

City of Mississauga Department Comments

Date Finalized: 2024-08-07	File(s): A254.24 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-08-15 3:30:00 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: None

Site and Area Context

The subject unit is 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 surrounding use is primarily industrial. There are auto sales uses present in the greater vicinity of the area, to the west of Winston Churchill Boulevard.

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



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 as follows:

The application was previously before the Committee of Adjustment on June 13, 2024, for an identical variance. Staff had recommended refusal at the time and the file was deferred by the applicant to engage in discussions with city staff.

The applicant has clarified that there will be no outdoor storage or display area of vehicles as the use will entirely be contained within the units. While the applicants plan has provided additional details regarding their operation plans, staff are still of the opinion that the policies contemplated in the official plan and the zoning by-law regulations do not permit the use on the subject site.

Staff note that vehicle sales and rentals in an Employment designation are only permitted in the E3 zone and are limited to commercial vehicles.

It is staff's option that the general intent of the official plan and zoning by-law is to only permit this use in the C3 zone. As a result, the proposed minor variance does not meet the minor variance tests stipulated in the Planning Act. As such, Planning staff continue to recommend that the application be refused.

Comments Prepared by: Shivani Chopra, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed are pictures of the Unit where the car sales are proposed. This Department has no concerns.

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 – Region of Peel

Please apply our previous comments.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 4 – 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 whereas By-law 0225-2007, as amended, does not permit a Motor Vehicle Sales use in this instance.

As circulated on July 18th, 2024, and to be heard at Public Hearing on August 15, 2024, at 3:30 PM. Metrolinx's comments on the subject application are noted below:

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

GO/HEAVY-RAIL – ADVISORY COMMENTS

- As the requested variances have minimal impact on Metrolinx property, Metrolinx has no objections to the specified variances should the committee grant approval.
- The Proponent shall provide confirmation to Metrolinx, that the following warning clause has been inserted into all Development Agreements, Offers to Purchase, and Agreements of Purchase and Sale or Lease of each unit within 300 metres of the Railway Corridor:
 - **Warning:** Metrolinx and its assigns and successors in interest operate commuter transit service within 300 metres from the subject land. In addition to the current use of these lands, there may be alterations to or expansions of the rail and other facilities on such lands in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx or any railway assigns or successors as aforesaid may expand their operations, which expansion 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 units. Metrolinx will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under these lands.

Should you have any questions or concerns, please contact jenna.auger@metrolinx.com.

Comments Prepared by: Jenna Auger, Third Party Project Review