

# City of Mississauga Department Comments

Date Finalized: 2023-06-14	File(s): A185.23
To: Committee of Adjustment	Ward: 11
From: Committee of Adjustment Coordinator	Meeting date:2023-06-22 1:00:00 PM

## Consolidated Recommendation

The City recommends that the application be deferred.

## Application Details

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

1. 0.88 resident parking spaces per dwelling unit whereas By-law 0225-2007, as amended, requires a minimum of 0.9 resident parking spaces per dwelling unit in this instance;
2. 0.10 visitor parking spaces per dwelling unit whereas By-law 0225-2007, as amended, requires a minimum of 0.20 visitor parking spaces per dwelling unit in this instance; and,
3. 36 Class A Bicycle Parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 59 Class A Bicycle Parking spaces in this instance.

## Background

**Property Address:** 180 Rutledge Road

### Mississauga Official Plan

Character Area: Streetsville Community Node  
Designation: Residential High Density

### Zoning By-law 0225-2007

**Zoning:** RA2-26 - Residential

**Other Applications:** SP 21-155

### Site and Area Context

The subject property is located on the north-west corner of Tannery Drive and Rutledge Road in the Streetsville Community Node. It has a lot area of +/- 5,584.86m<sup>2</sup> (1.38ac) and currently contains a foundation for future development. There is currently no vegetation or landscaping on the subject property, however mature vegetation is present immediately to the west abutting Mullet Creek. The surrounding area context includes a mix of residential and industrial uses, as well as vacant lands.

The applicant is proposing the construction of a 5-storey apartment building on the property requiring variances for vehicle and bicycle parking.



## 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 subject property is located in the Streetsville Community Node Character Area and is designated Residential High Density in Schedule 10 of the Mississauga Official Plan (MOP).

The requested variances propose a reduction in the required amount of vehicle and bicycle parking. The intent of the zoning by-law in quantifying the required number of parking spaces is to ensure that each lot is self-sufficient in providing adequate parking accommodations based upon its intended use. Furthermore the requirement for bicycle parking seeks to encourage

active transportation methods within the City by providing adequate bicycle parking/storage on site. Section 8.4 of the official plan contemplates potential reductions in parking requirements and alternative parking arrangements in appropriate situations. Municipal Parking staff have reviewed the variance request and note as follows:

Per the materials provided by the applicant, the previous minor variance approval under file A91/22 allows the construction of a 5 storey, 79 unit apartment building with a reduced visitor parking rate of 0.15 spaces per dwelling unit. The Applicant has since increased the number of condominium units to 97.

The applicant provided a parking assessment dated April 12, 2023, completed by NexTrans Consulting Engineers. The parking assessment reviewed the policy and transit context of the Streetsville area, as well as proposed travel demand management measures. The applicant is proposing a total of 96 parking spaces, whereas 108 parking spaces are required overall in this instance. The proposed deficiency is 12 parking spaces, or 11.1%.

The applicant advised that the existing underground parking structure is already constructed. The 18 proposed additional condominium units are being accommodated by reducing the sizes of the previous unit mix, therefore increasing the number of units from 79 to 97.

Staff advise that the recently updated parking requirements for off-street parking, Zoning By-Law 0117-2022, that came into effect June 8, 2022, is supportive of provincial and municipal land use and transportation policies. The updated rates were derived from the Parking Regulations Study (PRS) which undertook a review of off-street parking rates throughout the City, including the Streetsville area. These developed rates were carefully tailored to Mississauga's context as well as current needs and are intended to support developments that are well served by existing or future planned higher order transit.

Although the applicant submitted a parking report, it did not include a proxy survey of comparable sites to justify the requested parking reduction. As the parking deficiency is greater than 10% from the existing Zoning By-law 0225-2007, as amended, per the Parking Terms of Reference a satisfactory Parking Utilization Study is required. The Applicant should refer to the City's Parking [Terms of Reference](#) for parking justification requirements to be included with a formal submission. The Applicant should confirm the survey methodology with staff prior to conducting parking surveys.

Municipal Parking staff advise that given the deficiency of 11.1%, the applicant may wish to consider reducing the number of parking spaces they are deficient to less than 10% overall, and/or consider a Payment-in-Lieu of Parking (PIL) contribution for the full deficiency.

Zoning staff have advised that they are unable to provide comment at this time.

Given the above, Municipal Parking staff require the application be deferred pending the submission of a satisfactory Parking Utilization Study (PUS).

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Planning staff are in agreement with the comments provided by Municipal Parking staff and echo the recommendation that the application be deferred to allow the applicant to submit the requested information.

Comments Prepared by: Shivani Chopra, Planner in Training

## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting that any Transportation and Works Department concerns/requirements for this development are being addressed through the Site Plan Application SP 12-144. We also note that the City has processed Rezoning Application OZ-10/05 for this development.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan application under file SP 21-155. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Please note that comments reflect those provided through the above permit application and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Brooke Herczeg, Zoning Examiner

### Appendix 3 – Parks, Forestry & Environment

The Park Planning Section of the Community Services Department has no objections to the above noted minor variance application and advises as follows:

The lands to the rear of the property are owned by the City of Mississauga, identified as Jim Graham Park (P-252), classified as a Significant Natural Area within the City's Natural Heritage System, and zoned G1. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:

- a) ensuring that development in or adjacent to the Natural Heritage System protects and maintains the natural heritage features and their ecological functions through such means as tree preservation, appropriate location of building envelopes, grading, landscaping...

Should the application be approved, Community Services provides the following notes:

1. Given that the property is subject to a development application, all of Community Services' comments and/or requirements are being addressed through SP 21-155.
2. Construction access from the adjacent park/greenlands is not permitted.
3. If access is required to City owned lands, a Consent to Enter Agreement/Park Access Permit will be required.
4. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.

Should further information be required, please contact Nicholas Rocchetti, Park Planning Assistant, Community Services Department at 905-615-3200 ext. 4659 or via email [Nicholas.Rocchetti@mississauga.ca](mailto:Nicholas.Rocchetti@mississauga.ca).

Comments Prepared by: Nicholas Rocchetti, Park Planning Assistant

### Appendix 4 – CVC

**Re: CVC File No. A 23/185**  
**Municipality File No. A 185/23**  
**Kings Mill Homes Development Inc.**  
**180 Rutledge Road**  
**City of Mississauga**

Credit Valley Conservation (CVC) staff have reviewed the subject application and offer comments based on the following roles and responsibilities:

1. Delegated Responsibilities – providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 3.1 of the *Provincial Policy Statement (2020)*;
2. Regulatory Responsibilities – providing comments to ensure the coordination of requirements under the *Conservation Authorities Act Section 28 regulation*, to eliminate unnecessary delay or duplication in process;
3. Source Protection Agency – providing advisory comments to assist with the implementation of the *CTC Source Protection Plan* under the *Clean Water Act*, as applicable.

**SITE CHARACTERISTICS:**

Based on our mapping, the subject property appears to be regulated due to valley slope and floodplain associated with Mullet Creek. It is the policy of CVC and the Province of Ontario to conserve and protect the significant physical, hydrological and biological features associated with the functions of the above noted characteristics and to recommend that no development be permitted which would adversely affect the natural features or ecological functions of these areas.

**ONTARIO REGULATION 160/06:**

The property is subject to the Development, Interference with Wetlands, and Alterations to Shorelines & Watercourses Regulation (Ontario Regulation 160/06). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

**Proposal:**

It is our understanding that the property owner of 180 Rutledge Road, zoned RA2-26 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow parking at the subject property proposing:

1. 0.88 resident parking spaces per dwelling unit whereas By-law 0225-2007, as amended, requires a minimum of 0.9 resident parking spaces per dwelling unit in this instance;
2. 0.10 visitor parking spaces per dwelling unit whereas By-law 0225-2007, as amended, requires a minimum of 0.20 visitor parking spaces per dwelling unit in this instance; and,
3. 36 Class A Bicycle Parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 59 Class A Bicycle Parking spaces in this instance.

**Comments:**

Based on the review of the information, CVC staff have **no concerns** and **no objection** to the approval of the requested minor variance application by the Committee at this time.

A CVC permit is not required for the proposed development at this time.

Please circulate CVC any future correspondence regarding this application.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at 905-670-1615 (ext. 268) should you have any further questions or concerns.



Comments Prepared by: Beata Pakulski, Planner

## Appendix 5- Metrolinx

### 180 Rutledge Rd

Metrolinx is in receipt of the minor variance application for 180 Rutledge Rd to allow reduced parking at the subject property. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300m of Canadian Pacific Railway's (CP Rail) Galt Subdivision which carries Metrolinx's Milton GO Train service.
- As the requested variance has no implication on Metrolinx property (i.e. Milton Corridor) Metrolinx has no objections to the specified variances should the committee grant approval.
- The Proponent is advised the following:
  - **Warning:** Metrolinx and its assigns and successors in interest operate commuter transit service within 300 metres from the subject land. In addition to the current use of these lands, there may be alterations to or expansions of the rail and other facilities on such lands in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx or any railway assigns or successors as aforesaid may expand their operations, which expansion may affect the environment of the occupants in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual units. Metrolinx will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under these lands.

Comments Prepared by: Farah Faroque, Project Analyst

## Appendix 6 – Region of Peel

### Minor Variance Application: A-23-185M – 180 Rutledge Rd

Planning: Patrycia Menko (905) 791-7800 x3114

#### Comments:

- The subject land is located in the regulated area of the Credit Valley Conservation Authority (CVC). We rely on the environmental expertise of the CVC for the review of development applications located within or adjacent to the regulated area in Peel and the impact of natural hazards on proposed development. We therefore request that the Town staff consider comments from the CVC and incorporate their requirements

appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the CVC.

Comments Prepared by: Patrycia Menko, Junior Planner