

City of Mississauga Department Comments

Date Finalized: 2023-11-01	File(s): A432.23 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-11-09 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.

Application Details

The applicant requests the Committee to approve a minor variance to allow a covered parking enclosure proposing a setback from the property line of 2.51m (approx. 8.23ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 4.65m (approx. 15.26ft) in this instance.

Background

Property Address: 6300 Mississauga Road

Mississauga Official Plan

Character Area: Meadowvale Business Park Corporate Centre
Designation: Industrial

Zoning By-law 0225-2007

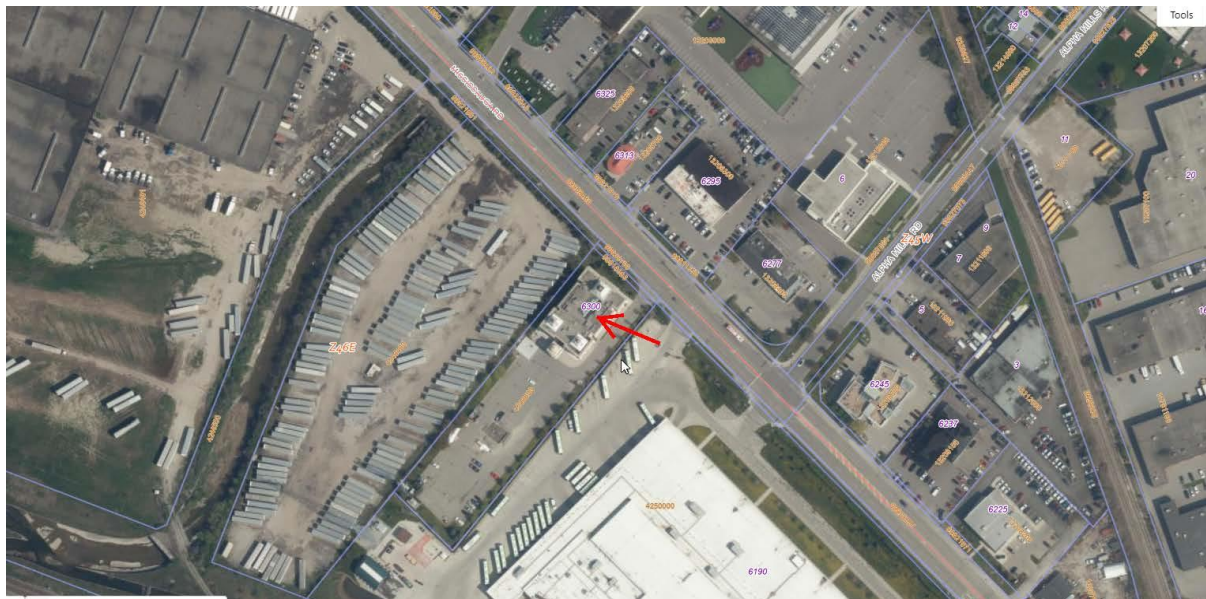
Zoning: E3- Employment

Other Applications: None

Site and Area Context

The subject property is located south of the Mississauga Road and Erin Mills Parkway intersection. The property has a lot area of +/- 7,998.58 m² (86,098.79 ft²) and currently contains a Hindu temple. Some vegetation is present in the form of trees lining the subject property frontage. The surrounding area contains employment uses with low rise built forms on lots of varying sizes.

The applicant is proposing a covered parking enclosure requiring a variance for side yard setback.



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 Meadowvale Business Park Corporate Centre Character Area and is designated Industrial in Schedule 10 of the Mississauga Official Plan (MOP).

The sole requested variance proposes a reduced side yard measured to a covered parking enclosure. A Site Plan Application (City File: SPAX 22 63) was filed and approved in September 2022 by the Development Planning team for the construction of a covered parking enclosure.

The intent behind the setback provisions within employment zones is to provide an adequate buffer between buildings or structures containing noxious uses and more sensitive uses on

abutting properties. The reduced side yard is requested on the west side of the property directly abutting a distribution centre. Staff note that the abutting property does not contain a building structure, only the outdoor storage of commercial motor vehicles. Further, the proposed setback is only for a small parking structure and not the entire building. Staff are of the opinion that the proposed setback is adequate and does not negatively impact the abutting property.

Given the above, Planning staff are of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Comments Prepared by: Shivani Chopra, Planner in Training

Appendices

Appendix 1 – Transportation and Works Comments

This department has no objections to the covered parking enclosure.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

We note that a Building Permit is required. In the absence of a Building Permit 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: Brooke Herczeg, Zoning Examiner

Appendix 3 – Metrolinx

6300 Mississauga Road - A432.23

Metrolinx is in receipt of the minor variance application for 6300 Mississauga Rd to allow a covered parking enclosure with a reduced setback to the property line. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300m of the CP Galt Subdivision which carries Metrolinx's Milton GO Train service. The subject site is also directly adjacent to the Metrolinx Streetsville Bus Maintenance Garage.
- As the requested variance has no implication on Metrolinx property (i.e. Milton Corridor) Metrolinx has no objections to the specified variances should the committee grant approval.

Advisory Comments:

- The Proponent is advised the following:
 - **Warning:** Metrolinx and its assigns and successors in interest operate commuter transit service within 300 metres from the subject land. In addition to the current use of these lands, there may be alterations to or expansions of the rail and other facilities on such lands in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx or any railway assigns or successors as aforesaid may expand their operations, which expansion may affect the environment of the occupants in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual units. Metrolinx will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under these lands.

Comments Prepared by: Farah Faroque, Project Analyst

Appendix 4 – Region of Peel

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner

Appendix 5- CVC

Re: CVC File No. A23/432

Municipality File No. A432.23

Surinder Sharma

6300 Mississauga Road

Lot 7 Con 5 W

City of Mississauga

Credit Valley Conservation (CVC) staff have reviewed the subject application and offer comments based on the following roles and responsibilities:

1. Delegated Responsibilities providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 3.1 of the

Provincial Policy Statement (2020);

2. Regulatory Responsibilities providing comments to ensure the coordination of requirements under the Conservation Authorities Act Section 28 regulation, to eliminate unnecessary delay or duplication in process;

3. Source Protection Agency providing advisory comments to assist with the implementation of the CTC Source Protection Plan under the Clean Water Act, as applicable.

CVC REGULATED AREA

Based on our mapping, the subject property is regulated due flood hazard associated with Mullet Creek. As such, the property is regulated by CVC under Ontario Regulation 160/06. As such, the property is subject to the Development, Interference with Wetlands, and Alterations to Shorelines & Watercourses Regulation (Ontario Regulation 160/06). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

PROPOSAL:

It is our understanding that the applicant is requesting the Committee to approve a minor variance to allow to allow a covered parking enclosure proposing a setback from the property line of 2.51m (approx. 8.23ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 4.65m (approx. 15.26ft) in this instance.

COMMENTS:

Based on our review, the subject property is regulated by CVC due to flood hazard associated with Mullet Creek. While CVC has no fundamental concerns with the proposed Minor Variances as they all pertain to the side yard setbacks, the applicant should note that the proposal needs to be setback appropriately from the hazards on the subject property of interest to CVC. The applicant is advised to contact CVC staff to discuss the proposal and next steps related to CVC permitting requirements before the approval of the minor variance application and recommend deferral of the application until more information is provided.

Specifically, CVC staff is looking for the applicant to provide site grading plan and elevation drawing of the proposed structure for us to assess the impacts it may have on the floodplain. The applicant is to note that CVC has not received payment of the review fee of \$478 for this Minor Variance application. The applicant should forward this directly to CVC at the earliest convenience.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at stuti.bhatt@cvc.ca or 905-670-1615 (ext. 350) should you have any further questions. Please circulate CVC on any future correspondence or applications regarding this site.

Comments Prepared by: Stuti Bhatt, Junior Planner