

City of Mississauga Department Comments

Date Finalized: 2024-08-08	File(s): A334.24 Ward: 6
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-08-15 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application, subject to the amendment.

Application Details

The applicant requests the Committee to approve a minor variance to allow a landscape buffer of 2.88m (approx. 9.45ft) whereas By-law 0225-2007, as amended, requires a minimum landscape buffer of 4.50m (approx. 14.76ft) in this instance.

Amendments

The Building Department is processing an Independent Zoning Review application IZR SP 24-1271. Based on review of the information available in this application, we advise that following amendment is required:

To allow a landscape buffer of 2.67m (approx. 8.76ft) whereas By-law 0225-2007, as amended, requires a minimum landscape buffer of 4.50m (approx. 14.76ft) in this instance.

Background

Property Address: 5900 Mavis Rd

Mississauga Official Plan

Character Area: East Credit Neighbourhood
Designation: Mixed Use

Zoning By-law 0225-2007

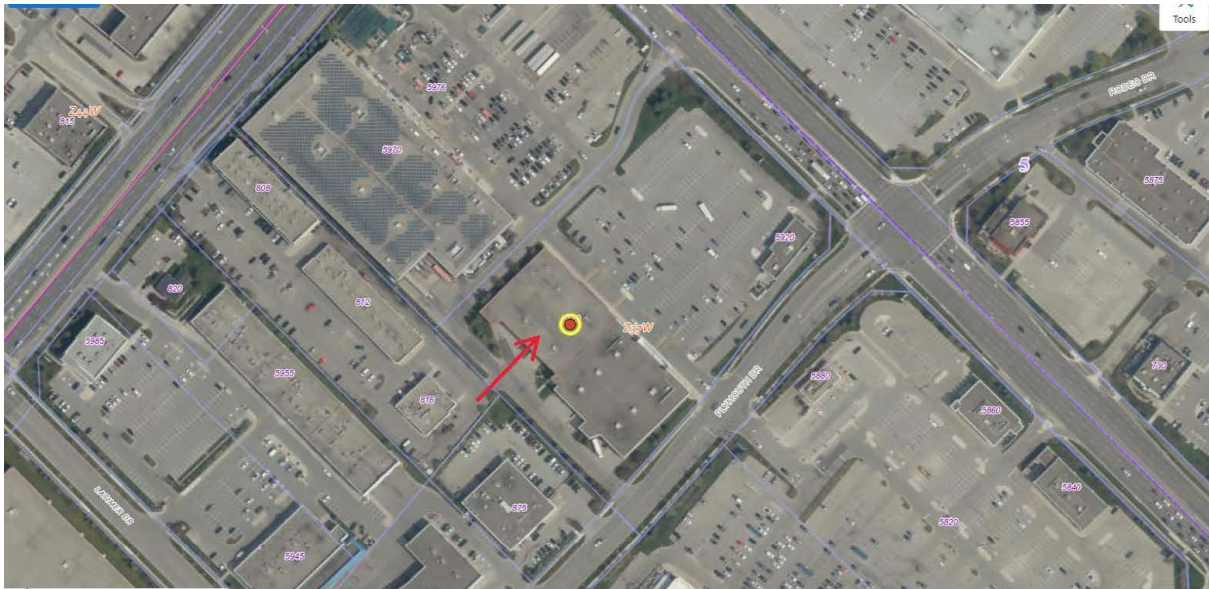
Zoning: C3-11 - Commercial

Other Applications: IZR SP 24-1271

Site and Area Context

The subject property is located on the north-west corner of Mavis Road and Plymouth Drive in the East Credit Neighbourhood Character Area. Two buildings currently exist on the subject property, along with an associated surface parking lot. Landscaping and vegetative elements on the site are generally limited to street frontages. The surrounding area context is predominantly commercial uses with varying built forms and lot sizes.

The applicant is proposing to construct a new building on the subject property, requiring a variance for a deficient landscape buffer.



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:

Does the proposal maintain the general intent and purpose of the Official Plan?

The subject property is located in the East Credit Neighbourhood Character Area and is designated Mixed Use in Schedule 10 of the Mississauga Official Plan (MOP). Section 9 of the MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with existing site conditions, the surrounding context and the landscape of the character area. Staff are of the opinion the proposal maintains the general intent and purpose of the official plan.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

The sole variance requested pertains to a reduced landscaped buffer along Plymouth Drive. The intent of this portion of the by-law is to ensure that an appropriate buffer exists abutting all lot lines. Staff note the reduction of the landscape buffer to 2.67m (8.76ft) was the result of a road widening being taken by the City for intersection improvements and drive-thru modifications for the existing Krispy Kreme located on the south-east corner of the site. Staff are satisfied that the proposal maintains an appropriately sized landscaped buffer on the subject property separating the drive-thru from the City's right-of-way and is compatible with the surrounding context. Staff are of the opinion that the proposal maintains the general intent and purpose of the zoning by-law.

Staff note that the variance is a direct result of the road dedication to facilitate the construction of a signalized intersection on Plymouth Road and the site entrance. Section 2.1.7 of the Zoning By-Law states no lot, building, structure or parking area shall be deemed to have contravened any provisions of this by-law if the contravention is due to transfer or acquisition by the Corporation of the City of Mississauga. While the variance sought was identified through an independent zoning review, Planning staff note Section 2.1.7 may be applicable in this given situation and is being provided for informational purposes. Zoning staff still are of the opinion the variance is required. Notwithstanding, Planning staff have no objection to the variance.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

Staff are of the opinion that the application maintains the general intent and purpose of the zoning by-law, is minor in nature and represents appropriate development of the subject property.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This department has no concerns with the request to allow a landscape buffer of 2.88m.
Comments Prepared by: Tony Iacobucci, T&W Development Engineering



Appendix 2 – Zoning Comments

The Building Department is processing an Independent Zoning Review application IZR SP 24-1271. Based on review of the information available in this application, we advise that following amendment is required:

To allow a landscape buffer of 2.67m (approx. 8.76ft) whereas By-law 0225-2007, as amended, requires a minimum landscape buffer of 4.50m (approx. 14.76ft) in this instance.

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: Jeanine Benitez, Zoning Examiner

Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner