

# City of Mississauga Department Comments

Date Finalized: 2023-09-13	File(s): A323.23
To: Committee of Adjustment	Ward: 4
From: Committee of Adjustment Coordinator	Meeting date:2023-09-21 1:00:00 PM

## Consolidated Recommendation

The City recommends the application be deferred. The applicant may wish to defer the application to ensure the accuracy of the requested variances and that additional variances are not required.

## Application Details

The applicant requests the Committee to approve a minor variance to allow parking proposing:

1. All properties shown as Area 'A' on the submitted Schedule to be considered one lot for the purpose of calculating required parking whereas By-law 0225-2007, as amended, does not permit this in this instance;
2. An aggregate parking rate of 0.65 resident spaces per apartment unit for all properties shown as Area 'A' on the submitted Schedule whereas By-law 0225-2007, as amended, requires a parking rate of 0.80 resident spaces per apartment unit in this instance.

## Background

**Property Address:** 395 Square One Drive, 4225 and 4235 Confederation Parkway; and 4220 Living Arts Drive

### Mississauga Official Plan

Character Area: Downtown Core  
Designation: Downtown Mixed Use

### Zoning By-law 0225-2007

**Zoning:** CC2 and H-CC2- Downtown Core

**Other Applications:** SP-19-31, BP 3NEW 20-3001

## Site and Area Context

The subject lands are located on the north-east corner of the Confederation Parkway & Square One Drive intersection in the Downtown core. It is currently vacant with no landscaping or vegetation elements on the property. The surrounding area includes a mix of uses, including commercial, residential and office uses, as well as a mix of built forms such as townhouse dwellings and apartment dwellings. Sheridan College Hazel McCallion campus abuts the property to the east.

The applicant is proposing modifications to the resident parking rate, requiring variance for the number of parking spaces and the calculation methodology.



## 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 variance proposes a reduction in the required parking rate. 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 on 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:

With respect to Committee of Adjustment application 'A' 323.23, 395 Square One Drive, 4225 and 4235 Confederation Parkway; and 4220 Living Arts Drive, the Applicant is requesting the Committee to approve a minor variance to allow reduced parking for the subject property and proposing:

An aggregate parking rate of 0.65 resident spaces per apartment unit for all properties shown as Area 'A' on the submitted Schedule whereas By-law 0225-2007, as amended, requires a parking rate of 0.80 resident spaces per apartment unit in this instance.

Per the materials provided by the Applicant, the entire development includes two phases. Phase One consists of two residential buildings, including a 37-storey building with 428 units of rental apartment units and a 48-storey building with 574 condominium apartment units. Phase Two consists of three residential buildings, including a 55-storey building with 577 rental apartment units, a 36-storey building with 411 condominium apartment units, and a 44-storey building with 520 condominium apartment units. The total number proposed residential units is 2,510. In addition to residential uses, the Applicant also proposed on-site non-residential uses including Retail uses with a Gross Floor Area (GFA) of 1,356 m<sup>2</sup>, College/University uses with a GFA of 1,470 m<sup>2</sup>, and Community Center uses with a GFA of 2,292 m<sup>2</sup>. The subject site is located within CC2 zoning area, Parking Precinct 1.

Per Section 3.1.1.2 of Mississauga Zoning By-law, Apartment uses located in CC2 zoning area require a minimum of 0.8 resident spaces per unit and 0.15 visitor spaces per unit. Per Section 3.1.2.1.3 of Zoning By-law, a shared parking arrangement may be used for the calculation of required residential visitor/non-residential parking for the proposed non-residential uses. As a result, the minimum required parking space for the subject site would be 2,008 resident spaces and 377 visitor spaces. The Applicant proposes no changes to the visitor parking rate. As such, 2,008 parking spaces are required whereas 1,632 parking spaces can be accommodated. The proposed parking deficiency is 376 parking spaces, or 18.7%.

The Applicant provided a Parking Utilization Study (PUS) dated June 2023, completed by BA Group. Parking surveys were conducted for six and nine days over a three-week period at two proxy sites in April and May 2023, with parking supply rates of 0.96 and 1.03 spaces per unit. The survey results indicate that the observed peak parking demand at the first proxy site (360 City Center Drive, Mississauga) was 0.69 spaces per unit; the observed peak parking demand at the second proxy site (4065 & 4099 Brickstone Mews & 4070 Confederation Parkway, Mississauga) was 0.67 spaces per unit. The peak parking utilization percentages of both sites were 71% and 69%, respectively. Staff note that the observed parking demands were not categorized as resident or visitor, which deviates from the provisions as outlined in the parking Terms of Reference. The parking assessment also reviewed the policy and transit context of the downtown core area, as well as proposed travel demand management measures. Based on the survey results, the parking demand ratios of both proxy sites appear to be higher than the parking rate proposed by the Applicant for apartment uses in CC zoning districts.

Staff advise that the recently updated parking requirements for off-street parking, Zoning By-Law 0117-2022, that came into effect June 8, 2022, is supportive of provincial and municipal land use and transportation policies. The updated rates were derived from the Parking Regulations Study (PRS) which undertook a review of off-street parking rates throughout the City, including the Downtown Core area. These developed rates were

carefully tailored to Mississauga's context as well as current needs and are intended to support developments that are well served by existing or future planned higher-order transit, such as the Hurontario Light Rail Transit line which is currently under construction.

Although the Applicant submitted a parking assessment, the survey results for the parking demand ratio are higher than the proposed rate, Staff advise the survey findings are not supportive of the requested parking reduction.

Zoning staff have suggested that a zoning review has not been completed for the subject site, and the accuracy of the proposed variance could not be confirmed.

Given the above, Municipal Parking staff recommend the application be deferred pending the submission of a parking rate that aligns or exceeds the observed parking demand ratios at the proxy sites surveyed in the parking study.

Staff therefore recommend that the application be deferred.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

## Appendices

### **Appendix 1 – Transportation and Works Comments**

We are noting that any Transportation and Works Department concerns/requirements for the proposed development are being addressed through the Site Plan Application SP-19-31 and SP 19-144 and BP 3NEW 20-3001.

Comments Prepared by: Joe Alava, T&W Development Engineering

### **Appendix 2 – Zoning Comments**

The Building Department is currently processing a Site Plan Application under file SP 19-144. 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: Candice Williams, Zoning Examiner

### **Appendix 3 – Region of Peel**

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner