

# City of Mississauga Department Comments

Date Finalized: 2021-10-12	File(s): A404.21
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2021-10-21 1:00:00 PM

## Consolidated Recommendation

The City recommends that the application be deferred. 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 for the construction of a residential infill building proposing:

1. A maximum building height of 27.0m (approx. 88.6ft) whereas By-law 0225-2007, as amended, requires a maximum height of 26.0m (approx. 85.3ft) in this instance;
2. A maximum mechanical penthouse height of 7.5m (approx. 24.6ft) whereas By-law 0225-2007, as amended, requires a maximum height of 6.0m (approx. 19.7ft) in this instance;
3. A front yard of 7.5m (approx. 24.6ft) for the portion of the dwelling with a height greater than 13.0m (approx. 42.7ft) and less than or equal to 20.0m (approx. 65.6ft) whereas By-law 0225-2007, as amended, requires a minimum of 8.5m (approx. 27.9ft) in this instance;
4. A front yard of 9.0m (approx. 29.5ft) for the portion of the dwelling with a height greater than 20.0m (approx. 65.6ft) and less than or equal to 26.0m (approx. 85.3ft) whereas By-law 0225-2007, as amended, requires a minimum of 9.5m (approx. 31.2ft) in this instance;
5. An interior side yard of 4.5m (approx. 14.8ft) for that portion of the dwelling with a height greater than 13.0m (approx. 42.7ft) and less than or equal to 20.0m (approx. 65.6ft) whereas By-law 0225-2007, as amended, requires a minimum of 6.0m (approx. 19.7ft) in this instance;
6. A landscape buffer of 1.5m (approx. 4.92ft) in depth to an Apartment Zone whereas By-law 0225-2007, as amended, requires a minimum depth of a landscaped buffer of 3.0m (approx. 9.8ft) in this instance;
7. For the existing building, a minimum parking rate of 1.21 resident spaces per unit and 0.15 visitor spaces per unit whereas By-law 0225-2007, as amended, requires a minimum parking rate of 1.00 resident space per studio unit, 1.18 resident spaces per one-bedroom unit, 1.36 resident spaces per two-bedroom unit, 1.50 resident spaces per three-bedroom unit and 0.20 visitor spaces per unit in this instance;
8. For the proposed building, a minimum parking rate of 0.73 resident spaces per unit and 0.15 visitor spaces per unit whereas By-law 0225-2007, as amended, requires a minimum parking

rate of 1.00 resident space per studio unit, 1.18 resident spaces per one-bedroom unit, 1.36 resident spaces per two-bedroom unit, 1.50 resident spaces per three-bedroom unit and 0.20 visitor spaces per unit in this instance; and

9. A 1.5m (approx. 4.9ft) setback from surface parking spaces or aisles to any other lot line whereas By-law 0225-2007, as amended, requires a minimum setback of 3.0m (approx. 9.8ft) in this instance.

## Background

**Property Address:** 2285 The Collegeway

### Mississauga Official Plan

Character Area: South Common Community Node  
Designation: Residential High Density

### Zoning By-law 0225-2007

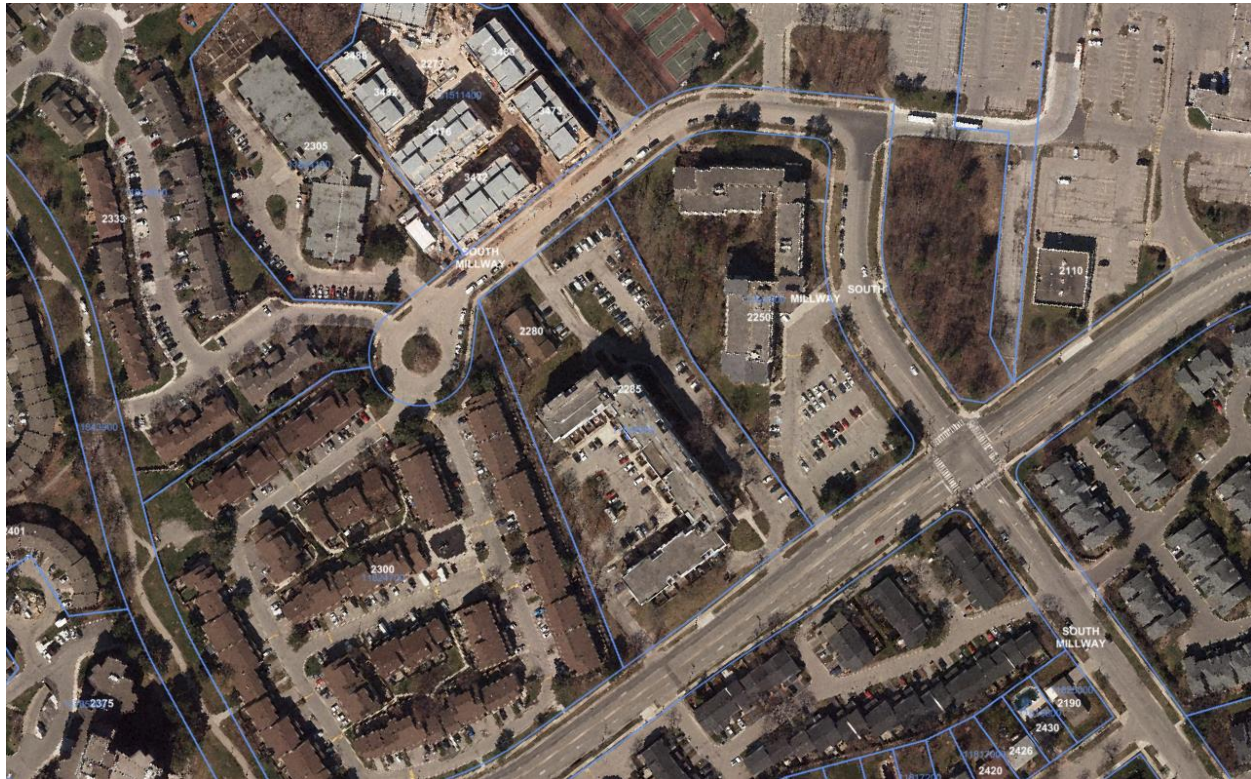
**Zoning:** RA2-43 - Residential

**Planning Applications:** Pre-Application Zoning Review – PREAPP 20-3375

### Site and Area Context

The subject property is located in the South Common Community Node, southwest of the Erin Mills Parkway and The Collegeway intersection. The surrounding neighbourhood consists of multiple townhouse complexes and a 6-storey apartment building. The subject property contains a rental apartment building that has a 4-storey height along The Collegeway and steps up to 7-storeys along the northern and westerly portions of the property. On the western portion of the subject property, east of South Millway, are four (4), 2-storey townhouse dwellings. The remainder of the subject property is occupied by surface parking lots and landscaped area. Mature trees are scattered over the property, and a fence has been provided along the northern and southern property lines.

The application proposes to construct a new 7 storey rental infill building requiring variances for heights, front yards, interior side yard, landscape buffer and parking.



## 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 are as follows:

The subject property is designated Residential High Density in Schedule 10 of the Mississauga Official Plan (MOP), which permits apartment dwellings. The applicant is proposing to demolish the existing townhouses and the surface parking lot on the western portion of the subject property and construct a new 7-storey residential rental infill building. The existing 7-storey apartment building on the subject property and its associated underground parking garage will not be modified through this application.

The applicant is proposing reduced parking rates for the existing and proposed buildings, for resident and visitor spaces (Variances #7 and 8). Municipal Parking staff have provided the following comments with respect to these variances:

A Parking Justification Letter, prepared by LEA Consulting Ltd., dated June 24, 2021, has been submitted in support of the application.

The subject property is currently occupied by a seven-storey apartment building with 141 units as well as four (4) two-storey townhouse dwellings, with 214 total parking spaces. The development proposes to demolish the existing townhouse dwellings and nine 9 surface parking spaces to provide a new seven-storey residential building with 101 residential units in their place. The existing seven-storey residential building will also be maintained.

The applicant is proposing a minimum of 280 parking spaces. Of these spaces, 205 spaces will be maintained from the existing supply, which includes 138 underground parking spaces and 67 surface parking spaces. A total of 69 additional underground parking spaces and 9 new surface parking spaces are proposed to be provided through the new building, resulting in a total of 280 spaces overall.

Table 1 – Parking Requirements and Applicant Proposed Parking

Unit type	# of Units / GFA (m2)	Rate Required (ZBL)	Spaces Required	Rate Proposed	Spaces Proposed
Existing (rental)					
Studio	14	1.0	14	1.21	16.94
1-bed	31	1.18	36.58	1.21	37.51
2-bed	65	1.36	88.4	1.21	78.65
3-bed+	31	1.5	46.5	1.21	37.51
Visitors	141	0.2	28.2	0.15	21.15
<b>Total</b>	<b>141</b>		<b>213.68</b>		<b>191.76</b>
Proposed (rental)					
1-bed	45	1.18	53.1	0.73	32.85
2-bed	42	1.36	57.12	0.73	30.66
3-bed	14	1.5	21	0.73	10.22
Visitors	101	0.2	20.2	0.15	15.15
<b>Total</b>	<b>101</b>		<b>151.42</b>		<b>88.88</b>
<b>Total</b>	<b>242</b>		<b>365.10</b>		<b>280.64</b>

#### Staff Comments for Residential & Visitor Parking

- Staff had concerns with the proxy sites and the analysis. The existing and the proposed new buildings should not have separate rates as they are located on the same site. In addition, the existing site must be surveyed to better understand the parking demands on site.
- Generally staff require that survey counts are recent and proxy sites are comparable, including the building tenure. In this case, the Toronto sites and surveys conducted earlier than 2016 did not fit the requirement due to transit connectivity, locational context, and recent enough information.

Overall Staff Comments

- Staff recommend deferral of this application.
  - Staff do not support separating the parking rates based on existing and proposed site developments.
  - Staff do not support all proxy sites chosen for site comparison. Applicant is asked to survey the existing site in accordance to the Parking Utilization Study Terms of Reference.

Planning staff echo Municipal Parking staff's concerns with Variances #7 and 8 and note that the subject property is subject to site plan approval. At this time, the applicant has not submitted a site plan application. Development and Design staff are concerned that this application is premature and the applicant should undergo site plan approval before applying for variances. Planning staff echo these concerns and are unable to provide a recommendation on the remaining variances at this time. Planning staff recommend that the minor variance application be deferred to permit the applicant an opportunity to submit a site plan application.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

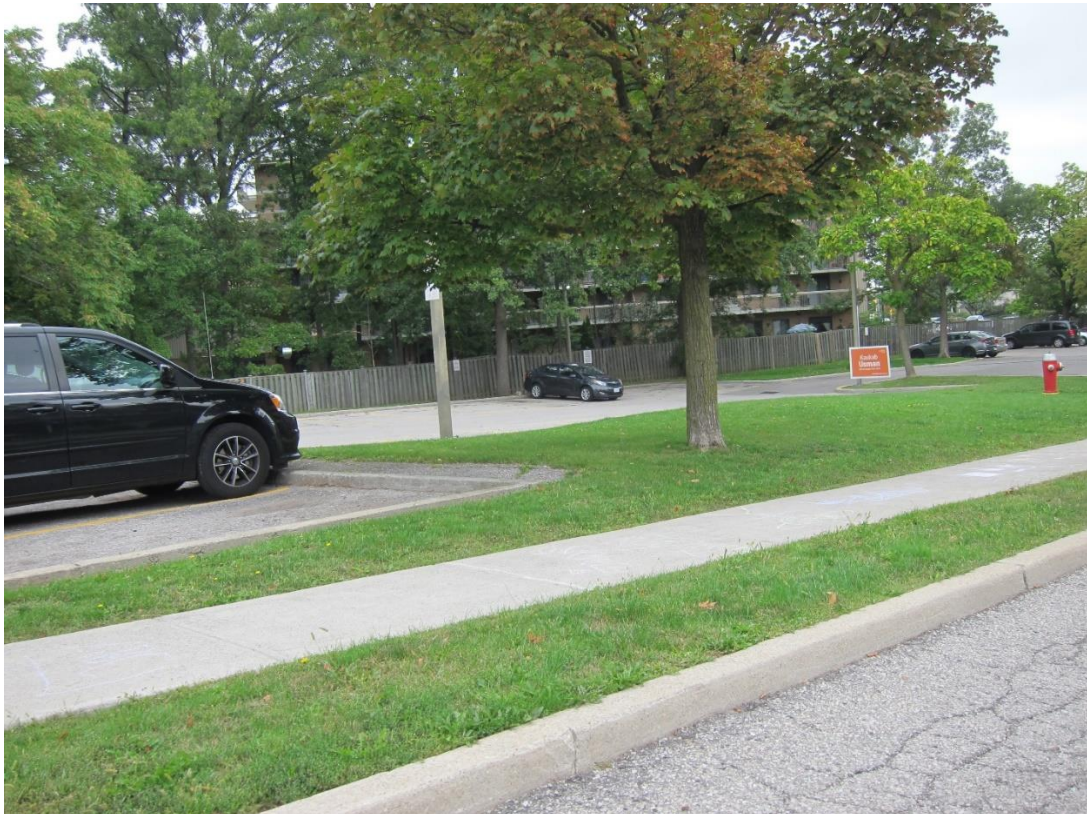


## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the new apartment building on the subject property will be addressed through future Site Plan and Building Permit applications.





Comments Prepared by: Dave Martin, Supervisor Development Engineering

## **Appendix 2 – Zoning Comments**

The Building Department is currently processing a Preliminary Zoning Review application under file PREAPP 20-3375. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Please note that comments reflect those provided through the above permit application and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Brandon Eidner, Zoning Examiner