

# City of Mississauga Department Comments

Date Finalized: 2024-04-17	File(s): A179.24 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-04-25 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 allow:

1. An indoor Motor Vehicle Sales, Leasing and/or Rental Facility - Restricted, whereas By-law 0225-2007, as amended, permits only a Motor Vehicle Sales, Leasing and/or Rental Facility - Commercial in this instance; and
2. 36 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 53 parking spaces in this instance.

## Background

**Property Address:** 1375 Britannia Rd E

### Mississauga Official Plan

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

### Zoning By-law 0225-2007

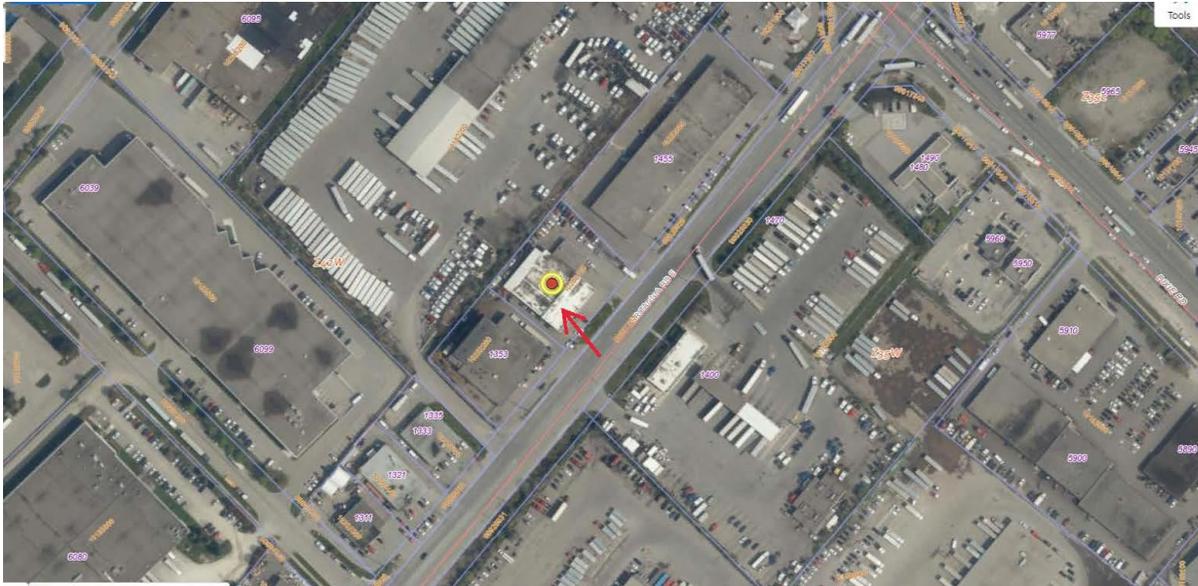
**Zoning:** E2-42

**Other Applications:** None

### Site and Area Context

The subject property is located within the Northeast Employment Area, west of the Britannia Road East and Dixie Road intersection. The subject property contains a one-storey building. The immediate neighbourhood mainly consists of employment and industrial uses.

The applicant is proposing to operate a retail motor vehicle establishment whereas the use is not permitted along with a variance for deficient parking spaces.



## 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 are as follows:

Staff note that the subject property was before the Committee of Adjustment under application A83.19 on March 7, 2019, for identical variances as the current application. Staff had recommended refusal, as the application failed to meet the four tests. The application was approved by the Committee for a period of 5 years, with the approval lapsing on April 1, 2024. The applicant is now requesting to extend the previous approval, with no changes proposed to the site.

Further, with reference to variance #2 pertaining to deficient parking spaces, Municipal Parking staff provide the following comments:

Per the materials provided by the applicant, the subject site currently operates as a Vehicle Sales Facility on a temporary five-year term with previous approval from the

Committee. The business owner contemplates renewing the previous approval to continue operating the business. The subject property has a non-residential Gross Floor Area (GFA) of 1,212.8 m<sup>2</sup> (13054.47 ft<sup>2</sup>). The subject site is located within E2-42 Zoning Area, Parking Precinct 4.

Per Section 3.1.2.2 of Mississauga Zoning By-law, Motor Vehicle Sales, Leasing and/or Rental Facility uses located in Parking Precinct 4 require a minimum of 4.3 parking spaces per 100 square meters of non-residential GFA. Therefore, with a non-residential GFA of 1,212.8 square meters, a minimum of 52 parking spaces are required. As such, 52 parking spaces are required whereas 36 parking spaces can be accommodated, which generates a parking deficiency of 16 spaces or 30.7%.

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

The applicant did not provide a PUS as justification for the proposed parking deficiency. The applicant should refer to the City's [Parking Study 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 accuracy of the requested variance can not be confirmed.

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

Given the above, Planning staff maintain their previous position and remain of the opinion that the application does not maintain the general intent or purpose of the official plan or zoning by-law, is not minor in nature, and does not represent appropriate development of the subject property.

Comments Prepared by: Shivani Chopra, Planning Associate

## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed are a number of photos which depict the subject property. From the enclosed photos it is evident that the on-site vehicular circulation can be best described as poor. We also note that the garbage bins located in close proximity/within the Britannia Road East Municipal Boulevard should be relocated to another location within 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: Minan Song, Planner in Training

### **Appendix 3 – Region of Peel**

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Planner