

# City of Mississauga Department Comments

Date Finalized: 2024-09-19	File(s): A340.24
To: Committee of Adjustment	Ward: 3
From: Committee of Adjustment Coordinator	Meeting date:2024-09-26 1:00:00 PM

## Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application meets the requirements of Section 45 (1) of the Planning Act. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

## Application Details

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

1. A Motor Vehicle Rental facility use whereas By-law 0225-2007, as amended, does not permit a Motor Vehicle Rental facility in this instance; and,
2. 5 rental vehicle parking spaces whereas By-law 0225-2007, as amended, does not permit rental vehicle spaces in this instance.

## Recommended Conditions and Terms

This decision is valid for a temporary period of five (5) years, shall expire and terminate on or before September 26<sup>th</sup>, 2024 and subject to the following conditions:

1. Rental vehicles may only be stored/parked in the area indicated on the plan reviewed and approved by the Committee.
2. No cube vans or trucks shall be parked, stored or displayed on the property at any time.

## Background

**Property Address:** 1369 Dundas St E

### Mississauga Official Plan

Character Area: Applewood Neighbourhood

Designation: Motor Vehicle Commercial

### Zoning By-law 0225-2007

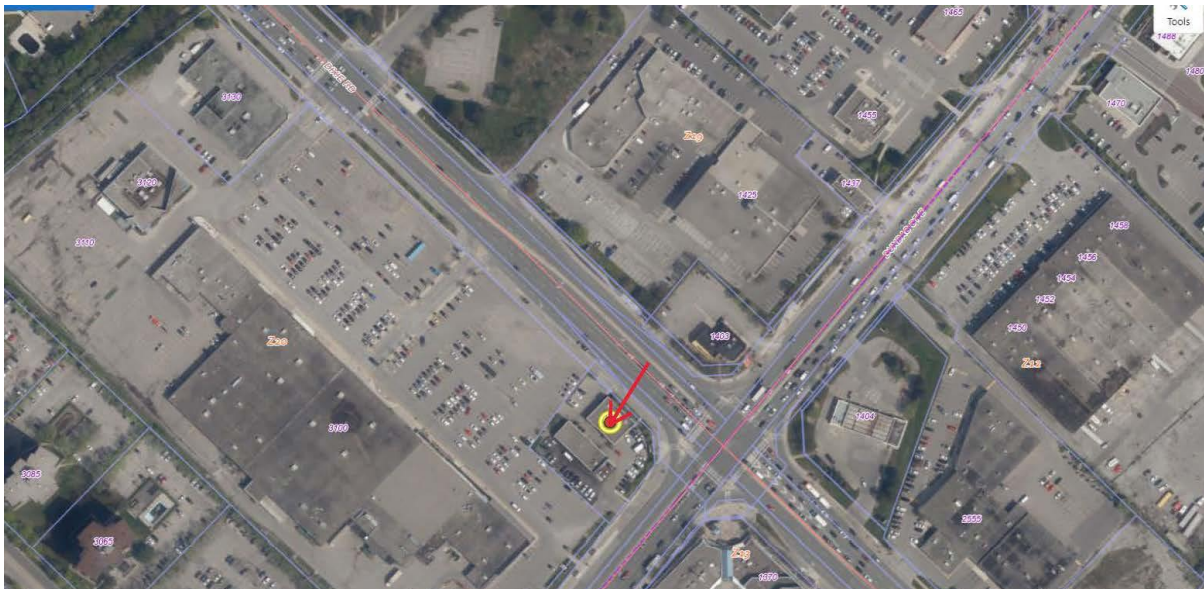
Zoning: C5-3 - Commercial

Other Applications: None

### Site and Area Context

The subject property is located on the north-west corner of the Dixie Road and Dundas Street East intersection. It currently contains two, one-storey buildings and an associated surface parking lot. Limited vegetation is present on the subject property, located along the Dixie Road and Dundas Street East frontages. The surrounding area consists predominantly of commercial uses within low rise buildings on lots of varying sizes.

The applicant is proposing the continued operation of a “motor vehicle rental facility” as a permitted use and corresponding parking spaces for the proposed 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 of the four tests to this minor variance request are as follows:

The subject property is located within the Applewood Neighbourhood Character Area, and is designated Motor Vehicle Commercial by the Mississauga Official Plan.

Planning staff note that the Committee previously approved temporary variances under files A417/99, A232/5, A217/7, A215/10, A480/16, which expired on December 31, 2021.

The previous approval was subject to the following conditions:

1. Rental vehicles may only be stored/parked in the area indicated on the plan reviewed and approved by the Committee.
2. No cube vans or trucks shall be parked, stored or displayed on the property at any time.

The applicant is seeking an extension of previous approvals and no changes are proposed in the site conditions and operations. Staff are satisfied that the requested variances are minor and the continued use will not have a negative impact on the neighbouring properties.

Given the above, Planning staff are of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning 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, T&W Development Engineering







## 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.

We note that a Building Permit is required. In the absence of a Building 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: Emily Majeed, Planner-in-Training

### Appendix 3 – Parks, Forestry & Environment

The Forestry Section of the Community Services Department has no objections to the above noted minor variance application and advises as follows:

1. No public trees shall be injured or removed. If public tree injury or removal is required, a permit must be issued as per By-law 0020-2022.
2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Removal Permit, written consent must be obtained by both parties.

A Tree Removal Application to Permit the Injury or Destruction of Trees on Public and Private Property can be found at <https://www.mississauga.ca/publication/application-to-permit-the-injury-or-destruction-of-trees-on-public-and-private-property/>.

Should further information be required, please contact Jamie Meston, Landscape Technician, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email [jamie.meston@mississauga.ca](mailto:jamie.meston@mississauga.ca).

Comments Prepared by: Jamie Meston, Landscape Technician

### Appendix 4 – Region of Peel

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner

### Appendix 5 – Metrolinx

Metrolinx is in receipt of the Minor Variance application for 1369 Dundas St E to facilitate allowing a Motor Vehicle Rental facility use and 5 rental vehicle parking spaces as circulated on August 30, 2024, and to be heard at Public Hearing on September 26, 2024, at 1PM. Metrolinx's comments on the subject application are noted below:

- The subject property is located adjacent of the proposed Dundas Bus Rapid Transit (Dundas BRT) alignment.

#### GO/HEAVY-RAIL – ADVISORY COMMENTS

- It is advised to coordinate with City of Mississauga and Metrolinx should there be any works that may impact the proposed ROW of the Dundas BRT.



- The subject property is located adjacent to the future Dundas Bus Rapid Transit (“BRT”) alignment. The Dundas BRT project was assessed under the Transit Project Assessment Process (TPAP) in accordance with Ontario Regulation 231/08. During the TPAP, an Environmental Project Report (EPR) was prepared to assess the potential environmental impacts as a result of the Project. The Environmental Project Report was available for a 30-day review period (starting February 23, 2022 – March 25, 2022); and, on April 27, 2022, the Minister of the Environment, Conservation and Parks issued a Notice to Proceed with the municipal transit project. If the applicant wishes to find out more about the Dundas BRT project, the applicant is encouraged to visit <https://www.metrolinxengage.com/en/content/dundas-brt-round-3-engagement-environmental-assessment>

Should you have any questions or concerns, please contact [farah.faroque@metrolinx.com](mailto:farah.faroque@metrolinx.com).

Comments Prepared by: Farah Faroque, Project Analyst, Third Party Project Review