

City of Mississauga Department Comments

Date Finalized: 2023-04-12	File(s): A73.23
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2023-04-20 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application, as amended. The applicant may wish to defer the application to ensure the accuracy of the requested variance and that additional variances are not required.

Application Details

The applicant requests the Committee to approve a minor variance to allow the existing Motor Vehicle Body Repair Facility (Restricted) use to include collision and auto body repair uses within Unit 22, whereas By-law 0225-2007, as amended, does not permit collision and auto body repair uses in this instance.

Amendments

While Planning staff are not in a position to interpret the zoning by-law, based on the previous 2016 approval the variance should be amended as follows:

To permit the existing Motor Vehicle Repair Facility – Restricted to include a Motor Vehicle Body Repair Facility within the subject unit whereas By-law 0225-2007, as amended, makes no provision for a Motor Vehicle Body Repair Facility use in this instance.

Background

Property Address: 7171 Torbram Rd, Unit 22

Mississauga Official Plan

Character Area: Northeast Employment Area
Designation: Business Employment

Zoning By-law 0225-2007**Zoning: E2 - Employment****Other Applications:** None**Site and Area Context**

The subject property is located on the east side of Torbram Road, north of the Derry Road East intersection. It currently contains single storey, multi-tenant industrial buildings with associated surface parking. The property has a mix of employment and commercial uses within the units. No landscaping or vegetative elements are present on the subject property. The surrounding area context is predominantly industrial, consisting of low rise buildings on varying lot sizes. Vacant lands abut the property to the rear and the airport is located within close proximity of the site.

The applicant is proposing to continue operating the existing Motor Vehicle Body Repair Facility requiring a variance for the use.

**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 Northeast Employment Character Area and is designated Business Employment in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits a variety of employment and some commercial uses, including motor vehicle repair and motor vehicle body repair facilities. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area.

The applicant is seeking an extension to the previous approvals granted by the Committee under files A102/16 & A459/10. Given that the Motor Vehicle Repair Facility – Restricted is permitted as of right, the request solely relates to the proposed Motor Vehicle Body Repair Facility. This use is only permitted in an E3 zone given its anticipated impacts to abutting properties and uses. In this instance the subject property is located in close proximity to an existing E3 zone and the airport. It benefits from a substantial setback to the nearest residential zone and is incidental to the permitted repair facility. Staff are therefore satisfied that the additional external impacts when compared to an as of right condition are minimal.

Given the above Planning staff are satisfied that the application maintains the general intent and purpose of both the official plan and zoning by-law, is minor in nature, and represents appropriate development of the subject property.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference are photos depicting the subject property.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

In the absence of a Development application we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed. The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

For scope of work that does not require Site Plan Approval/Building Permit/Zoning Certificate of Occupancy Permit, the applicant may consider applying for a Preliminary Zoning Review application. A detailed site plan drawing and architectural plans are required for a detailed zoning review to be completed. A minimum of 6-8 weeks is required depending on the complexity of the proposal and the quality of information submitted.

Comments Prepared by: Brooke Herczeg, Zoning Examiner

Appendix 3 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Patrycia Menko, Junior Planner