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## Committee of Adjustment

**Date:** April 15, 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](mailto:umar.mahmood@mississauga.ca)

Alexander Davies, Committee of Adjustment Coordinator,  
Legislative Services  
905-615-3200 ext.5422  
[alexander.davies@mississauga.ca](mailto: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](mailto:committee.adjustment@mississauga.ca)

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1. CALL TO ORDER
  2. DECLARATION OF CONFLICT OF INTEREST
  3. DEFERRALS OR WITHDRAWALS
  4. MATTERS TO BE CONSIDERED
    - 4.1. B37/20-A117/21  
6515 KITIMAT RD (WARD 11)  
2427419 ONTARIO LTD
    - 4.2. B48/20  
0 HURONTARIO ST (WARD 5)  
DERRY TEN LTD
    - 4.3. A96/21  
66 THOMAS ST (WARD 11)  
DENZEN REALTY COMPANY LTD
    - 4.4. A115/21  
7634 REDSTONE RD (WARD 5)  
GURMIT SINGH, & DAVINDER AND SANDEEP SAMRA
    - 4.5. A118/21  
194 WYNDHAM ST (WARD 11)  
MASCARENHAS, SHANNON
    - 4.6. A119/21  
2495 SPEAKMAN DR (WARD 2)  
MAGNUM INTEGRATED PROPERTIES INC
    - 4.7. A120/21  
1161 MIRADA PL (WARD 2)  
HAMIDREZA MOHAMADI
    - 4.8. A121/21  
7076 OLD MILL LANE (WARD 11)  
ANDREA STERWART

- 4.9. A122/21  
719 THIRD ST (WARD 1)  
WATERSTONE DEVELOPMENTS INC
- 4.10. A123/21  
1530 INDIAN GROVE (WARD 2)  
AUJLA PREET
- 4.11. A124/21  
3830 MILKWOOD CRES (WARD 10)  
MUHAMMAD NAJEEB SADDIQI & LEENA NAJEEB
- 4.12. A125/21  
1800 MISSISSAUGA RD (WARD 8)  
MOHAMMED AHMED
- 4.13. A126/21  
795 LAKESHORE RD E (WARD 1)  
1026046 ONTARIO LTD
- 4.14. A127/21  
1212 DUNDAS ST W (WARD 7)  
JOHN MALIK
- 4.15. A352/20  
4100 PHEASANT RUN (WARD 8)  
JENNIFER PINHEIRO & NESTER BOSCH PEREZ
5. **OTHER BUSINESS**
6. **ADJOURNMENT**

**Why you received this letter:**

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

**Details of the application and meeting information:**

The property owner of 6515 Kitimat Road, zoned E2-1 - Employment, has applied for Consent under Section 53 of the Planning Act. The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 41.33m (135.60ft) and an area of approximately 1.19ha (2.94ac).

A minor variance is requested for the Retained Lands (A117/21) to allow the existing building to remain proposing:

1. 96 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 132 parking spaces in this instance; and
2. 3 accessible parking spaces having a minimum width of 3.6m (approx. 11.8ft) whereas By-law 0225-2007, as amended, requires a minimum of 5 accessible parking spaces, 3 of which require a minimum width of 3.4m (approx. 11.2ft)(Type A) with a 1.5m (approx. 4.9ft) access aisle and 2 of which require a minimum width of 2.4m (approx. 7.9ft)(Type B) with a 1.5m (approx. 4.9ft) access aisle in this instance.

The Committee has set **Thursday April 15, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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**Advance registration is required to participate in the electronic hearing:**



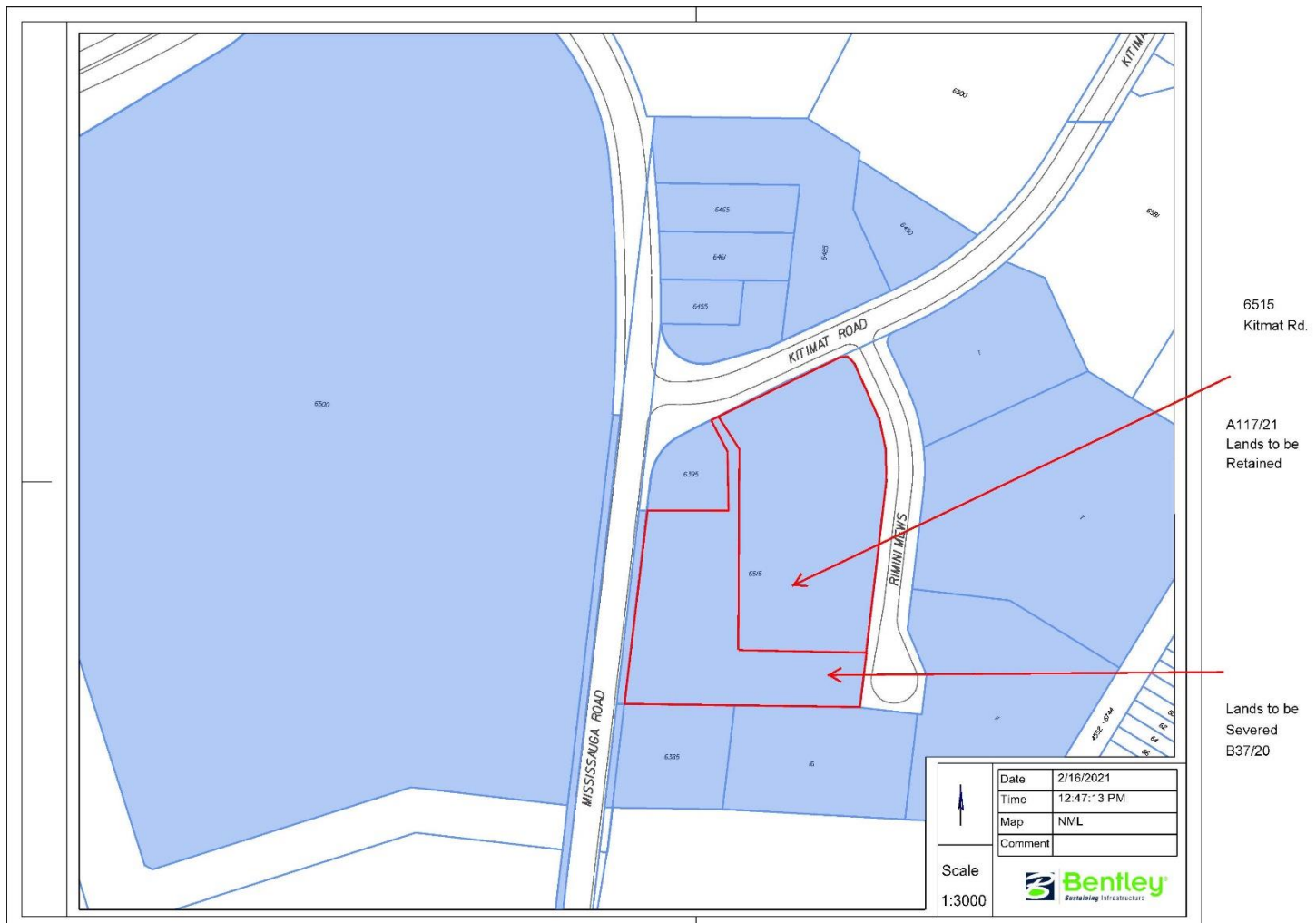
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Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process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



# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-04-07	File(s): B37.20 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-15 1:00 PM

## Consolidated Recommendation

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

## Application Details

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 41.33m (135.60ft) and an area of approximately 1.19ha (2.94ac).

A minor variance is requested for the Retained Lands (A117/21) to allow the existing building to remain proposing:

1. 96 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 132 parking spaces in this instance; and
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### Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent
- The variance application approved under File(s) A117/21 must be finalized

### Recommended Conditions and/or Terms of minor variance

- Variance(s) approved under file(s) A117/21 shall lapse if the consent application under file B37.20 is not finalized within the time prescribed by legislation.

## Background

**Property Address: 6515 Kitimat Road**

### Mississauga Official Plan

Character Area: Meadowvale Business Park Corporate Centre  
Designation: Business Employment

### Zoning By-law 0225-2007

**Zoning: E2-1 - Employment**

**Other Applications: SP 84-147  
SPR 4-440**

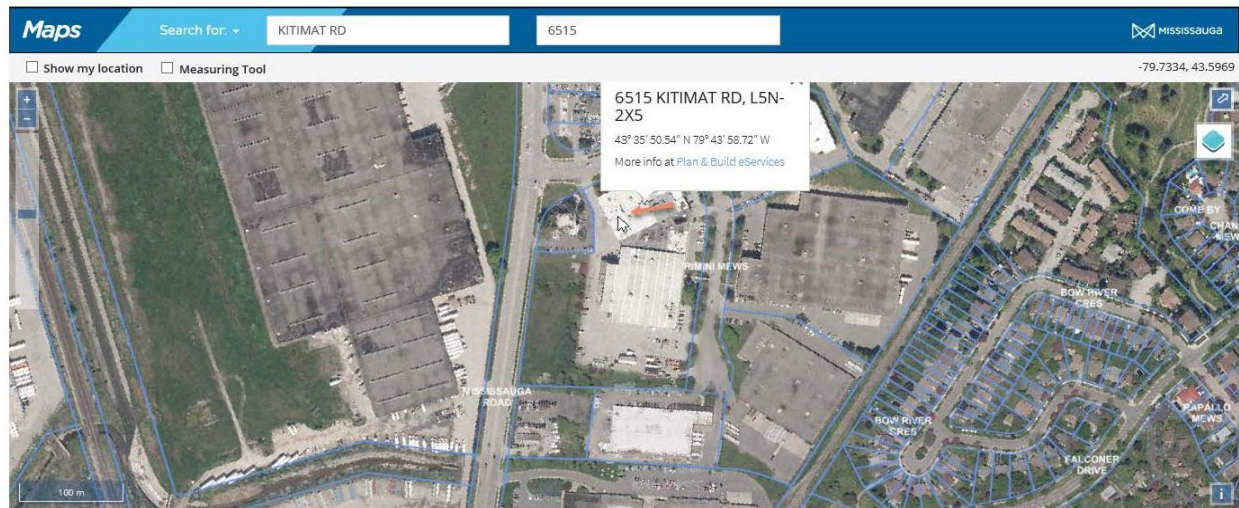
### Site and Area Context

The subject lands are an interior property located south-east of the Mississauga Rd and Kitimat Rd intersection, and currently houses a two-storey office building.

The immediate neighbourhood is predominately industrial in nature; with warehousing and industrial-office uses located both south and east of the subject lands. Planning staff further note that residential uses, mainly in the form of semi-detached dwellings, are present to the east; however, their lot configuration and orientation, coupled with the intervening rail line, results in their presence not directly influencing the area context.

The properties along this portion of Kitimat Road are situated upon large parcels, with lot frontages ranging from +/- 55m to +/- 215m.

The subject lands possess a lot frontage of 92.33m, and a lot area of 18,900.0m<sup>2</sup>.



## Comments

### Planning

#### Planning Act

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

Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to grant relief from the requirements of a municipal zoning by-law. In evaluating such requests, the Committee needs to be satisfied that the proposal meets the four tests set out in the *Planning Act*.

#### Provincial Matters

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

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

The severed lands will have a lot frontage of 132.6m and a lot area of 6,758.3m<sup>2</sup>. The retained lands will have a lot frontage of 104.2m and a lot area of 23,957.4m<sup>2</sup>.

No changes of use or additional construction has been proposed for either parcels. The existing E2-1 uses on the retained lands will remain in operation.

The site is located within the Meadowvale Business Park Corporate Centre Character Area, and is designated Business Employment by the Mississauga Official Plan (MOP). Section 5 of MOP promotes development with appropriate urban form and site design, directing that such development is compatible with the surrounding context and the landscape of the character area. To this end, the proposed lots are of a comparable built-form and remain in scale with the surrounding area.

As per Zoning By-law 0225-2007, the subject property is zoned E2-1 (Employment). In accordance with Table 8.2.1(3.0) (E1 to E3 Permitted Uses and Zone Regulations), this zone requires a minimum lot frontage of 30.0m; whereas, the Applicant is proposing lots with frontages of 132.6m (severed) and 104.2m (retained). This zone does not require a minimum lot area. The proposed lots are appropriately sized for the context of the neighbourhood, are consistent with zoning regulations.

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

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

Variance # 1 as requested pertains to parking spaces:

As per Zoning By-law 0225-2007, the subject property is zoned E2-1 (Employment). Table 3.1.2.2 (Required Number of Parking Spaces for Non-Residential Uses), regulate the required parking rates for various uses permitted on this site. The intent in quantifying this amount is to ensure that each structure is self-sufficient in providing adequate parking accommodations based upon its intended use. The applicant has proposed a total of 96 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 132 parking spaces onsite. This is a reduction of 36 parking spaces or a 27% deficiency.

A Parking Utilization Study (PUS) prepared by NexTrans Consulting Engineers, dated, February 9, 2021, was submitted in support of the application. NexTrans Consulting Engineers carried out an onsite survey of the existing single-occupancy manufacturing facility with a total GFA of 12,100.6 m<sup>2</sup>. The PUS, dated, February 9, 2021, states that the subject property currently provides a total of 162 parking spaces onsite. Based on the information submitted, the proposal is to sever the eastern and southern limits of the existing property, while the retained lands will keep the existing building with a total of 96 spaces onsite.

The PUS explained that business operations related to the manufacturing facility have not been directly impacted by the pandemic, operating with 30 employees on a typical work day.

City Planning Strategies (CPS) Staff calculated the total required parking should be 131 spaces (instead of 132 spaces) and recommend that variance #1 be amended to provide:

- 96 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 131 parking spaces in this instance

Based on the submitted information and survey results, Planning Staff echo CPS Staff comments and support the parking variance as amended to provide a total of 96 parking spaces, whereas, a minimum of 131 parking spaces are required.

Variance #2 pertains to accessible parking spaces:

The intent of this portion of the bylaw is to accommodate people with disabilities and/or mobility issues who hold accessible parking permits. Planning Staff have evaluated the proposed accessible parking spaces against the same parking rate noted above. Staff have concluded that the proposed 3 spaces is in-line with the overall parking rate available on site. Through a detailed review of the application, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

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

The variances for parking reductions result in both the orderly development of the lands, and whose impacts will be minor in nature. Further, the application raises no concerns of a planning nature.

## Conclusion

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

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

## Appendices

### Appendix 1 – Transportation and Works Comments

The intent of this Consent Application is to create a new lot which will have frontage onto Mississauga Road. It should be acknowledged that there is currently a 0.3M Reserve identified as Part 2, Plan 43R-14816 across the Mississauga Road Frontage. Acknowledging that the severed parcel is being severed from a parcel which contains an existing building, we note that there may be some shared services between the properties which would require private servicing easements, or alternatively the services could be relocated.

Should Committee see merit in the applicant's request we are providing the following conditions/requirements to be imposed as conditions of approval:

#### A. Items Required Prior to the Issuance of Final Consent

##### 1. Functional Servicing Proposal/Drainage Study

We request that the applicant submit a Functional Servicing Proposal/Drainage Study prepared by a Consulting Engineer for this department's review/approval to confirm that all the necessary municipal services can be provided for the subject property, in particular to determine the storm sewer outlet for the severed lands.

Upon the review of the Functional Servicing Proposal it will also be determined if any servicing easements will have to be established in order to support this severance proposal.

##### 2. Grading and Drainage Plan

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

We note from our site inspection that there are some existing catch basins on the residual lands which may be accommodating some drainage from the severed parcel. The Grading and Drainage Plan is to address how all drainage from the severed parcel will be self-contained and collected.

##### 3. Servicing Plan & Utility Box/Hydro Transformer/Generator Information

A Servicing Plan is to be submitted for our review/approval which would identify the location of any existing underground services located on this property. Upon the review of the Servicing

Plan we can determine the location of any existing underground services located on the severed lands which service the existing building on the residual lands.

From our site inspection we note that there is a large utility/hydro/transformer/generator at the northeast limits of the proposed severed lot. Acknowledging the significant size and location of this utility, additional information must be provided to indicate the purpose of the utility, which properties the utility is servicing and also the location of any underground wires/cables in order that any easements could be established (if required).

4. Required Easement(s)

Upon the review of Item's A1 & A3 and the confirmation of any required easement(s), the applicant/owner will be required to provide a 43R-Plan and letter/schedule prepared by the applicant's Solicitor which would specifically describe the new private easement(s) to be established. It should also be noted that any documentation received will be forwarded as an attachment with our clearance memo to the Committee of Adjustment Office in order that any new proposed private easement(s) can be identified and also be incorporated into the Certificate of Secretary-Treasurer.

5. Environmental Site Screening Questionnaire and Declaration (ESSQD)

The Transportation and Works Department reviews development applications for potential contamination to ensure that contaminated sites are identified and appropriately addressed by the proponent of development. Accordingly, this Department requires studies to be submitted that assess the potential for contamination, in accordance with Provincial regulations and standards, as well as City policies, prior to development proceeding.

A completed Environmental Site Screening Questionnaire and Declaration (ESSQD) form, signed by the Owner and a Commissioner of Oaths, must be submitted to the Transportation and Works Department for review. If the ESSQD form indicates a potential for contamination, a Phase I Environmental Site Assessment will be required. The report must be signed by a Qualified Person as defined in Ontario Regulation 153/04 (as amended) and include a clause or be accompanied by a letter signed by the author of the report or a Principal of the Consulting Firm, which allows the City of Mississauga to make reliance on the findings and conclusions presented in the report.

If the Phase One ESA indicates potential for contamination, a Phase Two Environmental Site Assessment will be required. If contamination is confirmed, a Remedial Action Plan that appropriately addresses the contamination will be required. Recommendations contained within the plan will be implemented by way of conditions to the development approval.



Should additional clarification be required with regard to the Environmental Site Assessment (ESA), please contact Valeriya Danylova, P.Eng., Environmental Technologist at 905 615-3200 ext. 5930 or [valeriya.danylova@mississauga.ca](mailto:valeriya.danylova@mississauga.ca) should you require further information.

6. Municipal Address Requirement

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

7. Lifting of 0.3m Reserve on Mississauga Road

The applicant will be required to make the appropriate arrangements for the lifting the existing 0.30 meter reserve identified as Part 2, Plan 43R-14186 across the Mississauga Road frontage. A copy of the application form can be found online as follows:  
<http://www7.mississauga.ca/documents/tw/pdfs/Application%20to%20Lift%201%20foot%20reserve.pdf>. Confirmation of these arrangements will need to be forwarded to this Department.

For further information regarding the above noted comments, please contact Tony Iacobucci at (905) 615-3200 ext. 5129 or [tony.iacobucci@mississauga.ca](mailto:tony.iacobucci@mississauga.ca)

**B. General Information**

1. Site Plan Approval

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

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

**Appendix 2 – Zoning Comments**

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

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

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

Comments Prepared by: Brandon Eidner, Zoning Examiner

### **Appendix 3 – Parks, Forestry & Environment**

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

- Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, C.P. 13, as amended) and in accordance with the City's policies and by-laws.

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

Comments Prepared by: Jim Greenfield, Park Planner

### **Appendix 5 – Region of Peel Comments**

Comments for Informational Purposes

Deferred Consent Application: DEF-B-37/20

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

Please note that severing the lands may adversely affect the existing location of the water and sanitary sewer services, if any exist. The result of this may require the applicant to install new water / sanitary servicing connections to either the severed or retained lands in compliance with the Ontario Building Code. The applicant may require the creation of private water / sanitary sewer servicing easements. 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. Site Servicing approvals are required prior to the local municipality issuing building permit.

For location of existing water and sanitary sewer Infrastructure please contact Records at 905-791-7800 extension 7882 or by e-mail at [PWServiceRequests@peelregion.ca](mailto:PWServiceRequests@peelregion.ca)

We have no comments or objections to the following applications:  
Minor Variance Applications: A-117/21

Comments Prepared by: Diana Guida, Junior Planner

## **Appendix 7 – Bell Canada**

Subsequent to review of the severance at 6515 KITIMAT RD, Bell Canada's engineering department have determined that there are no concerns or issues with the proposed application.

Comments Prepared by: Carrie Gordon, External Liaison

## **Appendix A – Conditions of Provisional Consent**

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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding.
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated April 7, 2021.





## COMMITTEE OF ADJUSTMENT NOTICE OF APPLICATION

File: B48.20

Ward: 5

### Why you received this letter:

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

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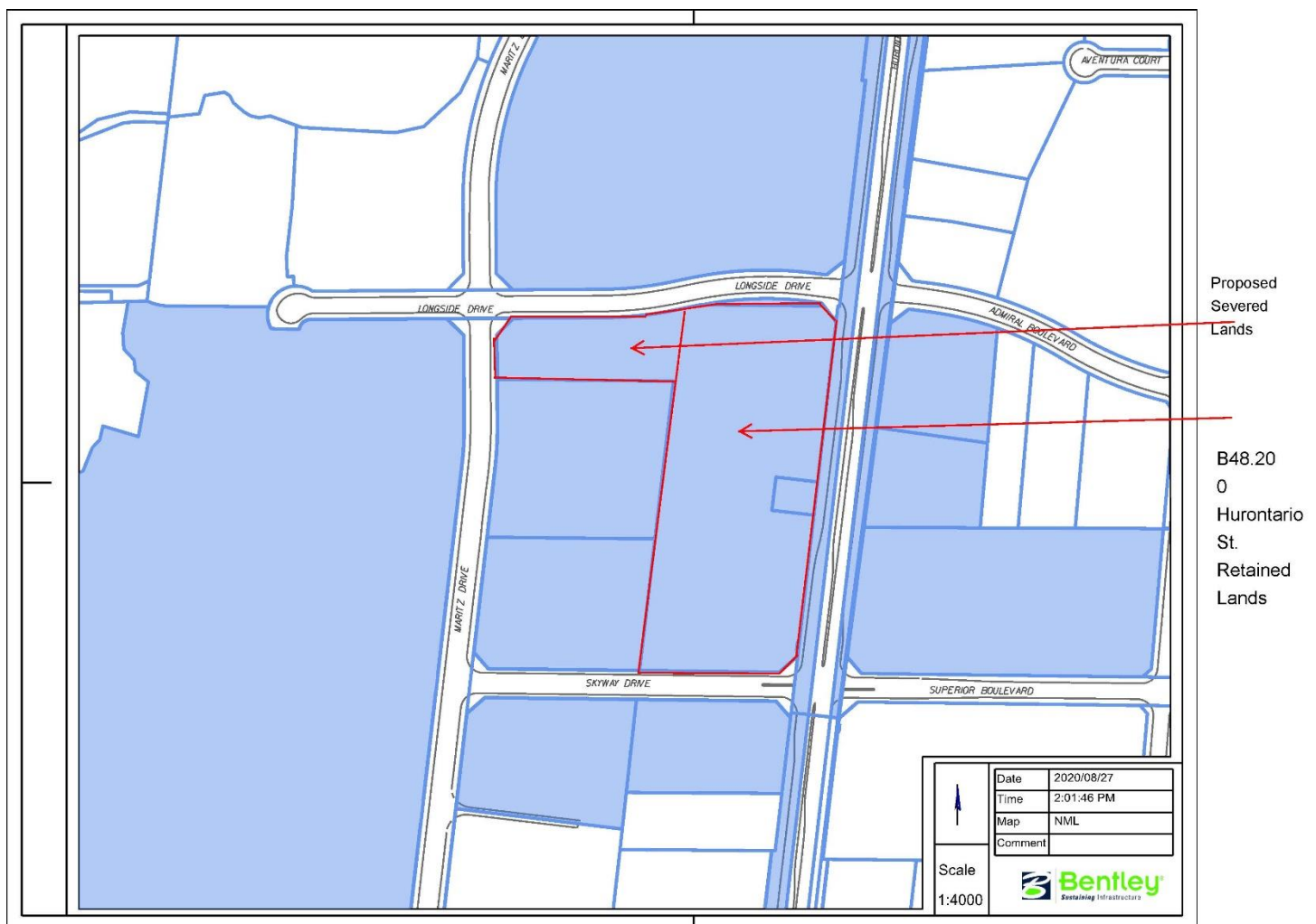
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Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process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



# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-04-07	File(s): B48.20 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-15 1:00 PM

## Consolidated Recommendation

The City has no objections to the requested consent application.

## Application Details

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 40.32m (132.28ft) and an area of approximately 2.29ac (0.93ha).

### Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent

## Background

**Property Address:** 0 Hurontario Street

### Mississauga Official Plan

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

### Zoning By-law 0225-2007

**Zoning:** H-E1-28 & H-E2-126 - Employment

**Other Applications: B51/16  
B26/16**

### **Site and Area Context**

The subject lands are a vacant, exterior property located north-west of the Courtneypark Drive and Hurontario Street intersection. The subject lands possess a lot frontage of +/- 40.32m (Maritz Drive), and a lot area of +/- 56,000m<sup>2</sup>. The immediate neighbourhood is predominately industrial in nature; with warehousing and industrial-office uses located in close proximity. The properties along this portion of Hurontario Street are situated upon large parcels, with lot frontages ranging from +/- 55m to +/- 150m possessing minimal vegetation and landscaping at the periphery of the lots.





## Comments

### Planning

#### Planning Act

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

Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to grant relief from the requirements of a municipal zoning by-law. In evaluating such requests, the Committee needs to be satisfied that the proposal meets the four tests set out in the *Planning Act*.

#### Provincial Matters

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

Staff comments concerning the application are as follows:

The severed lands will have a lot frontage of 40.32m and a lot area of 9,267.3m<sup>2</sup>. The retained lands will have a lot frontage of 149.5m and a lot area of 46,984.0m<sup>2</sup>. Neither of the properties resulting from the severance, will require variances. No changes of use or additional construction has been proposed for either parcel at this time.

The site is located within Special Sites 1, 4, and 5 of the Gateway Corporate Centre Character Area, and is designated Business Employment by the Mississauga Official Plan (MOP). Special Sites 1, 4, and 5, enact development and urban design policies not applicable to this consent application.

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

As per Zoning By-law 0225-2007, the subject property is zoned (H) E1-28 and (H) E2-126 (Employment). In accordance with Table 8.2.1(3.0) (E1 to E3 Permitted Uses and Zone Regulations), both zones require a minimum lot frontage of 30.0m; whereas, the Applicant is proposing lots with frontages of 40.32m (severed) and 149.5m (retained), in this instance. This

zone does not require a minimum lot area. The proposed lots are appropriately sized for the context of the neighbourhood, and support the future development of the lands.

## Conclusion

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

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

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

## Appendices

### Appendix 1 – Transportation and Works Comments

This department has no objections to the applicant's request where the intent is to create a new lot which will have frontage onto Maritz Drive, Longside Drive and also the existing Public Access Easement. It should be noted that under previous Consent Applications the Public Access Easement was established and remains on title of the subject lands. The Public Access Easement is located abutting the easterly portion of the proposed lot and extends from Longside Drive to Skyway Drive.

Should Committee see merit in the applicant's request we are providing the following conditions/requirements to be imposed as conditions of approval:

#### A. Items Required Prior to the Issuance of Final Consent

##### 1. 0.3m Reserve Requirement on Hurontario Street and Skyway Drive

The applicant will be required to make the appropriate arrangements to provide a 0.3m Reserve along the Hurontario Street frontage across the retained lands and also a 0.3m reserve along the Skyway Drive frontage from the east limit of the existing Public Access Easement to Hurontario Street (including the sight triangle).

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

##### 2. Fee Requirements as Per Fees and Charges By-Law

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

##### 3. Municipal Address Requirement

Prior to the issuance of final consent, satisfactory arrangements are to be made with Corporate Services Department, Information Technology Division, Digital Services & Mobility Section,

Geospatial Solutions Group for the creation of new municipal addresses for the severed lands. For further information, please contact Susie Tasca at (905) 615-3200 ext. 3088 or [susie.tasca@mississauga.ca](mailto:susie.tasca@mississauga.ca)

For further information regarding the above noted comments, please contact Tony Iacobucci at (905) 615-3200 ext. 5129 or [tony.iacobucci@mississauga.ca](mailto:tony.iacobucci@mississauga.ca)

## **B. General Information**

### **1. Site Plan Approval**

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

### **2. Drainage Proposal/Storm Sewer Outlet**

We are noting for information purposes that the applicant has submitted a Drainage Proposal prepared by Trafalgar Engineering (dated March 31, 2021) for this department's review/approval to address our previous requirement for a Drainage Proposal. The Drainage Proposal submitted has been reviewed by staff and confirms that by controlling the subject site's storm discharge to the "spare capacity" within the existing 300mm storm sewer on Maritz Drive and by providing the required storage attenuation on the subject site, a connection to the 300mm diameter storm sewer on Maritz would not adversely affect the municipal storm sewer system.

In view of the above we are satisfied with the submitted Drainage Proposal and any further storm drainage requirements can adequately be addressed through the future Site Plan Application and Building Permit Process.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

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

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

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

Comments Prepared by: Brian Bonner – Zoning Examiner

### **Appendix 3 – Parks, Forestry & Environment**

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

In addition, Community Services notes the following:

- The subject property is subject to site plan control, comments and conditions will be included through a future development application.
- Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, C.P. 13, as amended) and in accordance with the City's policies and by-laws.

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

Comments Prepared by: Jim Greenfield, Park Planner

### **Appendix 5 – Region of Peel Comments**

#### Comments for Conditions of Approval

Deferred Consent Application: DEF-B-48/20

Development Engineering: Iwona Frandsen 905-791-7800, x7920

Please note that severing the lands may adversely affect the existing location of the water and sanitary sewer services, if any exist. The result of this may require the applicant to install new water / sanitary servicing connections to either the severed or retained lands in compliance with the Ontario Building Code. The applicant may require the creation of private water / sanitary sewer servicing easements

**Condition:** Arrangements satisfactory to the Region of Peel, Public Works Department shall be made with respect to servicing the severed and retained parcels.

City Department and Agency Comments	File:B48.20	2021/04/07	9
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Comments Prepared by: Diana Guida, Junior Planner

### **Appendix 7 – Bell Canada**

Subsequent to review of the severance at 0 HURONTARIO ST, Bell Canada's engineering department have determined that there are no concerns or issues with the proposed application.

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**Appendix A – Conditions of Provisional Consent**

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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding.
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated April 7, 2021.
5. A letter shall be received from the Region of Peel, Development Services, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated April 7, 2021.





## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A96.21  
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 66 Thomas Street, zoned G1 - Greenlands & D - Development, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a motor vehicle repair facility/mechanical repair shop within unit 6 of the subject property whereas By-law 0225-2007, as amended, does not permit such a use in this instance.

The Committee has set **Thursday April 15, 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](mailto: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](mailto:committee.adjustment@mississauga.ca) or by mailing the Committee of Adjustment, 300 City Centre Drive 2<sup>nd</sup> 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:

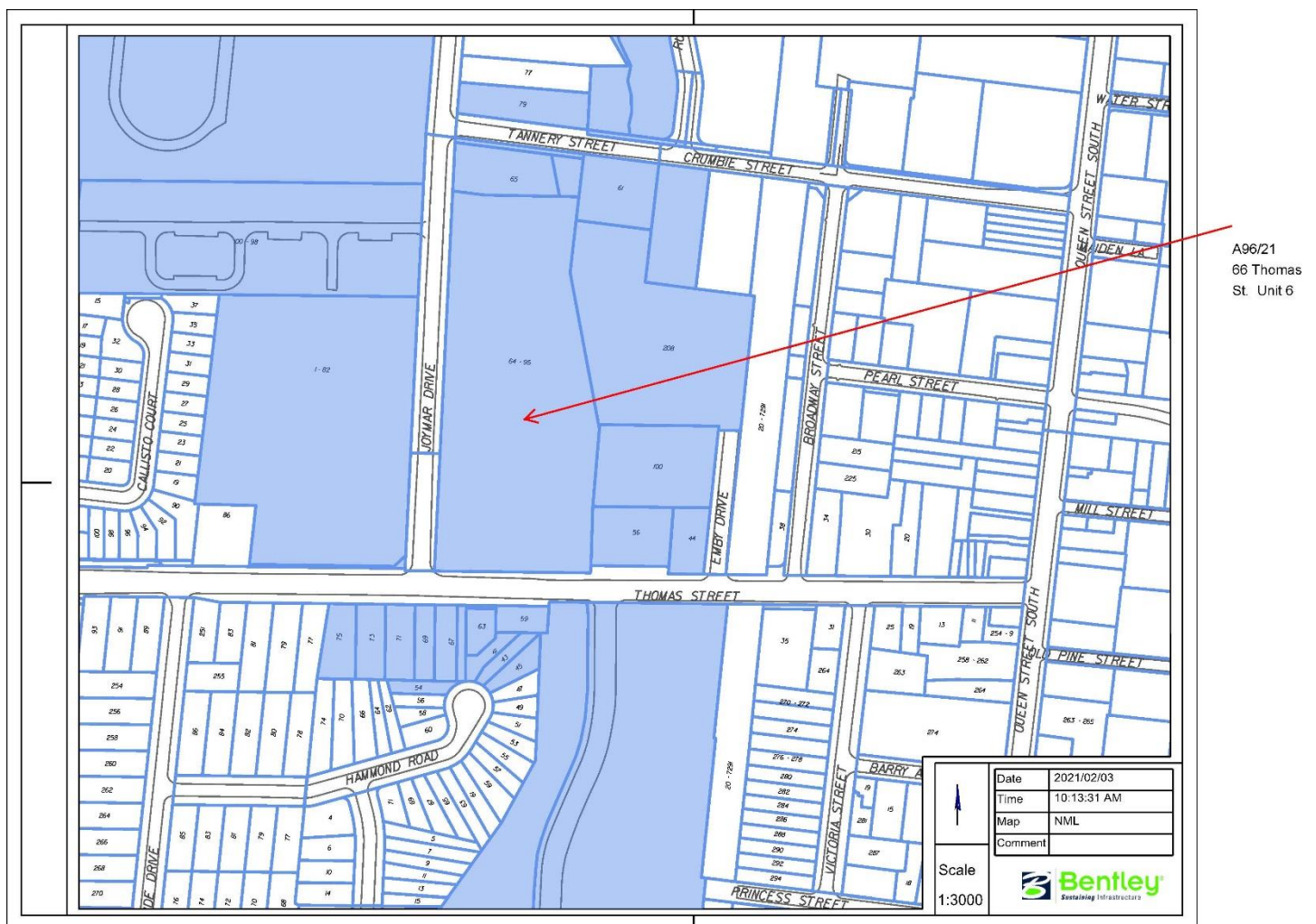
**To participate electronically (computer, tablet or smartphone):** Please email [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided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

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

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# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-04-07	File(s): A96.21 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-15 1:00 PM

## Consolidated Recommendation

The City has no objection to the temporary approval of this application.

## Application Details

The applicant requests the Committee to approve a minor variance to allow a motor vehicle repair facility/mechanical repair shop within unit 6 of the subject property whereas By-law 0225-2007, as amended, does not permit such a use in this instance.

### Amendments

While Planning Staff are not in a position to provide an interpretation of the Zoning By-law; Staff would note this application is a continuation of a previously approved committee of adjustment file; the variance should be amended as follows;

- The applicant requests the Committee to approve a minor variance to allow a motor vehicle repair facility/mechanical repair shop within unit 6 of the subject property whereas By-law 0225-2007, as amended, does not permit such a use in this instance.

### Recommended Conditions and Terms

To ensure the future redevelopment of the subject property is in accordance with the Official Plan, Planning Staff recommend that approval be granted on a temporary basis of five years.

## Background

**Property Address:** 66 Thomas Street

**Mississauga Official Plan**

Character Area: Streetsville Community Node  
Designation: Greenlands & Residential Medium Density

**Zoning By-law 0225-2007**

**Zoning: G1 - Greenlands & D - Development**

**Other Applications: A369/10  
A432/15**

**Site and Area Context**

The subject property is located at the north-east corner of the Thomas St and Joymar Dr intersection. The subject property is an exterior parcel, with a lot area of +/- 25, 536m<sup>2</sup> and a lot frontage of +/- 106.0m. The subject property currently houses a multi-tenant industrial building that abuts Mullet Creek and possess little to no vegetation on the property. From a land-use perspective, the immediate neighbourhood is a mixture of employment uses including a retail store, restaurants and a self-storage centre. In addition to the employment uses, there is an apartment complex with minimal vegetation and landscape elements located along the periphery of each parcel. The properties within the immediate area possess lot frontages of +/- 37.0m.

The applicant's temporary variance to allow the existing motor vehicle repair facility – restricted use has expired requiring a variance to permit the use.





## 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 Streetsville Community Node Character Area, and is designated Greenlands and Residential Medium Density by the Mississauga Official Plan (MOP). Pursuant to Section 11.2.3 (Greenlands) and Section 11.2.5 (Residential) these designations do not permit a motor vehicle body repair facility; as such does not meet the purpose and general intent of the Official Plan.

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

In November 2006, the Planning and Building Department undertook the Streetsville District Plan Review, which resulted in the re-designation of the area, including the subject property, from "Business Employment" to "Residential Medium Density". The re-designation was intended to be a catalyst for the gradual evolution of the area to one that was more residential in

character. The subsequent Zoning By-law 0225-2007 rezoned the area to "D", Development, which permitted the existing uses remain while prohibiting any different uses on the property before proceeding through a rezoning application. The plaza, within which the unit is located, continues to accommodate many of the uses that were operating prior to the Streetsville District Plan Review. The Planning and Building Department acknowledges that the evolution of this area will take a number of years. Without the benefit of a comprehensive plan for the redevelopment of the area, it is uncertain as to when or how the area will redevelop. Accordingly, this Department does not have any concerns with the requested variance provided the approval is conditional upon it being approved for a temporary period.

The requested variance is a continuation of A432/15 and A369/10 which were previously approved by the committee. Although the subject property is zoned Development & Greenlands, the industrial plaza has existed on site for a number of years with uses similar to those in adjacent units. Additionally the CVC does not have any concerns with the requested variance. It is staff's opinion that the continued use of the motor vehicle repair facility - restricted will not have any negative impacts on future development of the property or on any of the sensitive greenbelt lands.

To ensure the future redevelopment of the subject property is in accordance with the Official Plan, Planning Staff recommend that approval be granted on a temporary basis of five years.

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

The application is a continuation of previously approved applications in which nothing has changed. Considering the preceding information, the Planning and Building Department is of the opinion that the proposal can be supported on a temporary basis of five years. The variance, as requested, results in both the orderly development of the lands, and whose impacts are minor in nature.

## **Conclusion**

The Planning and Building Department has no objection to the variances, as amended, subject to the identified condition.

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

## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed for Committee's easy reference is a photo of 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**

Minor Variance Application: A-96/21

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 within the floodplain associate with Mullet Creek and adjacent to to the valleylands associated with the creek. In addition, the subject property is also adjacent lands that



are part of the Mississauga Natural Areas Survey. It is the policy of CVC and the Province of Ontario to conserve and protect the significant physical, hydrological and biological features associated with the functions of the above noted characteristics and to recommend that no development be permitted which would adversely affect the natural features or ecological functions of these areas.

**ONTARIO REGULATION 160/06:**

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

**PROPOSAL:**

It is our understanding that the applicants request the Committee to approve a minor variance to allow a motor vehicle repair facility/mechanical repair shop within unit 6 of the subject property whereas By-law 0225-2007, as amended, does not permit such a use in this instance.

**COMMENTS:**

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

Please circulate CVC any future correspondence regarding this application.

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

Comments Prepared by: Maricris Marinas, Senior Planner



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A115.21  
Ward: 5

### Why you received this letter:

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

### Details of the application and meeting information:

The property owner of 7634 Redstone Road, zoned R3-69 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A gross floor area of 356.00sq.m (approx. 3,832.00sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 267.09sq.m (approx. 2875.00sq.ft) in this instance;
2. A lot coverage of 35.61% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance; and
3. A building height measured to the eaves of 6.45m (approx. 21.16ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

The Committee has set **Thursday April 15, 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](mailto:committee.adjustment@mississauga.ca) or by mailing the Committee of Adjustment, 300 City Centre Drive 2<sup>nd</sup> 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](mailto:committee.adjustment@mississauga.ca) no later than 4:30pm the Tuesday prior to the hearing. Any

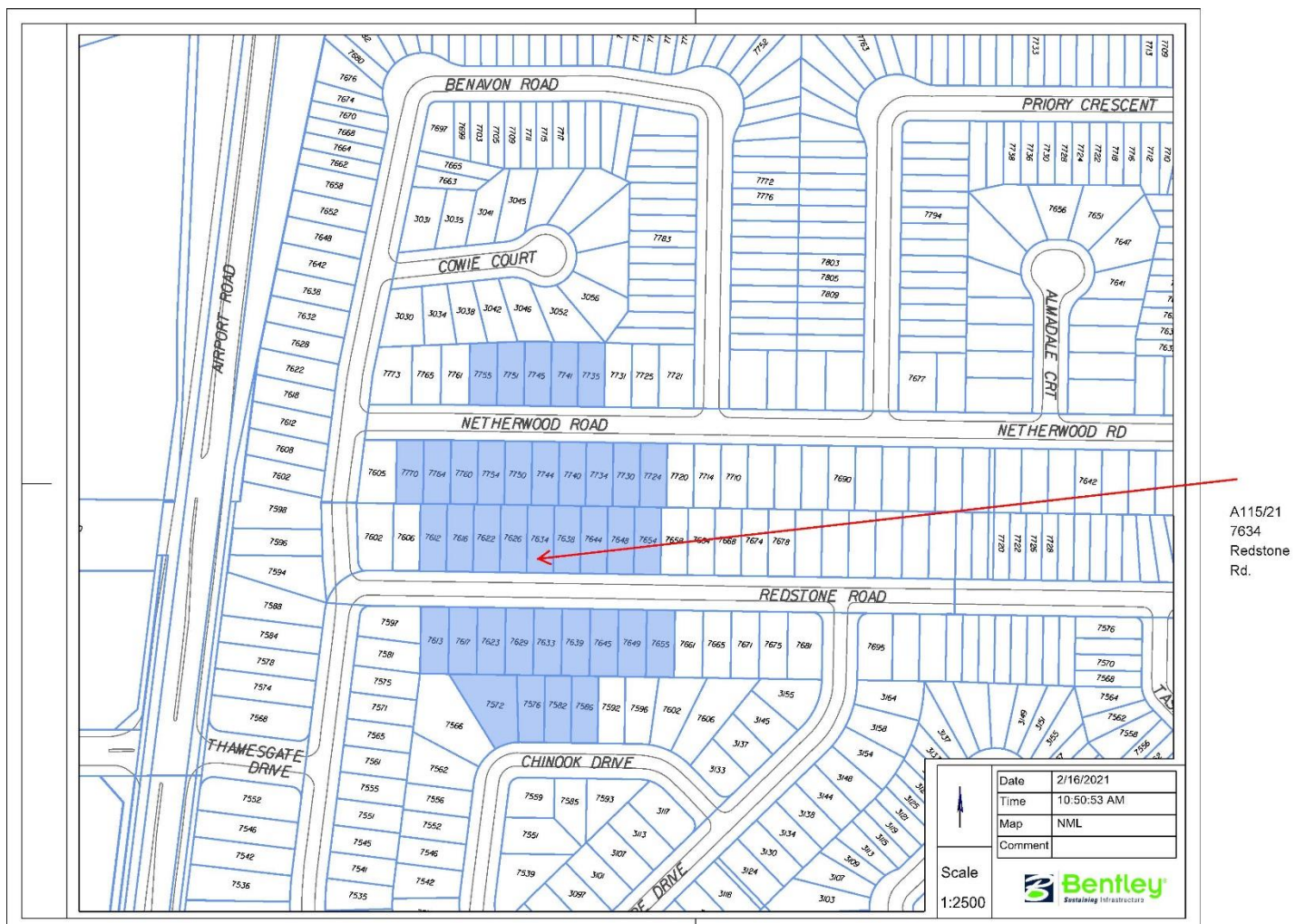
materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services will not be accepted.

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### Legal notice:

If holding an electronic rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30pm the Tuesday prior to the hearing to [committee.adjustment@mississauga.ca](mailto: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: 2021-04-07	File(s): A115.21 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-15 1:00 PM

## Consolidated Recommendation

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

## Application Details

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

1. A gross floor area of 356.00sq.m (approx. 3,832.00sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 267.09sq.m (approx. 2875.00sq.ft) in this instance;
2. A lot coverage of 35.61% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance; and
3. A building height measured to the eaves of 6.45m (approx. 21.16ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

## Amendments

Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

1. A gross floor area of 356.00sq.m (approx. 3,832.00sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 267.13sq.m (approx. 2875.00sq.ft) in this instance;
2. A lot coverage of 35.61% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance; and
3. A building height measured to the eaves of 6.45m (approx. 21.16ft) 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. A building height of 9.03m (approx.. 29.63ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.0m (approx. 29.53ft) in this instance.

## Background

**Property Address:** 7634 Redstone Road

### Mississauga Official Plan

Character Area: Malton Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

**Zoning:** R3-69 - Residential

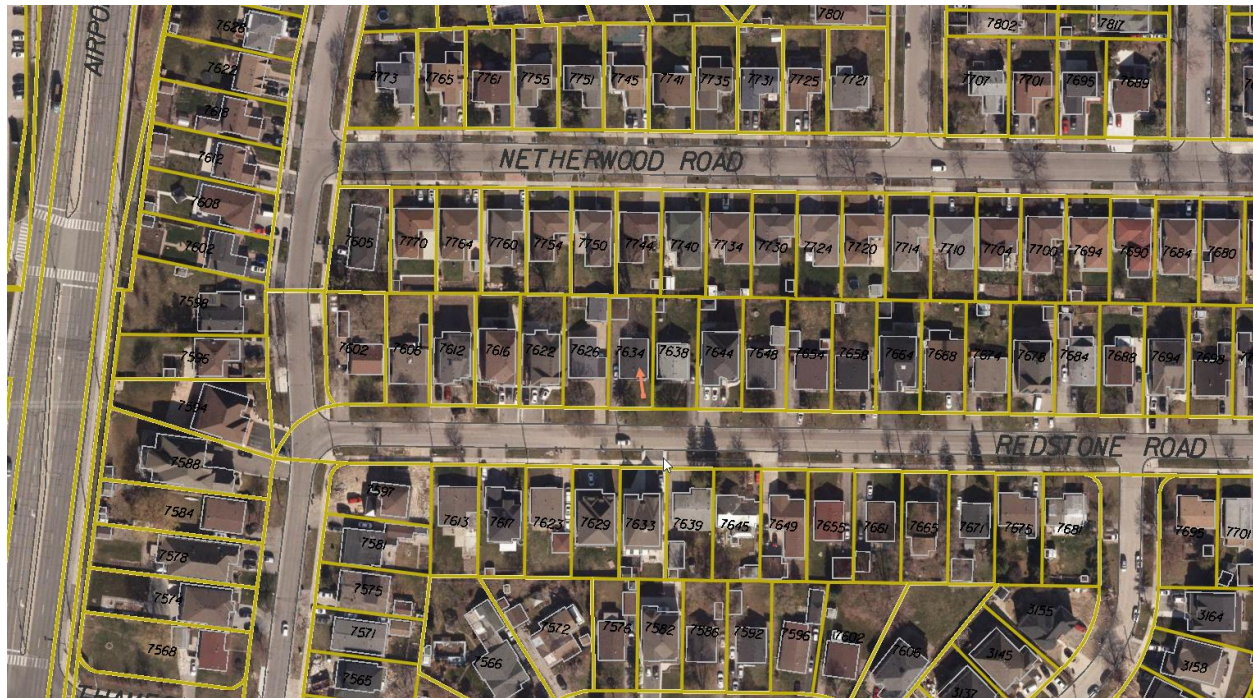
**Other Applications:** None

### Site and Area Context

The property is located north-east of the Airport Rd and Thamesgate Dr. intersection. It is an interior parcel, with a lot area of approximately +/- 585.67m<sup>2</sup> and a lot frontage of approximately +/- 15.24m. The property currently houses a single storey detached dwelling with minimal vegetation and landscaping elements within the front and rear yards. Contextually, the surrounding neighbourhood consists of post-war, single storey detached homes mixed within newer two storey detached dwellings. Properties in the immediate area possess lot frontages of +/- 15.0m, with matured vegetation scattered throughout and minimal landscape elements within the front yards.

The applicant is proposing a new two storey dwelling that requires variances for gross floor area, lot coverage and building 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 as follows:

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

Arising from public input expressed through the 'My Malton' Community Visioning exercise undertaken in 2015, the City undertook a Malton Infill Housing Study in 2016. This resulted in Council's adoption of new zoning regulations principally aimed at regulating the massing of dwellings in a manner that is sensitive to the surrounding context. The intent of the policies are to limit the overall massing of the proposed dwelling and maintain compatibility between the existing and planned character of the neighbourhood. The application proposes an increase in

gross floor area that does not maintain the intent of the infill regulations. As such, staff recommends that the application be deferred for redesign to reduce the gross floor area.

## Conclusion

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

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

## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed new 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 a PREAPP under file 21-4638. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

1. A gross floor area of 356.00sq.m (approx. 3,832.00sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 267.13sq.m (approx. 2875.00sq.ft) in this instance;



2. A lot coverage of 35.61% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance; and
3. A building height measured to the eaves of 6.45m (approx. 21.16ft) 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. A building height of 9.03m (approx.. 29.63ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.0m (approx. 29.53ft) in this instance.

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

Comments Prepared by: Brandon Eidner, Zoning Examiner

#### **Appendix 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](mailto:siteplanservicing@peelregion.ca)

Comments Prepared by: Diana Guida, Junior Planner



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A118.21  
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 194 Wyndham Street, zoned R3 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A rear yard of 6.43m (approx. 21.10ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.61ft) in this instance;
2. A front yard measured to the porch of 0.00m whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the porch of 5.50m (approx. 18.04ft) in this instance;
3. A front yard measured to the garage of 6.96m (approx. 22.83ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the garage of 7.50m (approx. 24.61ft) in this instance; and
4. A front yard measured to the dwelling of 6.96m (approx. 22.83ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the dwelling of 7.50m (approx. 24.61ft) in this instance.

The Committee has set **Thursday April 15, 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](mailto: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](mailto:committee.adjustment@mississauga.ca) or by mailing the Committee of Adjustment, 300 City Centre Drive 2<sup>nd</sup> 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:**

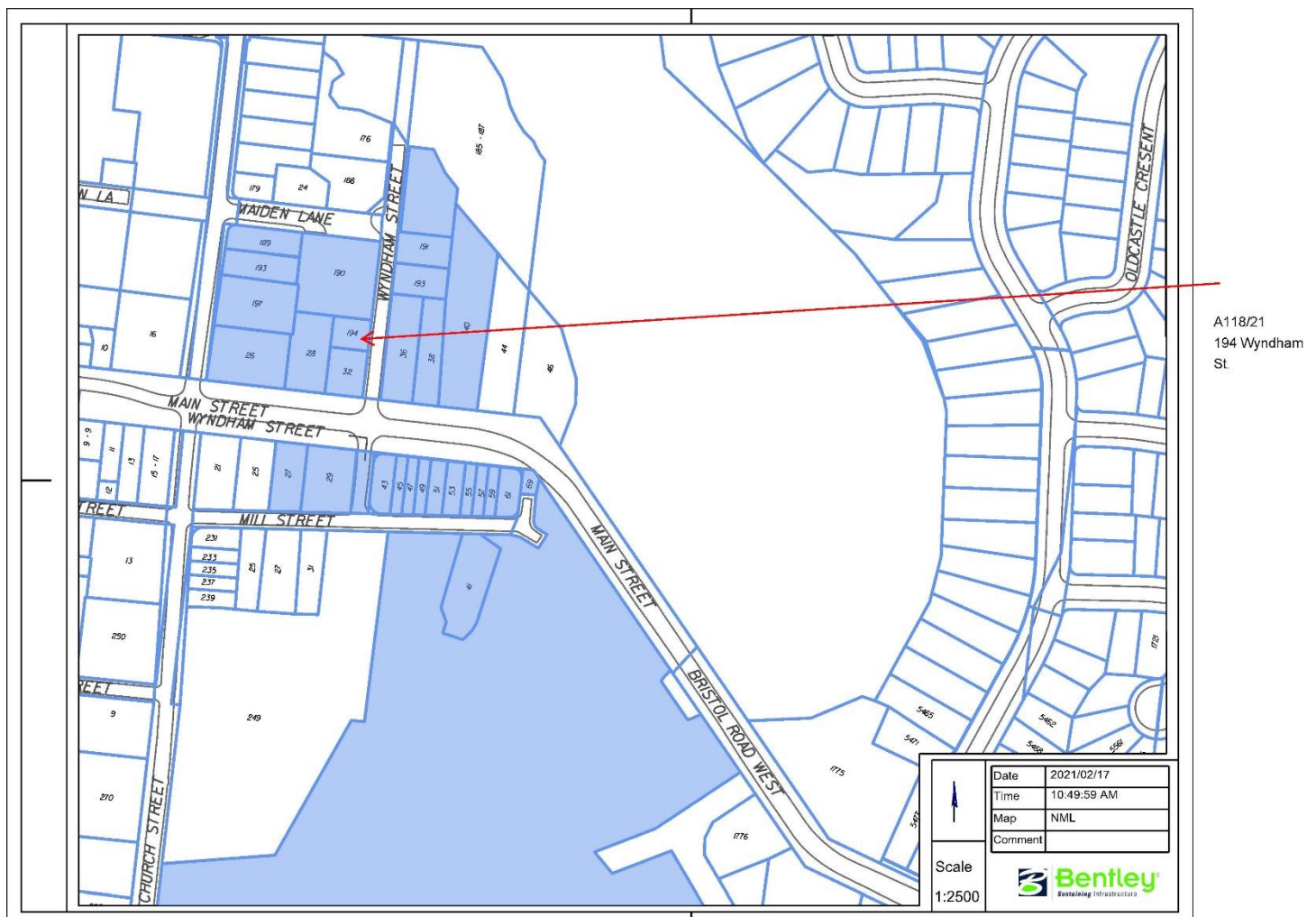
**To participate electronically (computer, tablet or smartphone):** Please email [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided 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](mailto: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: 2021-04-07 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): A118.21 Ward: 11
	Meeting date: 2021-04-15 1:00 PM

## Consolidated Recommendation

The City has no objection to the variance(s), 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 the construction of a new house proposing:

1. A rear yard of 6.43m (approx. 21.10ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.61ft) in this instance;
2. A front yard measured to the porch of 0.00m whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the porch of 5.50m (approx. 18.04ft) in this instance;
3. A front yard measured to the garage of 6.96m (approx. 22.83ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the garage of 7.50m (approx. 24.61ft) in this instance; and
4. A front yard measured to the dwelling of 6.96m (approx. 22.83ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the dwelling of 7.50m (approx. 24.61ft) in this instance.

## Amendments

The Building Department is currently processing a site plan application under file SPI 20-7 W11. Based on review of the information currently available in this permit application, we advise that the following variance should be amended as follows:

2. A front yard measured to the porch of 0.00m whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the porch of 5.90m (approx. 19.36ft) in this instance;

## Background

**Property Address:** 194 Wyndham Street

### Mississauga Official Plan

Character Area: Streetsville Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

**Zoning:** R3 - Residential

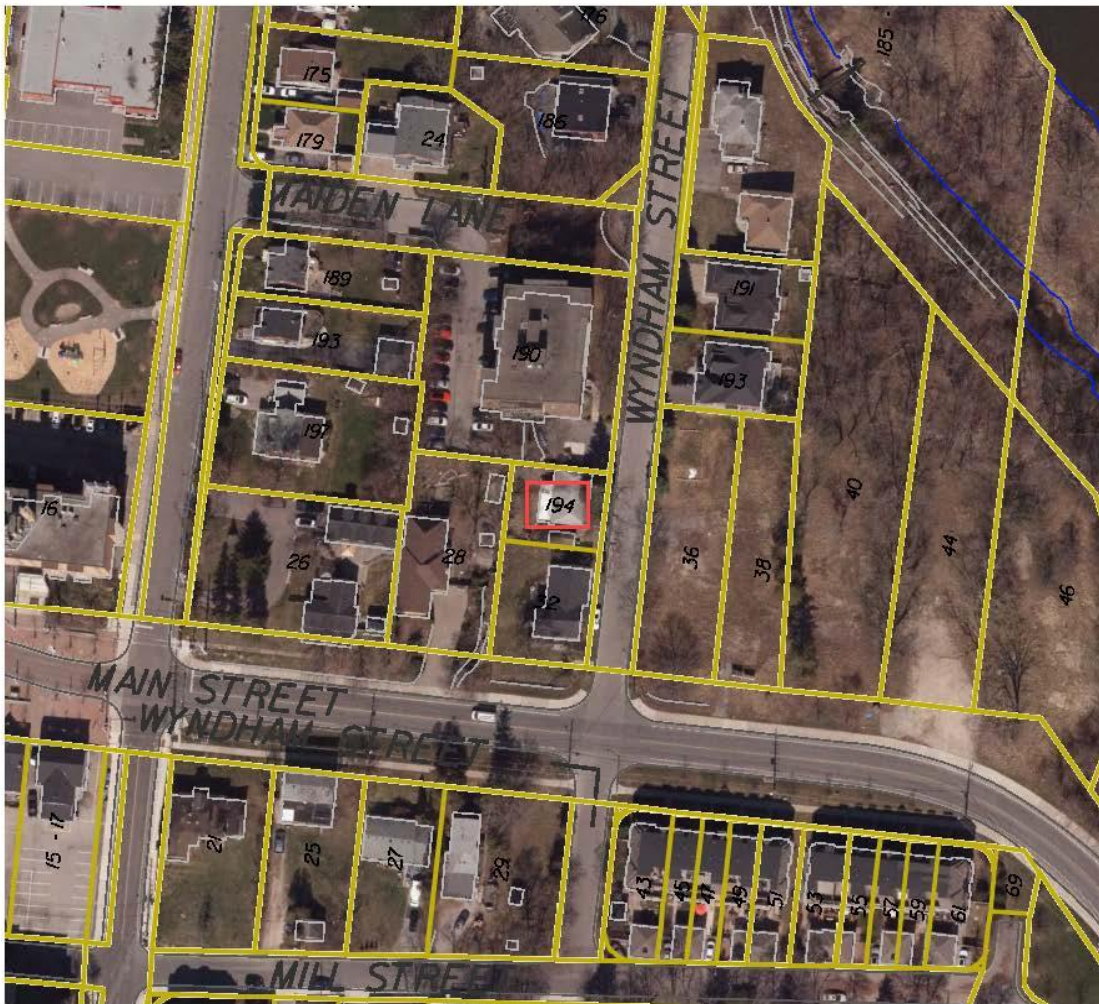
**Other Applications:** None

### Site and Area Context

The property is located north-east of the Main St and Queen St S. intersection in Streetsville; it is an interior parcel, with a lot area of approximately +/- 379.34m<sup>2</sup> and a lot frontage of approximately +/- 17.86m. The property currently houses a single storey detached dwelling with mature vegetation and landscaping elements within the front and rear yards. Contextually, the surrounding neighbourhood consists of a mix of architecture forms including an apartment building and both single storey and two storey dwellings. The immediate area properties possess lot frontages of +/- 20.0m, with matured vegetation scattered throughout and minimal landscape elements within the front yards.

The applicant is proposing a new two storey dwelling that requires variances for front 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 subject property is located within the Streetsville Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan. This designation permits detached, semi-detached, and duplex dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions; the surrounding context; and, the landscape of the character area. The proposed detached dwelling respects the designated land use and maintains the general intent and purpose of the Official Plan.

The proposed two-storey dwelling requires variances for both reduced front yard and rear yard setbacks. The intent of a front yard setback is to ensure that a consistent character is maintained along the streetscape and that a sufficient front yard space is incorporated into the design of neighbourhoods. The intent of the rear yard setback is to ensure that both an adequate buffer exists between the massing of primary structures on adjoining properties, and an appropriate amenity area is created within the rear yard. The proposed dwelling is positioned on a lot with a large slope differential between the front and rear yards. Taking this slope differential into consideration, the design of the new dwelling provides sufficient unencumbered space in the rear yard while maintaining a compatible streetscape in the front yard. Staff note, the proposed 0.0m front yard setback is a result of the existing grading of the lot and the design of the proposed dwelling necessitates a walkway extend all the way to the street-front.

The surrounding area is comprised of eclectic architecture and this minor deviation is insignificant to the neighbouring properties. Additionally there are no drainage concerns as water can free flow to the street-front with little encumbrance. 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. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

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



## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling are being addressed through the Site Plan Application process, File SPI-20/07.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## Appendix 2 – Zoning Comments

The Building Department is currently processing a site plan application under file SPI 20-7 W11. Based on review of the information currently available in this permit application, we advise that the following variance should be amended as follows:

2. A front yard measured to the porch of 0.00m whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the porch of 5.90m (approx. 19.36ft) in this instance;

We also advised the following variances, as requested are correct:

1. A rear yard of 6.43m (approx. 21.10ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.61ft) in this instance;
3. A front yard measured to the garage of 6.96m (approx. 22.83ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the garage of 7.50m (approx. 24.61ft) in this instance; and

City Department and Agency Comments	File:A118.21	2021/04/07	7
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4. A front yard measured to the dwelling of 6.96m (approx. 22.83ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the dwelling of 7.50m (approx. 24.61ft) in this instance.

Please note that comments reflect those provided through the above site plan application submitted on 2020/12/10 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**

Minor Variance Application: A-118/21

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

Please be advised that an east 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



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A119.21  
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 2495 & 2505 Speakman Drive, zoned H-E2-5 - Holding and Employment, and G1 & G2 - Greenlands, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an existing driveway on the subject property proposing:

1. A driveway on a G2 Zone (Greenlands) whereas By-law 0225-2007, as amended, does not permit a driveway on a G2 Zone (Greenlands) in this instance;
2. A minimum landscape buffer abutting a G2 Zone (Greenlands) of 0.00m whereas By-law 0225-2007, as amended, requires a minimum landscape buffer abutting a G2 Zone (Greenlands) of 4.50m (approx. 14.76ft) in this instance; and
3. A minimum setback of all parking areas, driveways, and loading spaces in a non-residential zone to all lands zoned G1 or G2 Zones (Greenlands) of 0.00m whereas By-law 0225-2007, as amended, requires a minimum of the greater of 5.00m (approx. 16.40ft) or the required yard/setback in this instance.

The Committee has set **Thursday April 15, 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](mailto: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](mailto:committee.adjustment@mississauga.ca) or by mailing the Committee of Adjustment, 300 City Centre Drive 2<sup>nd</sup> 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:**

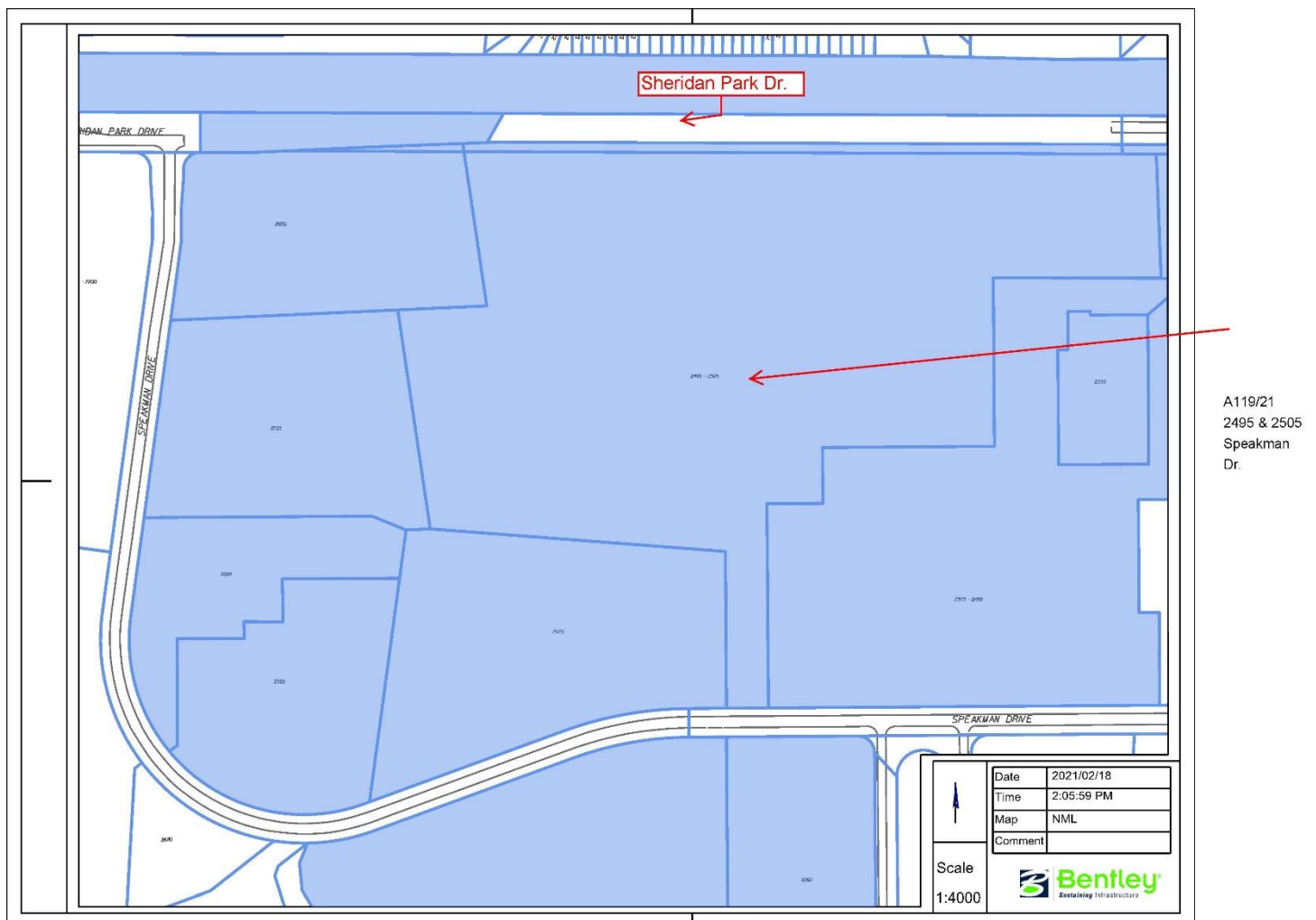
**To participate electronically (computer, tablet or smartphone):** Please email [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided 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](mailto: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: 2021-04-07	File(s): A119.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-15 1:00 PM

## Consolidated Recommendation

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

## Application Details

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

1. A driveway on a G2 Zone (Greenlands) whereas By-law 0225-2007, as amended, does not permit a driveway on a G2 Zone (Greenlands) in this instance;
2. A minimum landscape buffer abutting a G2 Zone (Greenlands) of 0.00m whereas By-law 0225-2007, as amended, requires a minimum landscape buffer abutting a G2 Zone (Greenlands) of 4.50m (approx. 14.76ft) in this instance; and
3. A minimum setback of all parking areas, driveways, and loading spaces in a non-residential zone to all lands zoned G1 or G2 Zones (Greenlands) of 0.00m whereas By-law 0225-2007, as amended, requires a minimum of the greater of 5.00m (approx. 16.40ft) or the required yard/setback in this instance.

## Background

**Property Address:** 2495 & 2505 Speakman Drive

### Mississauga Official Plan

Character Area: Sheridan Park Corporate Centre  
Designation: Greenlands, Business Employment

**Zoning By-law 0225-2007**

**Zoning:** G1, G2, H-E2-5 (Greenlands, Employment)

**Other Applications**

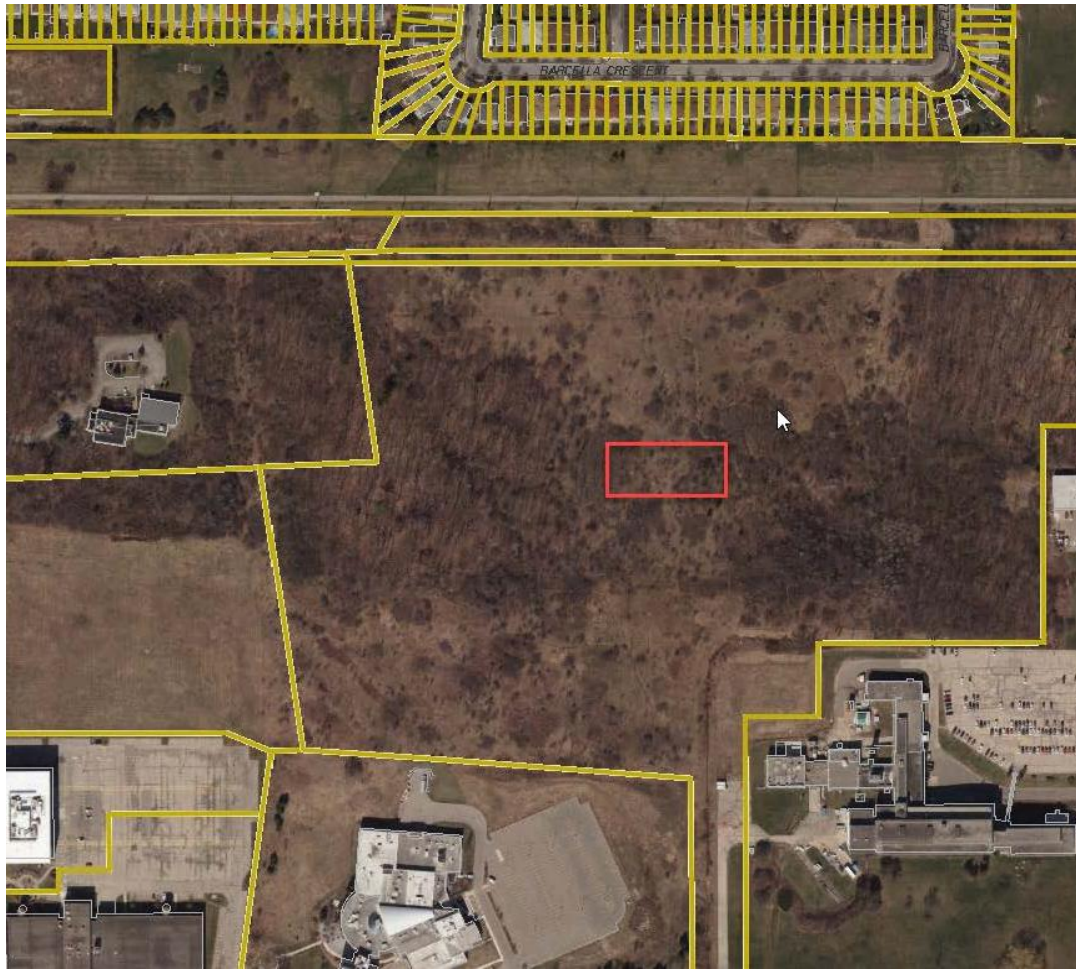
Site Plan Application: 19-134

**Site and Area Context**

The subject site is located within the Sheridan Park Corporate Centre, southeast of Sheridan Park Drive and Speakman Drive. The area contains a mix of uses including institutional, office, and manufacturing, among other uses. The subject site is currently going through the site plan process, which two office buildings, one storey in height are proposed. The subject site is currently vacant, however, a large portion of the site contains a G2 (greenlands) zoning and is within a significant natural area.

Through the site plan process, variances were identified for a driveway located on a greenlands zone and deficient setbacks measured to the greenlands zone.





## 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 minor variance and site plan application, there were no significant concerns identified regarding the location of the driveway within the G1 zone which represents an existing condition. The deficient landscape buffer is measured to a pinch point along the northerly portion of the site, abutting the G2 zone. The majority of the site maintains a sufficient buffer to the G1 and G2 zones. Additionally, the Credit Valley Conservation (CVC) Authority have reviewed the application and have no concerns with the proposed variances. 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 that any Transportation and Works Department concerns/requirements for the proposed development are being addressed through the Site Plan Application SP-19/134 and Lifting of the 'H' application 'H'-OZ-19/010 for this development.





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 19-134. Based on review of the information currently available for this application, the variances, as requested are correct.

Our comments are based on the plans reviewed by Zoning staff on 02/18/2021 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: Sandra Morrison

## **Appendix 3 – Parks, Forestry & Environment**

City Department and Agency Comments	File:A119.21	2021/04/07	7
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The Park Planning Section of the Community Services Department has no objections to the minor variance application and advises as follows:

In addition, Community Services notes the following:

- Comments and conditions are being addressed through Site Plan Control Application (SP 19/134) and Hold Removal Application (HOZ 19/010) reviewed by the Park Planning Section.

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

Comments Prepared by: Jim Greenfield, Park Planner

## **Appendix 5 – Region of Peel Comments**

Minor Variance Application: A-119/21

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

Please be advised that the subject property is located within an area the Regional Official Plan (ROP) designates as a Core Woodland and NAC Woodland of the Greenlands System in Peel, under Policy 2.3.2. A central portion of the subject property is also located within the limits of the regulated area of the Credit Valley Conservation (CVC). Within these designations, ROP policies seek to protect environmental resources.

The Region relies on the environmental expertise of the CVC for the review of applications located within or adjacent to 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 properties contain or are adjacent to tributaries of Sheridan Creek. In addition, the properties also contain or are adjacent to lands that are designated Core Greenlands by the Region of Peel and part of the Mississauga Natural Areas Survey. It is the policy of CVC and the Province of Ontario to conserve and protect the significant physical, hydrological and biological features associated with the functions of the above noted characteristics and to recommend that no development be permitted which would adversely affect the natural features or ecological functions of these areas.

**ONTARIO REGULATION 160/06:**

A portion of the sites are 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 an existing driveway on the subject property proposing:

1. A driveway on a G2 Zone (Greenlands) whereas By-law 0225-2007, as amended, does not permit a driveway on a G2 Zone (Greenlands) in this instance;
2. A minimum landscape buffer abutting a G2 Zone (Greenlands) of 4.50m (approx.. 14.76ft) in this instance; and
3. A minimum setback of all parking areas, driveways and loading spaces in a non-residential zone to all lands zoned G1 or G2 Zones (Greenlands) of 0.00m whereas By-law 0225-2007, as amended, requires a minimum of the greater 5.00m (approx.. 16.40ft) or the required yard/setback in this instance.

**COMMENTS:**

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

Please note that the CVC minor variance fee of \$310 remains outstanding. Please forward

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payment to CVC directly.

Please circulate CVC any future correspondence regarding this application.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at [maricris.marin@cvc.ca](mailto:maricris.marin@cvc.ca) should you have any further questions or concerns.

Comments Prepared by: Maricris Marinas, Senior Planner



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A120.21  
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 1161 Mirada Place, zoned R2-1 - 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 397.05sq.m (approx. 4273.81sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 362.52sq.m (approx. 3902.12sq.ft) in this instance;
2. A lot coverage of 30.17% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance;
3. A building height measured to the eaves of 6.82m (approx. 22.38ft) 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. An interior side yard of 2.42m (approx. 7.94ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 3.00m (approx. 9.84ft) in this instance; and
5. An exterior side yard of 6.09m (approx. 19.98ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 7.50m (approx. 24.61ft) in this instance.

The Committee has set **Thursday April 15, 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](mailto: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](mailto:committee.adjustment@mississauga.ca) or by mailing the Committee of Adjustment, 300 City Centre Drive 2<sup>nd</sup> 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:

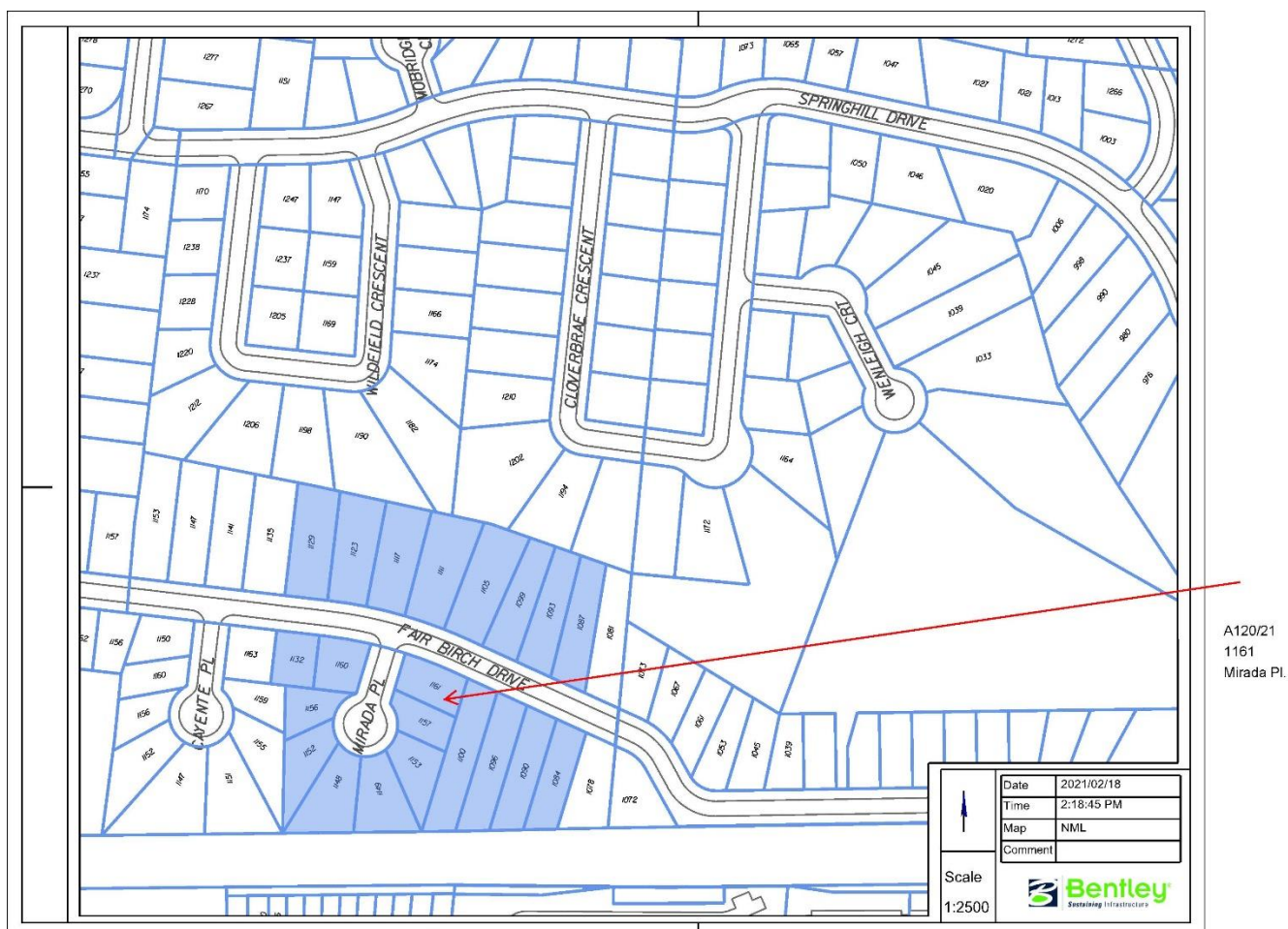
**To participate electronically (computer, tablet or smartphone):** Please email [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided 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](mailto: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: 2021-04-07	File(s): A120.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-15 1:00 PM

## Consolidated Recommendation

The City has no objections to the requested variances. The applicant may choose to defer the application to allow the Zoning Division to review the site plan application and confirm the proposed variances and ensure additional variances are not required.

## Application Details

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

1. A gross floor area of 397.05sq.m (approx. 4273.81sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 362.52sq.m (approx. 3902.12sq.ft) in this instance;
2. A lot coverage of 30.17% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance;
3. A building height measured to the eaves of 6.82m (approx. 22.38ft) 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. An interior side yard of 2.42m (approx. 7.94ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 3.00m (approx. 9.84ft) in this instance; and
5. An exterior side yard of 6.09m (approx. 19.98ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 7.50m (approx. 24.61ft) in this instance.

## Recommended Conditions and Terms

## Background

**Property Address:** 1161 Mirada Place

**Mississauga Official Plan**

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

### Zoning By-law 0225-2007

**Zoning:** R2-1 (Residential)

### Other Applications

Site Plan Application: 21-29

### Site and Area Context

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

The application proposes a new two storey dwelling, requiring variances related to gross floor area, lot coverage, eave height, interior and exterior side yard setbacks.



## Comments

### Planning

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

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

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

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP) which 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 detached dwelling respects the designated land use, and has regard for the distribution of massing on the property as a whole. The proposed variances do not significantly alter the design of the proposed dwelling than what is permitted as of right. 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 and to also lessen the visual massing of the dwelling by 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 9.50 m, thereby reducing the impact of the increased eave height. The proposed dwelling also contains architectural features that break up the overall massing of the dwelling in relation to the streetscape and neighbouring properties. As such, 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 30.17% whereas a maximum of 30% is permitted. The minor increase in lot coverage is due to the covered porch which makes up approximately 4% of the total coverage and does not add any significant massing to the dwelling. As such, staff is of the opinion that the variance is appropriate to be handled through the minor variance process and raises no concerns of a planning nature in this instance.

Variances #4 proposes a side yard of 2.42 m whereas a maximum of 3 m is required. The general intent of this portion of the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties, and that access to the rear yard ultimately remains unencumbered. In this instance, the deficient side yard is only measured to

the portion of the garage that extends further into the required side yard. The remaining portion of the dwelling maintains the required 3 m setback, maintaining a sufficient buffer to the neighbouring property. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #5 proposes a deficient exterior side yard setback of 6.09 m whereas 7.50 m is required. The general intent of this portion of the by-law is to ensure that an adequate buffer exists between a structure's massing and, in this case, the public realm. The proposed exterior side yard is measured to the closest point of the dwelling to the lot line. The remaining portion of the dwelling has a greater setback of up to 6.60 m. The proposed deficiency will not significantly alter the character streetscape and is similar to other corner lots within the surrounding area. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

The proposed variances maintain the context of the surrounding neighbourhood and do not pose any significant impact to the streetscape character from what the by-law currently permits. The dwelling maintains the maximum permitted height in the by-law, which lessens the impact of the increased eave height. Additionally, the increase in gross floor area is mitigated by the architectural features which breaks up the overall massing of the dwelling which limits the impact of the increased eave height. 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 allow the Zoning Division to review the site plan application and confirm the proposed variances and ensure additional variances are not required.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling are being addressed through the Site Plan Application process, File SPI-20/029.







Comments Prepared by: John Salvino, Development Engineering Technologist

### **Appendix 2 – Zoning Comments**

The site plan application (SP 21-29) is in the process of being reviewed. As such, staff cannot confirm the requested variances or identify whether additional variances are required.

Comments Prepared by: Sherri Takaloo

### **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: A121.21  
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 7076 Old Mill Lane, zoned R1-32 - 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 addition proposing:

1. A gross floor area of 262.00sq.m (approx. 2820.14sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 253.22sq.m (approx. 2725.64sq.ft) in this instance;
2. A lot coverage of 27.11% (252.74sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage 25.00% (233.06sq.m) in this instance;
3. A front yard measured to the house of 7.81m (approx. 25.62ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the house of 9.00m (approx. 29.53ft) in this instance;
4. A front yard measured to a deck of 6.72m (approx. 22.05ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to a deck of 7.40m (approx. 24.28ft) in this instance;
5. An interior side yard of 1.51m (approx. 4.95ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard 1.80m (approx. 5.91ft) in this instance;
6. An interior side yard measured to a garage of 1.80m (approx. 5.91ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to a garage of 4.20m (approx. 13.78ft) in this instance;
7. A rear yard of 1.28m (approx. 4.20ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.61ft) in this instance;
8. A rear yard measured to an open porch of 1.17m (approx. 3.84ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to an open porch of 2.50m (approx. 8.20ft) in this instance;
9. A combined width of side yards of 3.31m (approx. 10.86ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 8.44m (approx. 27.69ft) in this instance;
10. A building height measured to the highest ridge of 7.88m (approx. 25.85ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the highest ridge of 7.50m (approx. 24.61ft) in this instance; and
11. A building height of a garage of 5.41m (approx. 17.75ft) whereas By-law 0225-2007, as amended, permits a maximum building height of a garage of 4.60m (approx. 15.09ft) in this instance.

The Committee has set **Thursday April 15, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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**Advance registration is required to participate in the electronic hearing:**

**To participate electronically (computer, tablet or smartphone):** Please email

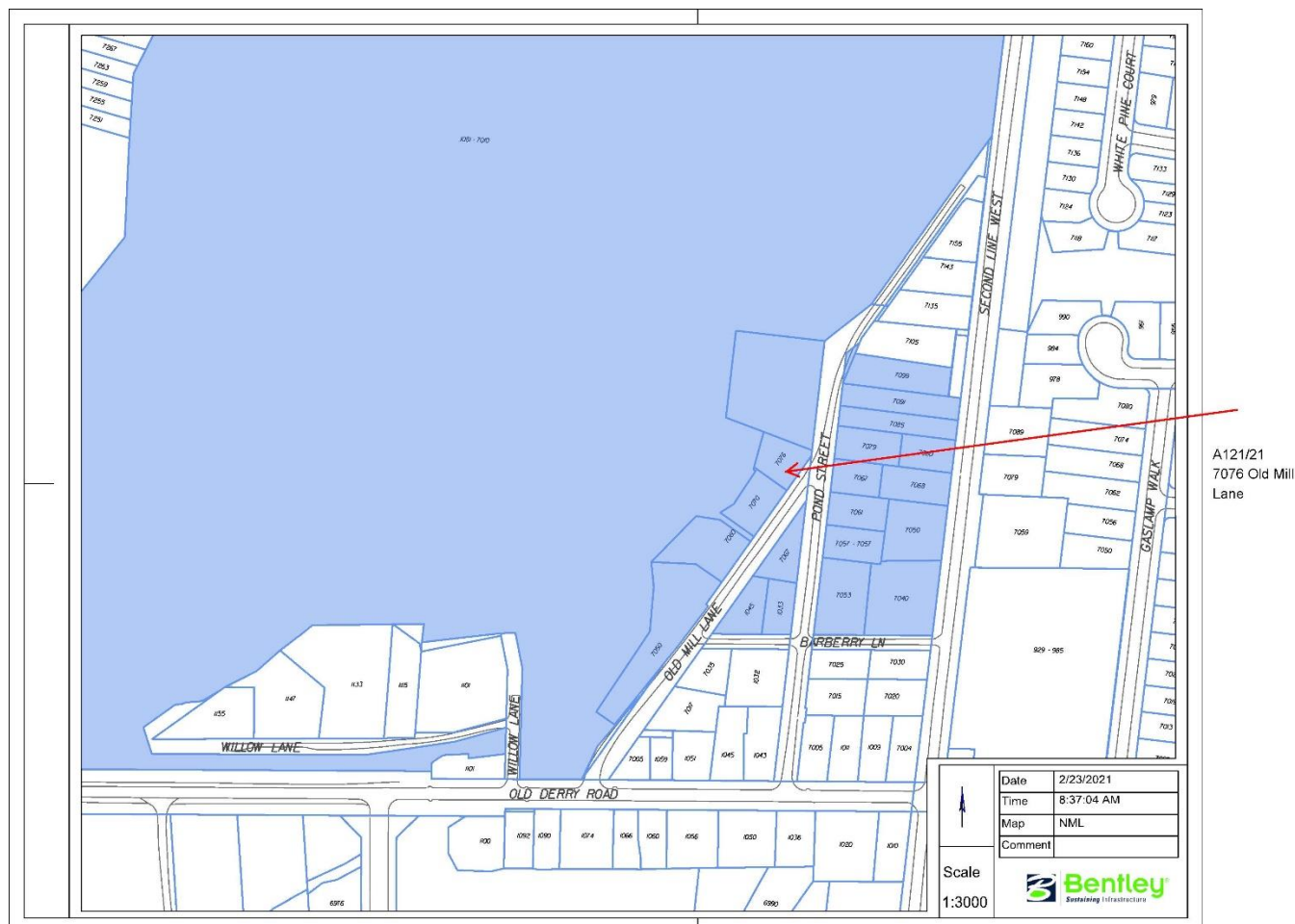
[committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services will not be accepted.

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# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-04-07	File(s): A121.21 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-15 1:00 PM

## Consolidated Recommendation

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

## Application Details

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

1. A gross floor are of 262.00sq.m (approx. 2820.14sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 253.22sq.m (approx. 2725.64sq.ft) in this instance;
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4. A front yard measured to a deck of 6.72m (approx. 22.05ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to a deck of 7.40m (approx. 24.28ft) in this instance;
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6. An interior side yard measured to a garage of 1.80m (approx. 5.91ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to a garage of 4.20m (approx. 13.78ft) in this instance;
7. A rear yard of 1.28m (approx. 4.20ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.61ft) in this instance;
8. A rear yard measured to an open porch of 1.17m (approx. 3.84ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to an open porch of 2.50m (approx. 8.20ft) in this instance;
9. A combined width of side yards of 3.31m (approx. 10.86ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 8.44m (approx. 27.69ft) in this instance;

10. A building height measured to the highest ridge of 7.88m (approx. 25.85ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the highest ridge of 7.50m (approx. 24.61ft) in this instance; and
11. A building height of a garage of 5.41m (approx. 17.75ft) whereas By-law 0225-2007, as amended, permits a maximum building height of a garage of 4.60m (approx. 15.09ft) in this instance.

### **Amendments**

The Building Department is currently processing a SPI permit under file 20-85. Based on a review of the information currently available, we advise that the following variances should be added:

12. A rear yard measured to an covered porch of 1.64m (approx. 5.38ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to an open porch of 2.50m (approx. 8.20ft) in this instance;
13. A front yard measured to bay window of 7.81m (approx. 25.62ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the bay window of 8.39m (approx. 27.52ft) in this instance;

## **Background**

**Property Address:** 7076 Old Mill Lane

### **Mississauga Official Plan**

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

### **Zoning By-law 0225-2007**

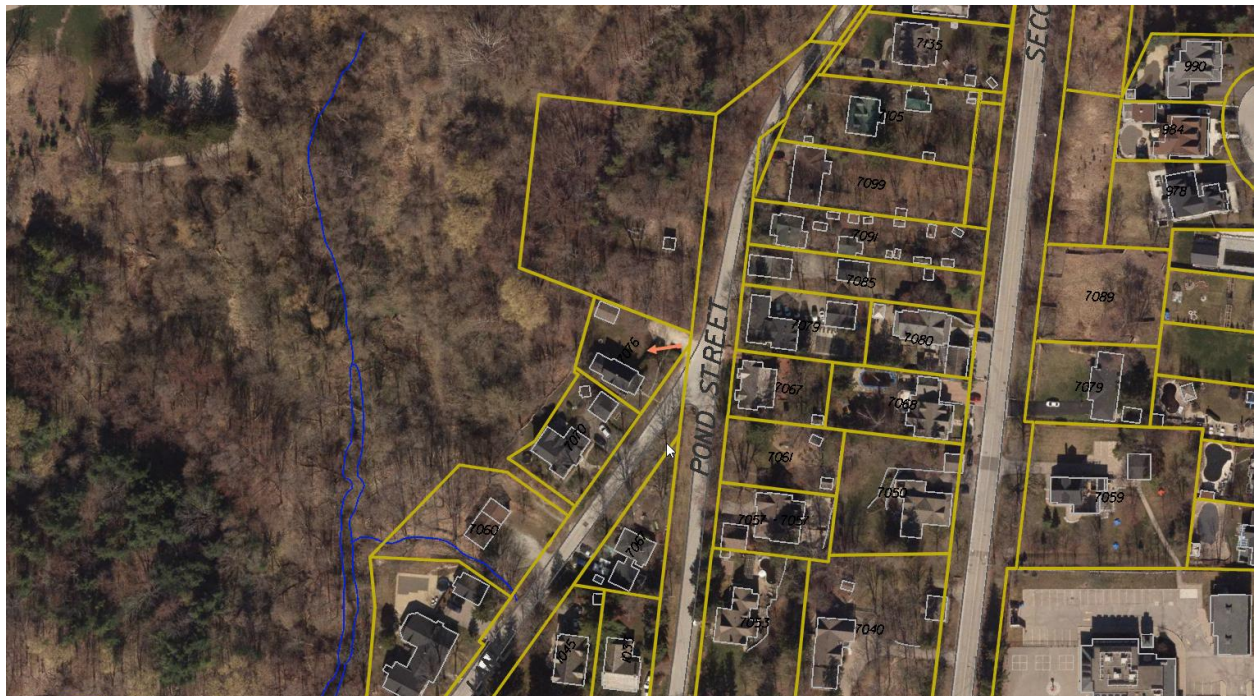
**Zoning:** R1-32 - Residential

**Other Applications:** SP 20-85

### **Site and Area Context**

The property is located within the Meadowvale Village Heritage Conservation District and north-west of the Old Derry Rd and Old Mill Lane intersection. It is an exterior parcel, with a lot area of approximately +/- 932.24m<sup>2</sup> and a lot frontage of approximately +/- 31.27m. The property currently houses a two-storey detached dwelling with mature vegetation and landscaping elements within the front and rear yards. Contextually, the surrounding neighbourhood consists

The applicant is proposing a new two storey dwelling that requires variances for gross floor area and lot coverage; as well as front, side and rear yard setbacks and building height.



## Planning

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 Village Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan. This designation permits detached, semi-detached, duplex dwellings, triplexes, street townhouses 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 detached dwelling respects the designated land use and maintains the general intent and purpose of the Official Plan.

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

Variance #1 and #2 as requested pertain to gross floor area and lot coverage:

The intent in restricting lot coverage and gross floor area (GFA) is to ensure that there isn't an overdevelopment of the lot and to maintain compatibility between existing and new dwellings within the surrounding neighbourhood. The proposed increase in lot coverage and GFA is an insignificant deviation from what is permissible under the zoning by-law and will pose no impacts to the surrounding neighbourhood. The dwelling currently sits at the end of the street and backs onto a vacant land owned by the Credit Valley Conservation Authority (CVC). The proposed increase to the overall lot coverage and GFA that includes the addition, the detached garage and porch is negligible and maintains the general intent and purpose of the by-law.

Variance #3 - #9 as requested pertain to front, rear and side yard setbacks:

The intent of a front yard setback is to ensure that a consistent character is maintained along the streetscape and that a sufficient front yard space is incorporated into the design of neighbourhoods. The proposed front yard of 7.71m whereas 9.0m is required and the proposed front yard measured to a deck of 6.72, whereas 7.40m is permitted under the zoning by-law is marginal and possesses a similar setback to an existing structure on the adjacent property. Additionally this setback is measure to the existing dwelling that was originally built circa 1930, and comparable to the other heritage dwellings within the immediate area built at a similar time.

The general intent of a side yard and rear yard setback is to ensure that an adequate buffer exists between the massing of the primary structures on adjoining properties, and that access to the rear yard ultimately remains unencumbered. While the applicant has proposed a significant reduction to the rear and south side yard of the property, the rear yard can still be accessed from both sides of the property and there is a sufficient amount of space for drainage. The applicant has proposed a screened porch which has cause the yard reduction. The redevelopment will demolish the existing detached garaged, opening up the north side of the rear yard and provide adequate amenity space in the rear yard. Additionally, there are a number of trees on the south side of the property creating a visual buffer between abutting properties lessening any massing concerns.

Planning Staff are of the opinion that variances #3 - #9 are minor in nature and maintain the general intent and purpose of the zoning by-law.



Furthermore, the Building Department is currently processing a site plan application under file SP 20-85. Based upon review of this application, planning staff are in agreement with Zoning's comments and recommend that additional variances be added:

12. A rear yard measured to an covered porch of 1.64m (approx. 5.38ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to an open porch of 2.50m (approx. 8.20ft) in this instance;
13. A front yard measured to bay window of 7.81m (approx. 25.62ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the bay window of 8.39m (approx. 27.52ft) in this instance;

This department has no objection to the additional variances should the applicant wish to proceed with them. Based on a through review of the surrounding area, staff are of the opinion that the additional variances will not undermine the character of the neighbourhood. The variances, as amended, result in both the orderly development of the lands, and whose impacts are minor in nature. 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.

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

While the Applicant is required to seek relief from multiple portions of the By-law, when viewed either individually or collectively, these are nominal in nature, and do not pose significant negative impacts. Through a detailed review, Staff is of the opinion that the application raises no concerns of a planning nature.

## **Conclusion**

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

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

## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling are being addressed through the Site Plan Application process, File SP-20/85.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## Appendix 2 – Zoning Comments

The Building Department is currently processing a SPI permit under file 20-85. Based on review of the information, currently available in this permit application, we advise that the variances should be amended as follows:

Comments 1-11 will be remain and comments # 12 and # 13 will be added.

- 12 A rear yard measured to an covered porch of 1.64m (approx. 5.38ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to an open porch of 2.50m (approx. 8.20ft) in this instance and;
- 13 A front yard measured to bay window of 7.81m (approx. 25.62ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the bay window of 8.39m (approx. 27.52ft) in this instance;

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

Comments Prepared by: Sherri Takaloo Zoning Examiner

## Appendix 3 – Parks, Forestry & Environment

The Park Planning Section of the Community Services Department has reviewed the minor variance application and has no objections:

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

- The lands adjacent to the property are owned by the Credit Valley Conservation Authority (CVC) and leased by the City of Mississauga, identified as Meadowvale Conservation Area (Park #328) and within the Significant Natural Area. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:
  - a) ensuring that development in or adjacent to the Natural Heritage System protects and maintains the natural heritage features and their ecological functions through such means as tree preservation,..., grading, landscaping...;
- Tree preservation hoarding and securities may be required as part of the site plan control process.

- Stockpiling of construction materials and encroachment in the adjacent park is not permitted. Construction access from the park is not permitted.

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

Comments Prepared by: Jim Greenfield, Park Planner

## **Appendix 5 – Region of Peel Comments**

Minor Variance Application: A-121/21

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

Please be advised that a west 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 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





## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A122.21  
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 719 Third Street, zoned R3-75 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee allow the construction of an addition proposing:

1. A front yard measured to the dwelling of 6.46m (approx. 21.19ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the dwelling of 7.50m (approx. 24.61ft) in this instance;
2. A front yard measured to the porch of 3.45m (approx. 11.31ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the porch of 5.90m (approx. 19.36ft) in this instance;
3. A front yard measured to the eaves of 5.86m (approx. 19.22ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the eaves of 7.05m (approx. 24.61ft) in this instance;
4. A side yard measured to the first storey of 0.57m (approx. 1.87ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the first storey of 1.20m (approx. 3.94ft) in this instance;
5. A side yard measured to the second storey of 0.57m (approx. 1.87ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the second storey of 1.81m (approx. 5.94ft) in this instance;
6. A westerly side yard measured to the eaves of 0.37m (approx. 0.21ft) whereas By-law 0225-2007, as amended, requires a minimum westerly side yard measured to the eaves of 1.36m (approx. 4.46ft) in this instance;
7. A dwelling unit depth of 22.02m (approx. 72.24ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m (approx. 65.62ft) in this instance;
8. A maximum driveway width of 8.64m (approx. 28.35ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance;
9. A minimum driveway width of 2.07m (approx. 6.79ft) whereas By-law 0225-2007, as amended, requires a minimum driveway width of 2.60m (approx. 8.53ft) in this instance;
10. A dwelling height of 10.39m (approx. 34.09ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling height of 9.00m (approx. 29.53ft) in this instance; and
11. A building height measured to the eaves of 6.96m (approx. 22.83ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

The Committee has set **Thursday April 15, 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](mailto: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](mailto:committee.adjustment@mississauga.ca) or by mailing the Committee of Adjustment, 300 City Centre Drive 2<sup>nd</sup> 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

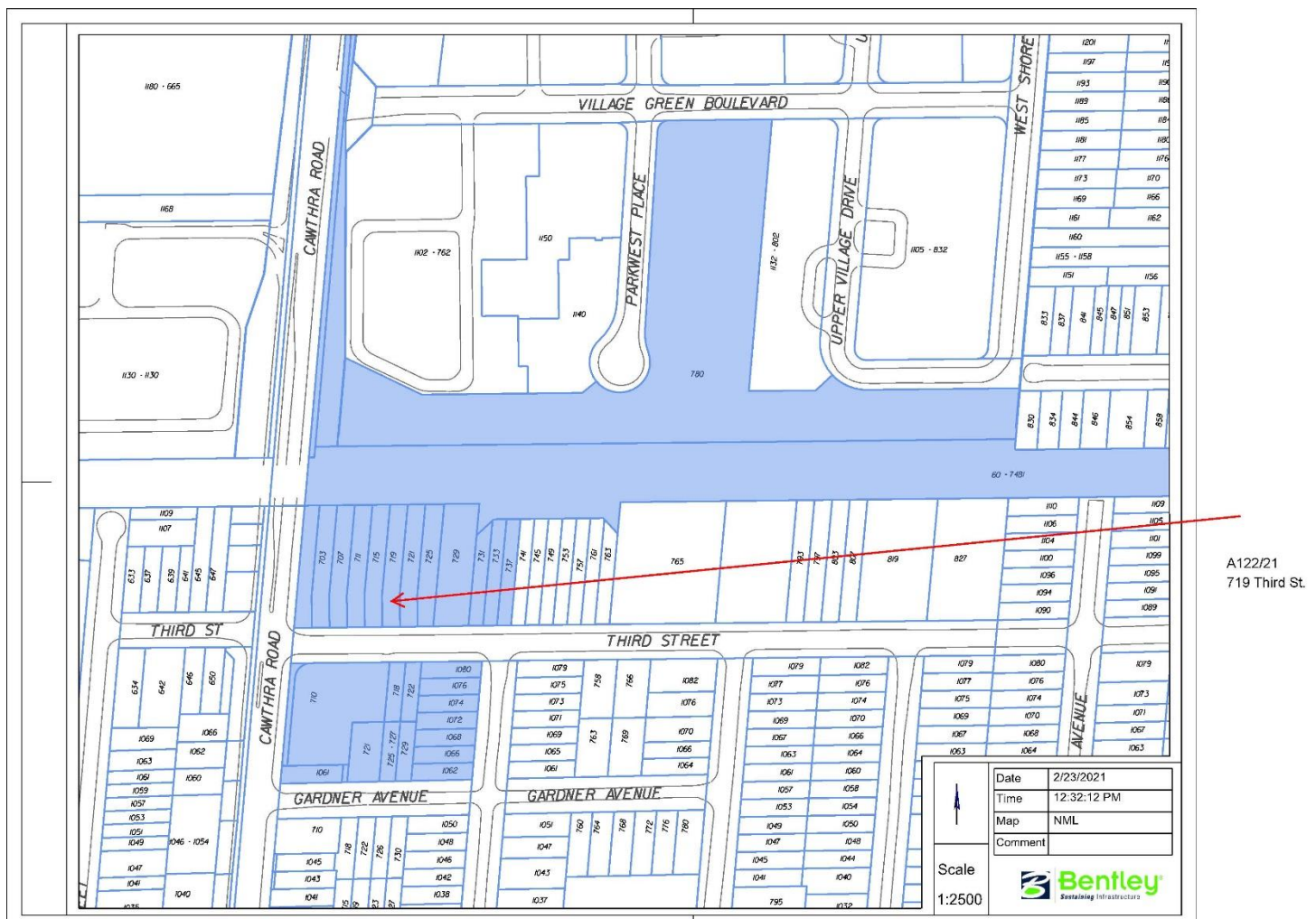
[committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services will not be accepted.

**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](mailto: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: 2021-04-07	File(s): A122.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-15 1:00 PM

## Consolidated Recommendation

The City recommends that the application be deferred for redesign.

## Application Details

The applicant requests the Committee allow the construction of an addition proposing:

1. A front yard measured to the dwelling of 6.46m (approx. 21.19ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the dwelling of 7.50m (approx. 24.61ft) in this instance;
2. A front yard measured to the porch of 3.45m (approx. 11.31ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the porch of 5.90m (approx. 19.36ft) in this instance;
3. A front yard measured to the eaves of 5.86m (approx. 19.22ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the eaves of 7.05m (approx. 24.61ft) in this instance;
4. A side yard measured to the first storey of 0.57m (approx. 1.87ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the first storey of 1.20m (approx. 3.94ft) in this instance;
5. A side yard measured to the second storey of 0.57m (approx. 1.87ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the second storey of 1.81m (approx. 5.94ft) in this instance;
6. A westerly side yard measured to the eaves of 0.37m (approx. 0.21ft) whereas By-law 0225-2007, as amended, requires a minimum westerly side yard measured to the eaves of 1.36m (approx. 4.46ft) in this instance;
7. A dwelling unit depth of 22.02m (approx. 72.24ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m (approx. 65.62ft) in this instance;
8. A maximum driveway width of 8.64m (approx. 28.35ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance;
9. A minimum driveway width of 2.07m (approx. 6.79ft) whereas By-law 0225-2007, as amended, requires a minimum driveway width of 2.60m (approx. 8.53ft) in this instance;

10. A dwelling height of 10.39m (approx. 34.09ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling height of 9.00m (approx. 29.53ft) in this instance; and
11. A building height measured to the eaves of 6.96m (approx. 22.83ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

## Amendments

The following variances should be amended as follows:

4. A westerly side yard measured to the first storey of 0.57m (approx. 1.87ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the first storey of 1.20m (approx. 3.94ft) in this instance;
5. A westerly side yard measured to the second storey of 0.57m (approx. 1.87ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the second storey of 1.81m (approx. 5.94ft) in this instance;
10. A dwelling height of 10.39m (approx. 34.09ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling height of 9.50m (approx. 31.17) in this instance;

## Background

**Property Address:** 719 Third Street

### Mississauga Official Plan

Character Area: Lakeview Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

**Zoning:** R3-75 (Residential)

### Other Applications

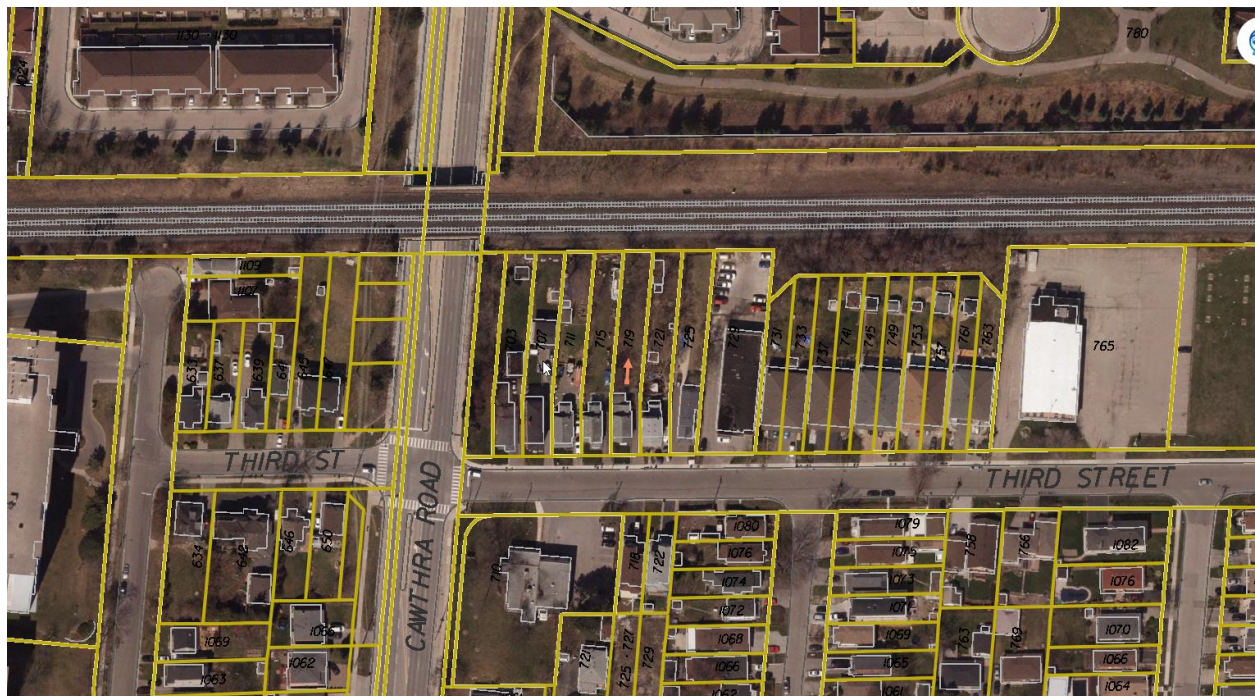
Pre-Application: 20-3479

### Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, north of Cawthra Road and Lakeshore Road East. The surrounding area is primarily residential, consisting of one and two storey detached dwellings with mature vegetation. The immediate

area also contains a fire station, a motor vehicle service use and an establishment known as the Army Navy and Air force Veterans Club. The subject property contains an existing one and a half storey dwelling with mature vegetation in the rear yard and abuts the railway corridor.

The applicant is proposing a new two storey dwelling, requiring variances related to front and side yard setbacks, dwelling depth, driveway widths and heights measured to the highest ridge and eaves.



## Comments

### Planning

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

Staff comments concerning the application are as follows:

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached and duplex, triplex and other forms of low rise dwellings with individual frontages. 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. Additionally, Section 10.3 (Built Form Types) of the Lakeview Local Area Plan states that new

housing within Lakeview should maintain the existing character of the area. The proposed variances regarding deficient side yard setbacks measured to the first and second storey, dwelling depth and heights, create a dwelling that significantly impacts the neighbouring properties and not compatible with the surrounding neighbourhood. As such, staff recommends that the application be deferred for redesign.

## 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 the Development Construction Section of the Transportation and Works Department is currently reviewing a grading plan for the proposed addition, driveway and rear yard garage through the Secondary Unit Permit process, File SEC UNIT 20/4128.







Comments Prepared by: John Salvino, Development Engineering Technologist

## Appendix 2 – Zoning Comments

The Building Department is currently processing building permit application SEC UNIT 20-4128. Zoning staff recommends the following variances to be amended:

4. A westerly side yard measured to the first storey of 0.57m (approx. 1.87ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the first storey of 1.20m (approx. 3.94ft) in this instance;
5. A westerly side yard measured to the second storey of 0.57m (approx. 1.87ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the second storey of 1.81m (approx. 5.94ft) in this instance;
10. A dwelling height of 10.39m (approx. 34.09ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling height of 9.50m (approx. 31.17) in this instance; and

These amendments are based on a review of the building permit plans received by Zoning staff on 3/4/2021.

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

Comments Prepared by: Brian Bonner – Zoning Examiner

#### **Appendix 5 – Region of Peel Comments**

We have no comments or objections

Comments Prepared by: Diana Guida, Junior Planner



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A123.21  
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 1530 Indian Grove, zoned R2-4 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee allow the construction of a new house proposing:

1. A gross floor area of 664.42sq.m (approx. 7151.76sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 656.72sq.m (approx. 7068.88sq.ft) in this instance;
2. A dwelling depth of 21.63m (approx. 70.96ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
3. A combined width of side yards of 6.16m (approx. 20.21ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 6.42m (approx. 21.06ft) in this instance;
4. A building height of 9.66m (approx. 31.69ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.50m (approx. 21.17ft) in this instance; and
5. A building height of measured to the eaves of 7.21m (approx. 23.65ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

The Committee has set **Thursday April 15, 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](mailto:committee.adjustment@mississauga.ca) or by mailing the Committee of Adjustment, 300 City Centre Drive 2<sup>nd</sup> 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:**

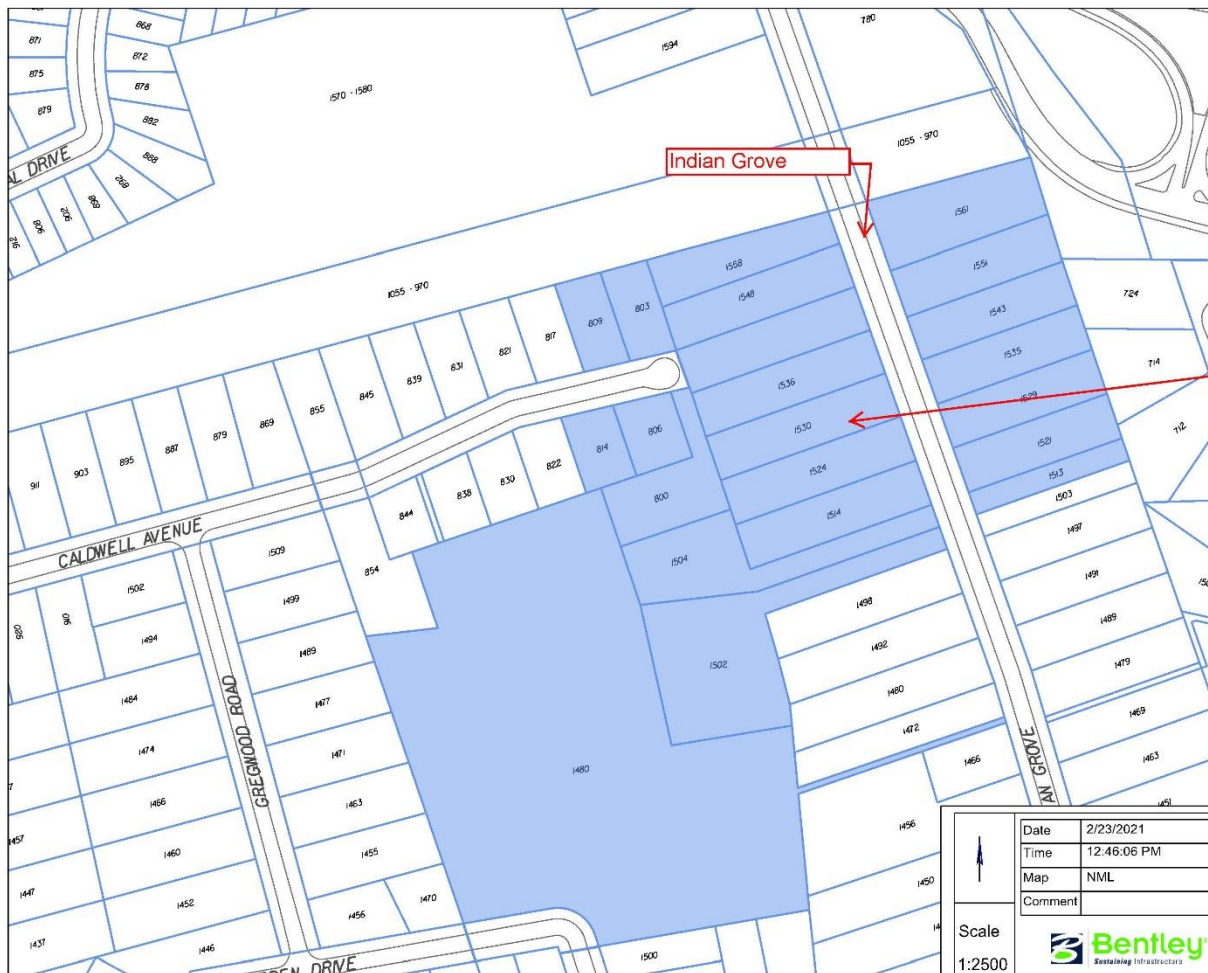
**To participate electronically (computer, tablet or smartphone):** Please email [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided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



Indian Grove

A123/21  
1530 Indian  
Grove

Date	2/23/2021
Time	12:46:06 PM
Map	NML
Comment	

Scale  
1:2500



Bentley  
Sustaining Infrastructure



# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-04-07	File(s): A123.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-15 1:00 PM

## Consolidated Recommendation

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

## Application Details

The applicant requests the Committee allow the construction of a new house proposing:

1. A gross floor area of 664.42sq.m (approx. 7151.76sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 656.72sq.m (approx. 7068.88sq.ft) in this instance;
2. A dwelling depth of 21.63m (approx. 70.96ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
3. A combined width of side yards of 6.16m (approx. 20.21ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 6.42m (approx. 21.06ft) in this instance;
4. A building height of 9.66m (approx. 31.69ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.50m (approx. 21.17ft) in this instance; and
5. A building height of measured to the eaves of 7.21m (approx. 23.65ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

## Background

**Property Address:** 1530 Indian Grove

### Mississauga Official Plan

**Character Area:** Clarkson-Lorne Park Neighbourhood



Designation: Residential Low Density I

### Zoning By-law 0225-2007

Zoning: R2-4 (Residential)

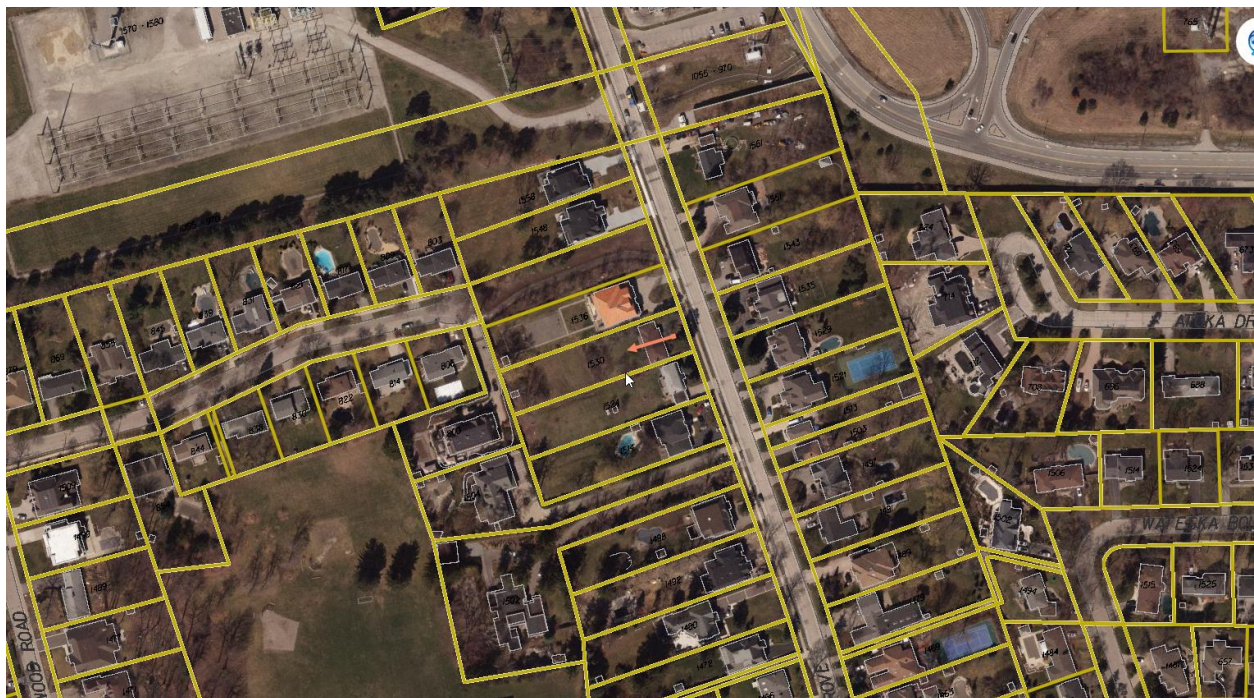
### Other Applications

Site Plan Application: 20-143

### Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southwest of the Queen Elizabeth Way (QEW) and South Sheridan Way. The immediate neighbourhood is primarily residential, consisting of deep lots with older one storey and newer two storey detached dwellings and mature vegetation. The subject property contains an existing one storey detached dwelling with mature vegetation in the front and rear yard.

The applicant is proposing a new two storey dwelling, requiring variances related to gross floor area, dwelling depth, combined width of side yards and height measured to the highest ridge and eaves.



## 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. 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 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 newer 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, 4 and 5 propose an increase in gross floor area and height measured to the highest ridge and eaves. The intent of the infill regulations is to maintain compatibility between existing and new dwellings. In this instance, the difference between established grade and average grade is approximately 0.33 m. If the dwelling was measured to established grade, the overall height would be less than the maximum permitted of 9.50 m with the eave height being 6.93 m. Due to the overall height of the dwelling being less than what is permitted from a streetscape perspective, the impact of the increased eave height would be reduced. Furthermore, the proposed dwelling contains architectural features that break up the overall massing of the dwelling in relation to the streetscape and neighbouring properties. This results in the proposed dwelling maintaining 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 dwelling depth of 21.63 m whereas a maximum of 20 m is permitted. The intent of the by-law is to minimize any impact of long walls on neighbouring lots as a direct result of the building massing. In this instance, it is only the portion of the dwelling facing the southern lot line that requires relief of the dwelling depth as the northern portion of the dwelling maintains the maximum depth of 20 m. Furthermore, the rear portion of the proposed dwelling is generally in line with the neighbouring dwelling, lessening the impact on the adjacent neighbour's rear yard. The southerly portion of the dwelling is setback 4.20 m from the lot line, reducing the impact of the building massing to the neighbouring lot. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #3 proposes a combined side yard width setback of 6.16 m whereas 6.40 m is required. The general intent of this portion of the by-law is to ensure that an adequate buffer

exists between the massing of primary structures on adjoining properties. In this instance, the proposed deficiency is due to a projecting bay window on the southerly side of the dwelling. The remaining portion of the dwelling exceeds by-law requirements, maintaining a sufficient buffer to neighbouring properties. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

The proposed variances maintain the context of the surrounding neighbourhood and do not pose any significant impact to the streetscape character. From established grade, the dwelling maintains a height less than the maximum permitted height of 9.50 m, which lessens the impact of the increased eave height. Additionally, the proposed dwelling is similar to newer two storey dwellings within the immediate area and does not significantly alter the streetscape character. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

## **Conclusion**

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

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner



## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting 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-20/143.



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 20-143. 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 12/16/2020 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**

Minor Variance Application: A-123/21

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](mailto:siteplanservicing@peelregion.ca)

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

Comments Prepared by: Diana Guida, Junior Planner



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A124.21  
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 3830 Milkwood Crescent, zoned RM2 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicants request the Committee to approve a minor variance to allow the construction of a below grade entrance on the subject property proposing an exterior side yard of 1.12m (approx. 3.67ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 1.20m (approx. 3.93ft) in this instance.

The Committee has set **Thursday April 15, 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](mailto: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](mailto:committee.adjustment@mississauga.ca) or by mailing the Committee of Adjustment, 300 City Centre Drive 2<sup>nd</sup> 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](mailto: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.

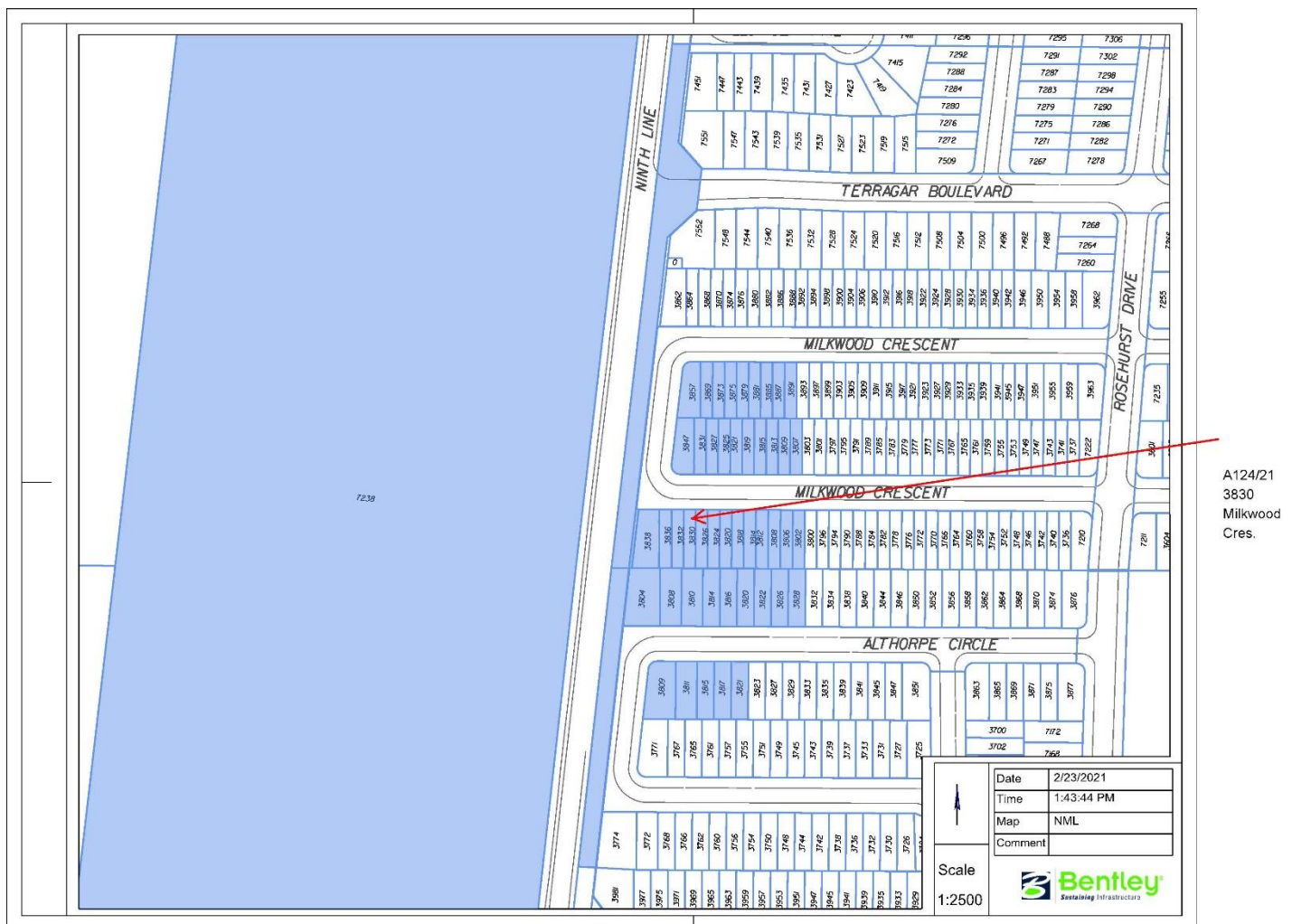


**To participate by telephone:** To register, please call 905-615-3200 x5209 no later than 4:30pm the Tuesday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.

### 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](mailto: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: 2021-04-07	File(s): A124.21 Ward: 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-15 1:00 PM

## Consolidated Recommendation

Planning staff have no objection to the variance, as amended.

## Application Details

The applicants request the Committee to approve a minor variance to allow the construction of a below grade entrance on the subject property proposing an exterior side yard of 1.12m (approx. 3.67ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 1.20m (approx. 3.93ft) in this instance.

### Amendments

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

- The applicants request the Committee to approve a minor variance to allow the construction of a below grade entrance on the subject property proposing an interior side yard of 1.12m (approx. 3.67ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 1.20m (approx. 3.93ft) in this instance

## Background

**Property Address:** 3830 Milkwood Crescent

### Mississauga Official Plan

**Character Area:** Lisgar Neighbourhood

Designation: Residential Low Density II

### Zoning By-law 0225-2007

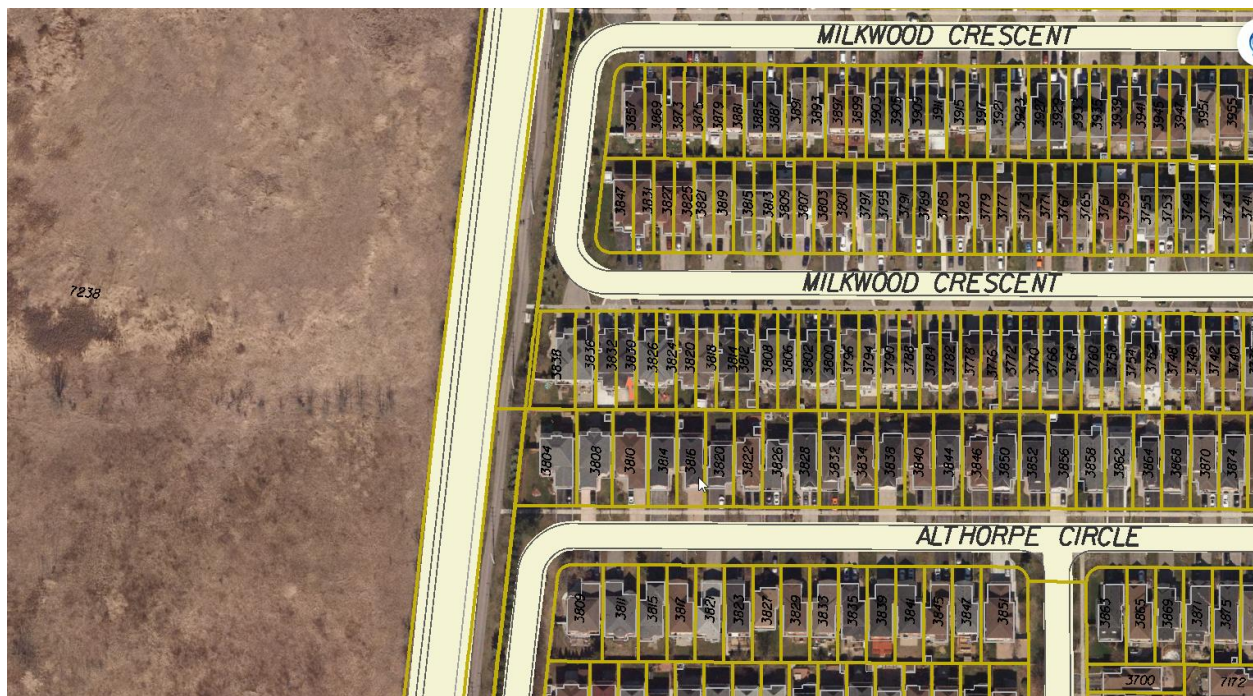
Zoning: RM2 - Residential

Other Applications: SU 2237-20

### Site and Area Context

The property is located south-east of the Ninth Line and Terragar Rd. intersection. The property is an interior parcel, with a lot area of approximately +/- 229.98m<sup>2</sup> and a lot frontage of approximately +/- 7.22m. The property currently houses a two-storey semi-detached dwelling with minimal vegetation and landscaping elements within the front and rear yards. Contextually, the surrounding neighbourhood consists of two-storey semi-detached homes. Properties in the immediate area possess lot frontages of +/- 7.0m, with minimal vegetation and landscape elements within the front yards.

The applicant is proposing a secondary unit that requires variances for 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 Lisgar Neighbourhood character area and 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 triplexes, street townhouses 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 interior side yard is to prevent a negative visual impact to the overall streetscape. While the interior side yard setback has been reduced to 1.12m whereas 1.2m is required, the proposed entrance is sufficiently screened by a fence surrounding the property and the proposed entrance does not inhibit access to the rear yard. Furthermore, planning staff note the absence of any true massing resulting from the proposal. Staff is of the opinion that the variance, as requested, 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 potential impacts are minimized by sufficient screening from the streetscape. Additionally, access to the rear yard remains unencumbered. The variance, as requested results in both the orderly development of the lands, and 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 variance, as amended.

City Department and Agency Comments	File:A124.21	2021/04/07	4
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Comments Prepared by: Brooke Herczeg RPP, Committee of Adjustment Planner



## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting that the below grade entrance is being proposed in a location which will not impact on the existing drainage pattern for this 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 20-2237 SU. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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

Comments Prepared by: Brandon Eidner, Zoning Examiner

**Appendix 5 – Region of Peel Comments**

We have no comments or objections

Comments Prepared by: Diana Guida, Junior Planner



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A125.21  
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 1800 Mississauga Road, zoned R1-53 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A front yard measured to a porch inclusive of stairs of 5.65m (approx. 18.54ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to a porch inclusive of stairs of 7.00m (approx. 22.97ft) in this instance;
2. An interior side yard of 2.40m (approx. 7.87ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard ranging 3.00m to 6.00m (approx. 9.84ft – 19.69ft) in this instance;
3. An attached garage facing the front lot line whereas By-law 0225-2007, as amended, requires the attached garage to face the interior side lot line in this instance;
4. A circular driveway configuration whereas By-law 0225-2007, as amended, requires a hammerhead driveway configuration in this instance.

The Committee has set **Thursday April 15, 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:**



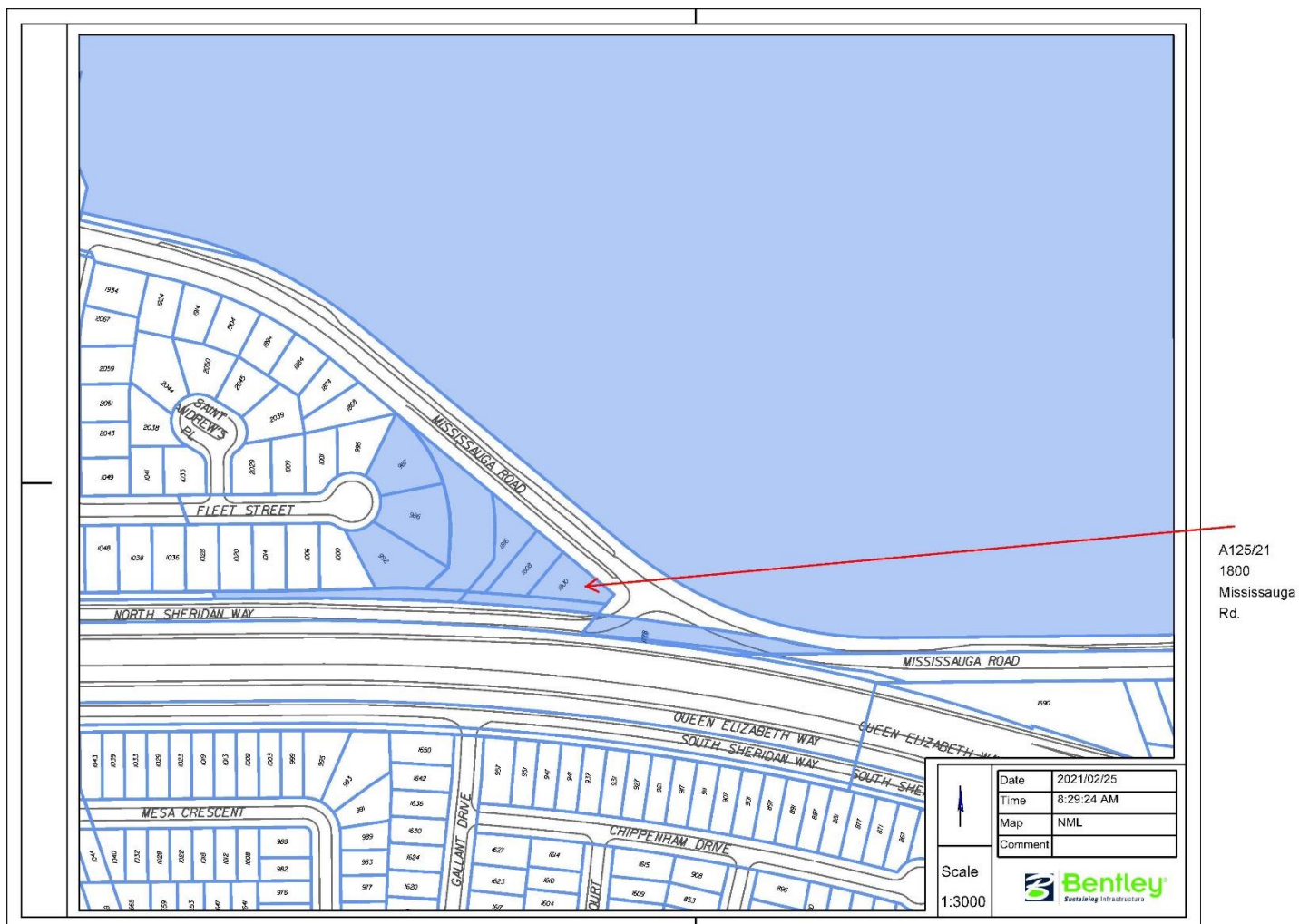
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### Legal notice:

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# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-04-07	File(s): A125.21 Ward: 8
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-15 1:00 PM

## Consolidated Recommendation

The City recommends that variance #4 be refused, however, have no objections to the remaining variances, as amended, subject to the condition.

## Application Details

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

1. A front yard measured to a porch inclusive of stairs of 5.65m (approx. 18.54ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to a porch inclusive of stairs of 7.00m (approx. 22.97ft) in this instance;
2. An interior side yard of 2.40m (approx. 7.87ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard ranging 3.00m to 6.00m (approx. 9.84ft – 19.69ft) in this instance;
3. An attached garage facing the front lot line whereas By-law 0225-2007, as amended, requires the attached garage to face the interior side lot line in this instance;
4. A circular driveway configuration whereas By-law 0225-2007, as amended, requires a hammerhead driveway configuration in this instance.

## Amendments

The following variances should be added to the application:

- Proposed development not in compliance with schedule R1-53 - Map 16, whereas By-law 0225-2007, as amended, requires all site development plans shall comply with Schedule R1-53 Map 16, in this instance.
- 2 kitchens proposed, whereas By-law 0225-2007, as amended, permits one kitchen, in this instance.

City Department and Agency Comments	File:A125.21	2021/04/07	2
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## Recommended Conditions and Terms

Staff recommends that the following condition be added to the application:

- A circular driveway shall not be permitted on the subject site

## Background

**Property Address:** 1800 Mississauga Road

### Mississauga Official Plan

Character Area: Sheridan Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

**Zoning:** R1-53 (Residential)

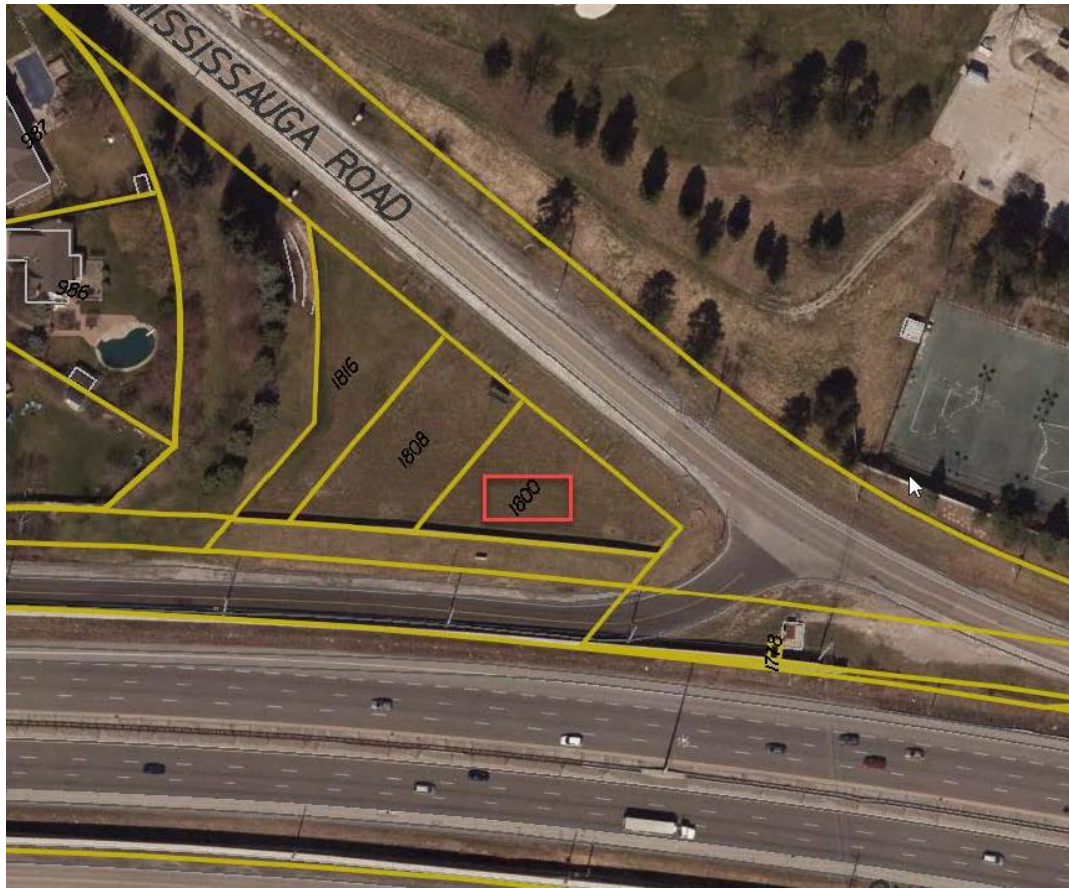
### Other Applications

Pre-Application: 20-3665

### Site and Area Context

The subject property is located within the Sheridan Neighbourhood Character Area, at the corner of North Sheridan Way and Mississauga Road. The immediate area primarily consists of large two storey residential dwellings with mature vegetation. North of the subject property is the Mississauga Golf and Country Club. The subject property is currently vacant and was subject to a rezoning and consent application which proposed a detached dwelling in-keeping with the R1-53 exception zone of the Zoning By-law.

The application proposes a two storey dwelling, requiring variances from the R1-53 zone for deficient front and interior side yard setbacks, a garage facing the street 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 designed Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached, semi-detached and duplex dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions; the surrounding context; and, the landscape of the character area. The proposed dwelling is generally in-keeping with the character of two storey dwellings on Mississauga Road and does not propose a negative impact

to the streetscape character. However, Section 9.3.3.11 (h) discourages circular driveways within the Scenic Route which encompasses the subject property. Instead, hammerheads and driveways with on-site turnarounds will be encouraged. As such, staff is of the opinion that variances #1-4 maintain the general intent and purpose of the official plan.

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

Through discussions with the Zoning Division, an additional two variances that are outlined below should be added to the application.

- Proposed development not in compliance with schedule R1-53 - Map 16, whereas By-law 0225-2007, as amended, requires all site development plans shall comply with Schedule R1-53 Map 16, in this instance.
- 2 kitchens proposed, whereas By-law 0225-2007, as amended, permits one kitchen, in this instance.

Through a detailed review of the application, variances #1-3 do not present any significant concerns as the overall intent of the design of the dwelling is being maintained. The deficient front yard is measured to the stairs of the front porch and the main front façade of the dwelling maintains the required 7 m front yard setback. The deficient side yard setback maintains a sufficient buffer to the neighbouring property and does not present any significant massing concerns from what the by-law requires. Regarding the garage orientation, the by-law intended for a side-loaded garage and hammerhead driveway to allow vehicles to turnaround on-site. In this case, while the garage is proposed to face the street, the driveway can be configured in a manner that allows for a hammerhead. Based on the preceding information, staff is of the opinion that these variances are appropriate to be handled through the minor variance process.

Variance #4 proposes a circular driveway whereas a circular driveway is not permitted. The zoning by-law permits circular driveways on lots that have a minimum frontage of 22.50 m. While the subject property meets this requirement, through the rezoning process, Map 16 of the R1-53 zone was created to prohibit a circular driveway on the subject site due to the location of the lot. Through discussions with the Transportation and Works Department, the Traffic Section is not supportive of a circular driveway in this location. Although there are several lots on Mississauga Road that contain circular driveways, the locational context of those lots differ from the subject property. The intent of the zoning by-law was to have an on-site turnaround and only one point of access onto Mississauga Road. The proposed variance does not comply with the intended vision of the lot that was anticipated through the rezoning application. As such, staff is of the opinion that the general intent and purpose of the zoning by-law is not maintained.

While staff have no concerns regarding the other variances identified by the Zoning Division, should Committee see merit in the variances excluding variance #4, staff recommends the following condition be added to the application:

- A circular driveway shall not be permitted on the subject site

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

While the proposed dwelling maintains the existing and planned character of the surrounding neighbourhood and does not present any significant massing concerns to the neighbouring property or streetscape. However, circular driveways are discouraged within the Scenic Route policies of the MOP. While several properties on Mississauga Road have circular driveways, Map 16 of the R1-53 zone specifically prohibits its application in this location. The Transportation and Works Department have also noted concerns with the proposed circular and are not supportive of it. The zoning by-law intended for an on-site turnaround with one access point from Mississauga Road. As such, staff is of the opinion that variance #4 is not desirable and is not minor in nature.

## **Conclusion**

The Planning and Building Department recommends that variance #4 be refused, however, have no objections to the remaining variances, as amended, subject to the condition.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner



## Appendices

### Appendix 1 – Transportation and Works Comments

We have reviewed the plans provided through the Minor Variance application and our Traffic Planning Section is not supportive of the two access locations proposed for this property. This department does not see the rationale in permitting two driveways on a residential property, in particular when fronting onto a major road. Additionally, the submitted drawing depicts a 3.0m wide driveway, which can be problematic as it does not provide an adequate turning radius. In view of the above, we recommend refusal for the proposed circular driveway configuration.



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 20-3665. Based on review of the information currently available for this building permit, we advise that the following variance(s) should be added/amended as follows:

-Proposed development not in compliance with schedule R1-53 - Map 16, whereas By-law 0225-2007, as amended, requires all site development plans shall comply with Schedule R1-53 Map 16, in this instance.

- 2 kitchens proposed, whereas By-law 0225-2007, as amended, permits one kitchen, in this instance.

Our comments are based on the plans received by Zoning staff on 12/16/2020 for the above captioned building permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: A. McCormack

#### **Appendix 5 – Region of Peel Comments**

We have no comments or objections

Comments Prepared by: Diana Guida, Junior Planner



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A126.21  
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 795 Lakeshore Road East, zoned C4 - Commercial, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a tattoo and piercing studio on the subject property proposing:

1. 3 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 6 parking spaces in this instance; and
2. A parking aisle width of 1.80m (approx. 5.91ft) whereas By-law 0225-2007, as amended, requires a minimum parking aisle width of 7.00m (approx. 22.97ft) in this instance.

The Committee has set **Thursday April 15, 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:

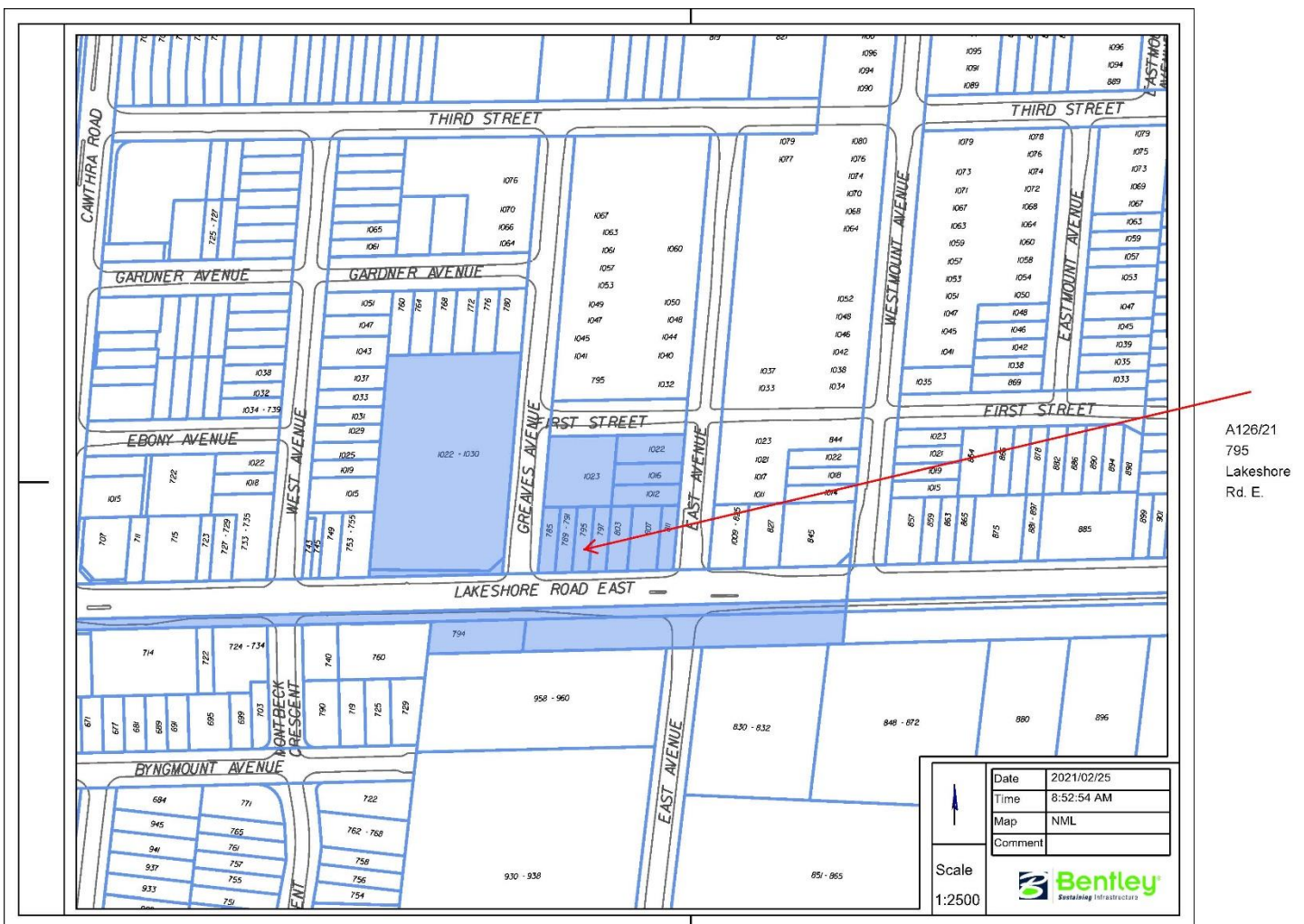
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# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-04-07	File(s): A126.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-15 1:00 PM

## Consolidated Recommendation

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

## Application Details

The applicant requests the Committee to approve a minor variance to allow a tattoo and piercing studio on the subject property proposing:

1. 3 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 6 parking spaces in this instance; and
2. A parking aisle width of 1.80m (approx. 5.91ft) whereas By-law 0225-2007, as amended, requires a minimum parking aisle width of 7.00m (approx. 22.97ft) in this instance.

## Recommended Conditions and Terms

Staff recommends that the application be approved on a temporary period of two years

## Background

**Property Address:** 795 Lakeshore Road East

### Mississauga Official Plan

Character Area: Lakeview Neighbourhood  
Designation: Mixed Use

### Zoning By-law 0225-2007

**Zoning:** C4 (Commercial)



## Other Applications

Occupancy Permit: 20-2672

## Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, east of Lakeshore Road East and Cawthra Road. The surrounding area consists of a mix of uses fronting onto Lakeshore Road East such as restaurants, retail, service establishments, manufacturing and residential uses. The subject property contains an existing two storey building with a residential apartment on the second storey. There are three existing parking spaces in the front yard of the building, similar to how neighbouring buildings in the immediate area operate.

The application proposes to introduce a service establishment on the ground floor, requiring variances related to deficient parking and aisle width.



## Comments

Planning

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

Staff comments concerning the application are as follows:

Variance #1 proposes 3 parking spaces whereas a minimum of 6 spaces are required. The intent in quantifying the required number of parking spaces is to ensure that each unit is self-sufficient in providing adequate parking accommodations based upon its intended use. The City Planning Strategies Division reviews variances related to the overall parking reduction. Based on their review of the application, their comment is as follows.

A cover letter dated January 5<sup>th</sup>, 2021 was submitted in support of the variance stating that the deficiency is similar to other commercial properties within the immediate area and that there are other parking opportunities off-site. Additionally, the use will operate on an appointment only basis, allowing for efficient use of the on-site parking. Staff can support the proposed parking reduction subject to a temporary period of two years, at which time a Parking Utilization Study will be required as per the City's Parking Studies Terms of Reference.

Regarding variance #2, the deficient aisle width represents an existing condition which is a common characteristic of buildings within the immediate area. Due to the location of the parking spaces in the front yard, an increased aisle width cannot be provided. As such, staff is of the opinion that this variance is appropriate to be handled through the minor variance process and raises no concerns of a planning nature in this instance.

Based on the preceding information, staff is of the opinion that Section 45(1) of the *Planning Act* is maintained.

## Conclusion

The Planning and Building Department has no objections to the variances, subject to the condition.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed for Committee's easy reference is a photo depicting the subject parking area in front of the building.



Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a Zoning Certificate permit under file 20-2672. 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: RAMSEN HEDOO

#### **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: A127.21  
Ward: 7

### Why you received this letter:

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

### Details of the application and meeting information:

The property owner of 1212 Dundas Street West, zoned C1 - Commercial, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a take-out restaurant proposing a setback measured within 60m (approx. 196.85ft) of a Residential Zone whereas By-law 0225-2007, as amended, does not permit a take-out restaurant within 60m (approx. 196.85ft) of a Residential Zone in this instance.

The Committee has set **Thursday April 15, 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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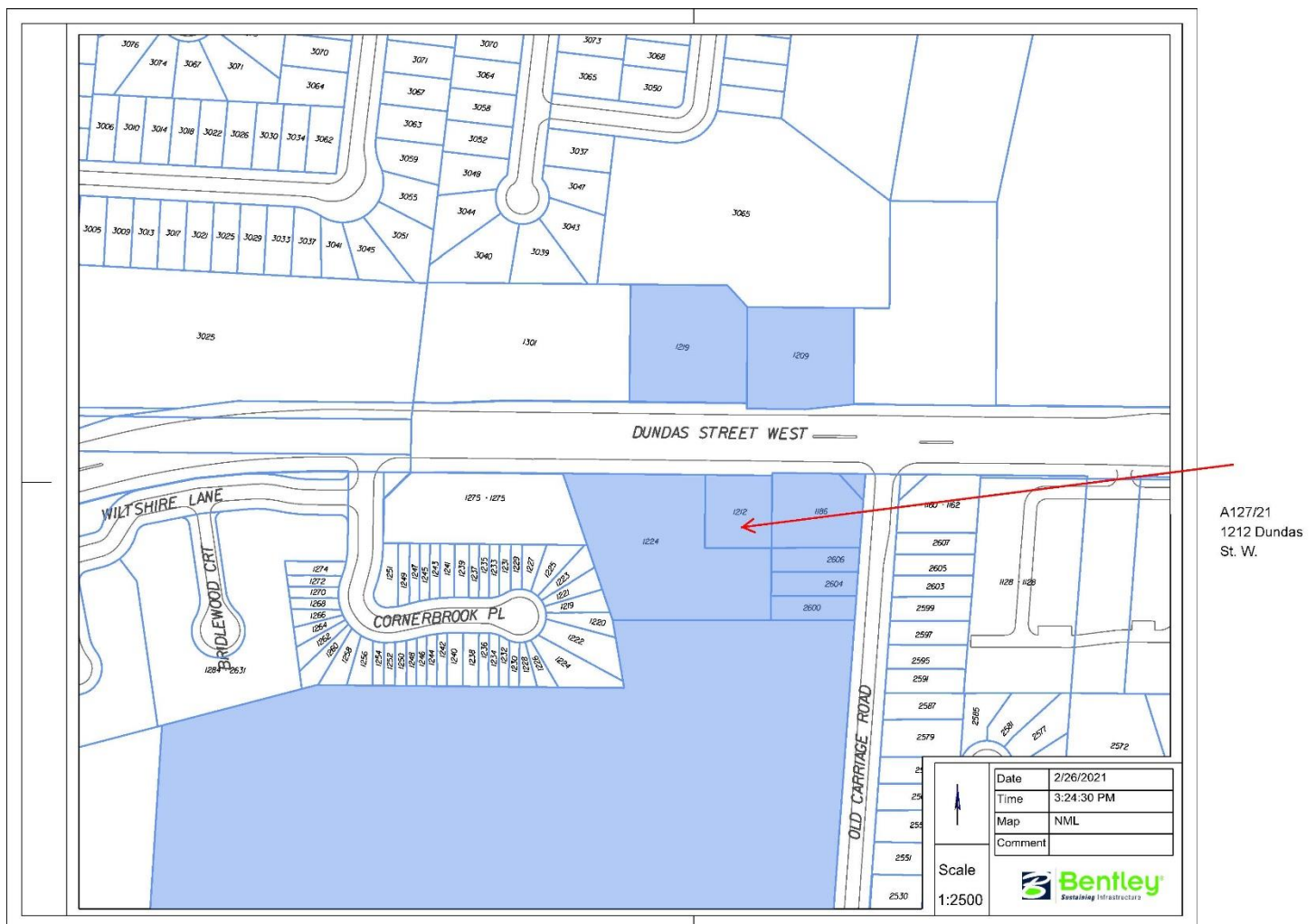


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# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-04-07	File(s): A127.21 Ward: 7
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2021-04-15 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 take-out restaurant proposing a setback measured within 60m (approx. 196.85ft) of a Residential Zone whereas By-law 0225-2007, as amended, does not permit a take-out restaurant within 60m (approx. 196.85ft) of a Residential Zone in this instance.

## Background

**Property Address:** 1212 Dundas Street West

### Mississauga Official Plan

Character Area: Erindale Neighbourhood  
Designation: Convenience Commercial

### Zoning By-law 0225-2007

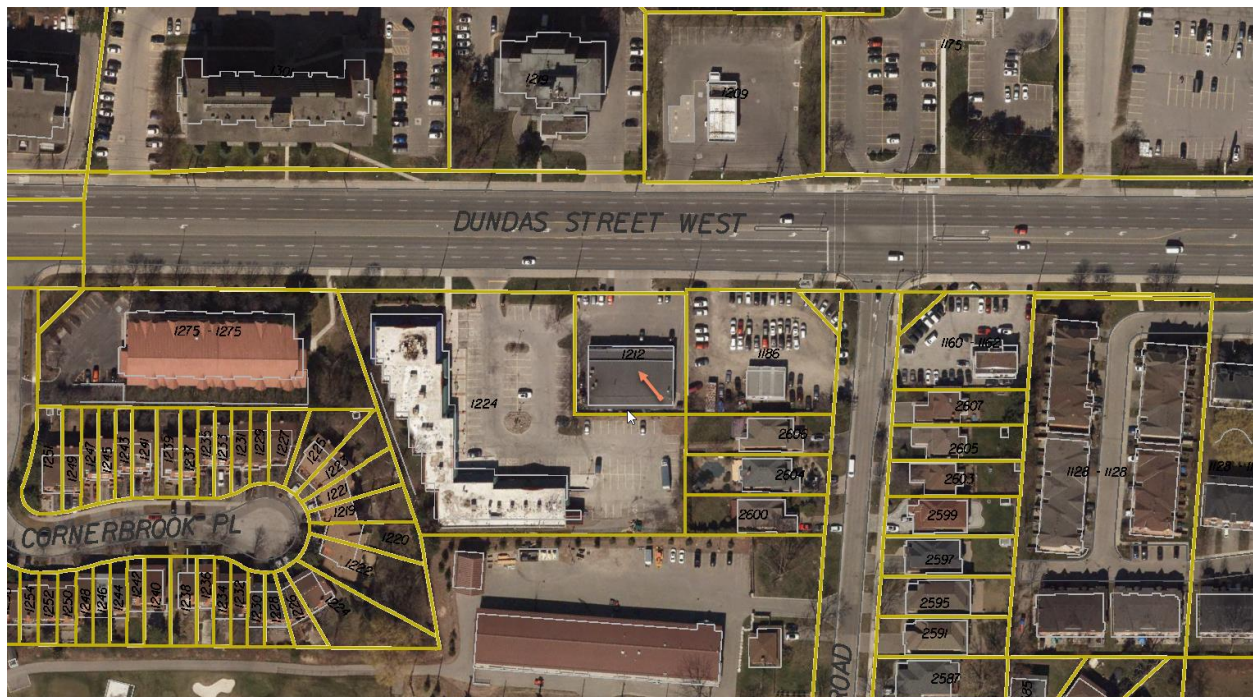
**Zoning:** C1 - Commercial

**Other Applications:** C20-3413  
BP 3ALT 20-3414

### Site and Area Context

The subject property is a unit located in an existing multi-tenant retail plaza located south-west of the Dundas St W and Old Carriage Rd intersection. It is an interior parcel, with a lot area of +/- 1,576.65m<sup>2</sup> and a lot frontage of +/- 38.26m. The property possesses minimal vegetative elements along the periphery of the lot. From a land-use perspective, the immediate neighbourhood is a mixture of commercial and residential uses; other take-out restaurants, and a gas station.

The existing take-out restaurant requires a variance for minimum setback to a residential zone.



## Comments

### Planning

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

Staff comments concerning the application are as follows:

The site is located within the Erindale Character Area and is currently designated Convenience Commercial by the Mississauga Official Plan (MOP). Section 11.2.9 (Convenience

Commercial) of the MOP permits a restaurant use in this designation. The Applicant's proposal of a take- out restaurant meets the purpose and general intent of the Official Plan.

The intent of this portion of the bylaw is to ensure that proposed restaurant uses are compatible with the adjacent land uses and where they cannot, a 60.0m buffer is created, as is the case in this instance. The existing retail plaza on the subject property was built in 1950 and is currently located within the 60m buffer from residential zones established in the current by-law. Other take out restaurant establishments are located closer to the residential zone than the unit in question. Staff are of the opinion that impacts to the residential zone are insignificant. Through a detailed review of the application, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

## Conclusion

The Planning and Building Department recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application meets the requirements of Section 45 (1) of the Planning Act. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

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

## Appendices

### Appendix 1 – Transportation and Works Comments

This Department has no objections, comments or requirements with respect to C.A. 'A' 127/21.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file C 20-3413. Based on review of the information currently available in this permit application, we advise that the proposed variance is correct, however we still require information regarding number of seats from applicant to ensure it complies with maximum seating allowed for a takeout restaurant.

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

Comments Prepared by: Brandon Eidner, Zoning Examiner

### Appendix 5 – Region of Peel Comments

We have no comments or objections

Comments Prepared by: Diana Guida, Junior Planner





## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A352.20  
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 4100 Pheasant Run, zoned RM1 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicants request the Committee to approve a minor variance to allow the existing decks and shed to remain on the subject property proposing:

1. An easterly side yard to the cedar deck of 0.10m (approx. 0.33ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 0.61m (approx. 2.00ft) in this instance;
2. A rear yard to the deck of 0.20m (approx. 0.66ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 1.50m (approx. 4.92ft) in this instance;
3. A westerly side yard to the deck of 0.20m (approx. 0.66ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 0.61m (approx. 2.00ft) in this instance;
4. An easterly side yard to the stone patio of 0.10m (approx. 0.33ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 0.61m (approx. 2.00ft) in this instance; and
5. An easterly side yard to the back deck of 0.40m (approx. 1.31ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 0.61m (approx. 2.00ft) in this instance.

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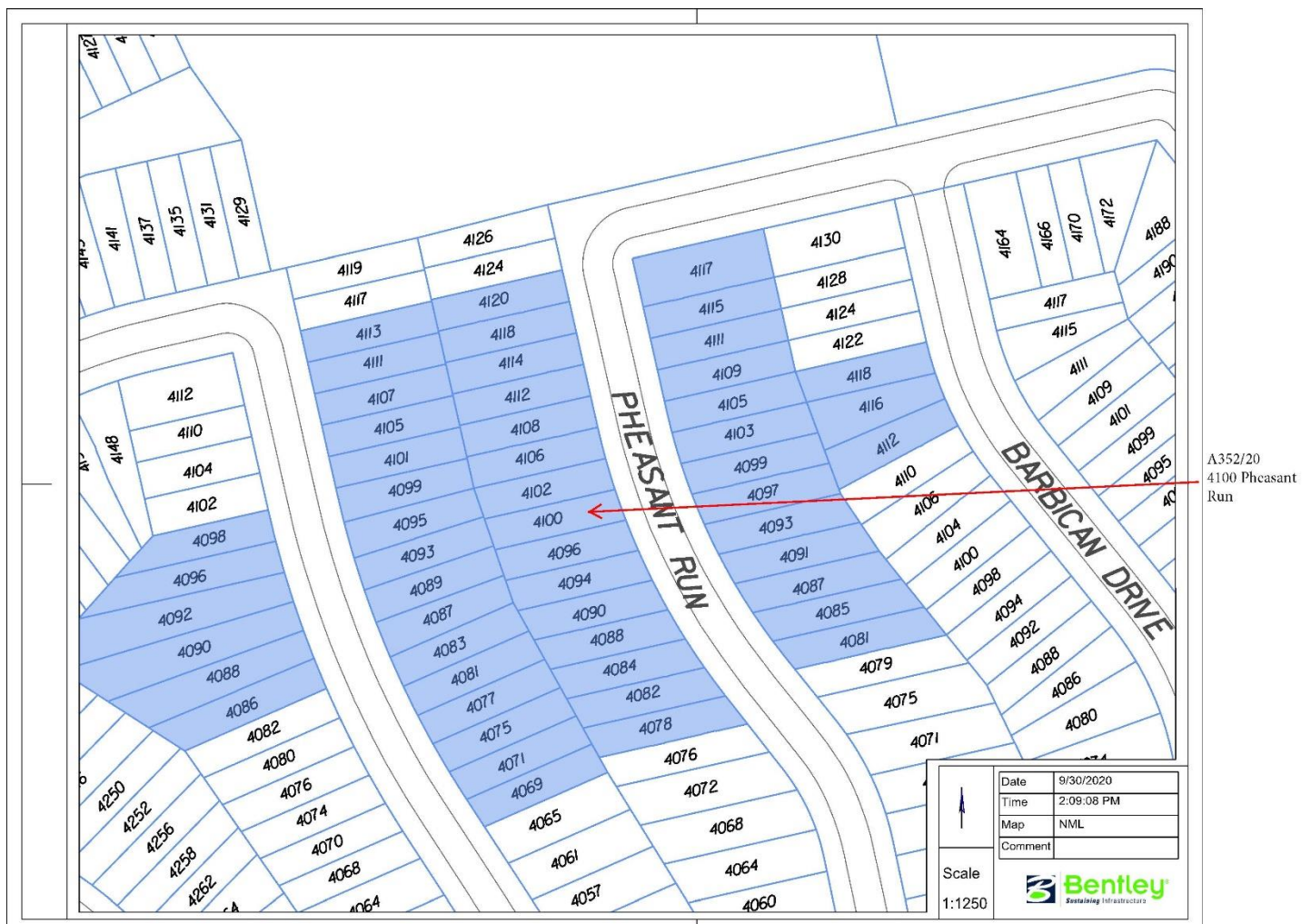
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# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-04-07	File(s): A352.20 Ward: 8
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-15 1:00 PM

## Consolidated Recommendation

The City recommends that variances #1-4 be refused, however, have no objections to variance #5. The applicant may choose to defer the application to verify the requested variances and ensure additional variances are not required.

## Application Details

The applicants request the Committee to approve a minor variance to allow the existing decks and shed to remain on the subject property proposing:

1. An easterly side yard to the cedar deck of 0.10m (approx. 0.33ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 0.61m (approx. 2.00ft) in this instance;
2. A rear yard to the deck of 0.20m (approx. 0.66ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 1.50m (approx. 4.92ft) in this instance;
3. A westerly side yard to the deck of 0.20m (approx. 0.66ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 0.61m (approx. 2.00ft) in this instance;
4. An easterly side yard to the stone patio of 0.10m (approx. 0.33ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 0.61m (approx. 2.00ft) in this instance; and
5. An easterly side yard to the back deck of 0.40m (approx. 1.31ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 0.61m (approx. 2.00ft) in this instance.

## Recommended Conditions and Terms

Should Committee see merit in the application, staff recommends the following condition:  
The applicant remove the wooden skirting on the deck below the shed to allow for appropriate drainage

## Background

**Property Address:** 4100 Pheasant Run

### Mississauga Official Plan

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

### Zoning By-law 0225-2007

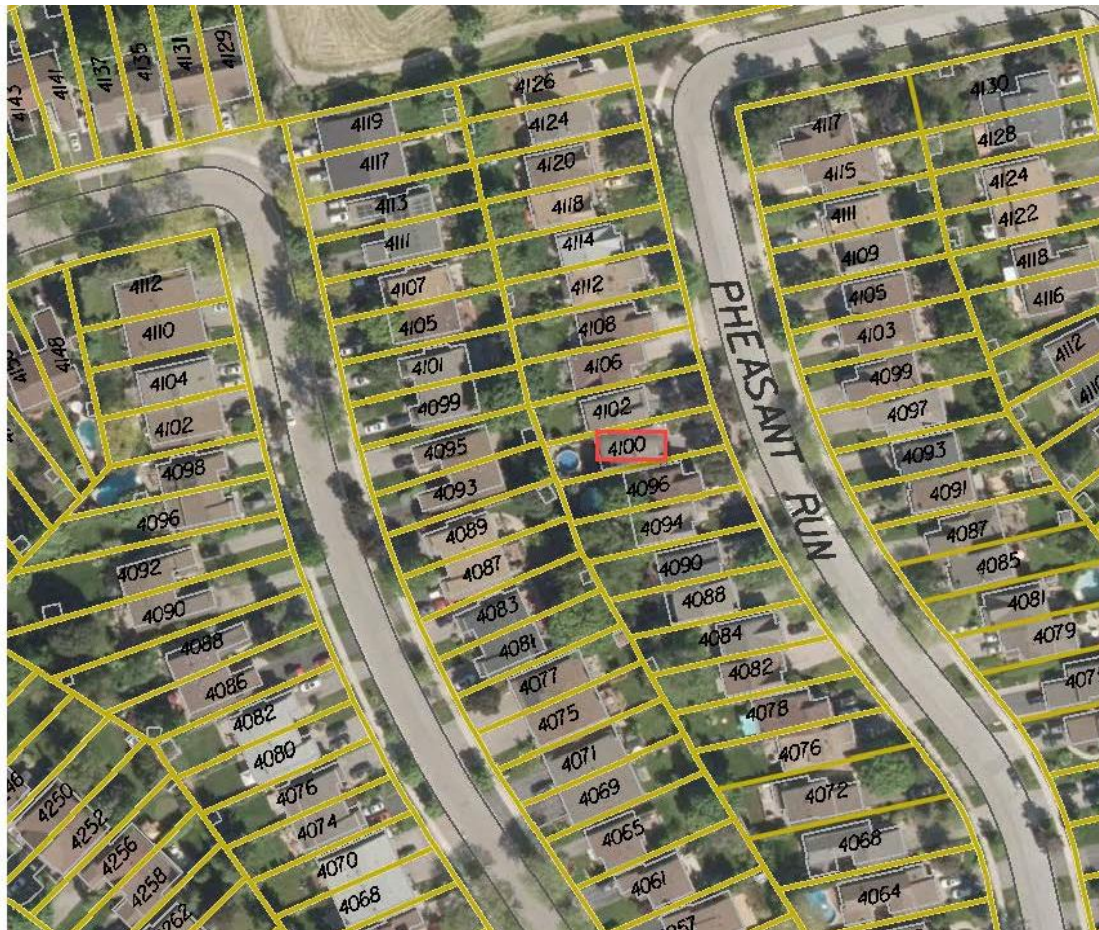
**Zoning:** RM1 (Residential)

### Site and Area Context

The subject property is located within the Erin Mills Neighbourhood Character Area, northeast of Burnhamthorpe Road West and Winston Churchill Boulevard. The neighbourhood is entirely residential consisting of semi-detached dwellings with mature vegetation. The subject property contains an existing two storey semi-detached dwelling. The applicant is requesting to allow the existing deck and shed to remain in the rear yard, proposing deficient setbacks measured to both the deck and shed.

The application was previously deferred from the November 5<sup>th</sup>, 2020 Committee of Adjustment hearing to address drainage related concerns.





## Comments

### Planning

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

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

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

The subject property is designated Residential Low Density II in Schedule



revisions to the grading on the subject property be required in the future. In this instance, variances #1-4 propose setbacks less than 0.30 m, as such, staff is of the opinion that variances #1-4 do not maintain the general intent and purpose of the official plan.

It should be noted that since the deferral, a more in depth review was conducted by the Transportation and Works Department and they have no concerns, subject to the vertical skirt boards surrounding the accessory structure located at the rear corner of the property being removed.

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

Variances #1-4 propose deficient setbacks measured to the deck and stone patio from each lot line. The intent of this portion of the by-law is to ensure that an appropriate buffer exists between abutting properties to allow for appropriate drainage. The proposed setbacks do not meet the minimum 0.30 m setback generally recommended by staff to accommodate the drainage needs on the property should any revisions have to be made regarding the grading in the future. As such, staff is of the opinion that these variances do not maintain the general intent and purpose of the by-law.

Variance #5 proposes a setback measured to a shed of 0.40 m whereas a minimum of 0.60 m is required. The intent of the zoning by-law is to ensure that the structures maintain an appropriate buffer to abutting properties to minimize any massing impacts. The proposed structure is sufficiently setback from the neighbouring property and does not pose any unacceptable adverse impact from what the by-law permits. Staff is of the opinion that the variance 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?**

A proposed setback of less than 0.30 m to the deck and stone patio is generally not supported by staff should a drainage swale be required in the future. That said, it is noted that the Transportation and Works Department do not have any concerns regarding property drainage with the removal of the skirt boards around the accessory structure. However, as the 0.30 m guideline is not being maintained, staff is of the opinion that variances #1-4 do not represent orderly development of the lands and are not minor in nature.

## **Conclusion**

The Planning and Building Department recommends that variances #1-4 be refused, however, have no objections to variance #5. The applicant may choose to defer the application to verify the requested variances and ensure additional variances are not required.

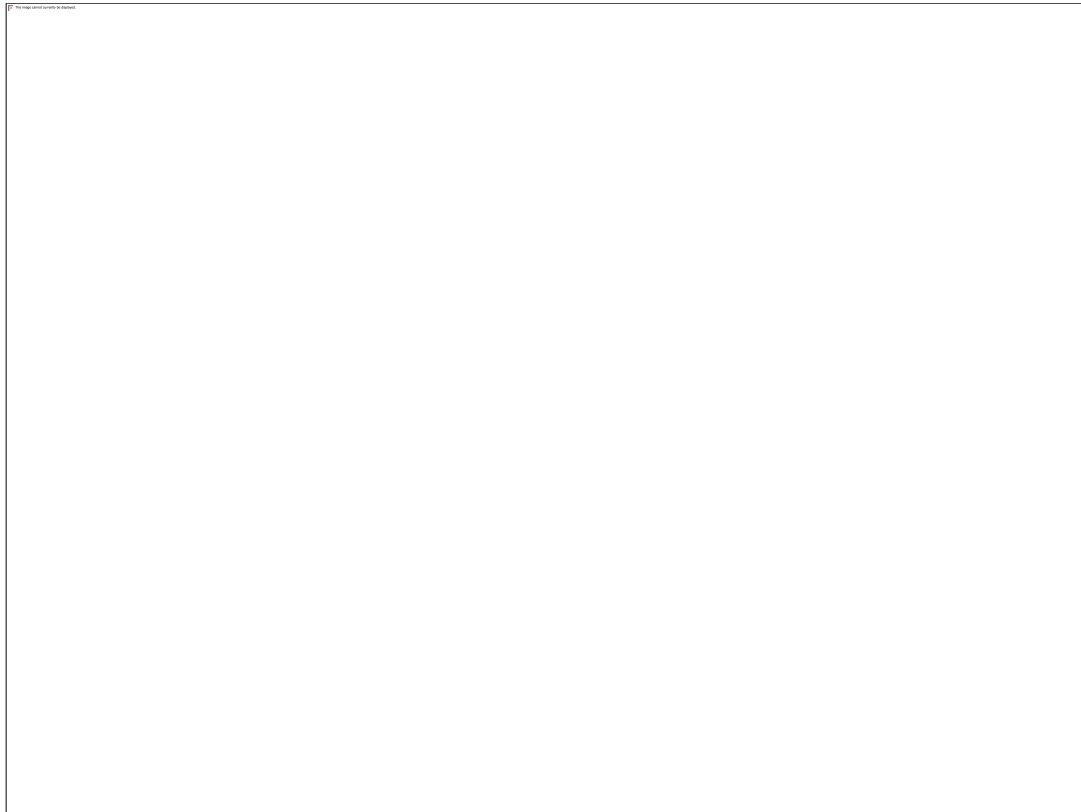
Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

Further to the previous meeting, this Department has had further discussions with the applicant and additional information has been provided including additional photos of the subject property. In addition, our Development Construction Section has had an opportunity to review the site based on a pool enclosure permit application. In consultation with the Development Construction Section, we noted that a wooden skirting has been placed on the deck below the existing shed structure as noted in the attached photo. As this appears to be the only impediment to the natural drainage pattern for the subject property, we are requesting that the skirting be removed to allow for a natural drainage flow from the rear of the property.

Should Committee see merit in the request, we ask that as a condition of approval, the applicant remove the 1"x6" wood skirting boards that are located at the underside of the existing shed that could potentially restrict the drainage pattern of the rear yards in the surrounding areas.





Comments Prepared by: John Salvino, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

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

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

Comments Prepared by: Brandon Eidner, Zoning Examiner

## **Appendix 5 – Region of Peel Comments**

We have no comments or objections to the following applications:

Deferred Application: DEF-A-352/20.

Comments Prepared by: Diana Guida, Junior Planner