

City of Mississauga Department Comments

Date Finalized: 2024-05-08	File(s): A211.24
To: Committee of Adjustment	Ward: 7
From: Committee of Adjustment Coordinator	Meeting date:2024-05-16 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application, subject to a temporary approval period of 3 years.

Application Details

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

1. An office use whereas By-law 0225-2007, as amended, does not permit such a use in this instance;
2. The lots known as 2512, 2522 & 2532 Argyle Rd to be considered one lot for the purposes of zoning whereas By-law 0225-2007, as amended, does not permit a lot to be more than one parcel of land in this instance; and
3. Development not in accordance with Schedule RM9-5 whereas By-law 0225-2007, as amended, requires development to be in accordance with Schedule RM9-5 in this instance.

Recommended Conditions and Terms

1. A temporary approval period of 3 years.

Background

Property Address: 2512, 2522 & 2532 Argyle Rd

Mississauga Official Plan

Character Area: Cooksville Neighbourhood
Designation: Residential Medium Density

Zoning By-law 0225-2007

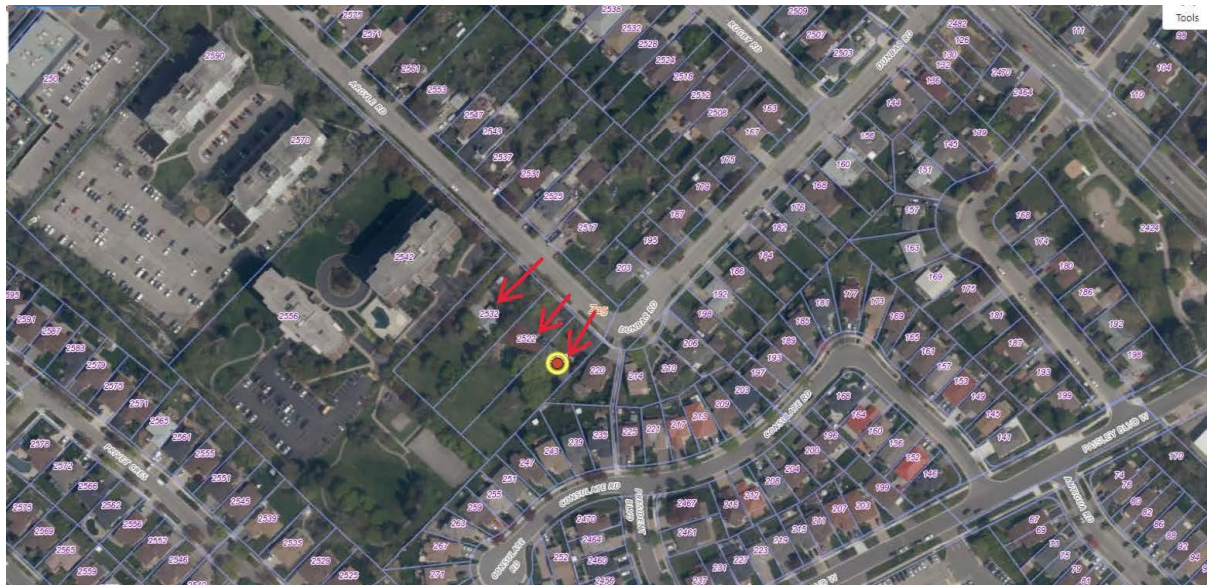
Zoning: RM9-5 - Residential

Other Applications: C 24-137

Site and Area Context

The subject properties are part of a proposed townhouse development located on the west side of Argyle Road, south-west of the Dundas Street West and Argyle Road intersection in the Cooksville Neighbourhood Character Area. The subject properties contain three detached dwellings with attached garages. Limited landscaping elements and mature vegetation are present throughout the development, including the subject properties. The surrounding area context includes a mix of uses, including both commercial and residential use in various built forms such as detached dwellings and apartment buildings.

The applicant is proposing a temporary sales office to facilitate the sale of the back-to-back, stacked townhouse units on the subject property, requiring variances for the use, existing lots to be considered as one lot for zoning purposes and development not in accordance with the required RM9-5 zoning schedule.



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 properties are located in the Cooksville Neighbourhood Character Area and are designated Residential Medium Density in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Medium Density designation only permits townhouse uses. The three properties are subject to an Ontario Land Tribunal Decision (OLT-22-003367), which rezoned the properties to RM9-5 to permit the 101-unit back-to-back, stacked townhouse development. The applicant is currently working on an active site plan application (PAM 23-77) with the City's Development Planning team that encompasses all three lots. Staff note the conversion of the existing dwelling located at 2522 Argyle Road for a temporary sales office will include a minor addition to the building, internal renovations and modifications for building access and access to the parking area. The dwellings at 2512 and 2532 Argyle Road will be demolished once the renovation of the sales office occurs.

Variance 1 requests a temporary sales office use on one of the subject properties. The purpose of the development sales office is for the selling of individual townhome units associated with the development. The proposed development for the subject lands have been approved through an official plan amendment and rezoning application (OZ/OPA 18-17). The properties are currently subject to a site plan application which have proceeded through the process to a sufficient point to allow for the construction of a sales centre. Furthermore, the temporary nature of the approval does not impact the future development of the subject property.

Variance 2 requests the lots known as 2512, 2522 & 2532 Argyle Rd to be considered one lot for zoning purposes, specifically for providing an adequate parking area with the combination of the three existing driveways, and appropriate access to for the proposed temporary sales office. This variance is required because of the required development standards over the three properties when considering the temporary sales office use. In this instance, the three properties will function as a cohesive development, and the parking area and access are appropriately located throughout the entirety of the site.

Variance 3 requires development to be in accordance with Schedule RM9-5, as per the official plan amendment and rezoning application. This variance is technical in nature, as the sales office use will be an interim use and will only be utilized to facilitate the sale of future townhome units associated with this development. The structure will then be demolished once the construction of the townhouse development begins. The concurrent site plan application will ensure development remains in accordance with Schedule RM9-5, as per Zoning By-law 0225-2007.

Staff are of the opinion that the proposed operation of the temporary sales office and the site being considered one lot for zoning purposes is appropriate and desirable for the development and use of the land, and meets the general intent and purpose of the official plan and zoning by-law.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This department has no objections to the applicant's request to permit a temporary sales office use for a period of up to three years in the existing dwelling.

The owner is advised that they will be responsible for any costs related to any new access modifications and that access approval from the Traffic Section through the Access Modification Permit Application will also be required.



Comments Prepared by: Tony Iacobucci

Appendix 2 – Zoning Comments

The Building Division is processing a Certificate of Occupancy application C 24-137. Based on the review of the information available in this application, the requested variance(s) 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: Maria Fernandez, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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

1. No public trees shall be injured or removed. If public tree removal is required, a permit must be issued as per By-law 0020-2022.
2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Removal Permit, written consent must be obtained by both parties.

A Tree Removal Application to Permit the Injury or Destruction of Trees on Public and Private Property can be found at <https://www.mississauga.ca/publication/application-to-permit-the-injury-or-destruction-of-trees-on-public-and-private-property/>.

Should further information be required, please contact Rita Di Michele, By-law Inspector, Community Services Department at 905-615-3200 ext. 5872 or via email rita.dimichele@mississauga.ca.

Comments Prepared by: Rita Di Michele, By-law Inspector

Appendix 4 – Region of Peel

Minor Variance Application: A-24-211M / 2512, 2522, 2532 Argyle Road

Development Engineering: Camila Marczuk (905) 791-7800 x8230

Comments:

- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.

Comments Prepared by: Petrele Francois, Junior Planner