

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-11-11	File(s): A378/20 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-11-19

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 maximum of 55% of the length of a streetwall to be setback beyond the built-to line identified in Schedule RA5-43, up to a maximum of 7.5m (approx. 24.61ft); whereas, By-law 0225-2007, as amended, permits a maximum of 20%, in this instance.

Background

Property Address: 35 - 65 Watergarden Drive

Mississauga Official Plan

Character Area: Uptown Major Node
Designation: Residential High Density

Zoning By-law 0225-2007

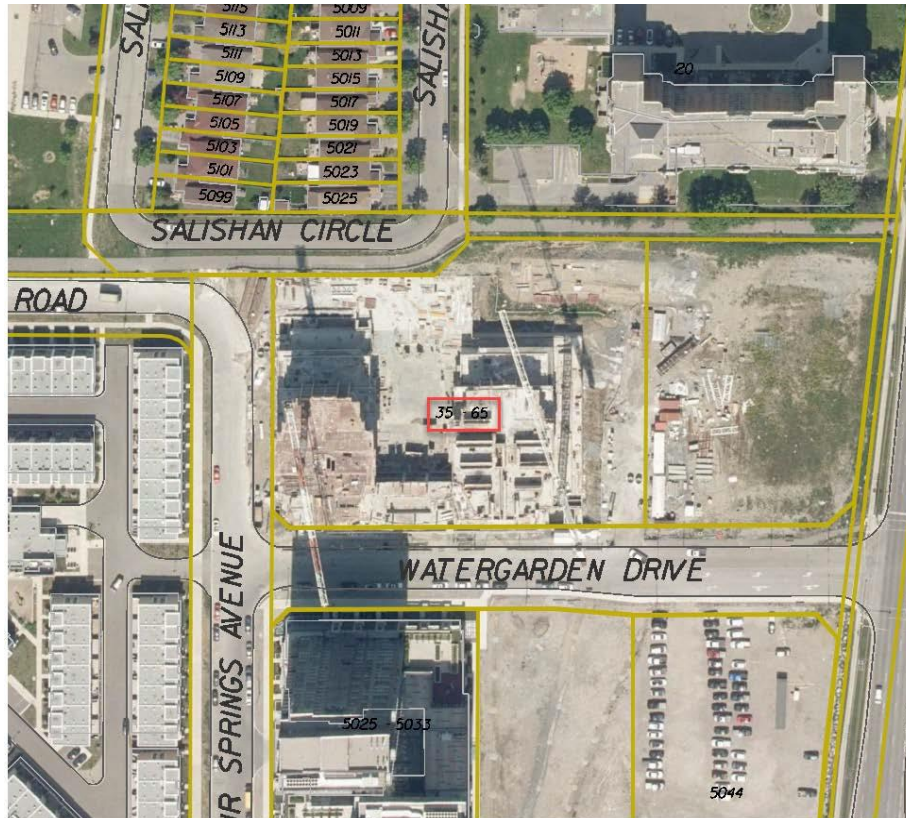
Zoning: (H)RA5-43 (Residential)

Other Applications:

None

Site and Area Context

The subject lands are a multi-tower condominium site located north-west of the Eglinton Avenue West and Hurontario Street intersection. The context area provides transition to this high-density development, with adjacent mid-rise townhomes providing a buffer between the subject lands and nearby detached dwellings.



Comments

Planning

Section 45 of the *Planning Act* provides the Committee of Adjustment the authority to grant relief from the requirements stipulated by the municipal Zoning By-law, provided that such applications meet the requirements set out under Section 45(1) and/or 45(2) (a) or (b) of the *Planning Act*.

Staff comments concerning this minor variance request are as follows:

The above-noted property was the subject of a both a Site Plan Approval application (SP 17-35) and an Official Plan and Zoning By-law Amendment application (OZ/OPA 16-10), permitting the construction of a 15 and 30 storey residential apartment structure, with a connected common base podium.

Despite the comprehensive review associated with both aforementioned processes, as well as the fact that the proposal has not changed, the identified deficiency was not recognized until the Building Permit application phase.

To this end, the requested variance represents a “house-cleaning” item, reviewed in consultation with Municipal Staff, that in no way fundamentally changes, or undermines, any of the previous approvals.

Conclusion

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

Comments Prepared by: Roberto Vertolli, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This department has no objections to the applicant's request. We are noting that a Site Plan Application, File SP 17-035 was processed and the City is currently reviewing a Standard Condominium Application, File CDM-M 20-001.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Building Department is not in receipt of any permit applications at this time. In the absence of any permit application, this Department is unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a full zoning review has not been completed.

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 3 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the November 19th, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-54/20

Minor Variance Applications: A-358/20, A-373/20, A-374/20, A-377/20, A-378/20, A-382/20

Comments Prepared by: Diana Guida, Junior Planner