

City of Mississauga Department Comments

Date Finalized: 2023-04-12	File(s): A34.23
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2023-04-20 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 a personal service establishment 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. Zoning staff previously recommended that the following variances be revised under refused application A331.21. The applicants proposal has not been revised, as such, Planning staff continue to recommend that the application be revised 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 Rd W

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, SPA – 77912, A331.21 (Refused)

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 lining 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 refused application A331.21 on July 14th, 2022. Staff note that the requested variances are the same as variances contained in application A331.21.

Staff recommended refusal of application A331.21 because the applicant failed to provide necessary supporting documentation to confirm and justify the parking variances sought, following multiple deferrals.

A Parking Utilization Study (PUS) was been submitted with the above noted application. Municipal Parking staff have reviewed the PUS and parking variance request and note as follows:

With respect to Committee of Adjustment application 'A' 34/23, 1692 Lakeshore Road West, the applicant is requesting the Committee to approve a minor variance to allow a personal service establishment proposing:

- 97 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 107 parking spaces in this instance.

Based on Zoning's review of the information available in the permit application, staff advise that the 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.

The area Councillor had sent another memorandum expressing concerns for the subject application and as such requested Committee to refuse approval.

A Parking Utilization Study (PUS) dated October 2022 was prepared by Lisgar Commercial Real Estate. The applicant nor their consultant, corresponded with Municipal Parking staff to approve surveying parameters. The PUS does not meet the requirements of the City's Parking Terms of Reference. Only two dates were chosen to survey the site's parking demands, during unspecified hours; meanwhile the requirement is to survey a minimum of 5-6 days over two consecutive weeks. Additionally, raw surveying data was not included with the report for staff to validate the results.

Staff recommends deferring the application pending the submission of satisfactory parking justification. A satisfactory Parking Utilizations Study (PUS) is required to be submitted in accordance with the City's Parking Terms of Reference. The consultant

should confirm the survey methodology with staff prior to conducting parking surveys. Details can also be found under the City's Parking Terms of Reference.

Staff continues to oppose Variance #3, as a main entrance facing a rear parking lot does not encourage a pedestrian oriented streetscape or a walkable community and having a main front entrance face from the rear parking lot would encourage and favour automobile use.

Planning staff also echo Municipal Parking staffs comments. As such, staff recommend that the application be deferred to allow the applicant an opportunity to address comments raised above and to submit the requested information.

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' 34/23.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

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: Sandra Morrison

Appendix 3 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Patrycia Menko, Junior Planner