

City of Mississauga Department Comments

Date Finalized: 2024-08-08	File(s): A343.24 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-08-15 3:30:00 PM

Consolidated Recommendation

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

Application Details

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

1. 162 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 246 parking spaces in this instance; and,
2. 2 accessible parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 7 parking spaces in this instance.

Background

Property Address: 6660 Kennedy Road, Unit 5 and 6

Mississauga Official Plan

Character Area: Gateway Employment Area (East)
Designation: Business Employment

Zoning By-law 0225-2007

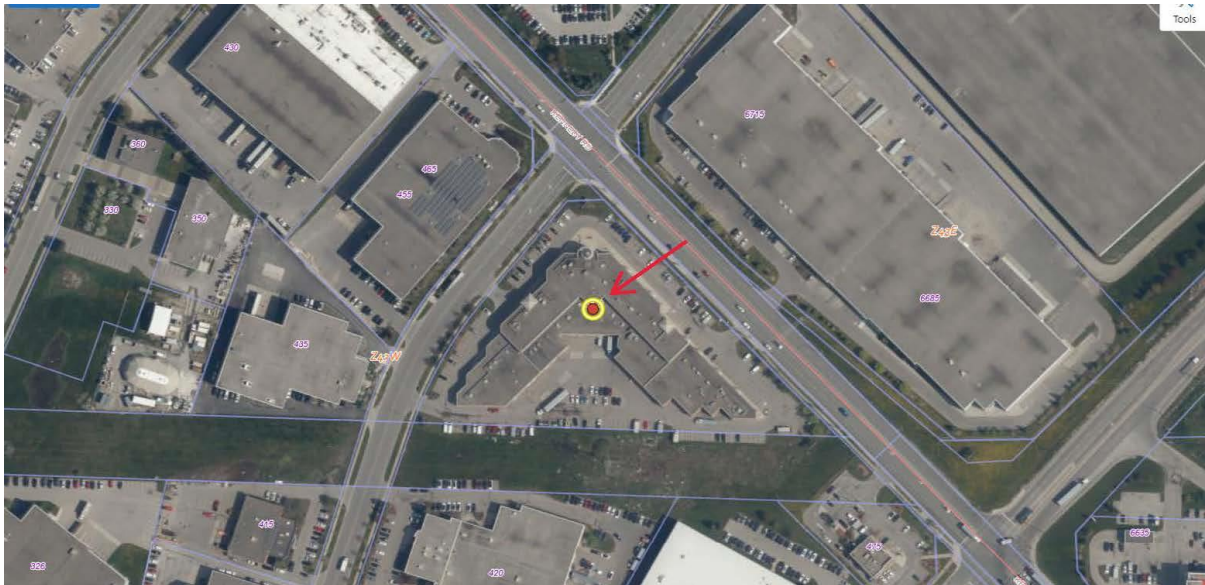
Zoning: E2-Employment

Other Applications: C 24-234

Site and Area Context

The subject property is located on the south-west corner of Kennedy Road and Ambassador Drive in the Gateway Employment Area (East). The property contains a multi-level, multi-tenant commercial plaza with limited vegetation and landscaping, which is mostly located along the property frontage. The surrounding context consists of a variety of industrial sized lots and buildings.

The applicant is proposing a restaurant use on the subject property requiring variances for parking and accessible parking deficiencies.



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 Gateway Employment Area (East) Character Area and is designated Business Employment 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. Municipal Parking staff have reviewed the variance request and provide the following comments:

With respect to Committee of Adjustment application 'A' 343/24, 6660 Kennedy Road, Units 5 and 6, a parking reduction is being sought to allow parking on the subject property proposing:

- 162 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 228 parking spaces in this instance.

This parking reduction is proposing a 29% deficiency.

A Parking Utilization Study (PUS) was submitted by Harper Dell & Associates dated July 15th, 2024 for the proposed restaurant, Gourav's Catering & Take-Out at 6660 Kennedy Road, Units 5 & 6.

Parking surveys were noted to have been conducted on the subject site at 6660 Kennedy Road:

- Monday, April 29th, 2024 between 6:30 p.m. to 2:30 a.m.
- Wednesday, May 1st, 2024 between 6:30 p.m. to 2:30 a.m.
- Friday, May 3rd, 2024 between 6:30 p.m. to 2:30 a.m.

The observed peak parking demand occurred at 6:30 p.m. on Friday, May 10th, 2024 at 42 parking spaces occupied on-site.

As per the City's parking Terms of Reference (TofR), the consultant should confirm survey dates and times with the City's Municipal Parking staff and prior to conducting parking surveys. City staff was not contacted in regard to surveying parameters. Staff have concerns that the weekend was not apart of the surveying scope, considering restaurant uses are busiest on weekends.

The PUS presents discrepancies in regards to the survey times; the raw tabulated data does not include surveying until 2:30 a.m. (surveying had only been conducted until 12 a.m. on all dates). Additionally, it is not clear and details as well as clarifications are required on how the operations of the business differ throughout the evening and night; is the restaurant solely offering catering and take-out? Is there a seating area for dine-in? How many staff are working on-site throughout the operational hours etc. Lastly, the PUS mentions pictures but they had not been included in the report for staff's review. This information is required in order for staff to aid in confirming adequate parking surveying dates, times, and intervals to ensure the site does not encounter an undersupply of spaces which may compromise access and circulation; and therefore creating spillover problems for adjacent uses.

Staff are seeking more information about Gourav's Catering & Take-Out operation, as well as adequate site surveying in accordance with restaurant peak usage.

Based on the submitted parking justification as well as staff's above outlined concerns, staff recommend the application be deferred until such a time that a satisfactory Parking Utilization Study (PUS) is submitted in accordance with the City's Parking Terms of Reference (TofR).

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: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's reference are photos depicting the subject property.





Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Division is processing Certificate of Occupancy application 24-234. Based on the review of the information available in this application, the requested variances are correct.

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 application. To receive updated comments, the applicant must submit any changes to information or drawings separately through the above application.

Comments Prepared by: Andrea Patsalides, Zoning Examiner

Appendix 3 – Region of Peel

Minor Variance Application: A-24-343M / 6660 Kennedy Road, Unit #5 & 6
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