

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-04-07	File(s): B48.20 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-15 1:00 PM

## Consolidated Recommendation

The City has no objections to the requested consent application.

## Application Details

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 40.32m (132.28ft) and an area of approximately 2.29ac (0.93ha).

### Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent

## Background

**Property Address:** 0 Hurontario Street

### Mississauga Official Plan

Character Area: Gateway Corporate Centre  
Designation: Business Employment & Office

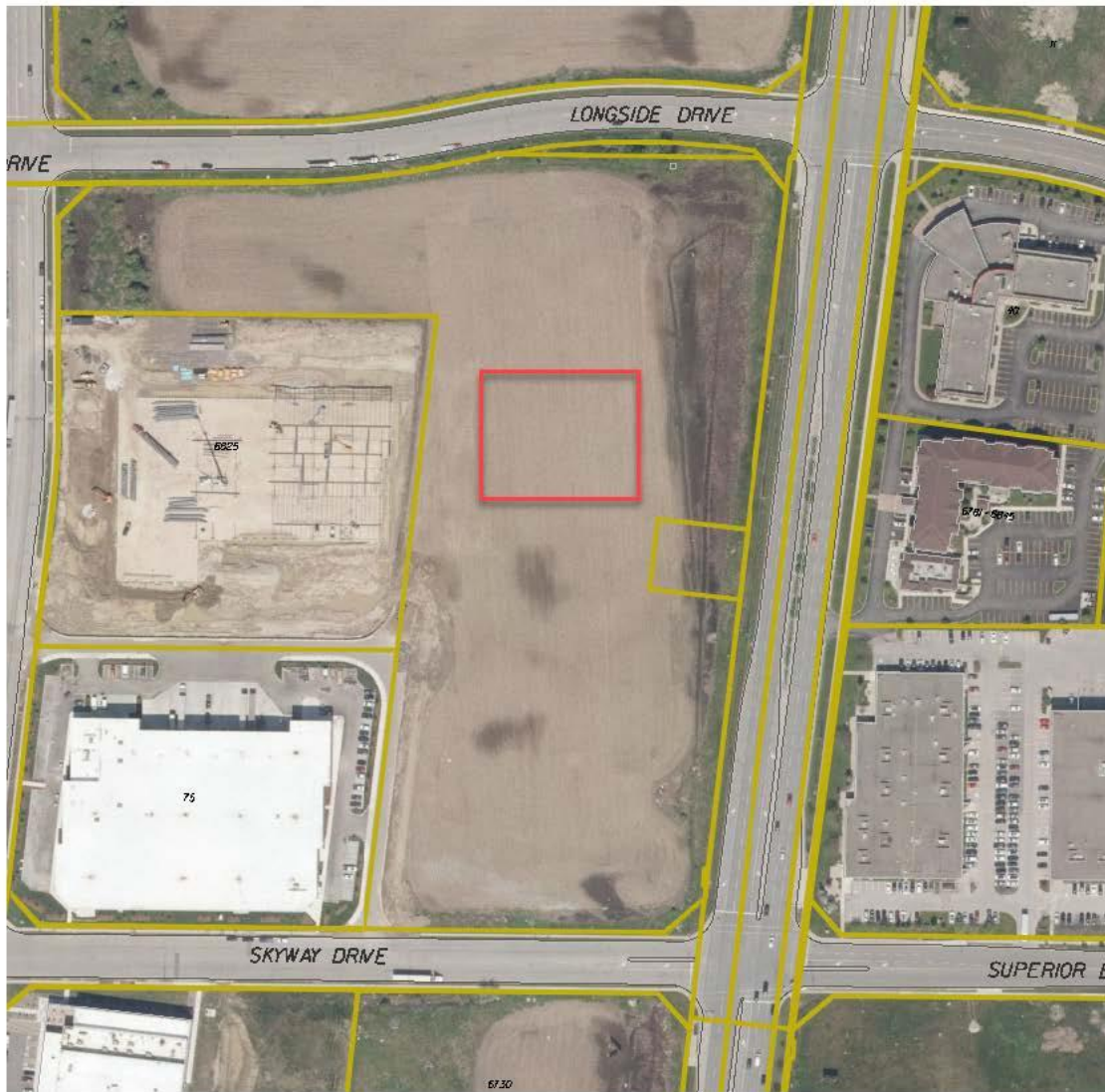
### Zoning By-law 0225-2007

**Zoning:** H-E1-28 & H-E2-126 - Employment

**Other Applications: B51/16  
B26/16**

### **Site and Area Context**

The subject lands are a vacant, exterior property located north-west of the Courtneypark Drive and Hurontario Street intersection. The subject lands possess a lot frontage of +/- 40.32m (Maritz Drive), and a lot area of +/- 56,000m<sup>2</sup>. The immediate neighbourhood is predominately industrial in nature; with warehousing and industrial-office uses located in close proximity. The properties along this portion of Hurontario Street are situated upon large parcels, with lot frontages ranging from +/- 55m to +/- 150m possessing minimal vegetation and landscaping at the periphery of the lots.



## Comments

### Planning

#### Planning Act

Section 51 (24) of the *Planning Act* sets out the criteria for land division in the Province of Ontario. In evaluating such requests, the Committee needs to be satisfied that the proposal meets not only the criteria set out under Section 51(24), but also municipal requirements identify in local legislation.

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. In evaluating such requests, the Committee needs to be satisfied that the proposal meets the four tests set out in the *Planning Act*.

#### Provincial Matters

The Provincial Policy Statement 2014 (PPS 2014) and Growth Plan for the Greater Golden Horseshoe promote efficient development and land use, directing the focus towards intensification and redevelopment. The proposal is consistent with the general directive in these provincial policies.

Staff comments concerning the application are as follows:

The severed lands will have a lot frontage of 40.32m and a lot area of 9,267.3m<sup>2</sup>. The retained lands will have a lot frontage of 149.5m and a lot area of 46,984.0m<sup>2</sup>. Neither of the properties resulting from the severance, will require variances. No changes of use or additional construction has been proposed for either parcel at this time.

The site is located within Special Sites 1, 4, and 5 of the Gateway Corporate Centre Character Area, and is designated Business Employment by the Mississauga Official Plan (MOP). Special Sites 1, 4, and 5, enact development and urban design policies not applicable to this consent application.

Section 5 of MOP promotes development with appropriate urban form and site design, directing that such development is compatible with the surrounding context and the landscape of the character area. To this end, the proposed lots remain in scale with the surrounding context.

As per Zoning By-law 0225-2007, the subject property is zoned (H) E1-28 and (H) E2-126 (Employment). In accordance with Table 8.2.1(3.0) (E1 to E3 Permitted Uses and Zone Regulations), both zones require a minimum lot frontage of 30.0m; whereas, the Applicant is proposing lots with frontages of 40.32m (severed) and 149.5m (retained), in this instance. This

zone does not require a minimum lot area. The proposed lots are appropriately sized for the context of the neighbourhood, and support the future development of the lands.

## Conclusion

Staff is of the opinion that the proposed application has due regard for Section 51(24) of the *Planning Act*, specifically that it conforms to the official plan. The dimensions of the proposed and existing lots exceed Zoning By-law provisions and are suitable for the purposes for which they are to be subdivided, thus maintaining the character of the area.

Based upon the preceding information, the Planning and Building Department has no objections to the requested consent application.

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

## Appendices

### Appendix 1 – Transportation and Works Comments

This department has no objections to the applicant's request where the intent is to create a new lot which will have frontage onto Maritz Drive, Longside Drive and also the existing Public Access Easement. It should be noted that under previous Consent Applications the Public Access Easement was established and remains on title of the subject lands. The Public Access Easement is located abutting the easterly portion of the proposed lot and extends from Longside Drive to Skyway Drive.

Should Committee see merit in the applicant's request we are providing the following conditions/requirements to be imposed as conditions of approval:

#### A. Items Required Prior to the Issuance of Final Consent

##### 1. 0.3m Reserve Requirement on Hurontario Street and Skyway Drive

The applicant will be required to make the appropriate arrangements to provide a 0.3m Reserve along the Hurontario Street frontage across the retained lands and also a 0.3m reserve along the Skyway Drive frontage from the east limit of the existing Public Access Easement to Hurontario Street (including the sight triangle).

Should additional clarification or information be required with regard to the 0.3m Reserve, please contact Lahini Senthil-kumaran at 905 615-3200 ext. 5798 or [lahini.senthil-kumaran@mississauga.ca](mailto:lahini.senthil-kumaran@mississauga.ca).

##### 2. Fee Requirements as Per Fees and Charges By-Law

As per the City of Mississauga's Fees and Charges By-law there will be a fee required to be paid to the Legal Services Department for their services, in particular for the preparation of legal documents. The fee amount payable will be in accordance with the current Fees and Charges Bylaw and be submitted to the Transportation and Works Department in the form of a certified cheque.

##### 3. Municipal Address Requirement

Prior to the issuance of final consent, satisfactory arrangements are to be made with Corporate Services Department, Information Technology Division, Digital Services & Mobility Section,

Geospatial Solutions Group for the creation of new municipal addresses for the severed lands. For further information, please contact Susie Tasca at (905) 615-3200 ext. 3088 or [susie.tasca@mississauga.ca](mailto:susie.tasca@mississauga.ca)

For further information regarding the above noted comments, please contact Tony Iacobucci at (905) 615-3200 ext. 5129 or [tony.iacobucci@mississauga.ca](mailto:tony.iacobucci@mississauga.ca)

## **B. General Information**

### **1. Site Plan Approval**

Any re-development of the subject lands will require the owner obtaining Site Plan Approval where any site specific conditions/requirements relating to detailed lot grading and drainage, servicing, access, etc. will be addressed.

### **2. Drainage Proposal/Storm Sewer Outlet**

We are noting for information purposes that the applicant has submitted a Drainage Proposal prepared by Trafalgar Engineering (dated March 31, 2021) for this department's review/approval to address our previous requirement for a Drainage Proposal. The Drainage Proposal submitted has been reviewed by staff and confirms that by controlling the subject site's storm discharge to the "spare capacity" within the existing 300mm storm sewer on Maritz Drive and by providing the required storage attenuation on the subject site, a connection to the 300mm diameter storm sewer on Maritz would not adversely affect the municipal storm sewer system.

In view of the above we are satisfied with the submitted Drainage Proposal and any further storm drainage requirements can adequately be addressed through the future Site Plan Application and Building Permit Process.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

We have no objection to the consent application provided that the severed and retained lands comply with the provisions of Zoning By-law 225-2007, as amended, with respect to, among other things, minimum lot frontage, minimum lot area, setbacks to the existing building(s), on-site parking, etc., or alternatively, that any minor variance(s) is approved, final and binding and/or the demolition of any existing building(s) is complete.

We further advise that the proposed lot frontage is to be calculated in accordance with the following definition;

The applicant is advised that Lot Frontage means the horizontal distance between the side lot lines and where these lines are not parallel means the distance between the side lot lines measured on a line parallel to and 7.5 m back from the front lot line

Comments Prepared by: Brian Bonner – Zoning Examiner

### **Appendix 3 – Parks, Forestry & Environment**

The Park Planning Section of the Community Services Department has reviewed the consent application and advises as follows:

In addition, Community Services notes the following:

- The subject property is subject to site plan control, comments and conditions will be included through a future development application.
- Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, C.P. 13, as amended) and in accordance with the City's policies and by-laws.

Should further information be required, please contact Jim Greenfield, Park Planner, Community Services Department at 905-615-3200 ext. 8538 or via email [jim.greenfield@mississauga.ca](mailto:jim.greenfield@mississauga.ca).

Comments Prepared by: Jim Greenfield, Park Planner

### **Appendix 5 – Region of Peel Comments**

#### Comments for Conditions of Approval

Deferred Consent Application: DEF-B-48/20

Development Engineering: Iwona Frandsen 905-791-7800, x7920

Please note that severing the lands may adversely affect the existing location of the water and sanitary sewer services, if any exist. The result of this may require the applicant to install new water / sanitary servicing connections to either the severed or retained lands in compliance with the Ontario Building Code. The applicant may require the creation of private water / sanitary sewer servicing easements

**Condition:** Arrangements satisfactory to the Region of Peel, Public Works Department shall be made with respect to servicing the severed and retained parcels.



Comments Prepared by: Diana Guida, Junior Planner

**Appendix 7 – Bell Canada**

Subsequent to review of the severance at 0 HURONTARIO ST, Bell Canada's engineering department have determined that there are no concerns or issues with the proposed application.

**Appendix A – Conditions of Provisional Consent**

**SHOULD THE COMMITTEE GRANT A PROVISIONAL CONSENT, THE FOLLOWING IS A LIST OF THE RECOMMENDED CONDITIONS TO BE ATTACHED TO THE DECISION AND THESE CONDITIONS MAY BE REVISED BY THE COMMITTEE AT THE PUBLIC MEETING.**

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding.
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated April 7, 2021.
5. A letter shall be received from the Region of Peel, Development Services, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated April 7, 2021.