

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-02-10	File(s): A31.21 Ward 5
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.

Application Details

The applicant requests the Committee to approve a minor variance to allow a reduction in required parking of 502 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 506 parking spaces in this instance.

Background

Property Address: 5935 Airport Road

Mississauga Official Plan

Character Area: Northeast Employment Area (East)
Designation: Business Employment

Zoning By-law 0225-2007

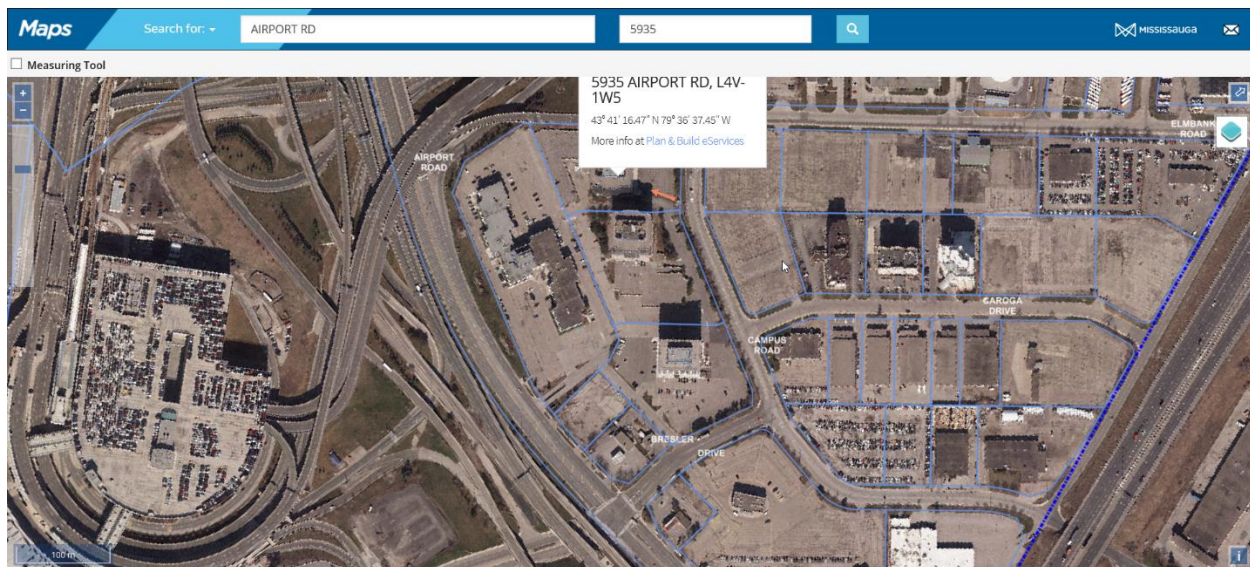
Zoning: E2-68 - Employment

Other Applications: OPA 5-53
OZ/OPA 5-28
SPR 2-126, SP 87-357
Building permit: 20-2832

Site and Area Context

The subject property is a multi-tenant plaza located north-west of Airport Rd and Highway 427. The subject property is an exterior parcel that has a lot area of +/- 9,714.0m² and a lot frontage of +/- 152.71m. From a land-use perspective, the immediate neighbourhood along this portion of Airport Rd has a mixture of employment uses; including restaurants, office buildings, a hotel and a parking structure with minimal vegetation and landscaping kept to the lot line. Properties in the immediate vicinity possess lot frontages of +/- 100.0m

The applicant is proposing a reduced parking rate of less than 1%, thereby requiring a variance for the reduced number of parking spaces.



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 site is located within the Northeast Employment Area (East) Character Area and is designated Business Employment by the Mississauga Official Plan (MOP). Pursuant to Section 17.1.8 (Business Employment), the existing office use is permitted within this designation. The Applicant's proposal of an office tower meets the purpose and general intent of the Official Plan.

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

As per Zoning By-law 0225-2007, 506 parking spaces are required for the proposed development; whereas, the applicant is proposing 502 parking spaces. The reduction of 4 parking spaces is less than 1% of by-law. The intent of quantifying the required number of parking spaces is to ensure that each structure is self-sufficient in providing adequate parking accommodations based upon its intended use.

A Letter of Justification, prepared by the tenant (International Atomic Energy Agency), dated December 1, 2020, has been submitted in support of the requested parking variance. The Letter of Justification explains that the office tenant requires additional storage space and is seeking to use two underground parking spaces as storage in addition to the two parking spaces currently being used for storage. City Planning Strategies Staff contacted the agent, Sheri Crawford, XDesign Inc., via email on January 26, 2020 seeking clarification on the total parking spaces used for storage and received a satisfactory response.

Based on the submitted information Planning Staff can support the requested variance of 502 parking spaces.

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

Planning Staff note that City Planning Strategies Staff have determined the proposal can be supported and find the proposal represents the orderly development of the lands, and is minor in nature.

Conclusion

Planning Staff have no objection to the approval of this application.

Comments Prepared by: Brooke Herczeg RPP, 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 31/21.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit application under file 20-2832. Based on review of the information currently available for this building permit, the variances, as requested are correct.

Our comments are based on the plans received by Zoning staff on 10/30/2020 for the above captioned building permit 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: Sandra Morrison

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the February 18th, 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

Appendix 6- Trans-Northern Pipelines Inc

Thank you for providing Trans-Northern with the Committee of Adjustment Agenda for February 18, 2021 which includes the location/ file no. A31.21 in Ward 5 for the proposed development to approve a minor variance to allow a reduction in required parking of 502 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 506 parking spaces. Trans-Northern currently operates a high-pressure petroleum products transmission pipeline within a

60 foot right of way on the property running North to South on the East portion of the parcel requesting development described as 5935 Airport Road.

Since Trans-Northern has a high-pressure pipeline within the development area, TNPI requests the preliminary site development plans for review to ensure the development meets or exceeds our Crossing Guidelines. Please note, any development plans within the right-of-way will require a Crossing Permit. Development planned within 30m, the *Prescribed Areas* defined by the CER (Canadian Energy Regulator) will require a Controlled Area Access Permit. Each of these permit types can be requested by following the steps described near the end of this response.

Please note that, Trans-Northern is regulated by the Canada Energy Regulator. Section 335 (1) and (2) of the Canadian Energy Regulator Act, provides that:

- *It is prohibited for any person to construct a facility across, on, along or under a pipeline or engage in an activity that causes a ground disturbance within the prescribed area unless the construction or activity is authorized or required by the orders made under subsection (3) or (4) or regulations made under subsections (5) or (6) and done in accordance with them.*

- **Prohibition — vehicles and mobile equipment**

It is prohibited for any person to operate a vehicle or mobile equipment across a pipeline unless

- *(a) that operation is authorized or required by orders made under subsection (3) or (4) or regulations made under subsections (5) or (6) and done in accordance with them; or*
- *(b) the vehicle or equipment is operated within the travelled portion of a highway or public road.*

Please note, should the applicant proposes to cross the pipeline with a vehicle or construct a facility across, on, along or under the pipeline, the applicant would be required to contact Trans-Northern prior to commencement of their work to receive the required authorization. This process can be initiated through Ontario One Call (1-800-400-2255). A representative from Trans-Northern will attend on site mark the pipeline location, confirm safe work practices, and advise of any permit requirements.

Should the applicant require further information on the technical requirements related to ground disturbance or crossing of the pipeline, they may contact Cliff Lee, Crossing Coordinator via email at : crossingrequestseast@tnpi.ca.

As always, Trans-Northern appreciates being circulated Committee of Adjustment Notices which include development proposals and/or plans within 200 m of any TNPI asset.

Comments Prepared by: Michelle Gruszecki, Property & Right-of-Way Administrator

Appendix 7 – Ministry of Transportation of Ontario

For the above address, the change to the parking lot, the MTO has no concerns. No MTO Building Permit is required.

Comments Prepared by: Corey Caple, Corridor Management Officer