

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-01-06	File(s): A411.20 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: January 14, 2021

Consolidated Recommendation

The City has no objection to the variances, as requested. Should Committee see merit in the Application, Planning Staff would recommend the condition identified below be imposed.

Application Details

The applicant requests the Committee to approve a minor variance to allow:

1. 43 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 81 parking spaces in this instance;
2. Aisle widths of 5.46m and 6.00m (approx. 17.91ft and 19.69ft) whereas By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m (approx. 22.97ft) in this instance; and
3. Tandem parking whereas By-law 0225-2007, as amended, does not permit tandem parking in this instance.

Recommended Conditions and Terms

Should committee see merit in this application, City Planning Strategies Staff recommend the following conditions:

- The maximum gross floor area (GFA) dedicated for motor vehicle body repair facilities and motor vehicle repair facilities shall be 1,681.00 m² (5,515.09 sq. ft.)
- The maximum gross floor area (GFA) dedicated for office uses shall be 362.00 m² (1,187.66 sq. ft.)

Background

Property Address: 1744 Meyerside Drive

Mississauga Official Plan

Character Area: Northeast Employment (West) Character Area
Designation: Industrial

Zoning By-law 0225-2007

Zoning: E3

Other Application: Previous "A" 03/17

Site and Area Context

The subject property is a multi-tenant industrial plaza located in the employment lands west of Pearson Airport on Meyerside Drive in between Bonhill Road and Netherhart Road. From a land-use perspective, the immediate neighbourhood is exclusively industrial employment uses with a variety of tenants with minimal vegetation and landscaping kept to the lot line. Properties within the immediate vicinity possess lot frontages of +/- 50.00m

The subject property is an exterior parcel, with a lot area of +/- 4,000.00m² and a lot frontage of +/- 30.0m.



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 site is located within the Northeast Employment Character Area, and is designated Industrial by the Mississauga Official Plan (MOP). Pursuant to Section 11.2.12 (Industrial), this designation permits a range of Industrial uses, including motor vehicle body repair facility, motor vehicle rental facility and motor vehicle commercial uses and offices. The Applicant's proposal meets the purpose and general intent of the Official Plan.

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

The intent in quantifying the required number of parking spaces is to ensure that each structure is self-sufficient in providing adequate parking accommodations based upon its intended use. Planning Staff note that the Committee has previously approved 'A' 3/17, 'A' 324/12 and 'A' 413/10 for a temporary period with similar conditions. These conditions have been carried forward every time the variance is extended, most recently under A3/17 (see Schedule 1). Planning staff inquired internally via email on December 15, 2020, with Compliance and Licensing Enforcement regarding condition #2 to obtain a business operating license. Based on the information provided, it is staffs' understanding that this condition is being met. City Planning Strategies Staff note, as the requested variances are a continuation of previously approved variances and no change in uses are proposed, staff can support the application with the following conditions:

- The maximum gross floor area (GFA) dedicated for motor vehicle body repair facilities and motor vehicle repair facilities shall be 1,681.00 m² (5,515.09 sq. ft.)
- The maximum gross floor area (GFA) dedicated for office uses shall be 362.00 m² (1,187.66 sq. ft.)

Through a detailed review of the application, Planning Staff is of the opinion that the application is appropriate to be handled through the minor variance process. The requested variances are existing conditions and have not changed from what was previously approved and they will not have any impact on the day-to-day operation of the site. Further, the application raises no concerns of a planning nature.

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

Planning Staff have determined the proposal can be supported; on the basis that the conditions have been met and the application is proposing no changes onsite, as noted by City Planning Strategies Staff. Planning Staff find the proposal represents the orderly development of the lands, and is minor in nature.

Conclusion

Based upon the preceding information, Planning Staff have no objection to the approval of this application.

Comments Prepared by: Brooke Herczeg RPP, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections, comments or requirements with respect to C.A. 'A' 411/20.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to confirm the accuracy of the requested variance(s) or determine whether additional variance(s) may be required.

The applicant is advised that a completed zoning review may identify additional instances of zoning non-compliance. The applicant may consider applying for a preliminary zoning review application and submit working drawings for a detailed zoning review to be completed. A minimum of 6-8 weeks will be required to process a preliminary zoning review application depending on the complexity of the proposal and the detail of the information submitted.

Comments Prepared by: Brandon Eidner, Planner in Training, Zoning Examination

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the January 14th, 2021 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Minor Variance Applications: A-395/20, A-408/20, A-410/20, A-411/20, A-412/20, A-417/20, A-418/20, A-2/21, A-4/21, A-6/21.

Comments Prepared by: Diana Guida, Junior Planner

Schedule 1**COMMITTEE OF ADJUSTMENT DECISION**

**City of
Mississauga**

'A' - 3 / 17

"A" 003/17
Ward 5

COMMITTEE OF ADJUSTMENT

IN THE MATTER OF SECTION 45(1) OR (2)
of The Planning Act R.S.O. 1990, c.P.13, as amended
- and -
IN THE MATTER OF ZONING BY-LAW 0225-2007
as amended
- and -
IN THE MATTER OF AN APPLICATION BY

2079524 ONTARIO INC

on Thursday May 11, 2017

2079524 Ontario Inc. is the owner of 1744 Meyerside Drive being Part of Lot 7, Concession 4, E.H.S., zoned E3, Employment. The applicant requests the Committee to authorize a minor variance to permit a total of 43 parking spaces, including one accessible parking space, to be provided for all uses on the site; whereas By-law 0225-2007, as amended, requires a total of 81 parking spaces and four accessible parking spaces to be provided for all uses on the site in this instance.

On January 5, 2017, Ms. L. Partap, authorized agent, attended and presented the application to allow for the existing operations on the subject property to continue as previous approved by the Committee. Ms. Partap advised the Committee that the number of mechanics operating on the property had been reduced

in efforts to minimize the outstanding parking issues on the property. She noted a fence will be constructed along the easterly property line.

The Committee reviewed the information and plans submitted with the application.

The City of Mississauga Planning and Building Department (December 23, 2016)

?Recommendation

The Planning and Building Department has no objection to the requested variances, as amended and subject to the conditions, but the applicant may wish to defer the application in order to verify the accuracy of the requested variance.

Background

Mississauga Official Plan

Character Area: Northeast Employment Area (West)

Designation: Industrial

Zoning By-law 0225-2007

Zoning: E3

Comments

Zoning

The applicant is advised that a full zoning review has not been completed; however, in reviewing the variances as outlined in this application, we recommend the following amendments:

?To permit a total of 43 parking spaces to be provided on site for all uses on the property; whereas By-law 0225-2007, as amended, requires a total of 81 parking spaces;

To permit a reduced aisle width of 5.46 m in front of the parking lot and 6.0 m for the parking along the side of the building; whereas By-law 0225-2007, as amended, requires a 7.0 m aisle width;

To permit the existing tandem parking to remain; whereas By-law 0225-2007, as amended, does not permit tandem parking in this instance;?

Planning

The subject application requests a reduction in overall parking at a multi-tenant industrial building.

We advise that the Committee previously approved 'A' 324/12, 'A' 413/10, 'A' 104/05 and 'A' 103/05 for a temporary period.

The previous conditions have not been cleared, being:

1. The owner of 1744 Meyerside Drive shall re-pave and re-stripe the parking lot on the subject property.
2. The seven parking spaces marked "Reserved" shall be re-painted to remove the reserved parking signs.
3. The maximum gross floor area dedicated for motor vehicle body repair facilities and motor vehicle repair facilities shall be 1,681.00 m² (5,515.09 sq. ft.).
4. The maximum gross floor area dedicated for office uses shall be 362.00 m² (1,187.66 sq. ft.)

In 2012 a Parking Utilization Study was submitted in support of variance 'A' 324/16. The Study confirmed that reduced standards are appropriate and that nothing has subsequently changed.

Previous conditions should be considered. Re-striping of the parking lot in compliance of the site plan submitted with the application would provide a functional parking configuration.

Based on the preceding, the Planning and Building Department has no objection to the requested variance, subject to the conditions, but the applicant may wish to defer the application in order to verify the accuracy of the requested variance.?

The City of Mississauga Transportation and Works Department (December 22, 2016)

?We have enclosed a number of photos which depict the subject property and on some of the photos we have specified the unit number where the photo was taken. It should be noted that there are some discrepancies from the Site Plan submitted with the application (dated December 5, 2016), the Site Plan provided with the Parking Utilization Study and the existing conditions which we observed from our site inspection. A number of the parking spaces identified may not be functional as there are some loading doors in front of the spaces which have been identified as parking spaces (specifically Units # 1, 4, 5 and 6).?

No other persons expressed any interest in the application.

The Committee noted concerns with the existing site conditions with the property specifically with the proliferation and storage of unplatd vehicles and an oil barrel on the property which inhibited the functionality of the traffic circulation and parking on the property. The Committee further noted that compliance with the conditions of approval for the several previous applications had not been

completed.

Ms. Partap requested a deferral of the application to allow her the opportunity to address the outstanding concerns identified by the Committee.

The Committee consented to the request and deferred the application to the May 11, 2017 hearing.

On May 11, 2017, Mr. N. Dell, the authorized agent, attended and presented the application. Mr. Dell confirmed that he had been retained by the applicant during the interim of the deferral and that he had attended to most of the site maintenance and property standards issues previously noted by the Committee. He indicated that the striping of the parking lot had not occurred as the weather had not been conducive to such activity and that a contractor had been retained to complete the work in the immediate future.

The Committee reviewed the information and plans submitted with the application.

City of Mississauga, Planning and Building Department (May 9, 2017)

?Recommendation

The Planning and Building Department has no objection to the requested variances, as amended and subject to the conditions, but the applicant may wish to defer the application in order to verify the accuracy of the requested variance.

Background

Mississauga Official Plan

Character Area: Northeast Employment Area

Designation: Industrial

Zoning By-law 0225-2007

Zoning: E3 (Employment)

Comments

Zoning

The application was deferred at the January 5, 2017 hearing. No new submissions have been received.

The applicant is advised that a full zoning review has not been completed; however, in reviewing the variances as outlined in this application, we recommend the following amendments:

To permit a total of 43 parking spaces to be provided on site for all uses on the property; whereas By-

law 0225-2007, as amended, requires a total of 81 parking spaces;

To permit a reduced aisle width of 5.46 m in front of the parking lot and 6.0 m for the parking along the side of the building; whereas By-law 0225-2007, as amended, requires a 7.0 m aisle width;

To permit the existing tandem parking to remain; whereas By-law 0225-2007, as amended, does not permit tandem parking in this instance;

Planning

The application was deferred at the January 5, 2017 hearing. Staff visited the site, and noted small incidental outdoor storage of parts and material, but did not observe outdoor storage of vehicles. Previously, vehicles were stored along the easterly side of the building, and at the rear of the building. No new information has been received.

Previous comments:

The subject application requests a reduction in overall parking at a multi-tenant industrial building.

We advise that the Committee previously approved 'A' 324/12, 'A' 413/10, 'A' 104/05 and 'A' 103/05 for a temporary period.

The previous conditions have not been cleared, being:

1. The owner of 1744 Meyerside Drive shall re-pave and re-stripe the parking lot on the subject property.
2. The seven parking spaces marked "Reserved" shall be re-painted to remove the reserved parking signs.
3. The maximum gross floor area dedicated for motor vehicle body repair facilities and motor vehicle repair facilities shall be 1,681.00 m² (5,515.09 sq. ft.).
4. The maximum gross floor area dedicated for office uses shall be 362.00 m² (1,187.66 sq. ft.)

In 2012 a Parking Utilization Study was submitted in support of variance 'A' 324/16. The Study confirmed that reduced standards are appropriate and that nothing has subsequently changed.

Previous conditions should be considered. Re-striping of the parking lot in compliance of the site plan submitted with the application would provide a functional parking configuration.

Based on the preceding, the Planning and Building Department has no objection to the requested variance, subject to the conditions, but the applicant may wish to defer the application in order to verify the accuracy of the requested variance.?

City of Mississauga, Transportation and Works Department (May 4, 2017)

?Please refer to our comments submitted for the January 5, 2017 Hearing as those comments are still applicable.?

City of Mississauga, Compliance and Licensing (May 11, 2017)

?December 9, 2016 Compliance and Licensing Enforcement received a public complaint of an automotive service station operating without a business licence at 3-1744 Meyerside Drive. The area the area Municipal Law Enforcement Officer (MLEO) contacted the business owner and advised them to obtain a business licence. In addition the area MLEO contacted the property owner and advised them of the complainant.

May 1, 2017 the area MLEO conducted an inspection of the property at 1744 Meyerside Drive. The area MLEO observed debris on the property, unlicensed motor vehicles and automotive repair centres operating without business licenses.

May 9, 2017 the area MLEO attended the property and conducted an inspection finding all of the unlicensed vehicles on the south end of the property had been removed and debris cleaned up.

The MLEO spoke with the property manager and was advised the cleaning would be completed by end of day. The area MLEO contacted the automotive service centres and advised them to obtain a business operating licence.

To date none of the automotive service centres have obtained a business operating licence.

Compliance and Licensing Enforcement brings this information to Committee?s attention for their consideration.?

No other persons expressed any interest in the application.

Mr. Dell upon hearing the comments of the Committee and the Planning and Building Department, requested that the application be amended in accordance with their recommendations.

The Committee consented to the request and, after considering the submissions put forward by Mr. Dell and having reviewed the plans and comments received, is satisfied that the amended request is desirable for the appropriate temporary use of the subject property.

The Committee is satisfied that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained in this instance.

The Committee is of the opinion that the requested variance is minor in nature in this instance.

Accordingly, the Committee resolves to authorize and grant the amended request to permit:

1. a total of 43 parking spaces to be provided on site for all uses on the property; whereas By-law 0225- 2007, as amended, requires a total of 81 parking spaces;
2. a reduced aisle width of 5.46 m in front of the parking lot and 6.00 m for the parking along the side of the building; whereas By-law 0225-2007, as amended, requires a 7.00 m aisle width;
3. the existing tandem parking to remain; whereas By-law 0225-2007, as amended, does not permit tandem parking in this instance.

This decision is valid for a temporary period of three (3) years and shall expire and terminate on or before May 31, 2020 and is subject to the following conditions:

1. A letter shall be received from the Planning and Building Department indicating that satisfactory arrangements have been made with respect to:
 - a. The re-paving and re-striping of the parking lot on the subject property has been completed no later than November 30, 2017.
 - b. The seven parking spaces marked "Reserved" shall be re-painted to remove the reserved parking signs no later than November 30, 2017.
2. A letter shall be received from Compliance and Licensing Enforcement indicating that satisfactory arrangements have been made that all unlicensed automotive service centres operating on the property shall have obtained a business licence from the municipality no later than November 30, 2017.

3. The maximum gross floor area dedicated for motor vehicle body repair facilities and motor vehicle repair facilities shall be 1,681.00 m2 (5,515.09 sq. ft.).

4. The maximum gross floor area dedicated for office uses shall be 362.00m2 (1,187.66sq. ft.).

MOVED BY:

J. Page SECONDED BY: D. George CARRIED

APPLICATION APPROVED AS AMENDED ON CONDITIONS AS STATED

Dated at the City of Mississauga on May 18, 2017.

THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE JUNE 7, 2017.

Date of mailing is May 19, 2017.

S. PATRIZIO (CHAIR)

D. GEORG

J. ROBINSON

D. KENNEDY

ABSEN

J. PAGE D. REYNOLD

P. QUINN

I certify this to be a true copy of the Committee's decision given on May 18, 2017

SEAN KENNEY - SECRETARY-TREASURER

A copy of Section 45 of the Planning Act, as amended, is attached.

NOTES:

- A Development Charge may be payable prior to the issuance of a Building Permit.
- Further approvals from the City of Mississauga may be required i.e. a Building Permit, a Zoning Certificate, a License, etc.

City of Mississauga



Planning and Building Department

Date: May 9, 2017

File: C of A – 'A' 003/17
(Ward 5 – 1744 Meyerside Drive)

Agenda: May 11, 2017

Deferred Item

Recommendation

The Planning and Building Department has no objection to the requested variances, as amended and subject to the conditions, but the applicant may wish to defer the application in order to verify the accuracy of the requested variance.

Background

Mississauga Official Plan

Character Area: Northeast Employment Area

Designation: Industrial

Zoning By-law 0225-2007

Zoning: E3 (Employment)

Comments

Zoning

The application was deferred at the January 5, 2017 hearing. No new submissions have been received.

The applicant is advised that a full zoning review has not been completed; however, in reviewing the variances as outlined in this application, we recommend the following amendments:

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Previous conditions should be considered. Re-striping of the parking lot in compliance of the site plan submitted with the application would provide a functional parking configuration.

Based on the preceding, the Planning and Building Department has no objection to the requested variance, subject to the conditions, but the applicant may wish to defer the application in order to verify the accuracy of the requested variance.

http://teamsites.mississauga.ca/sites/18/CofA/Comments/2017/May/May_11/May11.rr.b.doc