

# City of Mississauga Department Comments

Date Finalized: 2023-07-12	File(s): A112.23
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2023-07-20 1:00:00 PM

## Consolidated Recommendation

The City has no objection to variance #1, however, recommends that variance #2 be refused.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the existing parking on site proposing:

1. 16 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 20 parking spaces in this instance and,
2. The existing parking along Lakeshore Road East be allotted whereas By-law 0225-2007, as amended, does not permit parking and loading spaces between a streetwall and a lot line that is a street line in this instance.

## Background

**Property Address:** 724-734 Lakeshore Road E

### Mississauga Official Plan

Character Area: Lakeview Neighbourhood  
Designation: Mixed Use

### Zoning By-law 0225-2007

**Zoning:** C4- Commercial

**Other Applications:** BP 3ALT 22-606

### Site and Area Context

The subject site is located within the Lakeview Neighbourhood Character Area. The subject site contains a one-storey commercial building with multiple units and no vegetation. The broader area consists of commercial uses, including restaurants and low and high density residential uses on lots containing vegetation.

The application proposes an office use requiring variances related to 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 are as follows:

The subject property is designated Mixed Use in Schedule 10 of the Mississauga Official Plan (MOP) which permits personal service establishment, retail store and secondary office uses. A secondary office use means a business, professional or administrative offices having an area less than 10,000 m<sup>2</sup> (107,639 ft<sup>2</sup>) or accommodating less than 500 jobs.

The applicant is seeking to permit Office use in Unit 726. The applicant proposes a total of 16 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 20 parking spaces in this instance.

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 materials provided by the applicant, the subject property currently has five units that serve commercial purposes. The applicant proposes a use change in unit 726, from Service Establishment to Office, with a Gross Floor Area (GFA) of 81m<sup>2</sup> (871.88ft<sup>2</sup>). The subject property is located within Parking Precinct 3. Per C4 Zone Parking Requirement, off-street parking spaces for non-residential uses in C4 zones shall be provided in accordance with Precinct 1 requirements of this By-law. As a result, the required parking space for this unit would be 2 spaces. Per the Parking Allocation Report provided by Zoning staff, based on the different land uses of each unit, the required parking space for the rest of the units within the subject property is 18. As such, 20 parking spaces are required whereas 16 parking spaces can be accommodated. The proposed parking deficiency is 4 parking spaces, or 20%.

The applicant provided a Parking Utilization Study (PUS) dated February 13, 2023, completed by Nextrans Consulting Engineers. Parking surveys were conducted for six days over a two-week period. Results indicate that the peak demand for parking was on a Thursday at 4 p.m., which was 11 spaces. The peak parking utilization percentage was 69% and the peak parking demand ratio was 1.83 spaces per 100m<sup>2</sup> (1076.39ft<sup>2</sup>) of GFA. Based on the survey results, the parking demand ratio appears to be lower than what's required in the zoning bylaw for all land uses on the subject property. Zoning staff have confirmed that the requested variance is correct.

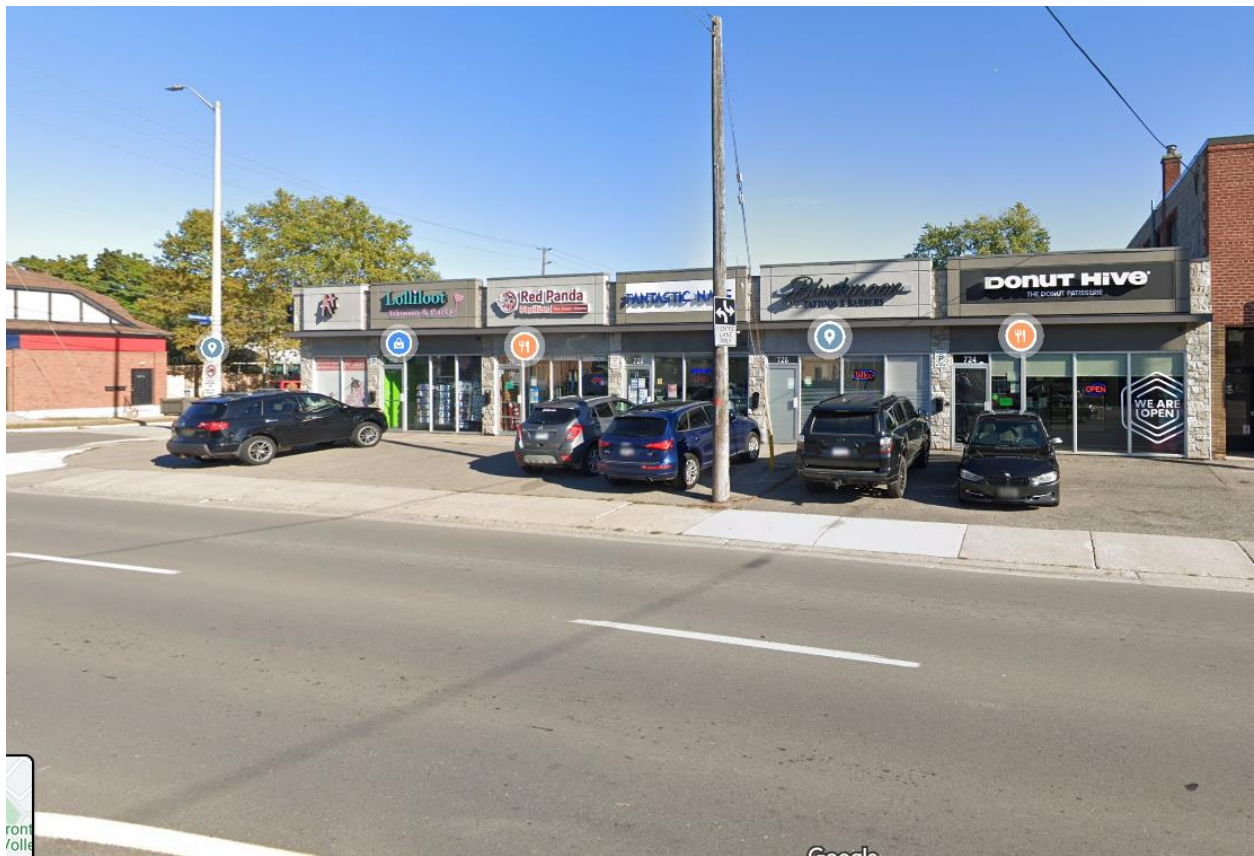
Planning staff echo Municipal Parking staff's comments with respect to variance #1. However, following discussions with Transportation and Works and Zoning staff, Planning staff cannot support variance #2. Variance #2 is required to permit an existing parking condition on the subject property. Planning staff are of the opinion that variance #2 raises safety concerns for both pedestrians and vehicles travelling on Lakeshore Road East. Furthermore, staff is of the opinion that additional variances are required to accommodate parking in front of the building. As such, staff has no objection to variance #1 and recommends that variance #2 be refused.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed for Committees information are photos of the subject property. This Department has no concerns with respect to minor variance request #1 however, we have safety concerns with vehicles entering and exiting Lakeshore Road East as contemplated by condition #2 requesting existing parking to be allotted to the parking total. We also advise that parking on the Lakeshore Road East frontage requires a significant encroachment of parked cars into the municipal right of way. Any encroachment requires a Licence or Encroachment Agreement with the City, which this department will **not** support.



















Comments Prepared by: John Salvino, Development Engineering Technologist

## Appendix 2 – Zoning Comments

The Building Department is currently processing an application under file BP 3ALT 22-606. Based on review of the information currently available in this application, variance #1, as requested is correct. We advise that more information is required in order to verify the accuracy of variance #2 or determine whether additional variance(s) will be required.

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: A-23-112M - 724-734 Lakeshore Road E.**

Planning: Ayooluwa Ayoola (905) 791-7800 x8787

**Comments:**

- The subject land is located in the regulated area of the Credit Valley Conservation Authority (CVC). We rely on the environmental expertise of the CVC 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 CVC and incorporate their requirements appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the CVC.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner