

City of Mississauga
Corporate Report



<p>Date: September 18, 2024</p> <p>To: Chair and Members of Planning and Development Committee</p> <p>From: Andrew Whittemore, M.U.R.P., Commissioner of Planning & Building</p>	<p>Originator's file: BL.01-PAR</p>
	<p>Meeting date: October 7, 2024</p>

Subject

**PUBLIC MEETING INFORMATION/RECOMMENDATION REPORT (ALL WARDS)
Proposed Amendments to Zoning By-law for Parking in Protected Major Transit Station Areas (PMTSA) and City-wide Accessible Parking Requirements**

Recommendation

That the proposed amendments to Zoning By-law 0225-2007, as detailed in Appendix 1 of the Report dated September 18, 2024 from the Commissioner of Planning and Building, be approved in accordance with the following:

1. That the implementing zoning by-law amendment be enacted at a future City Council meeting.
2. That notwithstanding planning protocol, that this report regarding the proposed amendments to Zoning Bylaw 0225-2007, be considered both the public meeting and a combined information/recommendation report.
3. That Recommendation PDC-0012-2024 to the report titled "Zoning By-law Amendment to Reduce Residential Parking Requirements along the Hazel McCallion Line (north of the QEW)", which was approved by the Planning and Development Committee on April 8, 2024, be considered null and void.

Executive Summary

- The City's Planning and Building Department is committed to continuous improvement of our service portfolio so that landowners, businesses, residents, and other parties can help us deliver on our commitment to facilitate housing and the development of land.

- On April 8, 2024, staff presented a corporate report (Appendix 3) to the Planning and Development Committee, including proposed amendments to reduce minimum parking requirements along the Hazel McCallion Line (north of the Queen Elizabeth Way). The recommendation was approved, but shortly thereafter, Bill 185 was released for public consultation. Consequently, staff have not brought forward an implementing by-law.
- On June 6, 2024, [Bill 185, Cutting Red Tape to Build More Homes Act, 2024](#) received Royal Assent and amended the *Planning Act*. Bill 185 prohibits official plans and zoning by-laws from requiring an owner or occupant of a building or structure to provide and maintain parking facilities within a Protected Major Transit Station Area (PMTSA).
- Bill 185 changed how many accessibility parking spaces (a requirement of the *Accessibility for Ontarians with Disabilities Act* (AODA)) to provide for all new development in the PMTSA. Further consultation with the City's Accessibility Office, Zoning Administration, and the Accessibility Advisory Committee will be required prior to recommending changes to the Accessibility Parking regulations in the Zoning By-law.

Background

As part of the City's strategy to improve housing affordability and encourage transit usage, on June 28, 2023, Council directed staff to investigate the feasibility of reducing parking standards along the Hazel McCallion Line (north of the Queen Elizabeth Way). On April 8, 2024, staff presented a corporate report to the Planning and Development Committee, which approved recommendations to reduce minimum resident parking requirements and update the Parking Study Terms of Reference to consider further parking rate reduction requests from developers.

Following that approval and prior to bringing an implementing zoning by-law to Council, Bill 185 received Royal Assent on June 6, 2024, and amended the *Planning Act* so that no official plan or zoning by-law may require an "...owner or occupant of a building or structure to provide and maintain parking facilities, other than parking facilities for bicycles..." within a Protected Major Transit Station Area (PMTSA). In other words, parking is no longer required for any land use on lands located in a PMTSA but property owners can choose to provide as many spaces as needed.

The eliminated parking requirements in PMTSAs have been in effect since June 6, 2024, regardless of whether municipalities have updated their zoning by-laws to reflect these changes. Staff are proposing amendments to Mississauga's Zoning By-law to provide consistency and align with the legislation.

In addition, the Zoning By-law also regulates accessible parking requirements in the City. They were originally introduced into the Zoning By-law to align with requirements under the *Accessibility for Ontarians with Disabilities Act* (AODA). However, it has come to the attention of staff that there is a minor inconsistency in how accessible parking requirements are calculated in the Zoning By-law. Therefore, staff are proposing amendments to align with AODA requirements.

Comments

As noted in the April 8, 2024 [Recommendation Report](#), the reduction in parking requirements along higher order transit lines:

- Enable the City to leverage investments made to the Hazel McCallion Line and accelerate the shift to non-vehicular modes;
- Help lower housing construction costs while reducing construction timelines;
- Advance the goals of the City's Climate Change Action Plan, Downtown Movement Plan, Cycling Master Plan, and the Transportation Master Plan amongst others; and,
- Improve overall site design and opportunities for further intensification.

Although Planning and Development Committee approved a planned gradual reduction in parking rates, Bill 185 effectively eliminates any possible transition to re-evaluate parking demands in PMTSAs. Therefore, staff acknowledge the need to proactively address future concerns such as overflow parking and lack of resident parking in residential buildings by:

- Considering on-street parking permit program as part of Parking Matters 2.0
- Commencing a review of the Cycling Master Plan
- Implementing the micro-mobility pilot project (e-bikes and e-scooters)
- Exploring other approaches such as warning clauses in rental and purchaser agreements to inform future residents of a potential lack of on-site parking

The following comments are specific to the proposed amendments to the Zoning By-law.

1. PROPOSED ZONING BY-LAW AMENDMENTS

The following discussion provides an overview of the recommendations and rationale of the proposed amendments. For a detailed explanation of all proposed amendments, see Appendix 1.

a) Amended Parking Precinct Map

The in-effect Parking Precinct Map includes four parking precincts that are based on Character Areas in Mississauga Official Plan (e.g. Downtown, Major Node, etc.), with Precinct 1 having the lowest parking requirements, and Precinct 4 having the highest.

The proposed amendment to the parking precincts includes the expansion of Parking Precinct 1 to include all lands within a PMTSA, i.e. the entire length of the Hazel McCallion Line, stations along the Dundas bus rapid transit (BRT) and the Lakeshore BRT, Mississauga Transitway, and two GO Stations in Malton and Clarkson which currently receive all day weekday and weekend service. Consequently, the total land area located in Precincts 2 to 4 would be reduced. The majority of the City will not see revisions to the parking precincts. Please see Figure 1 for a map of the proposed Parking Precinct 1.

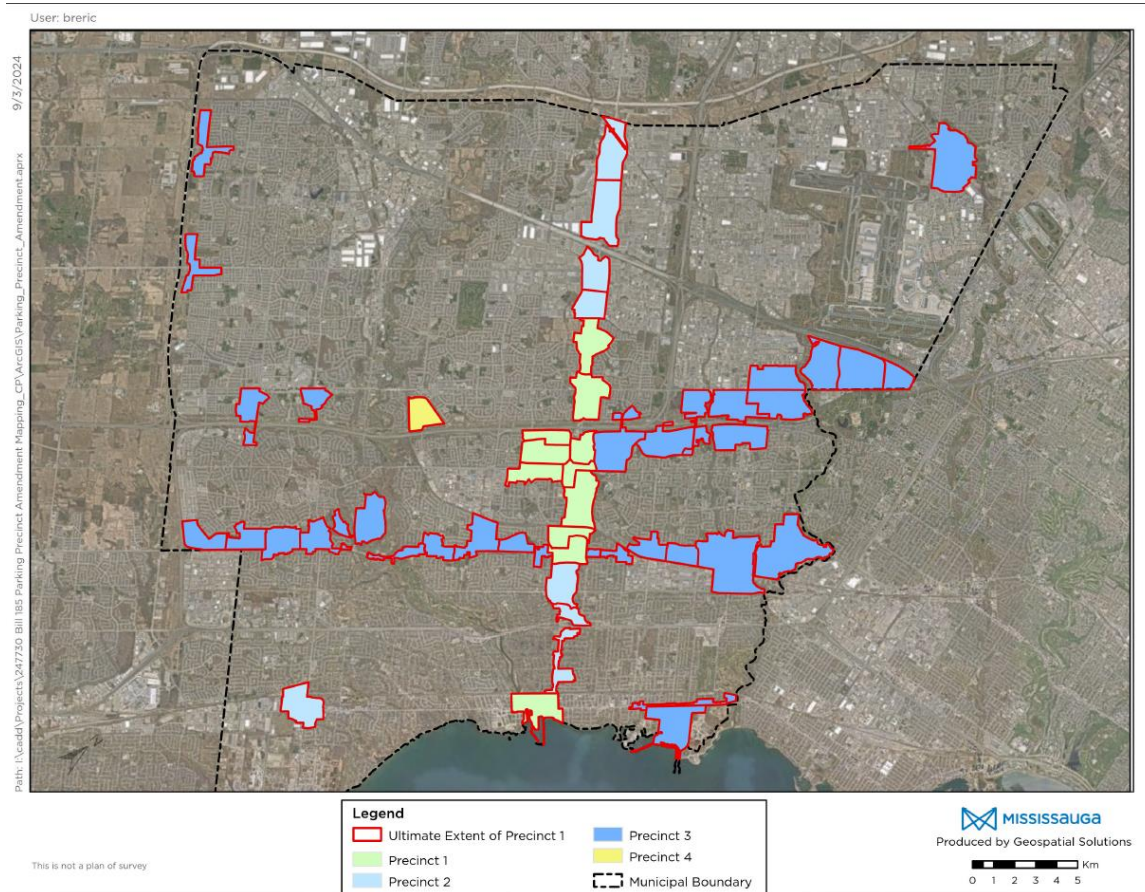


Figure 1 - Conceptual Map of Parking Precinct 1

b) Elimination of Parking Requirements for all Uses in Precinct 1

The amendments to the Zoning By-law include eliminating the minimum number of residential and non-residential parking spaces in Precinct 1, including visitor parking requirements for apartments and townhouses. Existing landowners can continue to retain their parking supply, but now have the option to intensify their property without having to provide additional parking spaces. Vehicular parking requirements for amended Precincts 2-4 remain unaffected, as well as city-wide bicycle parking requirements, including PMTSAs.

To further create consistency and clarity in the Zoning By-law, existing exceptions for properties located in Precinct 1 where parking requirements were previously modified will also be deleted. For development where parking relief was granted through a minor variance application, the Zoning By-law states that off-street parking requirements shall be calculated based on the lesser parking rate of the minor variance or the regulations of the Zoning By-law.

c) Accessible Parking Requirements for Provided Parking Spaces

Currently, the Zoning By-law calculates a minimum number of accessible parking spaces based on the number of required (residential) visitor or required non-residential parking spaces and are

based on Section 80.36 (1) of the *Ontario Regulation 191/11: Integrated Accessibility Standards* (O. Reg 191/11). O. Reg 191/11 bases minimum accessible parking spaces on “provided” parking spaces on a site, as opposed to “required” parking spaces as the Zoning By-law currently requires.

However, the impact Bill 185 has on accessible parking spaces is that since developers have the flexibility to build as many parking spaces as needed in a PMTSA, and O. Reg 191/11 bases accessible parking space requirements on “provided” parking spaces, there may be an insufficient number of accessible parking spaces to meet the demands of visitors or patrons.

Further research and consultation with internal staff, as well as attending the Accessibility Advisory Committee will be required prior to recommending proposed changes to the Zoning By-law. In addition, informing the province on the consequences that Bill 185 has on providing sufficient of accessible parking spaces will be necessary to avoid an undersupply of such parking spaces in the future.

2. FUTURE CONSIDERATIONS FOR PARKING IN BUSINESS IMPROVEMENT AREAS (BIAs)

Mississauga has five BIAs where commercial, residential, or mixed-use buildings are built on small lots with a mainstreet character. These commercial streets are vibrant, walkable, and established prior to the automobile era of the 1950s. However, this context has not been historically factored into parking requirements in BIAs. This has necessitated small businesses to seek variances or payment in lieu of off-street parking (PIL), resulting in reduced viability and attractiveness of setting up businesses in BIAs. In extreme cases, buildings or units can remain vacant for an extended period of time.

Bill 185's elimination of parking requirements somewhat addresses the above issue in BIAs as many of them are located within a PMTSA. However, the boundaries of PMTSAs are generally smaller than those of the BIAs, such that only a portion of the BIA's parking requirements have been eliminated. A future parking study to analyze the matter has commenced and will report back in early 2025.

PLANNING ANALYSIS SUMMARY

The Provincial Policy Statement (PPS) establishes the overall policy directions on matters of provincial interest related to land use planning and development within Ontario. It sets out province-wide direction on matters related to the efficient use and management of land and infrastructure; the provision of housing; the protection of the environment, resources and water; and economic development. The Growth Plan for the Greater Golden Horseshoe (Growth Plan) builds upon the policy framework established by the PPS and provides more specific land use planning policies, which support the achievement of complete communities, a thriving economy, a clean and healthy environment and social equity. The Growth Plan establishes minimum

intensification targets and requires municipalities to direct growth to existing built-up areas and strategic growth areas to make efficient use of land, infrastructure and transit.

The Province released the Provincial Planning Statement (PPS), 2024, which streamlines their policy framework by replacing both the Provincial Policy Statement, 2020 and the Growth Plan. The new PPS 2024 will be in effect as of October 20, 2024. Until such time, the previous policy instruments remain in effect; however, staff have reviewed the proposed amendments with consideration of the new PPS.

The *Planning Act* requires that municipalities' decisions regarding planning matters be consistent with the Provincial Policy Statement (PPS) and conform with the applicable provincial plans. Mississauga Official Plan is generally consistent with the PPS and conforms with the Growth Plan, the Greenbelt Plan, and the Parkway Belt West Plan.

The proposed amendments are consistent with the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe, and Mississauga Official Plan. A detailed planning policy analysis can be found in Appendix 2.

Financial Impact

There are no financial impacts resulting from the recommendations in this report.

Conclusion

Bill 185 has amended the *Planning Act*, which has eliminated minimum parking requirements for land uses within a PMTSA. The proposed zoning by-law amendments are acceptable from a planning perspective and should be approved as they will promote the development of housing near transit stations, leverage existing and future higher order transit and cycling infrastructure and contribute to overall city building especially in the City's downtown and along key intensification corridors.

Attachments

- Appendix 1: Proposed Zoning By-law Amendments
- Appendix 2: Detailed Planning Analysis
- Appendix 3: Recommendation Report



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