

City of Mississauga Department Comments

Date Finalized: 2023-08-09	File(s): A328.23
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date: 2023-08-17 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 an addition proposing:

1. A landscaped area of 38% of the front yard whereas By-law 0225-2007, as amended, requires a minimum landscaped area of 50% of the front yard in this instance;
2. A front yard of 0.6m (approx. ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 6.5m (approx. ft) in this instance; and
3. A side yard of 0.6m (approx. ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 4.5m (approx. ft) in this instance.

Amendments

The Building Department is currently processing a Permit under file SPM 23-6 W1. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

1. A front yard landscaped area of 201.25 sqm (38.02%) whereas By-law 0225-2007, as amended, requires a minimum front yard landscaped area of 264.59 sqm (50%) in this instance;
2. A front yard setback of 0.6m (approx. 1.96 ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 6.0m (approx. 1.82ft) in this instance; and
3. An exterior side yard setback of 0.6m (approx. 1.96ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 4.5m (approx. ft) in this instance.

Background

Property Address: 710 Third St

Mississauga Official Plan

Character Area: Residential Medium Density

Designation: Lakeview Neighbourhood

Zoning By-law 0225-2007

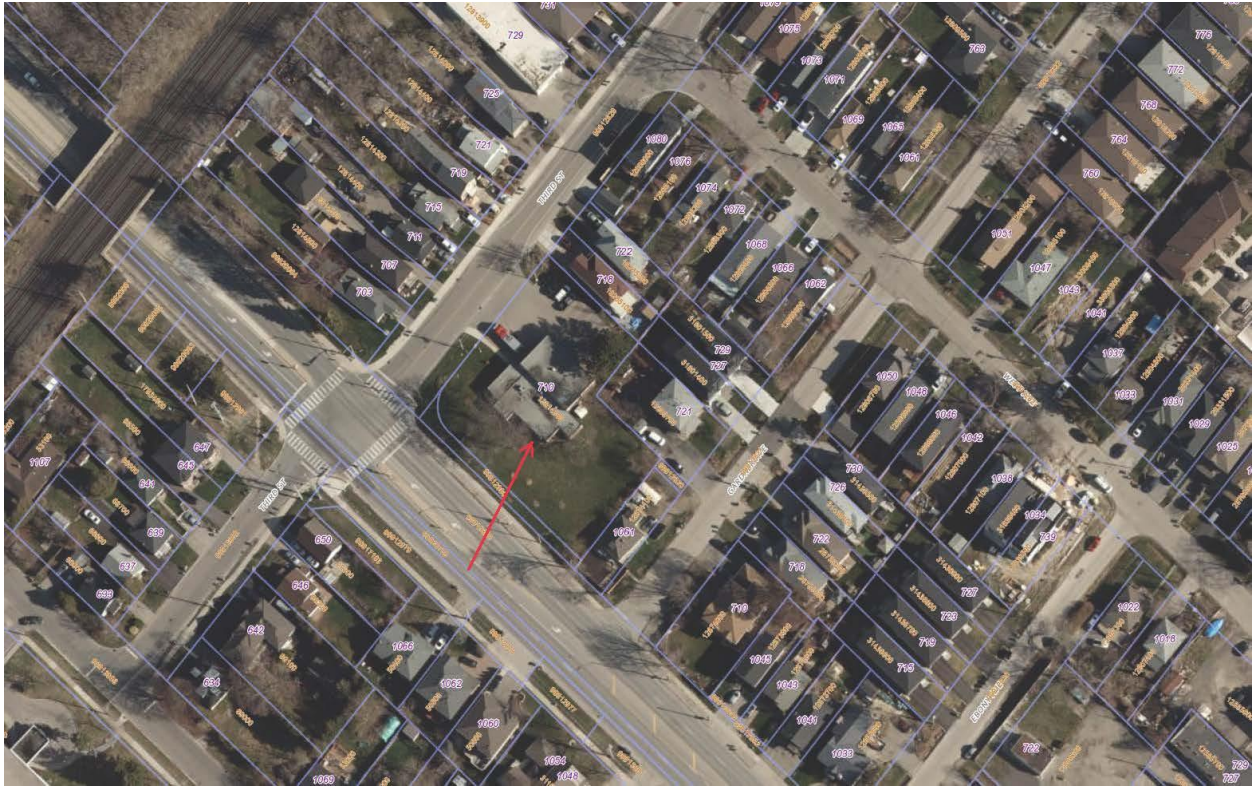
Zoning: RM7-6 - Residential

Other Applications: SPM 23-6 W1

Site and Area Context

The subject property is located within the Lakeview Neighbourhood, on the southeast corner of Cawthra Road and Third Street. The immediate area is primarily residential consisting of detached and semi-detached dwellings on lots with mature vegetation in the front and side yards. The subject property contains one-storey fire station with mature vegetation throughout the lot.

The application is for an addition to a fire station requiring variances for setbacks and soft landscaped area.



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 Medium Density in Schedule 10 of the Mississauga Official Plan (MOP). Emergency Services are defined as Community Infrastructure in the official plan and are permitted in all land use designations, except Greenlands and Parkway Belt West unless specifically allowed.

The application proposes an addition to an existing fire station. Staff has discussed the proposal with the Planner reviewing the associated site plan application. The Planner has no concerns with the applicant's proposal. Staff was informed by the Planner that the variances requested are required as a result of a request for a land dedication from Peel Region through the site plan approval process.

Staff are of the opinion that the variance requests are technical in nature. The variances are required as a direct result of the Region's request for a land dedication. Furthermore, when viewing the property from the street, the portion of the lands that is to be dedicated will still visually form part of the front yard of the subject property. Therefore, staff are of the opinion that the requested variances will not post any impact to the streetscape or abutting neighbours.

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 addition are being addressed by our Development Construction Section through the Building Permit process BP9 NEW-23/7372, and also through review of SPM-23/006.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Permit under file SPM 23-6 W1. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

1. A front yard landscaped area of 201.25 sqm (38.02%) whereas By-law 0225-2007, as amended, requires a minimum front yard landscaped area of 264.59 sqm (50%) in this instance;
2. A front yard setback of 0.6m (approx. 1.96 ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 6.0m (approx. 1.82ft) in this instance; and
3. An exterior side yard setback of 0.6m (approx. 1.96ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 4.5m (approx. ft) in this instance.

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: Maria Fernandez, Zoning Examiner

Appendix 3 – Metrolinx

710 Third Street

Metrolinx is in receipt of the minor variance application for 710 Third St to facilitate the construction of an addition with a reduced landscape area, and reduced side and front yard setbacks. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300m of Metrolinx's Oakville Subdivision which carries Metrolinx's Lakeshore West GO Train service.
- The Proponent shall provide confirmation to Metrolinx, that the following warning clause has been inserted into all Development Agreements, Offers to Purchase, and Agreements of Purchase and Sale or Lease of each dwelling unit within 300 metres of the Railway Corridor
 - **Warning:** The Applicant is advised that the subject land is located within Metrolinx's 300 metres railway corridor zone of influence and as such is advised that Metrolinx and its assigns and successors in interest has or have a right-of-way within 300 metres from the subject land. The Applicant is further advised that there may be alterations to or expansions of the rail or other transit facilities on such right-of-way in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx to use the right-of-way or their assigns or successors as aforesaid may expand or alter their operations, which expansion or alteration may affect the environment of the occupants in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual lots, blocks or units.
- Please note that Metrolinx is a stakeholder that has provided comments on the comprehensive application of this site including Site Plan Application.

Comments Prepared by: Farah Faroque, Project Analyst

Appendix 4- Region of Peel Comments

Minor Variance: A-23-328M / 710 Third Street

Transportation: Mina Zare

Comments:

- The land conveyances on Cawthra and at the corner of the intersection of Cawthra and Third St will be dealt with as per the [SP-23-006](#)M and are as follows:

The Property Dedication

- The Region requests the gratuitous dedication of 20.75 metres from the centreline of the road allowance along Regional Road 17 (Cawthra Road),
- The Region will require the gratuitous dedication of a 0.3 metre reserve along the frontage Regional Road 17 (Cawthra Road) and behind the property line the daylight triangle.
- A 15m x 15m Daylight Triangle at the corner of the intersection of Cawthra Road and Third Street. (Due to some constraints some modifications are underway as per the site plan application.)

Comments Prepared by: Ayoola Ayooluwa, Junior Planner