

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

|   |                                      |
|---|--------------------------------------|
| Date Finalized: 2025-07-03                | File(s): A176.25                     |
| To: Committee of Adjustment               |                                      |
| From: Committee of Adjustment Coordinator | Meeting date:7/10/2025<br>1:00:00 PM |

## Consolidated Recommendation

The City recommends the application be deferred for redesign and to submit the required documentation.

## Application Details

The applicant requests the Committee to approve a minor variance to allow an interior alteration in the existing building proposing:

1. 81 parking spaces for non-residential uses whereas By-law 0225-2007, as amended, requires a minimum of 117 parking spaces for non-residential uses in this instance;
2. 0 accessible parking space whereas By-law 0225-2007, as amended, requires a minimum of 5 accessible parking spaces in this instance;
3. Parking access from the shared driveway located on the adjacent property whereas By-law 0225-2007, as amended, requires access to and from parking to be provided by unobstructed on-site driveways or aisles in this instance; and
4. A drive aisle width of 0m whereas By-law 0225-2007, as amended, requires a minimum drive aisle width of 7.00m (approx. 22.97ft) in this instance.

## Amendments

The Building Department is processing Building Permit application 24-4860. Based on the review of the information available in this application, the requested variances (#1,#2,&#4) are correct. And Based on review of the information available in this application, we advise that following amendment is required for #3:

# 3. Proposed limited access to South West side yard parking spaces (37) from adjacent property, whereas By-Law 0225-2007, as amended, requires Access to and from parking shall be provided by unobstructed on-site driveways or aisles.

## Background

**Property Address: 5876 Coopers Ave**

### Mississauga Official Plan

Character Area: Gateway Employment Area (East)  
Designation: Business Employment

### Zoning By-law 0225-2007

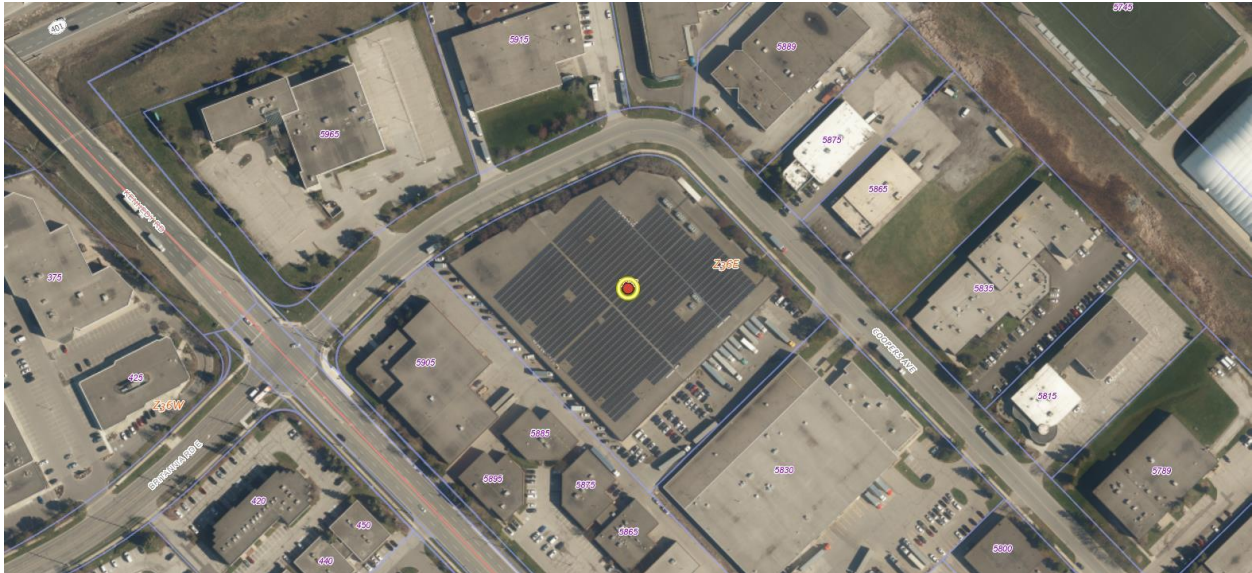
**Zoning: E2 - Employment**

**Other Applications: Building Permit application 24-4860**

### Site and Area Context

The subject property is located north-east of the Kennedy Road and Britannia Road East intersection in the Gateway Employment Character Area. It is an interior lot containing a single storey industrial building. Limited landscaping elements are present throughout the subject property. The surrounding area context is exclusively employment consisting of varied sized buildings on varied sized lots.

The applicant is proposing interior alterations requiring variances for parking deficiency, accessible parking deficiency, parking access and drive 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 Gateway Employment Character Area and is designated Business Employment in Schedule 10 of the Mississauga Official Plan (MOP).

While staff have no concerns with variances 3 and 4 due to existing conditions on the subject property, Planning staff have concerns with variances 1 and 2 concerning parking deficiencies on the site. 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 variances request as amended and note as follows:

With respect to Committee of Adjustment application 'A' 176/25, 5876 Coopers Avenue, the applicant is requesting to approve a minor variance to allow an interior alteration in the existing building proposing:

- 81 parking spaces for non-residential uses whereas By-law 0225-2007, as amended, requires a minimum of 117 parking spaces for non-residential uses in this instance.

The Building Department is processing Building Permit application 24-4860. Based on the review of the information available in this application, the above requested variance is correct.

The parking deficiency proposed on-site is 36 parking spaces or otherwise 31%. As per the City's Parking Terms of Reference (ToR) a Parking Utilization Study (PUS) is required to be submitted. Instead, the applicant had submitted a Parking Justification Letter (PJL) produced by WSP Canada Inc. (herein the consultant) dating April 4<sup>th</sup>, 2025.

The PJL explains the minor variance was triggered by a building permit application filed by the owner to construct a mezzanine area for the office employees. The PJL identifies the City's By-law parking requirements relative to the surveyed parking requirements and proposed a minimum site-specific parking supply rate. A survey was conducted at the subject site on Thursday, March 6<sup>th</sup>, 2025 from 6 a.m. through to 8 p.m. The Letter suggests the proposed parking supply of 81 spaces is sufficient as the cumulative peak parking demand was 75 parking spaces occupied.

The City's Development Engineering staff visited the site on Friday, May 30<sup>th</sup> while Municipal Parking staff conducted a midday site visit on Monday, June 23<sup>rd</sup>. In both instances, conditions did not differ. Staff observed multiple illegally parked vehicles throughout the entire site as well as on-street. Cars were being shifted/manoeuvred in and out carefully due to spaces being blocked by illegally parked vehicles. Below are pictures taken by Municipal Parking staff from the site visit, where it can be seen that there are no vacant parking spaces available on-site resulting in multiple illegally parked vehicles (cars and trucks) on-site and on-street:









Through staff's review of the PJL, and staff having conducted a weekday midday visit on two separate days, the rationale as submitted is not satisfactory. Additionally, the undersupply of spaces is visibly compromising safe access and circulation on-site, creating spillover problems on Coopers Avenue.

Staff recommends deferring this application:

- The applicant will need to make satisfactory arrangements to resolve the parking conditions on-site.
- A satisfactory Parking Utilization Study (PUS) in accordance with the City's Parking Terms of Reference will also be required to be submitted with an application resubmission.
  - The consultant should confirm the survey methodology with staff prior to conducting parking surveys. Details can also be found in the above hyperlink, under the City's Parking Terms of Reference.

Planning staff echo Municipal Parking staff's comments and recommend the application be deferred to allow the applicant an opportunity to provide a satisfactory parking utilization study.

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.

We note that in the April 8, 2025, letter prepared by Sajecki Planning it is indicated (page 5) that the existing/proposed access to the site is through a shared driveway located on the adjacent property to the west at 5905 Kennedy Road. It is also indicated that this shared driveway represents a long-standing existing condition, and that the property owner has an Agreement for Mutual Right-of-Way with the neighbour. In this regard we have no objections to the request.











Comments Prepared by: Tony Iacobucci, Development Engineering

## Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application 24-4860. Based on the review of the information available in this application, the requested variances (#1,#2,&#4) are correct. And Based on review of the information available in this application, we advise that following amendment is required for #3:

# 3. Proposed limited access to South West side yard parking spaces (37) from adjacent property, whereas By-Law 0225-2007, as amended, requires Access to and from parking shall be provided by unobstructed on-site driveways or aisles.

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: Andrew Wemekamp, Zoning Examiner.



### Appendix 3 – Region of Peel Comments

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

#### Comments:

- 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 is required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at (905) 791-7800 x7973 or by email at [servicingconnections@peelregion.ca](mailto:servicingconnections@peelregion.ca).
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at (905) 791-7800 x7973 or by email at [servicingconnections@peelregion.ca](mailto:servicingconnections@peelregion.ca).
- Installation of and alterations to property line water valves and chambers and sanitary/storm sewer maintenance holes require inspection by Region of Peel inspectors to confirm if these works are completed in accordance with Region of Peel Design, standards specification, and procedures.
- Proposals to connect to an existing service lateral require approval from a Region of Peel inspector at construction stage.

Comments Prepared by: Petrele Francois, Junior Planner

### Appendix 4 – MTO

\*Regarding the property municipally known as 5876 Coopers Ave, although located within the MTO Permit Control Area for Highway 401, the subject Minor Variance will not require a Building & Land Use Permit from this office as the proposed works are internal only in scope. Therefore, we have no further comments.

Comments Prepared by: Nicole Hajjar, Corridor Management Officer