

# City of Mississauga Department Comments

Date Finalized: 2022-01-19	File(s): A511.21 Ward 6
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-01-27 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.

## Application Details

The applicant requests the Committee to approve a minor variance to permit an outdoor clothing drop box on a property in a Residential Zone whereas By-law 0225-2007, as amended, only permits an outdoor clothing drop box in Commercial and Employment Zones.

## Background

**Property Address:** 1290 Rathburn Road West

### Mississauga Official Plan

Character Area: Creditview Neighbourhood  
Designation: Residential High Density

### Zoning By-law 0225-2007

**Zoning:** RA3-13 - Residential

**Other Applications:** None

### Site and Area Context

The subject property is located on the south-west corner of the Rathburn Road West and Creditview Road intersection. It currently contains a 9-storey residential building with both

surface and underground parking. Limited vegetation and landscaping elements are present on the property. The surrounding area context includes a mix of residential and commercial properties, as well as the Erindale GO station.

The applicant is proposing a clothing drop box requiring a variance for the proposed location.



## 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:

The subject property is located in the Creditview Neighbourhood Character Area and is designated Residential High Density in Schedule 10 of the Mississauga Official Plan (MOP). The Residential High Density designation permits apartment dwellings, along with some additional commercial uses at grade.

The Region of Peel's Waste Management Division, on behalf of the Peel Housing Corporation (Peel Living), is applying for minor variances on 20 multi-residential properties, all of which are apartments, requesting that the City of Mississauga permit outdoor clothing drop boxes on

properties zoned Residential, whereas Section 2.1.28 of the City's Zoning By-law only permits outdoor clothing drop boxes in Commercial and Employment Zones.

The By-law prohibits the location of these bins on properties zoned Residential and imposes a 6.0m (19.7ft) setback to lands zoned Residential in order to mitigate any potential impacts surrounding the use of the bin. In this instance staff note that the bin will appropriately service the residential use on the subject property, while maintaining an appropriate 6.0m (19.7ft) buffer to the adjoining Residential zone, thereby limiting impacts to abutting properties.

Furthermore the proposed bin is not located in any required landscaped area, required parking area, or obstructing any required parking spaces. The outdoor clothing drop box is appropriately screened from the streetscape, further minimizing potential impacts. Staff are of the opinion that the clothing drop box will not pose any negative impacts to the site, surrounding properties, or streetscape.

Staff are satisfied 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: Alexander Davies, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

This Department has no objections, comments or requirements with respect to C.A. 'A' 511/21.

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