

# City of Mississauga Department Comments

Date Finalized: 2021-09-29	File(s): A383.21 Ward 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-09-30 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the application, subject to a one year temporary approval. The applicant may wish to defer the application in order to ensure the accuracy of the requested variances and that additional variances are not required.

## Application Details

The applicant requests the Committee to approve a minor variance to allow a reduction in required parking proposing 190 parking spaces whereas By-law 0225--2007, requires a minimum of 217 parking spaces in this instance.

### Recommended Conditions and Terms

- A temporary approval of one year.

## Background

**Property Address:** 1200 Derry Road East

### Mississauga Official Plan

Character Area: Northeast Employment Area  
Designation: Business Employment

### Zoning By-law 0225-2007

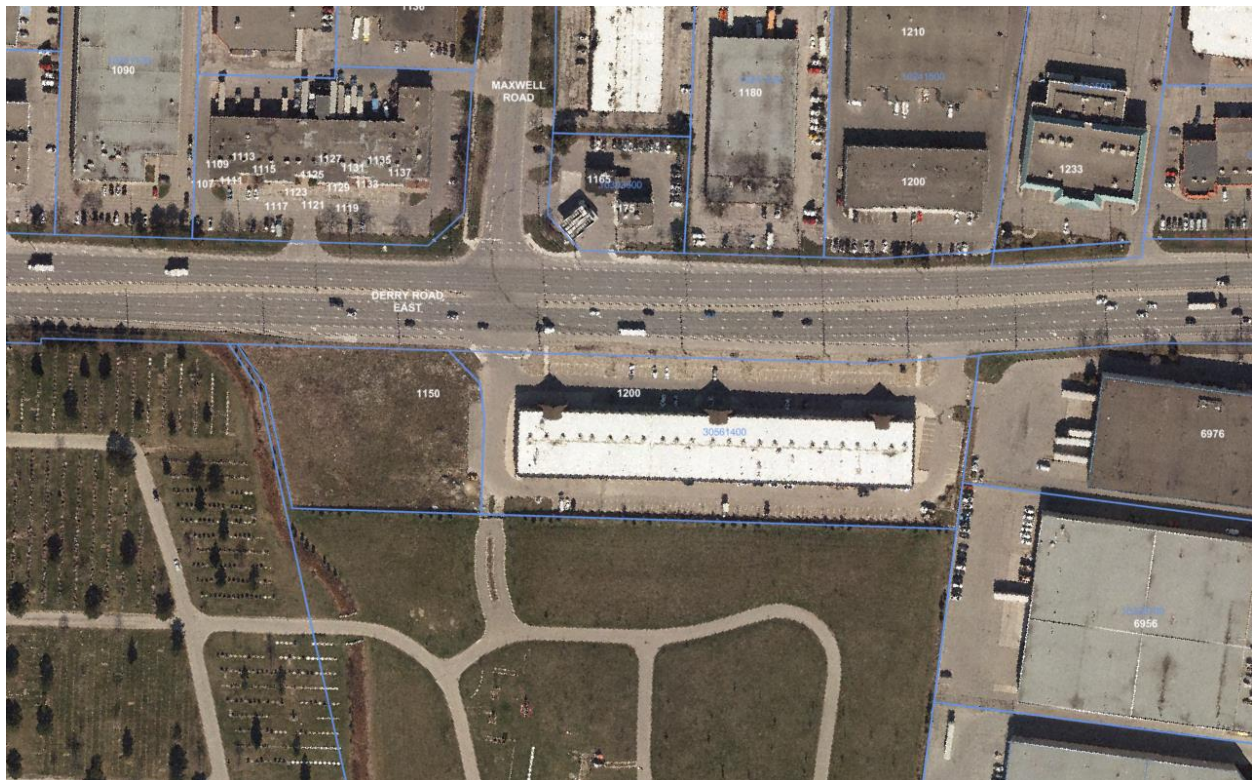
**Zoning:** E2 - Employment

**Other Applications:** C21-5691

## Site and Area Context

The subject property is located south-west of the Derry Road East and Columbus Road intersection in the Northeast Employment Area. The subject property is a two storey plaza containing both office and commercial uses. The surrounding context includes predominantly industrial buildings, as well as some commercial uses. The Lady of Assumption Cemetery borders the property to the rear. The subject property contains very little landscaping or vegetation.

The applicant is proposing an office use in unit 14 of the subject property requiring a variance 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*.

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

The subject property is located in the Northeast Employment Character Area and is designated Business Employment in Schedule 10 of the Mississauga Official Plan. The proposed office use is permitted in the Business Employment designation. The intent behind the parking regulations in the By-law is to ensure that each property can be self-sufficient and meet parking demand for all uses on site. CPS Staff have reviewed the application and have commented as follows:

With respect to Committee of Adjustment application A-383/21, 1200 Derry Road East, the applicant is requesting to allow a reduction in required parking proposing 190 parking spaces whereas By-law 0225-2007, as amended, requires a minimum 217 parking spaces in this instance.

The proposal is for a new office use in Unit 14 of a commercial plaza. The applicant is proposing a reduction of 27 spaces, or 12.4% from the zoning by-law. No Parking Utilization Study has been submitted for this application. The majority of uses on the site are also office uses.

Generally, City staff 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.

Therefore, staff recommends the variance be granted for a temporary period of one (1) year. At which 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).

Planning Staff are in agreement with the comments provided by CPS. Staff are satisfied that a one year approval is appropriate in order to allow the applicant to submit a Parking Utilization Study and ensure that any impacts of the approval are minor in nature.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference are photos of the subject property.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## Appendix 2 – Zoning Comments

The Building Department is not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to confirm the accuracy of the requested variance(s) or determine whether additional variance(s) may be required.

The applicant is advised that a completed zoning review may identify additional instances of zoning non-compliance. The applicant may consider applying for a preliminary zoning review application and submit working drawings for a detailed zoning review to be completed. A minimum of 6-8 weeks will be required to process a preliminary zoning review application depending on the complexity of the proposal and the detail of the information submitted.

Comments Prepared by: Brandon Eidner, Zoning Examiner