

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2025-04-24 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): B74.24 A570.24 A571.24
	Meeting date: 5/1/2025 1:00:00 PM

Consolidated Recommendation

The City recommends no objections to the consent and associated minor variance applications, subject to the conditions.

Application Details

B74.24

The applicant requests the Consent 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 69.62sq. m (approx. 749.39sq ft) and an area of approximately 00.60ha (approx. 64584.00sq ft).

A570.24

The applicant requests a minor variance for the retained lands of B74/24 proposing:

1. A front yard setback of 2.50m (approx. 8.20ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 3.00m (approx. 9.84ft) in this instance;
2. A landscape buffer of 2.50m (approx. 8.20ft) whereas By-law 0225-2007, as amended, requires a minimum landscape buffer of 4.50m (approx. 14.76ft) in this instance.

A571.24

The applicant requests a minor variance for the severed lands of B74/24 proposing:

1. A permanent outdoor patio whereas By-law 0225-2007, as amended, does not allow a permanent outdoor patio in this instance;
2. 1 loading spaces whereas By-law 0225-2007, as amended, requires a minimum of 2 loading spaces in this instance;
3. A front yard setback of 1.90m (approx. 6.23ft) in O3 Zone and E1 Zone whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 3.00m (approx.

9.84ft) in O3 Zone and a minimum front yard setback of 4.50m (approx. 14.76ft) in E1 Zone in this instance;

4. A landscape buffer from a lot line that is a street line of 1.90m (approx. 6.23ft) whereas By-law 0225-2007, as amended, requires a minimum landscape buffer from a lot line that is a street line of 3.00m (approx. 9.84ft) in this instance; and

5. A landscape buffer abutting a commercial zone of 0m whereas By-law 0225-2007, as amended, requires a minimum landscape buffer abutting a commercial zone of 3.00m (approx. 9.84ft) in this instance.

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent
- The variance application approved under File(s) 'A570.24 & A571.24 must be finalized
- Should the Committee find merit in the application, Planning staff recommend the following condition:
 1. Evidence that the two properties are merged prior to the finalization of the consent application.

Recommended Conditions and/or Terms of minor variance

- Variance(s) approved under file(s) 'A570.24 & A571.24' shall lapse if the consent application under file 'B74.24' is not finalized within the time prescribed by legislation.
- The Forestry Section of the Community Services Department has reviewed the above noted consent/minor variance applications. Should the application be approved, Forestry wishes to impose the following conditions:
 1. The applicant shall provide a cash contribution of \$21,885.25 for the planting of twenty-five (25) street trees on Hurontario St. and 20 Traders Blvd. E. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.

Background

Property Address: 5787 Hurontario St & 20 Traders Blvd E

Mississauga Official Plan

Character Area: Gateway Corporate Centre

Designation: Office

Zoning By-law 0225-2007

Zoning: O3-1 - Office

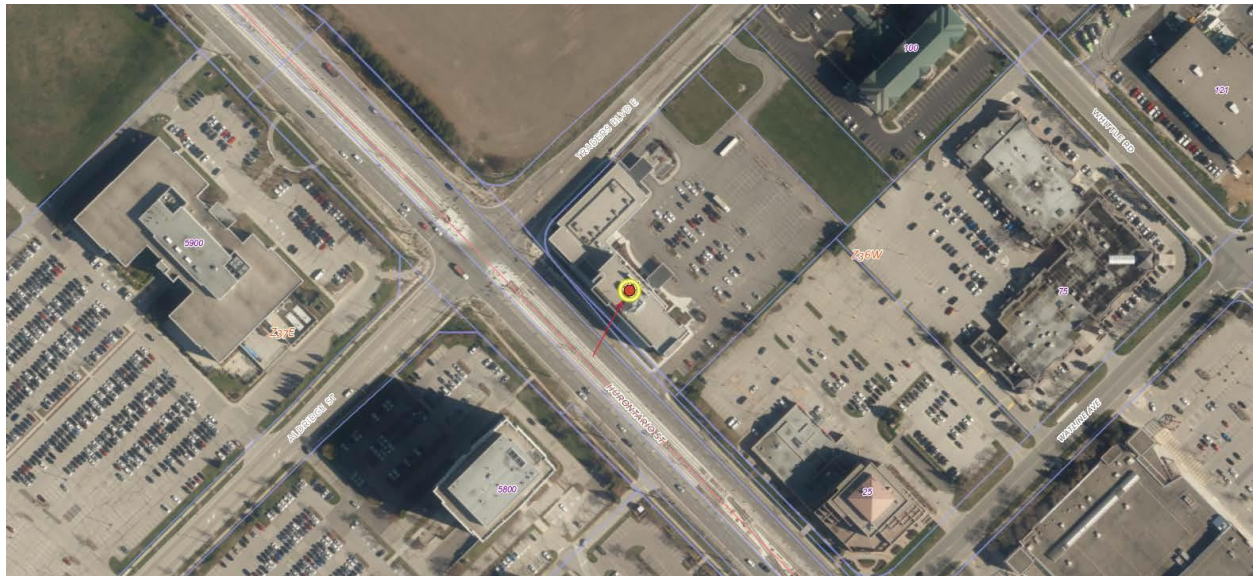
Other Applications: SP 24-57

Site and Area Context

The subject property is located on the south-east corner of the Hurontario Street and Traders Boulevard intersection in the Gateway Corporate Centre Character Area. It is a corner lot, containing a six-storey hotel with an attached banquet hall on the ground floor and an associated surface parking lot. Limited vegetation and landscaping elements are present throughout the subject property. The surrounding area context contains a mix of office, commercial and employment uses, as well as vacant lands, with varying built forms on lots of varied sizes.

The applicant is proposing to sever the existing parcels into two lots, requiring variances on both the retained and severed lands for front yard setback, landscaped buffers, a permanent outdoor patio use and loading spaces.

Planning staff note the subject property is split zoned as O3-1 (Office) and E1 (Employment). The eastern portion of the subject property, municipally known as 0 Traders Boulevard East, is a separate parcel which forms part of the subject property at 5787 Hurontario Street. Staff note due to the split zoning on the parcels, the lot lines for 0 Traders Boulevard East are aligned with the E1 zoning designation. While the proposal aims to sever the property into two distinct parcels, staff note two parcels already legally exist on the subject property. Through conversations with the applicant, Development Planning staff have indicated that the two existing parcels will need to be merged in order to facilitate the proposed severance.



Comments

Planning

Provincial Matters

The Provincial Policy Statement 2024 (PPS 2024) promotes efficient development and land use, directing the focus towards intensification and redevelopment. The proposal is consistent with the general directive in provincial policy.

Planning Act

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

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. In evaluating such requests, the Committee needs to be satisfied that the proposal meets the four tests set out in the *Planning Act*.

Staff comments concerning the applications for consent and the four tests to the minor variance request are as follows:

The subject property is located in the Gateway Corporate Centre Character Area and is designated Office. The designation permits a variety of office, commercial and business

activities uses including overnight accommodation. Staff are satisfied that the proposed lot will be appropriate to facilitate the uses envisioned in the official plan.

The applicant is currently working on an active site plan application (SP 24-57) with the City's Development Planning team regarding the subject property. Planning staff note the nature of the proposed consent and minor variance applications are to facilitate a design which is being conceptually evaluated by the Urban Design and Development Planning teams through their review of the site plan application.

Staff are satisfied that the application is consistent with the official plan, as the severed and retained lots will provide for adequately sized lots for the existing and proposed buildings. No minor variances are required for lot size or frontages. Staff are satisfied that the proposal will not negatively impact the area's lot fabric. Furthermore, staff have no concerns with the consent to sever regarding the criteria set out in Section 51(24) of the Planning Act, as the site is appropriately serviced and is suitable for the planned use of the property. Staff are therefore of the opinion that the application conforms to Section 51(24) of the Planning Act.

In addition to the proposed consent application, the applicant is requesting minor variances to legalize the existing conditions for the retained parcel.

Variances 1 and 2 pertains to a reduced front yard setback and landscaped buffer on the retained parcel, municipally known as 5787 Hurontario Street. The intent of the front yard setback provision is to ensure that a consistent character is maintained along the streetscape and that a sufficient front yard space is incorporated into the design. Additionally, the intent of the landscaped buffer regulation is to ensure that an appropriate buffer exists abutting all lot lines. Staff note the variances are triggered as a result of the existing conditions on the retained parcel. Staff are satisfied that the proposed variance contains a sufficient front yard space and landscaped area for the existing hotel.

Additional variances are required for the proposed hotel on the severed parcel and are evaluated below:

Variance 1 for the severed parcel requests a permanent outdoor patio in the front yard for the proposed hotel. Staff note the proposed outdoor patio will support the shared dining area for the hotel and are of the opinion that the outdoor patio is a typical function for a hotel offering food and beverage services. Staff are satisfied that the variance is minor and the patio use will not have a negative impact on the neighbouring properties or the streetscape.

Variance 2 requests a reduction for loading spaces. The intent of this regulation is to ensure there is adequate space reserved for the temporary parking of commercial motor vehicles while loading or unloading. Staff are of the opinion the proposed loading space supply is sufficient for the operation of the intended use on the site.

Variances 3 and 4 request a reduction for the front yard setback and landscape buffer along the front yard lot line. The intent of the front yard setback provision is to ensure that a consistent character is maintained along the streetscape and that a sufficient front yard space is incorporated into the design. Additionally, the intent of the landscaped buffer regulation is to ensure that an appropriate buffer exists abutting all lot lines. Staff note the variances are triggered due to the proposed outdoor patio being located within the landscaped buffer in the front yard. The proposed outdoor patio will only occupy a small portion of the front yard and is the only area that provides a deficient front yard setback and landscaped buffer, while the rest of the building will maintain the required front yard setback and landscaped buffer. Staff are of the opinion that the variance will pose negligible impacts to the streetscape along Traders Boulevard East.

Given the above, planning staff are therefore satisfied that the minor variance application maintains the general intent and purpose of both 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 to create two separate land parcels being Parcel 'A' (retained lands) and Parcel 'B' (severed lands). We note that Parcel 'A' contains an existing hotel (5787 Hurontario Street), and Parcel 'B' will have a proposed hotel.

A letter prepared by Weston Consulting dated March 19, 2025, has been submitted with this application to indicate the intent of the request. The letter indicates that through a recent Site Plan Review submission (SP 24-57) discussions were held with the city's Transportation and Traffic sections to determine the appropriate delineation of mutual access easements and shared parking easements for this Consent Application. In view of the above, driveway access and shared parking easements will have to be established through this consent application which would allow for a shared access arrangement between parcels 'A' and 'B'.

In view of the above and 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. Plan of Severance Depicting Mutual Right-of-Way Easements

A Plan of Severance depicting any required mutual right-of-way easements will have to be provided and be satisfactory to our Traffic Section. As indicated, through the review of Site Plan Application SP 24-57 currently being reviewed by city staff, a requirement for mutual access and shared parking easements has been identified.

We note that a "Plan of Severance", Drawing No: CA-1 has already been circulated through the current Site Plan Application, however we need to ensure that it is in compliance with the proposed line of severance to be approved by the Committee.

2. Site Servicing Plan

A Site Servicing Plan is to be submitted for our review/approval which would clearly identify the location of any existing underground services located on Parcel 'A' (retained lands). Upon the review of the Site Servicing Plan and should it be confirmed that any underground services (specifically storm sewer) on Parcel 'A' cross into the severed lands (Parcel 'B'), then the need for private servicing easements will have to be addressed.

3. Draft 43R-Plan Requirement

Upon the review of items A1 and A2, a Reference Plan will be required for our review/approval in order that the location and width of any proposed servicing and access right-of-way easements to be established can accurately be described as parts on that Reference Plan.

4. Solicitor Letter Addressing Easement Requirements

Upon the review of items A1 and A2, and the confirmation of the required easement(s), the applicant/owner will be required to provide a letter/schedule prepared by the applicant's solicitor which would specifically describe any 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 incorporated into the Certificate of Secretary-Treasurer.

B. General Information

Site Plan Approval

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







Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan under file SP 24-57 W5. 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

Park Planning Comments

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

1. 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 Nicholas Rocchetti, Planner – Park Planning, Community Services Department at 905-615-3200 ext. 4659 or via email nicholas.rocchetti@mississauga.ca.

Comments Prepared by: Nicholas Rocchetti, Planner

Forestry Comments

The Forestry Section of the Community Services Department has reviewed the above noted consent/minor variance applications. Should the application be approved, Forestry wishes to impose the following conditions:

1. The applicant shall provide a cash contribution of \$21,885.25 for the planting of twenty-five (25) street trees on Hurontario St. and 20 Traders Blvd. E. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.

In addition, Community Services notes the following:

1. No public trees shall be injured or removed. If public tree 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.
4. Payment for street tree fees and other charges can be made at the Parks and Forestry customer service counter located at 950 Burnhamthorpe Road West, in the form of a certified cheque, bank draft, or money order made payable to "The Corporation of the City of Mississauga". A Submission of Fees and Securities form is required to process payment. Please contact Jamie Meston to request a Submission of Fees and Securities form and any other inquiries regarding the payment process.

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.

Comments Prepared by: Jamie Meston, Landscape Technician

Appendix 4 – Region of Peel Comments

Development Engineering: Alexandra Maria (alexandra.maria@peelregion.ca)(905) 791- 7800 x7991

Comments:

- The Region of Peel is presently reviewing a Site Plan for this application. We request the Committee to defer any decisions on this application until a satisfactory Site Plan is submitted by the applicant.
- 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.

Conditions:

- Arrangements satisfactory to the Region of Peel, Public Works shall be made with respect to the location of existing and the installation of new services as well as potential required private/municipal service easements.

Comments Prepared by: Petrele Francois, 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. ("A" 570/24) ("A" 571/24)
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 April 24, 2025.
5. A letter shall be received from the City of Mississauga, Park Planning, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated April 24, 2025.
6. A letter shall be received from the Region of Peel, Development Services/Public Works, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated April 24, 2025.