

Decision of the Mississauga Committee of Adjustment under
Section 45(1) OR (2) of The Planning Act R.S.O. 1990, c.P.13, as amended.
Application for the property located at **257 QUEEN STREET SOUTH**.
Date of Hearing on Thursday July 7, 2020
Date Decision Signed by the Committee July 14, 2020

The hearing commenced at approximately 1:30p.m.

No Member declared a pecuniary interest for this application.

The subject application was heard at approximately 1:52p.m.

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.

S. Al-Mathno, agent, attended and presented evidence and comment in support of the application.

BACKGROUND

On September 5th, 2019, S. Al-Mathno, agent, requested to defer the application to submit a parking study.

Committee consented to the request and deferred the application to the December 12th, 2019 hearing.

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated August 26, 2019)
- City of Mississauga, Transportation and Works Department (dated August 22, 2019)
- Region of Peel (dated August 16, 2019)
- One letter of objection received from an area resident

On December 12th, 2019, S. Al-Mathno, agent, requested to defer the application to submit a parking study.

Committee consented to the request and deferred the application to the December 12th, 2019 hearing.

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated December 4, 2019)
- City of Mississauga, Transportation and Works Department (dated November 29, 2019)
- Region of Peel (dated December 4, 2019)

COMMENTS

The Secretary – Treasurer noted the comments received from:

- City of Mississauga, Planning and Building Department (dated June 19, 2020)
- City of Mississauga, Transportation and Works Department (dated June 19, 2020)
- Region of Peel (dated June 19, 2020)

CORRESPONDENCE & DISCUSSION

No public comments were received as a result of this public circulation of this application.

Committee asked questions of the agent who appeared before the Committee regarding the parking study and the accessible parking spaces. Committee discussed the merit of approving a minor variance to allow 0 accessible parking spaces but imposing a condition to require an accessible parking space as the existing space may be undersized and therefore not considered accessible under the Zoning By-law.

DECISION

The applicant requested that the application be amended and Committee agreed to the request.

Committee has taken into consideration, on balance, any and all submissions made before its decision including 1 written submission. They have also considered all relevant materials including: information provided by the applicant, plans submitted, and staff and agency comments, and the majority of the members have determined that the application is minor in nature, desirable for the appropriate development on the subject property, and that the general intent and purpose of the Zoning By-law and the Official Plan are maintained.

Accordingly, the Committee resolves to authorize and grant the request.

MOVED BY: J. Page CARRIED

The Decision of the Committee is:

APPLICATION APPROVED AS AMENDED SUBJECT TO TERM(S) AND/OR CONDITION(S):

To allow the operation of a karate studio proposing:

1. An aisle width of 2.30m whereas By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m in this instance;
2. 20 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 45 parking spaces in this instance; and
3. 0 accessible parking space whereas By-law 0225-2007, as amended, requires a minimum of 2 accessible parking spaces in this instance;
4. To permit parking off-site whereas By-law 0225-2007, as amended, requires all parking to be located on-site in this instance.

CONDITION(S):

For Variances 2 & 4:

1. The applicant shall make satisfactory arrangements to provide parking off-site and, if necessary, enter into any agreements.

For Variances 1, 2 & 4:

2. Construction related to this variance shall be in general conformance with the Site Plan approved by the Committee.

TERM(S):

1. One parking space on-site shall be reserved and signed for the exclusive use of holders of accessible parking permits.

Committee Decision dated at the City of Mississauga on July 14, 2020.

<u>"S. PATRIZIO"</u> S. PATRIZIO (CHAIR)	<u>"D. GEORGE"</u> D. GEORGE
<u>"W. SHAHRUKH"</u> W. SHAHRUKH	<u>"D. KENNEDY"</u> D. KENNEDY
<u>"J. PAGE"</u> J. PAGE	ABSENT J. KWAST
<u>"D. COOK"</u> D. COOK	

I certify this is copy of the decision of the Committee's decision given on July 14, 2020.

"S. KENNEY"

SEAN KENNEY - SECRETARY-TREASURER

For a signed copy of this document

please call 905-615-3200 ext. 2408 or
email Committee.Adjustment@mississauga.ca

A copy of Section 45 of the Planning Act, as amended, is attached.

This decision is subject to appeal to the Local Planning Appeal Tribunal by filing with the Secretary-Treasurer of the Committee of Adjustment a written notification, giving reasons for the appeal, accompanied with the prescribed fee on or before **August 3, 2020**.

NOTES:

1. A Development Charge may be payable prior to the issuance of a Building Permit.
2. Further approvals from the City of Mississauga may be required i.e. a Building Permit, a Zoning Certificate, a License, etc.