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## Committee of Adjustment

**Date:** April 22, 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. A44/21  
48 COTTON DR (WARD 1)  
ROHAN & SHIPRA SETHI
    - 4.2. B20/21  
3078 PARKERHILL RD (WARD 7)  
ELITE INVESTMENTS AND PROPERTY HOLDINGS INC
    - 4.3. B21/21-A130/21-A131/21  
2564 SHARON CRES (WARD 7)  
ANTONIO & DEOLINDA FRAGOSO
    - 4.4. A128/21  
1041 STRATHY AVE (WARD 1)  
MINGOULIN KONSTANTIN
    - 4.5. A129/21  
1350 HICKORY DR (WARD 3)  
TARAS & ROXOLANA HARASYM
    - 4.6. A132/21  
215 LOUIS DR (WARD 7)  
CARLOS & GORETTI LOURENCO
    - 4.7. A133/21  
2525 HAINES RD(WARD 1)  
2340730 ONTARIO INC
    - 4.8. A136/21  
6989 SECOND LINE WEST (WARD 11)  
STEPHANIE & MASON KORTEKAAS

- 4.9. A137/21  
48 NORTH ALARTON ST (WARD 5)  
SUKHPREET & MEENAKSHI DHANOTA
- 4.10. A140/21  
1010 PELHAM AVE (WARD 1)  
JASKIRAT GILL
- 4.11. A141/21  
29 JOYMAR DR (WARD 11)  
STANLEY & ERENA GARCIA
- 4.12. A22/21  
7592 CHINOOK DR (WARD 5)  
JAGJIT SINGH KHANGURA
- 4.13. A23/21  
7480 HOMESIDE GDNS (WARD 5)  
NARINDER KHANGURA
- 4.14. A26/21  
7217 TERRAGAR BLVD (WARD 10)  
ABHAY & SHANU BHARGAVA
- 4.15. A53/21  
4120 UXBRIDGE LANE (WARD 3)  
IZYDOR, SZYMON & FIK-IZYDOR, MARIOLA

5. **OTHER BUSINESS**

6. **ADJOURNMENT**



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A44.21  
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 48 Cotton Drive, zoned R3-1 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicants request the Committee to approve a minor variance to allow the construction of an addition and garage on the subject property proposing:

1. A garage projection of 1.01m (approx. 3.31ft) beyond the front wall of the first storey, whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0.00m in this instance;
2. An easterly side yard measured to the second storey of 1.2m (approx. 3.9ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.94ft) to the second storey in this instance;
3. A westerly side yard measured to the second storey of 1.55m (approx. 5.09ft) 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; and
4. A combined width of side yards of 2.75m (approx. 9.02ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 3.8m (approx. 12.5ft) in this instance.

The Committee has set **Thursday April 22, 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.



# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-04-14	File(s): A44.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-22 1:00 PM

## Consolidated Recommendation

The City has no objections to the requested variances.

## Application Details

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

1. A garage projection of 1.01m (approx. 3.31ft) beyond the front wall of the first storey, whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0.00m in this instance;
2. An easterly side yard measured to the second storey of 1.2m (approx. 3.9ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.94ft) to the second storey in this instance;
3. A westerly side yard measured to the second storey of 1.55m (approx. 5.09ft) 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; and
4. A combined width of side yards of 2.75m (approx. 9.02ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 3.8m (approx. 12.5ft) in this instance.

## Background

**Property Address:** 48 Cotton Drive

### Mississauga Official Plan

Character Area: Mineola Neighbourhood  
Designation: Residential Low Density II

## Zoning By-law 0225-2007

**Zoning:** R3-1 (Residential)

## Other Applications

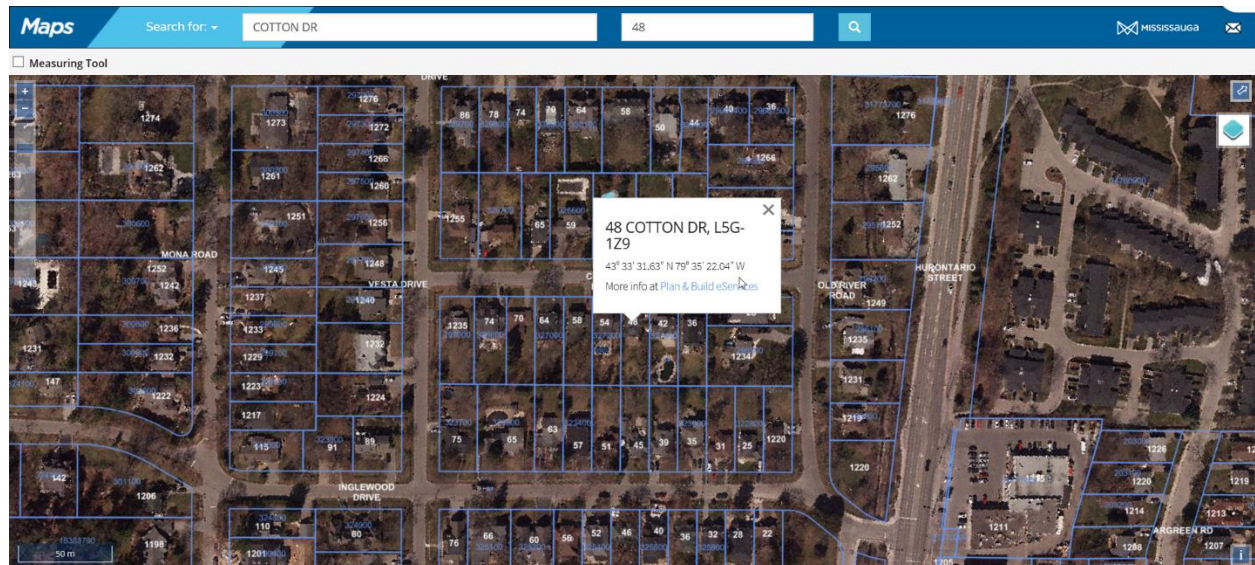
Site Plan Application: 20-108

## Site and Area Context

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

The applicant is proposing a two storey addition to the easterly side and rear portion of the existing dwelling, requiring variances related to garage projection, and deficient side yards.

The application was previously deferred from the February 18<sup>th</sup> Committee of Adjustment hearing to increase the easterly side yard setback.



## Comments

**Planning**

City Department and Agency Comments	File:A44.21	2021/04/14	3
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Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to grant relief from the requirements of a municipal zoning by-law. Approval of applications must meet the requirements set out under 45(1) and/or 45(2) (a) or (b) in the *Planning Act*.

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

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

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached, semi-detached, duplex, triplex and other forms of low rise dwellings with individual frontages. The policies within Section 16.18.1 in the Mineola Neighbourhood Character Area, speak to urban design policies regarding infill housing and states that new housing is encouraged to fit the scale and character of the surrounding area. The proposed dwelling respects the designated land use, and has regard for the distribution of massing on the property as a whole. The proposed dwelling maintains compatibility with newer two storey dwellings and preserves the infill housing policies within the MOP. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

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

Variance #1 proposes a garage projection of 1.01 m whereas a maximum of 0 m is permitted. The intent of the zoning by-law is to maintain a consistent streetscape while ensuring the garage is not the dominant feature of the dwelling. The application proposes a one car garage that makes up a minor portion of the front façade and does not represent a dominant feature of the dwelling. Furthermore, the front covered porch maintains a setback greater than the projecting garage thereby, limiting the overall impact of the requested projection and maintaining a consistent streetscape. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variances #2 to 4 relate to the deficient side yards and combined side yard width. The revised the plans have increased the easterly side yard setback to 1.20 m where the applicant was previously requesting 0.70 m measured to the first storey and 1 m measured to the second storey. 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. The dwelling maintains the existing side yard setback on the westerly side of the dwelling and does not encroach further into the side yard, minimizing any negative impact. Through a comprehensive review of the immediate area, similar deficiencies are present throughout the neighbourhood. As such, the proposed variances preserves the existing and planned character of the surrounding neighbourhood and maintains 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 addition maintains compatibility with two storey dwellings within the immediate area and is in keeping with the surrounding neighbourhood and existing streetscape. The deficient setbacks are not out of character within the surrounding neighbourhood. The deficient side yard setbacks maintain a sufficient buffer to abutting properties and preserves access to the rear yard on the westerly side of the dwelling. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

## Conclusion

The Planning and Building Department has no objections to the requested variances.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed additions are being addressed through the Site Plan Application process, File SP-20/108.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing site plan approval application SP 20-108. The variances requested are correct based on the review of the site plan approval plans received by Zoning staff on 3/10/2021.

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

Comments Prepared by: Brian Bonner, Zoning Examiner

### Appendix 5 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner



## COMMITTEE OF ADJUSTMENT NOTICE OF APPLICATION

File: B20.21

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 3078 Parkerhill Road, zoned R3 - Residential, has applied for Consent under Section 53 of the Planning Act. The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 15.03m (49.31ft) and an area of approximately 1372.5sq.m (14773.5sq.ft).

The Committee has set **Thursday April 22, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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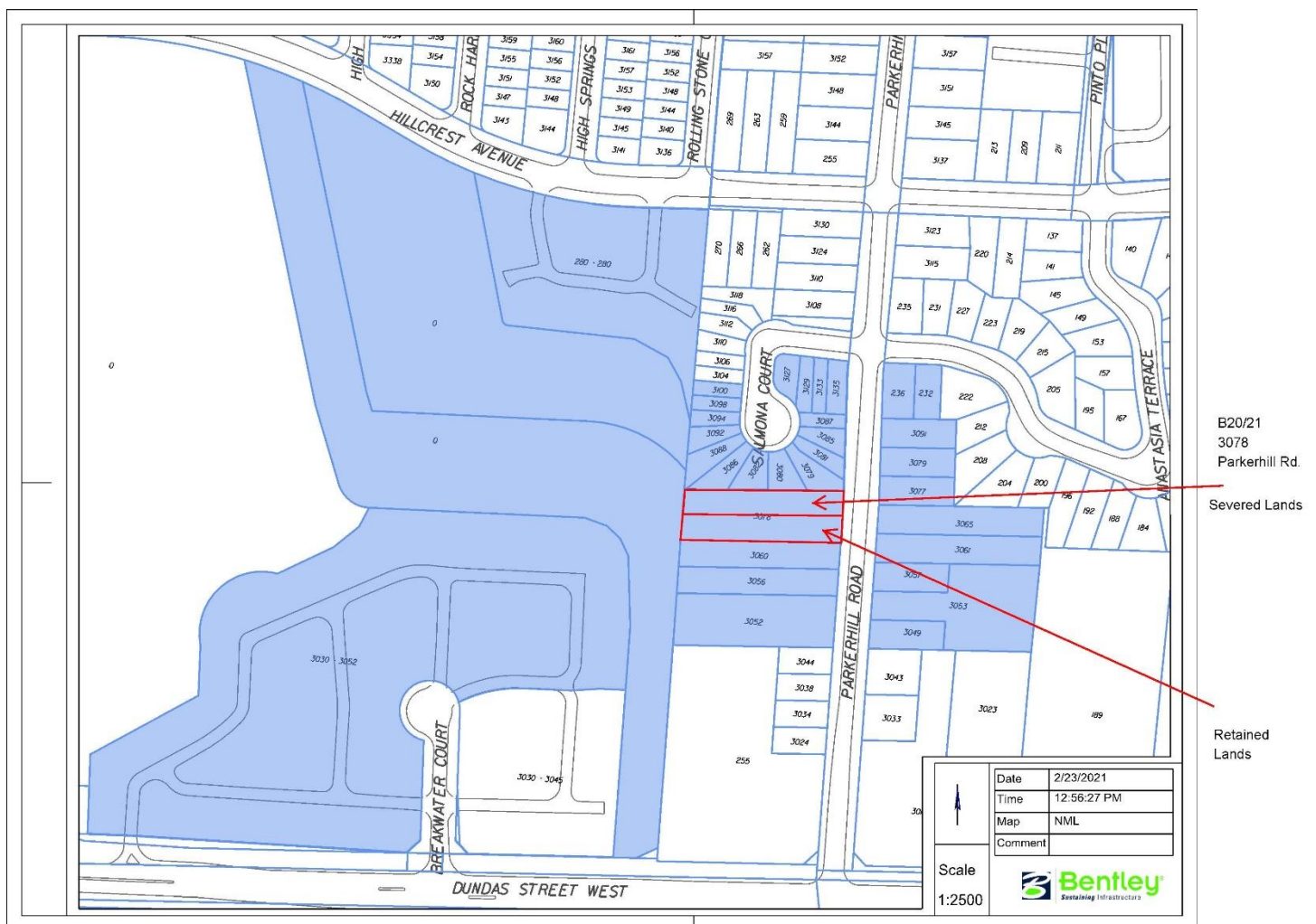
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# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-04-14	File(s): B20.21 Ward: 7
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-22 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 15.03m (49.31ft) and an area of approximately 1372.5sq.m (14773.5sq.ft).

### Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent

## Background

**Property Address:** 3078 Parkerhill Road

### Mississauga Official Plan

Character Area: Cooksville Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

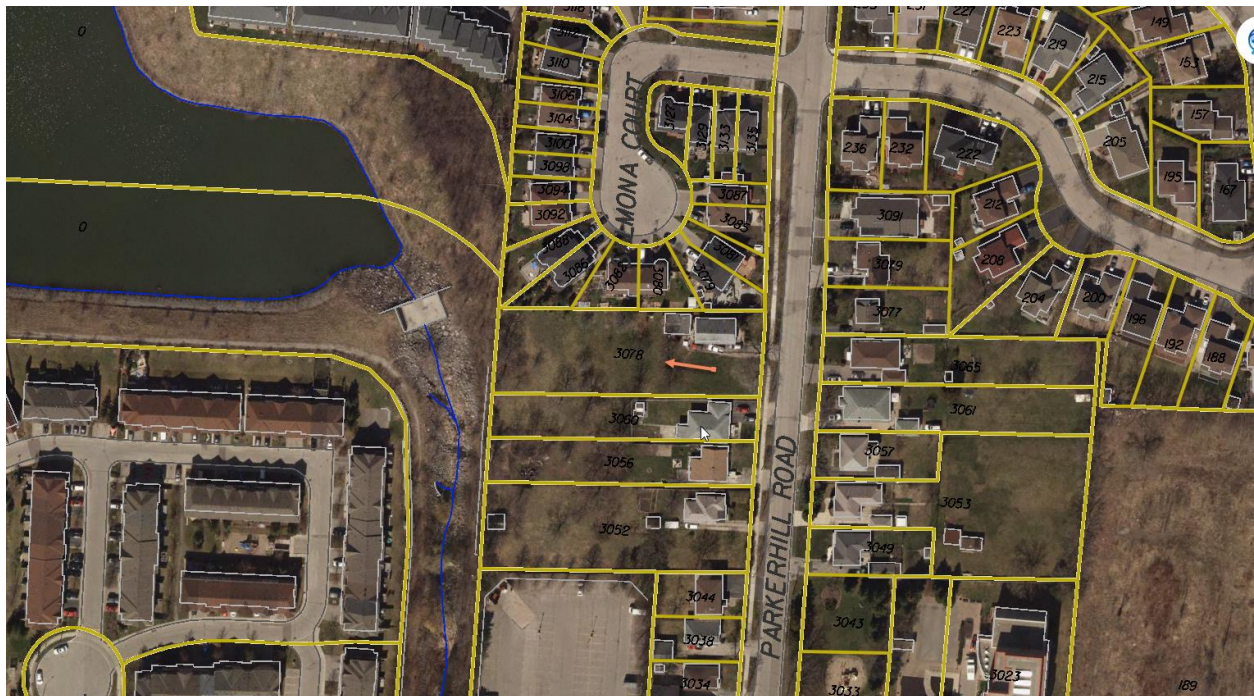
**Zoning:** R3 - Residential

**Other Applications: None**

### Site and Area Context

The subject property is located within the Cooksville Neighbourhood Character Area, north-west of the Dundas St W and Confederation Pkwy intersection. The surrounding area primarily consists of single storey detached dwellings with lot frontages +/- 16.0m and mature vegetation in the front yards. The subject property contains an existing, one storey detached dwelling with mature vegetation and landscaping in the front and rear yards.

The applicant proposes to sever the subject property to create another lot.



## 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 of the land by directing the focus towards intensification and redevelopment. The proposal is consistent with the general directive in provincial policy.

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

The proposed severed lands would have a lot frontage of 15.03m and a lot area of 1,372.5m<sup>2</sup>, while the retained lands would have a lot frontage of 15.01m and a lot area of 1,343.2m<sup>2</sup>.

The site is located within the Cooksville Neighbourhood Character Area, and is designated Residential Low Density I 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 comparable to the surrounding developments as they remain in scale and character with the surrounding area.

As per Zoning By-law 0225-2007, the subject property is zoned R3 (Residential). In accordance with Table 4.2.1 (R1-R5 Permitted Uses and Zone Regulations), this zone requires a minimum lot frontage of 15.0m. The proposed parcels, both the severed and retained, meet the minimum lot size requirements under the by-law. Additionally, this zone requires a minimum lot area of 550m<sup>2</sup> for an interior lot, which both of the proposed lots meet. As such, the proposed lots are appropriately sized for the context of the neighbourhood and represent the appropriate development of the lands.

### Conclusion

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

Based upon the preceding information, the Planning and Building Department has no objections to the requested consent applications. The Applicant may wish to defer the application to ensure

City Department and Agency Comments	File:B20.21	2021/04/14	4
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that all required variances have been accurately identified.

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

## Appendices

### Appendix 1 – Transportation and Works Comments

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

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

##### 1. Overall Grading and Drainage Plan

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

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

##### 2. Municipal Address Requirement

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

##### 3. Services to Existing Dwelling

Acknowledging that there is an existing dwelling on the retained lands (3078 Parkerhill Road), the owner of the subject lands is to review their records and be satisfied that any underground services to this property are located such that the services are confined within the limits of the residual lands. Should it be determined that there are any services which will conflict with the new property limits, the owner would have the option of abandoning that service(s) and arranging for the construction of a new service(s) in the proper location, or alternatively protect it by means of a private easement.

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. Lot Grading and Drainage**

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

**2. Servicing**

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

**3. Access**

The applicant will be required to apply for Access Modification Permits prior to Building Permit Issuance.

We advise the applicant that all costs incurred in providing any new driveway entrances to the subject lands or any modifications/reinstatement required (including the existing driveway), would be at cost to the owner. We are also noting that should any utilities need to be relocated, all costs incurred will also be to the owner. Driveway accesses shall maintain a 1.5m setback from aboveground features such as utilities and trees.

The applicant is also advised that the City of Mississauga has completed a Master Plan of Study of Dundas Street through the Dundas Connects Project. This study explores ways to incorporate higher order transit on Dundas Street and investigates opportunities for associated transit-orientated development. Further information can be found at:  
<https://mississauga.ca/projects-and-strategies/city-projects/dundas-connects/>.

**4. Storm Sewer Outlet**

We note that the storm sewer outlet for the subject lands is the 600mm storm sewer on Parkerhill Road.

It should be noted that this site appears to fall within the Credit Valley Conservation's (CVC) area and their approval may be required.

The property is also adjacent to the Mary Fix Creek and an ESC Permit is required prior to any land disturbing activities.

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.

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

- Linden – Good Condition

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

1. The applicant shall provide tree protection securities in the amount of \$9,600.00 for the preservation of the municipal tree.
2. The applicant shall provide a cash contribution of \$1,214.24 for planting of two (2) street trees on Parkerhill Road. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.

In addition, Community Services notes the following:

1. Payment for street tree fees and charges can be made at the Parks and Forestry customer service counter located at 950 Burnhamthorpe Road West in the form of a

certified cheque, bank draft, or money order payable to the City of Mississauga. Please contact Jim Greenfield regarding the Covid-19 interim payment process.

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

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

Comments Prepared by: Jim Greenfield, Park Planner

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

Consent Application: B-20/21

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

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

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

Please be advised that a west 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:**

Based on our mapping, the subject property appears to be regulated due to valley slope and floodplain associated with Mary Fix Creek. Other natural heritage features of CVC interest on and adjacent to the property includes the Credit River Watershed Natural Heritage System. It is the policy of CVC and the Province of Ontario to conserve and protect the significant physical, hydrological and biological features associated with the functions of the above noted characteristics and to recommend that no development be permitted which would adversely affect the natural features or ecological functions of these areas.

**ONTARIO REGULATION 160/06:**

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

**Proposal:**

It is our understanding that the applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The severed parcel of land has a frontage of approximately 15.03m (49.31ft) and an area of approximately 1372sq.m (14773.5sq.ft).

**Comments:**

Further to our review of the provided information and our site visit on March 4, 2021, CVC staff have **no objection** to the approval of this application by the Committee at this time.

The applicant is to note that a permit from CVC may be required for any development proposed

within the CVC Regulated Area on both the retained and severed lots prior to getting a building permit from the City of Mississauga.

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

Comments Prepared by: Elizabeth Paudel, Junior Planner

## **Appendix 7 – Bell Canada**

Bell Canada's engineering department have determined that there are no concerns or issues with the 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 14, 2021.
5. A letter shall be received from the City of Mississauga, Community Services Department, Park Planning Division, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated April 14, 2021.



## COMMITTEE OF ADJUSTMENT NOTICE OF APPLICATION

File: B21.21 A130.21 A131.21

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 2564 Sharon Crescent, zoned R1-9 - Residential, has applied for Consent under Section 53 of the Planning Act. The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 15.63m (51.28ft) and an area of approximately 820.10sq.m (8,827.48sq.ft).

A minor variance is requested for the Severed lands (A130/21) proposing a lot frontage of 15.63m (approx. 51.28ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 22.50m (approx. 73.82ft) in this instance.

A minor variance is requested for the Retained lands (A131/21) proposing a lot frontage of 15.18m (approx. 49.80ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 22.50m (approx. 73.82ft) in this instance.

The Committee has set **Thursday April 22, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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### How to submit a written comment:

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

## AMENDED MAP

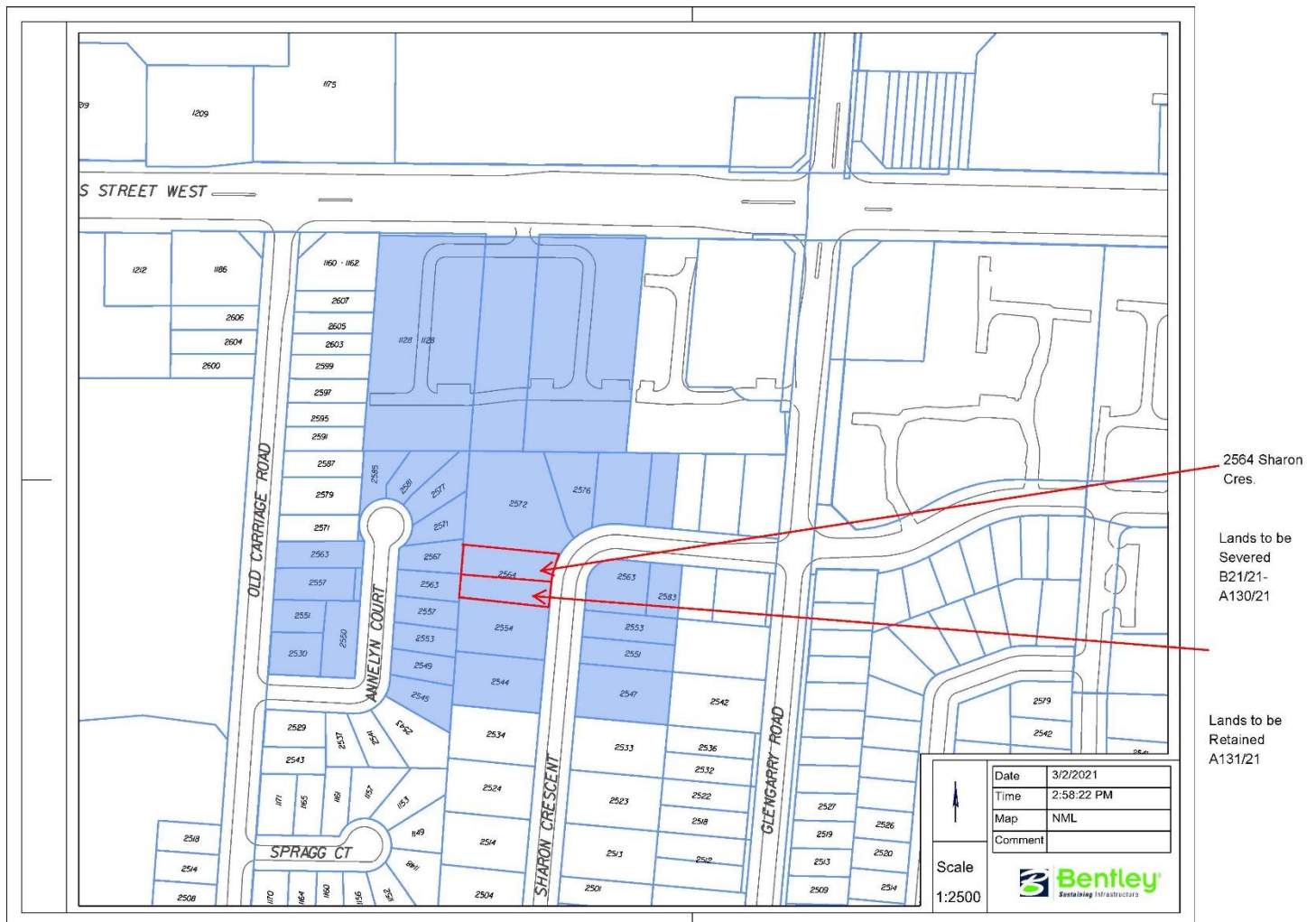
**To participate electronically (computer, tablet or smartphone):** Please email [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided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



# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-04-14	File(s): B21.21 A130.21 A131.21 Ward: 7
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2021-04-22 1:00 PM

## Consolidated Recommendation

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

## Application Details

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 15.63m (51.28ft) and an area of approximately 820.10sq.m (8,827.48sq.ft).

A minor variance is requested for the Severed lands (A130/21) proposing a lot frontage of 15.63m (approx. 51.28ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 22.50m (approx. 73.82ft) in this instance.

A minor variance is requested for the Retained lands (A131/21) proposing a lot frontage of 15.18m (approx. 49.80ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 22.50m (approx. 73.82ft) in this instance.

### Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent
- The variance application approved under File(s) A130/21 & A131/21 must be finalized

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

- Variance(s) approved under file(s) A130/21 & A131/21 shall lapse if the consent application under file B21/21 is not finalized within the time prescribed by legislation.

City Department and Agency Comments	File:B21.21 A130.21 A131.21	2021/04/14	2
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## Background

**Property Address: 2564 Sharon Crescent**

### Mississauga Official Plan

Character Area: Erindale Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

**Zoning: R1-9 - Residential**

**Other Applications: None**

### Site and Area Context

The subject property is located within the Erindale Neighbourhood Character Area, north-west of the Glengarry Rd and Dundas St W intersection. The surrounding area primarily consists of one and two-storey detached dwellings with lot frontages +/- 20.0m and mature vegetation and landscaping in the front yards. The subject property contains an existing, one-storey detached dwelling with moderate vegetation and landscape elements in the front and rear yards.

The application proposes to sever the parent lot in order to create two new lots, being the severed and retained lots. This severance requires variances for lot frontage on both the severed and retained lots.





City Department and Agency Comments	File:B21.21 A130.21 A131.21	2021/04/14	4
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Staff comments concerning the applications for consent and the four tests to the minor variance request are as follows:

The application proposes a severed lot with a lot frontage of 15.18m and a lot area of 789.4m<sup>2</sup> leaving the retained lot with a frontage of 15.63m and an area of 820.01m<sup>2</sup>. The zoning by-law requires lot frontages of 22.5m and a minimum lot area of 750.0m<sup>2</sup>.

The subject property is located within the Erindale Neighbourhood, and is designated Residential Low Density I by the Mississauga Official Plan (MOP). Section 16.1.2.1 of MOP states, to preserve the character of lands designated Residential Low Density I and Residential Low Density II, the minimum frontage and area of the new lots will be evaluated in the context of the existing lot pattern in the surrounding area. 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. The majority of Sharon Crescent is comprised of large lots with detached dwellings. Moreover, there are lots within the immediate area that possess lot frontages of 15m to 16m, which are generally out of character for the area.

As per Zoning By-law 0225-2007, the subject property is zoned R1-9 (Residential). In accordance with Table 4.2.1 (R1- R5 Permitted Uses and Zone Regulations), this zone requires a minimum lot frontage of 22.5m. Staff note, the surrounding neighbourhood is in transition and undergoing gentle rejuvenation in the form of additions and new dwellings. Although the majority of lots on Sharon Crescent are large lots with average frontages larger than what is being proposed; the evolving neighbourhood has a mix of older and newer one and two storey detached dwellings, on lots with a mix of lot frontages and sizes. Staff note that other severances have taken place within the immediate area for the purposes of constructing new dwellings with similar lot frontages of 15m to 16m. These severances have not resulted in any palpable unacceptable adverse impacts for the neighbourhood as a whole. Nonetheless, the proposed lot frontages do not meet the requirements of the zoning by-law.

Based on the preceding information the Planning and Building Department cannot support this application in principle and recommends the consent and associated minor variance applications be refused.

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



City Department and Agency Comments	File:B21.21 A130.21 A131.21	2021/04/14	5
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## Appendices

### Appendix 1 – Transportation and Works Comments

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

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

##### 1. Overall Grading and Drainage Plan

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

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

##### 2. Municipal Address Requirement

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

##### 3. Services to Existing Dwelling

Acknowledging that there is an existing dwelling on the retained lands (2564 Sharon Crescent), the owner of the subject lands is to review their records and be satisfied that any underground services to this property are located such that the services are confined within the limits of the residual lands. Should it be determined that there are any services which will conflict with the new property limits, the owner would have the option of abandoning that service(s) and arranging for the construction of a new service(s) in the proper location, or alternatively protect it by means of a private easement.

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. Lot Grading and Drainage**

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

**2. Servicing**

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

**3. Access**

The applicant will be required to apply for Access Modification Permits prior to Building Permit Issuance.

We advise the applicant that all costs incurred in providing any new driveway entrances to the subject lands or any modifications/reinstatement required (including the existing driveway), would be at cost to the owner. We are also noting that should any utilities need to be relocated, all costs incurred will also be to the owner. Driveway accesses shall maintain a 1.5m setback from aboveground features such as utilities and trees.

The applicant is also advised that the City of Mississauga has completed a Master Plan of Study of Dundas Street through the Dundas Connects Project. This study explores ways to incorporate higher order transit on Dundas Street and investigates opportunities for associated transit-orientated development. Further information can be found at:

<https://mississauga.ca/projects-and-strategies/city-projects/dundas-connects/>.

**4. Storm Sewer Outlet**

We note that the storm sewer outlet for the subject lands is the 450mm storm sewer on Sharon Crescent; however, it should be noted that the lands to be severed will not have access to the 450mm storm sewer as the sewer does not extend to the frontage of severed lands.

City Department and Agency Comments	File:B21.21 A130.21 A131.21	2021/04/14	7
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In situations where no storm sewers exist, the City allows sump pumping to grade. The applicant is also advised that the City does not have any knowledge of existing groundwater elevations on the property. The sump pump and weeping tile should be placed 1 metre above the seasonal groundwater elevation to avoid continuous operation of the sump pump. It is the owner's responsibility to satisfy themselves with these conditions as the City has no obligation to address any concerns with the operating conditions of private sump pump systems.

We are noting that any Transportation and Works Department concerns/requirements for Minor Variance applications 'A' 130 & 131/21 will be addressed under Consent Application 'B' 21/21.

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.

Lot frontage is to be calculated in accordance with the following definition:

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 7.5m 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.

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

- 3 Norway Spruce – Good Condition

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

1. The applicant shall ensure that future driveways do not impact or require the removal of the above noted trees.

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2. The applicant shall provide tree protection securities in the amount of \$15,800.00 for the preservation of the municipal trees.

In addition, Community Services notes the following:

1. Payment for street tree fees and charges can be made at the Parks and Forestry customer service counter located at 950 Burnhamthorpe Road West in the form of a certified cheque, bank draft, or money order payable to the City of Mississauga. Please contact Jim Greenfield regarding the Covid-19 interim payment process.
2. The applicant shall provide frame tree hoarding at the dripline of the above noted tree prior to any construction to the satisfaction of City of Mississauga Forestry Staff. Please call Ryan Cormier at 905-615-3200 ext. 4580 to arrange a hoarding inspection.
3. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, C.P. 13, as amended) and in accordance with the City's policies and by-laws.

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

Comments Prepared by: Jim Greenfield, Park Planner

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

Consent Application: B-21/21

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

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

Comments Prepared by: Diana Guida, Junior Planner

## **Appendix 7 – Bell Canada**

City Department and Agency Comments	File:B21.21 A130.21 A131.21	2021/04/14	9
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Bell Canada's engineering department have determined that there are no concerns or issues with the 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 (A130-131/21).
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 14, 2021.
5. A letter shall be received from the City of Mississauga, Community Services Department, Park Planning Division, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated April 14, 2021.



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A128.21  
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 1041 Strathy Avenue, zoned R3-75 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a deck proposing a front yard measured to the deck inclusive of stairs of 2.30m (approx. 7.55ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the deck inclusive of stairs of 5.90m (approx. 19.36ft) in this instance.

The Committee has set **Thursday April 22, 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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# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-04-14	File(s): A128.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-22 1:00 PM

## Consolidated Recommendation

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

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a deck proposing a front yard measured to the deck inclusive of stairs of 2.30m (approx. 7.55ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the deck inclusive of stairs of 5.90m (approx. 19.36ft) in this instance.

## Background

**Property Address:** 1041 Strathy Avenue

### Mississauga Official Plan

Character Area: Lakeview Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

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

### Other Applications

Building Permit: 21-4637



## Site and Area Context

The subject site is located within the Lakeview Neighbourhood Character Area, north of Lakeshore Road East and Strathy Avenue. The immediate neighbourhood north of Lakeshore Road East consists of one and two storey detached dwelling with little mature vegetation and historically contains deficient setbacks. The subject property contains an existing one and a half storey dwelling with no mature vegetation.

The applicant is proposing a deck within the front yard requiring a variance for a deficient front yard setback measured to the stairs.



## Comments

Planning

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

Staff comments concerning the application are as follows:

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

## Conclusion

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

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed deck are being addressed by our Development Construction Section through the Building Permit process, File BP 9ALT 21/4637.



Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 9ALT 21-4637. Based on review of the information currently available in this permit application, the variances, as requested are correct.

Please note that comments reflect those provided through the above permit application and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these

comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Brandon Eidner, Zoning Examiner

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

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner





## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A129.21  
Ward: 3

### Why you received this letter:

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

### Details of the application and meeting information:

The property owner of 1350 Hickory Drive, zoned R3 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a gazebo proposing a height of an accessory structure of 4.34m (approx. 14.24ft) whereas By-law 0225-2007, as amended, permits a maximum height of an accessory structure of 3.50m (approx. 11.48ft) in this instance.

The Committee has set **Thursday April 22, 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:

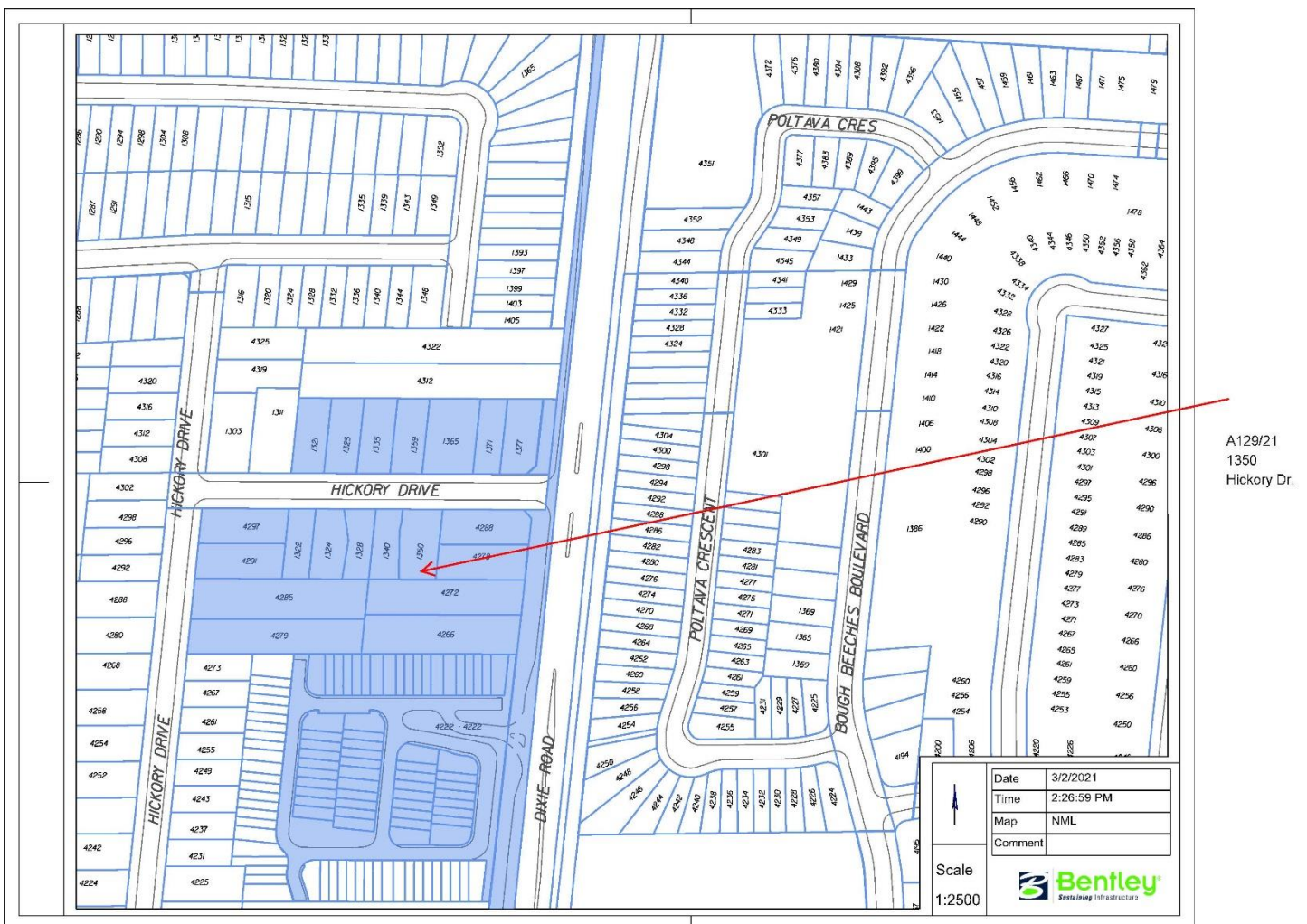
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# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-04-14	File(s): A129.21 Ward: 3
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-22 1:00 PM

## Consolidated Recommendation

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

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a gazebo proposing a height of an accessory structure of 4.34m (approx. 14.24ft) whereas By-law 0225-2007, as amended, permits a maximum height of an accessory structure of 3.50m (approx. 11.48ft) in this instance.

## Background

**Property Address:** 1350 Hickory Drive

### Mississauga Official Plan

Character Area: Rathwood Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

**Zoning:** R3 - Residential

**Other Applications:** BP 08-1088

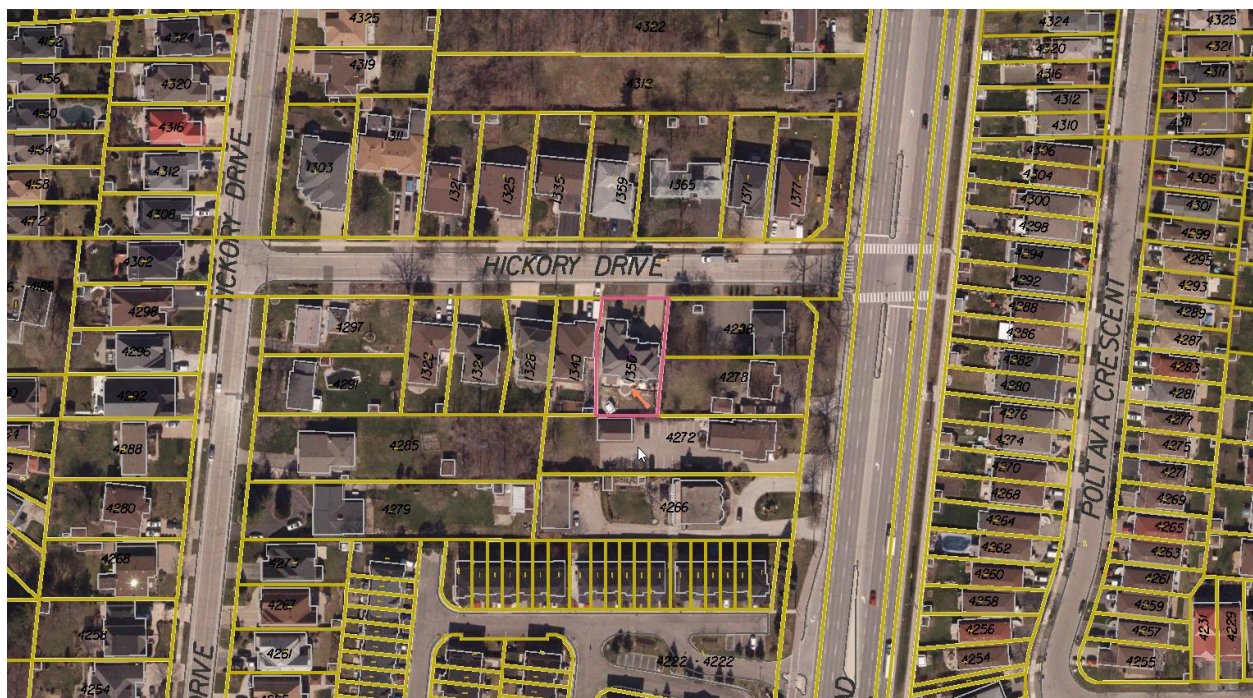
### Site and Area Context

The property is located south-west of the Eastgate Parkway and Dixie Road intersection and



currently houses a two-storey detached dwelling with minimal vegetation and landscape elements in the front and rear yards. The subject property is an interior parcel, with a lot area of approximately +/- 907.18m<sup>2</sup> and a lot frontage of approximately +/- 22.55m. Contextually, the surrounding neighbourhood consists exclusively of detached dwellings. The properties within the immediate area possess lot frontages of +/- 20.0m, with minimal vegetative / natural landscaped elements within the front yards.

The applicant is proposing an gazebo structure that requires a variance for height.



The site is located within the Rathwood Neighbourhood Character Area, and is designated Residential Low Density I by the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached dwellings; semi-detached dwellings and duplex dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions; the surrounding context; and, the landscape of the character area. Staff is of the opinion that the general intent and purpose of the MOP is maintained.

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

The intent of the zoning by-law is to ensure that accessory structures are proportional to the lot and dwelling, thereby remaining secondary to the principle use while not presenting any massing concerns. The proposed accessory structure is a stand alone pergola with a proposed height of 4.34m whereas 3.50m is permitted. The proposed pergola consists of parallel colonnades supporting the open roof girders and cross rafters. Since the structure is open on all sides, located at the rear of the property and cannot be seen from the street, it will not have any significant impact on the neighbouring properties. Staff is of the opinion that the variance is minor in nature and raises no concerns of a planning nature.

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

Staff is of the opinion that proposed accessory structure will not have any impacts on the neighbouring properties and is consistent with the surrounding neighbourhood. As such, the variance, as requested is minor in nature and results in the orderly development of the lands.

**Conclusion**

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

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

## Appendices

### Appendix 1 – Transportation and Works Comments

This department would have no objections to the applicant's request provided that the existing drainage pattern in the area of the proposed accessory structure be maintained.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

The Building Department is currently processing a building permit under file BP 9NEW 20-4404. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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

Comments Prepared by: Alana Zheng, Zoning Examiner

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

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A132.21  
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 215 Louis Drive, zoned R3-49 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicants request the Committee to approve a minor variance to allow the construction of an accessory structure on the subject property proposing:

1. A lot coverage of 37.7% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.0% of the lot area in this instance;
2. A floor area of 20.08sq.m (approx. 216.14sq.ft) whereas By-law 0225-2007, as amended, permits a maximum floor area of 10.00sq.m (approx. 107.64sq.ft) in this instance; and
3. A height of 4.0m (approx. 13.1ft) whereas By-law 0225-2007, as amended, permits a maximum height of 3.0m (approx. 9.8ft) in this instance.

The Committee has set **Thursday April 22, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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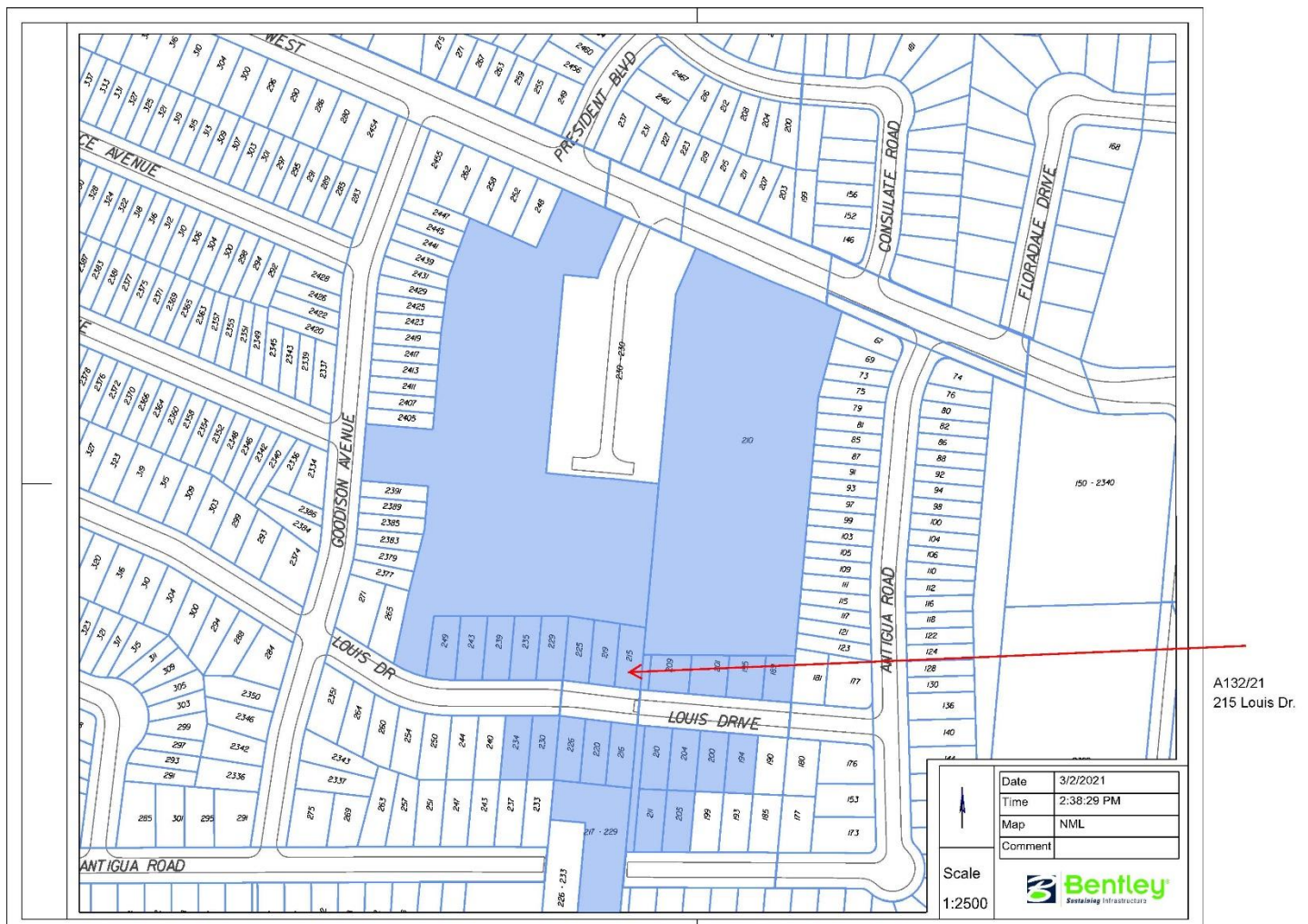
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# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-04-14	File(s): A132.21 Ward:7
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-22 1:00 PM

## Consolidated Recommendation

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

## Application Details

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

1. A lot coverage of 37.7% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.0% of the lot area in this instance;
2. Maximum area occupied of 20.08sq.m (approx. 216.14sq.ft) whereas By-law 0225-2007, as amended, permits a maximum floor area of 10.00sq.m (approx. 107.64sq.ft) in this instance; and
3. A height of 4.0m (approx. 13.1ft) whereas By-law 0225-2007, as amended, permits a maximum height of 3.0m (approx. 9.8ft) in this instance.

## Background

**Property Address:** 215 Louis Drive

### Mississauga Official Plan

Character Area: Cooksville Neighbourhood West  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

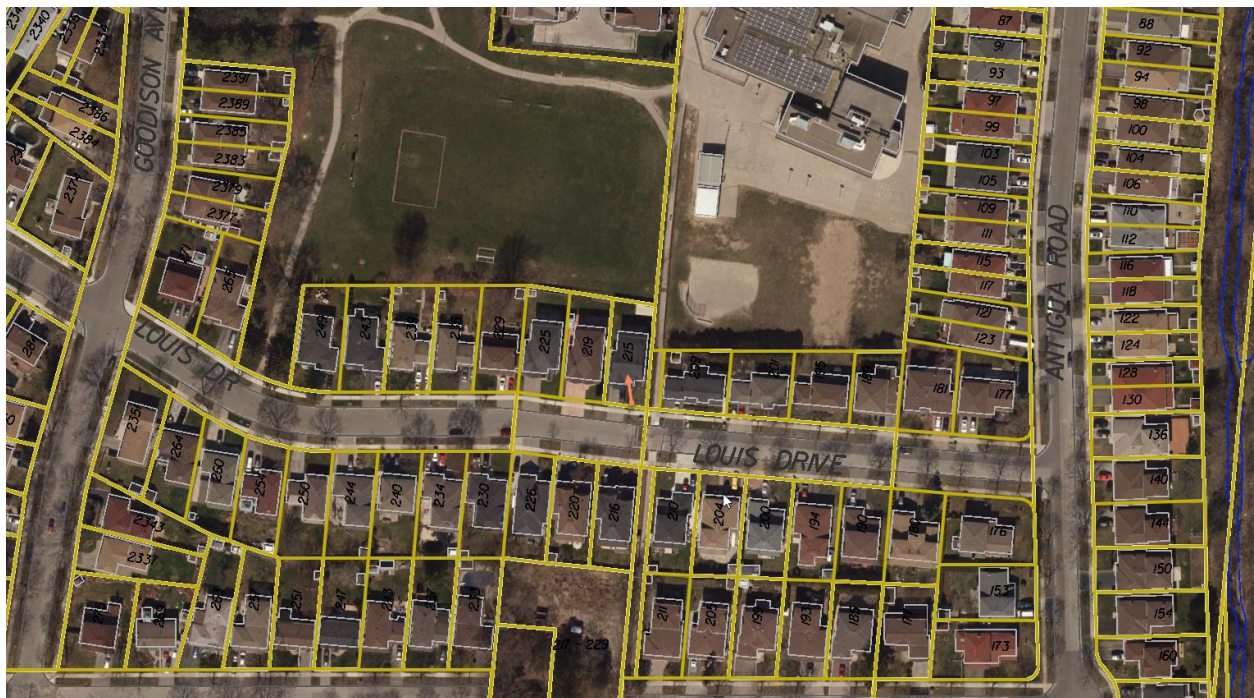
**Zoning:** R3-49 - Residential

**Other Applications:** BP 9NEW 20-2506

## Site and Area Context

The subject property is located north-west of the Queensway and Confederation Parkway intersection. The property is an interior parcel, with a lot area of +/- 530m<sup>2</sup> and a lot frontage of +/- 14.73m. Currently the property houses a two-storey, detached dwelling with minimal vegetation and landscape elements within the front and rear yards. Contextually, the area is comprised exclusively of two-storey detached dwellings. The properties within the immediate area possess lot frontages of +/- 15m, with minimal vegetative / natural landscaped elements within the front yards.

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



## Comments

Planning

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

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

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

The subject property is located in the Cooksville Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, duplex dwellings and 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 accessory structure is compatible with the surrounding area and does not pose any significant impact to the abutting properties. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

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

Variances #1- #3 as requested pertain to an accessory structure:

The intent of the zoning by-law is to ensure that accessory structures are proportional to the lot and dwelling, thereby remaining secondary to the principle use, while not presenting any massing concerns. Accessory structures contribute massing to the entirety of the property and should not over burden the primary structure. The proposed accessory structure is a stand alone structure, located in the rear yard. While the shed portion of the proposed structure is enclosed on all sides, the remainder is an open canopy. The proposed height of 4.0m, whereas a maximum of 3.00m is permitted, will not have any significant impact on the neighbouring properties as the property abuts a park and pedestrian walkway. The location and slope of the roof for the proposed accessory structure reduces any massing impacts on the neighbouring properties. Staff is of the opinion that variances #1-#3 are minor in nature and raise no concerns of a planning nature.

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

Staff is of the opinion that proposed accessory structure will not have any impact on the neighbouring properties and is consistent with the surrounding neighbourhood. As such, the variances requested are minor in nature and result in the orderly development of the lands.

## **Conclusion**

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

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

## Appendices

### Appendix 1 – Transportation and Works Comments

We note that there is walkway and field (school/park) immediately abutting the accessory structure. From our site inspection we can also confirm that the catch basin depicted on the Site Plan submitted exists and should remain free and clear of any obstructions in order that drainage from this property can be directed into the catch basin.









Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file BP 9NEW 20-2506. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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

Comments Prepared by: Alana Zheng, Zoning Examiner

## Appendix 5 – Region of Peel Comments

We have no comments or objections

Comments Prepared by: Diana Guida, Junior Planner





## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A133.21  
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 2525 Haines Road, zoned E2-134 - Employment, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow:

1. Outdoor storage in excess of 5% of the lot area or 10% of the gross floor area - non residential of the building, whichever is lesser, whereas By-law 0225-2007, as amended, permits a maximum outdoor storage of 5% of the lot area or 10% of the gross floor area - non residential of the building, whichever is lesser; and
2. Outdoor display in excess of 5% of the lot area whereas By-law 0225-2007, as amended, permits a maximum outdoor display of 5% of the lot area in this instance.

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## AMENDED NOTICE

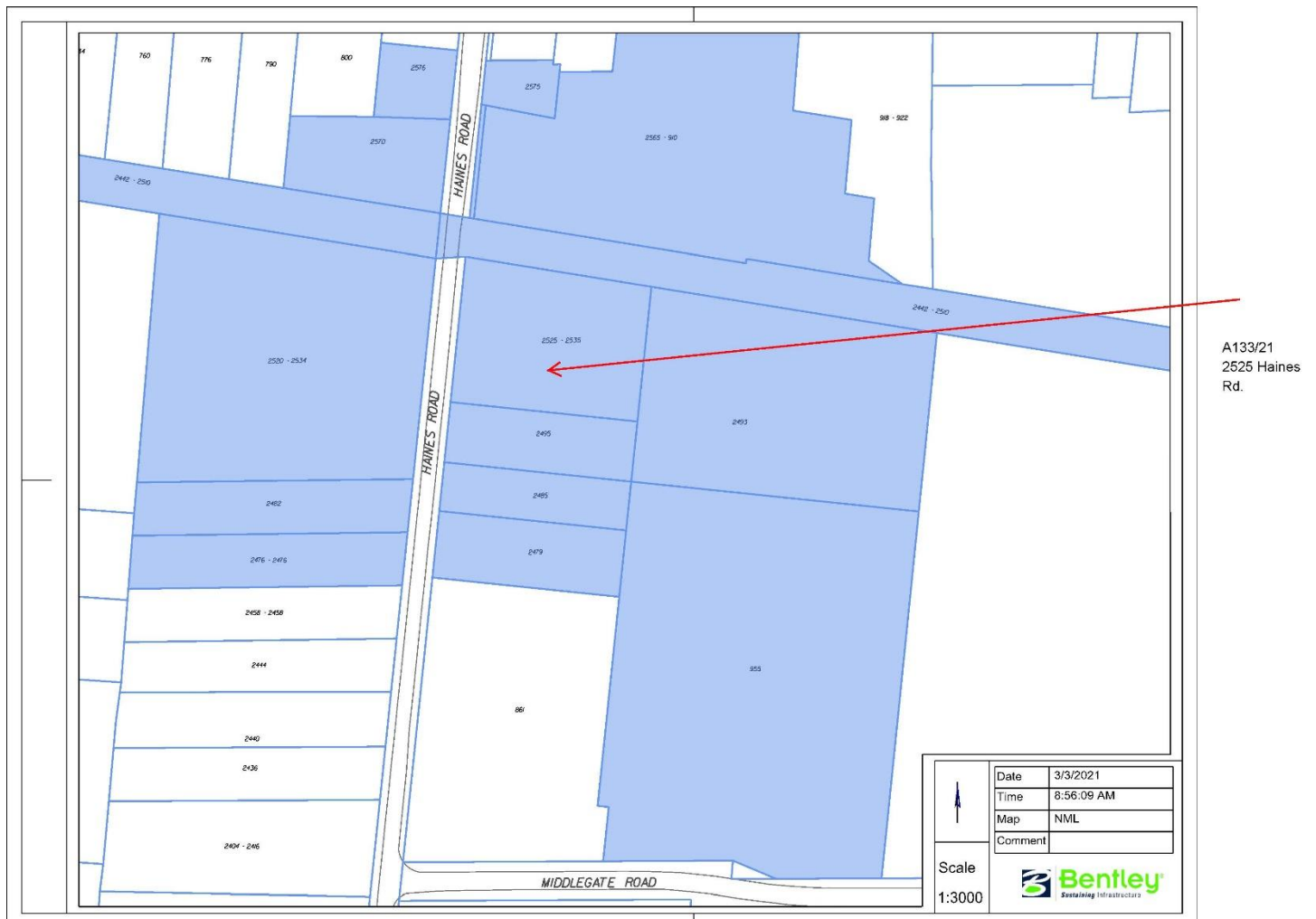
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# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-04-14	File(s): A133.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-22 1:00 PM

## Consolidated Recommendation

The City recommends that the application be refused.

## Application Details

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

1. Outdoor storage in excess of 5% of the lot area or 10% of the gross floor area - non residential of the building, whichever is lesser, whereas By-law 0225-2007, as amended, permits a maximum outdoor storage of 5% of the lot area or 10% of the gross floor area - non residential of the building, whichever is lesser; and
2. Outdoor display in excess of 5% of the lot area whereas By-law 0225-2007, as amended, permits a maximum outdoor display of 5% of the lot area in this instance.

## Recommended Conditions and Terms

Should Committee see merit in the application, staff recommends the following conditions be added to the application:

- Outdoor storage/display shall not be located in the front yard
- Subject to be in general conformity with the proposed site plan

## Background

**Property Address:** 2525 Haines Road

### Mississauga Official Plan

**Character Area:** Dixie Employment Area

Designation: Business Employment

### Zoning By-law 0225-2007

Zoning: E2-134 - Employment)

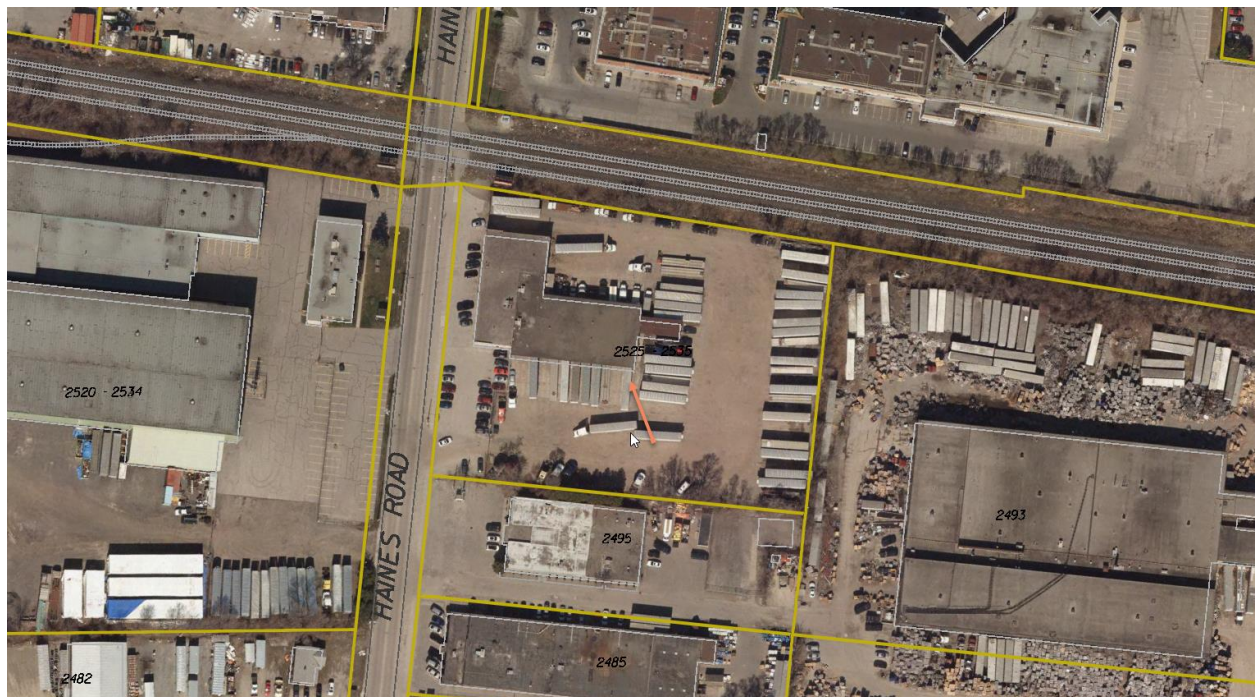
### Other Applications

Certificate of Occupancy: 21-5613

### Site and Area Context

The subject property is located within the Dixie Employment Character Area, southeast of Dundas Street East and Cawthra Road. The area south of the railway tracks consists mainly of manufacturing and industrial types uses with outdoor storage. The subject property contains a two storey building, used for a trucking business also consisting of outdoor storage.

The applicant is proposing to use the building for commercial motor vehicle sales, leasing and renting, requiring variances related to an excess of outdoor storage and outdoor display.



## 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 Business Employment in the Schedule 10 of the Mississauga Official Plan (MOP) which permits motor vehicle repair, trucking terminals, and manufacturing, among other uses. The Business Employment designation does not permit outdoor storage which is only limited to the Industrial designation. As the official plan did not envision outdoor storage within this designation, staff is of the opinion that the general intent and purpose of the official plan is not maintained.

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

The variances requested proposes outdoor storage and display area of greater than 5% of the total lot area whereas a maximum 5% of the total lot area or 10% of the gross floor area of the building (whichever is lesser) is permitted. The general intent of the zoning by-law was to limit the amount of outdoor storage and display areas and to have the main feature of a site being the primary use. Through discussions with the applicant, approximately 57% of the lot area will be used for outdoor storage and display. The proposed area for outdoor storage significantly exceeds what the by-law intended. As such, staff is of the opinion that the general intent and purpose of the zoning by-law is not maintained.

It should be noted that the E2-134 (Employment) permits all uses within the E3 zone with the exception of a few uses. The E3 zone is generally located in more dense industrial areas and permits the use of outdoor storage without limiting it to a set amount. However, despite more industrial type uses being permitted within the zone, the requirement for outdoor storage is required.

Should Committee see merit in the application, staff recommends the following conditions be added to the application:

- Outdoor storage/display shall not be located in the front yard
- Subject to be in general conformity with the proposed site plan

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

The subject property is located in an area that contains a significant amount of outdoor storage and manufacturing/industrial type uses. While the proposed variances are not out of context with

the surrounding neighbourhood, staff cannot support the requested variances in principle due to the intent of the official plan and zoning by-law not being met. As such, staff is of the opinion that the application does not represent orderly development of the lands and is not minor in nature.

## Conclusion

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

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner



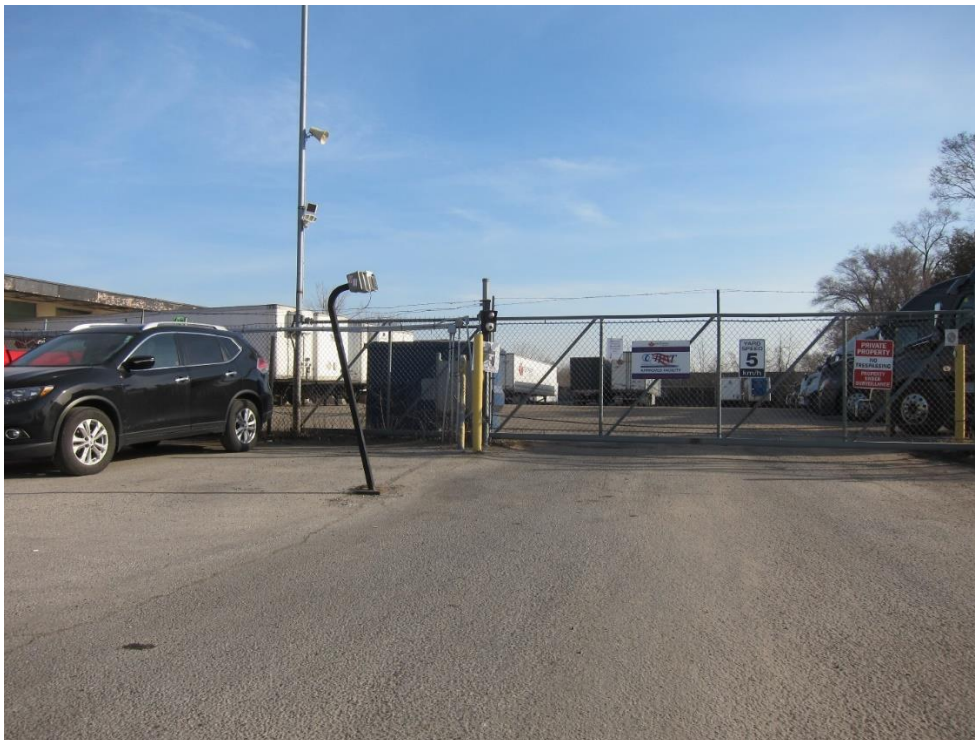
## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference are photos depicting the subject property.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## Appendix 2 – Zoning Comments

The Building Department is currently processing a Pre-Application Zoning Review under file 21-5301. Based on review of the information currently available in this application, we advise that additional information is required in order to verify the accuracy of the requested variances and whether any additional variances are required.

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

Comments Prepared by: Richard Thompson, Zoning Examiner

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

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner

#### **Appendix 7 – Trans Northern Pipelines Inc**

Thank you for providing Trans-Northern with the Committee of Adjustment agenda for April 18, 2021 which includes a request for proposed development to allow for a minor variance to allow the outdoor storage and display of commercial motor vehicles and construction equipment whereas the current by-law does not allow outdoor storage and display of commercial motor vehicles and construction equipment in this instance. Trans-Northern currently operates a high-pressure petroleum products transmission pipeline within a 60 foot right of way on the adjacent property West, running Northwest to Southeast on the proposed development relating to 2525 Haines Road, Mississauga.

TNPI requests the preliminary site plan to review as many of the requested activities would not be approved within the TNPI right-of-way. Please note, any development plans within the right-of-way will require a permit and must follow out Crossing Guidelines (attached to this email) which can be requested by following the steps described near the end of this response. For planning purposes please note the following restrictions regarding development as follows:

- Storage is not allowed on the right-of-way, including vehicle storage of all sizes
- Development must not impede the view of the right-of-way (ie, height)
- Structures must be kept outside of the right-of-way

- Temporary vehicle crossing to support the construction will require TNPI permit
- Multi-unit or high-capacity buildings must be approved within the lot area described as 2525 Haines Road

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

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

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

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

As always, Trans-Northern appreciates being circulated Committee of Adjustment agendas for proposed development within 200m of the TNPI pipeline.

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



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A136.21  
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 6989 Second Line West, 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 the construction of a new house proposing:

1. A gross floor area of 366.75sq.m (approx. 39.47.66sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 289.95sq.m (approx. 3121.00sq.ft) in this instance;
2. A building height measured to the highest ridge of 8.70m (approx. 28.54ft) 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;
3. A circular driveway on a lot with a 19.94m (approx. 65.42ft) frontage whereas By-law 0225-2007, as amended, permits a circular driveway on a lot with a minimum 22.50m (approx. 73.82ft) frontage in this instance;
4. A driveway width of 7.68m (approx. 25.20ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 3.00m (approx. 9.84ft) in this instance; and
5. A building height of a detached garage measured to the highest ridge (from average grade) of 4.88m (approx. 16.01ft) whereas By-law 0225-2007, as amended, permits a maximum building height of a detached garage measured to the highest ridge of 4.60m (approx. 15.09ft) in this instance.

The Committee has set **Thursday April 22, 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:**

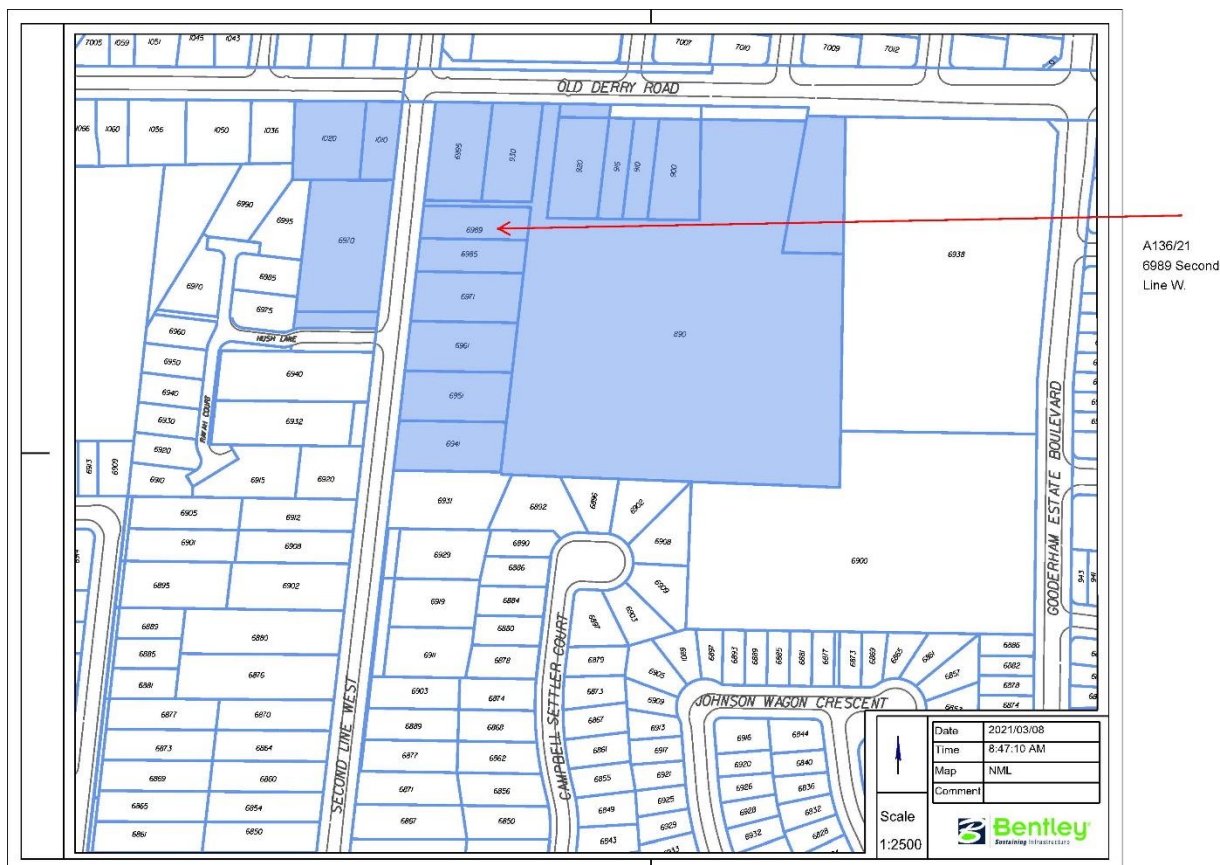
**To participate electronically (computer, tablet or smartphone):** Please email [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided 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: 2021-04-14	File(s): A136.21 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-22 1:00 PM

## Consolidated Recommendation

The City recommends that the application be deferred to allow the Applicant the opportunity to submit the requested information.

## 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 366.75sq.m (approx. 39.47.66sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 289.95sq.m (approx. 3121.00sq.ft) in this instance;
2. A building height measured to the highest ridge of 8.70m (approx. 28.54ft) 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;
3. A circular driveway on a lot with a 19.94m (approx. 65.42ft) frontage whereas By-law 0225-2007, as amended, permits a circular driveway on a lot with a minimum 22.50m (approx. 73.82ft) frontage in this instance;
4. A driveway width of 7.68m (approx. 25.20ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 3.00m (approx. 9.84ft) in this instance; and
5. A building height of a detached garage measured to the highest ridge (from average grade) of 4.88m (approx. 16.01ft) whereas By-law 0225-2007, as amended, permits a maximum building height of a detached garage measured to the highest ridge of 4.60m (approx. 15.09ft) in this instance.

## Background

**Property Address:** 6989 Second Line West

**Mississauga Official Plan**



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

### Zoning By-law 0225-2007

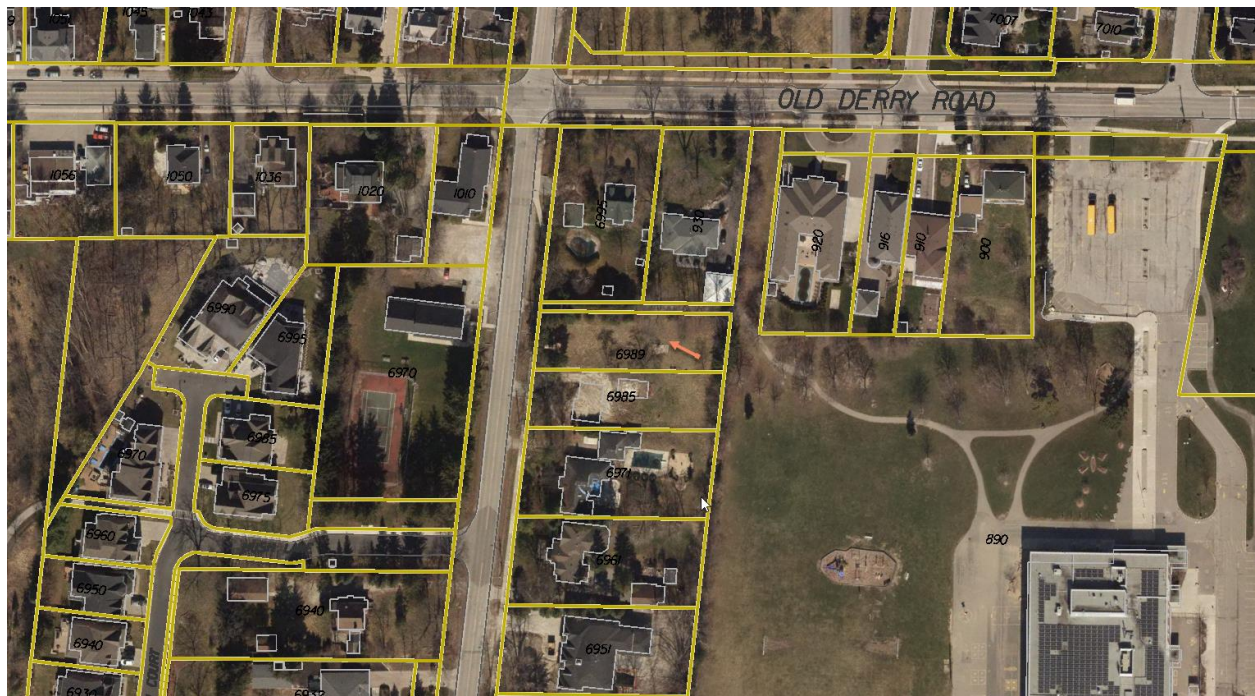
**Zoning: R1-32 - Residential**

**Other Applications: SPI 20-125 W11**

### Site and Area Context

The subject property is located south-west of the Second Line W. and Old Derry Rd intersection. It is an interior parcel with a lot area of +/- 1,299.48m<sup>2</sup> and a lot frontage of +/- 19.94m. The property is currently vacant with mature vegetation scattered throughout the lot. Contextually, the area is comprised primarily of two-storey detached dwellings with lot frontages of +/-25.0m with mature vegetation and landscape elements present in the front yards.

The applicant is proposing a new dwelling that requires variances for gross floor area, driveway width, and height of the dwelling and garage.



## 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:

In addition to the minor variance application, the Development and Design Department is currently processing a Site Plan application under file SPI 20-125. Based on the review of this application and the proposed minor variance, Staff notes that more information is required to verify the accuracy of the requested variances, as well as to determine whether additional variance(s) will be required. At this time Staff are unsure if the proposed dimensions and measurements have been calculated correctly and whether certain variances are needed and/or required. As such, Planning Staff are unable to determine the accuracy of the requested variances and whether the application meets the criteria established by Section 45 of the *Planning Act*.

Planning Staff echo the Building Division's, Transportation and Works' and Heritage Planning's comments, and recommend that the application be deferred in order for the applicant to address the discrepancies that exist in all of the applications (the proposed site plan and minor variance) to ensure all variances are being addressed.

### Conclusion

Based upon the preceding information, it is the opinion of Staff that the application should be deferred to allow the applicant the opportunity to submit the requested information.

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



## Appendices

### Appendix 1 – Transportation and Works Comments

The City is currently processing a Site Plan Application for this property under File SPI 20-125. The Site Plan Dwg No: A01.01 (rev date 08/27/2020) submitted for review under the Site Plan application differs from the Site Plan Dwg No A01.01 submitted with this request. Our concern is that the Site Plan submitted to the Committee depicts a longer driveway to the proposed garage in the rear yard which is also in a different location (further back from the proposed dwelling) than that reviewed through the Site Plan Process and this may impact on drainage.

Variance #3 is requesting a circular driveway, from our site inspection and enclosed photos we note that the proposed northerly leg of the circular driveway may be impacted by the existing hydro pole/street light directly in front which may require the re-location of the utility pole. We also question the proximity of the northerly leg of the circular driveway to the existing entrance to the walkway. These items need to be reviewed in further detail through the Site Plan Process prior to us indicating that the proposed circular driveway is acceptable.

In view of our above noted concerns we would request that this application be deferred pending the resubmission of the Site Plan which would adequately address our identified concerns.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

# City of Mississauga

## Memorandum:

## City Department and Agency Comments

### **Appendix 2 – Zoning Comments**

The Building Department is currently processing a site plan application under file SPI 20-125 W11. 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 site plan application submitted on 2020/11/03 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 4 – Heritage**

This property is adjacent to the Meadowvale Heritage Conservation District and is therefore subject to the provisions outlined in the Meadowvale Village section of Mississauga's Official Plan. Heritage Planning is opposed to these variances based on clause 16.17.2.12 which states that "Standards for street layout, parking and loading spaces, landscaping, commons, building height and location, size and dwelling unit design, including dwelling unit composition, form, massing, setbacks, and spatial relationship with adjacent buildings, site access, lighting, signage, and screening will meet the requirements of the Zoning By-law".

Comments Prepared by: Andrew Douglas, Heritage Analyst

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

Minor Variance Application: A-136/21

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. 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: A137.21  
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 48 North Alarton Street, zoned R3-69 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A gross floor area of 385.00sq.m (approx. 4144.11sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 302.60sq.m (approx. 3257.16sq.ft) in this instance;
2. A lot coverage of 31% (236.80sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% (228.90sq.m) in this instance;
3. A building height of 9.46m (approx. 31.04ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.00m (approx. 29.53ft) in this instance; and
4. A building height measured to the eaves of 6.71m (approx. 22.01ft) 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 22, 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:**



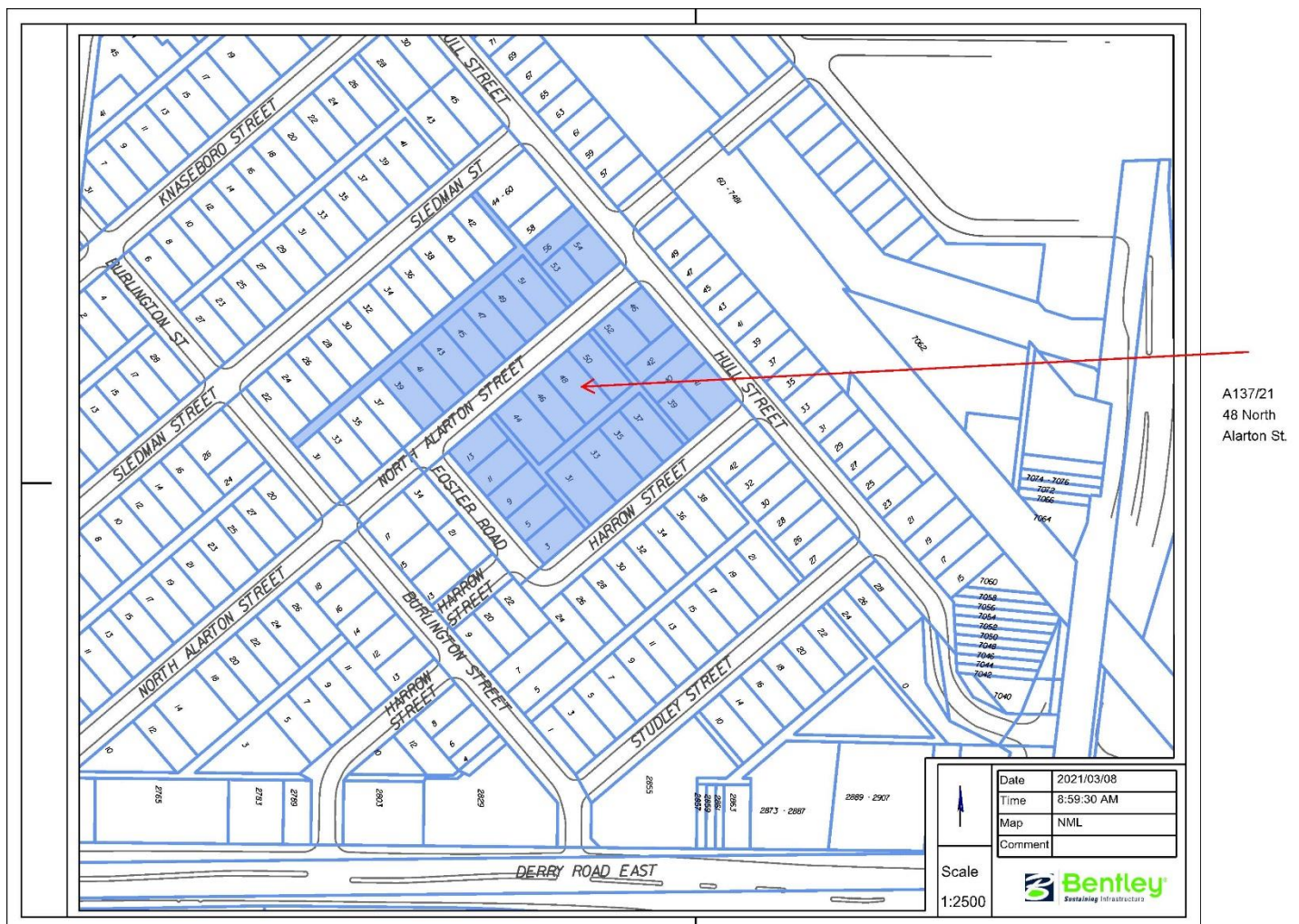
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#### Legal notice:

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



# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-04-14	File(s): A137.21 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-22 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 385.00sq.m (approx. 4144.11sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 302.60sq.m (approx. 3257.16sq.ft) in this instance;
2. A lot coverage of 31% (236.80sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% (228.90sq.m) in this instance;
3. A building height of 9.46m (approx. 31.04ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.00m (approx. 29.53ft) in this instance; and
4. A building height measured to the eaves of 6.71m (approx. 22.01ft) 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:** 48 North Alarton Street

### Mississauga Official Plan

Character Area: Malton Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007



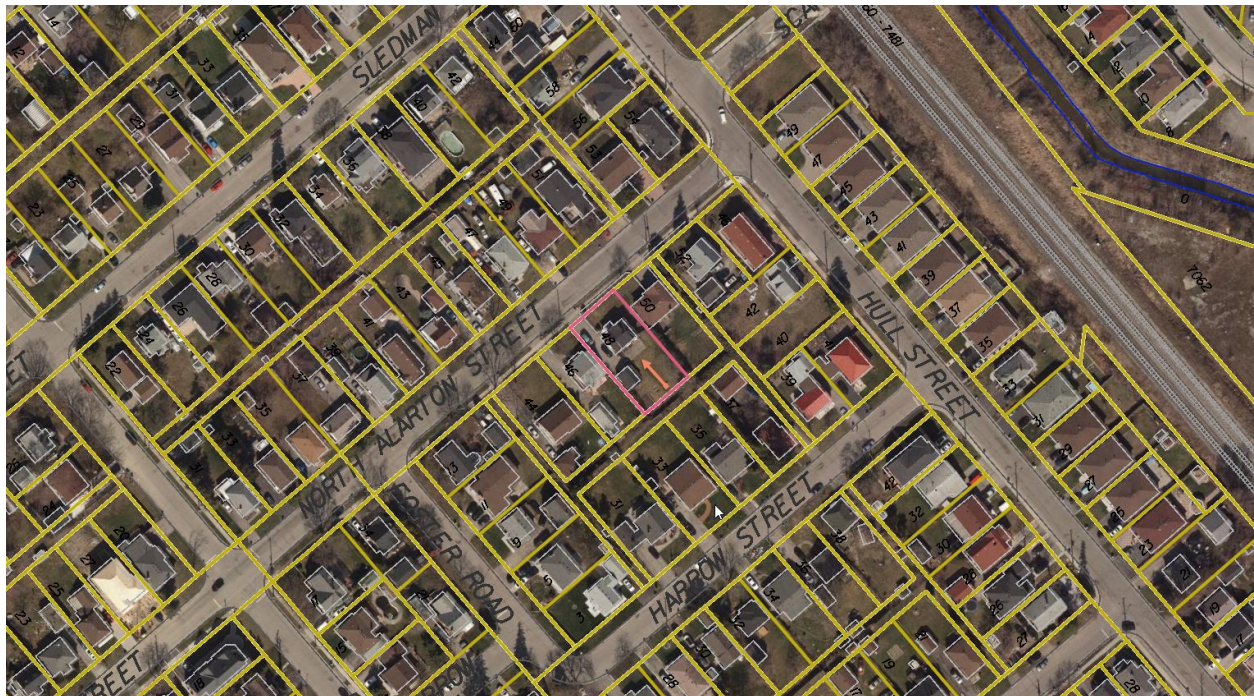
**Zoning:** R3-69 - Residential

**Other Applications:** Pre APP 20-1906

### Site and Area Context

The property is located north-west of the Derry Rd and Airport Rd intersection, and currently houses a single storey, detached dwelling with minimal vegetation and landscaping elements within the front and rear yards. The subject property is an interior parcel with a lot area of approximately +/- 763.0m<sup>2</sup> and a lot frontage of approximately +/- 19.58m. Contextually, the surrounding neighbourhood consists of modest, single storey, detached homes with mature vegetation and minimal landscape elements within the front yards. The surrounding properties possess lot frontages of +/- 16.0m.

The applicant is proposing a new two storey dwelling, requiring variances related to 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 are as follows:

The subject property is located in the Malton Neighbourhood character area and is designated Residential Low Density I on Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached, and duplex dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions; the surrounding context; and, the landscape of the character area. The proposed detached dwelling respects the designated land use, but does not have regard for the proportional distribution of massing on the property as a whole.

Arising from public input expressed through the 'My Malton' Community Visioning exercise in 2015, the City initiated 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 building permit under file PREAPP 20-1906. 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 building permit application submitted on 2020/10/01 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-137/21

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)

Comments Prepared by: Diana Guida, Junior Planner



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A140.21

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 1010 Pelham Avenue, zoned R3-75 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A lot area (existing) of 508.30sq.m (approx. 5471.30sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 550.00sq.m (approx. 5920.15sq.ft) in this instance;
2. A lot coverage of 39.20% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance; and
3. A building height measured to the eaves of 7.16m (approx. 23.49ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 6.40m (approx. 21.00ft) in this instance.

The Committee has set **Thursday April 22, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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**To participate electronically (computer, tablet or smartphone):** Please email [committee.adjustment@mississauga.ca](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:

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# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-04-14	File(s): A140.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-22 1:00 PM

## Consolidated Recommendation

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

## Application Details

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

1. A lot area (existing) of 508.30sq.m (approx. 5471.30sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 550.00sq.m (approx. 5920.15sq.ft) in this instance;
2. A lot coverage of 39.20% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance; and
3. A building height measured to the eaves of 7.16m (approx. 23.49ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 6.40m (approx. 21.00ft) in this instance.

## Background

**Property Address:** 1010 Pelham Avenue

### Mississauga Official Plan

Character Area: Lakeview Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

**Zoning:** R3-75 - Residential

## Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, southeast of Cawthra Road and Atwater Avenue. The neighbourhood is primarily residential consisting of one and two storey detached dwellings with mature vegetation. The subject property contains an existing one storey dwelling with vegetation lining the side property lines and within the rear yard.

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



## Comments

## Planning



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

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

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

The subject property is designated Residential Low Density 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. The subject property is within the Cawthra Village boundary of the Central Residential Neighbourhood Precinct. Section 10.3 (Built Form Types) of the Lakeview Local Area Plan states that the development of detached dwellings will maintain the existing character of the area. The proposed dwelling is similar in scale to newer two storey dwellings in the surrounding neighbourhood and maintains compatibility with the existing and planned character of the neighbourhood. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

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

Variance #1 proposes a deficient lot area of 508.30 m<sup>2</sup> whereas a minimum of 550 m<sup>2</sup> is required. The subject lot has existed with a deficient lot area prior to the implementation of Zoning By-law 0225-2007. As the deficiency is an existing condition, 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.

Variance #2 proposes a lot coverage of 39.20% whereas a maximum of 35% is permitted. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot. The proposed lot coverage includes a front covered porch and rear deck which will make up approximately 1.70% of the total coverage. The dwelling itself proposes a lot coverage of approximately 37.50%. The proposed dwelling footprint generally maintains a similar size to newer two storey dwellings and does not result in additional variances related to dwelling depth and deficient side yards. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #3 proposes an eave height of 7.16 m whereas a maximum of 6.40 m is permitted. The intent of restricting height to the eaves is to lessen the visual massing of the dwelling by bringing the edge of the roof closer to the ground, thereby lowering the overall pitch of the roof. This results in the dwelling maintaining a human scale. The dwelling maintains a height of 9.03 m which is less than the maximum permitted height of 9.50 m which mitigates the impact of the increased eave height. Additionally, the dwelling contains features that breaks up the overall massing to the streetscape. As such, staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

The proposed dwelling maintains the existing and planned context of the surrounding neighbourhood. The dwelling contains architectural features which break up the overall massing to the streetscape. Additionally, the overall height of the dwelling is less than the maximum permitted, reducing 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 verify the accuracy of the variances and ensure additional variances are not required.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

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

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is 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-140/21

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)

Comments Prepared by: Diana Guida, Junior Planner



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A141.21  
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 29 Joymar Drive, zoned R2-50 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicants request the Committee to approve a minor variance to allow the construction of a new home on the subject property proposing:

1. A lot coverage of 34.5% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.0% of the lot area in this instance;
2. A gross floor area of 366.48sq.m (approx. 3944.76sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 289.37sq.m (approx. 3114.75sq.ft) in this instance;
3. A height measured to the highest ridge of 9.14m (approx. 29.99ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the highest ridge of 9.00m (approx. 29.53ft) in this instance;
4. A height measured to the eaves of 6.73m (approx. 22.08ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m (approx. 21.00ft) in this instance;
5. A front yard measured to a garage awning of 6.38m (approx. 20.94ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to a garage awning of 6.89m (approx. 22.60ft) in this instance; and
6. A side yard measured to a walk-up of 0.81m (approx. 2.66ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to a walk-up of 1.20m (approx. 3.94ft) in this instance.

The Committee has set **Thursday April 22, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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Adjustment, 300 City Centre Drive 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:**

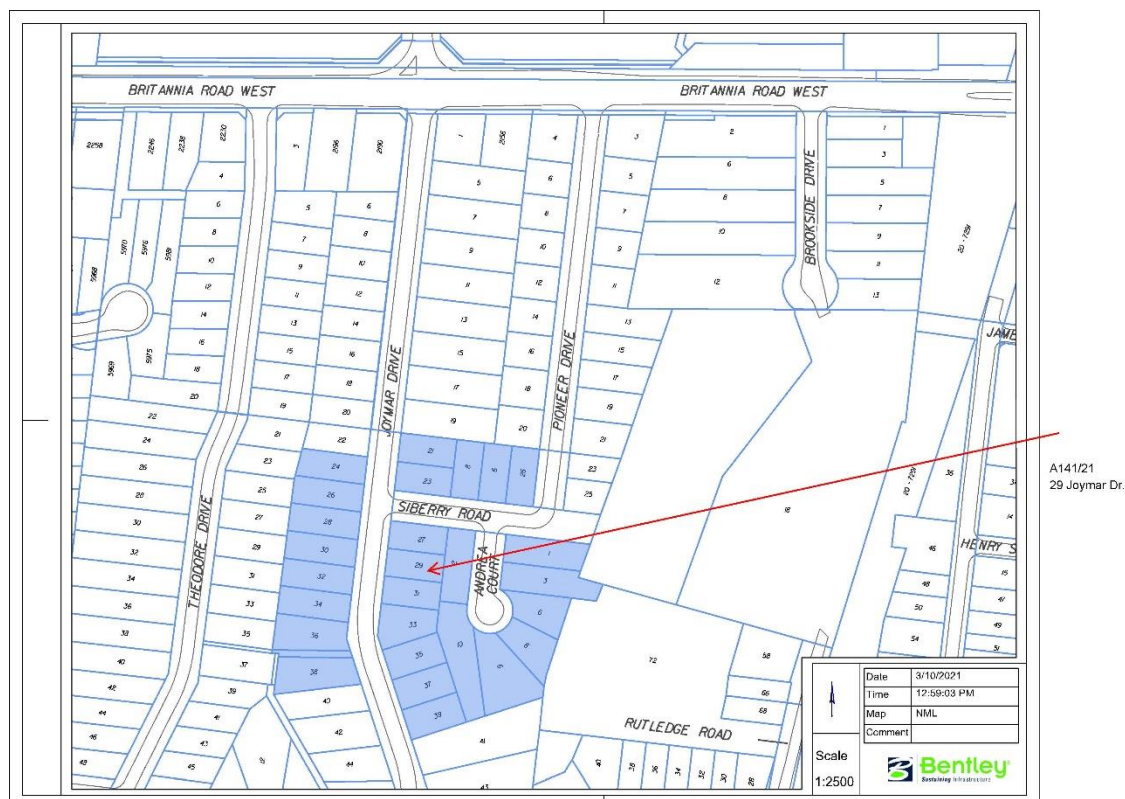
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# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-04-14	File(s): A141.21 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-22 1:00 PM

## Consolidated Recommendation

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

## Application Details

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

1. A lot coverage of 34.5% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.0% of the lot area in this instance;
2. A gross floor area of 366.48sq.m (approx. 3944.76sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 289.37sq.m (approx. 3114.75sq.ft) in this instance;
3. A height measured to the highest ridge of 9.14m (approx. 29.99ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the highest ridge of 9.00m (approx. 29.53ft) in this instance;
4. A height measured to the eaves of 6.73m (approx. 22.08ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m (approx. 21.00ft) in this instance;
5. A front yard measured to a garage awning of 6.38m (approx. 20.94ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to a garage awning of 6.89m (approx. 22.60ft) in this instance; and
6. A side yard measured to a walk-up of 0.81m (approx. 2.66ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to a walk-up of 1.20m (approx. 3.94ft) in this instance.

## Background

**Property Address:** 29 Joymar Drive

**Mississauga Official Plan**

Character Area: Streetsville Neighbourhood  
Designation: Residential Low Density I

**Zoning By-law 0225-2007**

**Zoning: R2-50 - Residential**

**Other Applications: BP 9NEW 21-5169**

**Site and Area Context**

The property is located south-east of the Britannia Road W and Joymar Drive intersection, and currently houses a detached dwelling with minimal vegetation and landscaping in the front and rear yards. The subject property is an interior parcel with a lot area of approximately +/- 696.85m<sup>2</sup> and a lot frontage of approximately +/- 18.29m. Contextually, the surrounding neighbourhood consists of properties exclusively with detached dwellings and lot frontages of +/- 18.0m, with minimal vegetative / natural landscaped elements within the front yards.

The applicant is proposing a new dwelling that requires variances for lot coverage, gross floor area, height, front and side yard setbacks.



## Comments

### Planning

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

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

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

The subject property is 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.

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

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

The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot. The intent in restricting gross floor area is to maintain compatibility between existing and new dwellings and ensure the existing and planned character of a neighbourhood is preserved. The increase in lot coverage is due to the inclusion of an awning, covered porch and shed. The dwelling itself maintains a lot coverage of 27%. The proposed 2% increase does not pose any massing concerns, as the overall configuration of the dwelling coincides with newer dwelling's size and shape in the immediate area. The proposed increase in gross floor area is sensitive to the existing and evolving character of the neighbourhood and will not result in any significant adverse impacts to the community. Staff finds variance #1 and #2 maintain the general intent and purpose of the by-law.

Variance # 3 and #4 as requested pertain to height:

The intent of restricting height to the highest ridge and eaves is to lessen the visual massing of the dwelling while lowering the overall pitch of the roof. By bringing the edge of the roof closer to the ground, it keeps the dwelling within human scale. The dwelling maintains an overall height of 9.14m, which is a minor deviation from 9.00m which is the permitted height under the by-law. The proposed eave height of 6.73m is a minor deviation from the zoning by-law's maximum regulation of 6.40m. This minor increase is throughout the roof and maintains its human scale proportions. Variance #3 and #4 and maintain the intent of the by-law.

Variance #5 and #6 as requested pertains to front yard and side yard setbacks:

The intent of a front yard is to ensure that a consistent character is maintained along the streetscape and that a sufficient front yard soft landscape space is incorporated into the design of neighbourhoods. The intent of a side yard setback is to ensure an adequate buffer exists between the massing of the primary structures on adjoining properties and that access to the rear yard is not encumbered. The application proposes a front yard setback to the garage awning of 6.38m, whereas 6.89m is required. Regarding the side yard setback, the application proposes a setback of 0.81m, measured to a walk-up, where the by-law requires 1.2m. The proposed variance is marginal in nature and provides an adequate buffer to the lot line thereby creating sufficient space for drainage and a visual buffer between the adjacent properties. The proposed variances are an insignificant deviation from what is already permitted under the by-law.

Variances # 5 and #6 maintain the general intent of the bylaw.

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

The proposed dwelling maintains the context of the surrounding neighbourhood and preserves the established and evolving character of the streetscape. Staff is of the opinion that the application is minor in nature resulting in the orderly development of the lands.

## **Conclusion**

City Department and Agency Comments	File:A141.21	2021/04/14	5
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The Planning and Building Department has no objections to the requested variances. However the applicant may choose to defer the application to ensure that additional variances are not required.

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



## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed 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 building permit under file BP 9NEW 21-5169. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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

Comments Prepared by: Alana Zheng, Zoning Examiner

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

City Department and Agency Comments	File:A141.21	2021/04/14	8
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Minor Variance Application: A-141/21

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)

Comments Prepared by: Diana Guida, Junior Planner





## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A22.21  
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 7592 Chinook Drive, zoned R3-69 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to allow the construction of a new dwelling proposing:

1. A lot coverage of 32.03% (185.92sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% (174.10sq.m) in this instance;
2. A gross floor area of 369.20sq.m (approx. 3974.04sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 266.07sq.m (approx. 2863.95sq.ft) in this instance;
3. A building height of 9.32m (approx. 30.58ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.00m (approx. 29.53ft) in this instance;
4. A building height measured to the eaves of 6.94m (approx. 22.77ft) 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;
5. A rectangular garage area of 5.84m x 5.38m (approx. 19.16ft x 17.65ft) whereas By-law 0225-2007, as amended, requires a minimum rectangular garage area of 6.00m x 5.79m (approx. 19.69ft x 19.00ft) in this instance.

The Committee has set **Thursday April 22, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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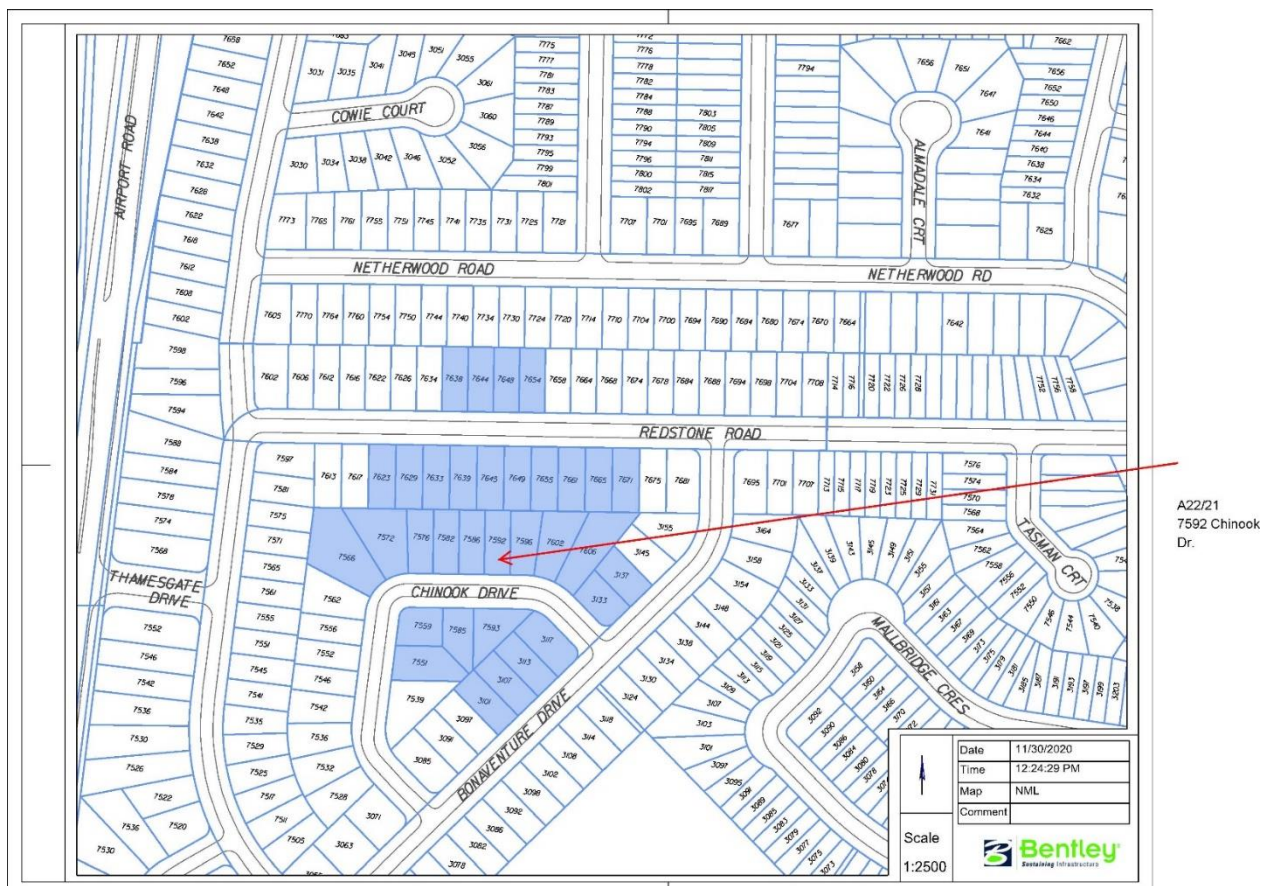
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# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-04-14	File(s): A22.21 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2021-04-22 1:00 PM

## Consolidated Recommendation

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

## Application Details

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

1. A lot coverage of 32.03% (185.92sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% (174.10sq.m) in this instance;
2. A gross floor area of 369.20sq.m (approx. 3974.04sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 266.07sq.m (approx. 2863.95sq.ft) in this instance;
3. A building height of 9.32m (approx. 30.58ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.00m (approx. 29.53ft) in this instance;
4. A building height measured to the eaves of 6.94m (approx. 22.77ft) 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;
5. A rectangular garage area of 5.84m x 5.38m (approx. 19.16ft x 17.65ft) whereas By-law 0225-2007, as amended, requires a minimum rectangular garage area of 6.00m x 5.79m (approx. 19.69ft x 19.00ft) in this instance.

## Amendments

While Planning Staff are not in a position to provide an interpretation of the Zoning By-law; Staff would note variance #5 should be amended as follows:

- A rectangular garage area of 5.84m x 5.38m whereas By-law 0225-2007, as amended, requires a minimum rectangular garage area of 6.00m x 2.75m in this instance.

## Background

**Property Address:** 7592 Chinook Drive

### Mississauga Official Plan

Character Area: Malton Neighbourhood Character Area  
Designation: **Residential Low Density I**

### Zoning By-law 0225-2007

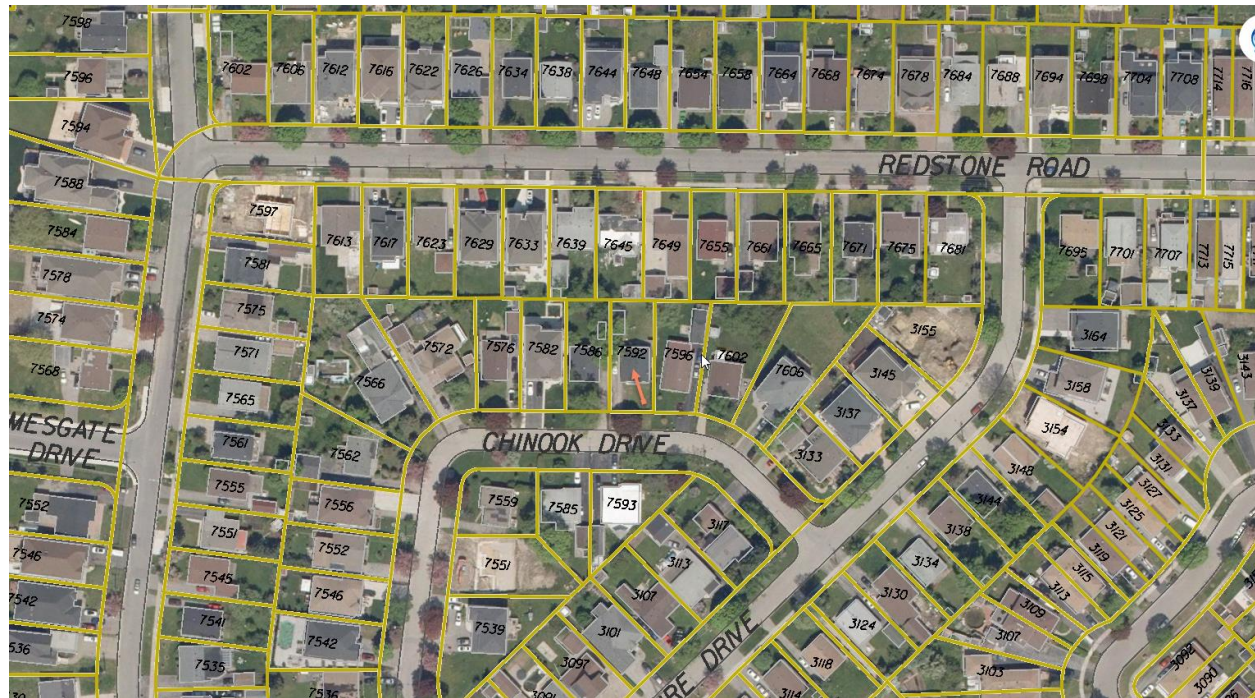
**Zoning:** R3-69 - Residential

**Other Applications:** None

### Site and Area Context

The subject property is located south-west of the Redstone Rd. and Bonaventure Dr. intersection. The property is an interior parcel, with a lot area of +/- 580.35m<sup>2</sup> and a lot frontage of +/- 15.24m. It currently houses a two-storey, detached dwelling with limited vegetation/ landscape elements in the front and rear yards. Contextually, the neighbourhood consists of post-war, single storey detached dwellings mixed within newer two storey detached dwellings. The properties possess lot frontages of +/- 15.0m, with mature vegetation scattered throughout and minimal landscape elements within the front yards.

The applicant is proposing a new two-storey dwelling, which requires variances for lot coverage, gross floor area, building height and garage size.



## Comments

### Planning

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

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

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

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

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

Variance #1 and #2 as requested pertain to lot coverage and gross floor area. Arising from public input expressed through the 'My Malton' Community Visioning exercise in 2015, the City completed a Malton Infill Housing Study in 2016. This study resulted in Council's adoption of

new zoning regulations principally aimed at regulating the massing of dwellings in a manner that is sensitive to the surrounding context. Although the surrounding area contains newer two storey dwellings, the intent of the policies are to limit the overall massing of these dwellings and maintain compatibility between the existing and planned character of the neighbourhood. The application originally came to the Committee of Adjustment on January 28, 2021 with a significantly larger proposal. Committee members were concerned with the size of the dwelling and deferred it for a redesign. The redesign has reduced both the lot coverage and gross floor area. Staff are of the opinion that the new design is inline with the Malton Infill Housing Study of 2016; and is compatible with both the existing and infill development of the neighbourhood. As such, the applicant meets the general intent and purpose of the by-law.

Variance #3 and #4 as requested pertains to building and eave height:

The intent of restricting height of the building and the eaves is to lessen the visual massing of dwelling by bringing the edge of the roof closer to the ground. This maintains the overall pitch of the roof while providing a dwelling height within human scale. The dwelling maintains an overall height of 9.32m, whereas 9.00m is the maximum permitted as well as an eave height of 6.94m whereas 6.40m is the maximum permitted under the by-law. The proposed height is a minor deviation from what the by-law envisions. The proposed variance does not affect the overall pitch of the roof and maintains its human scale. As such, variance #3 and #4 meet the general intent and purpose of the by-law.

Variance #5 as requested pertains to garage area:

The intent of the zoning by-law is to ensure that the garage is proportional to the lot and dwelling. In this instance, the proposed garage of 5.84m x 5.38m attached to the primary dwelling, is similar to other properties in the immediate vicinity. Additionally the proposed increase in size will not be noticeable from the street or adjacent properties; and the variance is not a significant deviation from what the bylaw currently permits. Any reduction of the garage area would still result in a structural massing that is similar to what is already being proposed on the property. As such, staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

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

## **Conclusion**

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

City Department and Agency Comments	File:A22.21	2021/04/14	5
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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

BP RECEIVED, MORE INFO

The Building Department is currently processing a building permit application under file PREAPP 20-3554. Based on review of the information currently available for this building permit, we advise that more information is required to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Our comments are based on the plans received by Zoning staff on 10-05-2020 for the above captioned building permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: A. McCormack

### Appendix 5 – Region of Peel Comments

Development 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: A23.21  
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 7480 Homeside Gardens, zoned R3-69 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to allow the construction of a new dwelling proposing:

1. A lot coverage of 32.03% (185.92sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% (174.10sq.m) in this instance;
2. A gross floor area of 369.20sq.m (approx. 3974.04sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 266.07sq.m (approx. 2863.95sq.ft) in this instance;
3. A building height of 9.32m (approx. 30.58ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.00m (approx. 29.53ft) in this instance;
4. A building height measured to the eaves of 6.93m (approx. 22.74ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance;
5. A rectangular garage area of 5.84m x 5.38m (approx. 19.16ft x 17.65ft) whereas By-law 0225-2007, as amended, requires a minimum rectangular garage area of 6.00m x 5.79m (approx. 19.69ft x 19.00ft) in this instance.

The Committee has set **Thursday April 22, 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:**

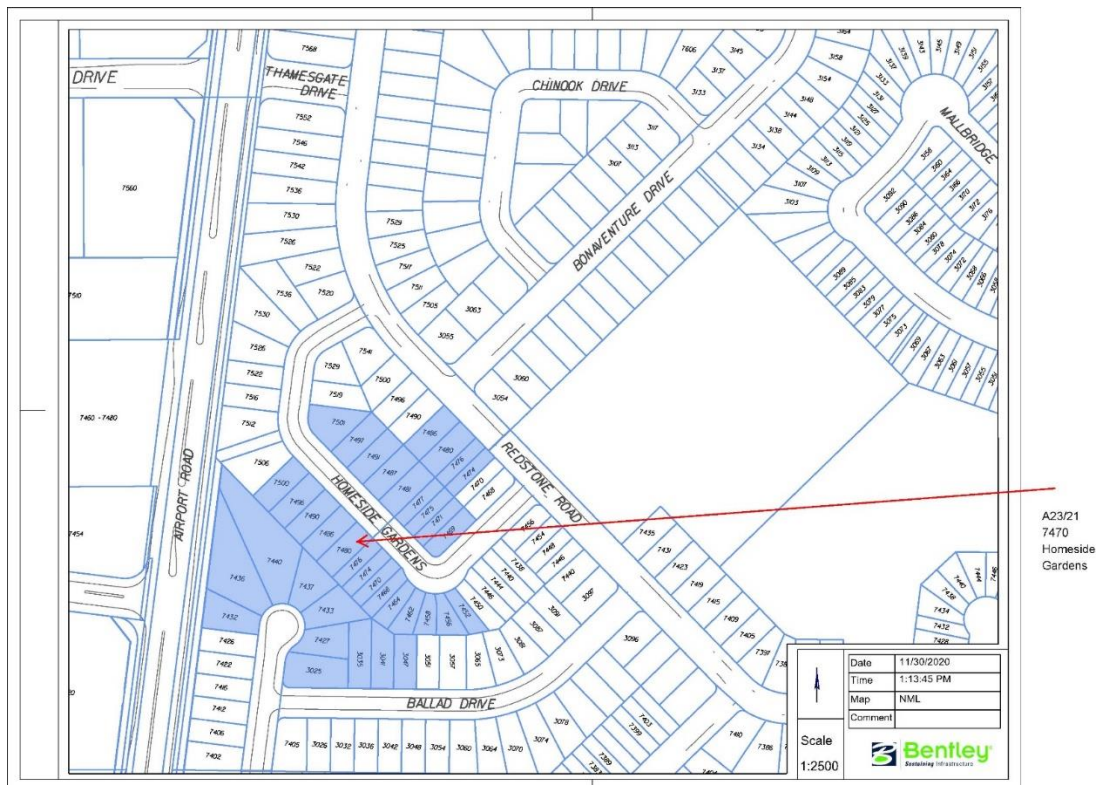
**To participate electronically (computer, tablet or smartphone):** Please email [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided 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: 2021-04-14	File(s): A23.21 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-22 1:00 PM

## Consolidated Recommendation

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

## Application Details

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

1. A lot coverage of 32.03% (185.92sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% (174.10sq.m) in this instance;
2. A gross floor area of 369.20sq.m (approx. 3974.04sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 266.07sq.m (approx. 2863.95sq.ft) in this instance;
3. A building height of 9.32m (approx. 30.58ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.00m (approx. 29.53ft) in this instance;
4. A building height measured to the eaves of 6.93m (approx. 22.74ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance;
5. A rectangular garage area of 5.84m x 5.38m (approx. 19.16ft x 17.65ft) whereas By-law 0225-2007, as amended, requires a minimum rectangular garage area of 6.00m x 5.79m (approx. 19.69ft x 19.00ft) in this instance.

## Amendments

While Planning Staff are not in a position to provide an interpretation of the Zoning By-law; Staff would note variance #5 should be amended as follows:

- A rectangular garage area of 5.84m x 5.38m whereas By-law 0225-2007, as amended, requires a minimum rectangular garage area of 6.00m x 2.75m in this instance.

## Background

**Property Address:** 7480 Homeside Gardens

### Mississauga Official Plan

Character Area: Malton Neighbourhood Character Area  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

**Zoning:** R3-69 - Residential

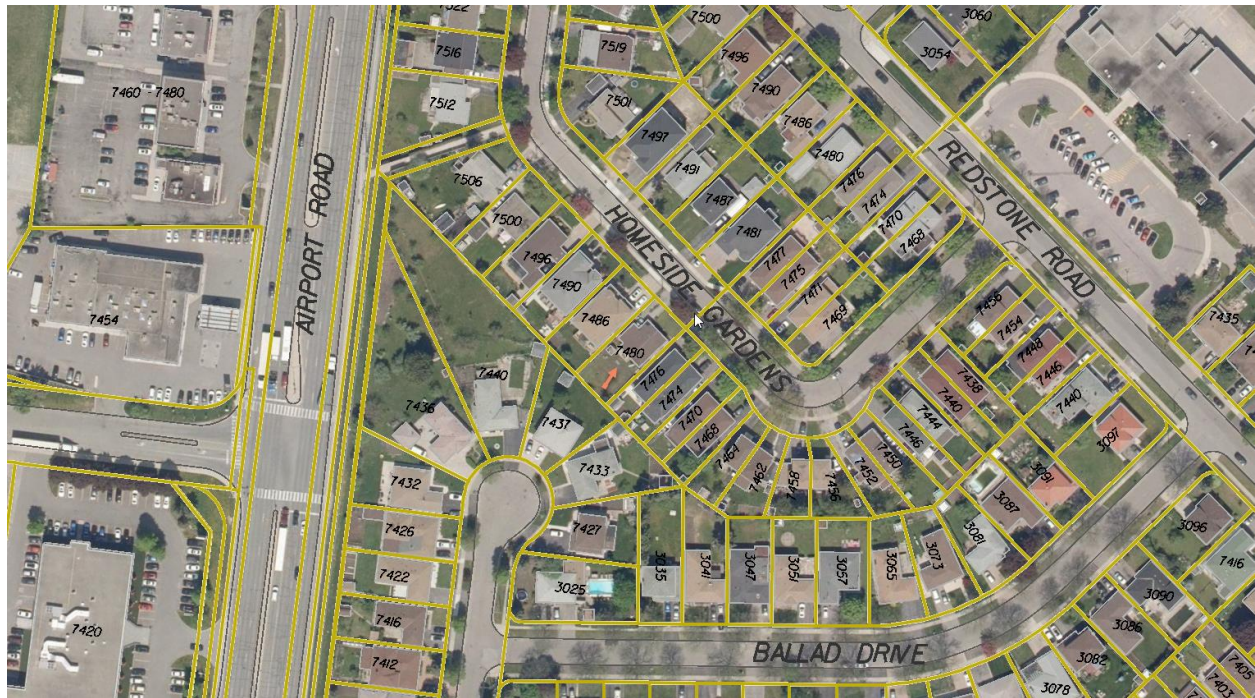
**Other Applications:** None

### Site and Area Context

The subject property is located south-west of the Redstone Rd. and Homeside Gardens intersection. The subject property is an interior parcel, with a lot area of +/- 580.35m<sup>2</sup> and a lot frontage of +/- 15.24m. The property currently houses a two-storey, detached dwelling and possesses minimal vegetation/ landscape elements in the front and rear yards. Contextually, the surrounding neighbourhood consists of post-war, single storey detached dwellings mixed with newer two storey detached dwellings. The properties within 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 lot coverage, gross floor area, building height and garage size.





## Comments

## Planning

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

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

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

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

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

Variance #1 and #2 as requested pertain to lot coverage and gross floor area. Arising from public input expressed through the 'My Malton' Community Visioning exercise in 2015, the City

completed the Malton Infill Housing Study in 2016. This study resulted in Council's adoption of new zoning regulations principally aimed at regulating the massing of dwellings in a manner that is sensitive to the surrounding context. While the surrounding area contains newer two storey dwellings, the intent of the policies are to limit the overall massing of these dwellings and maintain compatibility between the existing and planned character of the neighbourhood. The application originally came to the Committee of Adjustment on January 28, 2021 with a significantly larger proposal. Committee members were concerned with the size of the dwelling and deferred it for a redesign. The redesign has reduced both the lot coverage and gross floor area. Staff are of the opinion that the new design is inline with the Malton Infill Housing Study of 2016; and is compatible with both the existing and infill development of the neighbourhood. As such, the applicant meets the general intent and purpose of the by-law.

Variance #3 and #4 as requested pertains to building and eave height:

The intent of restricting height of the building and the eaves is to lessen the visual massing of dwelling by bringing the edge of the roof closer to the ground. This maintains the overall pitch of the roof and keeps the height of the dwelling within a human scale. The dwelling maintains an overall height of 9.32m, whereas 9.00m is the maximum permitted as well as an eave height of 6.93m whereas 6.40m is the maximum permitted under the by-law. The proposed increases are a minor deviation from what is permitted under the by-law. The proposed does not affect the overall pitch of the roof and maintains the human scale. As such, variance #3 and #4 meet the general intent and purpose of the by-law.

Variance #5 as requested pertains to garage area:

The intent of the zoning by-law is to ensure that the garage is proportional to the lot and dwelling. In this instance, the proposed garage of 5.84m x 5.38m is attached to the primary dwelling, similar to other properties in the immediate vicinity. Additionally the proposed increase in size will be compatible with adjacent properties. Finally, the proposed variance is not a significant deviation from what the bylaw currently permits. Any reduction of the garage area would result in a similar structural massing on the property. As such, staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

While the relief sought represent's a deviation from what is contemplated through the Zoning By-law the proposed is consistent with the gentle infill of the neighbourhood. Staff note, the applicant has redesigned their original proposal resulting in the orderly development of the lands, whose impacts are minor in nature.

## **Conclusion**

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

City Department and Agency Comments	File:A23.21	2021/04/14	5
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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 not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to confirm the accuracy of the requested variance(s) or determine whether additional variance(s) may be required.

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

Comments Prepared by: Brandon Eidner, Zoning Examiner

### Appendix 5 – Region of Peel Comments

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

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: A26.21  
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 7217 Terragar Boulevard, zoned R4 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a driveway widening proposing:

1. A driveway width of 7.20m (approx. 23.62ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.68ft) in this instance; and
2. A setback measured to a property line of 0.30m (approx. 0.98ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured to a property line of 0.61m (approx. 2.00ft) in this instance.

The Committee has set **Thursday April 22, 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.

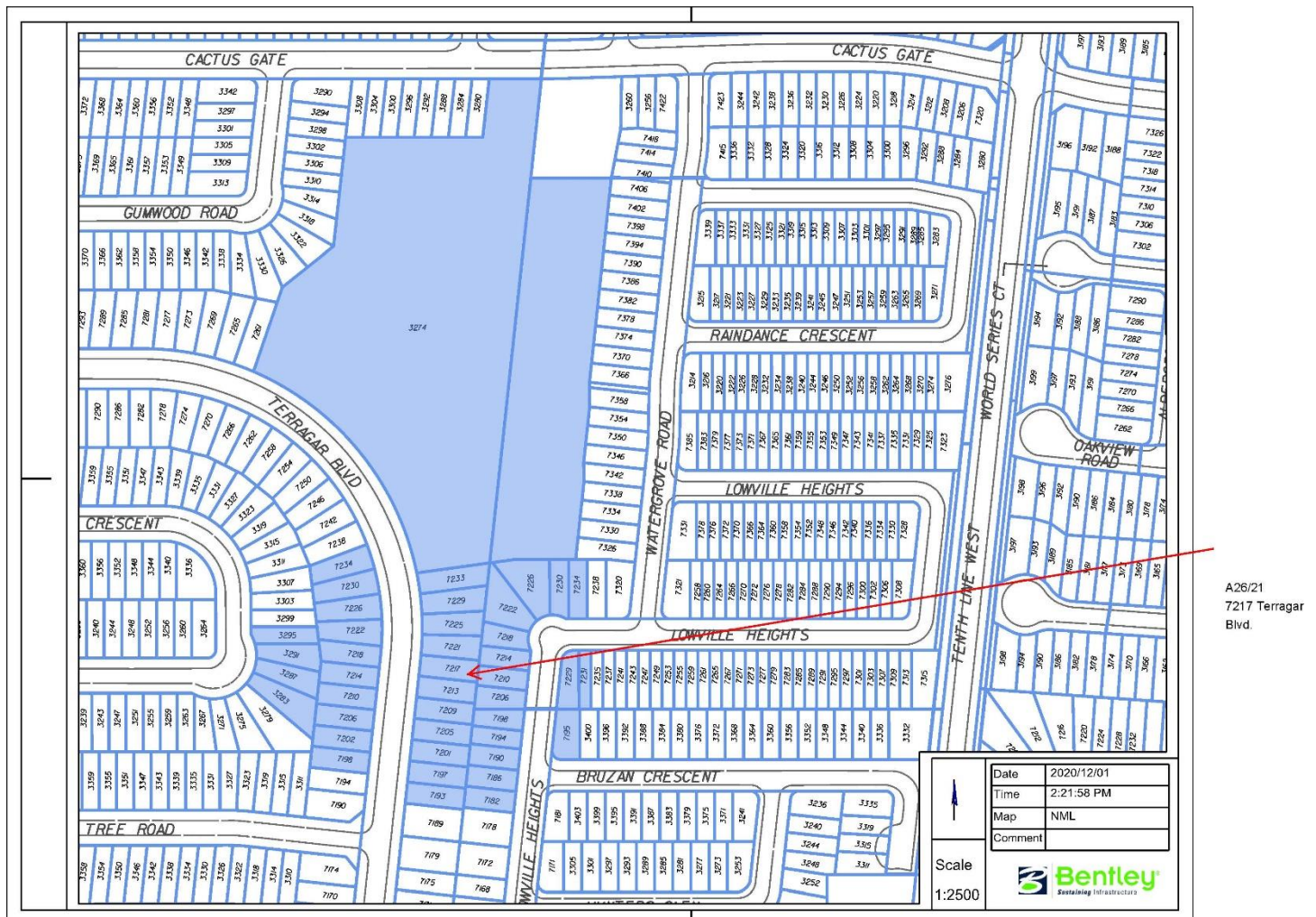


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### Legal notice:

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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: 2021-04-14	File(s): A26.21 Ward: 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-22 1:00PM

## Consolidated Recommendation

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

## Application Details

The applicant requests the Committee to approve a minor variance to allow a driveway widening proposing:

1. A driveway width of 7.20m (approx. 23.62ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.68ft) in this instance; and
2. A setback measured to a property line of 0.30m (approx. 0.98ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured to a property line of 0.61m (approx. 2.00ft) in this instance.

## Background

**Property Address:** 7217 Terragar Boulevard

### Mississauga Official Plan

Character Area: Lisgar Neighbourhood Character Area  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

**Zoning:** R4 - Residential

**Other Applications:** SEC UNIT 20-629

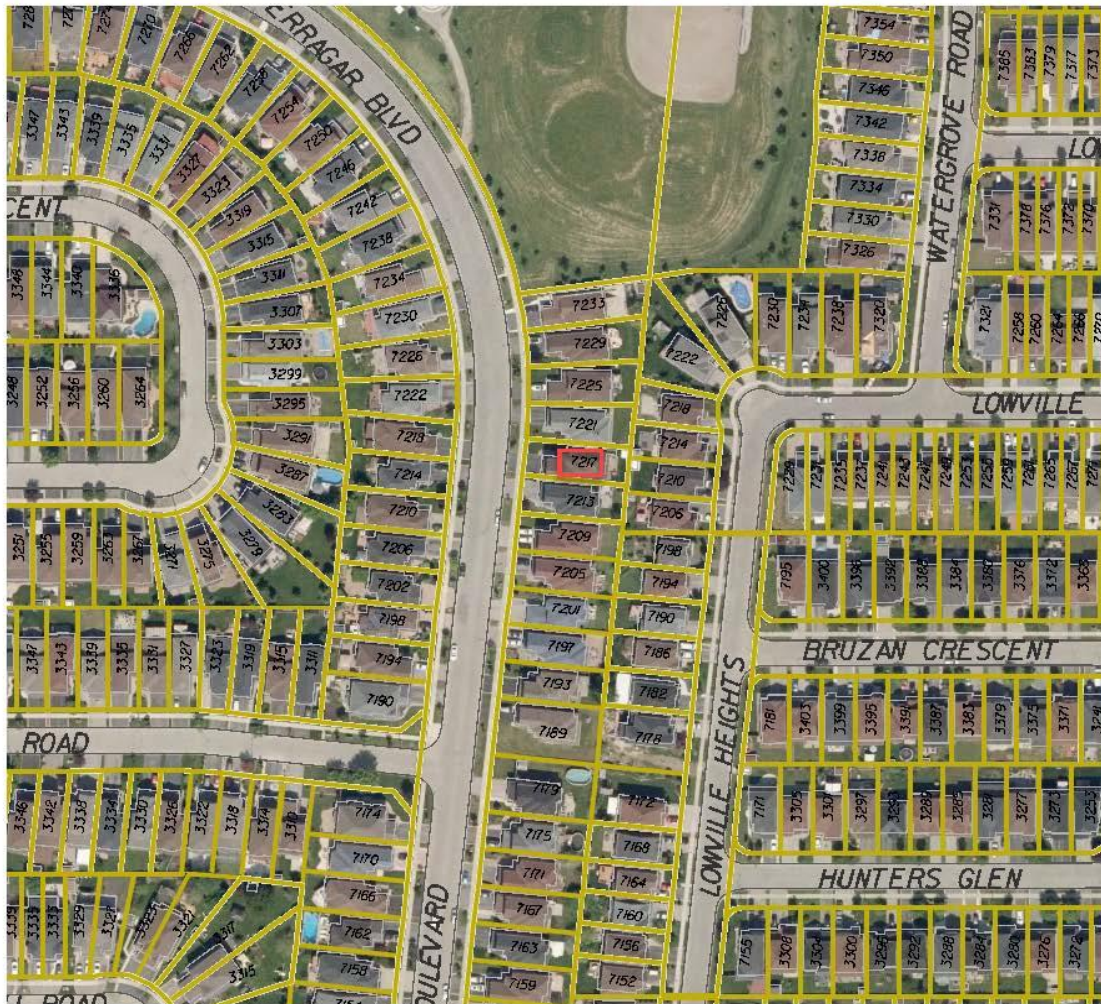
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**Site and Area Context**

The subject property is located north-west of the Tenth Line West and Scotch Pine Gate intersection. The subject property is an interior parcel, with a lot area of +/- 411.0m<sup>2</sup> and a lot frontage of +/- 12.11m. The property currently houses a two-storey, detached dwelling with minimal vegetation and landscape elements in the front and rear yards. Contextually, the area is comprised exclusively of detached residential dwellings. The properties within the immediate area possess lot frontages of +/-12.0m, with minimal vegetative and natural landscaped elements within the front yards.

The applicant is proposing a wider driveway requiring variances for driveway width, and side yard set back.





## 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 intent of the Zoning By-law is to permit a driveway large enough to provide the necessary space for two vehicles parked side-by-side, with the remainder of lands being soft landscaping (front yard). The applicant previously brought a much larger proposal to the committee on January 28, 2021, which was deferred for redesign. Since that time, the applicant has redesigned the driveway width and side yard setback. 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 notes that with regard to the widened driveway within the municipal boulevard (the area between the municipal curb and property line) we would request that this area be reinstated with topsoil and sod should the application be modified to reflect a smaller driveway width within the subject property or if the application is not supported by the Committee.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

### Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Brandon Eidner, Zoning Examiner

### Appendix 5 – Region of Peel Comments

Deferred Minor Variance Application: DEF-A-26/21

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

As per Peel Water Design Criteria Standard 4.3, "Hydrants near driveways shall be located a minimum of 1.25 m clear from the projected garage (or edge of driveway, whichever is greater) in residential applications..."

Comments Prepared by: Diana Guida, Junior Planner



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A53.21  
Ward: 3

### Why you received this letter:

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

### Details of the application and meeting information:

The property owner of 4120 Uxbridge Lane, zoned RM2-2 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing:

1. A lot coverage of 47.90% (135sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40.00% (112.00sq.m) in this instance;
2. A gross floor area of 196.2sq.m (approx. 2111.88sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 169.00sq.m (approx. 1819.10sq.ft) in this instance;
3. 2 kitchen whereas By-law 0225-2007, as amended, permits a maximum of 1 kitchen in this instance;
4. A side yard measured to an air conditioning unit of 0.00m whereas By-law 0225-2007, as amended, requires a minimum side yard measured to an air conditioning unit of 0.61m (approx. 2.00ft) in this instance;
5. A rear yard measured to a deck of 4.83m (approx. 15.85ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to a deck of 7.50m (approx. 24.61ft) in this instance;
6. A side yard (northerly) measured to the rear yard deck of 0.00m whereas By-law 0225-2007, as amended, required a minimum side yard measured to the rear yard deck of 1.80m (approx. 5.91ft) in this instance; and
7. A driveway width of 5.69m (approx. 18.67ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.75m (approx. 15.58ft) in this instance.

The Committee has set **Thursday April 22, 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:**

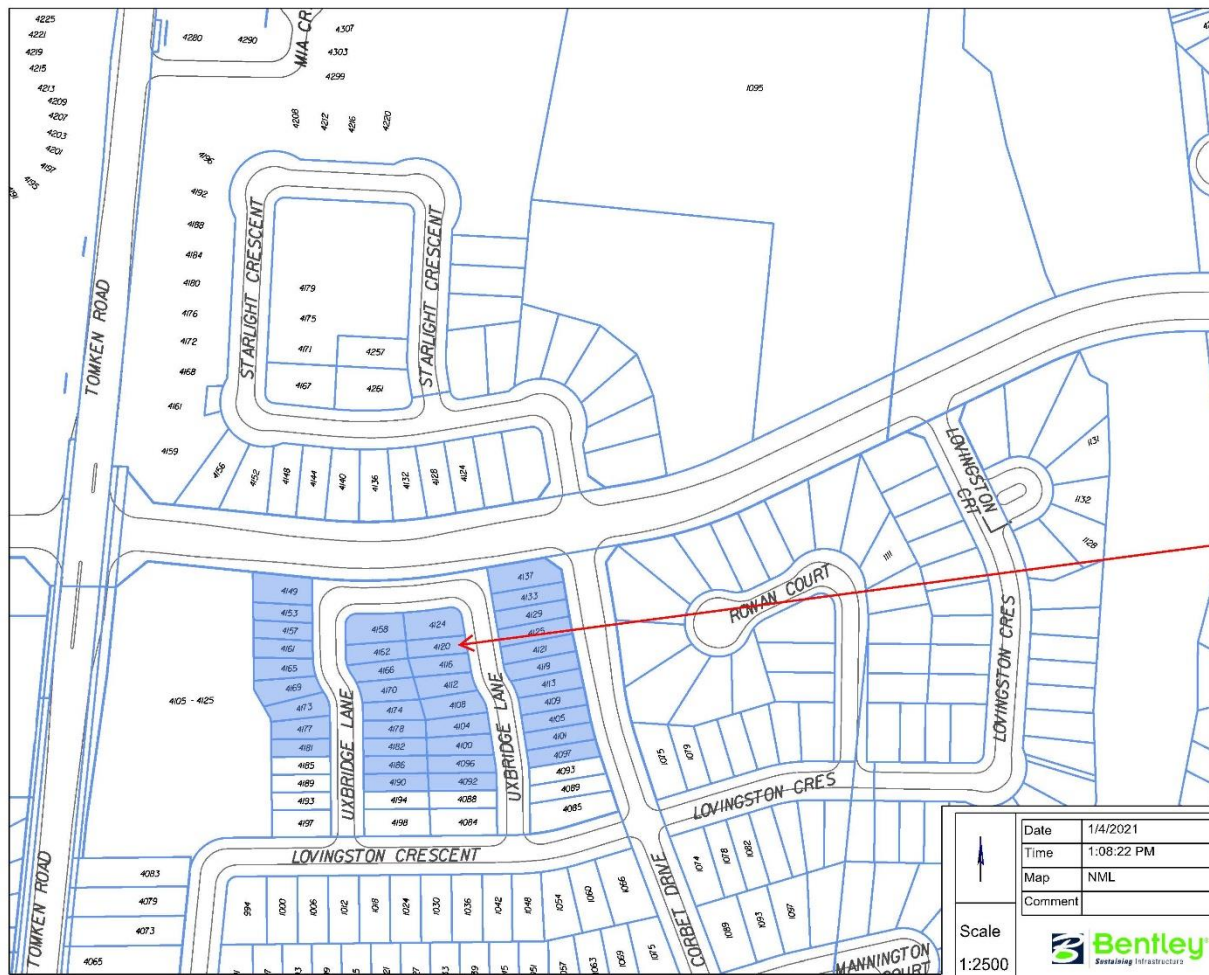
**To participate electronically (computer, tablet or smartphone):** Please email [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided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



A53/21  
4120  
Uxbridge  
Lane

Date	1/4/2021
Time	1:08:22 PM
Map	NML
Comment	
Scale	1:2500



# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-04-14	File(s): A53.21 Ward: 3
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-04-22 1:00 PM

## Consolidated Recommendation

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

## Application Details

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

1. A lot coverage of 47.90% (135sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40.00% (112.00sq.m) in this instance;
2. A gross floor area of 196.2sq.m (approx. 2111.88sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 169.00sq.m (approx. 1819.10sq.ft) in this instance;
3. 2 kitchen whereas By-law 0225-2007, as amended, permits a maximum of 1 kitchen in this instance;
4. A side yard measured to an air conditioning unit of 0.00m whereas By-law 0225-2007, as amended, requires a minimum side yard measured to an air conditioning unit of 0.61m (approx. 2.00ft) in this instance;
5. A rear yard measured to a deck of 4.83m (approx. 15.85ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to a deck of 7.50m (approx. 24.61ft) in this instance;
6. A side yard (northerly) measured to the rear yard deck of 0.00m whereas By-law 0225-2007, as amended, required a minimum side yard measured to the rear yard deck of 1.80m (approx. 5.91ft) in this instance; and
7. A driveway width of 5.69m (approx. 18.67ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.75m (approx. 15.58ft) in this instance.

## Amendments



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

6. A side yard (northerly) measured to the rear yard deck of 0.00m whereas By-law 0225-2007, as amended, required a minimum side yard measured to the rear yard deck of 0.61m in this instance;

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

The following variance should be added:

A side yard (northerly) measured to the side yard deck stairs of 0.00m whereas By-law 0225-2007, as amended, required a minimum side yard measured to the rear yard deck of 1.20m in this instance;

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

## Background

**Property Address:** 4120 Uxbridge Lane

### Mississauga Official Plan

Character Area: Rathwood Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

**Zoning:** RM2-2 - Residential

**Other Applications:** PREAPP 20-4031

### Site and Area Context

The property is located south-east of the Rathburn Rd E and Tomken Rd intersection, and currently houses a detached dwelling with minimal vegetation and landscaping in the front and rear yards. The subject property is an interior parcel with a lot area of approximately +/- 281.68m<sup>2</sup> and a lot frontage of approximately +/- 9.18m. Contextually, the surrounding neighbourhood consists exclusively of detached dwellings with lot frontages of +/- 10.0m, with minimal vegetative / natural landscaped elements within the front yards.

This aerial map displays a residential neighborhood with property boundaries highlighted in yellow. The streets shown include Uxbridge Lane, Lovington Crescent, and Rowan Court. A red arrow points to the house at 4120 Uxbridge Lane. The map also shows a large parking lot on the left side of the neighborhood.

The subject property is located within the Rathwood Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan. This designation permits detached, semi-detached, and duplex dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions; the surrounding context; and, the

landscape of the character area. The proposed detached dwelling respects the designated land use thereby maintaining the general intent and purpose of the Official Plan.

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

Variances #1 and #2 as requested pertain to lot coverage and GFA:

The intent in restricting lot coverage and gross floor area is to ensure there is not an overdevelopment of the lot; and to maintain compatibility between the existing and proposed addition, while ensuring the existing planned character of a neighbourhood is preserved. The applicant previously brought a larger proposal to the committee on February 25, 2021, which was deferred for redesign. Since that time, the applicant has redesigned the proposed second storey addition atop the existing garage. The redesign has no significant impact on the overall massing of the subject property and will not impede upon the surrounding neighbourhood as the proposal is more cohesive with the surrounding dwellings. Staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Variance #3 as requested pertains to an additional kitchen:

The applicant has proposed an additional kitchen area in the basement of the dwelling. The applicant has not applied for a secondary unit which has additional requirements under the zoning bylaw. As such the applicant refers to this area as a wet bar for entertaining. The proposed second kitchen in the basement does not have independent access from the exterior resulting in no exterior changes to the dwelling. Through a detailed review of the application, staff is of the opinion that the variance is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Variances #4, #5, and #6 as requested pertain to side yard and rear yard setbacks:

The general intent of this portion of the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties, and that access to the rear yard ultimately remains unencumbered. The proposed side yard variance of 0.0m for the existing air conditioning unit, where 0.61m is required, is similar to the neighbouring properties, it is noted that access to the rear yard is available on the south side of the property. The applicant has also proposed a reduced setback of 0.00m to accommodate a deck on the south side of the property. The proposed deck is to be located at the rear and only covers a small portion of the rear yard. Furthermore the deck is elevated and poses no drainage concerns. Staff are of the opinion that the proposed deck is minor in nature and poses no planning concerns.

The Planning and Building department notes that variance #5 is not required.

Variance #7 as requested pertains to driveway width:

The intent of this portion of the By-law is to permit a driveway large enough to suitably accommodate the required number parking spaces for a dwelling, with the remainder of lands

being soft landscaping. The zoning classification for the subject property, as per Zoning By-law 0225-2007, is zoned RM2-2 (Residential). Pursuant to Table 4.8.1 (RM1 and RM2 Permitted Uses and Zone Regulations), the maximum driveway width is 4.75m whereas, the applicant is proposing 5.69m. The proposed variance is a minor deviation and only allows for two vehicles to be parked side by side. Staff find variance #7 to be minor in nature and results in the orderly development of the lands.

**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 addition will be addressed through the Building Permit process.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

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

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner