

City of Mississauga Department Comments

Date Finalized: 2021-10-13	File(s): A416.21 Ward 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-10-21 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application, as amended.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a motor vehicle wash facility proposing:

1. A corner lot frontage of 43.653m (approx. 143.219ft) where as By-law 0225-2007, as amended, requires a minimum corner lot frontage of 70.000m (approx. 229.659ft) in this instance;
2. An interior side yard setback of 2.00m (approx. 6.56ft) where as By-law 0225-2007, as amended, requires a minimum interior side yard setback of 4.50m (approx. 14.76ft) in this instance; and
3. 5 spaces per wash bay for a Motor Vehicle Wash Facility where as By-law 0225-2007, as amended, requires a minimum of 10 spaces per wash bay in this instance.

Amendments

Based on review of the information currently available for this building permit, we advise that the following variance(s) should be amended as follows:

1. A corner lot used for a motor vehicle wash facility – restricted, with a frontage of 43.65m (approx. 143.219ft) whereas By-law 0225-2007, as amended, requires a corner lot used for a motor vehicle wash facility – restricted to have a minimum frontage of 70.000m (approx. 229.659ft) in this instance;

Additionally, we note that more information is required for staff to confirm variance 3.

Municipal Parking staff further note that variance 3 should be amended as follows:

3. 5 stacking lane tandem parking spaces per 1 Motor Vehicle Wash Facility whereas By-law 0225-2007, as amended, requires a minimum of 10 spaces per wash bay in this instance.

Background

Property Address: 1480 Britannia Road East

Mississauga Official Plan

Character Area: Northeast Employment Area
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2 - Employment

Other Applications: SPAX 20-67, PREAPP 21-6995

Site and Area Context

The subject property is located on the south-west corner of Dixie Road and Britannia Road East in the Northeast Employment Area. It has a frontage of +/- 43.65m (143.21ft) and an area of +/- 0.42ha (1.05ac). Currently the property contains a gas bar. The surrounding context includes a mix of commercial and industrial buildings on varying lot sizes. There is limited vegetation along the peripheries of the property.

The applicant is proposing a new car wash requiring variances for lot frontage, side yard setback, and 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 of the four tests to this minor variance request are as follows:

Does the proposal maintain the general intent and purpose of the Official Plan?

The subject property is located in the Northeast Employment Character Area and is designated Business Employment in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits a variety of business and commercial uses, including a gas bar and motor vehicle wash facility. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. Staff are satisfied that the general intent and purpose of the Official Plan are maintained.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

Variance 1 requests a reduced frontage for a wash facility combined with a gas bar use. The intent of the frontage regulation for this use is to ensure that the property is sufficiently sized to handle the circulation of traffic generated by the car wash without spilling onto the roadway. While the property is deficient in frontage the wash facility is situated in such a way that any backed up traffic should be contained within the site itself.

Variance 2 requests a reduced side yard setback. The intent of this is to ensure an adequate buffer between the massing of structures on abutting properties. Staff note that the length of wall along the reduced setback is relatively small when compared to the depth of the property, and that no structures are located near the property line on the abutting property. Given the size of the wash facility staff are satisfied that the reduced setback maintains an appropriate buffer to the property line.

Variance 3 requests a reduction in stacking spaces for the wash facility. Staff note that due to the location of the proposed structure any overflow of vehicles beyond the stacking spaces would be contained on the subject property and would not impact surrounding roadways. Furthermore, Municipal Parking staff have reviewed the request and note as follows:

A Parking Justification Letter, had not been submitted in support of the application.

The subject property is currently occupied by a gas station. The development proposes to construct a motor vehicle wash facility on site. The existing gas station will be maintained. The applicant is proposing 16 parking spaces overall.

Table 1 – Parking Requirements and Applicant Proposed Parking

Unit type	# of units/GFA (m2)	Rate Required (ZBL)	Spaces Required	Spaces Proposed
Proposed (non-residential use; motor vehicle wash facility)				
Vehicle Service Station	195.83	5.4 spaces per 100m2 GFA	11	14
Vehicle Wash Facility	1	4.0 spaces per wash bay	4	2
TOTAL			15	16

Staff Comments for Site-Wide Parking

- The original variance is incorrect, as a reduction is being requested from 10 STACKING lane spaces to 5, not overall number of parking spaces. The applicant is asked to revise the minor variance to state the following:
 - 5 stacking lane tandem parking spaces per 1 Motor Vehicle Wash Facility whereas By-law 0225-2007, as amended, requires a minimum of 10 spaces per wash bay in this instance.
- In this instance, a variance for the Vehicle Service Station number of parking spaces is not required, as the applicant is providing 14 parking spaces on site, which is more than the by-law rate requires (11 parking spaces).

Overall Staff Comments

- Please note that above comments are based on the details submitted along with the application and are subject to change should Zoning identify any additional variances or any changes to the variances with regards to the above application.

Given the above, staff are satisfied that the application maintains the general intent and purpose of the Zoning By-law.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

Staff are satisfied that the proposal represents appropriate development of the subject lands. Staff do not anticipate negative impacts to abutting properties, and the site is sufficiently sized to handle the additional vehicles.

Comments Prepared by: Alexander Davies, 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 motor vehicle wash facility will be addressed through the Building Permit process.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit application under file PREAPP 21-6995. Based on review of the information currently available for this building permit, we advise that the following variance(s) should be amended as follows:

1. A corner lot used for a motor vehicle wash facility – restricted, with a frontage of 43.65m (approx. 143.219ft) whereas By-law 0225-2007, as amended, requires a corner lot used for a motor vehicle wash facility – restricted to have a minimum frontage of 70.000m (approx. 229.659ft) in this instance;

Additionally, we note that more information is required for staff to confirm variance 3.

Our comments are based on the plans received by Zoning staff on 07/07/2021 for the above captioned building permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission

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procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: Adam McCormack, Zoning Examiner