

# City of Mississauga Department Comments

Date Finalized: 2024-02-22	File(s): A95.24
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2024-02-29 1:00:00 PM

## Consolidated Recommendation

The City recommends the application be deferred to submit the required materials.

## Application Details

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

1. 115 parking spaces whereas By-law 0225-2007, as amended requires a minimum of 152 parking spaces in this instance;
2. 30 off site parking spaces whereas By-law 0225-2007, as amended does not permit off site parking in this instance;
3. 30 tandem parking spaces whereas By-law 0225-2007, as amended does not permit tandem parking in this instance; and,
4. 4 accessible parking spaces whereas By-law 0225-2007, as amended requires a minimum of 6 accessible parking spaces in this instance.

## Background

**Property Address:** 2360 Lucknow Drive

### Mississauga Official Plan

Character Area: Northeast Employment Area

Designation: Business Employment

### Zoning By-law 0225-2007

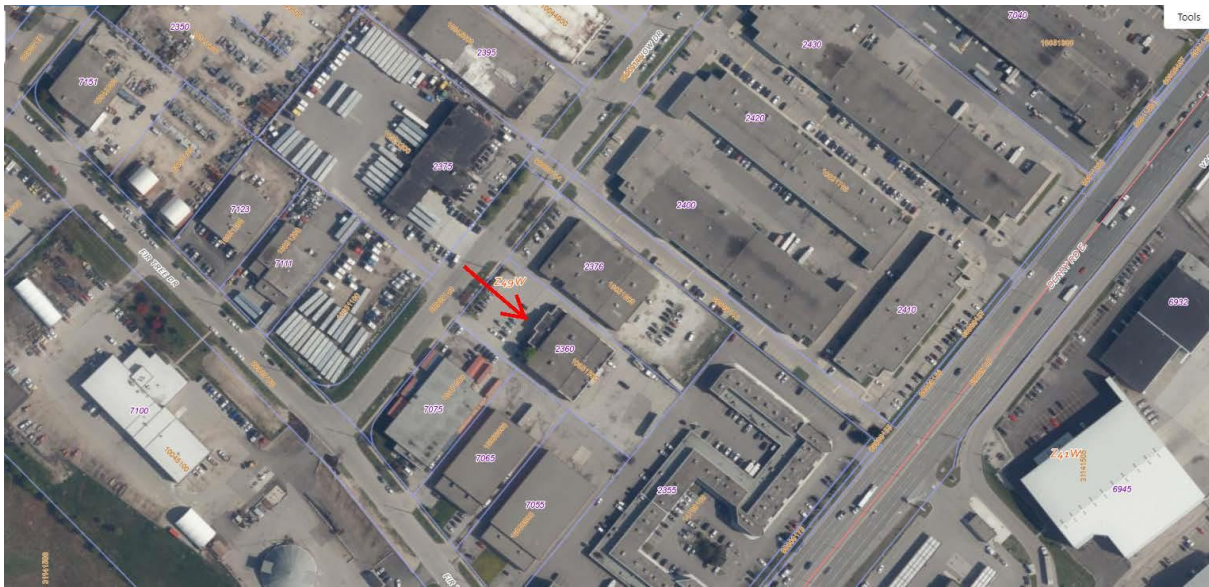
**Zoning:** E2- Employment

**Other Applications:** None

## Site and Area Context

The subject property is located north-west of the Derry Road East and Torbram Road intersection. It currently contains a one-storey banquet hall with associated surface parking lot. Limited landscaping and vegetative elements are present along the frontage of the subject property. The surrounding area consists of various sizes of industrial buildings.

The applicant is requesting variances pertaining to parking deficiencies, off-site parking and tandem 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 of the four tests to this minor variance request are as follows:

The subject property is located in the Northeast Employment Character Area and is designated Business Employment in the Mississauga Official Plan (MOP). The Business Employment designation permits a range of uses. As such, the proposal meets the general intent and purpose of the official plan.

The proposed variances seek a reduction in the total number of parking spaces and the location of parking on the subject property and the abutting property. 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:

With respect to Committee of Adjustment application 'A' 95.24, 2360 Lucknow Drive, the Applicant is requesting the Committee to approve minor variances for the subject property and proposing:

1. 115 parking spaces whereas By-law 0225-2007, as amended requires a minimum of 152 parking spaces in this instance;
2. 30 off site parking spaces whereas By-law 0225-2007, as amended does not permit off site parking in this instance.

Per the materials provided by the Applicant, the subject property currently functions as a Banquet Hall with a Gross Floor Area (GFA) of 1406.51 square meters. The variances are triggered by the applicant's request to renew the previous temporary approval of an off-site parking agreement. The subject property is located within E2 Zoning Area, Parking Precinct 4.

Per Section 3.1.1.2 of Mississauga Zoning By-law, Banquet Hall uses located in Parking Precinct 4 require a minimum of 10.8 spaces per 100 square meters of non-residential GFA. Therefore, with a proposed GFA of 1406.51 square meters, a minimum of 152 parking spaces are required. The applicant proposes a total of 115 parking spaces on-site and 30 spaces off-site. As such, 152 parking spaces are required whereas 115 parking spaces can be accommodated, which generates a parking deficiency of 37 spaces or 24%.

The Applicant provided a Commercial Lease Agreement with a neighboring property at 2376 Lucknow Drive, which states that an additional 30 parking spaces can be accommodated. However, the agreements were not drafted using the standard Off-site Parking Agreement template provided by the City.

The use of the City's Off-Site Parking Agreement template allows the City to be a signatory to the agreement and ensures that the dedicated parking is available, good neighbor relations between adjacent property owners are maintained, ensures the public's interests are accounted for, and confirms the agreement remains in place for the requested duration.

Zoning staff have advised that the accuracy of the requested variance can not be confirmed.

Given the above, Municipal Parking staff recommend the application be deferred pending the submission of a satisfactory Off-Site Parking Agreement.

While Planning staff are in agreement with Municipal Parking staff, Planning staff do not have an objection to the approval of the application subject to the applicant entering into a City initiated off-site parking template agreement as per Corporate Policy.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

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

With regards to Variance #3 we note that it may be difficult to identify/locate on site the proposed 30 tandem parking spaces as they are currently not delineated and located in the area of the rear property line.

With regards to Variance # 2, we note that the off-site parking spaces may have to be better identified/delineated as this area is currently a large gravel parking lot on the abutting lot.

Information submitted with the application includes a Commercial Lease dated September 10, 2018 which we assume will have to be updated to reflect this current request.









Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## Appendix 2 – Zoning Comments

In the absence of a Development application we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed. The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

For scope of work that does not require Site Plan Approval/Building Permit/Zoning Certificate of Occupancy Permit, the applicant may consider applying for a Preliminary Zoning Review application. A detailed site plan drawing and architectural plans are required for a detailed zoning review to be completed. A minimum of 6-8 weeks is required depending on the complexity of the proposal and the quality of information submitted.

Comments Prepared by: Minan Song, Planner in Training



**Appendix 3- Region of Peel**

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner