
Committee of Adjustment

Date: April 8, 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. A28/21
1495 LOCHLIN TR (WARD 1)
DAVID BURCHILL
 - 4.2. A90/21
34 DE JONG DR (WARD 11)
SAJJAD SHAHEENA
 - 4.3. A95/21
45 JOHN ST S (WARD 1)
DR BESHAY PROFESSIONAL CORPORATION
 - 4.4. A99/21
4573 MISSISSAUGA RD (WARD 8)
RIAZ UL HAQUE JILANI MOHMMAD & SAMINA SADAF
 - 4.5. A100/21
651 BYNGMOUNT AVE (WARD 1)
CARMEN GERASOLO
 - 4.6. A101/21
1441 LOCHLIN TR (WARD 1)
IVAN & NATALIA DANCHUK
 - 4.7. A102/21
839 CENTRAL PKY W (WARD 6)
JEDIDA HOLDINGS INC
 - 4.8. A103/21
7634 DOVERWOOD DR (WARD 9)
RICHARD, DEODAT, & PHULKUMARIE SHIWLOCHAN

- 4.9. A106/21
28 ANN ST (WARD 1)
EDENSHAW ANN DEVELOPMENTS LIMITED
- 4.10. A107/21
5609 MEADOWCREST AVE (WARD 10)
ANUPAM MAHAPATRA & MONALISA SENAPATI
- 4.11. A108/21
6736 LISGAR DR (WARD 10)
NAZLI BHATTI
- 4.12. A109/21- A110/21
5196 DURIE RD & 5202 DURIE RD (WARD 6)
BASTA GAMAL AND HANNA MERFAT
- 4.13. A111/21
14 FRONT ST S (WARD 1)
MARY VIEN, THANH TRUONG, HUONG THI TRAN
- 4.14. A112/21
1250 GLEN RD (WARD 2)
ROBERT BRUCE MURRAY
5. OTHER BUSINESS
6. ADJOURNMENT



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A28.21
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 1495 Lochlin Trail, zoned R1-1 - 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 dwelling proposing:

1. A lot coverage of 26.94% (326.86sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% (303.33sq.m) in this instance;
2. A building height measured to the eaves of 7.26m (approx. 23.82ft) 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;
3. A combined width of side yards of 24.34% of the lot frontage (6.53m/21.42ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 27% of the lot frontage (7.24m/23.75ft) in this instance;
4. An eave encroachment into the required front yard of 0.66m (approx. 2.17ft) whereas By-law 0225-2007, as amended, permits a maximum eave encroachment into the required front yard of 0.45m (approx. 1.48ft) in this instance; and
5. An encroachment into the front yard measured to a planter of 1.55m (approx. 5.09ft) whereas By-law 0225-2007, as amended, does not permit an encroachment into the front yard measured to a planter in this instance.

The Committee has set **Thursday April 8, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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How to submit a written comment:

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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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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: 2021-03-31	File(s): A28.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-08 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 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 dwelling proposing:

1. A lot coverage of 26.94% (326.86sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% (303.33sq.m) in this instance;
2. A building height measured to the eaves of 7.26m (approx. 23.82ft) 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;
3. A combined width of side yards of 24.34% of the lot frontage (6.53m/21.42ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 27% of the lot frontage (7.24m/23.75ft) in this instance;
4. An eave encroachment into the required front yard of 0.66m (approx. 2.17ft) whereas By-law 0225-2007, as amended, permits a maximum eave encroachment into the required front yard of 0.45m (approx. 1.48ft) in this instance; and
5. An encroachment into the front yard measured to a planter of 1.55m (approx. 5.09ft) whereas By-law 0225-2007, as amended, does not permit an encroachment into the front yard measured to a planter in this instance.

Background

Property Address: 1495 Lochlin Trail

Mississauga Official Plan

Character Area: Mineola Neighbourhood

Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R1-1 (Residential)

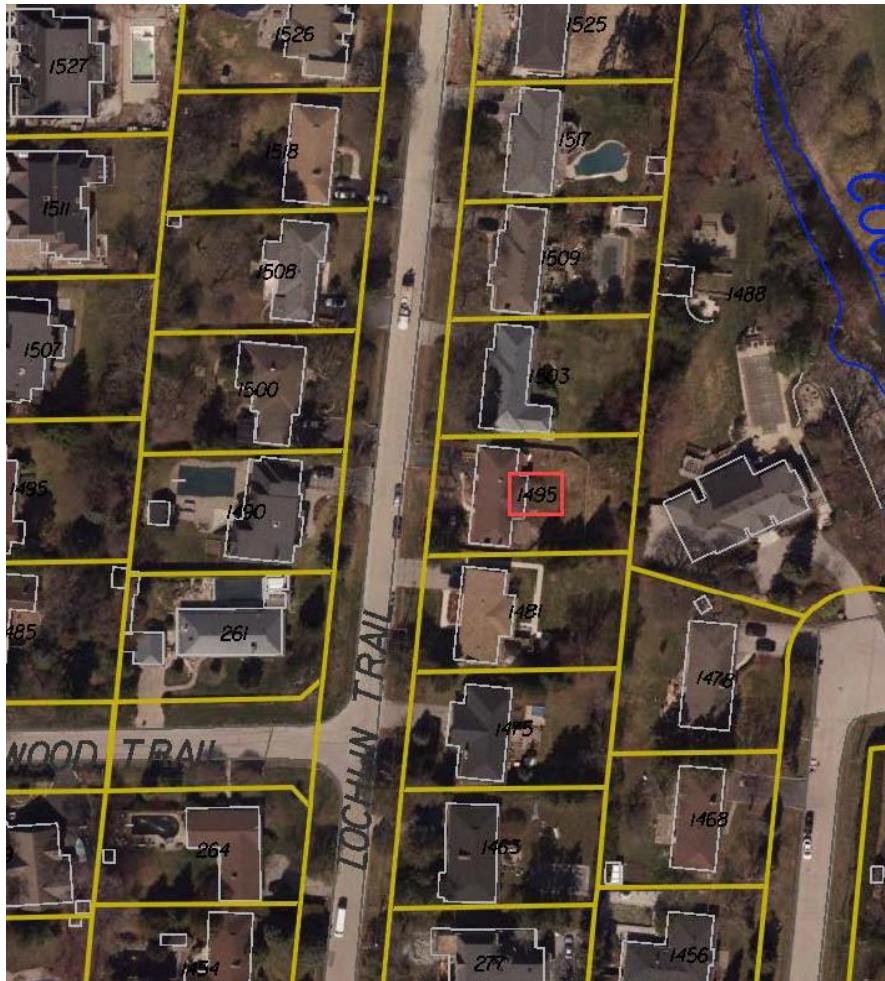
Other Applications:

Site Plan Application: 19-152

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, northeast of Hurontario Street and Mineola Road East. The neighbourhood is entirely residential, consisting one and newer two storey detached dwellings with mature vegetation. The subject property contains an existing one storey dwelling with significant mature vegetation within the front yard.

The applicant is proposing a new two storey dwelling, requiring variances related to lot coverage, eave height, combined side yard setbacks and encroachments in the front yard.



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 16.18.1 in the Mineola Neighbourhood Character Area of MOP, states that 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 scale of the proposal is also consistent with other two storey dwellings within the neighbourhood. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

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

Variance #1 proposes a lot coverage of 26.94% whereas a maximum of 25% 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 covered porch and eave overhangs which make up approximately 3.80% of the total lot coverage. The dwelling itself, maintains a lot coverage of approximately 23%, less than the maximum permitted. These features do not add significant massing to the dwelling, thereby reducing the impact to the established streetscape character. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #2 proposes an eave height of 7.26 m whereas 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. This results in a lower overall pitch of the roof and keeps the dwelling within a human scale. The dwelling maintains an overall height of 9.50 m, which is consistent with the maximum permitted height in the zoning by-law and mitigates any impact from the increased eave height. Additionally, the eave height is measured from average grade which is approximately 0.48 m below established grade. If the dwelling was measured from established grade, the eave height would be 6.78 m which represents a minor deviation from what is permitted and does not significantly alter the streetscape character. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #3 proposes a deficient combined side yard width. 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 combined side yard width is measured to the narrowest points of the dwelling and do not continue throughout the entire length of the dwelling. From the widest point, the proposed dwelling exceeds the zoning by-law requirements and preserves access to the rear yard. As such, staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

The remaining variances relate to projections into the front yard measured to the eaves and planter. The proposed variances do not add any significant massing to the dwelling and will not result in an inconsistent streetscape. As such, staff is of the opinion that these variances are appropriate to be handled through the minor variance process and further, 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 a significant impact to the streetscape character. The dwelling maintains the maximum height permitted which lessens the impact of the increased eave height. Additionally, the combined side yard width is measured to the narrowest points of the dwellings which does not continue throughout the entire length of the dwelling. From the widest points, the dwelling exceeds the combined side yard width setback, allowing for direct access to the rear yard. 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 variances and ensure additional variances are not required.

Comments Prepared by: Lucas Petricca, Committee of Adjustment

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling are being addressed through the Site Plan Application process, File SP-19/152.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a site plan approval application under file SPI 19-152. Based on review of the information currently available for this application, we advise that more information is required to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Our comments are based on the plans received by Zoning staff on 12/23/2021 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

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

Please be advised that a portion of the subject property is located within the limits of the regulated area of the Credit Valley Conservation (CVC).

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

Comments Prepared by: Diana Guida, Junior Planner

Appendix 6- Conservation Authority Comments

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

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

SITE CHARACTERISTICS:

The subject property is adjacent to the floodplain associated with Cooksville Creek. It is the policy of CVC and the Province of Ontario to conserve and protect the significant physical, hydrological and biological features associated with the functions of the above noted characteristics and to recommend that no development be permitted which would adversely affect the natural features or ecological functions of these areas.

ONTARIO REGULATION 160/06:

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

PROPOSAL:

It is our understanding that the applicants request the Committee to approve a minor variance to allow the construction of a new dwelling proposing:

1. A lot coverage of 26.94% (326.86sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% (303.33 sq.m) in this instance;
2. A building height measured to the eaves of 7.26m (approx. 23.82ft) 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;
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required front yard of 0.45m (approx. 1.48ft) in this instance; and

5. An encroachment into the front yard measured to a planter of 1.55m (approx. 5.09ft) whereas By-law 0225-2007, as amended, does not permit an encroachment into the front yard measured to a planter in this instance.

COMMENTS:

CVC staff have reviewed the provided information and have **no concerns** with the requested variance. CVC staff have reviewed and provided clearance on a Site Plan application (SP 19/152) for the proposed development previously. As such, CVC staff have **no objection** to the approval of this minor variance by the Committee at this time.

It should be noted that a CVC permit is required for the development as proposed.

Please circulate CVC any future correspondence regarding this application.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at 905-670-1615 (ext. 236) should you have any further questions or concerns.

Comments Prepared by: Elizabeth Paudel, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A90.21
Ward: 11

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 34 De Jong Drive, zoned R2-50 - 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 364.37sq.m (approx. 3922.05sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 327.69sq.m (approx. 3527.23sq.ft) in this instance;
2. A building height measured to the roof of 9.08m (approx. 29.79ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.00m (approx. 29.53ft) in this instance;
3. A building height measured to the eaves 6.68m (approx. 21.92ft) 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;
4. Two driveway whereas By-law 0225-2007, as amended, permits a maximum of one driveway in this instance;
5. A circular driveway on a lot with less than 22.50m (approx. 73.82ft) frontage whereas By-law 0225-2007, does not permit a circular driveway on a lot with less than 22.50m (approx. 73.82ft) frontage; and
6. A circular driveway in the front, rear, and exterior side yards whereas By-law 0225-2007, as amended, permits a circular driveway in one yard in this instance.

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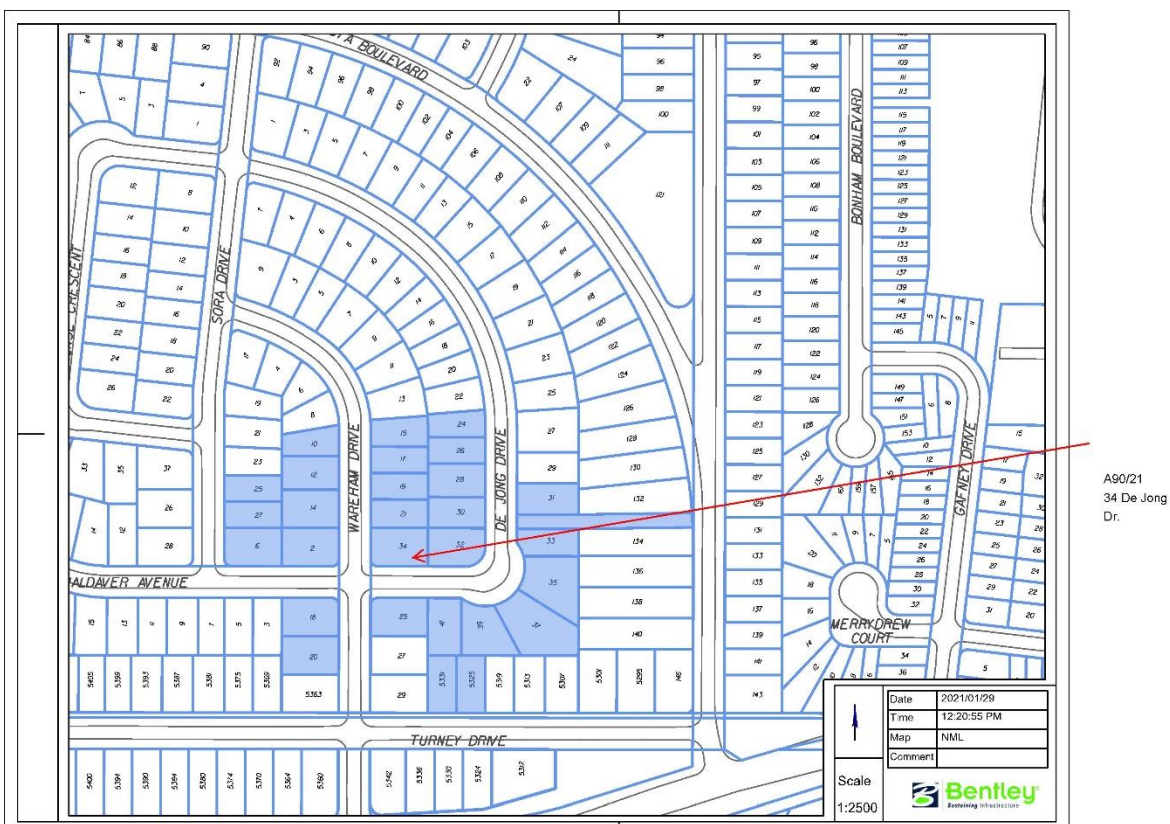
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-03-31	File(s): A90.21 Ward 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-08 1:00 PM

Consolidated Recommendation

The City has no objection to variances #1, #2 and #3 however, recommends that the application be deferred to permit the Applicant the opportunity to redesign the driveways.

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 364.37sq.m (approx. 3922.05sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 327.69sq.m (approx. 3527.23sq.ft) in this instance;
2. A building height measured to the roof of 9.08m (approx. 29.79ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.00m (approx. 29.53ft) in this instance;
3. A building height measured to the eaves 6.68m (approx. 21.92ft) 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;
4. Two driveway whereas By-law 0225-2007, as amended, permits a maximum of one driveway in this instance;
5. A circular driveway on a lot with less than 22.50m (approx. 73.82ft) frontage whereas By-law 0225-2007, does not permit a circular driveway on a lot with less than 22.50m (approx. 73.82ft) frontage; and
6. A circular driveway in the front, rear, and exterior side yards whereas By-law 0225-2007, as amended, permits a circular driveway in one yard in this instance.

Background

Property Address: 34 De Jong Drive

Mississauga Official Plan

Character Area: Streetsville Neighbourhood

Designation: Residential Low Density I

Zoning By-law 0225-2007

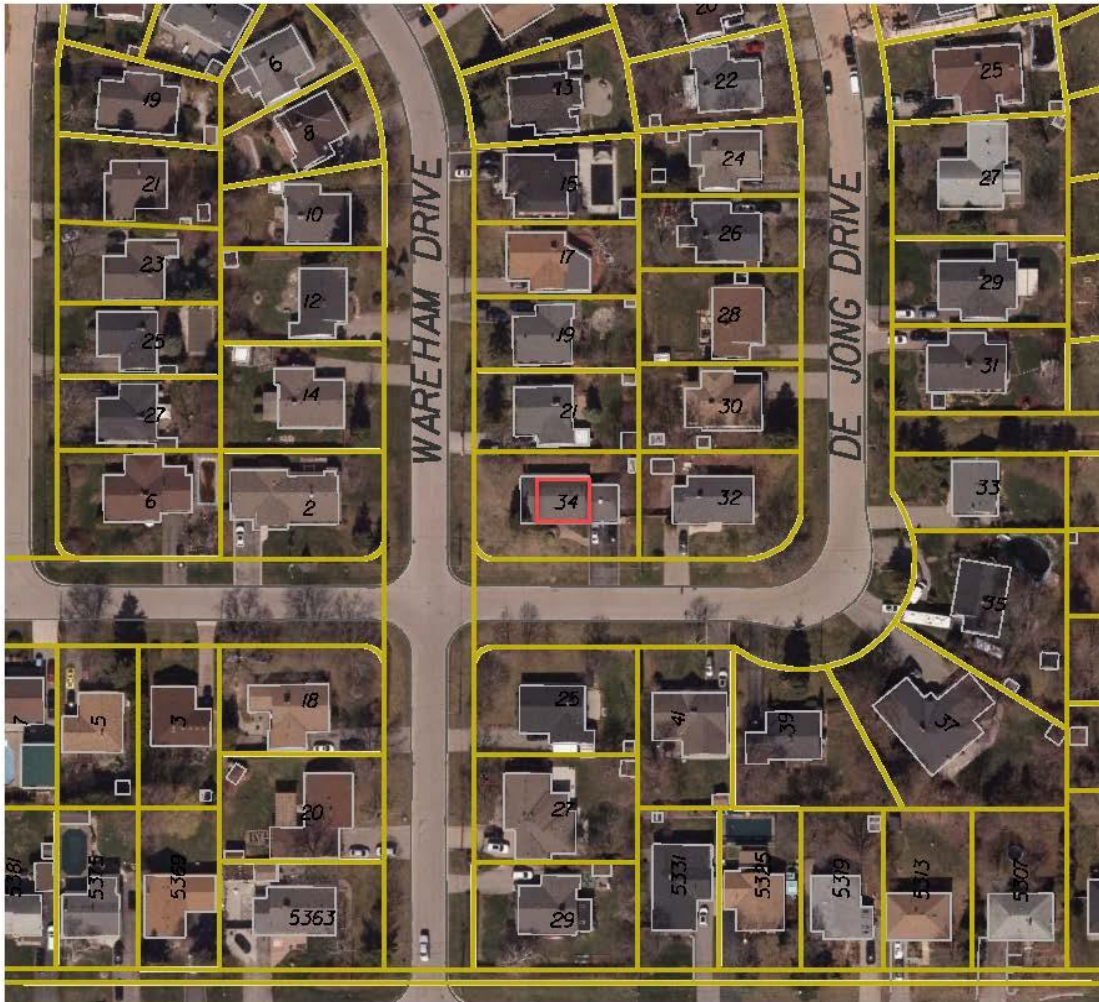
Zoning: R2-50 - Residential

Other Applications: PRE-APP 20-3526

Site and Area Context

The subject property is located north-east of the Erin Mills Parkway and Thomas Street intersection. The property is an exterior parcel, with a lot area of +/- 888.43m² and a lot frontage of +/- 20.42m. It currently houses a one-storey detached dwelling with mature vegetation and minimal landscape elements in the front and rear yards. Contextually, the area is comprised exclusively of residential dwellings on large lots with limited vegetation and landscape elements in the front yards. The properties within the immediate area possess lot frontages of +/- 30.0m.

The applicant is proposing to construct a new dwelling requiring a variance for gross floor area, building height and a circular driveway.



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 while respecting the designated land use. Staff is of the opinion that the general intent and purpose of the Official Plan is maintained.

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

Variance #1 as requested pertains to gross floor area:

The intent in restricting gross floor area is to maintain compatibility between existing and new dwellings while also ensuring the existing and planned character of a neighbourhood is preserved. The applicant is proposing a two storey detached dwelling that will increase the building's current gross floor area by 11.1%. The immediate area consists primarily of one-storey bungalows, resulting in the new dwelling being more noticeable from the streetscape. While the proposed increase will create a difference to the public realm, the 11.1% increase in gross floor area is a marginal deviation from what the zoning by-law envisions, creating an insignificant massing effect. Therefore, Staff finds variance #1 to be minor in nature and inline with the general purpose and intent of the by-law.

Variance #2 and #3 as requested pertain to building height and height of the eaves:

The intent of restricting both the height of the building and the eaves is to lessen the visual massing of dwelling by bringing the edge of the roof closer to the ground. The goal is to maintain an overall pitch of the roof and keep the height of the dwelling within a human scale. The dwelling maintains an overall height of 9.08m, whereas 9.00m is permitted; and an eave height of 6.68m, whereas 6.40m is permitted under the by-law. The proposed deviations from the zoning by-law are minor in nature and compatible with the surrounding built form. As such, variance #2 and #3 meet the general intent and purpose of the by-law.

Variance #4, #5 and #6 as requested pertain to Driveway and Driveway frontage:

The intent of this portion of the By-law is to permit a driveway large enough to accommodate the required number of parking spaces for a dwelling, with the remainder of lands being soft landscaping. In this instance the applicant has proposed two driveways, one having access to Wareham Drive and one being a circular driveway with access to De Jong Drive. The subject property possess a lot frontage of 20.42m which does not meet the required 22.50m for a circular driveway under the bylaw. Additionally, the circular driveway creates excessive hardscaping on the property that is not in keeping with the surrounding neighbourhood. Access points proposed in a residential zone should generally be limited to one, as multiple points of egress impact traffic movements and on-street parking. As such, the proposed is not minor and does not maintain the general intent and purpose of the by-law.

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

While Staff find the proposed increase to the GFA and height of the dwelling negligible Staff recommend the application be deferred in order for the applicant to redesign the proposed driveways.

Conclusion

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

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

Appendices

Appendix 1 – Transportation and Works Comments

This department cannot support the request as submitted to construct a circular driveway on this property and does not see the rationale for having three access points. The number of access points onto a Municipal ROW should be limited, in particular this instance where the property is a corner lot. The proposed south-westerly portion of the circular driveway access would be located in close proximity to the intersection of two roads where there is also an existing stop sign which would only be a few metres away from the proposed access. We also noting for information purposes that there is a large mature tree located in the area of the proposed new driveway onto Wareham Drive, although we assume this tree will be removed as it also appears to impact on the location of the proposed new dwelling.

In view of the above, we would recommend that this application be deferred to allow the applicant an opportunity to redesign the proposal and propose a new driveway configuration with only one proposed access location.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file PREAPP 20-3526. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Please note that comments reflect those provided through the above permit application submitted on 2020/11/18 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: Brian Bonner, Zoning Examiner

Appendix 5 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A95.21
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 45 John Street South, zoned R15-1 - 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 on the subject property proposing:

1. A dwelling depth of 22.31m (approx. 73.20ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
2. A height measured to the eaves of 6.93m (approx. 22.74ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m (approx. 21.00ft) in this instance; and
3. A garage area of 37.39sq.m (approx. 402.46sq.ft) whereas By-law 0225-2007, as amended, permits a maximum garage area of 30.00sq.m (approx. 322.92sq.ft) in this instance.

The Committee has set **Thursday April 8, 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

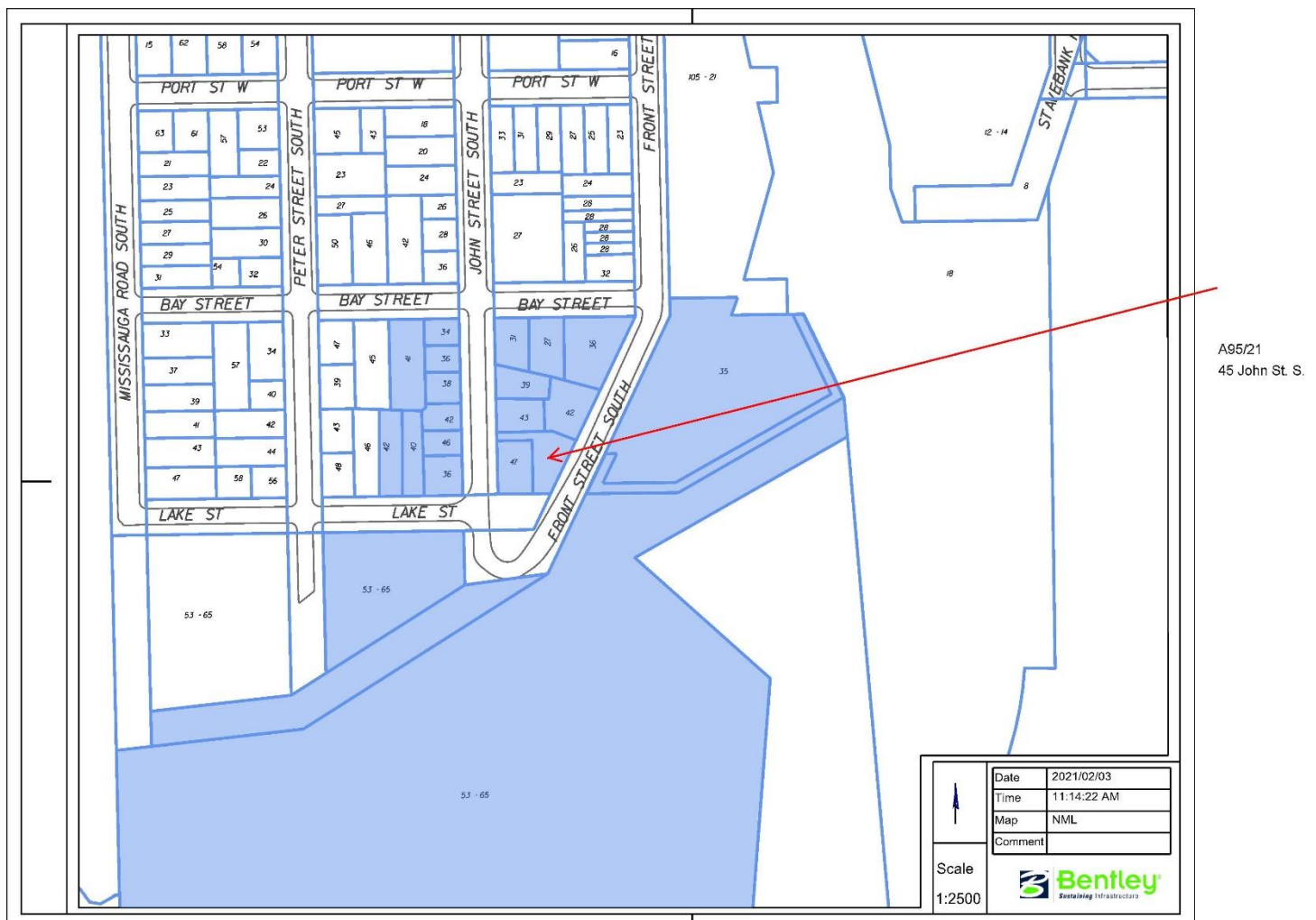
materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services will not be accepted.

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: 2021-03-31	File(s): A95.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-08 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred for redesign.

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 dwelling depth of 22.31m (approx. 73.20ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
2. A height measured to the eaves of 6.93m (approx. 22.74ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m (approx. 21.00ft) in this instance; and
3. A garage area of 37.39sq.m (approx. 402.46sq.ft) whereas By-law 0225-2007, as amended, permits a maximum garage area of 30.00sq.m (approx. 322.92sq.ft) in this instance.

Background

Property Address: 45 John Street South

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (West)
Designation: Residential Low Density I

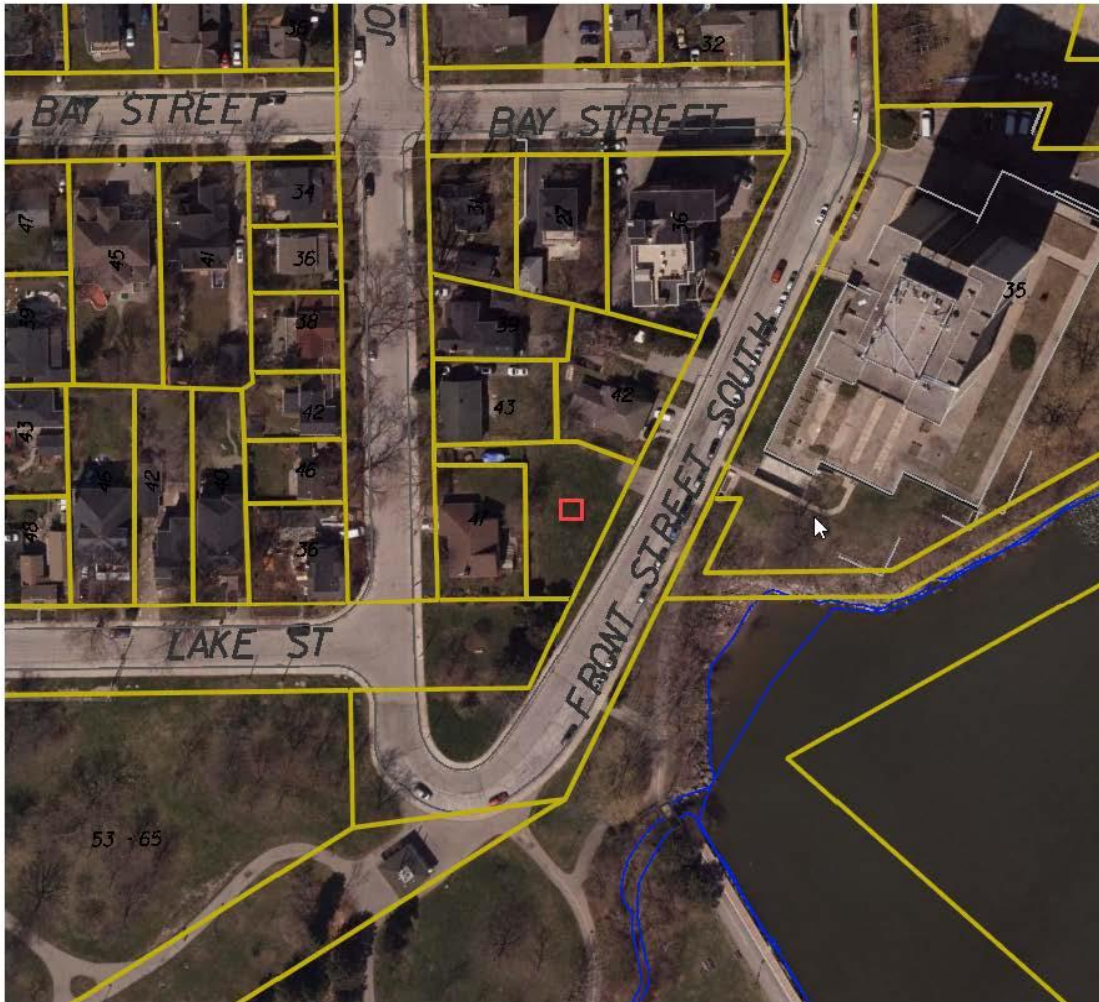
Zoning By-law 0225-2007

Zoning: R15-1 (Residential)

Site and Area Context

The subject property is located within the Old Port Credit Heritage Conservation District of the Port Credit Neighbourhood Character Area, south of Lakeshore Road West and Front Street South. The immediate neighbourhood consists of one and two storey detached dwellings with mature vegetation, including a mix of newer and older two storey dwellings. The subject property is currently vacant.

The applicant is proposing a new two storey detached dwelling, requiring variances related to dwelling depth, eave height and garage area.



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:

Currently, the subject property is designated under the Ontario Heritage Act and is within the Old Port Credit Heritage Conservation District. As such, the applicant is required to submit a Heritage Impact Assessment, which requires approval from the Heritage Advisory Committee (HAC). Through discussions with Heritage Planning, there are significant concerns with the proposed dwelling. It should be noted that Heritage staff worked with the applicant prior to submitting this minor variance application and have previously stated that the design of the dwelling is not appropriate and does not meet the intent of the Old Port Credit Heritage Conservation District Plan (HCD) which is meant to guide development in order to preserve the heritage character of the precinct. As such, staff recommends that the application be deferred for redesign and to allow the applicant to submit the required information and obtain approval from HAC prior to the application being heard at the Committee of Adjustment.

Conclusion

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

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 will be addressed through the required future Site Plan/Building Permit Application process.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is 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 4 – Heritage

The subject property is designated under Part V of the Ontario Heritage Act as it forms part of the Old Port Credit Village Heritage Conservation District (HCD). New infill requires a heritage permit and is subject to the HCD Plan. The proposal does not comply with the Plan. Heritage Planning staff have reviewed similar proposals in 2020 and advised the applicant that they do not comply with the Plan. The proposed variances should be refused.

Comments Prepared by: P. Wubbenhorst, Heritage Planner

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

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

Please be advised that a portion of the subject property is located within the limits of the regulated area of the Credit Valley Conservation (CVC).

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

Comments Prepared by: Diana Guida, Junior Planner

Appendix 6- Conservation Authority Comments

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

1. Watershed Based Resource Management Agency and Public (commenting) Body under the *Planning Act* - providing comments based on CVC's Board approved policies;
2. Planning Advisory Services - providing environmental planning and technical advice/comments based on service agreements or memorandum of understanding;

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

SITE CHARACTERISTICS:

The subject property is adjacent to the Lake Ontario Shoreline flooding and erosion hazards. In this regard, our primary concerns are related to ensuring that all new development is located outside of the hazards associated with the Lake, including the 100 year erosion limit, the 100 year flood limit, wave uprush and stability hazards associated with the slope. In addition, the property appears to be located within the Credit River Watershed Natural Heritage System. It is the policy of CVC and the Province of Ontario to conserve and protect the significant physical, hydrological and biological features associated with the functions of the above noted characteristics and to recommend that no development be permitted which would adversely affect the natural features or ecological functions of these areas.

ONTARIO REGULATION 160/06:

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

PROPOSAL:

It is our understanding that the applicants request the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A dwelling depth of 22.31m (approx. 73.20ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
2. A height measured to the eaves of 6.93m (approx. 22.74ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m (approx. 21.00ft) in this instance; and
3. A garage area of 37.39sq.m (approx. 402.46sq.ft) whereas By-law 0225-2007, as amended, permits a maximum garage area of 30.00sq.m (approx. 322.92sq.ft) in this instance.

COMMENTS:

CVC staff have reviewed the provided information and have **no concerns** with the requested variance. CVC staff have previously reviewed the proposal through the pre-consultation stage

(PD 20/120). As such, CVC staff have **no objection** to the approval of this minor variance by the Committee at this time.

It should be noted that a CVC permit is required for the development as proposed.

Please circulate CVC any future correspondence regarding this application.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at 905-670-1615 (ext. 236) should you have any further questions or concerns.

Comments Prepared by: Elizabeth Paudel, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A99.21
Ward: 8

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 4573 Mississauga Road, zoned R1 - 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 accessory structures on the subject property proposing:

1. A lot coverage of 45.42% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% of the lot area in this instance;
2. A side yard of 1.60m (approx. 5.25ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.80m (approx. 5.91ft) in this instance; and
3. A rear yard of 4.90m (approx. 16.08ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.61ft) in this instance.

The Committee has set **Thursday April 8, 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

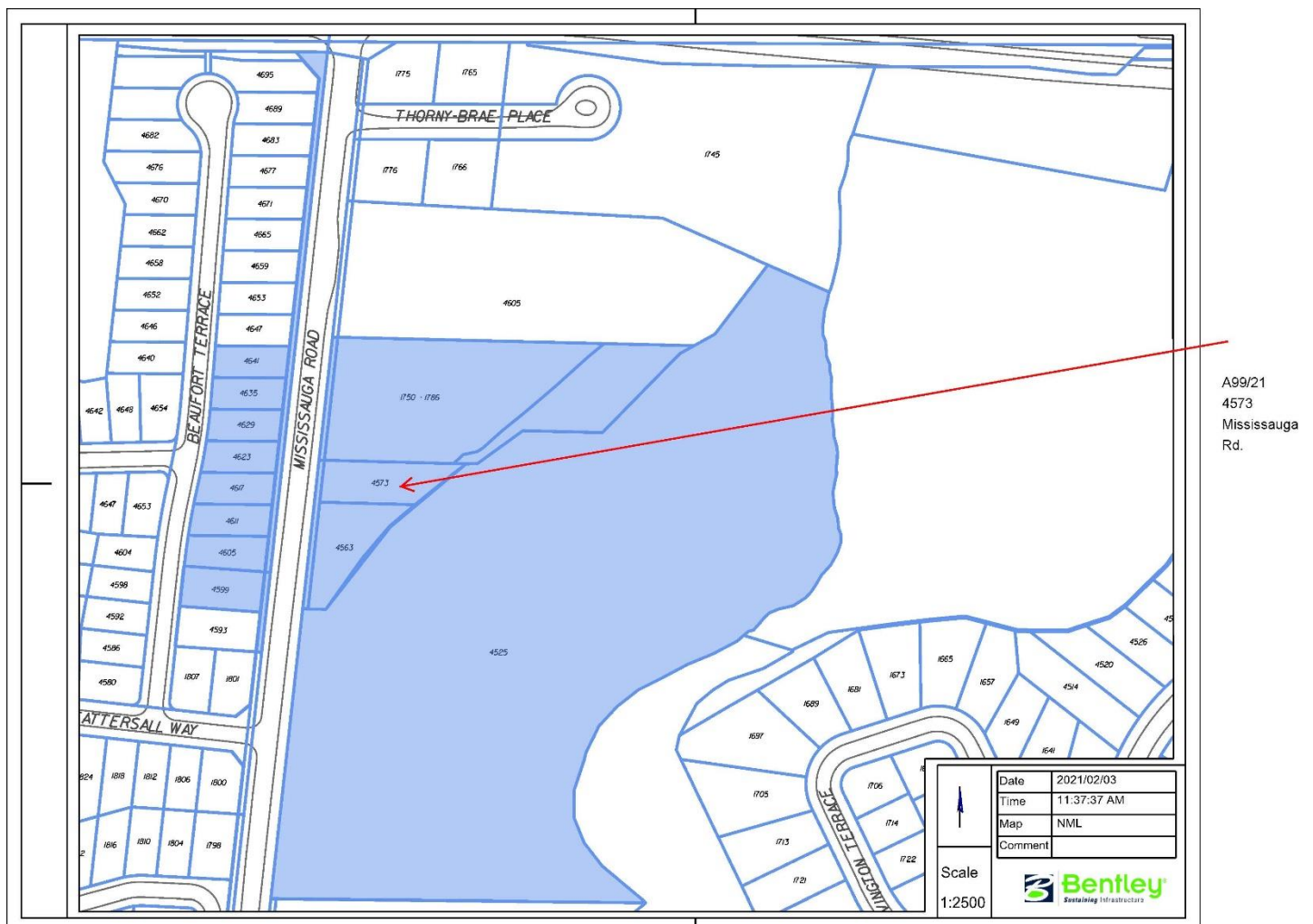
materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services will not be accepted.

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: 2021-03-31	File(s): A99.21 Ward: 8
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-08

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

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

1. A lot coverage of 45.42% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% of the lot area in this instance;
2. A side yard of 1.60m (approx. 5.25ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.80m (approx. 5.91ft) in this instance; and
3. A rear yard of 4.90m (approx. 16.08ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.61ft) in this instance.

Background

Property Address: 4573 Mississauga Road

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R1 (Residential)

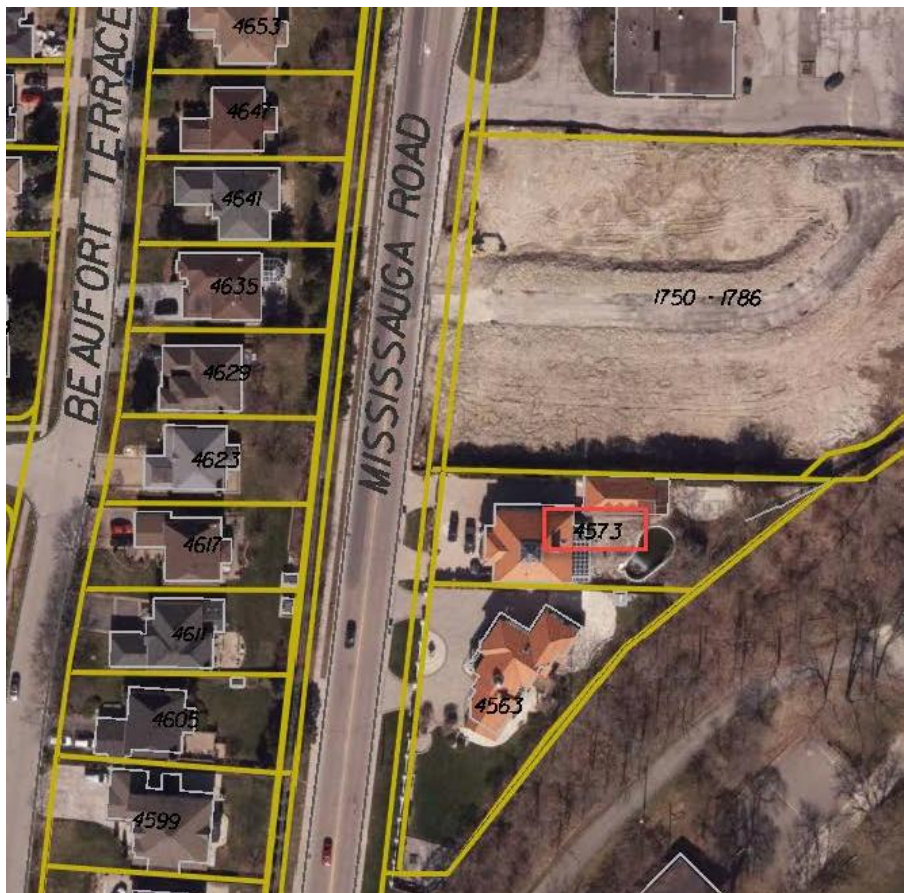
Other Applications

Pre-Application: 20-1633

Site and Area Context

The subject property is located within the Central Erin Mills Neighbourhood, south of Eglinton Avenue West and Mississauga Road. The immediate neighbourhood is primarily residential, consisting of two storey detached dwelling with mature vegetation. The lands abutting the subject property to the north is currently going through a Site Plan Approval process, which proposes 11 detached dwellings on a Common Element Condominium (CEC) Road. The subject property contains an existing two storey detached dwelling and abuts a heavily treed area which is zoned and designated Greenlands.

The applicant is proposing an accessory structure that requires variances related to lot coverage and side and rear 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 are as follows:

The proposed accessory structure requiring the requested variances is a retractable pool cover that extends from the dwelling, over the existing pool. The deficient rear yard is measured from the narrowest point of the lot line to the edge of the retractable cover. The remaining portion of the rear yard exceeds by-law requirements measured to the dwelling. As the accessory structure is a retractable pool cover, it does not have the same impact that a large addition or typical accessory structure may have. The proposed cover does not impact the future development to the north as there is an existing detached garage which acts as a barrier between the properties. Additionally, due to the shape of the lot and location of the dwelling to the south, the massing of the proposed structure would be mitigating. Excluding the proposed cover and the pool, the lot coverage would be approximately 25.27% which is a minor deviation from what is permitted. However, through discussions with the Credit Valley Conservation (CVC) Authority, a geotechnical report was submitted and additional information that has not been received was requested to determine the impact to the natural feature. As such, staff recommends that the application be deferred.

Conclusion

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

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Attached for Committees information are photos of the existing property. We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed accessory structures will be addressed through the required future Building Permit Application 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 20-1633. 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 11/17/2020 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

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

Please be advised that the subject property is located within the limits of the regulated area of the Credit Valley Conservation (CVC).

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

Comments Prepared by: Diana Guida, Junior Planner

Appendix 6- Conservation Authority Comments

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

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

SITE CHARACTERISTICS:

The subject property is traversed by the valley slope associated with the Credit River. In addition, the property appears to be located within the Peel Core Greenlands and Credit River Watershed Natural Heritage System. It is the policy of CVC and the Province of Ontario to conserve and protect the significant physical, hydrological and biological features associated with the functions of the above noted characteristics and to recommend that no development be permitted which would adversely affect the natural features or ecological functions of these areas.

ONTARIO REGULATION 160/06:

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

PROPOSAL:

It is our understanding that the applicants request the Committee to approve a minor variance to allow the construction of accessory structures proposing:

1. A lot coverage of 45.42% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% of the lot area in this instance;
2. A side yard of 1.60m (approx. 5.25ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.80m (approx. 5.91ft) in this instance; and
3. A rear yard of 4.90m (approx. 16.08ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.61ft) in this instance.

COMMENTS:

CVC staff had previously reviewed the proposal at the pre-consultation stage and **have concerns** with regards to the proposed works at the rear. CVC staff provided comments, requesting a geotechnical assessment for the works proposed at the rear. The applicant has recently submitted the geotechnical report (prepared by Soil-Mat Engineers, dated October 26, 2020) for our review as part of the application. CVC staff have screened the report and requested additional information required to complete our review.

As such, CVC staff request a **deferral** of the minor variance by the Committee until such time that the requested information has been provided, the report has been reviewed to our satisfaction, and all outstanding concerns have been addressed.

It should be noted that a CVC permit will be required for the development as proposed.

Please circulate CVC any future correspondence regarding this application.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at 905-670-1615 (ext. 236) should you have any further questions or concerns.

Comments Prepared by: Elizabeth Paudel, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A100.21
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 651 Byngmount Avenue, zoned R3-75 - 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 lot coverage of 40.40% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance; and
2. A rear yard setback of 4.45m (approx. 14.60ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.61ft) in this instance.

The Committee has set **Thursday April 8, 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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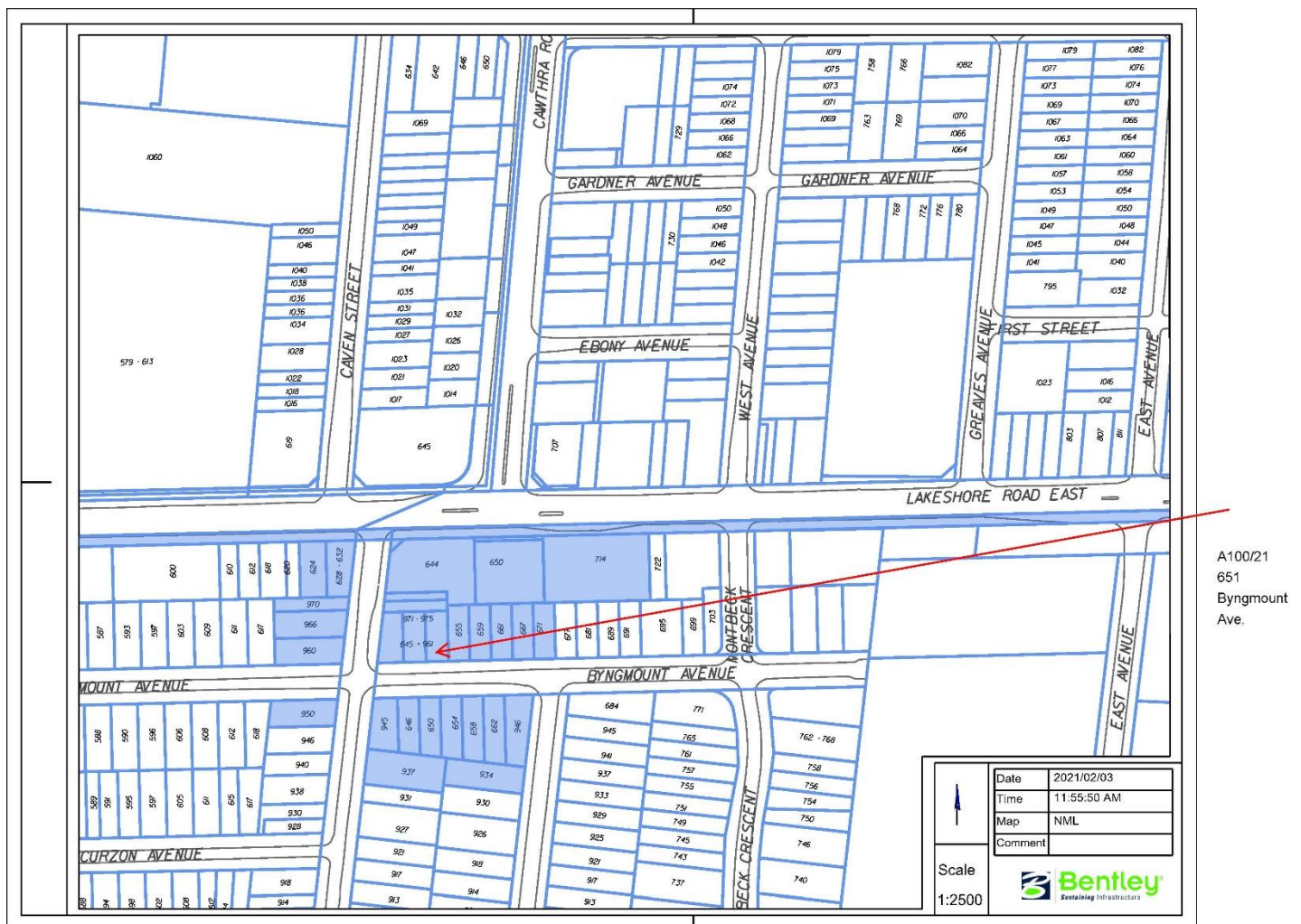
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-03-31	File(s): A100.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-08

Consolidated Recommendation

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

Application Details

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

1. A lot coverage of 40.40% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance; and
2. A rear yard setback of 4.45m (approx. 14.60ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.61ft) in this instance.

Background

Property Address: 651 Byngmount Avenue

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3-75 (Residential)

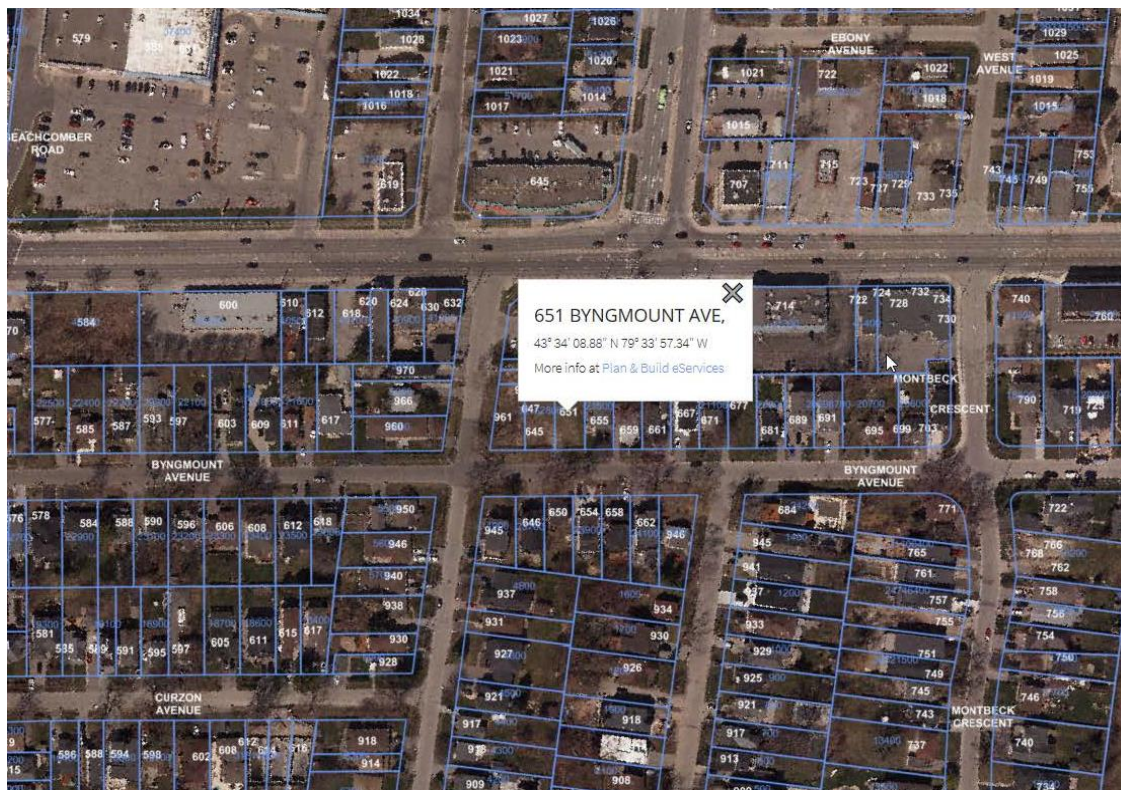
Other Applications:

Building Permit: 20-3546

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, south of Cawthra Road and Lakeshore Road East. The neighbourhood south of Lakeshore Road East is entirely residential, consisting of one and two storey detached dwellings with mature vegetation. The subject property is currently vacant, however, a new two storey detached dwelling has been proposed and is currently within the building permit process.

The applicant is requesting variances related to lot coverage and a rear yard setback to accommodate the proposed design.



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 application, 4% of the lot coverage is attributed to the front covered porch and rear covered patio. Excluding these features, the dwelling would have a lot coverage of 36%, which is a minor deviation from what is permitted. Regarding the reduced rear yard setback, it is only for a portion of the addition which projects in the rear yard. It does not continue through the entire width of the dwelling. As this is only a ground floor addition, there would be minimal impact to neighbouring properties in regards to massing. As such, staff is of the opinion that the application is appropriate to be handled through the minor variance process.

Conclusion

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

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 will be addressed through the Building Permit process, File BP 9NEW 20/3546.

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 20-3546. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Please note that comments reflect those provided through the above permit application submitted on 2021/01/05 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: Brian Bonner, Zoning Examiner

Appendix 5 – Region of Peel Comments

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

Please be advised that the subject property is located within the limits of the regulated area of the Credit Valley Conservation (CVC).

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

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A101.21
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 1441 Lochlin Trail, zoned R1-1 - 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 484.00sq.m (approx. 5209.73sq.ft) and 530.60sq.m (approx. 5711.33sq.ft) inclusive of garage whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 431.67sq.m (approx. 4646.46sq.ft) in this instance;
2. A lot coverage of 36% (438.60sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25% (302.00sq.m) in this instance;
3. A building height measured to the eaves of 6.57m (approx. 21.56ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 6.40m (approx. 21.00ft) in this instance;
4. An exterior side yard of 3.63m (approx. 11.91ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 7.50m (approx. 24.61ft) in this instance;
5. An interior side yard of 2.44m (approx. 8.01ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 3.00m (approx. 9.84ft) in this instance;
6. An exterior side yard measured to a window well of 2.93m (approx. 9.61ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to a window well of 6.89m (approx. 22.60ft) in this instance;
7. A front yard measured to the eaves of 7.00m (approx. 22.97ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the eaves of 7.50m (approx. 24.61ft) in this instance;
8. An exterior side yard measured to the eaves of 3.34m (approx. 10.96ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to the eaves of 7.50m (approx. 24.61ft) in this instance; and
9. An interior side yard measured to the eaves of 2.10m (approx. 6.89ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to the eaves of 3.00m (approx. 9.84ft) in this instance.

The Committee has set **Thursday April 8, 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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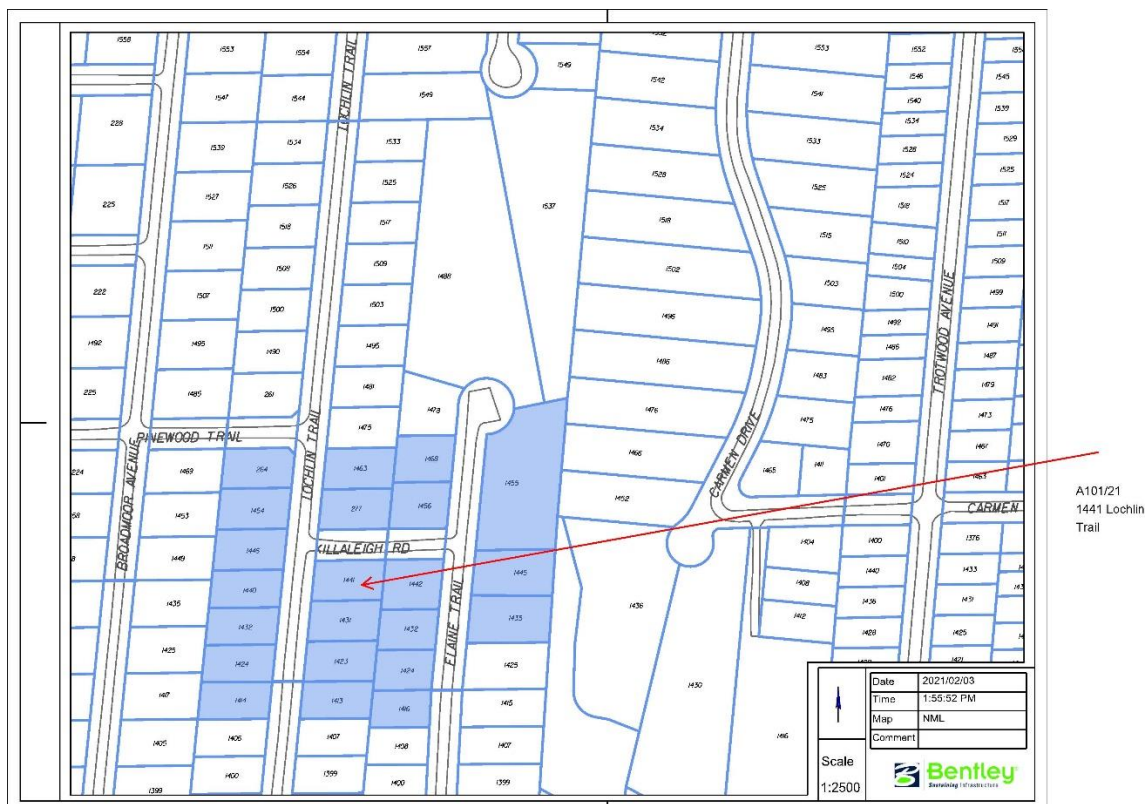
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-03-31	File(s): A101.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-08 1:00 PM

Consolidated Recommendation

The City has no objections to the requested variances.

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 484.00sq.m (approx. 5209.73sq.ft) and 530.60sq.m (approx. 5711.33sq.ft) inclusive of garage whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 431.67sq.m (approx. 4646.46sq.ft) in this instance;
2. A lot coverage of 36% (438.60sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25% (302.00sq.m) in this instance;
3. A building height measured to the eaves of 6.57m (approx. 21.56ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 6.40m (approx. 21.00ft) in this instance;
4. An exterior side yard of 3.63m (approx. 11.91ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 7.50m (approx. 24.61ft) in this instance;
5. An interior side yard of 2.44m (approx. 8.01ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 3.00m (approx. 9.84ft) in this instance;
6. An exterior side yard measured to a window well of 2.93m (approx. 9.61ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to a window well of 6.89m (approx. 22.60ft) in this instance;
7. A front yard measured to the eaves of 7.00m (approx. 22.97ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the eaves of 7.50m (approx. 24.61ft) in this instance;
8. An exterior side yard measured to the eaves of 3.34m (approx. 10.96ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to the eaves of 7.50m (approx. 24.61ft) in this instance; and
9. An interior side yard measured to the eaves of 2.10m (approx. 6.89ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to the eaves of 3.00m (approx. 9.84ft) in this instance.

Background

Property Address: 1441 Lochlin Trail

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R1-1 (Residential)

Other Applications:

Pre-Application: 20-4287

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, northeast of Hurontario Street and Mineola Road East. The neighbourhood is entirely residential, consisting one and newer two storey detached dwellings with mature vegetation. The subject property contains an existing one storey dwelling with vegetation throughout the lot.

The applicant is proposing a new two storey dwelling, requiring variances related to gross floor area, lot coverage, eave height and deficient exterior, interior and front 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 I in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached, semi-detached and duplex dwellings. Section 16.18.1 in the Mineola Neighbourhood Character Area of MOP, states that 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 scale of the proposal is also consistent with other two storey dwellings within the neighbourhood. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

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

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 also lessening the visual massing of the dwelling and bringing the edge of the roof closer to the ground, thus maintaining a human scale. In this instance, the overall height of the dwelling is less than the maximum permitted height of 9 m reducing the impact of the increased eave height. The proposed dwelling contains architectural features that break up the overall massing of the dwelling in relation to the streetscape and neighbouring properties. As a result, the proposed dwelling would maintain compatibility with the surrounding area. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #2 proposes a lot coverage of 36% whereas a maximum of 25% 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 eave projection, front covered porch and a deck which make up approximately 11% of the total lot coverage. Excluding these features, the dwelling would have a lot coverage of approximately 24%, less than the maximum permitted. These features do not add significant massing to the dwelling, thereby reducing impact to neighbouring properties. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variances #4 and #6 propose deficient exterior side yard setbacks. Through a review of the immediate area, a deficient exterior side yard setback is common and does not significantly impact the streetscape character. One of the exterior side yard setbacks is measured to the window well which does not represent any type of massing impact. Variance #5 proposes a deficient side yard of 2.44 m whereas 3 m is required. This represents a minor deviation from what is required and will not create any additional undue impact from what is required. The remaining variances are deficient setbacks measured to the eaves as they project greater than 0.45 m. The proposed eaves do not add any significant massing to the dwelling and will not significantly impact the neighbouring property and character streetscape. As such, staff is of the opinion that these variances are appropriate to be handled through the minor variance process and further, 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 maintain the context of the surrounding neighbourhood and do not pose any significant impact to the streetscape character. The dwelling maintains a height less than the maximum permitted 9 m, which lessens the impact of the increased eave height and 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. As a result the proposed dwelling maintains 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.

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 will be addressed through the required future Site Plan/Building Permit Application process.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file PREAPP 20-4287. 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

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A102.21
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 839 Central Parkway West, zoned E2-19 - 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 motor vehicle repair facility (existing) proposing:

1. 40 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 65 parking spaces in this instance;
2. No loading space whereas By-law 0225-2007, as amended, requires a minimum of 1 loading space in this instance; and
3. 1 accessible parking space whereas By-law 0225-2007, as amended, requires a minimum of 3 accessible parking spaces in this instance.

The Committee has set **Thursday April 8, 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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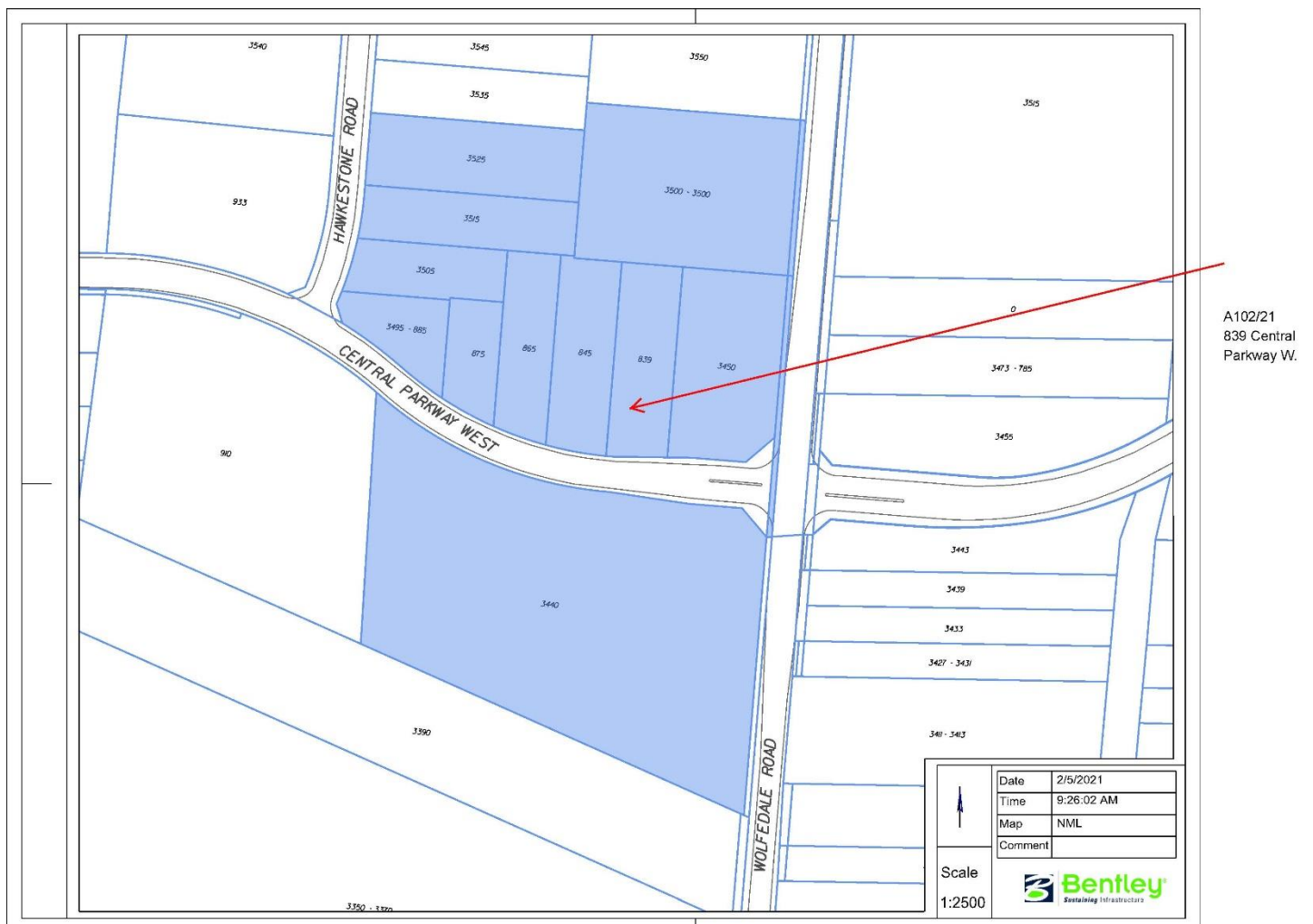
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-03-31	File(s): A102.21 Ward 6
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-08 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 motor vehicle repair facility (existing) proposing:

1. 40 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 65 parking spaces in this instance;
2. No loading space whereas By-law 0225-2007, as amended, requires a minimum of 1 loading space in this instance; and
3. 1 accessible parking space whereas By-law 0225-2007, as amended, requires a minimum of 3 accessible parking spaces in this instance.

Recommended Conditions and Terms

Planning Staff support the approval of the application, subject to the following conditions:

1. All vehicles awaiting repairs or related to the auto body repair garage shall be parked at the rear of the building.
2. A minimum of 13 indoor parking spaces shall be provided within the subject unit.

Background

Property Address: 839 Central Parkway West

Mississauga Official Plan

Character Area: Marvis-Erindale Employment Area
Designation: Business Employment

Zoning By-law 0225-2007

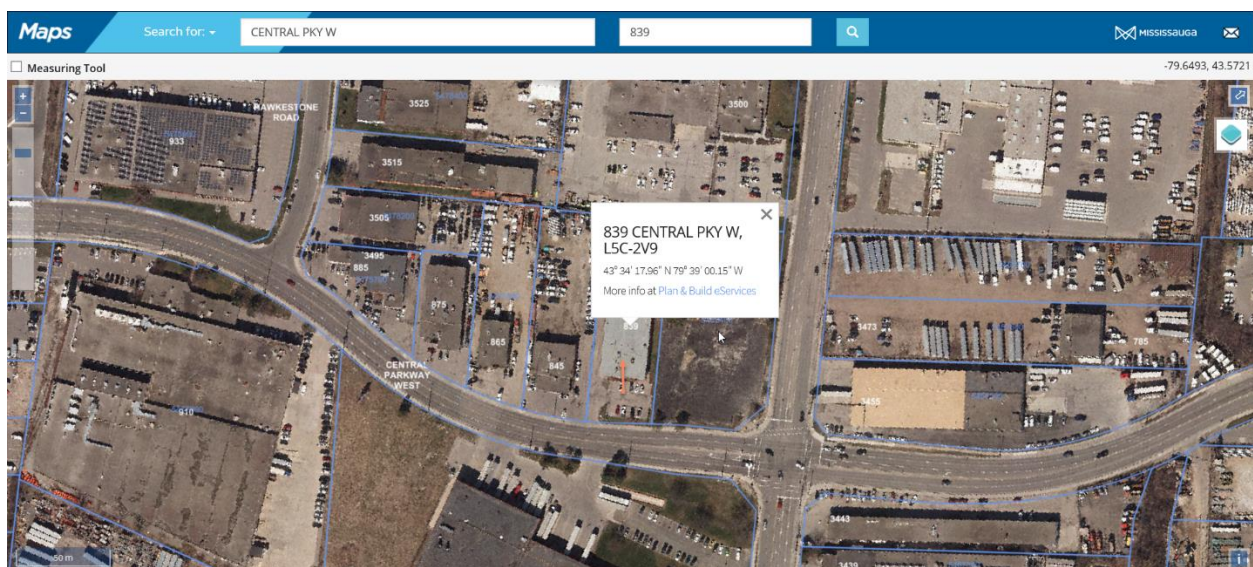
Zoning: E2-19 - Employment

**Other Applications: A197/14
A431/08**

Site and Area Context

The subject property is located at the north-west corner of the Central Parkway and Wolfedale Road intersection. The subject property is an interior parcel, with a lot area of +/- 3,817.21m² and a lot frontage of +/- 35.0m. The property currently houses a two-storey industrial building with minimal vegetation surrounding the built structure along the periphery of the parking lot. From a land-use perspective, the immediate neighbourhood is a mixture of automotive employment uses including collision centres, auto repair and car rental locations. The properties within the immediate area possess lot frontages of +/-35.0m with minimal vegetation and landscape elements located along the periphery of each parcel.

The temporary variance for the existing motor vehicle repair facility has expired; requiring the applicant to request variances for reduced parking spaces, loading spaces and accessibility 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 Mavis-Erindale Employment Character Area, and is designated Business Employment by the Mississauga Official Plan (MOP). Pursuant to Section 11.2.11(o) (Business Employment), this designation permits motor vehicle body repair facilities. The Applicant's proposal of a motor vehicle body repair use meets the purpose and general intent of the Official Plan.

As per Zoning By-law 0225-2007, the subject property is zoned E2-19 (Employment). Table 3.1.2.2 (Required Number of Parking Spaces for Non-Residential Uses), regulates the required parking rates for the uses permitted on this site. The intent in quantifying this amount is to ensure that each structure is self-sufficient in providing adequate parking accommodations based upon its intended use. The proposed application is a continuation of previously approved temporary applications, A197/14 and A 431/08. A 5 year temporary variance on the subject property was granted under these previous applications, subject to the following conditions:

1. All vehicles awaiting or related to the auto body repair garage use shall be parked at the rear of the building.
2. A minimum of 13 indoor parking spaces shall be provided within the subject unit.

Site Plan A01 (no date) submitted in support of the application shows the required spaces being provided at the rear of the building, and 13 spaces being provided inside.

City Planning Strategies Staff (CPS) note, the original approval in 2008 was supported by a parking study, the conditions have been maintained, and no complaints have been lodged with the City. As such, Staff can support the proposed variance with the following conditions:

1. All vehicles awaiting repairs or related to the auto body repair garage shall be parked at the rear of the building.
2. A minimum of 13 indoor parking spaces shall be provided within the subject unit.

Planning Staff note that no changes have been proposed and therefore echo CPS Staff's comments and support a permanent approval of the application.

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. As this application has been approved previously by the committee, Planning staff support the permanent approval of this application.

Conclusion

The Planning and Building Department has no objection to the variances, as requested subject to the imposed conditions.

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

Appendices

Appendix 1 – Transportation and Works Comments

Attached for Committees information are photos which depict the subject property.





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

City Department and Agency Comments	File:A102.21	2021/03/31	7
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We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A103.21
Ward: 9

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 7634 Doverwood Drive, zoned RM2-25, 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 below grade stairwell proposing:

1. An exterior side yard measured to a stairwell of 4.00m (approx. 13.12ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to a stairwell of 4.50m (approx. 14.76ft) in this instance; and
2. A below grade entrance in an exterior side yard whereas By-law 0225-2007, as amended, does not permit a below grade entrance in an exterior side yard in this instance.

The Committee has set **Thursday April 8, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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

How to submit a written comment:

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

Advance registration is required to participate in the electronic hearing:

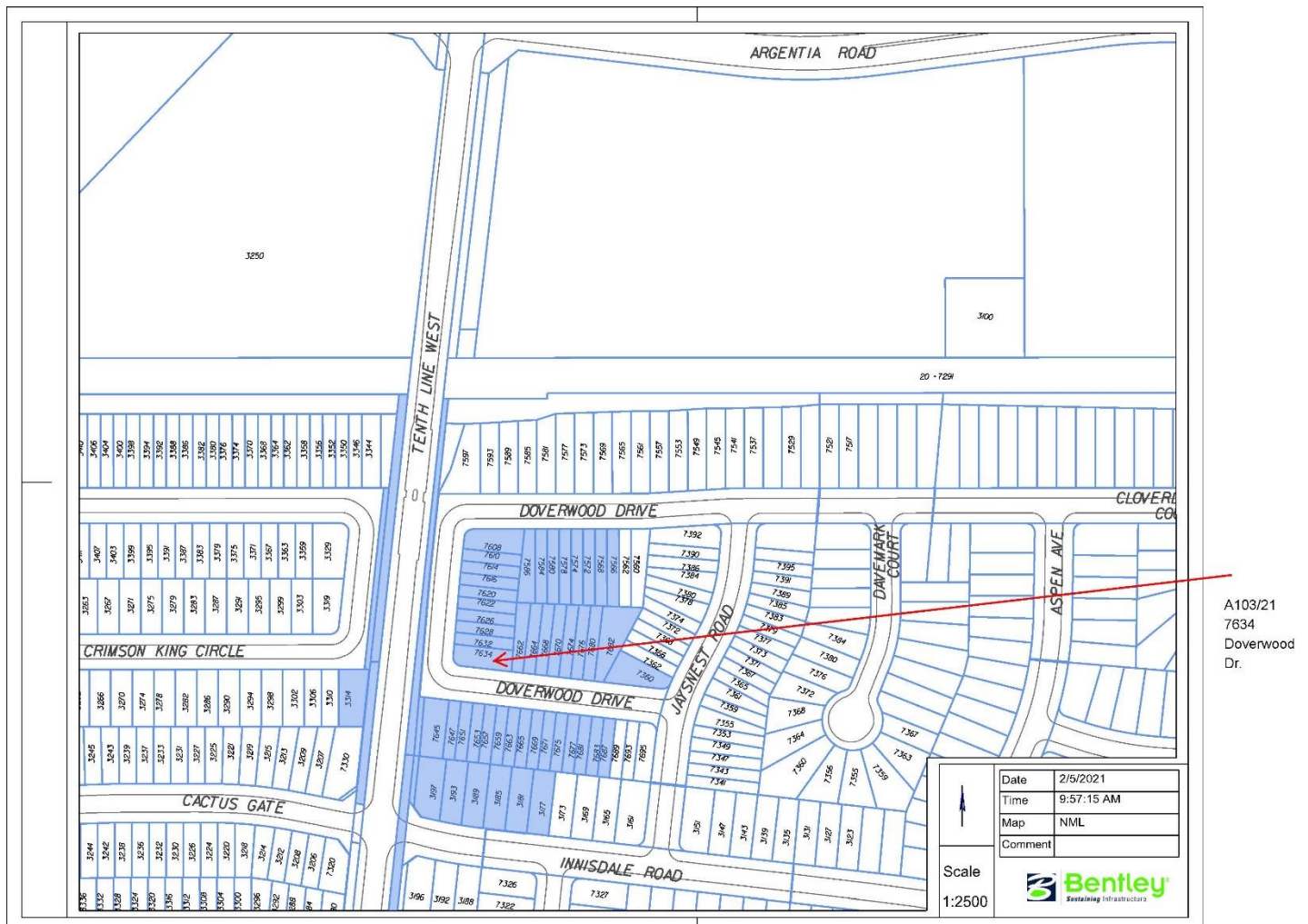
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Legal notice:

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



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-03-31	File(s): A103.21 Ward 9
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-08 1:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a below grade stairwell proposing:

1. An exterior side yard measured to a stairwell of 4.00m (approx. 13.12ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to a stairwell of 4.50m (approx. 14.76ft) in this instance; and
2. A below grade entrance in an exterior side yard whereas By-law 0225-2007, as amended, does not permit a below grade entrance in an exterior side yard in this instance.

Amendments

The Building Department is currently processing a building permit application under file SEC UNIT 21-4743. Based on review of the information currently available for this building permit, we advise that the following variance(s) should be amended/added as follows:

1. An exterior side yard measured to a stairwell of 4.00m (approx. 13.12ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 4.50m (approx. 14.76ft) in this instance;
2. Stairs, stairwell and retaining wall to facilitate an entrance below grade within the exterior side yard whereas By-law 0225-2007, as amended, does not permit Stairs, stairwell and retaining wall to facilitate an entrance below grade within the exterior side yard in this instance.
3. A new pedestrian entrance facing a street to facilitate second dwelling unit, whereas By-law 0225-2007, as amended, does not permit A new pedestrian entrance facing a street

to facilitate second dwelling unit in this instance.

Background

Property Address: 7634 Doverwood Drive

Mississauga Official Plan

Character Area: Meadowvale Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

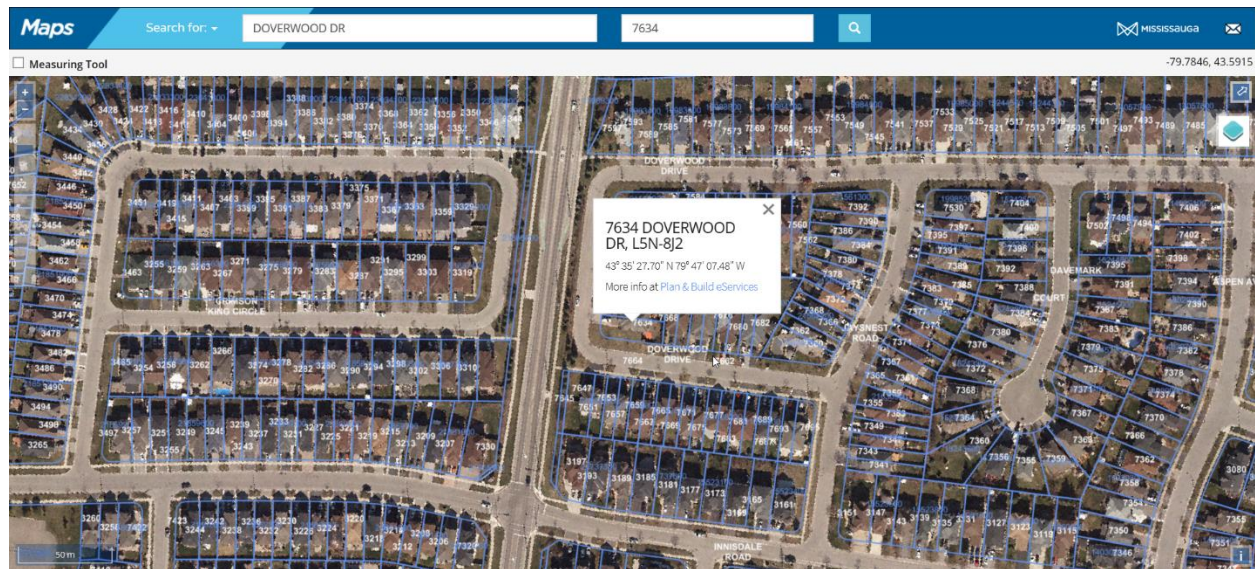
Zoning: RM2-25

Other Applications: Sec UNIT 21-4743 SU

Site and Area Context

The subject property is located south-east of the Argentia Rd and Tenth Line W. intersection. The property is an exterior parcel with a lot area of +/- 359.6m² and a lot frontage of +/- 10.9m. Currently the property houses a semi-detached dwelling with minimal vegetation and landscape elements within the front and rear yards. Contextually, the area is comprised primarily of semi-detached dwellings that possess lot frontages +/-6.80m and minimal vegetation and landscape elements in the front yards.

The applicant is proposing a secondary unit that requires variances for a reduced side yard and a below grade entrance.



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 within the Meadowvale Neighbourhood character area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density II designation permits detached dwellings; semi-detached dwellings, duplex dwellings and triplexes, street townhouse and other forms of low-rise dwellings with individual frontages. 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 secondary unit is permitted within this designation; 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 of the by-law in prohibiting a below grade entrance in the exterior side yard is to prevent a negative visual impact to the overall streetscape. As is the case with the majority of below-grade entrances, Planning Staff note the absence of any true massing resulting from the

proposal. While the exterior side yard setback has been reduced to 4.00m to accommodate the below grade entrance, adequate access to the rear yard still remains. The applicant has also amended their site plan to extend the existing fence so that it sufficiently screens the entrance from the streetscape. Planning Staff find the application maintains 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?

Given the location of the proposed below grade entrance Staff are of the opinion that any potential impacts from the minor variances are minimized by sufficient screening from the streetscape. The variance as requested, will result in the orderly development of the lands whose impacts will be minor in nature. Staff is of the opinion that the application raises no concerns of a planning nature.

Conclusion

Planning Staff have no objection to the variances, as amended.

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

Appendices

Appendix 1 – Transportation and Works Comments

We are noting that the location of the proposed below grade stairwell entrance will not alter the existing grading and drainage pattern for this property.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

BP RECEIVED, AMEND VARIANCE

The Building Department is currently processing a building permit application under file SEC UNIT 21-4743. Based on review of the information currently available for this building permit, we advise that the following variance(s) should be amended/added as follows:

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2. Stairs, stairwell and retaining wall to facilitate an entrance below grade within the exterior side yard whereas By-law 0225-2007, as amended, does not permit Stairs, stairwell and retaining wall to facilitate an entrance below grade within the exterior side yard in this instance.
3. A new pedestrian entrance facing a street to facilitate second dwelling unit, whereas By-law 0225-2007, as amended, does not permit A new pedestrian entrance facing a street to

facilitate second dwelling unit in this instance.

Our comments are based on the plans received by Zoning staff on 12/18/2020 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

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A106.21
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 28 Ann Street, zoned H-RA5-53 - Holding & Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a building canopy proposing a canopy projection (15th storey facing Park Street East) of 6.00m (approx. 19.69ft) whereas By-law 0225-2007, as amended, permits a maximum canopy projection of 2.20 (approx. 7.22ft) in this instance.

The Committee has set **Thursday April 8, 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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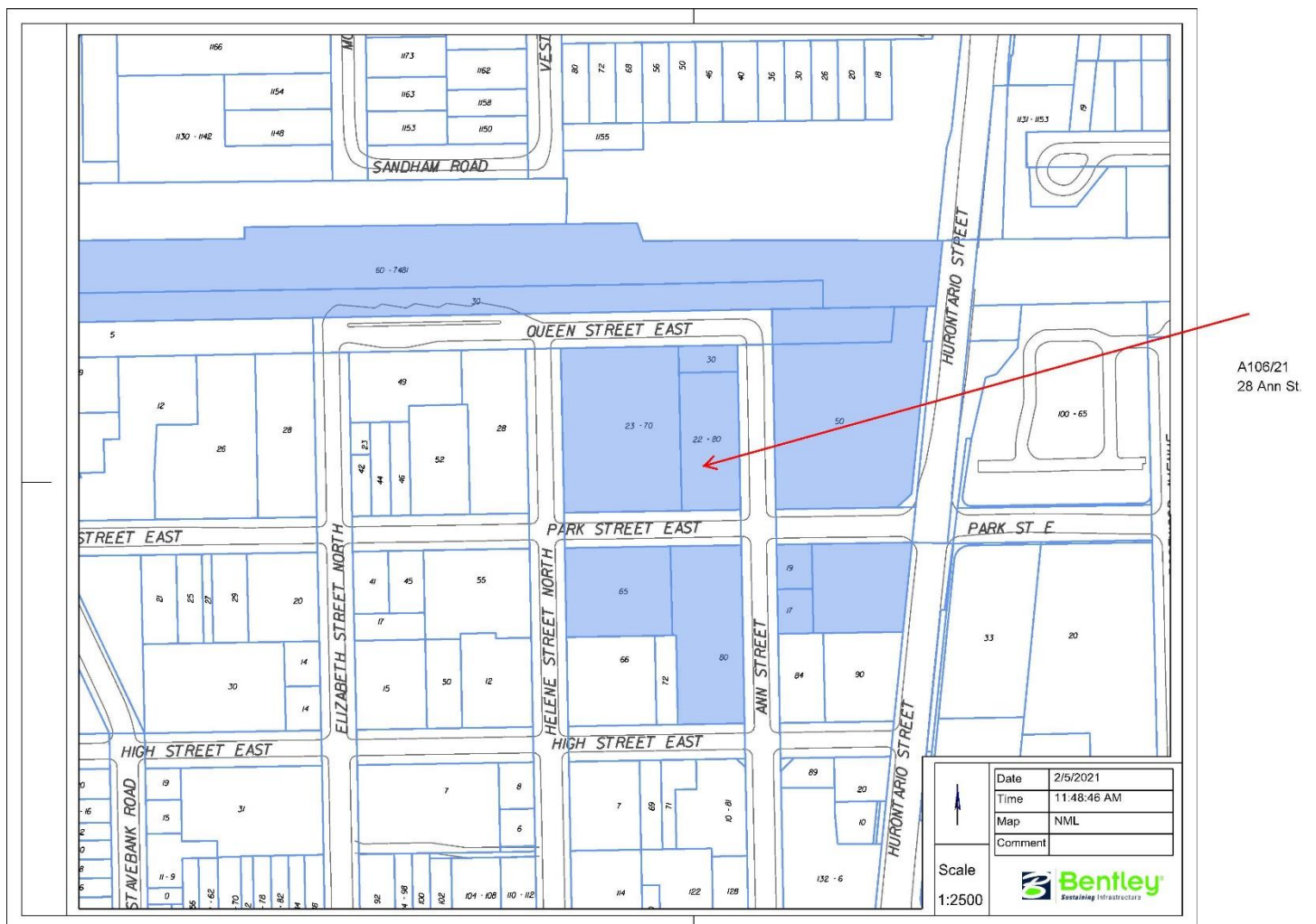
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-03-31	File(s): A106.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-08 1:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow a building canopy proposing a canopy projection (15th storey facing Park Street East) of 6.00m (approx. 19.69ft) whereas By-law 0225-2007, as amended, permits a maximum canopy projection of 2.20 (approx. 7.22ft) in this instance.

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)

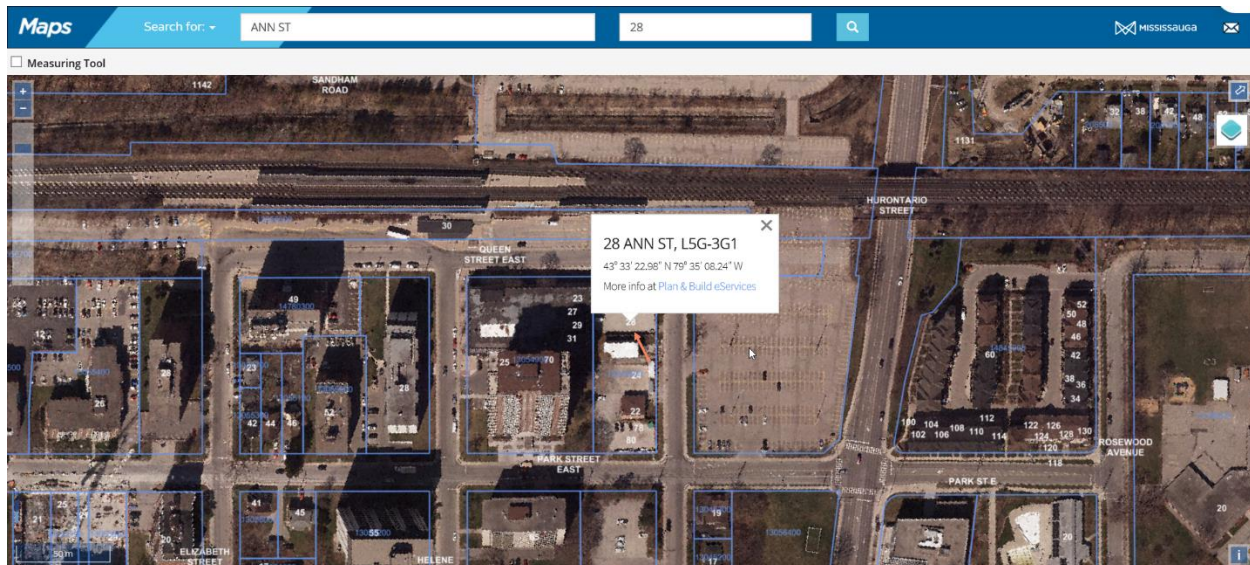
Other Applications:

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

Site and Area Context

The subject property is located within the Port Credit Community Node Character Area, 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. Through the site plan process it was identified that a variance is required for a canopy projection.



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 currently undergoing a site plan review process for the plans that supported the Zoning By-law Amendment approved by Council. Through the site plan process,

additional details regarding the proposed plans were submitted which identified additional deficiencies that were not captured through the zoning process.

The proposed canopy projection is due to the design of the condominium and is only located on the 15th storey. While the canopy projection faces Park Street East, it will not have an impact on the streetscape and public realm because of the building design. The floors below the 15th storey project further out, minimizing any potential negative impact the canopy projection would have on the public realm. As such, staff is of the opinion that the application is appropriate to be handled through the minor variance process and further, raise 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 the proposed development are being addressed through the Site Plan Application SP-20/051 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 site plan application under file SP 20-51 W1. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 5 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A107.21
Ward: 10

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 5609 Meadowcrest Avenue, zoned RM2-55 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a second unit (basement apartment) proposing two parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 3 parking spaces in this instance.

The Committee has set **Thursday April 8, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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How to submit a written comment:

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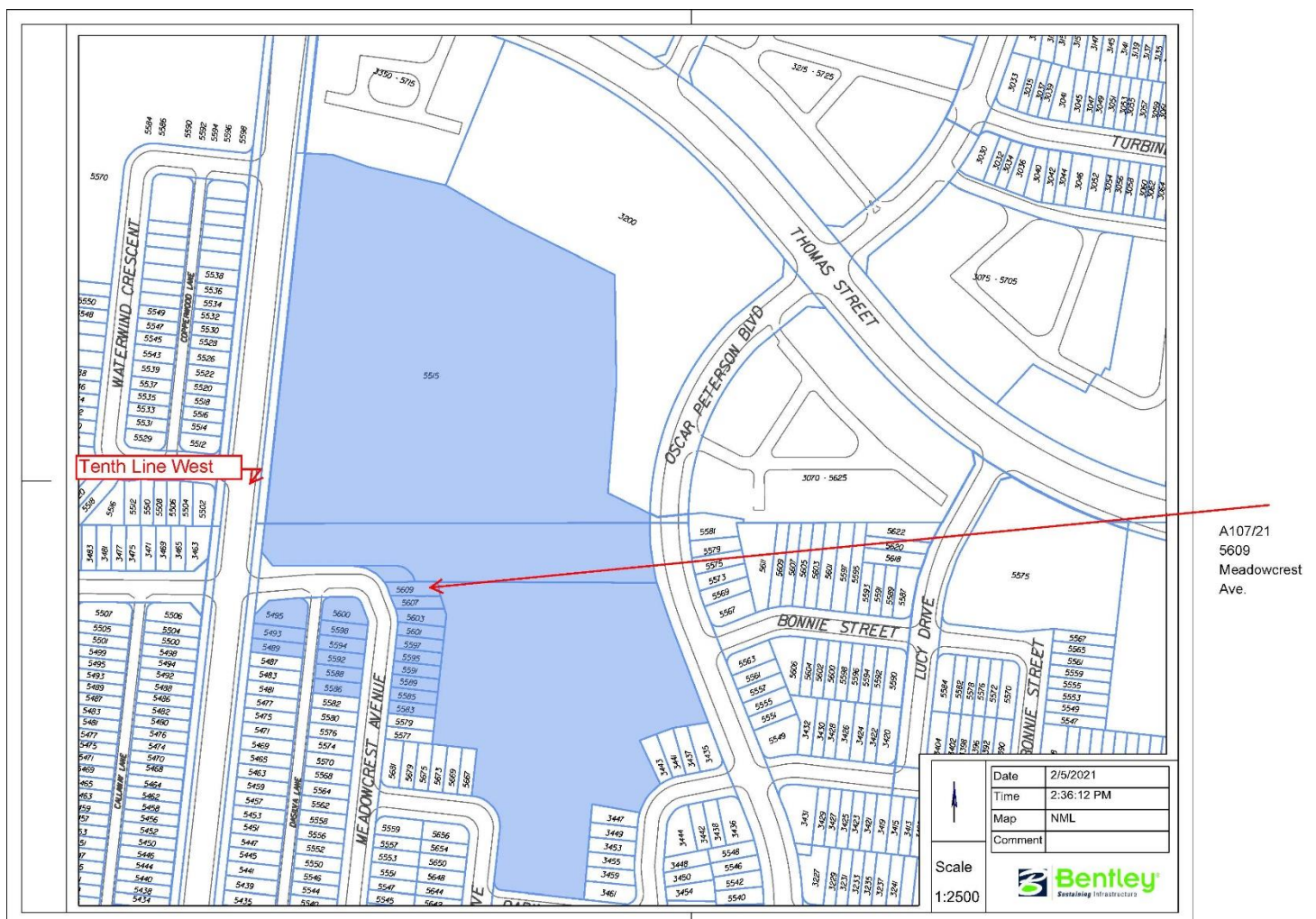
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-03-31	File(s): A107.21 Ward 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-08 1:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow a second unit (basement apartment) proposing two parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 3 parking spaces in this instance.

Background

Property Address: 5609 Meadowcrest Avenue

Mississauga Official Plan

Character Area: Churchill Meadows Neighbourhood
Designation: Residential Medium Density

Zoning By-law 0225-2007

Zoning: RM2-55 - Residential

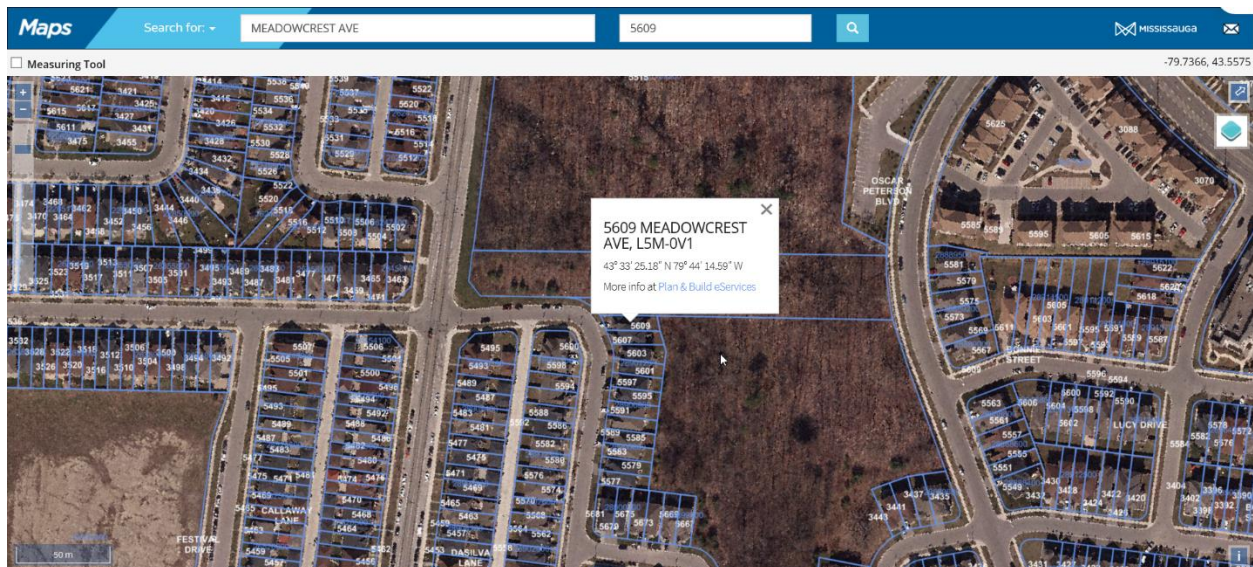
Other Applications: None

Site and Area Context

The subject property is located east of the Tenth Line W. and Meadowcrest Ave. intersection and currently houses a two-storey semi-detached dwelling with an attached single-car garage.

The subject property is an exterior parcel with a lot area of +/- 237.33m² and a lot frontage of +/- 8.54m, possessing minimal vegetation and landscaping in the front and rear yard. Contextually, the area is comprised exclusively of semi-detached dwellings. Properties within the immediate area possess lot frontages of +/-7.5m, with minimal vegetative / natural landscaped elements within the front yards.

The applicant has proposed a secondary unit in the basement that requires a variance for reduced parking.



Comments

Planning

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

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

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

The site is located within the Churchill Meadows Neighbourhood Character Area and is currently designated Residential Medium Density by the Mississauga Official Plan (MOP). Pursuant to

Section 7 (Complete Communities) of the MOP, the City is committed to meeting the housing needs of people of all ages, abilities and income groups. The MOP encourages housing forms that support the living and working of residents in Mississauga. Secondary units help the City reach its affordable housing target, required by the Province, by expanding the diversity of affordable housing units available in local communities. Staff are of the opinion that the application meets the criteria under Section 7.2 of the MOP.

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

The intent in quantifying the required number of parking spaces is to ensure that each structure is self-sufficient in providing adequate parking accommodations based upon its intended use. As per Zoning By-law 0225-2007, 3 parking spaces are required; whereas, the applicant is proposing 2 parking spaces. Mississauga has prioritized its role in supporting the delivery of a range of housing however; a report entitled, Housing Choices: Second Units Implementation Strategy, dated June 4, 2013 (prepared by City Staff), notes the impact of such a reduction. This report notes that the proposed zoning by-law for second units includes a number of regulations intended to protect neighbourhood character including the requirement for one on-site parking space for the second unit. This is in addition to the required parking for the primary unit of 2 spaces as noted in Section 4.1.20.9 which is intended to regulate second units where the dwelling and property can accommodate them.

As per Council Resolution CPD-121-91, semi-detached dwellings on lots with a frontage of 12m or less require a minimum of 3 parking spaces per dwelling, including those in a garage. Although the proposed reduction does not meet the requirements under the zoning by-law there remains an opportunity to park three vehicles on site. The third vehicle will technically be parked in the municipal right of way, but accommodated on the driveway of the subject property. Additionally there is 15 hour visitor parking available around the corner.

With the parking space will be accommodated outside of the travelled portion of the right of way, Planning Staff have determined the proposed on-site parking reduction can be supported in this instance.

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

While the applicant's proposed parking reduction does not comply with the zoning bylaw, the intent of the parking regulation is being maintained by providing the required parking outside of the travelled portion of the right of way. Planning Staff are of the opinion that the variance is minor in nature and is results in the orderly development of the lands.

Conclusion

Based upon the preceding information, the Planning and Building Department has no objection. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

City Department and Agency Comments	File:A107.21	2021/03/31	4
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Comments Prepared by: Brooke Herczeg RPP, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Attached for Committees information are photos which depict the subject property.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file SEC UNIT 21-4845. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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

Comments Prepared by: Jeanine Benitez, Zoning Examiner

Appendix 5 – Region of Peel Comments

City Department and Agency Comments	File:A107.21	2021/03/31	7
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We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A108.21
Ward: 10

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 6736 Lisgar Drive, zoned R4 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an accessory structure (gazebo) proposing:

1. A lot coverage of an accessory structure of 14.99sq.m (approx. 161.35sq.ft) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of an accessory structure of 10.00sq.m (approx. 107.64sq.m) in this instance; and
2. An accessory structure height of 3.63m (approx. 11.91ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.00m (approx. 9.84ft) in this instance.

The Committee has set **Thursday April 8, 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.

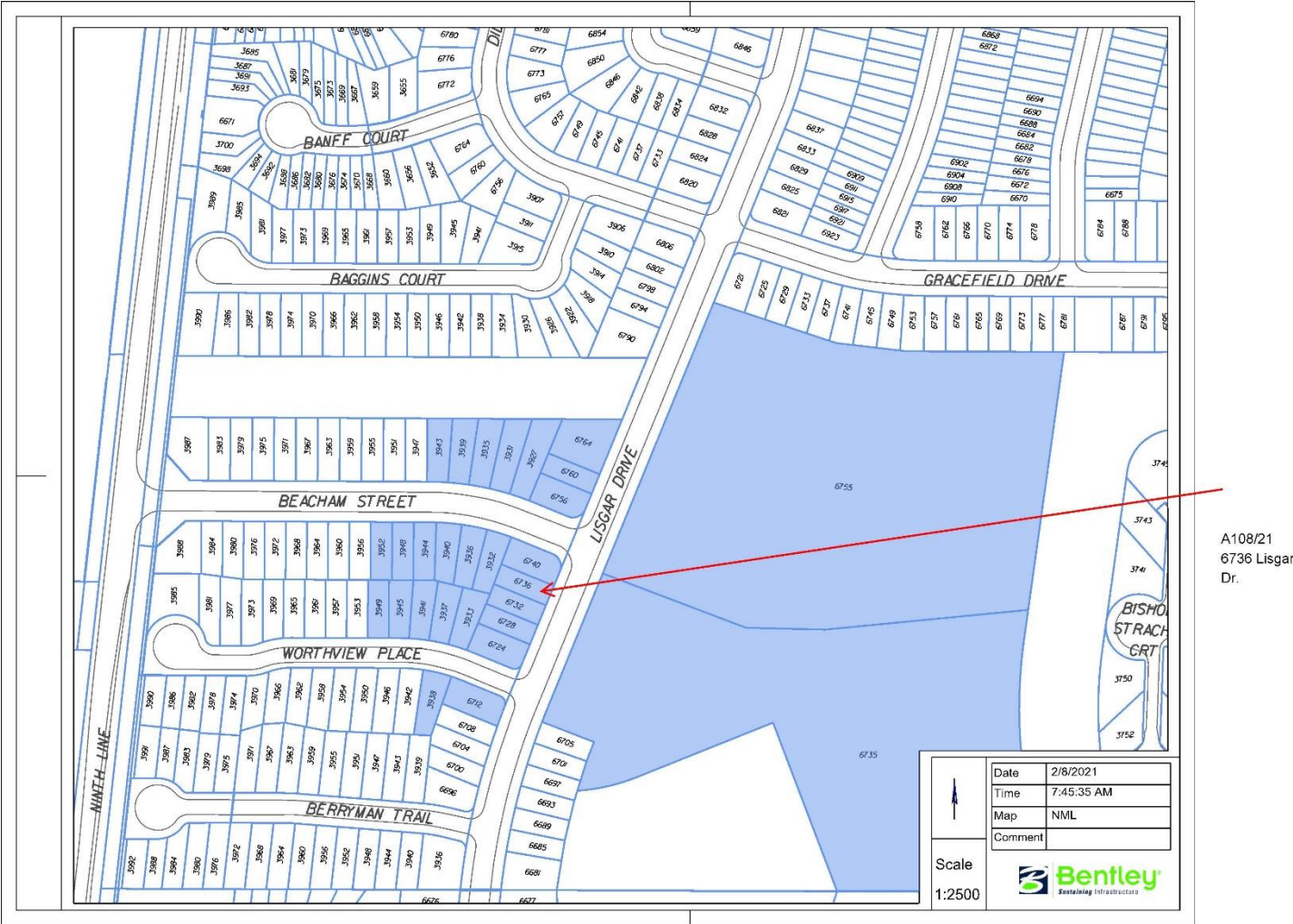
Advance registration is required to participate in the electronic hearing:

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: 2021-03-08	File(s): A108.21 Ward: 6
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-08 1:00 PM

Consolidated Recommendation

The City recommends that the application be deferred to allow the applicant the opportunity to provide more information.

Application Details

The applicant requests the Committee to approve a minor variance to allow an accessory structure (gazebo) proposing:

1. A lot coverage of an accessory structure of 14.99sq.m (approx. 161.35sq.ft) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of an accessory structure of 10.00sq.m (approx. 107.64sq.m) in this instance; and
2. An accessory structure height of 3.63m (approx. 11.91ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.00m (approx. 9.84ft) in this instance.

Amendments

1. An occupied area of an accessory structure of 14.99sq.m (approx. 161.35sq.ft) whereas By-law 0225-2007, as amended, permits a maximum occupied area of per accessory structure of 10.00sq.m (approx. 107.64sq.m) in this instance;
2. An accessory structure height of 3.63m (approx. 11.91ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.00m (approx. 9.84ft) in this instance and;
3. A lot coverage of 44.63 % (172.46 sq. m.) for the zone R4, whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40% (154.57 sq. m.) for zone R4.

Background

Property Address: 6736 Lisgar Drive

Mississauga Official Plan

Character Area: Lisgar Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

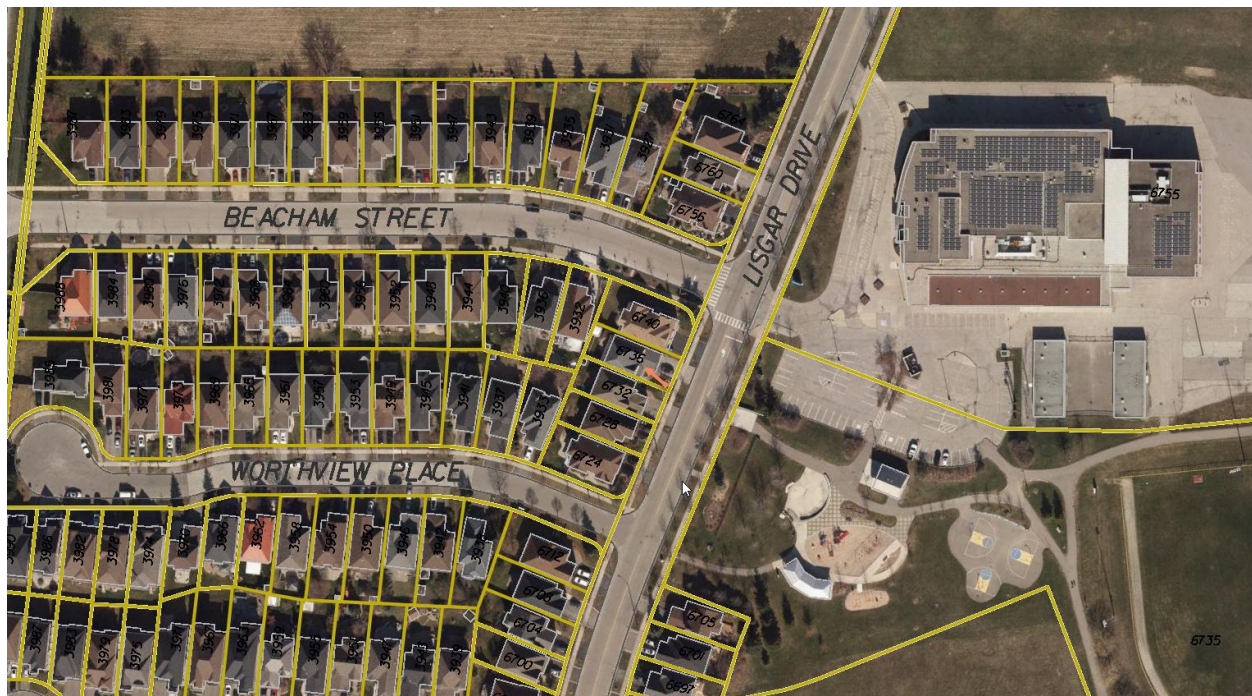
Zoning: R4 - Residential

Other Applications: None

Site and Area Context

The property is located south-east of the Ninth Line and Beachman St intersection, and currently houses a two-storey detached dwelling with minimal vegetation and landscape elements in the front and rear yards. The subject property is an interior parcel, with a lot area of approximately +/- 386.42m² and a lot frontage of approximately +/- 11.99m. Contextually, the surrounding neighbourhood consists exclusively of two-storey detached dwellings. The properties within the immediate area possess lot frontages of +/- 12.0m, with minimal vegetative / natural landscaped elements within the front yards.

The applicant is proposing a new accessory structure that requires variances related to lot coverage, and height.



Comments

Planning

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

Staff comments concerning the application are as follows:

Through correspondence with Transportation and Works on March 19, 2021 as well as the Applicant on March 24th 2021, Staff have been made aware that there is an existing fireplace located within the gazebo structure. Staff note, the applicant has provided measurements through email correspondence but recommend that the submitted drawings be updated to include the fireplace. As such, more information is required to verify the accuracy of the requested variances, and to determine whether additional variance(s) will be required.

Planning staff note that until this additional information is provided, staff is unsure if this proposal meets the general intent and purpose of the zoning by-law. Furthermore, staff cannot determine whether the above-noted variances represent the orderly development of the lands, or whether the resulting effects are in fact minor in nature. As a result, the application should be deferred.

Conclusion

Planning Staff recommend that the application be deferred to allow the applicant the opportunity to submit the requested information.

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

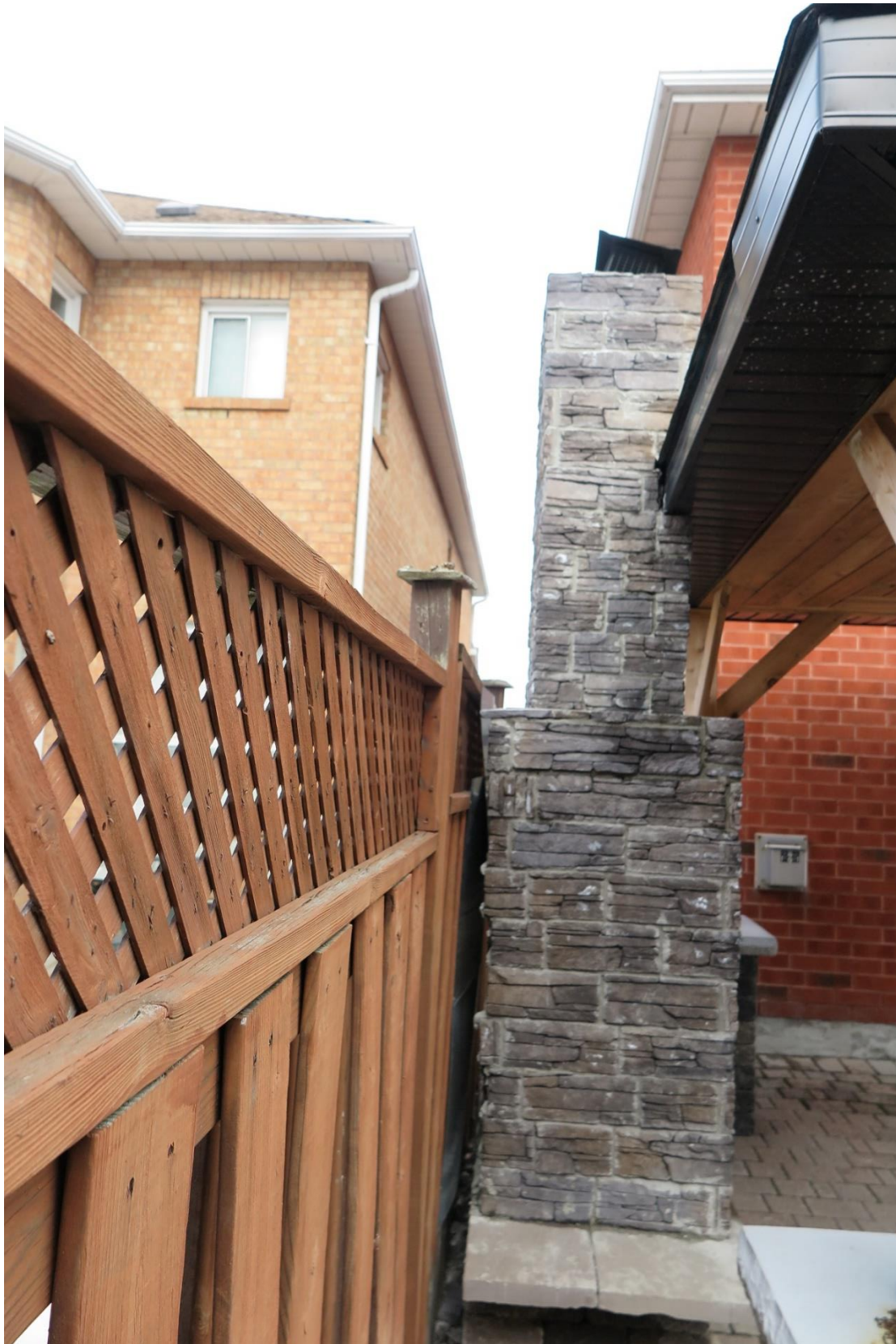
Appendices

Appendix 1 – Transportation and Works Comments

We are noting that the Grading Plan approved for this property (Grade Control Plan C-31902) depicts a split drainage pattern where the high point shown is approximately at the rear of the dwelling. This grading pattern means that any drainage from the rear of the dwelling (area where structure constructed) was intended to be directed to the rear yard and then in a southerly direction (to a catchbasin located at 3933 Worthview Place).

The accessory structure constructed does have an adequate setback from the fence to allow for a drainage swale; however, a fireplace/structure has been constructed between the accessory structure and fence which may slightly impede the minimal amount of drainage which was intended to be accommodated through this area.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The applicant requests the Committee to approve a minor variance to allow an accessory structure (gazebo) proposing:

1. An occupied area of an accessory structure of 14.99sq.m (approx. 161.35sq.ft) whereas By-law 0225-2007, as amended, permits a maximum occupied area of per accessory structure of 10.00sq.m (approx. 107.64sq.m) in this instance;
2. An accessory structure height of 3.63m (approx. 11.91ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.00m (approx. 9.84ft) in this instance and;
3. A lot coverage of 44.63 % (172.46 sq. m.) for the zone R4, whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40% (154.57 sq. m.) for zone R4.

Comments Prepared by: Sherri Takaloo, Zoning Examiner

Appendix 5 – Region of Peel Comments

City Department and Agency Comments	File:A108.21	2021/03/31	7
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We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A109.21 A110.21
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 5196 Durie Road & 5202 Durie Road, zoned R2-18, G2-3 - Residential and Greenlands, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance (A109.21) to allow the construction of a new house proposing:

1. A setback measured from the dwelling to a G2-3 Zone (Greenlands) of 12.05m (approx. 39.53ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured from a dwelling to a G2-3 Zone of 15.00m (approx. 49.21ft) in this instance;
2. A setback measured from a deck to a G2-3 Zone (Greenlands) of 7.85m (approx. 25.75ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured from a deck to a G2-3 Zone of 15.00m (approx. 49.21ft) in this instance; and
3. An interior side yard measured to a second storey of 1.67m (approx. 5.48ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to a second storey of 2.41m (approx. 7.91ft) in this instance.

The applicant requests the Committee to approve a minor variance (A110.21) to allow the construction of a new house proposing:

1. A setback measured from the dwelling to a G2-3 Zone (Greenlands) of 8.84m (approx. 29.00ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured from a dwelling to a G2-3 Zone of 15.00m (approx. 49.21ft) in this instance;
2. A setback measured from a deck to a G2-3 Zone (Greenlands) of 5.41m (approx. 17.75ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured from a deck to a G2-3 Zone of 15.00m (approx. 49.21ft) in this instance; and
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The Committee has set **Thursday April 8, 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:

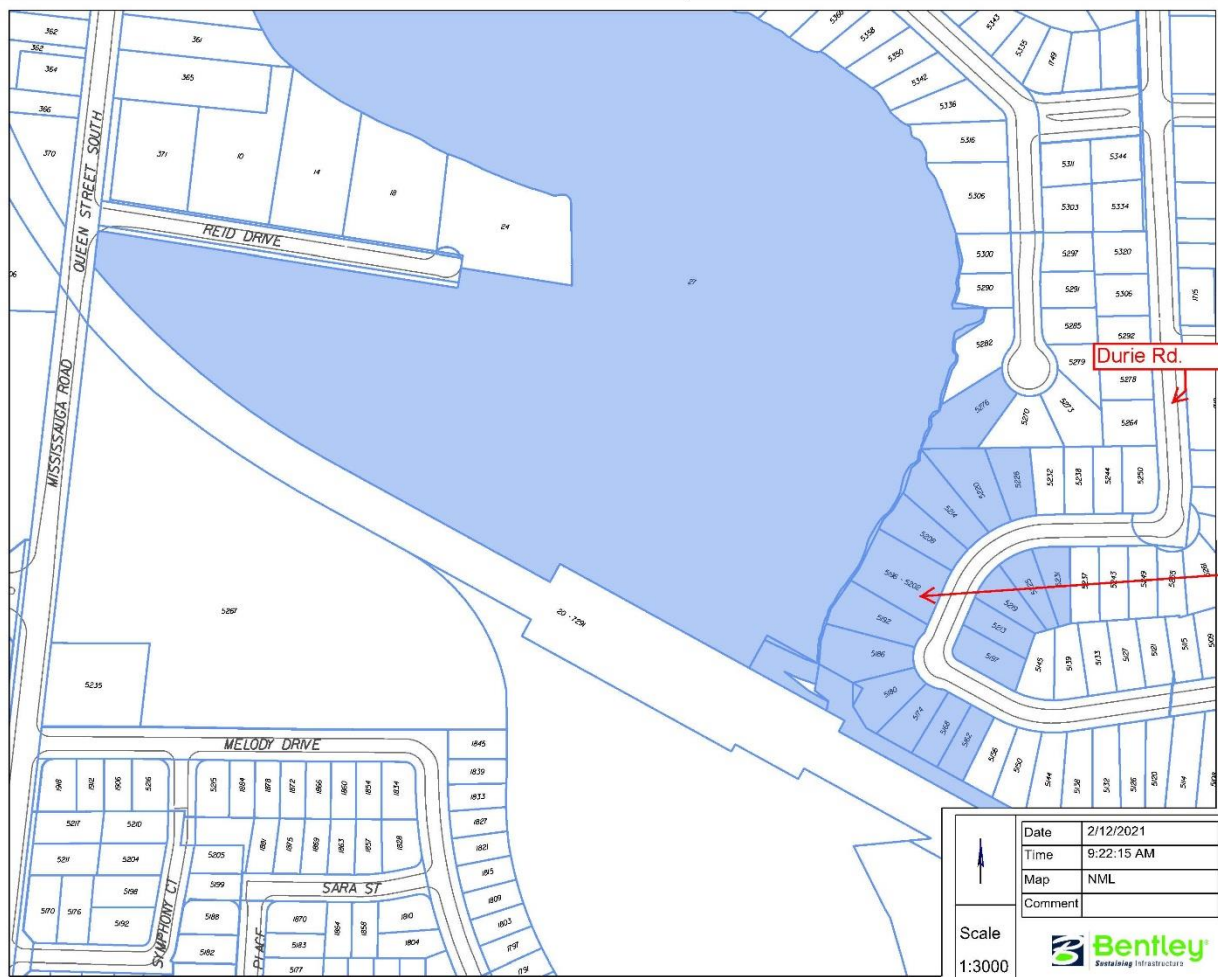
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Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process 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.



A109/21
5196 Durie
Rd.
A110/21
5202 Durie
Rd.

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-03-31	File(s): A109.21 A110.21 Ward: 6
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-08

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance (A109.21) to allow the construction of a new house proposing:

1. A setback measured from the dwelling to a G2-3 Zone (Greenlands) of 12.05m (approx. 39.53ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured from a dwelling to a G2-3 Zone of 15.00m (approx. 49.21ft) in this instance;
2. A setback measured from a deck to a G2-3 Zone (Greenlands) of 7.85m (approx. 25.75ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured from a deck to a G2-3 Zone of 15.00m (approx. 49.21ft) in this instance; and
3. An interior side yard measured to a second storey of 1.67m (approx. 5.48ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to a second storey of 2.41m (approx. 7.91ft) in this instance.

The applicant requests the Committee to approve a minor variance (A110.21) to allow the construction of a new house proposing:

1. A setback measured from the dwelling to a G2-3 Zone (Greenlands) of 8.84m (approx. 29.00ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured from a dwelling to a G2-3 Zone of 15.00m (approx. 49.21ft) in this instance;
2. A setback measured from a deck to a G2-3 Zone (Greenlands) of 5.41m (approx. 17.75ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured from a deck to a G2-3 Zone of 15.00m (approx. 49.21ft) in this instance; and
3. An interior side yard measured to a second storey of 1.67m (approx. 5.48ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to a second storey of 2.41m (approx. 7.91ft) in this instance.

City Department and Agency Comments	File:A109.21 A110.21	2021/03/31	2
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Amendments

The Building Department is currently processing building permit application BP 9NEW 20-2830 (5202 Durie Rd). Based on review of the building permit plans submitted on 3/2/2021 the following amendment is required:

2. A setback measured from a deck to a G2-3 Zone (Greenlands) of 5.14m (16.86ft); whereas By-law 0225-2007, as amended, requires a minimum setback measured from a deck to a G2-3 Zone of 15.00m (approx. 49.21ft) in this instance;

Background

Property Address: 5196 Durie Road & 5202 Durie Road

Mississauga Official Plan

Character Area: East Credit Neighbourhood
Designation: Greenlands & Residential Low Density I

Zoning By-law 0225-2007

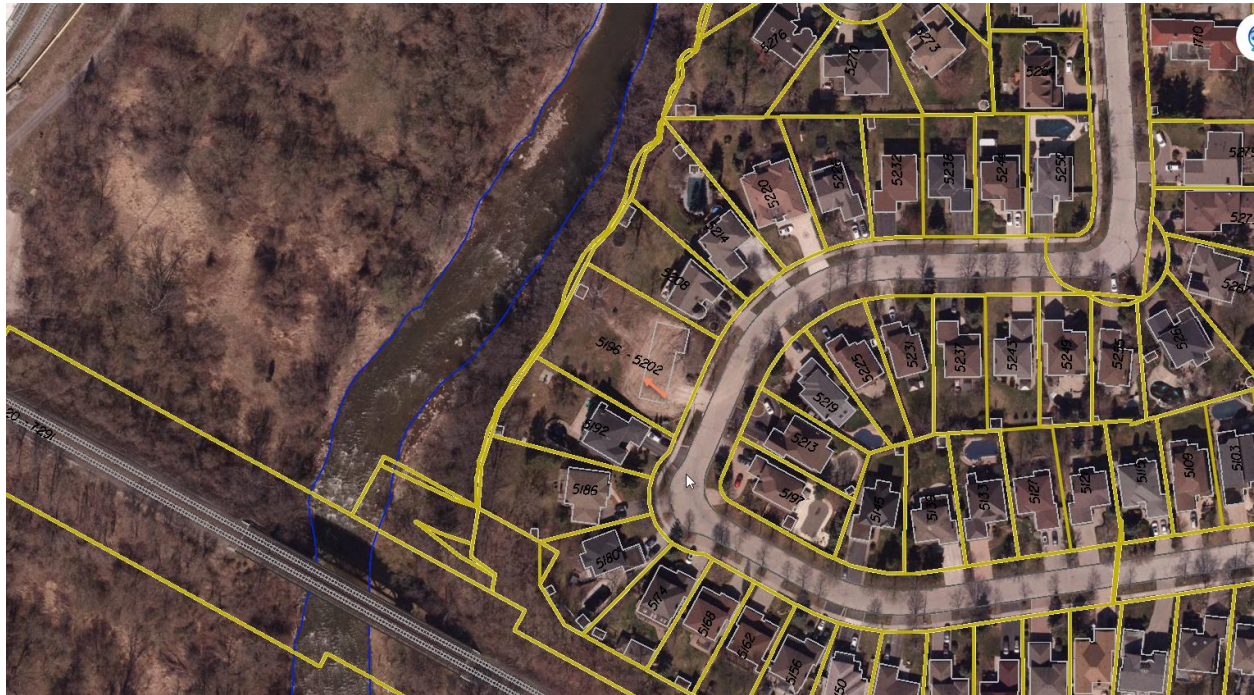
Zoning: R2-18, G2-3 - Residential and Greenlands

Other Applications: BP New 20-2829
A46/20
B60/19

Site and Area Context

The Subject lands are located north-west of the Creditview Rd and Eglinton Ave W intersection and are currently vacant. The subject properties abut one another and are interior parcels with lot areas of approximately +/- 978.8m² and lot frontages of approximately +/- 18.18m. The immediate neighbourhood consists entirely of detached dwellings with a mixture of architectural designs, situated on generous parcels. The lots in the neighbourhood generally have a frontage of +/- 16.5m with mature vegetation and landscape elements in the front yards.

The applicant is proposing two, new two-storey dwellings that require variances related to setbacks within a Greenland zone and interior side setbacks.



The intent of the Zoning By-law for the split-zone property is to permit a limited range of uses and activities specific to the protection of the natural features, natural heritage and conservation areas in conjunction with permitting a dwelling. Pursuant to section 1.1.4 (More than One Zone) when a lot is divided into more than one zone, each portion of the lot shall comply with the applicable provisions of the zone in which it is situated. In this case, the applicant is proposing reduced setbacks to both dwellings which are an insignificant variance to the G2-3 zone. The Credit Valley Conservation Authority (CVC) as well as Community Services has confirmed there

City Department and Agency Comments	File:A109.21 A110.21	2021/03/31	4
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are no concerns with this proposal. The applicant has also proposed interior side yards measured to a second storey of 1.67m whereas 2.41m is required for both dwellings. Staff finds this a minor deviation from the by-law and provides an adequate buffer between properties. 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: Brooke Herczeg RPP, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing building permit application BP 9NEW 20-2829 (5196 Durie Rd). The variances as requested are correct based on the building permit plans submitted on 3/2/2021.

The Building Department is currently processing building permit application BP 9NEW 20-2830 (5202 Durie Rd). Based on review of the building permit plans submitted on 3/2/2021 the following amendment is required:

2. A setback measured from a deck to a G2-3 Zone (Greenlands) of 5.14m (16.86ft); whereas By-law 0225-2007, as amended, requires a minimum setback measured from a deck to a G2-3 Zone of 15.00m (approx. 49.21ft) in this instance;

Please note that comments reflect those provided through the above permit application submitted on 3/2/2021. These comments may no longer be valid should there be any changes contained within this Committee of Adjustment application that have not been submitted and reviewed through the building permit applications. Any changes and/or updates to information and/or

City Department and Agency Comments	File:A109.21 A110.21	2021/03/31	7
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drawings must be submitted, as per standard resubmission procedures, separately through the building permit application process in order to receive updated comments.

Comments Prepared by: Brian Bonner, 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

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

Please be advised that a portion of the subject property is located within an area the Regional Official Plan (ROP) designates as Core Area - Woodland, Core Area - Valley Corridor, and as a provincially-significant Core Area - Area of Natural and Scientific Interest (ANSIs) (Earth Science) of the Greenlands System in Peel, under Policy 2.3.2

The subject property is also located within the limits of the regulated area of the Credit Valley Conservation (CVC).

Within the above-mentioned designations, ROP policies seek to protect environmental resources. The Region relies on the environmental expertise of the CVC for the review of applications located within or adjacent to Core Areas of the Greenlands Systems in Peel and their potential impacts on the natural environment. Regional Planning staff therefore, request that the Committee and city staff consider comments from the CVC and incorporate their conditions of approval appropriately.

Comments Prepared by: Diana Guida, Junior Planner

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;

City Department and Agency Comments	File:A109.21 A110.21	2021/03/31	8
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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.

ONTARIO REGULATION 160/06:

The properties are subject to the Development, Interference with Wetlands, and Alterations to Shorelines & Watercourses Regulation (Ontario Regulation 160/06) due to the presence of a watercourse, associated floodplain, and wetlands. 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).

SITE CHARACTERISTICS:

The subject properties are regulated because of the valley slope and floodplain associated with the Credit River. Other features of CVC interest on and adjacent to the property include; Core Greenlands designated by the Region of Peel, Significant Natural Site (CRR4) designated under the City of Mississauga Natural Heritage System, a provincial Life Science Area of Natural and Scientific Interest (ANSI), and Environmentally Significant Area.

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.

PROPOSAL:

It is our understanding that the applicants request the Committee to approve a minor variance (A 21/109) to allow the construction of a new house proposing:

1. A setback of 12.05m (approx. 39.53ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured from a dwelling to a G2-3 Zone (Greenlands) of 15.00m (approx. 49.21ft) in this instance;
2. A setback 7.85 m (approx. 27.75ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured from a deck to of G2-3 Zone (Greenlands) of 15.00m (approx. 49.2ft) in this instance; and
3. An interior side yard measured to a second story of 1.67m (approx. 5.48ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to a second story of 2.41m (approx. 7.91ft) in this instance.

It is our understanding that the applicants request the Committee to approve a minor variance (A 21/110) to allow the construction of a new house proposing:

City Department and Agency Comments	File:A109.21 A110.21	2021/03/31	9
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1. A setback of 8.84m (approx. 29.00ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured from a deck to a G2-3 Zone (Greenlands) of 15.00m (approx. 49.21 ft) in this instance;
2. A setback 5.14m (approx. 17.75ft) whereas By-law 0225-2007, as amended, requires a minimum setback from a deck to a G2-3 Zone of 15.00m (approx. 49.2ft) in this instance; and
4. An interior side yard measured to a second story of 1.67m (approx. 5.48ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to a second story of 2.41m (approx. 7.91ft) in this instance.

COMMENTS:

CVC staff have reviewed the proposed development through two permit applications and have previously provided permits (FF 20/201 dated August 28, 2020 and FF 20/202 dated August 28, 2020) for the dwellings. It should be noted that the drawings submitted with this application differ slightly from the CVC approved Site Plans (revised August 24, 2020) and revised CVC permits may be required.

Based on our review, CVC staff have **no concerns** and **no objection** to the approval of these minor variances 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 905-670-1615 (ext. 350) should you have any further questions or concerns.

Comments Prepared by: Mishaal Rizwan, Planning Technician



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A111.21
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 14 Front Street South, zoned C4-48 - Commercial, 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 triplex on the subject property proposing:

1. A triplex use whereas By-law 0225-2007, as amended, permits only a detached dwelling in this instance;
2. 3 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 4 parking spaces in this instance;
3. A landscape buffer of 3.0m (approx. 9.8ft) whereas By-law 0225-2007, as amended, requires a minimum landscape buffer of 4.5m (approx. 14.8ft) in this instance; and
4. A driveway width of 2.4m (approx. 7.9ft) whereas By-law 0225-2007, as amended, requires a minimum driveway width of 2.6m (approx. 8.5ft) in this instance.

The Committee has set **Thursday April 8, 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

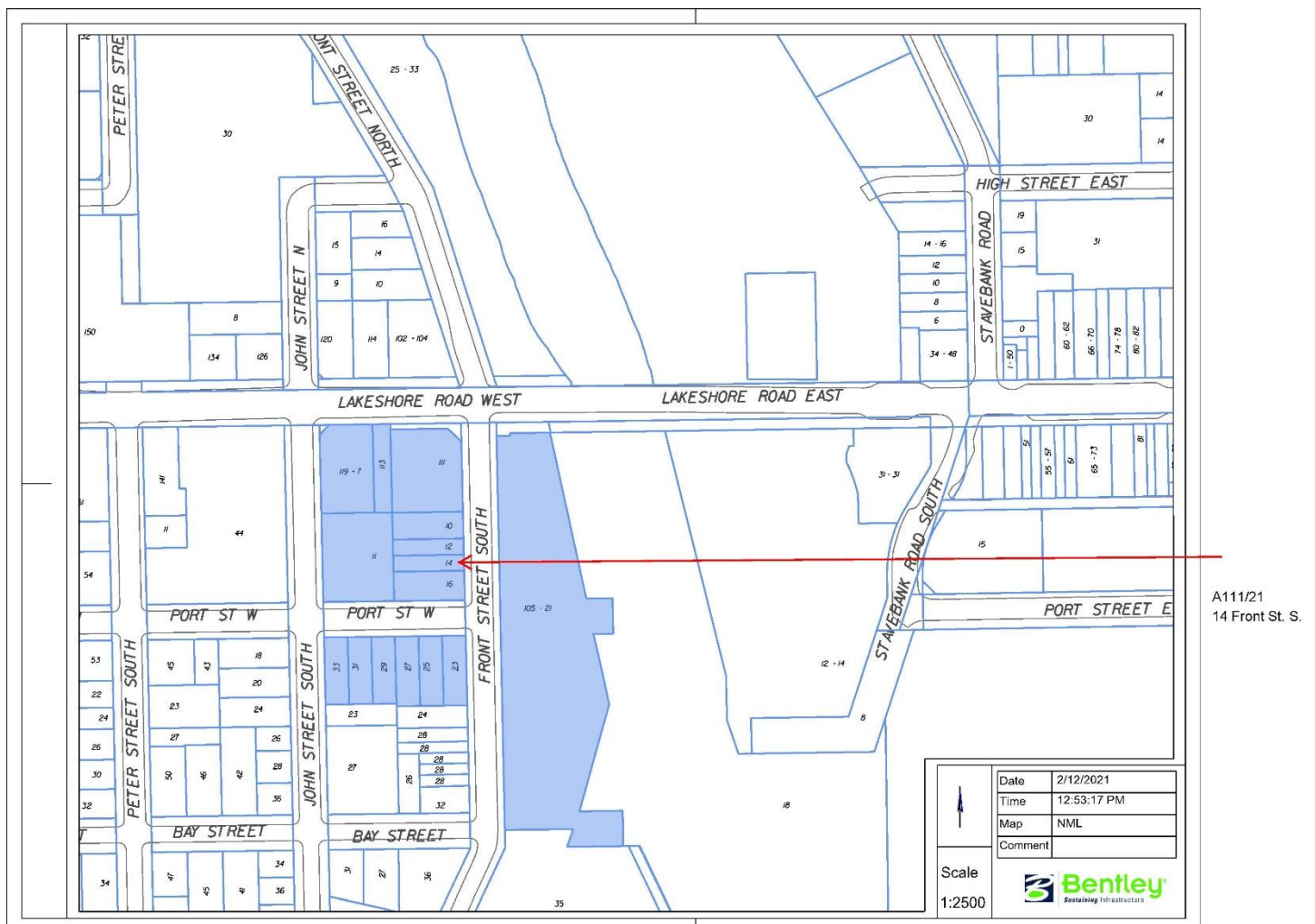
materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services will not be accepted.

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: 2021-03-31	File(s): A111.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2021-04-08 1:00 PM

Consolidated Recommendation

The City has no objections to the requested variances.

Application Details

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

1. A triplex use whereas By-law 0225-2007, as amended, permits only a detached dwelling in this instance;
2. 3 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 4 parking spaces in this instance;
3. A landscape buffer of 3.0m (approx. 9.8ft) whereas By-law 0225-2007, as amended, requires a minimum landscape buffer of 4.5m (approx. 14.8ft) in this instance; and
4. A driveway width of 2.4m (approx. 7.9ft) whereas By-law 0225-2007, as amended, requires a minimum driveway width of 2.6m (approx. 8.5ft) in this instance.

Recommended Conditions and Terms

Issuance of a heritage permit.

Background

Property Address: 14 Front Street South

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (West)
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C4-48 (Commercial)

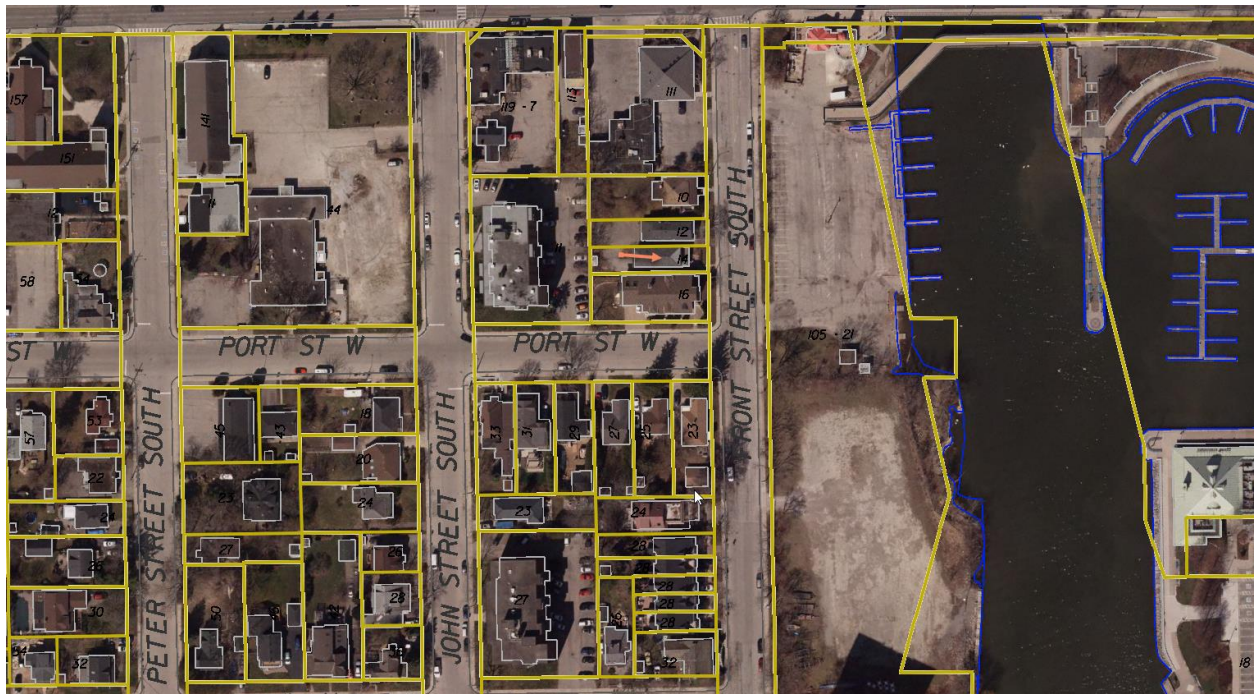
Other Applications

Pre-Application: 20-4234

Site and Area Context

The subject property is located within the Port Credit Heritage Conservation District of the Port Credit Neighbourhood Character Area, south of the Lakeshore Road West and Front Street South intersection. The immediate area contains a mix of low and high density residential and commercial uses. Immediately east of the subject property is a public parking lot. The subject property contains an existing two storey detached dwelling with a drive aisle leading to the rear yard.

The applicant is proposing to convert the existing detached dwelling into a triplex with no external changes being made to the dwelling. Variances are required to permit the triplex use, reduced parking, landscape buffer and driveway width.



Comments

Planning

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

Staff comments concerning the application 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 residential, retail and personal service establishments, among other uses. The subject property is located within Special Site 6 of the Port Credit Local Area Plan which states:

“Buildings, including amenities and signage, whether new or modified, will have a single detached residential appearance consistent with the form, design and scale of the low density residential land use in the Old Port Credit Village Heritage Conservation District. In addition, the use will have a limited impact on the low density residential character of the area. New buildings or modified buildings will comply with the development standards of the adjacent low density residential area;”

Furthermore, the policy states that any required additional parking should be accommodated within the rear yard. The application does not propose any exterior alterations to the subject property, therefore, the building will have the appearance of a single residential dwelling consistent within the Old Port Credit Village Heritage Conservation District. Additionally, the parking will be completely located in the rear yard and hidden from the street. As such, staff is of the opinion that the application maintains the low density residential character of the surrounding area and 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 triplex use whereas a detached dwelling is permitted. The subject property is zoned C4-48 (Commercial) which permits a mix of uses ranging from an office, personal service establishment and an apartment building. The exception zone allows for one additional use being a detached dwelling. The intent of the zoning by-law is to allow for a mix of uses that respects the low density residential character of the neighbourhood and also the Heritage District. Generally, staff do not support new residential uses where only a detached dwellings are permitted. However, in this instance, the subject property contains a Mixed Use designation in the official plan and commercial zoning in the by-law. The zoning by-law also permits an apartment dwelling which is defined as a building having more than three units within it. As of right, the applicant is permitted two units, one being the primary unit of the detached

dwelling and the other being a second unit. The application proposes one additional unit without altering the appearance of the proposed detached dwelling, thereby maintaining the current streetscape. Furthermore, the subject property is located in close proximity to Lakeshore Road Corridor and adjacent to an office use and larger residential apartment dwelling. As such, the proposal for a triplex is appropriate in this instance and will not negatively impact the character of the Old Port Credit Village Heritage Conservation District. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #2 proposes 3 parking spaces whereas a minimum of 4 spaces are required. 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 City Planning Strategies Division reviews variances related to parking and their comment is as follows:

Generally, City Planning Strategies is supportive of built forms that permit additional residential units given proposed policies in Bill 108 and the City's Housing Strategy, assuming the necessary parking requirements can be reasonably accommodated.

The subject property is located in the Port Credit Community Node, a neighbourhood which supports alternate modes of transit with walkable amenities, access to rapid transit (Port Credit GO Station and future Hurontario LRT), and multiple MiWay bus routes, which reduces the dependency on the car. The applicant is proposing to provide parking at a rate of 1.0 spaces per unit. As such, staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variances #3 and #4 propose a deficient landscape buffer and driveway width. The deficient landscape buffer is adjacent to a parking lot and low-rise apartment building which also has a deficient landscape buffer from the parking area. The proposed 3 m buffer is sufficient in providing a visual buffer between the subject property and the adjacent property. Regarding the driveway width, the proposed variance represents a minor deviation from what is required and will not create any additional undue impact from what is permitted. 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.

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

The Port Credit Local Area Plan states that buildings will have a single detached residential appearance that is consistent in form, design and scale of the low density residential land uses within the Heritage District. As the existing detached dwelling does not require any exterior alterations in order to accommodate a triplex, the appearance of the dwelling remains consistent with the existing and planned character of the surrounding neighbourhood. The subject property is zoned C4-48 which allows a mix of uses and is located in close proximity to the Lakeshore Road Corridor. Furthermore, the site abuts a mix of uses including an office use and low-rise

residential apartment building, limiting the impact of the proposed triplex. 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.

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' 111/21.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Zoning Pre-Application Review under file 20-4234. Based on review of the information currently available in this application, the variances, as requested are correct.

Please note that comments reflect those provided through the above 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: R. Thompson, Zoning Examiner

Appendix 4 – Heritage

The subject property is designated under Part V of the Ontario Heritage Act as it forms part of the Old Port Credit Village Heritage Conservation District (HCD). Demolition, as well as the installation of new cladding, requires a heritage permit. As the proposal requires the demolition of an outbuilding, if approval is granted, it should be conditional upon the issuance of a heritage permit. The applicant is advised to visit our website for details on the process at www.mississauga.ca/heritageplanning.

Comments Prepared by: P. Wubbenhorst, Heritage Planner

Appendix 5 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A112.21
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 1250 Glen Road, zoned R2-4 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house on the subject property proposing:

1. A front yard of 8.61m (approx. 28.24ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 9.00m (approx. 29.53ft) in this instance;
2. A height to the highest ridge of 10.71m (approx. 35.14ft) whereas By-law 0225-2007, as amended, permits a maximum height to the highest ridge of 9.50m (approx. 31.17ft) in this instance;
3. A height measured to the eaves of 7.18m (approx. 23.56ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m (approx. 21.00ft) in this instance;
4. A garage projection of 8.31m (approx. 27.26ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0.00m in this instance;
5. A dwelling unit depth of 27.44m (approx. 90.03ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
6. A driveway width of 13.27m (approx. 43.54ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance;
7. An area of an accessory structure of 33.08sq.m (approx. 356.07sq.ft) whereas By-law 0225-2007, as amended, permits a maximum area of an accessory structure of 20.00sq.m (approx. 215.28sq.ft) in this instance; and
8. An accessory structure partially between the front wall of the dwelling and the front lot line whereas By-law 0225-2007, as amended, does not permit an accessory structure between the front wall of the dwelling and the front lot line in this instance.

The Committee has set **Thursday April 8, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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Advance registration is required to participate in the electronic hearing:

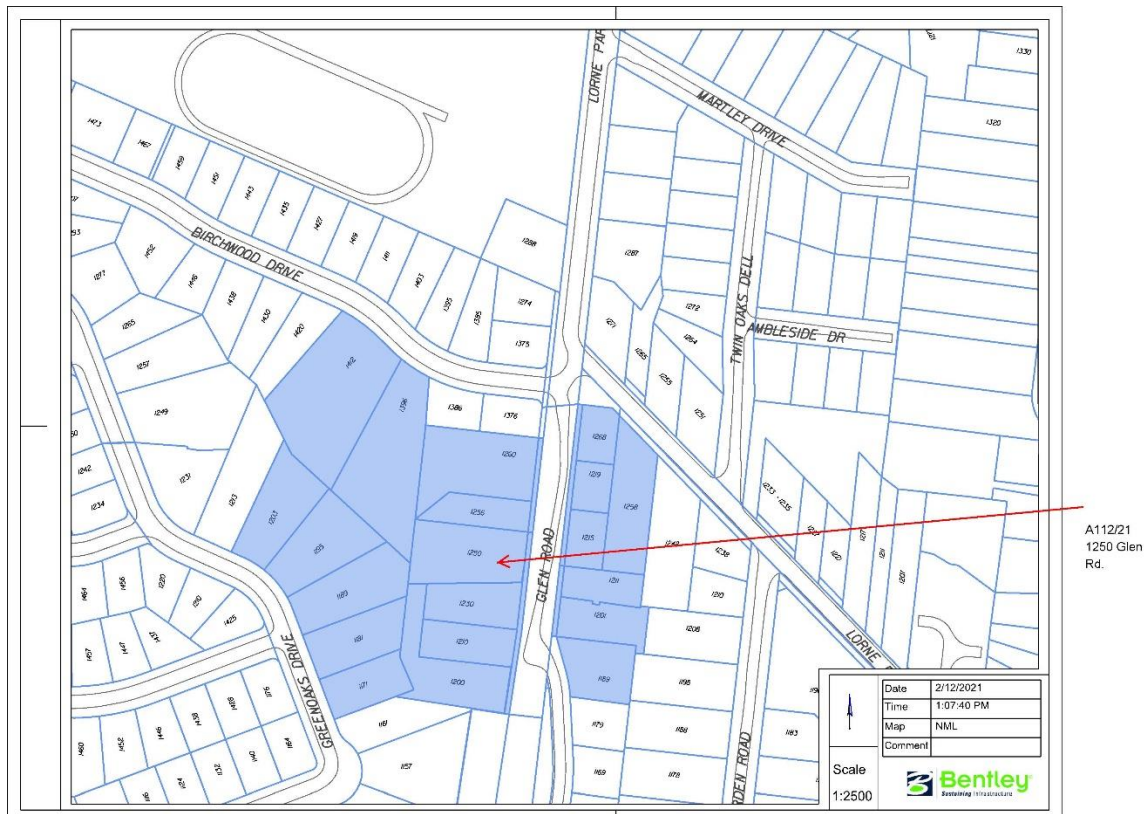
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-03-31	File(s): A112.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-08

Consolidated Recommendation

The City has no objections to the requested variances.

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 front yard of 8.61m (approx. 28.24ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 9.00m (approx. 29.53ft) in this instance;
2. A height to the highest ridge of 10.71m (approx. 35.14ft) whereas By-law 0225-2007, as amended, permits a maximum height to the highest ridge of 9.50m (approx. 31.17ft) in this instance;
3. A height measured to the eaves of 7.18m (approx. 23.56ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m (approx. 21.00ft) in this instance;
4. A garage projection of 8.31m (approx. 27.26ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0.00m in this instance;
5. A dwelling unit depth of 27.44m (approx. 90.03ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
6. A driveway width of 13.27m (approx. 43.54ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance;
7. An area of an accessory structure of 33.08sq.m (approx. 356.07sq.ft) whereas By-law 0225-2007, as amended, permits a maximum area of an accessory structure of 20.00sq.m (approx. 215.28sq.ft) in this instance; and
8. An accessory structure partially between the front wall of the dwelling and the front lot line whereas By-law 0225-2007, as amended, does not permit an accessory structure between the front wall of the dwelling and the front lot line in this instance.

Background

Property Address: 1250 Glen Road

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R2-4 (Residential)

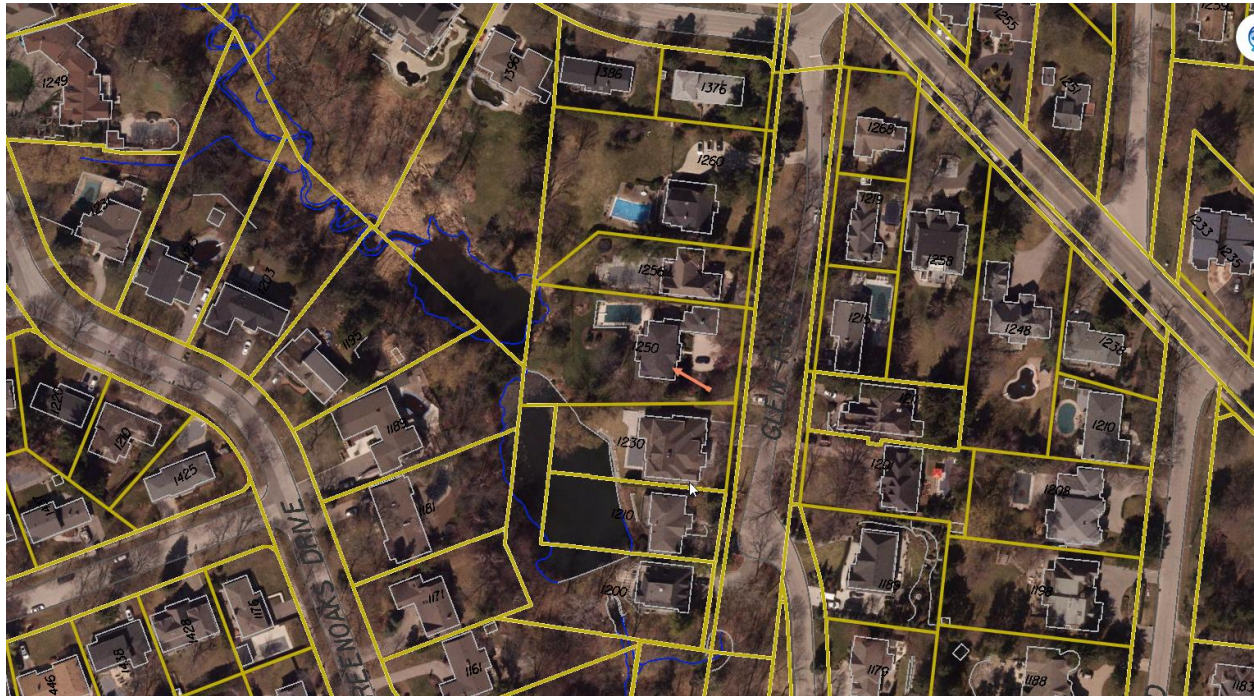
Other Applications

Site Plan Application: 20-121

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, south of Lorne Park Road and Glen Road. The neighbourhood consists of large lots with one and two storey detached dwellings and significant mature vegetation. The subject property contains an existing two storey dwelling with a projecting garage and mature vegetation in the front and rear yard. The subject property also abuts Birchwood Creek which is a Significant Natural Area that encompasses a portion of the rear yard.

The applicant is proposing a new two storey dwelling on the existing foundation, requiring variances related to front yard setback, height, garage projection, dwelling depth, driveway width and accessory structures.



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 Greenlands and Residential Low Density I in Schedule 10 of MOP. The intent of the Greenlands designation is to protect any natural feature and hazards on a site. The Credit Valley Conservation (CVC) Authority have reviewed the proposal and have no concerns. As such, the Greenlands designation will not be impacted by a result of this development. The Residential Low Density I designation permits detached, semi-detached and duplex dwellings. As per Section 16.5.1.4 (Infill Housing), infill housing is encouraged to fit the scale and character of the surrounding area and to ensure that new development has minimal impact on its adjacent neighbours. The proposed dwelling will be built using the existing foundation of the existing two storey dwelling. The proposal does not encroach further into any required yards than what currently exists and would maintain the character streetscape as it

remains today. 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, 5, 6 relate to existing conditions regarding the front yard setback, dwelling depth, projecting garage and driveway width. The new two storey dwelling will be constructed on the existing foundation and as a result will not pose any further impact from what exists today. The front yard setback is generally in line with the neighbouring dwellings, presenting a consistent streetscape. The projecting garage and dwelling depth is located on the north side of the dwelling and is generally in line with the neighbouring property. Thus, minimizing any impact of a long continuous wall on the neighbouring property. Additionally, the proposed dwelling depth and garage projection does not extend further into the rear and front yard from what currently exists. Regarding the increased driveway width, it is measured from the widest point and does not continue throughout the entire length of the driveway. Towards the street, the driveway narrows, maintaining by-law requirements. Furthermore, the soft landscaped area within the front yard significantly exceeds the zoning by-law requirements.

Variances #7 and 8 relate to an accessory structure that is located below grade between the dwelling and the projecting garage. As the accessory structure is below grade, there will be no massing impacts to the neighbouring property.

Based on the preceding information, staff is of the opinion that variances #1, 4, 5, 6, 7, and 8 are appropriate to be handled through the Committee of Adjustment process.

Regarding variances #2 and 3, the application proposes an height of 10.71 m to the highest ridge whereas 9.50 m is the maximum permitted and an eave height of 7.18 m whereas 6.40 m is the maximum permitted. The intent of restricting height to the highest ridge and eaves is to lessen the visual massing of dwelling while lowering the overall pitch of the roof. This brings the edge of the roof closer to the ground, thereby giving the dwelling a more human scale. The requested height variances are mostly attributed to the discrepancy between average and established grade. The average grade is approximately 1.17 m below the established grade. If the dwelling was measured from established grade, the overall height would be 9.54 m and the eave height would be 6 m. The overall height would represent a minor deviation from what is permitted and would have minimal impact on the streetscape character. 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 a significant impact to the streetscape character from what currently exists. The dwelling maintains a height of 9.54 m measured from established grade at the street, which is a minor deviation from what is permitted. The proposed eave height is within by-law regulation, thereby,

lessening the overall massing of the dwelling. 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.

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-20/121.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan Approval application SP 20-121. From a review of this application it appears the variances requested are correct.

Our comments are based on the plans received by Zoning staff on 2/11/2021 for the above captioned 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 application, 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 preliminary zoning review process in order to receive updated comments.

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 5 – Region of Peel Comments

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

Please be advised that a portion of the subject property is located within an area the Regional Official Plan (ROP) designates as a Core Area - Woodland and a Core Area - Valley Corridor of the Greenlands System in Peel, under Policy 2.3.2. The entirety of the subject property is also located within the limits of the regulated area of the Credit Valley Conservation (CVC).

Within the above-mentioned designations, ROP policies seek to protect environmental resources. The Region relies on the environmental expertise of the CVC for the review of applications located within or adjacent to Core Areas of the Greenlands Systems in Peel and their potential impacts on the natural environment. Regional Planning staff therefore, request that the Committee and city staff consider comments from the CVC and incorporate their conditions of approval appropriately.

Comments Prepared by: Diana Guida, Junior Planner

Appendix 6- Conservation Authority Comments

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

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

SITE CHARACTERISTICS:

The subject property is traversed by the floodplain associated with Birchwood Creek. In addition, the property appears to be located within the City of Mississauga Natural Heritage System (NHS), Region of Peel Core Greenlands, and the Credit River Watershed NHS. It is the policy of CVC and the Province of Ontario to conserve and protect the significant physical, hydrological and biological features associated with the functions of the above noted characteristics and to recommend that no development be permitted which would adversely affect the natural features or ecological functions of these areas.

ONTARIO REGULATION 160/06:

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

PROPOSAL:

It is our understanding that the applicants request the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A front yard of 8.61m (approx. 28.24ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 9.00m (approx. 29.53ft) in this instance;
2. A height to the highest ridge of 10.71m (approx. 35.14ft) whereas By-law 0225-2007, as amended, permits a maximum height to the highest ridge of 9.50m (approx. 31.17ft) in this instance;
3. A height measured to the eaves of 7.18m (approx. 23.56ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m (approx. 21.00ft) in this instance;
4. A garage projection of 8.31m (approx. 27.26ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0.00m in this instance;
5. A dwelling unit depth of 27.44m (approx. 90.03ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
6. A driveway width of 13.27m (approx. 43.54ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance;
7. An area of an accessory structure of 33.08sq.m (approx. 356.07sq.ft) whereas By-law 0225-2007, as amended, permits a maximum area of an accessory structure of 20.00sq.m (approx. 215.28sq.ft) in this instance; and
8. An accessory structure partially between the front wall of the dwelling and the front lot line whereas By-law 0225-2007, as amended, does not permit an accessory structure between the front wall of the dwelling and the front lot line in this instance.

COMMENTS:

Based on the review of the information, CVC staff have **no concerns** with the requested variances. CVC staff are currently reviewing a Site Plan application (SP 20/121) for the proposed

development and any outstanding CVC concerns will be addressed during the site plan approval process. As such, CVC staff have **no objection** to the approval of this minor variance by the Committee at this time.

It should be noted that a CVC permit will be required for the proposed development.

Please circulate CVC any future correspondence regarding this application.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at 905-670-1615 (ext. 236) should you have any further questions or concerns.

Comments Prepared by: Elizabeth Paudel, Junior Planner