

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2020-10-28	File(s): A345/20 Ward: 3
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-11-05

## Consolidated Recommendation

The City has no objection to the variance, as requested. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

## Application Details

The Applicant requests the Committee to approve a minor variance to allow retail space in the existing basement of the subject property, proposing 145 parking spaces; whereas, By-law 0225-2007, as amended, requires a minimum of 212 parking spaces, in this instance.

## Background

**Property Address:** 4120 Dixie Road

### Mississauga Official Plan

Character Area: Rathwood-Applewood Community Node  
Designation: Convenience Commercial

### Zoning By-law 0225-2007

**Zoning:** C1-23 (Commercial)

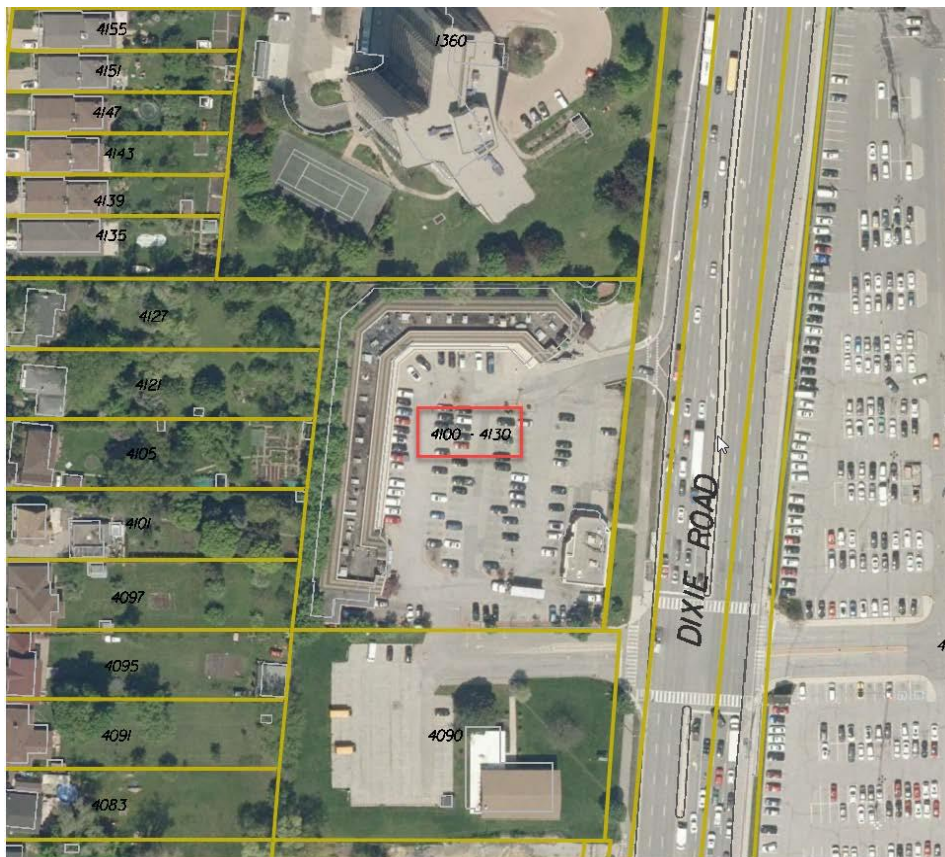
### Other Applications:

None

### Site and Area Context

The subject property is located north-west of the Burnhamthorpe Road East and Dixie Road intersection, and currently houses a multi-pad, multi-tenant commercial plaza with shared surface parking. Notwithstanding the subject lands, the immediate context neighbourhood is comprised primarily of residential structures, with dwelling types ranging from detached dwellings to multi-storey apartment units.

The subject property is an interior parcel, with a lot area of +/- 8,850.0m<sup>2</sup> and a lot frontage of 101.1m.



## Comments

### Planning

Section 45 of the *Planning Act* provides the Committee of Adjustment the authority to grant relief from the requirements stipulated by the municipal Zoning By-law, provided that 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 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 Special Site 2 of the Rathwood-Applewood Community Node Character Area, and is designated Convenience Commercial by the Mississauga Official Plan (MOP). Special Site 2 enacts developmental policies not applicable to this application. Pursuant to Section 11.2.9(h) (Convenience Commercial), this designation permits retail 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 C1-23 (Commercial). 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 (NexTrans Consulting Engineers, 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 requested, 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 intended uses. The structure remains self-sufficient, with the majority of parking handled on-site, and with the requested variance serving to pose no significant negative impact to the surrounding neighbourhood, as a whole. The variance, as requested, 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 requested, 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 requested. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

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' 345/20.

Comments Prepared by: David Martin, Supervisor Development Engineering

### Appendix 2 – Zoning Comments

The Building Department is not in receipt of any permit applications at this time. In the absence of any permit application, this Department is unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a full zoning review has not been completed.

Comments Prepared by: Brian Bonner, Zoning Examiner

### Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the November 5<sup>th</sup>, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

**Consent Applications:** B-54/20, B-55/20

**Minor Variance Applications:** A-312/20, A-338/20, A-340/20, A-341/20, A-342/20, A-344/20, A-345/20, A-348/20, A-349/20, A-350/20, A-352/20

Comments Prepared by: Diana Guida, Junior Planner