

City of Mississauga Department Comments

Date Finalized: 2024-08-15	File(s): A353.24
To: Committee of Adjustment	Ward: 9
From: Committee of Adjustment Coordinator	Meeting date:2024-08-22 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 an outdoor accessory structure and outdoor uses in a E2-1 zone whereas By-law 0225-2007, as amended, does not allow an outdoor accessory structure and outdoor uses in a E2-1 zone in this instance.

Background

Property Address: 7250 West Credit Ave

Mississauga Official Plan

Character Area: Meadowvale Business Park Corporate Centre
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2-1 - Employment

Other Applications: BP 3NEW 23-9945

Site and Area Context

The subject property is located north-west of the Mississauga Road and Meadowvale Boulevard intersection in the Meadowvale Business Park Corporate Centre Character Area. It currently

contains a single storey place of religious assembly building with associated office and storage spaces within the building. Limited landscaping and vegetative elements are present on the subject property. The surrounding context is exclusively industrial containing of one and two-storey industrial buildings with Meadowvale Sports Park abutting the property directly to the rear.

The applicant is proposing to construct an outdoor accessory structure (gazebo) requiring variances for outdoor structures and uses in an E2-1 zone.



The sole variance seeks to permit an outdoor accessory structure (gazebo) in an E2-1 zone, to cover the existing patio area. Staff note the proposed accessory structure is located internally in the site and would not be visible from West Credit Avenue. The proposed gazebo is not facilitating a new outdoor use and will only be required to provide a shaded area to the existing patio area on the subject property. Staff are of the opinion that the proposal is clearly subordinate to the permitted place of religious assembly and does not pose any negative impacts. Given the preceding information, the proposal is appropriate for the subject property, will not have impacts to abutting properties or the streetscape and will not impact the functionality of the site for employment uses.

Through a detailed review of the application, 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: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference are photos depicting the area where the outdoor accessory structure is being proposed. From our site inspection we note that we do not foresee any drainage related concerns with the request.







Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application BP 3NEW 23-9945. Based on the review of the information available in this application, the requested variance is correct.

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: Gary Gagnier; Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

Park Planning

The Parks and Culture Planning Section of the Community Services Department has reviewed the above noted minor variance application and advises as follows:

The lands to the rear of the property are owned by the City of Mississauga, identified as Leslie Trail (P-277), 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, restored 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, Parks and Culture Planning 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.

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

Forestry

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

1. No public trees shall be injured or removed. If public tree injury or removal is required, a permit must be issued as per By-law 0020-2022.
2. 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.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Removal Permit, written consent must be obtained by both parties.

A Tree Removal Application to Permit the Injury or Destruction of Trees on Public and Private Property can be found at <https://www.mississauga.ca/publication/application-to-permit-the-injury-or-destruction-of-trees-on-public-and-private-property/>.

Should further information be required, please contact Jamie Meston, Landscape Architect Assistant, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email jamie.meston@mississauga.ca.

Comments Prepared by: Jamie Meston, Landscape Architect Assistant

Appendix 4 – Region of Peel

Minor Variance Application: A-24-353M / 7250 West Credit Avenue

Planning: Petrele Francois (905) 791-7800 x3356

Comments:

- Please be advised that the subject site is located within a Provincially Significant Employment Zone (F-12). Regional staff encourage the applicant to work with the City to address the appropriate mix of land uses and land use compatibility with appropriate consideration to municipal policies, studies and recommendations.
- Please be advised that the subject lands are located in a Core Area of the Greenland System, the regulated and floodplain area of the Credit Valley Conservation Authority (CVC). We rely on the environmental expertise of the CVC for the review of development applications located within or adjacent the regulated area in Peel. We, therefore, request that City staff consider comments from the CVC and incorporate their conditions of approval appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the CVC.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 5 – CVC

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 and slope hazard associated with Mullet creek. As such, the property is subject to the Prohibited Activities, Exemptions, and Permits Regulation (Ontario Regulation 41/24). 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 an outdoor accessory structure and outdoor uses in a E2-1 zone whereas By-law 0225-2007, as amended, does not allow an outdoor accessory structure and outdoor uses in a E2-1 zone in this instance.

COMMENTS:

Based on the review of the information provided, CVC has **no objection** with the approval of the minor variance at this time.

The applicant is to note that the Site Grading submitted as part of the minor variance application appears to be dated 2012 and is therefore outdated. As part of CVC permitting process, a revised site grading plan will be required identifying the Regulatory Floodplain Elevation to confirm the limits of the floodplain on the property.

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