

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-01-13	File(s): A14.21 Ward: 4
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2021-01-21

Consolidated Recommendation

The City has no objections to the requested variances, subject to the following condition identified below.

Application Details

The applicant requests the Committee to approve a minor variance to allow the as-built parking to remain on the subject property proposing:

1. A parking space length of 4.80m (approx. 15.75ft) for units 55 & 56 on Level A, Units 66 & 67 on Level B, and Units 66 & 67 on Level C whereas By-law 0225-2007, as amended, requires a minimum parking space length of 5.20m (approx. 17.06ft) in this instance; and
2. A parking space width of 2.40m (approx. 7.87ft) for Units 80, 84 & 85 on Level A, Units 25, 26, 91, 92, 137 & 138 on Level B, and Units 23, 24, 31, 93, 94, 113, 135, 136 & 141 on Level C 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 55 & 56, 80,84 & 85 on Level A, units 66, 67, 25, 26, 91, 92, 137 &138 on Level B, and units 66, 67, 23, 24, 31, 93, 94, 113, 135, 136 & 141 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: 4065 Confederation Parkway

Mississauga Official Plan

Character Area: Downtown Core Character Area

Designation: Mixed Use

Zoning By-law 0225-2007

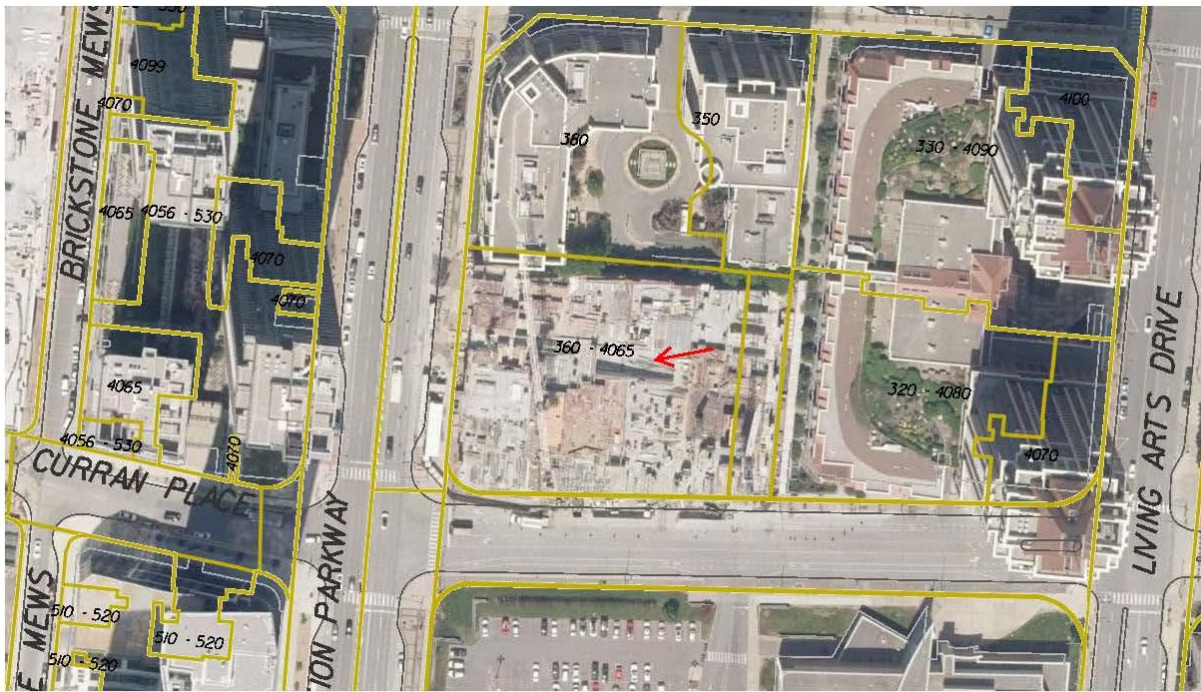
Zoning: CC2(1) - City Centre

Other Applications: SP 17-18
BP 17-9117
A 367/17

Site and Area Context

The subject property is a multi storey apartment building located northeast of the Confederation Parkway and Burnhamthorpe Rd W. intersection. From a land-use perspective, the immediate neighbourhood is a mixture of commercial, employment and residential uses with aesthetic landscape elements scattered throughout to break-up the hard surfaces.

The subject property is an exterior parcel, with a lot area of +/- 6, 013.00m² and a lot frontage of +/- 68.61m. The applicant is proposing smaller parking spaces, requiring variances for both the length and width of the parking spaces.



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 zoning by-law is to provide parking spaces with dimension's that accommodate the standard vehicle size. As per Zoning By-law 0225-2007, a parking space length of 5.2m is required whereas the applicant is requesting 4.8m and; a parking space width of 2.75 is required whereas the applicant has requested 2.4m. The required dimensions for a parking space allows standard vehicles to be parked therein; the proposed size reduction limits the serviceability and availability of spaces to smaller more compact vehicles. Planning staff require in this instance that, the applicant shall include a warning clause in Schedule B of the Development Agreement to advise owners and potential purchasers of units 55 & 56, 80,84 & 85 on Level A, units 66, 67, 25, 26, 91, 92, 137 &138 on Level B, and units 66, 67, 23, 24, 31, 93, 94, 113, 135, 136 & 141 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 and shall notify the owner and/or purchaser affected by the reduction.

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, registering the warning clause on title and notifying the owner/ or purchaser affected. Staff finds the proposal represents the orderly development of the lands, and is minor in nature.

Conclusion

Based upon the preceding information, Planning Staff have no objection to the approval of this application, subject to the conditions noted above.

Comments Prepared by: Brooke Herczeg RPP, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections, comments or requirements with respect to C.A. 'A' 14/21.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

We note that a Condominium Registration application is required. In the absence of a Condominium Registration 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 through the Condominium Registration process, this may result in further variances being required in the future.

Comments Prepared by: Marco Palermo, Zoning Examiner

Appendix 4 – Heritage

No Heritage Concerns

Comments Prepared by: John Dunlop, Manager

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the January 21st, 2021 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-338/20.

Consent Applications: B-1/21, B-2/21.

Minor Variance Applications: A-355/20, A-407/20, A-9/21, A-14/21, A-15/21, A-16/21, A-17/21, A-18/21, A-19/21, A-36/21, A-37/21.

Comments Prepared by: Diana Guida, Junior Planner