

City of Mississauga Department Comments

Date Finalized: 2023-03-22	File(s): A679.22 Ward: 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-03-30 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

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

1. A minor variance to consider the RM6-27, RM6-28, and RM11-1 Townhouses and Back-to-Back Townhouses on a CEC Road as one lot for the purposes of calculating and providing visitor parking spaces; whereas, Mississauga Zoning By-law 0225-2007, as amended, requires each lot and each portion of a lot that is divided into more than one (1) zone to comply with the applicable provisions of the zone in which it is situated.
2. A minor variance to provide 35 visitor parking spaces on lands zoned RM6-27, RM6-28, and RM11-1 Townhouses and Back-to-Back Townhouses on a CEC Road; whereas, whereas, Mississauga Zoning By-law 0225-2007, as amended, requires 36 visitor parking spaces.

Background

Property Address: 4000, 4002, 4004, 4006, 4010, 4012, 4014, 4016, 4018 Lebold Lane and 4100, 4102, 4104, 4106, 4010, 4112, 4114, 4116, 4118 Raybria Way

Mississauga Official Plan

Character Area: Ninth Line Neighbourhood
Designation: Residential Medium Density

Zoning By-law 0225-2007

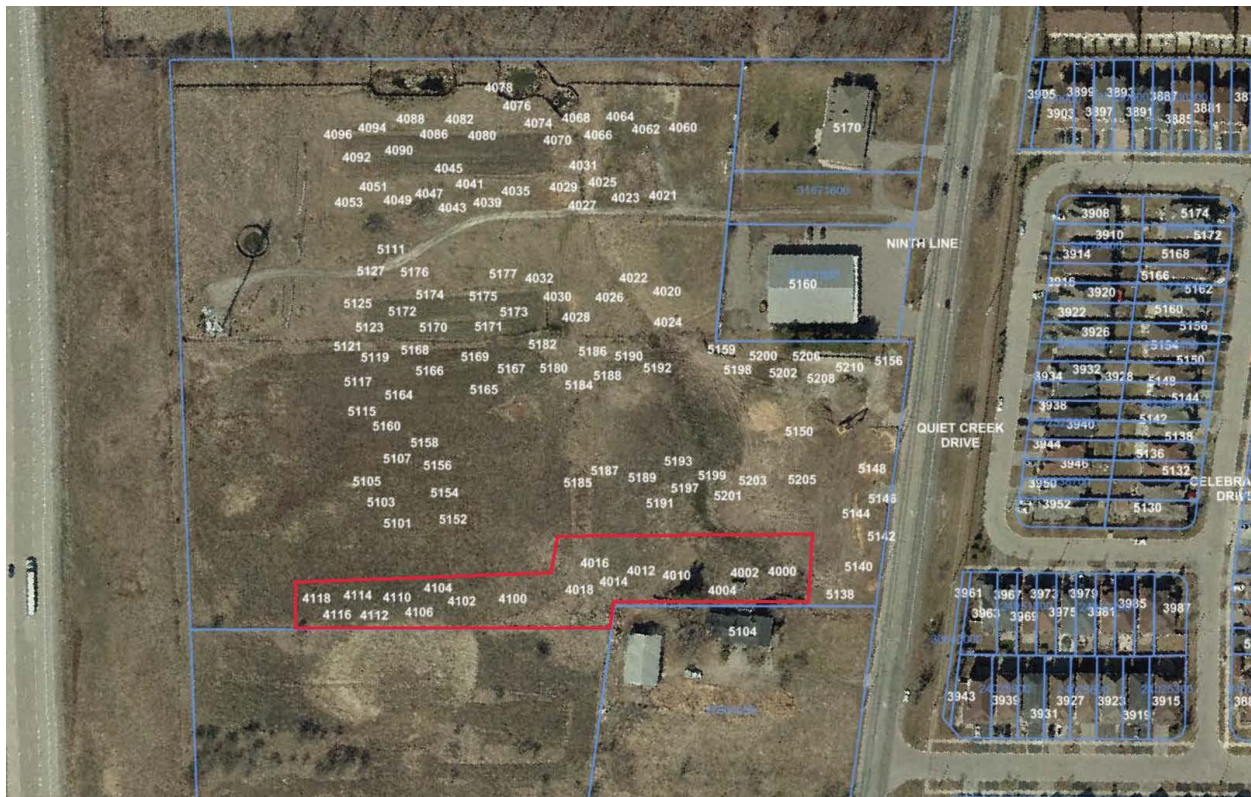
Zoning: RM6-26, RM6-77 - Residential

Other Applications: BP 22-5129

Site and Area Context

The subject properties are part of a development located on the west side of Ninth Line, north of the Eglinton Avenue West intersection. The development lands are currently vacant, with no notable landscaping or vegetative elements, however significant vegetation abuts the development on the property to the north. Lands to the south are currently vacant, while lands across Ninth Line to the east contain residential uses. Highway 407 abuts the development to the west.

The applicant is proposing modifications to the visitor parking rates, requiring variance for the number of parking spaces and the calculation methodology.



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 Ninth Line Neighbourhood Character Area and is designated Residential Medium Density in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits the proposed townhouse built form.

Variance 1 proposes that the entirety of the site be considered one lot for the purposes of calculating and providing visitor parking spaces, whereas the by-law separates the requirement by zone. This is done as differing zones may have different requirements on various development standards, such as visitor parking. In this instance the entirety of the site functions as a cohesive development, and visitor parking spaces are appropriately located throughout the entirety of the site.

Variance 2 proposes a reduction of 1 visitor parking space across the site. 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. The applicant is proposing a reduction in visitor parking to accommodate an accessible parking space within the visitor parking area. Municipal Parking staff have reviewed the variance request and note as follows:

A Parking Justification Letter (PJL) was submitted by Crozier Consulting Engineers dated February 9th, 2023 reviewing and providing justification regarding a reduction in visitor parking to accommodate an accessible parking space within the visitor parking area. The proposed reduction of one space from 36 to 35 spaces represents a 3% parking space deficiency and can therefore be supported with the submitted PJL as the requirements of the City's parking Terms of Reference (TofR) have been met.

Additionally, the Building Department is currently processing a Building Permit application, and based on review of the information available in that application, the variances, as requested, are correct. Staff can support the requested variance.

Given the above Planning staff are of the opinion that the application maintains the general intent and purpose of both the official plan and zoning by-law, is minor in nature, and represents appropriate development of the subject property.

Comments Prepared by: Alexander Davies, 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' 679/22.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit (BP 22-5129) application. Based on review of the information currently available for this application, the variances, as requested are correct.

NOTE: There is a grammatical error. In second variance, the word “whereas” is repeated.

Our comments are based on the plans received by Zoning staff 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: Ramsen Hedoo

Appendix 3 – Parks, Forestry & Environment

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

Should the application be approved, Community Services provides the following notes:

1. The Community Services Department – Park Planning Section, has reviewed and secured fees & securities under development applications SP 20 – 84 & 21T-M19006.
2. Access from the adjacent City owned lands is not permitted.
3. If future construction is required, access from the adjacent City owned lands is not permitted.
4. If access is required to City owned lands, a Consent to Enter Agreement/Park Access Permit will be required.

5. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.

Should further information be required, please contact Nicholas Rocchetti, Park Planning Assistant, Community Services Department at 905-615-3200 ext. 4659 or via email Nicholas.Rocchetti@mississauga.ca.

Comments Prepared by: Nicholas Rocchetti, Park Planning Assistant

Appendix 4- Region of Peel

Please apply previous comments to this application.

Comments Prepared by: Patrycia Menko, Junior Planner