

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-05-19	File(s): A177.21 Ward:5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-05-27 1:00 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 alterations to the parking lot proposing a landscape buffer of 2.64m (approx. 8.66ft) whereas By-law 0225-2007, as amended, requires a minimum landscape buffer of 4.50m (approx. 14.76ft) in this instance.

Background

Property Address: 7135 Kennedy Road

Mississauga Official Plan

Character Area: Gateway Employment Area East
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2 - Employment

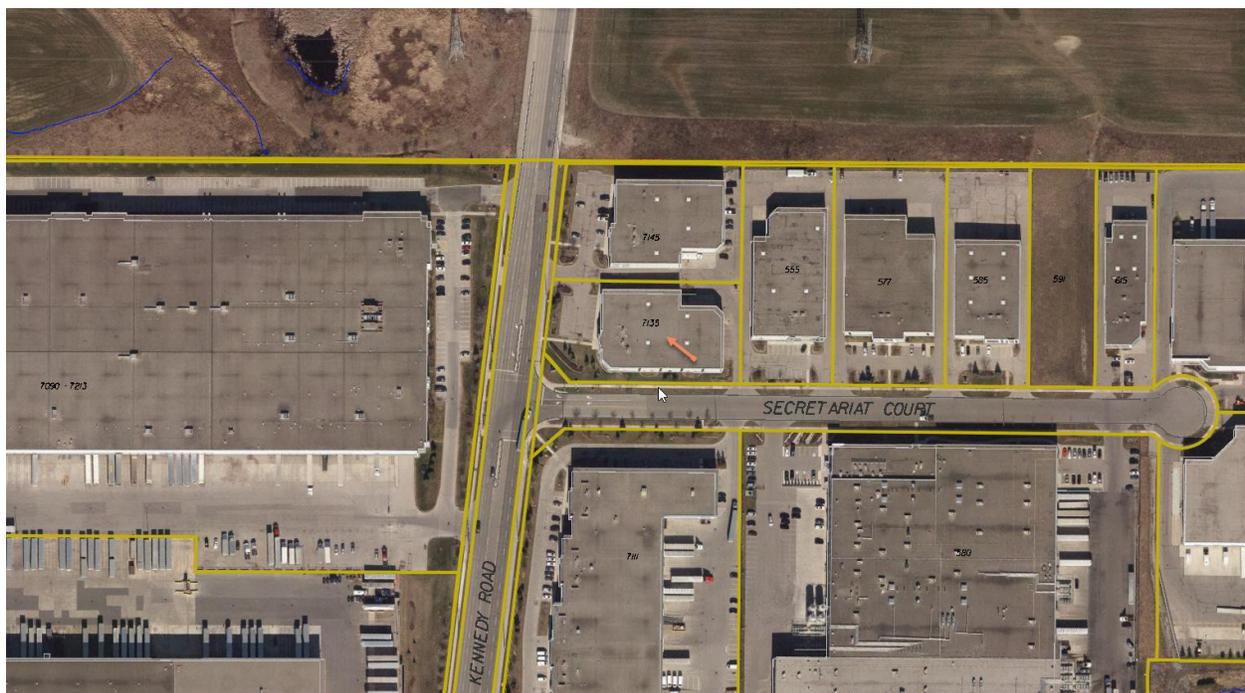
Other Applications: None

Site and Area Context

The subject property is located at the north-east corner of the Kennedy Rd and Secretariat Ct intersection. The subject property is an exterior parcel with a lot area of +/- 5,277.0m² and a lot frontage of +/- 39.84m. The property currently houses a two-storey building with minimal

vegetation along the periphery of the property. From a land-use perspective, the immediate neighbourhood consists of a mixture of employment uses including a printing and distribution center, woodworking company and bakery. These properties have minimal vegetation and landscape elements located at the periphery of each parcel. The properties within the immediate area possess lot frontages of +/-50.0m.

The applicant is proposing modifications to the existing parking lot requiring a variance for a reduced landscape buffer.



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 site is located within the Gateway Employment Character Area, and is designated Business Employment by the Mississauga Official Plan (MOP). Section 11.2.11(Business Employment),

permit existing office and warehouse uses within this designation. As such, the proposed use meets the purpose and general intent of the Official Plan.

The intent of this portion of the by-law is to ensure that an appropriate landscape buffer along all lot lines exists. Planning Staff note the requested variance is only for a small portion of the landscaped area located at the south-west corner of the parking lot. The proposed reduction to 2.64m whereas 4.50m is required, is nominal in nature and poses no significant impact. The site maintains the required landscape buffer along the remaining perimeter of the property. Through a detailed review of the application, 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.

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: Brooke Herczeg RPP, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for the Committees information are photos which depict the area of the proposed parking lot expansion. This department foresees no drainage related concerns with the request.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to confirm the accuracy of the requested variance(s) or determine whether additional variance(s) may be required.

The applicant is advised that a completed zoning review may identify additional instances of zoning non-compliance. The applicant may consider applying for a preliminary zoning review application and submit working drawings for a detailed zoning review to be completed. A minimum of 6-8 weeks will be required to process a preliminary zoning review application depending on the complexity of the proposal and the detail of the information submitted.

Comments Prepared by: Brandon Eidner, Zoning Examiner

Appendix 5 – Region of Peel Comments

Development Planning: Diana Guida (905) 791-7800 x8243

Please be advised that an eastern portion of the subject property is located within the limits of the regulated area of the Toronto and Region Conservation Authority (TRCA).

The Region relies on the environmental expertise of the TRCA for the review of development applications located within or adjacent to this regulated area in Peel and their potential impacts on the natural environment. Regional Planning staff therefore, request that the Committee and city staff consider comments from the TRCA and incorporate their conditions of approval appropriately.

Comments Prepared by: Diana Guida, Junior Planner

Appendix 6- Conservation Authority Comments

This letter acknowledges receipt of the above noted application circulated by the City of Mississauga. The materials were received by Toronto and Region Conservation Authority (TRCA) on April 21, 2021. TRCA staff has reviewed the above noted application, and as per the "Living City Policies for Planning and Development within the Watersheds of the TRCA" (LCP), provides the following comments as part of TRCA's commenting role under the *Planning Act*, the Authority's delegated responsibility of representing the provincial interest on natural hazards encompassed by Section 3.1 of the *Provincial Policy Statement, 2020*; TRCA's Regulatory Authority under Ontario Regulation 166/06, *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses*; and, our Memorandum of Understanding (MOU) with the Region of Peel, wherein we provide technical environmental advice related to provincial plans.

Purpose of the Application

It is our understanding that the purpose of Minor Variance Application A 177/21 is to allow alterations to the parking lot proposing a landscape buffer of 2.64m (approx. 8.66ft) whereas By-law 0225- 2007, as amended, requires a minimum landscape buffer of 4.50m (approx. 14.76ft) in this instance.

It is our understanding that the requested variance is required to allow an extension to the existing parking area.

Ontario Regulation 166/06

The subject land is located within TRCA's Regulated Area of the Etobicoke Creek Watershed. Specifically, the subject property is traversed by an underground piped tributary of the Etobicoke Creek. As such, a TRCA permit pursuant to Ontario Regulation 166/06 will be required for any development or site alteration within the Regulated Area on the property.

Application Specific Comments

Based on our review, it appears that the proposed parking extension is located within TRCA's Regulated Area and on top the underground piped tributary. Given that the tributary is underground, TRCA staff have no concerns with the proposed works and the requested variance, as submitted.

Please advise the applicant to submit a TRCA permit application (Application for Development, Interference with Wetlands & Alterations to Shorelines and Watercourses – Ontario Regulation 166/06) and the associated review fee of \$860 (Projects on commercial, industrial lands – Minor Ancillary – Single Structure). A site plan drawing indicating the location of the tributary on the subject property is required.

Recommendation

Based on the comments noted below, TRCA staff supports **conditional approval** of Minor Variance Application A 177/21, subject to the following conditions:

1. The applicant acquires a TRCA permit pursuant to Ontario Regulation 166/06;
2. The applicant submits a \$1,100 review fee to this office.

Fees

By copy of this letter, the applicant is advised that the TRCA has implemented a fee scheduled for our planning application review services. This application is subject to a \$1,100 review fee (Variance – Commercial/Industrial Minor). The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible.

Please note that TRCA's Administrative Fees for Planning and Permitting Services are presently under review. It is anticipated that new (2021-2022) fee schedules will be in place as of May/June 2021. For applications in which TRCA's fees have not been paid by this date, the applications will be subject to the new fees, effective the date of the approval of the new fees by TRCA's Board of Directors. TRCA's current fee top-up provisions, as outlined in our current fee schedules, will continue to apply.

We trust these comments are of assistance. Should you have any questions, please contact me at 416-661-6600 extension 5657 or at Lina.alhabash@trca.ca.

Comments Prepared by: Lina Alhabash, Planner I