

City of Mississauga Department Comments

Date Finalized: 2024-08-22	File(s): A373.24
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2024-08-29 1:00:00 PM

Consolidated Recommendation

The City recommends deferral of the application to submit the required documentation.

Application Details

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

1. A Motor Vehicle Repair Facility – Commercial use on lands zoned E2 whereas By-law 0225-2007, as amended, does not permit a Motor Vehicle Repair Facility – Commercial use on lands zoned E2 in this instance;
2. 55 on-site parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 133 on-site parking spaces in this instance;
3. 3 on-site accessible parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 5 on-site accessible parking spaces in this instance; and,
4. An aisle width of 5.14m (approx. 16.86ft) whereas By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m (approx. 22.97ft) in this instance.

Background

Property Address: 5925-5945 Ambler Drive

Mississauga Official Plan

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

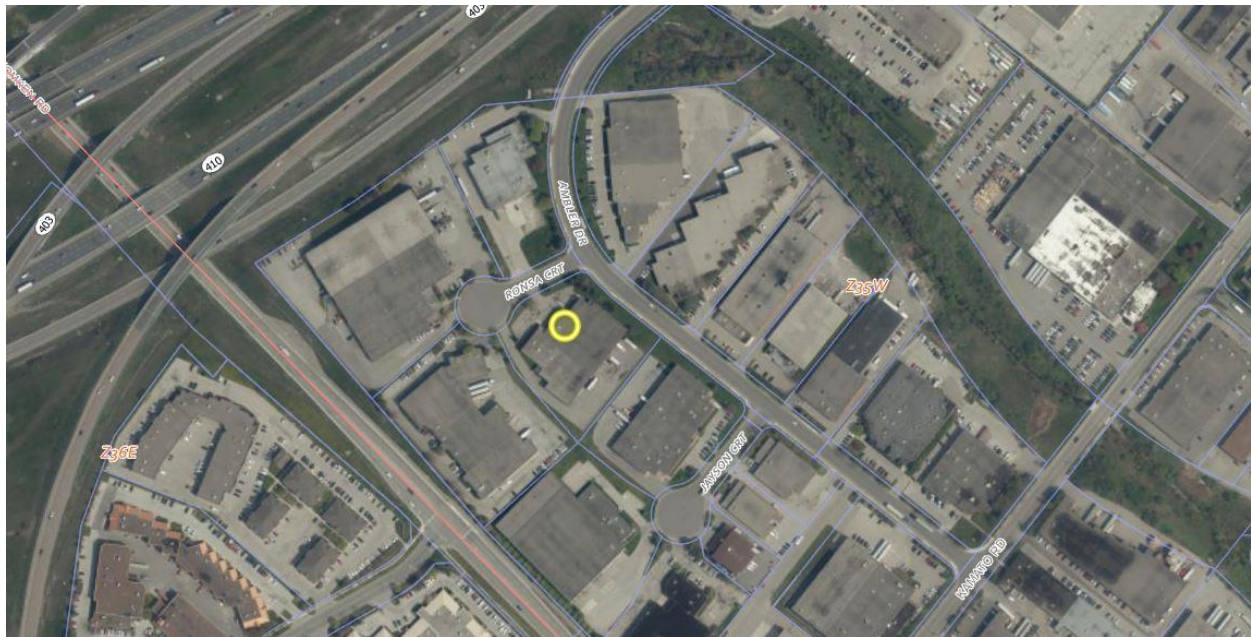
Zoning By-law 0225-2007

Zoning: E2-Employment

Other Applications: None**Site and Area Context**

The subject property is located north-east of the Tomken Road and Kamato Road intersection. It currently contains an existing one-storey multi-tenant industrial building with associated surface parking and various loading areas. Limited landscaping and vegetative elements are present on the subject property. The surrounding area consists of various sizes of industrial buildings.

The applicant is proposing a change of use on the subject property requiring variances for the use, parking deficiencies 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 Area (West) and is designated Business Employment. The designation permits a variety of employment and industrial uses.

The proposed variances requests a reduction in the total number of parking spaces. 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 upon 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' 373.24, 5925-5945 Ambler Drive, the applicant requests the Committee to approve a minor variance to allow reduced parking for the subject property and proposes:

55 on-site parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 133 on-site parking spaces in this instance.

Per the materials provided by the applicant, the subject site is currently vacant. The requested variance is triggered by the newly proposed use of a Motor Vehicle Repair Facility - Commercial Motor Vehicle, with a non-residential Gross Floor Area (GFA) of 3,358 square meters. The subject site is located within E2 Zoning Area, Parking Precinct 4.

Based on the information provided in the Parking Utilization Study, the subject site will consist of an area used for motor vehicle repair purposes with a GFA of 2,460 square meters and an area used for office purposes with a GFA of 898 square meters. Given the absence of a zoning review, staff advise that the accuracy of the requested variance for parking reduction can not be verified. Should the proposed variance be further confirmed and deemed accurate, 133 parking spaces are required whereas 55 parking spaces can be accommodated, which generates a parking deficiency of 78 spaces or 58.6%.

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 July 5th, 2024, prepared by NexTrans Consulting Engineers. A four-day survey at a proxy site located at 1213 Lorimar Drive, Mississauga, was undertaken in April 2024. Staff advise that there is missing information in the study, including the total number of parking supply of the proxy site, an analysis of the utilization rates of capacity during the survey period, a depiction of all the land uses of the proxy site, and the typical number of employees that worked on-site when the survey took place. Staff reached out to the Transportation Analyst of NexTrans to obtain the missing information on August 2, 2024. However, no responses have been received as of the preparation of this report. As a result, the Parking Utilization Study does not follow the guidelines as required by the City's Parking Studies Terms of Reference and is, therefore, not satisfactory.

Zoning staff have advised that the requested variance can not be verified in the absence of a zoning review.

Planning staff echo Municipal Parking staff's comments and therefore recommend that the application be deferred to allow the applicant to submit the requested information.

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Furthermore, staff note no concerns with variance 4. However, it should be noted that Planning staff are not in support of variance 1 due to the City's active decision (By-law 0379-2009) to remove the proposed use from the permissions of the E2 zone.

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 and we note that we have no concerns/requirements with the request.







Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Department is not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to confirm the accuracy of the requested variance(s) or determine whether additional variance(s) may be required. The previous preliminary zoning reviews were made in order to determine compliance with the existing buildings in order to re-establish the existing lot lines. Those applications did not reflect this proposal.

Comments Prepared by: Planner Zoning Examination, Tage Crooks

Appendix 4 – Region of Peel

Minor Variance Application: A-24-373M / 5925-5945 Ambler Drive

Planning: Petrele Francois (905) 791-7800 x3356

Comments:

- Please be advised that the subject site is located within a Provincially

Significant Employment Zone (F-12). Regional staff encourage the applicant to work with the City to address the appropriate mix of land uses and land use compatibility with regards to the proposed change in use on the site.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 5 – MTO

A373.24 5925-5945 Ambler Drive – Minor Variance

The subject site described above appears to be located within the MTO Permit Control Area for HWYs 401 and 403, as a result, the applicant should be made aware that an MTO Building & Land Use Permit(s) will be required from this office prior to the start of any onsite construction/works.

Comments Prepared by: Nicole Hajjar, Corridor Management Officer