

City of Mississauga Department Comments

Date Finalized: 2022-09-07	File(s): A409.22
To: Committee of Adjustment	Ward: 10
From: Committee of Adjustment Coordinator	Meeting date:2022-09-15 1:00:00 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 meets the requirements of Section 45 (1) of the Planning Act. The applicant may wish to defer the application to ensure the accuracy of the requested variances and that additional variances are not required.

Application Details

The applicant requests the Committee to approve a minor variance to allow a change of use proposing: to permit a temporary sales office in a development zone whereas By-law 0225-2007, as amended, does not permit a temporary sales office in a development zone in this instance.

Background

Property Address: 5160 Ninth Line

Mississauga Official Plan

Character Area: Ninth Line Neighbourhood
Designation: Residential Medium Density

Zoning By-law 0225-2007

Zoning: D - Development Zone

Other Applications: None

Site and Area Context

The subject property is located on the west side of Ninth Line, north of the Eglinton Avenue West intersection. It currently contains a single storey commercial building with an associated parking lot. Limited landscaping elements are present on the property, however a row a mature trees is present along the south side of the property. The surrounding area context includes residential subdivisions along the east side of Ninth Line and large, predominantly vacant properties along the west side of Ninth Line. The 407 is located in close proximity to the west of the property.

The applicant is proposing a temporary sales office for new dwellings on the subject property, requiring a variance for the use.



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 Rathwood Applewood Community Node Character Area and is designated Mixed Use in Schedule 10 of the Mississauga Official Plan (MOP). The Mixed Use designation permits a variety of uses including restaurants.

The sole variance requests a temporary sales office use in a Development zone. The intent of

the Development zone is to allow existing land uses to continue until such a time as the property goes through a development application to facilitate an appropriate redevelopment of the property. The subject and surrounding properties are currently subject to official plan amendment and rezoning applications which have proceeded through the process to a sufficient point to allow for the construction of a sales centre. Staff are of the opinion that the request is appropriate to be handled through the minor variance process, and that the request 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 to the applicant's request to allow for a temporary sales office.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

We note that a Building Permit and Zoning Certificate of Occupancy application is required. In the absence of a Building Permit application we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed.

The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

Comments Prepared by: Andrea Patsalides, Zoning Examiner