

City of Mississauga Department Comments

Date Finalized: 2024-10-16	File(s): A463.24
To: Committee of Adjustment	Ward: 6
From: Committee of Adjustment Coordinator	Meeting date:2024-10-24 3:30:00 PM

Consolidated Recommendation

The City recommends the application be refused.

Application Details

The applicant requests the Committee to approve a minor variance to allow a change of use proposing a Motor Vehicle Sales, Leasing and/or Rental Facility- Restricted use whereas By-law 0225-2007, as amended, does not permit this use on the subject property in this instance.

Recommended Conditions and Terms

Should Committee see merit in the application, Planning staff recommend the following:

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

Background

Property Address: 3350 Wolfdale Rd

Mississauga Official Plan

Character Area: Mavis-Erindale Employment Area
Designation: Business Employment

Zoning By-law 0225-2007

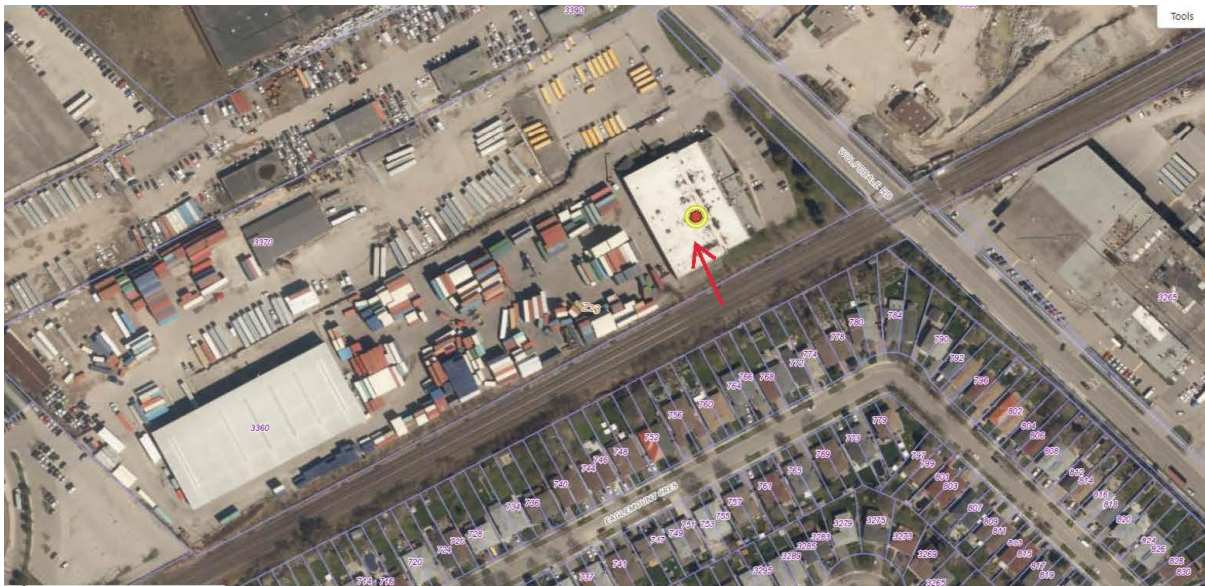
Zoning: E2-19

Other Applications: C 24-3203

Site and Area Context

The subject property is located on the south-west corner of the Central Parkway West and Wolfedale Road intersection in the Mavis-Erindale Employment Area. It currently contains three industrial buildings with an associated surface parking lot. Limited landscaping and vegetative elements are present on the subject property, and they are generally located near the Wolfedale Road frontage. The surrounding area context is predominantly industrial, consisting of low-rise industrial buildings on lots of varying sizes. Residential uses are present in the larger area context.

The applicant is proposing a change of use requiring 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 of the four tests to this minor variance request are as follows:

Does the proposal maintain the general intent and purpose of the Official Plan?

The subject property is located in the Mavis-Erindale Employment Character Area and is designated Business Employment Schedule 10 of the Mississauga Official Plan (MOP). The

Business Employment designation permits several motor vehicle related uses including service, repair, wash, and rental, however it specifically does not permit motor vehicle sales uses. Staff are therefore of the opinion that the proposal does not maintain the general intent and purpose of the official plan.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

The sole variance proposes to permit a restricted motor vehicle sales facility 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 E2 zone, however it is limited to commercial vehicles and not regular cars. 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 remove the proposed use from the permissions of the E2 zone, staff are of the opinion that the intent and purpose of the zoning by-law are not maintained.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

Planning staff are of the opinion that the variance requested is not minor in nature and does not represent orderly development of the subject property.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's ease of 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 C 24-3203. Based on the review of the information available in this application, the requested variance(s) is/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: Alana Zheng, Supervisor Zoning Examination

Appendix 3 – Metrolinx

Metrolinx is in receipt of the Minor Variance application for 3350 and 3360 Wolfdale Rd to allow a change of use proposing a Motor Vehicle Sales, Leasing and/or Rental Facility as circulated on September 27, 2024, and to be heard at Public Hearing on October 24, 2024, at 3:30 PM. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300m of the CP Galt Subdivision which carries Metrolinx's Milton GO Train service.

GO/HEAVY-RAIL – ADVISORY COMMENTS

- Be advised that Metrolinx is a stakeholder that has provided comments on the comprehensive development including the Pre-Application (PAM 23-63 W6). Any comments/requirements previously provided by Metrolinx/our Technical Advisor would still be applicable.
- The Proponent is advised the following:
 - **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 farah.faroque@metrolinx.com.

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

Appendix 4 – Region of Peel**Minor Variance Application: A-24-463M / 3350 & 3360 Wolfesdale Road**

Development Engineering: Alex Maria (alexandra.maria@peelregion.ca)(905) 791-7800 x7991

Comments:

- There is currently an active SP application for this address for a warehouse (SP-24- 024M). There is no objection at this time to this variance, however, any intensification of this site will require an FSR be submitted and modelling to be satisfactory. Servicing upgrades may be required.
- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections by email at siteplanservicing@peelregion.ca.
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals may be required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections by email at siteplanservicing@peelregion.ca.

Comments Prepared by: Petrele Francois, Junior Planner