

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-06-09	File(s): A223.21 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-06-17 1:00 PM

Consolidated Recommendation

The City recommends that the application be deferred to allow the applicant an opportunity to attend a zoning compliance review with Staff and submit a satisfactory Parking Utilization Study (PUS).

Application Details

The applicant requests the Committee to approve a minor variance to allow used car sales on the subject property proposing:

1. A motor vehicle sales, leasing and/or rental facility - restricted whereas By-law 0225-2007, as amended, does not permit such a use in this instance;
2. 3 outdoor vehicle display spaces whereas By-law 0225-2007, as amended, does not permit such a use in this instance; and
3. 27 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 52 parking spaces in this instance.

Background

Property Address: 1591 Matheson Boulevard

Mississauga Official Plan

Character Area: Northeast Employment Area (West)
Designation: Industrial

Zoning By-law 0225-2007

Zoning: E3 - Employment

Other Applications:

None

Site and Area Context

The subject property is an warehouse building located south-east of the Matheson Blvd E and Matheson Blvd intersection. The subject property is an interior parcel with a lot area of +/- 3,311.92 m² and a lot frontage of +/- 37.06m, possessing minimal vegetation and landscape elements along the lot line. Properties within the immediate vicinity possess lot frontages of +/- 65.00m with minimal vegetation and landscaping kept to the periphery of each parcel.

The applicant is proposing an motor vehicle sales, leasing and/or rental facility – restricted requiring variances to permit the use of a motor vehicle sales, leasing and/or rental facility - restricted, as well as 3 outdoor vehicle display spaces and reduction in parking spaces.



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 are as follows:

The site is located within the Northeast Employment Area (West) character area, and is designated Industrial by the Mississauga Official Plan (MOP). Section 11.2.12(n),(o),(p) & (aa) (Industrial) specifies that this designation shall permit a motor vehicle body repair facility, Motor Vehicle Commercial uses, motor vehicle rental facility as well as any accessory land-uses thereto. .

The Building Department is currently processing a Zoning Certificate of Occupancy application under file 21-4511. Based on the review of the information currently available, Building Department staff advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

The requested parking variance is a reduction of 25 spaces or a 48% deficiency.

A Cover Letter prepared by Yaso Somalingam, Cantam group, dated February 19, 2021, has been submitted in support of the application. The Cover Letter, dated April 15, 2021, explains that the subject property is currently in full business operations mainly to store products within the warehouse, where all their sales come from online and telephone orders. The Cover Letter explains that the building has a total GFA of 1,209.31m² and that primary use of the building is warehousing and storage, which occupies 1,090.69 m² of GFA. The remaining 118.62 m² of GFA is for an office area. The applicant is seeking to allow 3 outdoor parking spaces for the purpose of vehicle sales display.

According to City Planning Strategies staff, a satisfactory justification was not submitted with the application. A motor vehicle sales facility and warehousing are essential services that remain open during the COVID-19 pandemic, therefore CPS staff recommend that the applicant submit a satisfactory Parking Utilization Study (PUS).

Planning staff recommend the Applicant submit a satisfactory Parking Utilization Study, and zoning compliance review request to the Building Department to review the proposal and identify any and all variances required. Until a zoning compliance review is conducted, staff is unsure if this proposal meets the general intent and purpose of the zoning by-law. Furthermore, staff cannot determine whether the abovenoted variances represent the orderly development of the lands, or whether the resulting effects are in fact minor in nature. As a result, the application should be deferred.

Conclusion

Based on the preceding information, the City recommends that the application be deferred to allow the applicant an opportunity to submit a satisfactory Parking Utilization Study (PUS) and attend a zoning compliance review with Staff.

Comments Prepared by: Connor DiPietro, Planning Associate

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's information are photos which depict the subject property.



Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Zoning Certificate of Occupancy application under file 21-4511. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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: Marco Palerma

Appendix 5 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner