

City of Mississauga Department Comments

Date Finalized: 2021-12-08	File(s): A568.21 Ward 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-12-16 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application 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 the construction of four buildings (three restaurants and one self-storage facility) proposing:

1. To permit Self-Storage Facility, Medical Office and Medical Office-Restricted uses within Building A of the development whereas By-law 0225-2007, as amended, does not permit Self-Storage Facility, Medical Office and Medical Office-Restricted uses in a E2-100 (Employment) Zone in this instance;
2. To permit a reduced parking rate of 0.2 spaces per 100sq.m GFA (gross floor area) for a Self-Storage Facility whereas By-law 0225-2007, as amended, requires a parking rate of 0.6 spaces per 100sq.m GFA (gross floor area) for a Self-Storage Facility in this instance;
3. A front yard of 3.5m (approx. 11.5ft) measured to the outdoor patio accessory to Building E whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.5m (approx. 24.6ft) in this instance; and
4. To permit walkways, two driveways accessing Erin Mills Parkway, an outdoor patio for Building E and utility equipment to be located within the required Landscaped and Tree Preservation Buffer, whereas By-law 0225-2007, as amended, does not permit buildings or structures of any kind other than for lot line fencing within a Landscaped and Tree Preservation Buffer in an E2-99 (Employment) Zone in this instance.

Background

Property Address: 6005, 6111, 6133, 6155 Erin Mills Parkway

Mississauga Official Plan

Character Area: Meadowvale Business Park Corporate Centre
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2-99, E2-100 - Employment

Other Applications: SP 21-75

Site and Area Context

The subject property is located on the north-east corner of Erin Mills Parkway and Britannia Road West in the Meadowvale Business Park Corporate Centre. The site is currently mostly vacant, however a single storey, multi-unit commercial building exists on the property. It has a lot frontage of +/-100m (328ft) and an area of +/-3.56ha (8.80ac). Very limited landscaping and vegetation elements exist on the property. The surrounding area context includes commercial and industrial buildings to the north and east as well as residential uses to the south and west.

The applicant is proposing to construct new buildings on the subject property requiring variances for uses, parking, setbacks, and encroachments in a landscaped buffer.



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 Meadowvale Business Park Corporate Centre Character Area and is designated Business Employment in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits a variety of uses including offices, restaurants, and self storage facilities. Section 8.4 of the Official Plan contemplates potential reductions in parking requirements and alternative parking arrangements in appropriate situations. The site is also designated as Special Site 1 within the Meadowvale Business Park Corporate Centre. The Special Site policies set out specific uses and built form requirements, including permitting single storey and freestanding restaurants on the subject property, as well as requiring a minimum of 2 storeys at the intersection of Britannia Road West and Erin Mills Parkway. Upon review of the Official Plan policies, including the Special Site 1 policies, staff are of the opinion that the request maintains the general intent and purpose of the Official Plan.

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

Variance 1 requests additional uses on the lands zoned E2-100, specifically a Self-Storage Facility, Medical Office, and Medical Office – Restricted. Staff note that the property is split zoned, with the lands in proximity to the intersection zoned E2-100 and the remainder of the lands zoned E2-99. The E2-99 zone permits Self-Storage Facilities and Medical Office uses as of right, whereas the E2-100 zone is limited to a very select list of permitted uses, including restaurants. The applicant is proposing to locate the restaurant uses on the subject property on the lands zoned E2-99 and the requested uses on the lands zoned E2-100, effectively flipping the zoning for the property. Staff are of the opinion that it is appropriate to locate the requested uses on the corner of the property, partially due to its long and narrow shape, and that the relocation of the uses within the existing site will not create additional impacts to abutting industrial or residential properties when compared to their as of right locations.

Variance 2 requests a reduction in parking for the proposed Self-Storage Facility. CPS staff have reviewed the application and note as follows:

A Parking Study was submitted by Read, Voorhees & Associates Limited dating back to May 2021 for the purpose of evaluating the parking demand of a 'self-storage facility' and to recommend a parking rate for that use on the site.

The development proposes to construct an additional four buildings (three restaurants and one mixed-use self-storage facility with a medical office, general office and restaurant use). The site already has existing restaurant uses. All uses

proposed will have parking supplied as per the City's By-law 0225-2007 requirements, except for the self-storage facility.

The applicant is proposing 28 parking spaces (at a parking rate of 0.2 spaces per 100m² GFA for the self-storage facility), meanwhile 87 parking spaces would be required (at a parking rate of 0.6 spaces per 100m² GFA for the self-storage facility).

Proxy Site Parking Surveys for the Self-Storage Facility

Nextrans Consulting Engineers conducted and submitted parking counts to Read, Voorhees & Associates Limited at numerous proxy sites including:

- 30 Brodie Drive in Richmond Hill
- 196 Bartley Drive in Toronto

Survey dates ranged between September 9th, 2017 to November 12th, 2017; Thursday through Sunday from 9am till 9pm.

A summary of the parking counts at the two proxy sites showed the peak parking demand ranged from 0.066 spaces per 100m², and 0.11 spaces per 100m². The average of the observed peak demand is 0.08 spaces per 100m².

Read, Voorhees & Associates Limited is under the impression that given the abovementioned survey results, and their proposed reduced parking rate of 0.2 spaces per 100m² GFA (gross floor area) for a self-storage facility, the amount of parking supplied will exceed the measured field demand for this use. In addition, they noted that their proposed rate is in line with recent and similar examples of self-storage facilities that had been granted a parking variance within the City of Mississauga.

Based on proxy site survey data submitted as well as reference to previous variances granted by the Committee for other such uses in Mississauga, staff can support the application with a proposed parking rate for a self-storage use at 6005 Erin Mills Parkway at 0.2 parking spaces per 100m². The site will provide 28 spaces for the self storage use when 87 spaces are required as per Zoning By-law 0225-2007. The applicant may wish to make sure their reported GFA numbers/proposed types of uses are correct site-wide in order to make sure no additional variances would be required.

Variance 3 requests a reduced setback to an outdoor restaurant patio for one of the proposed buildings abutting Erin Mills Parkway. The intent of this regulation in the By-law is to ensure adequate landscaping on the property and ensure an appropriate setback from the street. Staff are of the opinion that the proposed setback maintains appropriate space for landscaping and note that the proposed patio does not add any additional massing to the building closer to the street.

Variance 4 requests walkways, driveways accessing Erin Mills Parkway, an outdoor patio for a restaurant, and utility equipment to be located within the required Landscaped and Tree Preservation Buffer. The proposed walkways, patio, and utility equipment represent relatively small portions of the significant Erin Mills Parkway frontage (over 450m/1,476ft) and will not significantly impact the intended function of the landscaped buffer. Furthermore the proposed driveways allow for appropriate circulation on the site.

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?

Staff are satisfied that the application is both appropriate development of the subject lands and that the requests are minor in nature. The proposal represents appropriate utilization of the subject property and does not create any significant impacts to abutting industrial or residential properties when compared to as of right permissions.

Comments Prepared by: Alexander Davies, 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 proposal will be addressed through the Site Plan Application process, File SP-21/075





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing Site Plan application under SP 21-75. From our review of the materials submitted on 2021-08-26, it appears the variances requested are correct; however, additional information has been requested to determine whether additional variance(s) will be required.

Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, 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 site plan approval process in order to receive updated comments.

Comments Prepared by: Brian Bonner - Supervisor