

# City of Mississauga Department Comments

Date Finalized: 2022-02-09	File(s): A62.22 Ward 4
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-02-17 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 construction of a residential building with reduced parking rates proposing:

1. 0.8 parking spaces per one-bedroom apartment dwelling unit whereas By-law 0225-2007, as amended, requires a minimum of 0.9 parking spaces per one-bedroom apartment dwelling unit in this instance;
2. 0.8 parking spaces per two-bedroom apartment dwelling unit whereas By-law 0225-2007, as amended, requires a minimum of 1.0 parking spaces per two-bedroom apartment dwelling unit in this instance; and,
3. 0.5 parking spaces per affordable one-bedroom apartment dwelling unit whereas By-law 0225-2007, as amended, requires a minimum of 0.8 parking spaces per affordable one-bedroom apartment dwelling unit in this instance.

## Background

**Property Address:** 1 Fairview Road East

### Mississauga Official Plan

Character Area: Downtown Fairview  
Designation: Residential High Density

### Zoning By-law 0225-2007

**Zoning:** H-RA5-57

**Other Applications:** SP 21-121**Site and Area Context**

The subject property is located on the north-east corner of Hurontario Street and Fairview Road East in Downtown Fairview. It is currently a vacant site with a lot area of +/- 2,916m<sup>2</sup> (ft<sup>2</sup>). There are no landscaping elements present on the subject property. The surrounding area consists of a mix of uses, including commercial, open space, and various residential built forms.

The applicant is proposing a residential building requiring variances for 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 the application of the four tests to this minor variance request are as follows:

The subject property is located in the Downtown Fairview Character Area and is designated Residential High Density in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits apartment dwellings, as well as some commercial uses on the ground floor.

The intent of the Zoning By-law in quantifying the required number of parking spaces is to ensure that each lot is self-sufficient in providing adequate parking accommodations based upon its intended use. Section 8.4 of the Official Plan contemplates potential reductions in parking requirements and alternative parking arrangements in appropriate situations. CPS staff have reviewed the variance request and note as follows:

Staff note that the application is related to approved OZ/OPA 20-001 W4 and the resulting Zoning By-Law 0160-2021, site specific exception RA5-57, as well as the currently ongoing Site Plan Approval process SP 21-121 W4 and the Removal of H application under review (H-OZ 21-5 W4).

The Applicant submitted a Cover Letter, prepared by Sajecki Planning, dated December 7, 2021, and a Site Plan, prepared by Core Architects Inc., dated July 16, 2021, in support of the submitted application.

The Cover Letter explains that the City of Mississauga has developed preliminary recommendations for parking regulations for new developments and drafted policy directions as part of the City's draft Parking Regulations Study. Therefore the Applicant is requesting minor variances to the residential parking rates of the

proposed development to better reflect the draft Parking Regulations Study and the parking demand of the proposed development.

The Cover Letter notes all 418 residential units have been sold and that 304 residential parking spaces have been purchased. Planning rationale for the proposed parking reduction is also discussed.

Staff note that the City is presently undertaking a Parking Regulations Study that is reviewing the required number of parking spaces for new development proposals. The proposed draft Parking Regulations Corporate Report dated November 19, 2021, currently proposes residential parking requirements for Condominium Apartments in Precinct 1 at 0.8 space per all unit types. These rates are not yet approved but staff are considering the direction of this study. In the meantime, applications are evaluated against the current Zoning By-law.

Staff advise the Applicant review the City's Terms of Reference for Parking Utilization Studies for Site Specific Applications with regard to the Sales/Lease of Parking Space Information. The required information can be provided as supplementary data in addition to appropriate parking surveys.

Staff advise that the requested parking reductions are greater than 10% from the existing site-specific Zoning By-Law 0160-2021 and that a Parking Utilization Study with acceptable proxy sites in Mississauga is required.

Staff also note the following:

- Discrepancy between requested parking rates noted in Cover Letter and proposed parking rates noted in Site Plan.
- Four (4) condominium townhouses are shown on the Site Plan and building elevations; however no parking information is provided and they are not listed within the parking statistics.
- Require confirmation of number of one (1) bedroom affordable apartments to be provided.

Based on the submitted information, staff require the application be deferred pending clarification of the above noted information and the submission of a satisfactory Parking Utilization Study (PUS).

Municipal Parking staff have indicated that additional information is required in order to complete a proper review of the application. Planning staff are supportive of Parking staff's request for deferral to allow for the resubmission of a full PUS and the additional requested information in order to determine if the requested variance meets the four tests.

Comments Prepared by: Alexander Davies, 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 21-121. We also note that there is a Rezoning Application OZ-20/01 for this development.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan application under file SP 21-121. 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.

Our comments are based on the plans received by Zoning staff on 07/20/2021 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 Examiner