

DATE: August 17, 2004

TO: Chairman and Members of the Planning and Development Committee

FROM: Edward R. Sajecki, Commissioner of Planning and Building

SUBJECT: **Official Plan and Zoning By-law Amendments to Permit Motor Vehicle Rental Facilities in City Centre**

SUPPLEMENTARY REPORT: September 7, 2004

ORIGIN: Planning and Building Department

BACKGROUND: The report titled "Motor Vehicle Rental Facility in City Centre - Proposed Official Plan and zoning By-law Amendments" dated June 8, 2004 from the Commissioner of Planning and Building is attached as Exhibit 1.

A public meeting was held by the Planning and Development Committee on June 28, 2004. The purpose of the public meeting was to obtain comments on the proposed amendments.

COMMENTS: **COMMUNITY ISSUES**

At the public meeting held on June 28, 2004, in accordance with the Planning Act, R.S.O. 1990, as amended, no persons expressed any interest with respect to the subject applications.

PLANNING COMMENTS

Although this report was initiated by a site specific Committee of Adjustment application, it is appropriate to review all the land use designations in the City Centre District Policies. A number of motor vehicle rental facilities currently exist within the City Centre District that have not caused any problems to date.

It is proposed to amend the City Centre District Policies to permit a motor vehicle rental facility in the "Retail Core Commercial" and "Mixed Use" designations.

In addition, it is proposed to amend the "CCI" and "CC2" zoning categories to permit motor vehicle rental facilities subject to the following conditions:

- 1) Motor vehicles offered for rent or lease shall not be parked or stored on parking required by Zoning By-law 5500; and
- 2) There shall be no motor vehicles having a vehicle weight over 2300 Kilograms being offered for rental or lease.

A new definition should also be added to Section 2 of Zoning By-law 5500 for Motor Vehicle Rental Facility as follows:

"Motor Vehicle Rental Facility"

means a building or structure or part thereof, or area, for the rental or leasing of new or used motor vehicles, provided there is no on-site repair or cleaning of new or used vehicles, not including commercial vehicles, motorized construction equipment, farm equipment, truck bodies, truck tractors or tractor trailers.

Finally, the "public garage" definition contained in sub-section 2(88) of Zoning By-law 5500 should be amended to delete motor vehicle rental facilities as follows:

"Public Garage"

means a parking station or a parking lot or a building or place where motor vehicles or gasoline or propane or oil are stored or kept for sale, and a building or place used as a motor vehicle repair shop, but does not include a gas bar.

CONCLUSION:

The proposed Official Plan and Zoning By-law amendments are acceptable and should be approved as motor vehicle rental facilities represent an appropriate use in the "Retail Core Commercial" and "Mixed Use" designations in the City Centre District Policies and in the "CC1" and "CC2" zones of Zoning By-law 5500.

RECOMMENDATIONS:

That the report dated August 17, 2004 from the Commissioner of Planning and Building recommending approval of the applications amending the Official Plan and Zoning By-law 5500, be adopted in accordance with the following:

1. That Section 4.6.4.1.1.f of Mississauga Plan be amended by deleting the reference to "rental";
2. That Section 4.6.4.2.2.a of Mississauga Plan be amended by deleting the reference to "rental";
3. That Section 24A of Zoning By-law 5500 be amended by adding the following:
 - (14) Notwithstanding Subsection 1(c), with respect to Motor Vehicle Rental Facilities the following will apply:
 - (i) Motor vehicles offered for rent or lease shall not be parked or stored on required parking; and
 - (ii) There shall be no motor vehicles having a vehicle weight over 2300 Kilograms being offered for rental or lease.

4. That Section 24B(2) be amended by adding the following:
 - h. Motor Vehicle Rental Facility.
5. That Section 24(B), Standards for Development, be amended by adding the following:
 - (17) Notwithstanding subsection (2)(h), Motor Vehicle Rental Facility, the following will apply:
 - (i) Motor vehicles offered for rent or lease shall not be parked or stored on required parking; and
 - (ii) There shall be no motor vehicles having a vehicle weight over 2300 Kilograms being offered for rental or lease.
6. That a new definition be added to Section 2 of Zoning By-law 5500 for Motor Vehicle Rental Facility as follows:

"Motor Vehicle Rental Facility"

means a building or structure or part thereof, or area, for the rental or leasing of new or used motor vehicles, provided there is no on-site repair or cleaning of new or used vehicles, not including commercial vehicles, motorized construction equipment, farm equipment, truck bodies, truck tractors or tractor trailers.

7. That the definition for "Pubic Garage" in Sub-section 2(88) be amended as follows:

"Public Garage"

means a parking station or a parking lot or a building or place where motor vehicles or gasoline or propane or oil are stored or kept for sale, and a building or place used as a motor vehicle repair shop, but does not include a gas bar;

Original Signed By:

Edward R. Sajecki

Commissioner of Planning and Building



Corporate Report

Received by
Clerk's Dept.

Clerk's Files

Originator's
Files

CD.03.MIS

PDC

JUN 26 2004

DATE: June 8, 2004

TO: Chairman and Members of the Planning and Development Committee

FROM: Edward R. Sajecki, Commissioner of Planning and Building

SUBJECT: **Motor Vehicle Rental Facility in City Centre - Proposed Official Plan and Zoning By-law Amendments**

PUBLIC MEETING DATE: JUNE 28, 2004

ORIGIN: Planning and Building Department

BACKGROUND: On May 26, 2004, City Council adopted the following Recommendation:

"That a public meeting be held at the Planning and Development Committee to consider the proposed Official Plan and Zoning By-law amendments as outlined in the report titled "Motor Vehicle Rental Facility in City Centre - Proposed Official Plan and Zoning By-law Amendments" dated April 27, 2004 from the Commissioner of Planning and Building."

COMMENTS: The report titled "Motor Vehicle Rental Facility in City Centre - Proposed Official Plan and Zoning By-law Amendments" dated April 27, 2004 from the Commissioner of Planning and Building is attached as Exhibit 1.


The purpose of the public meeting is to obtain comments from the public on the proposed amendments.

CONCLUSION:

After the public meeting has been held and all issues addressed, the Planning and Building Department will make a final recommendation to City Council regarding the proposed Official Plan and Zoning By-law Amendments.

RECOMMENDATION:

That the report titled "Motor Vehicle Rental Facility in City Centre - Proposed Official Plan and Zoning By-law Amendments" dated June 8, 2004 from the Commissioner of Planning and Building recommending amendments to Mississauga Plan and Zoning By-law 5500, be received.



Edward R. Sajecki
Commissioner of Planning and Building



Corporate Report

EXHIBIT 1

Received by
Clerk's Dept.

Clerk's Files

Originator's
Files

CD.03.MIS

PDC

MAY 17 2004

DATE: April 27, 2004

TO: Chairman and Members of the Planning and Development Committee

FROM: Edward R. Sajecki, Commissioner of Planning and Building

SUBJECT: Motor Vehicle Rental Facility in City Centre - Proposed Official Plan and Zoning By-law Amendments

MEETING DATE: May 17, 2004

ORIGIN: Planning and Building Department

BACKGROUND: On September 10, 2003, the Planning and Building Department forwarded a report to City Council recommending appealing a Committee of Adjustment decision under file 'A' 593/03, York London Holdings Ltd.

City Council adopted the following recommendations:

1. That Legal Services prepare the appropriate Notice of Appeal to the Ontario Municipal Board regarding the decision of the Committee of Adjustment under file 'A' 593/03, York London Holdings Ltd., granted on August 14, 2003 regarding the property known as 3660 Hurontario Street, located on the northwest corner of Matthews Gate and Hurontario Street.
2. That the City Solicitor, together with other appropriate City staff, attend the Ontario Municipal Board hearing in support of the appeal of the decision of the Committee of Adjustment under file 'A' 593/03.

As part of the housekeeping review of Mississauga Plan, Planning and Building and Transportation and Works staff concluded that motor vehicle rental facilities would be an appropriate use in both the "Retail Core Commercial" and "Mixed Use" policies of the City Centre subject to certain conditions. This was based on the fact that the use is compatible in a major downtown and that such uses currently exist without problems to date.

In view of this proposed change to the City Centre District Policies and in response to the upcoming OMB hearing, City Council on December 17, 2003 adopted the following Resolution 0306-2003:

That the City Solicitor be directed to seek an adjournment of the OMB hearing of an appeal from the Committee of Adjustment decision regarding OMB File No. PL030942;

And that staff report back in respect of the official plan policies for City Centre regarding motor vehicle rental operations.

The appeal was adjourned.

COMMENTS:

The application to the Committee of Adjustment was to permit a motor vehicle rental facility on the ground floor of an existing office building at 3660 Hurontario Street.

The subject site (as shown on Exhibits I-1, I-2, I-3 and I-4) is designated "Mixed Use" in the City Centre District Policies of Mississauga Plan and zoned "H-CC2".

The rationale for appealing the decision was that it did not conform with Mississauga Plan. In addition, there was no planning rationale to demonstrate that the parking deficiency created by the use would not jeopardize the operation of any present or future use of the office building.

It was originally intended to include the proposed amendment to the City Centre District Policies as part of the housekeeping review of Mississauga Plan. That report, however, is not going to proceed until later this year and, therefore, it was decided to deal with this matter in a separate report.

It is proposed to amend the City Centre District Policies to permit a motor vehicle rental facility in the "Retail Core Commercial" and "Mixed Use" designations.

In addition, it is proposed to amend the "CCI" and "CC2" zoning categories to permit motor vehicle rental facilities subject to the following conditions:

- 1) Parking of motor vehicles to be rented must be surplus parking above and beyond what is required by Zoning By-law 5500;
- 2) There shall be no on-site repair or cleaning of rental vehicles permitted;
- 3) There shall be no cube vans being offered for rental or stored;
- 4) Appropriate landscaping to screen vehicles parked at grade.

A new definition should also be added to Section 2 of Zoning By-law 5500 for Motor Vehicle Rental Facility as follows:

Motor Vehicle Rental Facility - means a building or structure or part thereof, or area, for the rental or leasing of new or used motor vehicles, other than cubed vans, motorized construction equipment, farm equipment, truck bodies, truck tractors or tractor trailers.

Notwithstanding Section 2 (88) of By-law 5500, for the purposes of the "CC1" zone, a "public garage" is to be defined as the

following:

"PUBLIC GARAGE"

means a parking station or a parking lot or a building or place where motor vehicles are hired or kept or used for hire or where such vehicles or gasoline or propane or oil are stored or kept for sale, and a building or place used as a motor vehicle repair shop, but does not include a gas bar;

CONCLUSION:

It is recommended that a public meeting be held at Planning and Development Committee in accordance with the *Planning Act* to obtain comments from landowners and residents with respect to permitting a motor vehicle rental facility in the "Mixed Use" and "Retail Core Commercial" designations in the City Centre District Policies and the "CC1" and "CC2" zones subject to certain conditions.

RECOMMENDATION:

That a public meeting be held at the Planning and Development Committee to consider the proposed Official Plan and Zoning By-law amendments as outlined in the report titled "Motor Vehicle Rental Facility in City Centre - Proposed Official Plan and Zoning By-law Amendments" dated April 27, 2004 from the Commissioner of Planning and Building.



Edward R. Sajecki
Commissioner of Planning and Building



PART OF CITY CENTRE DISTRICT LAND USE MAP CITY CENTRE DISTRICT POLICIES OF MISSISSAUGA PLAN

LAND USE DESIGNATIONS

- Residential - Low Density I
- Residential - High Density II
- Mixed Use
- Retail Core Commercial
- Open Space
- Greenbelt
- Parkway Belt West

TRANSPORTATION LEGEND

- Provincial Highway and Interchange
- Arterial
- Major Collector
- Minor Collector
- Local Road
- Transitway Station
- Transitway
- Major Transit Corridor
- Proposed Grade Separation
- 1996 NEP/2000 NEP
- Composite Noise Contours
- Planning District
- CP - City Park

- Option 1: Conceptual Centre View Drive connection to EB Hwy 403 concept.
- Option 2: Conceptual Centre View Drive to EB Hwy 403 concept.
- Option 3: Conceptual H-W ramp limited circulation.

All road proposals within the Highway 403 Corridor are conceptual and require review and approval of the Provincial Government.

The 1996 Noise Exposure Projection (NEP/2000 Noise Exposure Forecast (NEF) Composite Noise Contours are shown for information purposes only and are not part of the Official Land Use Map. These contours will change from time to time as new information becomes available.
For accurate reference the composite NEP/NEF map produced by Transport Canada at a scale of 1:60 000 should be consulted.

Appended to the Ontario Municipal Board



SITE LOCATION
3660 HURONTARIO STREET

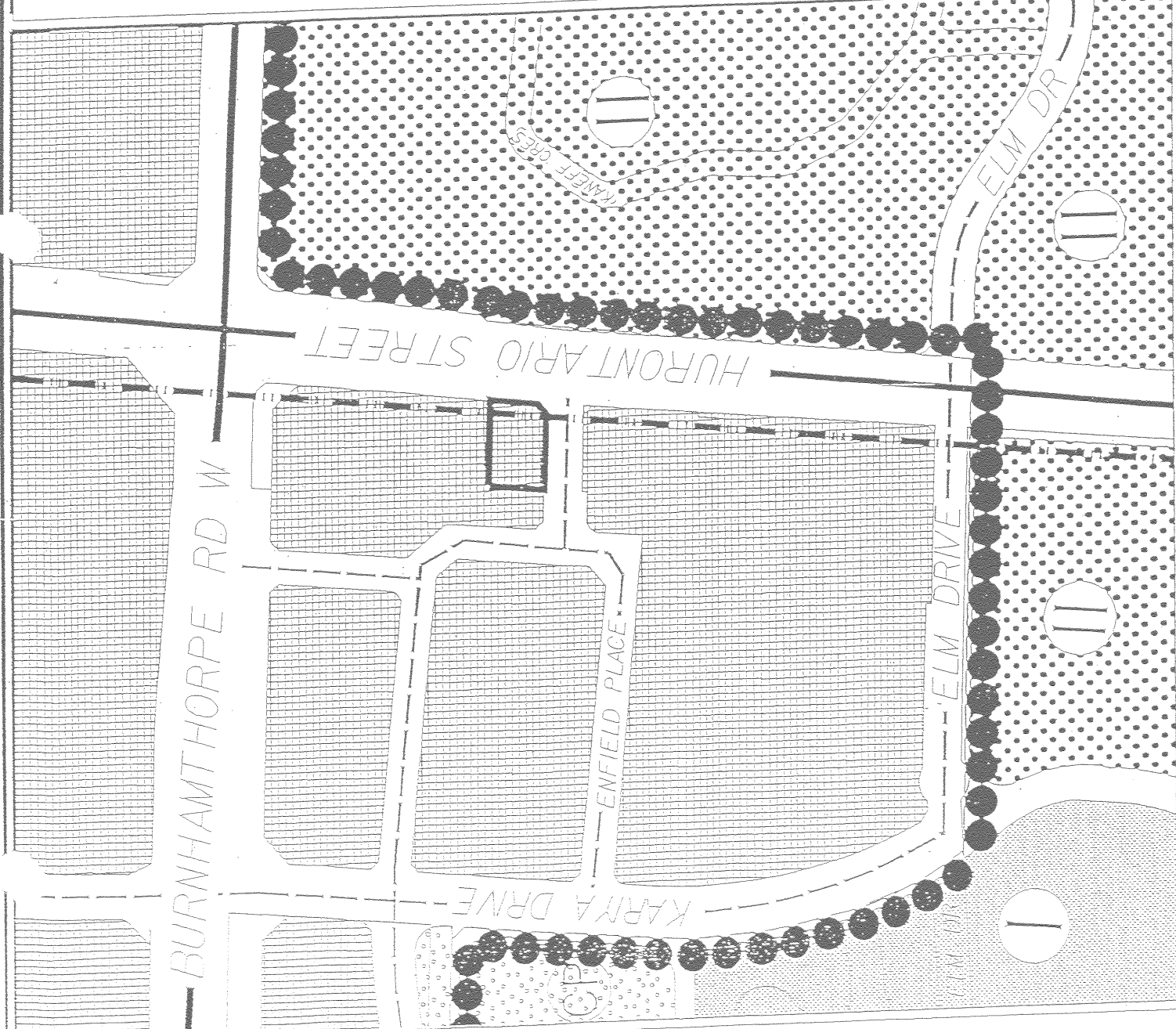
SUBJECT:

YORK LONDON HOLDINGS LTD.

FILE NO:	OZ A59303 W1
DWG. NO:	A59303L
SCALE:	NTS
DATE:	2003 00 29
DRAWN BY:	W. FINLAY

EXHIBIT H

MISSISSAUGA
Planning and Building

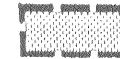


BURNHAMTHORPE ROAD WEST

H-CC2

BURNHAMTHORPE RD E

LEGEND:



SITE LOCATION
3660 HURONTARIO STREET

H-CC2
CITY CENTRE
MIXED USE

SUSSEX GATE

SERVICE
STATION

H-CC2
CITY CENTRE
MIXED USE

ENFIELD PLACE

H-CC2
CITY CENTRE
MIXED USE

ENFIELD PLACE

MATTHEWS GATE

ENFIELD PLACE

RM7D5-
2452
APARTMENTS

H-CC2
CITY CENTRE
MIXED USE

H-CC2
APARTMENTS

CC2
CITY CENTRE
MIXED USE

ELM DRIVE

HURONTARIO STREET

RM7D5-
274

RM7D5-1040
APARTMENTS

RM7D5-
1042
APARTMENTS

RM7D5-
1118
APTS.

KANEFF CRES

RM7D5-
1043
APTS.

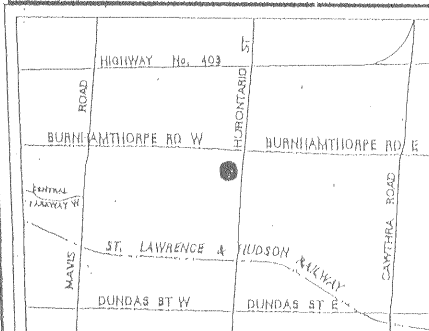
RM7D5-
1044
APARTMENTS

ELM DRIVE

NOTE: EXISTING ZONING DELINEATED ON THE PLAN
PROPOSED ZONING INDICATED BY SHADING WITHIN
THE APPLICATION AREA.



SUBJECT:
YORK LONDON HOLDINGS LTD.



FILE NO:
OZ A59303 W7
DWG. NO:
A59303R
SCALE:
1:2500
DATE:
2003 08 29
DRAWN BY:
W. FINLAY

EXHIBIT I-2



MISSISSAUGA
Planning and Building