

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-03-03	File(s): A70.21 Ward: 4
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-03-11 1:00 PM

Consolidated Recommendation

The City has no objection to the variances, as requested. Should Committee see merit in the Application, Planning Staff would recommend the condition identified below be imposed.

Application Details

The applicant requests the Committee to approve a minor variance to permit a temporary trailer on site whereas By-law 0225-2007, as amended, does not permit a temporary trailer in this instance.

Recommended Conditions and Terms

Should committee see merit in this application, Planning Staff recommend supporting the temporary sales trailer on a temporary basis for up to three (3) years and that the trailer face Elm Drive.

Background

Property Address: 3575 Kaneff Crescent

Mississauga Official Plan

Character Area: Downtown Fairview
Designation: Residential High Density

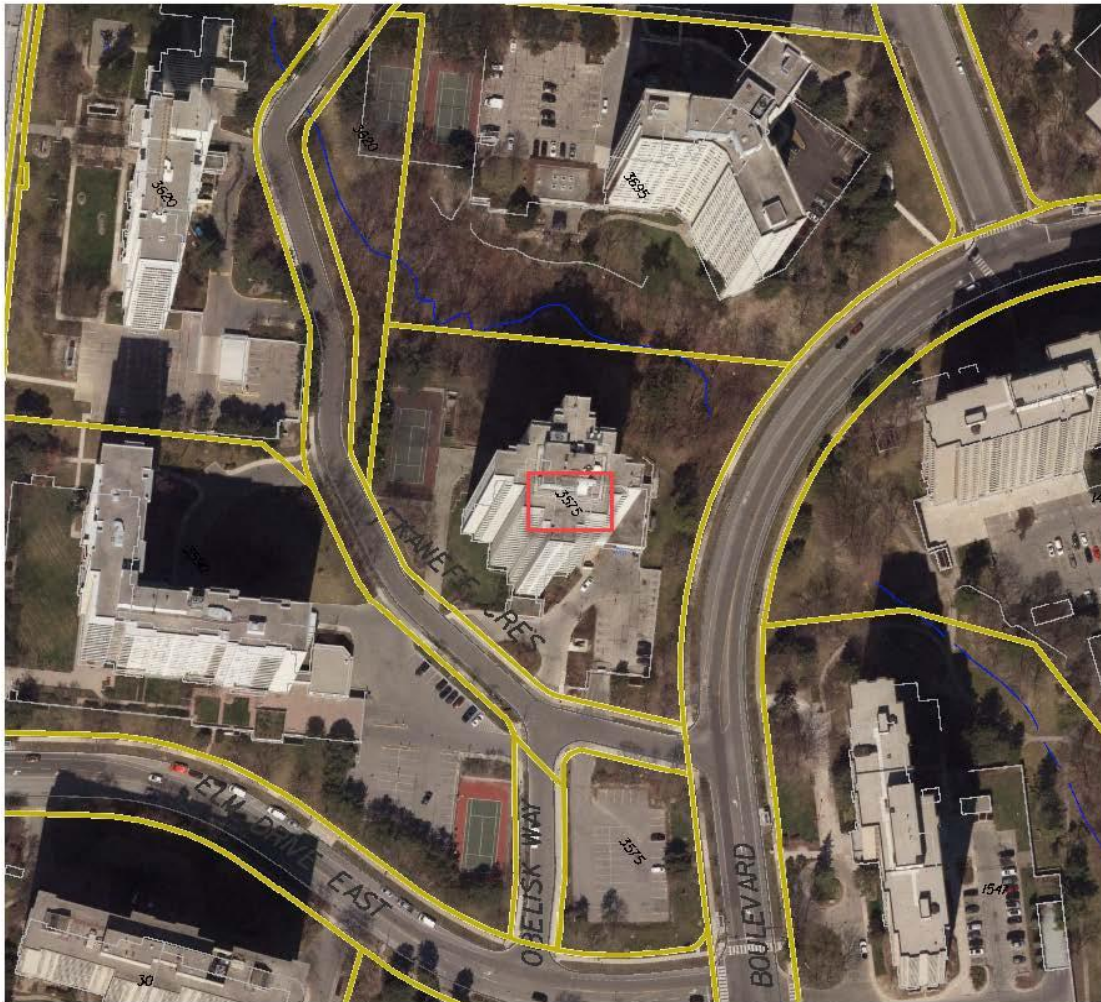
Zoning By-law 0225-2007

Zoning: RA5-4 - Residential

Other Applications: OZ 20/007 W4**Site and Area Context**

The subject property is located south-west of the Hurontario St and Burnhamthorpe Rd E intersection. The subject property is an exterior parcel, with a lot area of +/- 3,000.00m² and a lot frontage of +/- 60.0m. The property is currently a parking lot with mature vegetation surrounding the periphery of the lot. From a land-use perspective, the immediate neighbourhood is a mixture of residential buildings with moderate amounts of vegetation and landscape elements located at the periphery of each parcel. The properties within the immediate area possess lot frontages of +/-100.0m.

The applicant is proposing a temporary trailer that requires a variance to permit the temporary trailer.



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 site is located within the Downtown Fairview Character Area, and is designated Residential High Density by the Mississauga Official Plan (MOP). Pursuant to Section 12 (Downtown), this designation permits a residential high density apartment building. The Applicant's proposal of a residential tower meets the purpose and general intent of the Official Plan.

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

The intent of the by-law is to allow land to be used for buildings, structures, or parts thereof, erected or used for a temporary period, incidental to ongoing construction on the lot which has neither been finished or abandoned. In this instance, the applicant has proposed a temporary trailer to be moved from another location to the subject property. The intended purpose is to simply move the trailer to the subject property because it is vacant and store it therein with no goal to use it. There is no plan to sell units for the proposed apartment building and therefore the temporary sales trailer is not permitted on an inactive site. Planning Staff are of the opinion that this will not interfere with the processing of the proposed apartment building application (OZ 20/007) because it is anticipated that it will take the applicant two years to move through the development process. Staff note that the application can be supported on a temporary basis of three (3) years and stipulate that the trailer shall face Elm Drive. Planning Staff find the temporary proposal in accordance with the general intent and purpose of the zoning-by-law.

Should committee see merit in this application, Planning Staff recommend supporting the temporary sales trailer on a temporary basis for up to three (3) years and that the trailer face Elm Drive.

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

Planning Staff note that City Planning Strategies Staff have determined the proposal can be supported on a temporary basis given the current circumstances and find the proposal represents the orderly development of the lands, and is minor in nature.

Conclusion

Based upon the preceding information, Planning Staff have no objection to the approval of this application, subject to the condition noted above.

Comments Prepared by: Brooke Herczeg, RPP Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting that the City is currently processing a Rezoning Application on the subject lands which is in its very preliminary stage, File OZ 20/007 for a 29 storey rental apartment building. As noted in the information submitted the trailer is proposed to be relocated to this property as construction is to commence at the current location of the trailer.

From the photos attached and from the sketch site plan provided we note that no changes are being proposed to the existing access to this property. In view of the above we have no objections to permit the temporary trailer at this location.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to confirm the accuracy of the requested variance(s) or determine whether additional variance(s) may be required.

The applicant is advised that a completed zoning review may identify additional instances of zoning non-compliance. The applicant may consider applying for a preliminary zoning review application and submit working drawings for a detailed zoning review to be completed. A minimum of 6-8 weeks will be required to process a preliminary zoning review application depending on the complexity of the proposal and the detail of the information submitted.

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 5 – Region of Peel Comments

Development Planning: Diana Guida (905) 791-7800 x8243

Please be advised that a portion of the subject property is located within an area the Regional Official Plan (ROP) designates as Potential Natural Areas and Corridors (PNAC) woodland in the Region's Greenlands System, under Policy 2.3.2. Within these designations, ROP policies seek to protect environmental resources.

The Region relies on the environmental expertise of the CVC for the review of applications located within or adjacent to Greenlands Systems in Peel and their potential impacts on the natural environment. Regional Planning staff therefore, request that the Committee and city staff consider comments from the CVC and incorporate their conditions of approval appropriately.

Comments Prepared by: Diana Guida, Junior Planner