

City of Mississauga Department Comments

Date Finalized: 2024-04-17	File(s): A483.23
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2024-04-25 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

The applicant requests the Committee to approve a minor variance to allow parking on the property proposing 29 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 40 parking spaces in this instance.

Background

Property Address: 5435 Maingate Drive

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: E2-19- Employment

Other Applications: BP 3ALT 23 9373, C23-8958

Site and Area Context

The subject property is located on the east side of Maingate Drive, south of the Matheson Boulevard East intersection. It currently contains a one-storey industrial building and an associated surface parking lot. No landscaping and vegetative elements are present on the subject property. The surrounding area context is predominantly industrial, consisting of low rise

industrial buildings on lots of varying sizes. Commercial uses are present in the larger area context.

The applicant is proposing interior renovations and a change of use on the subject property and requires a variance for 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 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' 483.23, 5435 Maingate Drive, the applicant requests the Committee to approve a minor variance to allow reduced parking for the subject property and proposes:

29 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 40 parking spaces in this instance.

Per the materials provided by the applicant, the subject property is currently utilized as a Warehouse. The requested variance is triggered by the change of use to a Motor Vehicle Repair Facility for Commercial Motor Vehicles with a non-residential Gross Floor Area (GFA) of 931.88 square meters. The subject site is located within E2-19 Zoning Area, Parking Precinct 4.

Per Section 3.1.1.2 of Mississauga Zoning By-law, Motor Vehicle Repair 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 proposed GFA of 931.88 square meters, a minimum of 40 parking spaces would be required. The Applicant proposes 29 parking spaces on site. As such, 40 parking spaces are required whereas 29 parking spaces can be accommodated, which generates a parking deficiency of 11 spaces or 27.5%.

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 application with the same variance was previously deferred at the December 14, 2023 hearing due to the lack of a satisfactory PUS.

The applicant submitted a Parking Utilization Study dated February 6, 2024, prepared by Harper Dell & Associates. A five-day survey at the subject site was undertaken in January and February 2024. The results of the survey indicate that the peak parking demand at the subject site was observed on a Tuesday at 2 p.m., and again on Thursday at 12 p.m. within the same week. A total of 14 occupied parking spaces were observed on site, which represents a peak utilization rate of 48.2% and a peak demand ratio of 1.5 spaces per 100 square meters. The findings appear to be lower than the minimum parking requirement of 4.3 spaces per 100 square meters as stipulated by the Zoning By-law. Staff find that the results of the PUS are supportive of the requested parking reduction and therefore have no further objections to the requested variance.

Zoning staff have advised that the requested variance is correct.

Given the above, Municipal Parking staff can support 29 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 40 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 both 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 depicting the subject property.









Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Division is processing Certificate of Occupancy application C23-8958. Based on the review of the information available in this application, the requested variance(s) is/are correct.

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: Brooke Herczeg, Zoning Examiner

Appendix 3 – Region of Peel

Please apply previous comments.

Comments Prepared by: Ayooluwa Ayoola, Planner