

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2024-10-25	File(s): A487.24 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:10/31/2024 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application, subject to the condition.

Application Details

The applicant requests the Committee to approve a minor variance to allow parking proposing a parking space width of 2.60m (approx. 8.53ft) whereas By-law 0225-2007, as amended, requires a minimum parking space width of 2.75m (approx. 9.02ft) 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 Units 53 and 54 on Level A, Units 78, 79, 158 and 159 on Level B, Units 58, 78, 79, 160 and 161 on Level C 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: 15 Watergarden Dr

Mississauga Official Plan

Character Area: Uptown Major Node
Designation: Residential High Density

Zoning By-law 0225-2007

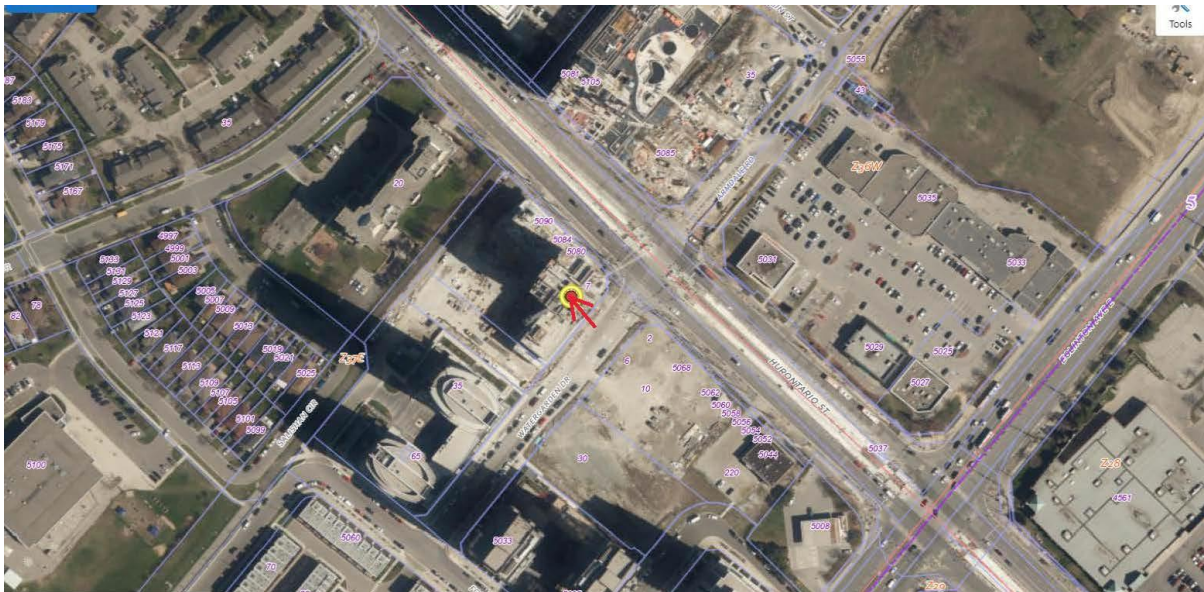
Zoning: RA5-43 - Residential

Other Applications: BP 3NEW 21-5012

Site and Area Context

The subject property is located on the west side of Hurontario Street, north of the Eglinton Avenue intersection in the Upodwn Major Node Character Area. The proposed building is under construction, however the underground parking garage and above-grade structure above Level 30 are complete. The site forms part of the larger Pinnacle Uptown development. The surrounding area context includes a mix of residential and commercial uses with varying built forms and lot sizes.

The applicant requires a variance for a reduction in parking space width.



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 site is located within the Uptown Major Node Character Area and is designated High Density by the Mississauga Official Plan (MOP).

The sole variance requests a reduction to the parking space width for eleven parking spaces within the underground parking area. The intent of the zoning by-law is to provide parking spaces with dimensions that accommodate the standard vehicle size. The variance is 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 allows for standard vehicles to be parked in the affected parking spaces. 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.

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 find the proposal meets the general intent and purpose of the official plan and zoning by-law, is minor in nature and represents orderly development of the subject property.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This department has no objections to the applicant's request.



Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

BP RECEIVED, CORRECT VARIANCE

The Building Department is currently processing a building permit application under file BP 3NEW 21-5012. Based on review of the information currently available for this building permit, the variances, as requested are correct.

It is to be noted that a standard parking space width of 2.60m is required, AND THAT the increased parking space width of 2.75m is required where obstructions exist adjacent to the parking space;

Our comments are based on the plans received by Zoning staff on 11/07/23 for the above captioned building permit application. 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: A. McCormack - Zoning

Appendix 3 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 4 – Metrolinx

Metrolinx is in receipt of the Minor Variance applications for 15 Watergarden Drive to allow a parking space width of 2.60m (approx. 8.53ft), as circulated on October 3rd, 2024, and to be heard at Public Hearing on October 31st, 2024, at 1:00PM. Metrolinx's comments on the subject application are noted below:

- The subject property is within the Municipal Consent Review and Roadway Coordination Zone (MCR) and within 60 metres of the Hazel McCallion LRT.

GO/LRT – ADVISORY COMMENTS

- As the requested variances have minimal impact on Metrolinx property, Metrolinx has no objections to the specified variances should the committee grant approval.
- Be advised Metrolinx is a stakeholder that has previously provided comments on the comprehensive application, including a previous site plan application.
 - Any previous comments/requirements provided by Metrolinx and/or our Technical Advisors are still applicable.
- Please be advised that Metrolinx/ our Technical Advisor would be a stakeholder providing comments on the comprehensive application of this site should future development be contemplated. Please continue to engage Metrolinx should future developments be contemplated on the subject site.

Should you have any questions or concerns, please contact jenna.auger@metrolinx.com.

Comments Prepared by: Jenna Auger, Third Party Project Review

