

# City of Mississauga Department Comments

Date Finalized: 2023-07-12	File(s): A241.23
To: Committee of Adjustment	Ward: 3
From: Committee of Adjustment Coordinator	Meeting date:2023-07-20 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 building proposing a gross floor area for medical uses of 3269.24sq m (approx. 35189.81sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 3235.00sq m (approx. 34821.25sq ft) in this instance.

### Amendments

The applicant requests the Committee to approve a minor variance to allow a Medical Office use proposing 288 parking spaces for all uses on-site; whereas By-law 0225-2007, as amended, requires a minimum 345 parking spaces for all uses on-site in this instance.

## Background

**Property Address:** 1065 Canadian Place, Units 127 and 128

### Mississauga Official Plan

Character Area: **Northeast Employment Area**  
Designation: **Business Employment & Greenlands**

### Zoning By-law 0225-2007

**Zoning:** E2- Employment

**Other Applications:** 22-1886

### Site and Area Context

The subject property is located south-east of the Tomken Road and Eglinton Avenue East intersection in the Northeast Employment Area. It currently contains 2 multi-storey commercial condominium buildings with a range of uses. The property has very little vegetation or landscaping, mostly at the rear of the property. The property also has a large parking lot servicing the two buildings. The surrounding area context includes a mix of commercial and industrial buildings on lots of various sizes with very little landscaping. Notable exceptions include the greenspace surrounding the Little Etobicoke Creek to the rear of the property and Philip Pocock Secondary School to the south.

The applicant is proposing a medical office use in unit 127 and 128 requiring a variance for parking.



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, there are currently two buildings with a total of 55 units on the subject property, the land uses of these units comprise of Medical Office, Office, Commercial School, Manufacturing Facility, Restaurant/Take-Out Restaurant, and Motor Vehicle Repair Facility. The subject property is located within Parking Precinct 3.

Unit 127 is currently being used as a Medical Office named "Aqua Clinic", the applicant proposes to remove the demising wall between Unit 127 and Unit 128 and combine them into one medical office, with a Gross Floor Area (GFA) of 184 m<sup>2</sup>. As a result, the required parking space for this unit would be 8 spaces per parking requirements listed in the zoning by-law. 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 337. As such, 345 parking spaces are required whereas 288 parking spaces can be accommodated. The proposed parking deficiency is 57 parking spaces, or 16.5%.

The applicant provided a Parking Utilization Study (PUS) dated April 21, 2023, completed by Harper Dell & Associates. Although the applicant submitted a PUS, it did not initially include observed parking demand ratio per 100 m<sup>2</sup> of occupied GFA for each observation period. Staff discussed concerns regarding the PUS with the Agent however they were not resolved satisfactorily as the ratios were calculated incorrectly. The applicant should refer to the City's Parking [Terms of Reference](#) for parking justification requirements to be included with a formal submission.

Zoning staff have confirmed that the requested variance is correct.

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

Planning staff are in agreement with the comments from Municipal Parking staff and are of the opinion that the application should 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

This Department has no objections, comments or requirements with respect to C.A. 'A' 241/23.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a certificate of occupancy permit application under file 22-1886. Based on review of the information currently available for this application, we advise that the following variance(s) should be amended as follows:

< The applicant requests the Committee to approve a minor variance to allow a Medical Office use proposing 288 parking spaces for all uses on-site; whereas By-law 0225-2007, as amended, requires a minimum 345 parking spaces for all uses on-site in this instance. >

Our comments are based on the plans received by Zoning staff for the above captioned certificate of occupancy permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: RAMSEN HEDOO

### 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 Not To Be Named (P-259) \*(NE of Tomken and Eglinton), classified as a Significant Natural Area within the City's Natural Heritage System, and zoned G1. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:

- a) ensuring that development in or adjacent to the Natural Heritage System protects and maintains the natural heritage features and their ecological functions through such means as tree preservation, appropriate location of building envelopes, grading, landscaping...;

Should the application be approved, Community Services provides the following notes:

1. Construction access from the adjacent park/greenlands is not permitted.
2. If access is required to City owned lands, a Consent to Enter Agreement/Park Access Permit will be required.
3. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.

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](mailto:Nicholas.Rocchetti@mississauga.ca).

Comments Prepared by: Nicholas Rocchetti, Park Planning Assistant

#### **Appendix 4 – Region of Peel**

##### **Minor Variance: A-23-241M – 1065 Canadian Place, Units 127 and 128**

Development Engineering: Camila Marczuk (905) 791-7800 x8230

##### **Comments:**

- There is a Regional sanitary sewer easement on the subject property. Please be advised that unauthorized encroachments on Regional easements will not be permitted. Certain restrictions apply with respect to Regional easements as per the documents registered on title.

Planning: Ayooluwa Ayoola (905) 791-7800 x8787

##### **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.
- We recognize that the subject site is located within a Regional Employment Area, identified on Schedule E-4 of the Regional Official Plan (ROP) and within a Provincially Significant Employment Zone. However, the proposed increase in gross floor area for medical office uses presents a small percentage increase above the existing permissions and can be considered minor, compatible with the existing land use patterns, and will not significantly impact employment opportunities in the area.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner