

City of Mississauga Department Comments

Date Finalized: 2024-07-03	File(s): A276.24
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2024-07-11 1:00:00 PM

Consolidated Recommendation

The City has no objection to the application, subject to the conditions.

Application Details

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

1. 96 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 129 parking spaces in this instance;
2. An aisle width of 5.02m (approx. 16.47ft) whereas By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m (approx. 22.97ft) in this instance;
3. An Accessory Sales to the Auto Repair use- Restricted with no outdoor display whereas By-law 0225-2007, as amended, does not permit this use in this instance;
4. 1 accessible parking space whereas By-law 0225-2007, as amended, requires a minimum of 5 parking spaces in this instance.

Recommended Conditions and Terms

Should the Committee see merit in the application, Planning staff request the below conditions:

1. No outside storage of motor vehicles shall occur on the premises.
2. No sales signage of motor vehicles.

Background

Property Address: 6741 Columbus Road, Unit 2

Mississauga Official Plan

Character Area: Northeast Employment Area
Designation: Industrial

Zoning By-law 0225-2007

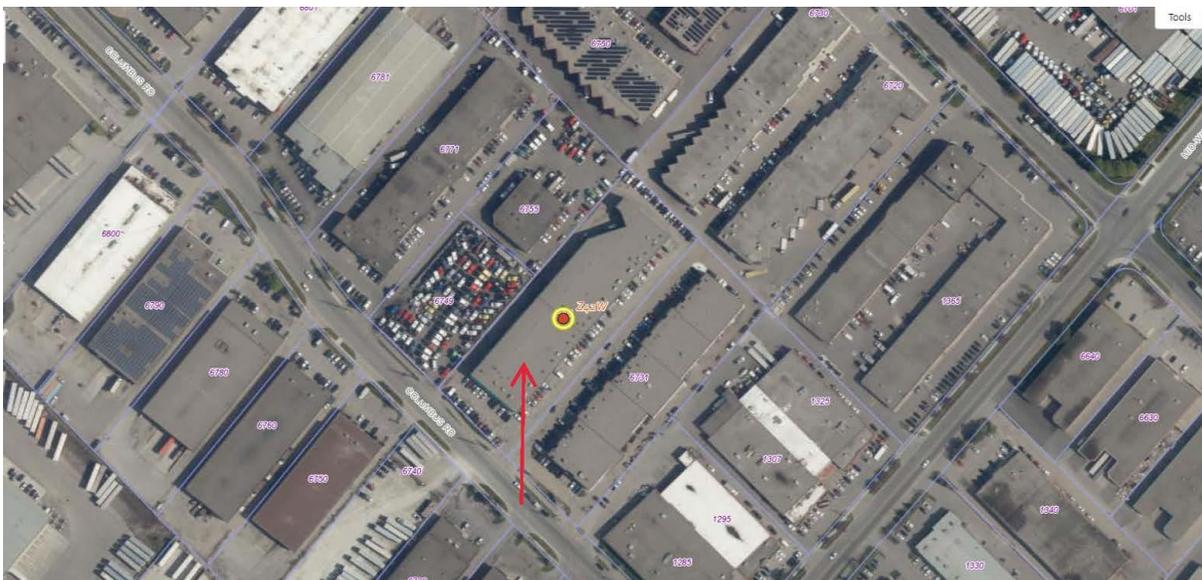
Zoning: E3- Employment

Other Applications: C24-182

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 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 an accessory motor vehicle sales, leasing, rental facility – restricted use, parking deficiency and 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).

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' 276.24, 6741 Columbus Road, Unit 2, the applicant requests the Committee to approve a minor variance to allow reduced parking for the subject property and proposes:

96 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 129 parking spaces in this instance.

Per the materials provided by the applicant, the subject site is currently utilized as a Multi-Unit Commercial Condominium Plaza with multiple uses including Office, Retail Store, Motor Vehicle Repair Facility, Warehouse/Distribution Facility, and Recreational Establishment. The requested variance is triggered by the proposed Motor Vehicle Repair Facility – Restricted use in Unit 2. The subject unit has a non-residential Gross Floor Area (GFA) of 311.19 square meters. The subject site is located within E3 Zoning Area, Parking Precinct 4.

Per Section 3.1.1.2 of Mississauga Zoning By-law, Motor Vehicle Repair Facility - Restricted uses located in Parking Precinct 4 require a minimum of 4.3 parking spaces per 100 square meters of non-residential GFA. Based on the Parking Allocation Report provided by the applicant, a minimum of 129 parking spaces are required for the entire property. The applicant proposes 96 parking spaces on site. As such, 129 parking spaces are required whereas 96 parking spaces can be accommodated, which generates a parking deficiency of 33 spaces or 25.6%.

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 June 11th, 2024, prepared by Harper Dell & Associates. A five-day survey at the subject site was undertaken in April 2024. The results of the survey indicate that the peak parking demand at the subject site was observed on a Tuesday at 1 p.m. during the first week of survey, a total of 80 occupied parking spaces were observed on site, which represents a peak utilization rate

of 83.3% and a peak overall demand ratio of 1.81 spaces per 100 square meters. The study noted that some illegally parked vehicles had briefly caused congestion between aisles in the parking lot and may lead to potential circulation issues on site. The findings of the parking survey indicate that the existing parking spaces may be sufficient to accommodate parking demands for the existing uses, the overall demand rate appears to be lower than the average overall minimum parking requirement of 2.92 spaces per 100 square meters. Staff find that the results of the PUS might be supportive of the requested parking reduction.

Zoning staff have advised that the requested variance is correct.

Given the above, Municipal Parking staff can support 96 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 129 parking spaces in this instance.

Variances 2 and 4 request a reduction for aisle width and accessible parking spaces. Staff note both the aisle width and accessible parking spaces are existing conditions that have proven to be suitable in providing adequate vehicular movement and access to the site as well as accommodating individuals who require larger spaces for accessibility purposes. Staff are satisfied that appropriate site circulation can be maintained and one accessible parking space is sufficient for the proposed and existing uses of the multi-tenant building.

Variance 3 requests an accessory sales use to be added to the existing motor vehicle repair facility. Pursuant to Section 11.2.11 (aa) in the official plan, the Industrial designation shall permit accessory uses. Section 2.1.5 (Accessory Uses) in the zoning by-law states that lands being used for a permitted use shall also be permitted to include an accessory use, provided it occurs on the same property. The applicant's request to permit a motor vehicle sales use as an accessory to the existing motor vehicle repair facility – restricted use, as presented in this application, clearly remains subordinate and ancillary to the permitted primary land-use.

Staff are of the opinion that the requested variances maintain the general intent and purpose of the official plan and zoning by-law, in this instance. Staff are satisfied that the variances result in the appropriate development of the lands with any potential impacts being minor in nature.

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

Appendix 2 – Zoning Comments

The Building Division is processing Certificate of Occupancy application 24-182. Based on the review of the information available in this application, the requested variances 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: Andrea Patsalides, Zoning Examiner

Appendix 3 – Region of Peel

Minor Variance: A-24-276M / 6741 Columbus Road, Unit #2

Planning: Petrele Francois (905) 791-7800 x3356

Comments:

- We acknowledge that the subject site is located within a Regional Employment Area, identified on Schedule E-4 of the Regional Official Plan (ROP) and within a Provincially Significant Employment Zone (F-12). Recognizing that this application is proposing a change of use, Regional staff encourage the applicant to work with the City to address the appropriate mix of land uses, land use compatibility with nearby employment lands, and appropriate consideration to municipally initiated studies and recommendations that support the requirements of Policy s.5.8 of the RPOP.

Comments Prepared by: Petrele Francois, Junior Planner