

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: Enter/choose date.	File(s): A339.21
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-26 1:00:00 PM

Consolidated Recommendation

The City has no objection to the variances, as amended.

Application Details

The applicant requests the Committee to approve a minor variance to allow a municipal contractor's yard proposing:

1. A municipal contractor's yard whereas By-law 0225-2007, as amended, does not permit a municipal contractor's yard in this instance; and
2. A multi use trail within a landscape buffer whereas By-law 0225-2007, as amended, does not permit a multi use trail within a landscape buffer in this instance.

Amendments

The Park Planning Section of the Community Services Department has reviewed the minor variance application and advises Variance #2 should be amended as follows:

2. A 2m Maintenance Access Route within a landscape buffer whereas By-law 0225-2007, as amended, does not permit a 2m Maintenance Access Route within a landscape buffer.

Recommended Conditions and Terms

"[Enter terms and conditions here]"

Background

Property Address: 1082 Lakeshore Road East

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Mississauga Official Plan

Character Area: Lakeview Waterfront Major Node
Designation: Business Employment & Greenlands

Zoning By-law 0225-2007

Zoning: G1 - Greenlands, & U-1 - Utility

Other Applications: OZ 19/021, OZ 1/003 W1, 21T-M19/001 W1, and SPM 21-73 W1

Site and Area Context

The subject site is located within the Lakeview Waterfront Major Node, east of Cawthra Road and Lakeshore Road East. The south side of Lakeshore Road East consists of employment uses. Immediately east of the subject site is Serson Creek. These lands are municipally addressed as 1082 Lakeshore Road East, 985 Hydro Road and 800 Hydro Road and have a total site area of approximately 71.3 ha (176 ac). The block subject to this application for minor variance is addressed as 1082 Lakeshore Road East and is generally located at the east portion of the subject lands adjacent to Serson Creek. The block is approximately 0.51 hectares (1.25 acres) in size and is located at the north most portion of the Innovation District lands.

The minor variance application proposes a municipal contractor's yard proposing municipal contractor's yard and maintenance access route uses.

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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 applicant is proposing a municipal contractor's yard and requires variances to permit the municipal contractor's yard and a 2m wide maintenance access route.

The block subject to this application is designated Business Employment in the City of Mississauga Official Plan (MOP). As per Section 9.5.1.1 of MOP, site design is encouraged to be compatible with site conditions, the surrounding context and landscape of the existing and planned character of the area. The area currently consists of existing regional and local facilities and infrastructure. Replacing the old facilities with new facilities will improve the compatibility between the proposed uses and uses in the area. Furthermore, it is important to note that these uses are temporary and will be removed and/or replaced in the future. 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?

Variances #1 and #2 are required to permit a municipal contractor's yard and 2m wide maintenance access route to encroach into the required landscape buffer on the north and east sides of the subject site. The subject property is zoned G1 – Greenlands and U-1 Utility which permit utility and natural type uses. The proposed uses fit within these categories therefore meeting the intent and purpose of the zoning by-law. The proposed municipal contractor's yard is intended to be temporary in nature and will not jeopardize the ability to realize the ultimate intent for business employment uses in the future. Furthermore, the proposal will not supersede future development planned on the subject property.

The proposed 2m wide maintenance access route is required to implement permits issued by Credit Valley Conservation for Serson Creek shoreline. Maintenance of the creek ties in with the long term vision of the area. As such, Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained. Community Services Staff will determine if and when the maintenance access route will be made accessible to the public for recreational purposes. Planning Staff are of the opinion that the proposal will not interfere with the processing of current and future planning applications, and only requires the lands to be utilized for a temporary period while construction activities occur.

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

The new temporary municipal contractor's yard will be more desirable than the existing municipal contractor's yard. The existing municipal contractor's yard was required to be displaced from its current position because of the Lakeview development. The existing municipal contractor's yard obstructs pedestrian mobility, views of the water and hampers a logical road pattern for a proposed draft plan of subdivision as well as any consideration for continued waterfront park access. Furthermore, the new temporary municipal contractor's yard will be used by parks operations to service the new park network planned for the Lakeview community. The proposed 2m wide maintenance access route is required to access and maintain Serson Creek. Community Services Staff will determine if the trail will be accessible to the public at a later date. The proposed municipal contractor's yard and 2m maintenance access route are minor in nature, as these uses are temporary and will not impede the future development of the site. Furthermore, the subject block proposed to accommodate the yard is anticipated to be one of the last blocks within the Innovation District to be redeveloped and is expected to remain vacant for some time. The temporary use and development of the lands will

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not jeopardize its ability reach the planned intent and use of the lands outlined in the Lakeview plan.

Conclusion

The Planning and Building Department has no objection to the variances, as amended.

Comments Prepared by: Connor DiPietro, 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 contractor's yard are being addressed through the Site Plan Application process, File SPM-21/073.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan permit under file SPM 21-73 W1. Based on review of the information currently available in this permit application, the variances, as requested are correct.

Please note that comments reflect those provided through the above permit application and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Brandon Eidner, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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The Park Planning Section of the Community Services Department has reviewed the above noted minor variance application and advises as follows:

1. Parks, Forestry & Environment Division has No Objection to the proposed variance to permit a municipal contractor's yard.
2. Parks, Forestry & Environment Division notes that the proposed 2m pathway within the landscape buffer will not function as a Multi-use Trail (MUT). The function of the proposed 2m pathway will be for the purpose of Maintenance Access Route with no any public access. Community Service Department will, at a later date, determine if the pathway can be opened to the public as a MUT. As such, the proposed variance should permit a 2m Maintenance Access Route and not a Multi-use Trail (MUT).

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

Comments Prepared by: Jim Greenfield, Park Planner

Appendix 4 – Heritage

"[Enter Community Services staff comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 5 – Region of Peel Comments

"[Enter Region of Peel comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 6- Conservation Authority Comments

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Appendix 7 – "[Enter other agency name]"

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