

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2024-11-06	File(s): A516.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 11/14/2024 1:00:00 PM

Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application, as requested, meets the requirements of Section 45(1) of the Planning Act.

Application Details

The applicant requests the Committee to approve a minor variance to allow a passive recreational use with accessory buildings, structures and parking in a G1-11 zone whereas By-law 0225-2007, as amended, does not permit a passive recreational use with accessory buildings, structures and parking in a G1-11 zone in this instance.

Background

Property Address: 15 & 21 Front Street S

Mississauga Official Plan

Character Area: Port Credit Community Node
Designation: Greenlands; Open Space

Zoning By-law 0225-2007

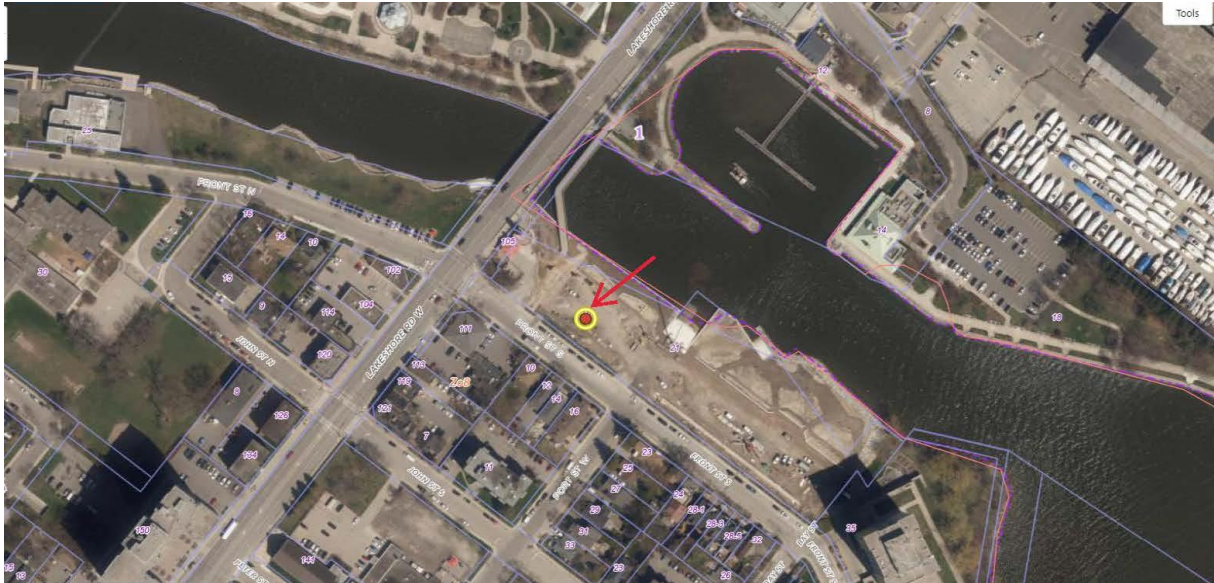
Zoning: G1-11 - Greenlands & OS2-9 - Open Space

Other Applications: Building Permit application 24-3882

Site and Area Context

The subject property is Marina Park, located south of Lakeshore Road, east of Front Street South. It is primarily an open space, containing a utility building, fish cleaning structure and a parking lot. There are residential and commercial uses west of Front Street South.

The application proposes shade structures requiring a variance for passive recreational 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 are as follows:

The subject property is designated Greenlands and Open Space in Schedule 10 of the Mississauga Official Plan (MOP). Official Plan policy 13.1.9.2 states that the Marina Park is to be developed as an integral component of the Port Credit Harbour and Old Port Credit Conservation District in terms of complementary uses and design while recognizing its potential to establish a vibrant river and village edge.

The application proposes a shade structure requiring a variance for passive recreational use. Staff are satisfied that the proposed structure does not negatively affect the neighbouring properties and does not pose any adverse impacts to the Marina Park. Staff are satisfied that the variance is technical in nature. Planning staff note the proposal has already been reviewed by the Credit Valley Conservation Authority and obtained a permit.

Through a detailed review of the application, staff are of the opinion that the revised application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Comments Prepared by: Shivani Chopra, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections, comments or requirements with respect to C.A. 'A' 516.24.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application 24-3882. Based on the review of the information available in this application, the requested variance is 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: Andrea Patsalides, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

Park Planning Comments

The Parks and Culture Planning Section of the Community Services Department has reviewed the above noted minor variance application and advises as follows:

The property is owned by the City of Mississauga, identified as Marina Park (P-112).

The Parks and Culture Planning Section has no objections to the minor variance application and acknowledges that the passive recreational use with accessory buildings aligns with the vision, goals and objectives of the City's Port Credit Local Area Plan and Waterfront Park Strategies.

Should further information be required, please contact Nicholas Rocchetti, Planner – Park Planning, Community Services Department at 905-615-3200 ext. 4659 or via email nicholas.rocchetti@mississauga.ca.

Comments Prepared by: Nicholas Rocchetti, Planner

Appendix 4 – Region of Peel Comments

Minor Variance Application: A-24-516M / 15 & 20 Front Street South

Note: Petrele Francois (petrele.francois@peelregion.ca)|(905) 791-7800 x3356

- Please be advised that part of the subject lands is located within the floodplain and regulated area of the Credit Valley Conservation Authority (CVC). We request that City staff consider comments from the CVC and incorporate their conditions of approval appropriately.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 5 – CVC Comments

Credit Valley Conservation (CVC) staff have reviewed the subject application and offer comments based on the following roles and responsibilities:

1. Delegated Responsibilities – providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 5.1 and 5.2 of the *Provincial Planning Statement* (2024);
2. Regulatory Responsibilities – providing comments to ensure the coordination of requirements under the *Conservation Authorities Act Section 28 regulation*, to eliminate unnecessary delay or duplication in process.
3. Source Protection Agency – providing advisory comments to assist with the implementation of the CTC Source Protection Plan under the *Clean Water Act*, as applicable.

CVC REGULATED AREA

Based on our mapping, the subject property is regulated due to flood and shoreline erosion hazard associated with Lake Ontario. As such, the property is subject to the Prohibited Activities, Exemptions, and Permits Regulation (Ontario Regulation 41/24). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

PROPOSAL:

It is our understanding that the applicant is requesting the Committee to allow a passive recreational use with accessory buildings, structures and parking in a G1-11 zone whereas By-law 02252007, as amended, does not permit a passive recreational use with accessory buildings, structures and parking in a G111 zone in this instance.

COMMENTS:

Based on the review of the information provided, CVC has **no objection** to the minor variance being proposed at this time. CVC staff have reviewed and issued permit as part of application FF 24/155.

The applicant is to note that CVC has not received payment of the review fee of \$478 for this Minor Variance/Consent application. The applicant should forward this directly to CVC at the earliest convenience.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at stuti.bhatt@cvc.ca or 905-670-1615 (ext. 3500) should you have any further questions. Please circulate CVC on any future correspondence or applications regarding this site.

Comments Prepared by: Stuti Bhatt, Junior Planner