

# City of Mississauga Department Comments

Date Finalized: 2022-11-23	File(s): A507.22
To: Committee of Adjustment	Ward: 6
From: Committee of Adjustment Coordinator	Meeting date:2022-12-01 1:00:00 PM

## Consolidated Recommendation

The City recommends that the application be deferred.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a place of worship proposing:

1. 105 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 204 parking spaces in this instance;
2. 5 accessible parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 7 accessible parking spaces in this instance;
3. An interior side yard setback of 5.09m (approx. 16.70ft) in this instance whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 5.28m (approx. 17.32ft) in this instance;
4. An exterior side yard setback of 7.31m (approx. 23.98ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 7.50m (approx. 24.61ft) in this instance; and,
5. A rear yard setback of 7.41m (approx. 24.31ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 7.50m (approx. 24.61ft) in this instance.

## Background

**Property Address:** 3450 Wolfedale Rd

### Mississauga Official Plan

Character Area: Mavis-Erindale Employment Area  
Designation: Business Employment

### Zoning By-law 0225-2007

**Zoning:** E2-19 - Employment

**Other Applications:** C 21-6419

### Site and Area Context

The subject property is located on the north-west corner of the Wolfedale Road and Central Parkway West intersection. It currently contains a single storey industrial building with an associated surface parking lot. Limited landscaping and vegetative elements are present on the subject property, generally located along property lines. The subject property has a lot area of approximately 6,331.75m<sup>2</sup> (68,154ft<sup>2</sup>). The surrounding area context consists of employment/industrial uses with varying lot sizes and built forms.

The applicant is proposing a place of religious assembly requiring variances for parking and setbacks.



## 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 Mavis-Erindale Employment Area and is designated Business Employment in Schedule 10 of the Mississauga Official Plan.

Variances 1 & 2 request a reduction in parking. Section 8.4 of the official plan contemplates potential reductions in parking requirements and alternative parking arrangements in appropriate situations. 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. Municipal Parking staff have reviewed the variance request and provide the following comments:

A Parking Utilization Study (PUS) was submitted by Trans-Plan Transportation Engineering, dated October 2022 in support of the proposed change in land use for the existing building. The proposal consists of an addition and interior alteration to the existing two-storey building so that it may be converted into a Place of Religious Assembly, which will feature 246-seats for the assembly of religious celebrations, as well as a multi-purpose hall and other ancillary uses for attendees on-site.

The City's zoning by-law requires the site to provide 204 parking spaces, while the proposed site plan plans to provide 105 parking spaces. This results in a parking deficiency of 99 spaces, or otherwise as 49% parking space shortfall.

The Study confirmed that public parking and on-street parking is not an option within the area; the main roads adjacent to the site do not permit parking at any time. Additionally, there are no local public buildings or parking lots that would service this site and as such parking for the building would need to be contained on-site.

Parking surveys were completed at two proxy sites, the Westside Presbyterian Church at 3637 Grand Park Drive and the City Church at 2700 Argentia Road. Surveying parameters and methodology was not approved by Municipal Parking staff. The survey was completed on one day: Sunday, May 22<sup>nd</sup>, 2022. The City's Parking Terms of Reference requires between 5-6 days of surveying over 2 consecutive weeks. As such, the data presented within this PUS is not satisfactory.

Additionally, within the PUS, it is mentioned that all non-Religious Assembly area uses are not in use during liturgical services. Therefore, the parking demands for these uses are not being accounted for within the survey data that was submitted. Staff also do not have an understanding in regards to the type of multi-purpose hall and other ancillary uses that are being proposed on-site and request for more information (an explanation of these uses, what dates/times/the duration that they are operational...etc).

Overall, the PUS states that the proxy sites chosen are comparable for the following reasons: both sites are located in Mississauga, the sites were selected for their similar operating characteristics to the proposed place of Religious Assembly. Unfortunately, staff are unable to validate whether the proxy sites chosen are in fact similar considering there is limited detail in regards to the times and duration of operation, whether there are other uses on-site, GFA, number of existing parking spaces on their sites...etc.

Staff recommend the application be deferred, pending the submission of a satisfactory Parking Utilization Study (PUS). The PUS that has been submitted alongside this application, dated October 2022, is not satisfactory and does not provide adequate parking justification nor an adequate parking survey. The applicant and/or agent are required to confirm the survey parameters and methodology with staff prior to conducting parking surveys. Details can also be found in the City's Parking [Terms of Reference](#).

Planning staff are in agreement with the comments from Municipal Parking and recommend that the application be deferred in order to allow the applicant to submit the requested information.

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 subject property will be addressed through the Site Plan Approval and Building Permit process.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

The Building Department is currently processing a Zoning Certificate of Occupancy Permit under file C 21-6419. Based on review of the information currently available for this building permit, variances # 1 and 2, as requested are correct.

In addition, we advise that variances # 3, 4 and 5 cannot be verified without a Building Permit application and review.

Furthermore, we also advise that more information is required to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

- A general acknowledgment; and
- Confirmation of accessory uses.

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: Ramsen Hedoo, Zoning Examiner

### **Appendix 3 – Region of Peel**

We have no comments or objections.

Comments Prepared by: Patrycia Menko, Junior Planner

### **Appendix 4 - Metrolinx**

Metrolinx is in receipt of the minor variance application for 3450 Wolfedale Rd to allow the construction of a place of worship. Metrolinx's comments on the subject application are noted below:

- The subject property is located in proximity of 300 meters to Canadian Pacific Railway's (CP Rail) Galt Subdivision which carries Metrolinx's Milton GO Train service.
- The subject property is located adjacent to Metrolinx Owned property (GO Transit West Region).
- The proponent is advised that Metrolinx and its assigns and successors in interest operate commuter transit service in proximity of 300 metres from the subject land. In addition to the current use of these lands, there may be alterations to or expansions of the rail and other facilities on such lands in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx or any railway assigns or successors as aforesaid may expand their operations, which expansion may affect the environment of the occupants in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual units. Metrolinx will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under these lands.

Comments Prepared by: Farah Faroque, Intern, Third Party Projects Review