

City of Mississauga

Memorandum:

City Department and Agency Comments

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| Date Finalized: 2021-03-01 | File(s): A413.20 Ward: 1 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2021-03-04 1:00 PM |

Consolidated Recommendation

The City recommends that the application be deferred in order to confirm the applicable parking rates for the comparable development.

Application Details

The applicant requests the Committee to approve a minor variance to allow reduced parking requirements on the subject property proposing:

1. 0.5 parking spaces per one bedroom unit whereas By-law 0225-2007, as amended, requires a minimum of 0.75 parking spaces per one bedroom unit in this instance; and
2. 0.8 parking spaces per two bedroom unit whereas By-law 0225-2007, as amended, requires a minimum of 0.90 parking spaces per two bedroom unit in this instance.

Background

Property Address: 28 Ann Street

Mississauga Official Plan

Character Area: Port Credit Community Node
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: H-RA5-53 (Residential)

Other Applications:

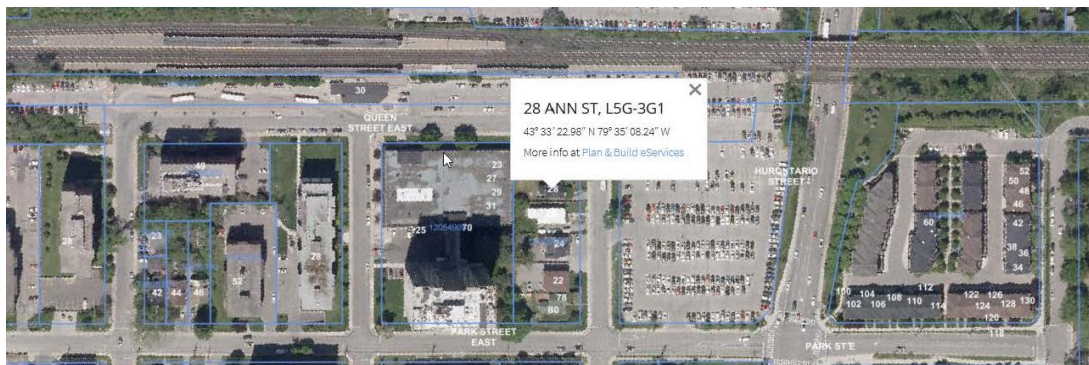
Building Permit: 20-3380

Site Plan Application: 20-51

Site and Area Context

The subject property is located within the Port Credit Community Node, northwest of Hurontario Street and Lakeshore Road East. The subject property is also located within a Major Transit Station Area (MTSA). The immediate area contains the Port Credit Go Station, commercial uses, parking structures and high rise apartment buildings. On February 24, 2020 the subject property received Zoning by-law Amendment approval for a 22 storey condominium.

The subject property is currently undergoing the site plan approval process. The applicant is requesting a further reduction of parking rates for one and two bedroom units than those that were granted through the previous rezoning process.



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 are as follows:

The subject property is designated Mixed Use in Schedule 10 of the Mississauga Official Plan, which permits a residential and commercial, among other uses. The subject property is within the Central Residential precinct of the Port Credit Local Area Plan. As per Section 9.2.1 (Parking and Transportation Demand Management) of the Port Credit Local Area Plan, reduced parking requirements may be considered within the Community Node provided they are within close proximity to the Go Station and future LRT stops. Additionally, the intent of the zoning by-law is to ensure that each structure is self-sufficient in providing adequate parking accommodations for its intended use. Through the recently approved rezoning application OZ (19/008 W1), a parking justification study was submitted justifying lower rates for one and two bedroom units which was supported by staff and resulted in the current parking rates of 0.75 spaces per one bedroom unit and 0.9 spaces per two bedroom units. Since approval of the rezoning application, a further reduction of parking has been requested by the developer.

Staff had previously recommended deferral to allow the applicant to provide additional details and justification for their application, including proxy site surveys at a comparable development in support of the requested variances.

The original "Parking Justification Study" dated November 2020 prepared by LEA Consulting Ltd. was recently updated and submitted for review dated January 2021. Staff have made the following observations and comments:

- The proposed development on the subject site constitutes 359 residential units with 250 sq.m. of retail space. Parking provisions in the City's Zoning Bylaw standards requires for a total of 289 resident parking and 36 visitor parking spaces to be shared with non-residential uses on the site.
- With regards to Parking sales strategy and as noted in the Study:
 - Parking sales data for the development indicates a demand of 0.40 spaces per one-bedroom unit and 0.71 spaces per two-bedroom unit.
 - The applicant had provided two opportunities to all purchasers of the development to buy a parking spot at the cost of \$62,150 (including HST)
 - There is currently no waitlist with regards to purchasers of the units in the development to avail more parking spaces.
 - Considering the parking sales data, the Study notes that a parking rate of 0.5 spaces per one-bedroom units and 0.8 spaces per two-bedroom units will provide a total of 219 resident parking spaces, thereby providing a buffer of 18% or additional 39 spaces on the subject site to accommodate for any additional future parking demand.

To support the parking demand for the subject site as indicated through the parking sales data and requested variances, the applicant has conducted proxy site surveys in lieu of conducting parking preference surveys with the future condominium owners of the proposed development. As such, staff have considered the information presented through proxy site surveys as the applicant's primary basis of justification for the review of this application.

Proxy Site Surveys:

LEA Consulting conducted parking surveys at the condominium residential development at 70 and 80 Port St. E as a proxy site. The surveys were conducted for three days in January 2021 i.e. January 6, January 7 and January 11 from 1AM to 3AM at 30-minute intervals. The peak parking utilization was observed at a rate of 1.06, 1.09 and 1.04 parking spaces per residential

unit, respectively on the three days of surveys. Considering the findings of the proxy site surveys, staff have the following comments:

- Proxy site surveys indicate that peak parking utilization on all three days of survey was observed at over 1 parking space per residential unit.
- The zone 'H-RA5-53' applicable to the subject site requires parking provision at a rate of 0.75 spaces per one-bedroom unit and 0.9 spaces per two-bedroom unit, which is at a lower rate than the peak parking rate observed at the proxy site at 70 and 80 Port St. E.
- As such, the proxy site surveys conducted by LEA Consulting do not satisfactorily support the requested reduction through the above noted variances.

In addition to the surveys conducted at 70 and 80 Port St.E., the updated Study included proxy site surveys conducted at three rental apartment sites located in proximity of the subject site. In a staff memo dated December 2, 2021, proxy site surveys from rental sites cannot be considered comparable development to the subject site as the proposed development will be condominium tenure. As such, staff cannot accept information and surveys related to rental developments to support a parking reduction for the subject site.

- Based on the review of the above information and the updated study (January 2021), Planning staff had met with the applicant and their consultants to discuss the details and justification provided for the application.
- As an outcome of these meetings, the applicants agent submitted additional supporting information including parking rates approved at other developments to support the requested variance. Staff have reviewed the additional data and note that the proposed development at 39 Newcastle St. in Etobicoke, Toronto can be considered as a comparable development to the subject site based on its location, transit and development context.
- As informed by the agent, the development at 39 Newcastle St. was recently approved by the LPAT to allow for 833 residential units with 580 parking spaces providing parking at a rate of 0.5 spaces per all residential units and visitors parking at a rate of 0.1 space per residential unit. In addition, the development also proposes to provide 15 car-share spaces. Sajecki Planning also noted that the LPAT has approved the site in principle subject to satisfactory fulfillment of outlined conditions, which do not relate to the proposed parking provision for the subject site.

Staff have reviewed the details provided by the applicant for the proposed development at 39 Newcastle St. Staff note that confirmation is required to be able to determine whether the proposed parking rates are applicable or supported by City of Toronto staff that were part of the

decision by LPAT. Staff have been in communication with both the City of Toronto staff and the applicant regarding confirmation of the proposed parking rates.

Based on the evaluation of the parking justification provided by the applicant and subject to the receipt and satisfactory review of the confirmation requested above for the development at 39 Newcastle St., staff will be in a position to consider a parking reduction for the subject site at the following rates in reference to the requested variances for the subject site:

- 0.6 parking spaces per one-bedroom unit
- 0.8 parking spaces per two-bedroom unit

Based on the above consideration, the applicant will be required to provide a total of 241 parking spaces for all residential units on the subject site.

In addition, staff are supportive of the TDM measures as outlined in Section 4 of the updated Study as well as recommend the provision of two car-share spaces for the subject site based on the discussion with the applicant on February 23, 2021. The applicant will be required to identify the two car-share spaces on the site plan and be provided at a location that is visible and accessible from the street. Further, the applicant is required to commit to secure an agreement to provide car-share services and the agreement must be satisfactory to the Transportation and Works Department.

Considering the above details and comments, staff recommend that the application be deferred to allow the applicant time to provide the following:

- a) Confirmation of the applicable parking rates for the comparable development at 39 Newcastle St.
- b) Commitment from the applicant to provide the recommended TDM measures including two car-share spaces for the subject site.

Conclusion

The Planning and Building Department recommends that the application be deferred in order to confirm the applicable parking rates for the comparable development.

Comments Prepared by: Lucas Petricca, 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 the Site Plan Application SP-20/005 and Lifting of the 'H' application 'H'-OZ-20/001 for this development.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a development applications under files BP3NEW 20-3380 & SP 20-51. Based on review of the information currently available for this application, we advise that more information is required to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required. A resubmission of the active Site Plan Approval application is required for review by Zoning staff to provide updated comments.

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: Brian Bonner, Zoning Examiner

Appendix 5 – Region of Peel Comments

We have no comments or objections to the following applications:

Deferred Applications: A-220/20, A-221/20, A-364/20, A-413/20.

Comments Prepared by: Diana Guida, Junior Planner