

Date Finalized: 2025-02-27	File(s): A595.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:3/6/2025 1:00:00 PM

## Consolidated Recommendation

The City recommends the application be deferred for redesign.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing:

1. A landscape buffer from a lot line that is a street line of 0m whereas By-law 0225-2007, as amended, requires a minimum landscape buffer from a lot line that is a street line of 4.5m (approx. 14.76ft) in this instance;
2. An interior side yard of 2.13m (approx. 6.99ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 4.5m (approx. 14.76ft) in this instance;
3. A rear yard of 2.28m (approx. 7.48ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.61ft) in this instance;
4. 8 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 18 parking spaces in this instance;
5. A one way aisle width of 2.6m (approx. 8.5ft) whereas By-law 0225-2007, as amended, requires a minimum one way aisle width of 5.5m (approx. 18.0ft) in this instance; and
6. 0 indoor bicycle spots whereas By-law 0225-2007, as amended, requires a minimum of 2 indoor bicycle spots in this instance.

## Background

**Property Address:** 3094 Lenworth Dr

### Mississauga Official Plan

Character Area: Dixie Employment Area  
Designation: Business Employment

**Zoning By-law 0225-2007****Zoning: E2-132 - Employment****Other Applications: C 24-3844****Site and Area Context**

The subject property is north-west of the Dundas Street East and Universal Drive intersection in the Dixie Employment Character Area. It is an interior lot containing a one-storey warehouse facility with an attached office component. Limited landscaping and vegetative elements are present on the subject property. The surrounding area is exclusively industrial, consisting of one and two-storey industrial buildings on varied lot sizes.

The applicant is proposing to construct a one-storey addition requiring a variance for landscape buffer, side and rear yard setbacks, aisle width, motor vehicle parking deficiency and a bicycle parking deficiency.

**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:

A previous application (A250.72) was approved by the Committee on December 14<sup>th</sup>, 1972 for a reduced side yard setback of 2.13m (7ft) and a reduced rear yard setback of 2.74m (9ft). Staff note the side yard setback variance being sought under this application mirror the 1972 application while the rear yard seeks a slightly larger reduction.

The subject property is located in the Dixie Employment Character Area and is designated Business Employment 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. Staff are of the opinion the proposal does not maintain the intent of the official plan in this instance.

Planning staff have concerns with the proposal, specifically regarding the proposed side and rear yard setback for the proposed addition. The intent of the setback regulations are to ensure sufficient buffers are provided between primary structures on the site and abutting properties in order to maintain the character of the area. The proposed addition will add additional massing to the building and extends the building closer to both the rear and side lot lines. Staff are not satisfied that the proposal maintains an adequate buffer between primary buildings. Staff further note the proposed addition is not compatible with the surrounding context. While staff note a previous decision approved reduced side and rear yard setbacks to a previous addition to the building, staff are of the opinion that if the same setbacks are applied to the proposed addition, it will lead to an overdevelopment of the site.

Further, variance 4 was reviewed Municipal Parking staff and they provided the following comments:

With respect to Committee of Adjustment application 'A' 595/24, 3040 Lenworth Drive, the applicant is requesting to allow the construction of an addition proposing:

- 8 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 18 parking spaces in this instance.

This site is subject to the provisions of Bill 185, Cutting Red Tape to Build More Homes Act, 2024. As a result, a review of zoning by-law minimum parking requirements is not required in this instance.

Planning staff echo Municipal Parking staff comments and confirm the parking variance is not required.

Based on the preceding information, Planning staff recommend deferral of the application for redesign.

Comments Prepared by: Daniel Grdasic, 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 Building Permit process.











Comments Prepared by: Tony Iacobucci, Development Engineering

## **Appendix 2 – Zoning Comments**

The Building Department is currently processing a certificate of occupancy permit under file C 24-3844. 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 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.

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

Comments Prepared by: Jamie Meston, Landscape Technician

## Appendix 4 – Region of Peel Comments

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. Regional Site Servicing Connection approvals are required prior to the local municipality issuing full building permit. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at (905) 791-7800 x7973 or by email at [servicingconnections@peelregion.ca](mailto:servicingconnections@peelregion.ca).

Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals may be required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at (905) 791-7800 x7973 or by email at [servicingconnections@peelregion.ca](mailto:servicingconnections@peelregion.ca).

Comments Prepared by: Petrele Francois, Junior Planner