

City of Mississauga Department Comments

Date Finalized: 2024-01-24	File(s): A55.24
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2024-02-01 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure the accuracy of the requested variance and that additional variances are not required.

Application Details

The applicant requests the Committee to approve a minor variance to permit a drive aisle width of 5.45m (approx. 17.88ft) whereas By-law 0225-2007, as amended, requires a minimum drive aisle width of 7.00m (approx. 22.97ft) in this instance.

Amendments

The Building Department advises that the following variance(s) should be amended as follows:

The applicant requests the Committee to approve a minor variance to permit an aisle width of 5.45m (approx. 17.88ft) for one parking space and 6.00m (approx. 19.68ft) for the remaining parking spaces; whereas By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m (approx. 22.97ft) for all spaces in this instance.

Background

Property Address: 5600 Cancross Court

Mississauga Official Plan

Character Area: Gateway Employment Area (West)
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2- Employment

Other Applications: C24-77

Site and Area Context

The subject property is located south-west of the Matheson Boulevard West and Hurontario Street intersection. It currently contains a two-storey office building with associated surface parking and vacant employment lands that currently functions as additional surface parking area. Limited landscaping and vegetative elements are present on the subject property. The surrounding area contains various office complexes to the north, a two-storey office building occupied by the Canadian Red Cross and Cooksville Creek to the west and Britannia Farm to the south and east. Portions of the lands located at 5600 Cancross Court are included in the Credit Valley Conservation Authority regulated area.

The applicant is proposing to legalize an existing surface parking lot requiring a variance for reduced 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*.

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Staff comments concerning the application of the four tests to this minor variance request are as follows:

The subject property is located in the Gateway Employment Area (West) and is designated Business Employment. Staff note the Committee of Adjustment approved a consent application (B31.23) to sever the subject property.

The sole variance requests a reduced aisle width on the subject property. The intent of this regulation is to ensure there is a sufficient space for vehicles to access and exit parking stalls and allow for circulation within the subject property. Staff note the 5.45m (17.88ft) aisle width is measured to a pinch point next to a single parking spot. As this is an existing condition and has accommodated appropriate site circulation in the past, staff are of the opinion that the reduced drive aisle width is minor in nature and appropriate site circulation can be maintained.

Planning staff are therefore satisfied that the minor variance 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: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This department has no objections to the applicant's request.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a certificate of occupancy permit application under file 24-77. Based on review of the information currently available for this application, we advise that the following variance(s) should be amended as follows:

< The applicant requests the Committee to approve a minor variance to permit an aisle width of 5.45m (approx. 17.88ft) for one parking space and 6.00m (approx. 19.68ft) for the remaining parking spaces; whereas By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m (approx. 22.97ft) for all spaces in this instance.>

Comments contingent upon finalization of severance application 'B' 31-23. If lot severance is not finalized (i.e. certificate obtained) additional requirements required for compliance.

Our comments are based on the plans received by Zoning staff on 24-77 for the above captioned certificate of occupancy permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard

resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: RAMSEN HEDOO, 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 Hawthorne Valley Trail (P-296), classified as a Significant Natural Area within the City's Natural Heritage System, and zoned G1. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, resorted and expanded through the following measures:

- a) Ensuring that development in or adjacent to the Natural Heritage System protects and maintains the natural heritage features and their ecological functions through such means as tree preservation, appropriate location of building envelopes, grading, landscaping...

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

1. Construction access from the adjacent park/greenlands is not permitted.
2. If access is required to City owned lands, a Consent to Enter Agreement/Park Access Permit will be required.
3. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.
4. No public trees shall be injured or removed. If public tree removal is required, a permit must be issued as per By-law 0020-2022.
5. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.

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 – Credit Valley Conservation

Re: CVC File No. A24/055

Municipality File No. A55.24**5707 Cancross Inc.****5600 Cancross Inc.****Lot 4 Con 1 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 valley slope and flood hazard associated with Cooksville 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 requests the Committee to approve a minor variance to permit a drive aisle width of 5.45m (approx. 17.88ft) whereas By-law 0225- 2007, as amended, requires a minimum drive aisle width of 7.00m (approx. 22.97ft) in this instance.

COMMENTS:

It is our understanding that the minor variance will be applied to an existing parking lot and that no new development is currently proposed with this application. As such, CVC has no objection with the approval of the minor variance at this time. Any future development proposed within the CVC regulated area will require a prior approval from CVC in form of a permit. As such an early consultation is recommended as technical studies may be required.

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

Appendix 5- Region of Peel

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner