

City of Mississauga Department Comments

Date Finalized: 2024-02-22	File(s): A93.24 Ward: 4
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-02-29 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application, subject to the conditions. 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. A parking space depth for Unit 37- Condo #2 (Level 3) of 5.03m (approx. 16.50ft) whereas By-law 0225-2007, as amended, requires a minimum parking space depth of 5.20m (approx. 17.06ft) in this instance;
2. A parking space depth for Unit 46- Condo #1 (Level 3) of 4.73m (approx. 15.52ft) whereas By-law 0225-2007, as amended, requires a minimum parking space depth of 5.20m (approx. 17.06ft) in this instance;
3. A parking space depth for Unit 37- Condo #2 (Level 4) of 5.03m (approx. 16.50ft) whereas By-law 0225-2007, as amended, requires a minimum parking space depth of 5.20m (approx. 17.06ft) in this instance;
4. A parking space depth for Unit 45- Condo #1 (Level 4) of 4.53m (approx. 14.86ft) whereas By-law 0225-2007, as amended, requires a minimum parking space depth of 5.20m (approx. 17.06ft) in this instance;
5. A parking space depth for Visitor- Condo #1 (Level A) of 4.47m (approx. 14.67ft) whereas By-law 0225-2007, as amended, requires a minimum parking space depth of 5.20m (approx. 17.06ft) in this instance;
6. A parking space depth for Unit 3- Condo #2 (Level A) of 4.50m (approx. 14.76ft) whereas By-law 0225-2007, as amended, requires a minimum parking space depth of 5.20m (approx. 17.06ft) in this instance;
7. A parking space depth for Unit 4- Condo #2 (Level A) of 5.10m (approx. 16.73ft) whereas By-law 0225-2007, as amended, requires a minimum parking space depth of 5.20m (approx. 17.06ft) in this instance;
8. A parking space depth for Unit 5- Condo #2 (Level A) of 5.10m (approx. 16.73ft) whereas By-law 0225-2007, as amended, requires a minimum parking space depth of 5.20m

(approx. 17.06ft) in this instance;

9. A parking space depth for Unit 6- Condo #2 (Level A) of 5.10m (approx. 16.73ft) whereas By-law 0225-2007, as amended, requires a minimum parking space depth of 5.20m (approx. 17.06ft) in this instance;

10. A parking space depth for Unit 7- Condo #2 (Level A) of 4.70m (approx. 15.42ft) whereas By-law 0225-2007, as amended, requires a minimum parking space depth of 5.20m (approx. 17.06ft) in this instance;

11. A parking space depth for Unit 8- Condo #2 (Level A) of 4.70m (approx. 15.42ft) whereas By-law 0225-2007, as amended, requires a minimum parking space depth of 5.20m (approx. 17.06ft) in this instance;

12. A parking space depth for Unit 9- Condo #2 (Level A) of 4.70m (approx. 15.42ft) whereas By-law 0225-2007, as amended, requires a minimum parking space depth of 5.20m (approx. 17.06ft) in this instance;

13. A parking space depth for Unit 10- Condo #2 (Level A) of 4.70m (approx. 15.42ft) whereas By-law 0225-2007, as amended, requires a minimum parking space depth of 5.20m (approx. 17.06ft) in this instance;

14. A parking space depth for Unit 11- Condo #2 (Level A) of 0.95m (approx. 3.12ft) whereas By-law 0225-2007, as amended, requires a minimum parking space depth of 5.20m (approx. 17.06ft) in this instance;

15. A parking space height for Unit 102-Condo #1 (Level B) of 2.00m (approx. 6.56ft) whereas By-law 0225-2007, as amended, requires a minimum parking space height of 2.10m (approx. 6.89ft) in this instance;

16. A parking space depth for Unit 103- Condo #1 (Level B) of 4.87m (approx. 15.98ft) whereas By-law 0225-2007, as amended, requires a minimum parking space depth of 5.20m (approx. 17.06ft) in this instance;

17. A parking space depth for Unit 104- Condo #1 (Level B) of 4.87m (approx. 15.98ft) whereas By-law 0225-2007, as amended, requires a minimum parking space depth of 5.20m (approx. 17.06ft) in this instance;

18. A parking space depth for Unit 105- Condo #1 (Level B) of 5.08m (approx. 16.67ft) whereas By-law 0225-2007, as amended, requires a minimum parking space depth of 5.20m (approx. 17.06ft) in this instance; and,

19. A parking space width for Unit 59- Condo #2 (Level D) of 2.56m (approx. 8.40ft) whereas By-law 0225-2007, as amended, requires a minimum parking space width of 2.60m (approx. 8.53ft) in this instance.

Recommended Conditions and Terms

Should the committee see merit in this application, Planning staff recommend supporting the requested parking variances subject to the following condition:

- The applicant shall include a warning clause in Schedule B of the Development Agreement to advise owners and potential purchasers of visitor parking on Level A, unit 45 on Level 4, unit 46 on Level 3 and units 102, 103, 104 and 105 on Level B in Condo

#1; units 3, 4, 5, 6, 7, 8, 9, 10 and 11 on Level A, unit 37 on Level 3, unit 37 on Level 4 and unit 59 on Level D of the size deficiency. The applicant shall register on title a warning clause identifying the parking spaces that are substandard in size.

Background

Property Address: 430 Square One Drive and 4130 Parkside Village Drive

Mississauga Official Plan

Character Area: Downtown Core
Designation: Downtown Mixed Use

Zoning By-law 0225-2007

Zoning: CC4-1- Downtown Core, Mixed Use

Other Applications: SP 24-7

Site and Area Context

The subject property is located south-west of the Confederation Parkway and Rathburn Road West intersection in the Downtown Core. Currently, the site is under construction with a condominium development. The surrounding area includes a mix of uses including commercial, residential, and office uses, as well as a mix of built forms such as detached dwellings, townhouse dwellings and apartment dwellings. Zonta Meadows Park abuts the property to the west.

The applicant is proposing a two tower mixed use development with undersized parking spaces, requiring variances for parking space depth, width and height.



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:

Does the proposal maintain the general intent and purpose of the Official Plan?

The site is located within the Downtown Core Character Area, and is designated mixed use by the Mississauga Official Plan (MOP). Pursuant to Section 12 (Downtown), this designation permits mixed use development with appropriate urban form and site design; directing that such development is compatible with the surrounding context and the landscape of the character area. The applicant's proposal meets the purpose and general intent of the Official Plan.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

The intent of the zoning by-law is to provide parking spaces with dimension's that accommodate the standard vehicle size. As per the zoning by-law regulations, a parking space depth of 5.2m (17.06ft) is required whereas the applicant is requesting varied depths of 4.47m (14.67ft), 4.50m (14.76ft), 4.53m (14.86ft), 4.70m (15.42ft), 4.73m (15.52ft), 4.87m (15.98ft), 5.03m (16.50ft), 5.08m (16.67ft) and 5.10m (16.73ft). The by-law requires a parking space width of 2.60m (8.53ft) whereas the applicant is requesting 2.56m (8.40ft). The by-law also requires a parking space height of 2.10m (6.89ft) where the applicant is requesting 2.00m (6.56ft).

The required parking dimensions for a parking space allows standard vehicles to be parked. The proposed size reduction limits the serviceability and availability of spaces to smaller, more compact vehicles. Through correspondence with the applicant and in reviewing the plans submitted, staff note the majority of the variances sought are the result of vertical piping extending outwards along the enclosed walls of the below grade parking stalls. Additionally, the applicant confirmed that these conditions cannot be avoided and are the result of development requirements, such as mechanical servicing obligations. Staff note a small minority of parking spaces will be impacted with the substandard parking dimensions. Staff require that the applicant shall include a warning clause in the Agreement of Purchase and Sale to advise owners and potential purchasers of the substandard parking dimensions with the affected units..

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

The proposed parking size reduction limits the identified parking spaces to small and compact vehicles. Planning Staff have determined the proposal can be supported subject to the condition of including a warning clause in the development agreement notifying the owner/ or purchaser affected. Staff finds the proposal represents the orderly development of the lands, and is minor in nature.

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 18-149) and Building Permit Process.

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

Appendix 2 – Zoning Comments

In the absence of a Development application we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed. The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

For scope of work that does not require Site Plan Approval/Building Permit/Zoning Certificate of Occupancy Permit, the applicant may consider applying for a Preliminary Zoning Review application. A detailed site plan drawing and architectural plans are required for a detailed zoning review to be completed. A minimum of 6-8 weeks is required depending on the complexity of the proposal and the quality of information submitted.

Comments Prepared by: Minan Song, Planner in Training

Appendix 3 – Parks, Forestry and Environment Comments

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

1. Given that the property is subject to a development application, SP 24 7, all of Community Services' comments and/or requirements are being addressed through the development application.

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

Comments Prepared by: Nicholas Rocchetti, Planner in Training

Appendix 4- Region of Peel

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner