



Report Committee of Adjustment

Filing Date: November 9th, 2024
Hearing Date: December 10th, 2024

File: A-2024-0433

**Owner/
Applicant:** Primont (M3 Condos) Inc.

Address: 10629 Mississauga Road

Ward: WARD 6

Contact: Sadaf Shahid-Hussain, Planner I

Recommendations:

That application A-2024-0433 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision;
 2. That the owner finalize site plan approval under City File SPA-2022-0225, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services;
 3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
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Background:

A Site Plan application (City File SPA-2022-0225) was submitted on December 16th, 2022, to facilitate the development of three towers (14 storeys, 27 storeys and 30 storeys) with a total of 1,089 dwelling units and 1,568 m² of commercial GFA on the subject property and is currently under review. The minor variance application is being requested to permit an increased height and lower minimum parking ratio as a result of the proposal as set forth in the Site Plan Application.

Existing Zoning:

The property is zoned 'Residential Apartment A (R4A-3689)' within the City of Brampton Zoning By-law 270-2004. A site-specific zoning By-Law (53-2023) restricts the main use of the Subject Lands to

an Apartment Dwelling with specific non-residential uses that are permitted on the ground floor in conjunction with an apartment dwelling.

Requested Variance:

The applicant is requesting the following variance:

1. To permit 14 storeys to be located within the remainder of the lot, whereas the by-law requires 12 storeys to be located within the remainder of the lot; and
2. To permit each dwelling unit in an apartment and multiple residential dwellings a minimum required parking shall be 0.8 parking spaces for residents, whereas the by-law requires each dwelling unit in an apartment and multiple residential dwellings a minimum required parking shall be 1 parking spaces for residents.

Current Situation:

1. Maintains the General Intent and Purpose of the Official Plan

The subject property is located within a 'Community Area' as identified on Schedule 1A of the Official Plan and is designated as 'Neighbourhoods' on Schedule 2. Further to this, the Subject Property is designated as 'High Density Residential' within the Mount Pleasant Secondary Plan. An Official Plan Amendment application (OZS-2021-0002) was filed to remove a portion of the 'Convenience Retail' designation on the lands and redesignate the lands from 'Convenience Commercial' and 'Motor Vehicle Commercial' to 'High Density Residential' to facilitate a mixed-use residential development to accommodate the proposed development. Further, Section 5.1.3.6 of the Mount Pleasant Secondary Plan states that lands designated High Density within Mixed Use Area 1 at the northeast corner of Mississauga Road and Sandalwood Parkway West are permitted a maximum building height of up to 30 storeys and Floor Space Index of 4.5. Section 5.1.3.6, subsection vii) also states that the building shall include appropriately scaled podiums and tower heights to successfully transition to adjacent lower scale uses.

Per section 2.2.5.11 of the Brampton Plan, Sandalwood Parkway is designated as a 'Support Corridor' which are described as transit veins that provide connectivity throughout neighbourhoods in the City. The reduction of the residential parking requirement from 1.0 space per unit to 0.80 spaces per unit reflects the evolving transportation landscape and the Official Plan's goals of decreasing vehicular activity using modes of active transportation. The subject property's location within the Mount Pleasant area is well-served by transit including GO Transit and local bus services which reduces the need for an excessive parking supply.

Staff are of the opinion that the increase in building height aid's in achieving appropriate standards of development to help realize the policy intent of this Plan and the reduction is residential parking requirement aligns with the Official Plan's goals of encouraging transit-supportive development. Subject to the recommended conditions of approval, the requested variance maintains the general intent and purpose of the Official Plan.

2. Maintains the General Intent and Purpose of the Zoning By-law

The applicant is requesting a variance to permit 14 storeys to be located within the remainder of the lot, whereas the by-law requires 12 storeys to be located within the remainder of the lot. The intent of the by-law in regulating the maximum permitted building height for a property is to ensure that there are no negative massing impacts on adjacent properties. While full building height requirements of the Zoning By-law are not satisfied, staff are of the opinion that the 14 storey portion of the building is appropriately stepped with the proposed additional floors of the building being set back from the podium, thereby mitigating concerns of overlook, privacy, and shadowing with no negative massing impacts on adjacent properties (refer to Appendix A). The increase in height remains consistent with the underlying purpose of the height restriction by facilitating compact development and promoting efficient land use.

The applicant is also requesting a proposed variance to permit each dwelling unit in an apartment and multiple residential dwellings a minimum required parking shall be 0.8 parking spaces for residents, whereas the by-law requires each dwelling unit in an apartment and multiple residential dwellings a minimum required parking shall be 1 parking spaces for residents. The intent of the by-law is to meet the needs of future residents by achieving development that reflects car ownership trends. Due to car ownership patterns evolving as a result of shifting market conditions, this reduction in parking aligns with the broader objectives of the Zoning By-law, which seeks to ensure adequate parking supply. This is further reinforced by GHD's parking demand study which confirms that the proposed parking provision aligns with actual demand in comparable developments in the area. This study has been reviewed and found to be satisfactory by the City's Traffic Services reviewers.

Subject to the recommended conditions of approval, the requested variances maintain the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The requested variance is to permit 14 storeys to be located within the remainder of the lot, whereas the by-law requires 12 storeys to be located within the remainder of the lot. The increase of 2 storeys to the building height within the remainder of the lot is not anticipated to significantly contribute to shadowing onto adjacent properties given that addition in height is contained to one portion of the building which has been stepped back from the podium. Additionally, as the proposed building is adequately setback from neighbouring properties, staff are of the opinion that there are ultimately no negative massing and/or visual impacts on adjacent properties and the proposed variance allows the development to achieve optimal use of the land through compact and high-density development.

The proposed variance to permit a minimum resident parking requirement of 0.80 spaces per unit allows the development to meet the needs of future residents. The proposed reduction in parking requirements is well-suited to the subject property's proximity to public transit options along Sandalwood Parkway West and will achieve the broader goals for sustainable development through reduced traffic congestion and dependency on personal vehicles.

A Site Plan application (City File SPA-2022-0225) was submitted on December 16th, 2022, to facilitate the development of three towers (14 storeys, 27 storeys and 30 storeys) with a total of 1,089 dwelling units and 1,568 m² of commercial GFA on the subject property and is currently under review. A

condition of approval is included that the owner finalize site plan approval under City File SPA-2022-0225, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services. The Site Plan Control process will examine the design and technical aspects of the proposed development to ensure it is compatible with the surrounding area and contributes to the vitality of the city. The variance is requested to given that Site Plan Control must implement the Official Plan and be authorized by the zoning that is in force and applicable to the site.

Subject to the recommended conditions of approval, the variance is considered desirable for the appropriate development of the land.

4. Minor in Nature

Given the context of the property and the location in which the building is proposed, the increase in height is not expected to generate negative impacts. The increase of building height from 12 to 14 storeys on the remainder of the lot is considered as a minor departure from the permitted height. This will ensure that the development will maintain the character of the surrounding area which is primarily high-rise development. The proposed 14 storey portion of the building continues to allow access to sunlight to adjacent proposed towers which front along Mississauga Road and Sandalwood Parkway West. Further the sitting of the building and resulting step back from the podium minimizes shadowing and visual intrusion.

The reduction in resident parking requirement from 1.0 to 0.80 spaces aligns with current market conditions and car ownership patterns, without affecting the parking needs of residents or visitors. This is also supported by GHD's parking demand study.

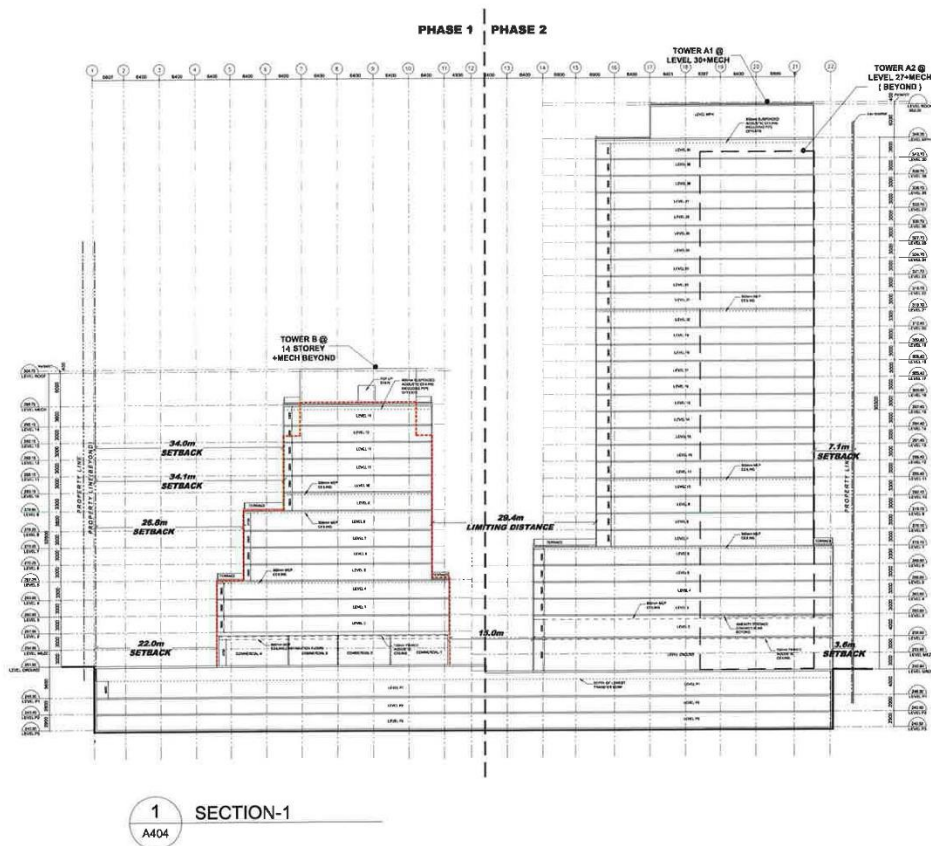
Subject to the recommended conditions of approval, the requested variance is considered to be minor in nature.

Respectfully Submitted,

Sadaf Shahid-Hussain

Sadaf Shahid-Hussain, Planner I

APPENDIX A- Section Drawing

[illegible]

Appendix B – Site Visit Photos



