

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: Enter/choose date.	File(s): A347.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-26 1:00 PM

Consolidated Recommendation

The City has no objection to the variances, as amended.

Application Details

The applicant requests the Committee to approve a minor variance for interim use for site activation (temporary period of 3 years) proposing:

1. Active Recreational Use whereas the By-law 0225-2007, as amended, does not permit an Active Recreational Use in this instance;
2. Passive Recreational Use whereas the By-law 0225-2007, as amended, permit only Passive Recreational Use accessory to a permitted use in this instance;
3. A Tent/Stage Use whereas By-law 0225-2007, as amended, does not a permit Tent/Stage Use in this instance;
4. A fairground use whereas By-law 0225-2007, as amended, does not permit a fairground use in this instance; and
5. Outdoor storage whereas By-law 0225-2007, as amended, does not permit outdoor storage in this instance.

Amendments

While Planning Staff are not in a position to provide an interpretation of the Zoning By-law, Staff would note variance #5 should be amended as follows:

5. Outdoor Storage accessory to an Active Recreational Use, Passive Recreational Use, A Tent/Stage Use and a Fairground Use whereas By-law 0225-2007, as amended, does not permit outdoor storage accessory to an Active Recreational Use, Passive Recreational Use, A Tent/Stage Use and a Fairground Use in this instance.

Background

Property Address: 1082 Lakeshore Road East, 985 Hydro Road, & 800 Hydro Road

Mississauga Official Plan

Character Area: Lakeview Waterfront Major Node
Designation: Business Employment, Greenlands, Institutional, Residential Medium Density, Mixed Use, and Public Open Space

Zoning By-law 0225-2007

Zoning: G1 - Greenlands, U-1 - Utility, & OS2 - Open Space

Other Applications: OZ 19/021, OZ 19/003 W1, 21T-M19/001 W1, SPM 21-73 W1, BP 3NEW 19-9497 and A 277/19

Site and Area Context

The subject site is located within the Lakeview Waterfront Major Node, east of Cawthra Road and Lakeshore Road East. The south side of Lakeshore Road East consists of employment uses. Immediately east of the subject site is Serson Creek. The subject site has an area of approximately 71.26 ha in size and contains mature vegetation. The subject site is currently undergoing a Site Plan, Rezoning, Official Plan Amendment, and Draft Plan of Subdivision application review.

The minor variance application proposes an interim use for site activation (temporary period of 3 years) proposing active recreational, passive recreational, tent/stage, fairground and outdoor storage uses.



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 designated 'Business Employment', 'Greenlands', 'Institutional', 'Residential Medium Density', 'Mixed Use' and 'Public Open Space' in Schedule 10 of the Mississauga Official Plan (MOP). As per Section 9.5.1.1 of MOP, site design is encouraged to be compatible with site conditions, the surrounding context and landscape of the existing and planned character of the area. The application proposes temporary uses for site activation. The proposed uses are temporary and will not affect the future design of the site. Furthermore, the existing and planned site design will maintain compatibility with existing uses in the surrounding area. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

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

Variances #1-5 propose interim uses for site activation for a period of 3 years. The specific locations for where the interim uses will be located is unknown at this time. Currently, the subject lands are vacant and undergoing works related to site preparation and construction. 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, while ongoing construction is occurring on the lot which has neither been finished or abandoned. The proposed uses will allow the site to be temporarily utilized for site activation uses by the community in the interim. While the current zoning is not consistent with the planned vision of the subject lands, staff note that the OS2 zone already permits active and passive recreational uses. As a result, the proposed temporary uses do not significantly deviate from what is permitted on the lands today and would be compatible with the MOP and rezoning application. The proposal maintains the general intent of the Zoning by-law as the proposed uses are intended to be temporary in nature and will not jeopardize the ability to realize the ultimate intent for uses on the site in the future. Furthermore, the proposal will not supersede future development or the planned vision of the subject property.

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

The proposed variance is minor in nature as the use is temporary and will not jeopardize the ultimate intent of the Official Plan or the Zoning By-law and will not impact the planned vision of the subject lands. Furthermore, the interim uses are desirable as they provide an opportunity for the lands to be utilized by the community for recreation and leisure.

Conclusion

The Planning and Building Department has no objection to the variances, as amended.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed uses are being addressed through the Site Plan Application process.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan permit under file SPM 21-73 W1. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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: Brandon Eidner, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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The Park Planning Section of the Community Services Department has reviewed the above noted minor variance application and advises as follows:

- Parks, Forestry & Environment Division has No Objection to the proposed variances to permit Active and Passive, Tent/Stage, Fairground and Outdoor Storage Uses on the subject property.

Should further information be required, please contact Jim Greenfield, Park Planner, Community Services Department at 905-615-3200 ext. 8538 or via email jim.greenfield@mississauga.ca

Comments Prepared by: Jim Greenfield, Park Planner

Appendix 4 – Heritage

N/A

Appendix 5 – Region of Peel Comments

This site does not have frontage on existing municipal sanitary sewer. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at siteplanservicing@peelregion.ca. Region of Peel Site Servicing connection approvals are required prior to the local municipality issuing building permit.

Comments Prepared by: Diana Guida, Junior Planner