

# City of Mississauga Department Comments

Date Finalized: 2024-08-08	File(s): A351.24 Ward: 3
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-08-15 3:30:00 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 allow an interior side yard setback of 3.99m (approx. 13.09ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 4.50m (approx. 14.76ft) in this instance.

## Background

**Property Address:** 1150 Eglinton Ave E

### Mississauga Official Plan

Character Area: Northeast Employment Area (West)  
Designation: Business Employment & Mixed Use

### Zoning By-law 0225-2007

**Zoning:** D-Development, E2-97-Employment, C3-1-Commercial

**Other Applications:** None

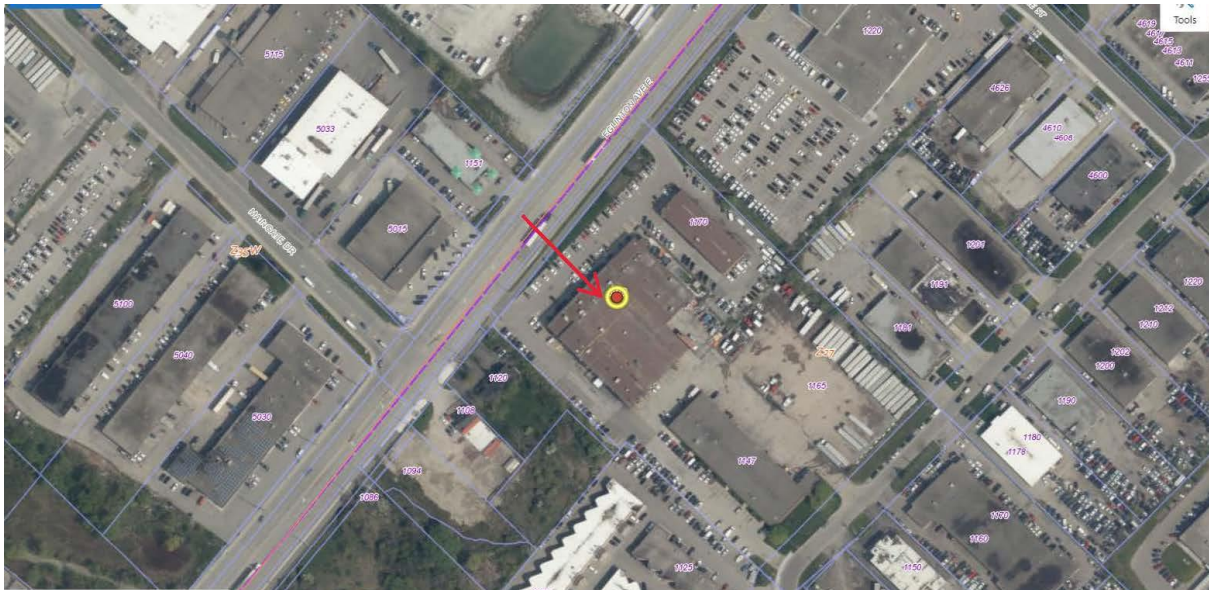
### Site and Area Context

The subject property is located on the south side of Eglinton Avenue East, east of the Maingate Drive intersection. The property has frontage onto both Eglinton Avenue East and Crestlawn Drive and contains 3 multi-tenant commercial/industrial buildings with associated surface

parking. Limited landscaping and vegetative elements are present on the subject property, located exclusively along the two frontages. The surrounding area context contains a mix of commercial and industrial uses in low rise built forms on lots of varying sizes.

Previously, three consent applications were approved by the Committee of Adjustment on May 16<sup>th</sup>, 2023, to sever the subject property into 4 lots, with 2 fronting onto Eglinton Avenue East and 2 fronting onto Crestlawn Drive. The industrial building, municipally known as 1150 Eglinton Avenue East, was considered in the previous severance applications, however the variance was not identified.

The applicant requires a variance for side yard setback.



## 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 Northeast Employment Area (West) and is designated both Business Employment and Mixed Use. The Business Employment designation covers the rear half of the property abutting Crestlawn Drive, while the Mixed Use designation covers the front half of the property abutting Eglinton Avenue East.

The sole variance requested pertains to a reduced interior side yard. The intent of the side yard provisions in the by-law are to ensure that access can be maintained around the structure, appropriate drainage patterns can be provided and that an appropriate buffer between structures on abutting properties can be maintained. The side yard is measured at a pinch point due to the orientation of the structure. The setback increases up to 6.75m (22.14ft) as you move towards the front face of the building and up to 6.64m (21.78ft) towards the rear of the building. Planning staff note access to the side yard is currently blocked off by a privacy fence. However, staff are satisfied that access to the rear yard can be adequately provided and there is an appropriate buffer between structures on abutting properties. Transportation & Work's staff have not raised any drainage concerns and site circulation can be maintained accordingly.

The proposal meets the general intent and purpose of 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 for a reduced interior side yard setback as the property was recently severed and the noted setback does not comply with the zoning by-law.



Comments Prepared by: Tony Iacobucci, T&W Development Engineering

### Appendix 2 – Zoning Comments

We note that a Building Permit is required. In the absence of a Building Permit 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.

Comments Prepared by: Minan Song, Zoning Examiner

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

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](mailto:jamie.meston@mississauga.ca).

Comments Prepared by: Jamie Meston, Landscape Architect Assistant

### **Appendix 4 – Region of Peel**

#### **Minor Variance Application: A-24-351M / 1150 Eglinton Avenue East**

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.

Comments Prepared by: Petrele Francois