

City of Mississauga Department Comments

Date Finalized: 2023-12-07	File(s): A457.23 Ward: 6
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-12-14 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

The applicant requests the Committee to approve a minor variance to allow parking proposing 0 parking spaces on the subject property whereas By-law 0225-2007, as amended, requires a minimum of 12 parking spaces on the subject property in this instance.

Background

Property Address: 1555 Dundas Street West

Mississauga Official Plan

Character Area: Erindale Neighbourhood
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C4-7- Commercial

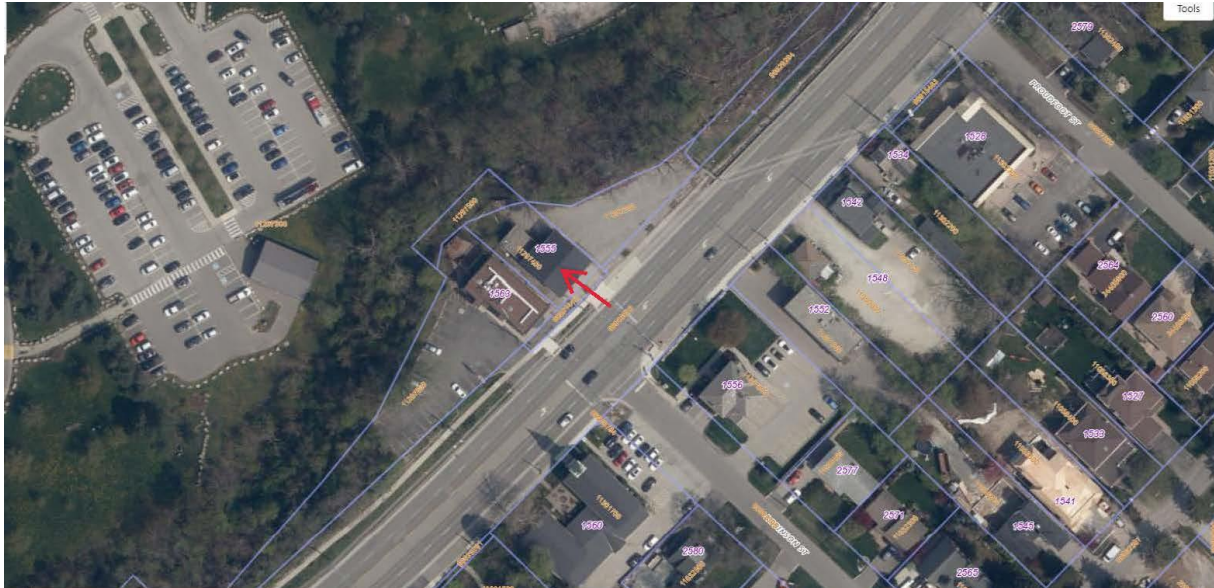
Other Applications: C 23-8262

Site and Area Context

The subject property is located on the north side of Dundas Street West, east of Mississauga Road in the Erindale Neighbourhood. It currently contains a two-storey commercial building with associated surface parking. Limited landscaping and vegetative elements are present on the

subject property however mature vegetation exists along the north side of the subject property. The surrounding area context includes a mix of land uses and built forms on varying sized lots. Erindale Park directly abuts the property to the north.

The applicant is proposing a variance to permit a reduction in parking for the proposed office use on the subject property.



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:

With respect to Committee of Adjustment application 'A' 457.23, 1555 Dundas Street West, the Applicant is requesting the Committee to approve a minor variance to allow reduced parking for the subject property and proposing:

A total of 0 parking spaces on the subject property whereas By-law 0225-2007, as amended, requires a minimum of 12 parking spaces on the subject property in this instance.

Per the materials provided by the Applicant, the basement and ground floor of the subject property are being proposed to be utilized as an Office with a Gross Floor Area (GFA) of 362.5 square meters; the second and third floors will be utilized as an Apartment unit with

a GFA of 237.3 square meters. The subject property is located within C4-7 Zoning Area, Parking Precinct 3.

Per Section 3.1.1.2 of Mississauga Zoning By-law, Office uses located in Parking Precinct 3 require a minimum of 2.8 parking spaces per 100 square meters of non-residential GFA; in addition, dwelling units located above a commercial development with a maximum height of three storeys require a minimum of 1 parking space per unit. Therefore, with the proposed Office GFA of 362.5 square meters, the minimum required number of parking spaces for the subject property would be 11. The Applicant has agreed to modify the proposed parking number to 11 spaces after communicating with Staff, and the new proposal would meet the minimum parking requirement as stipulated by the Zoning By-law.

As 11 parking spaces are to be located off-site at a neighboring property, the applicant has agreed to endorse a License Agreement with the City under the guidance from Realty Services and Legal Services Departments.

The use of the City's Parking Agreement allows the City to ensure that the dedicated parking is available, good neighbor relations between adjacent property owners are maintained, the public's interests are accounted for, and confirms the agreement will remain in place for the requested duration. Should the agreement be terminated prior to the duration as requested, it is the applicant's due diligence to then resolve the variance/parking deficiency, therefore keeping the applicant accountable to the City's parking standards.

Staff find that the requested variance is minor in nature and supported by executing Off-Site Parking Agreement, therefore it would be appropriate to support the application.

Zoning staff have advised that more information is required to verify the accuracy of the requested variance.

Given the above, Municipal Parking staff can support a total of 0 parking spaces on the subject property whereas By-law 0225-2007, as amended, requires a minimum of 12 parking spaces on the subject property in this instance, pending the submission of a completed off-site Parking License Agreement satisfactory to the requirements of the City's Legal and Municipal Parking departments.

Planning staff echo Municipal Parking staff's comments and are of the opinion that the variance 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: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed are photos depicting the subject property. It is our understanding that the City's Realty Services Section will be addressing any requirements which would allow the City to lease the lands required to provide parking to the applicant and in this regard we have no objections to the applicant's request.

Comments Prepared by: Joe Alava, T&W Development Engineering





Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit application under file C 23-8262. Based on review of the information currently available for this building permit, we advise that more information is required to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Our comments are based on the plans received by Zoning staff on 11/10/23 for the above captioned building 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: Adam McCormack - Zoning

Appendix 3 – Parks, Forestry & Environment

The Parks and Culture 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 Erindale Park (P-060), classified as a Significant Natural Area within the City's Natural Heritage System, and zoned G1-14. 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. If future construction is required, 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.

Comments Prepared by: Nicholas Rocchetti, Planner-in-Training

Appendix 4 – CVC

Re: CVC File No. A23/457
Municipality File No. A457.23
Chabad of Mississauga
1555 Dundas Street West
Lot 5 Con 1 SDS
City of Mississauga

Credit Valley Conservation (CVC) staff have reviewed the subject application and offer comments based on the following roles and responsibilities:

1. Delegated Responsibilities providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 3.1 of the Provincial Policy Statement (2020);
2. Regulatory Responsibilities providing comments to ensure the coordination of requirements under the Conservation Authorities Act Section 28 regulation, to

eliminate unnecessary delay or duplication in process;

3. Source Protection Agency providing advisory comments to assist with the implementation of the CTC Source Protection Plan under the Clean Water Act, as applicable.

CVC REGULATED AREA

Based on our mapping, the subject property is regulated due slope hazard associated with the Credit River. As such, the property is regulated by CVC under Ontario Regulation 160/06. As such, the property is subject to the Development, Interference with Wetlands, and Alterations to Shorelines & Watercourses Regulation (Ontario Regulation 160/06). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

PROPOSAL:

It is our understanding that the applicant is requesting the Committee to approve a minor variance to allow parking proposing 0 parking spaces on the subject property whereas By-law 0225-2007, as amended, requires a minimum of 12 parking spaces on the subject property in this instance.

COMMENTS:

Based on the review of the information provided, CVC has no concern and no objection to the approval of the proposed minor variance at this time. However, if there is any development proposed on the property CVC strongly recommends that the applicant contact us for further consultation to determine CVC's permitting requirements.

The applicant is to note that CVC has not received payment of the review fee of \$478 for this Minor Variance application. The applicant should forward this directly to CVC at the earliest convenience.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at stuti.bhatt@cvc.ca or 905-670-1615 (ext. 350) should you have any further questions. Please circulate CVC on any future correspondence or applications regarding this site.

Comments Prepared by: Stuti Bhatt, Junior Planner

Appendix 5 – Metrolinx Comments

1555 Dundas Street West - A457.23

Metrolinx is in receipt of the minor variance application for 1555 Dundas St W to allow an existing condition of 0 parking spaces on the subject property whereas By-law 0225-2007, as amended, requires a minimum of 12. We understand the existing building is proposed to be

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converted to an office use (no building expansion or construction). Metrolinx's comments on the subject application are noted below:

Advisory Comments:

- The subject property is located adjacent to the future Dundas Bus Rapid Transit ("BRT") alignment. The Dundas BRT project was assessed under the Transit Project Assessment Process (TPAP) in accordance with Ontario Regulation 231/08. During the TPAP, an Environmental Project Report (EPR) was prepared to assess the potential environmental impacts as a result of the Project. The Environmental Project Report was available for a 30-day review period (starting February 23, 2022 – March 25, 2022); and, on April 27, 2022, the Minister of the Environment, Conservation and Parks issued a [Notice to Proceed](#) with the municipal transit project. If the applicant wishes to find out more about the Dundas BRT project, the applicant is encouraged to visit <https://www.metrolinxengage.com/en/content/dundas-brt-round-3-engagement-environmental-assessment>

Comments Prepared by: Farah Faroque, Project Analyst

Appendix 6- Region of Peel

Minor Variance: A-23-457M / 1555 Dundas Street W

Planning: Ayooluwa Ayoola (905) 791-7800 x8787

Comments:

- The subject land is 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.

The subject land is located within a Core Area of the Greenlands System in Peel as identified under policy **2.14.5** of the Regional Official Plan. Development and site alteration are prohibited in Core Areas of the Greenlands System (ROP 2.14.15), which is subject to policy 2.14.16. The applicant must ensure Core Areas are not damaged or destroyed. If the Core Area is intentionally damaged or destroyed, the Region or City will require replacement or restoration of the ecological features, functions and/or landforms as a condition of development approval (ROP 2.14. 17).

Comments Prepared by: Ayooluwa Ayoola, Junior Planner