

City of Mississauga Department Comments

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| Date Finalized: 2024-06-05 | File(s): A260.24 Ward: 7 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2024-06-13 1:00:00 PM |

Consolidated Recommendation

The City has no objections to the application, subject to the condition. 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 reduce the minimum dimension of five parking spaces proposing:

1. A parking space width for Level A – Spot R14 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;
2. A parking space width for Level B – Spot R44 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;
3. A parking space width for Level C – Spot R44 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;
4. A parking space width for Level D – Spot R44 of 2.55m (approx. 8.37ft) whereas By-law 0225-2007, as amended, requires a minimum parking space width of 2.60m (approx. 8.53ft) in this instance; and,
5. A parking space width for Level E – Spot R44 of 2.55m (approx. 8.37ft) 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:

1. The applicant shall include a warning clause in Schedule B of the Development Agreement to advise owners and potential purchasers of size deficiency. The applicant shall register on title a warning clause identifying the parking spaces that are substandard in size.

Background

Property Address: 30 Elm Drive W

Mississauga Official Plan

Character Area: Downtown Fairview
Designation: Residential High Density

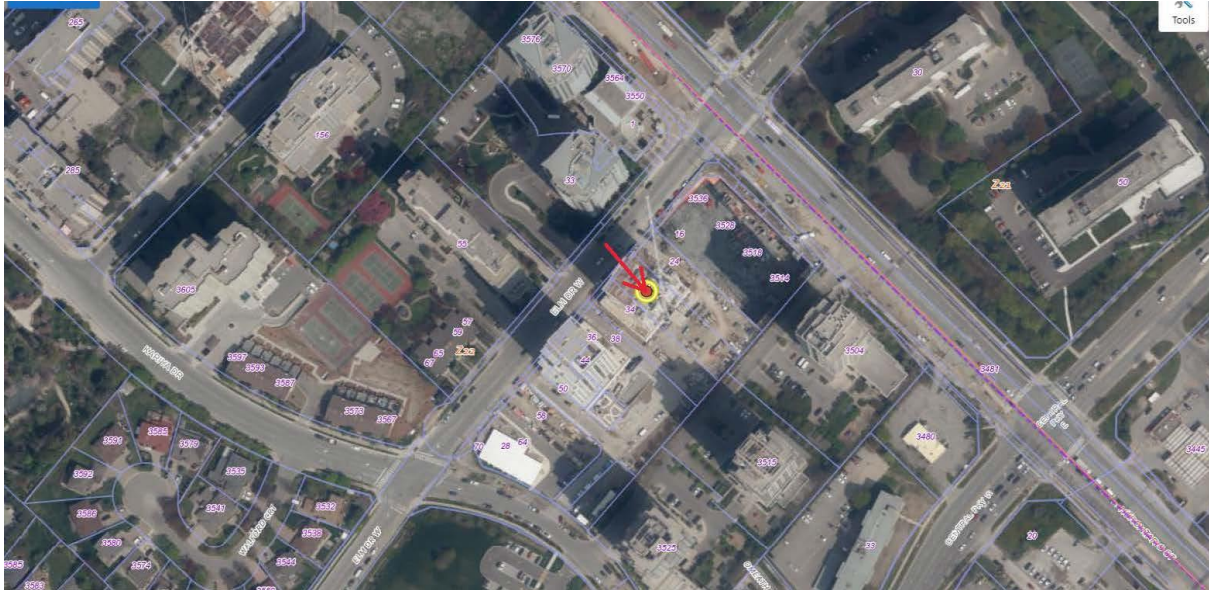
Zoning By-law 0225-2007

Zoning: RA5-46

Other Applications: 21CDM-M 24-5

Site and Area Context

The subject property is located south-west of the Hurontario Street and Elm Drive West intersection in the Downtown Fairview Character Area. Currently, the site is under construction with a condominium development consisting of three residential apartment buildings. The surrounding area includes a mix of uses including commercial, office and residential uses. The residential uses consist of a mix of built forms such as detached dwellings, townhouse dwellings and apartment dwellings.



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 within the Downtown Fairview Character Area, and is designated Residential High Density in the Mississauga Official Plan (MOP).

The intent of the zoning by-law is to provide parking spaces with dimensions that accommodate the standard vehicle size. As per the zoning by-law regulation, a parking space width of 2.6m (8.53ft), whereas the applicant is requesting a parking space width of 2.56m (8.40ft) for three parking spots and a parking space width of 2.55m (8.36ft) for two parking spots in various locations within the underground parking garage.

The required parking dimensions for a parking space allows standard vehicles to be parked. Through the information provided in the applicant's cover letter and in reviewing the plans submitted, staff note the reduced parking space width variance sought is the result of the construction and placement of one of the support columns in the underground parking area. Staff note a small amount of parking spaces will be impacted with the substandard parking space width 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.

Staff are of the opinion that the proposal maintains the general intent and purpose of the official plan and zoning by-law, is minor in nature and represents orderly development of the lands.

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 Site Plan Application, SP 19-86. We also note that the City has processed Rezoning Application OZ/OPA 13/22 for this development.

Comments Prepared by: Tony Iacobucci, T&W Development Engineering

Appendix 2 – Zoning Comments

The Building Department received a CDM application under file 21CDM-M 24-5. This application has been reviewed by Zoning staff. We are unable to provide comment with respect to the accuracy of the requested variance(s) or whether additional variance(s) will be required.

NOTE: The variances appear to be based on as-built conditions and may have been initiated by the applicant to ensure compliance with inspection.

Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: Ramsen Hedoo, Planner

Appendix 3 – Metrolinx

Metrolinx is in receipt of the minor variance application for 30 Elm Drive W to allow the minimum dimension of five (5) parking spaces to be reduced as a result of current final construction (and location of supporting columns) of the proposed "Building B" on the subject site. Metrolinx's comments on the subject application are noted below:

Advisory Comments:

- The subject property is located partially within 60m of the proposed Hazel McCallion LRT (formerly Hurontario LRT).
- At this stage Metrolinx doesn't have any major comments but any work within Metrolinx ROW or within 60 m of the Hazel McCallion LRT will require approval and coordination with Metrolinx through circulation by the City of Mississauga.
- Please be advised that Metrolinx is a stakeholder that has provided comments on the comprehensive application of this site. Any comments/requirements previously provided by Metrolinx/our Technical Advisor are still applicable.

- As the requested variances have minimal impact on Metrolinx property, Metrolinx has no objections to the specified variances should the committee grant approval.
- Please continue to engage Metrolinx as the development progresses.

Construction Coordination (Advisory Comment)

- The applicant should be advised that Metrolinx and its contractors will be utilizing the Hurontario Street right-of-way, and its intersections, during the project's Construction Period. Based on the location of the subject property, there is potential for construction coordination and traffic staging conflicts.
 - Should construction of the Hazel McCallion LRT and the proposed development occur simultaneously, Metrolinx will require the developer to submit schedule or staging plans to coordinate access to both parties.

Should you have any questions or concerns, please do not hesitate to contact me.

Comments Prepared by: Farah Faroque, Project Analyst

Appendix 4 – Region of Peel

We have no comments or objections to the following application.

Comments Prepared by: Petrele Francois, Junior Planner