

City of Mississauga Department Comments

Date Finalized: 2022-11-23	File(s): A336.22
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2022-12-01 1:00:00 PM

Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application, as requested, meets the requirements of Section 45(1) of the Planning Act. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

The applicant requests the Committee to allow a passageway for waste pickup and emergency vehicle access proposing to permit a fence, shed, garbage compactor and area for vehicles to use in a G1 Zone (Greenlands); whereas By-law 0225-2007, as amended, does not permit a fence, shed, garbage compactor and area for vehicles to use in a G1 Zone (Greenlands) in this instance.

Recommended Conditions

Should Committee see merit in the applicant's request, Staff recommends that the approval be subject to the applicant obtaining an appropriate Encroachment and/or Licence Agreement from the City and/or TRCA for lands owned by the TRCA being utilized.

Background

Property Address: 1878 Mattawa Ave

Mississauga Official Plan

Character Area: Dixie Employment Area
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2-131 - Employment

Other Applications: none

Site and Area Context

The subject property is located within the Dixie Employment Area, located south of the Dundas Street East and Wharton Way intersection. The subject property contains a 2-storey industrial building that includes a mix of employment and commercial uses. The subject property contains minimal vegetation. The broader area consists of commercial, employment, and open space/greenlands uses.

The application proposes a passageway for waste pickup and emergency vehicle access, requiring variances to permit a fence, shed, garbage compactor and area for vehicles to use in a G1 Zone (Greenlands).



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 subject property is located in the Dixie Employment Character Area and is designated Business Employment in Schedule 10 of the Mississauga Official Plan (MOP). The Business

Employment designation permits a variety of uses, including commercial, entertainment, industrial and motor vehicle uses.

This application was deferred on September 1st, 2022, to allow the applicant an opportunity to submit a revised site plan that identifies the locations of the proposed passageway, emergency vehicular access, fence, shed, garbage compactor and area for vehicles to use in a G1 Zone. The applicant has submitted a new site plan drawing identifying the locations of the items noted above. Planning staff have no planning concerns with the proposal, however, the applicant is proposing to utilize lands managed by the City and owned by the Toronto Region Conservation Authority. As such, staff is of the opinion that the application is appropriate to be handled through the minor variance process, subject to the applicant obtaining the appropriate Encroachment and/or Licence Agreement from the City and/or TRCA for the lands.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We have spoken to our Realty Section and they have confirmed that the applicant has initiated the process for the required License Agreement. Should Committee see merit in the request, it should be subject to the applicant finalizing the Licence Agreement from the City for the lands being utilized for these uses.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

We note that a building permit application is required. In the absence of a building permit application we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed.

The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

Comments Prepared by: Gary Gagnier, Zoning Examiner

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 lands managed by the City and owned by the Toronto Region Conservation Authority, identified as Etobicoke Valley (P-238) and within Significant Natural Area, zoned G-1 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 provides the following notes:

1. Should Committee see merit in the application, it should be subject to the applicant obtaining the appropriate Encroachment and/or Licence Agreement from the City and the TRCA for lands being utilized for these uses.

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.

Should further information be required, please contact Nicholas Rocchetti, Park Planning Assistant, Community Services Department at 905-615-3200 ext. 4659 or via email Nicholas.Rocchetti@mississauga.ca.

Comments Prepared by: Nicholas Rocchetti, Park Planning Assistant

Appendix 3 – Region of Peel

Please apply previous comments.

Comments Prepared by: Patrycia Menko, Junior Planner

Appendix 4 - Metrolinx

Metrolinx is in receipt of the minor variance application for 1878 Mattawa Ave to allow a passageway for waste pickup and emergency vehicle access. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300 meters of Canadian Pacific Railway's (CP Rail) Galt Subdivision which carries Metrolinx's Milton GO Train service
- As the requested variance does not have implication on Metrolinx Property (i.e. Milton Corridor), Metrolinx does not have objection to the minor variance should the committee grant approval.

Comments Prepared by: Farah Faroque, Intern, Third Party Projects Review