

City of Mississauga Department Comments

Date Finalized: 2021-11-17	File(s): A529.21 Ward 4
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-11-25 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

The applicant requests the Committee to approve a minor variance to allow the existing office building and parking garage on the subject property, being the retained lands of application B66/20, to permit the existing 391 required parking spaces to be located off-site on the severed parcel associated with file B66/20, whereas By-law 0225-2007, as amended, requires all parking spaces to be located on the same lot in this instance.

The applicant requests the Committee to approve a minor variance on the subject property, being the severed lands of application B66/20, to permit the use of the existing parking structure to provide 391 parking spaces required for the use of the retained parcel associated with application B66/20, whereas By-law 0225-2007, as amended, requires all parking spaces to be located on the same lot in this instance.

Background

Property Address: 2 Robert Speck Parkway

Mississauga Official Plan

Character Area: Downtown Core
Designation: Mixed Use

Zoning By-law 0225-2007

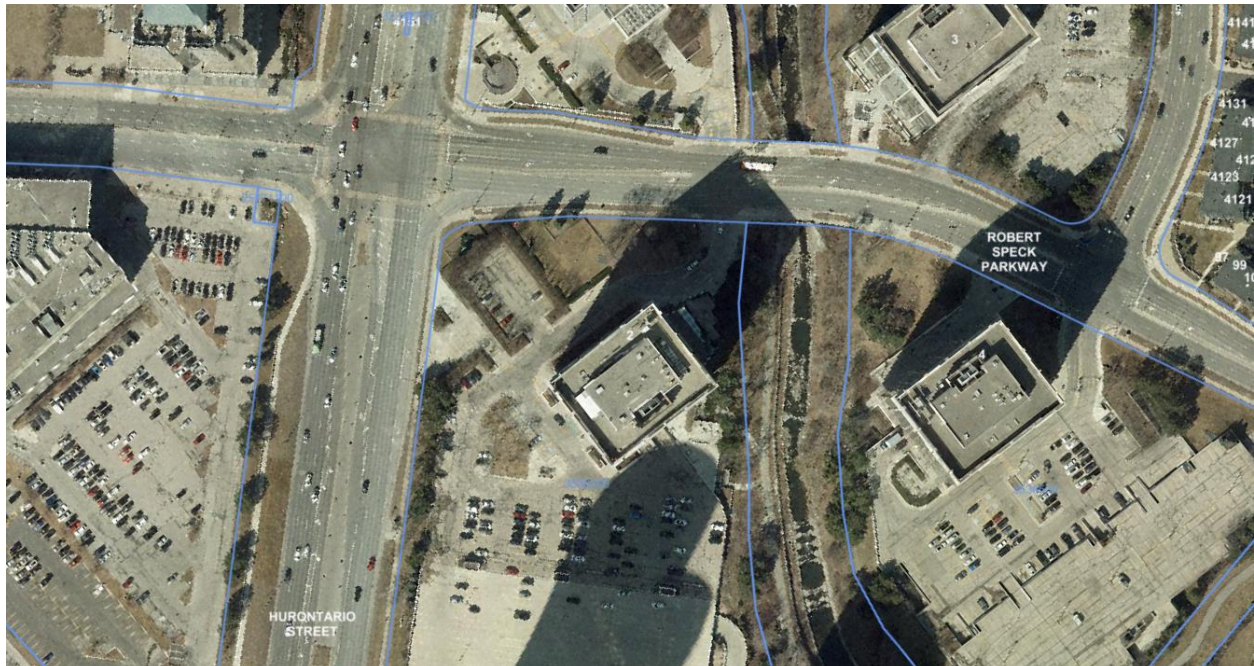
Zoning: H-CC2(3); CC2(3) - Commercial

Other Applications: PREAPP 21-5257

Site and Area Context

The subject property is situated within the Downtown Core Character Area and is located on the south-east corner of Robert Speck Parkway and Hurontario Street. From a land-use perspective, the immediate neighbourhood is comprised primarily of multi-storey office and residential condominium structures, as well as residential townhouses in close proximity. Cooksville Creek is located on the east side of the site.

The subject site is a corner property with a lot area of +/-24,000m² (2.4ha) and a lot frontage of +/-110.0m (360.9ft) with minimal vegetation and landscape elements surrounding the perimeter of the site.



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:

The applicant is proposing an off site parking variance in order to finalize consent application B66/20. The consent application severed the subject property, currently containing an office tower, resulting in a portion of the required parking for the office use being on the severed lands. Planning staff have no objection to the proposed variance in theory, however there are currently several outstanding concerns regarding the accuracy and wording of the requested variance, as well as agreements that would need to be in place to secure off site parking rights.

City Planning Strategies staff have reviewed the application and note as follows:

The required parking justification was not submitted with the application. Staff contacted the agent, Neil Loewen, Urban Strategies, via email on November 2, 2021 requesting parking justification in the form of an off-site shared parking agreement, as well as, inquiring about whether the site has oversupply of parking, pre-COVID survey data or parking spaces registered on title.

The applicant, Anne Messore, Starlight Developments, asked to meet with staff on November 4, 2021 and subsequently on November 5, 2021 to discuss the applicant's preferred method to address parking through a blanket easement for the retained lands and severed parcel. Staff shared their concerns and explained that the City's off-site shared parking agreement is the appropriate tool to address parking in this instance. The applicant had more questions and requested to connect with the City's Legal team however, the Legal team needs to review this inquiry and had insufficient time to provide a response on short notice.

Anne Messore also indicated to staff that a parking survey was carried out onsite prior to COVID-19 and would submit a parking utilization study to staff.

Staff provided the applicant with the City's template for an off-site shared parking agreement. A Parking Utilization Study has not been submitted to date. Staff have concerns with the requested variance in the absence of a shared parking agreement and lack of satisfactory parking justification.

Furthermore, Zoning advised that they cannot confirm the accuracy of the requested variance.

Based on the submitted information, staff recommend the application be deferred to confirm the accuracy of the variance and to allow the applicant to address the shared off-site parking arrangements.

Planning staff are in agreement with the concerns that CPS staff have raised. The application should therefore be deferred in order to allow the applicant to submit the required information.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting that any Transportation and Works comments/conditions for this property will be addressed through Consent Application 'B' 66/20.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Preliminary Zoning Review application under file PREAPP 21-5257. 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: Marco Palerma