

City of Mississauga Department Comments

Date Finalized: 2023-06-07	File(s): A181.23 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-06-15 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 banquet hall proposing:

1. To continue to permit Oasis Catering LTD, 1207238 Ontario Inc and Inca Hospitality to operate a banquet hall on site in an E2 Zone whereas By-law 0225-2007, as amended, does not permit a banquet hall in this instance;
2. To continue to permit 167 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 238 parking spaces in this instance;
3. To continue to permit no loading spaces whereas By-law 0225-2007, as amended, requires a minimum of 2 loading spaces in this instance; and,
4. To continue to permit a drive aisle width of 6.00m (approx. 19.69ft) whereas By-law 0225-2007, as amended, requires a minimum drive aisle width of 7.00m (approx. 23.00ft) in this instance.

Background

Property Address: 1036 Lakeshore Road East

Mississauga Official Plan

Character Area: Lakeview Waterfront Major Node
Designation: Mixed Use & Open Space

Zoning By-law 0225-2007

Zoning: E2-21 - Employment

Other Applications: none

Site and Area Context

The subject site is located within the Lakeview Waterfront Major Node, east of the Cawthra Road and Lakeshore Road East intersection. The south side of Lakeshore Road East consists of employment uses, while the north side of Lakeshore Road East consists of commercial and residential uses. The subject property consists of a one-storey building containing a banquet hall use that has operated since 1998. Significant vegetation is contained within the front yard of the subject property.

The applicant is requesting relief for an existing banquet hall use requiring variances related to the use and the existing parking lot.



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 subject property is designated Mixed Use & Open Space in Schedule 10 of the Mississauga Official Plan (MOP).

Variance #2 pertains to parking spaces. 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:

Per the site plan and application provided by the applicant, the subject unit is an existing banquet hall that has been in operation since 1998. The building Gross Floor Area (GFA) has not been provided. The applicant indicates that a total of 167 parking spaces are available on the subject site, however 238 parking spaces are required. Per the applicant's indicated deficiency, they are deficient by 71 parking spaces or 30%. Municipal Parking staff are unable to verify the accuracy of the variance, as the applicant has provided limited parking information and not provided the building's GFA. Per By-law 0225-2007, as amended, a banquet hall use in all parking precincts requires 10.8 parking spaces per 100 m² (1076.39ft²) GFA non-residential.

Zoning staff have also advised that in the absence of a development application they are unable to confirm the accuracy of the requested variances and cannot 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. As the banquet hall is 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, Municipal Parking staff require the application be deferred pending the submission of a satisfactory Parking Utilization Study (PUS).

Based on a review of the application with Zoning staff, it appears a banquet hall use is permitted in the E2 Zone. As such, variance #1 is not required. Transportation and Works staff have not identified any concerns with variances #3 and 4, as such Planning staff have no immediate concerns with these variances. With respect to variance # 2, Planning staff echo T&W staff's concerns and recommend that the application be deferred to allow the applicant an opportunity to submit a satisfactory PUS.

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' 181.23.

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 – Region of Peel

We have no comments or objections.

Comments Prepared by: Patrycia Menko, Junior Planner