

City of Mississauga Department Comments

Date Finalized: 2024-08-07	File(s): A325.24 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-08-15 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred to address Municipal Parking staff's request.

Application Details

The applicant requests the Committee to approve a minor variance to allow a conversion of part of the parking lot to a pickleball court proposing:

1. 206 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 337 parking spaces in this instance;
2. A rear yard setback of 0m whereas By-law 0225-2007, as amended, requires a minimum setback of 7.50m (approx. 24.61ft) in this instance; and,
3. 4 accessible parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 9 accessible parking spaces in this instance.

Background

Property Address: 884 Southdown Road

Mississauga Official Plan

Character Area: Southdown Employment Area

Designation: Business Employment

Zoning By-law 0225-2007

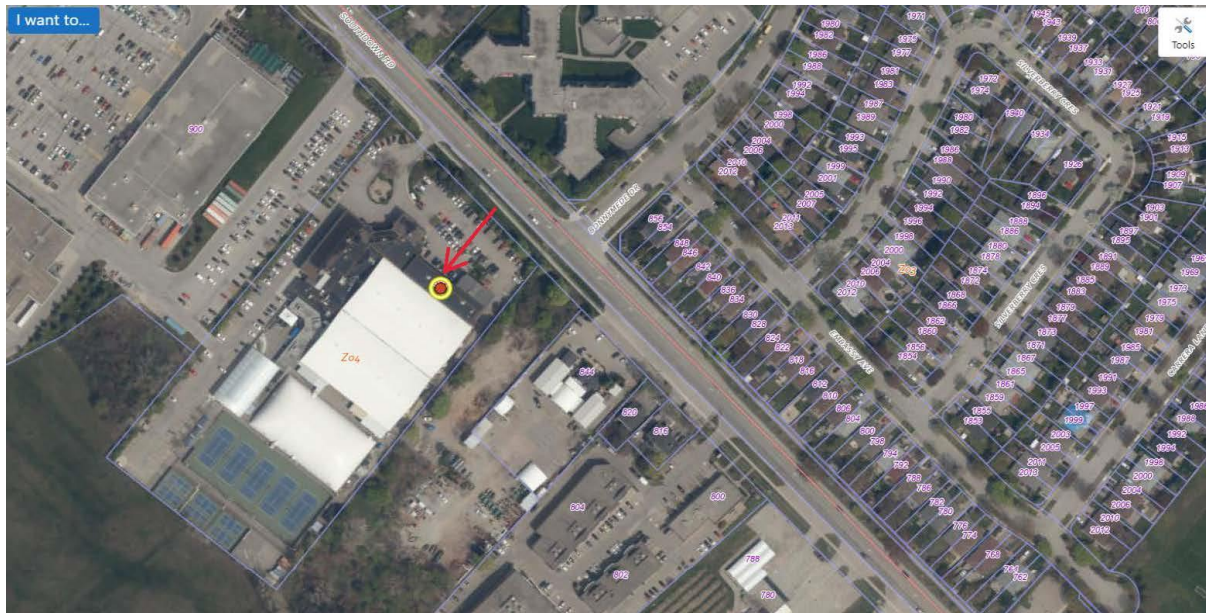
Zoning: E2-108-Employment

Other Applications: Certificate of Occupancy permit application under file 24-1893

Site and Area Context

The subject property is located in the Southdown Employment Area, southwest of the Royal Windsor Drive and Southdown Rd intersection. The immediate area consists of a variety of uses including commercial, residential and industrial. The subject property contains a recreational establishment building that houses the Ontario Racquet Club with minimal vegetation in the form of urban street trees.

The application proposes to legalize the existing pickleball courts on site requiring variances for reduced parking spaces and rear yard setback.



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 Southdown Employment Area Character Area and is designated Business Employment in Schedule 10 of the Mississauga Official Plan (MOP).

Variance #2 requests a reduction in the rear yard setback. The intent of a rear yard setback is to ensure an adequate buffer between the massing of primary structures on adjoining properties and drainage patterns are preserved. Staff are satisfied that an ample buffer between structures on abutting properties is maintained and that the setback is measured only to the paved surface

of the existing courts. Further, Transportation and Works staff have raised no concerns regarding drainage. Staff are therefore of the opinion that the variance maintains the general intent and purpose of the official plan and zoning by-law and is minor in nature.

Variances #1 and #3 request a reduction in parking spaces. Section 8.4 of the official plan contemplates potential reductions in parking requirements and alternative parking arrangements in appropriate situations. Planning staff rely on Municipal Parking staff's expertise on parking reductions.

Municipal Parking staff have reviewed the variance request and provide the following comments:

Per the materials provided by the applicant, the subject property is currently utilized as a Recreational Establishment named "Ontario Racquet Club" with an existing Gross Floor Area (GFA) of 8,450.63 square meters. The requested variance was triggered by the addition of six pickleball courts at the rear of the subject site, which resulted in a loss of 69 previously existed parking spaces. The subject property is located within E2-108 Zoning Area, Parking Precinct 4. In addition, the subject site is not located within a Major Transit Station Area (MTSA) and is therefore not subject to the new parking regulations of Bill 185.

Per Section 3.1.2.2 of Mississauga Zoning By-law, Recreational Establishment uses located in Parking Precinct 4 require a minimum of 4.5 parking spaces per 100 square meters of non-residential GFA. Based on the verification provided by zoning staff, a minimum of 337 parking spaces shall be required for the designated use of the subject site. The applicant proposes 206 on-site spaces for the subject site. As such, 337 parking spaces are required whereas 206 parking spaces can be accommodated, which generates a parking deficiency of 131 spaces or 38.9%.

Staff note that the applicant provided a Parking Agreement that proposes 156 parking spaces to be located off-site at the southeastern corner of the neighboring property. While staff acknowledge that the minimum parking requirement can be met by integrating the proposed off-site parking spaces, staff advise that the agreement needs to be drafted with the Off-Site Parking Agreement template provided by the City.

The use of the City's Off-Site Parking Agreement template 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.

Zoning staff have advised that the requested variance is correct.

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

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, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections, comments or requirements with respect to C.A. 'A' 325.24.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a certificate of occupancy permit application under file 24-1893. Based on review of the information currently available for this building permit, the variances, as requested are correct.

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: Ramsen Hedoo

Appendix 3 – Region of Peel

Minor Variance Application: A-24-325M / 884 Southdown Road

Planning: Petrele Francois (905) 791-7800 x3356

Comments:

- Please be advised that the subject site is located within a Provincially Significant Employment Zone (F-12). Regional staff encourage the applicant to work with the City to address the appropriate mix of land uses and land use compatibility with appropriate consideration to municipal policies, studies and recommendations.

Comments Prepared by: Petrele Francois, Junior Planner