

City of Mississauga Department Comments

Date Finalized: 2023-05-16	File(s): A132.23
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2023-05-25 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application, subject to a temporary approval. The applicant may wish to defer the application to ensure the accuracy of the requested variances and that additional variances are not required.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing 2200 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 2360 parking spaces in this instance.

Recommended Conditions and Terms

A temporary approval expiring September 2026.

Background

Property Address: 5600 Rose Cherry Place

Mississauga Official Plan

Character Area: Gateway Employment Area
Designation: Public Open Space

Zoning By-law 0225-2007

Zoning: OS2-6 - Open Space

Other Applications: None

Site and Area Context

The subject property is located north-east of the Kennedy Road and Matheson Boulevard East intersection and contains the Paramount Fine Foods Centre. There is some vegetation on the property, however the vast majority of the property consists of the building itself as well as the paved parking lot. The surrounding area contains multiple uses, including industrial uses to the west, Highway 403 to the east, Highway 401 to the north, and residential and recreational uses to the south.

The applicant is proposing an addition and requires a variance for 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 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 alternative parking arrangements in appropriate situations. Municipal Parking staff have reviewed the variance request and note as follows:

The existing property consists of 5500 and 5600 Rose Cherry Place, which share the parking facilities. There are three buildings: a spectator facility with main rink and three additional community rinks; a sportsplex with four soccer pitches, a gymnasium and a gymnastics facility; and a change house adjacent to two soccer pitches.

The proposal is an addition to the current facility; a gymnasium with a mezzanine level including change room facilities and auxiliary spaces.

Overall, 2360 parking spaces are required for the existing and proposed uses on site; where 2200 parking spaces are provided. This represents an overall on-site parking deficiency of 160 parking spaces, or 6.8%. A Parking Justification Letter was provided with key points noted as follows:

The existing site is currently deficient by 90 parking spaces, the gym addition results in an additional 70 parking space deficiency for an overall deficiency of 160 parking spaces.

The proposed gym addition will be primarily used as the Raptors 905 practice facility for 75% of the time, this usage will be during day-time hours, which would not overlap any main events in the spectator arena building that typically occur in the evening. It will be used by the City of Mississauga for recreational programs 25% of the time.

It is rare that a full capacity event or tournament would take place within both the main spectator arena/ community rinks and within the Sportsplex.

If there were to be a main event in the spectator arena facility with all four rinks occupied, and that the proposed gym addition would be in use by the city as part of a multi-sport tournament at the Sportsplex, this would result in peak usage.

During peak usage, there is the possibility of parking within the site, on an existing gravel lot at the south-east end of the property. The rate of such an occurrence would be possibly once per year.

Staff note that there is an existing off-site parking agreement in place for a temporary period of 5 years (approval will lapse on September 30, 2026), per Committee of Adjustment File A366/21. The off-site parking agreement permits 205 parking spaces to be subleased to IPC (Islamic Propagation Centre) located on an adjacent parcel at 5761 Coopers Avenue. Due to the temporary off-site parking agreement to allow 205 parking spaces to be subleased to 5761 Coopers Avenue, the subject parcel is temporarily deficient by an additional 205 parking spaces, which results in 2565 parking spaces required, whereas 2200 are available. This represents a temporary parking deficiency of 365 spaces, or 14.2%.

Comments provided by staff to the Committee as part of A366/21 recommended: "the variance be granted for a temporary period of one (1) year. At which time, should conditions have returned to normal from Covid-19, a full Parking Utilization Study will be required as per the City's Parking Studies Terms of Reference. At that time, the applicant must address any parking deficiencies identified in the above PUS."

Zoning staff have advised they have no comment at this time as no building application was received.

Given the above, Municipal Parking staff recommend that a temporary variance to permit 2200 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 2360 parking spaces in this instance, be approved that expires on September 30, 2026. Should there be a request to extend the existing temporary off-site parking agreement to the adjacent parcel at that time, a Parking Utilization Study will be required per the City's Parking Terms of Reference. If there is no request, or the Applicant does not intend to extend the existing temporary off-site parking agreement to the adjacent parcel at that time, a Parking Justification Letter will be required per the City's Parking Terms of Reference.

Planning staff are in agreement with Municipal Parking staff and echo the request for a temporary approval in line with the existing temporary approval for off-site parking. This will allow the applicant to fully evaluate the site and the parking needs at that time and return with a comprehensive application for parking.

At this time, given the existing justification and off-site parking agreement, Planning staff are of the opinion that the application maintains the general intent and purpose of both the official plan and zoning by-law, is minor in nature, and represents appropriate development of the subject property.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This department has no objections to the applicant's request.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

We note that a Building Permit is required. In the absence of a Building Permit 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.

Comments Prepared by: Brooke Herczeg, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

The Park Planning Section of the Community Services Department has no objections to the above noted minor variance application and advises as follows:

The lands adjacent to the property are owned by the City of Mississauga, identified as Paramount Fine Foods Centre (P-360) and zoned OS2-6 – Open Space – City Park.

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

Appendix 4 – Region of Peel

We have no comments or objections.

Comments Prepared by: Patrycia Menko, Junior Planner