

# City of Mississauga Department Comments

Date Finalized: 2022-12-07	File(s): A521.22 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-12-15 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 an existing building with 386 parking spots whereas By-law 0225-2007, as amended, requires a minimum of 430 parking spots in this instance.

### Amendments

The Building Department is currently processing a Building Permit application under file BP 3ALT 21-4620. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

- To allow the expansion of the existing mezzanine within 1215 Queensway East Unit 47 proposing a total of 386 parking spaces for all uses on site; whereas By-law 0225-2007, as amended, requires a minimum of 443 parking spaces for all uses on site in this instance

## Background

**Property Address:** 1215 Queensway East - Unit 47

### Mississauga Official Plan

Character Area: Dixie Employment Area  
Designation: Business Employment

### Zoning By-law 0225-2007

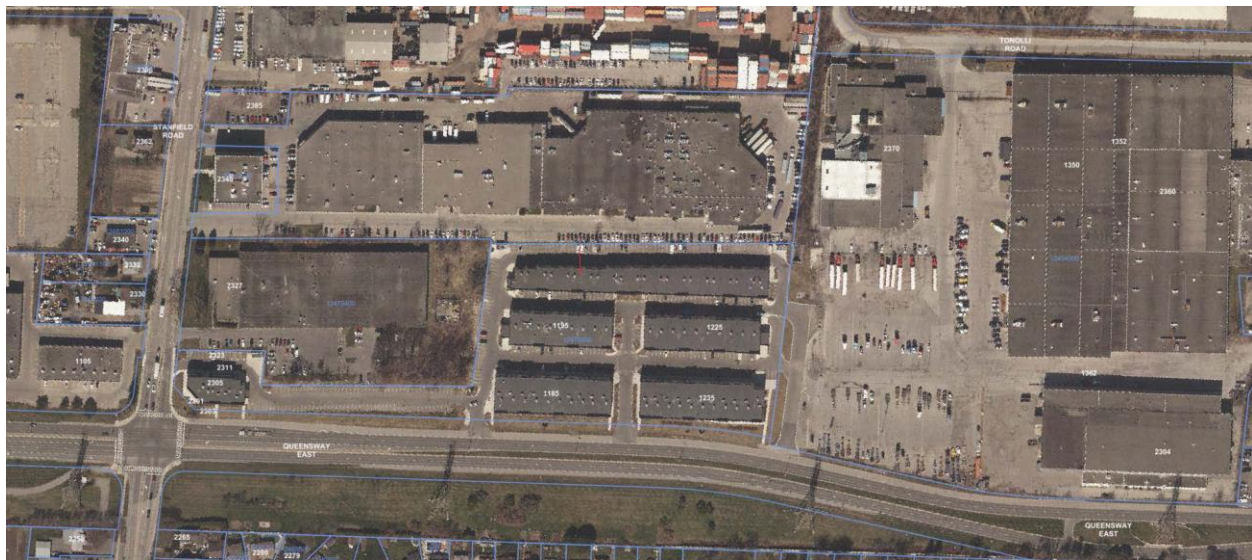
**Zoning: Employment**

**Other Applications:** Building Permit application under file BP 3ALT 21-4620

**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 is comprised of a mix of commercial, employment and industrial type uses. The subject property contains a similar mix of land uses found in the broader area, including both commercial and employment uses. The area south of Queensway East consists of detached residential dwellings.

The applicant is proposing a mezzanine in a unit containing office and warehouse uses 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 subject property is designated Business Employment in Schedule 10 of the Mississauga Official Plan (MOP) which permits warehousing and secondary office uses. A secondary office use means business, professional or administrative offices having an area less than 10,000 m<sup>2</sup> (107,639 ft<sup>2</sup>) or accommodating less than 500 jobs.

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

The Building Department is currently processing a building permit application and based on review of the information currently available in this application, Zoning advised that the variances should be amended as follows:

To allow the expansion of the existing mezzanine within 1215 Queensway East Unit 47 proposing a total of 386 parking spaces for all uses on site; whereas By-law 0225-2007, as amended, requires a minimum of 443 parking spaces for all uses on site in this instance.

There is a reduction of 57 parking spaces on-site currently, which equates to a 13% deficiency (443 parking spaces are required and 386 are provided).

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 m<sup>2</sup> (1076ft<sup>2</sup>) 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 m<sup>2</sup>(1076ft<sup>2</sup>) of GFA. All 6 buildings share a total of 386 parking spaces. The site contains a mix of uses, including warehousing, office, medical office, restaurant, commercial school and recreational establishment.

The proposed office use in Unit 47 is approximately 168.90 m<sup>2</sup> (1818ft<sup>2</sup>) in size and located in Building E, which was approved at the parking rate for a warehouse facility use. Office uses have a higher parking rate than the warehouse use. Unit 12 requires 5 parking spaces (3.0 spaces per 100m<sup>2</sup> GFA non-residential) to accommodate the proposed uses.

The applicant submitted an outdated Parking Justification Letter (PJL), prepared by ROCMAR Engineering, dated May 19<sup>th</sup>, 2021 in support of the application. The PJL stated outdated facts from the withheld Building Permit application from 2019. The submitted PJL referenced incorrect site statistics of 386 parking spaces being provided and 430 parking spaces being required. Staff note that the most up-to-date site statistics are: 386 parking spaces are provided and 443 parking spaces are required. After review, it was determined that the PJL submitted by ROCMAR Engineering did not meet the requirements outlined in the Terms of Reference and is based on outdated information.

Additionally, staff note that the Zoning By-law 0117-2022 has been approved, and is currently in effect. The most up-to-date statistics of 386 parking spaces being provided on-site and 443 parking spaces being required already take into consideration the new parking provisions. As such, 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.

Previously, staff commented on several other applications at which time, the required parking variance was at a 10% parking deficiency site-wide. At that time, parking justification letters were sufficient in providing justification for parking reductions. 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.

As of November 28<sup>th</sup>, 2022 the property management of the site has been made aware of the need for a PUS, and they are currently looking into options in undertaking the Study for prospective unit owners.

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 applicant is advised to refer to the City's Parking Terms of Reference for parking justification requirements to be included with a formal submission. The consultant should confirm the survey methodology with staff prior to conducting parking surveys. Details can also be found in the above hyperlink, under the City's Parking Terms of Reference. Staff recommend for the applicant to speak with their property management for further information in regards to the initiative they are taking in this matter.

Additionally, the requested variance is incorrect as per confirmation from zoning and shall be amended as noted above.

Planning staff echo comments from Municipal Parking staff and recommend that the application be deferred pending the submission of a satisfactory Parking Utilization Study. Furthermore, should the Committee see merit in the application; Planning staff recommend that the variance be amended.

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' 521/22.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit application under file BP 3ALT 21-4620. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

- To allow the expansion of the existing mezzanine within 1215 Queensway East Unit 47 proposing a total of 386 parking spaces for all uses on site; whereas By-law 0225-2007, as amended, requires a minimum of 443 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

### Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Patrycia Menko, Junior Planner