

City of Mississauga Department Comments

Date Finalized: 2021-12-08	File(s): A380.21 Ward 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-12-16 1:00:00 PM

Consolidated Recommendation

The City has no objections to variance 4, however recommends that the remaining variances be refused.

Application Details

The applicant requests the Committee to approve a minor variance to allow a motor vehicle repair and pound facility proposing:

1. A motor vehicle repair facility – commercial motor vehicle use whereas By-law 0225-2007, as amended, does not permit a motor vehicle repair facility – commercial vehicle use in this instance;
2. A motor vehicle pound facility use whereas By-law 0225-2007, as amended, does not permit a motor vehicle pound facility use in this instance;
3. A rear yard of 0m whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.00m (approx. 22.96ft) in this instance; and
4. A drive aisle width of 5.50m (approx. 18.04ft) whereas By-law 0225-2007, as amended, requires a minimum drive aisle width of 7.00m (approx. 22.96ft) 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 added as follows:

5. A motor vehicle body repair facility use whereas By-law 0225-2007, as amended, does not permit a motor vehicle body repair facility use in this instance;
6. One (1) accessible vehicle parking space provided on site, whereas By-law 0225-2007, as amended, requires a minimum of two (2) accessible vehicle parking spaces on site, in this instance;

In addition, it should be noted that we have not received sufficient information to confirm appropriate parking spaces dimensions provided on site.

Background

Property Address: 2684 Drew Road

Mississauga Official Plan

Character Area: Northeast Employment Area
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2 - Employment

Other Applications: PREAPP 21-7277

Site and Area Context

The subject property is located north-east of the Derry Road East and Torbram Road intersection in the Northeast Employment Area. It has a lot area of +/- 6,512m² (70,095ft²) and a frontage of +/- 53.6m (175.9ft). The property contains a single storey industrial building with little vegetation and landscaping, which is mostly located along the property lines. The context of the surrounding area consists of industrial buildings, with vacant airport lands to the rear of the property and residential uses less than 100 metres to the east of the subject property.

The applicant is seeking to change the use of the proposed property, requiring variances for motor vehicle repair and pound facility uses, the rear yard setback and the drive aisle width.

Repair Facilities were permitted in E2 and E3 zones. In 2009, Council passed by-law 0379-2009, which had the effect of distinguishing Motor Vehicle Repair Facilities between those for personal vehicles and those for commercial vehicles. The by-law had the effect of limiting Motor Vehicle Repair Facility – Commercial Motor Vehicle uses to only E3 zones due to the intensity and noxiousness of the use. Furthermore the proposed Motor Vehicle Pound Facility use is only permitted in E3 zones given its anticipated intensity and noxiousness. While the proposed uses are already present along this portion of Drew Road, staff note that those operations commenced prior to the 2009 by-law change. Given the above staff are of the opinion that variances 1 & 2 do not meet the general intent and purpose of the zoning by-law.

Variance 3 requests a reduced setback for parked vehicles as part of the pound facility. Given that staff are unsupportive of the use and the lack of appropriate screening on the property, staff are also unsupportive of the associated reduction in the setback requirement.

Variance 4 requests a reduced aisle width. The intent of this regulation is to ensure there is sufficient space for vehicles to pass each other. Staff note that the request represents an existing condition on the subject property. Access to the rear of the property is available via both sides of the building and therefore staff are satisfied that appropriate circulation on the site can be maintained. Staff are satisfied that variance 4 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?

Planning staff are of the opinion that the reduction in aisle width proposed in variance 4 is appropriate for the subject property and minor in nature. However, variances 1 & 2 propose to introduce uses not intended for an E2 zone and are therefore not minor in nature. Finally, staff find that the proposed setback reduction in variance 3 does not represent appropriate development of the lands.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's information are some recent photos depicting the subject property.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Preliminary Zoning Review application under file PREAPP 21-7277. Based on review of the information currently available for this building permit, we advise that the following variance(s) should be added as follows:

5. A motor vehicle body repair facility use whereas By-law 0225-2007, as amended, does not permit a motor vehicle body repair facility use in this instance;
6. One (1) accessible vehicle parking space provided on site, whereas By-law 0225-2007, as amended, requires a minimum of two (2) accessible vehicle parking spaces on site, in this instance;

In addition, it should be noted that we have not received sufficient information to confirm appropriate parking spaces dimensions provided on site.

Our comments are based on the plans received by Zoning staff on 07/16/2021 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 procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: Adam McCormack, Zoning Examiner