

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-07-08	File(s): A148/20 Ward: 4
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-07-14

Consolidated Recommendation

The City has no objections to the variance, as requested, subject to the conditions outlined below being imposed by Committee.

Application Details

The Applicant requests the Committee to approve a minor variance to allow 294 parking spaces; whereas, By-law 0225-2007, as amended, requires a minimum of 320 parking spaces, in this instance.

Recommended Conditions and Terms

- The Applicant shall obtain an extension of the lease of the off-site parking agreement from the Ministry of Transportation (MTO).

City Planning Strategies Staff note, the provided Parking Utilization Survey in support of this application included parking counts for the adjacent parking lot, currently leased from MTO by the office complexes of Village Centre Court. Through a previous Minor Variance application ('A' 157/19), City Planning Strategies Staff note that the lease for this off-site parking agreement will expire on December 31st, 2020.

Background

Property Address: 4311 Village Centre Court

Mississauga Official Plan

Character Area: Downtown Core
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: H-CC3 (City Centre)

Other Applications:

Occupancy Permit: 20-347

Site and Area Context

The property is located north-east of the Burnhamthorpe Road East and Hurontario Road intersection. The immediate neighbourhood is comprised of a variety commercial and residential uses.

The Applicant is proposing to repurpose an existing commercial unit into a dental office. As a result of this conversion, the Applicant is required to seek the above-noted relief.



Comments

Planning

Section 45 of the *Planning Act* provides the Committee of Adjustment the authority to grant relief from requirements of the municipal Zoning By-law; provided such applications meet the requirements set out under Section 45(1) and/or 45(2) (a) or (b) of 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 site is located within the Downtown Core Character Area, and is designated Mixed Use by the Mississauga Official Plan (MOP). Pursuant to Sect. 12.1.3, both Major Offices and Secondary Offices are permitted within the Mixed Use designation. The Applicant's proposal of medical office, meets the general intent and purpose of the Official Plan.

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

As per Zoning By-law 0225-2007, the subject property is zoned H-CC3 (City Centre), which permits medical offices, as-of-right. In accordance with Table 3.1.2.2 (Required Number of Parking Spaces for Non-Residential Uses), this zone regulates the required number of parking spaces. The intent in quantifying this regulation is to ensure that each structure is self-sufficient in providing adequate parking accommodations based upon a units intended use. As per Zoning By-law 0225-2007, 320 parking spaces are required; whereas, the Applicant is providing 294.

As per the Parking Utilization Study (Trans-Plan, Mar/2020) provided by the Applicant, and reviewed to the satisfaction of City Planning Strategies Staff, the proposed parking rates are suitable to adequately accommodate peak parking demands for the intended use. The variance, as requested, maintains the purpose and general intent of the Zoning By-law.

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

As per the aforementioned provided Parking Utilization Study, the subject property has ample room to accommodate the proposed parking and internal traffic circulation. As such, the proposed reduction serves to pose no significant negative impact to the surrounding neighbourhood. The variance, as requested, results in both the orderly development of the lands, and whose impacts are minor in nature.

Conclusion

Based upon the preceding information, it is the opinion of Staff that the variance, as requested, meets the general intent and purpose of both the MOP and Zoning By-law; is minor in nature; and, is desirable for the orderly development of the lands. To this end, the Planning and Building Department has no objection to the variance, as requested, subject to the above conditions.

Comments Prepared by: Roberto Vertolli, 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' 148/20.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Building Department is currently processing an Occupancy Permit application under file 20-347. Based upon review of this application, this Department notes that the variance, as requested, is correct.

Comments Prepared by: Kevin Barry, Zoning Examiner

Appendix 3 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the April 16th, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-362/19, DEF-A-028/20, DEF-A-029/20

Minor Variance Applications: A-132/20, A-133/20, A-134/20, A-143/20, A-144/20, A-145/20, A-148/20

I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 7190 or by email at tracy.tang@peelregion.ca

Comments Prepared by: Tracy Tang, Junior Planner