# City of Mississauga Department Comments

Date Finalized: 2022-01-19 File(s): A512.21

To: Committee of Adjustment Ward 3

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: 880 Riley Court

Mississauga Official Plan

Character Area: Applewood Neighbourhood Designation: Residential High Density

**Zoning By-law 0225-2007** 

Zoning: RA2-40 - Residential

Other Applications: None

**Site and Area Context** 

The subject property is located on the north side of Dundas Street East, east of the Haines Road intersection. It currently contains an 8-storey residential building with a mix of surface and

structured parking. Some mature vegetation is scattered throughout the property. The surrounding area context includes a mix of residential, commercial and industrial properties.

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 Applewood 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

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# **Appendices**

### **Appendix 1 – Transportation and Works Comments**

This Department has no objections, comments or requirements with respect to C.A. 'A' 512/21.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

#### **Appendix 2 – Zoning Comments**

The Building Department is currently processing a Building Permit under file BP 3NEW 21-9660. 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: Adam McCormack, Zoning Examiner