

City of Mississauga Department Comments

Date Finalized: 2022-10-26	File(s): A444.22 Ward: 8
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-11-03 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 legalize the existing three units in the apartment building proposing:

1. A parking space rate of 108 parking spaces whereas By-law 0225-2007, as amended, requires a parking space rate of 123 parking spaces in this instance;
2. A visitor parking space rate of 10 parking spaces whereas By-law 0225-2007, as amended, requires a visitor parking space rate of 19 parking spaces in this instance; and,
3. A reduced parking space width of 2.58m (approx. 8.46ft) for 36 parking spaces whereas By-law 0225-2007, as amended, requires a parking space width of 2.6m (approx. 8.53ft) for 36 parking spaces in this instance.

Amendments

While Planning staff is not in a position to provide an interpretation of the zoning by-law, staff advise that the following variance(s) should be amended as follows:

2. 10 visitor parking spaces on site; whereas, By-law 0225-2007, as amended, requires a total of 19 visitor parking spaces.

In reviewing the variance(s) as outlined in this application, it was apparent that the following additional variance(s) may be required:

4. 0 accessible parking spaces provided; whereas, By-law 022-2007, as amended, requires a total of 1 accessible parking space.

Furthermore, Municipal Parking staff have advised that variance #1 is no longer required and should be removed.

Background

Property Address: 2150 Roche Court

Mississauga Official Plan

Character Area: Sheridan Community Node

Designation: Residential High Density

Zoning By-law 0225-2007

Zoning: RA3-2-Residential

Other Applications: PREAPP application under file 22-684.

Site and Area Context

The subject property is located in the Sheridan Community Node, northeast of the Erin Mills Parkway and Queen Elizabeth Way overpass. The surrounding area consists of a mix of residential apartment buildings fronting onto Roche Court and commercial buildings fronting onto Fowler Drive and Erin Mills Parkway. The subject property contains a twelve storey residential apartment building with minimal vegetation in the front yard and significant vegetation in the side yards.

The applicant is proposing to allow three existing apartment dwelling units requiring variances for parking rates and space dimensions.



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 located within the Sheridan Community Node and is designated Residential High Density on Schedule 10 of the Mississauga Official Plan (MOP).

The applicant requests the Committee to approve minor variances for three existing units in a residential apartment building.

Municipal Parking staff have reviewed the variance request and note as follows:

A Parking Justification Letter (PJL) was submitted by Celta Construction Ltd. Roche Court dated June 22nd, 2022.

There are 40 parking spaces leased to tenants of 2150 Roche Court, with 3 tenants leasing more than 1 parking space. The existing parking plan has 120 parking spaces (110 tenant parking spaces and 10 visitor parking spaces).

Due to the surplus of unleased parking spaces and the lack of barrier free spaces, the applicant is now proposing to combine two of the surface level spaces closest to the building into a barrier free parking space. This will allow for the barrier free requirements of the zoning by-law to be met, and will therefore reduce the number of tenant spaces to 108 and the total number of parking spaces on site to 119.

As per confirmation from the City's Zoning services, Zoning By-law 0117-2022 eliminates the first variance:

- A parking space rate of 108 parking spaces whereas By-law 0225-2007 as amended, requires a parking space rate of 123 parking spaces in this instance.

Instead the following is now applicable:

- A total of 84 parking spaces are required meanwhile 108 parking spaces are provided.

The City's Zoning services has confirmed that the second variance is still applicable. As such, the visitor parking spaces are at a 47% deficiency for the site (10 parking spaces provided meanwhile 19 required).

Staff Comments

Staff recommend the application be deferred, pending the submission of a satisfactory Parking Utilization Study (PUS).

- Based on the updated parking requirements within By-law 0117-2022, a parking variance is no longer needed for the residential uses on-site as confirmed by the City's Zoning services.
- Although, the visitor parking is at a 47% deficiency and staff advise that a satisfactory Parking Utilization Study is required to be submitted in order to validate the demand against the supply and to ensure access and circulation is not compromised, and there are no spillover problems.
 - The consultant should confirm the survey methodology with staff prior to conducting parking surveys. Details can also be found in the City's Parking Terms of Reference.

Additionally, the second requested variance is incorrect as per confirmation from Zoning and shall be amended:

- 10 visitor parking spaces on site; whereas, By-law 0117-2022, requires a total of 19 visitor parking spaces.

Planning staff echo Municipal Parking staff's comments and recommends that the proposed amendments be considered and that the application be deferred to allow the applicant an opportunity to submit a PUS.

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' 444/22.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a PREAPP application under file 22-684. Based on review of the information currently available for this permit, we advise that the following variance(s) should be amended as follows:

1. 108 parking spaces on site; whereas, By-law 0225-2007, as amended, requires a total of 123 parking spaces.

2. 10 visitor parking spaces on site; whereas, By-law 0225-2007, as amended, requires a total of 19 visitor parking spaces.

In reviewing the variance(s) as outlined in this application, it was apparent that the following additional variance(s) may be required:

0 accessible parking spaces provided; whereas, By-law 022-2007, as amended, requires a total of 1 accessible parking space.

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 as there are outstanding comments.

Comments Prepared by: RAMSEN HEDOO

Appendix 3- Region of Peel

We have no comments or objections.

Comments Prepared by: Patrycia Menko, Junior Planner