

City of Mississauga Department Comments

Date Finalized: 2022-07-06	File(s): A331.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-07-14 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be refused.

Application Details

The applicant requests the Committee to approve a minor variance to allow a medical office proposing:

1. 97 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 107 parking spaces in this instance;
2. 3 accessible parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 5 parking spaces in this instance; and
3. To allow the main front entrance to face the rear parking lot whereas By-law 0225-2007, as amended, does not allow the main front entrance to face the rear parking lot in this instance.

Amendments

The Building Department is currently processing a Zoning Certificate of Occupancy application under file C 21-4768. Based on review of the information currently available in this permit application, we advise that the variance(s) should be amended as follows:

1. 97 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 135 parking spaces in this instance;
3. To allow the main front entrance to face the rear parking lot whereas By-law 0225-2007, as amended, does not allow the main front entrance (non-residential) to face the rear parking lot in this instance.

Background

Property Address: 1692 Lakeshore Road West

Mississauga Official Plan

Character Area: Clarkson Village Community Node
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C4-65 - Commercial

Other Applications: ZON – 67366 and SPA - 77912

Site and Area Context

The subject property is located within the Clarkson Village Community Node and Historic Village Precinct, located in the southwest quadrant of Lakeshore Road West and Meadow Wood Road. The subject property contains multiple commercial buildings with a mix of commercial uses on the ground level with residential units on the second level; Minimal vegetation exists in the form of street trees facing Lakeshore Road West. The broader area consists of commercial uses including restaurants, institutional uses and low-density residential with minimal vegetation. Immediately abutting the subject site to the south is the Peel Montessori School with single detached dwellings south of the school.

The application proposes a “Medical Office” use requiring variances related to parking and a main front entrance.



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 are as follows:

The Committee of Adjustment previously deferred the above noted application on September 9th, 2021, to allow the applicant an opportunity to verify the requested parking variances with Zoning staff, due to the applicant contesting Zoning staff's interpretation of the required variances. The deferral also allowed the applicant an opportunity to meet with the community to discuss their concerns regarding the proposal.

The Committee of Adjustment deferred the application again on April 7th, 2022, as no changes were made to the original application. The applicant did not meet with Zoning staff to verify the requested variances and did not provide supportive documentation related to the variances requested.

Staff note this is the third time this application is coming before the Committee of Adjustment without the requested documentation being provided. The applicant has informed staff that the variances identified by Zoning staff originally are correct. However, staff is not in receipt of any supportive documentation required to assess the application.

Furthermore, staff remains concerned with Variance #3, as a main entrance facing a rear parking lot does not encourage a pedestrian oriented streetscape or a walkable community. Furthermore, having a main front entrance face from the rear parking lot would encourage and favour automobile use.

Staff note that additional time has been granted to the applicant to allow them to confirm and justify the parking variances being sought, however, the necessary supporting documentation has never been provided following multiple deferrals.

As such, Planning staff are unable to complete an assessment of the variances being sought and recommend that the application be refused.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We advise that this department have no concerns regarding the proposed variances.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Zoning Certificate of Occupancy application under file C 21-4768. Based on review of the information currently available in this permit application, we advise that the variance(s) should be amended as follows:

1. 97 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 135 parking spaces in this instance;
3. To allow the main front entrance to face the rear parking lot whereas By-law 0225-2007, as amended, does not allow the main front entrance (non-residential) to face the rear parking lot in this instance.

More information is required in order to verify the accuracy of variance #2.

Please note that comments reflect those provided through the above permit application and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Brandon Eidner, Zoning Examiner