

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2020-10-14	File(s): A322/20 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-10-22

## Consolidated Recommendation

The City has no objection to the variance, as amended.

## Application Details

The Applicant requests the Committee to approve a minor variance to allow an office use, proposing 190 parking spaces; whereas, By-law 0225-2007, as amended, requires a minimum of 212 parking spaces, in this instance.

### Amendments

Staff notes that the Minor Variance application should be amended as follows, permitting:

- 190 parking spaces; whereas, By-law 0225-2007, as amended, requires a minimum of 219 parking spaces, in this instance.

## Background

**Property Address:** 1200 Derry Road East, Unit 8

### Mississauga Official Plan

Character Area: Northeast Employment Area  
Designation: Business Employment

### Zoning By-law 0225-2007

**Zoning:** E2 (Employment)

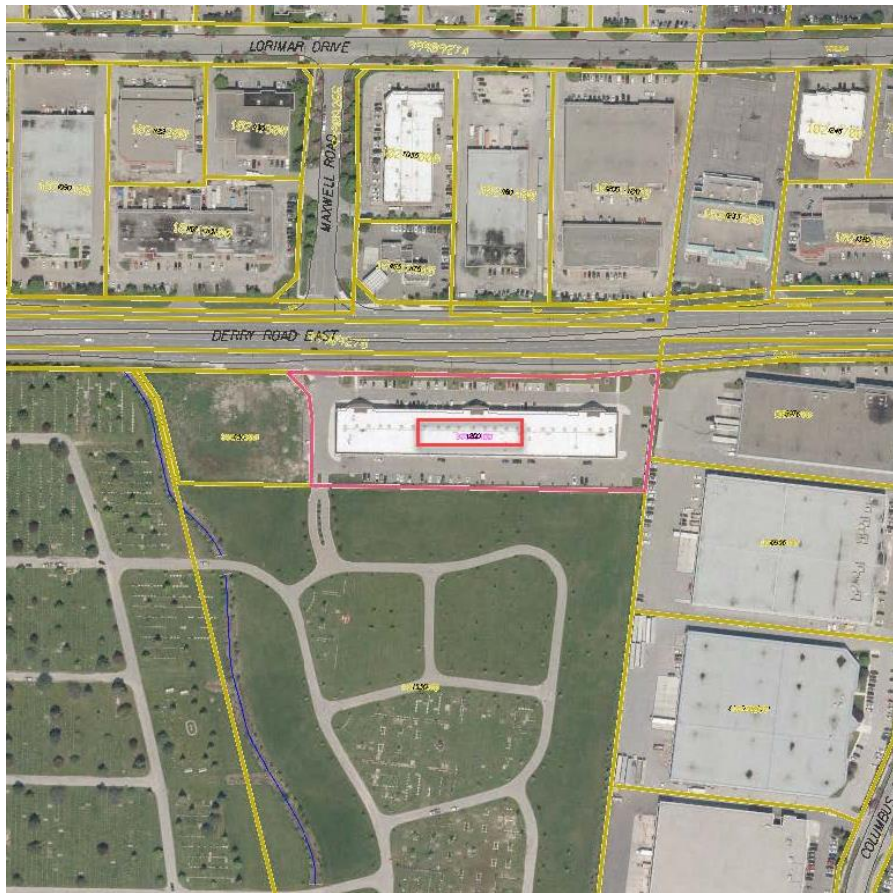
**Other Applications:**

Building Permit: 20-1535

**Site and Area Context**

The subject property is located south-west of the Derry Road East and Dixie Road intersection and currently houses a two storey, multi-tenant office/retail structure. The southern portion of the site is bounded by the Catholic Assumption Cemetery, which runs contiguously to the rear lot line. From a land use perspective, the immediate neighbourhood is comprised primarily of either office or retail uses. The properties along this portion of Derry Road East are situated upon large parcels, with lot frontages ranging from +/- 60m to +/-120m.

The subject property is an interior parcel, with a lot area of +/- 16,370.0m<sup>2</sup> and a lot frontage of +/- 230.0m.



## Comments

### Planning

Section 45 of the *Planning Act* provides the Committee of Adjustment the authority to grant relief from requirements of the municipal Zoning By-law; provided such applications meet the requirements set out under Section 45(1) and/or 45(2) (a) or (b) of the *Planning Act*.

Staff comments concerning the application of the four tests to this minor variance request are as follows:

#### **Does the proposal maintain the general intent and purpose of the Official Plan?**

The site is located within the Northeast Employment Character Area, and is designated Business Employment by the Mississauga Official Plan (MOP). Pursuant to Section 17.1.8 (Business Employment), this designation permits office uses. The Applicant's proposal meets the purpose and general intent of the Official Plan.

#### **Does the proposal maintain the general intent and purpose of the Zoning By-law?**

As per Zoning By-law 0225-2007, the subject property is zoned E2 (Employment). In accordance with Table 3.1.2.2 (Required Number of Parking Spaces for Non-Residential Uses), this zone regulates the required parking rates for various uses on this site. The intent in quantifying this amount is to ensure that each structure is self-sufficient in providing adequate parking accommodations based upon its intended use. As per the Parking Utilization Study (Traffic+Engineering Ltd., Jun/2020) submitted by the Applicant, and reviewed to the satisfaction of City Planning Strategies Staff, the proposed parking rates are suitable in meeting the peak parking demands of the subject property for all uses. The variance, as amended, maintains the purpose and general intent of the Zoning By-law.

#### **Is the proposal desirable for the appropriate development of the subject lands and minor in nature?**

The subject property is well serviced by the public transit system and, as per the aforementioned Parking Utilization Study, has ample room to accommodate required parking based upon the intend uses. The structure remains self-sufficient, with the majority of parking handled on-site, and with the requested variances serving to pose no significant negative impact to the surrounding neighbourhood, as a whole. The variance, as amended, results in both the orderly development of the lands, and whose impacts are minor in nature.

## Conclusion

Based upon the preceding information, it is the opinion of Staff that the variance, as amended, meets the general intent and purpose of both the MOP and Zoning By-law; is minor in nature;

and, is desirable for the orderly development of the lands. To this end, the Planning and Building Department has no objection to the variance, as amended.

Comments Prepared by: Roberto Vertolli, 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' 322/20.

Comments Prepared by: David Martin, Supervisor Development Engineering

### Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit application under file 20-1535. Based upon review of this Application, Staff notes that the Minor Variance application should be amended as follows, permitting:

- 190 parking spaces; whereas, By-law 0225-2007, as amended, requires a minimum of 219 parking spaces, in this instance.

Comments Prepared by: Sandra Morrison, Zoning Examiner

### Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the October 22<sup>nd</sup>, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

**Minor Variance Applications:** A-316/20, A-318/20, A-319/20, A-320/20, A-321/20, A-322/20, A-323/20, A-324/20, A-325/20, A-328/20, A-356/20.

I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 8243 or by email at [diana.guida@peelregion.ca](mailto:diana.guida@peelregion.ca).

Comments Prepared by: Diana Guida, Junior Planner