

City of Mississauga Department Comments

Date Finalized: 2024-02-22	File(s): A96.24
To: Committee of Adjustment	Ward: 8
From: Committee of Adjustment Coordinator	Meeting date:2024-02-29 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application, as amended.

Application Details

The applicant requests the Committee to approve a minor variance to allow 758 parking spaces for a restaurant use within Unit 12 (Building I) whereas By-law 0225-2007, as amended requires a minimum of 824 parking spaces in this instance.

Amendments

The applicant requests the Committee to approve a minor variance to allow 758 parking spaces for all uses on site; whereas By-law 0225-2007, as amended, requires a minimum of 847 parking spaces for all uses in this instance.

Background

Property Address: 3545 Odyssey Drive, Unit 12 (Building I)

Mississauga Official Plan

Character Area: Churchill Meadows Employment Area
Designation: Business Employment; Mixed Use

Zoning By-law 0225-2007

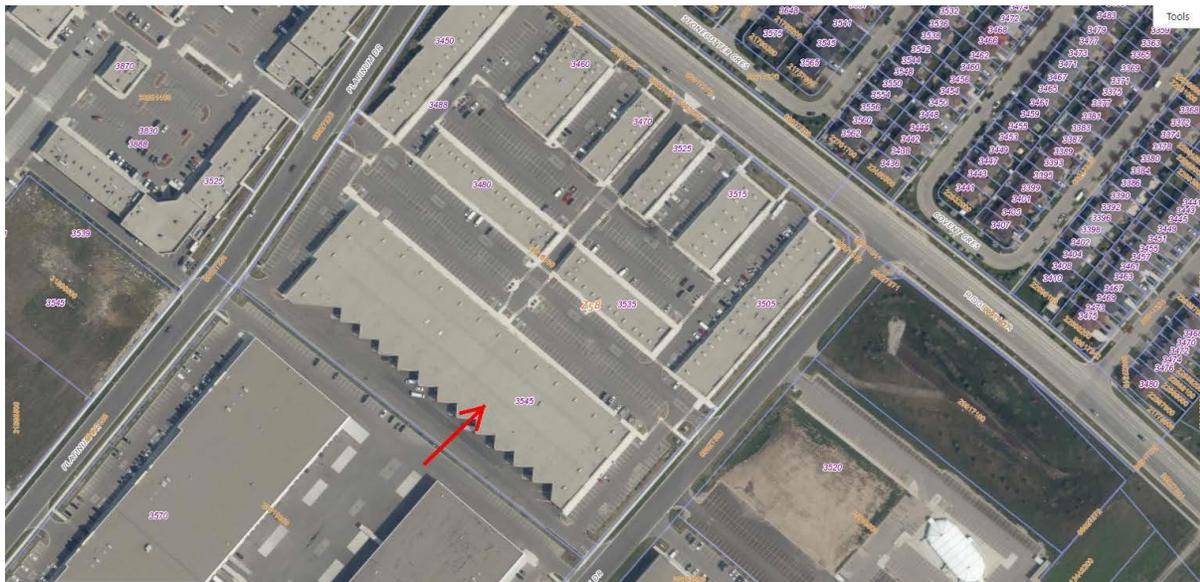
Zoning: C3-59- Commercial and E2-102- Employment

Other Applications: Certificates of Occupancy 23-8232, 23-9656, 23-10262, 23-10452, 24-298, 24-490, *et. al.*

Site and Area Context

The subject property is located south-west of Eglinton Avenue West and Winston Churchill Boulevard intersection. It currently contains a commercial plaza with associated parking. No vegetative elements are present on the subject property, characteristic of the surrounding area. The surrounding context consists of a mix of residential, commercial and employment uses.

The applicant is proposing a variance for reduction in 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 in the Northeast Employment Area (West) Character Area and is designated Industrial in Schedule 10 of the Mississauga Official Plan (MOP).

The sole variance requested proposes a reduction in the total number of parking space. 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 unit within the subject property is currently vacant. The applicant proposes a Restaurant with a Gross Floor Area (GFA) of 699.57 m² (7530.10ft²) in unit 12. Building I, where the proposed business is located, has a GFA of 11,110.6 m² (119593.50ft²). The subject property is located within E2-102 Zoning Area, Parking Precinct 4.

Per Section 3.1.1.2 of Mississauga Zoning By-law, Restaurant uses with a GFA over 220 m² (2368.06ft²) located in Parking Precinct 4 require a minimum of 9 spaces per 100 square meters of non-residential GFA. Therefore, with a GFA of 699.57 m² (7530.10ft²), a minimum of 63 spaces are required. Zoning staff have advised that the total required number of parking spaces for the subject property should be amended to 847. The applicant proposes a total of 758 parking spaces for the entire property. As such, 758 parking spaces are required whereas 847 parking spaces can be accommodated, which generates a parking deficiency of 66 spaces or 10.5%.

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 submitted a Parking Utilization Study dated January 16, 2024, prepared by Harper Dell & Associates. A nine-day survey at the subject site was undertaken in November 2023. The results of the survey indicate that the peak demand at the subject site was observed on a Friday at 2 p.m., with a total of 131 occupied parking spaces on site, which represents a utilization rate of 41% and a demand ratio of 1.18 spaces per 100 m² (1076.39 ft²). The finding appears to be lower than the overall parking supply rate of 2.91 spaces per 100 m² (1076.39 ft²). Staff find that the proposed parking reduction request is minor in nature based on the findings from the submitted PUS.

Zoning staff have advised that the following amendment is required:

The applicant requests the Committee to approve a minor variance to allow 758 parking spaces for all uses on site; whereas By-law 0225-2007, as amended, requires a minimum of 847 parking spaces for all uses in this instance.

Given the above, Municipal Parking staff can support a total of 758 parking spaces for a restaurant use within Unit 12 (Building I) whereas By-law 0225-2007, as amended requires a minimum of 847 parking spaces in this instance.

Planning staff rely on Municipal parking staff's comments and expertise for variances pertaining to deficiency in parking spaces and echo their comments that the requested variance raises no concerns.

Planning staff are of the opinion that the application 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: Shivani Chopra, Planner in Training

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed are pictures of the subject parking area in front of the unit. Our Department has no concerns.

Comments Prepared by: John Salvino, Development Engineering Technologist



Appendix 2 – Zoning Comments

The Building Department is processing Certificates of Occupancy 23-8232, 23-9656, 23-10262, 23-10452, 24-298, 24-490, *et. al.* Based on review of the information available in these applications, we advise that following amendment is required:

The applicant requests the Committee to approve a minor variance to allow 758 parking spaces for all uses on site; whereas By-law 0225-2007, as amended, requires a minimum of 847 parking spaces for all uses in this instance.

Our comments may no longer be valid should there be changes in the Committee of Adjustment application that have yet to be submitted and reviewed through the Building Division applications. To receive updated comments, the applicant must submit any changes to information or drawings separately through the above applications.

Comments Prepared by: Brian Bonner, Supervisor

Appendix 3- Region of Peel

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner