

City of Mississauga Department Comments

Date Finalized: 2024-05-08	File(s): A212.24
To: Committee of Adjustment	Ward: 3
From: Committee of Adjustment Coordinator	Meeting date:2024-05-16 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 change of use proposing 329 parking spaces on site whereas By-law 0225-2007, as amended, requires a minimum of 476 parking spaces on site in this instance.

Background

Property Address: 1331 Crestlawn Dr Unit C

Mississauga Official Plan

Character Area: Northeast Employment Area (West)
Designation: Business Employment; Mixed Use

Zoning By-law 0225-2007

Zoning: E2 - Employment & C3-1 - Commercial

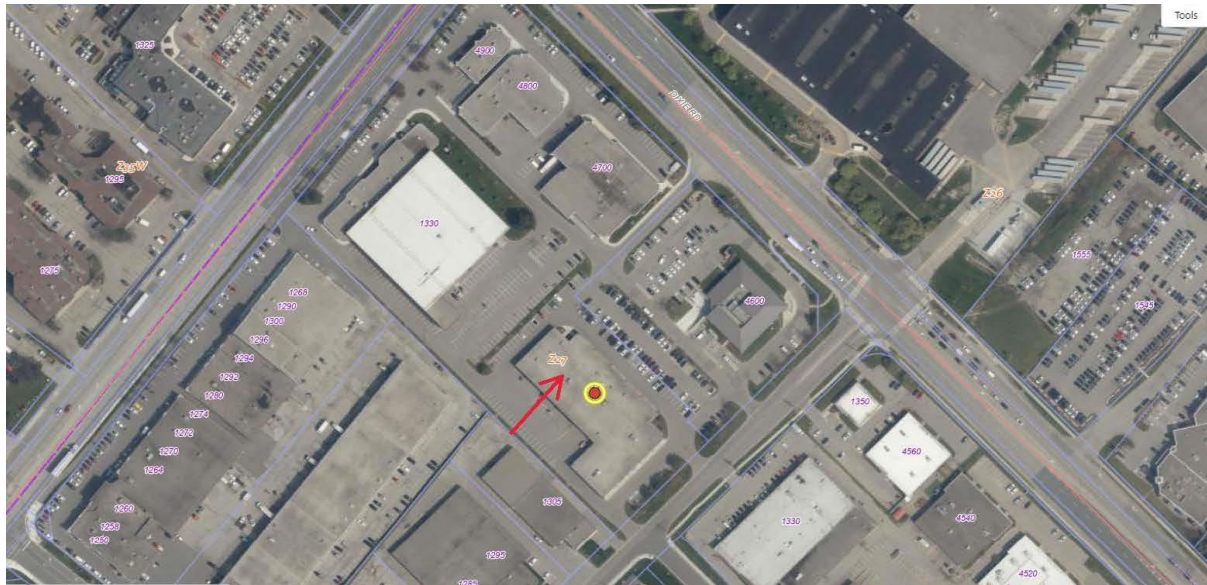
Other Applications: None

Site and Area Context

The subject property is a multi-pad, multi-tenant commercial plaza located on the south-west corner of the Eglinton Avenue East and Dixie Road intersection. The subject plaza contains 5 different buildings with separate municipal addresses. The immediate neighbourhood consists

of a mixture of commercial, employment and industrial uses. Minimal vegetation exists in the form of urban street trees.

The applicant is proposing a new recreational facility and restaurant use, requiring a variance for a 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 Business Employment and Mixed Use in Schedule 10 of the Mississauga Official Plan (MOP). Section 8.4 of the official plan contemplates potential reductions in parking requirements and alternative parking arrangements in appropriate situations.

Previously, a parking variance for 1330 Eglinton Avenue East on the subject plaza was approved by the Committee of Adjustment on April 15, 2021 for a similar parking deficiency.

The sole variance requested proposes a reduction in parking spaces for the recreation facility and restaurant. The intent of the zoning by-law 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 provide the following comments:

Per the materials provided by the applicant, a new recreational facility and restaurant use is being proposed in Unit C of the subject property, with a non-residential Gross Floor Area (GFA) of 456.07m² (4909.09 ft²). The subject site is located within E2 and C3-1 Zoning Areas, Parking Precinct 3.

Based on information from the Parking Allocation Report provided by the applicant, parking rates for restaurant use were applied to the proposed business. Per Section 3.1.1.2 of Mississauga Zoning By-law, restaurant uses located in Parking Precinct 3 require a minimum of 9 parking spaces per 100 square meters of non-residential GFA. Therefore, with a GFA of 456.07m² (4909.09 ft²), a minimum of 41 parking spaces shall be required for the proposed business. According to the Parking Allocation Report, a minimum of 476 parking spaces are required for the entire property in combination with all the existing uses on site, the applicant proposes a total of 329 spaces on site. As such, 476 parking spaces are required whereas 329 parking spaces can be accommodated, which generates a parking deficiency of 147 spaces or 30.9%.

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

The applicant did not provide a PUS as justification for the proposed parking deficiency. The applicant should refer to the City's Parking Study 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.

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 Parking Utilization Study (PUS).

Given the above Planning staff recommend that the application be deferred in order to allow the applicant an opportunity to submit the information requested by Municipal Parking staff.

Comments Prepared by: Shivani Chopra, Planning Associate

Appendices

Appendix 1 – Transportation and Works Comments

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





Comments Prepared by: Tony Iacobucci

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, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

The Forestry Section of the Community Services Department has no objections to the above noted minor variance application and advises as follows:

1. No public trees shall be injured or removed. If public tree removal is required, a permit must be issued as per By-law 0020-2022.
2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Removal Permit, written consent must be obtained by both parties.

A Tree Removal Application to Permit the Injury or Destruction of Trees on Public and Private Property can be found at <https://www.mississauga.ca/publication/application-to-permit-the-injury-or-destruction-of-trees-on-public-and-private-property/>.

Should further information be required, please contact Rita Di Michele, By-law Inspector, Community Services Department at 905-615-3200 ext. 5872 or via email rita.dimichele@mississauga.ca.

Comments Prepared by: Rita Di Michele, By-law Inspector

Appendix 4 – Region of Peel

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner