

# City of Mississauga Department Comments

Date Finalized: 2022-01-19	File(s): A24.22 Ward 9
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-01-27 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the application, subject to the conditions.

## Application Details

The applicant requests the Committee to approve a minor variance to allow a restaurant with 128 parking spaces, whereas By-law 0225-2007, as amended, requires a minimum of 173 parking spaces in this instance.

### Amendments

Based on review of the information currently available in this permit application, we advise that the variance should be amended as follows:

The applicant requests the Committee to approve a minor variance to permit the operation of a restaurant within Unit 11 of the development on the subject property proposing a total of 122 parking spaces for all uses on site, whereas By-law 0225-2007, as amended, requires a minimum of 173 parking spaces for all uses on site in this instance.

### Recommended Conditions and Terms

1. A temporary approval of 1 year and 11 months, expiring December 31, 2023; and
2. Following the expiration of the temporary two (2) year approval, the applicant is required to provide a satisfactory Parking Utilization Study (PUS) to address the parking deficiency onsite.

## Background

**Property Address:** 6750 Winston Churchill Boulevard

## Mississauga Official Plan

Character Area: Meadowvale Neighbourhood

Designation: Mixed Use

## Zoning By-law 0225-2007

Zoning: C2 - Commercial

Other Applications: C 21-6470

## Site and Area Context

The subject property is located on the north-west corner of Winston Churchill Boulevard and Aquitaine Avenue in the Meadowvale neighbourhood. It currently contains a two storey mixed use building with retail and office uses, along with an associated parking lot. There are limited landscaping and vegetation elements on the subject property. The surrounding area context consists of a mix of both high and low density residential uses, as well as commercial uses including Meadowvale Town Centre.

The applicant is proposing a restaurant in unit 11 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 Meadowvale Neighbourhood Character Area and is designated Mixed Use in Schedule 10 of the Mississauga Official Plan (MOP). The Mixed Use designation permits a variety of uses, including restaurant uses.

The intent of the Zoning By-law in quantifying the required number of parking spaces is to ensure that each lot is self-sufficient in providing adequate parking accommodations based upon its intended use. Section 8.4 of the Official Plan contemplates potential reductions in parking requirements and alternative parking arrangements in appropriate situations. CPS staff have reviewed the variance request and note as follows:

The applicant submitted a Parking Study, prepared by R.J. Burnside & Associates Limited, dated November 16, 2021, in support of the submitted application.

The Parking Study explains that the existing commercial plaza has a mix of uses and the proposed restaurant (bubble tea shop) will occupy a currently vacant unit. The Parking Study briefly presents a summary of proxy site results prior to COVID-19 from four sites in Mississauga, Brampton, Oakville and Burlington. However, the Parking Study is not satisfactory as it does not present a survey methodology, time/duration of survey, survey data and parking peak demand. As such, the limited proxy site information is incomplete and staff deem it inconclusive.

At this time, staff advise that a Parking Utilization Study (PUS) is not recommended as it would not reflect an accurate parking demand, specifically for commercial, office and restaurant uses. Given the current circumstances, staff further note that the application can be supported on a temporary basis, and following the expiration of such temporary approval, the applicant would be required to submit a satisfactory PUS for the parking deficiency onsite. Staff recommend the expiration date align with other applications and lapse December 31, 2023.

Planning staff are in agreement with the comments from CPS staff and are of the opinion that the application maintains the general intent and purpose of both the Official Plan and Zoning By-law, is minor in nature, and represents appropriate development of the subject property at this time. The temporary approval will allow staff to re-review the parking availability on site and ensure that, as traffic and parking volumes return to normal, the impacts of the request continue to be minor in nature.

Comments Prepared by: Alexander Davies, 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' 24/22.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a Zoning Certificate of Occupancy application under file C 21-6470. Based on review of the information currently available in this permit application, we advise that the variance should be amended as follows:

The applicant requests the Committee to approve a minor variance to permit the operation of a restaurant within Unit 11 of the development on the subject property proposing a total of 122 parking spaces for all uses on site, whereas By-law 0225-2007, as amended, requires a minimum of 173 parking spaces for all uses on site in this instance.

Our comments are based on the plans received by Zoning staff on 2021/04/28 for the above captioned building permit application. These comments may no longer be valid if there are any changes contained within this Committee of Adjustment application that have not been reviewed through the certificate of occupancy application. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the certificate of occupancy application in order to receive updated comments.

Comments Prepared by: Brian Bonner, Supervisor