

City of Mississauga Department Comments

Date Finalized: 2022-09-14	File(s): A443.22
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2022-09-22 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, as requested, meets the requirements of Section 45(1) of the Planning Act. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a new building proposing:

1. Amenity space per unit of 3.2sq m (approx. 34.44sq ft) whereas By-law 0225-2007, as amended, requires a minimum of amenity space per unit of 5.6sq m (approx. 60.28sq ft) in this instance;
2. A percentage of amenity space to be in one contiguous area of 47.6% whereas By-law 0225-2007, as amended, requires a minimum percentage of amenity space to be in one contiguous area of 50% in this instance;
3. A percentage of landscaped area to total lot area of 29% whereas By-law 0225-2007, as amended, requires a minimum percentage of landscaped area to total lot area of 30% in this instance;
4. A minimum drive aisle width of 6.74m (approx. 22.11ft) in the ground floor visitor parking area whereas By-law 0225-2007, as amended, requires a minimum drive aisle width of 7.0m (approx. 22.97ft) in this instance;
5. An encroachment into the east landscape buffer for outdoor amenity space whereas By-law 0225-2007, as amended, does not permit an encroachment into the east landscape buffer for outdoor amenity space in this instance;
6. An encroachment into the south and east landscape buffer for an exhaust shaft whereas By-law 0225-2007, as amended, does not permit an encroachment into the south and east landscape buffer for an exhaust shaft in this instance;
7. An encroachment into the south landscape buffer for visitor bicycle parking whereas By-law 0225-2007, as amended, does not permit an encroachment into the south landscape buffer for visitor bicycle parking in this instance;

8. An encroachment into the southwest landscape buffer for a gas meter whereas By-law 0225-2007, as amended, does not permit an encroachment into the southwest landscape buffer for a gas meter in this instance; and,

9. An encroachment into the south landscape buffer for benches whereas By-law 0225-2007, as amended, does not permit an encroachment into the south landscape buffer for benches.

Background

Property Address: 200 Missinnihe Way - Block 6

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (West)
Designation: Residential High Density

Zoning By-law 0225-2007

Zoning: RA3-36 - Residential

Other Applications: Site Plan Approval application under file SP 22-103, Building Permit application under BP 3New 22-2768

Site and Area Context

The subject site is located within the Port Credit Neighbourhood (West) Character area and forms part of the 29 hectare (72 acre) “Brightwater” development, located south-west of the Mississauga Road and Lakeshore Road West intersection. The immediate area consists of a range of residential, commercial and recreational uses. The Local Planning Appeal Tribunal (LPAT) (now Ontario Land Tribunal) through a settlement agreement between West Village Partners Inc. and the City, approved the official plan and zoning amendments (OZ/OPA 17 12) to permit a variety of uses including townhouses, mid and high-rise condominiums, retail, parkland and institutional uses on the 29 hectare (72-acre) site. As a part of these approvals, the Region of Peel secured a land dedication (the subject site) for the development and construction of an affordable housing building.

On behalf of the Region of Peel, the applicant (FRAM + Slokker) will deliver the design, develop and construct a 7-storey rental apartment building that comprises of 150 units and 1 level of underground parking. FRAM + Slokker will be acting as the agent/applicant for the above noted application. The applicant is requesting variances related to amenity space, landscaped area, a drive aisle and encroachments.



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 Residential High Density in Schedule 10 of the Mississauga Official Plan (MOP), which permits apartment dwellings; uses permitted in the Residential Medium Density designation, accessory to apartment dwellings on the same property; and uses permitted in the Convenience Commercial designation at grade in apartment dwellings, except for commercial parking facilities, gas bars, and drive-through facilities.

Part of the approvals for the overall “Brightwater” development includes the provision for a Region of Peel apartment building that will form part of the Region’s housing portfolio. Staff note that the Planner reviewing the associated site plan application has no concerns with the applicant’s proposal.

Variances #1-3 pertain to amenity space and landscaped area. These variances represent minor reductions from the minimum zoning by-law requirements. In addition, there are opportunities for future residents to utilize public amenity space through the various parks that will be constructed within the immediate vicinity as part of the overall development.

Variance #4 pertains to an aisle width. Transportation and Works staff have no concerns with the proposed aisle width.

Variances #5-9 are for encroachments. These variances are required as a direct result of the subject property's challenging shape and size and are of no concern to staff. Staff note that the proposed use is appropriate and desirable. Furthermore, the proposed use is compatible with existing and planned uses in the immediate area and will not adversely impact neighbouring properties.

Through a detailed review of the application, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed building are being addressed through the current Site Plan Application process, File SPI-21/187.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan Approval application under file SP 22-103. Based on review of the information currently available for this application, we advise that more information is required to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Our comments are based on the plans received by Zoning staff on 06/30/2022 for the above captioned site plan 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