

City of Mississauga Department Comments

Date Finalized: 2023-08-16	File(s): A264.23
To: Committee of Adjustment	Ward: 9
From: Committee of Adjustment Coordinator	Meeting date:2023-08-24 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be refused.

Application Details

The applicant requests the Committee to approve a minor variance to permit a Motor Vehicle Sales, Leasing and/or Rental Facility- Restricted in an E2-1 Zone for a temporary period of 5 years whereas By-law 0225-2007, as amended does not permit a Motor Vehicle Sales, Leasing and/or Rental Facility- Restricted in an E2-1 Zone in this instance.

Background

Property Address: 6610 Turner Valley Road

Mississauga Official Plan

Character Area: Meadowvale Business Park CC
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2-1- Employment

Other Applications: None

Site and Area Context

The subject property is located west of the Erin Mills Parkway and Mississauga Road intersection in the Meadowvale Business Park Corporate Centre. It currently contains a two

storey office building with frontage onto both Turner Valley Road and Torquay Mews. It contains some vegetation located solely on the frontage of the subject property. The surrounding area consists predominantly of office buildings, a place of religious assembly to the west, a motor vehicle sales facility, the Meadowvale hockey arena to the east and vacant employment lands to the south.

The applicant is proposing a Motor Vehicle Sales, Leasing and/or Rental Facility – Restricted, requiring a variance for the use.



The variance proposes to facilitate a restricted motor vehicle sales facility use in a zone where it is not permitted. The intent and purpose of the zoning by-law is to permit motor vehicle retail uses in Commercial zones with other retail uses and not in employment zones as of right. The use requested is limited solely to the C3 zone. Staff note that vehicle sales and rentals are permitted within the E2 zone, however it is limited to commercial vehicles and not regular cars. This is due to the use serving the surrounding businesses, their commercial vehicle needs and the intensity of the use when selling, renting and repairing those types of commercial motor vehicles. Planning staff are of the opinion that the intent and purpose of the zoning by-law are not maintained by permitting uses not intended in the zone category and in accordance with an entirely different zoning framework.

Staff further note the cover letter submitted by the applicant provides information concerning vacant lands on the western portion of the subject property which were utilized by the adjacent motor vehicle sales facility to park inventory vehicles. Staff note the vacant lands are located to the south of the subject property, and is a separate parcel with a different municipal address from the subject property. Further, staff can confirm that no development applications have been granted approval by the City to allow for outdoor storage of motor & commercial vehicles or for the establishment of a parking lot for motor vehicles in excess of 14 days. It appears that the previous outdoor storage of motor and commercial vehicles was not legally established.

Staff are therefore of the opinion that the proposed variance does not maintain the general intent and purpose of the zoning by-law and does not represent appropriate development of the lands. The requested use was intentionally prohibited from Employment zones and is not minor in nature.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Information submitted with the application identifies the location of the lands as being 6610 Turner Valley Road. The Site Plan provided depicts a “Proposed Vehicle Display/Storage Area” located at the westerly portion of the site (which is currently vacant) where the municipal address is 2155 Torquay Mews. It should be noted that this westerly portion was the subject of a previous variance, File ‘A’ 175/13 which requested a parking lot and we had some concerns.

As we noted under the previous variance, File ‘A’ 175/13, and again with the current request, we would have no objections to the request, however, we do have some concerns and suggestions which should be taken into consideration should Committee see merit in the request. From our site inspection and photos it is evident that there is no landscape buffer between any vehicles which would be parked/stored on site and the municipal sidewalk and vehicles could easily drive over the curb and sidewalk creating unsafe vehicular movements onto Torquay Mews. In addition during periods when the sod within the boulevard area is wet it there could be some mud tracking onto the roadway.

In view of the above, and should Committee see merit in the request we would recommend some type of landscaping or barrier (concrete curbs/fencing) be provided which would restrict and control any vehicular access onto Torquay Mews for any vehicles entering and exiting the site.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

We note that a Zoning Certificate of Occupancy Permit is required. In the absence of a Zoning Certificate of Occupancy Permit 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.

Comments Prepared by: Brooke Herczeg, Zoning Examiner

Appendix 3 – Metrolinx

6610 Turner Valley Road

Metrolinx is in receipt of the minor variance application for 6610 Turner Valley Rd to permit a Motor Vehicle Sales, Leasing/Rental Facility for a period of 5 years. Metrolinx's comments on the subject application are noted below:

- The subject property is located partially within 300m of Canadian Pacific Railway's (CP Rail) Galt Subdivision which carries Metrolinx's Milton GO Train service.
- The Proponent is advised the following:

Warning: Metrolinx and its assigns and successors in interest operate commuter transit service within 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, Project Analyst

Appendix 4- Region of Peel

Minor Variance Application: A-23-264M – 6610 Turner Valley Road

Development Engineering: Camila Marczuk (905) 791-7800 x8230

Comments:

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. Regional site servicing connection approvals are required prior to the local municipality issuing full building permit. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca

Planning: Patrycia Menko (905) 791-7800 x3114

Comments:

- The subject site is located within a Regional Employment Area, identified on Schedule E-4 of the Regional Official Plan (ROP). The subject site is also located within a Provincially Significant Employment Zone, identified on Figure 12 of the ROP.
- The proposed temporary use to permit an Office Building and a Motor Vehicle Sales, Leasing and/or Rental Facility – Restricted does not meet the definition and intents of Employment Area in the ROP and ROP Employment policies 5.8.
- The proposed variance does not keep with the general intent of the ROP and Mississauga Official Plan Business Employment policies. Employment areas are to be protected for employment uses, as per ROP policy 5.8.26, whereas a Motor Vehicle Sales, Leasing and/or Rental Facility is considered a retail use.
- The Region is not in support of the minor variance application.

Comments Prepared by: Patrycia Menko, Junior Planner