

City of Mississauga Department Comments

Date Finalized: 2022-07-13 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): A152.22 Ward: 1
	Meeting date:2022-07-21 1:00:00 PM

Consolidated Recommendation

The City recommends the application be deferred.

Application Details

The applicant requests the Committee to approve a minor variance to allow reduced parking for a Law Office with a total of 386 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 528 parking spaces in this instance.

Amendments

The Building Department is currently processing a Zoning Certificate of Occupancy application under file C 21-9439. Based on review of the information currently available in this permit application, we advise that the variance should be amended as follows:

To allow an Office in unit 6A of the subject property proposing 386 parking spaces for all uses on site whereas By-law 0225-2007, as amended, requires a minimum of 521 parking spaces for all uses on site in this instance.

Background

Property Address: 6A-1185 Queensway E

Mississauga Official Plan

Character Area: Dixie Employment Area
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2-131 - Employment

Other Applications: Zoning Certificate of Occupancy Permit – C 21-9439

Site and Area Context

The subject property is located within the Dixie Employment Character Area, west of Queensway East and Dixie Road. The surrounding area north of Queensway East comprises of a mix of commercial, employment and industrial type uses, while the subject property contains a similar mix of commercial and employment uses. The area south of Queensway East consists of detached residential dwellings.

The applicant is proposing an office unit on-site requiring a variance for reduced 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 Committee of Adjustment previously deferred the application on March 24, 2022. Staff had recommended deferral of the application to allow the applicant an opportunity to provide a Parking Justification Study in support of the variance application.

The applicant has submitted a Parking Justification Letter in support of the application. Municipal Parking staff have reviewed the variance request and note as follows:

Staff has discussed the proposal with Zoning staff. Zoning staff recommends that the proposed variance be amended to the following:

To allow an Office in unit 6A of the subject property proposing 386 parking spaces for all uses on site whereas By-law 0225-2007, as amended, requires a minimum of 521 parking spaces for all uses on site in this instance.

Staff note this is a reduction of 135 spaces, which equates to a 26% deficiency.

The subject property contains 6 buildings and a total of 91 units. Originally, Building C, D and E were approved by the City for warehouse facility use with a parking rate of 1.1 spaces per 100 m² of Gross Floor Area (GFA). Building A, B and F were approved for office use with a parking rate of 3.2 spaces per 100 m² (1076 ft²) of GFA. All the buildings share a total of 386 parking spaces onsite. The site has a mix of uses, including warehousing, office, medical office, restaurant, commercial school and recreational establishment.

The proposed office use in Unit 6A is approximately 166.34 m² (1790.47ft²) in size and located in Building A, which was approved at the office parking rate. Based on Zoning's records, the office building is calculated at a rate of 3.20 spaces per 100 m² (1076 ft²) GFA and requires 5 parking spaces.

The applicant submitted a Parking Justification Letter (PJL), prepared by V.A. Architect Inc., dated October 9th, 2019 in support of the application. The PJL stated that there is a sufficient amount of parking spaces for Unit 6A. The submitted PJL carried out a short survey during different periods of the daytime; morning between 7:30 am to 9:30 am; afternoon lunch hours, between 12 noon to 2:30 pm and evening, between 4:00 pm to 6:00 pm to study existing parking at the subject site. The dates on which the short survey was conducted was not mentioned within the PJL. The observations of the accounted for parking spaces were not noted/analysed. Parking counts were provided based on the tenanted units calculated by the number of parking spaces required as per the City's Zoning By-law 0225-2007. After review, it was determined that the PJL submitted by V.A. Architect Inc. did not meet the requirements as outlined in the Terms of Reference.

Staff has previously commented on several applications seeking parking reductions for units on the subject property. Staff previously requested a PJL from the applicant, as the site-wide parking deficiency was at 10%. The on-site parking deficiency now exceeds 10%. Therefore, a Parking Utilization Study is required to justify the proposed parking reduction.

Additionally, staff note that the Parking Regulations Study and the associated new parking rates have been approved by Planning Development Committee and by City Council, but are not currently in effect. The updated by-law is expected to come into effect in mid-July 2022. Staff note that the proposed parking supply continues to be lower than the Council approved new rates.

Staff are concerned about the growing parking deficiency on the entire subject property. It is evident to staff that as more uses with higher parking requirements move into the units, the parking deficiency will be exacerbated and contribute to future parking issues onsite.

Since the parking deficiency continues to surpass the 10% threshold, applicants are required to submit a satisfactory Parking Utilization Study (PUS) to justify a parking variance. Upon review of the PUS survey data and results, staff may consider implementing tools to manage parking demand, such as capping the gross floor area of certain uses with high parking requirements (including medical office), consider a blended rate for the subject property and other measures.

Staff reviewed the subject property and recommend that prospective unit holders are made aware of the site's parking deficiency and that future unit holders will be required to undertake a PUS to justify a parking reduction.

Staff recommend the application be deferred, pending the submission of a satisfactory Parking Utilization Study (PUS). Staff advise that a satisfactory Parking Utilization Study is required to be submitted. The consultant should confirm the survey methodology with staff prior to conducting parking surveys.

Additionally, staff note that the requested variance is incorrect as per confirmation from Zoning staff and shall be amended as follows:

- To allow an Office in unit 6A of the subject property proposing 386 parking spaces for all uses on site whereas By-law 0225-2007, as amended, requires a minimum of 521 parking spaces for all uses on site in this instance.

Planning staff echo comments from Municipal Parking staff and recommend that the application be deferred pending the submission of a satisfactory Parking Justification Study. Furthermore, Planning staff recommend that the variance be amended as noted above.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections, comments or requirements with respect to C.A. 'A' 152/22.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Zoning Certificate of Occupancy application under file C 21-9439. Based on review of the information currently available in this permit application, we advise that the variance should be amended as follows:

To allow an Office in unit 6A of the subject property proposing 386 parking spaces for all uses on site whereas By-law 0225-2007, as amended, requires a minimum of 521 parking spaces for all uses on site in this instance.

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: Alana Zheng, Zoning Examiner