

City of Mississauga Department Comments

Date Finalized: 2023-01-25	File(s): A690.22
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2023-01-26 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application, as amended.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing:

1. The enlargement of a building to allow the expansion of an existing legal non-conforming Warehouse/Distribution Facility use on the subject property whereas By-law 0225-2007, as amended, does not permit the use in this instance and,
2. 246 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 273 parking spaces in this instance.

Amendments

Based on review of the information currently available in this permit application, we advise that the following variance should be amended as follows:

1. To permit a Warehouse/Distribution Facility use on the subject property; whereas By-law 0225-2007, as amended, does not permit a Warehouse/Distribution Facility use on the subject property in this instance; and,

Furthermore, we advise that the following variance should be added:

2. A parking aisle of 6.25m (approx. 20.50 ft.) in width; whereas By-law 0225-2007, as amended, requires a minimum parking aisle of 7.0m (approx. 22.96 ft.) in width in this instance.

Lastly, we advise that variance #2 in regard to the total amount of parking spaces is no longer required.

Background

Property Address: 2645 Skymark Ave

Mississauga Official Plan

Character Area: Airport Corporate Centre

Designation: Business Employment

Zoning By-law 0225-2007

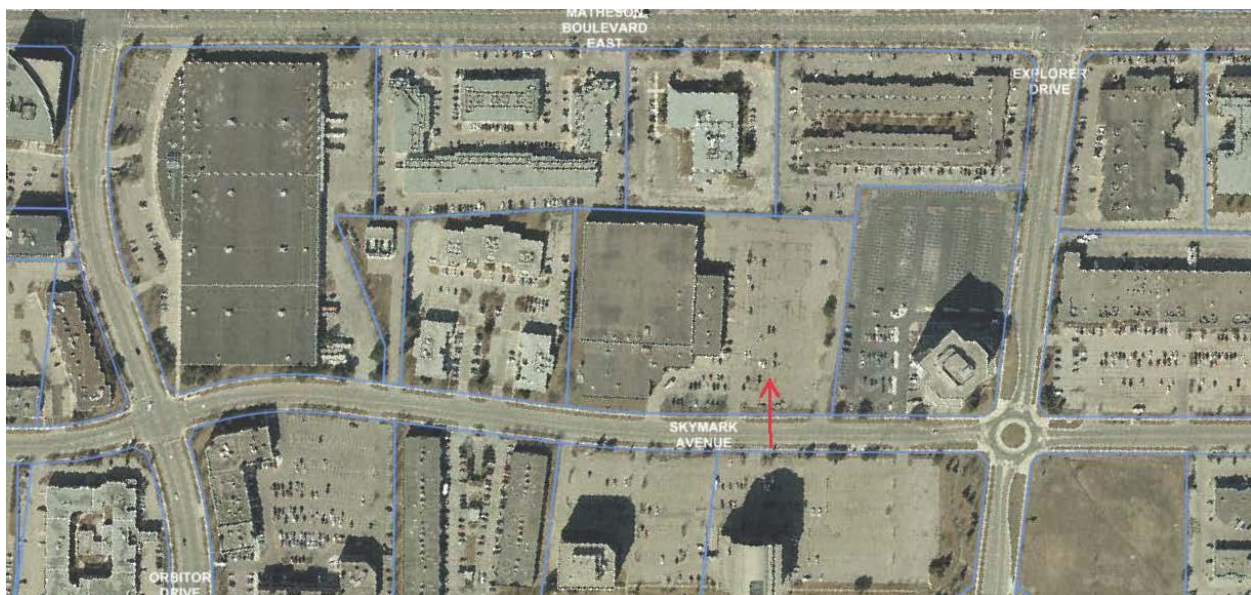
Zoning: E1-19 - Employment

Other Applications: BP 22-2626

Site and Area Context

The subject property is located north-east of the Eglinton Avenue East and Orbitor Drive intersection in the Airport Corporate Centre. It has a lot area of +/- 2,69ha (6.64ac) and currently contains a warehouse with an attached two-storey office portion. The surrounding context is comprised of commercial and industrial uses on varying size lots, ranging in heights from one to three storeys. The area is virtually devoid of vegetation, except for within the municipal boulevard or front landscaped buffer of properties.

The applicant is proposing an addition to the existing building requiring variances for the use, parking, and drive aisle width.



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:

The subject property is located in the Airport Corporate Centre and is designated Business Employment in Schedule 10 of the Mississauga Official Plan (MOP).

Variance 1 requests a variance for a Warehousing/Distribution Facility. The property is subject to the Special Site 1 policies as set out in the MOP under Section 15.2.2.1. While the policies of Section 15.2.2.1 do not permit new industrial uses including warehousing and distribution, the policy does note that existing industrial uses will be permitted to continue and expand. Furthermore, table 8.2.2.19 of the zoning by-law notes that while Warehousing/Distribution Facilities are not permitted, a Warehousing/Distribution Facility legally existing on the date of the passing of the by-law is a permitted use within the zone. The applicant is proposing an addition to the existing warehousing facility, and based on information submitted by the applicant, Planning staff are of the opinion that the proposal represents the expansion of an existing use as opposed to the introduction of a new use. Staff are satisfied that the proposal will not create any significant impacts to the surrounding context beyond those that exist at present.

Variance 2, as identified by Zoning staff, requests a reduced aisle width on the subject property. The intent of aisle width regulations is to ensure appropriate circulation can be maintained around the site. Staff note that the proposed aisle width variance is only in one part of the parking lot serving a limited number of parking spaces at the rear of the building. Staff are satisfied that the overall site circulation is not impacted by the reduction.

Given the above, Planning staff are of the opinion that the application maintains the general intent and purpose of both the official plan and zoning by-law, is minor in nature, and represents appropriate development of the subject property.

Comments Prepared by: Alexander Davies, 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 addition will be addressed through the Building Permit Process.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 22-2626. Based on review of the information currently available in this permit application, we advise that the following variance should be amended as follows:

1. To permit a Warehouse/Distribution Facility use on the subject property; whereas By-law 0225-2007, as amended, does not permit a Warehouse/Distribution Facility use on the subject property in this instance; and,

Furthermore, we advise that the following variance should be added:

2. A parking aisle of 6.25m (approx. 20.50 ft.) in width; whereas By-law 0225-2007, as amended, requires a minimum parking aisle of 7.0m (approx. 22.96 ft.) in width in this instance.

Lastly, we advise that variance #2 in regard to the total amount of parking spaces is no longer 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: Sherri Takaloo, Zoning Examiner

Appendix 3 – Metrolinx

2645 Skymark Ave

Metrolinx is in receipt of the minor variance application for 2645 Skymark Ave to facilitate the expansion of the existing warehouse building. Metrolinx's comments on the subject applications are noted below:

- Metrolinx has no objections to this proposal.
- If there are any works proposed within the City's right-of-way (ROW), the Applicant must contact MCReviews@metrolinx.com for instructions on next steps. The works within ROW include but not limited to: excavation activities, utilities upgrades, lane closures/reductions, etc.

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

Appendix 4 – Region of Peel

Minor Variance Application: A-690/22, 2649 Skymark Avenue

Servicing: Camila Marczuk (905) 791-7800 x8230

Comments:

- Please note that severing the lands may adversely affect the existing location of the water and sanitary sewer services, if any exist. The result of this may require the applicant to install new water / sanitary servicing connections to either the severed or retained lands in compliance with the Ontario Building Code. The applicant may require the creation of private water / sanitary sewer servicing easements. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Region of Peel Site Servicing connection approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at siteplanservicing@peelregion.ca

Comments Prepared by: Patti Menko – Junior Planner, Planning and Development Services