

City of Mississauga Department Comments

Date Finalized: 2023-11-01 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): A406.23 Ward: 5
	Meeting date:2023-11-09 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 parking on the property proposing 62 parking spaces (including 45 tandem) whereas By-law 0225-2007, as amended, requires 93 parking spaces (including 47 tandem) in this instance.

Background

Property Address: 1250 Mid-Way Blvd

Mississauga Official Plan

Character Area: Northeast Employment Area (West)
Designation: Industrial

Zoning By-law 0225-2007

Zoning: E3- Employment

Other Applications: C23-7936

Site and Area Context

The subject property is located south-east of the Derry Road East and Highway 410 interchange in the Northeast Employment Area. It currently contains a one-storey industrial building and has a lot frontage of +/- 38.37m (125.88ft) and a lot area of 0.52ha (1.28ac). There is minimal

vegetation and landscaping on the subject property, which is characteristic of the larger area. The surrounding context includes one and two storey industrial and office buildings.

The applicant is proposing an additional Motor Vehicle Sales use, requiring a variance for a parking deficiency.



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 in the Northeast Employment (West) Character Area and is designated Industrial in Schedule 10 of the Mississauga Official Plan (MOP).

The proposed variances requests a reduction in the total number of parking spaces. 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' 406.23, 1250 Mid-Way Boulevard, the Applicant is requesting the Committee to approve a minor variance to allow reduced parking for the subject property and proposing:

A total of 62 parking spaces (including 45 tandem) whereas By-law 0225-2007, as amended, requires 93 parking spaces (including 47 tandem) in this instance.

Per the materials provided by the Applicant, the subject property is currently occupied by a Motor Vehicle Repair Facility with a Gross Floor Area (GFA) of 2,165 square meters. The variance is triggered by the introduction of an additional Motor Vehicle Sales use. The subject property is located within E3 Zoning Area, Parking Precinct 4.

Per Section 3.1.1.2 of Mississauga Zoning By-law, Motor Vehicle Sales uses located in Parking Precinct 4 require a minimum of 4.3 parking spaces per 100 square meters of non-residential GFA. Therefore, the total minimum required number of parking spaces for the subject property would be 93. The Applicant proposes a total of 62 parking spaces. As such, 93 parking spaces are required whereas only 62 parking spaces can be accommodated, which generates a parking deficiency of 31 spaces or 33%.

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 did not provide a PUS as justification for the proposed parking deficiency. 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.

Zoning staff have advised that the requested variance is correct.

Given the above, Municipal Parking staff recommend the application be deferred pending the submission of a satisfactory Parking Utilization Study (PUS).

Planning staff echo Municipal Parking staff's comments and therefore recommend that the application be deferred to allow the applicant to submit the requested information.

Comments Prepared by: Daniel Grdasic, 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

The Building Department is processing a Certificate of Occupancy application C23-7936. Based on review of the information available in this application, we advise that the variances, as requested, are correct.

Please note that comments reflect those provided through the above application. These comments may no longer be valid should there be changes contained within this Committee of Adjustment application that have not been submitted and reviewed through the application noted above. The applicant must submit any changes and/or updates to information and/or drawings separately through the above application in order to receive updated comments.

Comments Prepared by: Andrea Patsalides, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

The Parks and Culture Planning Section of the Community Services Department has no objections to the above noted minor variance application and advises as follows:

The lands adjacent to the property are owned by the City of Mississauga, identified as Not To Be Named (P-249) *(Between 410 and Dixie North of Ordan Rd), classified as a Significant Natural Area within the City's Natural Heritage System, and zoned G1. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:

- a) ensuring that development in or adjacent to the Natural Heritage System protects and maintains the natural heritage features and their ecological functions through such means as tree preservation, appropriate location of building envelopes, grading, landscaping...;

Should the application be approved, Community Services provides the following notes:

1. No parking is permitted within the adjacent City owned park/greenlands.
2. If future construction is required, access from the adjacent park/greenlands is not permitted.
3. If access is required to City owned lands, a Consent to Enter Agreement/Park Access Permit will be required.
4. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.

Should further information be required, please contact Nicholas Rocchetti, Park Planning Assistant, Community Services Department at 905-615-3200 ext. 4659 or via email Nicholas.Rocchetti@mississauga.ca.

Comments Prepared by: Nicholas Rocchetti, Parks Planning Assistant

Appendix 4 – Region of Peel

Minor Variance: A-23-406M / 1250 Mid-Way Blvd

Planning: Ayooluwa Ayoola (905) 791-7800 x8787

Comments:

- The subject land is in the regulated area of the Credit Valley Conservation Authority (CVC). We rely on the environmental expertise of the CVC for the review of development applications located within or adjacent to the regulated area in Peel and the impact of natural hazards on proposed development. We therefore request that the City staff consider comments from the CVC and incorporate their requirements appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the CVC.
- The subject land is located within the Credit Valley Conservation Authority (CVC) Flood Plain. The Regional Official Plan (ROP) designates floodplains as a natural hazard under Policy **2.16.11**. Within this designation, ROP policies seek to ensure that development and site alterations do not create new or aggravate existing flood plain management problems along flood susceptible riverine environments. We rely on the environmental expertise of the **CVC** for the review of development applications located within or adjacent to natural hazards in Peel. We, therefore, request that City staff consider comments from the **CVC** and incorporate their conditions of approval appropriately.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner