

City of Mississauga Department Comments

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| Date Finalized: 2024-01-10 | File(s): A19.24 Ward: 5 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2024-01-18 1:00:00 PM |

Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

The applicant requests the Committee to approve a minor variance to allow parking and a change of use proposing:

1. A Motor Vehicle Repair Garage use whereas By-law 0225-2007, as amended, does not permit a Motor Vehicle Repair Garage use in this instance; and,
2. 66 parking spaces whereas By-law 0225-2007, as amended, requires 160 parking spaces in this instance.

Background

Property Address: 6731 Columbus Road- Units 13 and 14

Mississauga Official Plan

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

Zoning By-law 0225-2007

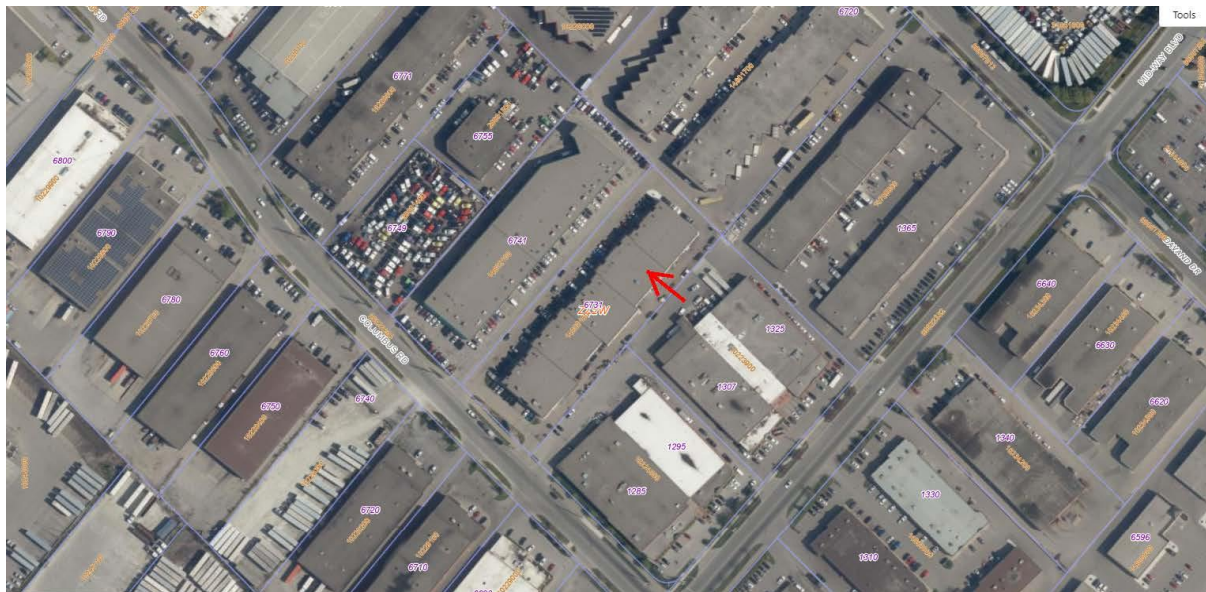
Zoning: E3- Employment

Other Applications: None

Site and Area Context

The subject property is located south-west of the Dixie Road and Derry Road East intersection in the Northeast Employment Area. The property contains a single storey industrial building containing multi-tenant industrial units with little vegetation and landscaping, which is mostly located along the property frontage. The context of the surrounding area consists of varied sizes of industrial buildings.

The applicant is proposing to change the use of the property, requiring variances for a motor vehicle repair facility use and a parking deficiency.



The variance proposes a reduction in the required parking rate. 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 on 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' 19.24, 6731 Columbus Road- Units 13 and 14, the Applicant is requesting the Committee to approve a minor variance to allow reduced parking for the subject property and proposing:

A total of 66 parking spaces whereas By-law 0225-2007, as amended, requires 160 parking spaces in this instance.

Per the materials provided by the Applicant, the subject property consists of a one-storey building with 18 commercial units. The proposed new use at units 13 and 14 is a Motor Vehicle Body Repair Facility with a Gross Floor Area (GFA) of 505.82 square meters. The requested variance was triggered by the change of 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 Body Repair Facility uses located in Parking Precinct 4 require a minimum of 4.3 parking spaces per 100 square meters of non-residential GFA. The Applicant provided a Parking Allocation Report obtained from Zoning Department and verified the parking requirements and existing parking supply of the entire property. The total minimum required number of parking spaces for the subject property is 160, and the Applicant proposes a total of 66 parking spaces. As such, 160 parking spaces are required whereas 66 parking spaces can be accommodated, which generates a parking deficiency of 94 spaces or 58.8%.

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 Utilization Study dated October 22, 2023, prepared by Harper Dell & Associates. A six-day parking survey was undertaken at the subject site in September 2023. The results of the survey indicate that the peak parking demand was observed on Wednesday, September 18 at 3:00 p.m. & 5:30 p.m., with a total of 59 occupied parking spaces on site, which represents a utilization rate of 89% and a demand ratio of 2.19 spaces per 100 square meters. Compared to the overall required minimum parking rate of 3.69 spaces per 100 square meters, the observed peak parking ratio suggests a lower parking demand for the subject site.

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

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Given the above, Municipal Parking staff can support a total of 66 parking spaces whereas By-law 0225-2007, as amended, requires 160 parking spaces in this instance.

Planning staff echo Municipal Parking staff's comments and are of the opinion that the variance maintains the general intent and purpose of the official plan and zoning by-law, is minor in nature and represents appropriate development of the subject property.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference are photos of the subject property.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

In the absence of a Development application 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.

For scope of work that does not require Site Plan Approval/Building Permit/Zoning Certificate of Occupancy Permit, the applicant may consider applying for a Preliminary Zoning Review application. A detailed site plan drawing and architectural plans are required for a detailed zoning review to be completed. A minimum of 6-8 weeks is required depending on the complexity of the proposal and the quality of information submitted.

Comments Prepared by: Alana Zheng, Planner Zoning Examination

Appendix 3 – Region of Peel

Minor Variance: A-24-019M / 6731 Columbus Rd – Unit 13&14

Planning: Ayooluwa Ayoola (905) 791-7800 x8787

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. However, this application will not be supported as it does not keep with the general intent of the ROP and Mississauga Official Plan Business Employment policies.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner

Appendix 4- TRCA

Re: Minor Variance Application – A19.24

6731 Columbus Road, Units 13 and 14

City of Mississauga, Region of Peel

This letter acknowledges receipt of the subject application, received on December 12, 2023. Toronto and Region Conservation Authority (TRCA) staff have reviewed the application and the circulated materials listed in Appendix A to this letter in accordance with Ontario Regulation 686/21 and Ontario Regulation 166/06.

TRCA staff have reviewed the submission in accordance with Section 21.1(1) of the Conservation Authorities Act, which requires TRCA to provide programs and services related to the risk of natural hazards within its jurisdiction. The standards and requirements of such mandatory programs and services are listed under Ontario Regulation 686/21. Specifically, the regulation requires that TRCA must, acting on behalf of the Ministry of Natural Resources and Forestry (MNRF) or in its capacity as a public body under the Planning Act, ensure that decisions under the Planning Act are consistent with the natural hazard policies of the Provincial Policy Statement (PPS) and conform to any natural hazard policies in a provincial plan.

We have also reviewed the application in accordance with Ontario Regulation 166/06. TRCA must ensure that where development and/or site alteration is proposed within an area regulated by the Authority under Ontario Regulation 166/06, that it conforms to the applicable tests and associated policies (Section 8 of TRCA's The Living City Policies) for implementation of the regulation.

Please also note that updates to the Conservation Authorities Act and Ontario Regulation 596/22, which came into effect on January 1, 2023, prevent TRCA from providing municipal programs and services related to reviewing and commenting on a proposal under the Planning Act, such as those services previously provided under plan review Memorandum of Understanding (MOU) with an upper or lower tier municipality. In conformity with Ontario Regulation 686/21 and Ontario Regulation 596/22, TRCA's review does not include comments pertaining to matters (e.g. natural heritage) outside of our core planning mandate and regulatory authority.

Purpose of the Application

TRCA staff understand that the purpose of Minor Variance Application assigned City File No. A19.24 is to allow parking and a change of use proposing: 1. A Motor Vehicle Repair Garage use whereas By-law 0225-2007, as amended, does not permit a Motor Vehicle Repair Garage use in this instance; and, 2. 66 parking spaces whereas By-law 0225-2007, as amended, requires 160 parking spaces in this instance.

It is our understanding that the requested variances are required to facilitate the change of use of Unit 14 to be used with Unit 13 which was previously approved as a Motor Vehicle Repair & Sales Restricted. The proposed works also include the development of parking spaces for a Commercial Auto Body Repair Shop (Olympic Express). In addition, it is our understanding that there are no exterior works being proposed at this time.

Ontario Regulation 166/06:

Under the provisions of Section 28 of the Conservation Authorities Act, TRCA administers a Development, Interference with Wetlands and Alterations to Shorelines and Watercourses regulation (Ontario Regulation 166/06). The subject property is partially located within TRCA's Regulated Area of the Etobicoke Creek Watershed. Specifically, the subject land is located partially within the Regulatory Flood spill area associated with a tributary of the Etobicoke

Creek. As such, a TRCA permit pursuant to Ontario Regulation 166/06 is required from this Authority prior to any development and/or site alteration taking place on the Regulated Areas on the property.

Application Specific Comments

Based on our review, the proposed change of use and parking spaces will be located within TRCA's regulated portion of the site. However, a TRCA permit is not required since there is no development per our Regulation taking place. TRCA staff have no concerns about the proposed variance, as currently submitted.

Recommendation

TRCA's staff have **no objection** to the above noted Minor Variance Application – A19.24. A TRCA permit pursuant to Ontario Regulation 166/06 may be required for any future works on the subject property.

Fee

TRCA staff thank the applicant for their prompt payment of the required planning review fee of \$1,250.00 received on January 5, 2023.

We thank you for the opportunity to review the Minor Variance Application and provide our comments. Should you have any additional questions or comments, please contact the undersigned.

Comments Prepared by: Marina Janakovic, Planner 1