

# City of Mississauga Department Comments

Date Finalized: 2023-11-29	File(s): A77.23 Ward: 7
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-12-07 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.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the existing building proposing:

1. An encroachment of a balcony into the west side yard of 1.52m (approx. 4.99ft) whereas By-law 0225-2007, as amended, permits a maximum encroachment of 1.00m (approx. 3.28ft) in this instance;
2. Projection of a balcony from the outermost face of the building of 1.52m (approx. 4.99ft) whereas By-law 0225-2007, as amended, permits a maximum projection of 1.0m (approx. 3.28ft) in this instance;
3. Side lot lines setback to parking spaces or aisles of 0.00m whereas By-law 0225-2007, as amended, requires a minimum setback of 3.00m (approx. 9.84ft) in this instance;
4. A minimum landscaped area of 32% whereas By-law 0225-2007, as amended, requires a minimum landscaped area of 40% in this instance;
5. A depth of a landscape buffer abutting a Greenlands Zone of 2.30m (approx. 7.55ft) whereas By-law 0225-2007, as amended, requires a minimum depth of 4.50m (approx. 14.76ft) in this instance;
6. A landscape buffer depth along side lot lines of 0.00m whereas By-law 0225-2007, as amended, requires a minimum landscape buffer depth of 3.00m (approx. 9.84ft) in this instance;
7. An amenity area of 0.00sq m whereas By-law 0225-2007, as amended, requires a minimum amenity area of 199.00sq m (approx. 2142.02sq. ft) in this instance;
8. A contiguous amenity area of 0.00sq. m whereas By-law 0225-2007, as amended, requires a minimum contiguous amenity area of 98.00sq m (approx. 1054.86sq. ft) in this instance;
9. An outdoor amenity area of 0.00sq m whereas By-law 0225-2007, as amended, requires a minimum outdoor amenity area of 55.00sq m (approx. 592.02sq. ft) in this instance; and,

10. A parking spaces length of 4.50m (approx. 14.76ft) whereas By-law 0225-2007, as amended, requires a minimum parking space length of 5.20m (approx. 17.06ft) in this instance.

## Background

**Property Address:** 3065 Jaguar Valley Dr

### Mississauga Official Plan

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

### Zoning By-law 0225-2007

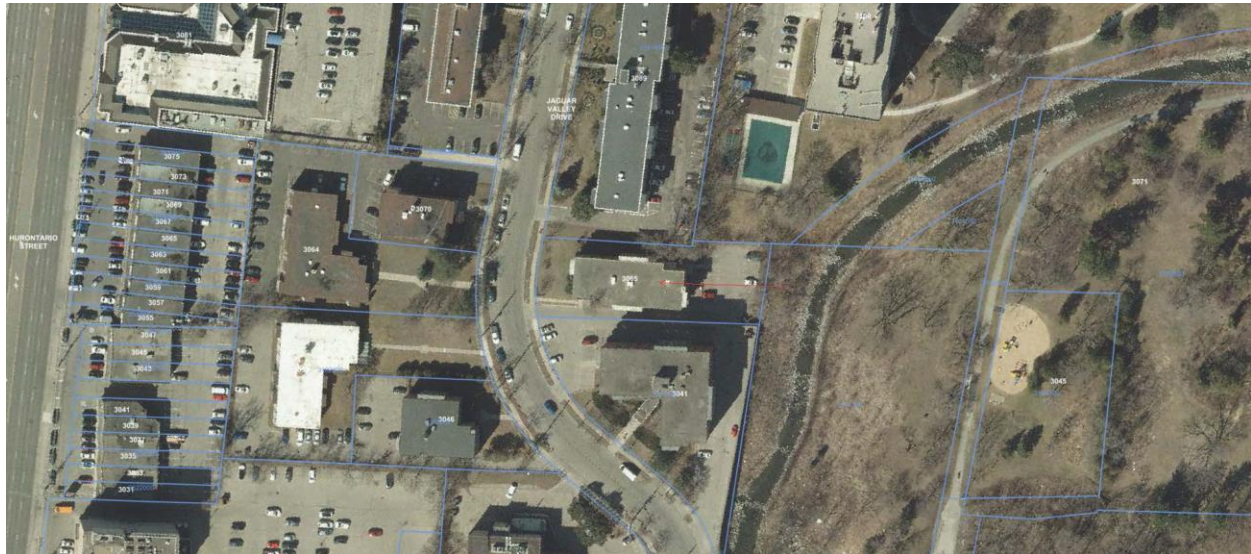
**Zoning:** RA1-1 - Residential

**Other Applications:** 21CDM-M 18-3

### Site and Area Context

The subject property is located north-east of the Hurontario Street and Dundas Street East intersection in Downtown Cooksville. It currently contains a three-storey apartment dwelling with associated surface parking. The driveway is shared with the property to the south. Limited vegetative elements are present at the rear of the property which backs backing onto the Cooksville Creek. The surrounding area context includes a mix of residential and commercial uses with varying built forms and lot sizes.

The applicant is proposing to allow the existing building to remain requiring variances for balcony encroachments, setbacks, landscaped area, amenity area, and parking space length.



## 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. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area.

The applicant is seeking to convert the existing building's tenure from a rental building to condominium ownership. No changes to the built form are being proposed and the requested variances are represented in the existing conditions on the subject property. Planning staff are of the opinion that it is appropriate for the building to remain. In regards to the amenity area variances, while staff would generally be unable to support the proposed new reduction, staff note that the site currently contains no amenity area and that any provision of new amenity area would come at the expense of either residential units or a further reduction in the landscaped area or buffers on the subject property. However, staff note there is ample soft landscaped area in the front yard which could function as amenity area.

Given the above Planning staff are of the opinion that the application is appropriate to be handled through the minor variance process. Furthermore the request raises no concerns of a planning nature.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting that Transportation and Works Department concerns/requirements for the proposed conversion of the existing rental building into a condominium are being addressed through City File 21CDM-M 18-3.

Comments Prepared by: Joe Alava, T&W Development Engineering









### **Appendix 2 – Zoning Comments**

We note that a Building Permit is required. In the absence of a Building Permit 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: Minan Song, Planner in Training

### **Appendix 3 – Parks, Forestry & Environment**

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

The lands adjacent to the property are owned by the City of Mississauga, identified as John C. Price Park (P-202), classified as a 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...;

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

1. If future construction is required, access from the adjacent park/greenlands is not permitted.
2. If access is required to City owned lands, 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 Nicholas Rocchetti, Park Planning Assistant, Community Services Department at 905-615-3200 ext. 4659 or via email [Nicholas.Rocchetti@mississauga.ca](mailto:Nicholas.Rocchetti@mississauga.ca).

Comments Prepared by: Nicholas Rocchetti, Park Planning Assistant

#### **Appendix 4 – Metrolinx**

##### **3065 Jaguar Valley Dr - A77.23 - DEFERRED**

Metrolinx is in receipt of the minor variance application for 3065 Jaguar Valley Dr to allow an existing building to operate as a condominium, converted from the existing rental apartment building. Metrolinx's comments on the subject application are noted below:

##### **Advisory Comments:**

- The subject property is located partially within the Municipal Consent and Roadway Coordination review zone of Metrolinx's Hurontario LRT.
- At this stage Metrolinx doesn't have any major comments but any work within Metrolinx ROW or within 60 m of the HuLRT will require approval and coordination with Metrolinx.

Comments Prepared by: Farah Faroque, Project Analyst

#### **Appendix 5- Region of Peel**

Please apply previous comments.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner