

City of Mississauga Department Comments

Date Finalized: 2022-09-07	File(s): A410.22
To: Committee of Adjustment	Ward: 7
From: Committee of Adjustment Coordinator	Meeting date:2022-09-15 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application. 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 for the construction of a mixed-use building proposing a balcony depth of 10.65m (approx. 34.94ft) whereas By-law 0225-2007, as amended, permits a maximum balcony depth of 2.1m (approx. 6.89ft) in this instance.

Background

Property Address: 86 and 90 Dundas St E

Mississauga Official Plan

Character Area: Downtown Cooksville
Designation: Residential High Density, Greenlands

Zoning By-law 0225-2007

Zoning: RA4-52 and G1 - Mixed-Use

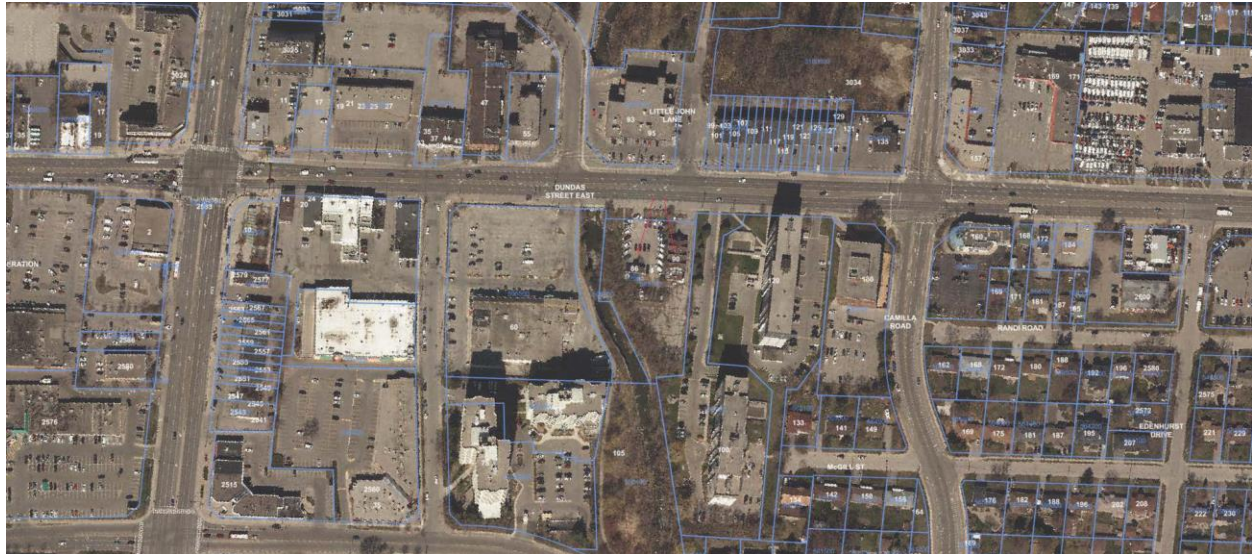
Other Applications: SP 19-130

Site and Area Context

The subject property is located on the south side of Dundas Street East, east of the Hurontario Street intersection. No landscaping elements are present on the subject property. Some

vegetation is present along the western property line, abutting the Cooksville Creek. The property has a lot frontage of +/- 60.65m (199ft) and a lot area of +/- 5,211.77m² (56,099ft²). The surrounding area context includes a mixture of high rise residential, low rise commercial, and open space uses.

The applicant is proposing to construct a condominium requiring a variance for balcony depth.



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 Downtown Cooksville Character Area and is designated Residential High Density in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits apartment dwellings.

The applicant is proposing an increase of balcony depth. Upon review of the application staff note that the request is for a limited number of balconies within the proposal, generally located where there are step backs in building massing. Planning staff are satisfied that the proposed variances will facilitate a development that is appropriate for the subject property and that the proposed variances are minor deviations that will not significantly alter the envisioned development.

Planning staff are therefore satisfied that the application meets the four tests of a minor variance.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting that any Transportation and Works Department concerns/requirements for the proposed development are being addressed through the Site Plan Application SP-19-130 as well as the Rezoning Application OZ 16/008 processed and the current HOZ 20/05 for this development.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan application under file SP 19-130 W7. 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: Brandon Eidner, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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

Given the property is subject to site plan control, should the application be approved, Community Services provides the following notes:

The lands to the rear of the property are owned by the Credit valley Conservation Authority, leased by the City of Mississauga, identified as Cooksville Park (P-071) and classified as Significant Natural Area within the City's Natural Heritage System and zoned G1. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:

- a) ensuring that development in or adjacent to the Natural Heritage System protects and maintains the natural heritage features and their ecological

- functions through such means as tree preservation, appropriate location of building envelopes, grading, landscaping...;
- b) placing those areas identified for protection, enhancement, restoration and expansion in public ownership, where feasible.

1. City owned lands, Cooksville Park (P-071) abuts the rear of the applicant's property.
2. Parks, Forestry and Environment Division requirements have been addressed under the application H OZ 20-005.

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

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: Daniel O'Connor, Development Engineering

Appendix 5 – Credit Valley Conservation

CVC staff have **no concerns** with the subject minor variance for balcony depth at 86-90 Dundas St E. We do note, however, that the subject property is regulated by CVC and a CVC permit will be required for the development as proposed. CVC staff are also reviewing the proposal under the Site Plan application (SP 19/130).

Comments Prepared by: Elizabeth Paudel, Planner