
Committee of Adjustment

Date: February 25, 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

Umar Mahmood, Committee of Adjustment Coordinator, Legislative Services
905-615-3200 ext.5209
umar.mahmood@mississauga.ca

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Legislative Services
905-615-3200 ext.5422
alexander.davies@mississauga.ca

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

-
1. CALL TO ORDER
 2. DECLARATION OF CONFLICT OF INTEREST
 3. DEFERRALS OR WITHDRAWALS
 4. MATTERS TO BE CONSIDERED
 - 4.1. B7/21
38 WOODLAWN AVE (WARD 1)
LOC HOANG
 - 4.2. B10/21
6967 MARITZ DR (WARD 5)
DERRY TEN LIMITED
 - 4.3. B11/21
955 HALLIDAY AVE (WARD 1)
BOHDAN VYSHNEVETSKYY & NATALIYA VYSHNEVETSKA
 - 4.4. A46/21
3146 MERRITT AVE (WARD 5)
NIMMI & VALIBHAI PATEL
 - 4.5. A47/21
2506 VINELAND RD (WARD 2)
JASON & CELINA MELO
 - 4.6. A49/21
2540 WINDWOOD DR (WARD 9)
YIN, JIANMEI & SHEN, BIN
 - 4.7. A50/21
6808 LOGANBERRY CRT (WARD 11)
KORHAN ERENBEN & CIDY TABA
 - 4.8. A51/21
86 DUNDAS ST E (WARD 7)
MISSISSAUGA I GP INC

- 4.9. A52/21
7170 TRANMERE DR (WARD 5)
2240990 ONTARIO INC
- 4.10. A53/21
4120 UXBRIDGE LANE (WARD 3)
IZYDOR, SZYMON & FIK-IZYDOR, MARIOLA
- 4.11. A55/21
3047 KIRWIN AVE (WARD 7)
MOUTINHO FRANCISCO, AND PARDINHA KARINA
- 4.12. A61/21
301 BURNHAMTHORPE RD W (WARD 4)
CITY OF MISSISSAUGA
- 4.13. A290/20
6486 CHAUMONT CRES (WARD 9)
ARTA MARA
- 4.14. A354/20
7305 CUSTER CRES (WARD 5)
YARDELY & LISA LIONEL
- 4.15. A377/20
2155 LEANNE BLVD (WARD 2)
PRIME REAL ESTATE GROUP INC

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 38 Woodlawn Avenue, zoned RM7-5 - 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 of land has a frontage of approximately 7.62m (25.00ft) and an area of approximately 289.40sq.m (949.48.sq.ft).

The Committee has set **Thursday February 25, 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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Advance registration is required to participate in the electronic hearing:

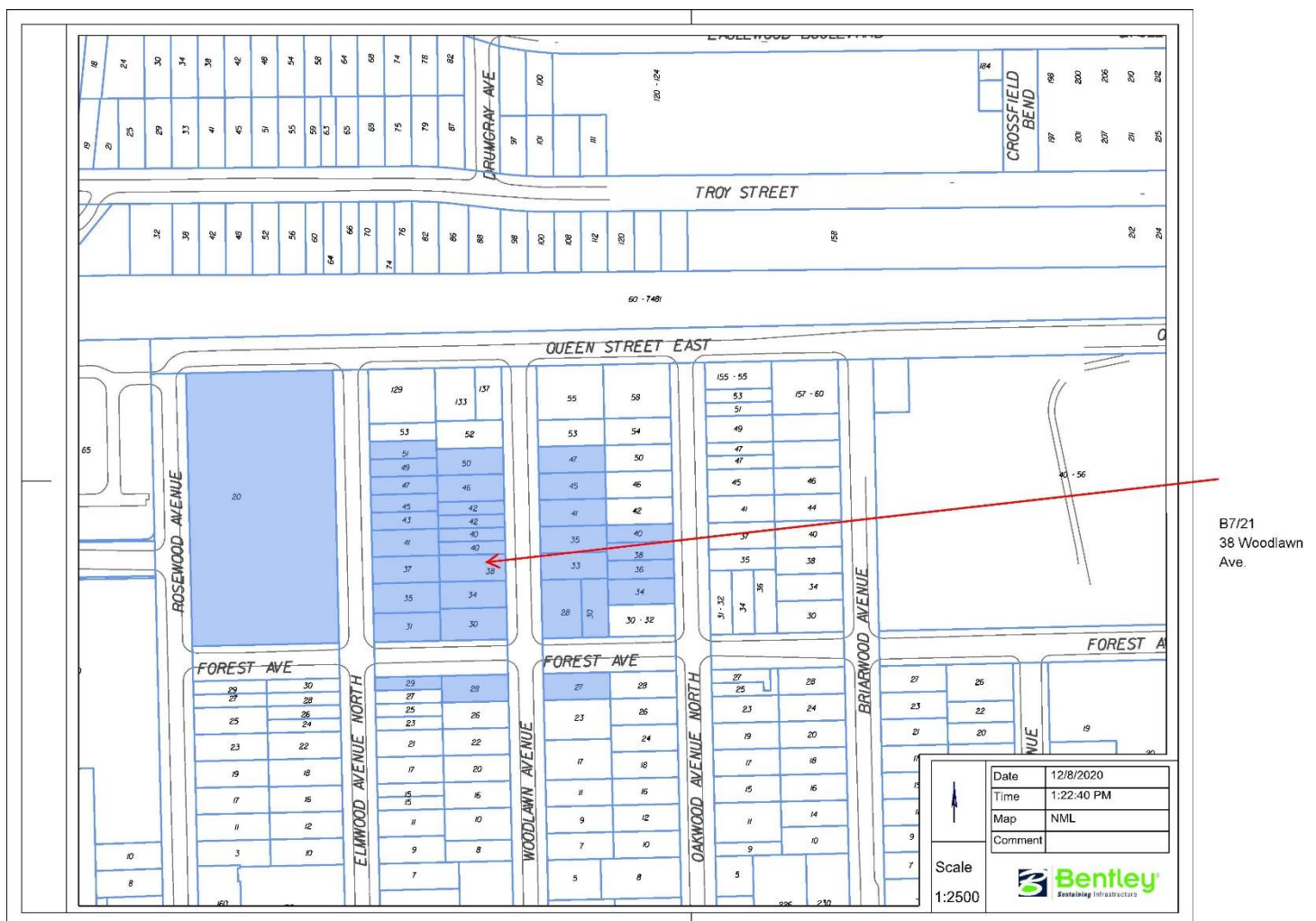
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud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

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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: 2021-02-17 | File(s): B7.21 Ward: 1 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2021-02-25 |

Consolidated Recommendation

The City has no objections to the requested consent application. The applicant may choose to defer the application to ensure variances are not required.

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 of land has a frontage of approximately 7.62m (25.00ft) and an area of approximately 289.40sq.m (949.48.sq.ft).

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 38 Woodlawn Avenue

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (East)
Designation: Residential Low Density II

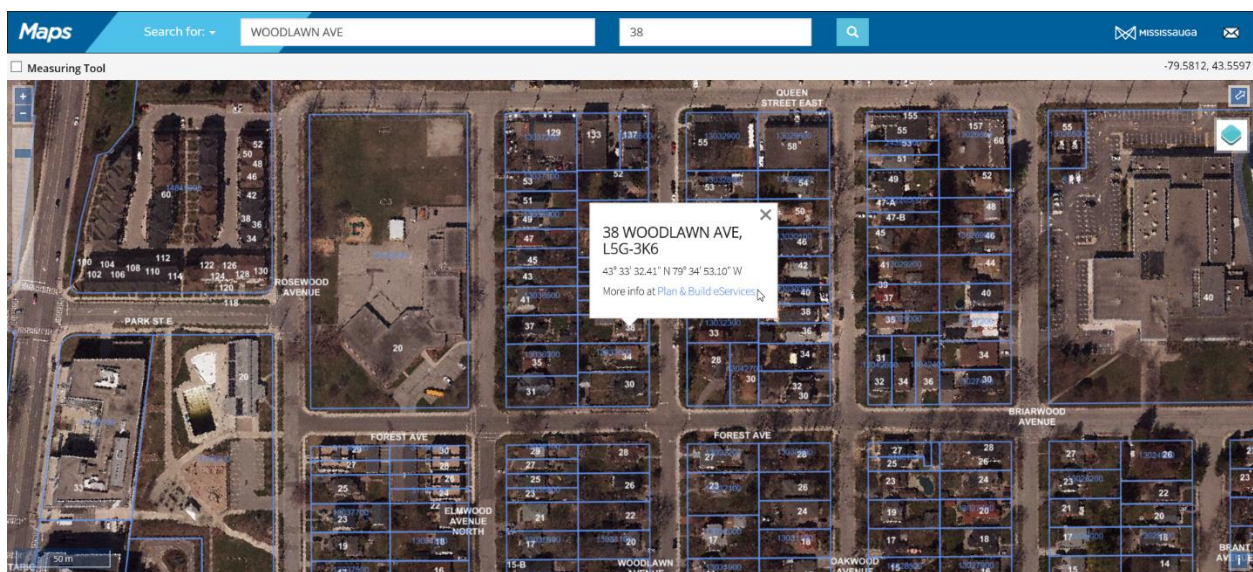
Zoning By-law 0225-2007

Zoning: RM7-5 (Residential)

Site and Area Context

The subject property is located within the Port Credit Neighbourhood Character Area, northeast of Hurontario Street and Lakeshore Road East. The surrounding area primarily consists of semi-detached and detached dwellings with lot frontages ranging from approximately 6.80 m to 15 m. There are commercial and employment uses north of the subject property fronting onto Queen Street East. The subject property contains an existing one storey dwelling with little vegetation.

The applicant is proposing to sever the subject property for the purpose of developing semi-detached dwellings.



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.

Staff comments concerning the application for consent is as follows:

The retained and severed parcel propose lot frontages of 7.62 m and lot areas of approximately 289.47 m². The zoning by-law requires lot frontages of 6.80 m and lot areas of 200 m².

Since 1961, the Village of Port Credit Zoning By-law No. 1227 has permitted a variety of housing types for the subject lands including detached, duplex, triplex, double duplex, double triplex, fiveplex, converted dwelling and boarding or lodging house. In 1997, City Plan (the Official Plan) was adopted, permitting detached, semi-detached, duplex and other forms of dwellings with individual frontages on a public street. In 2007, the City undertook a zoning bylaw conformity and consolidation exercise including public consultation, which adopted the current RM7 zone provisions.

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 North Residential Neighbourhood Precinct (Credit Grove) of the Port Credit Local Area Plan. Section 16.1.2.1 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. Furthermore, Section 10.3 (Neighbourhood Character Area) of the Port Credit Local Area Plan intends to ensure development is sensitive to the existing low rise context and to reinforce the planned character of the area. The official plan and zoning by-law envisions a mix of dwelling types and an eclectic lot fabric within the surrounding area. The proposed parcels would be consistent with semi-detached lots within the immediate area and does not negatively impact the lot fabric of the existing 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 semi-detached dwellings.

Conclusion

The Planning and Building Department has no objections to the requested consent application. The applicant may choose to defer the application to ensure variances are not required.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

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.

2. 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

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 this property is the existing 375mm Dia. Storm sewer located on Woodlawn Avenue. Please note that a rear lot catch basin may be required. Where existing sewer capacity exists, applicants are encouraged to design the basement elevation to be at least 1.0 meter above the elevation of the on-street storm sewer obvert to eliminate the need for a sump pump. In situations where a sump pump is required and where a high groundwater table may exist, the sump pump may run continuously. The applicants are encouraged to design the weeping tile elevation to be at least 1.0 meter above the seasonal groundwater elevation. The owner is advised that the City has no obligations to address any concerns related to the operation of private sump pump systems.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

We have no objection to the consent application provided that the severed and retained lands comply with the provisions of Zoning By-law 225-2007, as amended, with respect to, among other things, minimum lot frontage, minimum lot area, setbacks to the existing building, on site parking, etc., or alternatively, that any minor variance is approved, final and binding and/or the demolition of any existing building is complete.

We further advise that the proposed lot frontage is to be calculated in accordance with the following definition;

The applicant is advised that Lot Frontage means the horizontal distance between the side lot lines and where these lines are not parallel means the distance between the side lot lines measured on a line parallel to and 7.5 m back from the front lot line.

Comments Prepared by: Brandon Eidner, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

| | | | |
|-------------------------------------|------------|------------|---|
| City Department and Agency Comments | File:B7.21 | 2021/02/17 | 6 |
|-------------------------------------|------------|------------|---|

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

1. The applicant shall provide a cash contribution of \$1,214.24 for planting of two (2) street trees on Woodlawn Avenue. 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.
2. 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

Comments for Informational Purposes

Consent Application: B-7/21

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

Comments Prepared by: Diana Guida, Junior Planner

Appendix 7 – Bell Canada

Subsequent to review of the Severance Application by our local Engineering Department it has been identified that Bell Canada will require a transfer of easement over these lands, to protect

existing rear-lot aerial facilities, supply service to the properties and to maintain service in the area. According to our records, Bell has aerial cable that runs parallel to the southwest property boundary at 38 Woodlawn Ave and is found approximately 0.6 m from the rear lot boundary. We request the easement be the full length of the facilities as shown on the attached plan.

Bell Canada would like to confirm that a blanket easement over the lands or a 3.0m wide corridor to be measured 1.5m on either side of the aerial cable, as can be accommodated, would satisfy our needs.

Since the easement is necessary in order to provide and maintain service to this area, all costs associated with this transaction is the responsibility of the landowner. Compensation should be set to the nominal amount of \$2.00 for the acquisition of these rights. Additionally, Bell Canada requires separate, registered postponements for any mortgages and certification of title.

We hope this proposal meets with your approval and request a copy of the Committee of Adjustments decision. We look forward to the owners' Solicitor contacting us with a draft reference plan and accompanying draft easement documents for our approval prior to registration, along with an acknowledgement and direction for our execution.

If you have any questions or concerns, please feel free to contact me.

Comments Prepared by: Carrie Gordon, External Liaison

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 February 17, 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 February 17, 2021.
6. A letter shall be received from Bell Canada, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated February 17, 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 6967 Maritz Drive, zoned E2-106,107 - Employment, 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 of land has a frontage in excess of approximately 390.36m (1280.71ft) and an area in excess of approximately 15.43ac (672130.80sq.ft).

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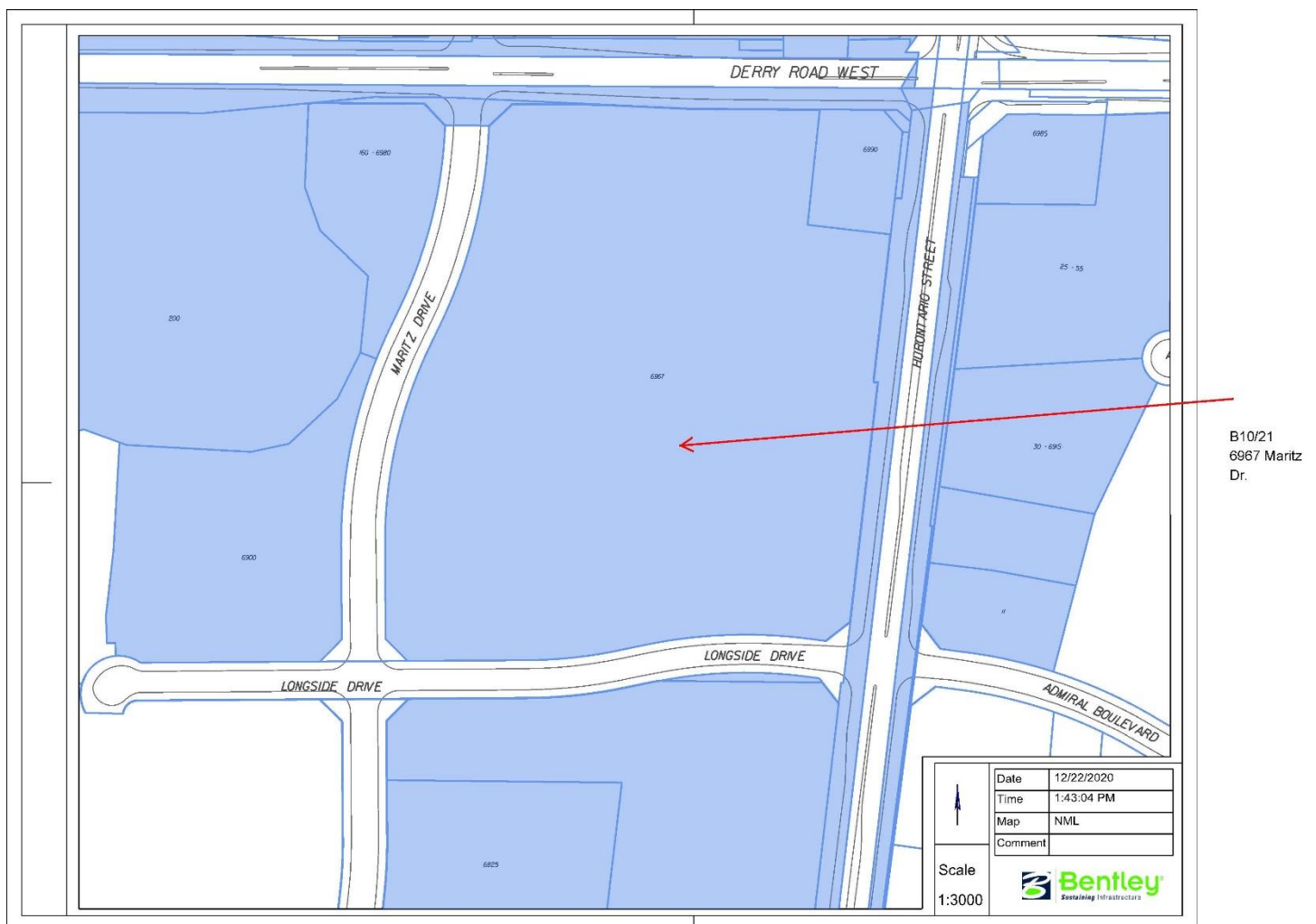
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City of Mississauga

Memorandum:

City Department and Agency Comments

| | |
|---|----------------------------|
| Date Finalized: 2021-02-19 | File(s): B10.21 Ward: 5 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2021-02-25 |

Consolidated Recommendation

The City has no objection to the application as requested.

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 of land has a frontage in excess of approximately 390.36m (1280.71ft) and an area in excess of approximately 15.43ac (672130.80sq.ft).

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 6967 Maritz Drive

Mississauga Official Plan

Character Area: Gateway Corporate Centre
Designation: Office

Zoning By-law 0225-2007

Zoning: E2-106,107 - Employment

Other Applications: DARC 20-105

Site and Area Context

The subject property is located south-west of the Derry Rd and Hurontario St. intersection. The subject site is an exterior parcel with a lot area of +/- 108,415.28m² and a lot frontage of +/- 266.49.0m that is currently vacant and possesses little vegetation. From a land-use perspective, the surrounding area consists primarily of employment uses including; manufacturing supplies and food, a business centre, and restaurants within close proximity of the Derrydale Golf Course. Vegetation is present throughout and along the periphery of these parcels.

The applicant proposes to sever the subject property for the purpose of creating future employment uses.



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.

Staff comments concerning the application are as follows:

The severed lands will have a lot frontage of 390.36m and a lot area of 62,442.995m². The retained lands will have a lot frontage of 266.49m and a lot area of 45,972.28m².

Section 5 of MOP promotes development with appropriate urban form and site design, directing that such development is compatible with the surrounding context and the landscape of the character area. To this end, the proposed lots are of a comparable built-form and remain in scale and character with the surrounding development.

As per Zoning By-law 0225-2007, the subject property is zoned E2-106, 107 (Employment). In accordance with Table 8.2.1 (E1 to E3 Permitted Uses and Zone Regulations), this zone requires a minimum lot frontage of 30.0m; whereas, the Applicant is proposing lots with frontages of 390.36.0m and 266.49m, in this instance. This zone does not require a minimum lot area. The proposed lots are appropriately sized for the context of the neighbourhood and represent the appropriate development of the lands.

Conclusion

Staff is of the opinion that the proposed application has due regard for Section 51(24) of the *Planning Act*, specifically that it conforms to the official plan. The dimensions of the proposed lots exceed Zoning By-law provisions and are suitable for the purposes for which they are to be subdivided and are consistent with the character of the area.

Based upon the preceding information, the Planning and Building Department has no objections to the requested consent applications.

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

Appendices

Appendix 1- Transportation & Works Dept. Comments

This department has no objections to the applicant's request to create a new lot. As Committee is aware there has been a number of other Consent Applications from Derry Ten Limited which were approved to the south where Public Pedestrian and Vehicular Access Easements and Servicing Easements were requested and to date established. In this regard a condition of this Consent Application will also be to establish similar Public Pedestrian and Vehicular Access Easements and Servicing Easements.

These lands are located within an area identified as the Gateway Corporate Centre and proposed to be rezoned to O2 (Major Office) Zone through the City-initiated Gateway Corporate Centre Zoning By-law Amendment. The lands are also subject to the Special Site 4 Policies of the Gateway Corporate Centre which seek to establish continuity in the urban fabric along the connecting corridors. In view of the above and prior to any development occurring on the subject lands, the City is pursuing the requirements of establishing an internal road network to improve the overall vehicular and pedestrian connectivity in the area.

The subject lands are also part of and identified as Block 1, Plan of Subdivision 43M-1447. Through the Plan of Subdivision Process Maritz Drive (to the west) and Longside Drive (to the south) were constructed along with the necessary municipal services to service the subject lands (Block 1). In this regard the subject lands are also subject to any conditions/requirements identified within Plan of Subdivision 43M-1447. Acknowledging that Block 1, 43M-1447 is being severed with a new configuration, a Drainage/Servicing Proposal will be required to address any required servicing easements.

In light of the existing Special Policies of the Gateway Corporate Centre, the applicant/owner should also be aware that any development application submitted such as this current Consent Application will have to address some of the requirements pertaining to the Special Site Policies of the Gateway Corporate Centre. **In this regard and as a condition of approval for this Consent Application the Transportation and Works Department will require a Conceptual Site Plan to specifically address traffic circulation concerns to ensure compliance with any of the Special Site Policies of the Gateway Corporate Centre requirements.** This requirement is seeking to increase the number of road intersections and overall connectivity within these lands by creating a finer grain road network and this requirement will necessitate the establishment of the public access easements.

In view of the above, and should Committee see merit in the applicant's request we are providing the following conditions/requirements as conditions of approval:

A. Items Required Prior to the Issuance of Final Consent

1. Conceptual Site Plan Addressing Requirement for Vehicular and Pedestrian Public Access Easements

Acknowledging that the subject lands are located within an area identified as the Gateway Corporate Centre and subject to the Special Site 4 Policies of the Gateway Corporate Center which seeks to establish a continuity in the urban fabric along the connecting corridors, prior to any development occurring within the lands the City must pursue the requirement for establishing an internal road network to improve the overall vehicular and pedestrian connectivity in the area. The City is seeking to increase the number of road intersections and the overall connectivity within these lands by creating a finer grain road network. To achieve this finer grain road network we request that a condition of this Consent Application be that the appropriate public access easements be established between the severed and residual lands.

In view of the above we are requesting that satisfactory arrangements be made with our Legal Department and Traffic Planning Section with regards to the establishment of any Public Pedestrian and Vehicular Access Easements. To address this requirement the applicant is to submit a full scale Conceptual Site Plan/Survey Plan for review/approval by our Traffic Planning Section which would precisely indicate the location and width of the required Public Pedestrian and Vehicular Access Easements including any required sight triangles/rounding's.

2. Satisfactory Arrangements to Be Made With Traffic Planning Section Regarding Details of Public Pedestrian and Vehicular Access Easements

As indicated in Item A1 a Conceptual Site Plan/Survey Plan is to be submitted to our Traffic Planning Section for review/approval which addresses the City's requirement for a Public Pedestrian and Vehicular Access Easements. The requested Public Easements are to be a total of 9.4M in width consisting of a 7.0M wide road (7.4M curb to curb) and a 2.0m sidewalk. The public easements are also to include sight triangles/rounding's at all intersections and aligned with the Public Easements on the lands to the south of Longside Drive.

Upon the Traffic Planning Section being satisfied with the details of the Public Pedestrian and Vehicular Access Easements (which will be identified in the Conceptual Site Plan/Survey Plan), then satisfactory arrangements will have to be made with our Legal Department to have the Public Easements registered. It should also be noted that through any future development applications such as the Site Plan Approval Process any other applicable particulars pertaining to the construction of any required Public Laneways such as providing securities, satisfying any legal arrangements or providing additional parcels to facilitate any turning movements within the lands may be requested.

3. 0.3m Reserve Requirement for Maritz Drive and Longside Drive

The applicant will be required to make the appropriate arrangements to provide a 0.3m Reserve along the Maritz Drive and Longside Drive frontages.

Should additional clarification or information be required with regard to the 0.3m Reserve, please contact Lahini Senthil-Kumaran at 905 615-3200 ext. 5798 or lahini.senthil-kumaran@mississauga.ca.

4. Satisfactory Arrangements to Be Made With Traffic Planning Section Regarding Transportation Impact Study

Satisfactory arrangements are to be made with our Traffic Planning Section for the review/approval of a Transportation Impact Study which would be representative of the proposed land use. The study is to include a Transportation Demand Management component. The traffic consultant should provide a terms of reference to the City's Traffic Section for review and receive confirmation prior to commencing the study.

Should additional clarification or information be required with regard to the Traffic Impact Study, please contact Lahini Senthil-Kumaran at 905 615-3200 ext. 5798 or lahini.senthil-kumaran@mississauga.ca.

5. Drainage Proposal/Servicing Plan

A Drainage Proposal/Servicing Plan is to be prepared by a Consulting Engineer for this department's review/approval to confirm the storm sewer outlet and capacity for the subject lands.

We note that as depicted on the Engineering Drawings reviewed/approved through the 43M-1447 Plan of Subdivision, storm sewer outlet for the subject lands (Block 1, 43M-1447) is the storm sewer located on both Maritz Drive (1350mm to 2400mm) and Longside Drive (600mm to 900mm).

Should additional information be required with regards to the Drainage Proposal/Servicing Plan, the applicant can contact the storm reviewer, (Nathan.mcfadden@mississauga.ca).

6. Municipal Storm Sewer Easement Requirement

Upon the review of the Drainage Proposal/Servicing Plan requested in item A 5, and upon the confirmation that the storm sewer outlet for **any portion** of the Retained lands (easterly 11.36 ac parcel) is required to outlet to the 1350 to 2400mm storm sewer located on Maritz Drive, then a Municipal Storm Sewer Easement will have to be established over the Severed Lands.

It should be noted that the requirement to establish a Municipal Storm Sewer Easement is similar to that requested in the previous Derry/Ten Consent applications processed on both the parcels south of Longside Drive and the parcels south of Skyway Drive.

7. Engineering Submission & Development Agreement with Infrastructure Schedules for Municipal Storm Sewer Infrastructure Works Required over Severed Parcel

Upon the review of Item A5 and A 6, and once confirmed that the storm outlet for any portion of the Retained Lands is required to outlet to the 1350 to 2400mm storm sewer located on Maritz Drive, then Municipal Infrastructure works will be required.

In this regard the applicant/owner will be required to submit an Engineering submission for the proposed works and will be required to enter into a Development Agreement with Infrastructure Schedules to secure the construction of any municipal storm sewer upgrades to accommodate the storm drainage from the subject site, in this particular instance the proposed retained lands.

8. Engineering Submission & Development Agreement with Infrastructure Schedules for Possible Municipal Storm Sewer Infrastructure Works on Maritz Drive and Longside Drive

Upon the review of Item A5 and in the event that there is a requirement to upgrade municipal storm sewer infrastructure on Maritz Drive or Longside Drive, the applicant/owner may be required to submit an Engineering submission for the proposed works and will be required to enter into a Development Agreement with Infrastructure Schedules to secure the construction of any municipal storm sewer upgrades to accommodate the storm drainage from the subject site.

9. Required Easements

Upon the review of Item A5 and the confirmation of any required **private easements**, the applicant/owner will be required to provide a letter or schedule prepared by the applicant's Solicitor to this department which would specifically describe the new private easements to be established through this Consent Application. It should also be noted that any documentation received will be forwarded as an attachment to our clearance memo to the Committee of Adjustment so that any new proposed private easement can be identified and also be incorporated into the Certificate of Secretary-Treasurer.

10. Fee Requirements as Per Fees and Charges By-Law

As per the City of Mississauga's Fees and Charges By-law there will be a fee required to be paid to the Legal Services Department for their services, in particular for the preparation of legal documents. The fee amount payable will be in accordance with the current Fees and Charges Bylaw and be submitted to the Transportation and Works Department in the form of a certified cheque.

11. Environmental Site Screening Questionnaire

An Environmental Site Screening Questionnaire and Declaration (ESSQD) must be filled out for the property, signed and dated by the owner, and witnessed by a commissioner of oaths and submitted to the Transportation and Works Department for review.

12. 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 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 Tony Iacobucci at (905) 615 3200 ext. 5129 or tony.iacobucci@mississauga.ca .

B. General Information

1. Lot Grading and Drainage

We advise the applicant that issuance of any building permits for these lands will require 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 additional service laterals to this property 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 access modifications to the subject lands 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 subject lands is various sections of the storm sewer on Maritz Drive (1350mm to 2400mm) and Longside Drive (600mm to 900mm). It should be noted that as the retained and severed parcels are greater than 1 ha, an ESC Permit will be required prior to any land disturbing activities.

5. ESC Permit

It should be noted that as the retained and severed parcels are greater than 1 ha, an ESC Permit will be required prior to any land disturbing activities.

6. Site Plan Approval

Any development of the subject lands will require the owner obtaining Site Plan Approval where any site specific conditions/requirements relating to detailed lot grading and drainage, servicing, access, etc. will be addressed.

7. Hurontario Street LRT

The owner is advised that Infrastructure Ontario and Metrolinx have awarded a contract for the Hurontario LRT. The design work will begin immediately with construction to follow. The anticipated completion date of the Hurontario LRT is scheduled for late 2021. The owner is advised to contact the Hurontario LRT Office as there may be impacts to this proposed development.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

We have no objection to the consent application provided that the severed and retained lands comply with the provisions of Zoning By-law 225-2007, as amended, with respect to, among other things, minimum lot frontage, minimum lot area, setbacks to the existing building(s), on site parking, etc., or alternatively, that any minor variance(s) is approved, final and binding and/or the demolition of any existing building(s) is complete.

We further advise that the proposed lot frontage is to be calculated in accordance with the following definition;

The applicant is advised that Lot Frontage means the horizontal distance between the side lot lines and where these lines are not parallel means the distance between the side lot lines measured on a line parallel to and 7.5 m back from the front lot line.

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 consent application and advises as follows:

In addition, Community Services notes the following:

- Comments and conditions will be addressed through future Development Applications for the subject property.
- 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 4 – Heritage

The property has archaeological potential due to its proximity to a present or past watercourse or known archaeological resource. The proponent shall carry out an archaeological assessment of the subject property and mitigate, through preservation or resource removal and documenting, adverse impacts to any significant archaeological resources found. No grading or other soil disturbances shall take place on the subject property prior to the approval authority and the Ministry of Heritage, Sport, Tourism, and Culture Industries confirming that all archaeological resource concerns have met licensing and resource conservation requirements. Letters to this effect from said Ministry corresponding to each archaeological assessment report and activity are required to be submitted to the Culture Division for review. The above should be a condition of approval.

Comments Prepared by: P. Wubbenhorst, Heritage Planner

Appendix 5 – Region of Peel Comments

Consent Application: B-10/21

Traffic Development: Catherine Barnes (905) 791-7800 x7569

Region of Peel Traffic Development staff have reviewed the above noted consent application, and offer the following comments:

- No access is supported off of Regional Road 5 (Derry Road). Any access for the severed or retained lands must be obtained from the surrounding Municipal Roadways;
- The Region requires the gratuitous dedication of lands to meet the Regional Official Plan requirement for Regional Road 5 (Derry Road), which has a right-of-way of 50.5 metres, 25.25 metres from the centreline of the road allowance;
- The Region requires the gratuitous dedication of a 0.3m reserve behind the property line along Regional Road 5 (Derry Road);
- The Region requires the gratuitous dedication of a 15X15 metre daylight triangle at the intersection of Derry Road and Maritz Drive, from the reinstated property line;
- The applicant is to dedicate these lands to the Region, free and clear of all encumbrances. All costs associated with the transfer, including preparation of the necessary reference plan are the responsibility of the applicant. The applicant must provide the Region with the necessary title documents and a draft reference plan for review and approval prior to deposit.

Should the committee see merit in this consent application, we request the following be included in the conditions of approval:

Condition: Satisfactory arrangement shall be made between the owner and the Region regarding land dedication.

Comments Prepared by: Diana Guida, Junior Planner

Appendix 7 – Bell Canada

Bell Canada's engineering department have determined that there are no concerns or issues with the application.

If you have any questions regarding this response, please do not hesitate to contact me.

Comments Prepared by: Carrie Gordon, External Liaison

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 February 19, 2021.
5. A letter shall be received from the City of Mississauga, Community Services Department, Culture Division, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated February 19, 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 February 19, 2021.



COMMITTEE OF ADJUSTMENT NOTICE OF APPLICATION

File: B11.21

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 955 Halliday Avenue, zoned RM1-26 - 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 of land has a frontage of approximately 10.15m (33.30ft) and an area of approximately 354.10sq.m (1,161.75sq.ft).

The Committee has set **Thursday February 25, 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:

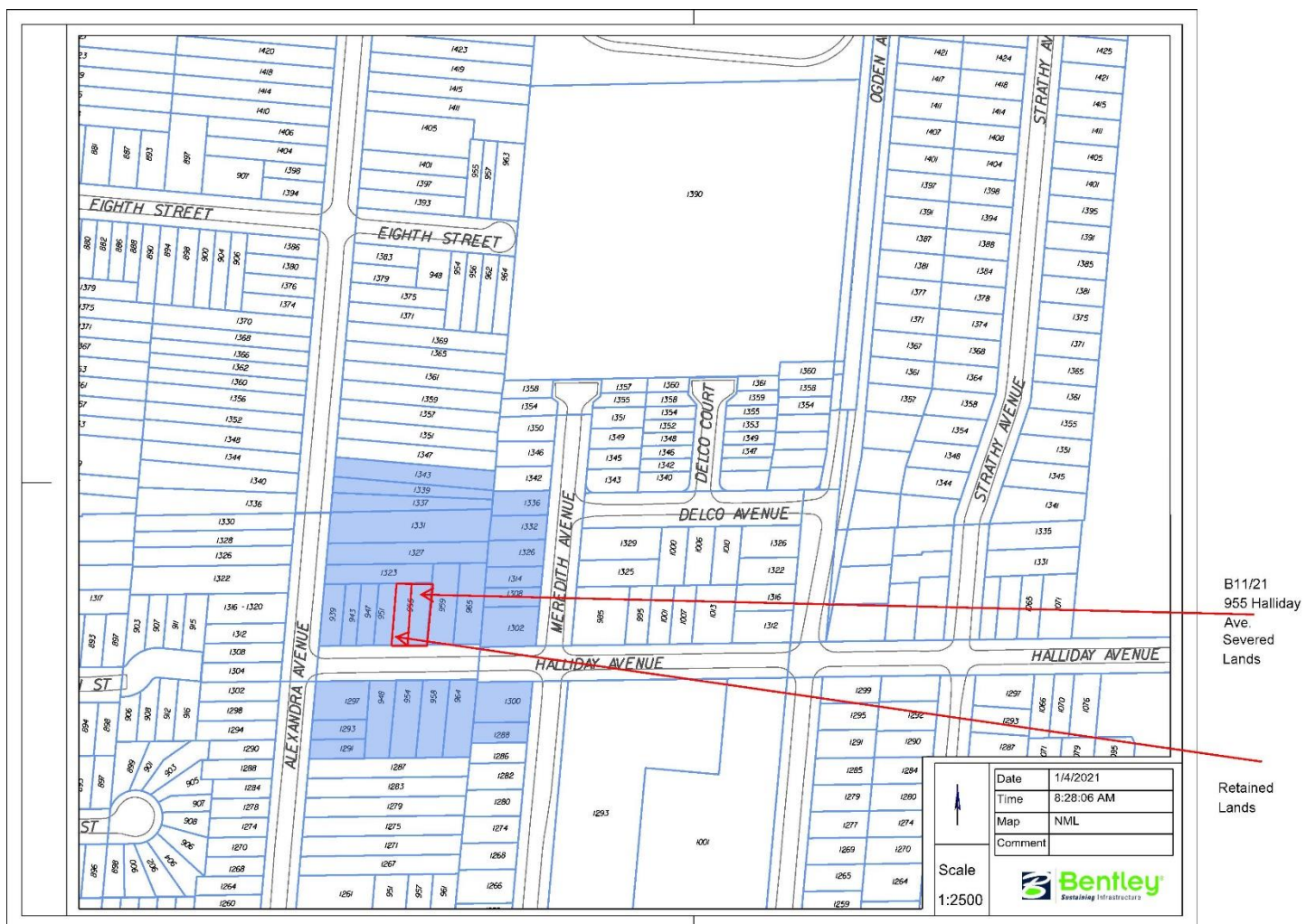
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud 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: 2021-02-17 | File(s): B11.21 Ward: 1 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2021-02-25 |

Consolidated Recommendation

The City recommends that the application be deferred.

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 of land has a frontage of approximately 10.15m (33.30ft) and an area of approximately 354.10sq.m (1,161.75sq.ft).

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 955 Halliday Avenue

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM1-26 (Residential)

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, northeast of Atwater Avenue and Alexandra Avenue. The immediate neighbourhood area is primarily

residential consisting of detached and semi-detached dwellings with an eclectic mix lot frontages ranging from approximately 8.50 m to 20 m. The subject property contains an existing one storey dwelling with vegetation in the front yard.

The applicant is proposing to sever the subject property for the purpose of developing two detached dwellings.



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.

Staff comments concerning the application are as follows:

The retained and severed parcel propose lot frontages of 10.15 m and lot areas of approximately 354.10 m². The RM1-26 (Residential) zoning requires that detached dwellings are to be developed in accordance with the R4 zoning provisions. As such, the zoning by-law requires a minimum lot frontage of 12 m and lot area of 365 m², which results in variances for lot frontage and lot area being required.

Furthermore, the elevations propose a flat roof height of 9.45 m whereas the RM1-26 exception zone only permits a flat roof height of 7.50 m. Although staff may not have concerns with the proposed severance in principle, the increased flat roof height presents significant concerns and would not be supported by planning staff. The application should be deferred to reduce the flat roof height and allow the applicant to submit a zoning review to capture all required variances.

Conclusion

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

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

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

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 these lands is the existing 375mm diameter storm sewer system located on Halliday Ave. 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.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

We have no objection to the consent application provided that the severed and retained lands comply with the provisions of Zoning By-law 225-2007, as amended, with respect to, among other things, minimum lot frontage, minimum lot area, setbacks to the existing building, on site parking, etc., or alternatively, that any minor variance is approved, final and binding and/or the demolition of any existing building is complete.

We further advise that the proposed lot frontage is to be calculated in accordance with the following definition;

The applicant is advised that Lot Frontage means the horizontal distance between the side lot lines and where these lines are not parallel means the distance between the side lot lines measured on a line parallel to and 7.5 m back from the front lot line.

Comments Prepared by: Brandon Eidner, 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 trees within the municipal boulevard:

- 2 Globe Maples – 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 trees.
2. The applicant shall provide tree protection securities in the amount of \$3,587.74 for the preservation of the municipal trees.

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.
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

City of Mississauga

Memorandum:

City Department and Agency Comments

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

Comments Prepared by: Diana Guida, Junior Planner

Appendix 7 – Bell Canada

Bell Canada's engineering department have determined that there are no concerns or issues with the application.

If you have any questions regarding this response, please do not hesitate to contact me.

Comments Prepared by: Carrie Gordon, External Liaison

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 February 17, 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 February 17, 2021.



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A46.21
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 3146 Merritt Avenue, zoned R4-1 - 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 gross floor area of 214.68sq.m (approx. 2,310.80sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 174.30sq.m (approx. 1,876.15sq.ft) in this instance;
2. A lot coverage of 40.3% of the lot area (149.75sq.m/approx. 1,611.90sq.ft) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.0% of the lot area (111.45sq.m/approx. 1,199.64sq.ft) in this instance;
3. A height measured to the eaves of 7.06m (approx. 23.16ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m (approx. 21.00ft) in this instance;
4. A driveway width of 2.43m (approx. 7.97ft) whereas By-law 0225-2007, as amended, requires a minimum driveway width of 2.60m (approx. 8.53ft) in this instance;
5. A driveway setback to the lot line of 0.00m whereas By-law 0225-2007, as amended, requires a minimum driveway setback of 0.60m (approx. 1.97ft) in this instance;
6. A front yard of 5.00m (approx. 16.40ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m (approx. 24.61ft) in this instance;
7. A front yard measured to a porch of 4.23m (approx. 13.88ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to a porch of 5.90m (approx. 19.36ft) in this instance; and
8. An easterly side yard of 1.22m (approx. 4.00ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.94ft) in this instance.

The Committee has set **Thursday February 25, 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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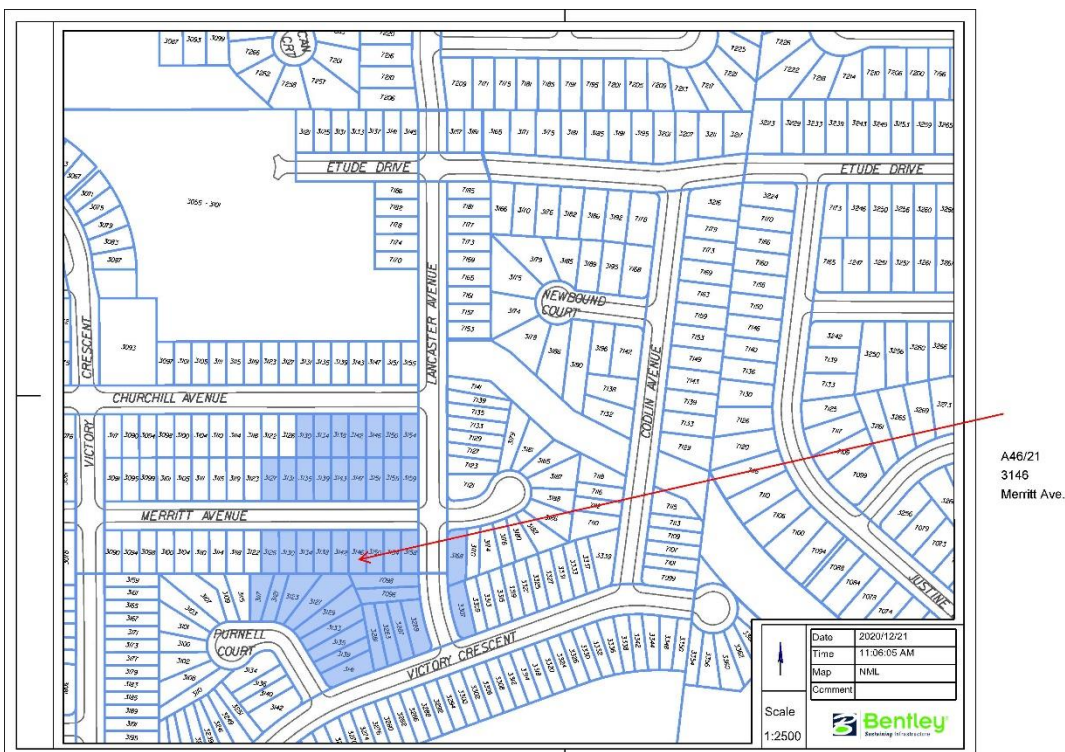
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City of Mississauga

Memorandum:

City Department and Agency Comments

| | |
|---|----------------------------|
| Date Finalized: 2021-02-17 | File(s): A46.21 Ward: 5 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2021-02-25 |

Consolidated Recommendation

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

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 gross floor area of 214.68sq.m (approx. 2,310.80sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 174.30sq.m (approx. 1,876.15sq.ft) in this instance;
2. A lot coverage of 40.3% of the lot area (149.75sq.m/approx. 1,611.90sq.ft) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.0% of the lot area (111.45sq.m/approx. 1,199.64sq.ft) in this instance;
3. A height measured to the eaves of 7.06m (approx. 23.16ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m (approx. 21.00ft) in this instance;
4. A driveway width of 2.43m (approx. 7.97ft) whereas By-law 0225-2007, as amended, requires a minimum driveway width of 2.60m (approx. 8.53ft) in this instance;
5. A driveway setback to the lot line of 0.00m whereas By-law 0225-2007, as amended, requires a minimum driveway setback of 0.60m (approx. 1.97ft) in this instance;
6. A front yard of 5.00m (approx. 16.40ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m (approx. 24.61ft) in this instance;
7. A front yard measured to a porch of 4.23m (approx. 13.88ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to a porch of 5.90m (approx. 19.36ft) in this instance; and
8. An easterly side yard of 1.22m (approx. 4.00ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.94ft) in this instance.

Background

Property Address: 3146 Merritt Avenue

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

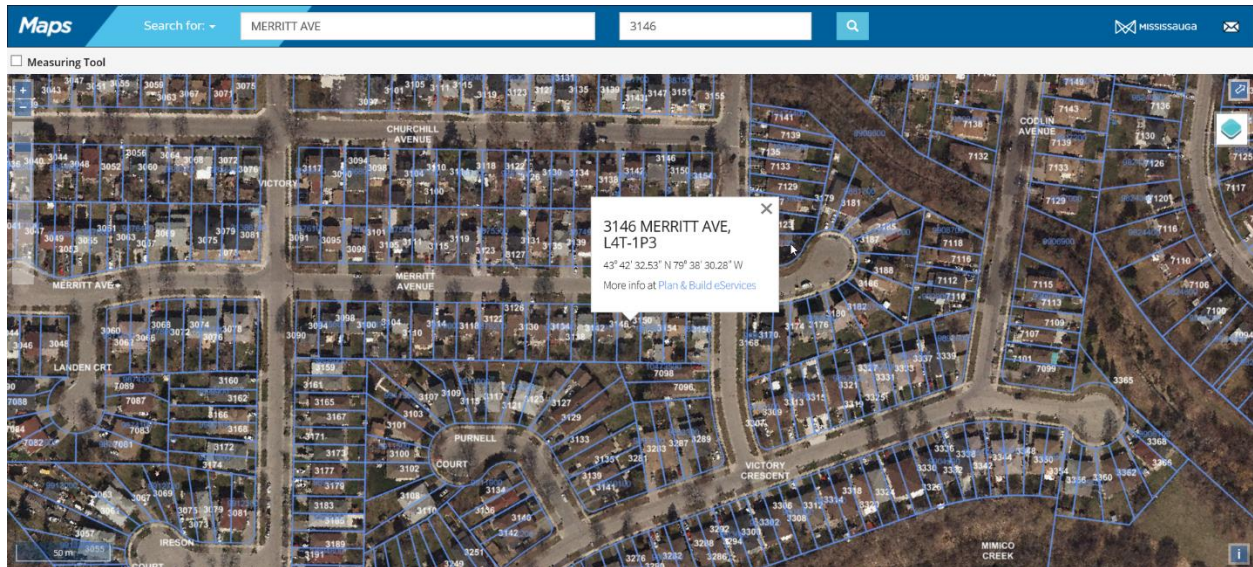
Zoning: R4-1 - Residential

Other Applications: Pre APP 20-3674

Site and Area Context

The property is located north-east of the Derry Road E. and Airport Road intersection. The site currently houses a single storey detached dwelling with minimal vegetation and landscaping elements in the front and rear yards. The subject property is an interior parcel with a lot area of approximately +/- 371.50m² and a lot frontage of approximately +/- 12.19m. Contextually, the surrounding neighbourhood consists of post-war, single storey detached dwellings. These properties possess lot frontages of +/- 12.0m.

The applicant is proposing a new dwelling that requires variances for lot coverage, gross floor area, height of the eaves, driveway width, as well as driveway, front yard and side yard setbacks.



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 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; but does not have regard for the 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 completed the Malton Infill Housing Study in 2016. This study resulted in the Council's adoption of new zoning regulations principally aimed at regulating the massing of dwellings in a manner that is sensitive to the surrounding neighbourhood. In the broader context of Victory Village, there are examples of larger replacement dwellings constructed under the previous zoning by-law that could influence the local character, however the immediate neighbourhood processes limited examples of infill.

The intent of the infill 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

From our site inspection of the property and from the grading information depicted on the Site Plan DWG No: A1 submitted with this application we note that the topography of the site is such that the rear yard is at a lower elevation than the front of the property and any runoff drainage from the rear yard would only be able to be self-contained within the rear yard. With the construction of the proposed garage in the rear yard, and the additional hard surface area which would be created by the driveway, we foresee drainage related concerns with the request as submitted.

The Site Plan DWG No: A1 submitted depicts a proposed trench drain, this trench drain would have to be connected somewhere. We cannot confirm any Building Permit Application or approvals from our Storm Drainage Section with regards to the proposed trench drain. We also note that if the proposal is being considered utilizing the trench drain concept, we could not support this application as submitted until it was confirmed where the trench drain was going to outlet. It should be noted that there is a 525MM diameter storm sewer on Merritt Avenue which is probably too shallow to permit the trench drain connection.

We also note that we do not support Variance # 5 requesting a minimum driveway setback to the lot line of 0.00m whereas a minimum driveway setback of 0.60m should be provided.

In view of the above noted concerns, we cannot support this request as submitted and would suggest that this application be deferred. Upon the receipt of a modified proposal or additional information to support the proposed trench drain, and the elimination of requested Variance #5, we can re-evaluate the request.



Comments Prepared by: Tony Iacobucci, Development Engineering technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing preliminary zoning review application PREAPP 20-3674. The variances requested are correct based on the review of the site plan approval plans received by Zoning staff on 12/4/2020.

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

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the February 25th, 2021 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-290/20, DEF-A-354/20, DEF-A-377/20.

Minor Variance Applications: A-46/21, A-47/21, A-49/21, A-50/21, A-52/21, A-53/21, A-61/21.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A47.21
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 2506 Vineland Road, zoned R3 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to allow the construction of an addition proposing an interior side yard of 1.28m (approx. 4.20ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 1.81m (approx. 5.94ft) in this instance.

The Committee has set **Thursday February 25, 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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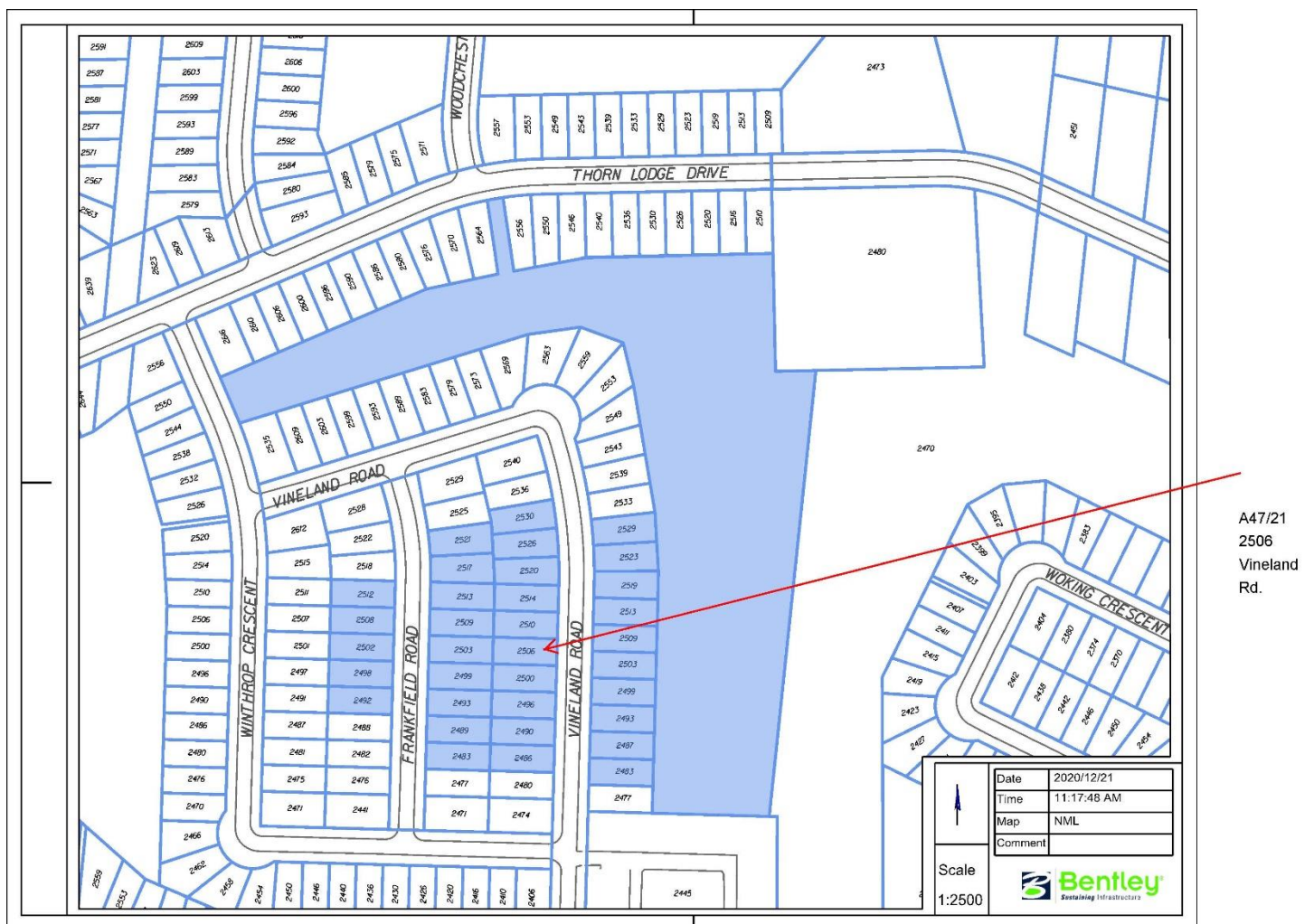
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Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process 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: 2021-02-17 | File(s): A47.21 Ward: 2 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2021-02-25 |

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. The applicant may choose to defer the application to verify the requested variance.

Application Details

The applicant requests the Committee to allow the construction of an addition proposing an interior side yard of 1.28m (approx. 4.20ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 1.81m (approx. 5.94ft) in this instance.

Background

Property Address: 2506 Vineland Road

Mississauga Official Plan

Character Area: Sheridan Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

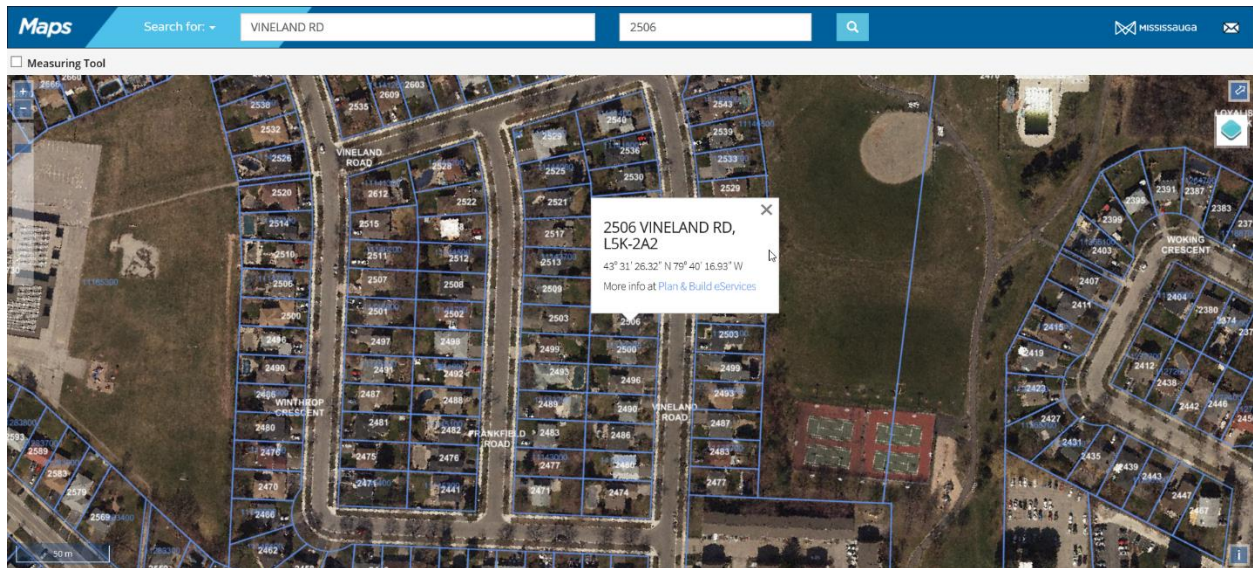
Zoning: R3 (Residential)

Site and Area Context

The subject property is located within the Sheridan Neighbourhood Character Area, southeast of Dundas Street West and Winston Churchill Boulevard. 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 existing deficient side yards.

The application proposes a two storey addition, requesting a variance related to a deficient 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 existing dwelling maintains a southerly side yard setback of 1.28 m. As the applicant is proposing a second storey addition, a variance is required to accommodate the deficient setback measured to the second storey. The proposal does not alter the existing side yard setback. Through a review of the neighbourhood, similar deficiencies exist and are part of the neighbourhood context. As such, the proposed application raises no concerns of a planning nature and is appropriate to be handled through the Committee of Adjustment process.

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. The applicant may choose to defer the application to verify the requested variance.

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 future Building Permit process.

Comments Prepared by: John Salvino, 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 variances or determine whether additional variances 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: Brandon Eidner, Zoning Examiner

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the February 25th, 2021 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-290/20, DEF-A-354/20, DEF-A-377/20.

Minor Variance Applications: A-46/21, A-47/21, A-49/21, A-50/21, A-52/21, A-53/21, A-61/21.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A49.21
Ward: 9

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 2540 Windwood Drive, zoned R3 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to allow a widened driveway proposing a driveway width of 8.84m (approx. 29.00ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

The Committee has set **Thursday February 25, 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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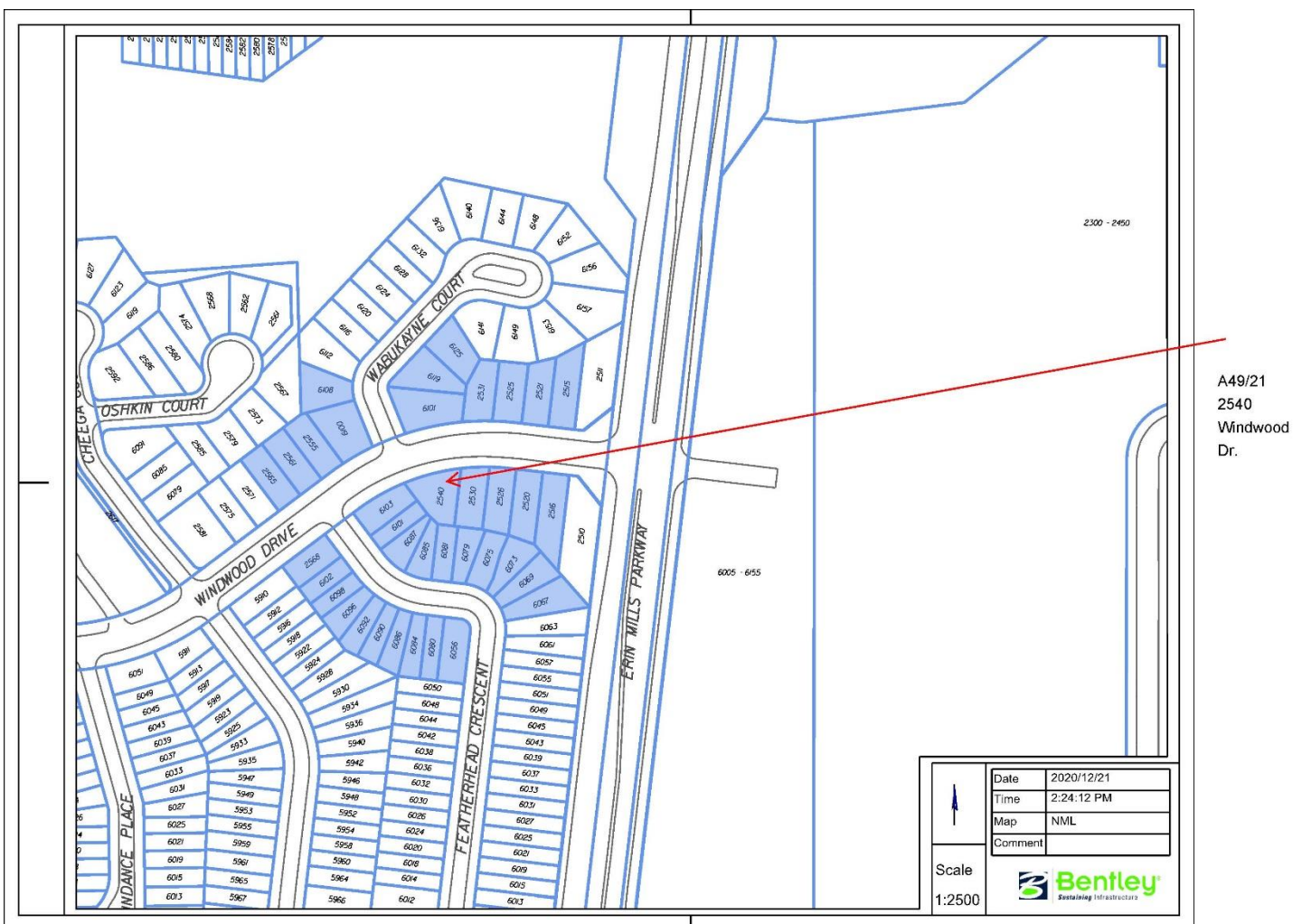
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City of Mississauga

Memorandum:

City Department and Agency Comments

| | |
|---|----------------------------|
| Date Finalized: 2021-02-17 | File(s): A49.21 Ward: 9 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2021-02-25 |

Consolidated Recommendation

Planning Staff recommend have no objection to variance, as amended. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

The applicant requests the Committee to allow a widened driveway proposing a driveway width of 8.84m (approx. 29.00ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

Amendments

While Planning Staff are not in a position to provide an interpretation of the Zoning By-law; Staff would note the following variance should be amended to the following;

- A driveway width beyond the garage face of 8.84m whereas By-law 0225-2007, as amended, permits a maximum driveway width beyond the garage face of 8.50m

Background

Property Address: 2540 Windwood Drive

Mississauga Official Plan

Character Area: Meadowvale Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3 - Residential

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

The subject property is located north-west of the Tenth Line Road West and Scotch Pine Gate intersection. The subject property is an interior parcel, with a lot area of +/- 2,161.90m² and a lot frontage of +/- 33.52m. The property currently houses a two-storey, detached dwelling with minimal vegetation and landscape elements in the front and rear yard. Contextually, the area is comprised exclusively of detached residential dwellings on lots possessing lot frontages of +/- 16.0 and with minimal vegetation and landscape elements in the front yards.

The applicant is proposing a larger driveway requiring a variance for driveway 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 property is situated within the Meadowvale Neighbourhood Character Area, and designated Residential Low Density II by the Mississauga Official Plan (MOP). The Residential Low Density II designation permits detached dwellings; semi-detached dwellings; duplex dwellings; and, triplexes, street townhouses, and other forms of low density dwellings with individual frontages. As per Section 9.1 (Introduction), driveway widths should respect the identity and character of the surrounding context. The application is in line with both the general intent and purpose of the Official Plan.

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

As per Zoning By-law 0225-2007, the subject property is zoned R3 (Residential). Pursuant to Section 4.1.9.13, lots having a frontage greater than 18.0m are permitted a maximum driveway width of 10.50m for the portion of the driveway that is within 6.0m of the front garage face and is therefore permitted as of right. For the portion of the driveway beyond 6.0m of the front garage face, the driveway width may be increased to 8.50m. Through email correspondence with the applicant on February 5, 2021, staff understand that the subject property possess a driveway length of 10.45m measured from the garage face to the beginning of the sidewalk. The applicant has proposed an 8.84m wide driveway beyond the 6.0m and permitted width of 8.50. Planning Staff are of the opinion that the 0.34m increase is a minor deviation from the by-law and will not impact drainage on the property or the visual buffer between properties.

While Planning Staff are not in a position to provide an interpretation of the Zoning By-law; Staff would note the following variance should be amended to the following;

- A driveway width beyond the garage face of 8.84m whereas By-law 0225-2007, as amended, permits a maximum driveway width beyond the garage face of 8.50m

The proposed driveway meets the general intent of purpose of the zoning by-law.

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

Staff note, the proposed driveway represents an insignificant deviation from the zoning by-law, and maintains the soft landscaping in the front yard. The variance, as amended results in both the orderly development of the lands, and whose impacts will be minor in nature.

Conclusion

Based upon the preceding information, it is the opinion of Staff that the variance, as amended, meet the general intent and purpose of both the MOP and Zoning By-law; is minor in nature; and, is desirable for the orderly development of the lands. 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 notes that with regard 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 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: Brandon Eidner, Zoning Examiner

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the February 25th, 2021 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-290/20, DEF-A-354/20, DEF-A-377/20.

Minor Variance Applications: A-46/21, A-47/21, A-49/21, A-50/21, A-52/21, A-53/21, A-61/21.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A50.21
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 6808 Loganberry Court, zoned R16-7 - 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 a pergola on subject property, proposing:

1. A lot coverage of 30.05% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance;
2. An occupied area of an accessory structure of 15.04m (approx. 49.34ft) whereas By-law 0225-2007, as amended, permits a maximum occupied area of an accessory structure of 10.00m (approx. 32.81ft) in this instance; and
3. A height of an accessory structure of 3.59m (approx. 11.78ft) 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 February 25, 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

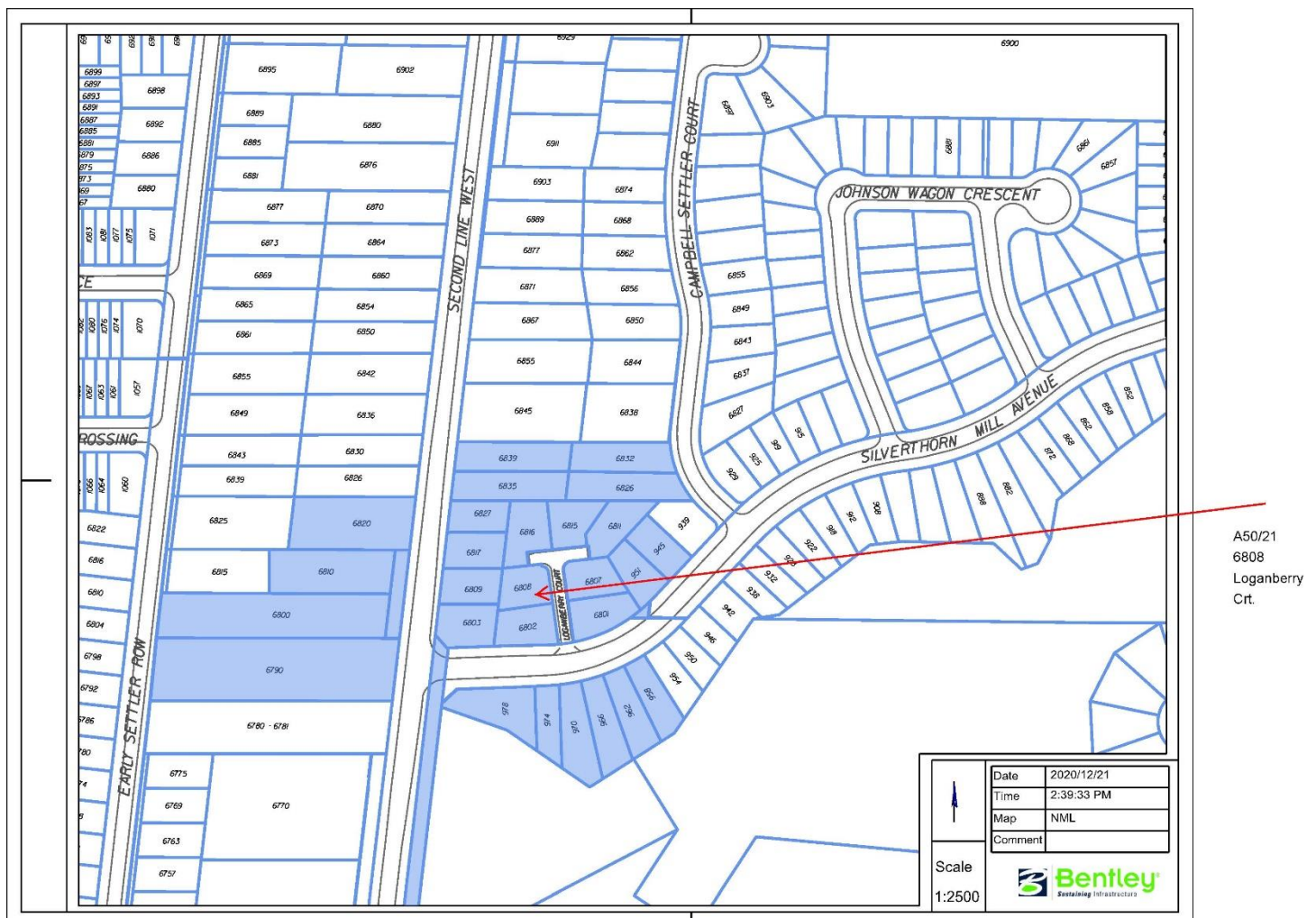
materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services will not be accepted.

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: 2021-02-17 | File(s): A50.21 Ward: 11 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2021-02-25 |

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow a pergola on subject property, proposing:

1. A lot coverage of 30.05% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance;
2. An occupied area of an accessory structure of 15.04m (approx. 49.34ft) whereas By-law 0225-2007, as amended, permits a maximum occupied area of an accessory structure of 10.00m (approx. 32.81ft) in this instance; and
3. A height of an accessory structure of 3.59m (approx. 11.78ft) whereas By-law 0225-2007, as amended, permits a maximum height of an accessory structure of 3.00m (approx. 9.84ft) in this instance.

Amendments

Based on review of the information currently available for this building permit, The Building Department notes that the following variance should be amended to the following;

- A lot coverage of 30.5% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance;

Background

Property Address: 6808 Loganberry Court

Mississauga Official Plan

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

Zoning By-law 0225-2007

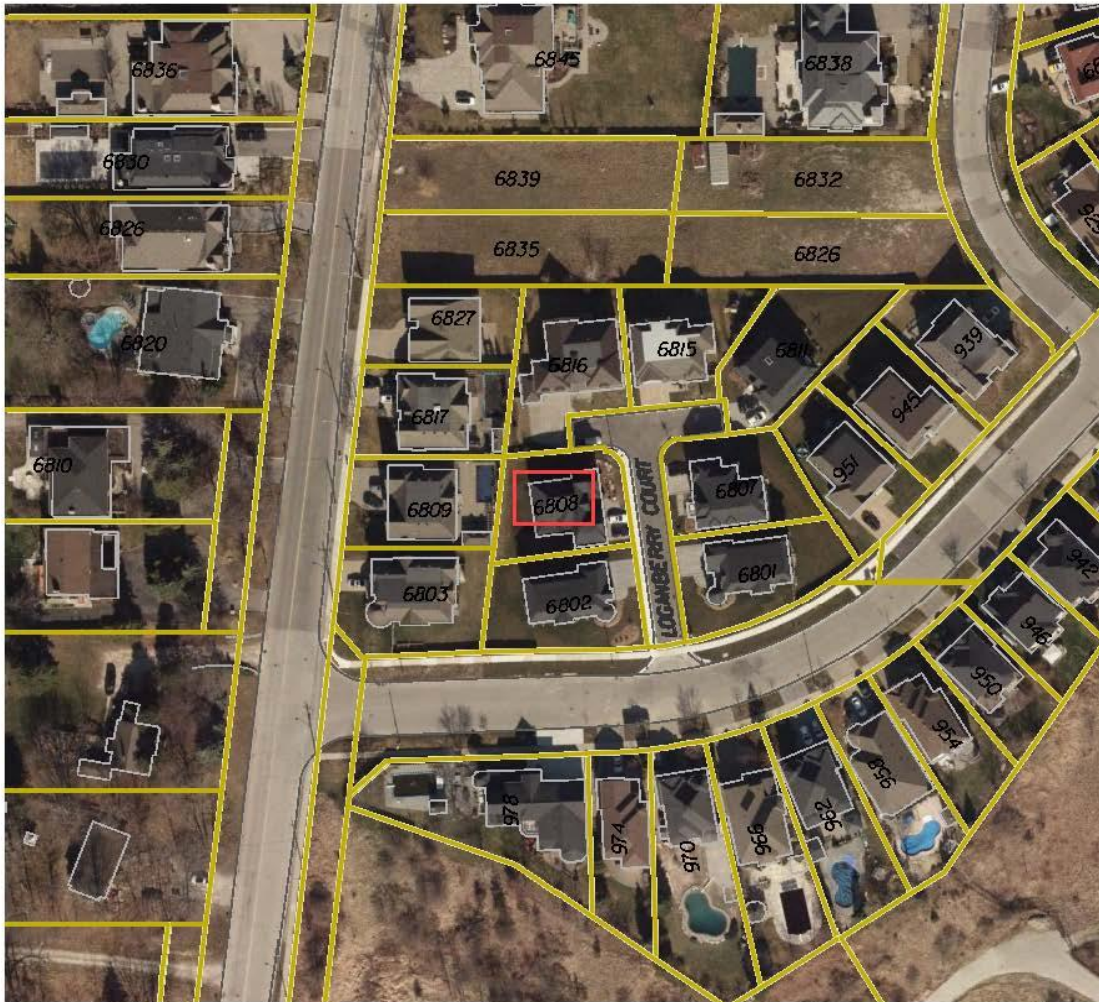
Zoning: R16-7 - Residential

Other Applications: Building Permit: 20-3019

Site and Area Context

The subject property is located within the Meadowvale Village Neighbourhood Character Area, south-west of the Old Derry Rd and Mavis Rd intersection. The subject property is an interior parcel, with a lot area of +/- 675.82m² and a lot frontage of +/- 30.34m. The property consists of a two-storey detached dwelling with minimal vegetation and landscape elements in the front and rear yard. The surrounding neighbourhood comprises exclusively of detached dwellings with lot frontages of +/-20.00m, with minimal vegetative / natural landscaped elements within the front yards.

The applicant has proposed an enclosed accessory structure requesting variances for lot coverage, occupied space 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 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 I in Schedule 10 of the Mississauga Official Plan (MOP) which 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 located in the rear of the property, separated from the public realm. The structure is compatible with the surrounding area and does not pose any 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:

The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot. In this instance, the increased lot coverage is due to the enclosed accessory structure. The Building Department is currently processing a building permit application under file BP 9NEW 20-3019 and advises that the following variances should be amended to the following:

- A lot coverage of 30.5% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance;

Planning Staff are of the opinion that the 0.5% increase in lot coverage over the maximum permitted lot coverage stated in the by-law is negligible and does not pose a significant impact to the intended lot coverage of this property. Staff find the massing is well distributed across the property and does not contribute to an over development of the site. As such, variance #1 maintains the general intent and purpose of the by-law.

Variance #2 and #3 pertain to the accessory structure:

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 contributes massing to the entirety of the property and should not over burden the primary structure. The proposed accessory structure is a single storey, stand alone structure that is located in the rear yard and maintains all required setbacks. While the structure is enclosed on all sides, the proposed height of 3.59 whereas 3.00m is

permitted will not greatly impeded upon the neighbouring properties. Other structures similar to the proposed are present throughout the surrounding area; and as a result will not create a significant massing impact. Staff is of the opinion that variance #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 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 amended. 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

Should Committee see merit in the request we would request that the existing/approved drainage pattern in the area of the accessory structure be maintained.





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 9NEW 20-3019. Based on review of the information currently available for this building permit, we advise that the following variance(s) should be amended as follows:

A lot coverage of 30.5% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance;

Our comments are based on the plans received by Zoning staff on 09/02/2020 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

Regional Planning staff have reviewed the applications listed on the February 25th, 2021 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-290/20, DEF-A-354/20, DEF-A-377/20.

Minor Variance Applications: A-46/21, A-47/21, A-49/21, A-50/21, A-52/21, A-53/21, A-61/21.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A51.21
Ward: 7

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 86 Dundas Street East, zoned H-RA4-52 - Holding, Residential & G1 - Greenlands, 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 mixed-use residential building proposing:

1. 342 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 367 parking spaces in this instance; and
2. A drive aisle width of 6.20m (approx. 20.34ft) whereas By-law 0225-2007, as amended, requires a minimum drive aisle width of 7.00m (approx. 22.97ft) in this instance.

The Committee has set **Thursday February 25, 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:

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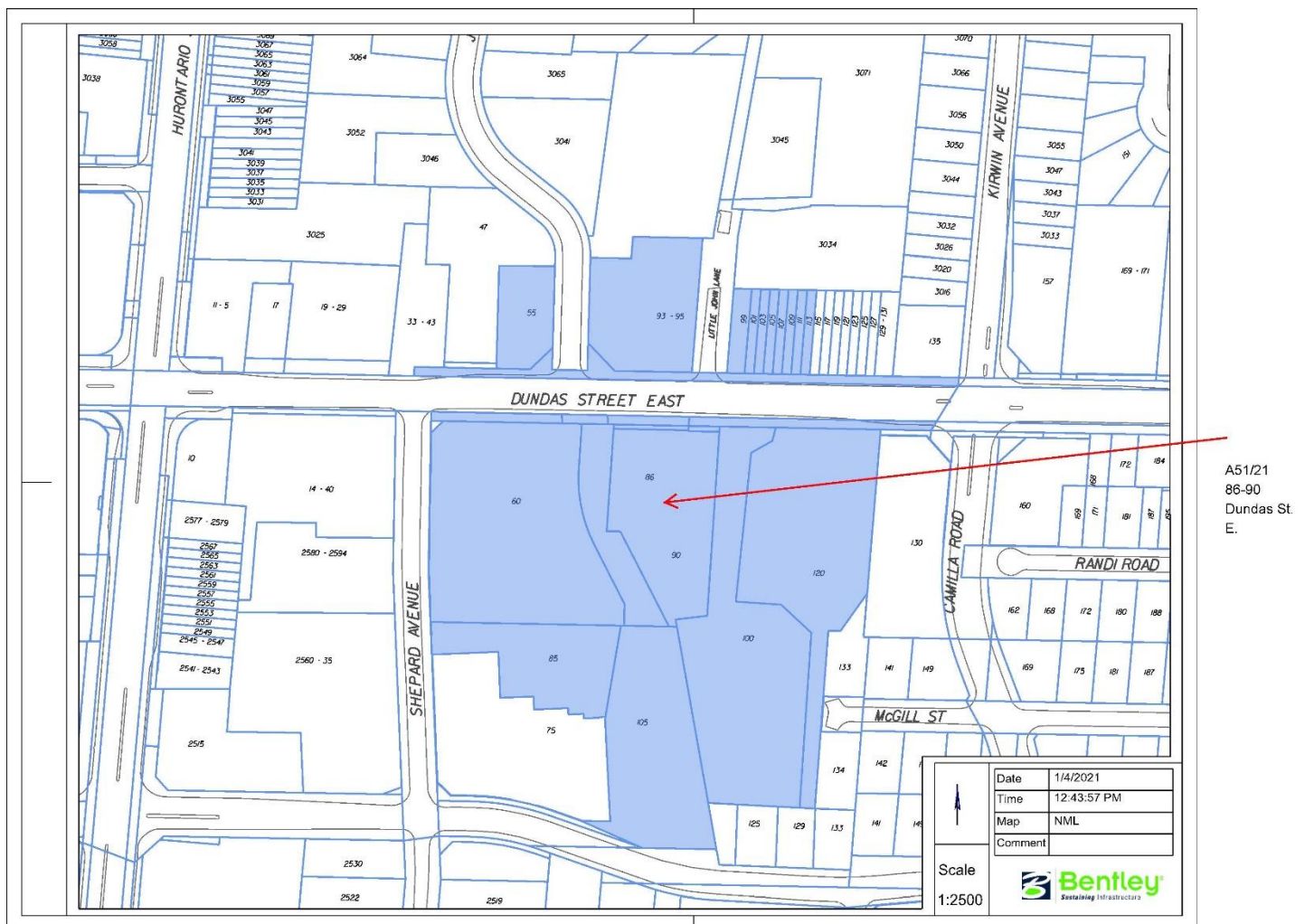
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud 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: 2021-02-17 | File(s): A51.21 Ward: 7 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2021-02-25 |

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a mixed-use residential building proposing:

1. 342 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 367 parking spaces in this instance; and
2. A drive aisle width of 6.20m (approx. 20.34ft) whereas By-law 0225-2007, as amended, requires a minimum drive aisle width of 7.00m (approx. 22.97ft) in this instance.

Recommended Conditions and Terms

Should Committee see merit in the application, Planning Staff recommends the following condition be imposed to address visitor parking:

- That 50 visitor parking spaces be provided as required by the Zoning By-law.

Should the Committee see merit in the application, Planning Staff have no objection to the reduced drive aisle and can support the proposed variance subject to the following term:

- Planning Staff recognize that the variance for the drive aisle providing access to the two compact parking spaces has been designed to a lower standard; and potential purchasers should be notified of the reduced design standard through the condo declaration.

Background

Property Address: 86 Dundas Street East

Mississauga Official Plan

Character Area: Downtown Cooksville
Designation: Greenlands
Residential High Density

Zoning By-law 0225-2007

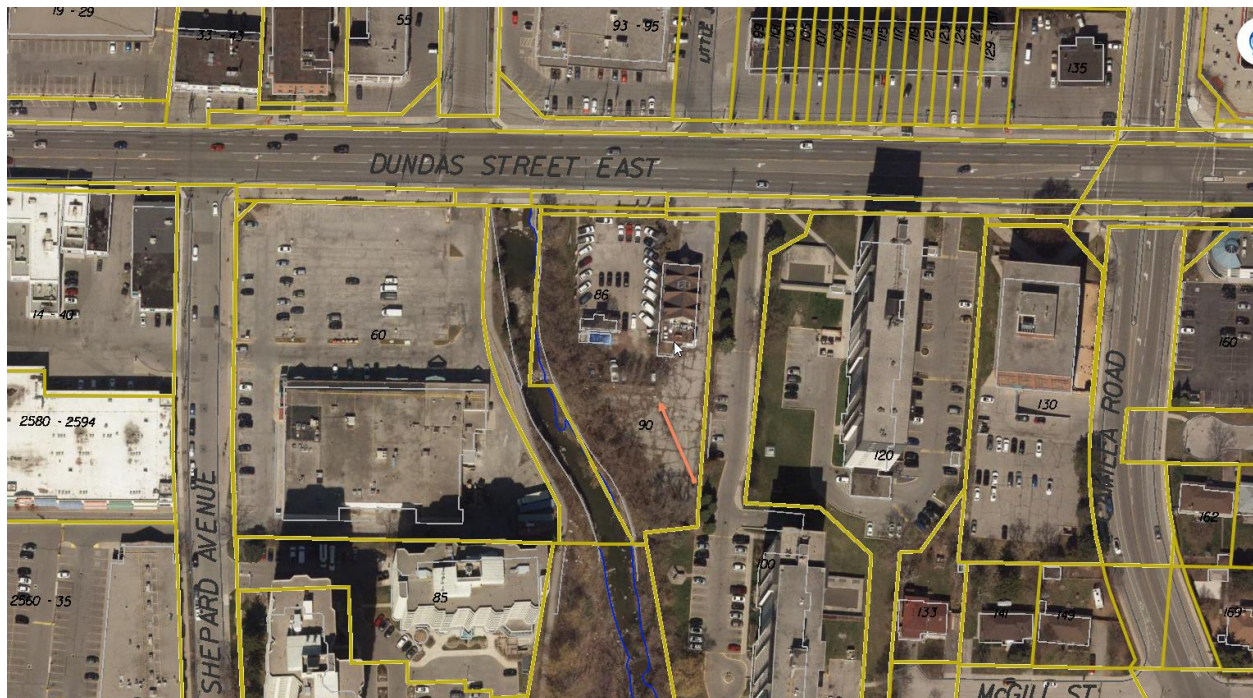
Zoning: H-RA4-52 - Holding, Residential & G1 - Greenlands

**Other Applications: OZ 16/008 W7
SP-130 W7**

Site and Area Context

The subject property is currently a vacant lot located south-east of the Dundas St. E and Hurontario St. intersection. It is an interior parcel, with a lot area of +/- 5,411.0m² and a lot frontage of +/- 60.0m. The property possesses vegetative elements in the rear yard and along the periphery of the lot and immediately adjacent to the Cooksville Creek. From a land-use perspective, the immediate neighbourhood is a mixture of commercial and residential uses; including restaurants, offices, a retirement home, and residential towers.

The applicant is proposing a decrease in parking spaces provided as well as a narrower drive aisle.



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 Cooksville Character Area, and is currently designated Residential High Density and Greenlands by the Mississauga Official Plan (MOP). Pursuant to Section 11.2.5 (Residential), this designation permits a high-rise apartment building. The MOP also encourages a high level of development along Dundas St. with a strong focus on a mix uses. The Applicant's proposal of a 17-storey apartment building with ground floor commercial uses 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 requested pertains to parking space reduction:

The intent in quantifying the required number of parking spaces is to ensure that each structure is self-sufficient in providing adequate parking accommodations based upon its intended use.

By-law OZ 16/008 W7, approved by Council in August of 2020, set the parking standards for the property and are detailed below:

- 0.9 spaces per 1-bedroom unit
 - 1.0 space per 2-bedroom unit
- Plus the greater of
- 0.15 visitor spaces per unit
- or
- Parking required for all non-residential uses, located in the same building or on the same lot as the residential use, except banquet hall/conference centre/convention centre, entertainment establishment, overnight accommodation, place of religious assembly, recreational establishment and restaurant.

Parking for banquet hall/conference centre/convention centre, entertainment establishment, overnight accommodation, place of religious assembly, recreational establishment and restaurant shall not be included in the above shared parking arrangement and shall be provided in accordance with applicable regulations contained in Table 3.1.2.2 of this By-law.

The developer has revised the mix of units in the building which has resulted in an increase parking requirements. The table below details the unit count changes which results in the increased parking requirements.

| Proposed Land Use | Number of Units | Approved Parking Rates per OZ-16/008 | Required Parking Spaces |
|------------------------------|-------------------|--------------------------------------|-------------------------|
| 1-bedroom Condominium | 190 | 0.9 | 171 |
| 2-bedroom Condominium | 146 | 1.0 | 146 |
| Visitor | 336 | 0.15 | 50.4 |
| Non-residential | 300m ² | 5.4 | 46.2 (not required) |
| Total | | | 367 |

The applicant is proposing to provide 342 parking spaces, 25 spaces (7%) less than the by-law requires. With the variance requested being deficient by less than 10% , staff do not require a PUS.

A Parking Assessment letter completed by GHD, dated Dec. 10, 2020, was submitted in support of this application. The Parking Assessment letter utilized sales data in its justification for reducing the parking requirements on the site. A summary of the Parking Assessment justification is as follows:

- 285 (%) of the proposed 336 units have been sold
- 210 (%) of the proposed 342 parking spaces have been sold
- Visitor parking rate of 50 spaces (per by-law)
- Leaves 51 units available and 82 parking spaces available, even with the proposed reduction to 342 total spaces
- Parking spaces were sold within a reasonable price range (\$30,000 - \$40,000)

- The proposed deficiency is relatively minor in nature (7%)

Staff are in agreement with the justification above, with the following condition:

- That 50 visitor parking spaces be provided as required in the Zoning By-law.

Planning Staff echo City Planning Strategies comments; should the committee see merit in the application Staff recommend the condition be imposed.

Variance #2 as requested pertains to drive aisle width:

The intent of the zoning by-law is to ensure there is adequate space for a vehicle passageway within a parking area. Planning Staff note the reduced drive aisle width is limited to one location in the eastern portion of the site, on each floor of the parking garage. This creates a pinch point resulting in two compact parking spaces. Planning Staff have no objection to the reduced drive aisle and can support the proposed variance based on the following term:

- Planning Staff recognize that the variance for the drive aisle providing access to the two compact parking spaces has been designed to a lower standard; and potential purchasers should be notified of the reduced design standard through the condo declaration.

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

The Applicant has proposed a desirable development for Downtown Crooksville that aligns with the City's broader housing and transit orientated development goals. The proposed reduction in drive aisle is minor in nature and does not pose any significant negative impact, Staff can support the variance subject to an imposed term. Regarding the parking space reduction, Planning Staff have determined the proposal can be supported subject to the condition for visitor parking being applied. Staff finds the proposal represents the orderly development of the lands, and is minor in nature.

Conclusion

The City has no objection to the variances, as amended. Should Committee see merit in the application, Planning Staff recommend the condition and term be imposed.

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

Appendices

Appendix 1 – Transportation and Works Comments

We are noting that any Transportation and Works Department concerns/requirements for the proposed development are being addressed through the Site Plan Application and 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 20-2544. 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

| | | | |
|-------------------------------------|-------------|------------|---|
| City Department and Agency Comments | File:A51.21 | 2021/02/17 | 7 |
|-------------------------------------|-------------|------------|---|

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: Marco Palermo

Appendix 5 – Region of Peel Comments

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

Please be advised that the subject property is 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 this regulated area 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

Appendix 6 - Conservation Authority Comments

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

1. Watershed Based Resource Management Agency and Public (commenting) Body under the *Planning Act* - providing comments based on CVC's Board approved policies;
2. Planning Advisory Services - providing environmental planning and technical advice/comments based on service agreements or memorandum of understanding;
3. Delegated Responsibilities – providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 3.1 of the *Provincial Policy Statement (2020)*;
4. Regulatory Responsibilities – providing comments to ensure the coordination of requirements under the *Conservation Authorities Act Section 28 regulation*, to eliminate unnecessary delay or duplication in process;
5. Source Protection Agency – providing advisory comments to assist with the implementation of the *CTC Source Protection Plan* under the *Clean Water Act*, as applicable.

SITE CHARACTERISTICS:

The subject property is traversed by Cooksville Creek and its associated valley slope and floodplain. In addition, the property appears to be located within the Significant Natural Site of the City's Natural Heritage System. It is the policy of CVC and the Province of Ontario to conserve

and protect the significant physical, hydrological and biological features associated with the functions of the above noted characteristics and to recommend that no development be permitted which would adversely affect the natural features or ecological functions of these areas.

ONTARIO REGULATION 160/06:

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

PROPOSAL:

It is our understanding that the applicants request the Committee to approve a minor variance to allow the construction of a mixed-use residential building proposing:

1. 342 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 367 parking spaces in this instance; and
2. A drive aisle width of 6.20m (approx. 20.34ft) whereas By-law 0225-2007, as amended, requires a minimum drive aisle width of 7.00m (approx. 22.97ft) in this instance.

COMMENTS:

CVC staff have reviewed the provided information and have **no concerns** with the requested variance. As such, CVC staff have **no objection** to the approval of this minor variance by the Committee at this time.

It should be noted that a CVC permit is required for the development as proposed and is currently reviewing the proposal under the Site Plan application (SP 19/130).

Please circulate CVC any future correspondence regarding this application.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at maricris.marin@cv.ca should you have any further questions or concerns.

Comments Prepared by: Maricris Marinas, Senior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A52.21
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 7170 Tranmere Drive, zoned E3 - 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 an addition proposing:

1. 38 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 51 parking spaces in this instance;
2. A rear yard of 4.50m (approx. 14.76ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.61ft) in this instance;
3. An aisle width of 6.00m (approx. 19.69ft) whereas By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m (approx. 22.97ft) in this instance; and
4. An aisle width abutting the northern parallel parking of 3.00m (approx. 9.84ft) whereas By-law 0225-2007, as amended, requires a minimum aisle width abutting the northern parallel parking of 7.00m (approx. 22.97ft) in this instance.

The Committee has set **Thursday February 25, 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.

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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: 2021-02-17 | File(s): A52.21 Ward: 5 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2021-02-25 |

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

1. 38 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 51 parking spaces in this instance;
2. A rear yard of 4.50m (approx. 14.76ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.61ft) in this instance;
3. An aisle width of 6.00m (approx.19.69ft) whereas By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m (approx. 22.97ft) in this instance; and
4. An aisle width abutting the northern parallel parking of 3.00m (approx. 9.84ft) whereas By-law 0225-2007, as amended, requires a minimum aisle width abutting the northern parallel parking of 7.00m (approx. 22.97ft) in this instance.

Background

Property Address: 7170 Tranmere Drive

Mississauga Official Plan

Character Area: Northeast Employment Area (West)
Designation: Industrial

Zoning By-law 0225-2007

Zoning: E3 - Employment

Other Applications: None

Site and Area Context

The subject property is an industrial building located north-west of the Derry Rd E and Bramalea Rd intersection. The subject property is an interior parcel with a lot area of +/- 5941.85m² and a lot frontage of +/- 61.40m and processes minimal vegetation and landscape elements along the lot line. From a land-use perspective, the immediate neighbourhood is exclusively industrial employment uses with minimal vegetation and landscaping kept to the periphery of the property. Properties within the immediate vicinity possess lot frontages of +/- 35.00m

The applicant has proposed an addition to the existing industrial structure that requires variances for reduced parking spaces, a reduced rear yard and reduced drive aisles.



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 Northeast Employment Character Area, and is designated Industrial by the Mississauga Official Plan (MOP). Pursuant to Section 11.2.12 (Industrial), this designation permits manufacturing. The Applicant's proposal of a steel manufacturing company 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 requested pertains to parking spaces:

The intent in quantifying the required number of parking spaces is to ensure that each structure is self-sufficient in providing adequate parking accommodations based upon its intended use. The applicant is seeking to provide a total of 38 parking spaces, whereas By-law 0225-2007, as amended, requires a minimum of 51 spaces in this instance. This is a reduction of 13 parking spaces.

City Planning Strategies Staff note, a Parking Justification Study, prepared by Tranplan Associates, dated December 2020, has been submitted in support of the application for the requested parking variance. The Parking Justification Study, dated December 2020, states that the existing manufacturing facility is 2740 m². The applicant is proposing to add an additional 892 m² of GFA to the existing work space for new equipment that requires processing materials to be stored indoors which are currently being stored outdoors. The total proposed GFA is 3632.63 m². The submitted site plan shows a GFA of 3559.98 m² which represents a 2% variance from what has been submitted through the minor variance application.

The subject property was surveyed at 30 minute intervals on three separate occasions. Based on the observed demand ratio, the proposed additional GFA of 892.21m² will require 8 parking spaces. A total of 51 spaces are required for the industrial building, including the addition, to which the applicant is proposing 38 parking spaces onsite.

The Parking Justification Study states that not all parked vehicles belong to the subject property and that during the peak demand, four of the parked vehicles belonged to visitors/students of the neighbouring property. Staff note that survey data from December 3 and December 8, 2020, also observed a total of 24 parking spaces were utilized which suggests the parking lot is

occupied at close to capacity during its daily operations with only two or three marked parking spaces unoccupied.

The Parking Utilization Study states that the additional GFA is for work space only which has limited to no impact on the parking demand. However, the Parking Justification Study also notes that the parking demand may be impacted by 3 to 5 additional employees, which suggests that the additional maximum parking demand would increase by 5 parking spaces.

Based on the submitted site plan, dated November 14, 2020, the applicant is proposing to formalize the 11 parallel parking spaces. In this instance, the observed demand of 25 parking spaces can be accommodated onsite, which would equate to a 66% utilization, and accommodate the additional parking demand in the future.

Planning Staff echo City Planning Strategies recommendation, that based on the submitted information and survey results staff can support the application. However, the applicant may wish to defer the application to confirm the accuracy of the requested variances.

Variance #2 as requested pertains to a reduced rear yard:

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 space within the rear yard. While the applicant has proposed a 4.50m rear yard the reduced setback is an adequate amount to space for one-way traffic. Additionally, the setback will not create a significant visual impact because of the orientation on the proposed addition and the abutting properties. 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.

Variance #3 and #4 as requested pertains to a reduced drive aisle:

The intent of the zoning by-law is to ensure there is adequate space for vehicle passageway within parking areas. The applicant is proposing a reduction in drive aisle in two isolated locations of the site. The proposed aisle width of 6.00m is located at the entrance to the site along Tranmere Dr providing access to the accessibility spaces. The applicant is also requesting an aisle width reduction of 3.00m on the north side of the site for access to a parallel parking area. The proposed variances are located in isolated sections of the site and Staff find the deviation from the by-law to be minor in nature and pose no significant impact to the functionality of the property. As such, Planning Staff are of the opinion that the proposed variances meet the general intent and purpose of the zoning bylaw. Furthermore we do not have concerns of a planning nature.

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

The proposed reduction in parking spaces and drive aisle to accommodate an increase in GFA for additional storage and workspace pertaining to the existing manufacturing use located onsite. The decrease in parking spaces and driveway aisles width will not affect the overall

functionality of the site because the increase in GFA is mainly for equipment and materials and will only resulting in a neglegable increase in additional employees. Planning Staff have determined the proposal can be supported; and find the proposal represents the orderly development of the lands, and is minor in nature.

Conclusion

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.

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 addition 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 20-3103. 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

Regional Planning staff have reviewed the applications listed on the February 25th, 2021 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-290/20, DEF-A-354/20, DEF-A-377/20.

Minor Variance Applications: A-46/21, A-47/21, A-49/21, A-50/21, A-52/21, A-53/21, A-61/21.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A53.21
Ward: 3

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 4120 Uxbridge Lane, zoned RM2-2 - 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 construction of an addition proposing:

1. A lot coverage of 47.90% (135sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40.00% (112.00sq.m) in this instance;
2. A gross floor area of 204.00sq.m (approx. 2195.84sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 169.00sq.m (approx. 1819.10sq.ft) in this instance;
3. 2 kitchen whereas By-law 0225-2007, as amended, permits a maximum of 1 kitchen in this instance;
4. A side yard measured to an air conditioning unit of 0.00m whereas By-law 0225-2007, as amended, requires a minimum side yard measured to an air conditioning unit of 0.61m (approx. 2.00ft) in this instance;
5. A rear yard measured to a deck of 4.83m (approx. 15.85ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to a deck of 7.50m (approx. 24.61ft) in this instance;
6. A side yard (northerly) measured to the rear yard deck of 0.00m whereas By-law 0225-2007, as amended, required a minimum side yard measured to the rear yard deck of 1.80m (approx. 5.91ft) in this instance; and
7. A driveway width of 5.69m (approx. 18.67ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.75m (approx. 15.58ft) in this instance.

The Committee has set **Thursday February 25, 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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Advance registration is required to participate in the electronic hearing:

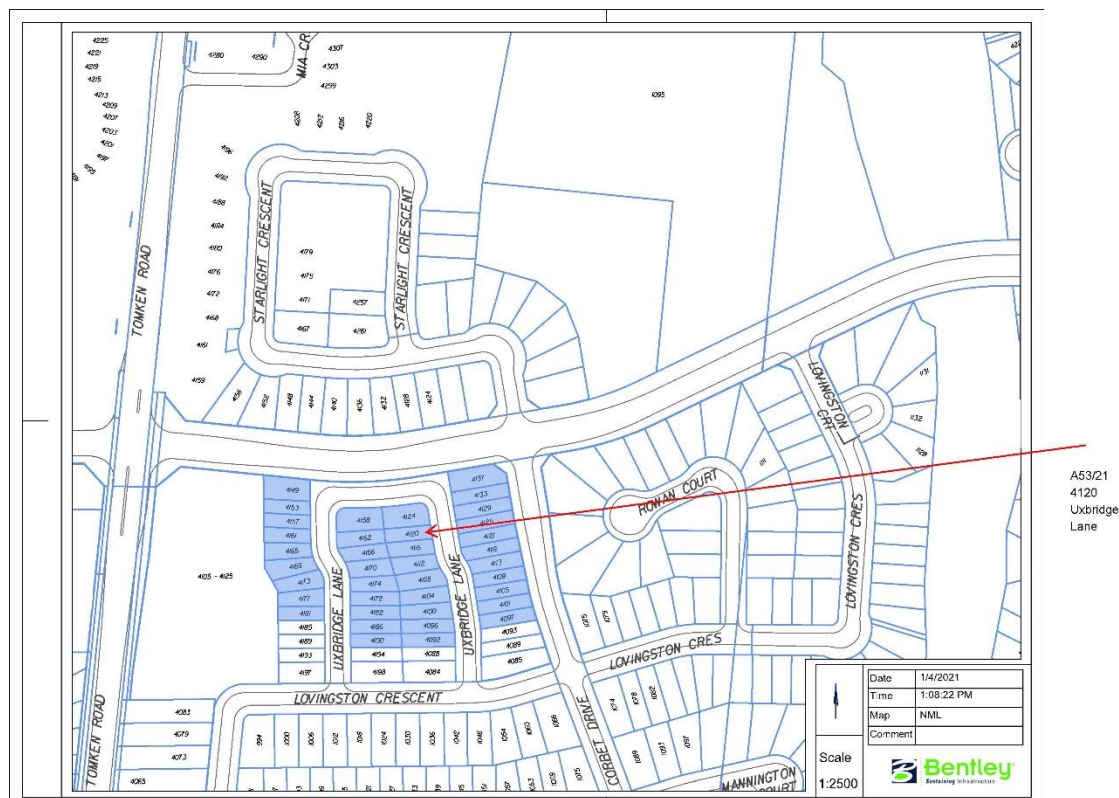
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City of Mississauga

Memorandum:

City Department and Agency Comments

| | |
|---|----------------------------|
| Date Finalized: 2021-02-17 | File(s): A53.21 Ward: 3 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2021-02-25 |

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 an addition proposing:

1. A lot coverage of 47.90% (135sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40.00% (112.00sq.m) in this instance;
2. A gross floor area of 204.00sq.m (approx. 2195.84sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 169.00sq.m (approx. 1819.10sq.ft) in this instance;
3. 2 kitchen whereas By-law 0225-2007, as amended, permits a maximum of 1 kitchen in this instance;
4. A side yard measured to an air conditioning unit of 0.00m whereas By-law 0225-2007, as amended, requires a minimum side yard measured to an air conditioning unit of 0.61m (approx. 2.00ft) in this instance;
5. A rear yard measured to a deck of 4.83m (approx. 15.85ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to a deck of 7.50m (approx. 24.61ft) in this instance;
6. A side yard (northerly) measured to the rear yard deck of 0.00m whereas By-law 0225-2007, as amended, required a minimum side yard measured to the rear yard deck of 1.80m (approx. 5.91ft) in this instance; and
7. A driveway width of 5.69m (approx. 18.67ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.75m (approx. 15.58ft) in this instance.

Amendments

The Building Department is currently processing a building permit application under file PREAPP 20-4031. Based on review of the information currently available for this building permit, we advise that the following variance be amended to the following:

| | | | |
|-------------------------------------|-------------|------------|---|
| City Department and Agency Comments | File:A53.21 | 2021/02/17 | 2 |
|-------------------------------------|-------------|------------|---|

A driveway width of 5.92m (approx. 18.67ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.75m (approx. 15.58ft) in this instance.

Further, we note that variance #5 is not required.

Background

Property Address: 4120 Uxbridge Lane

Mississauga Official Plan

Character Area: Rathwood Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: RM2-2 - Residential

Other Applications: PREAPP 20-4031

Site and Area Context

The property is located south-east of the Rathburn Rd E and Tomken Rd intersection, and currently houses a detached dwelling with minimal vegetation and landscaping in the front and rear yards. The subject property is an interior parcel with a lot area of approximately +/- 281.68m² and a lot frontage of approximately +/- 9.18m. Contextually, the surrounding neighbourhood consists of properties exclusively with detached dwellings and lot frontages of +/- 10.0m, with minimal vegetative / natural landscaped elements within the front yards.

The applicant is proposing an addition located atop the garage and a rear deck that require variances for lot coverage, gross floor area, 2 kitchens, side yard setbacks and driveway 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 are as follows:

The subject property is located within the Rathwood Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan. 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 detached dwelling respects the designated land use; however, does not have regard for proportional distribution of massing on the property as a whole.

The intent in restricting gross floor area is to maintain compatibility between the existing and proposed addition while ensuring the existing planned character of a neighbourhood is preserved. The proposed second storey addition atop the existing garage would create a significant amount of massing from a streetscape perspective. The proposal would be inconsistent with the two storey dwellings within the immediate area resulting in a noticeable

impact to the existing streetscape character. As such, Staff recommend that the application be deferred in order to give the applicant the opportunity to redesign.

Conclusion

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

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 addition 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 PREAPP 20-4031. Based on review of the information currently available for this building permit, we advise that the following variance(s) should be amended as follows:

A driveway width of 5.92m whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.75m (approx. 15.58ft) in this instance.

Further, we note that variance 5. Is not required.

Our comments are based on the plans received by Zoning staff on 12/16/2020 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

Regional Planning staff have reviewed the applications listed on the February 25th, 2021 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-290/20, DEF-A-354/20, DEF-A-377/20.

Minor Variance Applications: A-46/21, A-47/21, A-49/21, A-50/21, A-52/21, A-53/21, A-61/21.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A55.21
Ward: 7

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 3047 Kirwin Avenue, 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 an addition proposing:

1. A lot coverage of 37.16% (189.43sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% (179.43sq.m) in this instance;
2. A side yard (northerly) of 1.26m (approx. 4.13ft) whereas Bylaw 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.94ft) in this instance;
3. A side yard (southerly) of 1.14m (approx. 3.74ft) whereas Bylaw 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 4.13ft) in this instance;
4. A rear yard of 6.53m (approx. 21.42ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50 (approx. 24.61ft) in this instance;
5. A rectangular garage area of 2.75m x 6.00m (approx. 9.02ft x 19.69ft) whereas By-law 0225-2007, as amended, requires a minimum rectangular garage area of 7.34m x 5.64m (approx. 24.08ft x 18.50ft) in this instance; and
6. A width of dwelling and garage attachment above grade of 1.63m (approx. 5.48ft) whereas By-law 0225-2007, as amended, requires a minimum width of a dwelling and garage attachment above grade of 5.00m (approx. 16.40ft) in this instance.

The Committee has set **Thursday February 25, 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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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:

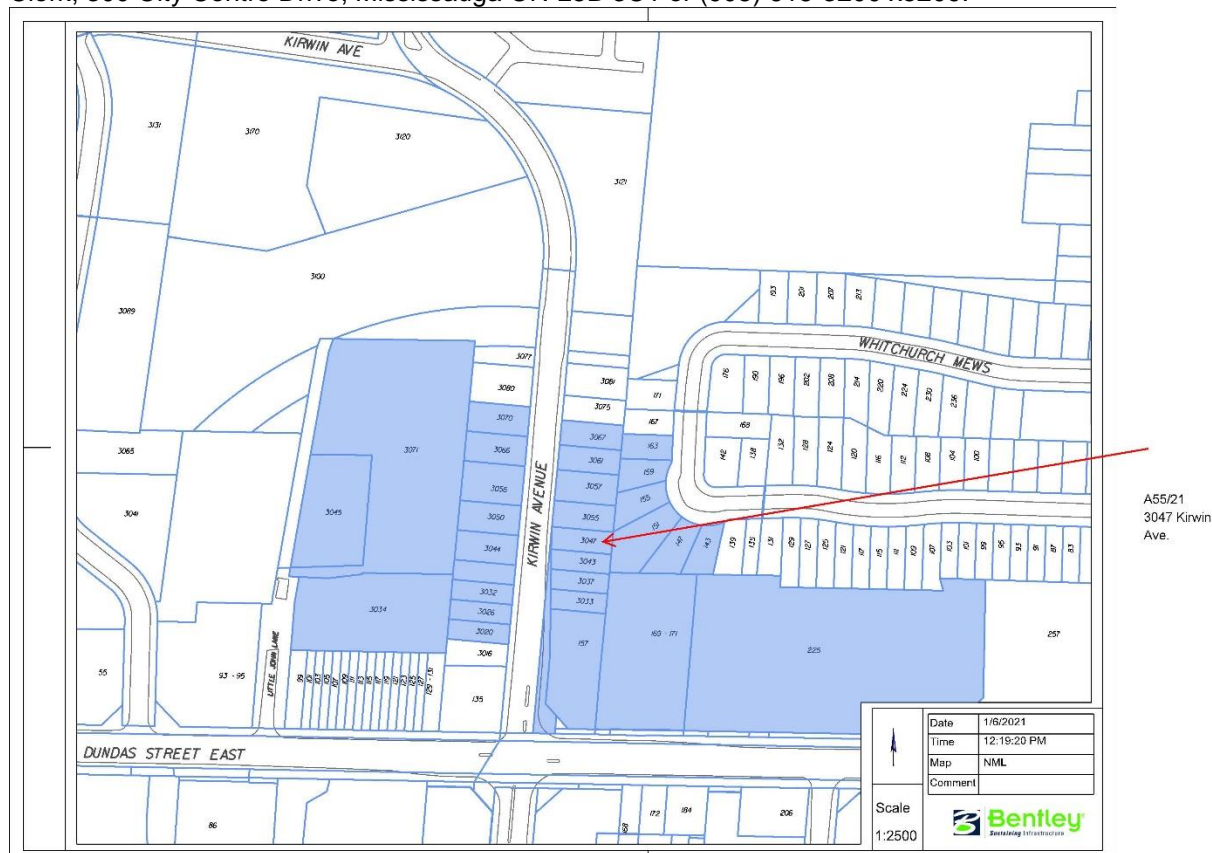
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Legal notice:

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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: 2021-02-17 | File(s): A55.21 Ward: 7 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2021-02-25 |

Consolidated Recommendation

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

Application Details

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

1. A lot coverage of 37.16% (189.43sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% (179.43sq.m) in this instance;
2. A side yard (northerly) of 1.26m (approx. 4.13ft) whereas Bylaw 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.94ft) in this instance;
3. A side yard (southerly) of 1.14m (approx. 3.74ft) whereas Bylaw 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 4.13ft) in this instance;
4. A rear yard of 6.53m (approx. 21.42ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50 (approx. 24.61ft) in this instance;
5. A rectangular garage area of 2.75m x 6.00m (approx. 9.02ft x 19.69ft) whereas By-law 0225-2007, as amended, requires a minimum rectangular garage area of 7.34m x 5.64m (approx. 24.08ft x 18.50ft) in this instance; and
6. A width of dwelling and garage attachment above grade of 1.63m (approx. 5.48ft)whereas By-law 0225-2007, as amended, requires a minimum width of a dwelling and garage attachment above grade of 5.00m (approx. 16.40ft) 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 #5 should be amended to the following:

- A rectangular garage area of 7.34m x 5.64m (approx. 24.08ft x 18.50ft) whereas By-law 0225-2007, as amended, requires a minimum rectangular garage area of 2.75m x 6.00m (approx. 9.02ft x 19.69ft) in this instance

Background

Property Address: 3047 Kirwin Avenue

Mississauga Official Plan

Character Area: Cooksville Neighbourhood (East)
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3 - Residential

Other Applications: PREAPP 20-4082

Site and Area Context

The property is located north-east of the Kirwin Ave and Dundas St. E intersection. The subject property is an interior parcel with a lot area of approximately +/- 509.73m² and a lot frontage of approximately +/- 13.70m. The site currently houses a detached dwelling with minimal vegetation and landscaping in the front and rear yards. Contextually, the surrounding neighbourhood consists exclusively of detached dwellings. The properties within the immediate area possess lot frontages of +/- 12.0m, with minimal vegetative / natural landscaped elements within the front yards.

The applicant is proposing an addition to the principle dwelling, as well as a garage with a second storey. The proposed addition and garage requires variances for lot coverage, side and rear yard setbacks and width of garage attachment.



Variance #1 as requested pertains to lot coverage:
The intent in restricting lot coverage is to ensure that there is not an overdevelopment of the lot.
The proposed addition is located in the rear of the property. While the massing will be

noticeable from the street, the proposed 37.16% increase is marginal in nature and largely inconsequential to the public realm. For all intents and purposes the maximum lot coverage permitted under the by-law (35%) would result in a building with a similar massing. The additional 2.16% would have a negligible impact on the overall building size and is insignificant from the streetscape.

Variance #2, #3 and #4 as requested pertain to side yard setbacks:

The general intent of this portion of the by-law is to ensure that an adequate buffer exists between the massing of primary structures and neighbouring properties, as well as ensuring access to the rear yard remains unencumbered. The proposed side yard variances of 1.26m and 1.14m, whereas 1.81m is required, are marginal in nature and provide an adequate buffer to the lot line, creating a sufficient amount of space on both sides for drainage and a visual buffer between the adjacent properties. The proposed rear yard setback of 6.53m whereas, 7.50m is required provides a sufficient amenity area. The proposed variance reflects the existing context of the neighbourhood and contains a sufficient buffer to the neighbouring properties. Staff is of the opinion that variances #2, #3 and #4 maintain the general intent and purpose of the zoning by-law.

Variance #5 and #6 as requested pertain to a rectangular garage area and the width of the garage attachment to the dwelling:

The intent of the zoning by-law is to ensure that the garage is proportional to the lot and dwelling. In this instance, the proposed garage of 7.34m x 5.64m is connected to the primary dwelling and located at the rear of the property, similar to other properties in the immediate vicinity. While the proposed increase in size may be noticeable from the street and adjacent properties, the variance is not a significant deviation from what the bylaw currently permits. Any reduction of the garage area would still result in a similar structural massing on the property. Furthermore, there is mature vegetation along the periphery of the lot, mitigating any potential impact from the proposed garage. As such, staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

The subject property maintains the context of the surrounding neighbourhood and preserves the established character of the streetscape because the proposed addition is located at the rear of the property. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

Conclusion

The Planning and Building Department has no objections to the requested variances. However the applicant may choose to defer the application to ensure that additional variances are not required.

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 addition 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 under file PREAPP 20-4082. 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: Alana Zheng, Zoning Examiner

Appendix 5 – Region of Peel Comments

Minor Variance Application: A-55/21

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

Please be advised that the subject property is 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 this regulated area 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.

I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 8243 or by email at diana.guida@peelregion.ca

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A61.21
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 301 Burnhamthorpe Road West, zoned CC2-6 - City Centre, CCOS-2 - City Centre and Open Space, 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 404 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 443 parking spaces in this instance.

The Committee has set **Thursday February 25, 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:

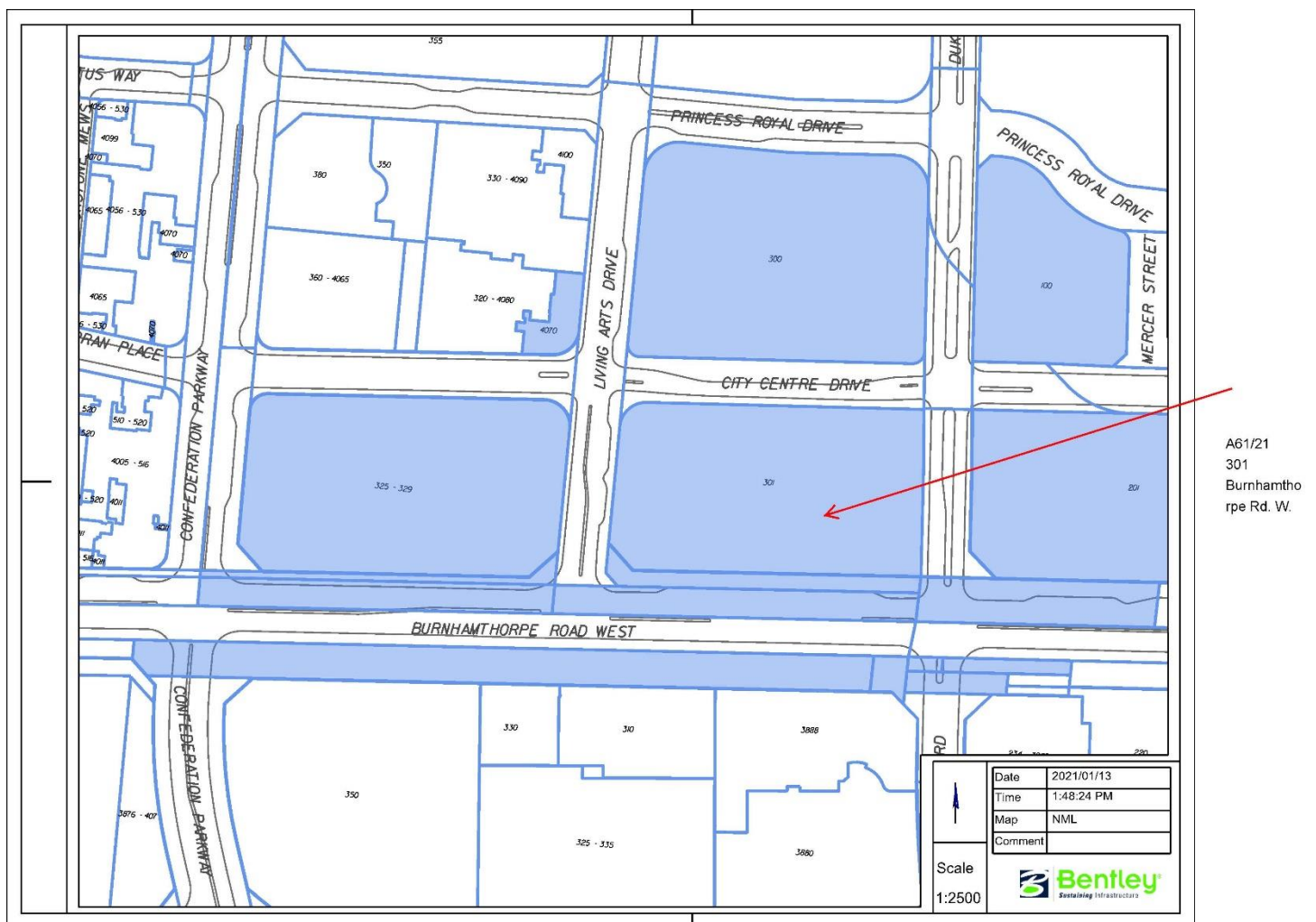
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud 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: 2021-02-19 | File(s): A61.21 |
| To: Committee of Adjustment | Ward: 4 |
| From: Committee of Adjustment Coordinator | Meeting date:2021-02-25 |

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing 404 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 443 parking spaces in this instance.

Background

Property Address: 301 Burnhamthorpe Road West

Mississauga Official Plan

Character Area: Downtown Core
Designation: Downtown Mixed Use, Public Open Space

Zoning By-law 0225-2007

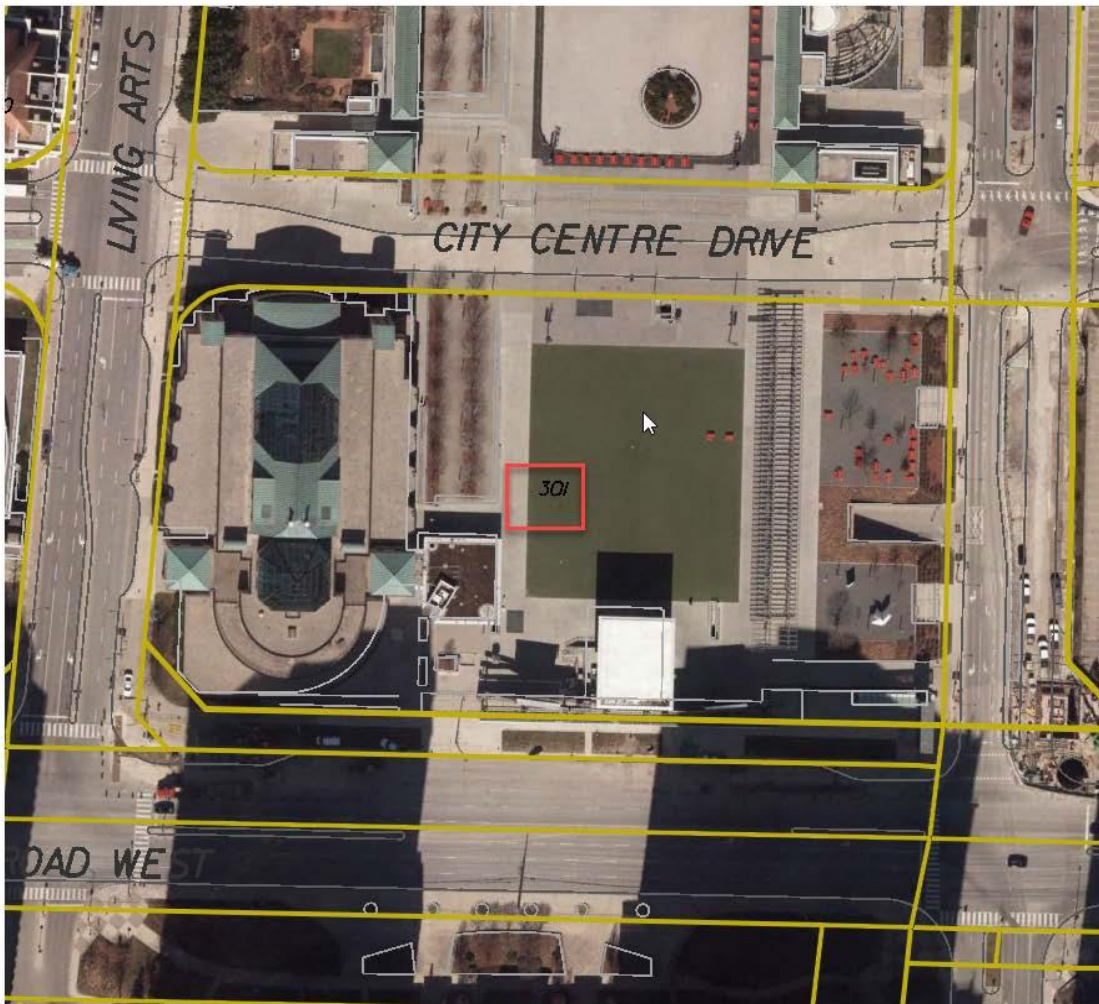
Zoning: CC2-6 - City Centre, CCOS-2 - City Centre and Open Space

Other Applications: Pre- 62248
BPA-67853
PREAPP 20-4482

Site and Area Context

The subject property is the City of Mississauga Central Library located within the Downtown intensification area at north-east corner of the Confederation Boulevard and Burnhamthorpe intersection. The subject property is an exterior parcel with a lot area of +/- 16,752.00m² and a lot frontage of +/- 162.18m which possesses minimal vegetation and landscape elements along the periphery of the site. From a land-use perspective, the immediate neighbourhood is a mixture of employment and residential uses; including restaurants, offices, and residential towers.

The applicant is proposing a decrease in available parking that requires a variance for 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 are as follows:

The site is located within the Downtown Core Character Area, and is currently designated Mixed Use and Public Open Space by the Mississauga Official Plan (MOP). Pursuant to Section 11.2.1 (Uses Permitted in all Designation) community infrastructure is permitted within the designation. The Downtown Core is deemed an intensification area to be developed as a major regional centre with a mix of uses containing the greatest concentration of activities and variety of uses. The existing public library meets the purpose and general intent of the Official Plan.

The intent in quantifying the required number of parking spaces is to ensure that each structure is self-sufficient in providing adequate parking accommodations based upon its intended use. As per Zoning By-law 0225-2007, 443 parking spaces are required; whereas, the applicant is providing 404 parking spaces.

City Planning Strategies (CPS) Staff note, a Letter of Justification, prepared by the agent, RDHA, dated January 8, 2021, has been submitted in support of the application for the requested parking variance. The Letter of Justification explains that the City's Central Public Library is proposing interior renovations that will result in an increase of GFA beginning added to the existing building, thereby creating a Central Public Library with a total GFA of 13,840 m². Based on the current design and proposed interior renovations, there is no ability to increase parking capacity due to the existing underground parking structure and the existing conditions of the site. The requested variance is less than 10% and therefore the submitted justification letter is satisfactory, CPS Staff note that the application can be supported.

The Building Department is currently processing a pre-application zoning review (20-4482) and have confirmed that the variance requested is correct.

Based on the submitted information and existing conditions of the underground parking structure Planning Staff are of the opinion that the application represents the orderly development of the land and is minor in nature.

Conclusion

The Planning and Building Department has no objection to the variance, as requested. The Applicant may wish to defer the application to ensure that all required variance(s) 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, comments or requirements with respect to C.A. 'A' 61/21.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a pre-application zoning review under file 20-4482. Based on review of the information currently available in this pre-application zoning review file, the variance, as requested is correct.

Please note that comments reflect those provided through the above pre-application zoning review 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: Richard Thompson, Zoning Examiner

Appendix 4 – Heritage

The property is listed on the City's Heritage Register. There are no heritage concerns with the subject application.

Comments Prepared by: P. Wubbenhorst, Heritage Planner

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the February 25th, 2021 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-290/20, DEF-A-354/20, DEF-A-377/20.

Minor Variance Applications: A-46/21, A-47/21, A-49/21, A-50/21, A-52/21, A-53/21, A-61/21.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A290.20
Ward: 9

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 6486 Chaumont Crescent, zoned RM1 - 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 a basement apartment on the subject property proposing:

1. A side yard of 0.65m (approx. 2.13ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (approx. 3.94ft) in this instance; and
2. 2 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 3 parking spaces in this instance.

The Committee has set **Thursday February 25, 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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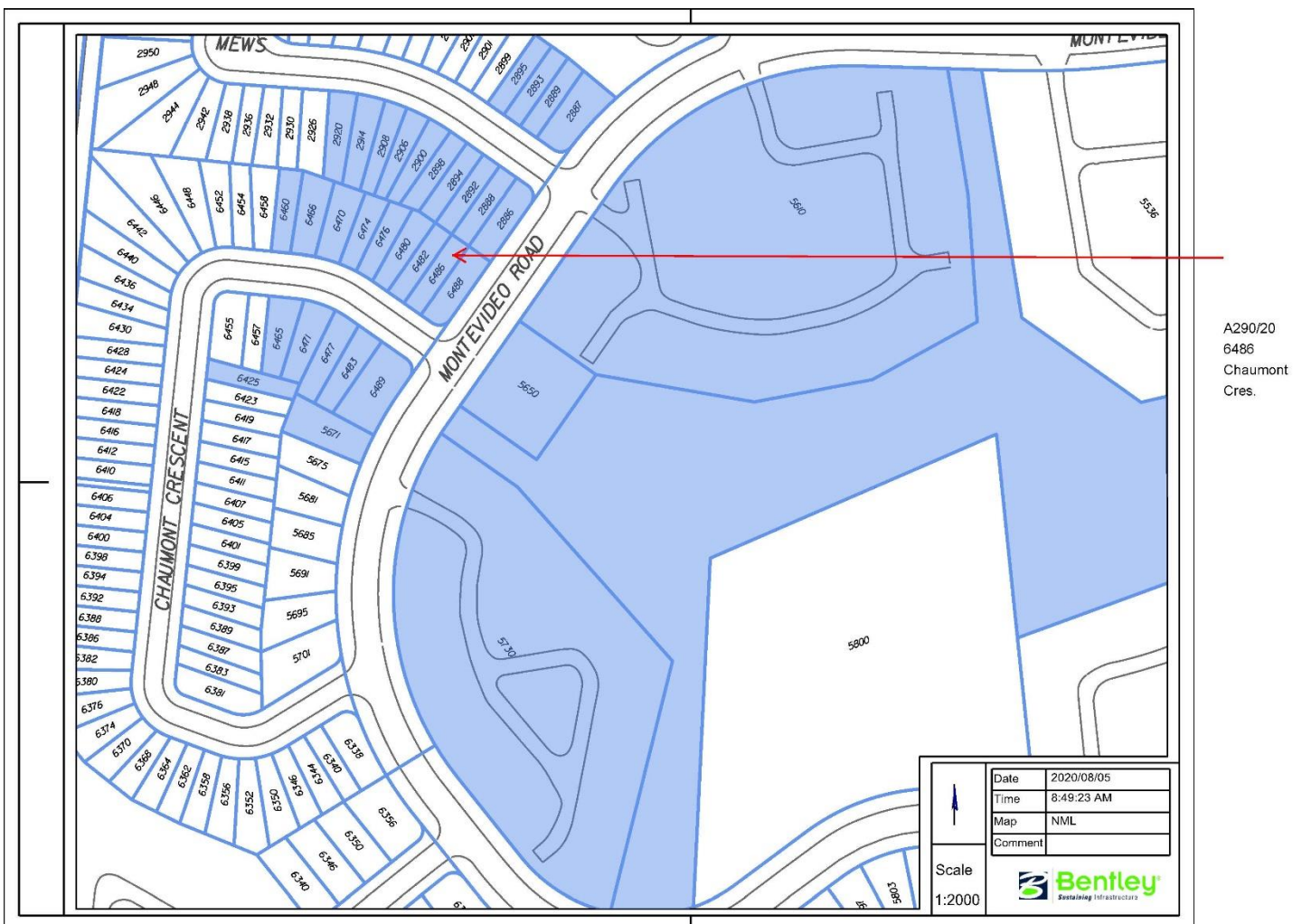
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Legal notice:

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City of Mississauga

Memorandum:

City Department and Agency Comments

| | |
|---|-----------------------------|
| Date Finalized: 2021-02-17 | File(s): A290.20 Ward: 9 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2021-02-25 |

Consolidated Recommendation

The City has no objection to variance #1 however recommends that variance #2 be refused. Should the Committee see merit in the application Staff recommends the condition be imposed.

Application Details

The applicant requests the Committee to approve a minor variance to allow a basement apartment on the subject property proposing:

1. A side yard of 0.65m (approx. 2.13ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (approx. 3.94ft) in this instance; and
2. 2 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 3 parking spaces in this instance.

Amendments

City Planning Strategies Staff recommend that the requested variance be amended as follows:

- Proposing one parking space for the existing semi-detached dwelling, whereas By-law 0225-2007, as amended, requires two parking spaces in this instance

The Building Department is currently processing a building permit under file 20-3865. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

1. A side yard of 0.65m (approx. 2.13ft) measured to below grade stairwell, whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (approx. 3.94ft) measured to below grade stairwell, in this instance; and
2. A total of 2 parking spaces for the dwelling and second unit, whereas By-law 0225-2007, as amended, requires a total of 3 parking spaces, in this instance.

Recommended Conditions and Terms

Should committee see merit in this application, City Planning Strategies Staff recommend the following condition:

- That the parking requirement for the primary dwelling unit be reduced at one (1) parking space and the proposed second dwelling unit be maintained at one (1) parking space.

Background

Property Address: 6486 Chaumont Crescent

Mississauga Official Plan

Character Area: Meadowvale Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

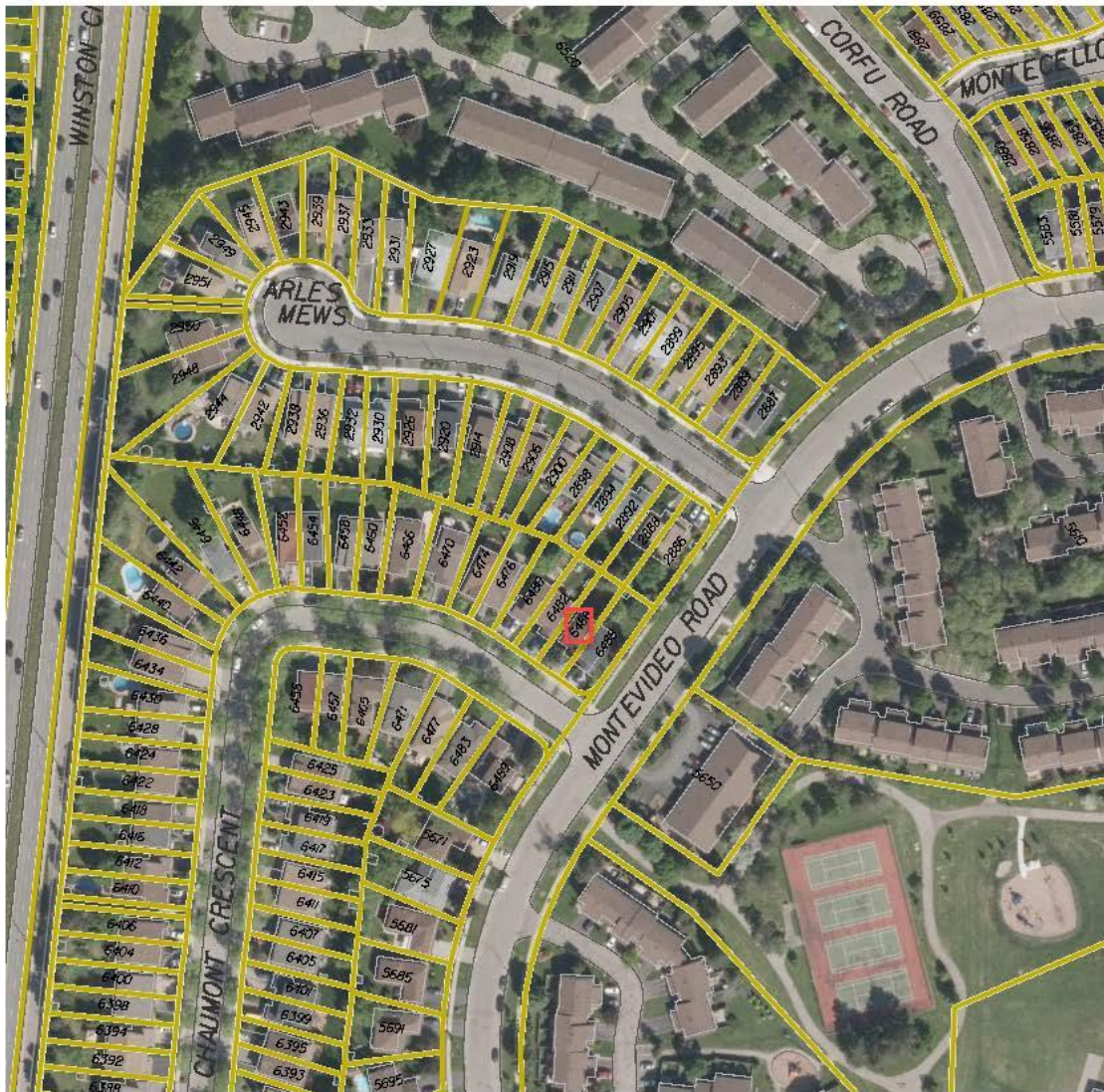
Zoning: RM1 - Residential

Other Applications: None

Site and Area Context

The subject property is located south-east of the Battleford Road and Winston Churchill Boulevard intersection and currently houses a two-storey semi-detached dwelling with an attached single-car garage. The subject property is an interior parcel with a lot area of +/- 360.0m² and a lot frontage of +/- 9.45m, possessing minimal vegetation and landscaping in the front and rear yards. Contextually, the area is comprised exclusively of residential structures that include detached and semi-detached dwellings. Properties within the immediate area possess lot frontages of +/-12.6m, with moderate vegetative / natural landscaped elements within the front yards.

The applicant has proposed a secondary unit in the basement that requires variances for a reduced side yard and reduced parking.



Comments

Planning

Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to grant relief from the requirements of a municipal zoning by-law. Approval of applications must meet the requirements set out under 45(1) and/or 45(2) (a) or (b) in the *Planning Act*.

Staff comments concerning the application of the four tests to this minor variance request are as follows:

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

The site is located within the Meadowvale Neighbourhood Character Area and is currently designated Residential Low Density II by the Mississauga Official Plan (MOP). Pursuant to Section 7 (Complete Communities) of the MOP, the City is committed to meeting the housing needs of people of all ages, abilities and income groups. The MOP encourages housing forms that support the living and working of residents in Mississauga. Secondary units help the City reach its affordable housing target, required by the Province, by expanding the diversity of affordable housing units availability in local communities. Staff are of the opinion that the application meets the criteria under Section 7.2 of the MOP.

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

Variance #1 as requested pertains to side yard setback:

As is the case with the majority of below-grade entrances, Planning Staff note the absence of any true massing resulting from the proposal. Further, while the 0.65m setback is inherently limiting; such relief only occurs at a pinch point within the interior side yard, with the remainder of the residential structure maintaining a suitable setback.

Additionally, while the only exterior access to the rearyard would be reduced to 0.65m, the setback would be enough to accommodate access to the rear yard for most personal yard and lawn maintenance equipment. Through a detailed review, Staff is of the opinion that Variance #1, as requested, is appropriate to be handled through the minor variance process. Further, this variance raises no concerns of a planning nature.

Variance #2 as requested pertains to parking:

The intent in quantifying the required number of parking spaces is to ensure that each structure is self-sufficient in providing adequate parking accommodations based upon its intended use.

As per Zoning By-law 0225-2007, 3 parking spaces are required; whereas, the applicant is providing 2 parking spaces. Mississauga has prioritized its role in supporting the delivery of a range of housing however; a report entitled, Housing Choices: Second Units Implementation Strategy, dated June 4, 2013 (prepared by City Staff), notes the impact of such a reduction. This report notes that the proposed zoning by-law for second units includes a number of regulations intended to protect neighbourhood character including the requirement for one on-site parking

space for the second unit. This is in addition to the required parking for the primary unit of 2 spaces as noted in Section 4.1.20.9 which is intended to regulate second units where the dwelling and property can accommodate them. In this instance the proposed 2 parking spaces does not meet the requirement for 3 parking spaces.

City Planning Strategies (CPS) Staff note, the subject property can accommodate a total of 2 parking spaces, with one car in the garage and one car on the driveway. Staff contacted the agent, Andrii Golovnia, ITHD Architectural and Structural Design Services, via email on February 10, 2021, regarding parking and the agent confirmed that the property owner only has one car. As such, one parking space is sufficient for the semi-detached dwelling and the owner is agreeable to providing one parking space for the second unit.

Further, staff note that the subject property is connected by public transit and located within approximately 100 m of a transit stop along Montevideo Road.

Based on the submitted information, staff recommend that the requested variance be amended as follows:

- Proposing one parking space for the existing semi-detached dwelling, whereas By-law 0225-2007, as amended, requires two parking spaces in this instance.

Staff can support the parking variance as amended with the following condition:

- That the parking requirement for the primary dwelling unit be reduced to one (1) parking space and the proposed second dwelling unit be maintained at one (1) parking space.

While CPS does not object to the parking variance request, Planning Staff are concerned with the reduction because the proposed does not meet the requirements under the zoning by-law. As per Council Resolution CPD-121-91, semi-detached dwellings on lots with a frontage of 12m or less require a minimum of 3 parking spaces per dwelling, including those in a garage. The resolution further stipulates that a minimum of one visitor parking space per 4 dwellings is required on the street. Planning Staff are concerned that if visitor parking is utilized by the secondary units this capacity will eventually be maximized and reduce the availability of visitor parking. And while parking may not be significantly impacted in this instance because the owner currently has one car, the proposed reduction may become a problem in the future. Mississauga is currently experiencing an increase in multi-generational homes which has resulted in more cars per household.

Based on the these concerns and the previous studies, Planning Staff have determined the proposed parking reduction cannot be supported in principle however should the committee see merit in the application Staff recommend that the condition recommended by City Planning Strategies Staff be imposed.

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

The applicant's proposal of a reduced side yard results in no massing impact and no concerns of a planning nature. The applicant's proposal of reduced parking however does not comply with the zoning bylaw, Planning Staff are of the opinion that variance #2 is not minor in nature and is not consistent with City lead policy.

Conclusion

Based upon the preceding information, the Planning and Building Department has no objection to variance #1 however recommends that variance #2 be refused. Should the Committee see merit in the application Staff recommends the conditions be imposed.

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

Appendices

Appendix 1 – Transportation and Works Comments

We note from our site inspection of the property that there is a drainage swale between the subject and abutting property in the area of the proposed basement entrance and any proposed walkout should be constructed in such a manner that it does not impact on any drainage from the rear yard being directed towards the front of the dwelling.

Typically this department does not comment on existing utilities, however we note from our site inspection that there is an existing hydro service, gas meter and venting from the furnace directly in the area where the stairwell is being proposed. Stairwell entrances are usually constructed behind any utilities, in this instance we question how this can be achieved without these utilities being re-located and the only option would be in front of the dwelling. We are providing this comment for information purposes and assume the applicant is addressing this matter through the Building Permit Application.



Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file 20-3865. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

1. A side yard of 0.65m (approx. 2.13ft) measured to below grade stairwell, whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (approx. 3.94ft) measured to below grade stairwell, in this instance; and
2. A total of 2 parking spaces for the dwelling and second unit, whereas By-law 0225-2007, as amended, requires a total of 3 parking spaces, 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: Alana Zheng, Zoning Examiner

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the February 25th, 2021 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-290/20, DEF-A-354/20, DEF-A-377/20.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A354.20
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 7305 Custer Crescent, zoned R4-64 - 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 rear addition on the subject property proposing a rear yard of 6.12m (approx. 20.08ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.60ft) in this instance.

The Committee has set **Thursday February 25, 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: 2021-02-17 | File(s): A354.20 Ward: 5 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2021-02-25 |

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. The applicant may choose to defer the application to submit updated plans through the building permit process and verify the accuracy of the variance.

Application Details

The applicants request the Committee to approve a minor variance to allow the construction of a rear addition on the subject property proposing a rear yard of 6.12m (approx. 20.08ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.60ft) in this instance.

Amendments

The Building Department is currently processing a building permit application under file BP 9ALT 20-2225. Based on review of the information currently available for this building permit, we advise that the following variance(s) should be amended as follows:

a rear yard setback of 5.51m whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.60ft) in this instance

Background

Property Address: 7305 Custer Crescent

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density II

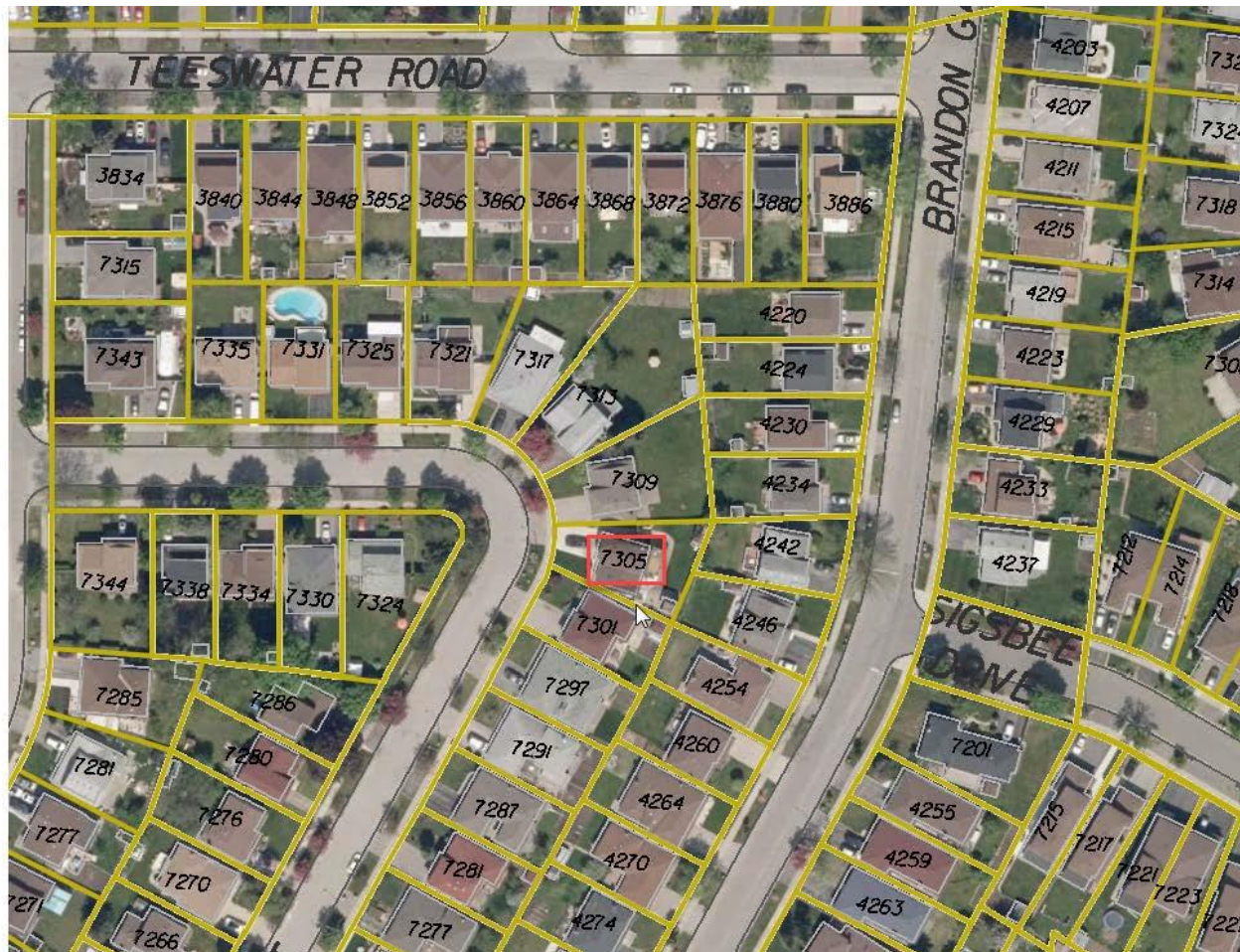
Zoning By-law 0225-2007**Zoning:** R4-64 (Residential)**Other Applications:**

Building Permit: 20-225

Site and Area Context

The subject property is located north-east of the Goreway Drive and Morning Star Drive intersection, and currently houses a two-storey detached dwelling with an attached single-car garage. Contextually, the surrounding neighbourhood is comprised exclusively of detached dwellings exhibiting a shared 1980's subdivision architectural style. The properties within the immediate area possess lot frontages of approximately +/-15.0 m with minimal vegetative / natural landscaped elements within the front yards.

The applicant is proposing a rear second storey addition which requires a variance related to a deficient rear yard setback.



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. The applicant may choose to defer the application to submit updated plans through the building permit process and verify the accuracy of the variance.

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.

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 20-2225. Based on review of the information currently available for this building permit, we advise that the following variance(s) should be amended as follows:

a rear yard setback of 5.51m whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.60ft) in this instance

Our comments are based on the plans received by Zoning staff on 08/19/2020 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

Regional Planning staff have reviewed the applications listed on the February 25th, 2021 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-290/20, DEF-A-354/20, DEF-A-377/20.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A377.20
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 2155 Leanne Boulevard Unit 248, zoned O-12 - Office, 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 Personal Service Establishment in Unit 248 of the subject property whereas By-law 0225-2007, as amended, does not permit such a use in this instance.

The Committee has set **Thursday February 25, 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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Aerial map showing property lines and lot numbers. A red arrow points from the text 'A377.20 2155 Leanne Blvd, Unit 248' to a specific lot. The map includes labels for 'KENNA COURT', 'LEANNE BLVD', and 'ERIN MILLS PARKWAY'. A scale bar and a north arrow are also present.

Map details:

- Lot numbers: 2131, 2133, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 2680, 2681, 2682, 2683, 2684, 2685, 2686, 2687, 2688, 2689, 2690, 2691, 2692, 2693, 2694, 2695, 2696, 2697, 2698, 2699, 2700, 2701, 2702, 2703, 2704, 2705, 2706, 2707, 2708, 2709, 2710, 2711, 2712, 2713, 2714, 2715, 2716, 2717, 2718, 2719, 2720, 2721, 2722, 2723, 2724, 2725, 2726, 2727, 2728, 2729, 2730, 2731, 2732, 2733, 2734, 2735, 2736, 2737, 2738, 2739, 2740, 2741, 2742, 2743, 2744, 2745, 2746, 2747, 2748, 2749, 2750, 2751, 2752, 2753, 2754, 2755, 2756, 2757, 2758, 2759, 2760, 2761, 2762, 2763, 2764, 2765, 2766, 2767, 2768, 2769, 2770, 2771, 2772, 2773, 2774, 2775, 2776, 2777, 2778, 2779, 2780, 2781, 2782, 2783

City of Mississauga

Memorandum:

City Department and Agency Comments

| | |
|---|-----------------------------|
| Date Finalized: 2021-02-17 | File(s): A377.20 Ward: 2 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2021-02-25 |

Consolidated Recommendation

The City recommends that the application be refused.

Application Details

The applicant requests the Committee to approve a minor variance to allow a Personal Service Establishment in Unit 248 of the subject property whereas By-law 0225-2007, as amended, does not permit such a use in this instance.

Background

Property Address: 2155 Leanne Boulevard - Unit 248

Mississauga Official Plan

Character Area: Sheridan Community Node
Designation: Office

Zoning By-law 0225-2007

Zoning: O-12 (Office)

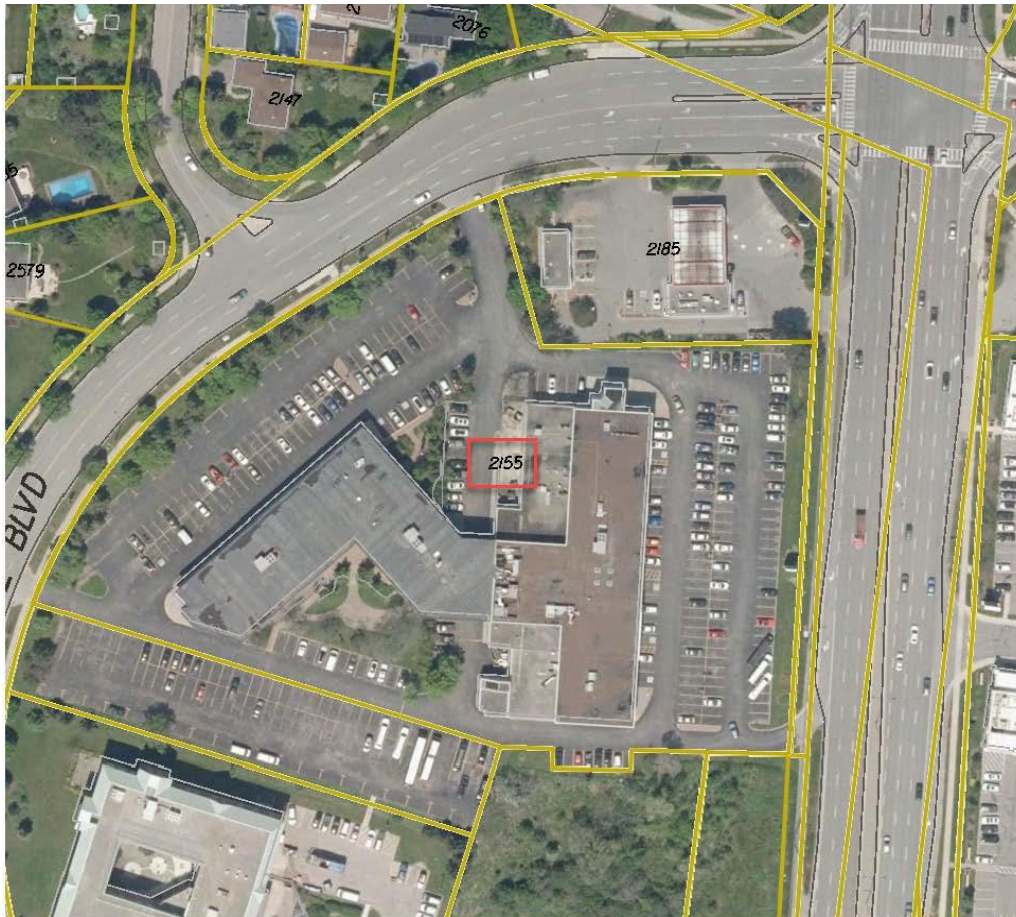
Other Applications

Occupancy Permit: 20-1055

Site and Area Context

The subject property is located within the Sheridan Community Node Character Area, northwest of North Sheridan Way and Erin Mills Parkway. The area consists of a mix of residential and commercial uses. Immediately south of the subject property is a long term care facility and overnight accommodation use. The subject property contains a two storey building comprising of a mix of office and commercial uses. The commercial uses mostly front onto Erin Mills Parkway while office type uses are primarily located in the rear.

The applicant is proposing a personal service establishment use whereas it is not permitted.



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 subject property is designated Office in Schedule 10 of the Mississauga Official Plan (MOP) which permits major office, secondary office and accessory uses. A personal service establishment use is only permitted in the Mixed Use and Convenience Commercial designations. The Office designation is meant to limit commercial uses that would be more suited for mixed use areas that are directed towards a retail based environment, such as commercial plazas. It should be noted that while the existing plaza contains a number of commercial uses, a personal service establishment is not envisioned in the Office designation. As such, staff is of the opinion that the general intent and purpose of the official plan is not maintained.

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

The subject property is zoned O-12 (Office) and does not permit a personal service establishment. The zoning by-law limits "Personal Service Establishments" to commercial zones. The intent of the by-law is to limit the commercial uses permitted on this site to those that are more suitable for commercial plazas which contain a more diverse mixture of uses including retail based uses. While the subject property contains commercial uses, these uses are limited to only one building which fronts onto Erin Mills Parkway. The building located in the rear of the property contains office type uses. Through discussions with the applicant's agent, the proposed personal service establishment is a skin care clinic which operates by appointment only. Based on the information provided, staff is of the opinion that the general intent and purpose of the zoning by-law is not maintained.

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

The subject property is located within a Community Node, surrounded by a mix of uses. The proposed use is a skin care clinic that would operate similar to an office use requiring an appointment for service, thereby limiting the overall impact of the proposed personal service establishment, resulting from foot traffic and unscheduled appointments. While the proposed use can be used to serve the surrounding area, the proposed use is not supported by the zoning by-law and official plan. As such, the proposed use does not represent orderly development of the lands and is not minor in nature.

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' 377/20.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Zoning certificate application under file 20-1055. 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: Marco Palermo

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the February 25th, 2021 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-290/20, DEF-A-354/20, DEF-A-377/20.

Comments Prepared by: Diana Guida, Junior Planner

Appendix 7 – Ministry of Transportation of Ontario

The above property-project is within the MTO PCA, previous comments stand for this property-project.

Comments Prepared by: Corey Caple, Corridor Management Officer