

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-03-03 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): A74.21 Ward: 1
	Meeting date: 2021-03-11 1:00 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 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 the construction of an industrial warehouse and distribution facility proposing:

1. A landscape buffer of 1.50m (approx. 4.92ft) whereas By-law 0225-2007, as amended, requires a minimum landscape buffer of 4.5m (approx. 14.76ft) in this instance; and
2. An interior side yard of 4.70m (approx. 15.42ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 7.50m (approx. 24.61ft) in this instance.

## Amendments

Variance #1 should be amended as follows:

A landscape buffer of 1.50m abutting Ernest Samuel Drive (approx. 4.92ft) whereas By-law 0225-2007, as amended, requires a minimum landscape buffer of 4.5m (approx. 14.76ft) in this instance;

## Recommended Conditions and Terms

Staff recommends the following condition be added to the application:

The application be subject to the plans, specifically the landscape buffer surrounding the subject site

## Background

**Property Address:** 2360 Dixie Road

### Mississauga Official Plan

Character Area: Dixie Employment Area

Designation: Business Employment

### Zoning By-law 0225-2007

**Zoning:** E2-131 (Employment)

### Other Applications

Site Plan Application: 20-69

### Site and Area Context

The subject site is located within the Dixie Employment Character Area and abuts Queensway East and Dixie Road. The immediate area north of Queensway East primarily consists of a mix of manufacturing and industrial type uses, however, some commercial uses are also present within the surrounding area. The subject site contains three existing industrial buildings that will be subject to demolition to accommodate two multi-unit industrial buildings.

Through the Site Plan process, it has been determined that variances are required for a deficient landscape buffer and interior side yard setback.



## 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 proposed landscape buffer is only deficient along the portion of the site that abuts Ernest Samuel Drive. The remaining portion of the landscape buffer maintains the required 4.50 m setback, providing sufficient soft landscaping around the site. Additionally, this portion of the landscape buffer will be subject for additional tree planting to provide additional screening to the street. Regarding the deficient interior side yard setback, this variance is measured to a pinch point between Unit C of the proposed warehouse and the existing commercial building, located at 2320 Dixie Road. The remaining portion of the building maintains the required setback of 7.50 m.

Should Committee see merit in the application, staff recommends that variance #1 be amended as follows and subject to the following condition.

- A landscape buffer of 1.50m abutting Ernest Samuel Drive (approx. 4.92ft) whereas By-law 0225-2007, as amended, requires a minimum landscape buffer of 4.5m (approx. 14.76ft) in this instance;
- The application be subject to the plans, specifically the landscape buffer

Based on the preceding information, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature in this instance.

## Conclusion

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

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed warehouse are being addressed through the Site Plan Application process, File SP-20/069.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a site plan approval application under file 20-69. Based on review of the information currently available for this application, we advise that more information is required to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Our comments are based on the plans received by Zoning staff on 2020-07-13 for the above captioned site plan 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: RAMSEN HEDOO

### Appendix 5 – Region of Peel Comments

Development Engineering: Camila Marczuk (905) 791-7800 x8230

As per the Region of Peel Public Works Stormwater Design Criteria and Procedural Manual, the Region of Peel shall require the use of Low Impact Development (LID) approaches where no site-specific soil, groundwater, infrastructure or policy constraints exist.

- Stormwater Management techniques shall be implemented to the satisfaction of the Region of Peel, the local Conservation Authority and all concerned departments and agencies (4.0)
- Post development flows must be equal to pre-development flows (4.3)
- The Region of Peel Shall require stormwater quantity control to reduce stormwater peak flow run off from developing sites. Post development flows shall not adversely affect the performance of downstream Region of Peel infrastructure, negatively impact adjacent properties and exacerbate or increase the downstream flood or erosion risk (4.3)

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- Where possible, flows from outside the Regional Road allowance are to be directed to the local municipality's storm sewer system (5.1)
  - No grading will be permitted within any Region of Peel ROW to support adjacent developments (5.1).

Comments Prepared by: Diana Guida, Junior Planner