

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-07-08	File(s): A142/20 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-07-16

Consolidated Recommendation

The City has no objection to the variances, as amended.

Application Details

The Applicant requests the Committee to approve a minor variance to allow the construction of an addition on the subject property, proposing:

1. 21 parking spaces; whereas, By-law 0225-2007, as amended, requires a minimum of 34 parking spaces, in this instance;
2. An aisle width of 6.43m (approx. 21.10ft); whereas, By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m (approx. 22.97ft), in this instance; and,
3. Three one-way aisles of 3.00m (approx. 9.84ft), 3.47m (approx. 11.38ft), and 4.99m (approx. 16.37ft); whereas, By-law 0225-2007, as amended, requires a minimum one way aisle width of 5.50m (approx. 18.04ft), in this instance.

Amendments

1. A total of 0 accessible parking spaces and no access aisle; whereas, By-law 0225-2007, as amended, requires a total of 2 accessible parking spaces (1 Type A and 1 Type B) and an access aisle that is 1.5m in width, in this instance; and,
2. Parallel parking spaces with a width of 2.6m; whereas, By-law 0225-2007, as amended, requires a minimum parallel parking space width of 2.75m in this instance.

Background

Property Address: 3223 Orlando Drive

Mississauga Official Plan

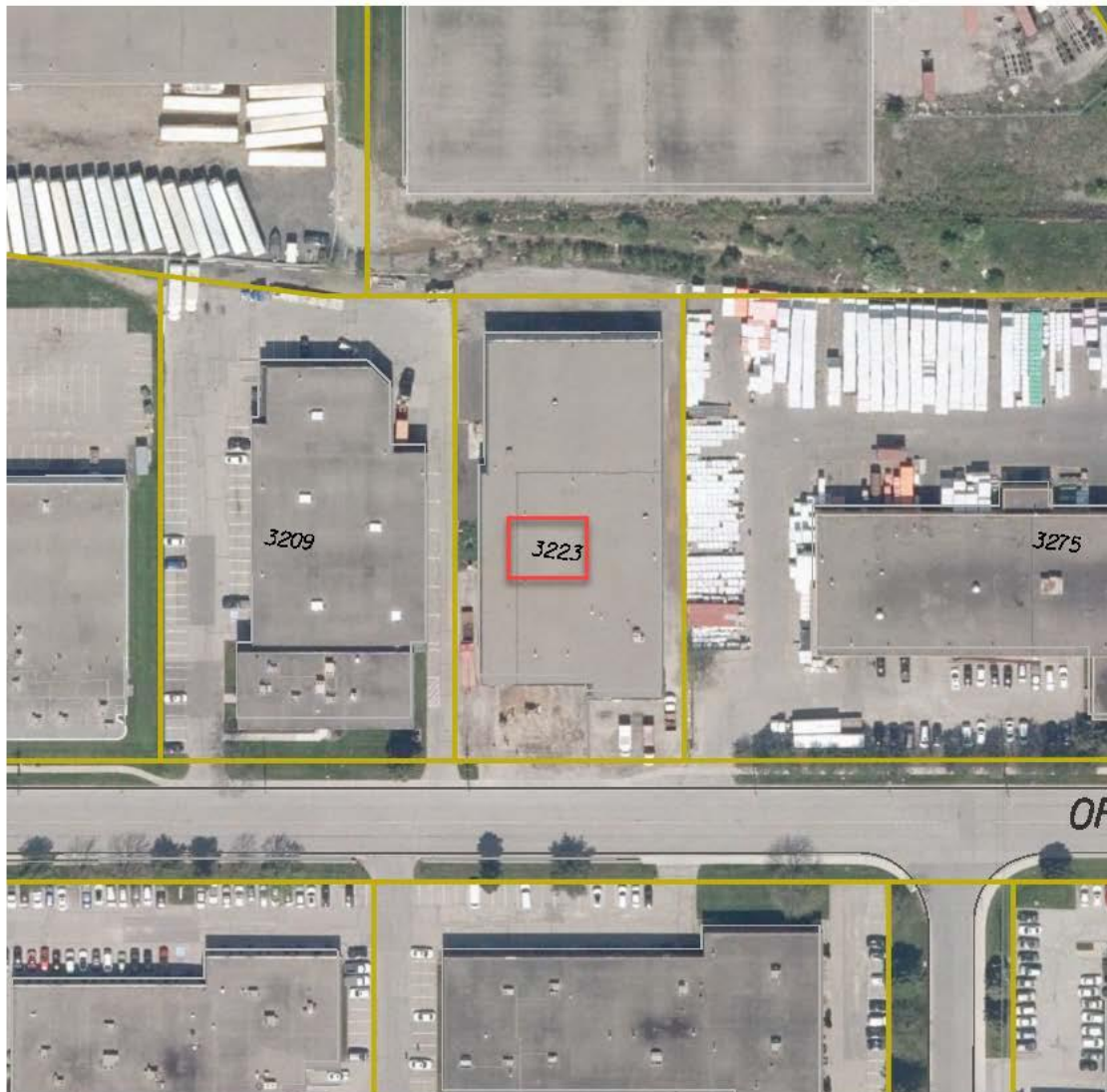
Character Area: Northeast Employment Area
Designation: Industrial

Zoning By-law 0225-2007**Zoning:** E3 (Employment)**Other Applications:**

Building Permit: 19-6080

Site and Area Context

The subject lands are an interior property located south-east of the Airport Road and Derry Road East intersection, and house a two-storey industrial structure. Contextually, the immediate neighbourhood is exclusively industrial in nature; with various employment uses surrounding the subject site. The properties along this portion of Orlando Drive are situated upon large parcels, with lot frontages ranging from +/- 40m to +/-215m. The subject property is an interior parcel, with a lot area of 4,815m² and a lot frontage of 48.16m.



Comments

Planning

Planning Staff note, the Applicant has provided updated drawings through their Minor Variance Application which do not correspond to the submitted Building Permit application by which the Zoning Department has completed its comprehensive review. Planning Staff are therefore only able to speak to the variances as requested and cannot comment upon their validity as it pertains to compliancy against the Zoning By-law.

Section 45 of the *Planning Act* provides the Committee of Adjustment the authority to grant relief from the requirements stipulated by the municipal Zoning By-law, provided that such applications meet the requirements set out under Section 45(1) and/or 45(2) (a) or (b) of 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 site is located within the Northeast Employment Area, and designated Industrial by the Mississauga Official Plan (MOP). The Applicant proposal of an internal mezzanine addition to supplement the existing industrial use is in conformity with MOP.

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

Variance 1 (Parking)

As per Zoning By-law 0225-2007, the subject property is zoned E3 (Employment). In accordance with Table 3.1.2.2 (Required Number of Parking Spaces for Non-Residential Uses), this zone regulates the required parking rates for various uses on this site. The intent in quantifying this amount is to ensure that each structure is self-sufficient in providing adequate parking accommodations based upon its intended use. As per the Parking Justification Study (CGE Consulting, Mar/2020) submitted by the Applicant, and reviewed to the satisfaction of City Planning Strategies Staff, the proposed parking rates are suitable in meeting the peak parking demands of the subject property. The variance, as requested, maintains the purpose and general intent of the Zoning By-law.

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

The subject property is well serviced by the public transit system and, as per the aforementioned Parking Justification Study, has ample room to accommodate required parking based upon the intend use. The structure remains self-sufficient, with the majority of parking handled on-site, and with the requested variance serving to pose no significant negative impact to the surrounding neighbourhood, as a whole. The variance, as requested, results in both the orderly development of the lands, and whose impacts are minor in nature.

Variances 2 & 3 (Drive Aisle Widths); Variances 4 & 5 (Existing Parking)

The Applicant is also required to seek relief to legalize existing site conditions, pertaining to both the existing drive aisle widths and parking configuration. Through a detailed review, Staff is of the opinion that Variances 2 – 5 are appropriate to be handled through the minor variance process. Further, such variances raise no concerns of a planning nature.

Conclusion

Based upon the preceding information, it is the opinion of Staff that the variances, as amended, meet the general intent and purpose of both the MOP and Zoning By-law; are minor in nature; and, are desirable for the orderly development of the lands. To this end, the Planning and Building Department has no objection to the variances, as amended.

Comments Prepared by: Roberto Vertolli, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We note that any Transportation and Works Department concerns/requirements for the proposed addition will be addressed through the Building Permit Process.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit application under file 19-6080. Based upon review of this Application, Staff notes that the Minor Variance application should be amended as follows, permitting:

3. A total of 0 accessible parking spaces and no access aisle; whereas, By-law 0225-2007, as amended, requires a total of 2 accessible parking spaces (1 Type A and 1 Type B) and an access aisle that is 1.5m in width, in this instance; and,
4. Parallel parking spaces with a width of 2.6m; whereas, By-law 0225-2007, as amended, requires a minimum parallel parking space width of 2.75m in this instance.

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 3 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the April 23rd, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Application: DEF-A-435/19

Minor Variance Applications: A-142/20, A-151/20, A-152/20, A-153/20, A-156/20, A-157/20, A-158/20, A-159/20, A-160/20, A-166/20

Comments Prepared by: Tracy Tang, Junior Planner