

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: Enter/choose date.	File(s): A338.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-26 1:00 PM

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(s) identified below be imposed. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

The applicant requests the Committee to approve a minor variance to allow a medical office in unit 10 proposing:

1. 97 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 144 parking spaces in this instance; and
2. 2 accessible parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 5 accessible parking spaces in this instance.

Recommended Conditions and Terms

Given the current pandemic circumstances, CPS staff recommend supporting the requested parking variance on a temporary basis for up to one (1) year subject to the following conditions:

- Following the expiration of the temporary one (1) year approval, the applicant is required to provide a satisfactory Parking Utilization Study (PUS) to address parking deficiency onsite and previous conditions under 'A' 461/05:
 - Maximum limit of 631m² (6,789 sq. ft.) gross floor area (GFA) for restaurant uses on the entire plaza.
 - Provide one (1) parking space allocated for persons with disabilities for the subject restaurant.

Background

Property Address: 1801 Lakeshore Road West, Unit 10

Mississauga Official Plan

Character Area: Clarkson Village Community Node

Designation: Mixed Use

Zoning By-law 0225-2007

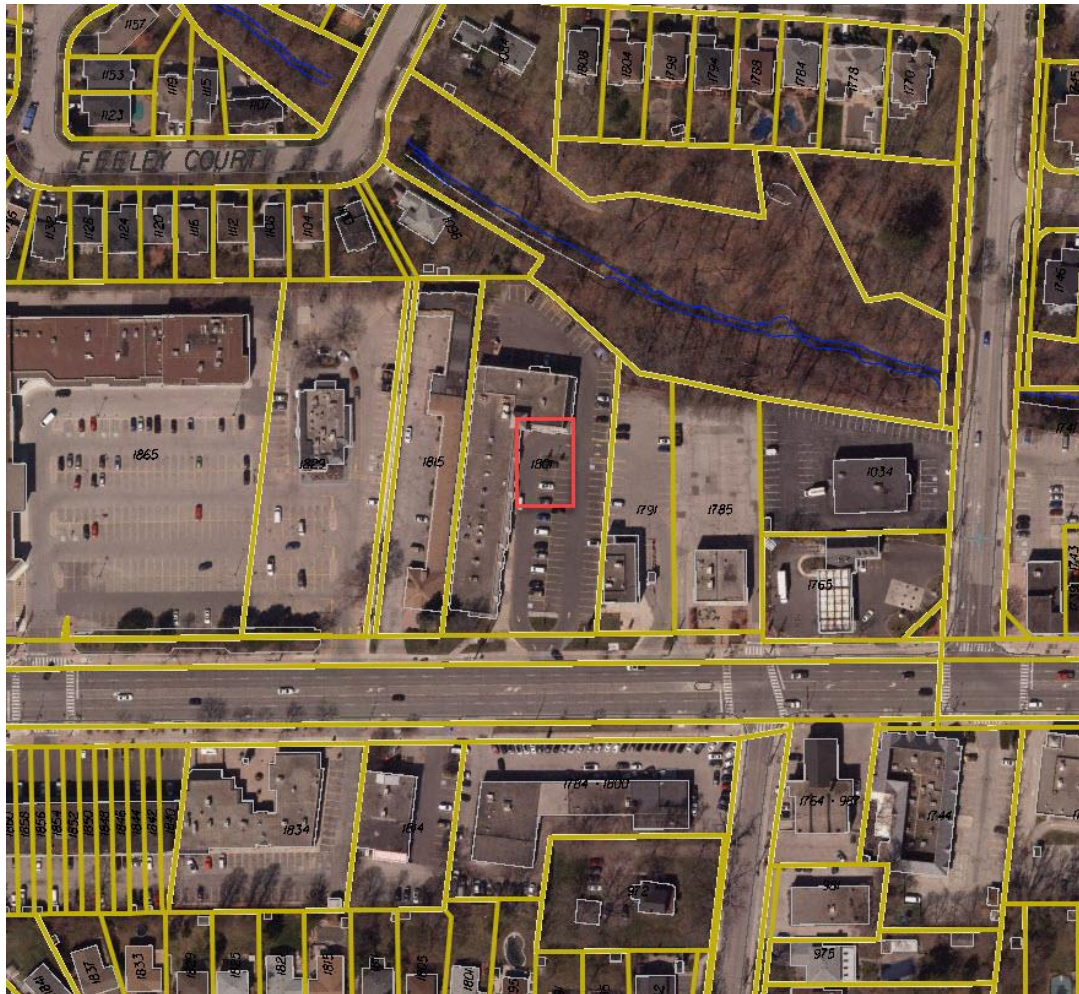
Zoning: C4-63 - Commercial

Other Applications: A71-11

Site and Area Context

The subject property is located in the Clarkson Village Community Node Character Area, east of the Southdown Road and Lakeshore Road West intersection. The immediate area consists of a variety of commercial uses contained in plazas fronting onto Lakeshore Road East. Minimal vegetation exists in the form of urban trees.

The subject property is a commercial plaza containing a variety of commercial uses. The application proposes a medical office in unit 10 requiring variances for 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*.

"[Enter info here]"

Staff comments concerning the application of the four tests to this minor variance request are as follows:

The subject property is designated Mixed Use in Schedule 10 of the Mississauga Official Plan (MOP) which permits secondary office uses (business, 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 in Unit 10 with a total of 97 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 144 parking spaces in this instance. The subject site is currently occupied by an existing 2-storey commercial building with a total GFA of 1,940 m². The proposed medical office in Unit 10 has a total GFA of 175.12m². The City Planning Strategies (CPS) Division has reviewed the application and their comment is as follows.

The applicant submitted a Parking Review Letter, prepared by NexTrans Consulting Engineers, dated August 3, 2021, in support of the submitted application. The Parking Review Letter, dated August 3, 2021, explains that the existing parking onsite is adequate to accommodate the parking demand for the commercial building with a change in use in Unit 10 from a fitness centre to a medical office.

The property was subject to decisions for Committee of Adjustment applications 'A' 71/11 and 'A' 461/05. Previous conditions under 'A' 461/05 placed a maximum limit of 631m² (6,789 sq. ft.) gross floor area (GFA) for restaurant uses on the entire plaza, and required that one (1) parking space be provided and allocated for persons with disabilities for the subject restaurant (Japanese Sushi Restaurant).

CPS Staff contacted Zoning Staff to obtain a copy of the most updated Parking Allocation Report (PAR), dated August 3, 2021, to review the uses and overall parking requirement. CPS Staff are generally agreeable that the subject property has varying peak parking demand times with a mix of uses (e.g. restaurant, office, retail, and personal service establishment) that would be compatible from a parking perspective. Staff are seeking parking justification in the form of a Parking Utilization Study (PUS), however, due to the current COVID-19 pandemic circumstances a PUS is not recommended as it would not reflect an accurate parking demand, specifically for commercial and office related uses.

Given the current pandemic circumstances, CPS staff recommend supporting the requested parking variance on a temporary basis for up to one (1) year subject to the following conditions:

- Following the expiration of the temporary one (1) year approval, the applicant is required to provide a satisfactory Parking Utilization Study (PUS) to address parking deficiency onsite and previous conditions under 'A' 461/05:
 - Maximum limit of 631m² (6,789 sq. ft.) gross floor area (GFA) for restaurant uses on the entire plaza.
 - Provide one (1) parking space allocated for persons with disabilities for the subject restaurant.

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 medical office in a unit. Conditions identified by CPS Staff above will help to ensure 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 objection to the variances, as requested. Should Committee see merit in the Application, Planning Staff would recommend the condition(s) identified below be imposed. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference are photos of the subject property, building and existing parking areas.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Certificate of Occupancy Permit under file C 20-4531. 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: Brandon Eidner, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

N/A

Appendix 4 – Heritage

N/A

Appendix 5 – Region of Peel Comments

Please be advised that a portion of the subject property is located within an area the Regional Official Plan (ROP) designates as Natural Areas and Corridors (NAC) Woodland of the Greenlands System in Peel, under Policy 2.3.2. The subject property is also located within the limits of the regulated area of the Credit Valley Conservation (CVC).

Within these designations, ROP policies seek to protect environmental resources. The Region relies on the environmental expertise of the CVC for the review of applications located within the Greenlands Systems in Peel and their potential impacts on the natural environment. Regional Planning staff therefore, request that the Committee and city staff consider comments from the CVC and incorporate their conditions of approval appropriately.

Comments Prepared by: Diana Guida, Junior Planner