

City of Mississauga Department Comments

Date Finalized: 2023-11-08	File(s): A63.23
To: Committee of Adjustment	Ward: 8
From: Committee of Adjustment Coordinator	Meeting date:2023-11-16 1:00:00 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 of the Planning Act. The applicant may wish to defer the application to ensure the accuracy of the requested variances and to determine if additional variances are required.

Application Details

The applicant requests the Committee to approve a minor variance to allow an interior side yard setback of 0.50m (approx. 1.64ft) to the existing secondary unit entrance whereas By-law 0225-2007, as amended, requires an interior side yard setback of 1.2m (approx. 3.93ft) to the secondary unit entrance in this instance.

Background

Property Address: 3463 Mulcaster Road

Mississauga Official Plan

Character Area: Erin Mills Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R4-52-Residential

Other Applications: none

Site and Area Context

The subject property is located within the Erin Mills Character Area, southeast of The Collegeway and Ridgeway Road intersection. The immediate neighbourhood is primarily residential. The residential uses consist of two-storey detached dwellings and two, and three - storey townhouses. Detached dwellings are on lots with mature vegetation in the front yard. The subject property contains a two-storey detached dwelling with mature vegetation in the front yard.

The applicant is proposing a second unit requiring a variance for an interior side yard setback to 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 are as follows:

The subject property is located in the Erin Mills Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached dwellings.

The above noted application was deferred by the Committee on April 13, 2023, due to concerns regarding insufficient access to the rear yard. Staff did not support the original proposal because the proposed setback would have obstructed access to the rear yard, and alternative access

could not be arranged from the western side yard due to the presence of an existing air conditioning unit.

The applicant has subsequently made revisions to their proposal, now intending to relocate the air conditioning unit to the rear yard. As a result, the staff is now of the opinion that the revised proposal effectively addresses the previously raised concerns.

Through a detailed review of the application, staff is of the opinion that the revised application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

As per our previous comments, we have no drainage related concerns.

Comments Prepared by: John Salvino, 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: Minan Song, Planner in Training

Appendix 3 – Region of Peel

Please apply previous comments.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner