

# City of Mississauga Department Comments

Date Finalized: 2023-07-12	File(s): A31.23
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2023-07-20 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 a temporary 5 year change of use proposing:

1. To permit a Motor Vehicle Sales, Leasing and/or Rental Facility whereas By-law 0225-2007, as amended, does not permit a Motor Vehicle Sales, Leasing and/or Rental Facility in this instance;
2. To permit no building on the subject site whereas By-law 0225-2007, as amended, requires uses in Office zones to be wholly within a building, structure, or part thereof in this instance;
3. A rear yard setback of 0m whereas By-law 0225-2007, as amended, requires a rear yard setback of 4.5m (approx. 14.76ft) in this instance; and,
4. A parking area comprised of gravel whereas By-law 0225-2007, as amended, requires all parking areas, driveways and loading areas to be comprised of a stable surface such as asphalt, concrete, pervious materials or other hard surfaced materials in this instance.

## Background

**Property Address:** 7114 Hurontario St

### Mississauga Official Plan

Character Area: Gateway Corporate Centre  
Designation: Office

### Zoning By-law 0225-2007

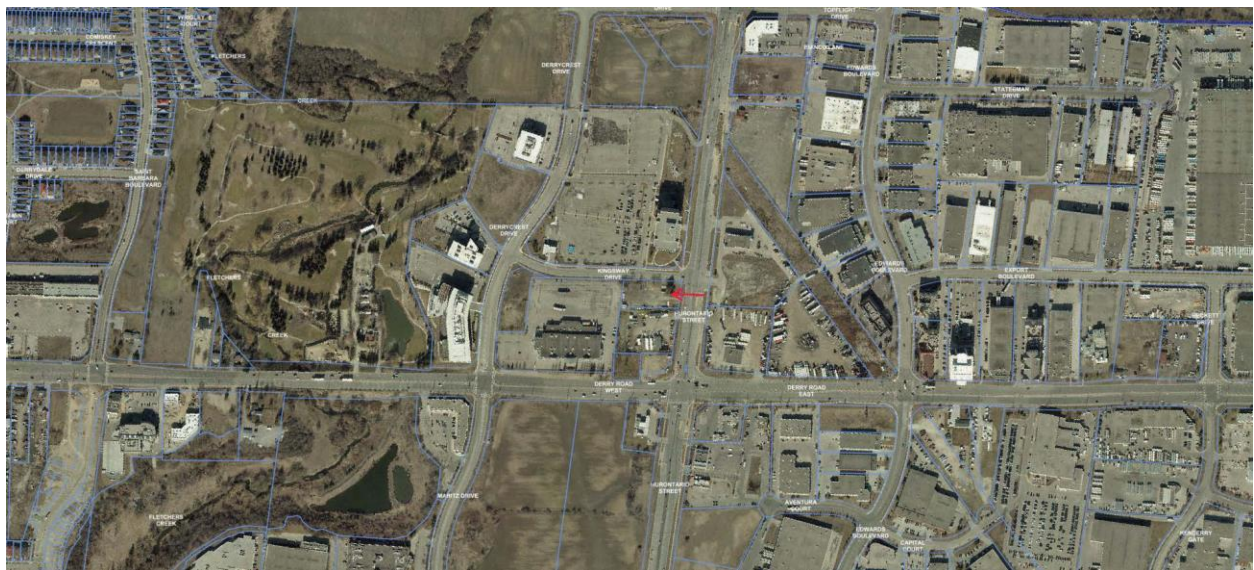
**Zoning:** O2 - Office

**Other Applications:** C23-5750

### Site and Area Context

The subject property is located on the south-west corner of Hurontario Street and Kingsway Drive. It is currently vacant and has a lot area of +/- 4,372.68m<sup>2</sup> (+/-47,067ft<sup>2</sup>). Limited vegetative elements are present on the subject property, located along the property lines. The surrounding context contains a mix of office and employment uses, as well as vacant lands, with varying built forms on lots of varying sizes.

The applicant is proposing a motor vehicle sales, leasing and/or rental facility use requiring variances to support a temporary change of use.



## 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 application was previously before the Committee at the March 30, 2023 hearing. At that time, Planning staff recommended refusal as the application did not maintain the general

intent or purpose of the zoning by-law, it was not minor in nature, nor did it represent the desirable development of the subject property. Staff continue to note that the intent of the revised application remains the same and that the MOP has clear policies to discourage the proposed motor vehicle sales, leasing and/or rental facility use along this stretch of Hurontario Street. The other variances requested are to support the temporary change of the use, which staff do not support. Therefore Planning staff maintain the position of the comments dated March 30, 20223 recommending refusal.

Comments Prepared by: Shivani Chopra, Planner in Training

## Appendices

### Appendix 1 – Transportation and Works Comments

Further to our previous comments we have re-visited the site and had discussions with the applicant's agent with regards to our concerns previously identified pertaining to the mud tracking which would be generated by the proposed use and impact our municipal roadway. A Letter from Batory Planning (dated May 3, 2023) has been provided which mentions the mitigation measures proposed to help alleviate our mud-tracking concerns. In the letter it is indicated that the parking lot is proposed to be gravel and to be fenced in on all sides for security purposes. In addition the entrance is proposed to be paved within the municipal boulevard and a gravel mud-mat to the City's standards would be provided to prevent any mud tracking onto Kingsway Road.

The May 3, 2023 letter also refers to the Mississauga Standard # 2970.010 Stone Pad Construction Entrance Detail which this department provided the applicant which is to be installed. It should also be noted that this measure has also been implemented in Metrolinx's construction staging area immediately south of the subject site.

We are also noting that recently (July 5, 2023) the Planning Department circulated a development application for 7114 Hurontario Street under file PAM 21-112. The PAM application is proposing a 9 storey hotel for the subject lands.

Acknowledging the recent submission of a development application on the subject lands, the temporary mitigation measures being proposed which will help alleviate some of our concerns pertaining to mud-tracking and should Committee see merit in the request we would recommend that a mechanism be in place such as a condition of approval to ensure that the applicant complies with the paving of the municipal boulevard at the entrance to the site and the installation of a gravel mud-mat in accordance with the Mississauga Construction Entrance Detail Standard # 2970.010.













Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## Appendix 2 – Zoning Comments

The Building Department is currently processing a Certificate of Occupancy Permit under file C23-5750. 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: Brooke Herczeg, Zoning Examiner

### **Appendix 3 – Metrolinx**

#### 7114 Hurontario St

Metrolinx is in receipt of the minor variance application for 7114 Hurontario St to allow a temporary 5 year change of use to allow a vehicle sales/truck storage use on the site.

- Metrolinx has previously provided comments on this minor variance proposal. At this time we re-iterate those comments below:
- Metrolinx's Technical Advisor (TA) has reviewed the above site plan application and have limited comments based on the site plan provided.
- At the current time of this application, TA does not have any significant concerns or comments. However, the developer should coordinate the following with Mobilinx:
  - The proposed landscaping and boulevard elements. The developer should note that Mobilinx will be reinstating the existing access to the site along Hurontario Street as per the project agreement. The developer will be responsible for closing the existing access based on the site plan drawing.
  - The developer should be advised that there is a temporary easement required for grading existing on the subject property.

#### **Construction Coordination Comment**

- The applicant should be advised that Metrolinx and its contractors will be utilizing the Hurontario Street right-of-way, and its intersections, during the project's Construction Period. Based on the location of the subject property, there is potential for construction coordination and traffic staging conflicts:
  - Should construction of the Hurontario LRT and the proposed development occur simultaneously, Metrolinx will require the developer to submit schedule or staging plans to coordinate access to both parties.

Comments Prepared by: Farah Faroque, Project Analyst

### **Appendix 4 – Region of Peel**

Please apply previous comments.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner