

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-02-10	File(s): A358.20 Ward 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-02-18 1:00:00 PM

Consolidated Recommendation

The City has no objection to the variances, as requested.

Application Details

The applicants request the Committee to approve a minor variance to allow the construction of an addition on the subject property proposing:

1. 7 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 20 parking spaces in this instance; and
2. 1 accessible parking space whereas By-law 0225-2007, as amended, requires a minimum of 2 accessible parking spaces in this instance.

Background

Property Address: 13 Thomas Street

Mississauga Official Plan

Character Area: Streetsville Community Node
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C4 - Commercial

Other Applications: None

Site and Area Context

The subject property is located south-west of the Queen St. S. and Thomas St. intersection. It is an interior parcel with a lot area of +/- 757.5m² and a lot frontage of +/- 29.57m. The property currently houses a two-storey, detached dwelling with minimal vegetation and landscape elements within the front and rear yards. Contextually, the area is comprised of two-storey detached dwellings, a masonic lodge and a small commercial plaza in the immediate vicinity. Generally the properties in the area have a lot frontage of +/-20.0m and possess minimal vegetation and landscape elements in the front yards.

The applicant is proposing a medical office building that requires a parking variance.



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 designated Mixed Use in Schedule 10 of the Mississauga Official Plan (MOP) which permits a medical office as a secondary office. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context and, the landscape of the character area. The proposed addition of a medical clinic is compatible with the surrounding area and does not pose significant impact to the abutting properties as a secondary office. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

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

Variance #1 pertains to parking spaces:

As per Zoning By-law 0225-2007, the subject property is zoned C4 (Commercial). In accordance with Table 3.1.2.2 (Required Number of Parking Spaces for Non-Residential Uses), this zone regulates the required parking rates for various uses on this site. 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. As per Zoning By-law 0225-2007, 20 parking spaces are required; whereas, the applicant is providing 7 parking spaces. This is a reduction of 13 parking spaces represents a 65% deficiency.

City Planning Strategies Staff note, the subject site is a heritage designated property that currently has 7 parking spaces onsite. The configuration of the subject site restricts the addition of parking spaces and an increased GFA to permit the construct of the proposed building addition to the building, which contributes to the parking variance.

Staff met with the agent, David Peterson from David Peterson Architect Inc., on December 15, 2020, to understand the business operations and function of the proposed use, "Smiles from Ear to Ear" denture and hearing aid office. The agent, David Peterson, explained that the business is not a typical medical office - it is specialized. The patients are all booked by appointment only and there is no overlap in appointments in order to manage the flow of patients requiring parking. The agent further explained that the subject property is designed to

model business operations of the applicant's existing Smiles from Ear to Ear location in Toronto, which has been successfully operating for a long time. Staff agreed the Toronto location would be an appropriate proxy site and recommended that appointment logs before COVID-19 be submitted to further explain the business operations for the proposed site.

Planning Staff agree with City Planning Strategies Staff that the proposed denture and hearing aid office is unique and specialized, and are satisfied with the submitted information to justify that the onsite parking spaces can accommodate the maximum parking demand in this specific instance. Based on the submitted information, staff can support the requested variance to provide a total of 7 parking spaces.

Variance #2 pertains to accessible parking spaces:

The intent of this portion of the bylaw is to accommodate people with disabilities and/or mobility issues who hold accessible parking permits. Planning Staff have evaluated the proposed accessible parking spaces by the same rate as the parking reduction and note only one parking space shall be required. Variance #2 as requested meets the general purpose and intent of the zoning by-law.

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

The variances for parking reductions result in both the orderly development of the lands, and whose impacts will be minor in nature. Further, the application raises no concerns of a planning nature.

Conclusion

Based upon the preceding information, it is the opinion of Staff that the variances, as amended, meet the general intent and purpose of both the MOP and Zoning By-law; are minor in nature; and, are desirable for the orderly development of the lands.

Comments Prepared by: Brooke Herczeg RPP, 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 subject property will be addressed through the future Site Plan Approval and Building Permit process.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Zoning certificate application under file 19-5283. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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: Marco Palmera, Zoning Examiner

Appendix 4 – Heritage

The property is designated under the Ontario Heritage Act. A heritage permit has been issued for the proposed alteration to the property. Heritage Planning supports the subject request.

Comments Prepared by: P. Wubbenhorst, Heritage Planner

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the February 18th, 2021 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-217/20, DEF-A-358/20, DEF-A-379/20, DEF-A-394/20

Comments Prepared by: Diana Guida, Junior Planner