

City of Mississauga Department Comments

Date Finalized: 2024-06-05	File(s): A254.24
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2024-06-13 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 a Motor Vehicle Sales use in Units 11 and 12 of 2666 Royal Windsor Drive whereas By-law 0225-2007, as amended, does not permit a Motor Vehicle Sales use in this instance.

Background

Property Address: 2666 Royal Windsor Drive

Mississauga Official Plan

Character Area: Southdown Employment Area
Designation: Industrial

Zoning By-law 0225-2007

Zoning: E3-1-Employment

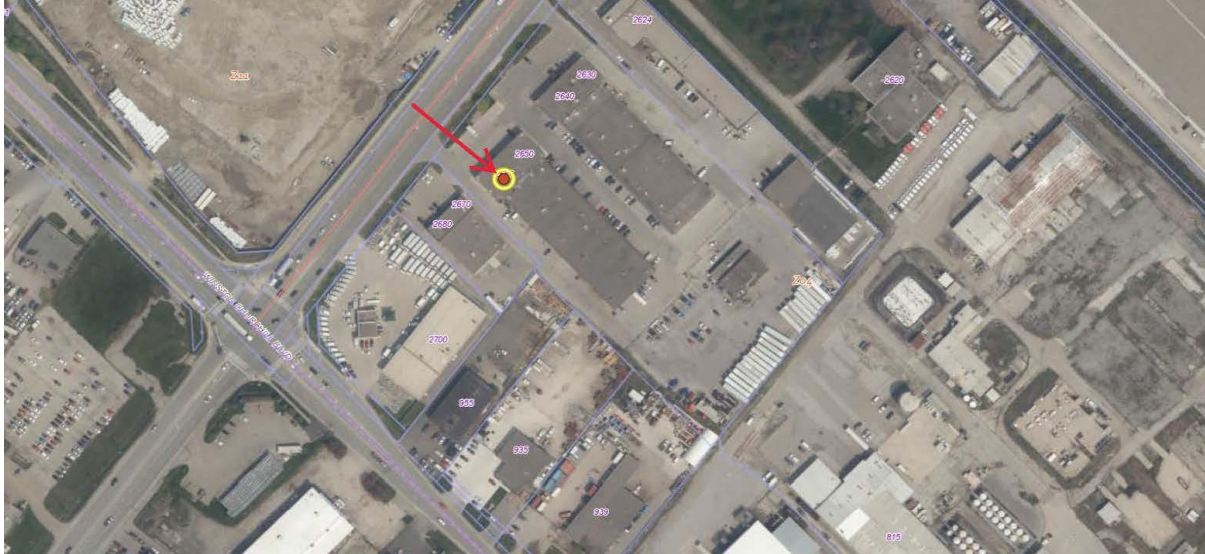
Other Applications: 21CDM-M 23-8; B41.2, A254.21, A255.21

Site and Area Context

The subject units are located within a plaza located south-east of the Winston Churchill Boulevard and Royal Windsor Drive intersection. The property contains 3 two-storey buildings with employment uses. The subject property is an interior parcel possessing minimal vegetation and landscape elements along the front lot line. The existing buildings and site configuration

reflect the industrial employment character of the broader surrounding area. Properties within the immediate vicinity possess minimal vegetation and landscaping which is kept to the periphery of each parcel.

The applicant is proposing a Motor Vehicle Sales use in Units 11 and 12 of the subject property.



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:

The subject site is designated "Industrial" in Schedule 10 of the Mississauga Official Plan limits motor vehicle uses to a motor vehicle repair facility, motor vehicle commercial and motor vehicle rental facility. The official plan only allows motor vehicle sales in a 'Mixed Use' designation. The intent of the official plan is to allow motor vehicle retail uses in a commercial zone with other retail uses and to not create a precedence in establishing retail car dealerships in other designations as of right. Therefore, staff are of the opinion that the variance does not maintain the general intent and purpose of the official plan.

The subject site is zoned 'E3-1' (Industrial). The variance proposes to permit a restricted motor vehicle sales use in a zone where it is not permitted. The intent and purpose of the zoning by-law is to permit motor vehicle retail uses in Commercial zones with other retail uses and not in employment zones as of right. The use requested is limited solely to the C3 zone. Staff note that vehicle sales and rentals are permitted within the E3 zone, however it is limited to commercial

vehicles and not regular vehicles. This is due to the use serving the surrounding businesses, their commercial vehicle needs and the intensity of the use when selling, renting, and repairing those types of commercial motor vehicles. Given the City's active decision to only permit the use in the C3 zone, staff are of the opinion that the intent and purpose of the zoning by-law are not maintained.

The official plan does not envision motor vehicle sales in the Industrial designation and the zoning by-law does not permit the requested use in the 'E3-1' zone. Staff are of the opinion that the application is not desirable nor minor in nature. Furthermore, motor vehicle sales require additional parking and storage. Staff is of the opinion that the use was not envisioned by the official plan or zoning by-law and would be unsuitable on the subject property. Staff are also concerned that approval of the use may result in site function issues given the nature of the site as an industrial plaza containing 23 industrial units.

As such, Planning staff recommends that the application be refused.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This department has no comments.

Comments Prepared by: John Salvino, 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, Zoning Examiner

Appendix 3 – Metrolinx

Metrolinx is in receipt of the Minor Variance application for 2666 Royal Windsor Drive to allow a Motor Vehicle Sales use in Units 11 and 12 of 2666 Royal Windsor Drive. Metrolinx's comments on the subject application are noted below:

- The subject property is located partially within 300m of the Metrolinx Oakville Subdivision which carries Metrolinx's Lakeshore West GO Train service.

Advisory Comments:

- As the requested variances have minimal impact on Metrolinx property (i.e., Oakville Subdivision), Metrolinx has no objections to the specified variances should the committee grant approval.
- The Proponent is advised of the following:
 - Warning: The Applicant is advised that the subject land is located within Metrolinx's 300 metres railway corridor zone of influence and as such is advised that Metrolinx and its assigns and successors in interest has or have a right-of-way within 300 metres from the subject land. The Applicant is further advised that there may be alterations to or expansions of the rail or other transit facilities on such right-of-way in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx to use the right-of-way or their

assigns or successors as aforesaid may expand or alter their operations, which expansion or alteration may affect the environment of the occupants in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual lots, blocks or units.

Should you have any questions or concerns, please do not hesitate to contact me.

Comments Prepared by: Farah Faroque, Project Analyst

Appendix 4 – Region of Peel

We have no comments or objections to the following application.

Comments Prepared by: Petrele Francois, Junior Planner