

# City of Mississauga

Memorandum:

## City Department and Agency Comments

Date Finalized: 2021-03-19	File(s): A413.20 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-03-25 1:00 PM

### Consolidated Recommendation

The City has no objections to the requested variances, as amended, subject to the conditions. The applicant may choose to defer the application to verify the accuracy of the requested variances and to ensure additional variances are not required.

### Application Details

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

1. 0.5 parking spaces per one bedroom unit whereas By-law 0225-2007, as amended, requires a minimum of 0.75 parking spaces per one bedroom unit in this instance; and
2. 0.8 parking spaces per two bedroom unit whereas By-law 0225-2007, as amended, requires a minimum of 0.90 parking spaces per two bedroom unit in this instance.

### Amendments

Staff recommends that variance #1 and 2 be amended as follows:

1. 0.57 parking spaces per one bedroom unit whereas By-law 0225-2007, as amended, requires a minimum of 0.75 parking spaces per one bedroom unit in this instance;
2. 0.73 parking spaces per two bedroom unit whereas By-law 0225-2007, as amended, requires a minimum of 0.90 parking spaces per two bedroom unit in this instance.

### Conditions

Staff recommends the following conditions:

- That the applicant enter into an agreement pursuant to s.45 (9.1) of the Planning Act, with content satisfactory to City staff as indicated below, and in a form satisfactory to the

City Solicitor, to secure performance of the following conditions, including any associated securities/letters of credit:

- a) To provide two car-share spaces at an accessible and visible location, demonstrated by inclusion on the approved site plan through the Site Plan Application No. SP-20-51 to the satisfaction of the Director of Development and Design, Planning & Building department.
- b) Prior to the approval of the Site Plan processed through SP-20-51, a copy of an executed agreement with a car-share company to secure and provide for two car-share vehicles for a minimum period of two years should be submitted to the satisfaction of the Director of Infrastructure Planning & Engineering Services, Transportation & Works department.
- c) To confirm that a pre-loaded Presto Card with a minimum amount of \$ 250 per condominium unit was provided to each unit owner at the time of closing, including supporting documentation, satisfactory to the Director of Infrastructure Planning & Engineering Services, Transportation & Works department.

## Background

**Property Address:** 28 Ann Street

### Mississauga Official Plan

Character Area: Port Credit Community Node  
Designation: Mixed Use

### Zoning By-law 0225-2007

**Zoning:** H-RA5-53 (Residential)

### Other Applications:

Building Permit: 20-3380  
Site Plan Application: 20-51

### Site and Area Context

The subject property is located within the Port Credit Community Node, northwest of Hurontario Street and Lakeshore Road East. The subject property is also located within a Major Transit Station Area (MTSA). The immediate area contains the Port Credit Go Station, commercial

uses, parking structures and high rise apartment buildings. On February 24, 2020 the subject property received Zoning by-law Amendment approval for a 22 storey condominium.

The subject property is currently undergoing the site plan approval process. The applicant is requesting a further reduction of parking rates for one and two bedroom units than those that were granted through the previous rezoning process.



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 designated Mixed Use in Schedule 10 of the Mississauga Official Plan, which permits both residential and commercial uses, among others. The subject property is within the Central Residential precinct of the Port Credit Local Area Plan. As per Section 9.2.1 (Parking and Transportation Demand Management) of the Port Credit Local Area Plan, reduced parking requirements may be considered within the Community Node provided they are within close proximity to the Go Station and future LRT stops. Additionally, the intent of the zoning by-law is to ensure that each structure is self-sufficient in providing adequate parking accommodations for its intended use. Through the recently approved zoning amendment application OZ (19/008 W1), a parking justification study was submitted justifying lower rates for one and two bedroom units which was supported by staff, which resulted in the current parking rates of 0.75 spaces per one bedroom unit and 0.9 spaces per two bedroom units. Since approval of the zoning amendment application, a further reduction of parking has been requested by the developer.

The application was deferred from the March 4<sup>th</sup>, 2020 Committee of Adjustment hearing due to a pending review of the information presented by the applicant regarding the applicable parking rates for the comparable development at 39 Newcastle St in Etobicoke, Toronto and for the confirmation of applicable conditions for the securement and implementation of TDM measures in consultation with the City's Legal staff.

On March 17<sup>th</sup>, 2021, staff reviewed additional information that was submitted by the applicant to further clarify the rates of the proxy site. The applicant indicated that the rate of 0.5 parking spaces is applicable for all apartment unit types, ie. One, two and three bedroom units. Further, the sales data for the subject site indicates that the parking demand is 0.4 spaces per one bedroom units and 0.71 spaces per two bedroom units. Based on a review of the information submitted, staff can support a reduced parking rate for both one and two bedroom units on the subject site. However, based on this information, staff can support a parking rate of 0.57 parking spaces per one bedroom unit and 0.73 spaces per two bedroom units.

As such, should Committee see merit in the application, staff recommends that the variances be amended as follows:

- 0.57 parking spaces per one-bedroom unit whereas By-law 0225-2007, as amended, requires a minimum of 0.75 parking spaces per one-bedroom unit in this instance.
- 0.73 parking spaces per two bedroom unit whereas By-law 0225-2007, as amended, requires a minimum of 0.90 parking spaces per two bedroom unit in this instance.

Furthermore, through consultation with the City's legal staff, it is recommended that the application be subject to the following conditions.

- That the applicant enter into an agreement pursuant to s.45 (9.1) of the Planning Act, with content satisfactory to City staff as indicated below, and in a form satisfactory to the City Solicitor, to secure performance of the following conditions, including any associated securities/letters of credit:
  - a) To provide two car-share spaces at an accessible and visible location, demonstrated by inclusion on the approved site plan through the Site Plan Application No. SP-20-51 to the satisfaction of the Director of Development and Design, Planning & Building department.
  - b) Prior to the approval of the Site Plan processed through SP-20-51, a copy of an executed agreement with a car-share company to secure and provide for two car-share vehicles for a minimum period of two years should be submitted to the satisfaction of the Director of Infrastructure Planning & Engineering Services, Transportation & Works department.
  - c) To confirm that a pre-loaded Presto Card with a minimum amount of \$ 250 per condominium unit was provided to each unit owner at the time of closing, including supporting documentation, satisfactory to the Director of Infrastructure Planning & Engineering Services, Transportation & Works department.

## Conclusion

The Planning and Building Department has no objections to the requested application, as amended, subject to the conditions. The applicant may choose to defer the application to verify the accuracy of the requested variances and to ensure additional variances are not required.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting that any Transportation and Works Department concerns/requirements for the proposed development are being addressed through the Site Plan Application SP-20/005 and Lifting of the 'H' application 'H'-OZ-20/001 for this development.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a development applications under files BP3NEW 20-3380 & SP 20-51. 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.

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: Brian Bonner, Zoning Examiner

### Appendix 5 – Region of Peel Comments

We have no comments or objections to the following applications:

Deferred Applications: A-220/20, A-221/20, A-364/20, A-413/20.

Comments Prepared by: Diana Guida, Junior Planner