

City of Mississauga Department Comments

Date Finalized: 2023-06-14	File(s): A752.22
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2023-06-22 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 proposing:

1. 30 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 51 parking spaces in this instance and,
2. 1 accessible parking space whereas By-law 0225-2007, as amended, requires a minimum of 2 parking spaces in this instance.

Background

Property Address: 7331 Bramalea Rd

Mississauga Official Plan

Character Area: Northeast Employment Area (West)
Designation: **Business Employment**

Zoning By-law 0225-2007

Zoning: E2 - Employment

Other Applications: C 22-2717

Site and Area Context

The applicant is proposing variances to allow reduced parking spaces.



Planning

Staff comments concerning the application of the four tests to this minor variance request are as follows:

Per the site plan and application provided by the applicant, the subject property is a five unit multi-tenant building and no additional parking can be provided on site. The existing use that is the subject of this application is a recreational facility, BMM Life Services

Inc., located within Units 4 and 5. All units are occupied. Per the site plan provided, a total of 31 parking spaces (including one barrier-free accessible parking space) are available on the subject site, whereas 51 parking spaces are required. The proposed deficiency is 20 parking spaces, or 39.2%.

Municipal Parking staff are concerned that no information regarding the existing and proposed parking demand of the business and multi-tenant building has been provided by the applicant. As the business and multi-tenant building 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.

Zoning staff have confirmed that the requested variance is correct.

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

Planning staff therefore recommend that the application be deferred to allow the applicant to submit the requested information.

Comments Prepared by: Shivani Chopra, Planner in Training

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference are photos depicting the subject property.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing an application under file C 22-2717. Based on review of the information currently available in this application, the variances, as requested are correct.

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: Alana Zheng, Planner Zoning Examination

Appendix 3 – Region of Peel

Minor Variance Application: A-22-752M – 7331 Bramalea Rd

Planning: Patrycia Menko (905) 791-7800 x3114

Comments:

- The subject land is located in the regulated area of the Toronto Region Conservation Authority (TRCA). We rely on the environmental expertise of the TRCA for the review of development applications located within or adjacent to the regulated area in Peel and the impact of natural hazards on proposed development. We therefore request that the City staff consider comments from the TRCA and incorporate their requirements appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the TRCA.

Comments Prepared by: Patrycia Menko, Junior Planner

Appendix 4- TRCA

Re: Minor Variance Application and City File No. A752.22

7331 Bramalea Road

City of Mississauga, Region of Peel

Owner: Willie Favaro

Agent: Design Plan Services Inc. c/o Addison Milne-Price

This letter acknowledges receipt of the subject application, received on May 17, 2023. Toronto and Region Conservation Authority (TRCA) staff have reviewed the application and the circulated materials in accordance with Ontario Regulation 686/21 and Ontario Regulation 166/06.

TRCA staff have reviewed the submission in accordance with Section 21.1(1) of the *Conservation Authorities Act*, which requires TRCA to provide programs and services related to the risk of natural hazards within its jurisdiction. The standards and requirements of such mandatory programs and services are listed under Ontario Regulation 686/21. Specifically, the regulation requires that TRCA must, acting on behalf of the Ministry of Natural Resources and Forestry (MNRF) or in its capacity as a public body under the *Planning Act*, ensure that decisions under the *Planning Act* are consistent with the natural hazard policies of the Provincial Policy Statement (PPS) and conform to any natural hazard policies in a provincial plan.

We have also reviewed the application in accordance with Ontario Regulation 166/06. TRCA must ensure that where development and/or site alteration is proposed within an area regulated by the Authority under Ontario Regulation 166/06, that it conforms to the applicable tests and associated policies (Section 8 of TRCA's The Living City Policies) for implementation of the regulation.

Please also note that updates to the *Conservation Authorities Act* and Ontario Regulation 596/22, which came into effect on January 1, 2023, prevent TRCA from providing municipal programs and services related to reviewing and commenting on a proposal under the *Planning Act*, such as those services previously provided under plan review Memorandum of

Understanding (MOU) with an upper or lower tier municipality. In conformity with Ontario Regulation 686/21 and Ontario Regulation 596/22, TRCA's review does not include comments pertaining to matters (e.g. natural heritage) outside of our core planning mandate and regulatory authority.

Purpose of the Application

The purpose of Minor Variance Application assigned City File No. A752.22 is to allow reduced parking proposing:

1. 30 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 51 parking spaces in this instance and,
2. 1 accessible parking space whereas By-law 0225-2007, as amended, requires a minimum of 2 parking spaces in this instance.

TRCA understands the variances are required to facilitate compliance with parking requirements for the existing commercial building.

Recommendation

TRCA's staff have no objection to support the approval of Variance Application assigned City File No. A752.22. A TRCA permit pursuant to Ontario Regulation 166/06 may be required for any future works on the subject property.

Site Context

Ontario Regulation 166/06: Under the provisions of Section 28 of the Conservation Authorities Act, TRCA administers a Development, Interference with Wetlands and Alterations to Shorelines and Watercourses regulation (Ontario Regulation 166/06). The subject property is located within TRCA's Regulated Area of the Etobicoke Creek Watershed. As such, a TRCA permit pursuant to Ontario Regulation 166/06 is required from this Authority prior to any development and/or site alteration taking place within TRCA's Regulated Area on the property. Based on our review, portions of the property are within TRCA's Regulated Area however, the proposed works are located outside of TRCA's Regulated Area.

Fee

TRCA staff thank the applicant for their prompt payment of the required planning review fee of \$1,250.00 received on May 8, 2023.

We thank you for the opportunity to comment. Should you have any additional questions or comments, please contact the undersigned.

Comments Prepared by: Marina Janakovic, Planner 1