

City of Mississauga Department Comments

Date Finalized: 2021-12-15	File(s): A330.21
To: Committee of Adjustment	Ward: 8
From: Committee of Adjustment Coordinator	Meeting date:2022-01-13 3:00:00 PM

Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the Applicant and area residents when assessing if the application, as requested, meets the requirements of Section 45(1) of the Planning Act.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of townhouses proposing:

1. 1.12 parking spaces per dwelling unit whereas By-0225-2007, as amended, requires a minimum of 1.20 parking spaces per dwelling unit in this instance; and
2. A rooftop balcony setback measured to the exterior edge of the building of 0.00m whereas By-law 0225-2007, as amended, requires a minimum rooftop balcony setback measured to the exterior edge of the building of 1.20m (approx. 3.93ft) in this instance.

Background

Property Address: 3355 The Collegeway

Mississauga Official Plan

Character Area: Erin Mills Neighbourhood

Designation: Mixed Use

Zoning By-law 0225-2007

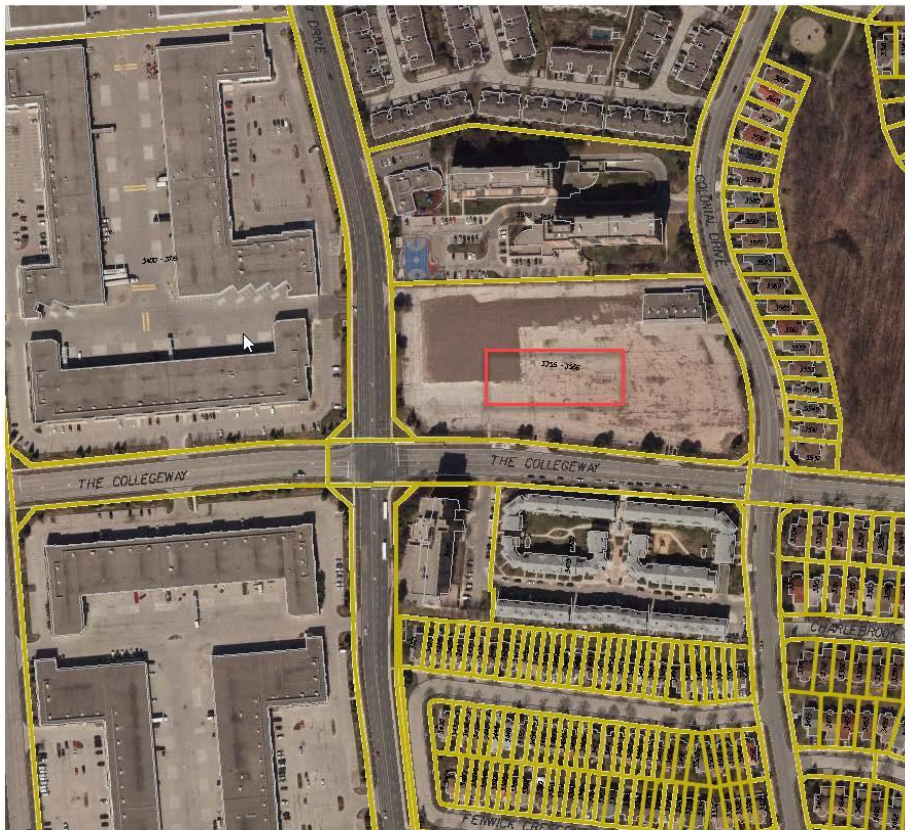
Zoning: C4-73 - Commercial

Other Applications: OZ 16/005 W8 (Approved By LPAT) and SP 19/80 W8 (Being Processed)

Site and Area Context

The subject property is located on the north-east corner of Ridgeway Drive and the Collegeway in the Erin Mills Neighbourhood Character Area. The property contains a plaza with commercial uses with a mix of commercial uses. To the north of the property are two ten-storey residential apartment buildings. South of the subject property is a residential townhouse complex and a twelve-storey apartment building.

The applicant is requesting minor variances to allow for the construction of a townhouses development requiring variances for parking and a rooftop balcony setback.



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 Committee of Adjustment previously deferred the above noted application on August 19th, 2021. In staff's report dated August 11th, 2021, City Planning Strategies (CPS) staff identified concerns with Variance #1 and required a Parking Utilization Study in order to assess the reduced parking variance. Planning Staff had no concerns with Variance #2.

The City Planning Strategies (CPS) Division has reviewed the applicant's Parking Utilization Study. Their comments are as follows.

Staff reviewed previous parking comments for OZ 16-005 and point out that the requested variance references the LPAT approved resident parking rate of 1.2 spaces per unit, which is already a substantial reduction from the current Zoning By-law rate of 1.5 spaces per 2-bedroom condominium back to back and stacked townhouse unit.

The applicant submitted a Parking Study Addendum, prepared by BA Group, dated October 4, 2021, in support of the submitted application.

Based on the submitted information, the development is proposing 384 back-to-back stacked townhouses, with 431 residential spaces and 77 visitor/non-residential spaces, for a total of 508 parking spaces. Visitor/non-residential parking is being maintained at 0.2 spaces per unit and there are no changes to the proposed retail and office component.

The Parking Study Addendum provided a satisfactory proxy site survey and condo sales data as justification for the reduced residential parking rate.

Condo Sales Data

Approximately 82% of the units have been sold to date (sold 316 units out of total 384 units) and each unit included one parking space. Based on the projected sales demand, there is a 1 to 1 parking demand rate and it results in a projected over supply of 47 residential parking spaces. All purchasers were given the ability to purchase a second parking space at cost with a 25% deposit requirement, however all purchasers declined the offer.

Proxy Site Survey

Staff provided guidance to carry out a satisfactory proxy site survey at 2277 South Millway. BA Group carried out a proxy site survey for the residential and visitor demand over two consecutive weeks on:

- Thursday, August 12, 2021 at 3:00am
- Wednesday, August 25, 2021 at 3:00am
- Thursday, August 26, 2021 at 3:00am
- Friday, August 27, 2021 at 3:00am
- Wednesday, September 1, 2021 at 3:00am
- Friday, September 3, 2021 at 3:00am

The counts also included a 5pm to 11pm count of the on-street parking demand on South Millway that included video destination tracking of the vehicles. BA Group observed each parked vehicle and whether the person walked to 2277 South Millway.

BA Group used a conservative method to identify a peak parking demand of 119 spaces, which equates to a demand rate of 0.83 spaces per occupied unit (142 units occupied out of total 144 units).

BA Group acknowledged some limitations with the proxy site due to COVID-19 and the location has better access to public transit than the proposed development.

The Parking Study Addendum is acceptable given the applicant carried out a satisfactory survey, applied a conservative methodology, provided supplementary condo sales data and ensured the site had a buffer of residential parking spaces to accommodate changes in future demand.

Staff undertook their own conservative analysis of the proxy site to account for on-street parking demand in order to further evaluate the appropriateness of the requested variance. Staff's conclusion supports that the proposed development can sufficiently accommodate the demand with a buffer of available parking spaces onsite. Based on the proxy site survey and supplementary condo sales data, coupled with a buffer of parking spaces for the proposed development, the requested parking rate can be supported.

Based on the submitted justification, staff recommend that the application be supported to allow the construction of townhouses proposing a rate of 1.12 parking spaces per dwelling unit whereas By-law 0225-2007, as amended, requires a minimum of 1.2 parking spaces per dwelling unit, in this instance.

Planning staff echo's CPS staff's comments and have no concerns with Variance #1. Staff continues to have no concerns with Variance #2 as it remains unchanged. As such, Planning Staff has no concerns with the applicant's new proposal.

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 proposed dwelling will be addressed through the current Site Plan application SP-21/044.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a site plan approval application under file xx-SP 19/080. Based on review of the information currently available for this application, the variances, as requested are correct.

Our comments are based on the plans received by Zoning staff on 07/06/2021 for the above captioned site plan 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: Adam McCormack, Zoning Examine