

# City of Mississauga Department Comments

Date Finalized: 2022-03-02	File(s): A404.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-03-10 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 for the construction of a residential infill building proposing:

1. A maximum building height of 34.5m (approx. 113.19ft) whereas By-law 0225-2007, as amended, requires a maximum height of 26.0m (approx. 85.3ft) in this instance;
2. 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;
3. 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;
4. 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;
5. 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;
6. 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;
7. 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

8. 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

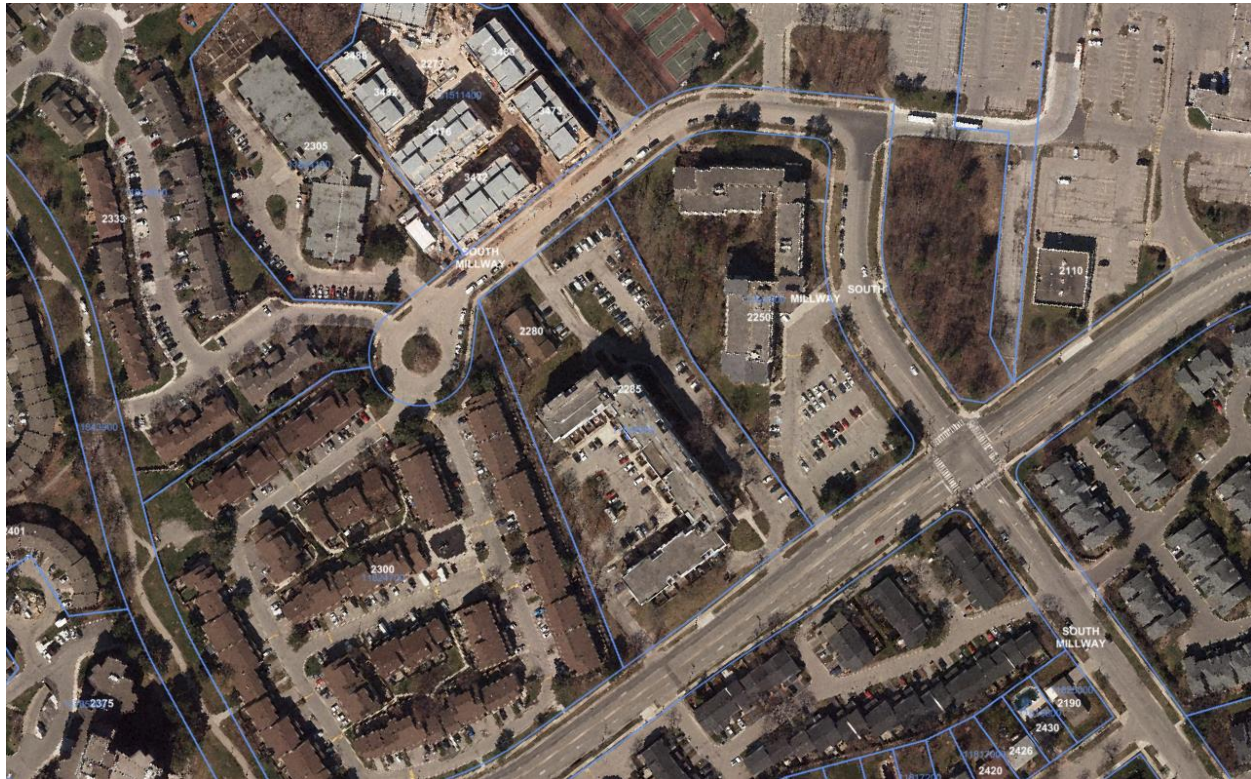
**Zoning:** RA2-43 - Residential

**Other 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. Along 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 height, 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 the application 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 #6 and 7). Municipal Parking staff have provided the following comments with respect to these variances:

With respect to Committee of Adjustment application 'A' 404/21, 2285 The Collegeway, the applicant is requesting the Committee to approve a

reduction in parking spaces, and allow for the construction of a new residential infill building proposing:

- 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;
- 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.

Staff provided comments in regards to this application for the October 21<sup>st</sup> Committee of Adjustment Hearing date. A revised Parking Justification Study (PJS), prepared by LEA Consulting Ltd., dated December 2, 2021, has been submitted in support of the application. The application was initially deferred in the first submission of the proposal back in the fall of 2021. Staff do not support separating the parking rates based on existing and proposed site developments. And staff did not support all proxy sites chosen for site comparison. As such, the applicant was asked to survey the existing site in accordance of the parking [Terms of Reference](#). Staff provided guidance on survey methodology and the submitted onsite survey is acceptable.

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 9 surface parking spaces to provide a new seven (7) storey residential building with 101 residential units in their place. The existing seven (7) 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 6 new surface parking spaces are proposed to be provided through the new building, resulting in a total of 280 spaces overall.

The observed residential parking demand on the subject site peaked between 12:00 AM and 1:00 AM on Sunday, October 17<sup>th</sup>, with a peak residential parking demand of 147 spaces for 141 residential units. This represents a peak residential parking demand rate of 1.04 spaces per unit.

The observed visitor parking demand on the subject site fluctuated more throughout the day, and peaked between 10:00 PM and 10:30 PM and 12:00 AM on Saturday October 16<sup>th</sup>, with a peaking visitor parking demand of 18 spaces for 141 residential units. This represents a peak visitor parking demand rate of 0.13 spaces per unit.

The subject site is located at an approximate 4-minute walk from the South Common Centre Bus Terminal, which provides access to multiple local bus routes and express bus routes, to and from local destinations within Mississauga, as well as regional transit connections and adjacent municipalities.

#### Staff Comments for Residential & Visitor Parking

- Staff have concerns with the existing and the proposed new building having separate rates as both buildings (the existing and proposed) will be located on the same site.
- Staff have concerns with the proposed 1.01 residential parking spaces/dwelling unit seeing how the observed residential parking demand on the subject site represented a parking rate of 1.04 residential spaces per dwelling unit.

#### Overall Staff Comments

- **Based on the submitted application, the amended below variance can be supported.**
- Staff recommend amending the variances to state the following:
  - For the existing building and the proposed building a minimum parking rate of 1.04 residential spaces per dwelling unit and 0.15 visitor spaces per dwelling 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.
- **Although Staff support the application, the applicant may wish to defer to confirm the accuracy of the requested variance(s) with Zoning.**

- Zoning advised 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.

Planning staff echo Municipal Parking staff's comments. However, Zoning staff has identified issues with the applicant's grading calculation. Given Zoning staff's concerns, Planning staff 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 discuss the proposal with Zoning staff.

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 building will be addressed through the future Site Plan Application process.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department has processed 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