

City of Mississauga Department Comments

Date Finalized: 2022-03-23 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): B25.22 A154.22 A155.22 Ward 5
	Meeting date:2022-03-31 1:00:00 PM

Consolidated Recommendation

The City has no objections to the applications. The applicant may wish to defer the applications to ensure the accuracy of the requested variances and that additional variances are not required.

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 79.02m (259.25ft) and an area of approximately 4,750sq.m (51,129sq.ft).

A154/22:

The applicant requests the Committee to approve a minor variance on the subject property, being the retained lands of application B25/22, proposing a minimum rear yard setback of 5.0m (approx. 16.4ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 7.5m (approx. 24.6ft) in this instance.

A155/22:

The applicant requests the Committee to approve a minor variance to allow off-site aisle and parking access on the subject property, being the severed lands of application B25/22, proposing:

1. A minimum rear yard setback of 2.0m (approx. 6.6ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 7.5m (approx. 24.6ft) in this instance;
2. To allow off-site access to parking and loading spaces whereas By-law 0225-2007, as amended, requires that access to and from parking and loading spaces be provided by an unobstructed on-site driveway in this instance; and,
3. To allow an off-site parking aisle on lands to the east whereas By-law 0225-2007, as amended, requires all parking spaces to have an on-site aisle in this instance.

Recommended Conditions and/or Terms of consent

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- Appendix A – Conditions of Provisional Consent
- The variance application approved under File(s) A154/22 & A155/22 must be finalized

Recommended Conditions and/or Terms of minor variance

- Variance(s) approved under file(s) A154/22 & A155/22 shall lapse if the consent application under file B25/22 is not finalized within the time prescribed by legislation.

Background

Property Address: 7055 Tranmere Dr

Mississauga Official Plan

Character Area: Northeast Employment Area
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2 - Employment

Other Applications: SP 21-161

Site and Area Context

The subject property is located north-west of the Derry Road East and Bramalea Road intersection in the Northeast Employment Area. It is a through lot and currently contains a single storey, multi-tenant industrial building along the Tranmere Drive frontage with a large vacant area along the Derry Road East frontage. Currently the property has a lot area of +/- 1.02ha (2.52ac). The surrounding area context is exclusively industrial, consisting of a mix of single and multi-tenant buildings 1 to 2-stories in height on lots of varying sizes.

The applicant is proposing to sever the existing lot and construct a new building on the vacant property, requiring variances for rear yards and off-site aisles and access.



The subject property is located in the Northeast Employment Area and is designated Business Employment in Schedule 10 of the Mississauga Official Plan (MOP). The Business Employment designation permits a variety of employment and industrial uses. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is

compatible with the existing site conditions, the surrounding context, and the landscape of the character area. The application is consistent with the official plan as the proposed lots are appropriately sized and are suitable for the proposed use. Furthermore the proposed development is compatible with both existing site conditions and the surrounding context.

Variance 1 on files A154/22 and A155/22 request reduced rear yards to the proposed property line. The intent of rear yard provisions is to ensure an appropriate buffer between the massing of structures on abutting properties is maintained. Planning staff are satisfied that the existing and proposed buildings are designed to maintain an appropriate buffer at all points.

File A155/22 requests 2 further variances relating to off-site access and parking aisles. Staff note multiple instances of shared aisles and access points in the surrounding context. Furthermore, the applicant has provided evidence that an access easement exists with the property to the east, thereby allowing access to the proposed parking and loading spaces. Necessary easements between the severed and retained lands can be appropriately dealt with through the clearing of conditions of the related consent application.

Given the above, staff are of the opinion that the application conforms to Section 51(24) and meets the four tests of a minor variance as set out in Section 45(1) of the Planning Act.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections to the applicant's request where intent of this application is to create a new lot for future development. Acknowledging that the residual parcel is occupied by an existing building, there will be some shared services including a shared drive aisle between the properties which would require private easements. Currently there are two access locations to Tranmere Drive and a right-in right-out access onto Derry Road (which is also currently shared with the abutting lands to the east). The City is currently processing a Site Plan Application (SP 21/161) for the severed lands which indicates that the storm and sanitary sewer services for the severed lands are being proposed through the residual lands which will also require servicing easements.

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. Servicing Plan Requirement

A Servicing Plan is to be submitted for our review/approval which would identify the location of any existing underground services servicing the residual parcel (7045 Tranmere Drive) and the location of any proposed services (i.e. storm and sanitary sewers) for the severed lands. Upon the review of the Servicing Plan any required private servicing easements can be identified.

We do acknowledge that through the Site Plan Application (SP 21/161) being processed, a Site Grading and Servicing Plan DWG No: C101 prepared by Skira & Associates Ltd. Consulting Engineers has been provided (stamped August 31, 2021). The Skira Site Grading and Servicing Plan provided does provide the above requested information with regards to servicing requirements, however, we just need to confirm that this plan reflects the most recent proposal.

2. Reference Plan and Required Easement Solicitor Letter

Upon the review of Item's A1 and the confirmation of any required easement(s), the applicant/owner will be required to provide a 43R-Plan and letter/schedule prepared by the applicant's Solicitor which would specifically describe any new private easement(s) to be established. It should also be noted that any documentation received will be forwarded as an

attachment with our clearance memo to the Committee of Adjustment Office in order that any new proposed private easement(s) can be identified and also be incorporated into the Certificate of Secretary-Treasurer.

For further information regarding the above noted comments, please contact Tony Iacobucci at (905) 615-3200 ext. 5129 or 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. We note that the City is processing Site Plan Application (SP 21/161) for the proposed new lot.

2. Region of Peel Approval

We note that comments with regards to Derry Road will be provided by the Region of Peel as this road is under their jurisdiction.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan approval application under file SP 21-161. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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: Alana Zheng, Zoning Examiner

Appendix 3 – Parks, Forestry, and Environment

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

Should the application be approved, Community Services wishes to note the following:

1. 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.

Comments Prepared by: Jim Greenfield, Park Planner

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. ("A" 154-155/21)
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 2022-03-23.
5. A letter shall be received from the City of Mississauga, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated 2022-03-23.
6. A letter shall be received from the Region of Peel, Development Services/Public Works, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated 2022-03-23.