

City of Mississauga Department Comments

Date Finalized: 2021-12-22	File(s): A21.22 Ward 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-01-13 3:00:00 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(1) of the Planning Act. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

The applicant requests the Committee to approve a minor variance to allow an apartment building with reduced parking space dimensions, front yard and side yard proposing:

1. 13 parking spaces with a width of 2.60m (approx. 8.53ft) whereas By-law 0225-2007, as amended, requires a minimum parking space width of 2.75m (approx. 9.02ft) in this instance;
2. 4 parking spaces with a width of 2.6m (approx. 8.5ft) whereas By-law 0225-2007, as amended, requires a minimum parking space width of 2.9m (approx. 9.5ft) in this instance;
3. 3 parking spaces with a length of 4.71m (approx. 15.45ft) whereas By-law 0225-2007, as amended, requires a minimum parking space length of 5.20m (approx. 17.06ft) in this instance;
4. 6 parking spaces with a length of 4.9m (approx. 16.1ft) whereas By-law 0225-2007, as amended, requires a minimum parking space length of 5.2m (approx. 17.1ft) in this instance;
5. A front yard setback of 4.4m (approx. 14.4ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 4.5m (approx. 14.8ft) in this instance; and,
6. A side yard setback of 4.4m (approx. 14.4ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 4.5m (approx. 14.8ft) in this instance.

Recommended Conditions and Terms

The applicant shall register on title a warning clause for the parking space that is substandard in size indicating the size deficiency and shall notify the owner and/or purchaser affected by the reduced size of the parking space.

Background

Property Address: 21 Park Street East

Mississauga Official Plan

Character Area: Port Credit Community Node
Designation: Residential High Density

Zoning By-law 0225-2007

Zoning: RA4-48 - Residential

Other Applications: PAM 16 – 308; DARC 16-326; HPA 16-46; OZ 17-13; PAM 18-153; SP 18-73; H-OZ 18-1; PAM 21 – 308; 21CDM-M 21-00006

Site and Area Context

The subject property is located within the Port Credit Community Node Neighbourhood Character Area, east of Stavebank Road and Park Street East. The immediate area consists of a mix of multi-storey apartment buildings, two-storey detached dwellings and institutional uses with mature vegetation in the front yards. The subject property is currently under construction and has no vegetation in the front yard.

The applicant is proposing a apartment building requiring variances related to parking spaces and setbacks.



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 designated Residential High Density in Schedule 10 of the Mississauga Official Plan (MOP), which permits apartments.

Variances #1-4 pertain to dimensions of parking spaces. The intent of this portion of the Zoning By-law is to ensure that each structure is self-sufficient in providing adequate parking accommodations. While staff have no concerns with this variance, we request that the following condition be placed on title to ensure that future owners of the properties are aware of the deficiencies:

The applicant shall register on title a warning clause for the parking space that is substandard in size indicating the size deficiency and shall notify the owner and/or purchaser affected by the reduced size of the parking space.

Variances #5 and 6 pertain to setbacks. The applicant is proposing a reduction of 0.1m from the minimum zoning by-law requirements. Staff are of the opinion that this variance is minor and the effects of reducing the setbacks by 0.1m are negligible.

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 and that 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

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for this property have been addressed through HOZ-18/001, SP-18/073 and CDM-21/006 Application processes.

Comments Prepared by: John Salvino, 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: Brandon Eidner, Zoning Examiner