
Committee of Adjustment

Date: March 11, 2021
Time: 1:00 PM
Location: Online Video Conference

Members

Sebastian Patrizio (Chair)
David George
John Page
David Kennedy
Wajeeha Shahrukh
David Cook
John Kwast

Contacts

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905-615-3200 ext.5209
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PUBLIC MEETING STATEMENT: While some planning matters, such as consent or minor variance applications, do not specifically require that you participate in the process in order to appeal, the LPAT has the power to dismiss an appeal without holding a hearing if the person or public body that in circumstances such as appeal is not based on any apparent land use planning grounds and appeal is not made in good faith or is frivolous or vexatious, or is made only for the purpose of delay.

Send written submissions or request notification of future meetings to:

Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, Attn: Committee of Adjustment Coordinators – 2nd Floor 300 City Centre Drive, Mississauga, ON, L5B 3C1 or Email:
committee.adjustment@mississauga.ca

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1. CALL TO ORDER
 2. DECLARATION OF CONFLICT OF INTEREST
 3. DEFERRALS OR WITHDRAWALS
 4. MATTERS TO BE CONSIDERED
 - 4.1. B-13/21A-77/21A-78/21
1474 HAIG BLVD (WARD 1)
PANCHAK MYKOLA
 - 4.2. B-14/21A-79/21A-80/21
3013 & 3015 MORNING STAR DR (WARD 5)
STEWART DWAYNE PAUL, STEWART-JOHNSON PIA
 - 4.3. A-48/21
3183 FOLKWAY DR (WARD 8)
VAN ROMPU JOHN & CARR LYNN
 - 4.4. A-58/21
1393 BRACKENCREST RD (WARD 1)
DOMINIC & CHRISTINE MAZZONE
 - 4.5. A-69/21
2689 HOLLINGTON CRES (WARD 2)
ANGELO ACETO AND RITA BELLISSIMO
 - 4.6. A-70/21
3575 KANEFF CRES (WARD 4)
KANEFF GROUP OF COMPANIES
 - 4.7. A-71/21
7654 REDSTONE RD (WARD 5)
HARBHAJAN SINGH & BALJEET KAUR GREWAL
 - 4.8. A-72/21
3450 SEMENYK CRT (WARD 6)
2761343 ONTARIO INC

- 4.9. A-73/21
5599 CORTINA CRES (WARD 5)
ZUBDA NADEEM
- 4.10. A-74/21
2360 DIXIE RD (WARD 1)
PEARSON CORPORATE CENTRE GP INC.
- 4.11. A-75/21
349 RATHBURN RD W (WARD 4)
JASON PROPERTIES INC
- 4.12. A-76/21
2001 HINDHEAD RD (WARD 2)
JIM LUCAS & TINA PATTERSON
- 4.13. A-81/21
6839 EARLY SETTLER ROW (WARD 11)
RISHI, SANJEEV & RISHI, ANURADHA
- 4.14. A-149/20
1303 TECUMSEH PARK DR (WARD 2)
SUSAN DIMPFLMEIER
- 4.15. A-3/21
3102 BONAVENTURE DR (WARD 5)
SURJIT SEKHEN & AMARJIT GILL
5. **OTHER BUSINESS**
6. **ADJOURNMENT**

Why you received this letter:

You are receiving this letter because you are the owner of a neighbouring property within 60m (200ft) of the subject property, or are the agent/interested party/owner of the property for the application.

Details of the application and meeting information:

The property owner of 1474 Haig Boulevard, zoned R3-75 - Residential, has applied for Consent under Section 53 of the Planning Act. The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel has a frontage of approximately 23.58m (77.36ft) and an area of approximately 491.89sq.m (5294.66sq.ft).

A minor variance is requested for the severed lands of application B13/21 to allow the construction of a new house proposing:

1. A lot area (interior lot) of 491.89sq.m (approx. 5294.66sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 550.00sq.m (approx. 5920.15sq.ft) in this instance;
2. A lot coverage of 41.90% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
3. A front yard (interior lot) of 6.00m (approx. 19.69ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m (approx. 24.61ft) in this instance;
4. An interior side yard (easterly) of 0.80m (approx. 2.62ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 1.81m (approx. 5.94ft) in this instance;
5. An interior side yard (westerly) of 1.66m (approx. 5.46ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 1.81m (approx. 5.94ft) in this instance;
6. A rear yard of 4.60m (approx. 15.09ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.61ft) in this instance; and
7. A building height measured to a flat roof of 8.74m (approx. 28.67ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to a flat roof of 7.50m (approx. 24.61ft) in this instance.

A minor variance is requested for the retained lands of application B13/21 to allow the construction of a new house proposing:

1. A lot area (exterior lot) of 610.05sq.m (approx. 6566.52sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 720.00sq.m (approx. 7750.02sq.ft) in this instance;
2. A lot coverage of 36.40% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
3. An interior side yard of 1.65m (approx. 5.41ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 1.81m (approx. 5.94ft) in this instance; and
4. A building height measured to a flat roof of 8.59m (approx. 28.18ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to a flat roof of 7.50m (approx. 24.61ft) in this instance.

The Committee has set **Thursday March 11, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

You can get more information on this matter by emailing committee.adjustment@mississauga.ca or calling 905-615-3200 x5209. You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>. Hearings will be streamed online for the public to view at the following link: <http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>.

If you wish to be notified of the decision of the Committee you must submit a written request to the Secretary-Treasurer via email or mail. This will also entitle you to be advised of appeal to the Local Planning Appeal Tribunal.

How to submit a written comment:

Written comments to the Committee must be received no later than 4:30pm the Tuesday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and application number or address of the property you are providing comments on.

Advance registration is required to participate in the electronic hearing:

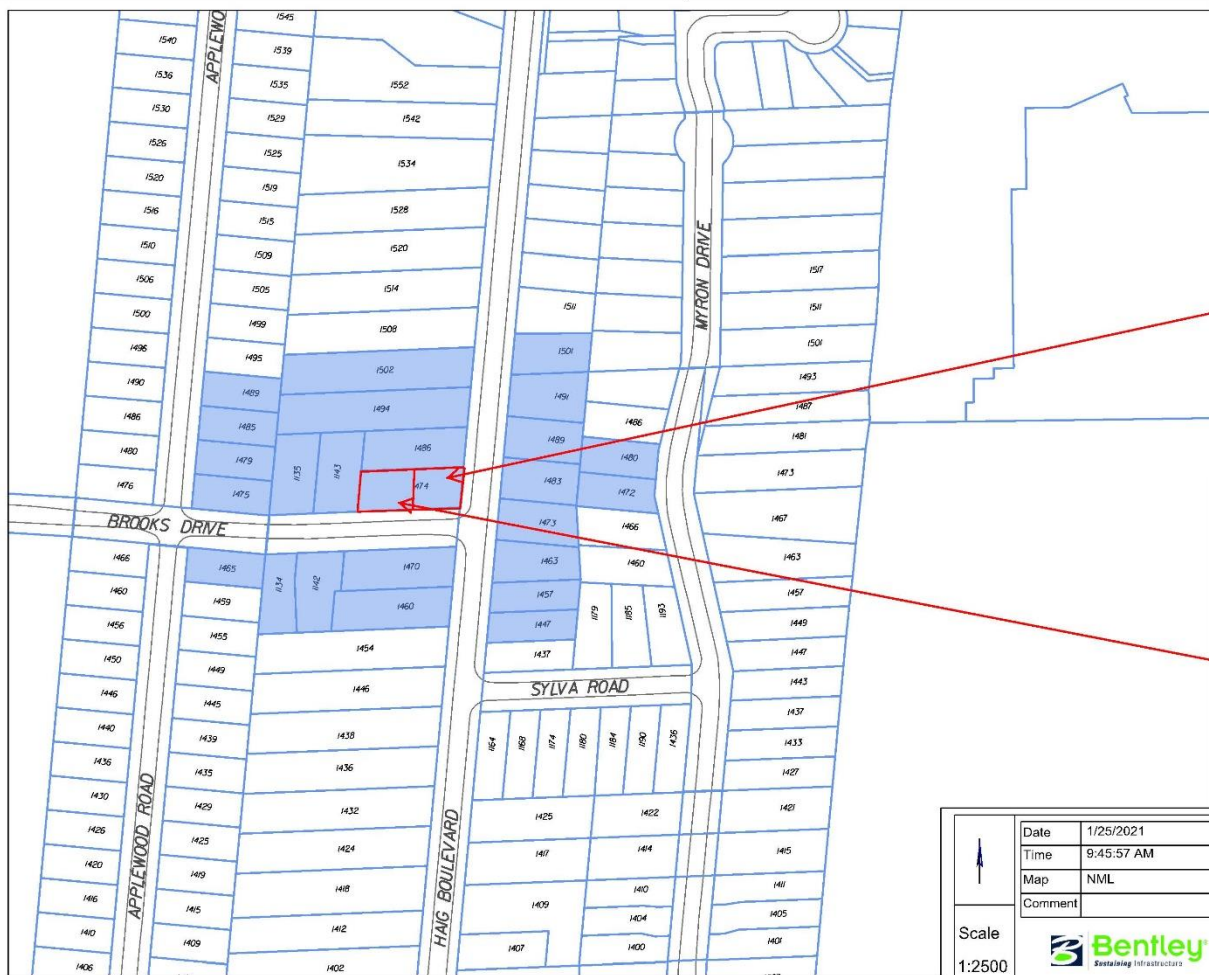
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services will not be accepted.

To participate by telephone: To register, please call 905-615-3200 x5209 no later than 4:30pm the Tuesday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.

Legal notice:

If holding an electronic rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30pm the Tuesday prior to the hearing to committee.adjustment@mississauga.ca. If a party does not submit a request and does not participate in the hearing the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.


Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual (including being posted on the internet) upon request in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x5209.




1474 Haig Blvd.

A78/21
Lands to
be
Retained

B13/21
A77/21
Lands to be
Severed

	Date	1/25/2021
	Time	9:45:57 AM
	Map	NML
	Comment	

Scale
1:2500



Bentley
Sustaining Infrastructure

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-03-03	File(s): B13.21 A77.21 A78.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2021-03-11 1:00 PM

Consolidated Recommendation

The City recommends that the requested consent and associated minor variance applications be refused.

Application Details

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel has a frontage of approximately 23.58m (77.36ft) and an area of approximately 491.89sq.m (5294.66sq.ft).

A minor variance is requested for the severed lands of application B13/21 to allow the construction of a new house proposing:

1. A lot area (interior lot) of 491.89sq.m (approx. 5294.66sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 550.00sq.m (approx. 5920.15sq.ft) in this instance;
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4. An interior side yard (easterly) of 0.80m (approx. 2.62ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 1.81m (approx. 5.94ft) in this instance;
5. An interior side yard (westerly) of 1.66m (approx. 5.46ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 1.81m (approx. 5.94ft) in this instance;
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A minor variance is requested for the retained lands of application B13/21 to allow the construction of a new house proposing:

1. A lot area (exterior lot) of 610.05sq.m (approx. 6566.52sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 720.00sq.m (approx. 7750.02sq.ft) in this instance;
2. A lot coverage of 36.40% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
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4. A building height measured to a flat roof of 8.59m (approx. 28.18ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to a flat roof of 7.50m (approx. 24.61ft) in this instance.

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent
- The variance application approved under File(s) A77.21 & A78.21 must be finalized

Recommended Conditions and/or Terms of minor variance

- Variance(s) approved under file(s) A77.21 & A78.21 shall lapse if the consent application under file B13.21 is not finalized within the time prescribed by legislation.

Background

Property Address: 1474 Haig Boulevard

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3-75 (Residential)

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, south of Haig Boulevard and South Service Road. The immediate area entirely consists of one and two storey detached dwellings with mature vegetation. Additionally, the immediate area contains lot

frontages of approximately 14 m and greater as well as lot areas that exceed by-law requirements. The subject property contains an existing one storey dwelling with vegetation throughout the lot.

The applicant is proposing to sever the property for the purpose of creating two new parcels to develop detached dwellings. As a result, variances are required for lot area, deficient side, front and rear yards, lot coverage and an increased flat roof height.



Comments

Planning

Planning Act

Section 51 (24) of the *Planning Act* sets out the criteria for land division in the Province of Ontario. In evaluating such requests, the Committee needs to be satisfied that the proposal meets not only the criteria set out under Section 51(24), but also municipal requirements identify in local legislation.

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. In evaluating such requests, the Committee needs to be satisfied that the proposal meets the four tests set out in the *Planning Act*.

Provincial Matters

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The Provincial Policy Statement 2014 (PPS 2014) and Growth Plan for the Greater Golden Horseshoe promote efficient development and land use, directing the focus towards intensification and redevelopment. The proposal is consistent with the general directive in provincial policy.

Staff comments concerning the applications for consent and the minor variance request are as follows:

The applicant is proposing a lot frontage of approximately 27 m and lot area of 491.84 m² for the severed lot fronting onto Brooks Drive. The retained parcel which would front onto Haig Boulevard would have a frontage of approximately 21 m and lot area of 610 m². The zoning by-law requires a lot frontage of 15 m and lot area of 550 m² for an interior lot and lot frontage of 19.50 m and lot area of 720 m² for a corner lot.

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached, semi-detached and duplex dwellings. Additional official plan policies for lands within the Lakeview Neighbourhood Character Area are contained within the Lakeview Local Area Plan. The subject property is within the Serson Terrace boundary of the Central Residential Neighbourhood Precinct. As per Section 16.1.2.1 of MOP, to preserve the character of lands designated Residential Low Density I and Residential Low Density II, the minimum frontage and area of new lots will be evaluated in the context of the existing lot pattern in the surrounding area. Additionally, Section 5.3.5 (Neighbourhoods) states that neighbourhoods are not meant to remain static, however, when new development occurs, it should be sensitive to the neighbourhoods existing and planned character. Through a review of lots within the immediate area, the lot areas generally exceed by-law requirements and the general lot fabric includes longer lots that have an overall depth exceeding 30 m, which results in a dwelling that can be developed with sufficient front and rear yard setbacks. The proposed size and shape of the lots are uncharacteristic of the neighbourhood and also results in variances that are required to accommodate detached dwellings due to the size of the lot.

Section 10.3.1 of the Lakeview Local Area Plan states that the development of detached, semidetached, duplex and triplex dwellings, the following will be addressed, among other things:

- a. new housing within Lakeview should maintain the existing character of the area; and
- b. development will fit the scale of the surrounding area and take advantage of the features of a particular site, such as topography, contours, and mature vegetation.

The proposed dwellings that can be accommodated due to the size and shape of the lots results in deficiencies that are not common throughout the immediate area regarding front and rear yard setbacks. This portion of the neighbourhood contains deeper and larger lots that can adequately accommodate these required setbacks without posing any massing concerns to abutting properties. As such, the proposed severance is incompatible with the surrounding lot

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fabric and results in variances that are generally not characteristic of the planned and existing context of the neighbourhood.

Based on the preceding information, staff is of the opinion that the proposed consent application does not conform to Section 51(24) of the *Planning Act*, more specifically, the shape and size of the lots do not maintain the existing and planned lot fabric of the neighbourhood and are not in conformity with the official plan.

Conclusion

The Planning and Building Department recommends that the requested consent and associated minor variance applications be refused.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

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Appendices

Appendix 1 – Transportation and Works Comments

Should Committee see merit in the applicant's request we are providing the following conditions/requirements for Committee's consideration:

A. Items Required Prior to the Issuance of Final Consent

1. Overall Grading and Drainage Plan

The applicant's consulting engineer will be required to prepare an Overall Grading and Drainage Plan which contains sufficient details to ensure grading compatibility with the adjacent lands and submit the grading and drainage proposal to this department for review/approval.

Upon the review of an Overall Grading and Drainage Plan it may be determined that a catch basin may be required and satisfactory arrangements will have to be made for the construction of any required catch basin.

2. Overall Site Servicing Plan

We request that the applicant submit a Site Servicing Plan prepared by a Consulting Engineer for this department's review/approval. The Site Servicing Plan is to confirm that all the necessary municipal services can be provided for the dwellings to be constructed on the subject lands.

3. Municipal Address Requirement

Prior to the issuance of final consent, satisfactory arrangements are to be made with Corporate Services Department, Information Technology Division, Digital Services & Mobility Section, Geospatial Solutions Group for the creation of new municipal addresses for the severed and retained lands. For further information, please contact Susie Tasca at (905) 615-3200 ext. 3088 or susie.tasca@mississauga.ca.

For further information regarding the above noted comments, please contact John Salvino at (905) 615-3200 ext. 5183 or john.salvino@mississauga.ca

B. GENERAL INFORMATION

1. Lot Grading and Drainage

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We advise the applicant that issuance of any building permits for the new dwelling(s) will be subject to the owner submitting a certified lot grading and drainage plan to this Department for review/approval. The grading and drainage plan is to contain sufficient detail to ensure grading compatibility with the adjacent properties. In addition, the owner will be required to submit the applicable lot grading and municipal services protection deposits.

2. Servicing

All costs incurred in providing any service laterals will be the responsibility of the owner. The owner will also be responsible for all costs incurred for the required road reinstatement (if required). If the service connections are to be installed by a private contractor retained by the owner, issuance of an open cut permit will be subject to the owner depositing adequate securities with the City to guarantee proper road reinstatement.

3. Access

We advise the applicant that all costs incurred in providing any new driveway entrance(s) to the subject lands or any modifications/reinstatement required, would be at cost to the owner. We are also noting that should any utilities need to be relocated, all costs incurred will also be to the owner.

4. Storm Sewer Outlet

The storm sewer outlet for the lands fronting Haig Boulevard is the existing 600mm diameter storm sewer system located on Haig Boulevard. We advise that there is currently no storm sewer on Brooks Drive to serve the proposed lot. If a new storm connection is required a downstream sewer analysis may be required. For further information please contact Ghazwan Yousif at ext. 3526.

Please note that in cases of a high groundwater table where a sump pump could run continuously if a sump pump was implemented, the applicants should consider raising the basement elevation to be at least 1.0 metre above the groundwater level. It is the owner's responsibility to satisfy themselves with these conditions as the City has no obligation to address any concerns with the operating conditions of private sump pump systems.

We are noting that any Transportation and Works Department concerns/requirements for the Minor Variance applications will be addressed under Consent Application 'B' 13/21.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

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The Building Department is not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to confirm the accuracy of the requested variance(s) or determine whether additional variance(s) may be required.

The applicant is advised that a completed zoning review may identify additional instances of zoning non-compliance. The applicant may consider applying for a preliminary zoning review application and submit working drawings for a detailed zoning review to be completed. A minimum of 6-8 weeks will be required to process a preliminary zoning review application depending on the complexity of the proposal and the detail of the information submitted.

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

The Park Planning Section of the Community Services Department has reviewed the consent application and advises as follows.

City of Mississauga Forestry Staff have attended the site and identified the following City owned tree within the municipal boulevard:

- Eastern White Cedar – Good Condition

Should the application be approved, Community Services wishes to impose the following conditions:

1. The applicant shall ensure that future driveways do not impact or require the removal of the above noted tree.
2. The applicant shall provide tree protection securities in the amount of \$3,600.00 for the preservation of the municipal tree.
3. The applicant shall provide a cash contribution of \$1,214.24 for planting of two (2) street trees, one on Haig Boulevard and one on Brooks Drive. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.

In addition, Community Services notes the following:

1. Payment for street tree fees and charges can be made at the Parks and Forestry customer service counter located at 950 Burnhamthorpe Road West in the form of a certified cheque, bank draft, or money order payable to the City of Mississauga. Please contact Jim Greenfield regarding the Covid-19 interim payment process.

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2. The applicant shall provide frame tree hoarding at the dripline of the above noted tree prior to any construction to the satisfaction of City of Mississauga Forestry Staff. Please call Ryan Cormier at 905-615-3200 ext. 4580 to arrange a hoarding inspection.
3. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, C.P. 13, as amended) and in accordance with the City's policies and by-laws.

Should further information be required, please contact Jim Greenfield, Park Planner, Community Services Department at 905-615-3200 ext. 8538 or via email jim.greenfield@mississauga.ca.

Comments Prepared by: Jim Greenfield, Park Planner

Appendix 5 – Region of Peel Comments

Development Engineering: Camila Marczuk (905) 791-7800 x8230

Please note that severing the lands may adversely affect the existing location of the water and sanitary sewer services, if any exist. The result of this may require the applicant to install new water / sanitary servicing connections to either the severed or retained lands in compliance with the Ontario Building Code. The applicant may require the creation of private water / sanitary sewer servicing easements. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please call our Site Servicing Technicians at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca

Condition: Arrangements satisfactory to the Region of Peel, Public Works shall be made with respect to the location of existing and installation of new services and/or possible required private service easements.

We have no comments or objections to the following applications:

Minor Variance Applications: A-77/21, A-78/21

Comments Prepared by: Diana Guida, Junior Planner

Appendix 7 – Bell Canada

Subsequent to review of the severance at 1474 HAIG BLVD, Bell Canada's engineering department have determined that there are no concerns or issues with the application.

Comments Prepared by: Carrie Gordon, External Liaison

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Appendix A – Conditions of Provisional Consent

SHOULD THE COMMITTEE GRANT A PROVISIONAL CONSENT, THE FOLLOWING IS A LIST OF THE RECOMMENDED CONDITIONS TO BE ATTACHED TO THE DECISION AND THESE CONDITIONS MAY BE REVISED BY THE COMMITTEE AT THE PUBLIC MEETING.

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding.
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated March 3, 2021.
5. A letter shall be received from the City of Mississauga, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated March 3, 2021.
6. A letter shall be received from the Region of Peel, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated March 3, 2021.

Why you received this letter:

You are receiving this letter because you are the owner of a neighbouring property within 60m (200ft) of the subject property, or are the agent/interested party/owner of the property for the application.

Details of the application and meeting information:

The property owner of 3013 & 3015 Morning Star Drive, zoned RM-1 Residential, has applied for Consent under Section 53 of the Planning Act. The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot (formerly merged on title). The parcel has a frontage of approximately 9.91m (32.51ft) and an area of approximately 334.21sq.m (3597.41sq.ft).

A minor variance is requested for the retained lands of application B14/21 and to allow an existing accessory structure and garage proposing:

1. A side yard measured to an accessory structure (shed) of 0.59m (approx. 1.94ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to an accessory structure of 0.61m (approx. 2.00ft) in this instance;
2. A rear yard measured to an accessory structure (shed) of 0.53m (approx. 1.74ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to an accessory structure of 0.61m (approx. 2.00ft) in this instance; and
3. A side yard measured to a garage of 0.84m (approx. 2.76ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to a garage of 1.20m (approx. 3.94ft) in this instance.

A minor variance is requested for the severed lands of application B14/21 proposing a lot area of 334.21sq.m (approx. 3597.41sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 340.00sq.m (approx. 3659.73sq.ft) in this instance.

The Committee has set **Thursday March 11, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

You can get more information on this matter by emailing committee.adjustment@mississauga.ca or calling 905-615-3200 x5209. You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>. Hearings will be streamed online for the public to view at the following link: <http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>.

If you wish to be notified of the decision of the Committee you must submit a written request to the Secretary-Treasurer via email or mail. This will also entitle you to be advised of appeal to the Local Planning Appeal Tribunal.

How to submit a written comment:

Written comments to the Committee must be received no later than 4:30pm the Tuesday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and application number or address of the property you are providing comments on.

Advance registration is required to participate in the electronic hearing:

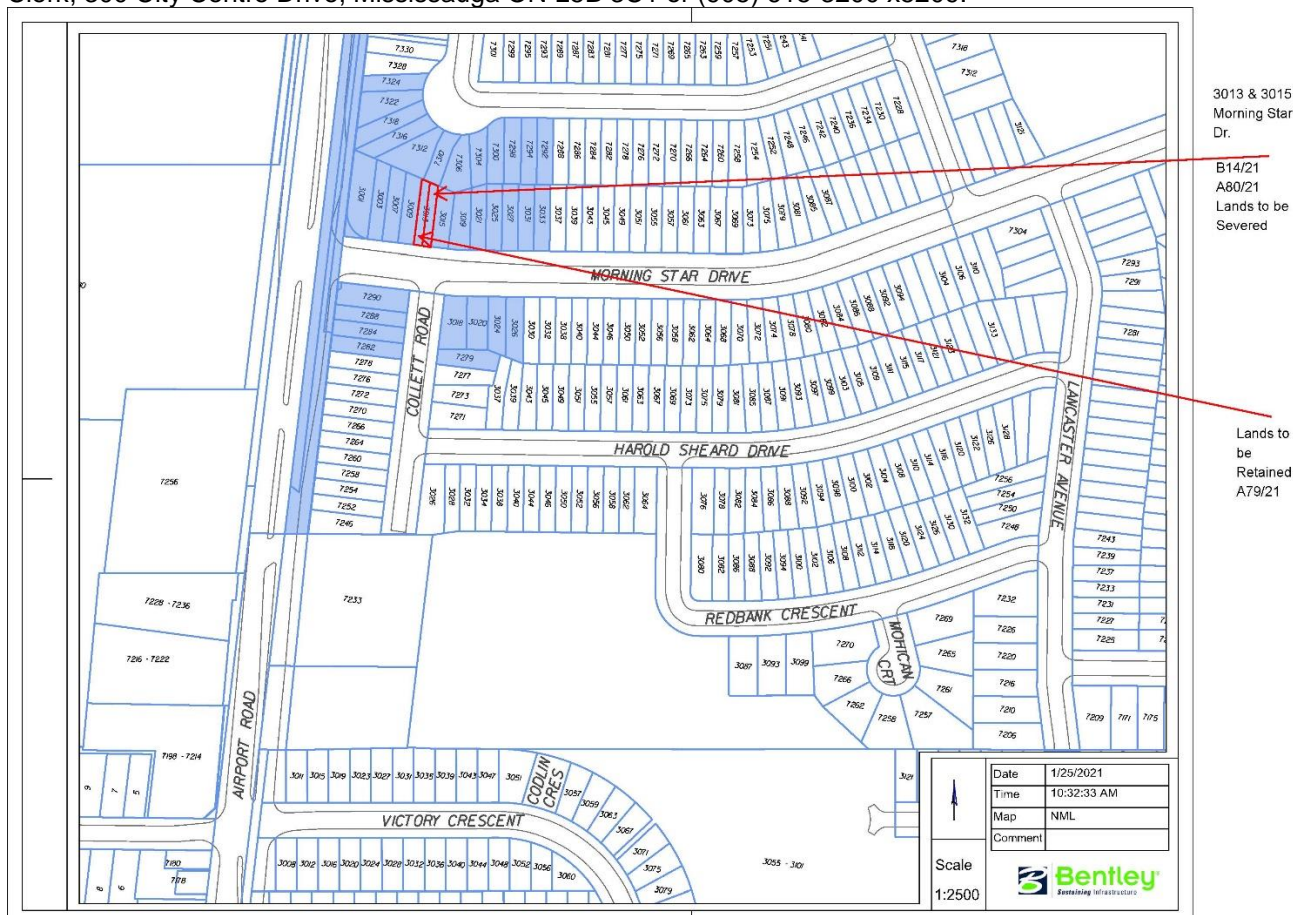
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services will not be accepted.

To participate by telephone: To register, please call 905-615-3200 x5209 no later than 4:30pm the Tuesday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.

Legal notice:

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Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual (including being posted on the internet) upon request in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x5209.



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-03-03	File(s): B14.21 A79.21 A80.21 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-03-11 1:00 PM

Consolidated Recommendation

The City has no objections to the requested consent application. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot (formerly merged on title). The parcel has a frontage of approximately 9.91m (32.51ft) and an area of approximately 334.21sq.m (3597.41sq.ft).

A minor variance is requested for the retained lands of application B14/21 and to allow an existing accessory structure and garage proposing:

1. A side yard measured to an accessory structure (shed) of 0.59m (approx. 1.94ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to an accessory structure of 0.61m (approx. 2.00ft) in this instance;
2. A rear yard measured to an accessory structure (shed) of 0.53m (approx. 1.74ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to an accessory structure of 0.61m (approx. 2.00ft) in this instance; and
3. A side yard measured to a garage of 0.84m (approx. 2.76ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to a garage of 1.20m (approx. 3.94ft) in this instance.

A minor variance is requested for the severed lands of application B14/21 proposing a lot area of 334.21sq.m (approx. 3597.41sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 340.00sq.m (approx. 3659.73sq.ft) in this instance.

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent

City Department and Agency Comments	File:B14.21 A79.21 A80.21	2021/03/03	2
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- The variance application approved under File(s) A79.21 & A80.21 must be finalized

Recommended Conditions and/or Terms of minor variance

- Variance(s) approved under file(s) A79.21 & A80.21 shall lapse if the consent application under file B14.21 is not finalized within the time prescribed by legislation.

Background

Property Address: 3013 & 3015 Morning Star Drive

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

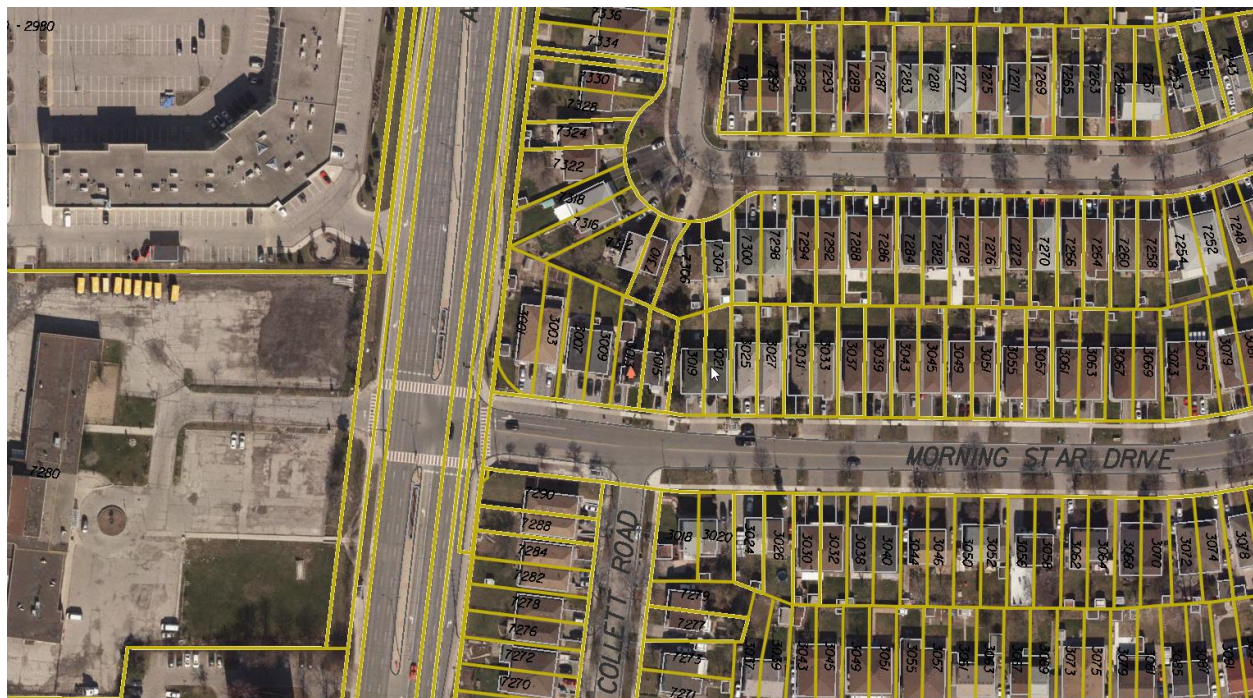
Zoning: RM-1 Residential

Other Applications:

Site and Area Context

The subject property is located within the Malton Neighbourhood Character Area, north-east of the Airport Rd and Morning Star Dr. intersection. The surrounding area primarily consists of semi-detached dwellings with lot frontages +/- 10.0m and minimal vegetation in the front yards. The subject property contains two existing, two storey semi-detached dwellings with minimal vegetation in the front and rear yard.

The application proposes to sever the parent lot in order to create two lots for the purpose of selling one of the semi-detached dwellings. This severance requires variances for side yard setback and rear yard setback.



Comments

Planning

Planning Act

Section 51 (24) of the *Planning Act* sets out the criteria for land division in the Province of Ontario. In evaluating such requests, the Committee needs to be satisfied that the proposal meets not only the criteria set out under Section 51(24), but also municipal requirements identify in local legislation.

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. In evaluating such requests, the Committee needs to be satisfied that the proposal meets the four tests set out in the *Planning Act*.

Provincial Matters

The Provincial Policy Statement 2014 (PPS 2014) and Growth Plan for the Greater Golden Horseshoe promote efficient development and land use, directing the focus towards intensification and redevelopment. The proposal is consistent with the general directive in provincial policy.

City Department and Agency Comments	File: B14.21 A79.21 A80.21	2021/03/03	4
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Staff comments concerning the application for application are as follows:

The retained and severed parcels propose lot frontages of 9.90m and lot areas of approximately 334.21m² and 362.90m². The zoning by-law requires lot frontages of 9.0m and lot areas of 340.0m².

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached, semi-detached, duplex, triplex and other forms of low rise dwellings with individual frontages. The subject property is located within the Malton Neighbourhood, north of Victoria Park and west of the Malton Community Node Character Area. Section 16.1.2.1 of MOP states, to preserve the character of lands designated Residential Low Density I and Residential Low Density II, the minimum frontage and area of new lots will be evaluated in the context of the existing lot pattern in the surrounding area. The existing parcels were joined historically though common ownership and are now requesting a severance with the intention to sell one of the semi-detached dwellings. The intent of the zoning by-law is to ensure that new lots are appropriately sized and fit within the context of the surrounding area. The proposed lot area of 334.21m² for 3015 Morning Star Dr. is a 6m² reduction to what is permitted under the by-law of 340.0m². This reduction is marginal in nature and largely consistent with other lots within the immediate area. The proposed lot area generally maintains the existing and planned area context. Furthermore, the existing semi-detached dwelling is in keeping with the character of the neighbourhood. Staff is of the opinion that the proposed parcels are consistent with the semi-detached lots found within the immediate area and does not negatively impact the lot fabric of the existing and planned community.

Staff is of the opinion that the application conforms to Section 51(24) of the Planning Act, more specifically that the application conforms to the official plan and the proposed parcels are suitable to accommodate the existing semi-detached dwellings.

Does the proposal maintain the general intent and purpose of the Official Plan?

Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions; the surrounding context; and, the landscape of the character area. The existing dwellings maintain the existing low-density context of the surrounding area and are compatible with the surrounding neighbourhood. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

Side yard and Rear yard setback

The lands to be retained possess an existing shed and detached garage which pose a reduction in the required side yard and rear yard setbacks permitted under the by-law. The general intent of this portion of the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties, and that access remains unencumbered for drainage and maintenance purposes. The proposed setbacks meet the minimum 0.30m generally

City Department and Agency Comments	File:B14.21 A79.21 A80.21	2021/03/03	5
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accepted by planning staff to accommodate the drainage needs on the property. This decrease from the 0.61m and 1.20m setback required under the by-law is minor in nature and will not impact the abutting properties. As such, staff is of the opinion that variance #1, #2 and #3 maintain the general intent and purpose of the by-law.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

The proposed variances maintain the existing low density context of the Malton Neighbourhood and do not negatively impact the character of the streetscape. Furthermore, the existing semi-detached dwellings are consistent with other two storey semi-detached dwellings within the immediate neighbourhood. Staff is of the opinion that the application represents the orderly development of the lands and is minor in nature.

Conclusion

The Planning and Building Department has no objections to the requested application. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

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

Appendices

Appendix 1 – Transportation and Works Comments

This department has no objections or requirements for this application where the intent is to re-establish the previous lots. The subject properties which were once separate parcels but have merged on title due to common ownership.

We note from our site inspection that we have no drainage related concerns with the existing garage and accessory structure. We also note that these structures have existed for years and assume that the variances required are a result of Consent Application 'B' 14/21 which is required as the properties have merged on title.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to confirm the accuracy of the requested variance(s) or determine whether additional variance(s) may be required.

The applicant is advised that a completed zoning review may identify additional instances of zoning non-compliance. The applicant may consider applying for a preliminary zoning review application and submit working drawings for a detailed zoning review to be completed. A minimum of 6-8 weeks will be required to process a preliminary zoning review application depending on the complexity of the proposal and the detail of the information submitted.

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 5 – Region of Peel Comments

Development Engineering: Camila Marczuk (905) 791-7800 x8230

Please note that severing the lands may adversely affect the existing location of the water and sanitary sewer services, if any exist. The result of this may require the applicant to install new water / sanitary servicing connections to either the severed or retained lands in compliance with the Ontario Building Code. The applicant may require the creation of private water / sanitary sewer servicing easements. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information,

City Department and Agency Comments	File:B14.21 A79.21 A80.21	2021/03/03	7
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please call our Site Servicing Technicians at 905.791.7800 x7973 or by email at
siteplanservicing@peelregion.ca

We have no comments or objections to the following applications:

Minor Variance Applications: A-79/21, A-80/21

Comments Prepared by: Diana Guida, Junior Planner

City Department and Agency Comments	File: B14.21 A79.21 A80.21	2021/03/03	8
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Appendix A – Conditions of Provisional Consent

SHOULD THE COMMITTEE GRANT A PROVISIONAL CONSENT, THE FOLLOWING IS A LIST OF THE RECOMMENDED CONDITIONS TO BE ATTACHED TO THE DECISION AND THESE CONDITIONS MAY BE REVISED BY THE COMMITTEE AT THE PUBLIC MEETING.

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding.



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A48.21
Ward: 8

Why you received this letter:

You are receiving this letter because you are the owner of a neighbouring property within 60m (200ft) of the subject property, or are the agent/interested party/owner of the property for the application.

Details of the application and meeting information:

The property owner of 3183 Folkway Drive, zoned R3 - 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 the construction of a shed proposing:

1. An area of an accessory structure of 32.37sq.m (approx. 348.43sq.ft) whereas By-law 0225-2007, permits a maximum area of an accessory structure 10.00sq.m (approx. 107.64sq.ft) in this instance; and
2. An area occupied by all accessory structures of 32.37sq.m (approx. 348.43sq.ft) whereas By-law 0225-2007, permits a maximum area occupied by all accessory structures of 30.00sq.m (approx. 322.92sq.ft) in this instance.

The Committee has set **Thursday March 11, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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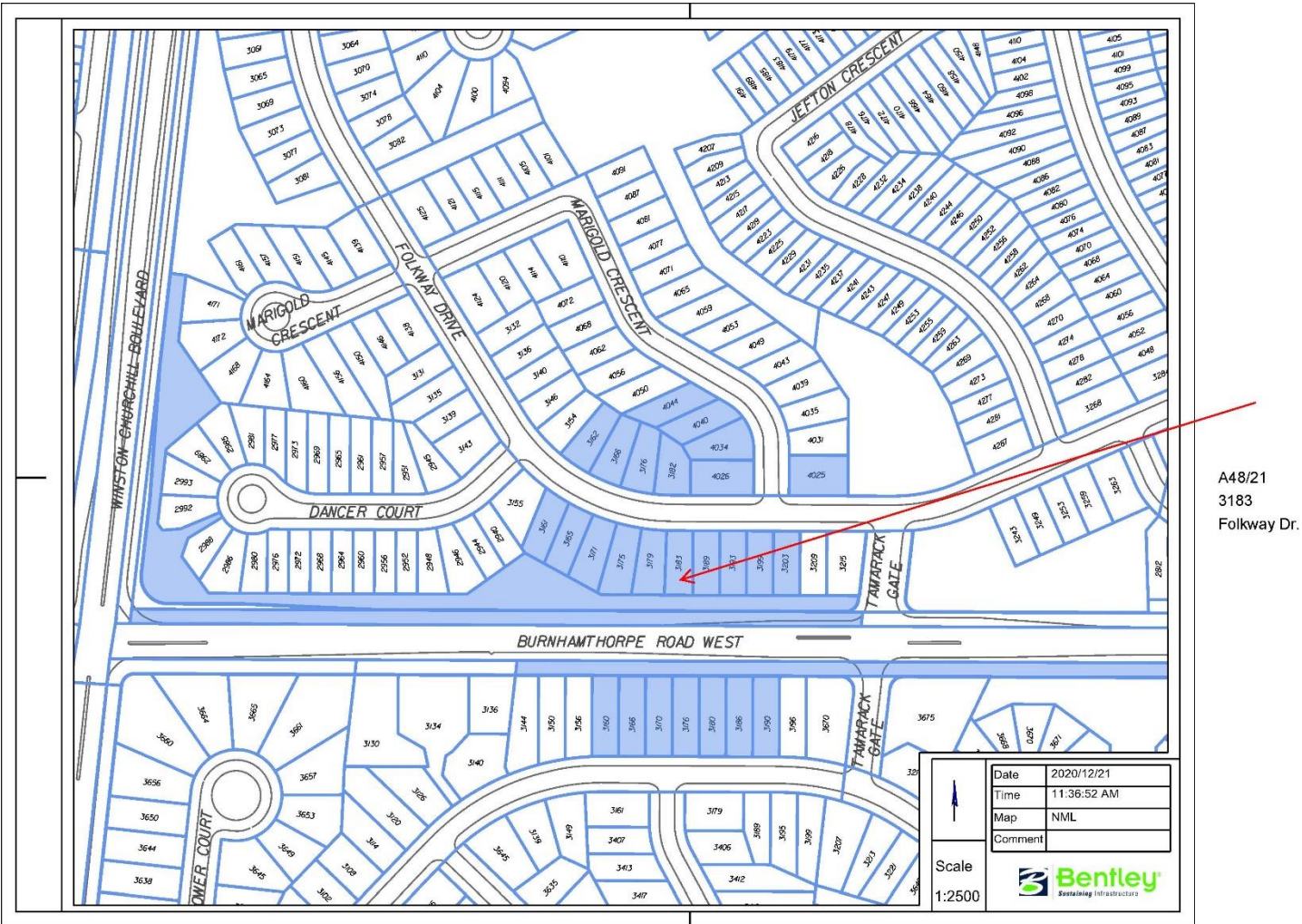
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A48/21
3183
Folkway Dr.

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-03-03	File(s): A48.21 Ward: 8
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-03-11 1:00 PM

Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application meets the requirements of Section 45 (1) of the Planning Act.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a shed proposing:

1. An area of an accessory structure of 32.37sq.m (approx. 348.43sq.ft) whereas By-law 0225-2007, permits a maximum area of an accessory structure 10.00sq.m (approx. 107.64sq.ft) in this instance; and
2. An area occupied by all accessory structures of 32.37sq.m (approx. 348.43sq.ft) whereas By-law 0225-2007, permits a maximum area occupied by all accessory structures of 30.00sq.m (approx. 322.92sq.ft) in this instance.

Amendments

The Building Department is currently processing a Building Permit under file BP 9NEW 20-1775. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

3. A height of an accessory structure of 3.64m (approx. 11.94sq.ft) whereas By-law 0225-2007, permits a maximum height of an accessory structure 3.0m (9.84sq.ft) in this instance.

Background

Property Address: 3183 Folkway Drive

Mississauga Official Plan

Character Area: Erin Mills Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3 (Residential)

Other Applications

Building Permit: 20-1775

Site and Area Context

The subject property is located within the Erin Mills Neighbourhood Character Area, northeast of Winston Churchill Boulevard and Burnhamthorpe Road East. The neighbourhood is entirely residential consisting of two storey detached dwellings with mature vegetation. The subject property contains an existing two storey dwelling with mature vegetation within the front yard.

The applicant is proposing an accessory structure in the rear yard, requiring variances related to an increase in occupied area and combined area of an accessory structure.



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 zoning by-law allows for three accessory structures with an area of 10 m² per structure and a maximum of 30 m² combined for all structures. The proposed area of the structure is minor deviation from the combined area permitted within the by-law and would have a similar impact if the structure was broken up into three separate structures. Additionally, the proposed structure has a sloped roof, minimizing the impact to the neighbouring property. As such, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature in this instance.

Conclusion

The Planning and Building Department recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application meets the requirements of Section 45 (1) of the Planning Act.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed shed will be addressed through the Building Permit process, File BP 9NEW 20/1775.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 9NEW 20-1775. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

3. A height of an accessory structure of 3.64m (approx. 11.94sq.ft) whereas By-law 0225-2007, permits a maximum height of an accessory structure 3.0m (9.84sq.ft) in this instance.

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: Brandon Eidner, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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

1. The lands to the rear of the subject property are owned by the City of Mississauga, known as Glen Erin Trail (P-079).
2. Construction access from the park is not permitted.
3. Stockpiling of construction materials and encroachment in the adjacent park is not permitted.

Should further information be required, please contact Jim Greenfield, Park Planner, Community Services Department at 905-615-3200 ext. 8538 or via email jim.greenfield@mississauga.ca

Comments Prepared by: Jim Greenfield, Park Planner

Appendix 5 – Region of Peel Comments

We have no comments or objections to the following applications:

Minor Variance Applications: A-48/21, A-58/21, A-69/21, A-72/21, A-73/21, A-75/21, A-76/21, A-77/21, A-78/21, A-79/21, A-80/21, A-81/21.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A58.21
Ward: 1

Why you received this letter:

You are receiving this letter because you are the owner of a neighbouring property within 60m (200ft) of the subject property, or are the agent/interested party/owner of the property for the application.

Details of the application and meeting information:

The property owner of 1393 Brackencrest Road, zoned R2-4 - 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 the construction of an addition proposing:

1. An interior side yard measured to the first storey of 1.70m (approx. 5.58ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to the first storey of 1.80m (approx. 5.91ft) in this instance; and
2. An interior side yard measured to the second storey of 1.70m (approx. 5.58ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to the second storey of 2.41m (approx. 7.91ft) in this instance.

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How to submit a written comment:

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-03-03	File(s): A58.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-03-11 1:00 PM

Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application meets the requirements of Section 45 (1) of the Planning Act.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing:

1. An interior side yard measured to the first storey of 1.70m (approx. 5.58ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to the first storey of 1.80m (approx. 5.91ft) in this instance; and
2. An interior side yard measured to the second storey of 1.70m (approx. 5.58ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to the second storey of 2.41m (approx. 7.91ft) in this instance.

Background

Property Address: 1393 Brackencrest Road

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R2-4 (Residential)

Other Applications

Site Plan Application: 20-134

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, northwest of Hurontario Street and Mineola Road West. The immediate neighbourhood is primarily residential, consisting of one and two storey detached dwellings with significant mature vegetation. Abutting the subject property to the south is Kenollie Public School. The subject property contains an existing one storey dwelling with mature vegetation.

The applicant is proposing a second storey addition, requiring variances related to a deficient side yard measured to the first and second storey.



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:

Through a detailed review of the application, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Conclusion

The Planning and Building Department recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application meets the requirements of Section 45 (1) of the Planning Act.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed addition will be addressed through the required future Site Plan/Building Permit Application process.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a site plan approval application under file SPM 20-134. Based on review of the information currently available for this application, the variances, as requested are correct.

Our comments are based on the plans received by Zoning staff on 02/03/2021 for the above captioned site plan application. 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: A. McCormack

Appendix 5 – Region of Peel Comments

We have no comments or objections to the following applications:

Minor Variance Applications: A-48/21, A-58/21, A-69/21, A-72/21, A-73/21, A-75/21, A-76/21, A-77/21, A-78/21, A-79/21, A-80/21, A-81/21.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A69.21
Ward: 2

Why you received this letter:

You are receiving this letter because you are the owner of a neighbouring property within 60m (200ft) of the subject property, or are the agent/interested party/owner of the property for the application.

Details of the application and meeting information:

The property owner of 2689 Hollington Crescent, zoned RM-1 - 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 the construction of an addition proposing an exterior side yard of 0.59m (approx. 1.94ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 6.00m (approx. 19.69ft) in this instance.

The Committee has set **Thursday March 11, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act*, *Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

You can get more information on this matter by emailing committee.adjustment@mississauga.ca or calling 905-615-3200 x5209. You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>. Hearings will be streamed online for the public to view at the following link: <http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>.

If you wish to be notified of the decision of the Committee you must submit a written request to the Secretary-Treasurer via email or mail. This will also entitle you to be advised of appeal to the Local Planning Appeal Tribunal.

How to submit a written comment:

Written comments to the Committee must be received no later than 4:30pm the Tuesday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and application number or address of the property you are providing comments on.

Advance registration is required to participate in the electronic hearing:

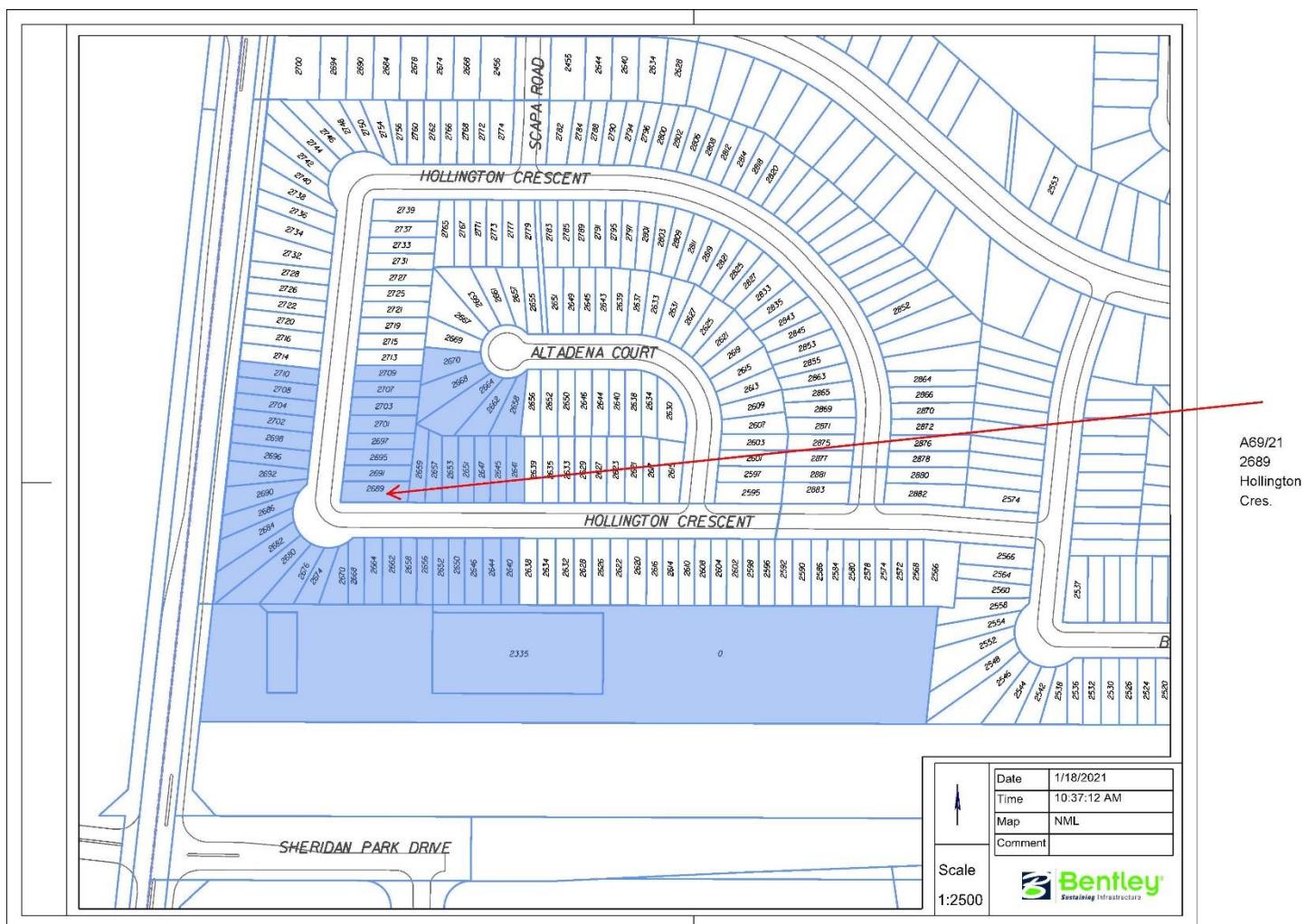
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services will not be accepted.

To participate by telephone: To register, please call 905-615-3200 x5209 no later than 4:30pm the Tuesday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.

Legal notice:

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Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual (including being posted on the internet) upon request in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x5209.



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-03-03	File(s): A69.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-03-11 1:00 PM

Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application meets the requirements of Section 45 (1) of the Planning Act.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing an exterior side yard of 0.59m (approx. 1.94ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 6.00m (approx. 19.69ft) in this instance.

Amendments

The variance should be amended as follows:

An exterior side yard of 0.91m whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 6.00m in this instance.

Background

Property Address: 2689 Hollington Crescent

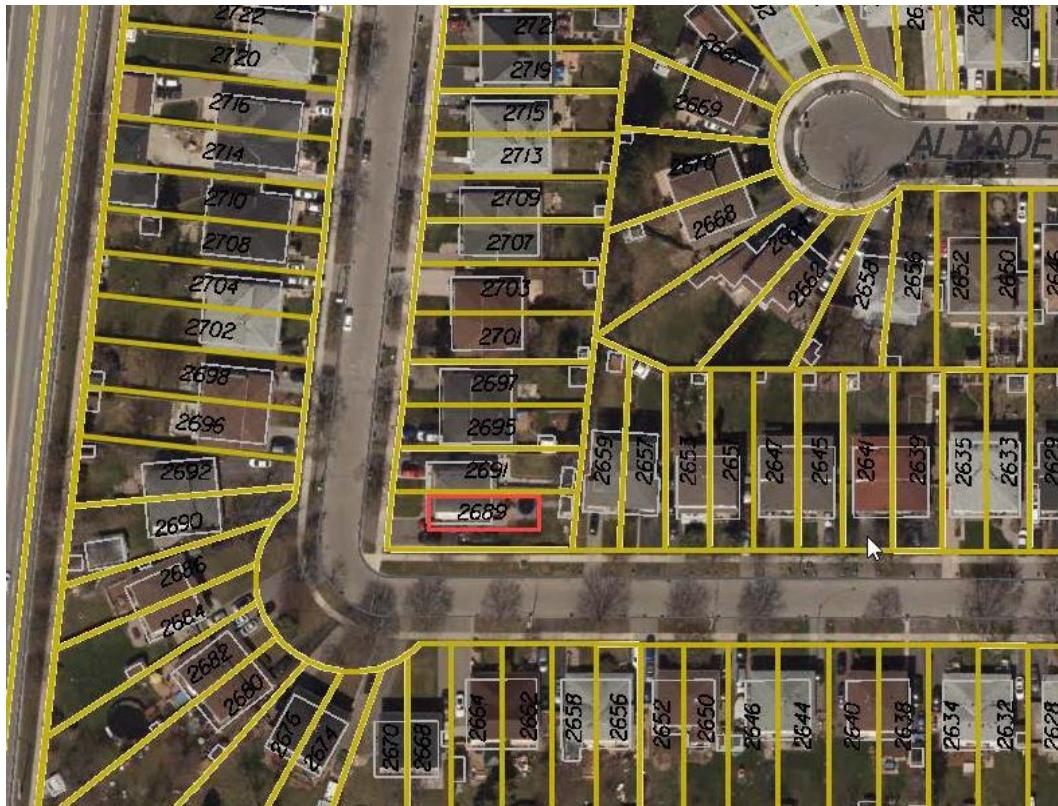
Mississauga Official Plan

Character Area: Sheridan Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007**Zoning:** RM1 (Residential)**Site and Area Context**

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southeast of Winston Churchill Road and Dundas Street West. The immediate neighbourhood is entirely residential, consisting of semi-detached dwellings with limited mature vegetation. The subject property contains an existing two storey semi-detached dwelling with vegetation within the City Boulevard in the exterior side yard.

The applicant is proposing an attached garage, which requires a variance for a deficient exterior side yard setback.

**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 proposed exterior side yard setback is similar to a previous minor variance application for the subject property ('A' 906/92) in which staff did not support. During this time, it was recommended that the application be deferred to increase the setback. Following the deferral, an exterior side yard setback of 0.91 m was proposed and was approved by the Committee. Additionally, planning staff had no objections with the revised setback. Through discussions with the applicant's agent, the exterior side yard setback will be amended to what was previously approved at the Committee. The proposed exterior side yard setback of 0.91 m is generally consistent with other corner lots that contain an attached garage within the immediate neighbourhood. As such, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature in this instance.

Conclusion

The Planning and Building Department recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application meets the requirements of Section 45 (1) of the Planning Act.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed addition will be addressed through the Building Permit process, File BP 9ALT 20/3858.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit application under file BP 9ALT 20-3858. 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: Jeanine Benitez, Zoning Examiner

Appendix 5 – Region of Peel Comments

We have no comments or objections to the following applications:

Minor Variance Applications: A-48/21, A-58/21, A-69/21, A-72/21, A-73/21, A-75/21, A-76/21, A-77/21, A-78/21, A-79/21, A-80/21, A-81/21.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A70.21
Ward: 4

Why you received this letter:

You are receiving this letter because you are the owner of a neighbouring property within 60m (200ft) of the subject property, or are the agent/interested party/owner of the property for the application.

Details of the application and meeting information:

The property owner of 3575 Kaneff Crescent, zoned RA5-4 - 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 permit a temporary trailer on site whereas By-law 0225-2007, as amended, does not permit a temporary trailer in this instance.

The Committee has set **Thursday March 11, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

You can get more information on this matter by emailing committee.adjustment@mississauga.ca or calling 905-615-3200 x5209. You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>. Hearings will be streamed online for the public to view at the following link: <http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>.

If you wish to be notified of the decision of the Committee you must submit a written request to the Secretary-Treasurer via email or mail. This will also entitle you to be advised of appeal to the Local Planning Appeal Tribunal.

How to submit a written comment:

Written comments to the Committee must be received no later than 4:30pm the Tuesday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and application number or address of the property you are providing comments on.

Advance registration is required to participate in the electronic hearing:

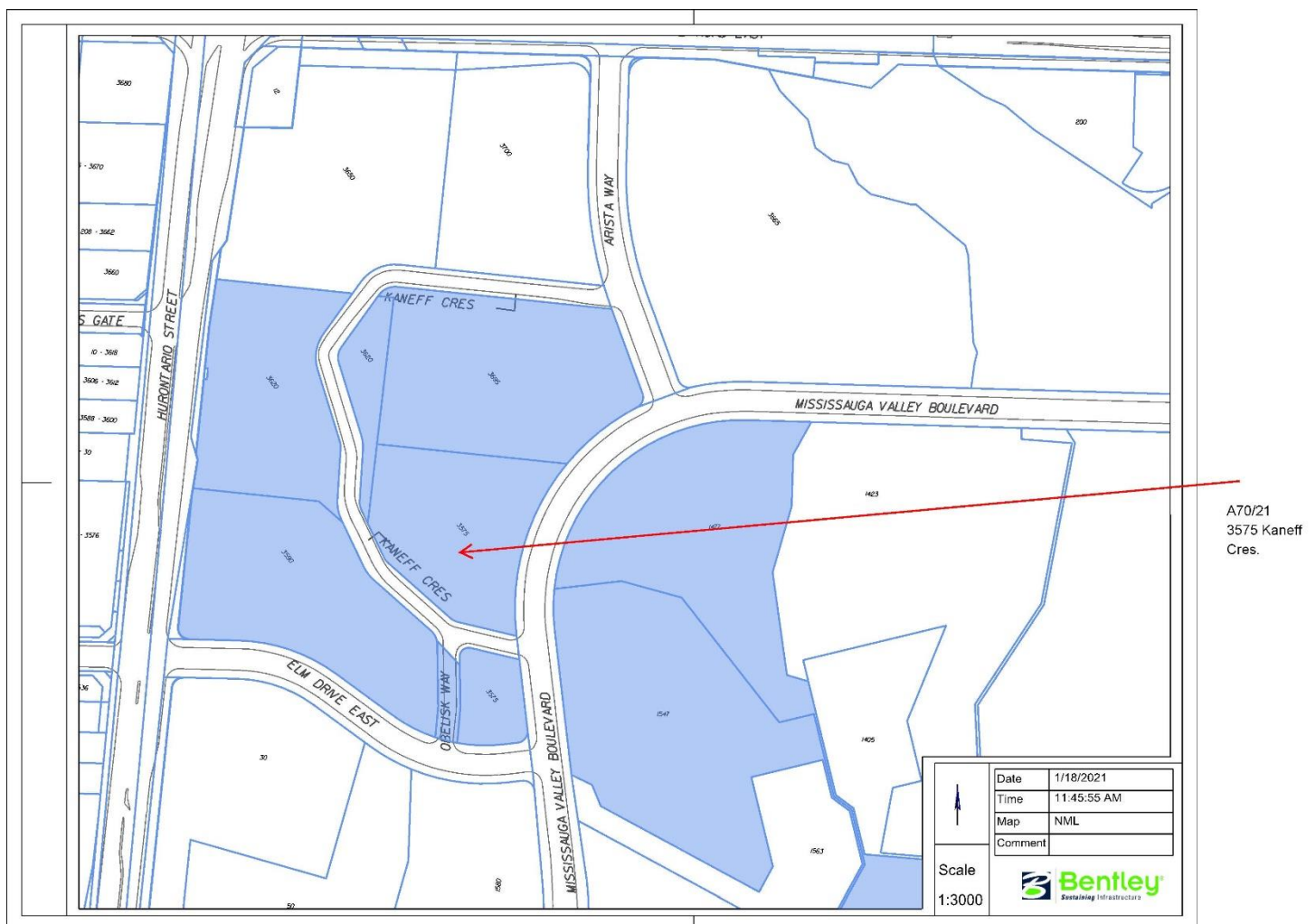
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services will not be accepted.

To participate by telephone: To register, please call 905-615-3200 x5209 no later than 4:30pm the Tuesday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.

Legal notice:

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Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual (including being posted on the internet) upon request in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x5209.



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-03-03	File(s): A70.21 Ward: 4
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-03-11 1:00 PM

Consolidated Recommendation

The City has no objection to the variances, as requested. Should Committee see merit in the Application, Planning Staff would recommend the condition identified below be imposed.

Application Details

The applicant requests the Committee to approve a minor variance to permit a temporary trailer on site whereas By-law 0225-2007, as amended, does not permit a temporary trailer in this instance.

Recommended Conditions and Terms

Should committee see merit in this application, Planning Staff recommend supporting the temporary sales trailer on a temporary basis for up to three (3) years and that the trailer face Elm Drive.

Background

Property Address: 3575 Kaneff Crescent

Mississauga Official Plan

Character Area: Downtown Fairview
Designation: Residential High Density

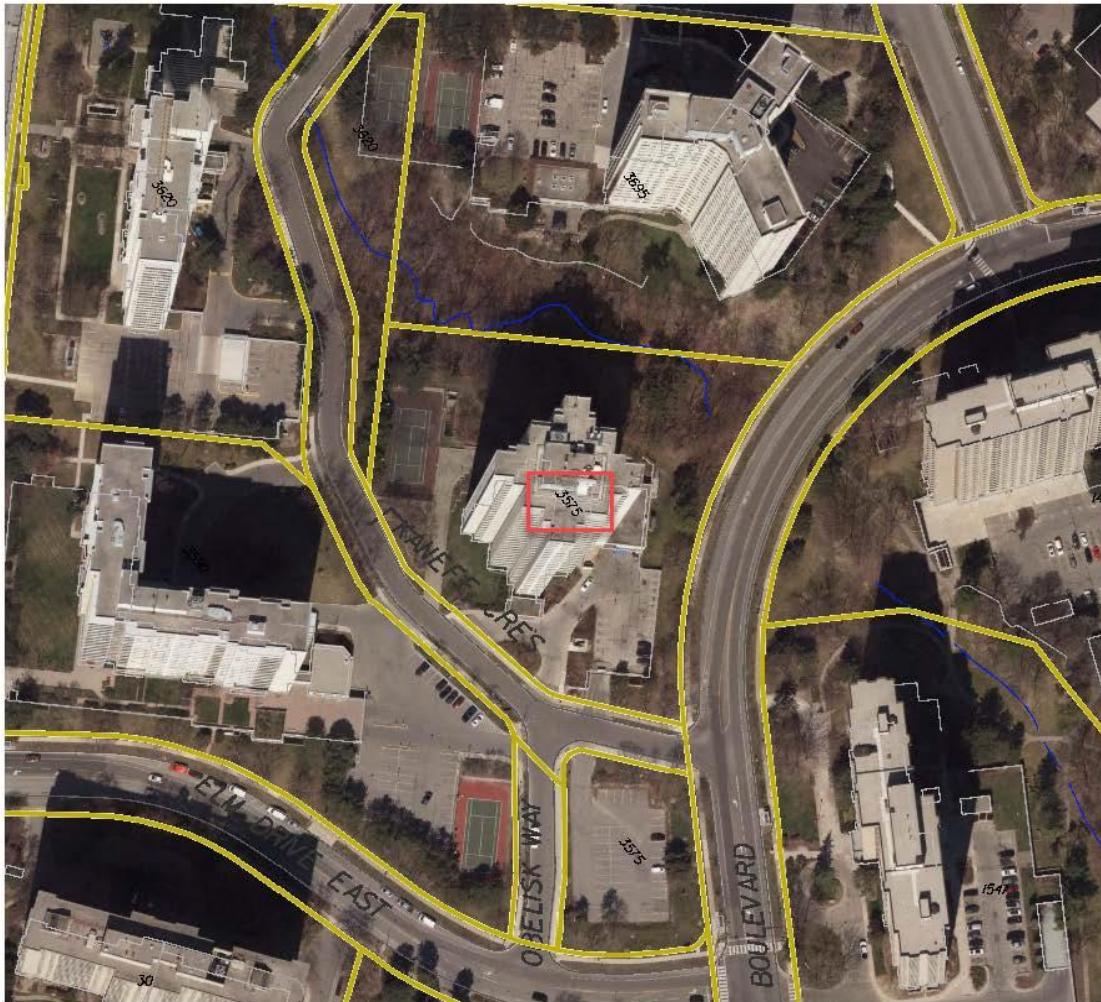
Zoning By-law 0225-2007

Zoning: RA5-4 - Residential

Other Applications: OZ 20/007 W4**Site and Area Context**

The subject property is located south-west of the Hurontario St and Burnhamthorpe Rd E intersection. The subject property is an exterior parcel, with a lot area of +/- 3,000.00m² and a lot frontage of +/- 60.0m. The property is currently a parking lot with mature vegetation surrounding the periphery of the lot. From a land-use perspective, the immediate neighbourhood is a mixture of residential buildings with moderate amounts of vegetation and landscape elements located at the periphery of each parcel. The properties within the immediate area possess lot frontages of +/-100.0m.

The applicant is proposing a temporary trailer that requires a variance to permit the temporary trailer.



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 Fairview Character Area, and is designated Residential High Density by the Mississauga Official Plan (MOP). Pursuant to Section 12 (Downtown), this designation permits a residential high density apartment building. The Applicant's proposal of a residential tower 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 the by-law is to allow land to be used for buildings, structures, or parts thereof, erected or used for a temporary period, incidental to ongoing construction on the lot which has neither been finished or abandoned. In this instance, the applicant has proposed a temporary trailer to be moved from another location to the subject property. The intended purpose is to simply move the trailer to the subject property because it is vacant and store it therein with no goal to use it. There is no plan to sell units for the proposed apartment building and therefore the temporary sales trailer is not permitted on an inactive site. Planning Staff are of the opinion that this will not interfere with the processing of the proposed apartment building application (OZ 20/007) because it is anticipated that it will take the applicant two years to move through the development process. Staff note that the application can be supported on a temporary basis of three (3) years and stipulate that the trailer shall face Elm Drive. Planning Staff find the temporary proposal in accordance with the general intent and purpose of the zoning-by-law.

Should committee see merit in this application, Planning Staff recommend supporting the temporary sales trailer on a temporary basis for up to three (3) years and that the trailer face Elm Drive.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

Planning Staff note that City Planning Strategies Staff have determined the proposal can be supported on a temporary basis given the current circumstances and find 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 condition noted above.

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

Appendices

Appendix 1 – Transportation and Works Comments

We are noting that the City is currently processing a Rezoning Application on the subject lands which is in its very preliminary stage, File OZ 20/007 for a 29 storey rental apartment building. As noted in the information submitted the trailer is proposed to be relocated to this property as construction is to commence at the current location of the trailer.

From the photos attached and from the sketch site plan provided we note that no changes are being proposed to the existing access to this property. In view of the above we have no objections to permit the temporary trailer at this location.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to confirm the accuracy of the requested variance(s) or determine whether additional variance(s) may be required.

The applicant is advised that a completed zoning review may identify additional instances of zoning non-compliance. The applicant may consider applying for a preliminary zoning review application and submit working drawings for a detailed zoning review to be completed. A minimum of 6-8 weeks will be required to process a preliminary zoning review application depending on the complexity of the proposal and the detail of the information submitted.

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 5 – Region of Peel Comments

Development Planning: Diana Guida (905) 791-7800 x8243

Please be advised that a portion of the subject property is located within an area the Regional Official Plan (ROP) designates as Potential Natural Areas and Corridors (PNAC) woodland in the Region's Greenlands System, under Policy 2.3.2. Within these designations, ROP policies seek to protect environmental resources.

The Region relies on the environmental expertise of the CVC for the review of applications located within or adjacent to Greenlands Systems in Peel and their potential impacts on the natural environment. Regional Planning staff therefore, request that the Committee and city staff consider comments from the CVC and incorporate their conditions of approval appropriately.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A71.21
Ward: 5

Why you received this letter:

You are receiving this letter because you are the owner of a neighbouring property within 60m (200ft) of the subject property, or are the agent/interested party/owner of the property for the application.

Details of the application and meeting information:

The property owner of 7654 Redstone Road, zoned R3-69 - 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 the construction of a new house on the subject property proposing:

1. A lot coverage of 36.94% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% of the lot area in this instance; and
2. A gross floor area of 361.90sq.m (approx. 3,895.46sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 266.55sq.m (approx. 2,869.12sq.ft) in this instance.

The Committee has set **Thursday March 11, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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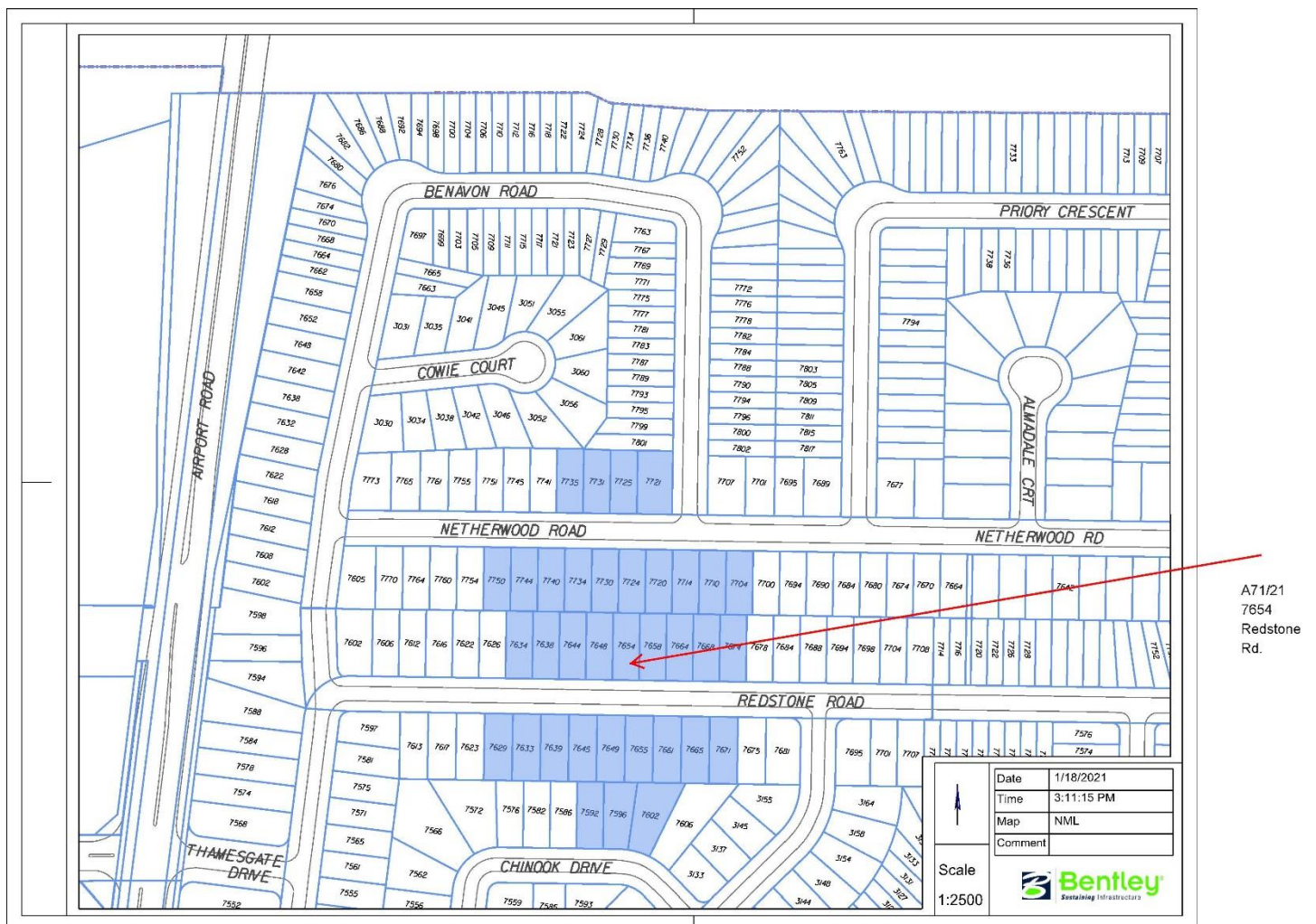
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-03-03	File(s): A71.21 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-03-11 1:00 PM

Consolidated Recommendation

The City recommends that the application be deferred to permit the Applicant the opportunity to redesign the dwelling.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a new house on the subject property proposing:

1. A lot coverage of 36.94% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% of the lot area in this instance; and
2. A gross floor area of 361.90sq.m (approx. 3,895.46sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 266.55sq.m (approx. 2,869.12sq.ft) in this instance.

Background

Property Address: 7654 Redstone Road

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density II

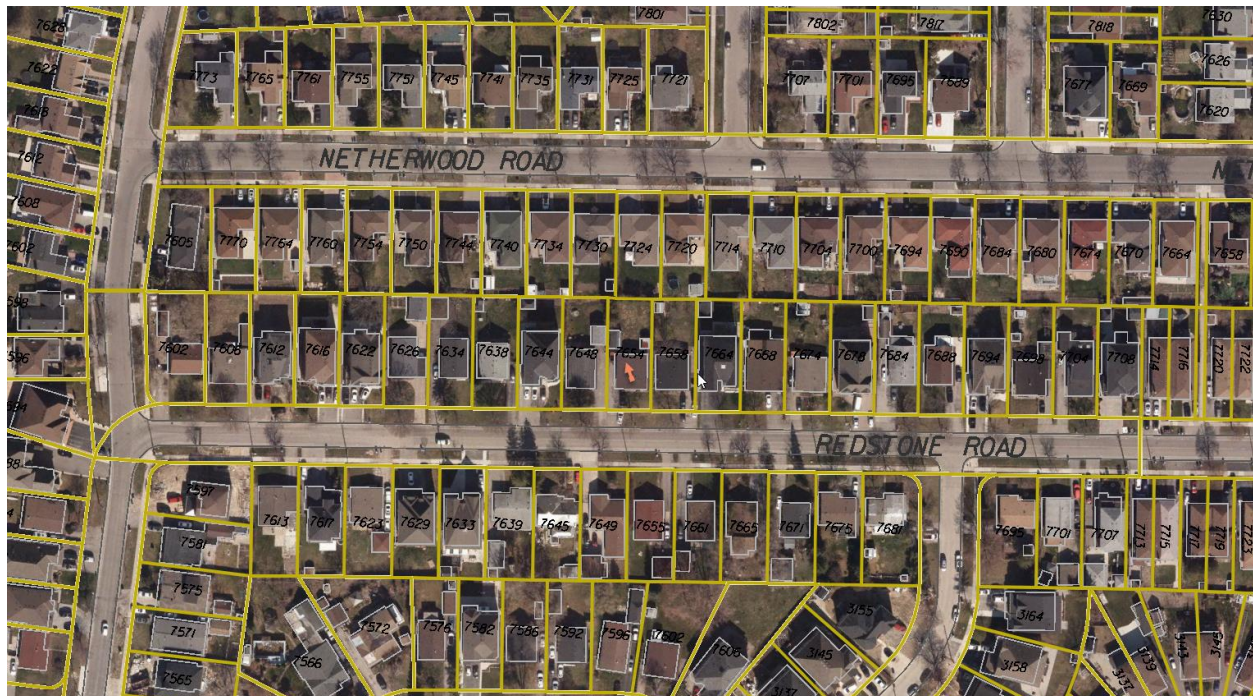
Zoning By-law 0225-2007

Zoning: R3-69 - Residential

Other Applications: None**Site and Area Context**

The property is located north-east of the Airport Rd and Thamesgate Dr. intersection; it is an interior parcel, with a lot area of approximately +/- 582.77m² and a lot frontage of approximately +/- 15.24m. The property currently houses a single storey detached dwelling with minimal vegetation and landscaping elements within the front and rear yards. Contextually, the surrounding neighbourhood consists of post-war, single storey detached homes mixed within newer two storey detached dwellings. Within the immediate area properties possess lot frontages of +/- 15.0m, with matured vegetation scattered throughout and minimal landscape elements within the front yards.

The applicant is proposing a new two storey dwelling that requires variances for gross floor area and lot coverage.



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 as follows:

The subject property is located in the Malton Neighbourhood character area and designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached, duplex and triplex dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions; the surrounding context; and, the landscape of the character area. The proposed detached dwelling respects the designated land use; however, should have regard for proportional distribution of massing on the property as a whole.

Arising from public input expressed through the 'My Malton' Community Visioning exercise undertaken in 2015, the City undertook a Malton Infill Housing Study in 2016. This resulted in Council's adoption of new zoning regulations principally aimed at regulating the massing of dwellings in a manner that is sensitive to the surrounding context. The intent of the policies are to limit the overall massing of the proposed dwelling and maintain compatibility between the existing and planned character of the neighbourhood. The application proposes an increase in gross floor area that does not maintain the intent of the infill regulations. As such, staff recommends that the application be deferred for redesign to reduce the gross floor area.

Conclusion

The City recommends that the application be deferred to permit the Applicant the opportunity to redesign.

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

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the new dwelling will be addressed through the Building Permit process.



Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a PREAPP under file 18-95. 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: Brandon Eidner, Zoning Examiner

Appendix 5 – Region of Peel Comments

Development Engineering: Camila Marczuk (905) 791-7800 x8230

Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please call our Site Servicing Technicians at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A72.21
Ward: 6

Why you received this letter:

You are receiving this letter because you are the owner of a neighbouring property within 60m (200ft) of the subject property, or are the agent/interested party/owner of the property for the application.

Details of the application and meeting information:

The property owner of 3450 Semenyk Court, zoned E2-16 - Employment, 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 a motor vehicle sales, leasing or rental facility proposing:

1. A motor vehicle sales, leasing and/or rental facility-restricted whereas By-law 0225-2007, as amended, does not permit a motor vehicle sales, leasing, and/or rental facility-restricted in this instance;
2. A drive aisle width of 3.29m (approx. 10.79ft) whereas By-law 0225-2007, as amended, requires a minimum drive aisle width of 5.50m (approx. 18.04ft) in this instance; and
3. 29 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 32 parking spaces in this instance.

The Committee has set **Thursday March 11, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

You can get more information on this matter by emailing committee.adjustment@mississauga.ca or calling 905-615-3200 x5209. You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>. Hearings will be streamed online for the public to view at the following link: <http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>.

If you wish to be notified of the decision of the Committee you must submit a written request to the Secretary-Treasurer via email or mail. This will also entitle you to be advised of appeal to the Local Planning Appeal Tribunal.

How to submit a written comment:

Written comments to the Committee must be received no later than 4:30pm the Tuesday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and application number or address of the property you are providing comments on.

Advance registration is required to participate in the electronic hearing:

To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any

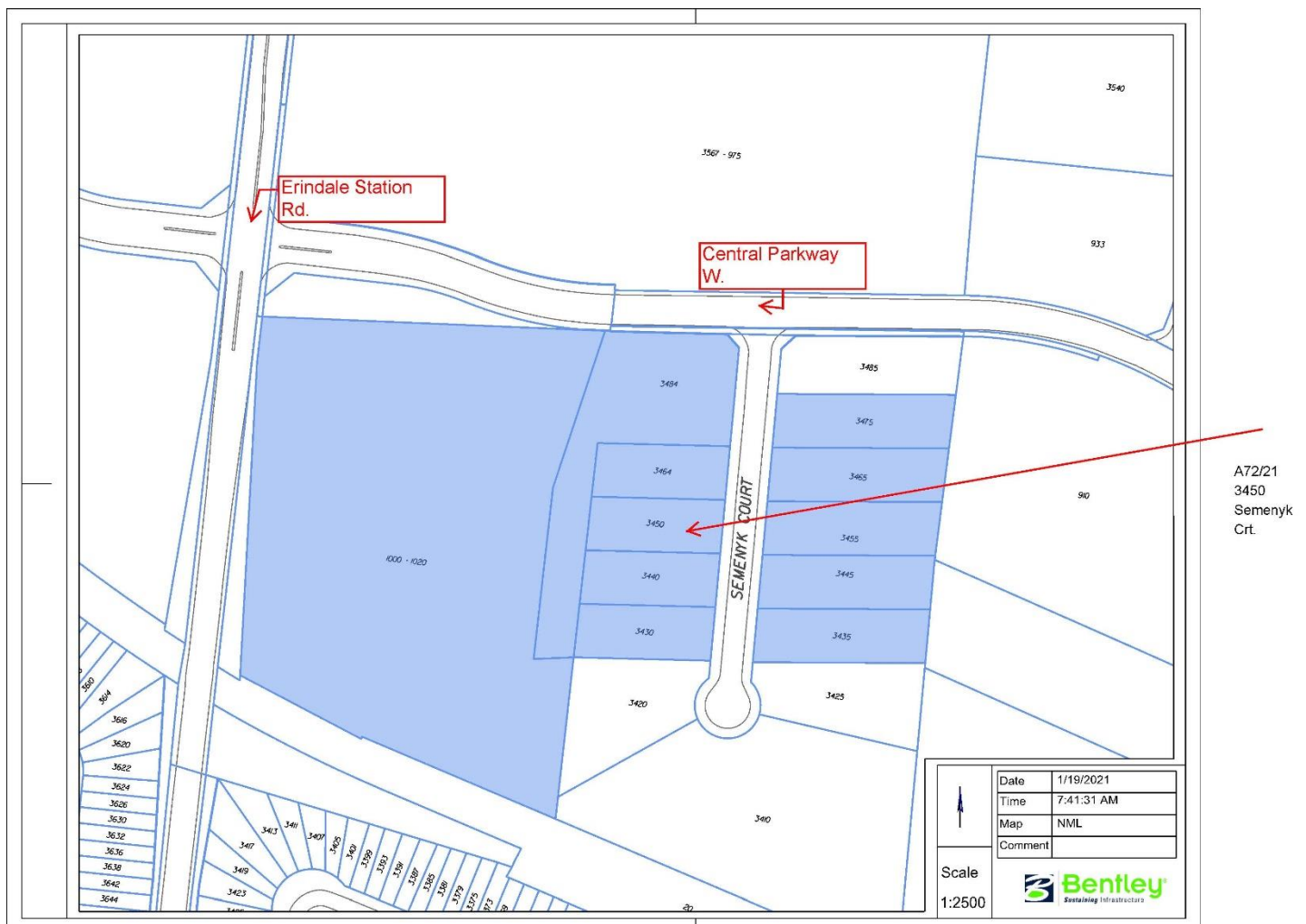
materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services will not be accepted.

To participate by telephone: To register, please call 905-615-3200 x5209 no later than 4:30pm the Tuesday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.

Legal notice:

If holding an electronic rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30pm the Tuesday prior to the hearing to committee.adjustment@mississauga.ca. If a party does not submit a request and does not participate in the hearing the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual (including being posted on the internet) upon request in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x5209.



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-03-03 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): A72.21 Ward: 6
	Meeting date: 2021-03-11 1:00 PM

Consolidated Recommendation

The City has no objection to the application subject to the conditions. The applicant may choose to defer the application to verify the requested variances and ensure additional variances are not required.

Application Details

The applicant requests the Committee to approve a minor variance to allow a motor vehicle sales, leasing or rental facility proposing:

1. A motor vehicle sales, leasing and/or rental facility-restricted whereas By-law 0225-2007, as amended, does not permit a motor vehicle sales, leasing, and/or rental facility-restricted in this instance;
2. A drive aisle width of 3.29m (approx. 10.79ft) whereas By-law 0225-2007, as amended, requires a minimum drive aisle width of 5.50m (approx. 18.04ft) in this instance;
3. 29 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 32 parking spaces in this instance.

Amendments

While Planning Staff are not in a position to provide an interpretation of the Zoning By-law; Staff would note Variance #1 should be amended as follows:

- An accessory motor vehicle sales, leasing and/or rental facility-restricted whereas By-law 0225-2007, as amended, does not permit a motor vehicle sales, leasing, and/or rental facility-restricted in this instance;

Zoning has identified that variance #3 should be amended, as follows:

- 23 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 33 parking spaces 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 conditions:

- No more than three (3) vehicles will be offered for sale, lease or rental from the premises at one time; displayed cars shall be stored internally in the dedicated space indicated on the site plan drawings;
- There shall not be any retail signage permitted on-site for the subject business operation, save and accept any signage related to the naming of the business as required exclusively for compliance with the Ontario Motor Vehicle Industry Council regulations
- No outside storage of the vehicles for sale, lease or rental shall take place on the property
- A one-way sign for the drive aisle with IN being on the North side of the site and Out being on the South side shall be established on the property to the satisfaction of Transportation and Works.

Background

Property Address: 3450 Semenyk Court

Mississauga Official Plan

Character Area: Mavis – Erindale Employment Area
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2-16 - Employment

Other Applications: C 20-3420
BP 20-3863
A 212/04

Site and Area Context

The subject property is located at the south-east corner of the Central Parkway and Erindale Station Road intersection. The subject property is an interior parcel, with a lot area of +/- 2,326.77m² and a lot frontage of +/- 30.0m. The property currently houses a one-storey building

with minimal vegetation surrounding the built structure and periphery of the parking lot. From a land-use perspective, the immediate neighbourhood is a mixture of employment uses including a retail store, restaurants and a self-storage centre with minimal vegetation and landscape elements located at the periphery of each parcel. The properties within the immediate area possess lot frontages of +/-30.0m.

The applicant is proposing an accessory motor vehicle sales, leasing and/or rental facility – restricted requiring variances to permit the use of a motor vehicle sales, leasing and/or rental facility - restricted, as well as a reduction in drive aisle and reduction in 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 Mavis- Erindale Employment Character Area, and is designated Business Employment by the Mississauga Official Plan (MOP). Pursuant to Section 11.2.11(o) & (z) (Business Employment), this designation shall permit motor vehicle body repair facilities, as well as any accessory land-uses thereto. The Applicant's proposal of a motor vehicle body repair use with accessory motor vehicle sales, as described by this application, meets the purpose and general intent of the Official Plan.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

Variance #1 as amended pertains to an accessory use of motor vehicle sales, leasing and/or rental:

As per Zoning By-law 0225-2007, the subject property is zoned E2-16 (Employment). In accordance with Table 8.2.1 (E1 to E3 Permitted Uses and Zone Regulations), a motor vehicle body repair facility- restricted is permitted within this zone.

Pursuant to Section 2.1.5 (Accessory Uses), where the Zoning By-law provides that lands may be used for a permitted land-use, that use shall also include any accessory use, provided it occurs upon the same property.

A Letter of Justification, prepared by Deanlee Management Inc, dated January 31, 2021, has been submitted in support of the application for the requested parking variance. The Letter of Justification explains the business operations and parking requirements for the proposed motor vehicle repair facility and accessory motor vehicle sales, leasing and/or rental facility- restricted. The Letter of Justification states that cars will not be left or stored outdoors, as well as, that the motor vehicle sales, leasing and/or rental (2-3 cars) will be wholly contained within the building with no exterior display.

Staff note that an ancillary sales use is subordinate to the primary motor vehicle repair use of the property. The applicant has proposed a display area inside the building dedicated to the ancillary use that measures to be 30% of the total GFA. Although the City typically supports an ancillary use of 20% in this instance the applicant is only proposing 2-3 vehicles sales at one time, which is incidental to the larger motor vehicle repair use proposed on the property.

Staff recognize the magnitude of the proposal is a minor deviation from the by-law. Planning Staff recommend supporting the requested variance subject to the following conditions:

- No more than three (3) vehicles will be offered for sale, lease or rental from the premises at one time; displayed cars shall be stored internally in the dedicated space indicated on the site plan drawings;
- There shall not be any retail signage permitted on-site for the subject business operation, save and accept any signage related to the naming of the business as required exclusively for compliance with the Ontario Motor Vehicle Industry Council regulations

- No outside storage of the vehicles for sale, lease or rental shall take place on the property

As such, it is the opinion of Planning Staff that variance #1, as amended, maintains the purpose and general intent of the Zoning By-law.

Variance #2 as requested pertains to drive aisle:

The intent of the zoning by-law is to ensure there is adequate space for a vehicle passageway located within the parking area. Staff note that the reduced drive aisle should not burden the flow of vehicular traffic and recommend that passage through the site become dedicated to one way traffic.

Planning Staff recommend supporting the requested variance subject to the following condition:

- A one-way sign for the drive aisle with IN being on the North side of the site and Out being on the South side shall be established on the property to the satisfaction of Transportation and Works.

As such, Staff finds the reduction to be minor in nature and maintains the general intent and purpose of the by-law.

Variance #3 as amended pertains to parking spaces:

City Planning Strategies (CPS) Staff note, Zoning has indicated that the requested variance #3 seeking a parking reduction is not correct and it is Staff's understanding that the variance should be revised to provide a total of 23 parking spaces, whereas, 33 parking spaces are required. This would be a reduction of 10 parking spaces or a 30% deficiency onsite. As such, the revised parking variance is greater than 10% and requires a Parking Utilization Study (PUS).

Staff contacted the agent, Michele Starr, Deanlee Management Inc, via email on February 16, 2021, to request clarification on the proposed use. Subsequently, staff advised the agent via email that the requested variance is not accurate and that the proposed use for a motor vehicle repair and sales facility is an essential service that is open during the COVID-19 pandemic, therefore staff recommend that the applicant submit a satisfactory Parking Utilization Study (PUS). Staff routinely rely on the submission of a PUS to justify parking reductions and demonstrate the peak parking demand.

CPS Staff recommend the application be deferred, pending the submission of a satisfactory Parking Utilization Study (PUS).

Should the Committee of Adjustment see merit in approving the application, given the current pandemic COVID-19 circumstances and challenges with carrying out a parking survey, staff would recommend supporting the revised parking variance on a temporary basis for up to two (2) years, subject to the following conditions:

- Following the expiration of the temporary two (2) year approval, the applicant is required to provide a satisfactory Parking Utilization Study (PUS) to address the parking

deficiency onsite

- There shall be no outdoor display or storage of motor vehicles that are being sold, leased and/or rented on the subject property
- There shall be no outdoor storage of motor vehicles on the subject property

Planning Staff have no objection with the proposed application subject to conditions noted above.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

Considering the preceding information, the Planning and Building Department is of the opinion that the proposal can be supported subject to the conditions. In this instance the proposed ancillary motor vehicle sales use is appropriate and does not create a situation of conflicting land uses. The variance, as requested, results in both the orderly development of the lands, and whose impacts are minor in nature.

Conclusion

Based upon the preceding information, it is the opinion of Staff that the variances, as requested, meet the general intent and purpose of both the MOP and Zoning By-law; are minor in nature; and, are desirable for the orderly development of the lands. To this end, the Planning and Building Department has no objection to the variances, as amended, subject to the identified conditions being imposed.

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

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference are some photos which depict the subject property.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

“A drive aisle width of 3.29m (approx. 10.79ft) whereas By-law 0225-2007, as amended, requires a minimum drive aisle width of 5.50m (approx. 18.04ft) in this instance; and”

“29 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 32 parking spaces in this instance.”

Appendix 5 – Region of Peel Comments

We have no comments or objections to the following applications:

Minor Variance Applications: A-48/21, A-58/21, A-69/21, A-72/21, A-73/21, A-75/21, A-76/21, A-77/21, A-78/21, A-79/21, A-80/21, A-81/21.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A73.21
Ward: 5

Why you received this letter:

You are receiving this letter because you are the owner of a neighbouring property within 60m (200ft) of the subject property, or are the agent/interested party/owner of the property for the application.

Details of the application and meeting information:

The property owner of 5599 Cortina Crescent, zoned R5-18 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant request the Committee to approve a minor variance to allow the construction of an addition proposing:

1. A rear yard of 4.76m (approx. 15.62ft) whereas By-law 2005-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.61ft) in this instance;
2. A setback measured to a driveway of 0.00m whereas By-law 0225-2007, as amended, requires a minimum setback measured to a driveway of 0.60m (approx. 1.97ft) in this instance;
3. A driveway width of 9.87m (approx. 32.38ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.44m (approx. 14.57ft) in this instance; and
4. A walkway attachment width of 4.66m (approx. 15.29ft) whereas By-law 0225-2007, as amended, requires a minimum walkway attachment width of 1.50m (approx. 4.92ft) in this instance.

The Committee has set **Thursday March 11, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

You can get more information on this matter by emailing committee.adjustment@mississauga.ca or calling 905-615-3200 x5209. You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>. Hearings will be streamed online for the public to view at the following link: <http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>.

If you wish to be notified of the decision of the Committee you must submit a written request to the Secretary-Treasurer via email or mail. This will also entitle you to be advised of appeal to the Local Planning Appeal Tribunal.

How to submit a written comment:

Written comments to the Committee must be received no later than 4:30pm the Tuesday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and application number or address of the property you are providing comments on.

Advance registration is required to participate in the electronic hearing:

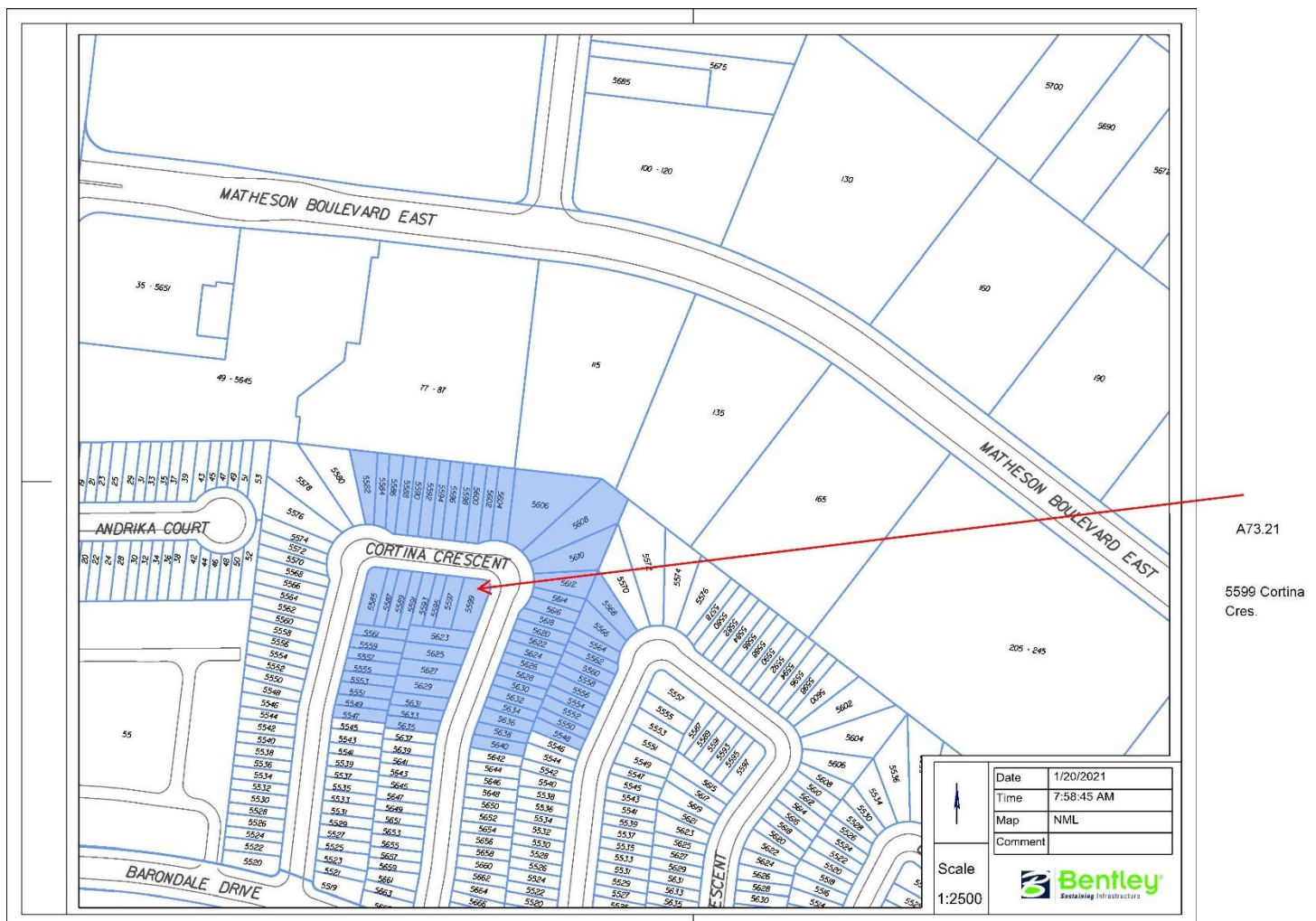
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Legal notice:

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Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual (including being posted on the internet) upon request in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x5209.



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-03-03	File(s): A73.21 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-03-11 1:00 PM

Consolidated Recommendation

The City recommends that the application be refused, however, have no objection to variance #1. The applicant may choose to defer the application to verify the requested variances and ensure additional variances are not required.

Application Details

The applicant request the Committee to approve a minor variance to allow the construction of an addition proposing:

1. A rear yard of 4.76m (approx. 15.62ft) whereas By-law 2005-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.61ft) in this instance;
2. A setback measured to a driveway of 0.00m whereas By-law 0225-2007, as amended, requires a minimum setback measured to a driveway of 0.60m (approx. 1.97ft) in this instance;
3. A driveway width of 9.87m (approx. 32.38ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.44m (approx. 14.57ft) in this instance; and
4. A walkway attachment width of 4.66m (approx. 15.29ft) whereas By-law 0225-2007, as amended, requires a minimum walkway attachment width of 1.50m (approx. 4.92ft) in this instance.

Recommended Conditions and Terms

This is a corner lot and the addition should be equipped with an eavetrough with the downpipes located such that drainage is directed towards Cortina Crescent and not the abutting properties.

Background

Property Address: 5599 Cortina Crescent

Mississauga Official Plan

Character Area: Hurontario Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

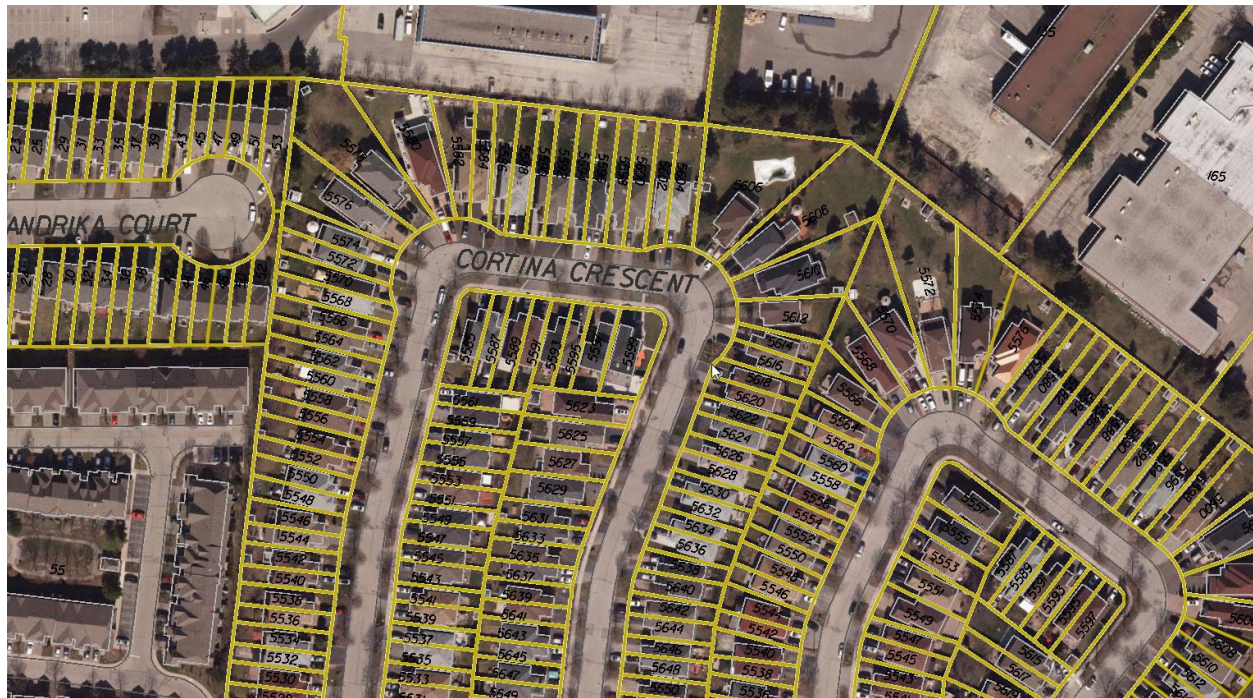
Zoning: R5-18 - Residential

Other Applications: Pre-App 20-426

Site and Area Context

The subject property is located north-west of the Hurontario St and Barondale Dr. intersection. The property is an interior parcel, with a lot area of +/- 455.45m² and a lot frontage of +/- 16.73m. Currently the property houses a two-storey, detached dwelling with minimal vegetation and landscape elements within the front and rear yards. Contextually, the area is comprised exclusively of residential detached dwellings. The properties within the immediate area possess lot frontages of +/- 7.0m, with minimal vegetative / natural landscaped elements within the front yards.

The applicant is proposing an addition that requires a variance for rear yard setback as well as a wider driveway that requires variances for driveway width and walkway attachment width.



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 situated within the Hurontario Neighbourhood Character Area, and designated Residential Low Density II by the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, duplex and triplex dwellings. As per Section 9.1 (Introduction), driveway widths and associated setbacks should respect the identity and character of the surrounding area. The planned context of this neighbourhood is that of detached dwellings serviced by appropriately sized driveways and setbacks, with the remainder of the property's frontage serving to form a soft-landscaped area. From a streetscape perspective, the proposed driveway, and its associated hard-surfaced area, represents a significant portion of the property's front yard. This is visibly different from the unaltered lots within this neighbourhood, which can be used to define the area's planned context. The proposal does not meet the purpose or general intent of the Official Plan.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

Variance #1 as requested pertains to rear yard setback:

The intent of the rear yard setback is to ensure that both an adequate buffer exists between the massing of primary structures on adjoining properties, as well as create an appropriate amenity area within the rear yard. The proposed reduction of 4.76m whereas 7.5m is required to accommodate a rear addition to the existing dwelling. The proposed addition poses no drainage concerns and will not impact the neighbouring properties. Variance #1 maintains the general intent and purpose of the Zoning By-law.

Variance #2 as requested pertains to a wider driveway:

Pursuant to Table 4.2.1 (R1 to R5 Permitted Uses and Zone Regulations), the maximum driveway width for a detached dwelling is 4.44m; whereas, the applicant is proposing 9.87m. The general intent of this portion of the Zoning By-law is to permit a driveway width large enough to provide the necessary space for one vehicle, with the remainder of front yard being soft landscaping. The Applicant's proposal results in a driveway large enough to accommodate three vehicles parked side-by-side at its widest point. Staff would note that the variance, as amended, does not meet the purpose or general intent of the Zoning By-law.

Variance #3 as requested pertains to a reduced side yard setback:

Pursuant to Table 4.1.9(4) (Driveways and Parking), the minimum required setback for a driveway to any lot line is 0.6m; whereas, the applicant is proposing 0.0m. The intent of this portion of the By-law is to ensure that an adequate buffer exists between two neighbouring properties, and it is large enough to mitigate any potential drainage concerns. Planning Staff does not typically support anything less than 0.3m in order to accommodate a swale for potential drainage should it be required. The proposed setback of 0.0m does not provide a visual distinction between the two properties nor does it provide adequate space to address potential drainage issues. Staff note that the variance, as requested, does not meet the purpose or general intent of the Zoning By-law.

Variance #4 as requested pertains to a wider walkway attachment:

The intent of this portion of the bylaw is to define an entryway and provide a convenient surface for pedestrian passage. The proposed 4.66m walkway whereas 1.50m is permitted is a significant deviation from what is permitted under the by-law. Additionally there is enough room to accommodate a vehicle, which is not the intention of the by-law. A walkway is intended to provide a dedicated pathway to accommodate pedestrians only. The proposed walkway width of 4.66m is excessive and is not minor in nature. Planning Staff note variance #4 does not maintain the intent of the by-law.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

Staff find the reduced rear yard to be minor in nature and does not pose a significant impact to the abutting property. However, Variance #2, #3 and #4 create a significant amount of hardscaping, resulting in the driveway becoming the prominent feature of the front yard. This is an undesirable development of the land, and one whose effects are not minor in nature.

Conclusion

The City recommends that the application be refused, however, have no objection to variance #1. The applicant may choose to defer the application to verify the requested variances and ensure additional variances are not required.

Comments Prepared by: Brooke Herczeg, RPP Committee of Adjustment

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed addition will be addressed through the Building Permit process. This is a corner lot and the addition should be equipped with an eavetrough with the downpipes located such that drainage is directed towards Cortina Crescent and not the abutting properties.

With regards to the widened driveway within the municipal boulevard (the area between the municipal curb and property line) we would request that this area be reinstated with topsoil and sod should the application be modified to reflect a smaller driveway width within the subject property or if the application is not supported by the Committee







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit application under file PREAPP 20-426. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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: Jeanine Benitez, Zoning Examiner

Appendix 5 – Region of Peel Comments

City Department and Agency Comments	File:A73.21	2021/03/03	9
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We have no comments or objections to the following applications:

Minor Variance Applications: A-48/21, A-58/21, A-69/21, A-72/21, A-73/21, A-75/21, A-76/21, A-77/21, A-78/21, A-79/21, A-80/21, A-81/21.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A74.21

Ward: 1

Why you received this letter:

You are receiving this letter because you are the owner of a neighbouring property within 60m (200ft) of the subject property, or are the agent/interested party/owner of the property for the application.

Details of the application and meeting information:

The property owner of 2360 Dixie Road, zoned E2-131 - Employment, 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 the construction of an industrial warehouse and distribution facility proposing:

1. A landscape buffer of 1.50m (approx. 4.92ft) whereas By-law 0225-2007, as amended, requires a minimum landscape buffer of 4.5m (approx. 14.76ft) in this instance; and
2. An interior side yard of 4.70m (approx. 15.42ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 7.50m (approx. 24.61ft) in this instance.

The Committee has set **Thursday March 11, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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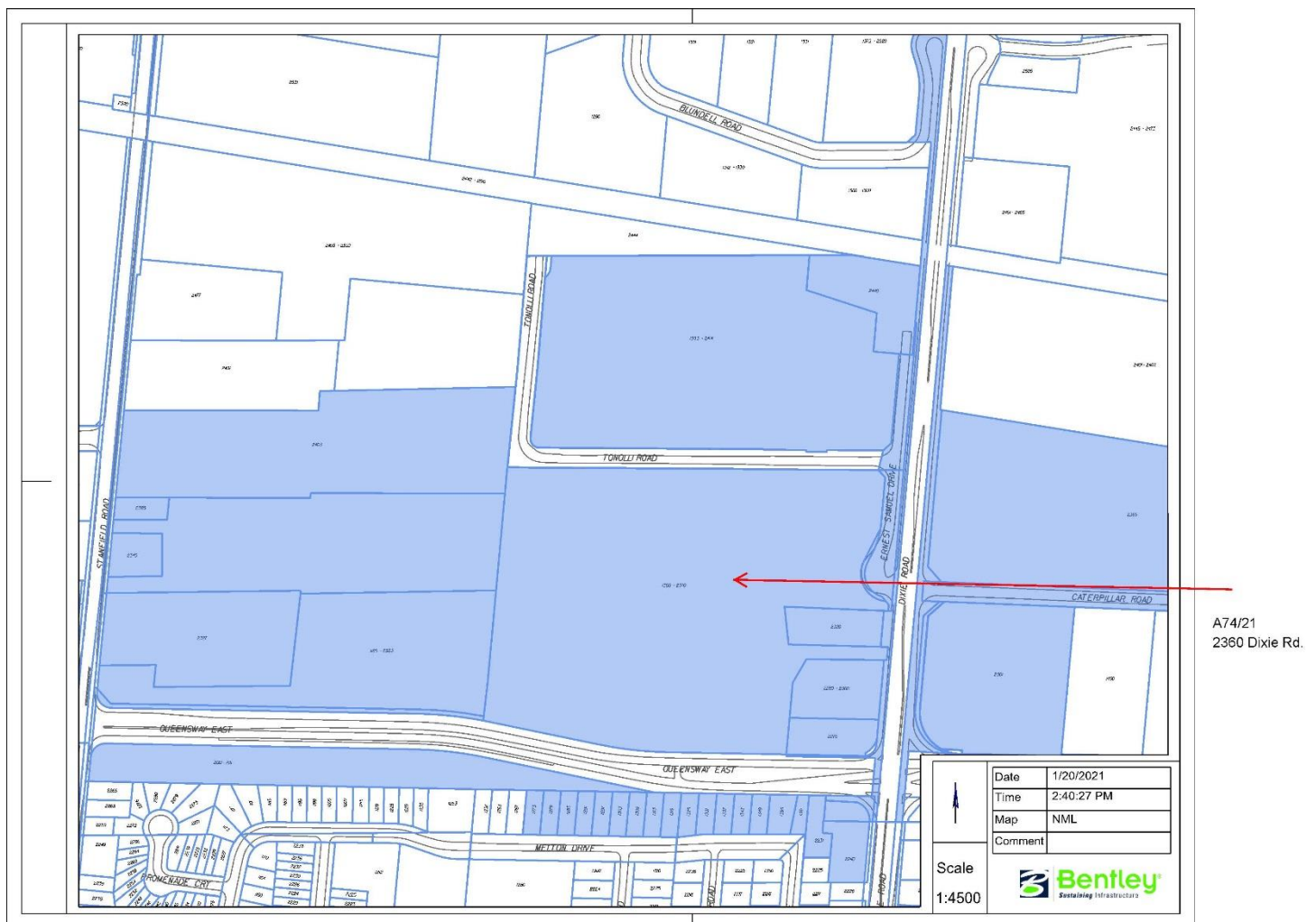
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Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual (including being posted on the internet) upon request in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x5209.



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-03-03	File(s): A74.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-03-11 1:00 PM

Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application meets the requirements of Section 45 (1) of the Planning Act.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an industrial warehouse and distribution facility proposing:

1. A landscape buffer of 1.50m (approx. 4.92ft) whereas By-law 0225-2007, as amended, requires a minimum landscape buffer of 4.5m (approx. 14.76ft) in this instance; and
2. An interior side yard of 4.70m (approx. 15.42ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 7.50m (approx. 24.61ft) in this instance.

Amendments

Variance #1 should be amended as follows:

A landscape buffer of 1.50m abutting Ernest Samuel Drive (approx. 4.92ft) whereas By-law 0225-2007, as amended, requires a minimum landscape buffer of 4.5m (approx. 14.76ft) in this instance;

Recommended Conditions and Terms

Staff recommends the following condition be added to the application:

The application be subject to the plans, specifically the landscape buffer surrounding the subject site

Background

Property Address: 2360 Dixie Road

Mississauga Official Plan

Character Area: Dixie Employment Area

Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2-131 (Employment)

Other Applications

Site Plan Application: 20-69

Site and Area Context

The subject site is located within the Dixie Employment Character Area and abuts Queensway East and Dixie Road. The immediate area north of Queensway East primarily consists of a mix of manufacturing and industrial type uses, however, some commercial uses are also present within the surrounding area. The subject site contains three existing industrial buildings that will be subject to demolition to accommodate two multi-unit industrial buildings.

Through the Site Plan process, it has been determined that variances are required for a deficient landscape buffer and interior side yard setback.



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 proposed landscape buffer is only deficient along the portion of the site that abuts Ernest Samuel Drive. The remaining portion of the landscape buffer maintains the required 4.50 m setback, providing sufficient soft landscaping around the site. Additionally, this portion of the landscape buffer will be subject for additional tree planting to provide additional screening to the street. Regarding the deficient interior side yard setback, this variance is measured to a pinch point between Unit C of the proposed warehouse and the existing commercial building, located at 2320 Dixie Road. The remaining portion of the building maintains the required setback of 7.50 m.

Should Committee see merit in the application, staff recommends that variance #1 be amended as follows and subject to the following condition.

- A landscape buffer of 1.50m abutting Ernest Samuel Drive (approx. 4.92ft) whereas By-law 0225-2007, as amended, requires a minimum landscape buffer of 4.5m (approx. 14.76ft) in this instance;
- The application be subject to the plans, specifically the landscape buffer

Based on the preceding information, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature in this instance.

Conclusion

The Planning and Building Department recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application meets the requirements of Section 45 (1) of the Planning Act.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed warehouse are being addressed through the Site Plan Application process, File SP-20/069.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a site plan approval application under file 20-69. 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.

Our comments are based on the plans received by Zoning staff on 2020-07-13 for the above captioned site plan application. 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: RAMSEN HEDOO

Appendix 5 – Region of Peel Comments

Development Engineering: Camila Marczuk (905) 791-7800 x8230

As per the Region of Peel Public Works Stormwater Design Criteria and Procedural Manual, the Region of Peel shall require the use of Low Impact Development (LID) approaches where no site-specific soil, groundwater, infrastructure or policy constraints exist.

- Stormwater Management techniques shall be implemented to the satisfaction of the Region of Peel, the local Conservation Authority and all concerned departments and agencies (4.0)
- Post development flows must be equal to pre-development flows (4.3)
- The Region of Peel Shall require stormwater quantity control to reduce stormwater peak flow run off from developing sites. Post development flows shall not adversely affect the performance of downstream Region of Peel infrastructure, negatively impact adjacent properties and exacerbate or increase the downstream flood or erosion risk (4.3)

-
- Where possible, flows from outside the Regional Road allowance are to be directed to the local municipality's storm sewer system (5.1)
 - No grading will be permitted within any Region of Peel ROW to support adjacent developments (5.1).

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A75.21
Ward: 4

Why you received this letter:

You are receiving this letter because you are the owner of a neighbouring property within 60m (200ft) of the subject property, or are the agent/interested party/owner of the property for the application.

Details of the application and meeting information:

The property owner of 349 Rathburn Road West, zoned CC2-2, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to permit a condominium proposing:

1. A minimum parking space width of 2.17m (approx. 7.12ft) whereas By-law 0225-2007, as amended, requires a minimum parking space width of 2.60m (approx. 8.53ft) in this instance;
2. A minimum parking space length of 4.95m (approx. 16.24ft) whereas By-law 0225-2007, as amended, requires a minimum parking space length of 5.20m (approx. 17.16ft) in this instance; and
3. A minimum parking space width partially obstructed on one side of 2.44m (approx. 8.01ft) whereas By-law 0225-2007, as amended, requires a minimum width parking space width partially obstructed on one side of 2.75m (approx. 9.02ft) in this instance.

The Committee has set **Thursday March 11, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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How to submit a written comment:

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Advance registration is required to participate in the electronic hearing:

To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any

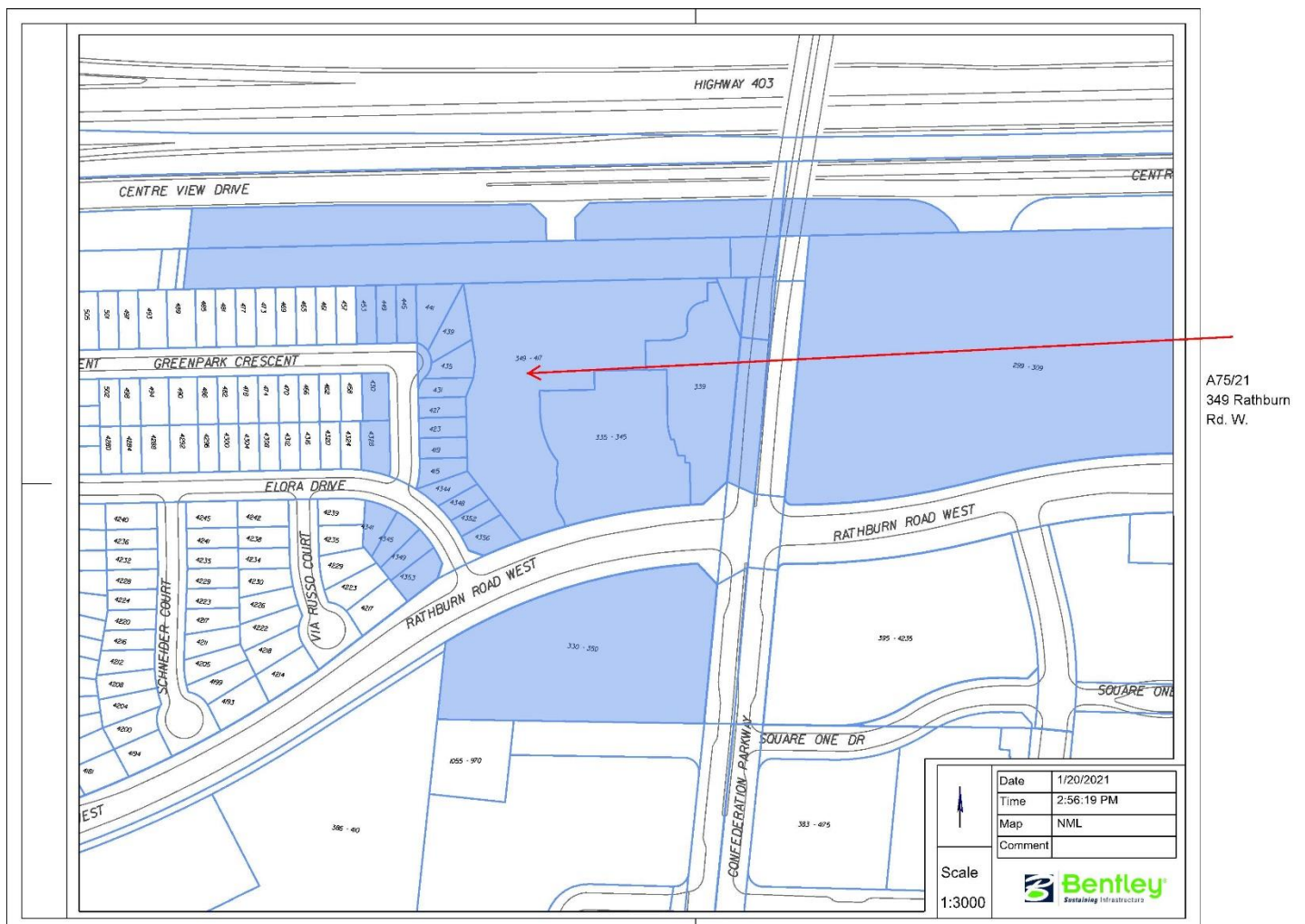
materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services will not be accepted.

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Legal notice:

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-03-03	File(s): A75.21 Ward: 4
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-03-11 1:00 PM

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 permit a condominium proposing:

1. A minimum parking space width of 2.17m (approx. 7.12ft) whereas By-law 0225-2007, as amended, requires a minimum parking space width of 2.60m (approx. 8.53ft) in this instance;
2. A minimum parking space length of 4.95m (approx. 16.24ft) whereas By-law 0225-2007, as amended, requires a minimum parking space length of 5.20m (approx. 17.16ft) in this instance; and
3. A minimum parking space width partially obstructed on one side of 2.44m (approx. 8.01ft) whereas By-law 0225-2007, as amended, requires a minimum width parking space width partially obstructed on one side 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 Condominium Declaration to advise owners and potential purchasers of units 21 and visitor parking 29, 30, 33 on Level A, units 33, 65, 78, 106, 107 on Level B, and units 34 and 66 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: 349 Rathburn Road West

Mississauga Official Plan

Character Area: Downtown Core

Designation: Downtown Mixed Use

Zoning By-law 0225-2007

Zoning: CC2-2

Other Applications: SP 13-137

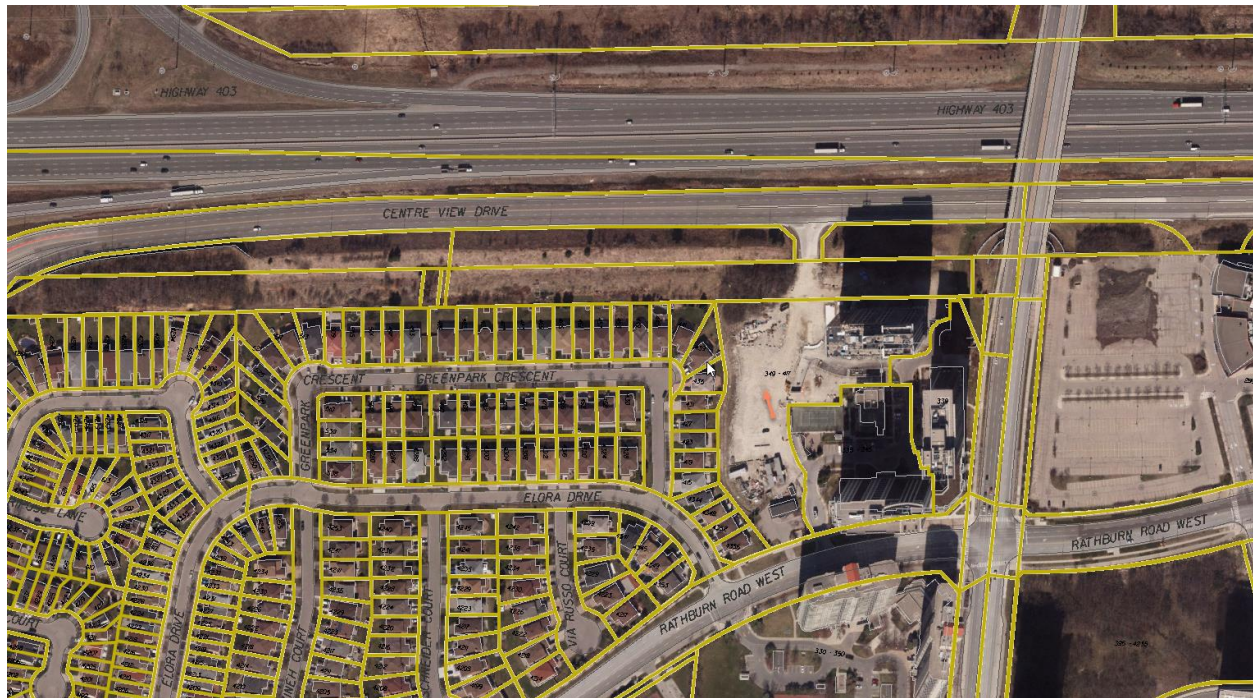
BP 16-4285

A19/10, A405/11, A209/13, A500/16

Site and Area Context

The subject property is currently under construction and located north-west of the Rathburn Rd W. and Confederation Pkwy intersection. The subject property is an interior parcel with a lot area of +/- 5,686.91m² and a lot frontage of +/- 33.00m and processes no vegetation or landscape elements. From a land-use perspective, the immediate neighbourhood is exclusively residential uses including low and high density residential with minimal vegetation and landscape elements kept to the periphery of the properties.

The applicant has proposed a condominium that requires variances for width and length of 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 currently designated Downtown Mixed Use by the Mississauga Official Plan (MOP). Pursuant to Section 11.2.6 (Mixed-Use), this designation permits a residential building. The Downtown Core Local Area plan sets the direction for transforming the Downtown Core from a suburban model to an urban mixed use centre. The Applicant's proposal of a 22 storey condominium apartment building 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 dimensions 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 4.95m for unit 66 and; a parking space width of 2.75 is required whereas the applicant has requested 2.44m for the same unit. The applicant has proposed a reduction in parking space width of 2.17m whereas 2.60 is permitted for visitor parking space number 30. The applicant has also proposed reduced widths and lengths for additional parking spaces throughout levels A, B and C of the below grade parking structure. The proposed size reduction limits the serviceability and availability of spaces to smaller more compact vehicles. In this instance, planning staff require the applicant include a warning clause within Condominium Declaration to advise owners and potential purchasers of units 21 and visitor parking 29, 30, 33 on Level A, units 33, 65, 78, 106, 107 on Level B, and units 34 and 66 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(s) 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 conditions of a warning clause being included in the Condominium Declaration, the registration of the warning clause on title and notifying the owner(s)/ or purchaser(s) 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 condition 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' 75/21.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to confirm the accuracy of the requested variance(s) or determine whether additional variance(s) may be required.

The applicant is advised that a completed zoning review may identify additional instances of zoning non-compliance. The applicant may consider applying for a preliminary zoning review application and submit working drawings for a detailed zoning review to be completed. A minimum of 6-8 weeks will be required to process a preliminary zoning review application depending on the complexity of the proposal and the detail of the information submitted.

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 5 – Region of Peel Comments

We have no comments or objections to the following applications:

Minor Variance Applications: A-48/21, A-58/21, A-69/21, A-72/21, A-73/21, A-75/21, A-76/21, A-77/21, A-78/21, A-79/21, A-80/21, A-81/21.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A76.21
Ward: 2

Why you received this letter:

You are receiving this letter because you are the owner of a neighbouring property within 60m (200ft) of the subject property, or are the agent/interested party/owner of the property for the application.

Details of the application and meeting information:

The property owner of 2001 Hindhead Road, zoned R3-1 - 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 an existing shed proposing:

1. An area of an accessory structure of 12.02sq.m (approx. 129.38sq.ft) whereas By-law 0225-2007, as amended, permits a maximum area of an accessory structure of 10.00sq.m (approx. 107.64sq.ft) in this instance; and
2. A height of an accessory structure of 3.07m (approx. 10.07ft) whereas By-law 0225-2007, as amended, permits a maximum height of an accessory structure of 3.00m (approx. 9.84ft) in this instance.

The Committee has set **Thursday March 11, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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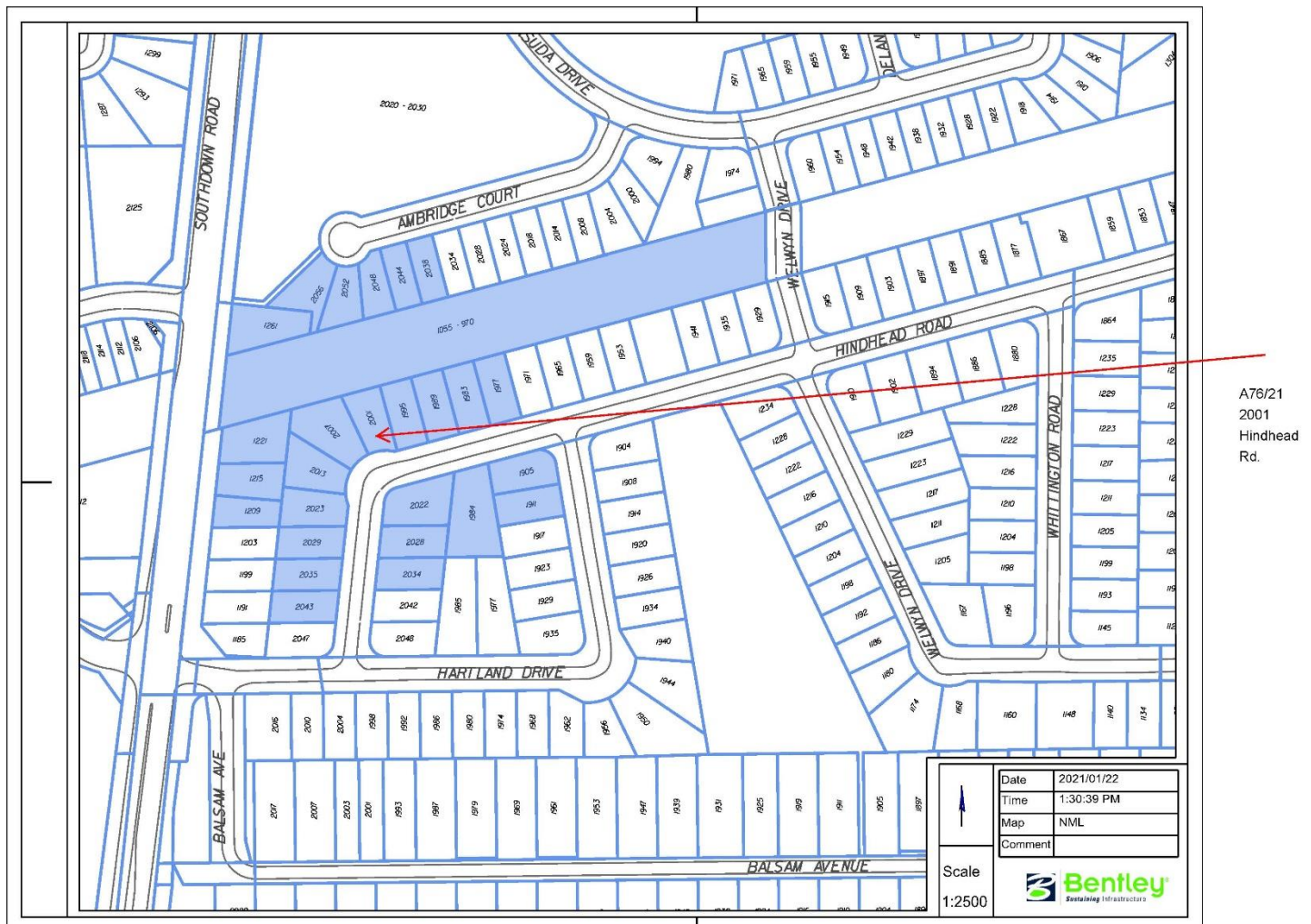
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-03-03	File(s): A76.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-03-11 1:00 PM

Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application meets the requirements of Section 45 (1) of the Planning Act.

Application Details

The applicant requests the Committee to approve a minor variance to allow an existing shed proposing:

1. An area of an accessory structure of 12.02sq.m (approx. 129.38sq.ft) whereas By-law 0225-2007, as amended, permits a maximum area of an accessory structure of 10.00sq.m (approx. 107.64sq.ft) in this instance; and
2. A height of an accessory structure of 3.07m (approx. 10.07ft) whereas By-law 0225-2007, as amended, permits a maximum height of an accessory structure of 3.00m (approx. 9.84ft) in this instance.

Background

Property Address: 2001 Hindhead Road

Mississauga Official Plan

Character Area: Clarkson-Lorne Park Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3-1 (Residential)

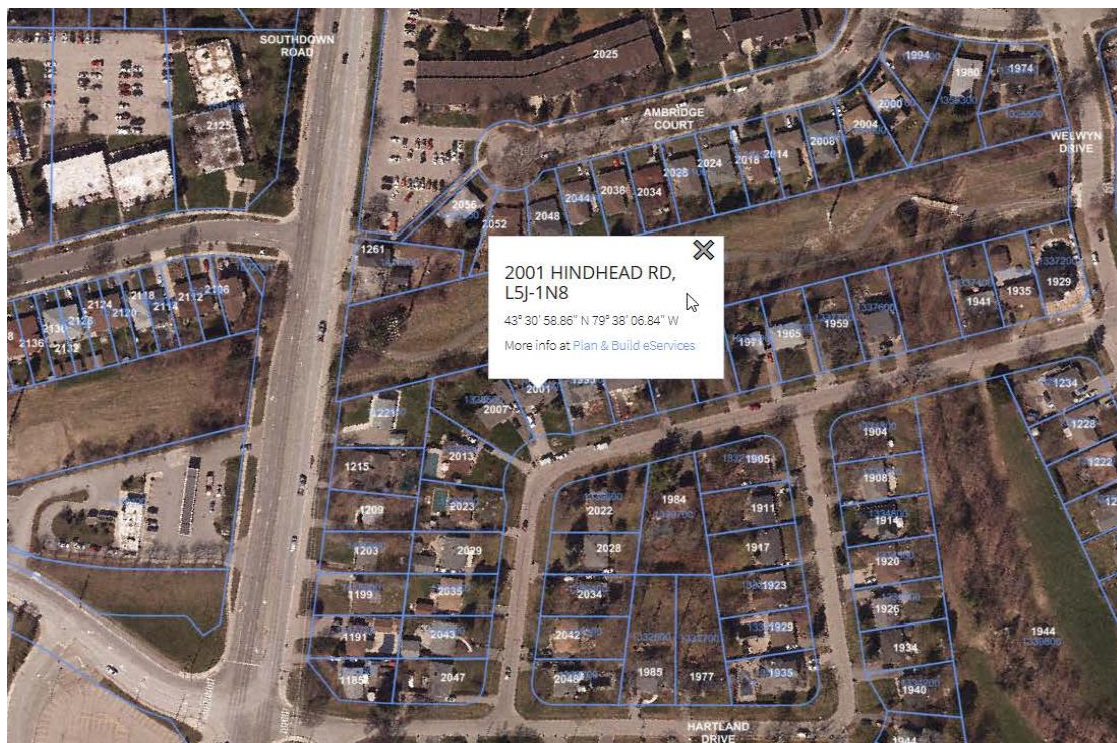
Other Applications

Building Permit: 20-4336

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, northeast of Southdown Road and the railway corridor. The neighbourhood is entirely residential, consisting of one and two storey detached dwellings with mature vegetation. The subject property contains an existing two storey dwelling with little vegetation.

The applicant is proposing an accessory structure in the rear yard, requiring variances related to an increased occupied area and height.



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:

Through a detailed review of the application, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Conclusion

The Planning and Building Department recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application meets the requirements of Section 45 (1) of the Planning Act.

Comments Prepared by: Lucas Petricca, 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' 76/21.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 9NEW 20-4336. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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: Brandon Eidner, Zoning Examiner

Appendix 5 – Region of Peel Comments

We have no comments or objections to the following applications:

Minor Variance Applications: A-48/21, A-58/21, A-69/21, A-72/21, A-73/21, A-75/21, A-76/21, A-77/21, A-78/21, A-79/21, A-80/21, A-81/21.

Comments Prepared by: Diana Guida, Junior Planner

Appendix 7 – Trans-Northern Pipelines Inc

Thank you for providing Trans-Northern with the Committee of Adjustment agenda for March 11, 2021 which includes a request for proposed development to allow for a minor variance to allow an existing shed proposing additional area and height to be added to the structure. Trans-Northern currently operates a high-pressure petroleum products transmission pipeline within a 60 foot right of way on the adjacent property West, running North to South to the proposed development relating to 2001 Hindhead Road, Mississauga.

As there are regulatory requirements for development within 30m of the TNPI pipeline, Trans-Northern would like to remind the landowner and developer that review is required prior to

development within this area. Please note, any development plans within the right-of-way will require a permit which can be requested by following the steps described near the end of this response. For planning purposes please note the following restrictions regarding development as follows:

- Development must not impede the view of the right-of-way (ie, height)
- Structure must be kept outside of the RoW
- Temporary vehicle crossing to support the construction will require TNPI permit

Please note that, Trans-Northern is regulated by the Canada Energy Regulator. Section 335 (1) and (2) of the Canadian Energy Regulator Act, provides that:

- *It is prohibited for any person to construct a facility across, on, along or under a pipeline or engage in an activity that causes a ground disturbance within the prescribed area unless the construction or activity is authorized or required by the orders made under subsection (3) or (4) or regulations made under subsections (5) or (6) and done in accordance with them.*

- **Prohibition — vehicles and mobile equipment**

It is prohibited for any person to operate a vehicle or mobile equipment across a pipeline unless

- *(a) that operation is authorized or required by orders made under subsection (3) or (4) or regulations made under subsections (5) or (6) and done in accordance with them; or*
- *(b) the vehicle or equipment is operated within the travelled portion of a highway or public road.*

Additionally, should the applicant proposes to cross the pipeline with a vehicle or construct a facility across, on, along or under the pipeline, the applicant would be required to contact Trans-Northern prior to commencement of their work to receive the required authorization. This process can be initiated through Ontario One Call (1-800-400-2255). A representative from Trans-Northern will attend on site mark the pipeline location, confirm safe work practices, and advise of any permit requirements.

Should the applicant require further information on the technical requirements related to ground disturbance or crossing of the pipeline, they may contact Cliff Lee, Crossing Coordinator via email at : crossingrequestseast@tnpi.ca.

Comments Prepared by: Michelle Gruszecki, Property and Right-of-Way Administrator



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A81.21
Ward: 11

Why you received this letter:

You are receiving this letter because you are the owner of a neighbouring property within 60m (200ft) of the subject property, or are the agent/interested party/owner of the property for the application.

Details of the application and meeting information:

The property owner of 6839 Early Settler Row, zoned R2-10 - 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 permit an accessory structure and deck proposing:

1. A lot coverage of 31.70% (370.70sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% (292.50sq.m) in this instance;
2. An area of an accessory structure of 49.80sq.m (approx. 536.04sq.ft) whereas By-law 0225-2007, as amended, permits a maximum area of an accessory structure of 20.00sq.m (approx. 215.28sq.ft) in this instance; and
3. A height of an accessory structure of 3.86m (approx. 12.66ft) whereas By-law 0225-2007, as amended, permits a maximum height of an accessory structure of 3.50m (approx. 11.48ft) in this instance.

The Committee has set **Thursday March 11, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

You can get more information on this matter by emailing committee.adjustment@mississauga.ca or calling 905-615-3200 x5209. You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>. Hearings will be streamed online for the public to view at the following link: <http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>.

If you wish to be notified of the decision of the Committee you must submit a written request to the Secretary-Treasurer via email or mail. This will also entitle you to be advised of appeal to the Local Planning Appeal Tribunal.

How to submit a written comment:

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Advance registration is required to participate in the electronic hearing:

To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any

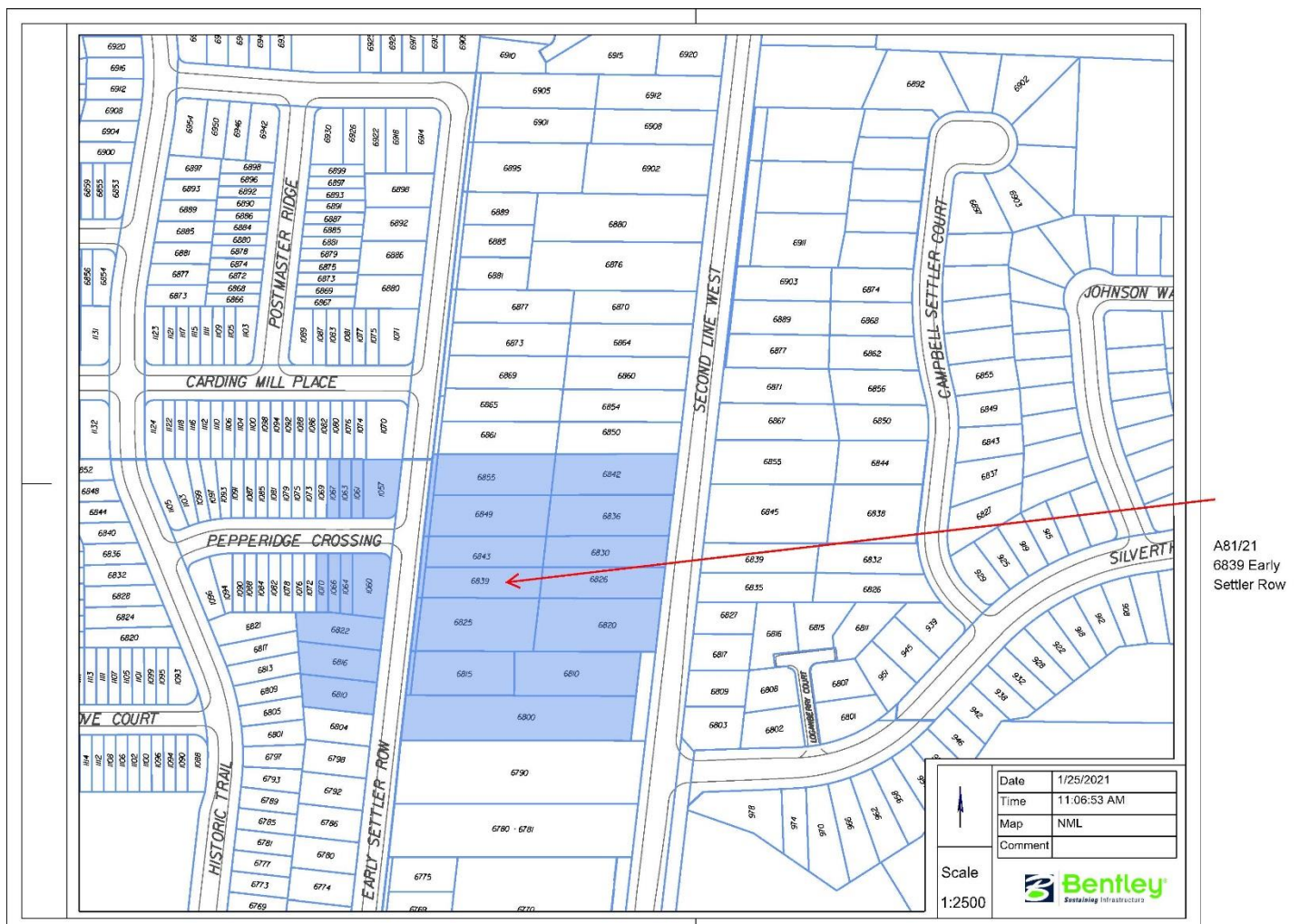
materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services will not be accepted.

To participate by telephone: To register, please call 905-615-3200 x5209 no later than 4:30pm the Tuesday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.

Legal notice:

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Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual (including being posted on the internet) upon request in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x5209.



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-03-03	File(s): A81.21 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-03-11 1:00 PM

Consolidated Recommendation

The City has no objection to the variances, as requested.

Application Details

The applicant requests the Committee to approve a minor variance to permit an accessory structure and deck proposing:

1. A lot coverage of 31.70% (370.70sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% (292.50sq.m) in this instance;
2. An area of an accessory structure of 49.80sq.m (approx. 536.04sq.ft) whereas By-law 0225-2007, as amended, permits a maximum area of an accessory structure of 20.00sq.m (approx. 215.28sq.ft) in this instance; and
3. A height of an accessory structure of 3.86m (approx. 12.66ft) whereas By-law 0225-2007, as amended, permits a maximum height of an accessory structure of 3.50m (approx. 11.48ft) in this instance.

Background

Property Address: 6839 Early Settler Row

Mississauga Official Plan

Character Area: Meadowvale Village Neighbourhood
Designation: residential Low Density I

Zoning By-law 0225-2007

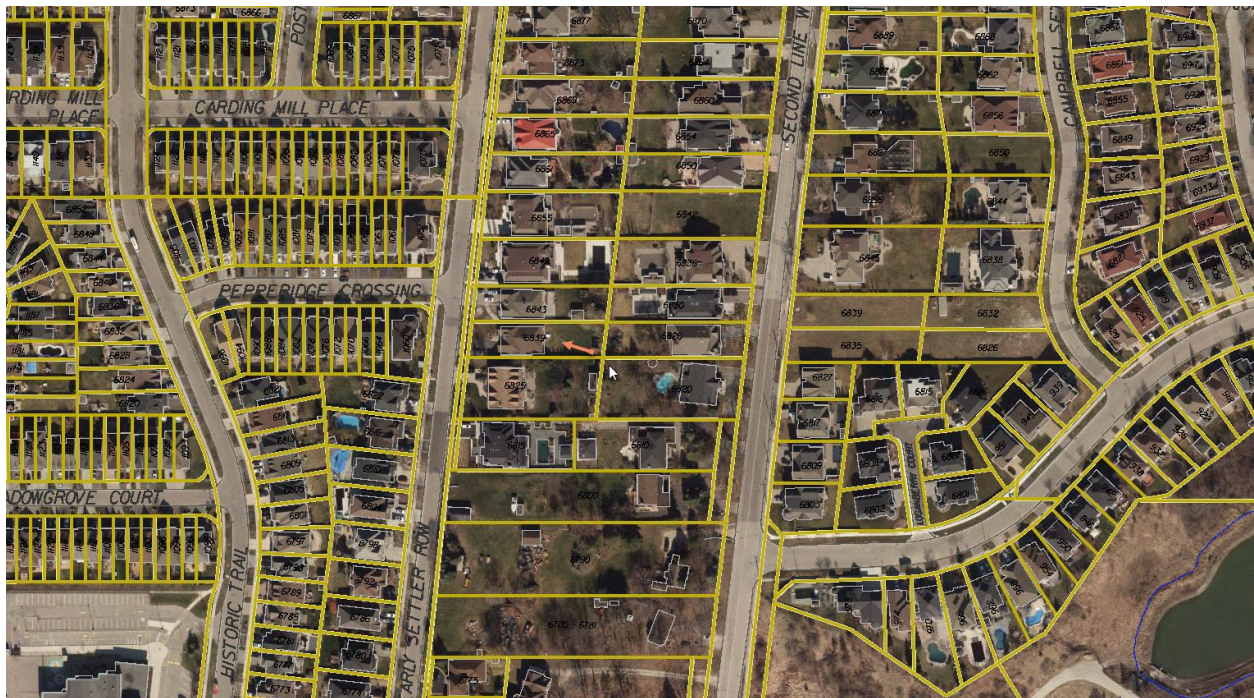
Zoning: R2-10 - Residential

Other Applications: None

Site and Area Context

The subject property is located north-west of the Lamplight Way and Second Line W intersection. The property is an interior parcel, with a lot area of +/- 1,170.1m² and a lot frontage of +/- 17.53m. Currently the property houses a two-storey, detached dwelling with minimal vegetation and landscape elements within the front and rear yards. Contextually, the area is comprised exclusively of residential two storey detached dwellings. The properties within the immediate area possess lot frontages of +/- 23.0m, with moderate vegetative / natural landscaped elements within the front yards.

The applicant is proposing an accessory structure and deck that require variances for lot coverage, area of an accessory structure and height of the accessory structure.



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 subject property is located in the Meadowvale Village Neighbourhood Character Area and designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached and duplex dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions; the surrounding context; and, the landscape of the character area. The proposed accessory structure is compatible with the surrounding area and does not pose a significant impact to the abutting properties. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

Variance #1 as requested pertains to lot coverage:

Staff received drawings prior to the submission of the minor variance application that corresponded with the variance, however it appears the wrong drawings were submitted with the application. This has since been rectified.

The intent in restricting lot coverage is to ensure that there is not an overdevelopment of the lot. The proposed covered porch is attached to the rear portion of the primary dwelling with direct access from the dwelling. While the massing will be noticeable from the neighbouring properties, the proposed lot coverage increase to 31.70% is negligible and largely inconsequential to the public realm. For all intents and purposes the maximum lot coverage permitted under the by-law (25%) would result in a building with a similar massing. The proposed will have a minor impact on the overall building size and is insignificant from the streetscape.

Variances #2, and #3 as requested pertain to proposed accessory structures:

The intent of the zoning by-law is to ensure that accessory structures are proportional to the lot and dwelling, thereby remaining secondary to the principle use while not presenting any massing concerns. Accessory structures contribute massing to the entirety of the property and should not over burden the primary structure. The applicant has proposed an accessory structure, including a covered area, of 49.80m² whereas the maximum area for a single accessory structure is 20m². The enclosed area of the proposed structure measures to 36.4m² with the covered area being 13.4m² and open on two sides. In 2019 the provisions for accessory buildings and structures was amended to recognize and provide larger lots measuring greater than 750m² with more flexibility concerning accessory structures. Given that this lot is 1,170.01m², which is greater than 750m² identified under the bylaw, the applicant is allowed to have a larger structure. The proposed structure is located at the rear of the property and cannot be seen from the street. Although the structure will be noticeable from the abutting properties, it is consistent with other structures of similar size within the immediate vicinity. Staff

are of the opinion that the massing of the accessory structure is distributed across the property and poses a minor impact to the neighbours. Planning Staff note variances #2 and #3 are minor in nature and raise no concerns of a planning nature.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

Staff is of the opinion that proposed lot coverage and accessory structure will not have any significant impacts on the neighbouring properties and is consistent with the surrounding neighbourhood. As such, the variances requested are minor in nature and result in the orderly development of the lands. The application raises no concerns of a planning nature.

Conclusion

The City has no objection to the variances, as requested.

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

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed accessory structure and deck will be addressed through the Building Permit process.



Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit application under file BP 9ALT 20-3595. Based on review of the information currently available for this building permit, the variances, as requested are correct.

Our comments are based on the plans received by Zoning staff on 01/05/2021 for the above captioned building permit application. 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: A. McCormack

Appendix 5 – Region of Peel Comments

We have no comments or objections to the following applications:

Minor Variance Applications: A-48/21, A-58/21, A-69/21, A-72/21, A-73/21, A-75/21, A-76/21, A-77/21, A-78/21, A-79/21, A-80/21, A-81/21.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A149.20
Ward: 2

Why you received this letter:

You are receiving this letter because you are the owner of a neighbouring property within 60m (200ft) of the subject property, or are the agent/interested party/owner of the property for the application.

Details of the application and meeting information:

The property owner of 1303 Tecumseh Park Drive, zoned R1-2 - 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 the existing driveway to remain on the subject property proposing:

1. A driveway width of 8.78m (approx. 28.81ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 8.50m (approx. 27.89ft) in this instance;
2. A combined width of access points for a circular driveway of 9.33m (approx. 30.61ft) whereas By-law 0225-2007, as amended, permits a maximum combined width of access points for a circular driveway of 8.50m (approx. 27.89ft) in this instance; and
3. A driveway coverage of 55% of the front yard whereas By-law 0225-2007, as amended, permits a maximum driveway coverage of 50% of the front yard in this instance.

The Committee has set **Thursday March 11, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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If you wish to be notified of the decision of the Committee you must submit a written request to the Secretary-Treasurer via email or mail. This will also entitle you to be advised of appeal to the Local Planning Appeal Tribunal.

How to submit a written comment:

Written comments to the Committee must be received no later than 4:30pm the Tuesday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and application number or address of the property you are providing comments on.

Advance registration is required to participate in the electronic hearing:

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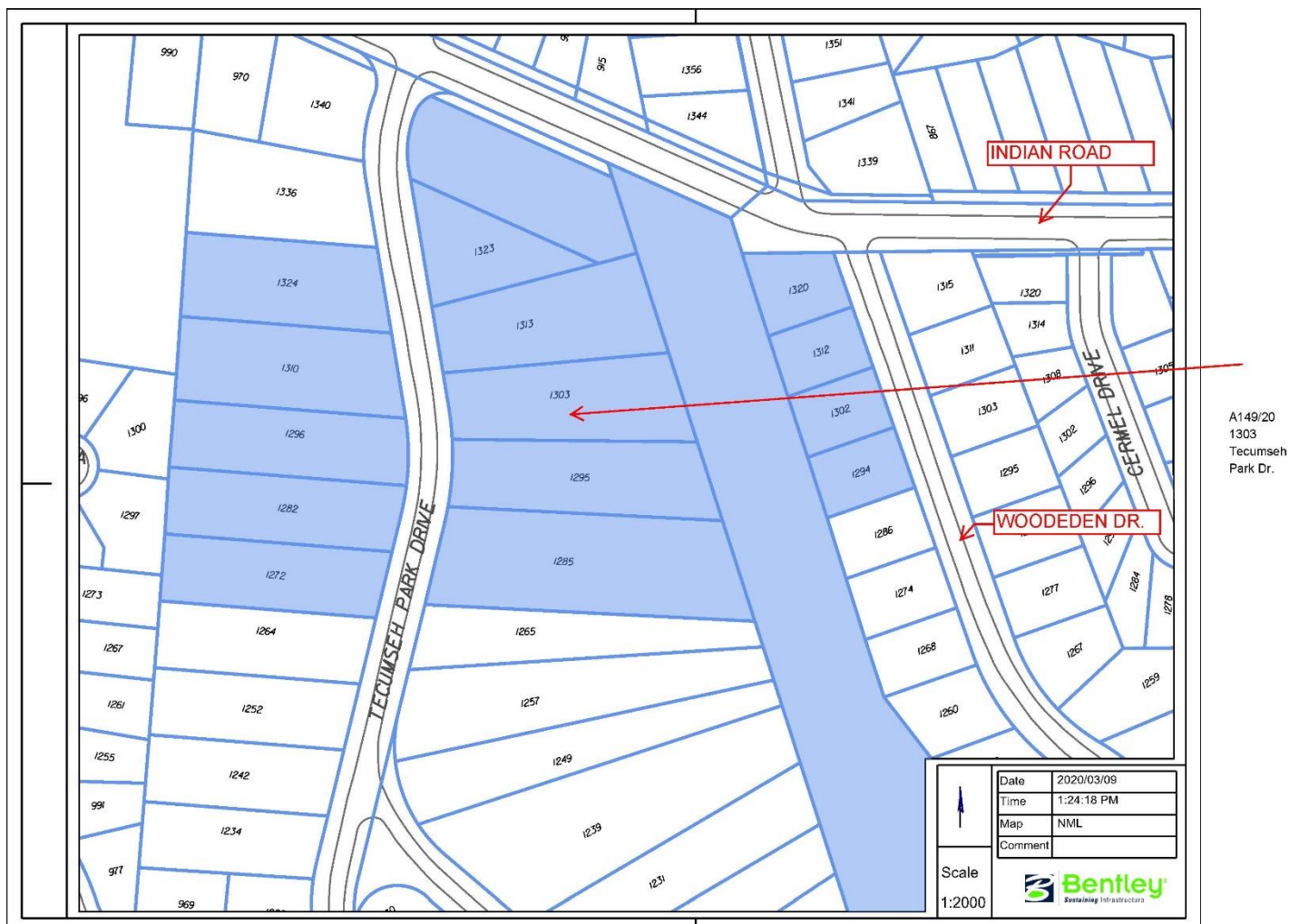
materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services will not be accepted.

To participate by telephone: To register, please call 905-615-3200 x5209 no later than 4:30pm the Tuesday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.

Legal notice:

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Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual (including being posted on the internet) upon request in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x5209.



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-03-03	File(s): A149.20 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2021-03-11 1:00 PM

Consolidated Recommendation

The City recommends that the application be refused.

Application Details

The applicant requests the Committee to approve a minor variance to allow the existing driveway to remain on the subject property proposing:

1. A driveway width of 8.78m (approx. 28.81ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 8.50m (approx. 27.89ft) in this instance;
2. A combined width of access points for a circular driveway of 9.33m (approx. 30.61ft) whereas By-law 0225-2007, as amended, permits a maximum combined width of access points for a circular driveway of 8.50m (approx. 27.89ft) in this instance; and
3. A driveway coverage of 55% of the front yard whereas By-law 0225-2007, as amended, permits a maximum driveway coverage of 50% of the front yard in this instance.

Background

Property Address: 1303 Tecumseh Park Drive

Mississauga Official Plan

Character Area: Clarkson-Lorne Park Neighbourhood
Designation: Greenlands & Residential Low Density I

Zoning By-law 0225-2007

Zoning: R1-2 (Residential)

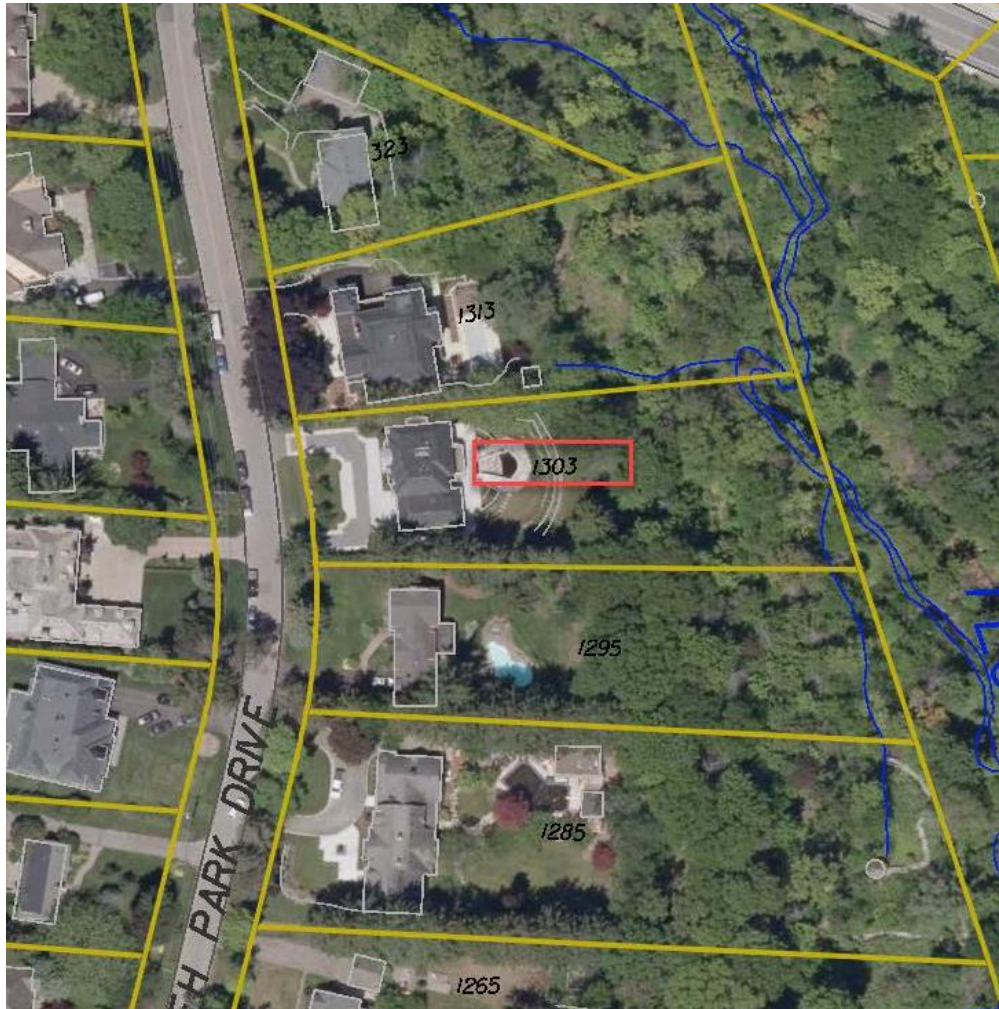
Other Applications

Pre-Zoning Application: 19-6277

Site and Area Context

The subject property is located within Clarkson-Lorne Park Neighbourhood Character Area, southeast of Indian Road and the Hydro Corridor. The neighbourhood is entirely residential, consisting of lot large lots with one and two storey detached dwellings. There are many circular driveways present throughout the immediate neighbourhood. The subject property contains a two storey detached dwelling with vegetation along the interior side yards. Adjacent to the subject property at the rear is a City owned park known as Tecumseh Park.

The applicant is proposing to permit the existing circular driveway, requiring variances related to driveway width, combined width of access points and driveway coverage.



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 designated Greenlands and Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). The Greenlands designation does not permit development that would significantly impact a natural feature, while the Residential Low Density I designation permits detached, semi-detached and duplex dwellings. As per Section 9 (Preamble), sites will be developed to respect the experience, identity and character of the surrounding context.

Furthermore, the intent of the zoning by-law is to ensure that there is a balance between the hard surfacing and soft landscaping within the front yard. In this instance, while the increased driveway width may not seem to be a significant increase from what is permitted, it contributes to the overall hard surfacing within the front yard which exceeds the soft landscaped area and the amount of hard surfacing that is required. While there are many circular driveways present throughout the immediate area, properties consist of significant soft landscaping within the front yard which creates a balance to the amount of hard surfacing that exists. Additionally, variance #2 increases the hard surfacing at the street, and while there may not be any concerns from the Transportation and Works Department, it adds to the overall hard surfacing from a streetscape perspective. As such, the variances combined result in additional hard surfacing that is not in keeping with the existing and planned context of the neighbourhood.

Based on the preceding information, staff is of the opinion that the application does not maintain the four tests set out in Section 45(1) of the *Planning Act*.

Conclusion

The Planning and Building Department recommends that the application be refused.

Comments Prepared by: Lucas Petricca, 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' 149/20.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a pre-application zoning review under file 19-6277. Based on review of the information currently available for this application, the variances, as requested are correct.

Our comments are based on the plans received by Zoning staff on January 9, 2020 for the above captioned pre-application zoning review file. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the pre-application zoning review 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 pre-application zoning review process in order to receive updated comments.

Comments Prepared by: Richard Thompson, Zoning Examiner

Appendix 5 – Region of Peel Comments

Development Planning: Diana Guida (905) 791-7800 x8243

Please be notified that the subject land is within an area the Regional Official Plan (ROP) designates as a Core Woodland and Core Valley of the Greenlands System in Peel, under Policy 2.3.2. The subject land is also located within the limits of the regulated area of the Credit Valley Conservation (CVC). The Region relies on the environmental expertise of the CVC for the review of development applications located within or adjacent to Core Areas of the Greenlands Systems in Peel and their potential impacts on the natural environment. Regional Planning staff therefore, request that the Committee and city staff consider comments from the CVC and incorporate their conditions of approval appropriately.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A3.21
Ward: 5

Why you received this letter:

You are receiving this letter because you are the owner of a neighbouring property within 60m (200ft) of the subject property, or are the agent/interested party/owner of the property for the application.

Details of the application and meeting information:

The property owner of 3102 Bonaventure Dr, zoned R3-69 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicants request the Committee to approve a minor variance to allow the construction of a new home on the subject property proposing:

1. A lot coverage of 32.75% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% of the lot area in this instance;
2. A gross floor area of 340.22sq.m (approx. 3,758.94sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 269.61sq.m (approx. 2,902.06sq.ft) in this instance; and
3. A height measured to the eaves of 6.60m (approx. 21.65ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

The Committee has set **Thursday March 11, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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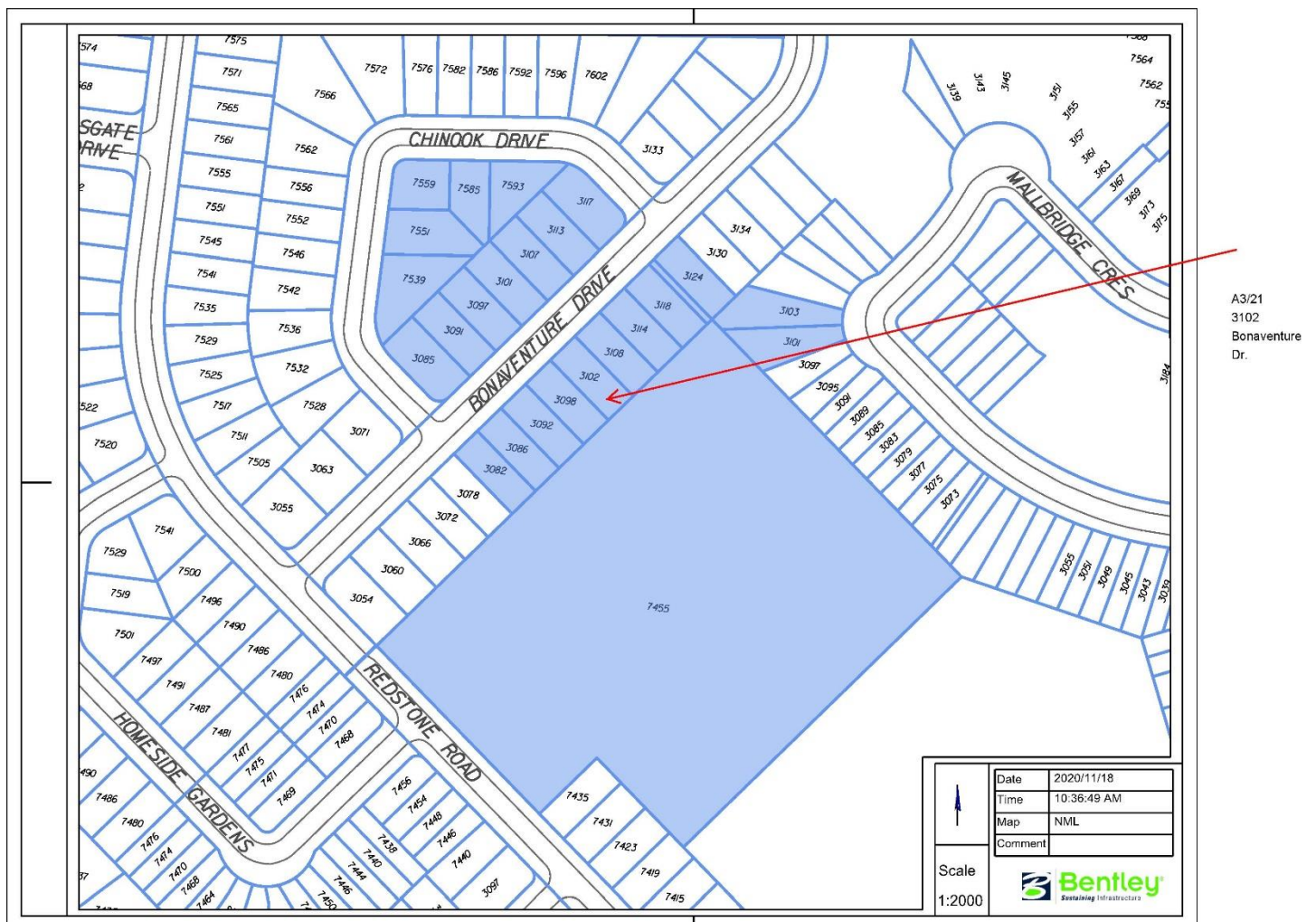
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-03-03	File(s): A3.21 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-03-11 1:00 PM

Consolidated Recommendation

The City has no objection to the variances, as requested. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

The applicants request the Committee to approve a minor variance to allow the construction of a new home on the subject property proposing:

1. A lot coverage of 32.75% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% of the lot area in this instance;
2. A gross floor area of 340.22sq.m (approx. 3,758.94sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 269.61sq.m (approx. 2,902.06sq.ft) in this instance; and
3. A height measured to the eaves of 6.60m (approx. 21.65ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

Background

Property Address: 3102 Bonaventure Dr

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

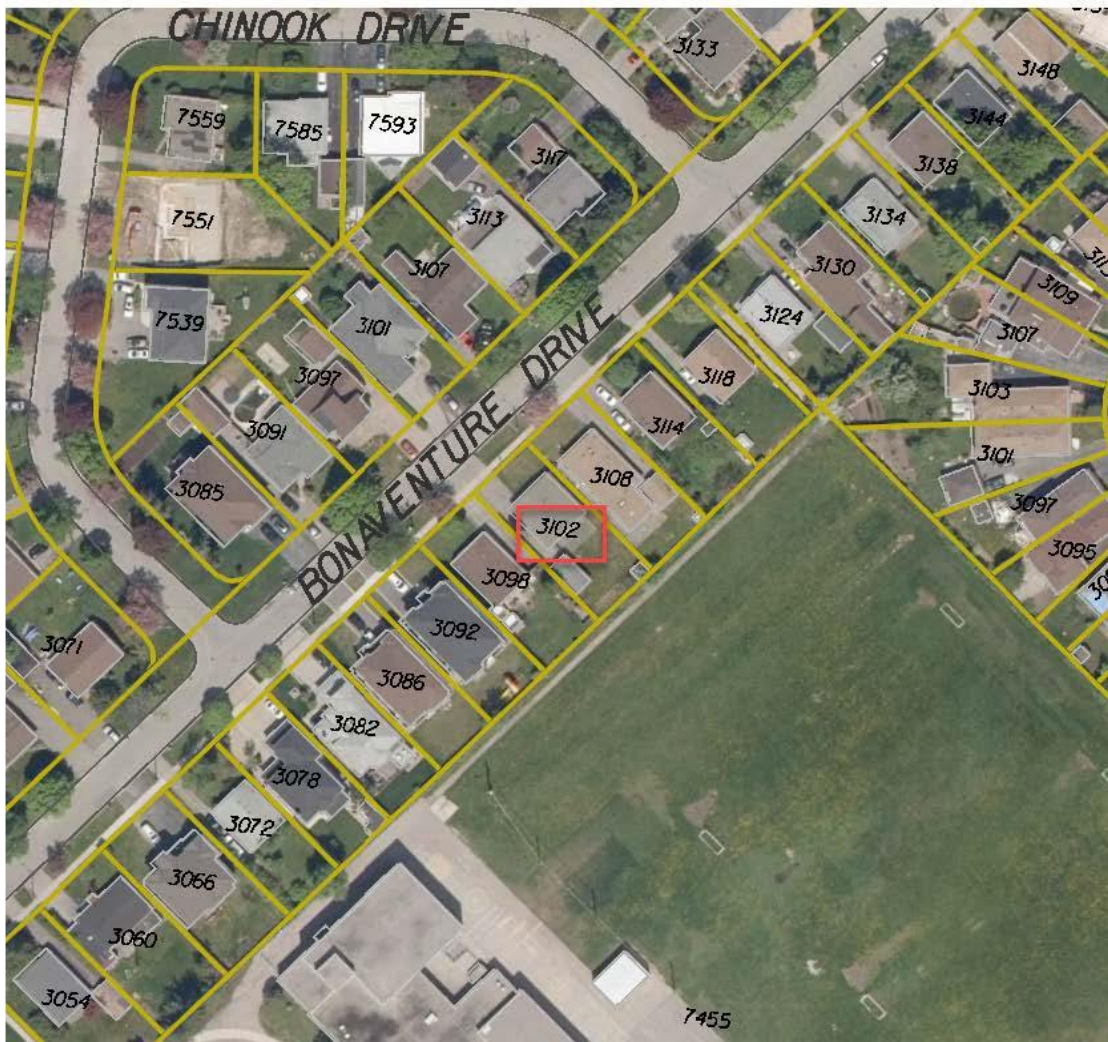
Zoning: R3-69 - Residential

Other Applications: None

Site and Area Context

The property is located south-east of the Steeles Ave. East and Airport Road intersection. It is an interior parcel, with a lot area of approximately +/- 6,451.0m² and a lot frontage of approximately +/- 15.7m. Currently the property houses a single storey detached dwelling with minimal vegetation and landscaping elements within the front and rear yards. Contextually, the surrounding neighbourhood consists of post-war, single storey detached homes mixed within newer two storey detached dwellings. Within the immediate area, properties possess lot frontages of +/- 15.0m, with matured vegetation scattered throughout and minimal landscape elements within the front yards.

The applicant is proposing a new two storey dwelling, requiring variances related to eave height, gross floor area and lot coverage.



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*.

"[Enter info here]"

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 subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached, duplex and triplex dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions; the surrounding context; and, the landscape of the character area. The proposed detached dwelling respects the designated land use and maintains the general intent and purpose of the MOP.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

Variance #1 and #2 as requested pertain to lot coverage and gross floor area. Arising from public input expressed through the 'My Malton' Community Visioning exercise undertaken in 2015, the City undertook the Malton Infill Housing Study in 2016. This study resulted in Council's adoption of new zoning regulations principally aimed at regulating the massing of dwellings in a manner that is sensitive to the surrounding context. Although Bonaventure Drive contains a lot of newer two storey dwellings, the intent of the policies are to limit the overall massing of these dwellings and maintain compatibility between the existing and planned character of the neighbourhood. The application originally came to the Committee of Adjustment on January 14, 2021 with a significantly larger proposal. Committee members were concerned with the size of the dwelling and deferred it for a redesign. The redesign currently proposed by the applicant has reduced both the lot coverage and gross floor area. Staff are of the opinion that the new design is inline with the Malton Infill Housing Study of 2016; and is compatible with both the existing and infill development of the neighbourhood. As such, the applicant meets the general intent and purpose of the by-law.

Variance #3 as requested pertains to eave height:

The intent of restricting height to the eaves is to lessen the visual massing of dwelling by bringing the edge of the roof closer to the ground. This lowers the overall pitch of the roof and keeps the height of the dwelling within a human scale. The dwelling maintains an overall height of 6.60 m, whereas 6.40m is permitted under the by-law. The proposed height is a minor

deviation from the by-law and does not affect the overall pitch of the roof, maintaining a human scale. As such, variance #3 meets the general intent and purpose of the by-law.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

While the relief sought represents a deviation from what is contemplated through the Zoning By-law. Staff note, the applicant has redesigned their original proposal resulting in both the orderly development of the lands, and whose impacts are minor in nature.

Conclusion

Based upon the preceding information, it is the opinion of Staff that the variances, as requested, meet the general intent and purpose of both the MOP and Zoning By-law; are minor in nature; and, are desirable for the orderly development of the lands. To this end, the Planning and Building Department has no objection to the variances, as requested. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

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

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the new dwelling will be addressed through the Building Permit process.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 5 – Region of Peel Comments

Development Engineering: Camila Marczuk (905) 791-7800 x8230

Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please call our Site Servicing Technicians at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca

Comments Prepared by: Diana Guida, Junior Planner