

City of Mississauga Department Comments

Date Finalized: 2024-08-08	File(s): A357.24 Ward: 4
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-08-15 3:30:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

The applicant requests the Committee to approve a minor variance to allow an accessory structure proposing:

1. A front yard setback of 4.57m (approx. 14.99ft) to building A whereas By-law 0225-2007, as amended, requires a minimum front yard setback of of 7.50m (approx. 24.61ft) to building A in this instance;
2. A front yard setback of 5.17m (approx. 16.96ft) to building B whereas By-law 0225-2007, as amended, requires a minimum front yard setback of of 7.50m (approx. 24.61ft) to building B in this instance.

Background

Property Address: 85 & 121 Acorn Place

Mississauga Official Plan

Character Area: Uptown Major Node
Designation: Residential High Density

Zoning By-law 0225-2007

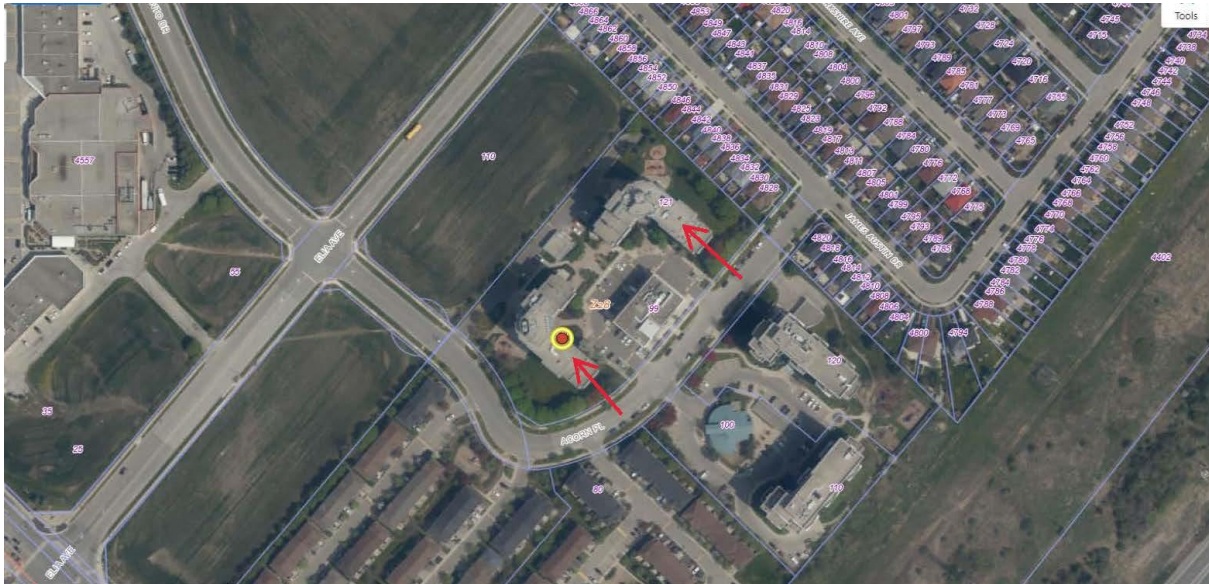
Zoning: RA3-8 - Residential

Other Applications: BP 9SMAL 24-2085

Site and Area Context

The subject property is located south-east of the Hurontario Street and Elia Avenue intersection in the Uptown Major Node Character Area. It currently contains two 12-storey residential buildings, one 4-storey building occupied by Peel Youth Village Transitional Housing and two surface parking lots. The subject property contains landscaping and vegetative elements along the street frontage. The surrounding area context is predominantly residential, consisting of detached, semi-detached, townhomes and apartment dwellings.

The applicant is proposing to construct two mechanical structures requiring variances for front yard setback.



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 Uptown Node Character Area and is designated Residential High Density in Schedule 10 of the Mississauga Official Plan (MOP).

The variances requested pertain to a reduction of the front yard setbacks for proposed mechanical structures for buildings 'A' & 'B' located on the subject property. Staff note there are existing structures that exceed the minimum front yard setback requirement in the area

including parking stair enclosures (to facilitate movement of pedestrians to and from the underground parking garage) and the existing Peel Youth Village Transitional Housing building. The intent of the front yard setback provision is to ensure that there is sufficient space in the front of the property to accommodate for natural landscaping and that an appropriate setback from the public realm is provided. The proposed structures and required variances will not impact the landscaping in the front yard and will maintain an appropriate setback from the street.

Planning staff are of the opinion the variances meet the general intent and purpose of the official plan and zoning by-law, are minor in nature and contribute to orderly 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 objections to the applicant's request to allow the accessory structures.

City of Mississauga Department Comments



Comments Prepared by: Tony Iacobucci, T&W Development Engineering

Appendix 2 – Zoning Comments

BP RECEIVED, CORRECT VARIANCE

The Building Department is currently processing a building permit application under file BP 9SMAL 24-2085. Based on review of the information currently available for this building permit, the variances, as requested are correct.

Our comments are based on the plans received by Zoning staff on 02/29/2024 for the above captioned building permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: A. McCormack – 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 injury or 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 Jamie Meston, Landscape Architect Assistant, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email jamie.meston@mississauga.ca.

Comments Prepared by: Jamie Meston, Landscape Architect Assistant

Appendix 4 – Region of Peel

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner