

# City of Mississauga Department Comments

Date Finalized: 2023-10-25	File(s): A329.22
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2023-11-02 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 parking relief for a warehouse proposing:

1. To permit 54 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 156 parking spaces in this instance;
2. To provide tandem parking for all uses whereas By-law 0225-2007, as amended, permits tandem parking for industrial uses in this instance; and,
3. To provide a landscape buffer of 2.5m (approx. 8.20ft) whereas By-law 0225-2007, as amended, requires a 3.00m (approx. 9.84ft) landscape buffer in this instance.

## Background

**Property Address:** 1700 Sismet Rd

### Mississauga Official Plan

Character Area: Northeast Employment Area  
Designation: Industrial

### Zoning By-law 0225-2007

**Zoning:** E3 - Employment

**Other Applications:** C 22-556, C 22-597 & C 22-609

### Site and Area Context

The subject property is located on the south east of Dixie Road and Matheson Boulevard East intersection. It currently contains a one storey industrial building with an associated paved lot containing numerous motor vehicles, commercial motor vehicles and tires stored outdoors. The building has a lot area of 6,704.4m<sup>2</sup> (72,166ft<sup>2</sup>) with no landscaping and vegetative elements present on the subject property. The surrounding area consists exclusively of industrial uses on lots of varying sizes, with some properties containing limited soft landscaping in the front yard.

The applicant is proposing variances for parking relief and a landscape buffer.



## 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 Area and is designated Industrial in Schedule 10 of the Mississauga Official Plan. The industrial designation permits a variety of employment, repair and warehousing uses.

Variance 1 requests a parking reduction. 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 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' 387.23, 1700 Sismet Road, the Applicant is requesting the Committee to approve a minor variance to allow reduced parking for the subject property and proposing:

A total of 54 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 156 parking spaces in this instance.

Per the materials provided by the Applicant, the subject property is currently occupied by a Warehouse/Distribution Facility with a Gross Floor Area (GFA) of 1,270 square meters, a Motor Vehicle Repair Facility with a GFA of 919 square meters, and a Place of Religious Assembly with a GFA of 1,015 square meters. The Applicant explained that the previously proposed 60 parking spaces were reduced to 56 due to additional landscape buffer and accessible parking requirements. The subject property is located within E3 Zoning Area, Parking Precinct 4.

Per Section 3.1.1.2 of Mississauga Zoning By-law, Warehouse/ Distribution Facility uses located in Parking Precinct 3 require a minimum of 1.1 parking spaces per 100 square meters of non-residential GFA; Motor Vehicle Repair Facility uses require a minimum of 4.3 parking spaces per 100 square meters of non-residential GFA; and Place of Religious Assembly uses require a minimum of 10.0 parking spaces per 100 square meters of non-residential GFA in this case. Therefore, the total minimum required number of parking spaces for the subject property would be 156 combining all uses. As such, 156 parking spaces are required whereas only 54 parking spaces can be accommodated, which generates a parking deficiency of 102 spaces or 65.4%.

As the proposed parking deficiency exceeds 10%, a satisfactory Parking Utilization Study (PUS) is required as per the City's Parking Terms of Reference provision.

The Applicant submitted a Parking Justification Study dated May 31, 2023, prepared by nEngineering Inc. A five-day on-site parking survey over two weeks at the subject site was undertaken in January 2023 to assess the parking demand and supply of the existing developments. The survey involved collecting data on marked, unmarked, and off-site parking spots to determine the maximum occupancy and utilization rate, and evaluated the 95th percentile demand value. The results of the survey indicated that a peak parking demand of 66 spaces was observed on a Sunday morning at 11:30 a.m. when the Place of Religious Assembly was in use. The observed peak parking demand ratio was 1.84 spaces per 100 square meters of non-residential GFA using the 95<sup>th</sup> percentile calculation.

The Applicant provided shared parking agreements with neighboring properties at 1690 Sismet Road and 1715 Sismet Road which state that an additional 13 parking spaces can be accommodated on Sundays. However, the agreements were not drafted using the standard Off-site Parking Agreement template that is provided by the City. Staff have requested the Applicant provide the off-site parking agreements on the City's template agreement and that all requirements outlined in the City's agreement template be met.

The use of the City's Off-Site Parking Agreement template allows the City to be a signatory to the agreement and ensures that the dedicated parking is available, good neighbor relations between adjacent property owners are maintained, ensures the

public's interests are accounted for, and confirms the agreement remains in place for the requested duration.

Zoning staff have advised that more information is required to verify the accuracy of the requested variance.

Given the above, Municipal Parking staff recommend that the application be deferred.

Planning staff have contacted the applicant to apply for an additional off-site parking variance as well as the submission of the City's Off-Site Shared Parking Agreement template. The applicant for the subject property responded by stating that the neighbouring properties at 1690 and 1715 Sismet Road are receptive to permitting off-site parking, but do not wish to enter into an agreement with the City as a signatory. The applicant references future expansion plans and having a parking agreement in perpetuity is excessive for the neighbouring property owners. Staff note the additional variance and parking agreement are required to ensure the parking requirements can be met.

Variance 2 requests that tandem parking be permitted for all uses on the subject property. The applicant has revised their request since the original application, reducing the tandem parking spaces at the front of the building from 18 to 2 spaces. While staff were unable to support the application in its original configuration, staff are of the opinion that the revised parking area in the front of the building more appropriately fits the property and surrounding context.

Variance 3 proposes a reduced landscaped buffer. The intent of the landscape buffer is to ensure that an appropriate buffer exists abutting all lot lines and the permissible parking area is separate from the municipal right of way. The proposed 2.5m (8.2ft) landscape buffer is measured to a pinch point at the corner of a single parking stall and increases to maintain the required 3m (9.84ft) buffer along the rest of the subject property's frontage. Transportation & Works Department staff noted in their previous comments that having a landscape buffer would facilitate separate parking areas, alleviate vehicular manoeuvrability concerns and prevent random parking patterns along the frontage resulting in improved site visibility. Provided that the asphalt area directly in front of the building is not utilized for parking or any vehicular maneuverability purposes, Transportation & Works Department would have no further concerns with the applicant's request and proposed parking area in the front yard. Staff therefore have no concerns with the request given an appropriately sized landscaped buffer is provided for the majority of the front property line and parking areas are adequately dispersed along the frontage.

Given the above, staff recommend the application be deferred in order to allow the applicant to seek an additional off-site parking variance and submit the required shared parking agreement.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

In our previous comments we indicated that the Site Plan submitted (Sheet No: ASP-1) depicted a total of 24 tandem parking spaces across the frontage of the industrial buildings which we did not support. The revised Site Plan received by the Committee of Adjustment office on September 26, 2023 has eliminated most of the previously depicted parking across the frontage of the property and now only depicting a few parking spaces. The parking spaces depicted are located at the front of the building and will be accessible by both access points to the property.

The revised Site Plan submitted does depict a small landscape buffer area abutting the property line and another landscape area directly in front of one of the buildings, however there is no information with regards to what is proposed within the existing portion of the asphalt area across the frontage. Provided that the asphalt area directly in front of the building not be utilized for parking or any vehicular maneuverability purposes, we would have no further concerns with the applicant's request.













Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

The Building Department is currently processing applications under file C 22-556, C 22-597 & C 22-609. 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 permit application 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: Alana Zheng, Planner Zoning Examination



**Appendix 3 – Region of Peel**

Please apply previous comments.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner