

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-06-19 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): A346/19 Ward: 11
	Meeting date: 2020-07-07

Consolidated Recommendation

The City has no objection to the variances, as amended.

Application Details

The applicant requests the Committee to approve a minor variance to allow the operation of a karate studio proposing:

1. An aisle width of 2.30m (approx. 7.55ft) whereas By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m (approx. 23.00ft) in this instance;
2. 15 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 45 parking spaces in this instance; and
3. 1 accessible parking space whereas By-law 0225-2007, as amended, requires a minimum of 2 accessible parking spaces in this instance.

Amendments

1. An aisle width of 2.30m for 4 parking spaces; whereas, By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m, in this instance;
2. To permit a recreational establishment on the subject property proposing 20 parking spaces (15 parking spaces on site for all uses and 5 parking spaces through the Payment-in-Lieu (PIL) program); whereas By-law 0225-2007, as amended requires a minimum of 45 parking spaces for all uses on site in this instance; and,
3. 0 accessible parking spaces; whereas, By-law 0225-2007, as amended, requires a minimum of 2 accessible parking spaces, in this instance.

As it pertains to Variance 2, City Planning Strategies Staff has amended the Zoning Department's comments to incorporate Payment-in-Lieu clarification.

Background

Property Address: 257 – 261 Queen Street South

Mississauga Official Plan

Character Area: Streetsville Community Node

Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C4 (Commercial)

Other Applications:

Occupancy Permit: 19-6097

Site and Area Context

The subject property is located south-east of the Queen Street South and Thomas Street intersection, and houses an existing commercial retail use (Salvation Army Thrift Store). The site is adjacent to low density commercial units that serve to form the entirety of this portion of Queen Street South. The Applicant is proposing to repurpose the existing commercial retail use to a recreational establishment (martial arts facility). No additions or alterations have been proposed to the building's footprint.



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 site is located within Special Site 5 of the Streetsville Community Node Character Area, and designated Mixed Use by the Mississauga Official Plan (MOP). Special Site 5 enacts developmental polices not applicable to this application. Pursuant to Section 11.2.6.1(h) (Mixed Use), this designation shall permit personal service establishments, which serves to include both martial arts facilities, as well as fitness centres, within the context of the Official Plan. This application 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 C4 (Commercial), which permits Recreational Establishments, 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, 45 parking spaces are required; whereas, the Applicant is providing 20. As per the Parking Utilization Study (Nextrans, Feb/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 application, as amended, 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?

The subject property is both well serviced by the public transit system and has ample room to accommodate required parking. The structure remains self-sufficient, with the majority of parking handled on-site, and with the requested variance serving to pose no significant negative impact to the surrounding neighbourhood, as a whole. The application, as amended, 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 variances, as amended, meet the general intent and purpose of both the MOP and Zoning By-law; are minor in nature; and, are desirable for the orderly development of the lands. To this end, the Planning and Building Department has no objection to the variances, as amended.

Comments Prepared by: [Click here to insert name, title...](#)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' 346/19

Comments Prepared by: David Martin, Supervisor Development Engineering [Click here to insert name, title...](#)

Appendix 2 – Zoning Comments

The Building Department is currently processing an Occupancy Permit application under file 19-6097. Based upon review of this application, Staff advises that the Application should be amended as follows, permitting:

The applicant requests the Committee to approve a minor variance to allow the operation of a Recreational Establishment proposing:

1. An aisle width of 2.30m for 4 parking spaces; whereas, By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m, in this instance;
2. 15 parking spaces; whereas, By-law 0225-2007, as amended, requires a minimum of 44 parking spaces, in this instance; and,
3. 0 accessible parking spaces; whereas, By-law 0225-2007, as amended, requires a minimum of 2 accessible parking spaces, in this instance.

Comments Prepared by: [Click here to insert name, title...](#) Ramsen Hedoo, Zoning Examiner

Appendix 3 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the March 26th, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-346/19, DEF-A-014/20, DEF-A-075/20, DEF-A-076/20

Consent Applications: B-019/20, B-020/20, B-021/20, B-022/20, B-023/20, B-024/20

Minor Variance Applications: A-099/20, A-100/20, A-101/20, A-103/20, A-104/20, A-105/20, A-107/20, A-108/20, A-109/20, A-110/20, A-111/20, A-113/20, A-117/20

Comments Prepared by: Tracy Tang, Junior Planner