

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-02-10	File(s): A45.21 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2021-02-18 1:00:00 PM

## Consolidated Recommendation

The City has no objection to the variance, as requested. 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 a three storey condo proposing a front yard of 7.81m (approx. 25.62ft) whereas By-law 0225-2007, as amended, requires a maximum front yard of 3.00m (approx. 9.84ft) in this instance.

## Background

**Property Address:** 66 Queen Street South

### Mississauga Official Plan

Character Area: Streetsville Community Node  
Designation: Mixed Use

### Zoning By-law 0225-2007

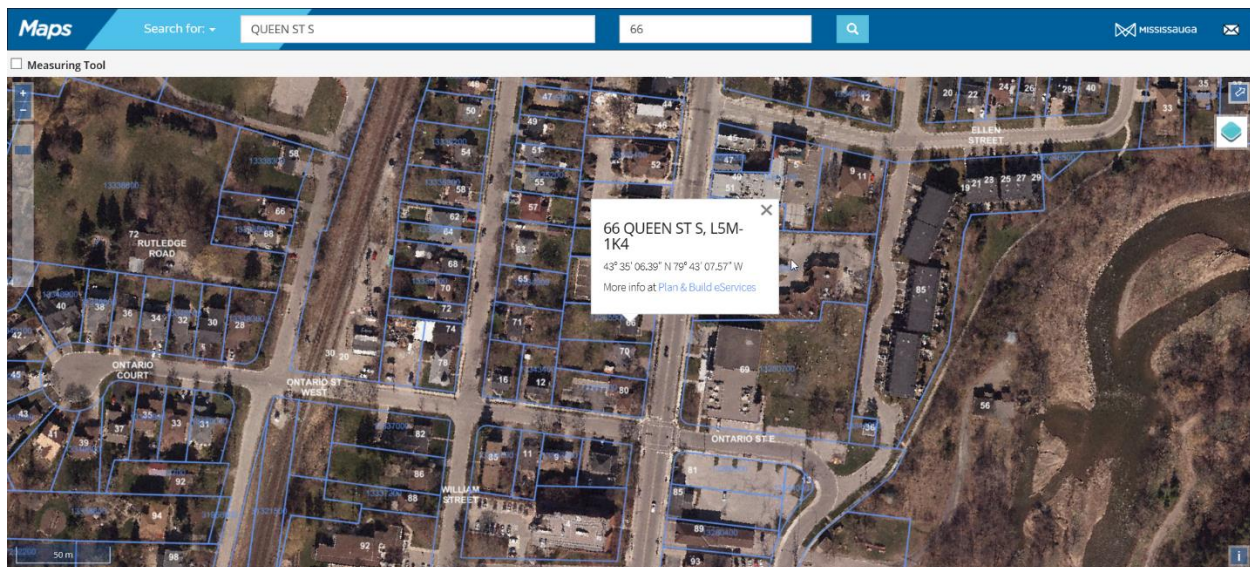
**Zoning:** C4-39 - Commercial

**Other Applications:** SP 20-114 W11

### Site and Area Context

The subject property is located north-west of the Queen St. S and Ontario St. E intersection. The property is an interior parcel with a lot area of +/- 960.0m<sup>2</sup> and a lot frontage of +/- 19.6m. It currently houses a one-storey, detached dwelling with minimal vegetation and landscape elements within the front and rear yards. Contextually, the area is in transition and is comprised of one and two-storey detached dwellings, a church and small a commercial plaza with minimal vegetation and landscape elements located along the periphery of the lots. The properties in the immediate area possess lot frontages of +/-20.0m.

The applicant is proposing a condominium building which requires a variance for the front yard.



## 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:

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

The subject property is designated Mixed Use in Schedule 10 of the Mississauga Official Plan (MOP) which permits residential uses. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context and, the landscape of the character area. The proposed condominium is located in an area of transition and a mix of uses. The proposed development is compatible with the surrounding area and does not pose significant impact to the abutting property. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

### **Does the proposal maintain the general intent and purpose of the Zoning By-law?**

As per Zoning By-law 0225-2007, the subject property is zoned C4-39 (Commercial). Pursuant to Table 6.2.1 (C1-C5 Permitted Uses and Zone Regulations), the maximum allowable front yard is 3.0m; whereas the applicant is proposing 7.81m. The intent of a front yard setback is to ensure that a consistent character is maintained along the streetscape and that a sufficient front yard space is incorporated into the design of neighbourhoods. While the proposed 7.81m is larger than the permissible 3.0m regulated through the By-law; the proposed does not impact the surrounding neighbourhood or character of the streetscape because it proposes a similar setback to those surrounding it. As such, the setback of 7.81m will compliment the setback of the neighbouring designated heritage property by not overshadowing the prominence of the historic dwelling. The proposed also reflects a similar setback to the dwellings adjacent and across the street. The setback of 7.81m poses an insignificant impact and planning staff finds the variance minor in nature.

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

The proposed setback is consistent with the surrounding neighbourhood as such; the variance, as requested results in both the orderly development of the lands, and whose impacts will be minor in nature. Staff is of the opinion that the application raises no concerns of a planning nature.

## **Conclusion**

Based upon the preceding information, it is the opinion of Staff that the variance, as requested, meets the general intent and purpose of both the MOP and Zoning By-law; is minor in nature; and, desirable for the orderly development of the lands. To this end, the Planning and Building Department has no objection to the variance, as requested. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Comments Prepared by: Brooke Herczeg RPP, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

We note for Committee's information that the City is currently processing a Site Plan Application for this property, Reference SP 20-114. Transportation and Works Department concerns/requirements for this property will be addressed through the Site Plan Process.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing site plan approval application SPI 20-114. More information is required to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required based on the review of the site plan approval plans received by Zoning staff on 9/29/2020.

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: Brian Bonner, Zoning Examiner

### Appendix 4 – Heritage

The property is listed on the City's Heritage Register and adjacent to a property that is designated under the Ontario Heritage Act. The proposal has subject to a Heritage Impact Assessment as per the Mississauga Official Plan.

Comments Prepared by: P. Wubbenhorst, Heritage Planner

### Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the February 18<sup>th</sup>, 2021 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

**Deferred Applications:** DEF-A-217/20, DEF-A-358/20, DEF-A-379/20, DEF-A-394/20

**Minor Variance Applications:** A-27/21, A-31/21, A-38/21, A-39/21, A-42/21, A-44/21, A-45/21

Comments Prepared by: Diana Guida, Junior Planner