

City of Mississauga Department Comments

Date Finalized: 2021-12-01	File(s): A488.21 Ward 3
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-12-09 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application, subject to conditions.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an Office and Motor Vehicle Repair Facility proposing a total of 71 parking spaces on site whereas By-law 0225-2007, as amended, requires a minimum of 87 parking spaces on site in this instance.

Amendments

Reference to use within this application should be for a Motor Vehicle Repair Facility – Restricted and not just to Motor Vehicle Repair Facility.

The requested variance should be amended as follows:

...proposing a total of 71 parking spaces (including 3 accessible parking spaces) whereas By-law 0225-2007, as amended requires a minimum of 87 parking spaces (including 4 accessible parking spaces) on site in this instance.

Recommended Conditions and Terms

1. A temporary approval of 2 years; and
2. Following the expiration of the temporary two (2) year approval, the applicant is required to provide an updated shared parking agreement and/or a satisfactory Parking Utilization Study to address the parking deficiency (December 2023). In the absence of an off-site shared parking agreement, the applicant shall submit a satisfactory Parking Utilization Study.

Background



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:

The subject property is located in the Dixie Employment Character Area and is designated Mixed Use in Schedule 10 of the Mississauga Official Plan (MOP). The Mixed Use designation permits a variety of uses, including motor vehicle repair uses in the Dixie Employment Area.

The intent of the Zoning By-law in quantifying the required number of parking spaces is to ensure that each lot is self-sufficient in providing adequate parking accommodations based upon its intended use. Section 8.4 of the Official Plan contemplates potential reductions in parking requirements and alternative parking arrangements in appropriate situations. CPS staff have reviewed the variance request and note as follows:

A Parking Letter of permission was submitted dated July 15, 1983 by Rochester Furniture and Appliances granting parking facility use to the Toronto Croatia Soccer Club Inc. An updated letter was not submitted with this application. The applicant confirmed that there is a long history of shared parking on the site.

Staff provided the applicant with the City's template for an off-site shared parking agreement. A Parking Utilization Study has not been submitted. Staff have concerns with the requested variance in the absence of an updated shared parking agreement, and/or lack of a parking utilization study.

Given the current pandemic circumstances, Staff recommend the application be supported for a temporary basis of up to two (2) years, subject to Zoning confirming the requested variance and subject to the following condition:

- Following the expiration of the temporary two (2) year approval, the applicant is required to provide an updated shared parking agreement and/or a satisfactory Parking Utilization Study to address the parking deficiency (December 2023). In the absence of an off-site shared parking agreement, the applicant shall submit a satisfactory Parking Utilization Study.

Planning staff are in agreement with the comments from CPS staff and are of the opinion that the 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 at this

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time. The temporary approval will allow staff to re-review the parking availability on site and ensure that, as traffic and parking volumes return to normal, the impacts of the request continue to be minor in nature.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's easy reference are photos depicting 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 Permit application under file C 20-4381. Based on review of the information currently available for this application, we advise that the following amendments are required:

Reference to use within this application should be for a Motor Vehicle Repair Facility – Restricted and not just to Motor Vehicle Repair Facility.

The requested variance should be amended as follows:

...proposing a total of 71 parking spaces (including 3 accessible parking spaces) whereas By-law 0225-2007, as amended requires a minimum of 87 parking spaces (including 4 accessible parking spaces) on site in this instance.

Our comments are based on the plans received by Zoning staff on 04/12/2021 for the above captioned certificate of occupancy 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.

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Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: Sandra Morrison, Manager of Zoning