

City of Mississauga Department Comments

Date Finalized: 2024-10-16	File(s): A460.24 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-10-24 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be refused.

Application Details

The applicant requests the Committee to approve a minor variance to allow parking and a change of use proposing:

1. A parking lot in a residential zone whereas By-law 0225-2007, as amended, does not permit A parking lot in a residential zone in this instance; and,
2. Tandem parking whereas By-law 0225-2007, as amended, does not permit tandem parking in this instance.

Background

Property Address: 1435 Hurontario St

Mississauga Official Plan

Character Area: Mineola Neighborhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

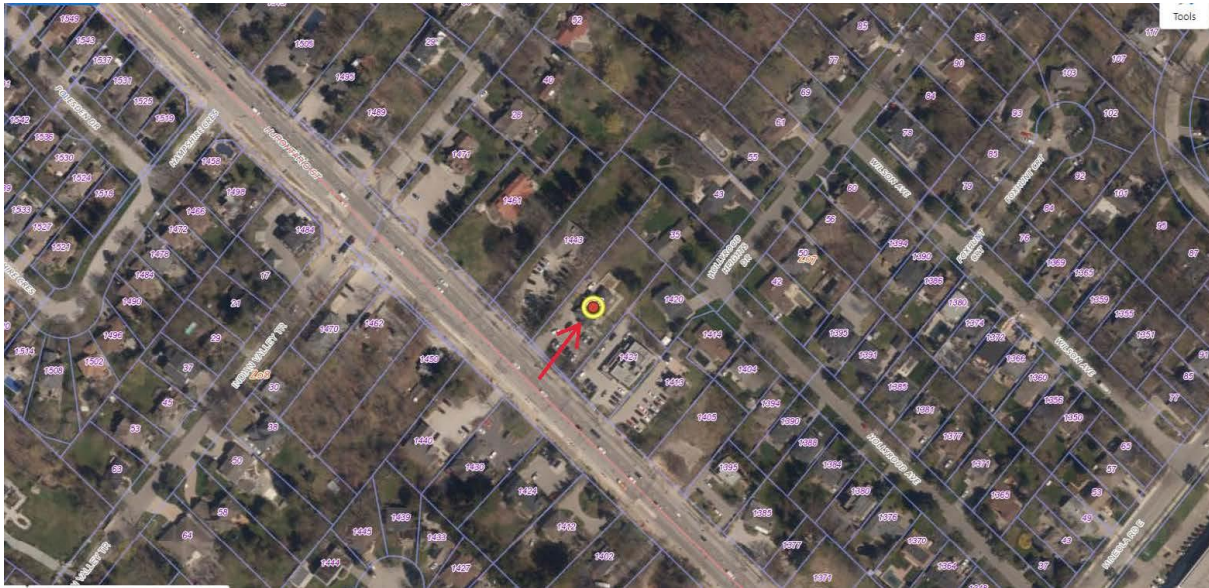
Zoning: R3-43 - Residential

Other Applications: Independent Zoning Review application 24-3017

Site and Area Context

The subject property is located within the Mineola Neighborhood, at the northeast of the Mineola Road East and Hurontario Street intersection. The immediate area consists of residential and office uses. The subject property contains a two-storey medical office. Limited vegetation exists in the side yards.

The applicant is proposing a parking layout in the rear yard requiring variances for a parking lot and tandem parking.



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 are as follows:

The subject property is located in the Mineola Neighbourhood and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). The property is subject to the Special Site 2 policies. Staff note there are policies in the MOP that are applicable to the subject application and are stated below:

16.18.5.2.2 c. All development will be designed so that it does not negatively impact abutting properties used for residential purposes, in terms of light, privacy, noise and rear yard amenity;

16.18.5.2.2 e. All office related parking will be accommodated within the front and side yards only, with a minimal loss of vegetation or in underground facilities. Rear yard parking, with the exception of parking for residential dwellings, is not permitted.

16.18.5.2.2 j. A minimum 7.5 m rear yard is required for office or residential-office buildings.

Given the preceding policies, staff are of the opinion that the overall intent of the MOP is to preserve rear yards and to contain the location of parking lots to the front yards in order to minimize negative impacts imposed on neighbouring properties.

Variance #1 requests a parking lot in a residential zone and Variance #2 requests tandem parking. Staff are of the opinion that by introducing parking lots in a residential zone that have specifically been excluded does not maintain the intent of the by-law to preserve the residential character of the area.

Given the above, staff are of the opinion that the application fails to maintain the general intent and purpose of both the official plan and zoning by-law. Staff are of the opinion that the proposal does not represent an appropriate use of the subject lands and is not minor in nature. Staff therefore recommend that the application be refused.

Comments Prepared by: Shivani Chopra, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Attached you will find pictures of the existing conditions on site both the front and the rear of the property.

Our Storm Drainage Section and our Development Construction Section both have concerns with the proposed additional hard surface parking area in the rear of the property. In order to determine if the proposal is viable from a grading and storm drainage perspective, we would require the following:

A Functional Servicing and Stormwater Management Report will be required to address the following requirements as per City standards:

- Quantity Control – This site outlets within the Mary Fix Creek watershed, which requires 10-year post-development flows to be controlled to the 2-year pre-development levels. The runoff coefficient cannot exceed 0.5 for pre-development calculations. The report must also include a capacity analysis to identify the viability of a storm sewer connection into the 525mm diameter storm sewer on Hurontario St.
- Quality Control – 80% TSS removal (enhanced protection) must be achieved prior to discharge into the municipal storm sewer system due to the proposed rear parking area.
- Water Balance – Retain the 5mm water balance using a Low Impact Development (LID) feature, must retain the first 5mm by way of infiltration, reuse or evapotranspiration. If those are not feasible then filtration may be considered.
- Note – The full document used for the City of Mississauga's Storm Drainage Design Requirements is available here:
<http://www7.mississauga.ca/Departments/Marketing/documents/tw/FINAL-Section-8-Storm-Drainage-Design-Requirements-Jan2020.pdf>

Any questions or concerns with the above bullets are to be directed to our Storm Drainage Technologist Walter Copping at x5831.

We would also require a certified site servicing and grading plan for our review prepared by P. Eng. showing all of the detailed existing and proposed grading information on site. This plan is to include details on how the surface drainage from the entire asphalt area will be self-contained and collected to an appropriate storm outlet.

Comments Prepared by: John Salvino, Development Engineering Technologist















Appendix 2 – Zoning Comments

The Building Division is processing Independent Zoning Review application 24-3017. Based on the review of the information available in this application, the requested variances are 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: Candice Williams, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

The Forestry Section of the Community Services Department has reviewed 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 – Metrolinx

Metrolinx is in receipt of the Minor Variance application for 1435 Hurontario St to allow parking and a change of use to allow a parking lot and tandem parking as circulated on September 27, 2024, and to be heard at Public Hearing on October 24, 2024, at 1:00 PM. Metrolinx's comments on the subject application are noted below:

LRT – ADVISORY COMMENTS

- The subject property is located within 60m of the proposed Hazel McCallion LRT (formerly Hurontario LRT).

Advisory Comments:

- At this stage Metrolinx doesn't have any major comments but any work within Metrolinx ROW or within 60 m of the Hazel McCallion LRT will require approval and coordination with Metrolinx through circulation by the City of Mississauga.
- Please be advised that Metrolinx/ our Technical Advisor would be a stakeholder providing comments on the comprehensive application of this site should future development be contemplated. Please continue to engage Metrolinx should future developments be contemplated on the subject site.

- As the requested variances have minimal impact on Metrolinx property, Metrolinx has no objections to the specified variances should the committee grant approval.

Construction Coordination (Advisory Comment)

- 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.

Should you have any questions or concerns, please contact farah.faroque@metrolinx.com.

Comments Prepared by: Farah Faroque, Project Analyst, Third Party Project Review

Appendix 5 – Region of Peel

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner