

# City of Mississauga Department Comments

Date Finalized: 2024-07-03	File(s): A275.24
To: Committee of Adjustment	Ward: 6
From: Committee of Adjustment Coordinator	Meeting date:2024-07-11 3:30:00 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 amended, meets the requirements of Section 45(1) of the Planning Act. The applicant may wish to defer the application to ensure the accuracy of the requested variances and that additional variances are not required.

## Application Details

The applicant requests the Committee to approve a minor variance to allow a below grade entrance facing a street to facilitate a second unit with a setback of 6.38m (approx. 20.93ft) whereas By-law 0225-2007, as amended, does not permit a below grade entrance facing a street to facilitate a second unit in this instance.

## Background

**Property Address:** 4250 Trailmaster Drive

### Mississauga Official Plan

Character Area: East Credit Neighbourhood  
Designation: Residential Medium Density

### Zoning By-law 0225-2007

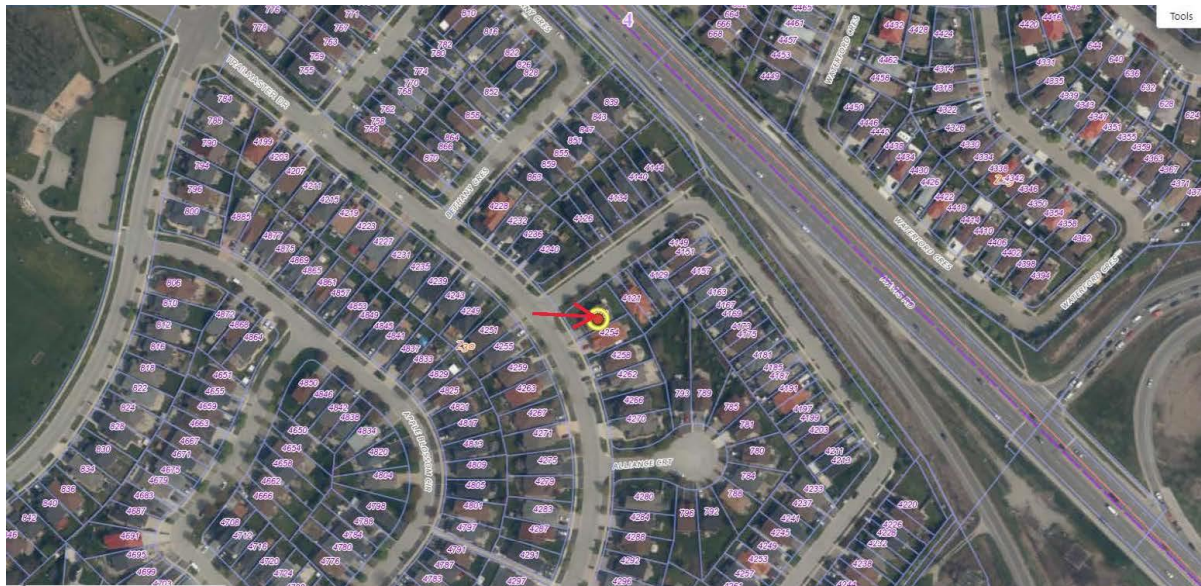
**Zoning:** R4-42-Residential

**Other Applications:** None

### Site and Area Context

The subject property is located south-west of the Mavis Road and Eglinton Avenue West intersection in the East Credit Neighbourhood. It is a corner lot containing a two-storey detached dwelling with an attached garage. Some landscaping and vegetative elements are present on the subject property. The surrounding context is predominantly residential, consisting of detached and semi-detached dwellings on similarly sized lots.

The applicant is proposing a below grade entrance requesting a variance for a secondary unit entrance facing the 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 are as follows:

The subject property is located in the East Credit 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 applicant is proposing a permitted secondary unit within a permitted dwelling.

The intent of the regulations surrounding second unit entrances are to ensure that the entrances do not negatively impact the overall streetscape. In this instance, the stairwell to the below grade

entrance is screened behind a privacy fence. The entrance itself is below grade and is not visible from the street, providing appropriate screening the entrance to the secondary unit from the streetscape. Furthermore, the entrance maintains an adequate exterior side yard setback from the street.

Staff are satisfied that any negative impact to the streetscape has been appropriately mitigated by the design and that the general intent and purpose of the zoning by-law have been maintained.

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

Comments Prepared by: Shivani Chopra, Planning Associate

## Appendices

### Appendix 1 – Transportation and Works Comments

As the subject lot 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

### **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: Brooke Herczeg, Zoning Examiner

### **Appendix 3 – Parks, Forestry & Environment**

The Forestry Section of the Community Services Department has no objections to the above noted minor variance application and advises as follows:

1. No public trees shall be injured or removed. If public tree removal is required, a permit must be issued as per By-law 0020-2022.

2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Removal Permit, written consent must be obtained by both parties.

A Tree Removal Application to Permit the Injury or Destruction of Trees on Public and Private Property can be found at <https://www.mississauga.ca/publication/application-to-permit-the-injury-or-destruction-of-trees-on-public-and-private-property/>.

Should further information be required, please contact Rita Di Michele, By-law Inspector, Community Services Department at 905-615-3200 ext. 5872 or via email [rita.dimichele@mississauga.ca](mailto:rita.dimichele@mississauga.ca).

Comments Prepared by: Rita Di Michele, By-law Inspector

#### **Appendix 4 – Region of Peel**

##### **Minor Variance: A-24-275M / 4520 Trailmaster Drive**

Development Engineering: Wendy Jawdek (905) 791-7800 x6019

##### **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).
- 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: Petrele Francois, Junior Planner