

City of Mississauga Department Comments

Date Finalized: 2022-09-14	File(s): A371.22
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2022-09-22 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 the construction of new electric vehicle chargers and sign within the landscape buffer on the subject lands proposing:

1. A setback of 2.7m (approx. 8.9 ft) for the EV chargers, whereas By-law 0225-2007, as amended, requires a setback of 4.5m (approx. 14.7ft) in this instance; and
2. A setback of 3.4m (approx. 11.1ft) for the sign, whereas By-law 0225-2007, as amended, requires a setback of 4.5m (approx. 14.7ft) in this instance.

Background

Property Address: 780 South Sheridan Way

Mississauga Official Plan

Character Area: Clarkson – Lorne Park Neighbourhood
Designation: Motor Vehicle Commercial

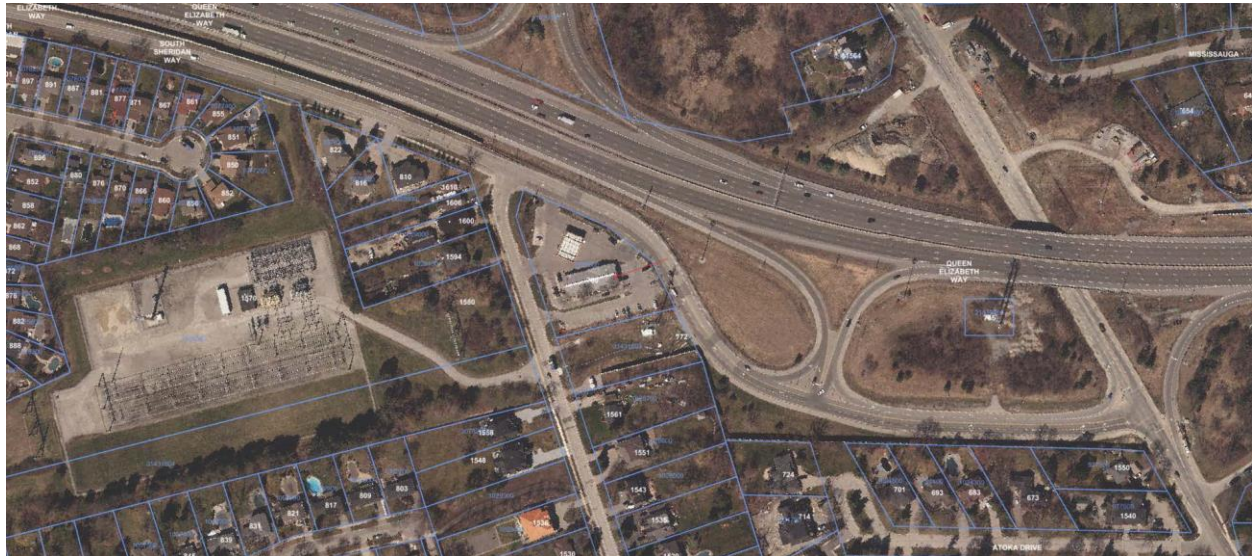
Zoning By-law 0225-2007

Zoning: C5-2 - Commercial

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, on the southeast corner of South Sheridan Way and Indian Grove. The immediate neighbourhood contains a variety of uses, including low density residential, utility and motor vehicle commercial. The subject property contains an existing gas bar and restaurant with little vegetation within the landscape buffer along the north, east and west sides of the property.

The applicant is proposing electric vehicle chargers and a sign requiring variances for setbacks.



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 are as follows:

The subject property is designated Motor Vehicle Commercial on Schedule 10 of the Mississauga Official Plan (MOP). The Motor Vehicle Commercial designation permits gas bar; motor vehicle repair; motor vehicle service station; motor vehicle wash; retail store and take-out restaurant uses.

The applicant is proposing reduced exterior side yard setbacks to accommodate electric vehicle (EV) chargers and a sign. Upon review of the submitted information, Planning staff are of the opinion that the variances requested may be incorrect. Furthermore, additional variances may be required, as the proposed structures encroach into a landscape buffer. Zoning staff are unable to confirm the accuracy of the requested variances as the applicant has not submitted a building permit.

As such, Staff recommends that the application be deferred to allow the applicant an opportunity to submit a building permit to verify the accuracy of the requested variances and determine if additional variances are required.

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' 371/22.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

We note that a Building Permit 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

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 Hydro One Corridor, leased by the City of Mississauga, identified as Nine Creeks Trail (P-534) and zoned U-Utility.

1. Construction access from the adjacent parkland is not permitted.
2. If access is required from adjacent parkland, a Consent to Enter Agreement/Park Access Permit will be required.
3. Stockpiling of construction materials and encroachment in the adjacent park/greenlands 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 Planning