

# City of Mississauga Department Comments

Date Finalized: 2024-04-24	File(s): A195.24 Ward: 7
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-05-02 1:00:00 PM

## Consolidated Recommendation

The City recommends the application be deferred.

## Application Details

The applicant requests the Committee to approve a minor variance to allow a change of use proposing:

1. To permit Transitional Housing on the subject site; whereas By-law 0225-2007, as amended, does not permit Transitional Housing on the subject site in this instance; and,
2. To permit Transitional Housing that is not owned and/or operated by or on behalf of a public authority or a non-profit housing provider; whereas By-law 0225-2007, as amended, requires Transitional Housing to be owned and/or operated by or on behalf of a public authority or a non-profit housing provider in this instance.

## Background

**Property Address:** 73 and 0 King Street W

### Mississauga Official Plan

Character Area: **Downtown Cooksville**  
Designation: **Residential High Density**

### Zoning By-law 0225-2007

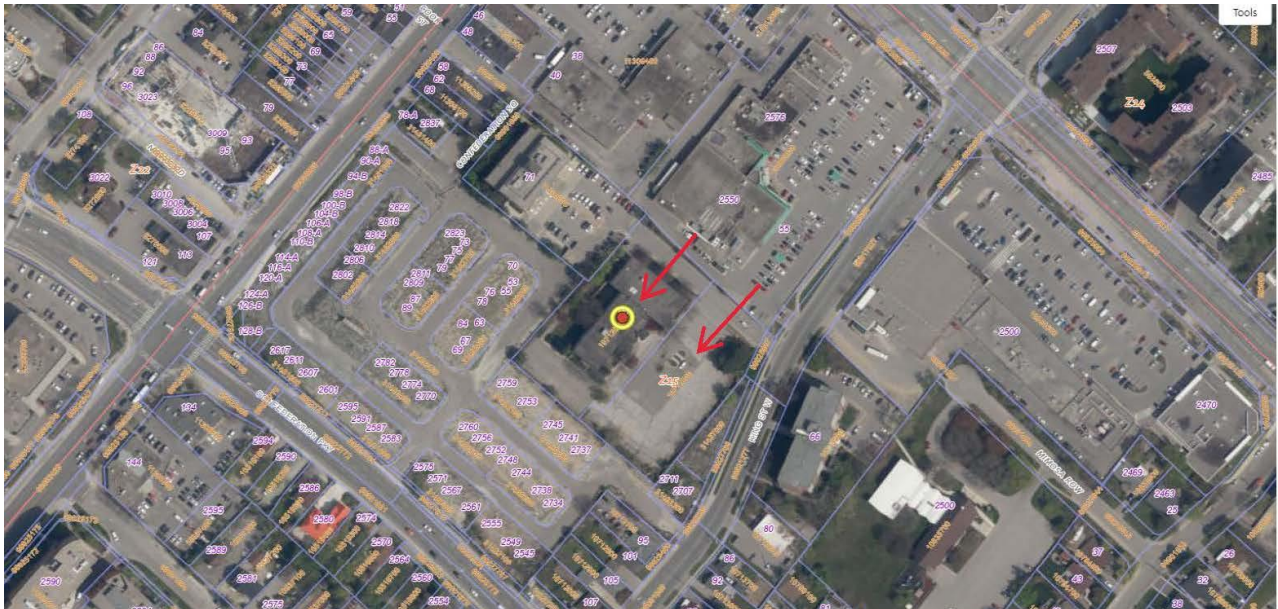
**Zoning:** RA1-15- Residential

**Other Applications:** C 24-76

### Site and Area Context

The subject property is located on the north side of King Street West, north-west of the Hurontario Street and King Street West intersection in Downtown Cooksville. It currently contains a two-storey residential apartment building with associated surface parking. Limited vegetative and landscaping elements are located on the property. The surrounding area context includes a mix of residential and commercial uses with varying built forms and lot sizes.

The applicant is proposing to utilize the existing building to provide transitional housing to those in need thereby requiring a variance to permit a Transitional Housing use.



## 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 a variety of residential, commercial and mixed uses, however a transitional housing use is not permitted under this designation.

The subject property is zoned RA1-15, which only permits an Apartment, Long-Term Care Building and Retirement Building uses. The City of Mississauga recently amended the zoning

by-law to define the Transitional Housing use and establish appropriate parking standards. The amendment defines Transitional Housing as follows: a building, structure or part thereof consisting of dwelling units or rooms designed or intended to contain accommodation for sleeping, or both, that is owned and/or operated by or on behalf of a public authority or a non-profit housing provider and is used as an emergency shelter or temporary accommodation in which the provision of support services are included. While the amendment defined the use and applicable parking standards, it did not permit the use in any zone within the City of Mississauga.

Introducing Transitional Housing as a permitted use into any particular zone is challenging and requires staff to consider all impacts. Understanding the sensitivities of this new use, City Planning Strategies is currently completing a detailed review of the zoning by-law to determine which zone(s) are most appropriate to permit this use, as well as any associated regulations to mitigate potential impacts. Furthermore, the Ontario Land Tribunal (OLT) is currently assessing the appropriateness of allowing a new use to be added to a zone when it is not currently permitted in any zone in the by-law. With this understanding, staff is of the opinion that the application is premature and recommend that the application be deferred until the City has completed their review.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed for Committee's easy reference is a number of photos depicting the subject property. We note that in the Sajecki Planning memo dated March 1, 2024, submitted with this application, it is indicated that the variance is only required to permit the proposed use and that the applicant does not intend to make any modifications to the existing built form.











Comments Prepared by: Tony Iacobucci, Development Engineering

## **Appendix 2 – Zoning Comments**

The Building Division is processing Certificate of Occupancy application C 24-76. Based on the review of the information available in this application, the requested variance(s) is/are correct.

Our comments may no longer be valid should there be changes in the Committee of Adjustment application that have yet to be submitted and reviewed through the Building Division application. To receive updated comments, the applicant must submit any changes to information or drawings separately through the above application.

Comments Prepared by: Alana Zheng, Planner Zoning Examination

## **Appendix 3 – Metrolinx**

### 73 and 0 King Street W - A195.24

Metrolinx is in receipt of the minor variance application for 73 and 0 King St W to facilitate a change of use of the existing 3 storey building to permit Transitional Housing on the subject site. Metrolinx's comments on the subject application are noted below:

Advisory Comments:

- The subject property is located within the Municipal Consent and Roadway Coordination review zone of Metrolinx's Hazel McCallion LRT (formerly Hurontario LRT).
- At this stage Metrolinx doesn't have any major comments but any work within Metrolinx ROW or within 60 m of the Hazel McCallion LRT will require approval and coordination with Metrolinx through circulation by the City of Mississauga.

Comments Prepared by: Farah Faroque, Project Analyst

**Appendix 4 – Region of Peel****Minor Variance: A-24-195M / 73 & 0 King St. W.**

Development Engineering: Wendy Jawdek (905) 791-7800 x6019

**Comments:**

- Installation of and alterations to property line water valves and chambers and sanitary sewer maintenance holes require inspection by Region of Peel inspectors to confirm if these works are completed in accordance with Region of Peel Design Criteria, standards, and specifications.
- Please be advised that service connection sizes shall be in compliance with the Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections by email at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca).
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals may be required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections by email at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca).

Comments Prepared by: Petrele Francois, Junior Planner