

# City of Mississauga Department Comments

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| Date Finalized: 2022-02-23                | File(s): A101.22                      |
| To: Committee of Adjustment               | Ward: 1                               |
| From: Committee of Adjustment Coordinator | Meeting date:2022-03-10<br>1:00:00 PM |

## Consolidated Recommendation

The City has no objection to the variances, as requested. Should Committee see merit in the Application, Planning Staff would recommend the condition identified below be imposed.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the continued use of the subject residential land and buildings for the purpose of a Private Automobile Club with:

1. A private automobile club to operate on the subject lands in an R3-75 Zone (Residential) whereas By-law 0225-2007, as amended, does not permit a private automobile club within an R3-75 Zone (Residential) in this instance; and,
2. A total of 11 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 23 parking spaces in this instance.

## Recommended Conditions and Terms

Should Committee see merit in the Application, Planning Staff would recommend that the following condition be imposed:

That the variance be permitted for a temporary period of five (5) years or until such time that the existing lease is terminated.

## Background

**Property Address:** 2018 Proverbs Drive

### Mississauga Official Plan

**Character Area:** Lakeview Neighbourhood

Designation: Residential Low Density I

## Zoning By-law 0225-2007

Zoning: R3-75 - Residential

**Other Applications:** Building permit application under file C 21-8279.

## Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, southeast of Dixie Road and North Service Road. The immediate neighbourhood is entirely residential consisting of one and two-storey detached dwellings with mature vegetation in the front yards. The subject property is vacant with minimal vegetation throughout the property.

The applicant is proposing a private automobile club requiring variances to permit a private automobile club and a reduced number of parking spaces.



## 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 applicant currently operates a private automobile club at 1485 North Service Road, which is owned by the Ontario Realty Corporation (ORC). The Ministry of Transportation for the Province of Ontario (MTO) is currently undertaking highway and interchange improvements, which include the construction of a noise barrier that will eliminate the existing access and parking area. Approval of the use and the reduced parking is required by the province in order to provide a Certificate of Occupancy to the property owner and the ORC, as well as to provide an alternate access (from 2016 Proverbs Drive) and a new parking area for the property.

The Applicant has occupied the property for 63 years. Upon the future completion of construction activities, the ORC will terminate the lease and sell the subject property. No changes to the existing buildings on the subject property are proposed.

Staff note that the Committee of Adjustment has previously granted the temporary use of the subject property as a private automobile club (A335.95, A512.91, A369.88 and A320.85).

Transportation and Work's (T&W) staff have reviewed the applicant's request for reduced parking and have provided the following comments. Given the continued use of the subject site by the Applicant and no expected change in parking demand from the existing condition, Staff can support the variance for a temporary period of five (5) years or until such time that the existing lease is terminated.

Planning staff echo T&W staff's recommendation and has no objection to the application, subject to a condition that the use be permitted for a temporary period of five (5) years or until such time that the existing lease is terminated.

Comments Prepared by: Connor DiPietro, 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' 101/22.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a Zoning Certificate of Occupancy permit under file C 21-8279. Based on review of the information currently available for this building permit, the variances, as requested are correct.

Our comments are based on the plans received by Zoning staff on 11/10/2021 for the above captioned building permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: Adam McCormack, Zoning Examiner