

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-06-16	File(s): A226.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-06-24 1:00 PM

Consolidated Recommendation

The City has no objections to the requested variances, subject to the conditions. The applicant may choose to defer the application to verify if any additional variances are required.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a mixed-use building proposing:

1. A parking rate of 0.86 resident spaces per apartment dwelling whereas By-law 0225-2007, as amended, requires a minimum parking rate of 1.00 resident parking spaces per apartment dwelling unit in this instance; and
2. A parking rate of 0.86 resident spaces per dwelling whereas By-law 0225-2007, as amended, requires a minimum parking rate of 1.00 resident parking spaces per dwelling unit in this instance.

Recommended Conditions and Terms

Staff recommends the following conditions be added to the application:

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 for two car-share space at an accessible and visible location, demonstrated by inclusion on the approved Site Plan for Phase-1 (Blocks C and H) of the development to the satisfaction of the Director of Development and Design, Planning & Building Department.

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- B) Prior to the approval of the Site Plan for Phase-1 (Blocks C and H) of the development, 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) Prior to the issuance of the Building Permit of Phase-1 (Blocks C and H) of the development, a letter shall be received from the Transportation and Works Department indicating that arrangements have been made including supporting documentation for the operations of a shuttle bus service to and from the subject site and the Port Credit GO station, to the satisfaction of the Director of Infrastructure Planning & Engineering Services, Transportation & Works Department.

Background

Property Address: 70 Mississauga Road & 181 Lakeshore Road West

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (West)
 Designation: Greenlands, Residential High and Medium Density, Mixed Use, Public Open Space

Zoning By-law 0225-2007

Zoning: D - Development, G1 - Greenlands

Other Applications

Site Plan Application: 19-155, 19-138

Site and Area Context

The subject property is located within the Port Credit Neighbourhood Character Area, in the south west quadrant of Mississauga Road South and Lakeshore Road West. The immediate area consists of a range of residential, commercial, and recreational uses. The subject property is currently vacant. The proposed official plan and zoning by-law amendments were approved by the Local Planning Appeal Tribunal (LPAT) through a settlement agreement between the applicant and the City. The amendments permit a variety of uses including townhouses, mid and high-rise condominiums, retail, parkland and institutional uses.

Through the rezoning process, a parking rate of 1 space per dwelling unit was approved for buildings C1 and H on blocks 4, 5 and 6 of the submitted site plan. The application proposes to reduce the parking rate for these buildings to 0.86 spaces per dwelling unit.



70 Mississauga Rd. S.

181
Lakeshore
Rd. W

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 contains multiple designations, most notably Mixed Use and Residential High Density in Schedule 10 of the Mississauga Official Plan (MOP) which permits both high-

rise condominiums and commercial uses, among others. The proposed variances maintain the existing designations and do not negatively impact the development of the site. 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.

The City Planning Strategies Division has reviewed the application and their comment is as follows:

An updated memo dated April, 2021 has been received in addition to the memo dated March 10, 2021 which had been prepared by BA Group and submitted in support of the requested variances and parking reduction. Staff have reviewed the details included in both memos and have made the following observations and comments:

A. Development Context of the subject site:

- As noted by the applicant in Section 1.2 of the memo, the development on the subject site will be a part of a multi-phased planned community.
- The master plan of this community will provide for a fine-grained network of streets and blocks facilitating access for multi-modal transportation and will integrate access to several amenities, uses and facilities through a pedestrian-focused public realm.

B. Parking Sales Data:

- The applicant had unbundled the sale of parking spaces from the apartment unit sales. All 311 apartment units in Buildings C1 and H have been sold with a parking space uptake of a total of 260 parking spaces i.e. at approximately 84% of the total parking spaces or at an average parking demand of 0.84 spaces per unit.
- Accordingly, 51 unsold parking spaces are available, which may not be required and thereby may result as surplus parking. (Details of parking and unit sales data are included in Table 3 and 4 of the memo)
- The applicant is proposing an overall parking provision at a rate of 0.86 residential parking spaces per residential dwelling unit. This will result in a provision of 264 spaces and provide a buffer of 4 parking spaces (264 spaces provided versus 260 spaces sold).

C. Proxy site and Parking reduction precedents:

As noted in Section 4.5 of the memo, information on proxy site surveys and approved parking rates for comparable developments in Etobicoke has been provided to support the requested parking reduction.

- Proxy site parking surveys:
 - BA Group has provided information on parking surveys at the 'IQ Park Towers' located at 1185 The Queensway and 15 Zorra St. (proxy site) in Etobicoke. The development at the site has a total of 823 residential apartment units with 768 parking spaces (0.93 spaces/unit). The parking surveys were conducted on Thursday, May 28 from 10:45 PM to 11:30 PM and the peak parking demand was observed at a utilization of 568 spaces or at a rate of 0.69 spaces/unit.
- Accepted parking rates for other developments:
 - In addition to the proxy site parking survey, BA group has provided applicable parking rates at four sites located in Etobicoke and Pickering as outlined in Table 6 of the memo.

D. TDM Measures:

- The TDM provisions as outlined in section 4.3 such as the shuttle bus service to the Port Credit GO station, car-share services, active transportation network and a future transit route within the site, are planned to further support in providing alternative means of transportation connections for the residents in the development.

Staff have reviewed the information provided with the application and have the following comments:

- Staff note that the proposed development (Phase 1, Blocks C &H) will be a part of a master planned community development providing access to various amenities, uses and facilities located within the community.
- To support the parking demand for the subject site as indicated through the parking sales data and requested variances, staff have considered the information presented through proxy site surveys and applicable parking rates at comparable developments as the applicant's primary basis of justification for the review of this application.

Proxy Site Survey:

- Staff note that the parking surveys were conducted at the proxy site located at 1185 The Queensway and 15 Zorra Street (IQ Park Towers) on Thursday, May 28 from 10:45 PM to 11:30 PM. For parking surveys on proxy sites, staff note that the surveys be conducted for a minimum of three days and for a duration of three hours to be able to determine the peak parking demand

- Further, staff note that the proxy site is not a comparable location to the subject site based on its locational and transit context considering the mix of uses and access of the proxy site to the nearest transit hub located at the Kipling transit terminal, which includes services provided by TTC bus and subway, GO bus and rail and Miway bus.

Applicable parking rates at comparable developments:

- Staff have reviewed the details of the applicable parking rates for the developments as noted above and outlined in Table 6 of the memo and can consider the site at the 2183 Lakeshore Boulevard and 689 The Queensway as a comparable development to the subject site based on transit and development context. Staff note that for both of these comparable developments, the applicable parking rates are as required by the City of Toronto's Zoning By-law standard for Policy Area 4 (PA4), i.e. for areas serviced by surface transit.
- As such, considering the rates applicable for PA4 for the development proposed on the subject site, staff can support a parking rate of 0.86 resident parking spaces per resident unit, as outlined in Table A below:

Table A

Block/Unit type	No. of units	Staff recommendation	
		Applicable parking rates per unit as per PA4, City of Toronto Zoning By-law 569-2013	Parking spaces to be provided
Block C			
Studio	2	0.7	1
1 B	4	0.8	3
1 B+D	40	0.8	32
2B	10	0.9	9
2B+D	20	0.9	18
Total	76		64

Block H			
1B	17	0.8	14
1B+D	86	0.8	69
2B	36	0.9	32
2B+D	83	0.9	75
3B	13	1.1	14
Total	235		204
Block C and H			
Total	311		267
Parking rate per resident unit			0.86

In addition, staff are supportive of the TDM measures as noted above and as outlined in Section 4.3 of the memo including the provision of two car-share spaces. Staff note that the applicant will be required to demonstrate the provision of the car-share space(s) at an accessible and visible location and secure a car-share agreement with a car-share company to the satisfaction of Transportation and Works staff.

Further, based on the discussion with staff at the meeting dated March 3, 2021; the applicant has confirmed the provision of a shuttle service to be advanced to Phase-1, i.e. the proposed development on the subject site for Blocks C and H with 311 resident units instead of its provision by Phase-2 or at the development of 1360 resident units.

Finally, to secure the provision and implementation of the proposed TDM measures for the shuttle bus service and one car-share space, staff recommend that the application be subject to the conditions as outlined below:

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:

- D) To provide for two car-share space at an accessible and visible location, demonstrated by inclusion on the approved Site Plan for Phase-1 (Blocks C and H) of the development to the satisfaction of the Director of Development and Design, Planning & Building Department.
- E) Prior to the approval of the Site Plan for Phase-1 (Blocks C and H) of the development, 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.
- F) Prior to the issuance of the Building Permit of Phase-1 (Blocks C and H) of the development, a letter shall be received from the Transportation and Works Department indicating that arrangements have been made including supporting documentation for the operations of a shuttle bus service to and from the subject site and the Port Credit GO station, to the satisfaction of the Director of Infrastructure Planning & Engineering Services, Transportation & Works Department.

Based on the preceding information, staff is of the opinion that the application as amended and subject to the conditions, maintain Section 45(1) of the *Planning Act*.

Conclusion

The Planning and Building Department has no objections to the requested variances, subject to the conditions. The applicant may choose to defer the application to verify if any additional variances are 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 Draft Plan of Subdivision File T-17004 and through Site Plan Applications SP-19/138 and SP-19/155.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit application under file BP3 NEW 21-5835. Based on review of the information currently available for this building permit, 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 03/18/2021 for the above captioned building 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: A. McCormack

Appendix 5 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner

Appendix 6- Conservation Authority Comments

Credit Valley Conservation (CVC) staff have reviewed the subject application and offer comments based on the following roles and responsibilities:

1. Watershed Based Resource Management Agency and Public (commenting) Body under the *Planning Act* - providing comments based on CVC's Board approved policies;
2. Planning Advisory Services - providing environmental planning and technical advice/comments based on service agreements or memorandum of understanding;

3. Delegated Responsibilities – providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 3.1 of the *Provincial Policy Statement (2020)*;
4. Regulatory Responsibilities – providing comments to ensure the coordination of requirements under the *Conservation Authorities Act Section 28 regulation*, to eliminate unnecessary delay or duplication in process;
5. Source Protection Agency – providing advisory comments to assist with the implementation of the *CTC Source Protection Plan* under the *Clean Water Act*, as applicable.

SITE CHARACTERISTICS:

The subject property is adjacent to the Lake Ontario shoreline. It is the policy of CVC and the Province of Ontario to conserve and protect the significant physical, hydrological and biological features associated with the functions of the above noted characteristics and to recommend that no development be permitted which would adversely affect the natural features or ecological functions of these areas.

ONTARIO REGULATION 160/06:

A portion of the site is subject to the Development, Interference with Wetlands, and Alterations to Shorelines & Watercourses Regulation (Ontario Regulation 160/06). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

PROPOSAL:

It is our understanding that the applicants request the Committee to approve a minor variance to allow the construction of a mixed-use building proposing:

1. A parking rate of 0.86 resident spaces per apartment dwelling whereas By-law 0225-2007, as amended, requires a minimum parking rate of 1.00 resident parking spaces per apartment dwelling unit in this instance; and
2. A parking rate of 0.86 resident spaces per dwelling whereas By-law 0225-2007, as amended, requires a minimum parking rate of 1.00 resident parking spaces per dwelling unit in this instance.

COMMENTS:

CVC staff have reviewed the provided information and have **no concerns** with the requested variance. As such, CVC staff have **no objection** to the approval of this minor variance by the Committee at this time.

Please circulate CVC any future correspondence regarding this application.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at maricris.marinascvc.ca should you have any further questions or concerns.

Comments Prepared by: Maricris Marinas, Senior Planner