

City of Mississauga Department Comments

Date Finalized: 2022-06-15	File(s): A288.22
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2022-06-23 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be refused.

Application Details

The applicant requests the Committee to approve a minor variance to allow off-site parking proposing:

1. To permit the subject property to be partially used for an off-site aisle and turning radii for the parking spaces located at the rear of 1796 Mattawa Avenue; whereas By-law 0225-2007, as amended, does not permit either use within a G1 or G2 (Greenlands) zone in this instance; and,
2. To permit all driveways and aisles to be comprised of gravel on the subject property; whereas By-law 0225-2007, as amended, requires all driveways and aisles to have a minimum overall vertical depth of 15.0cm comprised of a stable surface such as asphalt, concrete, pervious materials or other hard-surfaced material not including gravel.

Background

Property Address: 0 Mattawa Ave

Mississauga Official Plan

Character Area: Dixie Employment Area
Designation: Greenlands

Zoning By-law 0225-2007

Zoning: G1 & G2 - Greenlands

Other Applications: Certificates of Occupancy and a Building Permit under files C18-4256, C21-7116, C21-7117 & BP3 ALT 19-4802

Site and Area Context

The subject property is located within the Dixie Employment Area, located southwest of the Dundas Street East and Wharton Way intersection. The subject property contains open space/greenlands uses. The broader area consists of commercial, employment and open space/greenlands and low-density residential uses with minimum to no vegetation in the front yards.

This application proposes to permit the property to be used for off-site parking aisle and turning radii.



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 Committee of Adjustment will consider application A288.22 together with applications A289.22 (Hydro One Corridor) and A365.19 (1796 Mattawa Avenue). The owner of 1796 Mattawa Avenue (adjacent to the north) is proposing a Motor Vehicle Body Repair Facility & Motor Vehicle Sales, Leasing and/or Rental Facility – Restricted use in one unit of a one-storey

industrial condominium (Variance #4). Planning staff are unable to support Variance #4 in application A365.19. Furthermore, Municipal Parking staff have identified concerns with Variance #1 in Minor Variance applications 289.22 (Hydro One Corridor) and A365.19 (1786 Mattawa Avenue). Transportation and Works staff have also informed Planning staff that the applicant requires a license agreement for 0 Mattawa Avenue. Applications A288.22 and A289.22 are required to facilitate Variance #4 (A365.19). Due to concerns raised above, and since staff cannot support Variance #4 (A365.19), staff recommends that the application be refused.

Comments prepared by: Connor Di Pietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's information are photos of the area where the parking stalls are proposed within Greenbelt City owned lands at the rear of the property.

We have spoken to the City's Realty Services Section and they advise that the required License Agreement with the City to allow the encroachment onto the Greenbelt lands has not yet been started.

In view of the above, we would request that this Minor Variance application be deferred to allow the applicant to initiate a Licence Agreement request and for the City to determine that the City will authorize encroachment into this area via a Licence Agreement.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing Certificates of Occupancy and a Building Permit under files C18-4256, C21-7116, C21-7117 & BP3 ALT 19-4802. 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: Brian Bonner, Supervisor

Appendix 3 – Parks, Forestry & Environment

The Park Planning Section of the Community Services Department has no objections to the above noted minor variance application and advises as follows:

The lands to the rear of the property are City owned lands, identified as Etobicoke Valley (P-238) and within Significant Natural Area, zoned G1 and G2 that are also classified as a naturally significant area within the City's Natural Heritage System. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:

- a) ensuring that development in or adjacent to the Natural Heritage System protects and maintains the natural heritage features and their ecological functions through such means as tree preservation, appropriate location of building envelopes, grading, landscaping...;
- b) placing those areas identified for protection, enhancement, restoration and expansion in public ownership, where feasible.

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

1. The applicant is to enter into a License Agreement for two (2) years with the City of Mississauga for the lease of City owned 'G2' greenlands to permit an off-site aisle and turning radii for the parking spaces located at the rear of 1796 Mattawa Avenue.
2. Prior to the execution of the License Agreement with the City of Mississauga, the applicant shall provide a four (4) foot chain link fence with a single gate abutting the G2 lands to the satisfaction and inspection of the City of Mississauga, Parks, Forestry and Environment Division, and
3. Prior to the execution of the License Agreement with the City of Mississauga, the applicant shall clean up the existing City owned 'G2' greenlands adjacent to the subject property and remain free and clear of any encroachments/stockpiling to the satisfaction and inspection of the City of Mississauga, Parks, Forestry and Environment Division.

Community Services also provides the following notes:

1. Construction access from the adjacent park/greenlands is not permitted.
2. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.
3. If access is required to City owned lands, a Consent to Enter Agreement will be required.

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.

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Comments Prepared by: Jim Greenfield, Park Planner

Appendix 4 – Region of Peel Comments

Development Planning: Joseph Filice (905) 791-7800 x3182

Comments: Please be advised that 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: Please be advised that a portion of the subject property is located within an area the Regional Official Plan (ROP) designates as a Core Woodland of the Greenlands System in Peel, under Policy 2.3.2. Within these designations, ROP policies seek to protect environmental resources.

The Region relies on the environmental expertise of the Credit Valley Conservation (CVC) for the review of applications located within or adjacent to Core Areas of the Greenlands Systems 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 CVC and incorporate their conditions of approval appropriately.

Comments Prepared by: Joseph Filice, Junior Planner

Appendix 5 – Metrolinx Comments

Metrolinx is in receipt of the minor variance application for 0 Mattawa Avenue to permit off-site parking in lanes zoned G1 or G2. Metrolinx concludes that the minor variance has no implications on Metrolinx property. Metrolinx has no comments should the Committee choose to grant approval.

Comments Prepared by: Harrison Rong, Project Co-ordinator