

City of Mississauga Department Comments

Date Finalized: 2023-03-01	File(s): A709.22
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2023-03-09 1:00:00 PM

Consolidated Recommendation

The City recommends the application be deferred.

Application Details

The applicant requests the Committee to approve a minor variance to allow an existing parking lot proposing 283 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 345 parking spaces in this instance.

Amendments

Municipal Parking staff advise that the requested minor variance be amended per the below:

1. 283 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 336 parking spaces, in this instance.

The amended minor variance should be confirmed by Zoning Staff.

Background

Property Address: 2500 Royal Windsor Dr

Mississauga Official Plan

Character Area: Southdown Employment Area
Designation: Industrial

Zoning By-law 0225-2007

Zoning: E3-1 - Employment

Other Applications: SP 19-140, PAM 19-273

Site and Area Context

The subject property is located within the Southdown Employment Character Area, east of the Royal Windsor Drive and Winston Churchill Boulevard intersection. The subject property is an industrial site containing a warehouse and two-storey office building. The immediate area consists of industrial and commercial uses along Royal Windsor Drive.

The applicant is proposing an addition to the existing warehouse on the subject property requiring a variance for reduced parking.



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 Southdown Employment Area, and is designated Industrial on Schedule 10 of the Mississauga Official Plan (MOP).

The application is proposing parking reductions. 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. Section 8.4 of the official plan contemplates potential reductions in parking requirements and/or alternative parking

arrangements in appropriate situations. Municipal Parking staff have reviewed the variance request and note as follows:

With respect to Committee of Adjustment application 'A' 709/22, 2500 Royal Windsor Drive, the Applicant is requesting the Committee to approve a minor variance to allow an existing parking lot proposing:

1. 283 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 345 parking spaces, in this instance.

Per the materials provided by the Applicant, the subject site is currently used for warehousing/distribution and corporate office space. The intention of the Applicant is to expand the existing warehouse by 9,250 m² resulting in a total warehouse area of 27,440 m². The proposed (existing) parking arrangement allows for 283 parking spaces, whereas 336 parking spaces are required, resulting in a deficiency of 53 parking spaces or 16%. The Applicant advised that the parking demand on site is not planned to increase as the expansion is to support continued growth with limited increase in staff.

Municipal Parking staff advise that the Applicant utilised an incorrect and higher parking rate for the existing office use to calculate the parking requirements. The correct parking rate of 3.0 spaces/100 m² GFA non-residential for office use could potentially lower the Applicant's parking requirement. Further, the Applicant should verify that Gross Floor Area (GFA) is being utilized to determine parking requirements and not ground floor area.

Municipal Parking staff advise that the requested minor variance be amended per the below:

2. 283 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 336 parking spaces, in this instance.

The amended minor variance should be confirmed by Zoning Staff.

Municipal Parking staff are concerned about the current lack of detail regarding the existing and proposed parking demand of the office and warehouse/distribution facility. As the site is currently in operation, existing parking utilization information from the site should be surveyed. Staff require additional information regarding the existing and proposed parking demand at the subject site.

As the parking deficiency is greater than 10%, per the Parking Terms of Reference a Parking Utilization Study is required. The Applicant should refer to the City's Parking Terms of Reference for parking justification requirements to be included with a formal submission. The Applicant should confirm the survey methodology with staff prior to conducting parking surveys.

Given the above, Staff require the application be deferred pending the submission of a satisfactory Parking Utilization Study (PUS).

Planning staff echo comments from Municipal Parking staff and recommend that the application be deferred pending the submission of a satisfactory Parking Utilization Study.

City Department and Agency Comments	File:A709.22	2023/03/01	4
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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' 709/22.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to confirm the accuracy of the requested variance(s) or determine whether additional variance(s) may be required.

Furthermore, we note that a Building Permit and or Certificate of Occupancy is required.

The applicant is advised that a completed zoning review may identify additional instances of zoning non-compliance. The applicant may consider applying for a preliminary zoning review application and submit working drawings for a detailed zoning review to be completed. A minimum of 6-8 weeks will be required to process a preliminary zoning review application depending on the complexity of the proposal and the detail of the information submitted.

Comments Prepared by: Brooke Herczeg, Zoning Examiner

Appendix 3 – Credit Valley Conservation

Re: CVC File No. A 22/709

Municipality File No. A 709/A22

Nestle Purina (Todd Cooney, Business Executive Officer)

2500 Royal Windsor Dr

City of Mississauga

Credit Valley Conservation (CVC) staff have reviewed the subject application and offer comments based on the following roles and responsibilities:

1. Delegated Responsibilities – providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 3.1 of the Provincial Policy Statement (2020);
2. Regulatory Responsibilities – providing comments to ensure the coordination of requirements under the Conservation Authorities Act Section 28 regulation, to eliminate unnecessary delay or duplication in process;

3. Source Protection Agency – providing advisory comments to assist with the implementation of the CTC Source Protection Plan under the Clean Water Act, as applicable.

SITE CHARACTERISTICS:

Based on our mapping, the subject property is located within the floodplain associated with Avonhead Creek. It is the policy of CVC and the Province of Ontario to conserve and protect the significant physical, hydrological and biological features associated with the functions of the above noted characteristics and to recommend that no development be permitted which would adversely affect the natural features or ecological functions of these areas.

ONTARIO REGULATION 160/06:

The property is subject to the Development, Interference with Wetlands, and Alterations to Shorelines & Watercourses Regulation (Ontario Regulation 160/06). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

Proposal:

The property owner of 2500 Royal Windsor Dr, zoned E3-1 - Employment, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an existing parking lot proposing 283 parking spaces whereas By-law 0225- 2007, as amended, requires a minimum of 345 parking spaces in this instance.

Comments:

CVC staff have reviewed the provided information and have **no concerns** with the requested minor variance and **no objection** to the approval of this minor variance by the Committee at this time.

Based on the information provided (drawing) it appears that an expansion to the existing warehouse as well as road paving are being proposed. It is anticipated that these proposed works will be subject to a Plan Review application through the City of Mississauga. A CVC permit is required for this proposal as it appears to be located within a CVC Regulated Area.

Please note a fee of \$478 is outstanding for this minor variance application. Please contact CVC Head Office at 905-670-1615 ext. 0 for payment via credit card or via cheque (addressed to Credit Valley Conservation, referencing the minor variance application number).

Comments Prepared by: Beata Pakulski – Junior Planner, Planning and Development Services

City Department and Agency Comments	File:A709.22	2023/03/01	7
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Appendix 4 – Region of Peel

Minor Variance Application: A-709/22, 2500 Royal Windsor Drive

Development Planning: Patrycia Menko (905) 791-7800 x3114

Comment:

- Please be advised that the subject property is located within the limits of the regulated area of the Credit Valley Conservation (CVC) Authority. Regional Planning staff, therefore, request that the Committee and City staff consider comments from the CVC Authority and incorporate their conditions of approval appropriately.

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