

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-07-13	File(s): A282.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-22 1:00 PM

Consolidated Recommendation

The City has no objection to the variance, as amended.

Application Details

The applicant requests the Committee to allow a medical office proposing 386 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 429 parking spaces in this instance.

Amendments

Based on the Parking Allocation Report obtained from Zoning, dated June 29, 2021, City Planning Strategies staff recommend that the requested parking variance be amended:

- proposing a total of 386 parking spaces onsite whereas By-law 0225-2007, as amended, requires a minimum of 432 parking spaces for all uses onsite in this instance

Background

Property Address: 11-1235 Queensway East

Mississauga Official Plan

Character Area: Dixie Employment Area
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2-131 - Employment

Other Applications: C21-5231 and BP 3ALT 21-5281**Site and Area Context**

The subject property is located within the Dixie Employment Character Area, west of Queensway East and Dixie Road. The surrounding area north of Queensway East comprises of a mix of commercial, employment and industrial type uses while the subject property contains a similar mix of commercial and employment uses. The area south of Queensway East consists of detached residential dwellings.

The applicant is proposing a dental office on-site, requiring a variance for a parking reduction.

**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 designated Business Employment in Schedule 10 of the Mississauga Official Plan (MOP) which permits secondary office uses - meaning business and professional and administrative offices having an area less than 10,000 m² or accommodating less than 500 jobs. In this instance, the subject application would be considered secondary office and is permitted in the official plan.

The applicant is requesting to allow a medical office proposing a total of 386 parking spaces onsite whereas By-law 0225-2007, as amended, requires a minimum of 429 (for the whole site) parking spaces in this instance. This is a reduction of 43 spaces which equates to a 10% deficiency. The City Planning Strategies (CPS) Division has reviewed the application and their comment is as follows.

The applicant submitted a Letter of Justification, dated April 6, 2021, in support of the submitted application. The Letter, dated April 6, 2021, explains the business model and operations of Developing Hands Pediatric Therapy, parking demand, compatibility of uses and other factors. The Letter explains the subject property does not have a parking issue and the spaces onsite are sufficient.

The subject property has 6 buildings and a total of 91 units. Originally, Building C, D and F were approved by the City for warehouse facility use with a parking rate of 1.1 spaces per 100 m² of GFA. Building A, B and F were approved for office use with a parking rate of 3.2 spaces per 100 m² of GFA. All the buildings share a total of 386 parking spaces onsite. Currently, only 48 of the 91 units are open and operating, which equates to a 52% occupancy. The site has a mix of uses, including warehousing, office, medical office, restaurant, commercial school and recreational establishment. The proposed medical office in Unit 11 is 156 m² in size and located on the ground floor of Building B, which was approved at the office parking rate. Based on Zoning's Parking Allocation Report (PAR), the medical office is calculated at a rate of 6.5 spaces per 100 m² GFA and requires 10 parking spaces.

The Letter further explains the business functions of the medical office and states that they have a low parking demand. The medical office does not require administrative staff because the clinic is accessed via key-fob system and practitioners book their own appointments. The practitioners work part time and scheduling is by appointment only. The medical office projects their parking demand will be lower than the Zoning by-law requirement. The applicant also evaluated the business hours of 25 occupied units which are mostly open Monday to Friday between 8:00am to 5:00pm. About half of these units are open on Saturdays and most of them are closed on Sundays. The peak times for the proposed medical office are anticipated to be weekday evenings between 3:30pm - 5:00pm and weekends. Overall, there appear to be varying hours of peak parking utilization, with closures on weekends and weekday evenings after 5:00pm.

The Letter provides onsite parking survey data from March 25th through 31st, 2021 and April 5, 2021, however this data is limited and inconclusive. The Letter acknowledges the current pandemic circumstances and that the parking survey may not represent typical conditions. CPS Staff are concerned that the survey data may not be an accurate reflection of the parking demand onsite due to the current pandemic circumstances, however, overall, the information submitted in the Letter is satisfactory to CPS Staff, as the variance represents a 10% reduction that staff can support.

Previously, staff commented on application 'A' 392/20 at 1235 Queensway East, which was also a proposed medical office use in Unit 15. At the time of the application, the required parking variance was to provide 386 spaces onsite whereas 410 spaces were required for all uses. Now, through this application ('A' 282/21) the parking requirement is 429 spaces for all uses, which indicates that the parking deficiency is increasing, especially considering that about half of the 91 units are not occupied yet. CPS and Planning Staff are concerned about the growing parking deficiency on the entire subject property. It is evident to staff that as more uses with higher parking requirements move into the units, the parking deficiency will be exacerbated and contribute to future parking issues onsite.

Moving forward, once the parking deficiency surpasses the 10% threshold, applicants will be required to submit a satisfactory Parking Utilization Study (PUS) to justify a parking variance. Upon review of the PUS survey data and results, CPS staff may consider implementing tools to manage parking demand, such as capping the gross floor area of certain uses with high parking requirements (including medical office); consider a blended rate for the subject property and other measures.

Staff reviewed the subject property comprehensively and strongly recommend that prospective unit holders are made aware of the parking deficiency onsite and that the applicant may be required to undertake a PUS to justify a parking reduction in the future.

CPS Staff contacted Zoning regarding the uses and parking requirements. Based on the Parking Allocation Report obtained from Zoning, dated June 29, 2021, CPS staff recommend that the requested parking variance be amended:

- proposing a total of 386 parking spaces onsite whereas By-law 0225-2007, as amended, requires a minimum of 432 parking spaces for all uses onsite in this instance

Based on the submitted information, CPS staff can support the amended parking variance proposing a total of 386 parking spaces onsite whereas By-law 0225-2007, as amended, requires a minimum of 432 parking spaces for all uses onsite in this instance.

Planning Staff echo CPS' comments and are of the opinion that the general intent and purpose of the zoning by-law is maintained. The proposed parking reduction is required as a new tenant is proposing a dental office in a unit. With the addition of this use, the subject property will remain self-sufficient and the proposed parking reduction will not pose a negative impact on the surrounding area from a parking perspective. As such, the proposed application represents orderly development of the land and is minor in nature.

Conclusion

The Planning and Building Department has no objections to the requested variance.

Comments Prepared by: Connor DiPietro, 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' 282/21.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Zoning Certificate application under file 21-5231. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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 Palermo

Appendix 3 – Parks, Forestry & Environment

N/A

Appendix 4 – Heritage

N/A

Appendix 5 – Region of Peel Comments

We have no comments or objections.