

City of Mississauga Department Comments

Date Finalized: 2024-01-12	File(s): A49.24
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2024-01-18 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

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

1. To permit 0 Falbourne Street and 5845 Falbourne Street to be considered one lot for zoning compliance purposes whereas By-law 0225-2007, as amended, requires each lot to individually comply with the requirements of the Zoning By-Law in this instance; and,
2. To permit 0 Falbourne Street and 5845 Falbourne Street to be developed in accordance with the OS2-Open Space Zone whereas By-law 0225-2007, as amended, requires each lot to comply with the regulations of the zone in which the lot is located.

Amendments

The Building Department is processing Independent Zoning Review application 23-10136. Based on a review of the information available in this application we advise amending the variances to the following:

1. To permit zoning compliance to occur within the development on either the OS2 – Open Space or E2 – Employment zoned lands; whereas By-law 0225-2007, as amended, requires each portion of the lot to comply with the applicable provisions of the zone in which it is situated in this instance.
2. To permit the measurement of yards/setbacks/buffers to be from property lines, whereas By-law 0225-2007, as amended, requires the measurement of yards/setbacks/buffers to be from zone boundaries in this instance.
3. To provide motor vehicle parking and bicycle parking for the Essential Emergency Service located at 5845 Falbourne Street, partially on the southerly adjacent property (0 Falbourne

Street); whereas By-law 0225-2007, as amended, requires parking to be wholly provided on the same lot for which the parking spaces are required.

Background

Property Address: 0 and 5845 Falbourne Street

Mississauga Official Plan

Character Area: Gateway Employment Area (West)
Designation: Business Employment, Open Space

Zoning By-law 0225-2007

Zoning: OS2- Open Space

Other Applications: IZR 23-10136

Site and Area Context

The subject property is located north-east of the Matheson Boulevard West and McLaughlin Road intersection in the Gateway Employment Character Area. It is an interior lot containing a one-storey fire station. Landscaping and vegetative elements are present along the lot boundaries. Both properties have an approximate lot area of +/- 2.34ha (5.79ac). The surrounding area context consists of office and warehouse buildings as well as a Peel Region Paramedic Services Station abutting the property to the south.

The applicant is constructing an addition to the existing fire station requiring variances for the subject property to be developed as one lot and one zone.



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 designated Business Employment and Open Space on Schedule 10 of the Mississauga Official Plan (MOP).

Staff note variances 1, 2 and 3 are technical in nature. The purpose of the variances are for appropriate development standards to accommodate the construction of a permitted fire hall in the OS2 zone with site parking on the abutting property, zoned E2. Recognizing the development occurs over two parcels, this approach allows for holistic development of the property as it currently exists. Essential Emergency Services, such as a fire hall, are permitted in both the OS2 and E2 zones. Staff note there is already an existing fire hall located on both parcels, and the application is not altering the use whatsoever. In this instance, the development of the subject lands is in keeping with the surrounding context, and the functionality of the site remains the same.

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

Comments Prepared by: Daniel Grdasic, 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

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Our comments may no longer be valid should there be changes in the Committee of Adjustment application that have yet to be submitted and reviewed through the Building Division application. To receive updated comments, the applicant must submit any changes to information or drawings separately through the above application.

Comments Prepared by: Brian Bonner, Supervisor

Appendix 3 – Parks, Forestry & Environment

The Parks and Culture Planning Section of the Community Services Department has no objections to the above noted minor variance application and advises as follows:

The lands adjacent to the property are owned by the City of Mississauga, identified as Saigon Park (P-317) and zoned OS1 – Open Space – City Park.

Should the application be approved, Community Services provides the following notes:

1. Given that the property is subject to a development application, PAM 23 131, all of Community Services' comments and/or requirements are being addressed through the development application.
2. 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, Planner-in-Training/Park Assets, Community Services Department at 905-615-3200 ext. 4659 or via email Nicholas.Rocchetti@mississauga.ca.

Comments Prepared by: Nicholas Rocchetti, Planner-in-Training

Appendix 4 – Region of Peel

Minor Variance: A-24-049M / 0 & 5845 Falbourne St

Development Engineering: Wendy Jawdek (905)-791-7800 x6019

Comments:

- There is a Regional water and sanitary sewer easement on the subject property. Please be advised that unauthorized encroachments on Regional easements will not be permitted. Certain restrictions apply with respect to Regional easements as per the documents registered on title.
- All drawings shall be revised to show all existing easements and their limits; the purpose of each of the easements, the easement instrument numbers, parts and reference plan numbers and indicate whether they are private or municipal.
- All Servicing and Grading drawings shall reflect accurate property lines.

The Region has been circulated related application PAM-23-131M. It is under review and there is outstanding information related to:

- consolidation of parcels prior to Site Plan approval or
- placing a restriction on title to prevent either lot from being sold independently and providing a letter of intent indicating what needs to be done and when

Comments Prepared by: Ayooluwa Ayoola, Junior Planner