

City of Mississauga Department Comments

Date Finalized: 2023-01-17	File(s): A706.22 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-01-26 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 an existing parking lot for a Motor Vehicle Sales and Leasing facility proposing:

1. 37 onsite and 42 offsite parking spaces whereas By-law 0225-2007, as amended, requires 66 parking spaces and 3 barrier free parking spaces in this instance and,
2. A drive aisle width of 4.60m (approx. 15.10ft) whereas By-law 0225-2007, as amended, requires a minimum drive aisle width of 5.50m (approx. 18.04ft) in this instance.

Background

Property Address: 1770 Dundas St E

Mississauga Official Plan

Character Area: Dixie Employment Area
Designation: **Mixed Use**

Zoning By-law 0225-2007

Zoning: C3-65 - Commercial

Other Applications: Zoning Certificate of Occupancy Permit under file C 22-465

Site and Area Context

The subject property is located east of the Mattawa Avenue and Dundas Street intersection in the Dixie Employment Area. It currently contains a one-storey Motor Vehicle Sales and Leasing Facility an associated parking lot. Limited landscaping and vegetative elements are present on the subject property. The surrounding area context is primarily commercial.

The applicant is proposing a Motor Vehicle Sales and Leasing Facility requiring variances for reduced parking and aisle width.



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 subject property is located within the Dixie Employment Character Area, and is designated Mixed Use on Schedule 10 of the Mississauga Official Plan (MOP). The applicant requests the Committee to approve minor variances to permit an existing parking lot for a motor vehicle sales and leasing facility.

Variance #1 is for a parking reduction. Municipal Parking Staff provide comments on variances for parking reductions. Municipal Parking staff have reviewed the variance request and note as follows:

With respect to Committee of Adjustment application 'A' 706/22, 1770 Dundas Street East, the Applicant is requesting the Committee to approve a minor variance to allow an existing parking lot for a Motor Vehicle Sales and Leasing facility proposing:

1. 37 onsite and 42 offsite parking spaces whereas By-law 0225-2007, as amended, requires 66 parking spaces and 3 barrier free parking spaces be located on the same lot for which the parking spaces are required, in this instance.

Per the Site Plan issued November 11, 2022 and prepared by Nutima Design & Project Management, 37 parking spaces are available on-site, and an additional 42 parking spaces are to be provided off-site at an existing parking lot on the adjacent hydro corridor property belonging to Hydro One.

Municipal Parking Staff support the use of the private off-site parking agreement in order to provide the required amount of parking for the existing retail use on the subject site, in this instance. Staff note that the agreement is between the applicant and Hydro One, care of Ontario Infrastructure and Lands Corporation, and was previously approved by the Committee in 2003 as File A019/03.

As the on-site parking deficiency is greater than 10%, a Parking Utilization Study is required. Harper Dell & Associates completed a Parking Utilization Study dated August 27, 2022. The subject property includes an existing commercial building utilized by an auto parts retail store. The applicant is proposing an additional use of Motor Vehicle Sales and Leasing to the site.

Per the City's Parking Terms of Reference, the results of the parking survey are to be determined as a parking demand ratio per 100 m² (1076.39ft²) of occupied GFA of the subject site. Results were instead provided in terms of vehicles observed and parking lot capacity of both the on-site and off-site parking lots, with no assessment or discussion related to the occupied building GFA and the zoning bylaw rates for parking. The data from the Parking Utilization Study infers that with the off-site parking agreement, there will be sufficient amount of parking for the expected demands, however the applicant is required per the City's Parking Terms of Reference, to validate this notion through the peak observed parking demand rate.

Staff are concerned that the Parking Utilization Study focused only on the Retail use of the site with minimal discussion on the proposed Motor Vehicle Sales and Leasing use. The applicant has not provided data or assessment regarding the proposed use and its expected parking needs and impacts on the existing retail parking on-site. Further, no information is provided regarding the GFA of the proposed Motor Vehicle Sales and Leasing use and the associated parking requirements per Zoning By-law 0225-2007, as amended.

Staff are unable to determine what the parking needs are related to the proposed Motor Vehicle Sales use, what impacts it may have on the existing Retail use, and what the overall

parking demands and operations may be. This information and commentary has not been included or supported in the Parking Utilization Study.

Zoning staff also advise that more information is required in order to verify the accuracy of the requested variance or determine whether additional variances will be required.

Given the above, Staff require the application be deferred pending the submission of a satisfactory Parking Utilization Study (PUS). The Applicant should refer to the City's Parking Terms of Reference for parking justification requirements to be included with a formal submission.

Variance #2 is for a drive aisle width. The intent of aisle width regulations is to ensure appropriate circulation can be maintained around the site. Staff are satisfied that the overall site circulation is not impacted by the reduction.

Planning staff have no concerns with respect to Variance #2. However, staff echo Municipal Parking staff's comments and recommend that the application be deferred to allow the applicant an opportunity to submit a new PUS. Furthermore, the applicant may wish to review the proposal with Zoning staff to ensure the accuracy of the requested variances, and to determine if additional variances are required.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections, comments or requirements with respect to C.A. 'A' 706/22.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Zoning Certificate of Occupancy Permit under file C 22-465. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Please note that comments reflect those provided through the above application submitted on 04/12/2022 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: Jeanine Benitez, Zoning Examiner

Appendix 3 – Metrolinx

1770 Dundas St E

- The subject property is located adjacent to the future Dundas Bus Rapid Transit (“BRT”) alignment. The Dundas BRT project was assessed under the Transit Project Assessment Process (TPAP) in accordance with Ontario Regulation 231/08. During the TPAP, an Environmental Project Report (EPR) was prepared to assess the potential environmental impacts as a result of the Project. The Environmental Project Report was available for a 30-day review period (starting February 23, 2022 – March 25, 2022); and, on April 27, 2022, the Minister of the Environment, Conservation and Parks issued a [Notice to Proceed](#) with the municipal transit project. If the applicant wishes to find out more about the Dundas BRT project, the applicant is encouraged to visit <https://www.metrolinxengage.com/en/content/dundas-brt-round-3-engagement-environmental-assessment>.
- Should you have any questions or concerns regarding the Dundas BRT or these comments please contact Zoya.Misbah@metrolinx.com.

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

Appendix 6 – Region of Peel

We have no comments or objections.

Comments Prepared by: Patti Menko – Junior Planner, Planning and Development Services