

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2024-11-27	File(s): A525.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:12/5/2024 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. A front yard of 5.3m (approx. 17.4ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.5m (approx. 24.6ft) in this instance; and
2. A front yard setback to the centre line of the road of 22.79m (approx. 74.77ft) + 5.3m (approx. 17.4ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback to the centre line of the road of 18.0m (approx. 59.1ft) + 7.5m (approx. 24.6ft) in this instance.

Background

Property Address: 939 Winston Churchill Blvd

Mississauga Official Plan

Character Area: Southdown Employment Area
Designation: Industrial

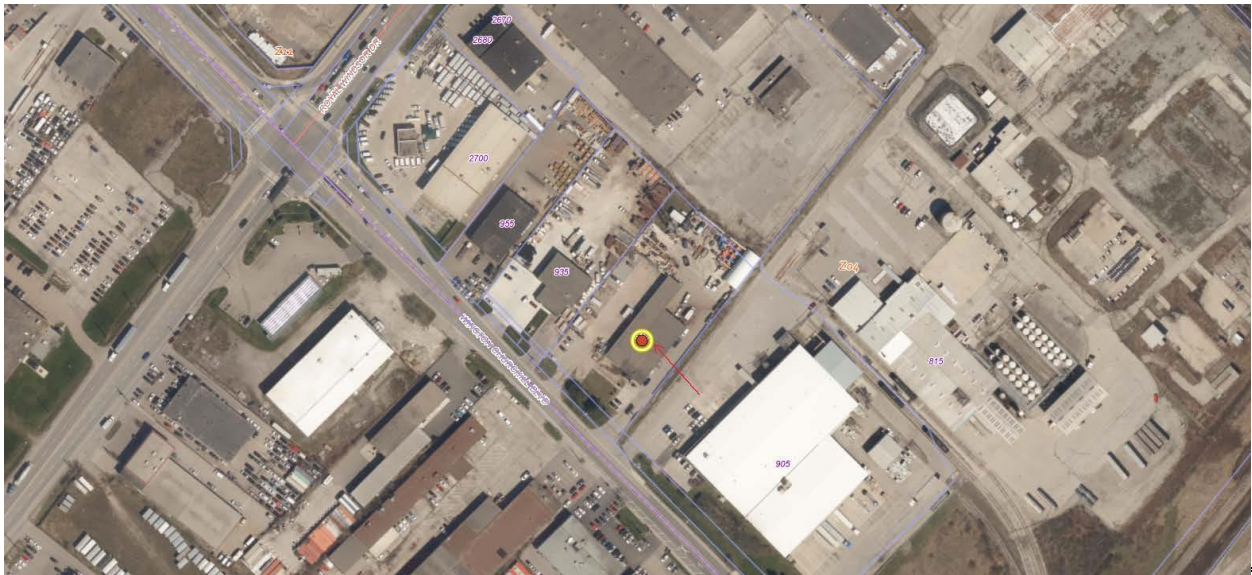
Zoning By-law 0225-2007

Zoning: E3-1 - Employment
Other Applications: Site Plan under file SP 20-111 W2

Site and Area Context

The subject site is located southeast of the Winston Churchill Boulevard and Royal Windsor Drive intersection. The property has an approximate lot area of 6,525.4m² (70,238.8ft²). The subject site currently contains a single-storey industrial building, outdoor storage space, surface parking and a telecommunications tower. The immediate surrounding uses consist of industrial and commercial uses. The property is subject to Site Plan application under file SP-20-111 W2.

The applicant is proposing a three-storey addition to the front of the existing building for office use, requesting variances for front yard and centreline 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:

Does the proposal maintain the general intent and purpose of the Official Plan?

The subject property is located in the Southdown Employment Character Area and is designated Industrial in Schedule 10 of the Mississauga Official Plan (MOP). Section 9 of the

MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with existing site conditions, the surrounding context, and the landscape of the character area. The Southdown Local Area Plan encourages new development as well as redevelopment to accommodate industrial activities consisting of a mix of manufacturing, research and development and office uses primarily within enclosed buildings. The proposed addition maintains the industrial use and remains in line with the official plan policies.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

Staff note the subject property has an ongoing Site Plan application SP-20-111 W2 that is currently under review. Planning staff have discussed the current application with the development planner on file, who have no concerns with the proposal.

Variance #1 requests a decrease in the front yard setback. The intent of a front yard setback is to ensure that a consistent character is maintained along the streetscape, access can be maintained in the front of the building and that a sufficient front yard space is incorporated into the design. Planning staff note that the proposed front yard setback is not out of character of the area. Staff also note that the lot line and the dwelling are not parallel to each other resulting in a pinch point at the canopy and requiring the variance. The building maintains a setback of 6m (19.68ft) at its closest point. The setback gradually increases to 8.38m (27.49ft) towards the rear lot line. Planning staff are satisfied that appropriate access and character of the streetscape is maintained along with sufficient front yard space.

Variance #2 relates to a reduction to the centreline. The intent of this portion of the zoning by-law is to ensure that any proposed construction will not come at the expense of a potential road widening. The zoning requires a centreline setback equal to 25.5m (83.66ft), while the proposal provides a setback of 28.09m (92.15ft). Staff note the variance is proposed to satisfy the reduction in the front yard setback and are of the opinion that this variance is technical in nature.

Staff are of the opinion that the general intent and purpose of the zoning by-law is maintained.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

Staff are satisfied that the proposal represents appropriate development of the subject lands. It is staff's opinion that the proposal the variances, both individually and cumulatively, are minor in nature as the proposal will not create any undue impacts to adjoining properties.

Comments Prepared by: Shivani Chopra, 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 future Building Permit process.

Comments Prepared by: John Salvino, Development Engineering Technologist



Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan under file SP 20-111 W2. Based on review of the information currently available in this permit application, the variances, as requested are correct.

Please note that comments reflect those provided through the above permit application and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these

comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Tage Crooks, Planner Zoning Examination

Appendix 3 – Parks, Forestry & Environment

Forestry Comments

The Forestry Section of the Community Services Department has reviewed 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 Technician, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email jamie.meston@mississauga.ca.

Comments Prepared by: Jamie Meston, Landscape Technician

Appendix 4 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner