

City of Mississauga Department Comments

Date Finalized: 2023-03-22	File(s): A757.22
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2023-03-30 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

The applicant requests the Committee to approve a minor variance to allow reduced parking for the banquet hall proposing 49 parking spaces whereas By-law 0225-2007, as amended, requires 123 parking spaces in this instance.

Background

Property Address: 2110 Dundas St E, Unit #4

Mississauga Official Plan

Character Area: Dixie Employment Area
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C3-4 - Commercial

Other Applications: none

Site and Area Context

The subject property is located within the Dixie Employment Character Area, southwest of The West Mall and Dundas Street West intersection. The immediate neighbourhood contains a mix of commercial, office and industrial uses with vegetation in the front yards. The subject property

contains an existing one-storey five-unit commercial plaza containing commercial uses with vegetation in the front yard.

The applicant is proposing a banquet hall requiring a variance for reduced parking.



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:

The subject property is located within the Dixie Employment Character Area, and is designated Mixed Use on Schedule 10 of the Mississauga Official Plan (MOP).

The applicant is seeking approval of a minor variance to permit reduced parking for a banquet hall use. The intent of the zoning by-law in quantifying the required number of parking spaces is to ensure that each lot is self-sufficient in providing adequate parking accommodations based upon its intended use. Section 8.4 of the official plan contemplates potential reductions in parking requirements and/or alternative parking arrangements in appropriate situations. Municipal Parking staff have reviewed the variance request and note as follows:

With respect to Committee of Adjustment application 'A' 757/22, 2110 Dundas Street East, Unit 4, the applicant is requesting the Committee to approve a minor variance to allow reduced parking for an existing banquet hall proposing:

49 parking spaces whereas By-law 0225-2007, as amended, requires 123 parking spaces, in this instance.

The subject site unit is an existing banquet hall in operation since 2007 with a Gross Floor Area (GFA) of 1,087m² (11,700.37ft²). The applicant indicates that 49 parking spaces are available for the banquet hall where 123 parking spaces are required. Furthermore, that there are approximately 165 parking spaces in total on the site. Other uses within the five (5) unit commercial plaza are a grocery store and three retail stores. The total GFA of the plaza is 3,887m² (41,839.32ft²). The applicant has indicated a parking deficiency of 74 parking spaces (a 60% deficiency). Municipal Parking staff are unable to verify the correctness of this deficiency as limited parking information has been provided by the applicant.

Zoning staff have also advised that in the absence of a development application they are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required.

Municipal Parking staff are concerned that no information regarding the existing and proposed parking demand of the banquet hall facility has been provided by the applicant. Further, staff note there may be an added use at the subject site, and specifically at the subject unit, related to an entertainment/recreational establishment (Pace of Play Indoor Golf). Staff require confirmation from the applicant whether or not this is an added use within the subject site unit, and if so, what impacts does it have on the existing banquet hall use and overall parking demands. As both the banquet hall and entertainment/recreational establishment are currently in operation, existing parking utilization information from the site should be surveyed. Staff require satisfactory information regarding the existing and proposed parking demand at the subject site, including operating hours, designated or shared parking, parking observations and utilization etc.

As the parking deficiency is greater than 10%, per the Parking Terms of Reference a Parking Utilization Study is required. The applicant should refer to the City's Parking Terms of Reference for parking justification requirements to be included with a formal submission. The Applicant should confirm the survey methodology with staff prior to conducting parking surveys.

Given the above, Staff require the application be deferred pending the submission of a satisfactory Parking Utilization Study (PUS).

Planning staff echo Municipal Parking staff's request for information and a satisfactory Parking Utilization Study (PUS), and recommend deferral of the application.

Comments Prepared by: Connor DiPietro, 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' 757/22.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

In the absence of a Development application we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed. The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

For scope of work that does not require Site Plan Approval/Building Permit/Zoning Certificate of Occupancy Permit, the applicant may consider applying for a Preliminary Zoning Review application. A detailed site plan drawing and architectural plans are required for a detailed zoning review to be completed. A minimum of 6-8 weeks is required depending on the complexity of the proposal and the quality of information submitted.

Comments Prepared by: Brooke Herczeg, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

The Park Planning Section of the Community Services Department has reviewed the above noted minor variance application and advises as follows:

The lands to the rear of the property are owned by the City of Mississauga, identified as Etobicoke Valley (P-238) classified as a Significant Natural Area within the City's Natural Heritage System, and zoned G1. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:

- a) ensuring that development in or adjacent to the Natural Heritage System protects and maintains the natural heritage features and their ecological functions through such means as tree preservation, appropriate location of building envelopes, grading, landscaping...;
- b) placing those areas identified for protection, enhancement, restoration and expansion in public ownership, where feasible.

Should the application be approved, Community Services provides the following notes:

1. Construction access from the adjacent park/greenlands is not permitted.
2. If access is required to City owned lands, a Consent to Enter Agreement/Park Access Permit will be required.
3. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.

Should further information be required, please contact Nicholas Rocchetti, Park Planning Assistant, Community Services Department at 905-615-3200 ext. 4659 or via email Nicholas.Rocchetti@mississauga.ca.

Comments Prepared by: Nicholas Rocchetti, Park Planning Assistant

Appendix 4- Region of Peel

Minor Variance Application: A-757/22 - 2110 Dundas Street East, Unit #4

Development Planning: Patrycia Menko (905) 791-7800 x3114

Comment:

- Please be advised that the subject property is located within the limits of the regulated area of the Toronto and Region Conservation Authority (TRCA). Regional Planning staff therefore, request that the Committee and City staff consider comments from the TRCA and incorporate their conditions of approval appropriately.

Comments Prepared by: Patrycia Menko, Junior Planner

Appendix 5- Metrolinx

2110 Dundas St E, Unit #4

Metrolinx is in receipt of the minor variance application for 2110 Dundas St E, Unit#4 to permit reduced parking for the existing banquet hall. Metrolinx's comments on the subject application are noted below:

- The subject property is located adjacent to the future Dundas Bus Rapid Transit ("BRT") alignment. The Dundas BRT project was assessed under the Transit Project Assessment Process (TPAP) in accordance with Ontario Regulation 231/08. During the TPAP, an Environmental Project Report (EPR) was prepared to assess the potential environmental impacts as a result of the Project. The Environmental Project Report was available for a 30-day review period (starting February 23, 2022 – March 25, 2022); and, on April 27, 2022, the Minister of the Environment, Conservation and Parks issued a [Notice to Proceed](#) with the municipal transit project. If the applicant wishes to find out more about the Dundas BRT project, the applicant is encouraged to visit

<https://www.metrolinxengage.com/en/content/dundas-brt-round-3-engagement-environmental-assessment>.

- Should you have any questions or concerns regarding the Dundas BRT or these comments please contact Zoya.Misbah@metrolinx.com.

Comments Prepared by: Farah Faroque, Intern