
Committee of Adjustment

Date: March 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

Alexander Davies, Committee of Adjustment Coordinator,
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. B15/21-A88/21-A89/21
1029 INDIAN RD (WARD 2)
KIMBERLY WILLIAMS
 - 4.2. A67/21-A68/21
50 CAPSTON DR & 6305 KATESON DR (WARD 5)
HEARTLAND (SEVEN) LIMITED
 - 4.3. A82/21
1610 KENMUIR AVE (WARD 1)
RANJVEER RANDHAWA & RUPINDER JUDGE
 - 4.4. A83/21
827 MISSISSAUGA VALLEY BLVD (WARD 4)
FAISAL HUSSAIN & AMNA FAISAL
 - 4.5. A84/21
3236 VALMARIE AVE (WARD 6)
RANBIR & HARJIT MINHAS
 - 4.6. A85/21
372 NIAR AVE (WARD 1)
MARTA SROCZYNSKA
 - 4.7. A86/21
930 DERRY RD E (WARD 5)
TSOKOS STAVROS, TSOKOS ANDREAS & ROBINSON ANASTASIA
 - 4.8. A87/21
70 MISSISSAUGA RD S (WARD 1)
PORT CREDIT WEST VILLAGE PARTNERS INC.

- 4.9. A91/21
54 CATTRICK ST (WARD 5)
MEENAKSHI & SUKHPREET DHANOTA
- 4.10. A92/21
2257 MELTON CRT (WARD 1)
LEE & ROSIE GLICK
- 4.11. A93/21
1046 HEDGE DR (WARD 1)
ANGELA KOCET
- 4.12. A94/21
2276 BROOKHURST RD (WARD 2)
JIAYUAN LU & YUNZHU JIA
- 4.13. A91/20
222 LAKESHORE RD E (WARD 1)
222 LAKESHORE LTD
- 4.14. A403/20
3247 CAPRICORN CRES (WARD 5)
HARWINDER NATT
- 4.15. A413/20
EDENSHAW ANN DEVELOPMENTS LTD (WARD 1)
28 ANN ST
- 4.16. A414/20
130 ANGELENE ST (WARD 1)
LU XINGYI
5. **OTHER BUSINESS**
6. **ADJOURNMENT**



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: B15.21 A88.21 A89.21
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 1029 Indian Road, zoned R2-5 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel has a frontage of approximately 22.86m (75.00ft) and an area of approximately 1604.60sq.m (17,271.77sq.ft).

A minor variance is requested for the severed lands of application B15/21 for the creation of a new lot proposing a lot frontage of 22.86m (approx. 75.00ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 30.00m (approx. 98.43ft) in this instance.

A minor variance is requested for the retained lands of application B15/21 for the creation of a new lot proposing a lot frontage of 22.86m (approx. 75.00ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 30.00m (approx. 98.43ft) in this instance.

The Committee has set **Thursday March 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:

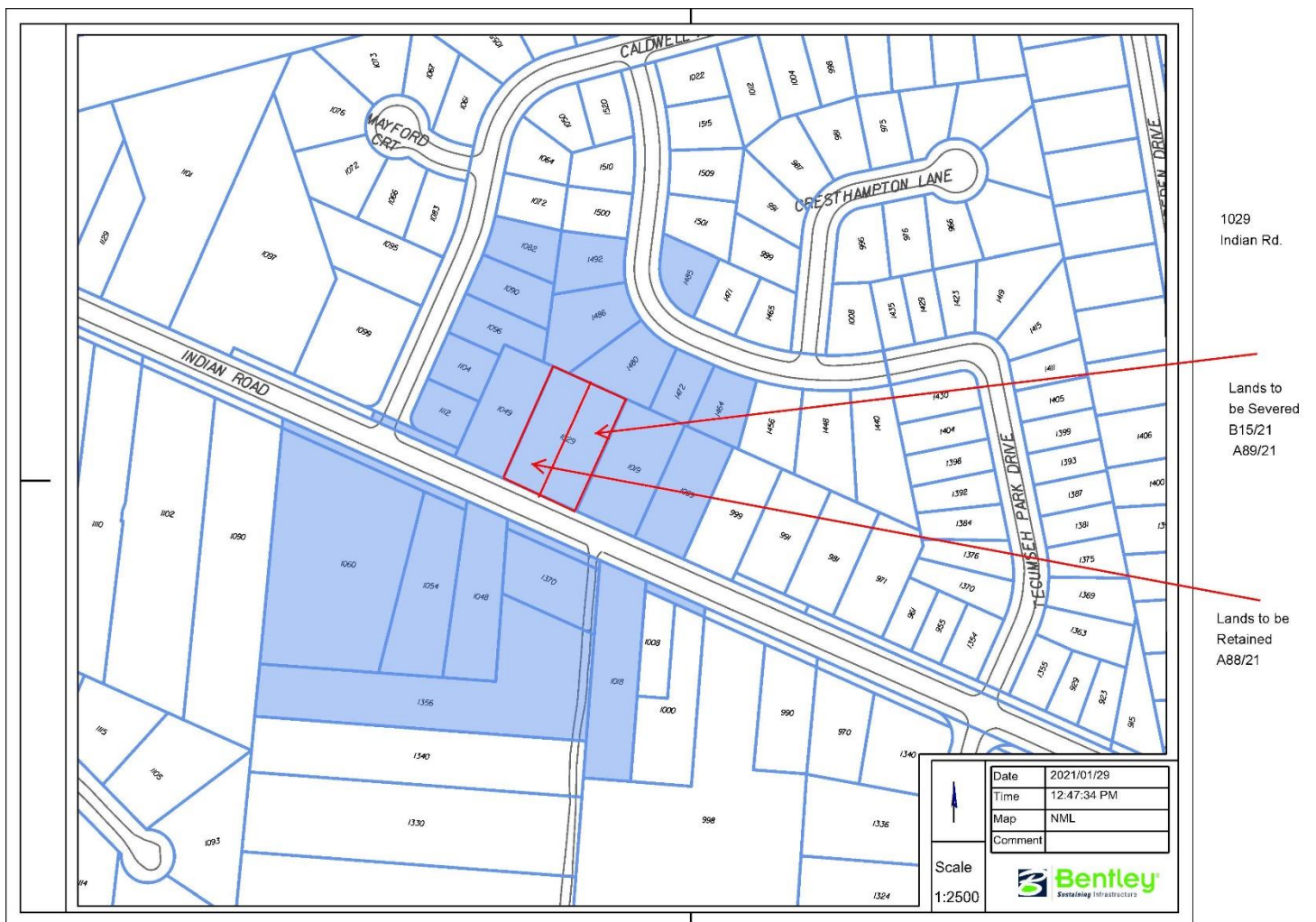
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Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process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



City of Mississauga

Memorandum:

City Department and Agency Comments

| | |
|---|---|
| Date Finalized: 2021-03-17 | File(s): B15.21 A88.21 A89.21 Ward: 2 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2021-03-25 1:00 PM |

Consolidated Recommendation

The City has no objections to the requested consent and associated minor variance applications. The applicant may choose to defer the application to verify the accuracy of the variances and ensure additional 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 has a frontage of approximately 22.86m (75.00ft) and an area of approximately 1604.60sq.m (17,271.77sq.ft).

A minor variance is requested for the severed lands of application B15/21 for the creation of a new lot proposing a lot frontage of 22.86m (approx. 75.00ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 30.00m (approx. 98.43ft) in this instance.

A minor variance is requested for the retained lands of application B15/21 for the creation of a new lot proposing a lot frontage of 22.86m (approx. 75.00ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 30.00m (approx. 98.43ft) in this instance.

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent
- The variance application approved under File(s) A88.21 & A89.21 must be finalized

Recommended Conditions and/or Terms of minor variance

- Variance(s) approved under file(s) A88.21 & A89.21 shall lapse if the consent application under file B15.21 is not finalized within the time prescribed by legislation.

Background

Property Address: 1029 Indian Road

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R2-5 (Residential)

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southeast of the hydro corridor, fronting onto Indian Road. The immediate area is primarily residential, consisting of large lots with one and two storey detached dwellings and significant mature vegetation. The neighbourhood consists of a mix of frontages ranging from approximately 18 m to 35 m+. The subject property is currently vacant and contains mature vegetation surrounding the property.

The applicant is proposing to sever the lot for the purpose of creating two new parcels for the development of detached dwellings. As a result of the proposed severance, a variance for lot frontage is required.



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 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.

The consent application proposes lot frontages of 22.86 m and lot areas of 1,604 m² for both the severed and retained lots. The zoning by-law requires lot frontages of 30 m and lot areas of 695 m².

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. As per Section 16.1.2.1, to preserve the character of lands designated Residential Low Density I and

Residential Low Density II, the minimum frontage and area of new lots will be evaluated in the context of the existing lot pattern in the surrounding area. Additionally, Section 5.3.5 (Neighbourhoods) states that neighbourhoods are not meant to remain static, however, when new development occurs, it should be sensitive to the neighbourhoods existing and planned character. Recognizing that intensification does not have to mirror existing development, the proposed severance is sensitive to the existing and planned character of the neighbourhood and will not result in significant adverse impacts to the community.

The immediate area contains an eclectic mix of lot frontages ranging from approximately 18 m to 35 m and greater as seen in *Appendix 9* of this report. As there isn't a consistent lot fabric within the immediate area, the proposed severance would not be out of context within the existing community and still proposes lots of a significant size. The proposed lots can accommodate detached dwellings in-keeping with the character of the neighbourhood. The proposed parcels can coexist within the neighbourhood without having unacceptable adverse impacts to the surrounding area.

Based on the preceding information, staff is of the opinion that the consent application conforms to Section 51(24) of the *Planning Act*, more specifically that the lots conform to the official plan and the size of the lots are compatible within the immediate neighbourhood.

Minor variances

The intent of the zoning by-law is to ensure that new lots are appropriately sized and fit within the context of the surrounding area. The proposed lot frontages generally maintain the existing and planned area context. The proposal is consistent with other lots within the immediate area, maintaining the lot fabric of the surrounding neighbourhood. The site is suitable to accommodate some intensification which would still result in lots that are suitable for detached dwellings that fit within the vision for the area as a neighbourhood of low density related residential homes. As such, staff is of the opinion that the proposed variances maintain Section 45(1) of the *Planning Act*.

Conclusion

The Planning and Building Department has no objections to the requested consent and associated minor variance applications. The applicant may choose to defer the application to verify the accuracy of the variances and ensure additional 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.

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

The applicant will be required to apply for Access Modification Permits prior to Site Plan Approval and/or Building Permit Issuance.

We advise the applicant that all costs incurred in providing any new driveway entrances to the subject lands or any modifications/reinstatement required (including the existing driveway), 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. Driveway accesses shall maintain a 1.5m setback from aboveground features such as utilities and trees.

4. Storm Sewer Outlet

The applicant is advised that there is no storm sewer system available in front of the proposed lot on Indian Road. In this regard, we advise that all dwellings to be constructed on the subject lands will require a sump pump to discharge the weeping tile to grade. 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.

We are noting that any Transportation and Works Department concerns/requirements for this property will be addressed under Consent Application 'B' 15/21.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

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| City Department and Agency Comments | File:B15.21 A88.21 A89.21 | 2021/03/17 | 7 |
|-------------------------------------|------------------------------|------------|---|

We note that a building permit application and a site plan approval application are required. In the absence of one of these permit applications we are unable to confirm the accuracy of the requested variance(s) or determine whether additional variance(s) may be required. It should be noted that a zoning review has not been completed.

The applicant is advised that should they choose to proceed without submission of an application, a full zoning review may result in further variances being required. Alternatively, the applicant may wish to apply for a pre-zoning review application and submit working drawings in order that a detailed zoning review may be completed. A minimum of 6-8 weeks will be required to process a pre-zoning review application depending on the complexity of the proposal and the detail of the information submitted.

Comments Prepared by: A. McCormack

Appendix 3 – Parks, Forestry & Environment

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

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

1. The applicant shall provide a cash contribution of \$607.12 for planting of one (1) street tree on Indian Road. 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. The applicant shall provide tree protection securities for public and private trees as part of a future site plan control application.
2. 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.
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

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|-------------------------------------|-------------------------------|------------|---|
| City Department and Agency Comments | File: B15.21 A88.21 A89.21 | 2021/03/17 | 8 |
|-------------------------------------|-------------------------------|------------|---|

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. Should the proposal be approved, this should be a condition of approval.

Comments Prepared by: P. Wubbenhorst, Heritage Planner

Appendix 5 – Region of Peel Comments

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

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

We have no comments or objections to the following applications:

Minor Variance Applications: A-67/21, A-68/21, A-83/21, A-84/21, A-85/21, A-87/21, A-88/21, A-89/21, A-92/21, A-93/21, A-94/21.

Comments Prepared by: Diana Guida, Junior Planner

Appendix 7 – Bell Canada

Subsequent to review of the severance at 1029 INDIAN RD, Bell Canada's Engineering department have determined that there are no concerns or issues with the severance.

Comments Prepared by: Carrie Gordon, External Liaison

Appendix 8 – Trans-Northern Pipelines Inc

Dear Town Clerk:

Thank you for providing Trans-Northern with the Committee of Adjustment Agenda for March 25, 2021 for the proposed development to allow for lot severance to allow for the creation of a new lot on the North side of Indian Road, approximately 40m East of Caldwell Ave. Trans-Northern currently operates a high-pressure petroleum products transmission pipeline within a 60 foot right of way on the adjacent property running Northeast to Southwest to the proposed lot severance location at 1029 Indian Road.

Trans-Northern has no concerns with the proposed lot severance provided that the Easement location information is provided to all stakeholders within the Prescribed Area (30 m on either side of the line). As TNPI is a stakeholder within this community, we additionally request to be contacted prior to any any land use change within 200m of our pipeline which would include the property mentioned above. Please note, any development plans within the right-of-way will require a permit which can be requested by following the steps described near the end of this response.

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

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

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

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

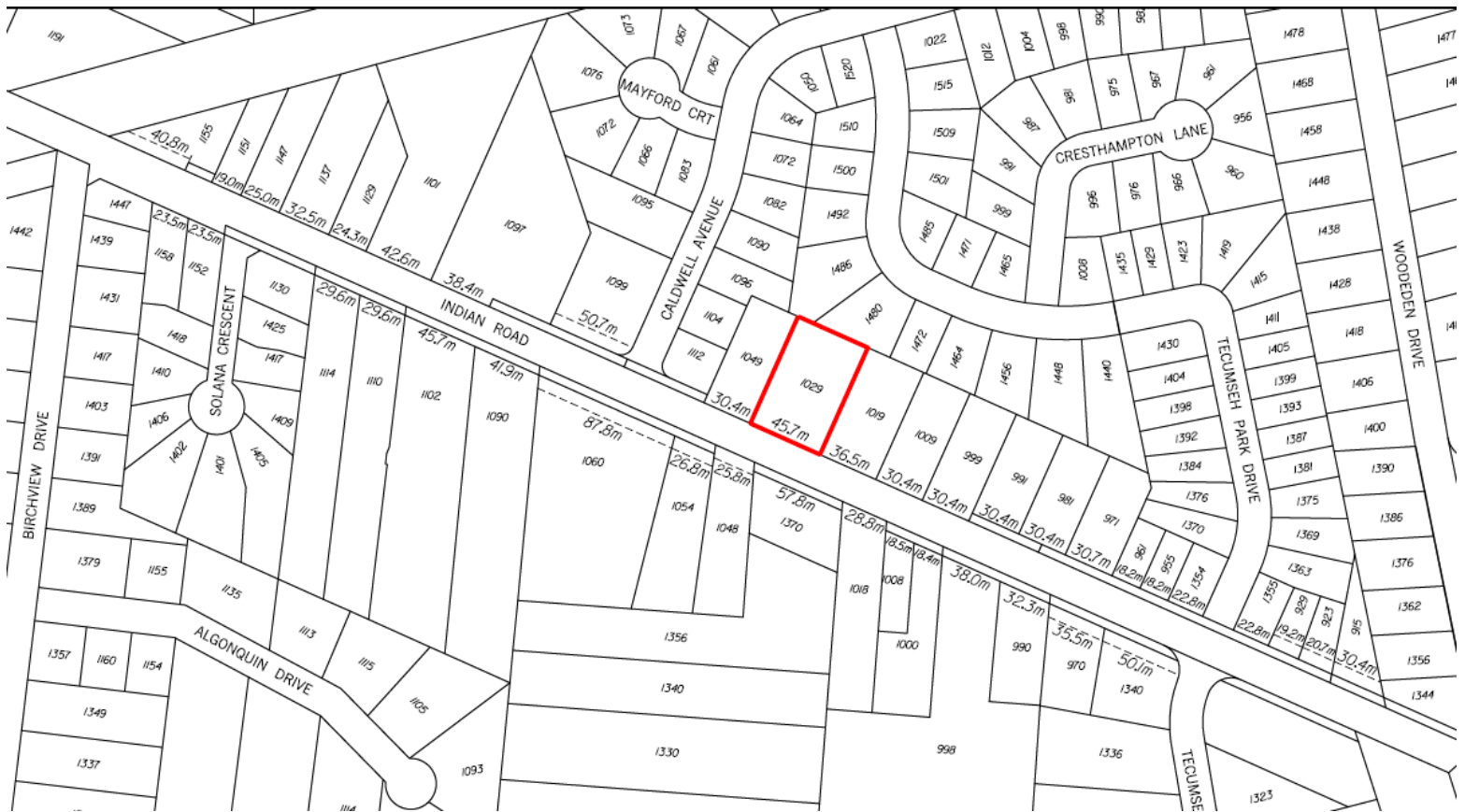
If there is to be development (not discovered in this review) within the 30 metres prescribed area additional steps will be required. Additionally, should the applicant proposes to cross the pipeline with a vehicle or construct a facility across, on, along or under the pipeline, the applicant would be required to contact Trans-Northern prior to commencement of their work to receive the required authorization. This process can be initiated through Ontario One Call (1-800-400-2255). A representative from Trans-Northern will attend on site mark the pipeline location, confirm safe work practices, and advise of any permit requirements.

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

As always, Trans-Northern appreciates being circulated Committee of Adjustment Agendas relating to proposed development, land use changes etc within 200 m of the TNPI pipeline and assets.

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

Appendix 9 – Development and Design Division



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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding.
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated March 17, 2021.
5. A letter shall be received from the City of Mississauga, Community Services Department, Park Planning Division, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated March 17, 2021.
6. 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 March 17, 2021.



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A67.21 & A68.21
Ward: 5

Why you received this letter:

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Details of the application and meeting information:

The property owner of 50 Capston Drive, zoned E1-6 - Employment, has applied for a minor variance (A67/21) under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a reduction in required parking proposing 105 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 125 parking spaces in this instance.

The property owner of 6305 Kateson Drive, zoned E1-21 & E1-6 - Employment, has applied for a minor variance (A68/21) under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a reduction in required parking proposing 104 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 112 parking spaces in this instance.

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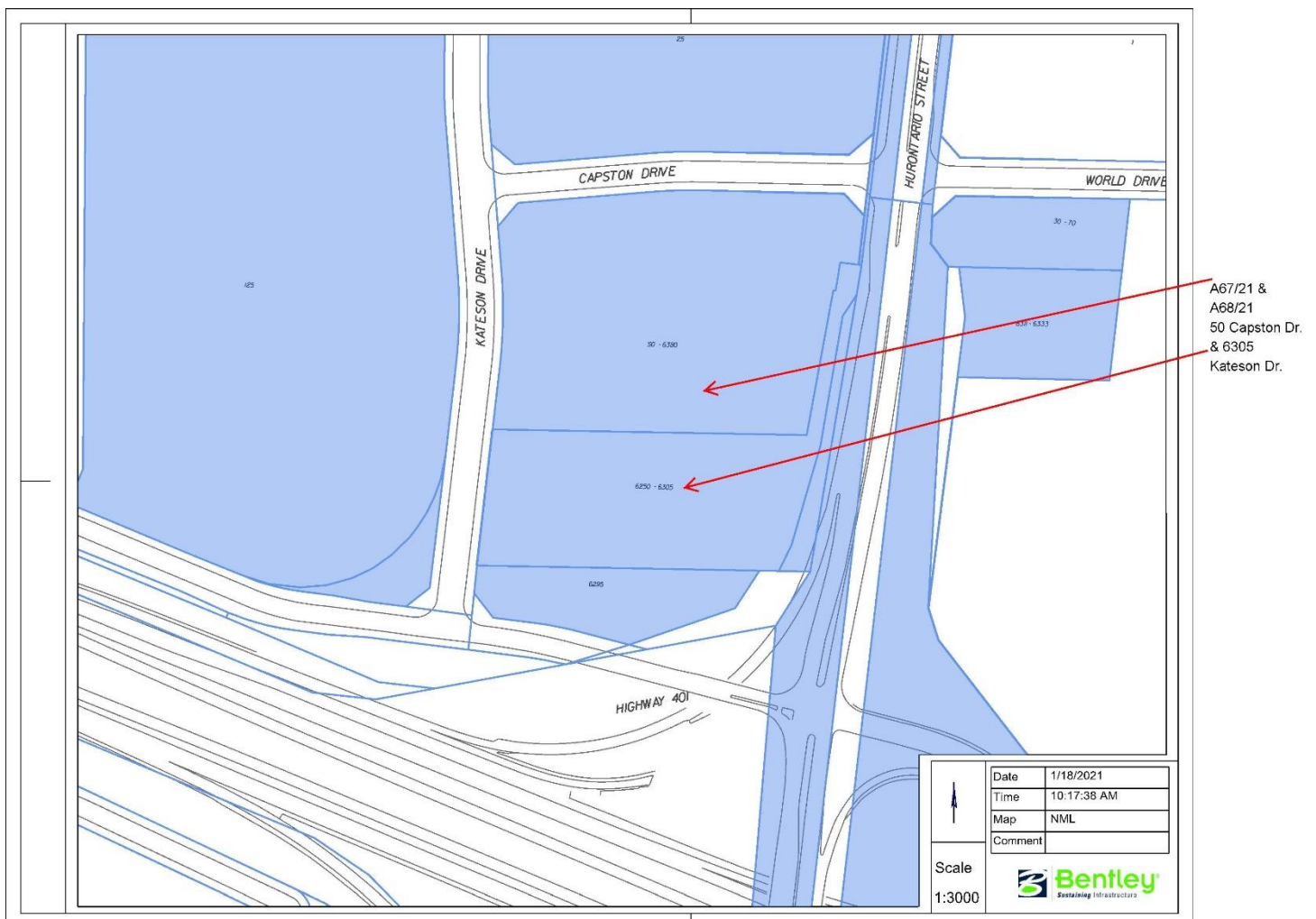
materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services will not be accepted.

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City of Mississauga

Memorandum:

City Department and Agency Comments

| | |
|---|------------------------------------|
| Date Finalized: 2021-03-17 | File(s): A67.21 & A68.21 Ward 5 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2021-03-25 1:00 PM |

Consolidated Recommendation

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

Application Details

A67/21 – 50 Capston Drive

The applicant requests the Committee to approve a minor variance to allow a reduction in required parking proposing 105 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 125 parking spaces in this instance.

A68/21 – 6305 Kateson Drive

The applicant requests the Committee to approve a minor variance to allow a reduction in required parking proposing 104 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 112 parking spaces in this instance.

Background

Property Address: 50 Capston Drive & 6305 Kateson Drive

Mississauga Official Plan

Character Area: Gateway Corporate Centre
Designation: Business Employment & Office

Zoning By-law 0225-2007

Zoning: 50 Capston Drive: E1-6 - Employment
6305 Kateson Drive: E1-21 & E1-6 - Employment

Other Applications: S14-115
BP 20-310
BP 20-811

Site and Area Context

The subject properties are vacant land located north-west of the Hurontario St. and Highway 401 possessing no vegetation. The subject properties abut one another and possess lot areas of +/- 66,000m² and 21,772m² and lot frontages of +/- 225.00m and 94.5m. From a land-use perspective, the immediate neighbourhood is comprised of employment uses; specifically large office buildings and restaurants with minimal vegetation and landscaping kept to the periphery of each lot. Generally, properties in the area possess lot frontages of +/- 150.0m

The applicant has proposed two industrial warehouse distribution buildings that require variances for a reduction in parking spaces on both properties.



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 Gateway Corporate Centre Character Area, and is designated Business Employment and Office by the Mississauga Official Plan (MOP). Pursuant to Section 11.2.11 (Business Employment), both warehousing and distributing are permitted within this designation. The Applicant's proposal of an industrial warehouse distribution building on each lot meets the purpose and general intent of the Official Plan.

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

The intent 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, the applicant is proposing 105 parking spaces whereas 125 are required at the 50 Capston Drive site and 104 parking spaces whereas 112 are required at 6305 Kateson Drive.

City Planning Strategies (CPS) Staff note, a Parking Justification Study, prepared by the agent, Crozier, dated January 2021, has been submitted in support of the applications for the requested parking variances. Staff have calculated the required parking based on By-law 0225-2007 regulations:

| Use | Area (m ²) | Required Parking Rate/100m ² | Spaces Required |
|------------------------------|------------------------|---|-----------------|
| Warehouse (50 Capston) | 15,019.36 | 1.1 x 6,975m ² | 76.7 |
| | | 0.6 x 8,044.36m ² | 48.3 |
| Total spaces Required | | | 125 |
| Warehouse (6305 Kateson) | 12,849.7 | 1.1 x 6,975m ² | 76.7 |
| | | 0.6 x 5,874.7m ² | 35.2 |

Total Spaces Required (rounded)**112**

The Parking Utilization Study (PUS) indicates that 4 proxy sites containing warehouses and distribution centres were surveyed. These sites were deemed appropriate by staff. The peak parking demands observed on those sites ranged from 0.14 spaces/100m² to 0.61 spaces/100m². Using the most conservative number of 0.61, staff estimates the peak parking demand to be:

| Use | Area (m2) | Required Parking Rate/100m ² | Spaces Required |
|---------------------------------|-----------|---|-----------------|
| Warehouse (50 Capston) | 15,019.36 | 0.61 | 92 |
| Warehouse (6305 Kateson) | 12,849.7 | 0.61 | 78 |

The applicant is proposing to provide 105 spaces and 104 spaces for the two warehouses, respectively. This is more than the estimated peak demand. Additionally "First Principles" data from Amazon, further explains the peak number of employees on site at any given time. Furthermore, the warehouse at 50 Capston will be used to park Amazon delivery vans only and will not be used for material storage.

CPS Staff conclude that the proposed parking supply poses no concerns and the application can be supported. CPS Staff note, the comments provided are based on the details submitted along with the applications and are subject to change should Zoning identify any additional variances or any changes to the variances with regards to above applications.

The Building Department is currently processing a building permit application under file 21-5272 and advise that more information is required to verify the accuracy of the requested variance or determine whether additional variances will be required. The Building Department finds the application premature as they have not had the opportunity to review the Building Permit and therefore cannot make a sound recommendation on this variance application.

Based on the submitted information Planning Staff echo CPS Staff comments and are of the opinion that the application poses no planning concern and maintains the general intent of the zoning bylaw.

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

Based on the submitted information detailing the parking demands on both sites, Planning Staff can support the application. Staff find the proposal represents the orderly development of the lands, and is minor in nature.

Conclusion

Based upon the preceding information, Planning Staff have no objection to the approval of this application. However, the Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

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

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections; comments or requirements with respect to C.A. 'A 67 & 68/21.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit application under file 21-5272. Based on review of the information currently available for this building permit, we advise that more information is required to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

<variance application is premature. BP 21-5272 created on Feb 26th>

Our comments are based on the plans received by Zoning staff 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: Ramsen Hedoo

Appendix 5 – Region of Peel Comments

We have no comments or objections to the following applications:

Deferred Application: DEF-A-91/20, DEF-A-413/20.

Minor Variance Applications: A-67/21, A-68/21, A-83/21, A-84/21, A-85/21, A-87/21, A-88/21, A-89/21, A-92/21, A-93/21, A-94/21.

Comments Prepared by: Diana Guida, Junior Planner

Appendix 7 – Ministry of Transportation of Ontario

These 2 sites are within the MTO PCA. For the above addresses, the changes to the parking lot, the MTO has no concerns.

Comments Prepared by: Corey Caple, Corridor Management Officer



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A82.21
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 1610 Kenmuir Avenue, zoned R3-1 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A gross floor area of 414.04sq.m (approx. 4456.69sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 336.01sq.m (approx. 3616.78sq.ft) in this instance;
2. A lot coverage of 39.35% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
3. A garage depth of 5.94m (approx. 19.49ft) whereas By-law 0225-2007, as amended, requires a minimum garage depth of 6.00m (approx. 19.69ft) in this instance;
4. A front yard measured to the eaves of 6.82m (approx. 22.38ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the eaves of 7.05m (approx. 23.13ft) in this instance;
5. A side yard measured to the eaves of 1.85m (approx. 6.07ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the eaves of 1.95m (approx. 6.40ft) in this instance;
6. A combined side yard width measured to the eave overhangs of 3.73m (approx. 12.24ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard width measured to the eave overhangs of 4.94m (approx. 16.21ft) in this instance; and
7. A building height measured to the underside of the eaves of 6.62m (approx. 21.72ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the underside of the eaves of 6.40m (approx. 21.00ft) in this instance.

The Committee has set **Thursday March 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.



A82/21
1610
Kenmuir
Ave.

City of Mississauga

Memorandum:

City Department and Agency Comments

| | |
|---|------------------------------------|
| Date Finalized: 2021-03-17 | File(s): A82.21 Ward: 1 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2021-03-25 1:00 PM |

Consolidated Recommendation

The City has no objections to the requested variances. The applicant may choose to defer the application to verify the accuracy of the variances and ensure additional variances are not required.

Application Details

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

1. A gross floor area of 414.04sq.m (approx. 4456.69sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 336.01sq.m (approx. 3616.78sq.ft) in this instance;
2. A lot coverage of 39.35% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
3. A garage depth of 5.94m (approx. 19.49ft) whereas By-law 0225-2007, as amended, requires a minimum garage depth of 6.00m (approx. 19.69ft) in this instance;
4. A front yard measured to the eaves of 6.82m (approx. 22.38ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the eaves of 7.05m (approx. 23.13ft) in this instance;
5. A side yard measured to the eaves of 1.85m (approx. 6.07ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the eaves of 1.95m (approx. 6.40ft) in this instance;
6. A combined side yard width measured to the eave overhangs of 3.73m (approx. 12.24ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard width measured to the eave overhangs of 4.94m (approx. 16.21ft) in this instance; and
7. A building height measured to the underside of the eaves of 6.62m (approx. 21.72ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the underside of the eaves of 6.40m (approx. 21.00ft) in this instance.

Amendments

Based on review of the information currently available for this application, we advise that the following variance(s) should be amended as follows:

4. Eave encroachment of 0.6m into the required front yard whereas By-law 0225-2007, as amended, permits a maximum eave encroachment of 0.45m in this instance;
5. Eave encroachment of 0.56m into the required side yard whereas By-law 0225-2007, as amended, permits a maximum eave encroachment of 0.45m in this instance;
6. A combined side yard setback measured to the eave overhangs of 3.73m (approx. 12.24ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard setback 4.94m (approx. 16.21ft) in this instance;

Background

Property Address: 1610 Kenmuir Avenue

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3-1 (Residential)

Other Applications:

Site Plan Application: 18-28

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, west of Cawthra and South Service Road. The neighbourhood is entirely residential, consisting of one and older/newer two storey detached dwellings with mature vegetation. The subject property contains an existing one storey dwelling with mature vegetation in both the front and rear yard.

The applicant is proposing a new two storey dwelling, requiring variances related to an increase in gross floor area, lot coverage and deficient setbacks measured to the eaves and eave height.

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

Variance #1 proposes a gross floor area of 414.04 m² whereas a maximum of 336.01 m² is permitted. The intent in restricting gross floor area is to maintain compatibility between existing and new dwellings, while ensuring the existing and planned character of a neighbourhood is preserved. Generally planning staff do not support these types of larger increases within the Mineola Neighbourhood Character Area as the massing of the dwelling would be out of scale within the existing context of the neighbourhood. However, in this case the proposed dwelling does not present significant massing concerns to the character of the streetscape and is designed with features that reduce the overall massing of the dwelling. The proposed dwelling contains features that break up the first and second storey and recesses the second storey back from the front and northerly elevation above the garage from the first storey. These features reduce the overall massing of the dwelling and limits the impact to the streetscape and neighbouring properties. The neighbouring property to the south contains a newer two storey dwelling with a similar gross floor area, as such, there would not be a significant impact from the proposed southerly elevation. The northerly elevation which abuts a one storey dwelling is sensitively designed in a manner that limits the overall impact of the dwelling. Planning staff acknowledges the percentage the gross floor area is being increased by, however, the intent of the by-law does not reference what amount of an increase is 'acceptable', rather it is focused on maintaining compatibility. As such, staff is of the opinion that the increase in gross floor area is compatible within the neighbourhood in this instance, thereby maintaining the general intent and purpose of the zoning by-law.

Variance #2 proposes a lot coverage of 39.35% whereas a maximum of 35% is permitted. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot. In this instance, the excessive lot coverage is due to the rear deck and eaves which make up approximately 8% of the total lot coverage. Excluding these features, the dwelling would have a lot coverage of approximately 31%, less than the maximum permitted within the by-law. The proposed deck is open on all sides thereby reducing the massing of the dwelling. The eave encroachment does not present any significant massing impacts to the street and neighbouring properties. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #7 proposes an eave height of 6.62 m whereas a maximum of 6.40 m is permitted. The intent of restricting height to the eaves is to lessen the visual massing of dwelling by bringing the edge of the roof closer to the ground which would lower the overall pitch of the roof, thus giving the dwelling a more human scale. The dwelling maintains an overall height of 9.50 m, consistent with the permitted height within the zoning by-law and mitigating any further impact from the increased eave height. Additionally, the eave height is measured from average grade which makes up a portion of the increased height. The proposed eave height will not create any additional undue impact to the character of the streetscape from what the by-law

already permits. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

The remaining variances propose a deficient garage depth and deficient front, side yard and combined side yard setbacks measured to the eaves. The deficient garage depth is a minor deviation from what is permitted and is internal to the dwelling. As such, there would be no impact from a streetscape perspective. The deficient front and side yard setbacks are only measured to the eaves. It should be noted that the walls of the dwelling maintains the required front, side yard and combined side yard width setbacks. The zoning by-law allows an eave projection of 0.45 m, however, the dwelling proposes an eave encroachment of 0.61 m. If the eaves projections met the 0.45 m encroachment, variances would not be required for deficient setbacks. These variances represent a minor deviation to the by-law and do not add significant massing to the dwelling which would negatively impact the neighbouring properties. Staff is of the opinion that these variances are appropriate to be handled through the minor variance process. Further, they raise no concerns of a planning nature.

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

The proposed variances maintain the context of the surrounding neighbourhood and do not pose any significant impact to the streetscape character. The dwelling maintains the overall height of 9 m which lessens the impact of the increased eave height which is not a significant deviation from what is permitted. The proposed dwelling contains architectural features that break up the overall massing of the dwelling, limiting the impact of the increased gross floor area. Additionally, the dwelling is designed in a way that is similar to newer two storey dwellings within the immediate area and does not significantly alter the streetscape character. 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. The applicant may choose to defer the application to verify the accuracy of the variances and ensure additional variances are not required.

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 dwelling are being addressed through the Site Plan Application process, File SPI-18/028.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

SP RECEIVED, AMEND VARIANCE

The Building Department is currently processing a site plan approval application under file SPI 18-28. Based on review of the information currently available for this application, we advise that the following variance(s) should be amended as follows:

7. Eave encroachment of 0.6m into the required front yard whereas By-law 0225-2007, as amended, permits a maximum eave encroachment of 0.45m in this instance;
8. Eave encroachment of 0.56m into the required side yard whereas By-law 0225-2007, as amended, permits a maximum eave encroachment of 0.45m in this instance;
9. A combined side yard setback measured to the eave overhangs of 3.73m (approx. 12.24ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard setback 4.94m (approx. 16.21ft) in this instance;

Our comments are based on the plans received by Zoning staff on 01/21/2021 for the above captioned site plan application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: A. McCormack

Appendix 5 – Region of Peel Comments

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

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A83.21
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 827 Mississauga Valley Boulevard, zoned R3 - 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 an addition on the subject property proposing a side yard of 1.23m (approx. 4.04ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.80m (approx. 5.91ft) in this instance.

The Committee has set **Thursday March 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:

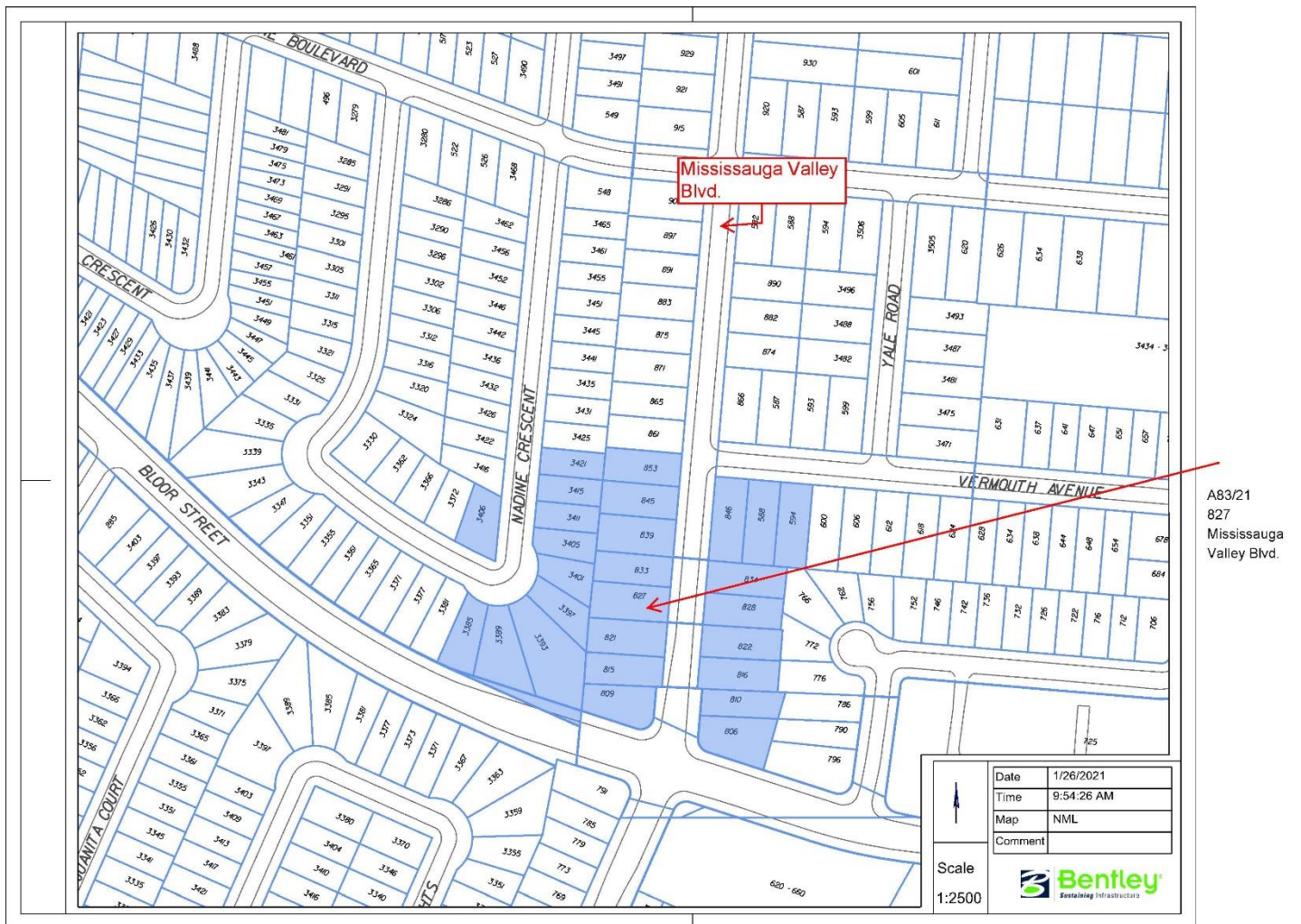
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud 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: 2021-03-17 | File(s): A83.21 Ward 4 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2021-03-25 1:00 PM |

Consolidated Recommendation

The City has no objection to the variance, as amended.

Application Details

The applicants request the Committee to approve a minor variance to allow the construction of an addition on the subject property proposing a side yard of 1.23m (approx. 4.04ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.80m (approx. 5.91ft) in this instance.

Amendments

The Building Department is currently processing a building permit application under file 20-2120. Based on review of the information currently available for this building permit, we advise that the following variance should be amended as follows:

- The applicants request the Committee to approve a minor variance to allow the construction of an addition on the subject property proposing a side yard of 1.23m (approx. 4.04ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.94ft) in this instance.

Background

Property Address: 827 Mississauga Valley Boulevard

Mississauga Official Plan

Character Area: Mississauga Valleys Neighbourhood

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 property is located within the Mississauga Valleys Neighbourhood Character Area, and designated Residential Low Density I by the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached dwellings; semi-detached dwellings 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 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 variance of 1.23m whereas 1.81m is required, is marginal and provides an adequate buffer to the lot line, and creates a sufficient amount of space for drainage and a visual buffer between the adjacent properties. The proposed setback has a negligible impact on the neighbouring property. Staff is of the opinion that this application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Conclusion

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

Comments Prepared by: 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 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 20-2120. Based on review of the information currently available for this building permit, we advise that the following variance(s) should be amended as follows:

The applicants request the Committee to approve a minor variance to allow the construction of an addition on the subject property proposing a side yard of 1.23m (approx. 4.04ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.94ft) in this instance.

Our comments are based on the plans received by Zoning staff on 2020-11-23 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: Sherri Takaloo, Zoning Examiner

Appendix 5 – Region of Peel Comments

We have no comments or objections to the following applications:

Deferred Application: DEF-A-91/20, DEF-A-413/20.

Minor Variance Applications: A-67/21, A-68/21, A-83/21, A-84/21, A-85/21, A-87/21, A-88/21, A-89/21, A-92/21, A-93/21, A-94/21.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A84.21
Ward: 6

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 3236 Valmarie Avenue, zoned R3 - 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 a widened driveway on the subject property proposing:

1. A driveway width of 7.7m (approx. 25.3ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.0m (approx. 19.7ft) in this instance; and
2. A walkway attachment of 3.2m (approx. 10.5ft) whereas By-law 0225-2007, as amended, permits a maximum walkway attachment of 1.5m (approx. 4.9ft) in this instance.

The Committee has set **Thursday March 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:

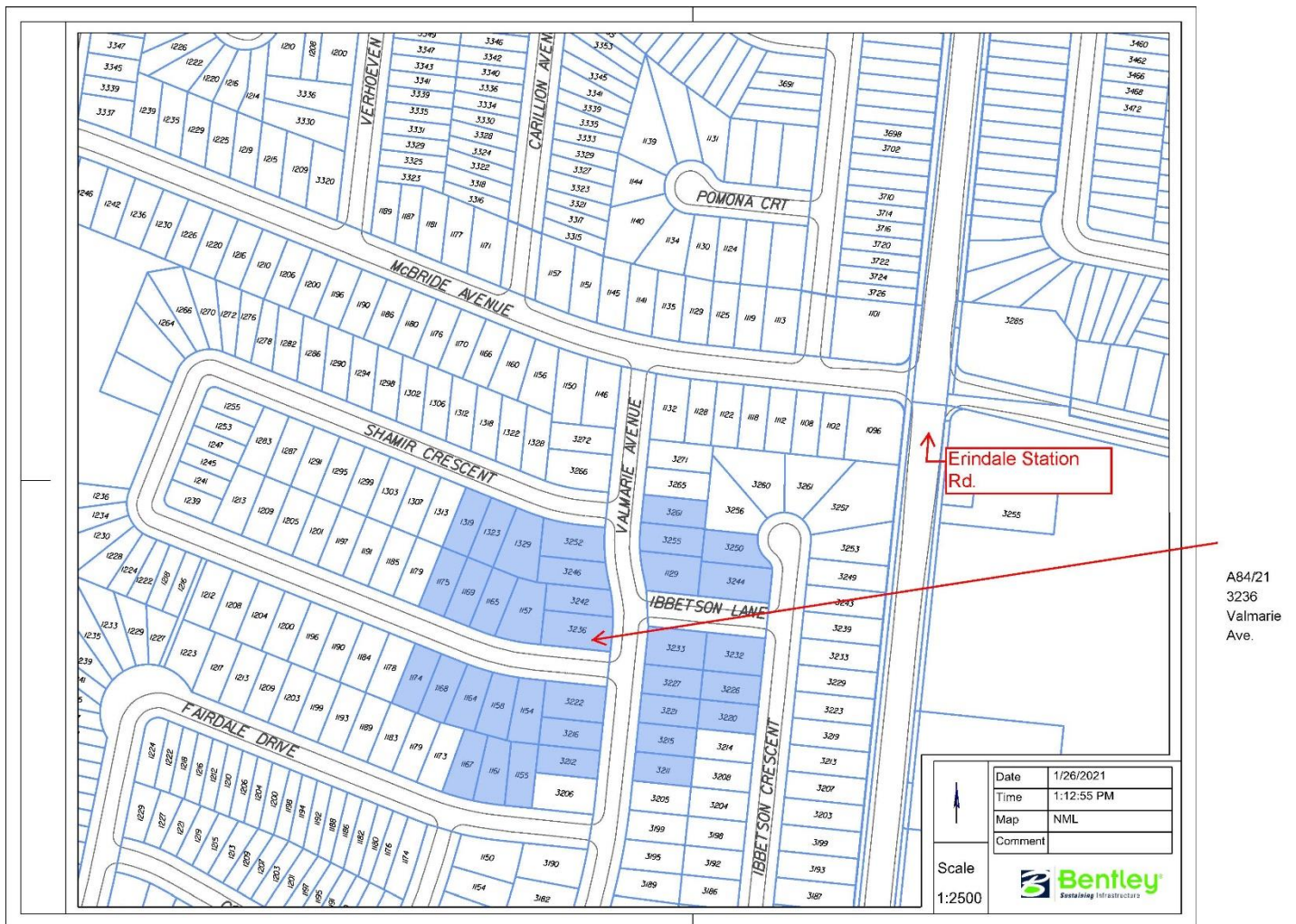
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A84/21
3236
Valmarie
Ave.

City of Mississauga

Memorandum:

City Department and Agency Comments

| | |
|---|------------------------------------|
| Date Finalized: 2021-03-17 | File(s): A84.21 Ward: 6 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2021-03-25 1:00 PM |

Consolidated Recommendation

Planning Staff recommend that this application be withdrawn.

Application Details

The applicants request the Committee to approve a minor variance to allow a widened driveway on the subject property proposing:

1. A driveway width of 7.7m (approx. 25.3ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.0m (approx. 19.7ft) in this instance; and
2. A walkway attachment of 3.2m (approx. 10.5ft) whereas By-law 0225-2007, as amended, permits a maximum walkway attachment of 1.5m (approx. 4.9ft) in this instance.

Background

Property Address: 3236 Valmarie Avenue

Mississauga Official Plan

Character Area: Erindale Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

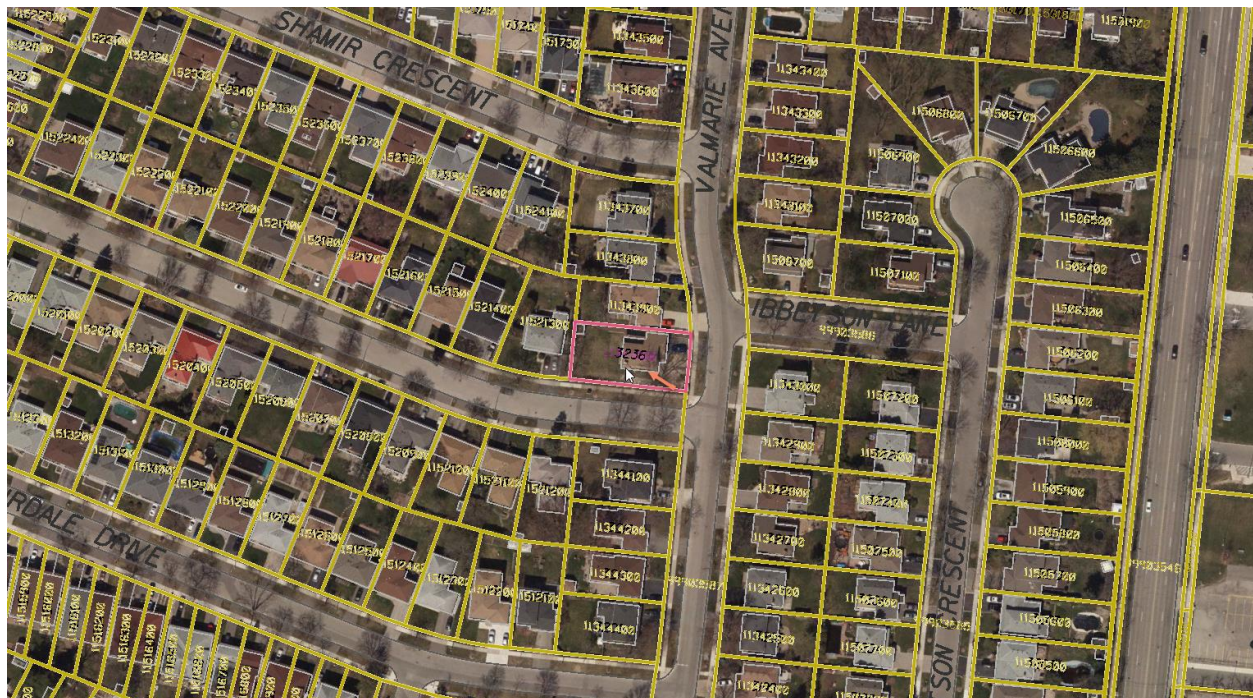
Zoning: R3 - Residential

Other Applications: None

Site and Area Context

The subject property is situated south-west of the Erindale Station and McBride Ave intersection. The subject property is an exterior parcel, with a lot area of approximately 791.06m², and a lot frontage of 19.88m. Currently the property houses a two-storey, detached dwelling with minimal vegetation and landscape elements in the front and rear yards. The immediate neighbourhood is exclusively low density residential in nature, with detached dwellings possessing minimal vegetation and landscape elements scattered throughout the front yards. The properties within the immediate area possess lot frontages of +/- 17.0m.

The applicant is proposing a larger driveway and walkway that do not require variances and are permitted as of right.



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 property is located within the Erindale Neighbourhood Character Area, and is 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; 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.

The subject property is zoned R3 (Residential) in Zoning By-law 0225-2007. 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. For the portion of the driveway beyond 6.0m of the front garage face, the driveway width may be increased to 8.50m.

Through an email correspondence on March 3, 2021 and March 9, 2021 the applicant confirmed the measurements for the driveway. The portion of the driveway from the garage face to the sidewalk measures to 9.0m in length and the portion below the walkway, just above the sidewalk measures 7.7m in width. The subject property has a lot frontage of 19.88m, therefore a variance regarding a driveway width of 7.7m is not required and is permitted as of right.

Regarding the walkway, the intent of this portion of the bylaw is to define an entryway and provide a convenient surface for pedestrian passage. Pursuant to section 4.1.9 (Driveways and Parking) the calculation of driveway width shall include any continuous hard surface area that may be used for the parking of motor vehicles. As it appears in the submitted material, the proposed walkway of 3.2m has been configured to look like a walkway attachment but site visit photos provided by Transportation and Works illustrate that the walkway contributes to the overall driveway width and allows for additional parking. This additional hardscaping brings the driveway width to 9.45m, which is permitted as of right for the portion of the driveway that is within 6.0m of the garage face. While the proposed walkway is intended to provide a dedicated pathway for pedestrians, the walkway, as proposed contributes to the overall driveway width and is permitted as of right under the zoning by-law. Staff finds there is no concern of a planning nature.

Conclusion

Planning staff are of the opinion that this application be withdrawn as the requested variances are permitted as of right.

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

We have no comments or objections to the following applications:

Deferred Application: DEF-A-91/20, DEF-A-413/20.

Minor Variance Applications: A-67/21, A-68/21, A-83/21, A-84/21, A-85/21, A-87/21, A-88/21, A-89/21, A-92/21, A-93/21, A-94/21.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A85.21
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 372 Niar Avenue, zoned R3-1 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an addition on the subject property proposing:

1. A lot coverage of 41.47% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% of the lot area in this instance; and
2. A side yard of 3.04m (approx. 9.97ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 4.93m (approx. 16.17ft) in this instance.

The Committee has set **Thursday March 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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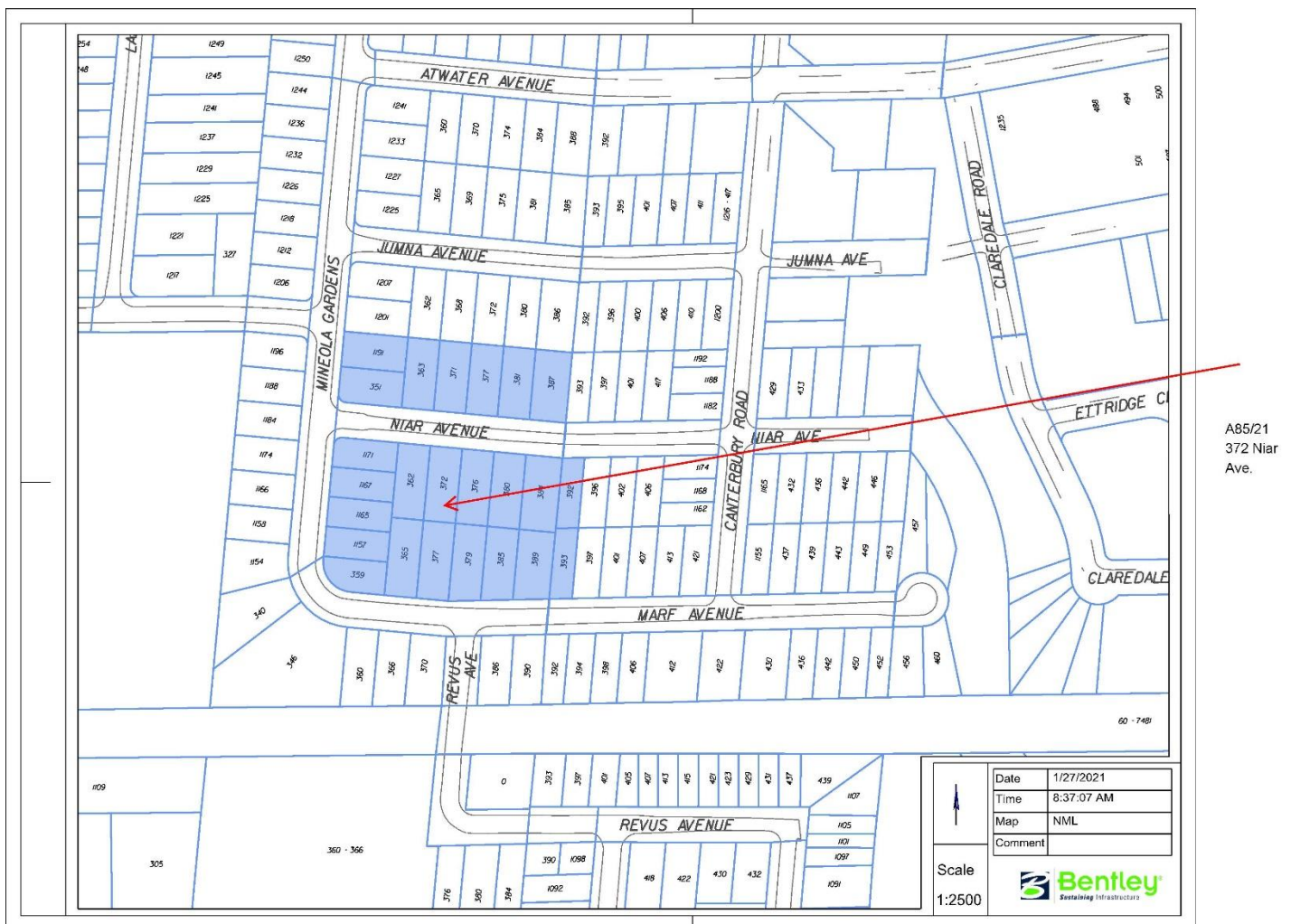
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City of Mississauga

Memorandum:

City Department and Agency Comments

| | |
|---|------------------------------------|
| Date Finalized: 2021-03-17 | File(s): A85.21 Ward: 1 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2021-03-25 1:00 PM |

Consolidated Recommendation

The City has no objections to the requested variances, as amended.

Application Details

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

1. A lot coverage of 41.47% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% of the lot area in this instance; and
2. A side yard of 3.04m (approx. 9.97ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 4.93m (approx. 16.17ft) in this instance.

Amendments

Variance #2 should be amended as follows:

A combined side yard setback of 3.04m (approx. 9.97ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard setback of 4.93m (approx. 16.17ft) in this instance.

Background

Property Address: 372 Niar Avenue

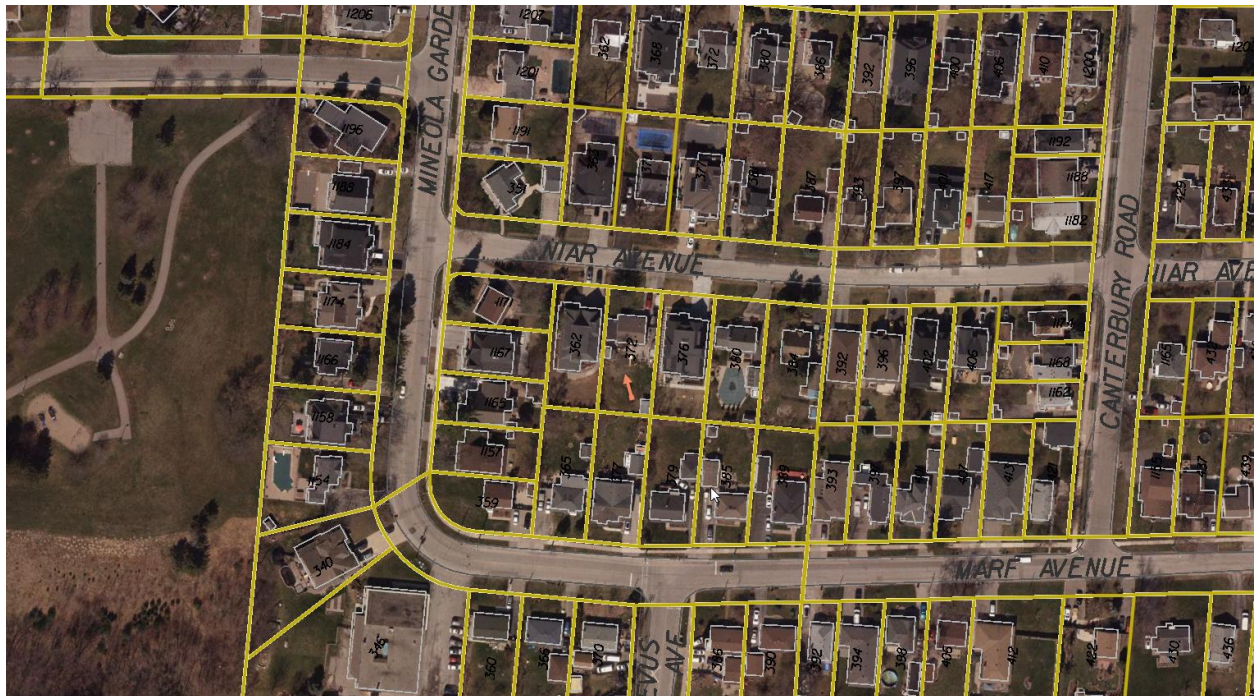
Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007**Zoning:** R3-1 - Residential**Other Applications****Pre-Application:** 20-3161**Site and Area Context**

The subject property is located within the Mineola Neighbourhood Character Area, southwest of Cawthra and Atwater Avenue. The neighbourhood is entirely residential, consisting of one and two storey detached dwellings with mature vegetation. The subject property contains an existing one storey dwelling with little mature vegetation.

The applicant is proposing a new addition, requiring variances related to lot coverage and a deficient combined side yard width 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 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 and duplex, triplex and other forms of low rise dwellings with individual frontages. As per Section 16.18.1 of the Mineola Neighbourhood Character Area policies, new housing is encouraged to fit the scale and character of the surrounding area. The proposed detached dwelling respects the designated land use, and has regard for the distribution of massing on the property as a whole. The proposed dwelling maintains the character of the surrounding neighbourhood and closely resembles a one storey dwelling, limiting the impact to neighbouring properties and the character of the streetscape. 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 proposes a lot coverage of 41.47% whereas a maximum of 35% is permitted. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot. In this instance, the excessive lot coverage is due to the rear deck and front covered porch which make up approximately 5% of the total lot coverage. Excluding these features, the dwelling would have a lot coverage of approximately 36%, which is a minor deviation from what the by-law permits. The proposed deck and porch are open on all sides, thereby reducing the massing of the dwelling and the impact to neighbouring properties. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #2 proposes a combined side yard width of 3.04 m whereas 4.93 m is required. The general intent of this portion of the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties, and that access to the rear yard ultimately remains unencumbered. In this instance, the dwelling contains a sloped roof that resembles a one storey dwelling, however, a second storey is incorporated within the roofline. The required combined side yard width setback is for a two storey dwelling. As the proposed dwelling is not a typical two story dwelling as seen with other dwellings within the immediate area, the proposed setback does not have the same impact as a typical two storey dwelling with respect to massing. The proposed dwelling maintains a sufficient buffer and does not present any significant massing concerns to neighbouring properties. 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 proposed variances maintain the context of the surrounding neighbourhood and do not pose any significant impact to the streetscape character. The proposed dwelling generally appears as a one storey dwelling and does not present any massing concerns to abutting properties. The proposed dwelling maintains a sufficient setback to the interior side yard, minimizing the impact of the deficient setback. The increased lot coverage is mostly due to the front covered porch and rear deck. Excluding these features, the dwelling maintains a lot coverage of 36% which would not create any additional undue impact from what is permitted. 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, as amended.

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 Site Plan/Building Permit process.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit application under file PREAPP 20-3161. Based on review of the information currently available for this building permit, we advise that the following variance should be amended as follows:

A combined side yard setback of 3.04m (approx. 9.97ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard setback of 4.93m (approx. 16.17ft) in this instance.

Our comments are based on the plans received by Zoning staff on 01/13/2021 for the above captioned building permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: A. McCormack

Appendix 5 – Region of Peel Comments

We have no comments or objections to the following applications:

Deferred Application: DEF-A-91/20, DEF-A-413/20.

Minor Variance Applications: A-67/21, A-68/21, A-83/21, A-84/21, A-85/21, A-87/21, A-88/21, A-89/21, A-92/21, A-93/21, A-94/21.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A86.21
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 930 Derry Road East, zoned E2 - Employment, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a drive-thru restaurant proposing 47 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 57 parking spaces in this instance.

The Committee has set **Thursday March 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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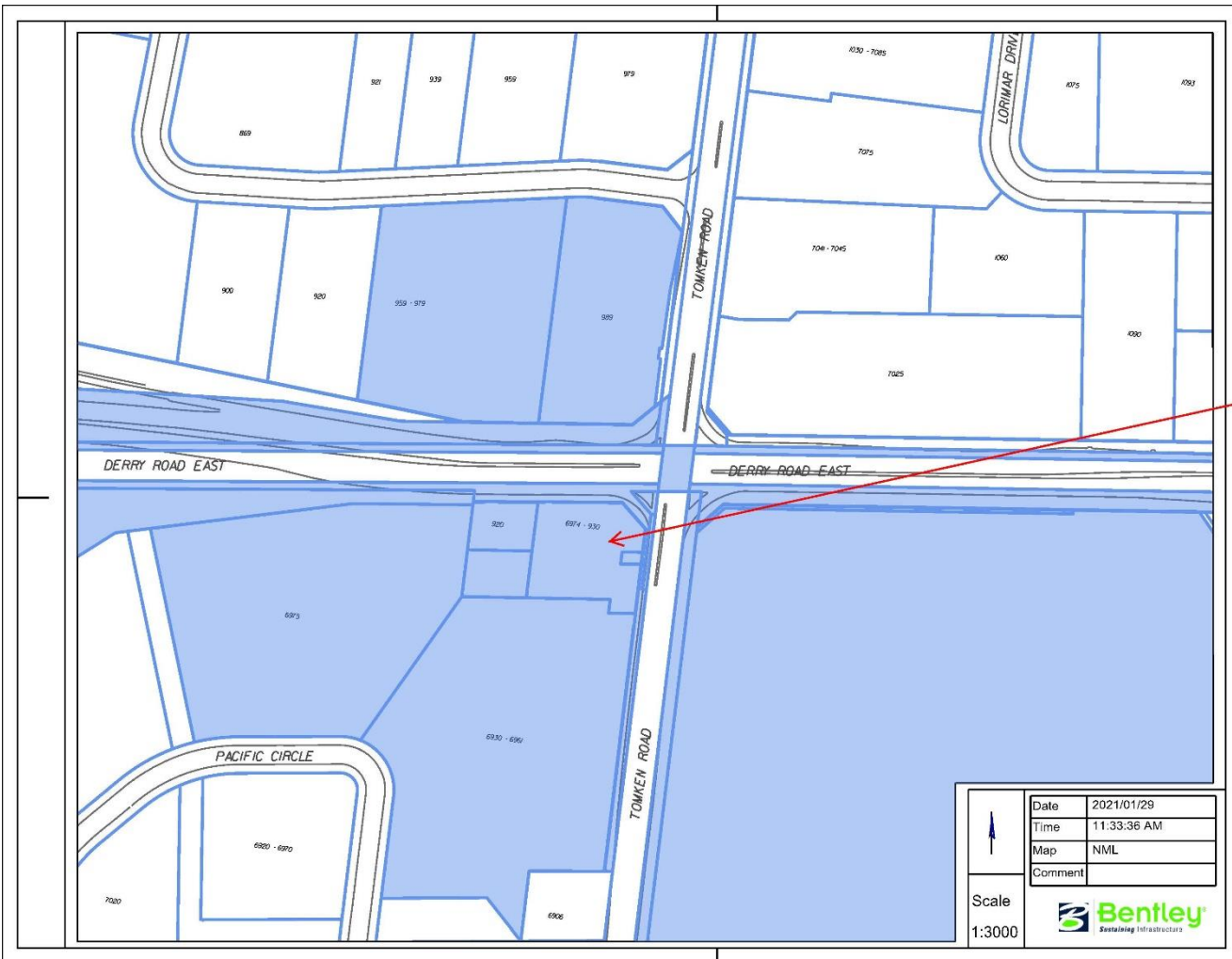
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A86/21
930 Derry
Rd. E.

City of Mississauga

Memorandum:

City Department and Agency Comments

| | |
|---|------------------------------------|
| Date Finalized: 2021-03-17 | File(s): A86.21 Ward: 5 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2021-03-25 1:00 PM |

Consolidated Recommendation

The City recommends that the application be deferred in order to allow the applicant an opportunity to submit a satisfactory parking utilization study.

Application Details

The applicant requests the Committee to approve a minor variance to allow a drive-thru restaurant proposing 47 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 57 parking spaces in this instance.

Recommended Conditions and Terms

The applicant is advised that, arrangements satisfactory to the Region of Peel, Public Works, shall be made with respect to grading and drainage.

Background

Property Address: 930 Derry Road East

Mississauga Official Plan

Character Area: Northeast Employment Area (West)

Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2 - Employment

Other Applications: None

Site and Area Context

The subject property is an industrial building located south-east of the Derry Rd E and Tomken Rd intersection. The subject property is an exterior parcel with a lot area of +/- 4,500.0m² and a lot frontage of +/- 42.0m possessing minimal vegetation and landscape elements along the lot line. From a land-use perspective, the immediate neighbourhood is exclusively employment uses including, a hardware store, an accounting firm and personnel services. Properties within the immediate vicinity possess lot frontages of +/- 70.00m with minimal vegetation and landscaping kept to the periphery of each parcel.

The applicant has proposed a drive-thru restaurant that requires variances for reduced 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 Northeast Employment Character Area, and is designated Business Employment by the Mississauga Official Plan (MOP). Pursuant to Section 11.2.11 (Business Employment), a restaurant is identified as a permitted use. The Applicant's proposal of a convenience restaurant and drive-thru meets the purpose and general intent of the Official Plan.

As per Zoning By-law 0225-2007, the subject property is zoned E2 (Employment). The parking provisions identified in Table 3.1.2.2 (Required Number of Parking Spaces for Non-Residential Uses) regulate the required parking rates for various uses permitted on this site. 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 47 parking spaces, whereas By-law 0225-2007, as amended, requires a minimum of 57 spaces in this instance.

A Letter of Justification dated January 5, 2021, prepared by IBI Group, was submitted in support of the requested parking variance. City Planning Strategies Staff contacted the agent, Ashley Minns from IBI Group, via email on March 2, 2021, seeking clarification on identified discrepancies between the requested variance and the total number of provided and required parking spaces contained in the justification. Agent, Ashley Minns, clarified that the requested variance is not accurate and should be amended to a proposed 49 parking spaces, whereas, a minimum of 57 parking spaces are required. This equates to a 14% deficiency onsite.

Staff advised the agent that the submitted letter is not satisfactory justification and that a Parking Utilization Study (PUS) is required for the variance.

Planning Staff echo City Planning Strategies Staff comments and recommend the application be deferred, pending the submission of a satisfactory Parking Utilization Study (PUS).

Conclusion

The Planning and Building department recommends that the application be deferred in order to allow the applicant an opportunity to submit a satisfactory parking utilization study.

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

Appendices

Appendix 1 – Transportation and Works Comments

We have no objections to the proposed modifications to the existing drive-thru.





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

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

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

- Stormwater Management techniques shall be implemented to the satisfaction of the Region of Peel, the local Conservation Authority and all concerned departments and agencies (4.0)
- Post development flows must be equal to pre-development flows (4.3)
- The Region of Peel Shall require stormwater quantity control to reduce stormwater peak flow run off from developing sites. Post development flows shall not adversely affect the performance of downstream Region of Peel infrastructure, negatively impact adjacent properties and exacerbate or increase the downstream flood or erosion risk (4.3)
- Where possible, flows from outside the Regional Road allowance are to be directed to the local municipality's storm sewer system (5.1)
- No grading will be permitted within any Region of Peel ROW to support adjacent developments (5.1)

The applicant is advised that, arrangements satisfactory to the Region of Peel, Public Works, shall be made with respect to grading and drainage.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A87.21
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 70 Mississauga Road and 181 Lakeshore Road West, zoned D - Development and 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 building proposing:

1. A parking rate of 0.85 resident spaces per apartment dwelling whereas By-law 0225-2007, as amended, requires a minimum parking rate of 1.00 resident parking spaces per apartment dwelling unit in this instance; and
2. A parking rate of 0.85 resident spaces per dwelling whereas By-law 0225-2007, as amended, requires a minimum parking rate of 1.00 resident parking spaces per dwelling unit in this instance.

The Committee has set **Thursday March 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:

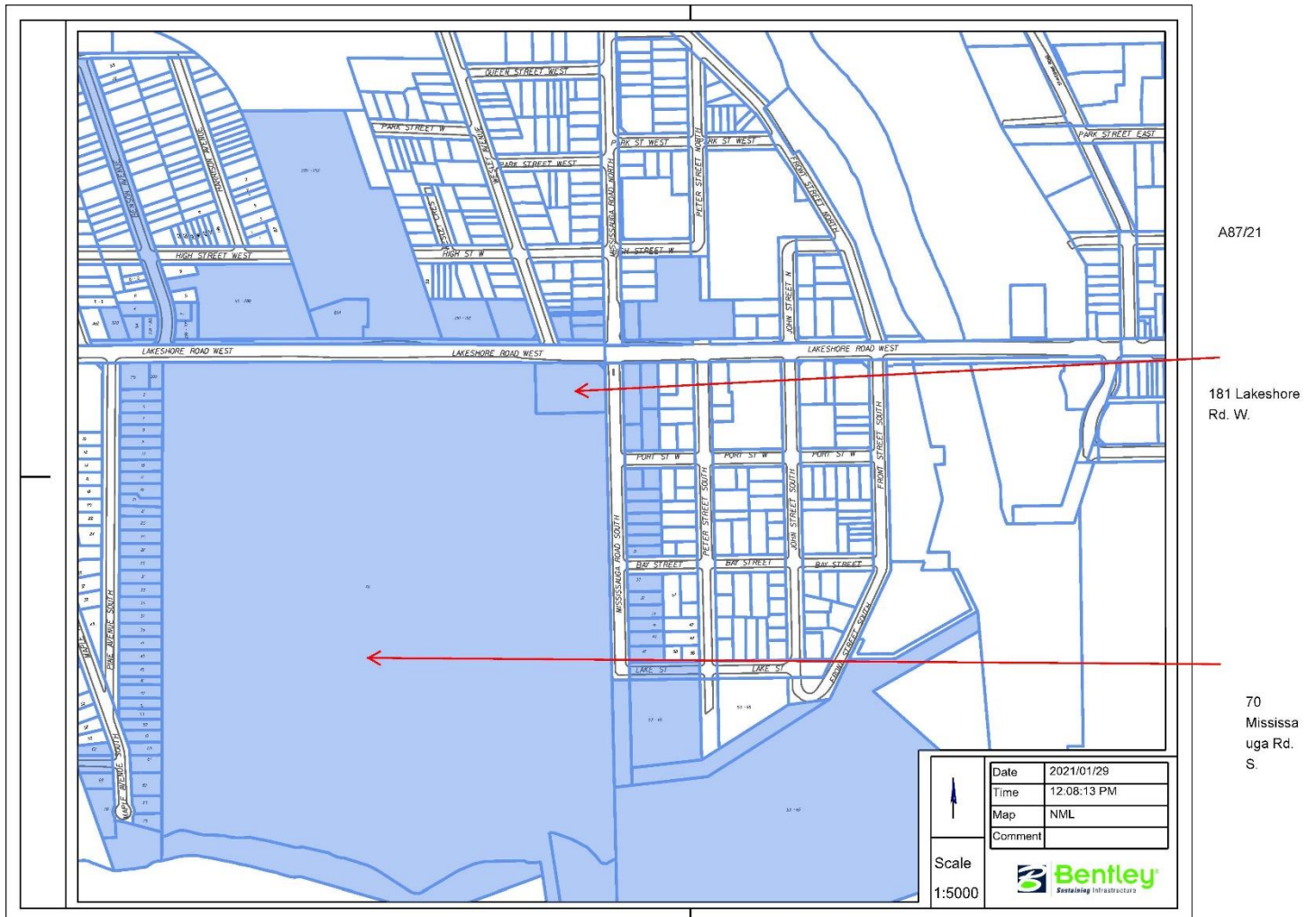
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud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

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Legal notice:

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

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



City of Mississauga

Memorandum:

City Department and Agency Comments

| | |
|---|------------------------------------|
| Date Finalized: 2021-03-18 | File(s): A87.21 Ward: 1 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2021-03-25 1:00 PM |

Consolidated Recommendation

The City has no objections to the requested variances, as amended, subject to the conditions. The applicant may choose to defer the application to verify if any additional variances are required.

Application Details

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

1. A parking rate of 0.85 resident spaces per apartment dwelling whereas By-law 0225-2007, as amended, requires a minimum parking rate of 1.00 resident parking spaces per apartment dwelling unit in this instance; and
2. A parking rate of 0.85 resident spaces per dwelling whereas By-law 0225-2007, as amended, requires a minimum parking rate of 1.00 resident parking spaces per dwelling unit in this instance.

Amendments

Staff recommends that the variances be amended as follows:

1. A parking rate of 0.86 resident spaces per apartment dwelling unit whereas By-law 0225-2007, as amended, requires a minimum parking rate of 1.00 resident parking spaces per apartment dwelling unit in this instance; and
2. A parking rate of 0.86 resident spaces per apartment dwelling unit whereas By-law 0225-2007, as amended, requires a minimum parking rate of 1.00 resident parking spaces per dwelling unit in this instance.

Recommended Conditions and Terms

Staff recommends the following conditions be added to the application:

The applicant enter into an agreement pursuant to s.45 (9.1) of the Planning Act, with content satisfactory to City staff as indicated below, and in a form satisfactory to the City Solicitor, to secure performance of the following conditions, including any associated securities/letters of credit:

- A) To provide for one car-share space at an accessible and visible location, demonstrated by inclusion on the approved Site Plan for Phase-1 (Blocks C and H) of the development to the satisfaction of the Director of Development and Design, Planning & Building Department.
- B) Prior to the approval of the Site Plan for Phase-1 (Blocks C and H) of the development, a copy of an executed agreement with a car-share company to secure and provide for two car-share vehicles for a minimum period of two years should be submitted to the satisfaction of the Director of Infrastructure Planning & Engineering Services, Transportation & Works Department.
- C) Prior to the issuance of the Building Permit of Phase-1 (Blocks C and H) of the development, a letter shall be received from the Transportation and Works Department indicating that arrangements have been made including supporting documentation for the operations of a shuttle bus service to and from the subject site and the Port Credit GO station, to the satisfaction of the Director of Infrastructure Planning & Engineering Services, Transportation & Works Department.

Background

Property Address: 70 Mississauga Road and 181 Lakeshore Road West

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (West)
Designation: Greenlands, Residential High and Medium Density, Mixed Use, Public Open Space

Zoning By-law 0225-2007

Zoning: D - Development and G1 - Greenlands

Other Applications

Site Plan Application: 19-155, 19-138

Site and Area Context

The subject property is located within the Port Credit Neighbourhood Character Area, in the south west quadrant of Mississauga Road South and Lakeshore Road West. The immediate area consists of a range of residential, commercial, and recreational uses. The subject property is currently vacant. The proposed official plan and zoning amendments were approved by the Local Planning Appeal Tribunal (LPAT) through a settlement agreement between the applicant and the City. The amendments permit a variety of uses including townhouses, mid and high-rise condominiums, retail, parkland and institutional uses.

Through the rezoning process, a parking rate of 1 space per dwelling unit was approved for buildings C1 and H on blocks 4, 5 and 6 of the submitted site plan. The application proposes to reduce the parking rate for these buildings to 0.85 spaces per dwelling unit.



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 contains multiple designations, most notably Mixed Use and Residential High Density in Schedule 10 of the Mississauga Official Plan, which permits both high-rise condominiums and commercial uses, among others. The proposed variances maintain the existing designations and do not negatively impact the development of the site. Additionally, the intent of the zoning by-law is to ensure that each structure is self-sufficient in providing adequate parking accommodations for its intended use.

Conclusion

The Planning and Building Department has no objections to the requested variances, as amended, subject to the conditions. The applicant may choose to defer the application to verify the accuracy of the requested variances. The City Planning Strategies Division has reviewed the proposed variance and have provided the following comment:

A parking memo dated March 10, 2021 has been prepared by BA Group and submitted in support of the parking reduction. Staff have reviewed the details included in the memo and have made the following observations and comments:

A. Development Context of the subject site:

- As noted by the applicant in Section 1.2 of the memo, the development on the subject site will be a part of a multi-phased planned community.
- The master plan of this community will provide for a fine-grained network of streets and blocks facilitating access for multi-modal transportation and will integrate access to several amenities, uses and facilities through a pedestrian-focused public realm.

B. Parking Sales Data:

With regards to parking sales strategy and as noted in Section 4.4 of the memo:

- The applicant had unbundled the sale of parking spaces from the apartment unit sales. All 311 apartment units in Buildings C1 and H have been sold with a parking space uptake of a total of 260 parking spaces i.e. at approximately 84% of the total parking spaces or at an average parking demand of 0.84 spaces per unit.

- 51 unsold parking spaces are available, which may not be required and thereby result as surplus parking. (Details of parking and unit sales data are included in Table 3 and 4 of the memo).
- The applicant is proposing an overall parking provision at a rate of 0.85 residential parking spaces per residential dwelling unit. This will result in a provision of 264 spaces and provide a buffer of 4 parking spaces (264 spaces provided versus 260 spaces sold).

C. Proxy site and Parking reduction precedents:

As noted in Section 4.5 of the memo, information on proxy site surveys and approved parking rates for comparable developments in Etobicoke has been provided to support the requested parking reduction.

a) Proxy site parking surveys:

- BA Group has provided information on parking surveys at the 'IQ Park Towers' located at 1185 The Queensway and 15 Zorra St. (proxy site) in Etobicoke. The site has a total of 823 residential apartment units with 768 parking spaces (0.93 spaces/unit). The parking surveys were conducted on Thursday, May 28th, 2020 from 10:45 PM to 11:30 PM and the peak parking demand was observed at a utilization of 568 spaces or at a rate of 0.69 spaces/unit.

b) Accepted parking rates for other developments:

- In addition to the proxy site parking survey, BA group has provided applicable parking rates at four sites located in Etobicoke and Pickering as outlined in Table 6 of the memo.

D. TDM Measures:

- The TDM provisions as outlined in section 4.3 such as the shuttle bus service to the Port Credit GO station, car-share services, active transportation network and a future transit route within the site, are planned to further support providing alternative means of transportation connections for the residents in the development.

Staff note that the proposed development (Phase 1, Blocks C & H) will be a part of a master planned community development providing access to various amenities, uses and facilities located within the community. To support the parking demand for the subject site as indicated through the parking sales data and requested variances, staff have considered the information

presented through proxy site surveys and applicable parking rates at comparable developments as the applicant's primary basis of justification for the review of this application.

A) Proxy Site Survey:

- Staff note that the parking surveys were conducted at the proxy site located at 1185 The Queensway and 15 Zorra Street (IQ Park Towers) on Thursday, May 28 from 10:45 PM to 11:30 PM. For parking surveys on proxy sites, staff note that the surveys be conducted for a minimum of three days and for a duration of three hours to be able to determine the peak parking demand.
- Further, staff note that the proxy site is not a comparable location to the subject site based on its locational and transit context considering the mix of uses and access of the proxy site to the nearest transit hub located at the Kipling transit terminal, which includes services provided by TTC bus and subway, GO bus and rail and Miway bus.

Staff have reviewed the details of the applicable parking rates for the developments as noted above and outlined in Table 6 of the memo and can consider the site at the 2183 Lakeshore Boulevard and 689 The Queensway as a comparable development to the subject site based on the transit and development context. Staff note that for both of these comparable developments, the applicable parking rates are as required by the City of Toronto's Zoning By-law standard for Policy Area 4 (PA4), i.e. for areas serviced by surface transit.

As such, considering the rates applicable for PA4 for the development proposed on the subject site, staff can support a parking rate of 0.86 resident parking spaces per resident unit, as outlined in Table A below:

Table A

| Block/Unit type | No. of units | Staff recommendation | |
|-----------------|--------------|--|-------------------------------|
| | | Applicable parking rates per unit as per PA4, City of Toronto Zoning By-law 569-2013 | Parking spaces to be provided |
| Block C | | | |
| Studio | 2 | 0.7 | 1 |
| 1 B | 4 | 0.8 | 3 |
| 1 B+D | 40 | 0.8 | 32 |

| | | | |
|---------------------------------------|------------|-----|-------------|
| 2B | 10 | 0.9 | 9 |
| 2B+D | 20 | 0.9 | 18 |
| Total | 76 | | 64 |
| Block H | | | |
| 1B | 17 | 0.8 | 14 |
| 1B+D | 86 | 0.8 | 69 |
| 2B | 36 | 0.9 | 32 |
| 2B+D | 83 | 0.9 | 75 |
| 3B | 13 | 1.1 | 14 |
| Total | 235 | | 204 |
| Block C and H | | | |
| Total | 311 | | 267 |
| Parking rate per resident unit | | | 0.86 |

In addition, staff are supportive of the TDM measures as noted above and outlined in Section 4.3 of the memo including the provision of one car-share space. Staff note that the applicant will be required to demonstrate the provision of the car-share space(s) at an accessible and visible location and secure a car-share agreement with a car-share company to the satisfaction of Transportation and Works staff.

Further, based on the discussion with staff at the meeting dated March 3, 2021; the applicant has confirmed the provision of a shuttle service to be advanced to Phase-1, i.e. the proposed development on the subject site for Blocks C and H with 311 resident units instead of its provision by Phase-2 or at the development of 1633 resident units.

Staff can support a parking rate of 0.86 spaces per apartment dwelling unit for the proposed residential development for Phase-1 (Blocks C and H). As such, staff recommends that variances #1 and 2 be amended as outlined below:

Variance#1

A parking rate of 0.86 resident spaces per apartment dwelling unit whereas By-law 0225-2007, as amended, requires a minimum parking rate of 1.00 resident parking spaces per apartment dwelling unit in this instance; and

Variance#2

A parking rate of 0.86 resident spaces per apartment dwelling unit whereas By-law 0225-2007, as amended, requires a minimum parking rate of 1.00 resident parking spaces per dwelling unit in this instance.

Further, to secure the provision and implementation of the proposed TDM measures for the shuttle bus service and one car-share space, staff recommend that the application be subject to the conditions as outlined below:

Conditions:

That the applicant enter into an agreement pursuant to s.45 (9.1) of the Planning Act, with content satisfactory to City staff as indicated below, and in a form satisfactory to the City Solicitor, to secure performance of the following conditions, including any associated securities/letters of credit:

- D) To provide for one car-share space at an accessible and visible location, demonstrated by inclusion on the approved Site Plan for Phase-1 (Blocks C and H) of the development to the satisfaction of the Director of Development and Design, Planning & Building Department.
- E) Prior to the approval of the Site Plan for Phase-1 (Blocks C and H) of the development, a copy of an executed agreement with a car-share company to secure and provide for two car-share vehicles for a minimum period of two years should be submitted to the satisfaction of the Director of Infrastructure Planning & Engineering Services, Transportation & Works Department.
- F) Prior to the issuance of the Building Permit of Phase-1 (Blocks C and H) of the development, a letter shall be received from the Transportation and Works Department indicating that arrangements have been made including supporting documentation for the operations of a shuttle bus service to and from the subject site and the Port Credit GO station, to the satisfaction of the Director of Infrastructure Planning & Engineering Services, Transportation & Works Department.

Based on the preceding information, staff is of the opinion that the application as amended and subject to the conditions, maintain Section 45(1) of the *Planning Act*.

Conclusion

The Planning and Building Department has no objections to the requested variances, as amended, subject to the conditions. The applicant may choose to defer the application to verify if any additional variances are required.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting that any Transportation and Works Department concerns/requirements for the proposed development are being addressed through the Draft Plan of Subdivision File T-17004 and through Site Plan Applications SP-19/138 and SP-19/155.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 5 – Region of Peel Comments

We have no comments or objections to the following applications:

Deferred Application: DEF-A-91/20, DEF-A-413/20.

Minor Variance Applications: A-67/21, A-68/21, A-83/21, A-84/21, A-85/21, A-87/21, A-88/21, A-89/21, A-92/21, A-93/21, A-94/21.

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 adjacent to the Lake Ontario shoreline. 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:

A portion of the site 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 building proposing:

1. A parking rate of 0.85 resident spaces per apartment dwelling whereas By-law 0225-2007, as amended, requires a minimum parking rate of 1.00 resident parking spaces per apartment dwelling unit in this instance; and
2. A parking rate of 0.85 resident spaces per dwelling whereas By-law 0225-2007, as amended, requires a minimum parking rate of 1.00 resident parking spaces per dwelling unit 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.

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: A91.21
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 54 Cattrick Street, zoned R3-69 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A gross floor area of 406.66sq.m (approx. 4377.25sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 350.89sq.m (approx. 3776.95sq.ft) in this instance;
2. A side yard (northerly) of 1.52m (approx. 4.99ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.94ft) in this instance;
3. A side yard (southerly) of 1.69m (approx. 5.54ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.94ft) in this instance; and
4. An building height measured to the eaves (from average grade) of 7.54m (approx. 24.74ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

The Committee has set **Thursday March 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:

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

Advance registration is required to participate in the electronic hearing:

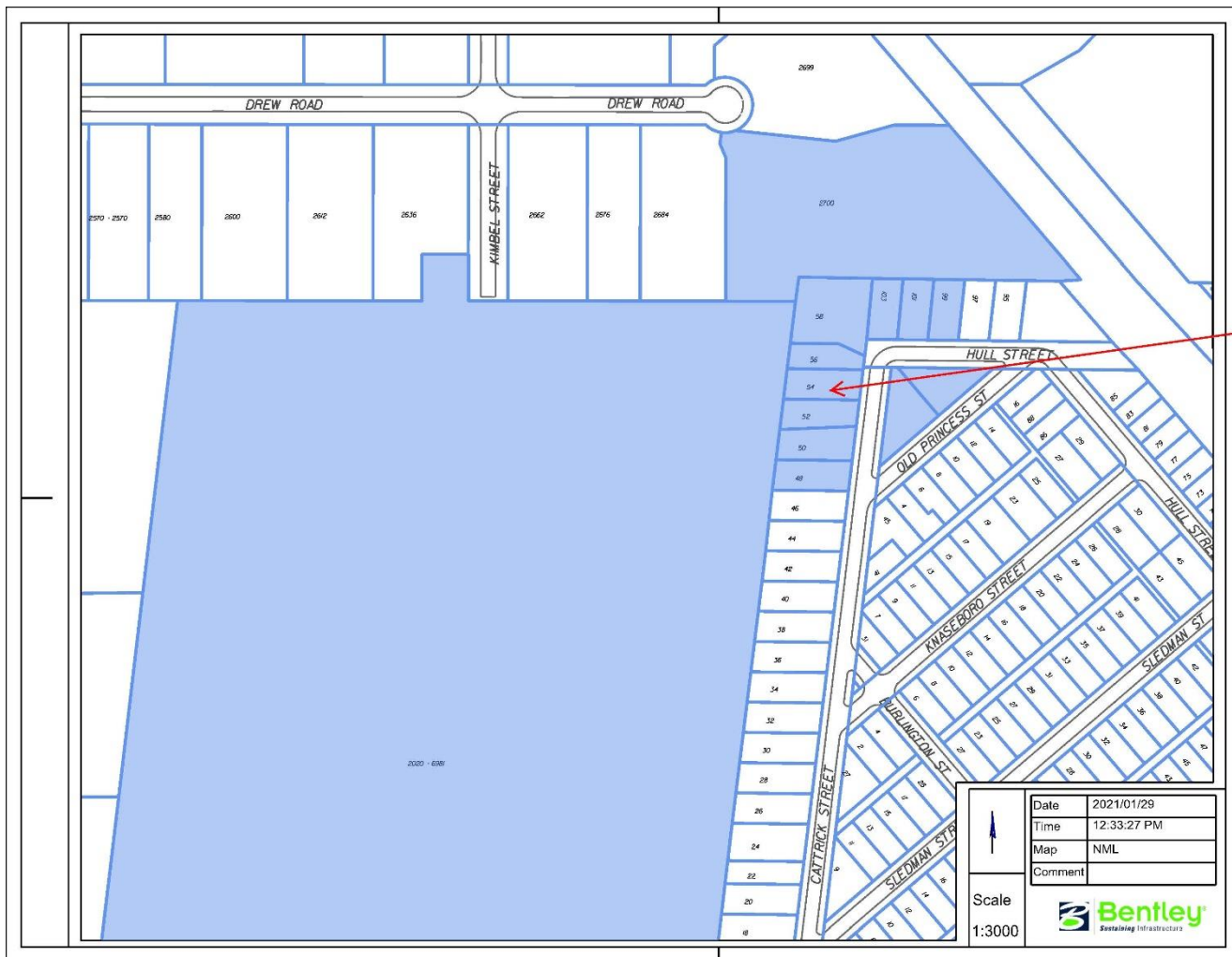
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud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

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

Legal notice:

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



A91/21
54 Cattrick
St.

City of Mississauga

Memorandum:

City Department and Agency Comments

| | |
|---|------------------------------------|
| Date Finalized: 2021-03-17 | File(s): A91.21 Ward: 5 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2021-03-25 1:00 PM |

Consolidated Recommendation

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

Application Details

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

1. A gross floor area of 406.66sq.m (approx. 4377.25sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 350.89sq.m (approx. 3776.95sq.ft) in this instance;
2. A side yard (northerly) of 1.52m (approx. 4.99ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.94ft) in this instance;
3. A side yard (southerly) of 1.69m (approx. 5.54ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.94ft) in this instance; and
4. An building height measured to the eaves (from average grade) of 7.54m (approx. 24.74ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

Background

Property Address: 54 Cattrick Street

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3-69 - Residential

Other Applications: Pre-APP 21-4790

Site and Area Context

The subject property is located at the corner of Hull St. and Cattrick St. The property is an interior parcel with a lot area of +/- 1,004.47m² and a lot frontage of +/- 20.12m. It currently houses a one-storey, detached dwelling with limited vegetation/ landscape elements in the front and rear yards. Contextually, the neighbourhood consists of post-war, single storey detached dwellings mixed within newer two storey detached dwellings. The properties possess lot frontages of +/- 20.0m with mature vegetation scattered throughout and minimal landscape elements within the front yards.

The applicant is proposing a new two-storey dwelling, which requires variances for gross floor area, side yard setback and eave 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 located in the Malton Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan, 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 detached dwelling respects the designated land use; and meets the general intent and purpose of the Official Plan.

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

Variance #1 as requested pertains to gross floor area:

Arising from public input expressed through the 'My Malton' Community Visioning exercise in 2015, the City initiated the Malton Infill Housing Study in 2016. This study resulted in Council's adoption of new zoning regulations principally aimed at regulating the massing of dwellings in a manner that is sensitive to the surrounding context. While the immediate area contains a lot of newer two storey dwellings, the intent of the policies are to limit the overall massing of these dwellings and maintain compatibility between the existing and planned character of the neighbourhood.

The applicant is proposing a 15.89% increase in gross floor area that will result in a noticeable visual impact to the streetscape. However, the proposed design has made an effort to design the exterior shape of the dwelling to reflect the established character of the surrounding neighbourhood context, understanding that this area is in transition. As such, the proposed increase is a minor deviation from the by-law and will contribute positively to the gradual transition of the area.

Variance #2 and #3 as requested pertain to side yard setback:

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 1.52m and 1.69m, whereas 1.81m is required, are marginal. The variances provide an adequate buffer between the dwelling and the lot line, allowed a sufficient amount of space on both sides of the

dwelling for drainage and provides a visual buffer between the adjacent properties. Staff is of the opinion that variances #2, and #3 maintain the general intent and purpose of the zoning by-law.

Variance #4 as requested pertains to eave height:

The intent of restricting eave heights is to lessen the visual massing of dwelling by bringing the edge of the roof closer to the ground. This maintains the overall pitch of the roof and keeps the height of the dwelling within a human scale. The dwelling maintains an overall height of 7.54m, whereas 6.40m is permitted under the by-law. The proposed height is a minor deviation from the by-law and does not affect the overall pitch of the roof and maintains a human scale. As such, variance #4 meets the general intent and purpose of the by-law.

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

While the relief sought represents a deviation from what is contemplated through the Zoning By-law Staff note, the applicant has designed their proposal in a way that embraces and respects the general intent of the infill regulations of the “Malton Infill Housing Study 2016”. Staff are of the opinion that the proposed dwelling will contribute positively to the gentle transition of the area. This proposal results in an orderly development of the lands, whose impact is minor and reflects the broader community.

Conclusion

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

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

Appendices

Appendix 1 – Transportation and Works Comments

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



Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file PREAPP 21-4710. 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: Alana Zheng, Zoning Examiner

Appendix 5 – Region of Peel Comments

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

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

Comments Prepared by: Diana Guida, Junior Planner

Appendix 6- Conservation Authority Comments

Re: Committee of Adjustment Minor Variance Application A 91/21

54 Cattrick Street

City of Mississauga

Sukhpreet & Meenakshi Dhanota (Agent: Pedro Pimentel Architect)

This letter will acknowledge receipt of the above noted application, received on March 2, 2021. Toronto and Region Conservation Authority (TRCA) staff has reviewed the above noted application, and as per the "Living City Policies for Planning and Development within the Watersheds of the TRCA" (LCP), provides the following comments as part of TRCA's commenting role under the *Planning Act*, the Authority's delegated responsibility of representing the provincial interest on natural hazards encompassed by Section 3.1 of the *Provincial Policy Statement, 2020* (PPS); TRCA's Regulatory Authority under Ontario Regulation 166/06, *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses*; and our Memoranda of Understanding (MOU) with the City of Mississauga and the Region of Peel wherein we provide technical environmental advice.

Purpose of the Application

It is our understanding that the purpose of this Minor Variance Application A 91/21 is to request the following variances:

1. A gross floor area of 406.66 sq.m. (approx. 4377.25 sq.ft.) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 350.89 sq.m. (approx. 3776.95 sq.ft.) in this instance;
2. A side yard (northerly) of 1.52 m. (approx. 4.99 ft.) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81 m. (approx. 5.94 ft.) in this instance;
3. A side yard (southerly) of 1.69 m. (approx. 5.54 ft.) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81 m. (approx. 5.94 ft.) in this instance;
4. A building height measured to the eaves (from average grade) of 7.54 m. (approx. 24.74 ft.) whereas Bylaw 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40 m. (approx. 21.00 ft.) in this instance.

It is our understanding that the purpose of the requested minor variances is to facilitate the replacement of a 62.6 sq.m. (673.82 sq.ft) 1-storey single family residential dwelling with a 406.66 sq.m. (4377.25 sq.ft) two-storey single family residential dwelling, with a basement and a below grade entrance at the subject property.

Recommendation

Based on the comments noted below, TRCA staff recommend **deferral** of the above noted application in order to provide an opportunity for the applicant to revise the proposed replacement dwelling and address the floodproofing concerns to the satisfaction of TRCA. Should the Committee not grant deferral of the application at the March 25, 2021 hearing, TRCA staff recommend denial of the application at this time.

Application Specific Comments

Ontario Regulation 166/06:

The subject property is located within TRCA's Regulated Area of the Mimico Creek Watershed, as it is located within a spill area of the Regional Storm Floodplain. In accordance with Ontario Regulation 166/06, as amended (Development, Interference with Wetlands and Alteration to Shorelines and Watercourses), a permit is required from the TRCA prior to any of the following works taking place:

- a) straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream or watercourse, or for changing or interfering in any way with a wetland;
- b) development, if in the opinion of the Authority, the control of flooding, erosion, dynamic beaches or pollution or the conservation of land may be affected by the development.

Development is defined as:

- i. the construction, reconstruction, erection or placing of a building or structure of any kind;
- ii. any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure;
- iii. site grading, including the temporary or permanent placing, dumping or removal of any material originating on the site or elsewhere.

Based on our review, it appears that the subject property is located downstream of a spill area of the Regional Storm Floodplain associated with a tributary of the Mimico Creek, located to the north of the subject property.

Floodplain Management:

The PPS provides direction on all planning applications. According to subsection 3(5) and (6) of the *Planning Act*, all decision made by a municipality and comments provided by the TRCA shall be consistent with the PPS. Through our MOU between Conservation Ontario, the Ministry of Municipal Affairs and Housing (MMAH) and the Ministry of Natural Resources and Forestry (MNRF), the responsibility to uphold the natural hazards section of the PPS (Section 3.1) has been delegated to the Conservation Authorities. In this delegated role, TRCA is responsible for representing the Provincial interest on natural hazard matters where the Province is not involved.

As part of our delegated role, the TRCA develops, implements and manages floodplain mapping and modelling within our jurisdiction. Based on TRCA's hydraulic assessment, it appears that the subject property will be flooded and that the Regional floodplain elevation and velocity at the property are 168.95 m and 0.61 m/s, respectively.

As such, and in accordance with Section 8.5.1 Valley and Stream Corridors of the TRCA's Living City Policy, TRCA does not support an increase in the size and footprint of a replacement or reconstruction of an existing building or structure within the flood hazards where the addition is more than 50% of the original habitable ground floor area. Additionally, TRCA requires that the addition does not include a basement if one did not previously exist, and that replacements of an existing basement be no larger than the original. At this time, it has not been demonstrated that an existing basement is present through the submitted documents. The applicant must clarify whether the existing dwelling includes a basement.

Furthermore, please note that TRCA requires that the proposed replacement dwelling be properly flood proofed according to TRCA policies and standards, including any potential basement windows.

Given the above, TRCA staff has concerns with the size of the replacement dwelling and floodproofing of the proposed works in this minor variance application, as submitted. TRCA staff requests that the applicant contacts the undersigned in order to initiate discussions regarding TRCA's concerns.

Permitting:

As noted above, the subject property is located within TRCA's Regulated Area of the Mimico Creek Watershed. As such, a TRCA permit pursuant to Ontario Regulation 166/06 is required. As of date of this letter, TRCA staff has not received a permit application for the proposed works.

1. Once the above comments have been addressed, please advise the applicant to submit a TRCA permit application (Application for Development, Interference with Wetlands & Alterations to Shorelines and Watercourse – Ontario Regulation 166/06) and the associated fee of \$875 (Works on Private Residential Property – Standard) to initiate the TRCA permitting process.

Fees

In addition to regulatory responsibilities, TRCA has a role as a commenting agency for Planning Act applications circulated by member municipalities to assess whether a proposed development may be impacted by the TRCA.

2. By copy of this letter, the applicant is advised that the TRCA has implemented a fee scheduled for our planning application review services. This application is subject to a \$580 (Variance – Residential – Minor) review fee. The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible.

Conclusion

We thank you for the opportunity to review the subject application and provide our comments as per our commenting and regulatory role. Should you have any additional questions or comments, please do not hesitate to contact the undersigned.

Comments Prepared by: Lina Alhabash, Planner I



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A92.21
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 2257 Melton Court, zoned R3-75 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant request the Committee to approve a minor variance to allow accessory structures proposing:

1. A lot coverage of accessory structures of 113.53sq.m (approx. 1222.03sq.ft) or 7% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of accessory structures of 79.13sq.m (approx. 851.75sq.ft) or 5% of the lot area in this instance;
2. A combined area of accessory structures of 113.53sq.m (approx. 1222.03sq.ft) whereas By-law 0225-2007, as amended, permits a maximum combined area of accessory structures of 60.00sq.m (approx. 645.84sq.ft) in this instance;
3. An accessory structure area of 45.89sq.m (approx. 493.996sq.ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 20.00sq.m (approx. 215.29sq.ft) in this instance; and
4. A height of an accessory structure of 4.08m (approx. 13.39ft) whereas By-law 0225-2007, as amended, permits a maximum height of an accessory structure of 3.50m (approx. 11.48ft) in this instance.

The Committee has set **Thursday March 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:

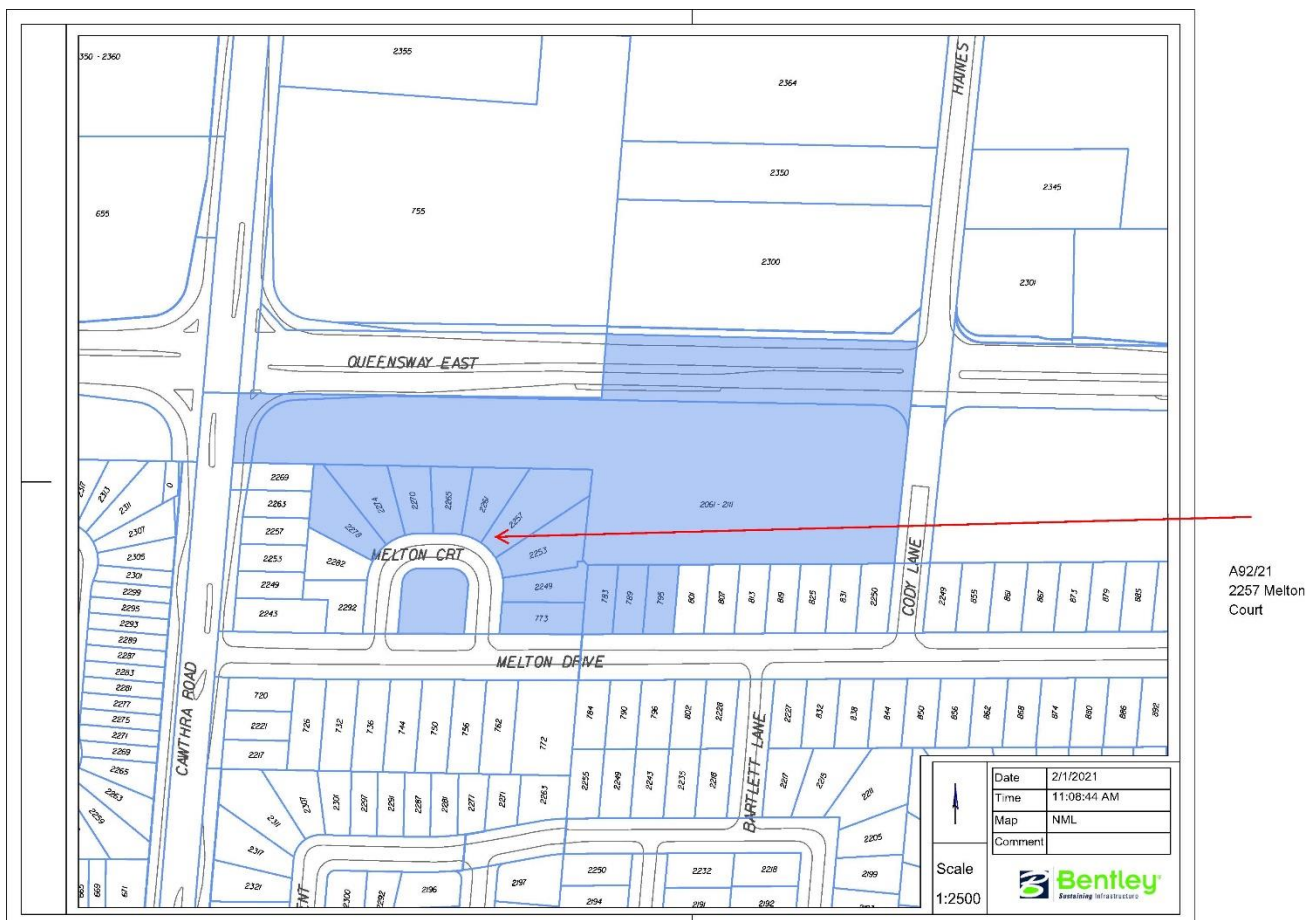
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud 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: 2021-03-17 | File(s): A92.21 Ward: 1 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2021-03-25 1:00 PM |

Consolidated Recommendation

The City has no objections to the requested variances, as amended.

Application Details

The applicant request the Committee to approve a minor variance to allow accessory structures proposing:

1. A lot coverage of accessory structures of 113.53sq.m (approx. 1222.03sq.ft) or 7% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of accessory structures of 79.13sq.m (approx. 851.75sq.ft) or 5% of the lot area in this instance;
2. A combined area of accessory structures of 113.53sq.m (approx. 1222.03sq.ft) whereas By-law 0225-2007, as amended, permits a maximum combined area of accessory structures of 60.00sq.m (approx. 645.84sq.ft) in this instance;
3. An accessory structure area of 45.89sq.m (approx. 493.996sq.ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 20.00sq.m (approx. 215.29sq.ft) in this instance; and
4. A height of an accessory structure of 4.08m (approx. 13.39ft) whereas By-law 0225-2007, as amended, permits a maximum height of an accessory structure of 3.50m (approx. 11.48ft) in this instance.

Amendments

Variances #1 and 4 should be amended as follows:

- A lot coverage of accessory structures of 113.53sq.m (approx. 1222.03sq.ft) or 7.2% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of accessory structures of 79.13sq.m (approx. 851.75sq.ft) or 5% of the lot area in this instance;
- A height of 4.08m (approx. 13.39ft) measured from established grade to highest point of accessory structure, whereas By-law 0225-2007, as amended, permits a maximum

height of 3.50m (approx. 11.48ft) measured from established grade to highest point of accessory structure, in this instance.

Recommended Conditions and Terms

Should Committee see merit in this application, we would request that the shed be equipped on the rear side with an eaves trough and down spout directed such that it will not impact the adjacent property.

Background

Property Address: 2257 Melton Court

Mississauga Official Plan

Character Area: Lakeview Neighbourhood

Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3-75 (Residential)

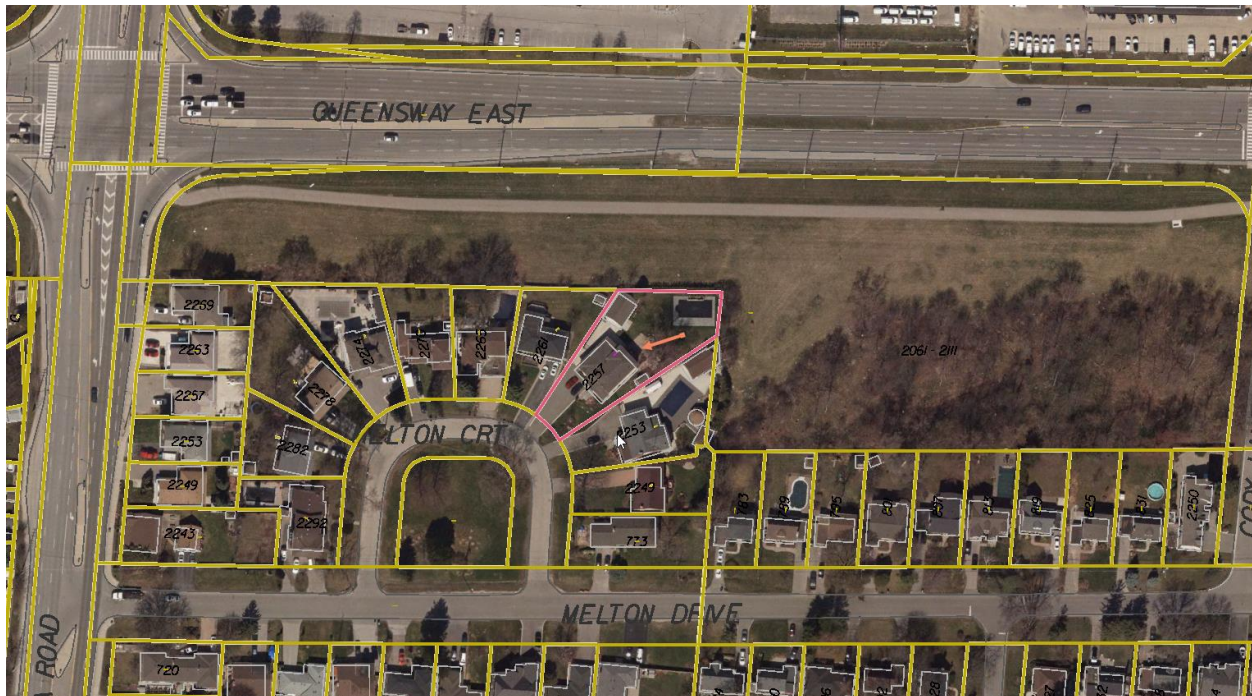
Other Applications:

Building Permit: 20-2583

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, southeast of Queensway East and Cawthra Road. The neighbourhood is entirely residential, consisting of one and two storey detached dwellings with mature vegetation. Immediately north of the subject property is Queensway East. The subject property contains a two storey dwelling with a detached garage in the rear yard and little vegetation.

The application proposes an accessory structure, requiring variances related to occupied area and combined area of an accessory structure, height and lot coverage.



Comments

Planning

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

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 towards the centre of the rear yard and is significantly setback from abutting properties, reducing the overall impact of the increased area and maintaining compatibility with the surrounding neighbourhood. As such, 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?

Variances #1-4 propose an increase in lot coverage, area and height related to the accessory structures. The intent of the zoning by-law provisions regarding accessory structures is to ensure that the structures are proportional to the lot, the dwelling and clearly are accessory while not presenting any massing concerns to neighbouring lots. In this instance, the existing detached garage is also included in the combined area for accessory structures. There are no changes being proposed to the garage. The applicant is proposing a second structure that is mostly opened with an enclosed area for change rooms. This structure has an area of 45.89 m² and is setback approximately 10.75 m from the abutting property to the west. The increased setback of the structure combined with a majority of the structure being open, minimizes the overall impact that the additional area of the structure might have on the neighbouring property. Additionally, the structure contains a sloped roof which further reduces the massing of the structure and the increased roof height. Finally, the structure abuts Queensway East at the rear lessening the impact to the immediate neighbourhood overall. 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 proposed location and setback of the accessory structure reduces the overall impact to the neighbouring properties. The existing detached garage has an area of 55.74 m² and contributes to the combined area and lot coverage of accessory structures. However, the detached garage does not add any significant massing concerns from what is existing. The proposed accessory structure is mostly open and contains a sloped roof further mitigating the impact to neighbouring properties. As such, 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, as amended.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Attached for Committee's information are pictures showing the existing garage and shed. Should Committee see merit in this application, we would request that the shed be equipped on the rear side with an eaves trough and down spout directed such that it will not impact the adjacent property.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file BP 9NEW 20-2583. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

- A lot coverage of accessory structures of 113.53sq.m (approx. 1222.03sq.ft) or 7.2% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of accessory structures of 79.13sq.m (approx. 851.75sq.ft) or 5% of the lot area in this instance;
- A height of 4.08m (approx. 13.39ft) measured from established grade to highest point of accessory structure, whereas By-law 0225-2007, as amended, permits a maximum height of 3.50m (approx. 11.48ft) measured from established grade to highest point of accessory structure, 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

We have no comments or objections to the following applications:

Minor Variance Applications: A-67/21, A-68/21, A-83/21, A-84/21, A-85/21, A-87/21, A-88/21, A-89/21, A-92/21, A-93/21, A-94/21.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A93.21
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 1046 Hedge Drive, zoned R4 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant request the Committee to approve a minor variance to allow a widened walkway proposing a setback measured from a walkway to a lot line of 0.00m whereas By-law 0225-2007, as amended, requires a minimum setback measured from a walkway to a lot line of 0.61m (approx. 1.97ft) in this instance.

The Committee has set **Thursday March 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:

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

Advance registration is required to participate in the electronic hearing:

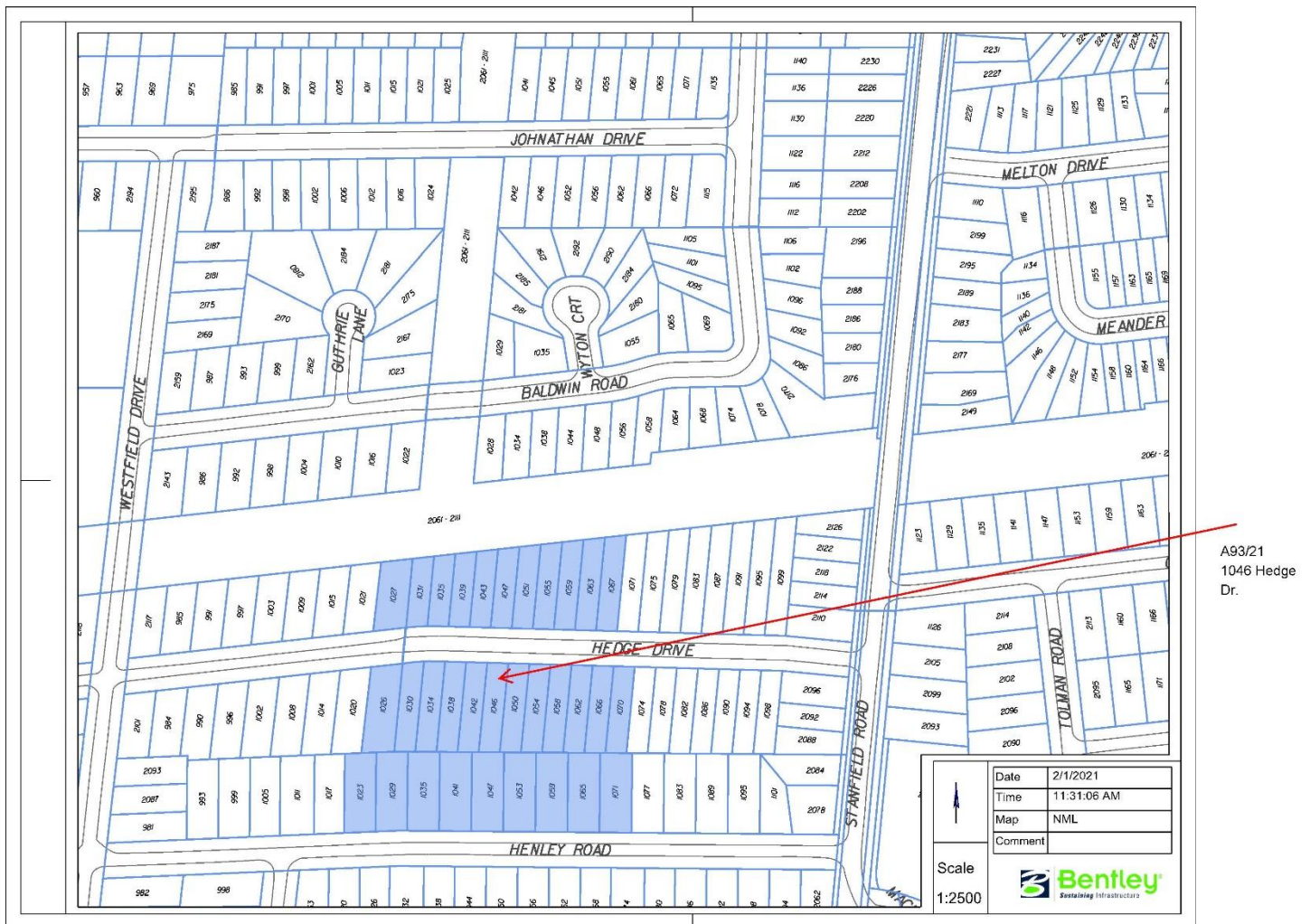
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud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

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

Legal notice:

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

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



City of Mississauga

Memorandum:

City Department and Agency Comments

| | |
|---|------------------------------------|
| Date Finalized: 2021-03-17 | File(s): A93.21 Ward: 1 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2021-03-25 1:00 PM |

Consolidated Recommendation

The City recommends that the application be deferred to verify the variances required and to reduce the driveway width.

Application Details

The applicant request the Committee to approve a minor variance to allow a widened walkway proposing a setback measured from a walkway to a lot line of 0.00m whereas By-law 0225-2007, as amended, requires a minimum setback measured from a walkway to a lot line of 0.61m (approx. 1.97ft) in this instance.

Background

Property Address: 1046 Hedge Drive

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R4 - Residential

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, north of North Service Road and East of Cawthra Road. The immediate 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 vegetation in the front yard.

The applicant is proposing a walkway attachment with a setback of 0 m whereas a setback of 0.61 m is required.



Comments

Planning

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

Staff comments concerning the application are as follows:

Through a review of the drawings and existing conditions, the walkways that the applicant has labelled should be included in the calculation of driveway width as this represents a continuous hard surface that can be used for parking. As such, it appears an additional variance for a driveway width of 7.65 m may be required as only 6 m is permitted. Furthermore, the variance for a walkway setback of 0 m should be amended to reflect a driveway setback. It is also unclear if an additional variance will be required for a walkway attachment on the right side of

the dwelling adjacent to the garage. It should be noted that a maximum walkway attachment width of 1.50 m is permitted.

Planning staff note that the requested 0 m setback and increased driveway width of 7.65 m would not be supported as this results in a majority of the lot frontage being hard surfacing at the expense of soft landscaping. Through a review of the immediate neighbourhood, the visual buffer between properties and generous soft landscaping is generally maintained resulting in a defined streetscape.

Conclusion

The Planning and Building Department recommends that the application be deferred to verify the variances required and to reduce the driveway width.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Attached for Committees information are photos showing the existing driveway and walkway.





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 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

We have no comments or objections to the following applications:

Minor Variance Applications: A-67/21, A-68/21, A-83/21, A-84/21, A-85/21, A-87/21, A-88/21, A-89/21, A-92/21, A-93/21, A-94/21.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A94.21
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 2276 Brookhurst Road, zoned RM1 - 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 an addition on the subject property proposing:

1. An interior side yard of 0.86m (approx. 2.82ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.80m (approx. 5.91ft) in this instance; and
2. An accessory structure area of 10.2sq.m (approx. 109.79sq.ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 10.0sq.m (approx. 107.6sq.ft) in this instance.

The Committee has set **Thursday March 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:

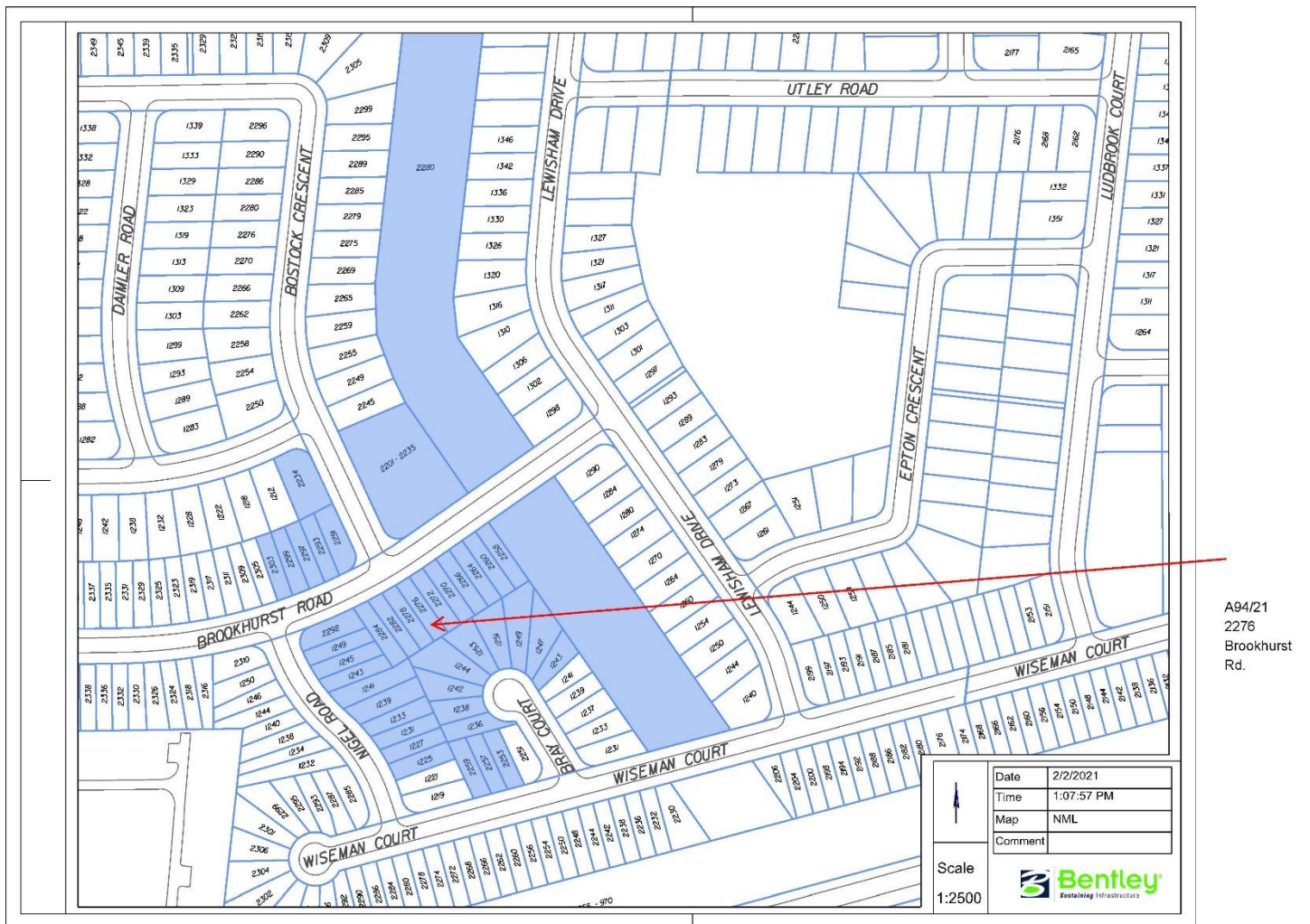
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud 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.



A94/21
2276
Brookhurst
Rd.

City of Mississauga

Memorandum:

City Department and Agency Comments

| | |
|---|------------------------------------|
| Date Finalized: 2021-03-17 | File(s): A94.21 Ward: 2 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2021-03-25 1:00 PM |

Consolidated Recommendation

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

Application Details

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

1. An interior side yard of 0.86m (approx. 2.82ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.80m (approx. 5.91ft) in this instance; and
2. An accessory structure area of 10.2sq.m (approx. 109.79sq.ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 10.0sq.m (approx. 107.6sq.ft) in this instance.

Amendments

Variance #1 should be amended as follows:

An interior side yard of 0.86m (approx. 2.82ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m in this instance;

Background

Property Address: 2276 Brookhurst Road

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: RM1 - Residential

Other Applications

Second Unit Permit: 20-3548

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southwest of Southdown Road and Truscott Drive. The immediate neighbourhood primarily consists of detached and semi-detached dwellings with mature vegetation. The subject property contains an existing two storey semi-detached dwelling with an attached garage in the rear yard and mature vegetation in the front yard.

The applicant is proposing a second storey addition, requiring variances related to a deficient side yard setback and increase in occupied area for an accessory structure.



Comments

Planning

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

Staff comments concerning the application are as follows:

The deficient interior side yard of 0.86 m is measured to the garage which is an existing condition. Through discussions with the Zoning Division, a required side yard setback of 1.20 m is required whereas the notice indicates 1.80 m. The proposed second storey that will be above the garage is setback 1.20 m from the interior lot line, maintaining by-law provisions. As such, the proposed variance is only measured to the first storey of the existing garage. The second storey which is setback from the first storey alleviates the massing concerns that may be associated with the addition. Regarding the accessory structure, it is located completely below grade and will not create any negative impact. As such, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Conclusion

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

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting that any Transportation and Works Department concerns/requirements for this property will be addressed under Sec. Unit 20/3548 permit application.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit application under file SEC UNIT 20-3548 SU. Based on review of the information currently available for this building permit, we advise that the following variance(s) should be amended as follows:

1. An interior side yard of 0.86m (approx. 2.82ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m in this instance; and

Our comments are based on the plans received by Zoning staff on 01/27/2021 for the above captioned building permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: A. McCormack

Appendix 5 – Region of Peel Comments

We have no comments or objections to the following applications:

Minor Variance Applications: A-67/21, A-68/21, A-83/21, A-84/21, A-85/21, A-87/21, A-88/21, A-89/21, A-92/21, A-93/21, A-94/21.

Comments Prepared by: Diana Guida, Junior Planner

Revised Hearing Date & Amended Notice



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 91/20
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 222 Lakeshore Road East, zoned C4-66 - Commercial, 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 renovations to the existing building on the subject property proposing:

1. 14 parking spaces, with a minimum of 9 spaces to be provided on site, whereas By-law 0225-2007, as amended, requires a minimum of 17 parking spaces in this instance;
2. Up to 5 of the required parking spaces to be located off-site whereas By-law 0225-2007, as amended, requires all parking spaces to be provided on-site in this instance;
3. A parking space length of 5.0m (approx. 16.4ft) whereas By-law 0225-2007, as amended, requires a minimum parking space length of 5.2m (approx. 17.1ft) in this instance;
4. A 1.46m (approx. 4.79ft) access aisle abutting the entire length of the accessible parking spaces whereas By-law 0225-2007, as amended, requires a minimum 1.50m (approx. 4.92ft) wide access aisle abutting the entire length of each accessible space in this instance; and
5. A drive aisle width of 5.18m (approx. 16.99ft) 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 March 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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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

Revised Hearing Date & Amended Notice

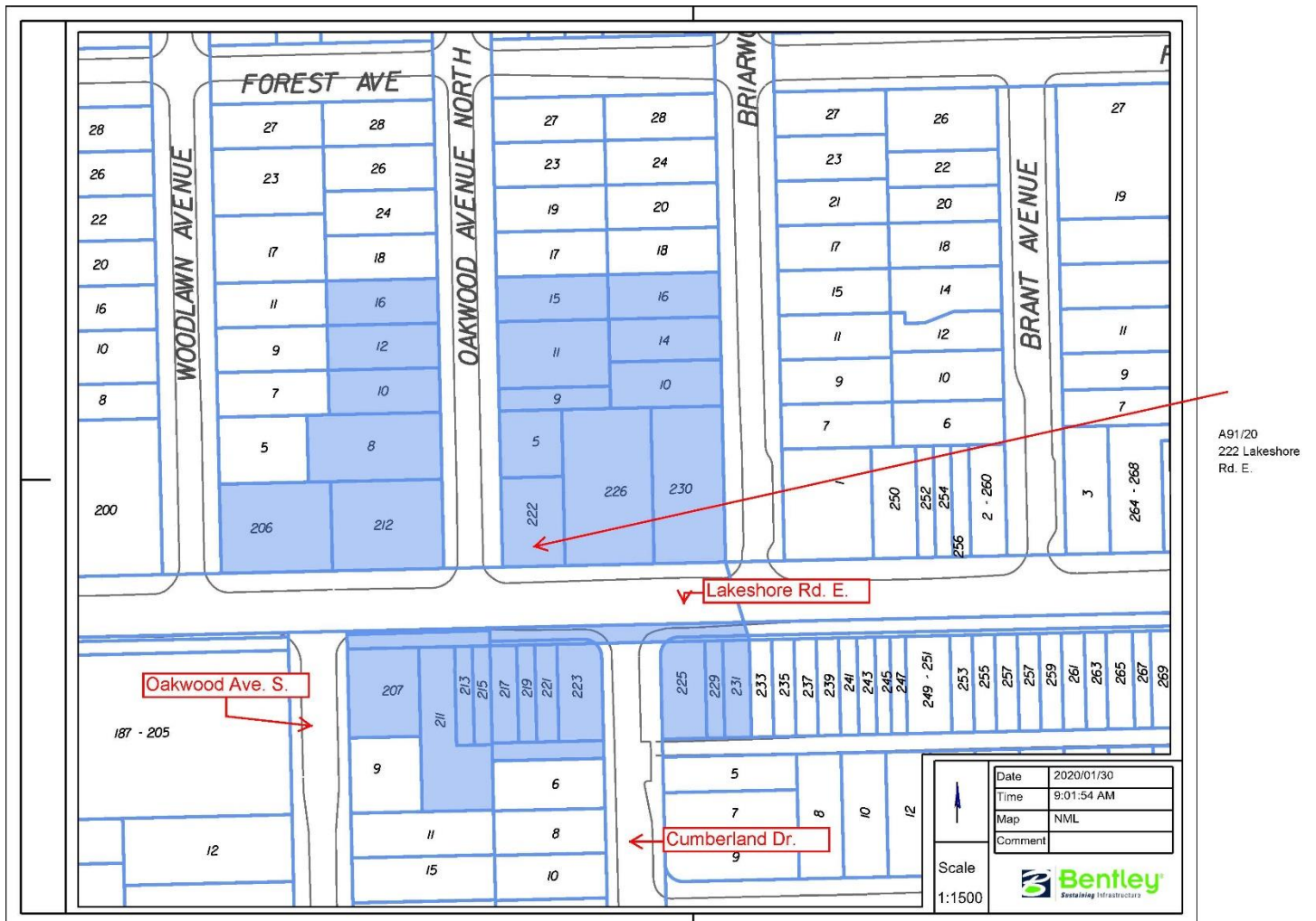
materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services will not be accepted.

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A91/20
222 Lakeshore
Rd. E.

City of Mississauga

Memorandum:

City Department and Agency Comments

| | |
|---|------------------------------------|
| Date Finalized: 2021-03-17 | File(s): A91.20 Ward: 1 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2021-03-25 1:00 PM |

Consolidated Recommendation

The City has no objections to the requested variances, subject to the condition.

Application Details

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

1. 14 parking spaces, with a minimum of 9 spaces to be provided on site, whereas By-law 0225-2007, as amended, requires a minimum of 17 parking spaces in this instance;
2. Up to 5 of the required parking spaces to be located off-site whereas By-law 0225-2007, as amended, requires all parking spaces to be provided on-site in this instance;
3. A parking space length of 5.0m (approx. 16.4ft) whereas By-law 0225-2007, as amended, requires a minimum parking space length of 5.2m (approx. 17.1ft) in this instance;
4. A 1.46m (approx. 4.79ft) access aisle abutting the entire length of the accessible parking spaces whereas By-law 0225-2007, as amended, requires a minimum 1.50m (approx. 4.92ft) wide access aisle abutting the entire length of each accessible space in this instance; and
5. A drive aisle width of 5.18m (approx. 16.99ft) whereas By-law 0225-2007, as amended, requires a minimum drive aisle width of 7.00m (approx. 22.97ft) in this instance.

Amendments

Staff also recommends the following amendment to the notice.

“The applicant requests the Committee to approve a minor variance to allow *15 rental apartment dwelling units (8 existing and 7 new dwelling units)* on the subject property proposing...”

Recommended Conditions and Terms

Staff recommends the following condition be added to the application:

- A satisfactory shared parking agreement be submitted to staff with a plan demonstrating the provision of 5 parking spaces at an off-site location, and/or applying for a Payment-in-Lieu (PIL) application for the consideration of the parking deficiency as applicable. Through the PIL application process, the proponent contribution will be calculated for the requested parking deficiency.

Background

Property Address: 222 Lakeshore Road East

Mississauga Official Plan

Character Area: Port Credit Neighbourhood East

Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C4-66 (Commercial)

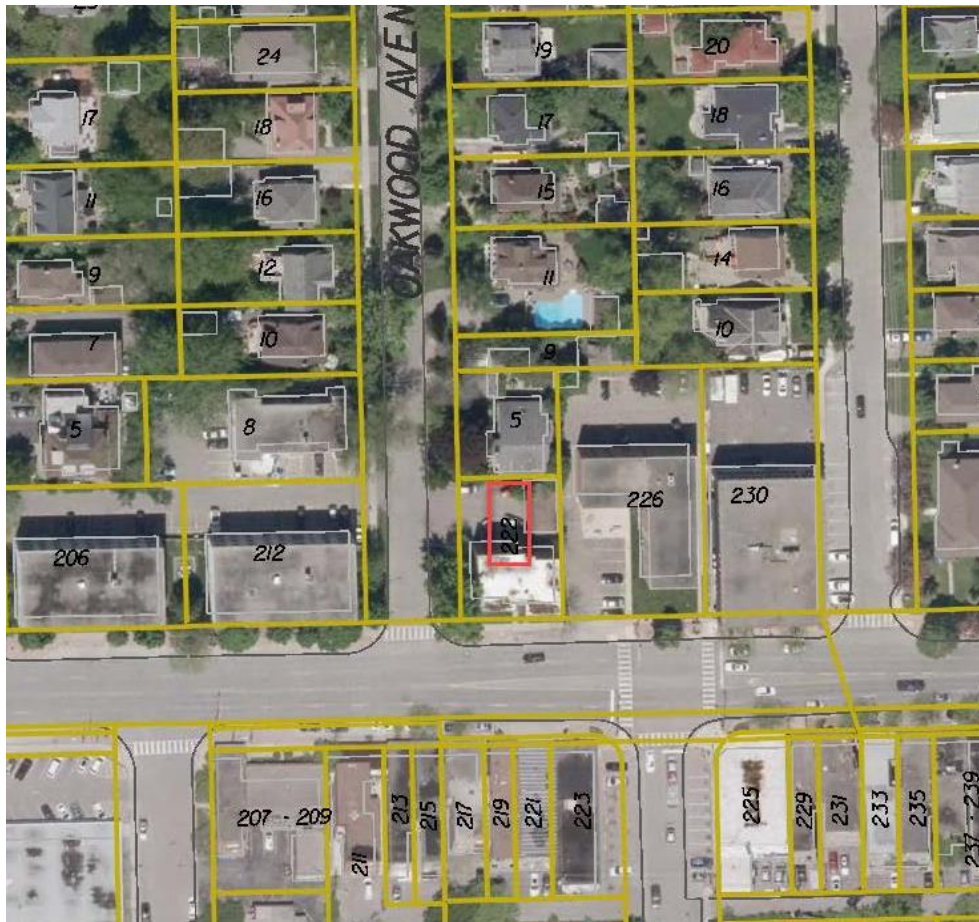
Other Applications

Pre-Zoning Application: 19-9207

Site and Area Context

The subject site is located within the Port Credit Neighbourhood Character Area, east of Hurontario Street and Lakeshore Road East. The north side of this portion of Lakeshore Road East consists of low rise apartment buildings and commercial uses surrounding the subject property, with a mix of low density residential uses further north on Oakwood Avenue. The south side of Lakeshore Road East consists of two storey mixed use buildings with commercial uses on the ground floor and residential above. The subject property contains a three storey apartment building with 8 rental units.

The application proposes interior renovations that increases the unit count from 8 rental units to 15, requiring variances related to parking and parking space length.



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 Mixed Use in Schedule 10 of the Mississauga Official Plan (MOP) which permits apartment dwellings, among other uses. The official plan policies for lands within the Port Credit Neighbourhood Character Area are contained within the Port Credit Local Area Plan and are within the Mainstreet Neighbourhood precinct of the South Residential Neighbourhood. Section 7.2.2 (Housing) of MOP promotes a range of housing choices and a

variety of dwelling types for ownership and rental markets. The variances are required in order to efficiently renovate the existing building thereby creation additional units and contributing to the range of housing choices promoted within the official plan. 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?

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, 17 parking spaces are required; whereas, the applicant is proposing 9 parking spaces. The City Planning Strategies Division has reviewed the proposed variance and have provided the following comment:

A parking utilization study, prepared by Trans-Plan, dated February 4, 2021 was submitted by the applicant in support of the application. The study notes the presence of existing transit services and a variety of amenities that are walkable within the immediate area. It also recognizes the future planned LRT stop at Hurontario and Port Credit GO. The existing transit services are compared to Toronto's Policy Area 4 (avenues on a surface transit route). The minimum parking standards in Policy Area 4 would result in 12 resident parking spaces and 2 visitor parking spaces, for a total of 14 parking spaces for this proposed development. Since the applicant is proposing to provide 9 parking spaces on-site there is a parking deficiency of 5 spaces. The applicant recommends that the parking shortfall of 5 spaces would be provided through parking-in-lieu.

The parking report satisfactorily justifies a reduction of 3 parking spaces for the rental apartment development requiring a total of 14 spaces. Of the 14 parking spaces proposed by the applicant, 9 parking spaces would be provided on-site and 5 parking spaces off-site.

Should Committee see merit in the application, staff recommends the following condition:

- A satisfactory shared parking agreement be submitted to staff with a plan demonstrating the provision of 5 parking spaces at an off-site location, and/or applying for a Payment-in-Lieu (PIL) application for the consideration of the parking deficiency as applicable. Through the PIL application process, the proponent contribution will be calculated for the requested parking deficiency.

Staff also recommends the following amendment to the notice.

- "The applicant requests the Committee to approve a minor variance to allow *15 rental apartment dwelling units (8 existing and 7 new dwelling units)* on the subject property proposing..."

Through a review of the remaining variances, the deficiencies are a minor deviation from the zoning by-law that will not result in a significant impact to the development and surrounding area. As such, staff is of the opinion that these variances are appropriate to be handled through the minor variance process and raise no concerns of a planning nature in this instance.

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

The proposed variances represent existing conditions that will not significantly impact the future use of the site. Staff can support a parking reduction of 3 spaces on-site, as such, the remaining spaces can be obtained through other means. The proposal maintains the context of the existing and planned character of the area. As such, 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 variance, subject to the condition.

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 91/20.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit application under file 19-9207. Based on review of the information currently available for this building permit, the variances, as requested are correct.

Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the pre-zoning application 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: Sandra Morrison

Appendix 5 – Region of Peel Comments

We have no comments or objections to the following applications:

Deferred Application: DEF-A-91/20, DEF-A-413/20.

Minor Variance Applications: A-67/21, A-68/21, A-83/21, A-84/21, A-85/21, A-87/21, A-88/21, A-89/21, A-92/21, A-93/21, A-94/21.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A403.20
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 3247 Capricorn Court, zoned R3-69 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house on the subject property proposing:

1. A gross floor area - infill residential of 325.01sq.m (approx. 3,498.38sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area - infill residential of 291.66sq.m (approx. 3,139.40sq.ft) in this instance; and
2. A height to the eaves of 6.96m (approx. 22.83ft) whereas By-law 0225-2007, as amended, permits a maximum height to the eaves of 6.40m (approx. 21.00ft) in this instance.

The Committee has set **Thursday March 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:

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

Advance registration is required to participate in the electronic hearing:

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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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City of Mississauga

Memorandum:

City Department and Agency Comments

| | |
|---|------------------------------------|
| Date Finalized: 2021-03-17 | File(s): A403.20 Ward: 5 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2021-03-25 1:00 PM |

Consolidated Recommendation

The City has no objections to the requested variances. The applicant may choose to defer the application to verify the accuracy of the variances and ensure additional variances are not required.

Application Details

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

1. A gross floor area - infill residential of 325.01sq.m (approx. 3,498.38sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area - infill residential of 291.66sq.m (approx. 3,139.40sq.ft) in this instance; and
2. A height to the eaves of 6.96m (approx. 22.83ft) whereas By-law 0225-2007, as amended, permits a maximum height to the eaves of 6.40m (approx. 21.00ft) in this instance.

Background

Property Address: 3247 Capricorn Court

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3-69 - Residential

Other Applications

Pre-Application: 20-3283

Site and Area Context

The subject property is located within the Malton Neighbourhood Character Area, northwest of Derry Road East and Goreway Drive. The immediate area mostly consists of original one storey detached dwellings with some newer two storey dwellings. The subject property contains an existing one storey dwelling.

The application was deferred from the January 14th, 2021 Committee of Adjustment hearing to allow the applicant to work with staff to reduce gross floor area of the dwelling. The applicant has reduced the gross floor area and has made changes to the design of the dwelling. The applicant is proposing a two storey dwelling requiring variances related to gross floor area and eave 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, 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 detached dwelling respects the designated land use, and has regard for the distribution of massing on the property as a whole, maintaining the existing and planned context of the surrounding neighbourhood. As such, 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 and 2 propose an increase in gross floor area and eave height. The intent of the infill regulations is to maintain compatibility between existing and new dwellings while also lessening the visual massing of the dwelling and bringing the edge of the roof closer to the ground, in order to give the dwelling a more human scale. In this instance, the overall height of the dwelling maintains by-law provisions of 9 m, reducing the impact of the increased eave height. The proposed dwelling maintains the existing character of the neighbourhood in regards to its massing and will not create any significant impact on the streetscape character from what currently exists. The projecting roof over the garage, visually separates the first and second storey and the gable feature extended over the roofline on the west elevation, results in a design that de-emphasizes the increased gross floor area and height of the dwelling. 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 proposed variances maintain the context of the surrounding neighbourhood and do not pose any significant impact to the streetscape character. With the dwelling maintaining the overall height of 9 m, it lessens any impact of the increased eave height which is not a significant deviation from what is permitted. The proposed dwelling contains architectural features that breaks up the overall massing of the dwelling, thereby, limiting the impact of the

increased gross floor area. 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. The applicant may choose to defer the application to verify the accuracy of the variances and ensure additional variances are not required.

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 new dwelling will be addressed through the Building Permit process.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit application under file PREAPP 20-3283. Based on review of the information currently available for this building permit, the variances, as requested are correct.

Our comments are based on the plans received by Zoning staff on 12/4/2020 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: Brian Bonner, Zoning Examiner

Appendix 5 – Region of Peel Comments

We have no comments or objections to the following applications:

Minor Variance Applications: A-67/21, A-68/21, A-83/21, A-84/21, A-85/21, A-87/21, A-88/21, A-89/21, A-92/21, A-93/21, A-94/21.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A413.20
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 28 Ann Street, zoned H-RA5-53 - 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 reduced parking requirements on the subject property proposing:

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

The Committee has set **Thursday March 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:

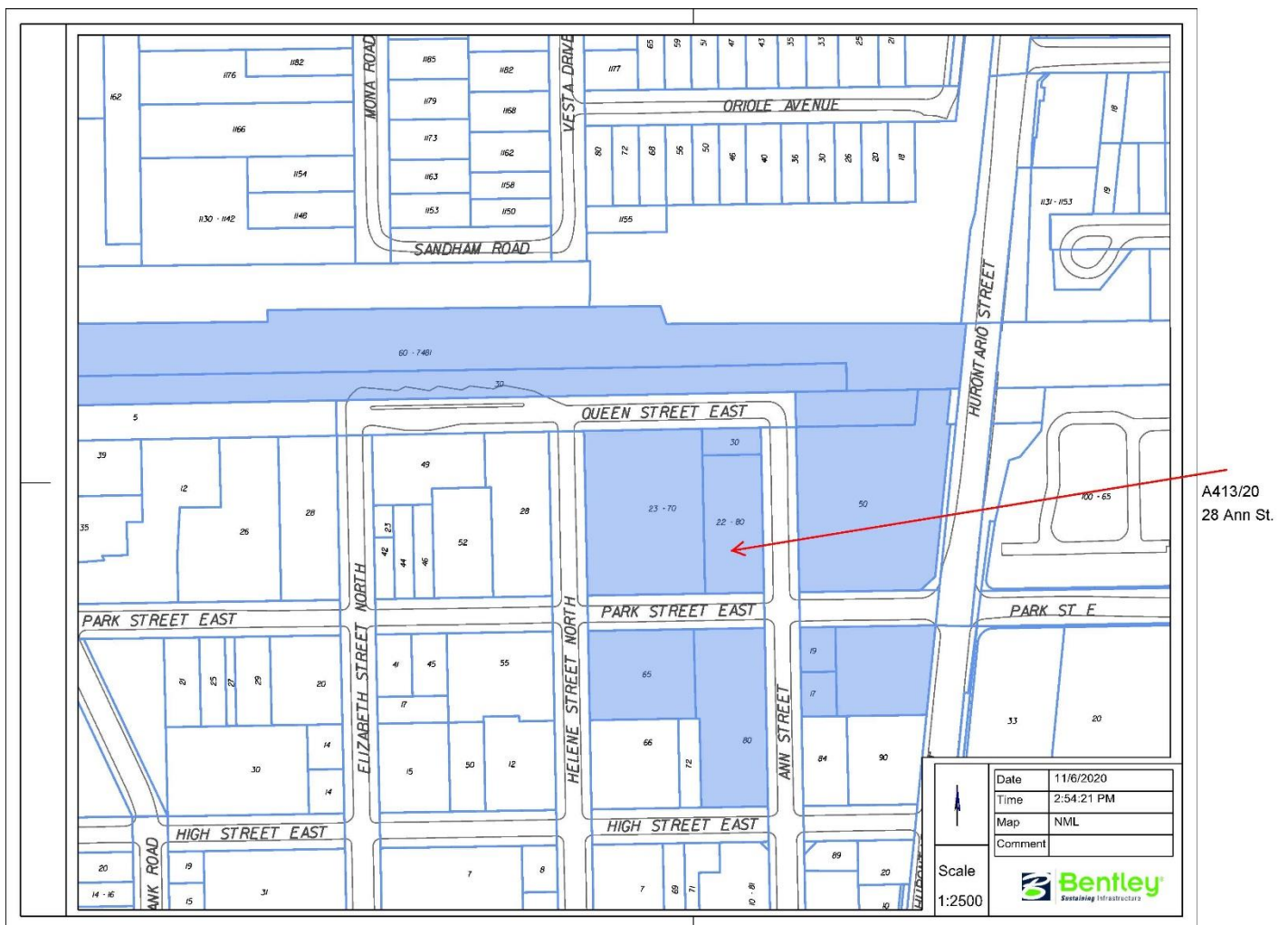
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud 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:

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



City of Mississauga

Memorandum:

City Department and Agency Comments

| | |
|---|------------------------------------|
| Date Finalized: 2021-03-19 | File(s): A413.20 Ward: 1 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2021-03-25 1:00 PM |

Consolidated Recommendation

The City has no objections to the requested variances, as amended, subject to the conditions. The applicant may choose to defer the application to verify the accuracy of the requested variances and to ensure additional variances are not required.

Application Details

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

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

Amendments

Staff recommends that variance #1 and 2 be amended as follows:

1. 0.57 parking spaces per one bedroom unit whereas By-law 0225-2007, as amended, requires a minimum of 0.75 parking spaces per one bedroom unit in this instance;
2. 0.73 parking spaces per two bedroom unit whereas By-law 0225-2007, as amended, requires a minimum of 0.90 parking spaces per two bedroom unit in this instance.

Conditions

Staff recommends the following conditions:

- That the applicant enter into an agreement pursuant to s.45 (9.1) of the Planning Act, with content satisfactory to City staff as indicated below, and in a form satisfactory to the

City Solicitor, to secure performance of the following conditions, including any associated securities/letters of credit:

- a) To provide two car-share spaces at an accessible and visible location, demonstrated by inclusion on the approved site plan through the Site Plan Application No. SP-20-51 to the satisfaction of the Director of Development and Design, Planning & Building department.
- b) Prior to the approval of the Site Plan processed through SP-20-51, a copy of an executed agreement with a car-share company to secure and provide for two car-share vehicles for a minimum period of two years should be submitted to the satisfaction of the Director of Infrastructure Planning & Engineering Services, Transportation & Works department.
- c) To confirm that a pre-loaded Presto Card with a minimum amount of \$ 250 per condominium unit was provided to each unit owner at the time of closing, including supporting documentation, satisfactory to the Director of Infrastructure Planning & Engineering Services, Transportation & Works department.

Background

Property Address: 28 Ann Street

Mississauga Official Plan

Character Area: Port Credit Community Node
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: H-RA5-53 (Residential)

Other Applications:

Building Permit: 20-3380
Site Plan Application: 20-51

Site and Area Context

The subject property is located within the Port Credit Community Node, northwest of Hurontario Street and Lakeshore Road East. The subject property is also located within a Major Transit Station Area (MTSA). The immediate area contains the Port Credit Go Station, commercial

uses, parking structures and high rise apartment buildings. On February 24, 2020 the subject property received Zoning by-law Amendment approval for a 22 storey condominium.

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



Comments

Planning

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

Staff comments concerning the application are as follows:

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

The application was deferred from the March 4th, 2020 Committee of Adjustment hearing due to a pending review of the information presented by the applicant regarding the applicable parking rates for the comparable development at 39 Newcastle St in Etobicoke, Toronto and for the confirmation of applicable conditions for the securement and implementation of TDM measures in consultation with the City's Legal staff.

On March 17th, 2021, staff reviewed additional information that was submitted by the applicant to further clarify the rates of the proxy site. The applicant indicated that the rate of 0.5 parking spaces is applicable for all apartment unit types, ie. One, two and three bedroom units. Further, the sales data for the subject site indicates that the parking demand is 0.4 spaces per one bedroom units and 0.71 spaces per two bedroom units. Based on a review of the information submitted, staff can support a reduced parking rate for both one and two bedroom units on the subject site. However, based on this information, staff can support a parking rate of 0.57 parking spaces per one bedroom unit and 0.73 spaces per two bedroom units.

As such, should Committee see merit in the application, staff recommends that the variances be amended as follows:

- 0.57 parking spaces per one-bedroom unit whereas By-law 0225-2007, as amended, requires a minimum of 0.75 parking spaces per one-bedroom unit in this instance.
- 0.73 parking spaces per two bedroom unit whereas By-law 0225-2007, as amended, requires a minimum of 0.90 parking spaces per two bedroom unit in this instance.

Furthermore, through consultation with the City's legal staff, it is recommended that the application be subject to the following conditions.

- That the applicant enter into an agreement pursuant to s.45 (9.1) of the Planning Act, with content satisfactory to City staff as indicated below, and in a form satisfactory to the City Solicitor, to secure performance of the following conditions, including any associated securities/letters of credit:
 - a) To provide two car-share spaces at an accessible and visible location, demonstrated by inclusion on the approved site plan through the Site Plan Application No. SP-20-51 to the satisfaction of the Director of Development and Design, Planning & Building department.
 - b) Prior to the approval of the Site Plan processed through SP-20-51, a copy of an executed agreement with a car-share company to secure and provide for two car-share vehicles for a minimum period of two years should be submitted to the satisfaction of the Director of Infrastructure Planning & Engineering Services, Transportation & Works department.
 - c) To confirm that a pre-loaded Presto Card with a minimum amount of \$ 250 per condominium unit was provided to each unit owner at the time of closing, including supporting documentation, satisfactory to the Director of Infrastructure Planning & Engineering Services, Transportation & Works department.

Conclusion

The Planning and Building Department has no objections to the requested application, as amended, subject to the conditions. The applicant may choose to defer the application to verify the accuracy of the requested variances and to ensure additional variances are not required.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting that any Transportation and Works Department concerns/requirements for the proposed development are being addressed through the Site Plan Application SP-20/005 and Lifting of the ‘H’ application ‘H’-OZ-20/001 for this development.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 5 – Region of Peel Comments

We have no comments or objections to the following applications:

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

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A414.20
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 130 Angelene Street, zoned R3-1 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A gross floor area of 363.90sq.m (approx. 3916.99sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 297.15sq.m (approx. 3198.50sq.ft) in this instance;
2. An encroachment of a porch into the front yard of 2.08m (approx. 6.82ft) whereas By-law 0225-2007, as amended, permits a maximum encroachment of a porch into the front yard of 1.60m (approx. 5.25ft) in this instance; and
3. A building height measured to the eaves of 7.09m (approx. 23.26ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

The Committee has set **Thursday March 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:

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Advance registration is required to participate in the electronic hearing:

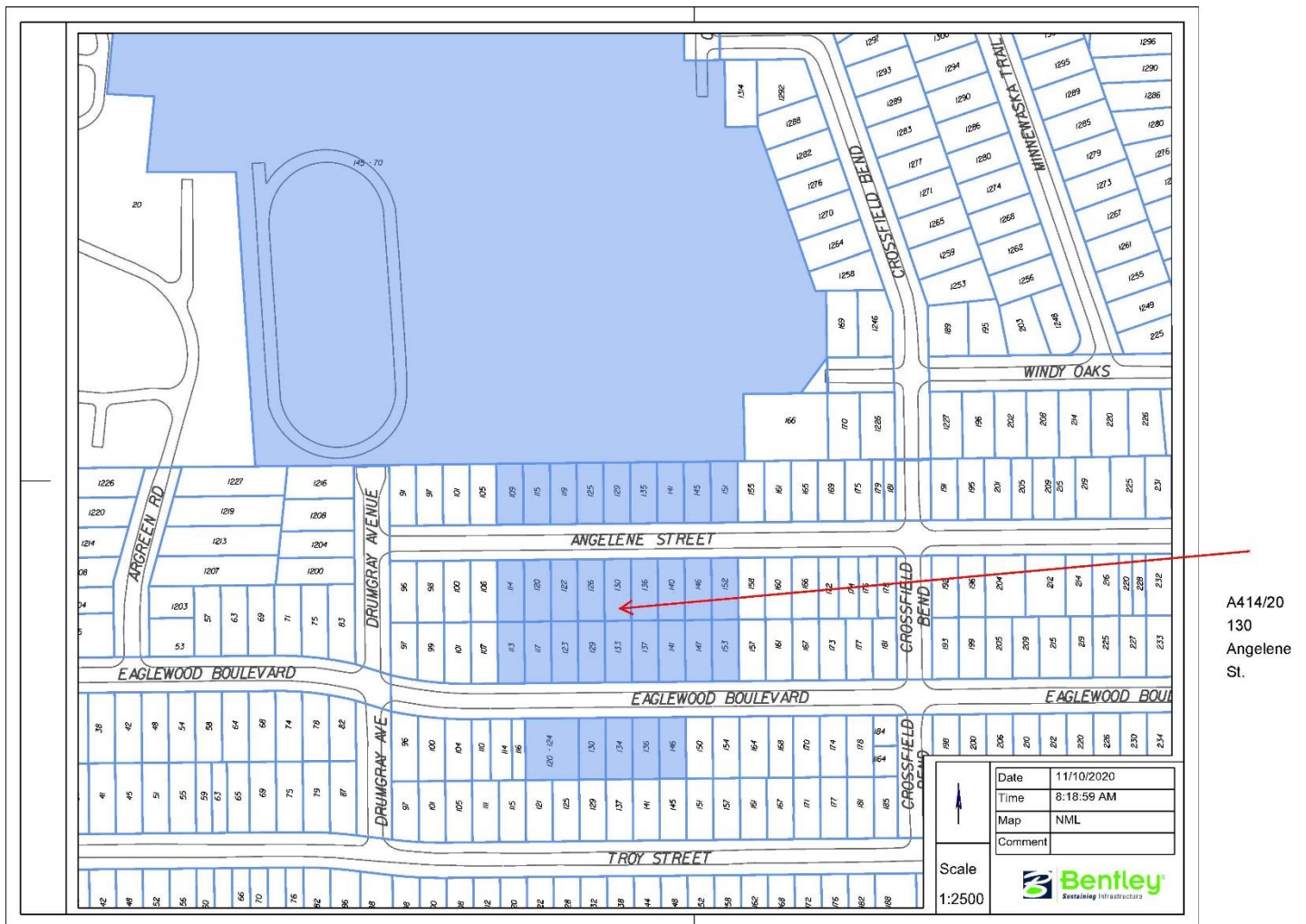
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud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

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Legal notice:

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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.



A414/20
130
Anglene St.

City of Mississauga

Memorandum:

City Department and Agency Comments

| | |
|---|------------------------------------|
| Date Finalized: 2021-03-17 | File(s): A414.20 Ward: 1 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date:2021-03-25 1:00 PM |

Consolidated Recommendation

The City has no objections to the requested variances, as amended.

Application Details

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

1. A gross floor area of 363.90sq.m (approx. 3916.99sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 297.15sq.m (approx. 3198.50sq.ft) in this instance;
2. An encroachment of a porch into the front yard of 2.08m (approx. 6.82ft) whereas By-law 0225-2007, as amended, permits a maximum encroachment of a porch into the front yard of 1.60m (approx. 5.25ft) in this instance; and
3. A building height measured to the eaves of 7.09m (approx. 23.26ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

Amendments

Variance #1 and 3 should be amended as follows:

- A gross floor area of 326 m² whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 297.15 m² in this instance;
- A building height measured to the eaves of 6.90 m whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m in this instance;

Background

Property Address: 130 Angelene Street

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3-1 (Residential)

Other Applications:

Pre-Application: 20-1972

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southeast of Hurontario Street and Mineola Road East. The neighbourhood is predominantly residential, consisting of one and two storey detached dwellings with some mature vegetation. Institutional uses are located north of the subject property. The subject property contains an existing one storey detached dwelling.

The application was previously deferred from the December 17th, 2020 Committee of Adjustment hearing to allow the applicant to work with staff and reduce the variances associated with the new dwelling. It should be noted that the revised plans have been submitted with this application, however, some of the variances have not been revised to reflect the plans. Variances #1 and 3 should be amended as follows as per the revised plans.

- A gross floor area of 326 m² whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 297.15 m² in this instance;
- A building height measured to the eaves of 6.90 m whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m in this instance;

It should be noted that the application no longer requires variances related to lot coverage and interior and combined 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 and duplex, triplex and other forms of low rise dwellings with individual frontages. As per Section 16.18.1 of the Mineola Neighbourhood Character Area policies, new housing is encouraged to fit the scale and character of the surrounding area. The proposed detached dwelling respects the designated land use, and has regard for the distribution of massing on the property as a whole. The proposed dwelling maintains the character of the surrounding neighbourhood and is similar to newer two storey dwellings within the immediate area. 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 and 3 propose an increase in gross floor area and eave height. The intent of the infill regulations is to maintain compatibility between existing and new dwellings while lessening the visual massing of the dwelling and bringing the edge of the roof closer to the ground, ultimately giving the dwelling a more human scale. In this instance, the overall height of the dwelling maintains by-law regulations of 9 m, thereby reducing the impact of the increased eave height. The proposed dwelling maintains the existing character of the neighbourhood in regards

to its massing and will not create any significant impact on the streetscape character from what is permitted. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #2 proposes a porch encroachment into a front yard. Through a review of this variance, the proposed encroachment is in line with neighbouring dwellings and makes up a small portion of the front façade of the dwelling, thereby maintaining a consistent streetscape. As such, staff is of the opinion that this variance is appropriate to be handled through the minor variance process. Further, this variance raises no concerns of a planning nature.

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

The proposed variances maintain the context of the surrounding neighbourhood and do not pose any significant impact to the streetscape character. The dwelling maintains the overall height of 9 m which lessens the impact of the increased eave height which is not a significant deviation from what is permitted. Additionally, the proposed gross floor area is similar to newer two storey dwellings within the immediate area and does not significantly alter the streetscape character, thereby maintaining the existing and planned character of the neighbourhood. 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, as amended.

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 subject property will be addressed through the future Site Plan Approval/Building Permit process.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit application under file PREAPP 20-1972. Based on review of the information currently available for this building permit, we advise that the following variance(s) should be added as follows:

-A proposed interior side yard setback of 1.50m for the second storey; whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.81m for the second storey in this instance;

-A proposed combined side yard setback of 3.0m; whereas By-law 0225-2007, as amended, requires a minimum combined side yard setback of 3.60m in this instance;

- A proposed lot coverage of 35.86% of the lot area (191.11m sq); whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35% of the lot area (186.52m sq) in this instance;

Our comments are based on the plans received by Zoning staff on 08/20/2020 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

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

Comments Prepared by: Diana Guida, Junior Planner