

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-07-08	File(s): A11/20 Ward: 7
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-07-16

Consolidated Recommendation

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

Application Details

The Applicant requests the Committee to approve a minor variance on the subject property, permitting 57 parking spaces; whereas, By-law 0225-2007, as amended, requires a minimum of 117 parking spaces, in this instance.

Amendments

- 57 parking spaces for all uses on site; whereas, By-law 0225-2007, as amended, requires a minimum of 117 parking spaces for all uses on site, in this instance.

Background

Property Address: 1100 Dundas Street West

Mississauga Official Plan

Character Area: Erindale Neighbourhood
Designation: Convenience Commercial

Zoning By-law 0225-2007

Zoning: C1 (Commercial)

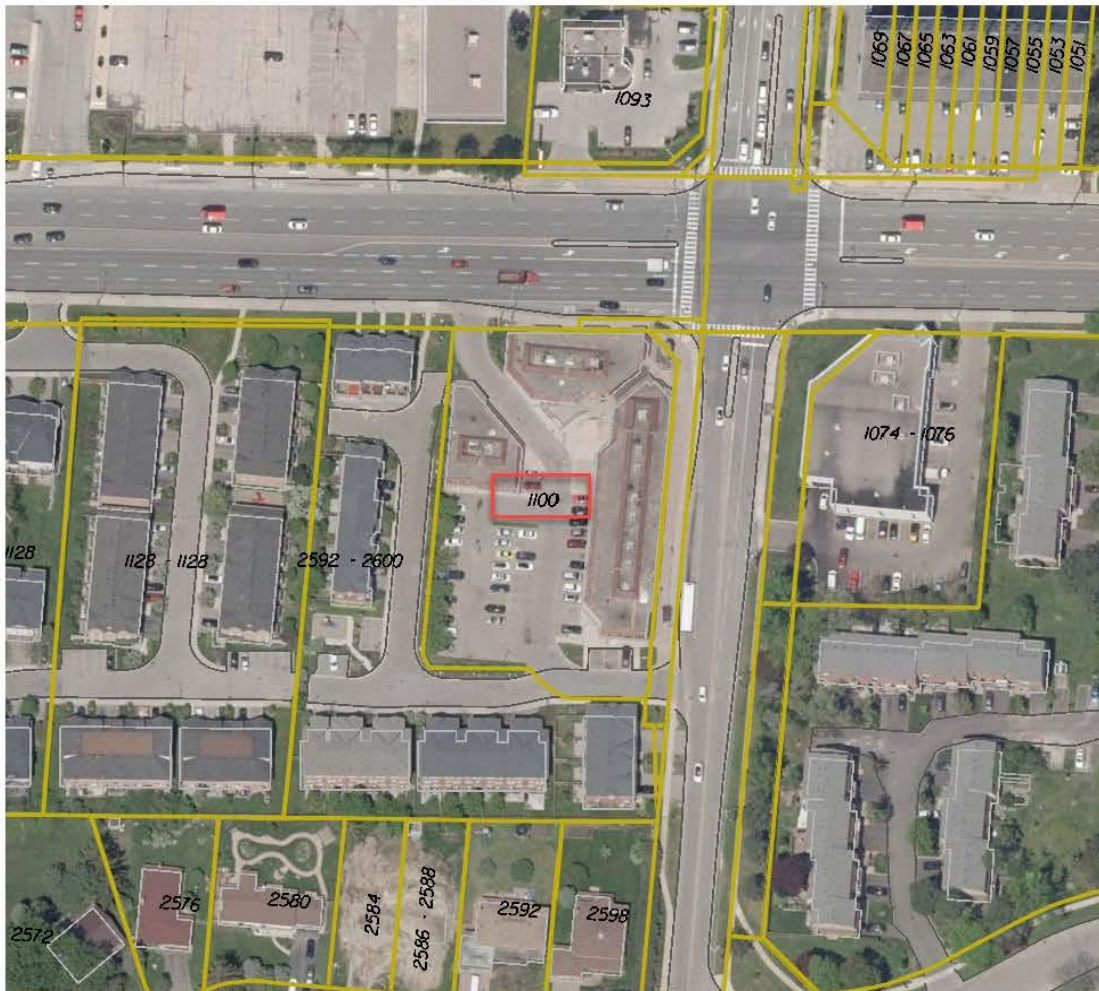
Other Applications:

Occupancy Permit: 19-6567

Site and Area Context

The subject property is a dual-pad, multi-tenant commercial plaza, located upon the south-west corner of the Dundas Street West and Erindale Station Road / Glengarry Road intersection. The lands are configured to house an exterior “L” shaped multi-unit commercial structure (two buildings with an attached breezeway) with frontage along both Dundas Street West and Glengarry Road; as well as a separate, multi-unit structure to the rear, adjacent to several townhome blocks. The subject of this application is confined to a unit within this secondary building.

Notwithstanding the subject lands, the neighbourhood context along the southern portion of Dundas Street West is primarily residential; with the predominant building type within the immediate area consisting of multi-storey townhome units. Both the configuration and proximity of the residential lands; coupled with the existing adjacent road network; as well as the absence of any substantial physical barrier between the two uses, results in these residential areas being considered when assessing the context area for this application.



Comments

A proposal for this property was previously brought before Committee on January 16th, 2019, under Application 'A' 11/20. At this time, the Applicant had requested relief from By-law 0225-2007, to permit a Body Rub Establishment on the subject lands; whereas, such a use is not permitted, in this instance.

The application was ultimately deferred to allow the Applicant the opportunity to meet with the Zoning Department to better clarify the proposed use and function of the site.

Upon receipt of a revised letter submitted in support of Occupancy Permit 19-6567, the Zoning Department has determined that the proposed use (Turkish Baths) falls under the Service Establishment classification under the Zoning By-law, which is permitted as-of-right, in this instance. As such, the only required variance pertains to a parking deficiency.

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 Erindale Neighbourhood Character Area, and designated Convenience Commercial by the Mississauga Official Plan (MOP). Pursuant to Section 11.2.9.1(e) (Convenience Commercial), this designation permits personal service establishments, in this instance – which serves to include “Turkish Baths” 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 C1 (Commercial), which permits Service 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, 117 parking spaces are required; whereas, the Applicant is providing 57. The intent in quantifying this amount is to ensure that each structure is self-sufficient in providing adequate parking accommodations based upon its intended use. As per the Parking Utilization Study (Harper Dell & Associates, Nov/2019) submitted by the Applicant, and reviewed to the satisfaction of City Planning Strategies Staff, the proposed parking rates are suitable in meeting the peak parking demands of the subject property. The variance, 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 well serviced by the public transit system and, as per the aforementioned Parking Utilization Study, has ample room to accommodate required parking based upon the intend use. The structure remains self-sufficient, with the majority of parking handled on-site, and with the amended variance serving to pose no significant negative impact to the surrounding neighbourhood, as a whole. The variance, 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 Planning Staff that the variance, as amended, 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 amended.

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' 11/20.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Building Department is currently processing an Occupancy Permit application under file 19-6567. Based upon review of this Application, Staff notes that the Application should be amended as follows, permitting:

- 57 parking spaces for all uses on site; whereas, By-law 0225-2007, as amended, requires a minimum of 117 parking spaces for all uses on site, in this instance.

Comments Prepared by: Marco Palerma, Zoning Examiner

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the April 2nd, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-011/20

Minor Variance Applications: A-118/20, A-119/20, A-121/20, A-122/20, A-123/20, A-124/20, A-125/20, A-126/20, A-127/20, A-128/20, A-129/20

Comments Prepared by: Tracy Tang, Junior Planner