

City of Mississauga Department Comments

Date Finalized: 2024-02-07	File(s): A82.24
To: Committee of Adjustment	Ward: 4
From: Committee of Adjustment Coordinator	Meeting date:2024-02-15 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

The applicant requests the Committee to approve a minor variance to permit utilities such as a gas meter and associated structures within the area identified as Landscaped Buffer on Schedule RA5-57 whereas By-law 0225-2007, as amended, does not permit a gas meter within the Landscape Buffer in this instance.

Background

Property Address: 1 Fairview Road East

Mississauga Official Plan

Character Area: **Downtown Fairview**
Designation: **Residential High Density**

Zoning By-law 0225-2007

Zoning: H-RA5-57 and RA5-57- Residential

Other Applications: SP 21-121, H-OZ 21-5

Site and Area Context

The subject property is located on the north-east corner of Hurontario Street and Fairview Road East in Downtown Fairview. It is currently a vacant site with a lot area of +/- 2,916m²

(31,387.56ft²). There are no landscaping elements present on the subject property. The surrounding area consists of a mix of uses, including commercial, open space, and various residential built forms.



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 located in the Downtown Fairview Character Area and is designated Residential High Density in Schedule 10 of the Mississauga Official Plan (MOP). The applicant is requesting a minor variance to permit a gas meter within the landscape buffer. The intent of this provision is to ensure the landscape buffer remains a continuous, open, unobstructed width of land for the growth and maintenance of plant materials and other landscape features.

Section 9.3.1.10 of the MOP states consideration will be given to the location of utilities on private property and the public right-of-way. Utilities will be grouped or located underground where possible to minimize visual impact. The City encourages utility providers to consider innovative methods of containing utility services. Staff note Enbridge Inc. requested the applicant to relocate the existing gas meter to remain consistent with the gas line installed as part of the Hurontario LRT construction process. Furthermore, staff note the proposed gas meter is planned to be screened accordingly, using decorative metal, and further internal screening mechanisms for residents using soft landscaping and window frosting.

In conversations with the landscape architect and planner on the site plan file, there were some initial concerns identified with the proposed location of the gas meter. The concerns pertained to the permission of plant materials being planted over the proposed gas lines, ensuring the gas meter was placed in a location that had sufficient access for initial installation and ongoing maintenance, and subject to Metrolinx approval. Staff have received correspondence from Enbridge and Metrolinx indicating no objection to the proposed location of the gas meter.

Given the above, staff are of the opinion that the proposal conforms to the general intent and purpose of the official plan and zoning by-law, is minor in nature and results in orderly development of the subject property.

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 this property will be addressed through the Site Plan Application process, File SP-21/121.

Comments Prepared by: Joe Alava, T&W Development Engineering

Appendix 2 – Zoning Comments

In the absence of a Development application 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.

For scope of work that does not require Site Plan Approval/Building Permit/Zoning Certificate of Occupancy Permit, the applicant may consider applying for a Preliminary Zoning Review application. A detailed site plan drawing and architectural plans are required for a detailed zoning review to be completed. A minimum of 6-8 weeks is required depending on the complexity of the proposal and the quality of information submitted.

Comments Prepared by: Minan Song, Planner in Training

Appendix 3 – Metrolinx

A82.24 - 1 Fairview Road East

Metrolinx is in receipt of the Minor Variance application for 1 Fairview Rd E to allow the relocation of a gas meter to the landscaped buffer area along Hurontario St. We note that the gas meter is not directly fronting onto Hurontario St. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 60m of the proposed Hazel McCallion LRT.
- Please note that Metrolinx is a stakeholder reviewing the comprehensive application of this site including the Site Plan application. Any comments/requirements previously made by Metrolinx are still applicable.

Construction Coordination

- 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 Hazel McCallion 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, Third Party Projects Review

Appendix 4 – Region of Peel

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner