx. 20.01ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 5.20m (approx. 17.06ft) in this instance; and,
3. A rear deck setback of 0.35m (approx. 1.14ft) to the interior side lot line whereas By-law 0225-2007, as amended, requires a rear deck setback 0.60m (approx. 1.96ft) to the interior side lot line in this instance.

Background

Property Address: 6264 Atherly Cres

Mississauga Official Plan

Character Area: Meadowvale Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM1- Residential

Other Applications: SEC UNIT 23-7062

Site and Area Context

The subject property is located south-west of the Glen Erin Drive and Montevideo Road intersection in the Meadowvale neighbourhood. It currently contains a back split semi-detached dwelling with a lot area of +/- 349.98m² (3,767.15ft²). Limited landscaping and vegetation elements are present on the subject property. The surrounding area context is exclusively residential, consisting of a mix of detached, semi-detached, and townhouse dwellings.

The applicant is proposing a second unit requiring variances for the location of a new entrance and driveway width. There is an additional variance for a side yard setback for the rear yard deck.



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 Meadowvale Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached and duplex dwellings. Section 9 of the 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 and is compatible with the surrounding context. Staff are satisfied that the proposal maintains the general intent and purpose of the official plan.

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

Variance 1 relates to a new pedestrian entrance facing a street to facilitate a second unit. The intent of this regulation in the by-law is to prevent negative visual impacts to the overall streetscape. The proposed second entrance is located at grade along the front wall of the dwelling. While access to the main dwelling is also located along the front wall, the proposed second entrance is screened appropriately by using a decorative privacy screen and cedar bushes positioned within a new planter box. With this screening in place, the proposed door will not be visible from the street thereby limiting any potential impact and ensuring only one entrance to the dwelling is visible on the front wall.

Variance 2 proposes a widened driveway on the subject property. The planned character of the area is that of residential dwellings serviced by appropriately sized driveways that can accommodate the parking required by the zoning by-law for each property. The intent of the driveway width regulations in the by-law is to allow a driveway that can accommodate two vehicles parked side by side, with the remainder of the front yard being soft landscaped area. Staff are satisfied that the width will restrict the parking to no more than two vehicles across and maintains sufficient soft landscaping area to maintain the character of the surrounding area.

Variance 3 requests a reduced side yard setback to the existing deck in the rear. The intent of setback requirements to decks are to ensure an appropriate buffer exists between abutting properties and that adequate drainage patterns can be maintained. Staff are of the opinion that any impacts to abutting properties would be negligible and Transportation & Works staff have indicated that they have no drainage concerns.

Given the above, Planning staff are of the opinion the proposal maintains the general purpose and intent 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 proposal will not create a significant negative impact on the streetscape or to abutting properties and can therefore be considered minor in nature.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This department notes that with regard to the widened driveway within the municipal boulevard (the area between the municipal curb and property line) we would request that this area be reinstated with topsoil and sod should the application be modified to reflect a smaller driveway width within the subject property or if the application is not supported by the Committee.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing an application under file SEC UNIT 23-7062 SU. 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-23-382M / 6264 Atherly Cres

Development Engineering: Wendy Jawdek (905)-791-7800 x3602

Comments:

- 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: Ayooluwa Ayoola, Junior Planner