

City of Mississauga Department Comments

Date Finalized: 2024-09-04	File(s): A380.24 Ward: 7
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-09-12 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application, subject to the amendment. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a new building proposing 378 residential units whereas By-law 0225-2007, as amended, permits a maximum of 314 residential units in this instance.

Recommended Conditions and Terms

Should Committee see merit in the application, Planning staff note the following amendment:

1. The applicant requests the Committee to approve a minor variance to allow the construction of a new building proposing 378 residential units whereas By-law 0225-2007, as amended, permits a maximum of 282 residential units in this instance.

Background

Property Address: 3051 Cook St

Mississauga Official Plan

Character Area: Downtown Cooksville
Designation: Residential High Density

Zoning By-law 0225-2007

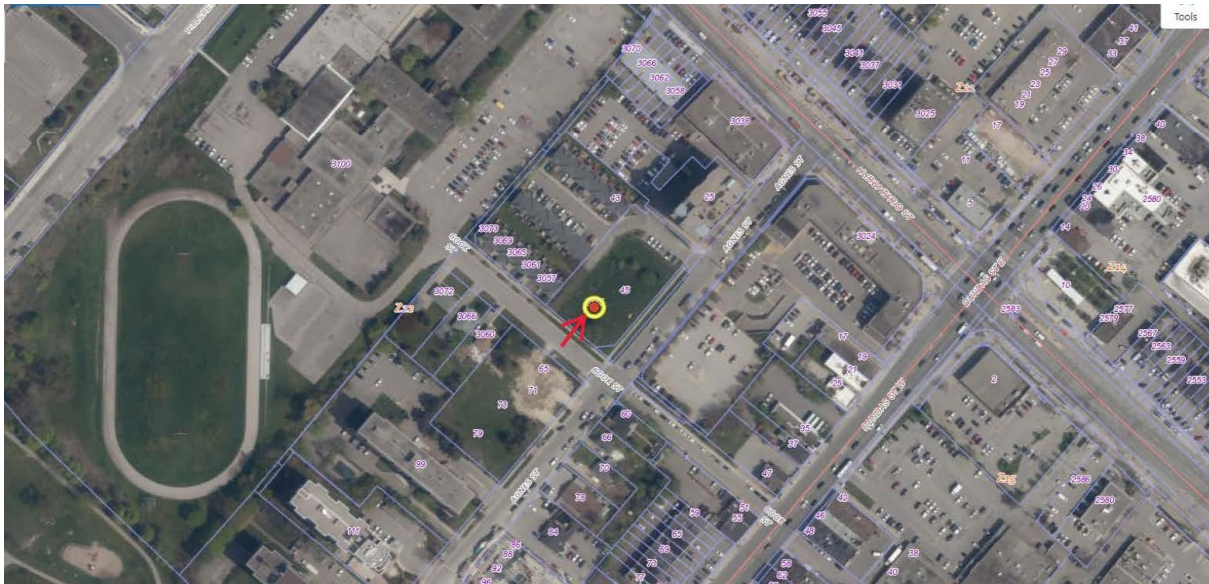
Zoning: RA4-27 - Residential

Other Applications: SP 21-102

Site and Area Context

The subject property is located on the north-east corner of the Agnes Street and Cook Street intersection. It has a lot area of +/- 3,193.17m² (+/- 34,376ft²) and is currently vacant with the exception of a paved driveway along the eastern property line serving adjacent developments. Limited vegetation or landscaping elements are present on the subject property. The surrounding area contains a mix of residential and commercial uses with differing built forms and lot sizes, T.L Kennedy Secondary School is in close proximity just to the north of the subject property.

The applicant is proposing the construction of a new residential building requiring a variance for an increase in residential units.



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:

Planning staff note Zoning staff have only reviewed the materials as per the associated site plan application (SP 21-102) and not the materials provided by the applicant for the Committee of Adjustment application.

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

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 as well as some commercial uses at grade. The site is further subject to Special Site 3 policies, which limit the development of the residential tower to 28 storeys. Planning staff are satisfied that the proposal respects the designation and that the form is consistent with the policies associated with Downtown Cooksville, the Special Site 3 and the general official plan. Staff are therefore satisfied that the application 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 requests an increase in the total unit count for the building. The proposed building integrates these additional units within the legally permitted height and FSI provisions by way of modifying the sizes of the larger units. Furthermore, there are no proposed changes to the built form. Planning staff are of the opinion that this request is minor in nature and will not significantly impact the surrounding area.

Planning staff support for the increase in unit count is conducive to the applicant maintaining the minimum amenity area of 3.2m² (34.44ft²) per dwelling unit as noted in provision 4.15.5.27.19 of Zoning By-Law 0225-2007.

Given the above, Planning staff are of the opinion that the variance maintains the general intent and purpose of the zoning by-law.

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

Planning staff are satisfied the proposed variance will facilitate a development that is appropriate for the subject property and will not significantly alter the envisioned development. Furthermore, the proposed variance maintains the general intent and purpose of the official plan and zoning by-law, is minor in nature and results in orderly development of the subject property.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting that any Transportation and Works Department concerns/requirements for the proposed development are being addressed through the Site Plan Application SP-21-102 and Rezoning Application OZ-13/017.

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



Appendix 2 – Zoning Comments

SP RECEIVED, AMEND VARIANCE

The Building Department is currently processing a site plan approval application under file SP 21-102. Based on review of the information currently available for this application, we advise that the following variance(s) should be amended as follows:

Proposing 312 Apartment dwelling units whereas By-law 0225-2007, as amended, permits a maximum of 282 Apartment dwelling units in this instance;

We further advise that additional information is required with respect to required and provided EV parking, as well as Bicycle parking

Our comments are based on the plans received by Zoning staff on 03/18/24 for the above captioned site plan 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

Appendix 3 – Metrolinx

Metrolinx is in receipt of the Minor Variance application for 3051 Cook Street to approve a minor variance to allow the construction of a new building proposing 378 residential units whereas By-law 0225-2007, as amended, permits a maximum of 314 residential units in this instance, as circulated on August 13th, 2024, and to be heard at Public Hearing on September 12th, 2024, at 1:00 PM. Metrolinx's comments on the subject application are noted below:

- The subject property is located within the Municipal Consent and Roadway Coordination review zone of Metrolinx's Hazel McCallion LRT (formerly Hurontario LRT).
- The subject property is adjacent to the Metrolinx proposed Dundas BRT alignment.

GO/HEAVY-RAIL – ADVISORY COMMENTS

- The subject property is located adjacent to the future Dundas Bus Rapid Transit ("BRT") alignment. The Dundas BRT project was assessed under the Transit Project Assessment Process (TPAP) in accordance with Ontario Regulation 231/08. During the TPAP, an Environmental Project Report (EPR) was prepared to assess the potential environmental impacts as a result of the Project. The Environmental Project Report was available for a 30-day review period (starting February 23, 2022 – March 25, 2022); and, on April 27, 2022, the Minister of the Environment, Conservation and Parks issued a [Notice to Proceed](#) with the municipal transit project. If the applicant wishes to find out more about the Dundas BRT project, the applicant is encouraged to visit <https://www.metrolinxengage.com/en/content/dundas-brt-round-3-engagement-environmental-assessment>
- The proponent is advised of the following:

- **Warning:** Metrolinx and its assigns and successors in interest has or will have transit infrastructure within 75 metres of the subject land. There may or will be alterations to the transit facilities, including the transit infrastructure and the possibility that Metrolinx or any transit operator entering into an agreement with Metrolinx to use the transit infrastructure or their assigns or successors as aforesaid may expand or alter their operations. Said operations may result in the discharge, emitting, releasing or venting at any time during the day or night with noise, vibration and other sounds and emissions of every nature and kind from the transit infrastructure which may affect the environment of the occupants in the vicinity notwithstanding the inclusion of control features in the design of the development and individual lot, blocks, or units.
- The applicant should be advised that Metrolinx and its contractors will be utilizing the Hurontario Street right-of-way, and its intersections, during the project's Construction Period. Based on the location of the subject property, there is potential for construction coordination and traffic staging conflicts.
- Should construction of the Hazel McCallion LRT and the proposed development occur simultaneously, Metrolinx will require the developer to submit schedule or staging plans to coordinate access to both parties.

Should you have any questions or concerns, please contact jenna.auger@metrolinx.com.

Comments Prepared by: Jenna Auger, Third Party Project Review

Appendix 4 – Region of Peel

Minor Variance Application: A-24-380M / 3051 Cook Street

Development Engineering: Iwona Frandsen (905) 791-7800 x7920

Comments:

- The Functional Servicing Report was modeled and approved in 2016 for 284 residential units (assuming a population of approx. 764) and small commercial space. Subsequent submissions proposed an increase from 282 to 315 total units but with the assumed population remaining below 764 and was approved.
- This latest proposal is for an increase of units from 315 to 378. The applicant is required to include a revised Functional Servicing Report with the next submission of Site Plan for review and comment by Region of Peel to ensure the approved units and/or population remain consistent with previously modeled information for water and sanitary capacity.
- If the population and consequently, water demands or sanitary flows have increased, the proposal will be remodeled to investigate impact on the regional infrastructure.

Comments Prepared by: Petrele Francois, Junior Planner