

City of Mississauga Department Comments

Date Finalized: 2022-11-16	File(s): A568.22
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2022-11-24 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

The applicant requests the approval of the Committee to allow an addition to an existing building proposing:

1. A front yard setback of 6.04m (approx. ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.50m (approx. ft) in this instance; and,
2. 61 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 64 parking spaces in this instance.

Background

Property Address: 6225 Danville Rd

Mississauga Official Plan

Character Area: Gateway Employment Area
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2- Employment

Other Applications: SP 22-42

Site and Area Context

The subject property is located north-west of the Highway 410 and Highway 401 interchange. It currently contains a single storey warehouse with an associated office area. Vegetative elements are generally limited to the property lines, characteristic of the surrounding area. The surrounding area predominantly contains employment uses with varying built forms and lot sizes.

The applicant is proposing to construct an addition to the existing warehouse requiring variances for front yard setback and 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 of the four tests to this minor variance request are as follows:

The subject property is located in the Gateway Employment Area and is designated Business Employment in Schedule 10 of the Mississauga Official Plan. This designation permits a variety of employment uses.

Variance 1 requests a reduction in the front yard setback. Section 9 of the 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 intent of the front yard setback provision is to ensure sufficient space in the

front of the property for landscaping and an appropriate setback from the street. A portion of the existing building already projects to the requested setback, and the application proposes to continue that same setback along to the side wall of the warehouse. The reduction of the front yard will not be for the entirety of the structure and maintains an appropriate area for landscaping between the structure and the street. Staff are therefore satisfied that the proposal maintains an appropriate setback from the street and is compatible in the surrounding context.

Variance 2 requests 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 note as follows:

Per the materials provided by the Applicant, the subject site is currently used for warehousing/distribution and associated office space. The intention of the Applicant is to expand the existing warehouse resulting in a total Gross Floor Area of 5,837.25 m². The proposed parking arrangement allows for 61 parking spaces, whereas 64 parking spaces are required, resulting in a deficiency of 3 parking spaces or 5%. The Applicant advised that the parking reduction is required due to limited lot area available to provide the required amount of parking spaces.

On October 31, 2022 staff requested a Parking Justification Letter that explains the context/details of the site operation, existing and proposed staffing, utilization of the existing and proposed parking area etc. If/when updated details of the subject site are received, these will need to be reviewed by Municipal Parking staff.

As the proposed parking deficiency is less than 10%, per the Parking Terms of Reference a Parking Justification Letter 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.

Given the above, Staff require the application be deferred pending the submission of a satisfactory Parking Justification Letter.

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 proposed addition will be addressed through the Building Permit Process.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan application under file SP 22-42 W5. Based on review of the information currently available in this permit application, variance # 1, as requested is correct.

We also 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 permit application submitted on 07/21/2022 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- Region of Peel

We have no comments or objections.

Comments Prepared by: Patrycia Menko, Junior Planner