

City of Mississauga Department Comments

Date Finalized: 2024-01-10	File(s): A20.24 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-01-18 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 reduction of parking spaces proposing 3 parking spaces (1 of which is accessible) whereas the By-law 0225-2007, as amended, requires 4 parking spaces in this instance.

Amendments

Based on review of the information currently available for building permit C 23-8123, Zoning staff advise that the following variance should be added as follows:

- An insufficient aisle with of 2.90m adjacent to the proposed parking spaces, whereas By-law 0225-2007, as amended, requires a minimum 7.0m aisle width in this instance.

Background

Property Address: 901 Lakeshore Road East

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C4- Commercial

Other Applications: Building permit application under file C 23-8123**Site and Area Context**

The subject property is located within the Lakeview Neighbourhood Character Area, northeast of the Lakeshore Road East and Westmount Avenue intersection. The surrounding area, south of Lakeshore Road East, comprises of a mix of commercial and industrial type uses. The area located north of the subject property and along Lakeshore Road East consists primarily of a mix detached dwellings and commercial uses. The subject property has a two-storey building that currently consists of a commercial unit on the ground floor with a residential unit on the second floor. No vegetative or landscape elements are present.

The applicant is requesting a variance for reduced parking spaces.

**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 located within the Lakeview Neighbourhood Character Area, and is designated Mixed Use on Schedule 10 of the Mississauga Official Plan (MOP). The Mixed Use designation permits a variety of uses, including residential and commercial uses.

Section 8.4 of the official plan contemplates potential reductions in parking requirements and alternative parking arrangements in appropriate situations. 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.

Municipal Parking staff have reviewed the variance request and note as follows:

Per the materials provided by the applicant, the subject property is a two-storey building that consists of a commercial unit on the ground floor and a residential unit on the second floor, with a Gross Floor Area (GFA) of 94.07 square meters. The subject property is located within C4 Zoning Area, Parking Precinct 3.

Staff advise that the proposed variance can not be verified due to the lack of precise land use information of the commercial component. Assuming 4 parking spaces are required and the applicant proposes 3 spaces, as such, the parking deficiency for the subject site is 1 space or 25%.

As the proposed parking deficiency exceeds 10%, a satisfactory Parking Utilization Study (PUS) is required as per the City's Parking Terms of Reference provision.

The applicant did not provide a PUS as justification for the proposed parking deficiency. 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 recommend the application be deferred pending the submission of a satisfactory Parking Utilization Study (PUS).

The City of Mississauga requires a PUS be submitted in support of an application where a reduction of parking exceeds 10% of what the By-law requires. Further, Planning staff would like to highlight Transportation and Works staff comments concerning the need for a reciprocal easement with the property to the west to ensure appropriate vehicular access is maintained. This requires a second application to be filed by the property owner to the west. With this in mind, Planning staff recommend deferral of the application to allow the applicant an opportunity to address easement concerns and to submit a PUS.

Comments Prepared by: Shivani Chopra, Planner in Training

Appendices

Appendix 1 – Transportation and Works Comments

This Department has concerns with the application as submitted. Based on the sketch provided, any vehicle safely accessing the proposed parking stalls located in front of the building will require encroachment onto the neighbouring lands. Easements and/or reciprocal easements may be required between the two property owners as the adjacent lands may have the same concerns. We ask that the application be deferred until the applicant approach the adjacent land owners and discuss the requirements of each lot.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit application under file C 23-8123. Based on review of the information currently available for this building permit, we advise that the following variance(s) should be amended/added as follows:

- An insufficient aisle with of 2.90m adjacent to the proposed parking spaces, whereas By-law 0225-2007, as amended, requires a minimum 7.0m aisle width in this instance.

Our comments are based on the plans received by Zoning staff on 09/26/23 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: A. McCormack; Zoning Examiner

Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner