

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-05-27	File(s): A215.21
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-06-03 3:00 PM

Consolidated Recommendation

The City has no objection to the variance as requested subject to the condition being imposed.

Application Details

The applicant requests the Committee to approve a minor variance to allow a temporary sales office (for a duration of 5 years) in a C4-38 Zone whereas By-law 0225-2007, as amended, only permits a real estate office as a permanent structure 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 two (2) years and that the office be located at the rear of the property.

Background

Property Address: 12 Queen Street South

Mississauga Official Plan

Character Area: Streetsville Community Node
Designation: Mixed-Use

Zoning By-law 0225-2007

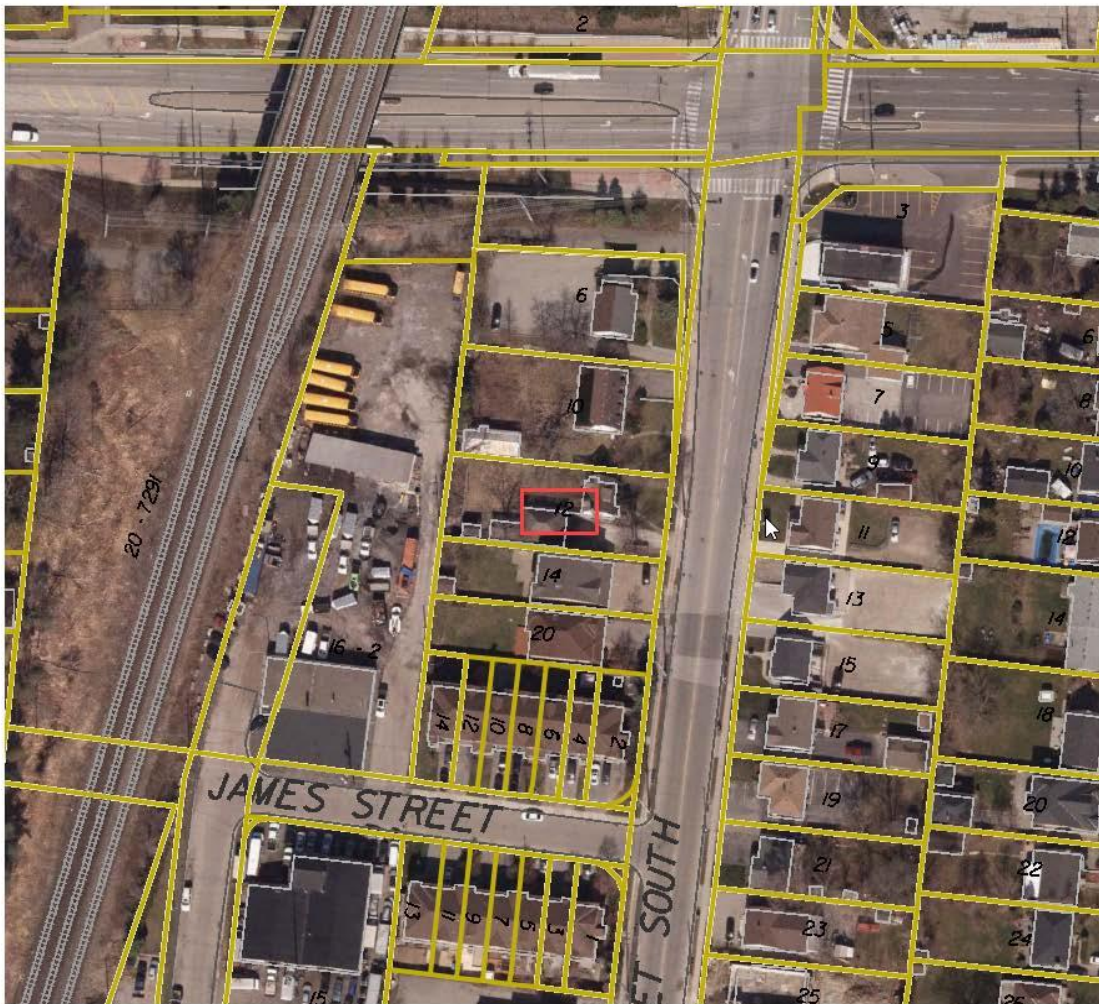
Zoning: C4-38 - Commercial

Other Applications: None

Site and Area Context

The subject property is located south-west of the Queen St S and Britannia Rd W intersection. The subject property is an interior parcel, with a lot area of +/- 1,416.4m² and a lot frontage of +/- 19.28.0m. 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 minimal amounts of vegetation and landscape elements located on each parcel. The properties within the immediate area possess lot frontages of +/-17.0m.

The applicant is proposing a temporary sales office requiring a variance to permit the temporary sales office.



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 site is located within the Streetville Community Node Character Area, and is designated Mixed-Use in Schedule 10 of the Mississauga Official Plan (MOP). Section 11.2.6 (Mixed Use) of the MOP does not permit a temporary sales office within this designation. Staff is of the opinion that the general intent and purpose of the official plan is not maintained.

With reference to regulation 2.1.21 (Temporary Buildings and Structures) 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 sales office on the subject property. The intended purpose is to use the site as a sales office for an approved, nearby infill townhouse site and for an upcoming Rezoning/ Official Plan Amendment (OPA) on the subject property and surrounding lands. Planning Staff are of the opinion that the requested time frame of five (5) years is excessive. As the forthcoming Rezoning/OPA is in the early stages of the development process Staff is unsure how long the development process will take and does not support this proposed office sitting vacant for an unforeseen time period. Therefore Staff recommends that the variance be approved for a period of two (2) years. This will provide time for the applicant to address sales of the nearby infill townhouse site. Accordingly, the applicant can address the proposed development on the subject lands once they are further through the development process. Staff note that the application can be supported on a temporary basis of two (2) years and stipulate that the office be situated at the rear of the property to create a greater buffer from the street.

Should committee see merit in this application, Planning Staff recommend supporting the temporary sales office on a temporary basis for up to two (2) years and stipulate that the office be located at the rear of the property.

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 any Transportation and Works Department conditions/requirements for the temporary sales office will be addressed through the future Site Plan Application.





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: Daniel Grdasic, Planning Associate

Appendix 5 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner