

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-02-27	File(s): A30.25
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:3/6/2025 1:00:00 PM

Consolidated Recommendation

The City recommends the application be deferred for redesign.

Application Details

The applicant requests the Committee to approve a minor variance to allow a change of land use proposing:

1. An Office use whereas By-law 0225-2007, as amended, does not permit an Office use in this instance;
2. A driveway width of 18.28m (approx. 59.97ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 8.50m (approx. 27.89ft) in this instance; and
3. 0 accessible parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 1 accessible parking space in this instance.

Background

Property Address: 292 Queen St S

Mississauga Official Plan

Character Area: Streetsville Community Node
Designation: Residential Low Density II

Zoning By-law 0225-2007

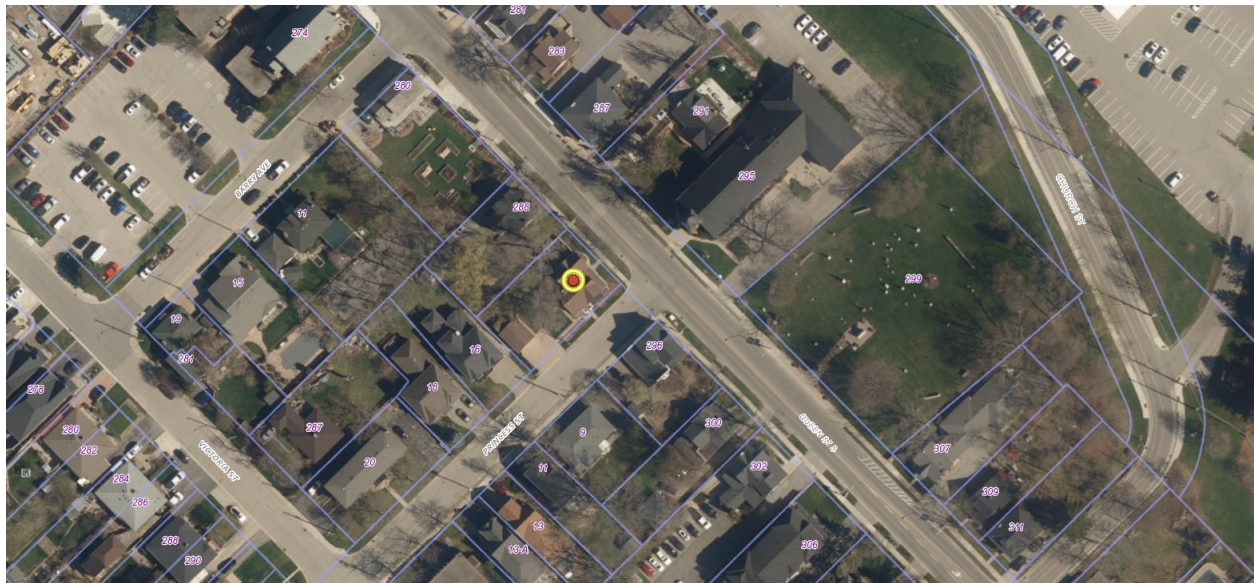
Zoning: R3-Residential

Other Applications: BP 3ALT 25-5881 & C24-4356

Site and Area Context

The subject property is located on the corner of Queen Street South and Princess Street in the Streetsville Community Node Character Area. It is a corner lot containing a two-storey detached dwelling with a detached garage in the rear yard. Limited landscaping and mature vegetation is present on the subject property. The surrounding area context is residential and office, consisting of detached dwellings on lots of similar sizes. Additionally, commercial uses are located within the Streetsville Community Node in a larger context.

The applicant is proposing a change of use to office from residential requiring variances for the use, driveway width and accessible parking deficiency.



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 Streetsville Community Node Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP).

This designation permits detached, semi-detached, duplex, triplex dwellings, street townhouses and other forms of low-rise dwellings with individual frontages. Staff note the subject property is designated on the Heritage Registrar.

As per variance 1, the applicant has proposed an office use, which staff note is not permitted in the Residential Low Density II designation. While the property does fall within the Residential Low Density II designation, it falls also within Special Site 1 located in the Streetsville Community Node Character Area. MOP policy 14.10.6.1.1 expands the permitted uses in the designations and states in addition to the uses permitted by the Residential Low Density I and II designations, the lands identified as Special Site 1, which front onto Queen Street South, may also be used for offices. Staff note the subject property fronts onto Queen Street South. Staff are of the opinion the proposal maintains the general intent and purpose of the official plan.

Further, staff note the subject property is zoned R3 – Residential, which only permits detached dwellings as a residential use. Staff note that office uses are permitted in residential dwellings as an accessory use to the primary use. Staff recognize that permitting the use will not change the dwelling's residential appearance and the use will be contained within the building, complying to the MOP policies, however the zoning by-law does not permit office uses in the zone. Therefore, staff are of the opinion that the use variance does not maintain the intent of the zoning by-law.

Variance 2 requests an increased driveway width along the exterior side yard lot line. The intent of limiting the driveway width is to permit a driveway large enough to suitably accommodate the required number of parking spaces for a dwelling. The planned character of the area are dwellings accessed by appropriately sized driveways. While some widened driveways do exist along Princess Road for the residential properties, this proposal aims to change the use from residential to office requiring more parking. Staff are concerned that the proposed driveway would be one of the largest driveways in the area and would be out of character for the neighbourhood. Transportation & Work's staff also cite concerns with vehicle manoeuvrability and proximity of the proposed driveway to the existing utility pole currently located in the exterior side yard of the subject property.

Variance 3 requests zero (0) accessible parking spaces, whereas one accessible parking space is required. The intent of the accessible parking regulation is to accommodate individuals who require larger spaces for accessibility purposes. Providing no accessible parking spaces does not meet the intent of the by-law.

Based on the preceding information, Planning staff are recommending deferral of the application so the applicant can have the opportunity to evaluate other parking configurations and include the required amount of accessible parking spaces, to support the proposed office use.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference are photos depicting the subject property. From our site inspection we note that there is an existing utility pole near the municipal curb on Princess Street which will likely create manoeuvrability concerns for any vehicles backing out onto the roadway. We typically request a minimum of a 1.5M clearance away from any utility, however in this instance where the utility would not be located immediately abutting the driveway, the 1.5M clearance may not be adequate.

We do acknowledge that the Site Plan circulated does acknowledge this concern where it has created a gap in the parking spaces for the utility pole, however, this may not be adequate as the area surrounding the utility pole is still not protected for any vehicle backing out onto the roadway. It would be suggested that this utility pole be re-located.

As access modification works will be required as a new curb cut is being proposed, access approval from the Traffic Section through the Access Modification Permit Application will also be required. Our Traffic Section will address any concerns/requirements with regards to the new driveway locations onto Princess Street.









Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application BP 3ALT 25-5881 & Certificate of Occupancy application C24-4356. Based on review of the information available in this application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Please note that comments reflect those provided through the above application. These comments may no longer be valid should there be changes contained within this Committee of Adjustment application that have not been submitted and reviewed through the application noted above. The applicant must submit any changes and/or updates to information and/or drawings separately through the above application in order to receive updated comments.

Comments Prepared by: Gary Gagnier, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

Forestry Comments

The Forestry Section of the Community Services Department has reviewed 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.

An 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 Technician, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email jamie.meston@mississauga.ca.

Comments Prepared by: Jamie Meston, Landscape Technician

Appendix 4 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 5 – Metrolinx

- The subject property is located within 300m, adjacent to, the Canadian Pacific (CP) Galt Subdivision which carries Metrolinx's Milton GO Train service.

GO/HEAVY-RAIL – ADVISORY COMMENTS

- As the requested variances have minimal impact on Metrolinx property, Metrolinx has no objections to the specified variances should the committee grant approval.
- The Proponent is advised of the following:
 - **Warning:** Metrolinx and its assigns and successors in interest operate commuter transit service within 300 metres from the subject land. In addition to the current use of these lands, there may be alterations to or expansions of the rail and other facilities on such lands in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx or any railway assigns or successors as aforesaid may expand their operations, which expansion may affect the environment of the occupants in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual units. Metrolinx will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under these lands.

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

Comments Prepared by: Jenna Auger, Third Party Project Review