

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-02-10	File(s): A394.20 Ward 3
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-02-18 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred to allow outstanding matters to be addressed by Zoning.

Application Details

The applicant requests the Committee to approve a minor variance to allow an indoor karting facility proposing 34 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 175 parking spaces in this instance.

Background

Property Address: 1330 Eglinton Avenue East

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: C3-1 - Commercial & E2 - Employment

Other Applications: C19-9411
BP 3ALT 19-9521

Site and Area Context

The subject property is a multi-pad, multi-tenant commercial plaza located upon the south-west corner of the Eglinton Avenue East and Dixie Road intersection. It is an exterior parcel with a lot area of +/- 35,086.25m² and a lot frontage of +/- 158.99m. From a land-use perspective, the immediate neighbourhood along this portion of Eglinton Avenue East consists of a mixture of multi-tenant commercial plazas; however, the neighboring section of Dixie Road provides a transitional area that includes both office-industrial and warehouse-industrial land-uses being present.

The applicant is proposing an indoor karting facility, 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 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 Northwest Employment Character Area, and is designated Mixed Use and Business Employment by the Mississauga Official Plan (MOP). Pursuant to Section 11.2.11 (j) (Business Employment), this designation permits entertainment, recreation and sports facility uses. The Applicant's proposal of an indoor karting facility 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 C3-1 (Commercial) and E2 (Employment). In accordance with Table 3.1.2.2 (Required Number of Parking Spaces for Non-Residential Uses), this table regulates the required parking rates for the uses permitted 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. The applicant is requesting permission for a recreational establishment (indoor go karting facility) with a total of 34 parking spaces onsite whereas By-law 0225-2007, as amended, requires a minimum of 175 parking spaces onsite in this instance. This is a significant reduction of 141 parking spaces or 81% deficiency.

A Parking Justification report, dated October 8, 2020, was prepared by NexTrans Consulting Engineers, and submitted in support of this application. City Planning Strategies Staff required additional information at that time and the application was deferred at the December 10th Hearing. An updated Parking Utilization Study (PUS) prepared by NexTrans Consulting Engineers, dated, December 18, 2020 has been submitted in support of this application. However, the submitted information regarding parking requirements cannot be confirmed by Zoning. The variance, as requested is specific to the proposed use in unit one and there is a total of 5 buildings on the site. Staff are evaluating the variance for the entire site, and cannot confirm the parking deficiency for the entire site for all the uses.

Planning Staff note that there are still outstanding matters to be addressed with Zoning to confirm all the uses and existing GFA on the property. Staff recommend the application be deferred so Zoning can confirm the accuracy of the variance.

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

As the submitted information has yet to be confirmed by zoning, Planning Staff cannot determine whether the above-noted variance represent the orderly development of the lands, or whether the resulting effects are in fact minor in nature.

Conclusion

Based upon the preceding information, it is the opinion of Staff that the application be deferred to allow the outstanding matters to be addressed with Zoning.

Comments Prepared by: Brooke Herczeg RPP, 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 394/20.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a certificate of occupancy permit application under file C19-9411. Based on review of the information currently available for this application, we advise that more information is required to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Our comments are based on the plans received by Zoning staff on 11/30/2020 for the above captioned certificate of occupancy permit application. 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: Jeanine Benitez, Zoning Examiner

Appendix 5 – Region of Peel

Regional Planning staff have reviewed the applications listed on the February 18th, 2021 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-217/20, DEF-A-358/20, DEF-A-379/20, DEF-A-394/20

Comments Prepared by: Diana Guida, Junior Planner