

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2020-10-28	File(s): B37/20 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-11-05

## Consolidated Recommendation

The City has no objections to the requested consent application.

## Application Details

The Applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 117.06m (384.06ft) and an area of approximately 11,067.5m<sup>2</sup> (119,129.58sq.ft).

### Recommended Conditions and/or Terms

- Appendix A – Conditions of Provisional Consent

## Background

**Property Address:** 6515 Kitimat Road

### Mississauga Official Plan

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

### Zoning By-law 0225-2007

**Zoning:** E2-1 (Employment)

**Other Applications:**

None

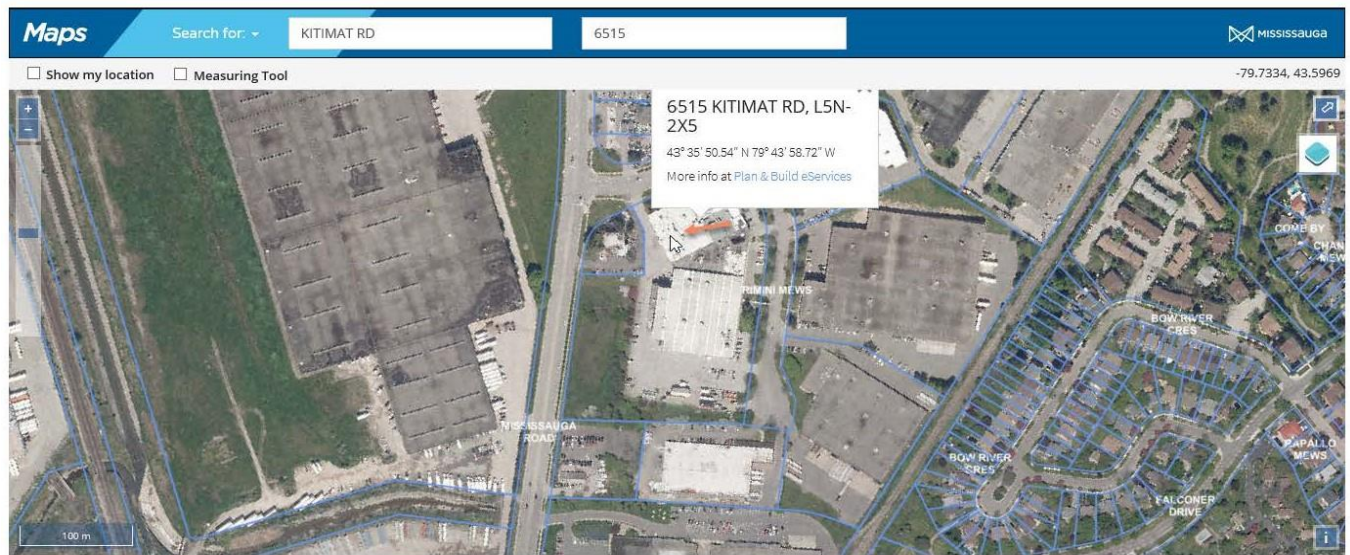
## Site and Area Context

The subject lands are an interior property located south-east of the Erin Mills Parkway and Mississauga Road intersection, and currently house a two-storey office structure.

The immediate neighbourhood is predominately industrial in nature; with warehousing and industrial-office uses located both south and east of the subject lands. Planning Staff further note, residential uses, mainly in the form of semi-detached dwellings are also present to the east; however, their lot configuration and orientation, coupled with the intervening rail line, results in their presence not directly influencing the area context.

The properties along this portion of Kitimat Road are situated upon large parcels, with lot frontages ranging from +/- 55m to +/- 215m.

The subject lands possess a lot frontage of 104.24m, and a lot area of 30,715.64 m<sup>2</sup>.



## Comments

Planning

Planning Act

Section 51(24) of the *Planning Act* establishes the criteria for land division within the Province of Ontario. In evaluating such requests, the Committee must be satisfied that the proposal meets not only the criteria set out under Section 51(24), but also any municipal requirements identified in local legislation.

### **Provincial Matters**

Both the Provincial Policy Statement 2014 (PPS 2014), and the Growth Plan for the Greater Golden Horseshoe, promote efficient development and land use; directing such focus towards intensification and redevelopment. The proposal is consistent with the general directives of this provincial policy.

### **Planning Analysis**

The severed lands will have a lot frontage of 132.6m and a lot area of 6,758.3m<sup>2</sup>. The retained lands will have a lot frontage of 104.2m and a lot area of 23,957.4m<sup>2</sup>. Neither resulting properties require variances.

No changes of use or additional construction has been proposed for either parcels, with the existing E2-1 uses on the retained lands to remain in operation.

The site is located within the Meadowvale Business Park Corporate Centre Character Area, and is designated Business Employment by the Mississauga Official Plan (MOP). Section 5 of MOP promotes development with appropriate urban form and site design, directing that such development is compatible with the surrounding context and the landscape of the character area. To this end, the proposed lots are of a comparable built-form and remain in scale with the surrounding development.

As per Zoning By-law 0225-2007, the subject property is zoned E2-1 (Employment). In accordance with Table 8.2.1(3.0) (E1 to E3 Permitted Uses and Zone Regulations), this zone requires a minimum lot frontage of 30.0m; whereas, the Applicant is proposing lots with frontages of 132.6m (severed) and 104.2m (retained), in this instance. This zone does not require a minimum lot area. The proposed lots are appropriately sized for the context of the neighbourhood, and represent the appropriate development of the lands.

### **Conclusion**

Staff is of the opinion that the proposed application has due regard for Section 51(24) of the *Planning Act*, specifically that it conforms to the official plan. The dimensions of the proposed and retained lots exceed Zoning By-law provisions and are suitable for the purposes for which they are to be subdivided, thus maintaining the character of the area.

Based upon the preceding information, the Planning and Building Department has no objections to the requested consent application.

Comments Prepared by: Roberto Vertolli, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

The intent of this Consent Application is to create a new lot which will have frontage onto Mississauga Road. It should be acknowledged that there is currently a 0.3M Reserve identified as Part 2, Plan 43R-14816 across the Mississauga Road Frontage. Acknowledging that the severed parcel is being severed from a parcel which contains an existing building, we note that there may be some shared services between the properties which would require private servicing easements, or alternatively the services could be relocated.

Should Committee see merit in the applicant's request we are providing the following conditions/requirements to be imposed as conditions of approval:

#### **A. Items Required Prior to the Issuance of Final Consent**

##### **1. Functional Servicing Proposal/Drainage Study**

We request that the applicant submit a Functional Servicing Proposal/Drainage Study prepared by a Consulting Engineer for this department's review/approval to confirm that all the necessary municipal services can be provided for the subject property, in particular to determine the storm sewer outlet for the severed lands.

Upon the review of the Functional Servicing Proposal it will also be determined if any servicing easements will have to be established in order to support this severance proposal.

##### **2. Grading and Drainage Plan**

The applicant's consulting Engineer will be required to prepare an Overall Grading and Drainage Plan which contains sufficient details to ensure grading compatibility with the adjacent lands and submit the Grading and Drainage Plan to this department for review/approval.

We note from our site inspection that there are some existing catch basins on the residual lands which may be accommodating some drainage from the severed parcel. The Grading and Drainage Plan is to address how all drainage from the severed parcel will be self-contained and collected.

##### **3. Servicing Plan & Utility Box/Hydro Transformer/Generator Information**

A Servicing Plan is to be submitted for our review/approval which would identify the location of any existing underground services located on this property. Upon the review of the Servicing

Plan we can determine the location of any existing underground services located on the severed lands which service the existing building on the residual lands.

From our site inspection we note that there is a large utility/hydro/transformer/generator at the northeast limits of the proposed severed lot. Acknowledging the significant size and location of this utility, additional information must be provided to indicate the purpose of the utility, which properties the utility is servicing and also the location of any underground wires/cables in order that any easements could be established (if required).

4. Required Easement(s)

Upon the review of Item's A1 & A3 and the confirmation of any required easement(s), the applicant/owner will be required to provide a 43R-Plan and letter/schedule prepared by the applicant's Solicitor which would specifically describe the new private easement(s) to be established. It should also be noted that any documentation received will be forwarded as an attachment with our clearance memo to the Committee of Adjustment Office in order that any new proposed private easement(s) can be identified and also be incorporated into the Certificate of Secretary-Treasurer.

5. Environmental Site Screening Questionnaire and Declaration (ESSQD)

The Transportation and Works Department reviews development applications for potential contamination to ensure that contaminated sites are identified and appropriately addressed by the proponent of development. Accordingly, this Department requires studies to be submitted that assess the potential for contamination, in accordance with Provincial regulations and standards, as well as City policies, prior to development proceeding.

A completed Environmental Site Screening Questionnaire and Declaration (ESSQD) form, signed by the Owner and a Commissioner of Oaths, must be submitted to the Transportation and Works Department for review. If the ESSQD form indicates a potential for contamination, a Phase I Environmental Site Assessment will be required. The report must be signed by a Qualified Person as defined in Ontario Regulation 153/04 (as amended) and include a clause or be accompanied by a letter signed by the author of the report or a Principal of the Consulting Firm, which allows the City of Mississauga to make reliance on the findings and conclusions presented in the report.

If the Phase One ESA indicates potential for contamination, a Phase Two Environmental Site Assessment will be required. If contamination is confirmed, a Remedial Action Plan that appropriately addresses the contamination will be required. Recommendations contained within the plan will be implemented by way of conditions to the development approval.

Should additional clarification be required with regard to the Environmental Site Assessment (ESA), please contact Valeriya Danylova, P.Eng., Environmental Technologist at 905 615-3200 ext. 5930 or [valeriya.danylova@mississauga.ca](mailto:valeriya.danylova@mississauga.ca) should you require further information.

6. Municipal Address Requirement

Prior to the issuance of final consent, satisfactory arrangements are to be made with Corporate Services Department, Information Technology Division, Digital Services & Mobility Section, Geospatial Solutions Group for the creation of new municipal addresses for the severed lands. For further information, please contact Susie Tasca at (905) 615-3200 ext. 3088 or [susie.tasca@mississauga.ca](mailto:susie.tasca@mississauga.ca)

7. Lifting of 0.3m Reserve on Mississauga Road

The applicant will be required to make the appropriate arrangements for the lifting the existing 0.30 meter reserve identified as Part 2, Plan 43R-14186 across the Mississauga Road frontage. A copy of the application form can be found online as follows:  
<http://www7.mississauga.ca/documents/tw/pdfs/Application%20to%20Lift%201%20foot%20reserve.pdf>. Confirmation of these arrangements will need to be forwarded to this Department.

For further information regarding the above noted comments, please contact Tony Iacobucci at (905) 615-3200 ext. 5129 or [tony.iacobucci@mississauga.ca](mailto:tony.iacobucci@mississauga.ca)

**B. General Information**

1. Site Plan Approval

Any re-development of the subject lands will require the owner obtaining Site Plan Approval where any site specific conditions/requirements relating to detailed lot grading and drainage, servicing, access, etc. will be addressed.

Comments Prepared by: David Martin, Supervisor Development Engineering

**Appendix 2 – Zoning Comments**

This Division has no objection to the consent application, provided that the severed and retained lands comply with the provisions of By-law 225-2007, as amended, regarding, amongst other regulations: minimum lot frontage, minimum lot area, setbacks, on-site parking, etc.; or alternatively, that any minor variance is approved, final and binding; and/or the demolition of any existing buildings is complete.

We further advise that the proposed lot frontage is to be calculated in accordance with the following definition:

- The applicant is advised that Lot Frontage means the horizontal distance between the side lot lines and where these lines are not parallel means the distance between the side lot lines measured on a line parallel to and 7.5 m back from the front lot line.

Comments Prepared by: Brian Bonner, Zoning Examiner

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

The Park Planning Section of the Community Services Department has reviewed the consent application and advises as follows:

- Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, C.P. 13, as amended) and in accordance with the City's policies and by-laws.

Should further information be required, please contact Jim Greenfield, Park Planner, Community Services Department at 905-615-3200 ext. 8538 or via email [jim.greenfield@mississauga.ca](mailto:jim.greenfield@mississauga.ca).

Comments Prepared by: Jim Greenfield, Park Planner

### **Appendix 5 – Region of Peel Comments**

Development Engineering: Camila Marczuk (905) 791-7800 x8230

Please note that severing the lands may adversely affect the existing location of the water and sanitary sewer services, if any exist. The result of this may require the applicant to install new water / sanitary servicing connections to either the severed or retained lands in compliance with the Ontario Building Code. The applicant may require the creation of private water / sanitary sewer servicing easements. Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please call our Site Servicing Technicians at 905.791.7800 x7973. Site Servicing approvals are required prior to the local municipality issuing building permit.

For location of existing water and sanitary sewer Infrastructure please contact Records at 905-791-7800 extension 7882 or by e-mail at [PWServiceRequests@peelregion.ca](mailto:PWServiceRequests@peelregion.ca)



Comments Prepared by: Diana Guida, Junior Planner

## **Appendix A – Conditions of Provisional Consent**

**SHOULD THE COMMITTEE GRANT A PROVISIONAL CONSENT, THE FOLLOWING IS A LIST OF THE RECOMMENDED CONDITIONS TO BE ATTACHED TO THE DECISION AND THESE CONDITIONS MAY BE REVISED BY THE COMMITTEE AT THE PUBLIC MEETING.**

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding.
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated October 28, 2020.