

City of Mississauga Department Comments

Date Finalized: 2024-03-01	File(s): A206.23 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-03-07 1:00:00 PM

Consolidated Recommendation

The City recommends the application be deferred to submit the required documentation.

Application Details

The applicant requests the Committee to approve a minor variance to allow parking on the subject property proposing:

1. 67 parking spaces whereas By-law 0225-2007, as amended, requires 160 parking spaces in this instance; and,
2. 6 parking spaces for business operations whereas By-law 0225-2007, as amended, requires 20 parking spaces in this instance.

Amendments

The Building Department is processing Certificate of Occupancy application C 23-5969. Based on review of the information available in this application, we advise that following amendments are required:

The applicant requests the Committee to approve a minor variance to permit motor vehicle repair facility – restricted and motor vehicle body repair facility in Unit 7 & 8 on the subject property proposing:

1. 67 parking spaces whereas By-law 0225-2007, as amended, requires 160 parking spaces in this instance; and,
2. Parking aisle width of 5.6m (approx. 18.37ft) whereas By-law 0225-2007, as amended, requires minimum parking aisle width of 7.0m in this instance.

Background

Property Address: 6731 Columbus Road, Units 7 and 8

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: E3- Employment

Other Applications: C 23-5969

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 two-storey industrial building with multi-tenant industrial units and 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 variances for a parking deficiency and parking aisle width.



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

Variance 1 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' 206.23, 6731 Columbus Road, Units 7 and 8, the applicant requests the Committee to approve a minor variance to allow reduced parking for the subject property and proposes:

67 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 currently functions as a Motor Vehicle Repair Facility with a Gross Floor Area (GFA) of 463 square meters. The subject property is located within E3 Zoning Area, Parking Precinct 4.

Per Section 3.1.2.2 of Mississauga Zoning By-law, Motor Vehicle Repair Facility uses located in Parking Precinct 4 require a minimum of 4.3 spaces per 100 square meters of non-residential GFA. Therefore, with a proposed GFA of 463 square meters, a minimum of 20 parking spaces are required. Zoning staff have advised that the total number of required parking spaces for the entire property would be 160 spaces. There are a total of 67 parking spaces on the subject site. As such, 160 parking spaces are required whereas 67 parking spaces can be accommodated, which generates a parking deficiency of 93 spaces or 55.7%.

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.

Zoning staff have confirmed 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).

While Planning staff note no concerns with the parking aisle width variance, staff are in agreement with the comments from Municipal Parking staff and recommend deferral at this time to allow the applicant to complete the required parking justification study.

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 Certificate of Occupancy application C 23-5969. Based on review of the information available in this application, we advise that following amendments are required:

The applicant requests the Committee to approve a minor variance to permit motor vehicle repair facility – restricted and motor vehicle body repair facility in Unit 7 & 8 on the subject property proposing:

1. 67 parking spaces whereas By-law 0225-2007, as amended, requires 160 parking spaces in this instance; and,
2. Parking aisle width of 5.6m (approx. 18.37ft) whereas By-law 0225-2007, as amended, requires minimum parking aisle width of 7.0m in this instance.

Our comments may no longer be valid should there be changes in the Committee of Adjustment application that have yet to be submitted and reviewed through the Building Division application.

To receive updated comments, the applicant must submit any changes to information or drawings separately through the above application.

Comments Prepared by: Alana Zheng, Planner Zoning Examination

Appendix 3 – TRCA

Re: Minor Variance Application – A19.24
6731 Columbus Road, Units 13 and 14
City of Mississauga, Region of Peel
Owner: Olympic Express Inc. 2549790 Ontario Inc.
Agent: W.E. Oughtred & Associates Inc.

This letter acknowledges receipt of the second circulation of the subject application, received on February 5, 2024. 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 (MNR) 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 on the subject property proposing:

1. 67 parking spaces whereas By-law 0225-2007, as amended, requires 160 parking spaces in this instance; and,
2. 6 parking spaces for business operations whereas By-law 0225-2007, as amended, requires 20 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.

Background

On January 9, 2024, TRCA provided no objection to Minor Variance Application assigned City File No. A19.24 since there was no development per our Regulation taking place. TRCA staff thank the applicant for their prompt payment of the required planning review fee of \$1,250.00 received on January 5, 2023.

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.

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 I

Appendix 4 – Region of Peel

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Planner