

City of Mississauga Department Comments

Date Finalized: 2022-07-13	File(s): A279.22 Ward: 6
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-07-14 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of three warehouse/distribution facility buildings proposing:

1. A front yard setback of 5.0m (approx. 16.4ft) along Erindale Station Rd whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.5m (approx. 24.6ft) in this instance;
2. A minimum landscaped buffer of 2.79m (approx. 9.15ft) along Erindale Station Rd whereas By-law 0225-2007, as amended, requires a minimum landscape buffer of 4.50m (approx. 14.76ft) in this instance;
3. A minimum landscaped buffer of 3.0m (approx. 9.8ft) along Central Pkwy W whereas By-law 0225-2007, as amended, requires a minimum landscaped buffer of 4.5m (approx. 14.8ft) in this instance;
4. A minimum landscaped buffer of 1.5m (approx. 4.9ft) along the CP Rail Corridor whereas By-law 0225-2007, as amended, requires a minimum landscaped buffer of 4.5m (approx. 14.8ft) in this instance; and,
5. A minimum landscaped buffer of 0.0m between the E2-16 (Employment) and C3-1 (Commercial) Zones; whereas By-law 0225-2007, as amended, requires a minimum landscaped buffer of 3.0m (approx. 9.8ft) for each zone in this instance.

Background

Property Address: 1178 Central Pky W

Mississauga Official Plan

Character Area: Mavis-Erindale Employment Area
Designation: Business Employment, Mixed Use

Zoning By-law 0225-2007

Zoning: C3-1 - Commercial; E2-16 - Employment

Other Applications: SP 21-174

Site and Area Context

The subject property is located on the south-east corner of the Central Parkway West and Erindale Station Road intersection. It currently contains multiple two storey office buildings, however the vast majority of the site is vacant. The site has a total area of +/-6.72ha (16.60ac) and does not contain any notable vegetation or landscaping elements. The property abuts the CN Rail tracks to the south-west, with residential uses present beyond the tracks. Industrial and commercial uses are present to the north and east.

The applicant is proposing to construct three industrial buildings on the vacant portion of the property requiring variances for front yard setback and landscaped buffers.



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 subject property is located in the Mavis-Erindale Employment Area and is designated Business Employment and Mixed Use in Schedule 10 of the Mississauga Official Plan (MOP). The majority of the site is designated Mixed Use, with only a small portion along the Erindale Station Road frontage being designated Business Employment. The Mixed Use designation generally only permits commercial and office uses, however within the Mavis-Erindale Employment Area the Business Employment designation uses are also permitted in the Mixed Use designation. Staff are satisfied that the proposed buildings are appropriate for the site and maintain an appropriate built form for permitted uses. Staff are therefore of the opinion that the general intent and purpose of the official plan are maintained.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

Variance 1 requests a reduction in the front yard setback. Staff note that the front property line of the subject property is not parallel to the proposed structure and notes that the proposed setback is measured to a pinch point along the Erindale Station Road frontage. The intent of the front yard setback provision is to ensure sufficient space in the front of the property for landscaping and an appropriate setback from the street. Staff are satisfied that the proposal maintains an appropriate setback from the street which increases from the pinch point, and that an appropriate landscaped buffer is provided along the property line including at the pinch point.

Variances 2 through 5 request reductions in various landscaped buffers across the property. The intent of this portion of the by-law is to ensure that an appropriate buffer exists along all lot lines. Staff are satisfied that appropriate landscaped buffers are maintained around the property, and note that the variances are only necessary at specific locations and not the site as a whole. Furthermore variance number 5 is internal to the site due to split zoning.

Given the above Planning staff are satisfied that the application maintains the general intent and purpose of the zoning by-law.

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

Planning staff are satisfied that the variances, both cumulatively and individually, are minor in nature. Furthermore the proposal represents appropriate development of the subject property for permitted uses.

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the subject property will be addressed through the current Site Plan Approval Application SP 21-174 and Building Permit process.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan Application under file SP 21-174. 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 – Metrolinx Comments

Metrolinx is in receipt of the minor variance application for 1178 Central Parkway West to facilitate the construction of three warehouse distribution facility buildings. Metrolinx's comments on the subject application are noted below:

- The subject property is located adjacent to CP Rail's Galt Subdivision which carries Metrolinx's Milton GO Train service.
- As CP Rail is the owner of the railway corridor, they are the authority to provide commentary on matters related to rail safety. Metrolinx suggests that CP Rail is circulated the application for review.
- As per section 3.9 of the Federation of Canadian Municipalities and Railway Association of Canada's Guidelines for New Development in Proximity to Railway Operations, the Owner shall grant Metrolinx an environmental easement for operational emissions. The environmental easement provides clear notification to those who may acquire an interest in the subject property and reduces the potential for future land use conflicts. The environmental easement shall be registered on title of the subject property. A copy of the form of easement is included for the Owner's information. The applicant may contact Harrison.Rong@Metrolinx.com with questions and to initiate the registration process.

Comments Prepared by: Harrison Rong, Project Coordinator

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 Credit Valley Conservation (CVC).

The Region relies on the environmental expertise of the CVC 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 CVC and incorporate their conditions of approval appropriately.

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

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