

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-08-04	File(s): A296.21 Ward 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-12 1:00:00 PM

## Consolidated Recommendation

The City has no objection to the application, subject to a temporary approval.

## Application Details

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

1. 56 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 118 parking spaces in this instance;
2. 3 accessible parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 5 parking spaces in this instance; and
3. A two-way drive aisle width of 4.66m (approx. 15.29ft) whereas By-law 0225-2007, as amended, requires a minimum two-way drive aisle width of 7.00m (approx. 22.96ft) in this instance.

## Amendments

The Building Department is currently processing certificate of occupancy application C 21-6658. From a review of this application it appears the following amendment is required:

2. A total of 3 accessible parking spaces (1 Type A and 2 Type B); whereas By-law 0225-2007, as amended, required a total of 5 accessible parking spaces (2 Type A & 3 Type B) in this instance.

## Recommended Conditions and Terms

Staff recommend that a temporary approval be granted for one year.

## Background

**Property Address:** 180 Traders Boulevard East

### **Mississauga Official Plan**

Character Area: Gateway Employment Area

Designation: Business Employment

### **Zoning By-law 0225-2007**

**Zoning:** E2 - Employment

**Other Applications:** C 21-6658

### **Site and Area Context**

The subject property is located south-east of the Hurontario Street and Britannia Road East intersection in the Gateway Employment Area. The property contains a single storey industrial building with no notable vegetation and significant hardscaping. The surrounding context includes industrial buildings on varying sized lots as well as office buildings. The property utilizes a shared access with the building immediately to the west.

The applicant is proposing a change of use for the subject property and is requesting variances relating to parking.



## 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 located in the Gateway Employment Area and designated Business Employment in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits several uses, including a sports facility. The request for reduced parking and aisle width do not raise any concerns relating to the Official Plan and staff are satisfied that the general intent and purpose are maintained.

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

Variances 1 & 2 relate to the quantity of parking to be provided on the subject property. The intent behind the parking regulations of the Zoning By-law are to ensure that sufficient parking can be provided for all uses on a property. CPS staff have reviewed the request and note that City staff generally require a Parking Utilization Study (PUS) for any proposed parking deficiency over 10%, as per the City's [Parking Studies Terms of Reference](#). However, staff acknowledge that the Covid-19 pandemic has affected parking demand, and conducting a survey at this time would not capture the typical demand.

Additionally, staff are in receipt of numerous letters of support from community stakeholders, stating the importance of the camp's operations to its patrons. The applicants have also submitted a justification letter stating that the camp will be a youth volleyball camp, and as such the vast majority of patrons will be children dropped off by their parents for tournaments, who are not expected to park long term.

Therefore, CPS staff recommend the variance be granted for a temporary period of one (1) year. At that time, should conditions have returned to normal from Covid-19, a full Parking Utilization Study will be required as per the City's Parking Studies Terms of Reference. At that time the applicant must address any parking deficiencies identified in the above PUS through an off-site parking arrangement.

Note: Off-site parking may be provided through the City of Mississauga Payment-In-Lieu of Parking Program or through a shared off-site parking agreement from a nearby property owner (a template for an Off-Site Parking License Agreement is available through City Planning Strategies Division).

Variance 3 relates to the drive aisle width, which is an existing condition on the subject property. The intent of this regulation is to ensure there is sufficient space for vehicles to access and exit parking stalls as well as ensure circulation within the subject property is not impeded. Staff note that the aisle width is an existing condition on site and only runs adjacent to parallel parking spaces. Staff are satisfied that the circulation on the site will continue to function as it has in the past.

Given the above, staff are of the opinion that the requested variances maintain the general intent and purpose of the Zoning By-law.

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

Based on the information submitted, staff are satisfied that the temporary request represents an appropriate use of the subject lands and any impacts during the approval timeframe will be minor in nature. The new application that will be required at the end of the one year period will allow staff to further examine impacts of the approval under normal, non-COVID circumstances at that time.

## **Conclusion**

The Planning & Building Department has no objection to the application, subject to a temporary approval.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner



## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed for Committees information are photos depicting the subject property.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

### **Appendix 2 – Zoning Comments**

The Building Department is currently processing certificate of occupancy application C 21-6658. From a review of this application it appears the following amendment is required:

2. A total of 3 accessible parking spaces (1 Type A and 2 Type B); whereas By-law 0225-2007, as amended, required a total of 5 accessible parking spaces (2 Type A & 3 Type B) in this instance.

Our comments are based on the plans received by Zoning staff on 2021/05/26 for the above captioned application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the certificate of occupancy, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the certificate of occupancy process in order to receive updated comments.

Comments Prepared by: Brian Bonner, Zoning Examiner