

City of Mississauga Department Comments

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| Date Finalized: 2024-07-03 | File(s): A286.24 Ward: 7 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2024-07-11 3:30:00 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 on the subject property proposing:

1. A parking space width of 2.50m (approx. 8.20ft) for the parking space of Unit 7, Level A, whereas By-law 0225-2007, as amended, requires a minimum parking space width of 2.75m (approx. 9.02ft) where the length of one side of the parking space abuts a building, structure or part thereof, that extends more than 1.00m into the front and/or rear of the parking space in this instance;
2. A parking space length of 4.99m (approx. 16.37ft) for the parking spaces of Units 58, 59, 81 and 82, Level A whereas By-law 0225-2007, as amended, requires a minimum parking space length of 5.20m (approx. 17.06ft) in this instance;
3. A parking space width of 2.64m (approx. 8.66ft) for the parking spaces of Units 51 and 145, Level B, whereas By-law 0225-2007, as amended, requires a minimum parking space width of 2.75m (approx. 9.02ft) where the length of one side of the parking space abuts a building, structure or part thereof, that extends more than 1.00m into the front and/or rear of the parking space in this instance;
4. A parking space width of 2.62m (approx. 8.60ft) for the parking spaces of Units 51 and 145, Level C, whereas By-law 0225-2007, as amended, requires a minimum parking space width of 2.75m (approx. 9.02ft) where the length of one side of the parking space abuts a building, structure or part thereof, that extends more than 1.00m into the front and/or rear of the parking space in this instance;
5. A parking space width of 2.70m (approx. 8.86ft) for the parking space of Unit 24, Level D, whereas By-law 0225-2007, as amended, requires a minimum parking space width of 2.75m (approx. 9.02ft) where the length of one side of the parking space abuts a building, structure or part thereof, that extends more than 1.00m into the front and/or rear of the parking space in this

instance;

6. A parking space width of 2.63m (approx. 8.63ft) for the parking space of Unit 51, Level D, whereas By-law 0225-2007, as amended, requires a minimum parking space width of 2.75m (approx. 9.02ft) where the length of one side of the parking space abuts a building, structure or part thereof, that extends more than 1.00m into the front and/or rear of the parking space in this instance;

7. A parking space width of 2.30m (approx. 7.55ft) for the parking space of Unit 75, Level D, whereas By-law 0225-2007, as amended, requires a minimum parking space width of 2.75m (approx. 9.02ft) where the length of one side of the parking space abuts a building, structure or part thereof, that extends more than 1.00m into the front and/or rear of the parking space in this instance; and,

8. A parking space width of 2.66m (approx. 8.73ft) for the parking spaces of Units 139 and 145, Level D, whereas By-law 0225-2007, as amended, requires a minimum parking space width of 2.75m (approx. 9.02ft) where the length of one side of the parking space abuts a building, structure or part thereof, that extends more than 1.00m into the front and/or rear of the parking space in this instance.

Recommended Conditions and Terms

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

- The applicant shall include a warning clause in Condominium Declaration to advise owners and potential purchasers of of Unit 7, 58, 59, 81 and 82 on Level A, Units 51 and 145 on Level B, Units 51 and 145 on Level C, Units 24, 51, 75, 139 and 145 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: 3883 Quartz Road

Mississauga Official Plan

Character Area: Downtown Core
Designation: Downtown Mixed Use

Zoning By-law 0225-2007

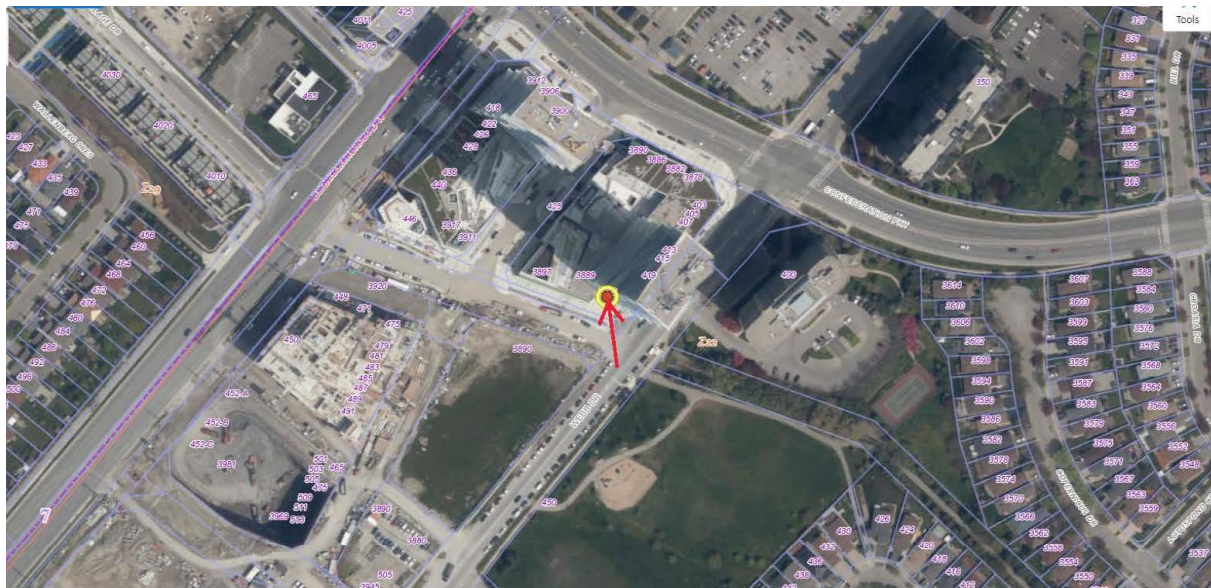
Zoning: CC2-5- Downtown Core Mixed Use

Other Applications: None

Site and Area Context

The subject property is located on the north-west corner of the Webb Drive and Confederation Parkway intersection in the downtown core. The site currently contains a high-rise building under construction with residential and commercial uses planned for the structure. Parking will be provided in an underground parking lot. Presently there are no landscaping or vegetation elements present on the site. The surrounding area context includes a mix of high and low-rise residential uses, as well as commercial, office, and institutional uses.

The applicant is proposing parking on the property with undersized parking spaces requesting variances for parking space width and length.



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 subject property is located in the Downtown Core Character Area and is designated Downtown Mixed Use in Schedule 10 of the Mississauga Official Plan (MOP). The Downtown

Mixed Use designation permits a variety of uses, including residential and commercial uses. 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?

Variance #2 pertains to parking space length and variances #1, #3-8 pertain to parking space width. The intent of the zoning by-law is to provide parking spaces with dimension's that accommodate the standard vehicle size.

Staff note that the property is subject to an approved condominium application 21CDM-M 21-8 W7. The variances are required to accommodate the as-built condition of parking spaces due to minor modifications during the construction process. Staff note a small minority of parking spaces will be impacted with the substandard parking dimensions. The proposed size reduction limits the serviceability and availability of spaces to smaller, more compact vehicles.

Staff require the applicant 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 have discussed these variances with the Planner reviewing the associated condominium application and have no further planning concerns with these variances.

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

The reduced parking stall dimensions of the impacts spaces will limit the identified parking spaces to small and compact vehicles. Planning staff have determined the variances can be supported subject to the condition of including a warning clause in the Agreement of Purchase and Sale ensuring the notification of the owner/ or purchaser affected. Staff finds the proposal represents the orderly development of the lands and is minor in nature.

Comments Prepared by: Shivani Chopra, Planning Associate

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 and Building Permit Process.

Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

We note that a Building Permit is required. In the absence of a Building Permit 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.

Comments Prepared by: Brooke Herczeg, Zoning Examiner

Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner