

City of Mississauga Department Comments

Date Finalized: 2022-05-11	File(s): A275.22 Ward 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-05-19 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

The applicant requests the Committee to approve a minor variance to allow a rear entrance ramp with:

1. An exterior side yard of 4.34m (approx. 14.24ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 6.00m (approx. 19.69ft) in this instance;
2. 8 existing parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 24 parking spaces in this instance;
3. Existing parking length of 5.15m (approx. 16.90ft) whereas By-law 0225-2007, as amended, requires a minimum parking length of 5.20m (approx. 17.06ft) in this instance; and,
4. An existing parking aisle of 6.28m (approx. 20.60ft) whereas By-law 0225-2007, as amended, requires a minimum parking aisle of 7.00m (approx. 22.97ft) in this instance.

Background

Property Address: 327 Queen St S

Mississauga Official Plan

Character Area: Streetsville Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3 - Residential

Other Applications: C 22-1676

Site and Area Context

The subject property is located on the east side of Queen Street South, south of the Church Street intersection in the Streetsville neighbourhood. It currently contains the historic Kinsmen Hall and has some mature vegetation within the side yards of the property. Parking for the hall is located in the rear, with access from the Beech Street right-of-way. The surrounding area context includes residential and commercial uses on generally smaller lots, along with open space.

The applicant is proposing to reconstruct the accessibility ramp at the rear of the property requiring variances for exterior side yard setback, parking, parking space size, and aisle width.



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 Meadowvale Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). Community infrastructure is permitted in all designations within the official plan. The site is further subject to Special Site 1 policies, which are high level policies regarding the design and layout of sites along this portion of Queen Street South. Staff are satisfied that the proposed

ramp, as well as the existing parking space sizes and aisle width, are consistent with these policies.

Variance 1 requests a reduced exterior side yard. The general intent of the exterior side yard provisions of the by-law is to ensure that an adequate buffer exists between a structure's massing and the public realm. Staff note that the proposed ramp creates no additional massing and are satisfied that there will be no additional impact to the public realm above the existing condition. Furthermore the proposed ramp will improve accessibility for the property.

Variances 3 & 4 relate to the existing parking space length and drive aisle width, respectively. By regulating the size of an individual space to a length of 5.2m (approx. 17.1ft), the zoning by-law ensures that even atypical vehicles can park in the space, while the drive aisle remains unobstructed. Staff are satisfied that the proposed reduction is negligible and will not impact the functionality of the spaces. The intent of regulating drive aisle width is to ensure there is adequate space for vehicle passageway located within a parking area. Staff note that the size of the parking area is limited and the necessary maneuverability should be able to be accommodated within the proposed parking area.

Given the above, Planning staff are of the opinion that variances 1, 3 & 4 maintain the general intent and purpose of both the official plan and zoning by-law, are minor in nature, and represents appropriate development of the subject property.

Variance 2 requests a parking reduction for the subject property. The intent of the zoning by-law in quantifying the required number of parking spaces is to ensure that each lot is self-sufficient in providing adequate parking accommodations based upon its intended use. Section 8.4 of the official plan contemplates potential reductions in parking requirements and alternative parking arrangements in appropriate situations. While staff note that several parking spaces are available to the property but are unable to be included in the parking count as they are located either partially or fully off site, the late submission of this variance has resulted in Municipal Parking staff being unable to review the request. Staff therefore recommend that the application be deferred in order to allow Municipal Parking staff to review the proposed parking variance.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We note that the Transportation and Works Department has no objections to the proposed rear entrance ramp as it will not impact or alter the existing grading and drainage pattern for this property.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Zoning Certificate of Occupancy Permit under file C 22-1676. 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: Jeanine Benitez, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment Comments

The Park Planning Section of the Community Services Department has no objections to the minor variance application and advises as follows:

1. The lands adjacent of the subject property are owned by the City of Mississauga, known as Streetsville Memorial Park (P-114).
2. Hoarding and park protection will be secured through the associated site plan control application forthcoming.
3. Construction access from the park is not permitted.
4. Stockpiling of construction materials and encroachment in the adjacent park is not permitted.

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 – Region of Peel Comments

Comments: Please be advised that the subject property is located within the limits of the regulated area of the Credit Valley Conservation (CVC).

The Region relies on the environmental expertise of the CVC for the review of development applications located within or adjacent to this regulated area in Peel and their potential impacts on the natural environment. Regional Planning staff therefore, request that the Committee and city staff consider comments from the CVC and incorporate their conditions of approval appropriately.

Comments Prepared By: Joseph Filice, Junior Planner