

# City of Mississauga Department Comments

Date Finalized: 2023-11-22	File(s): B54.23 B55.23 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-11-30 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the application.

## Application Details

B54/23

The applicant requests the Consent of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 136.43m (approx. 447.60ft) and an area of approximately 2.95 ha (317,535.40sq ft).

B55/23

The applicant requests the Consent of the Committee to allow a lot addition and the creation of an easement. The severed lands for the lot addition have a width of approximately 145.71m (approx. 478.05ft) and an area of approximately 0.66ha (approx. 71041.81sq ft).

## Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent

## Background

**Property Address:** 3195 and 3175 Airway Drive and 3160, 3170, 3182, 3190, 3198 and 3206 Orlando Drive

## Mississauga Official Plan

Character Area: Northeast Employment Area (East)  
Designation: Industrial

**Zoning By-law 0225-2007**

**Zoning:** E3- Employment

**Other Applications:**

### Site and Area Context

The subject property is located on the south-east corner of the Airport Road and Derry Road East intersection. It is currently contains multiple buildings with employment uses. Limited landscaping and vegetative elements are present on the subject property. The surrounding area context is predominantly employment uses. Lester B. Pearson International Airport is present on the south side of the Airport Road in the greater vicinity of the property.

The applicant is proposing to sever the existing property into 2 lots requiring easements and lot addition.



## Comments

### Planning

#### Planning Act

Section 51 (24) of the *Planning Act* sets out the criteria for land division in the Province of Ontario. In evaluating such requests, the Committee needs to be satisfied that the proposal meets not only the criteria set out under Section 51(24), but also municipal requirements identify in local legislation.

**Provincial Matters**

The Provincial Policy Statement 2020 (PPS 2020) and Growth Plan for the Greater Golden Horseshoe promote efficient development and land use, directing the focus towards intensification and redevelopment. The proposal is consistent with the general directive in provincial policy.

Staff comments concerning the applications for consent are as follows:

The subject property is located in the Northeast Employment Area (East) and is designated Industrial in the official plan. The applicant is proposing to sever the lands for transfer of land ownership, proposing a lot addition and access and truck turning easements. The proposed severance is to facilitate the demolition of an existing industrial building to build a new industrial building. Staff are satisfied that the proposed severance is appropriate to facilitate uses envisioned in the official plan. Staff are satisfied that the application is consistent with the official plan as the severed lots and retained lands will provide for adequately sized lots for the existing and new future building on the proposed lot. No minor variances are required for lot sizes or frontages. Staff are satisfied that the proposal will not negatively impact the area's lot fabric. Staff have no concerns with the severance regarding the criteria set out in Section 51(24) of the Planning Act, as the site is appropriately serviced, mitigates the conservation of natural resources and flood control and is suitable for the planned use of the property. Furthermore, Planning staff rely on Transportation and Works' and the Region of Peel's comments for applications pertaining to easements, and note that they did not raise any concerns with the application.

Staff are therefore of the opinion that the application conforms to Section 51(24) of the Planning Act.

Comments Prepared by: Shivani Chopra, Planner in Training

## Appendices

### Appendix 1 – Transportation and Works Comments

This department has no objections to the applicant's request. From the information submitted with the application, in particular, the two letters dated October 11, 2023 from Orlando Corporation; it is our understanding that both Consent Applications 'B' 54 & 55/23 will be required to create a new lot. The new lot would allow for a new industrial building to be constructed at 3195 Airway Drive, along with the establishment of any required easements.

Consent 'B' 54/23, being the 3195 and 3175 Airway Drive lands will create 2 parcels, the retained lands will have an existing building (3175 Airway Drive) and the severed portion which currently contains an industrial building (3195 Airway Drive) is proposed to be demolished.

Consent 'B' 55/23, being the 3160, 3170, 3182, 3190, 3198 and 3206 Orlando Drive lands is proposing to sever a portion of the property at the southeasterly limits. These lands are identified as Part 4 & 6 on the Draft Reference Plan No: 162-3-16 (prepared by David B. Searles Surveying Ltd dated October 4, 2023) which will then be attached to Part 7 on the Draft Reference Plan, which is described as 3195 Airway Drive (lands to have a new industrial building constructed).

Both the applications will require the establishment of private easements, which have been, described in the October 11, 2023 Orlando Corporation letters and the Parts Summary prepared by the Surveyor and submitted with the application, which we find acceptable. The proposed easements described as Part 1, 3 and 5 will be in favour of 3195 Airway Drive for the purpose of providing access for the repair and maintenance of a retaining wall. Part 4 will be a truck turning easement in favour of Orlando Court.

Acknowledging that the applicant has provided a Parts Summary prepared by David B Searles Surveying Ltd, Ontario Land Surveyors dated October 4, 2023 describing any required easements, and the two Orlando Corporation letters dated October 11, 2023 providing information with regards to the intent of these applications, which we find acceptable, we have no conditions/requirements with the submitted applications.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

### Appendix 2 – Zoning Comments

Zoning has no objection to the Consent application provided that the severed and retained lands comply with the provisions of Zoning By-law 0225-2007, as amended, with respect to, among other things, minimum lot frontage, minimum lot area, setbacks to the existing building(s), on site parking, etc., or alternatively, that any minor variance(s) is approved, final and binding and/or the demolition of any existing building(s) is complete.

We further advise that the proposed lot frontage is to be calculated in accordance with the following definition:

- The applicant is advised that Lot Frontage means the horizontal distance between the side lot lines and where these lines are not parallel means the distance between the side lot lines measured on a line parallel to and 7.5 m back from the front lot line.

Comments Prepared by: Minan Song, Planner in Training

### **Appendix 3 – Parks, Forestry & Environment**

The Parks and Culture Planning Section of the Community Services Department has reviewed the above noted consent application and has no objections. Should the application be approved, Community Services wishes to note the following:

1. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, c.P. 13, as amended) and in accordance with the City's policies and by-laws.

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](mailto:Nicholas.Rocchetti@mississauga.ca).

Comments Prepared by: Nicholas Rocchetti, Park Planning Assistant

### **Appendix 4- Region of Peel**

**Minor Variance: B-23-054M, B23-055M / 3195 & 3175 Airway Dr & 3160, 3170, 3182, 3190, 3198 & 3206 Orlando Dr**

Development Engineering: Brian Melnyk (905)-791-7800 x3602

#### **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.
- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. Regional site servicing connection approvals are required prior to the local municipality issuing full building permit. 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](mailto:siteplanservicing@peelregion.ca).

Comments Prepared by: Ayooluwa Ayoola, Junior Planner

## **Appendix A – CONDITIONS OF PROVISIONAL CONSENT**

**SHOULD THE COMMITTEE GRANT A PROVISIONAL CONSENT, THE FOLLOWING IS A LIST OF THE RECOMMENDED CONDITIONS TO BE ATTACHED TO THE DECISION AND THESE CONDITIONS MAY BE REVISED BY THE COMMITTEE AT THE PUBLIC MEETING.**

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding.