

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2024-11-21	File(s): A499.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 11/28/2024 1:00:00 PM

## Consolidated Recommendation

The City recommends that the application be deferred to submit the required documentation.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing:

1. A motor vehicle body repair facility whereas By-law 0225-2007, as amended, does not permit such a use in this instance;
2. 33 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 46 parking spaces in this instance;
3. 0 loading spaces whereas By-law 0225-2007, as amended, requires a minimum of 1 loading space in this instance;
4. A landscape buffer along Cawthra Road of 0m whereas By-law 0225-2007, as amended, requires a minimum landscape buffer of 4.5m (approx. 14.8ft) in this instance;
5. A landscape buffer along Needham Lane of 0m whereas By-law 0225-2007, as amended, requires a minimum landscape buffer of 3.0m (approx. 9.8ft) in this instance; and
6. Parking, driveway and loading areas comprised of gravel whereas By-law 0225-2007, as amended, requires all parking, driveway and loading areas to be comprised of a stable surface such as asphalt, concrete, pervious materials or other hard surfaced materials in this instance.

## Background

**Property Address:** 2526 Cawthra Rd

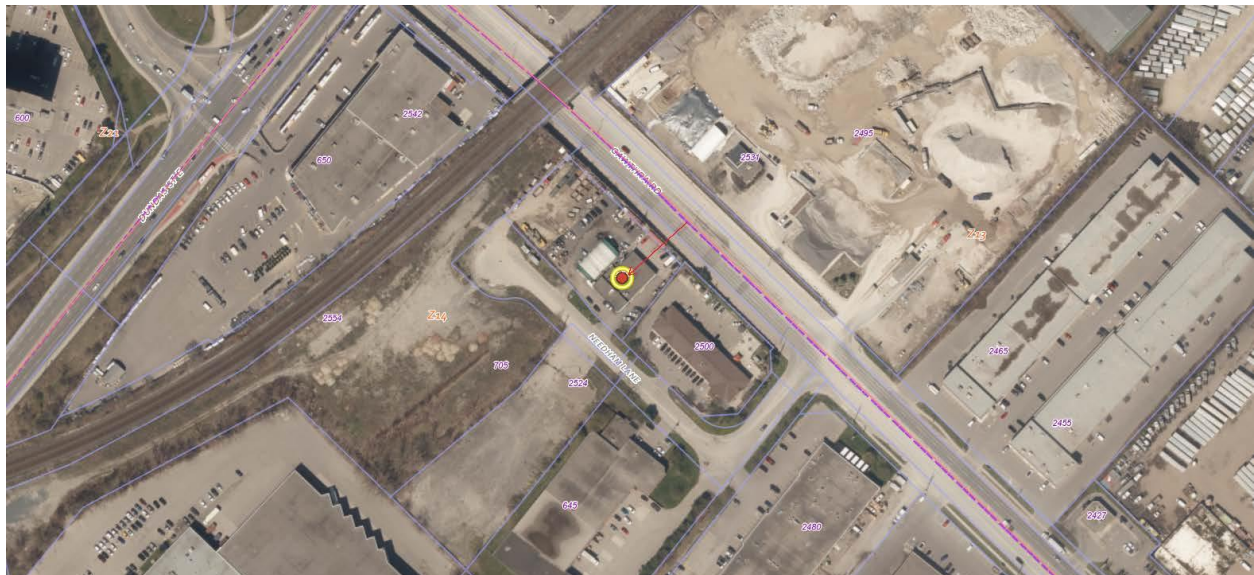
### Mississauga Official Plan

Character Area: Dixie Employment Area  
Designation: Business Employment

**Zoning By-law 0225-2007****Zoning: E2-131 - Employment****Other Applications: IZR SP 23-24****Site and Area Context**

The subject property is located on the west side of Cawthra Road, south of the Dundas Street East intersection. It currently contains a two storey industrial building and tent structure with an associated paved and gravel lot containing numerous motor vehicles stored outdoors. There are limited landscaping and vegetative elements present on the subject property. The surrounding area context consists of a variety of uses including the Cawthra Shelter to the south, manufacturing and warehousing facilities to the west and a railway to the north.

The applicant is proposing to construct an addition to the existing building on the subject property requiring variances for the proposed use, parking deficiency, loading space deficiency, landscape buffers and parking areas comprised of gravel.

**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 Dixie Employment Area and is designated Business Employment in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits a variety of industrial, office and employment uses.

Planning staff note an application which proposed a motor vehicle repair facility use to be permitted on the subject property (A257.23) was approved by the Committee of Adjustment on August 17<sup>th</sup>, 2023. As such, Planning staff note variance 1 is not required.

Variance 2 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' 499/24, 2526 Cawthra Road, the applicant is requesting to approve a minor variance to allow the construction of an addition proposing:

- 33 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 46 parking spaces in this instance.

The Building Department is currently processing a site plan permit under file IZR SP 23-24. Based on review of the information currently available in this permit application, the variances, as requested are correct. However, Staff cannot verify the requested parking reduction as this is a different parking layout then what was submitted under file IZR SP 23-24.

A Parking Utilization Study (PUS) was not submitted for the existing motor vehicle repair/body repair use at 2526 Cawthra Road. As per the City's parking Terms of Reference (TofR), the City requires the submission of a Parking Utilization Study to justify parking reductions of more than 10% from current Zoning By-law standards.

Staff have questions for the applicant in regard to the existing use on-site as well as the existing parking supply. It is unclear what the current parking demands are for the site. Staff conducted a site visit midday on Thursday, November 7<sup>th</sup> and noticed 2 illegally parked vehicles on-site and occupied parking spaces on the perimeter. Google Maps photos also show vehicles parking illegally on-site. Staff also note that a new fire station is proposed directly across the street. An undersupply of spaces may compromise access and circulation and create overspill problems for adjacent uses. Staff's understanding is that the existing neighbouring use is the Cawthra Homeless Shelter; there

is no available on-street parking, nor public parking. It is important for the supply of parking to be provided adequately on-site according with the use's demands.

Staff recommend the application be deferred, pending the submission of a satisfactory Parking Utilization Study (PUS).

Please refer to the City's Parking Terms of Reference for parking justification requirements to be included with a formal resubmission.

- The consultant should confirm the survey methodology with staff prior to conducting parking surveys. Details can also be found, under the City's Parking Terms of Reference.

While Planning staff have no concerns with variances 3-6, 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.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed addition will be addressed through any future Site Plan Application and/or Building Permit Process.

Comments Prepared by: Tony Iacobucci, Development Engineering







## Appendix 2 – Zoning Comments

The Building Department is currently processing a site plan permit under file IZR SP 23-24. Based on review of the information currently available in this permit application, the variances, as requested are correct. However, Staff cannot verify the requested parking reduction as this is a different parking layout then what was submitted under file IZR SP 23-24.

Please note that comments reflect those provided through the above permit application and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Tage Crooks, Planner Zoning Examination

## Appendix 3 – Parks, Forestry & Environment

### Forestry Comments

The Forestry Section of the Community Services Department has reviewed 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 Comments

##### Minor Variance Application: A-24-499M / 2526 Cawthra Road

Development Engineering: Brian Melnyk ([brian.melnik@peelregion.ca](mailto:brian.melnik@peelregion.ca))(905) 791-7800 x3602

##### Comments:

- Please be advised that there are outstanding Regional conditions and comments associated with an active Site Plan application for this site. As such, all matters will be addressed via that application prior to site plan approval.

Comments Prepared by: Petrele Francois, Junior Planner

#### Appendix 5 – Metrolinx Comments

Metrolinx is in receipt of the Minor Variance application for 2526 Cawthra Rd to allow the construction of an addition proposing a motor vehicle body repair facility whereas By-law 0225-2007, as amended, does not permit such a use in this instance as well as reduced parking as circulated on October 28th, 2024, and to be heard at Public Hearing on November 28th, 2024, at 1:00 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

The Proponent is advised of 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](mailto:Farah.Faroque@metrolinx.com).

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