

City of Mississauga Department Comments

Date Finalized: 2023-01-11	File(s): A679.22 Ward: 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-01-19 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 townhouses proposing 4 visitor parking spaces whereas By-law 0225-2007, as amended, requires 5 visitor parking spaces in this instance.

Background

Property Address: 4000, 4002, 4004, 4006, 4010, 4012, 4014, 4016, 4018 Lebold Lane and 4100, 4102, 4104, 4106, 4010, 4112, 4114, 4116, 4118 Raybria Way

Mississauga Official Plan

Character Area: Ninth Line Neighbourhood
Designation: Residential Medium Density

Zoning By-law 0225-2007

Zoning: RM6-26, RM6-77 - Residential

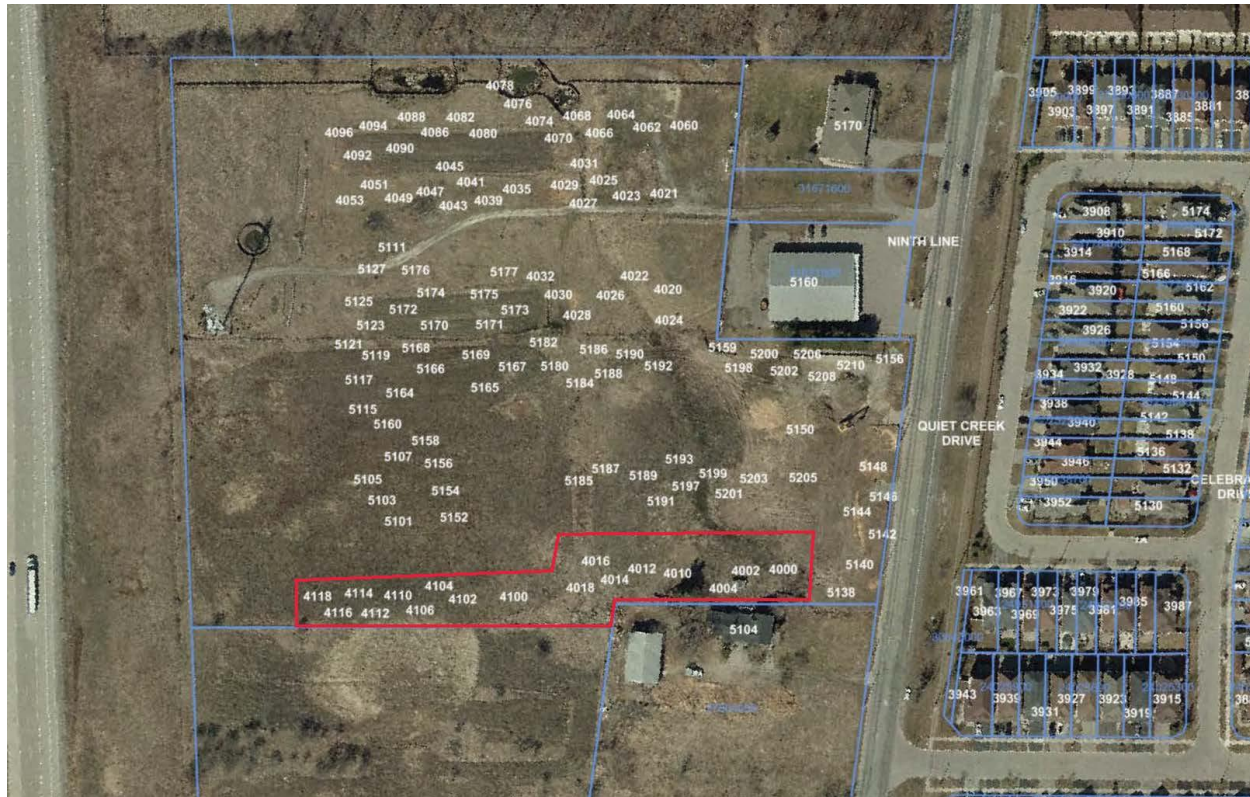
Other Applications:

Site and Area Context

The subject properties are part of a development located on the west side of Ninth Line, north of the Eglinton Avenue West intersection. The development lands are currently vacant, with no notable landscaping or vegetative elements, however significant vegetation abuts the

development on the property to the north. Lands to the south are currently vacant, while lands across Ninth Line to the east contain residential uses. Highway 407 abuts the development to the west.

The applicant is proposing modifications to the visitor parking, requiring a variance for the number of parking spaces.



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 Ninth Line Neighbourhood Character Area and is designated Residential Medium Density in Schedule 10 of the Mississauga Official Plan (MOP).

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. The applicant is proposing a reduction in visitor parking to accommodate an accessible parking space within the visitor parking area. Municipal Parking staff have reviewed the variance request and note as follows:

Staff have concerns with the requested variance considering sufficient parking justification has not been submitted in order to deem the proposal as appropriate for parking demands. Since the parking deficiency surpasses the 10% threshold at a 20% deficiency, the applicant is required to submit a satisfactory Parking Utilization Study (PUS).

Additionally, Zoning has advised that the Building Department is currently processing a Building Permit under file BP 9NEW 22-5129. Based on review of the information currently available in this permit application, Zoning advises 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. Zoning further mentions that the applicant's intent is unclear. Zoning cannot verify nor comment on accuracy of variance requested.

Staff recommend the application be deferred, pending the submission of a satisfactory Parking Utilization Study (PUS). Please 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 therefore recommend that the application be deferred to allow the applicant to submit the requested information.

Comments Prepared by: Alexander Davies, 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' 679/22.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 9NEW 22-5129. 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.

Applicant's intent is unclear. The subject site is composed of multiple zones and multiple blocks. The RM6-27 zone required 5 visitor parking spaces. There are 5 proposed and 5 approved. It is unclear why the applicant has requested a variance. Zoning cannot verify nor comment on accuracy of variance requested.

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: Ramsen Hedoo, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

The Park Planning Section of the Community Services Department has no objections to the above noted minor variance application and advises as follows:

Should the application be approved, Community Services provides the following notes:

1. The Community Services Department – Park Planning Section, has reviewed and secured fees & securities under development applications SP 20 – 84 & 21T-M19006.
2. Access from the adjacent City owned lands is not permitted.
3. If future construction is required, access from the adjacent City owned lands is not permitted.

4. If access is required to City owned lands, a Consent to Enter Agreement/Park Access Permit will be required.
5. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.

Should further information be required, please contact Nicholas Rocchetti, Park Planning Assistant, Community Services Department at 905-615-3200 ext. 4659 or via email Nicholas.Rocchetti@mississauga.ca.

Comments Prepared by: Nicholas Rocchetti, Park Planning Assistant

Appendix 4 – Region of Peel

We have no objections.

Comments Prepared by: Patrycia Menko – Junior Planner, Planning and Development Services