

City of Mississauga Department Comments

Date Finalized: 2022-06-15	File(s): A289.22 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-06-23 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be refused.

Application Details

The applicant requests the Committee to approve a minor variance to allow the property to be used for off-site parking aisle proposing:

1. To permits the subject property to be partially used for an off-site parking aisle and 24 space parking lot for 1796 Mattawa Ave; whereas By-law 0225-2007, as amended, does not permit either use within a U Zone (Utility) in this instance;
2. To permit all parking areas, driveways and aisles to be comprised of gravel on the subject property whereas By-law 0225-2007, as amended, requires all parking areas, driveways and aisles to have a minimum overall vertical depth of 15.0cm comprised of a stable surface such as asphalt, concrete, pervious materials or other hard-surfaces material not including gravel in this instance; and,
3. To permit a landscaped buffer of 0.0m between the proposed parking area and the southerly adjacent G2 Zone (Greenlands) on 0 Mattawa Avenue; whereas By-law 0225-2007, as amended, requires a minimum landscape buffer of 4.5m (approx. 14.76ft) between a U Zone (Utility) and a G2 Zone (Greenlands) in this instance.

Background

Property Address: PT LT 2 CON 1 SDS TORONTO; PT LT 3 CON 1 SDS TORONTO AS IN TT84072 SE OF MATTAWA AV, EXCEPT TT129308

Mississauga Official Plan

Character Area: Dixie Employment Area
Designation: **Utility**

Zoning By-law 0225-2007

Zoning: C1 & CC3 & H-CC3(1)- Commercial; G1 & G1-8 - Greenlands; I-2 - Institutional; PB1 - Parkway Belt; U - Utility

Other Applications: Certificates of Occupancy and a Building Permit under files C18-4256, C21-7116, C21-7117 & BP3 ALT 19-4802.

Site and Area Context

The subject property is located within the Dixie Employment Area, located southwest of the Dundas Street East and Wharton Way intersection. The subject property contains a hydro corridor. The broader area consists of commercial, employment and open space / greenlands and low-density residential uses with vegetation in the front yards.

This application proposes to permit the property to be used for off-site parking aisle and lot.

**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 are as follows:

The Committee of Adjustment will consider application A289.22 together with applications A288.22 (0 Mattawa Avenue) and A365.19 (1796 Mattawa Avenue). The owner of 1796 Mattawa Avenue (adjacent to the west) is proposing a Motor Vehicle Body Repair Facility & Motor Vehicle Sales, Leasing and/or Rental Facility – Restricted use in one unit of a one-storey industrial condominium (Variance #4).

The Ministry of Government and Consumer Services, care of Infrastructure Ontario, own the subject property. The applicant has received authorization from Infrastructure Ontario to apply for these variances.

Variance #1 pertains to reduced parking. Municipal Parking provide comments on parking reductions. Their comments are as follows.

The applicant has not submitted parking justification in support of the application. Deanlee Management Inc. (the applicant's agent) conversed with Municipal Parking staff in the winter of 2022. At the time, staff were unable to confirm the parking requirement for the proposal due to a lack of information.

The applicant is proposing to utilize the Hydro One Corridor and the City of Mississauga's G1-G2 zoned lands (adjacent to 1796 Mattawa Avenue) for an off-site aisle and turning radii for the parking spaces at the rear of the building. The applicant is also proposing to permit the property to be partially used for an off-site aisle to provide 24 additional parking spaces for the 1796 Mattawa Avenue.

Staff contacted the applicant's agent on Friday, June 3rd for additional information, as the site plan that was submitted was not clear. Staff received a revised site plan and determined that the proposal will generate a parking deficiency of 53% (25 parking spaces) on-site. Staff note that 22 parking spaces will continue to be provided on 1796 Mattawa Avenue.

Staff note discrepancies in the submitted documents. The site plan states that 46 parking spaces are required on-site; meanwhile, both Municipal Parking and Zoning staff confirmed that 47 parking spaces are required on-site. Additionally, the existing 22 parking spaces combined with the proposed 24 parking spaces does not add up to the entire parking space requirement for the site (46 parking spaces are proposed on-site versus 47 being required).

An Off-Site Shared Parking Agreement with the Hydro One Corridor and City's open space lands has not yet been executed. Municipal Parking staff recommends deferring this application. There are discrepancies between the site plan and the cover letter where the application identified the required sum of parking spaces inaccurately; the agent shall revise to represent the actual sums accordingly on all submitted documents. Staff advise that a satisfactory Parking Utilization Study is required to be submitted. The consultant should confirm the survey methodology with staff prior to conducting parking surveys. Details can also be found in the City's Parking Terms of Reference. An executed agreement for off-site parking at the Hydro One Corridor and the G1-G2 City zoned lands should be submitted to the satisfaction of the Municipal Parking, Transportation & Works Department.

Planning staff echo municipal parking staff's concerns and recommend that the application be refused. Furthermore, staff have been informed by Transportation and Works staff that the applicant still requires a license agreement for 0 Mattawa Avenue.

This application is being heard together with applications A288.22 (0 Mattawa Avenue – Hydro One Corridor) and A365.19 (1796 Mattawa Avenue). Planning staff are unable to support Variance #4 to application A365.19, to permit a Motor Vehicle Body Repair Facility & Motor Vehicle Sales, Leasing and/or Rental Facility – Restricted use within Unit 3 of a one-storey industrial condominium building located at 1796 Mattawa Avenue. Applications A288.22 and A289.22 are required to facilitate Variance #4 (A365.19). Due to concerns raised above, and since staff cannot support Variance #4 (A365.19), staff recommends that the application be refused.

Comments prepared by: Connor Di Pietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We understand that the applicant has been in conversation with Ontario Hydro to form an agreement for the parking stalls on their lands. In this regard, this Department has no concerns or questions regarding the proposed parking spaces.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing Certificates of Occupancy and a Building Permit under files C18-4256, C21-7116, C21-7117 & BP3 ALT 19-4802. 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: Brian Bonner, Supervisor

Appendix 3 – Parks, Forestry & Environment

The Park Planning Section of the Community Services Department has no objections to the above noted minor variance application and advises as follows:

The lands to the rear of the property are City owned lands, identified as Etobicoke Valley (P-238) and within Significant Natural Area, zoned G1 and G2 that are also classified as a naturally significant area within the City's Natural Heritage System. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:

- a) ensuring that development in or adjacent to the Natural Heritage System protects and maintains the natural heritage features and their ecological functions through such means as tree preservation, appropriate location of building envelopes, grading, landscaping...;
- b) placing those areas identified for protection, enhancement, restoration and expansion in public ownership, where feasible.

Should the application be approved, Community Services provides the following notes:

1. Construction access from the adjacent park/greenlands is not permitted.
2. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.
3. If access is required to City owned lands, a Consent to Enter Agreement will be required.

Should further information be required, please contact Jim Greenfield, Park Planner, Community Services Department at 905-615-3200 ext. 8538 or via email jim.greenfield@mississauga.ca.

Comments Prepared by: Jim Greenfield, Park Planner

Appendix 4 – Region of Peel Comments

Development Planning: Joseph Filice (905) 791-7800 x3182

Comments: Please be advised that the subject property is located within the limits of the regulated area of the Toronto and Region Conservation Authority (TRCA).

The Region relies on the environmental expertise of the TRCA for the review of development applications located within or adjacent to this regulated area in Peel and their potential impacts on the natural environment. Regional Planning staff therefore, request that the Committee and city staff consider comments from the TRCA and incorporate their conditions of approval appropriately.

Comments: Please be advised that a portion of the subject property is located within an area the Regional Official Plan (ROP) designates as a Core Woodland of the Greenlands System in Peel, under Policy 2.3.2. Within these designations, ROP policies seek to protect environmental resources.

The Region relies on the environmental expertise of the Credit Valley Conservation (CVC) for the review of applications located within or adjacent to Core Areas of the Greenlands Systems in Peel and their potential impacts on the natural environment. Regional Planning staff therefore, request that the Committee and city staff consider comments from the CVC and incorporate their conditions of approval appropriately.

Comments Prepared by: Joseph Filice, Junior Planner