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## Committee of Adjustment

**Date:** May 6, 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. B25/21  
1470 PINETREE CRES (WARD 1)  
CARLO VAIRO
    - 4.2. B29/21-A167/21-A168/21  
2552 GLENGARRY RD (WARD 7)  
AGNESE MINICUCCI
    - 4.3. A149/21  
7602 BENAVALON RD (WARD 5)  
JATINDER KALKAT & SUKHBIR KAUR
    - 4.4. A153/21  
2819 GULFSTREAM WAY (WARD 9)  
JOSEPH LAWRENCE
    - 4.5. A160/21  
7113 BASKERVILLE RUN (WARD 11)  
ROBERTA BENDERA & FRANCESCO CARACCIOLO
    - 4.6. A163/21  
720 HILLMAN CRES (WARD 3)  
SNOBAR NASER TAREQ
    - 4.7. A164/21  
3080 WINDWOOD DR (WARD 9)  
1795572 ONTARIO LTD
    - 4.8. A165/21  
569 FAIRVIEW RD W (WARD 7)  
PENG JUE

4.9.

A17/21

6612 LISGAR DR (WARD 10)

ALI HABEEB & GHADA HAMZA

4.10.

A63/21

20 HARROW ST (WARD 5)

VARINDER SINGH & KIRANPREET KAUR KANDOLA

5.

OTHER BUSINESS

6.

ADJOURNMENT



## COMMITTEE OF ADJUSTMENT NOTICE OF APPLICATION

File: "B" 25/21  
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 1470 Pinetree Crescent, zoned R1-2 - Residential, has applied for a Change of Condition to a Provisional Consent under Section 53 of the Planning Act. The applicant requests the approval of the Committee to change conditions #4 and #5 of Provisional Consent approved under file B33/20. The parcel of land has a frontage of approximately 30.37m (99.64ft) and an area of approximately 1,034sq.m (11,129.88sq.ft).

The Committee has set **Thursday May 6, 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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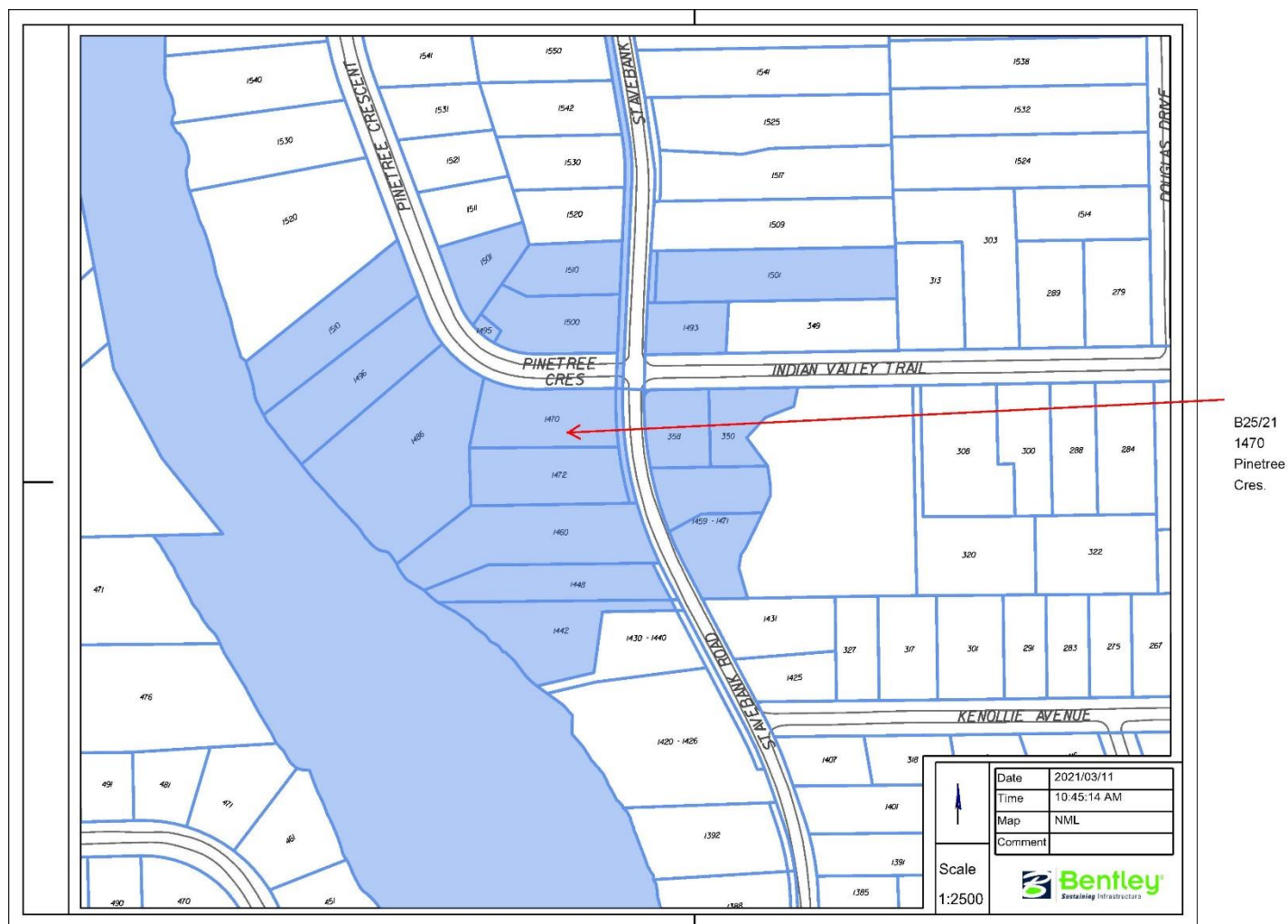
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address, contact information, and the reasons for prejudice and must be received no later than 4:30pm the Tuesday prior to the hearing to [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca). If a party does not submit 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: 2021-04-28	File(s): B25.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-05-06 1:00 PM

## Consolidated Recommendation

The City recommends that the application be refused.

## Application Details

The applicant requests the approval of the Committee to change conditions #4 and #5 of Provisional Consent approved under file B33/20. The parcel of land has a frontage of approximately 30.37m (99.64ft) and an area of approximately 1,034sq.m (11,129.88sq.ft).

### Recommended Conditions

A CVC review fee of \$725 is outstanding for this consent application – the applicant is asked to please provide payment directly to CVC.

## Background

**Property Address:** 1470 Pinetree Crescent

### Mississauga Official Plan

Character Area: Mineola Neighbourhood  
Designation: Greenlands & Residential Low Density I

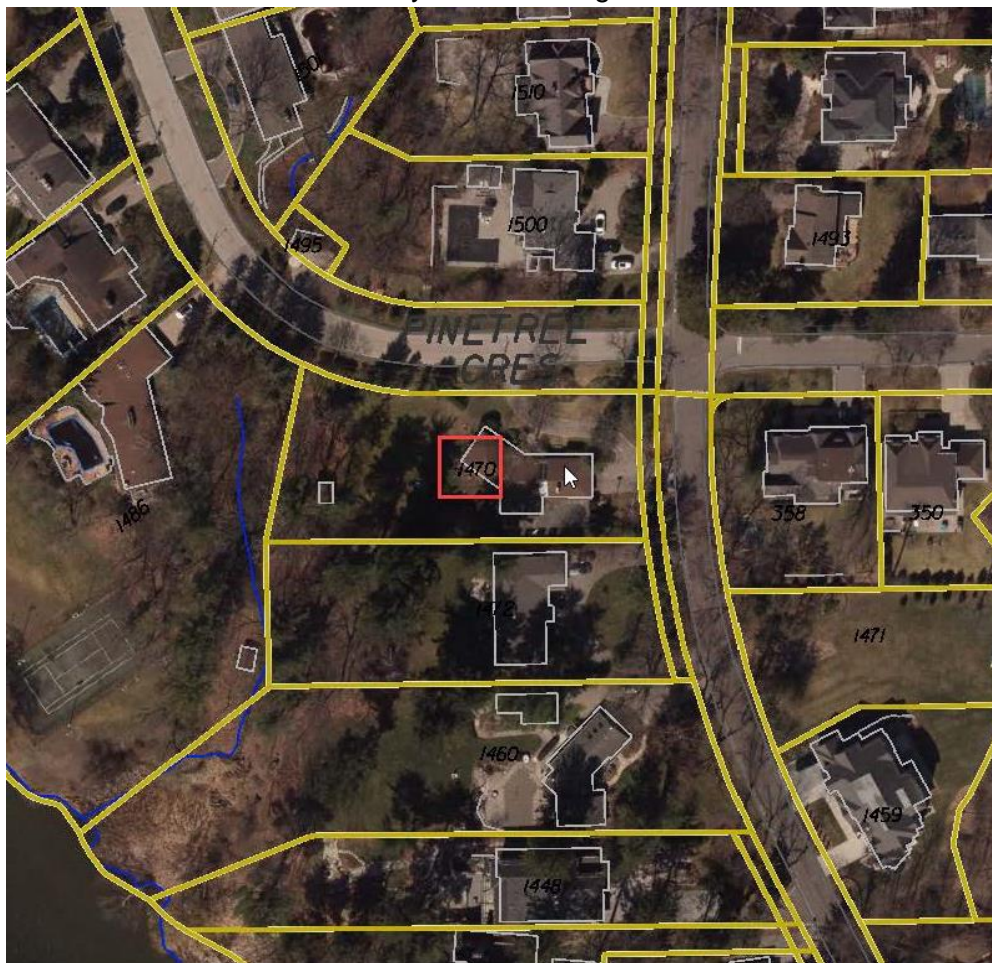
### Zoning By-law 0225-2007

**Zoning:** R1-2 (Residential)

### Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southeast of Hurontario Street and the Queen Elizabeth Way (QEW). The neighbourhood is entirely residential, consisting of large lots with frontages of approximately 25 m and greater and, containing one and two storey colonial styled dwellings. The surrounding area is also located within a Residential Woodland. The subject property contains an existing bungalow with significant mature vegetation.

The applicant is proposing to change conditions #4 and 5 of Provisional Consent which relates to the gratuitous dedication of lands and to construct a chain link fence within 0.15 m of the lands to be dedicated to the City of Mississauga.



## Comments

Planning

Planning Act

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

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

### **Provincial Matters**

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

Staff comments concerning the application are as follows:

The subject property previously received approval for a severance on August 18<sup>th</sup>, 2020 under application 'B' 33/20 which also had staff support. The severed and retained lands remain unchanged, however, the applicant has reapplied as they are no longer in favour of dedicating a portion of the lands below the top of bank/stable slope to the City. Instead, the applicants are proposing that a maintenance easement be provided rather than a dedication. As per Section 6.3.24 (b) of the Mississauga Official Plan (MOP), the natural heritage system will be protected, restored and expanded through the following measures: placing areas identified for protection, enhancement, restoration and expansion in public ownership, where feasible. Through discussions with the Transportation and Works and Community Services Department, staff is requesting the gratuitous dedication of lands below the top-of-bank and stable slope line, whichever is greater which is encouraged within the official plan.

Based on the preceding information and the recommendation from the Transportation and Works and Community Services Department, staff recommends that the application be refused.

### **Conclusion**

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

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

This Department has reviewed the requested application to change previously approved Condition #4 & #5 of Consent Application File 'B' 33/20 and does not support the request to change the condition as proposed by the applicant. The subject property adjacent to the Stavebank Creek and contains natural hazard lands being the top of bank of Stavebank Creek. The previously approved Condition #4 contains a condition in our comments that requests the dedication of hazard lands below the top of bank or stable slope line, whichever is greater. In this instance, the top of bank line as established in consultation with the Credit Valley Conservation was the requested limit of dedication. This request is founded in the principles and policies expressed in Section 6, Value the Environment. The following specific policies and guidance were considered when making the request for dedication of the hazard lands:

*6.1.1 Mississauga will:*

*a. protect, enhance, restore and expand the Natural Heritage System*

*6.3.1 Mississauga will give priority to actions that protect, enhance, restore and expand the Green System for the benefit of existing and future generations*

*6.3.24 The Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:*

*b. placing those areas identified for protection, enhancement, restoration and expansion in public ownership, where feasible*

*6.3.38 Privately owned lands in the Natural Heritage System are not intended to be open to the public. Consideration will be given to public acquisition of these areas through the development approval process or through the City's land securement program.*

Furthermore, under Section 19, Greenlands, the additional following policies and guidance were considered:

**19.18.1 As a condition of development approval, natural hazard lands may be placed in public ownership for their long term protection.**

**19.18.2 Greenlands is determined on a site by site basis and is defined by natural hazards associated with watercourse corridors and Lake Ontario, and the limits of identified natural areas. The limits of the Greenlands are determined in consultation with the City and appropriate conservation authority and through studies, where required, completed by the proponent to the satisfaction of the City and the appropriate conservation authority.**

*19.18.4 Greenlands lands will be conveyed to the City or other public agency. Such lands will not be accepted as part of the dedication of land for park or other public recreational purposes contribution or credited against any cash in lieu for park or other public recreational purposes or be included in the calculation of density for building coverage.*

Having regard for the matters set out in Section 51(24) of the Planning Act, this department's request for dedication of hazard lands was considered under the following criteria as set out by the Act:

*Section 51(24):*

- (c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;*
- (d) the suitability of the land for the purposes for which it is to be subdivided;*
- (h) conservation of natural resources and flood control;*

Considering the natural hazard lands of the Stavebank Creek on the subject property are not developable lands and as supported by policies and guidance in the Official Plan previously discussed, the department continues to support the dedication of the natural hazard lands of the Stavebank creek as contemplated under the original conditions of File 'B' 33/20. We cannot support the current request to change the condition to require a maintenance easement only for the hazard lands in this instance.

Comments Prepared by: Dave Martin, Supervisor Development Engineering

## **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

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

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

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

The subject lands are identified as Residential Woodland as part of the Natural Areas System Classification. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:

- a) ensuring that development in or adjacent to the Natural Heritage System protects and maintains the natural heritage features and their ecological functions through such means as tree preservation,..., grading, landscaping...;
- b) placing those areas identified for protection, enhancement, restoration and expansion in public ownership...;

#### Section 19.18.4

Greenlands lands will be conveyed to the City or other public agency. Such lands will not be accepted as part of the dedication of land for park or other public recreational purposes contribution or credited against any cash in lieu for park or other public recreational purposes or be included in the calculation of density for building coverage.

#### Section 19.18.5

Development adjacent to Greenlands lands will be subject to the delineation of natural hazards, natural areas, buffers and setbacks by the City in consultation with the appropriate conservation authority. Dedication and/or restrictive zoning of buffers to Greenlands may also be required by the City in consultation with the appropriate conservation authority.

The applicant's request to revise/amend Condition #5 is not in keeping with the City's Official Plan Policies as noted. The Park Planning Section continues to recommend that the hazard lands and natural heritage feature below the Top of Bank be dedication to the City for long term protection and maintenance.

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 4 – Heritage

There are extensive Indigenous sites on the adjacent property. As such, the application should be deferred until the property is cleared of archaeological concerns.

The property is listed on the City's Heritage Register as it forms part of the Mineola Cultural Landscape. For more information on the Cultural Landscape Inventory, see:

[http://www5.mississauga.ca/pdfs/Cultural\\_Landscape\\_Inventory\\_Jan05.pdf](http://www5.mississauga.ca/pdfs/Cultural_Landscape_Inventory_Jan05.pdf). As such a heritage property application is required to demolish. The application form is available here: <https://www7.mississauga.ca/documents/culture/heritage/2248.pdf>. It must be accompanied by an accepted Heritage Impact Assessment. The terms of reference are available at [https://www7.mississauga.ca/documents/culture/heritage/CulturalLandscapeHIA\\_TermsOfRef2017.pdf](https://www7.mississauga.ca/documents/culture/heritage/CulturalLandscapeHIA_TermsOfRef2017.pdf). More comments may be forthcoming. There is a 60 day waiting period to demolish once the Heritage Impact application has been accepted.

Comments Prepared by: Andrew Douglas, Heritage Analyst

## Appendix 5 – Region of Peel Comments

### Consent Application: B-25/21

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

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

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

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

Comments Prepared by: Diana Guida, Junior Planner

## Appendix 6- Conservation Authority Comments

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

1. Watershed Based Resource Management Agency and Public (commenting) Body under the *Planning Act* - providing comments based on CVC's Board approved policies;
2. Planning Advisory Services - providing environmental planning and technical advice/comments based on service agreements or memorandum of understanding;
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 for valley slope and floodplain associated with Stavebank Creek, as well as for its close proximity to a provincially significant wetland (PSW). Other natural heritage features of CVC interest on and adjacent to the property include the City of Mississauga Natural Heritage System (NHS), Peel Core Greenlands, Environmentally Significant Area (ESA), and the Credit River Watershed NHS. It is the policy of CVC and the Province of Ontario to conserve and protect the significant physical, hydrological and biological features associated with the functions of the above noted characteristics and to recommend that no development be permitted which would adversely affect the natural features or ecological functions of these areas.

**ONTARIO REGULATION 160/06:**

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

**Proposal:**

It is our understanding that the applicant requests the approval of the Committee to change conditions #4 and #5 of Provisional Consent approved under file B 33/20. The parcel of land has a frontage of approximately 30.37m (99.64ft) and an area of approximately 1,034sq.m (11,129.88sq.ft).

**Comments:**

Based on review of the information, CVC staff have **no objection** to the approval of this application by the Committee at this time.

However, CVC staff continues to recommend that the natural hazard and feature lands located below the top of bank associated with Stavebank Creek be dedicated to the City for long term protection and maintenance.

The applicant is advised that a CVC permit is required for any development proposed on both the severed and retained parcels.

A CVC review fee of \$725 is outstanding for this consent application – the applicant is asked to

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please provide payment directly to CVC.

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.



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: B29.21 A167.21 A168.21  
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 2552 Glengarry Road, zoned R1-9 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 15.25m (50.03ft) and an area of approximately 812.50sq.m (8,745.68sq.ft).

A minor variance is requested for the Severed lands (file A167/21) proposing a lot frontage of 15.25m (approx. 50.03ft) 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 (file A168/21) proposing a lot frontage of 15.25m (approx. 50.03ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 22.50m (approx. 73.82ft) in this instance.

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# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-04-28 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): B29.21 A167.21 A168.21 Ward: 7
	Meeting date: 2021-05-06 1:00 PM

## Consolidated Recommendation

The City has no objections to the requested consent and associated minor variance applications.

## 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 15.25m (50.03ft) and an area of approximately 812.50sq.m (8,745.68sq.ft).

A minor variance is requested for the Severed lands (file A167/21) proposing a lot frontage of 15.25m (approx. 50.03ft) 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 (file A168/21) proposing a lot frontage of 15.25m (approx. 50.03ft) 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) A167/21 & A168/21 must be finalized

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

- Variance(s) approved under file(s) A167/21 & A168/21 shall lapse if the consent application under file B29.21 is not finalized within the time prescribed by legislation.

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## Background

**Property Address:** 2552 Glengarry Road

### Mississauga Official Plan

Character Area: Erindale Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

**Zoning:** R1-9 (Residential)

### Other Applications:

Pre-Application: 19-7765

### Site and Area Context

The subject lands are located south-west of the Dundas Street West and Erindale Station Road intersection within the Erindale Neighbourhood Character Area. The property currently houses a single-storey detached dwelling. The immediate neighbourhood consists entirely of detached dwellings, with a diverse lot fabric that is reflective of an area in transition. There are however, a handful of properties, such as the subject lands, that are comprised of larger residences situated on generous parcels (+/-30m in frontage). These lots are contrasted against the more prevalent, recently constructed replacement dwellings which are located on more modestly sized lots (+/- 15m in frontage), found both directly across the street and to the south.

The applicant is proposing to sever the subject lands for the purpose of developing two new detached dwellings requiring variances for lot frontage.



## 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 application was previously approved by the Committee of Adjustment on December 5<sup>th</sup>, 2019 under files 'B' 75/19, 'A' 463/19 and 'A' 464/19. Since the previous approval, the proposed lot frontages remain the same. As such, previous staff comments remain applicable and are within *Appendix 8* of this report.

## Conclusion

The Planning and Building Department has no objection to the requested consent and associated minor variance applications.

City Department and Agency Comments	File:B29.21 A167.21 A168.21	2021/04/28	4
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Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

City Department and Agency Comments	File:B29.21 A167.21 A168.21	2021/04/28	5
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## Appendices

### Appendix 1 – Transportation and Works Comments

As Committee is aware this proposal is identical to a previous Consent 'B' 75/19 which was approved. We are noting that the Transportation and Works Department issued its clearance memo to the Committee of Adjustment on March 8, 2021 indicating that our conditions/requirements were satisfied.

Through the previous Consent 'B' 75/19 the applicant provided a satisfactory Overall Grading and Drainage Plan, the requested road widening on Glengarry Road and satisfied the municipal address requirement. In view of the above we have no objections or requirements with regards to the proposal.

We note that we have no objections or requirements for this property as they have been addressed under the previous Consent Application 'B' 75/19.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit application under file PREAPP 19-7765. Based on review of the information currently available for this building permit, the variances, as requested are correct.

Our comments are based on the plans received by Zoning staff on 2019-09-06 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 3 – Parks, Forestry & Environment

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

Should the application be approved, Community Services wishes to include the following notes:

City Department and Agency Comments	File:B29.21 A167.21 A168.21	2021/04/28	6
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1. Community Services Staff are in receipt of tree protection securities provided through a previous Consent to Sever Application (B.75/19) for the preservation of public street trees.
2. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, C.P. 13, as amended) and in accordance with the City's policies and by-laws.

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

Comments Prepared by: Jim Greenfield, Park Planner

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

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

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

We have no comments or objections to the following applications:

Minor Variance Applications: A-167/21, A-168/21.

Comments Prepared by: Diana Guida, Junior Planner

## **Appendix 7 – Bell Canada**

Subsequent to review of the severance at 2552 GLENGARRY RD, 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 8 – Development and Design Division – Previous planning staff comments**

The subject lands associated with application 'B' 75/19 are located south-west of the Dundas Street West and Erindale Station Road intersection, and currently house a single-storey detached dwelling. The immediate neighbourhood consists entirely of detached dwellings, with a diverse

City Department and Agency Comments	File:B29.21 A167.21 A168.21	2021/04/28	7
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lot fabric that is reflective of an area in transition – with a handful of properties, such as the subject lands, comprised of larger residences situated on generous parcels (+/-30m in frontage); contrasted against the more prevalent recently constructed replacement dwellings which are located on more modestly sized lots (+/- 15m in frontage), found both directly across the street and to the south.

The Applicant is proposing to sever the subject lands; creating two properties with frontages of 15.25m, in a similar fashion to the adjacent lots located on Glengarry Road. Both resultant properties require variances as it pertains to deficiencies in associative lot frontages.

Planning Staff note, a similar proposal for 2512 Glengarry Road ('B' 48/19) was recently brought before the Committee on August 22<sup>nd</sup>, 2019, requesting lots of 15.24m, in this instance. At this time, Staff had no objection to the requested relief; with Committee subsequently granting approval to both the consent and minor variance applications.

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

The site is situated within the Erindale Neighbourhood Character Area, and designated Residential Low Density I and Greenlands by the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached dwellings; semi-detached dwellings; and, duplex dwellings.

Chapter 5 of MOP, states that when new development occurs within Neighbourhoods, such construction should be sensitive to the existing and planned character area. It is the opinion of Planning Staff that the lot sizes proposed are both consistent and compatible to the character area – specifically the properties directly south of the subject lands, which the proposed lots transition into; as well as the smaller lots located directly across the street. To this end, the Applicant's proposal has sufficient regard for the existing lot fabric and is reflective of the contemporary proprieties found within the immediate area. Therefore, it is the opinion of Planning Staff that the general intent and purpose of the Official Plan is maintained.

As per Zoning By-law 0225-2007, the subject property is zoned R1-9 (Residential). Pursuant to Table 4.2.1 (R1 to R5 Permitted Uses and Zone Regulations), the Zoning By-law requires a minimum lot frontage of 22.5m; whereas, the Applicant is proposing lots with frontages of 15.25m, in this instance. Planning Staff note, the enactment of R1-9 (Residential) in this instance is to reflect the larger sized lots that have historically been found upon the western side of Glengarry Road. The combination of recent severances, and the enactment of the R3 zone directly across the street, has resulted in this area's lot fabric transiting to more moderately sized parcels. Despite the proposed deficiency, the severed and retained lots preserve the established lot fabric found within the immediate area as well as the planned neighbourhood context evident by the R3 zone directly across the street. It is the opinion of Planning Staff that the general intent and purpose of the Zoning By-law is maintained.

City Department and Agency Comments	File:B29.21 A167.21 A168.21	2021/04/28	8
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Based on the preceding information, the Planning and Building Department is of the opinion that the application has due regard or the criteria in Section 51(24) of the Planning Act. The Planning and Building Department has no objection to the application; however, the applicant may choose to defer the application in order to verify that the requested variances are correct.

City Department and Agency Comments	File:B29.21 A167.21 A168.21	2021/04/28	9
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**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 (A167-168.21).



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A149.21  
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 7602 Benavon Road, zoned R3-69 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing an exterior side yard measured to the second storey of 1.24m (approx. 4.07ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to the second storey of 1.80m (approx. 5.91ft) in this instance.

The Committee has set **Thursday May 6, 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:

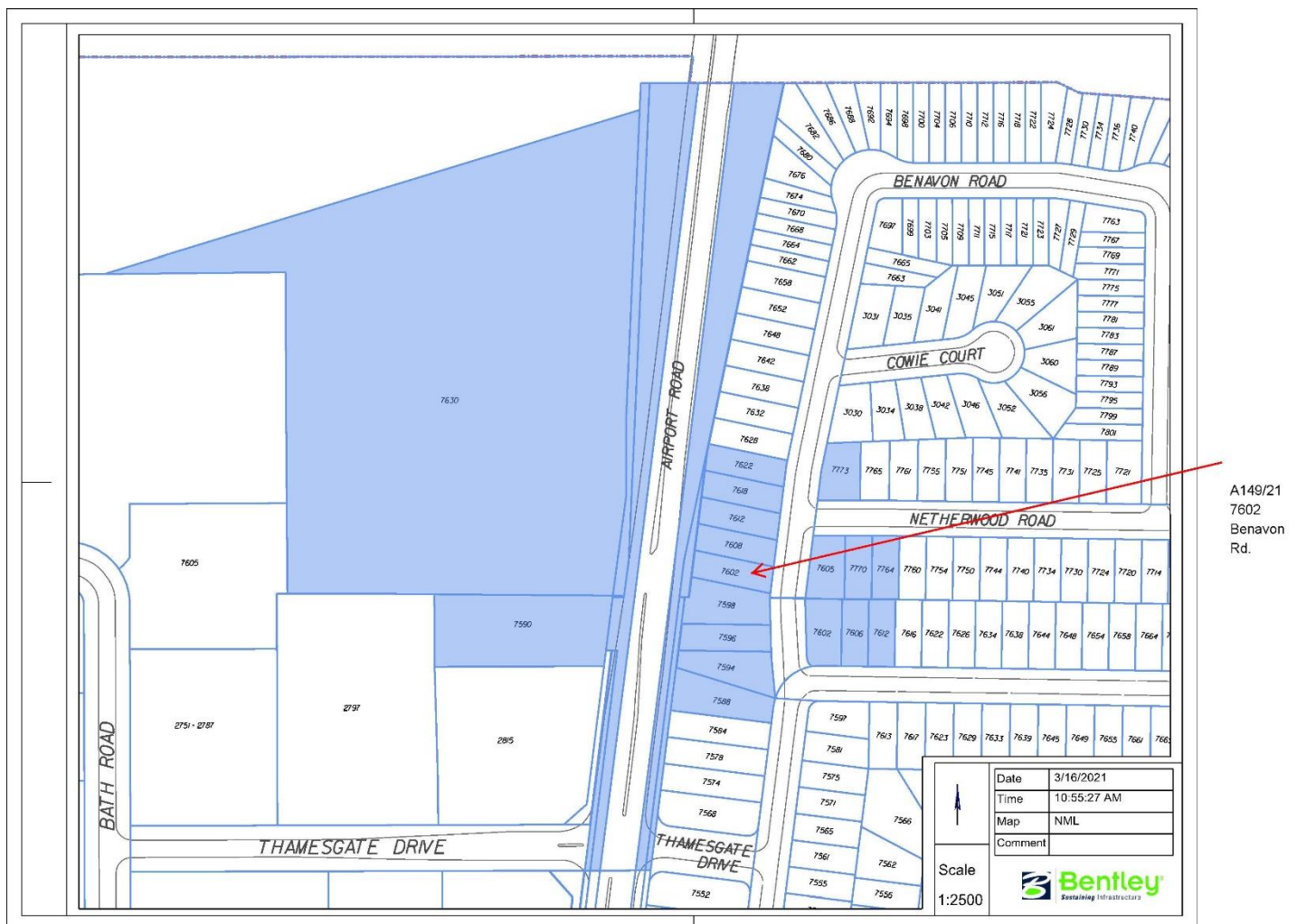
**To participate electronically (computer, tablet or smartphone):** Please email [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided 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: 2021-04-28	File(s): A149.21 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2021-05-06 1:00 PM

## Consolidated Recommendation

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

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing an exterior side yard measured to the second storey of 1.24m (approx. 4.07ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to the second storey of 1.80m (approx. 5.91ft) in this instance.

### Amendments

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

The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing an interior side yard measured to the second storey of 1.24m (approx. 4.07ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to the second storey of 1.81m (approx. 5.91ft) in this instance.

## Background

**Property Address:** 7602 Benavon Road

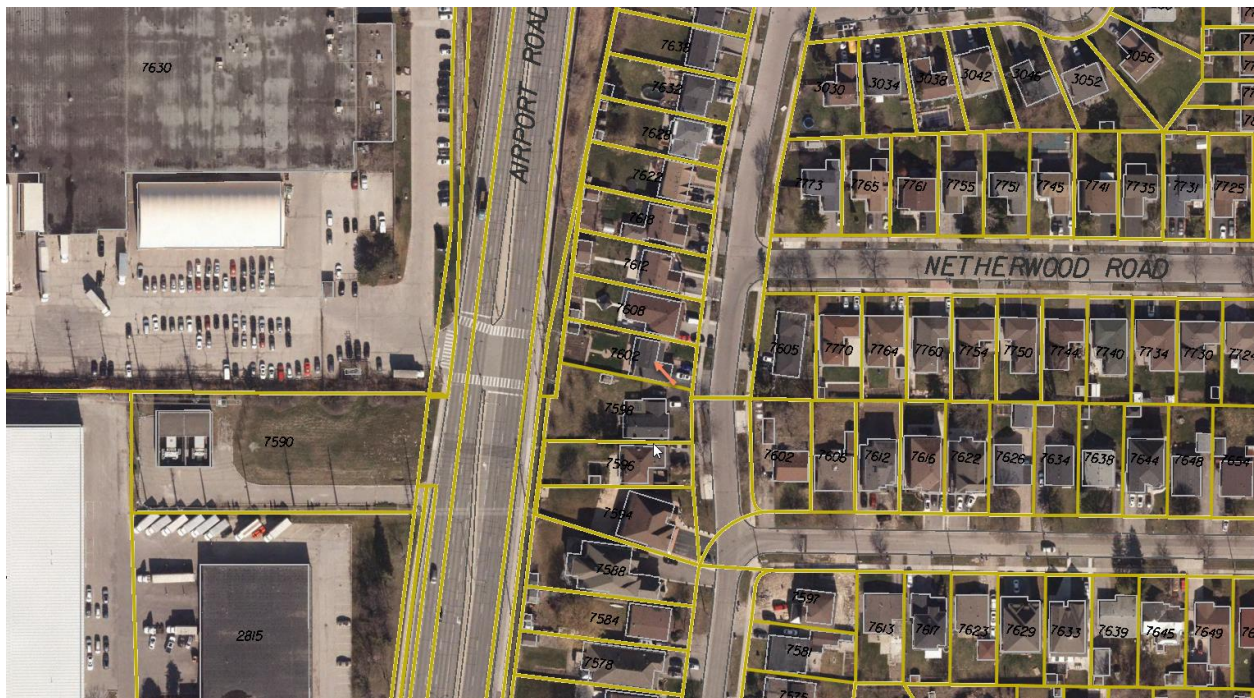
### Mississauga Official Plan

Character Area: Malton Neighbourhood  
Designation: Residential Low Density II

**Zoning By-law 0225-2007****Zoning: R3-69 - Residential****Other Applications: None****Site and Area Context**

The subject property is located south-west of the Airport Rd. and Thamesgate Dr. intersection. The property is an interior parcel with a lot area of +/- 701.33m<sup>2</sup> and a lot frontage of +/- 8.22m. It currently houses a two-storey, detached dwelling with limited vegetation/ landscape elements in the front and rear yards. Contextually, the neighbourhood consists only of two- storey detached dwellings. The properties possess lot frontages of +/- 15.0m, with minimal vegetation scattered throughout and minimal landscape elements within the front yards.

The applicant is proposing an addition over the existing garage requiring a variance for the side yard setback.



## Comments

### Planning

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

Staff comments concerning the application are as follows:

The 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.

The proposed setback of 1.24m whereas 1.81m is required, is a minor deviation from what the by-law permits and provides a sufficient buffer between the massing of the primary structures and adjoining properties, while also ensuring appropriate access to the rear yard. Through a detailed review of the application, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

### Conclusion

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

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

## Appendices

### Appendix 1 – Transportation and Works Comments

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





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

The Building Department is 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. From a cursory review of the notice and aerial map, it appears that the variance is for an interior side yard and the R3-69 zone requires a setback of 1.81m to a second storey.

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: Brian Bonner, Zoning Examiner

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

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A153.21  
Ward: 9

### Why you received this letter:

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

### Details of the application and meeting information:

The property owner of 2819 Gulfstream Way, zoned R4-27 - 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 proposing a combined width of access points of a circular driveway of 10.50m (approx. 34.45ft) whereas By-law 0225-2007, as amended, permits a maximum combined width of access points of a circular driveway of 8.50m (approx. 27.89ft) in this instance.

The Committee has set **Thursday May 6, 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:

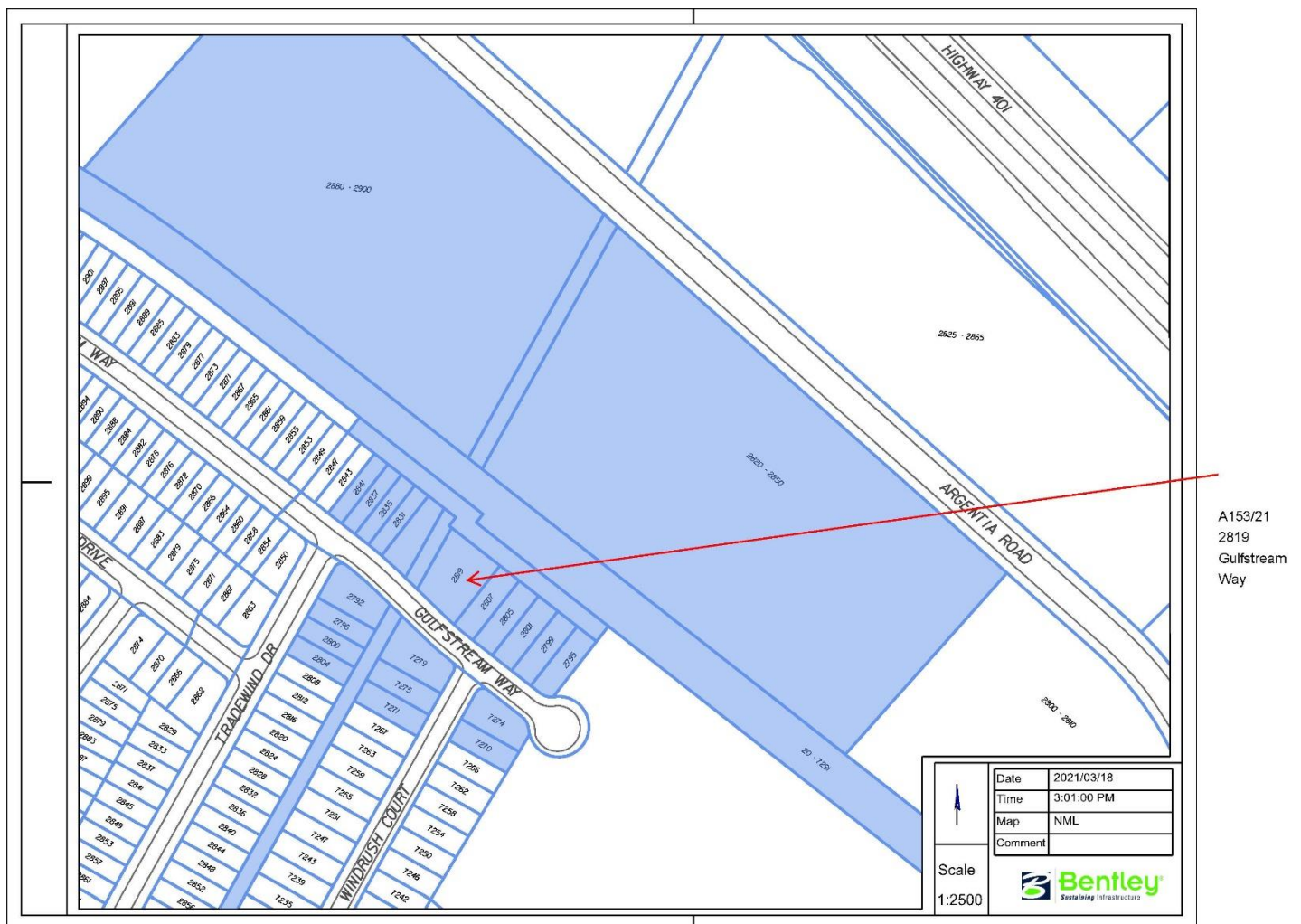
**To participate electronically (computer, tablet or smartphone):** Please email [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided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

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# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-04-28	File(s): A153.21 Ward: 9
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-05-06 1:00 PM

## Consolidated Recommendation

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

## Application Details

The applicant requests the Committee to approve a minor variance to allow a driveway proposing a combined width of access points of a circular driveway of 10.50m (approx. 34.45ft) whereas By-law 0225-2007, as amended, permits a maximum combined width of access points of a circular driveway of 8.50m (approx. 27.89ft) in this instance.

## Background

**Property Address:** 2819 Gulfstream Way

### Mississauga Official Plan

Character Area: Meadowvale Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

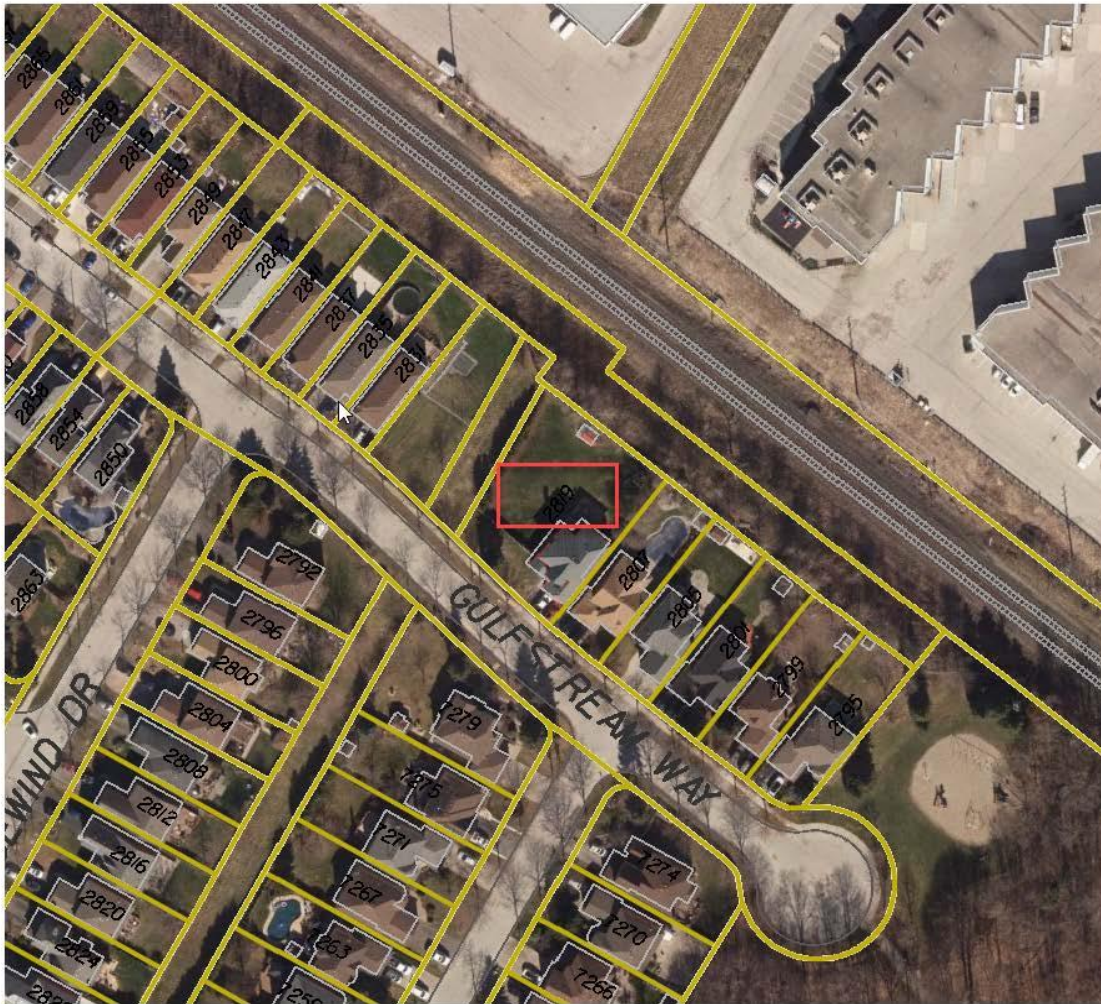
**Zoning:** R4-27 - Residential

**Other Applications:** Pre APP 20-3306

### Site and Area Context

The subject property is located north-east of the Winston Churchill Blvd and Crosscurrent Dr. intersection. The subject property is an interior parcel, with a lot area of +/- 1,237.0m<sup>2</sup> and a lot frontage of +/- 29.04m. 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 +/-15.0m, with minimal vegetative and natural landscaped elements within the front yards.

The applicant is proposing a circular driveway requiring a variance for driveway access points.



## 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:

The site is situated within the Meadowvale Neighbourhood Character Area, and designated Residential Low Density I by the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached dwellings; semi-detached dwellings and duplex dwellings.

As per Section 9.1 (Introduction), driveways should respect the identity and character of the surrounding context. The planned context of this neighbourhood is that of detached dwellings serviced by appropriately sized driveways, with the remainder of the property's frontage serving to form a soft-landscaped area. The property possesses a lot frontage of 29.04m and therefore permits a circular driveway. Staff are of the opinion that the proposed maintains the general intent and purpose of the Official Plan.

As per Zoning By-law 0225-2007, the subject property is zoned R4-27 (Residential). Pursuant to section 4.1.9.12 (Driveways and Parking), the combined width of the two access points of a circular driveway shall not exceed 8.5m; whereas, the Applicant is proposing 10.5m. The Intent of a circular driveway is to safely enter oncoming traffic with a clear view and alleviate the need to back out of the driveway or turn around. The Transportation and Works Department (T&W) notes that the driveway does not function properly if a vehicle is parked in front of the garage. Additionally, the surrounding context consists of smaller lot frontages allowing double car garages and driveway widths. The subject property possesses a larger lot frontage that is exclusive to the neighbourhood. The property allows for a circular driveway however, the proposed is out of context with the surrounding neighbourhood and is only permissible because of this unique circumstance. Staff find the cumulative accesses points for the proposed circular driveway of 10.5m results in excessive hard surfacing. Furthermore the driveway has the ability to maintain all the by-law requirements related to circular driveways. As such, planning staff echo T&W's comments and recommend that the application be deferred for redesign.

## Conclusion

Based on T&W's comments, Planning Staff recommend that the application be deferred for redesign of the circular driveway.

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

## Appendices

### Appendix 1 – Transportation and Works Comments

This department does not support the requested variance to allow a combined width of access points of a circular driveway of 10.50m whereas 8.5m is permitted. We acknowledge that the zoning by-law permits circular driveways on properties which have a minimum of a 22.5m frontage. This property is very unique compared to the properties in the area in that it complies with the minimum 22.5m frontage. Recognizing that it complies with the minimum required frontage, there is only a 7.69m setback from the face of the garage to the property line which would not allow for a vehicle to be parked in front of the garage and the circular driveway still being functional. Once a vehicle is parked in front of the garage, any benefit and purpose of a circular driveway can be questioned as it would no longer function as a circular driveway.

In addition, this department typically discourages two access locations for a residential property and we cannot see the rationale for having two access points (circular driveway) for this property. There is also a service easement (we believe it's a hydro easement) across the frontage of the property. The easement would not impact the functionality of the driveway, however should any maintenance be required within the easement area in the future, it would be an additional cost to re-instate the additional driveway.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

**Appendix 2 – Zoning Comments**

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

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

Comments Prepared by: Brandon Eidner, Zoning Examiner

**Appendix 5 – Region of Peel Comments**

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A160.21  
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 7113 Baskerville Run, zoned R10-2 - 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 an existing shed to remain proposing:

1. A setback measured from the shed to the side lot line of 0.43m (approx. 1.41ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured from a shed to a side lot line of 0.61m (approx. 2.00ft) in this instance; and
2. A setback measured from the shed to the rear lot line of 0.30m (approx. 0.98ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured from a shed to a rear lot line of 0.61m (approx. 2.00ft) in this instance.

The Committee has set **Thursday May 6, 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.

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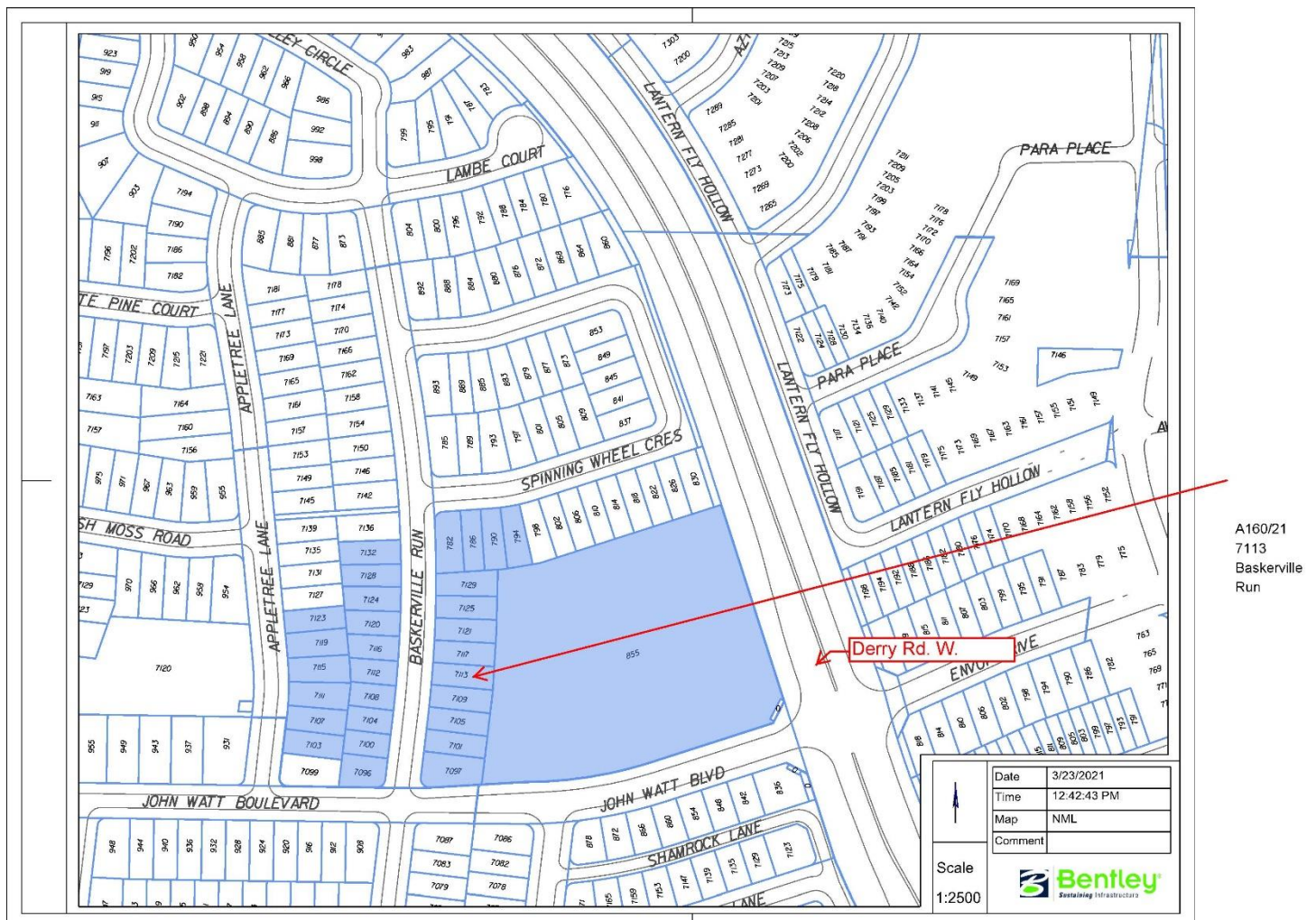
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# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-04-28	File(s): A160.21 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-05-06 1:00 PM

## Consolidated Recommendation

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

## Application Details

The applicant requests the Committee to approve a minor variance to allow an existing shed to remain proposing:

1. A setback measured from the shed to the side lot line of 0.43m (approx. 1.41ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured from a shed to a side lot line of 0.61m (approx. 2.00ft) in this instance; and
2. A setback measured from the shed to the rear lot line of 0.30m (approx. 0.98ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured from a shed to a rear lot line of 0.61m (approx. 2.00ft) in this instance.

## Background

**Property Address:** 7113 Baskerville Run

### Mississauga Official Plan

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

### Zoning By-law 0225-2007

**Zoning:** R10-2 - Residential

**Other Applications:** None

## Site and Area Context

The subject property is located south-west of the Derry Rd West and Mavis Road intersection. The subject property is an interior parcel with a lot area of +/- 457.90m<sup>2</sup> and a lot frontage of +/- 12.71m. The property currently 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 residential detached dwellings with minimal vegetation and landscape elements within the front yards. The properties within the immediate area possess lot frontages of +/- 12.0m.

The applicant is proposing a shed requiring a variances for both side and rear yard setbacks.



## Comments

### Planning

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

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

The site is located within the Meadowvale Village Neighbourhood Character Area, and is designated Residential Low Density II by the Mississauga Official Plan (MOP). The Residential Low Density II designation permits detached dwellings; semi-detached dwellings, duplex dwellings, and Triplexes. 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 variance, as requested, meets the purpose and general intent of the Official Plan.

Generally, staff recommend a side yard setback of at least 0.30 m to allow for sufficient drainage and a swale, should one be required in the future. In this instance, Planning Staff note the proposed shed is sufficiently setback from the lot line and poses no drainage concerns. The proposal maintains the context of the surrounding neighbourhood and does not present any massing concerns to the neighbouring properties. Through a detailed review of the application, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

## Conclusion

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

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

## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference are photos depicting the existing shed and note from our site inspection that we have no drainage related concerns.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

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

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

Comments Prepared by: Brandon Eidner, Zoning Examiner

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

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A163.21  
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 720 Hillman Crescent, zoned R3 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A front yard measured to the dwelling of 6.02m (approx. 19.75ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the dwelling of 7.50m (approx. 24.61ft) in this instance;
2. A front yard measured to the garage of 6.05m (approx. 19.85ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the garage of 7.50m (approx. 24.61ft) in this instance;
3. A side yard westerly of 1.20m (approx. 3.94ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.94ft) in this instance;
4. A side yard easterly of 1.23m (approx. 4.04ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.94ft) in this instance; and
5. A driveway width along the property line of 6.58m (approx. 21.59ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width along the property line of 4.74m (approx. 15.55ft) in this instance.

The Committee has set **Thursday May 6, 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:**

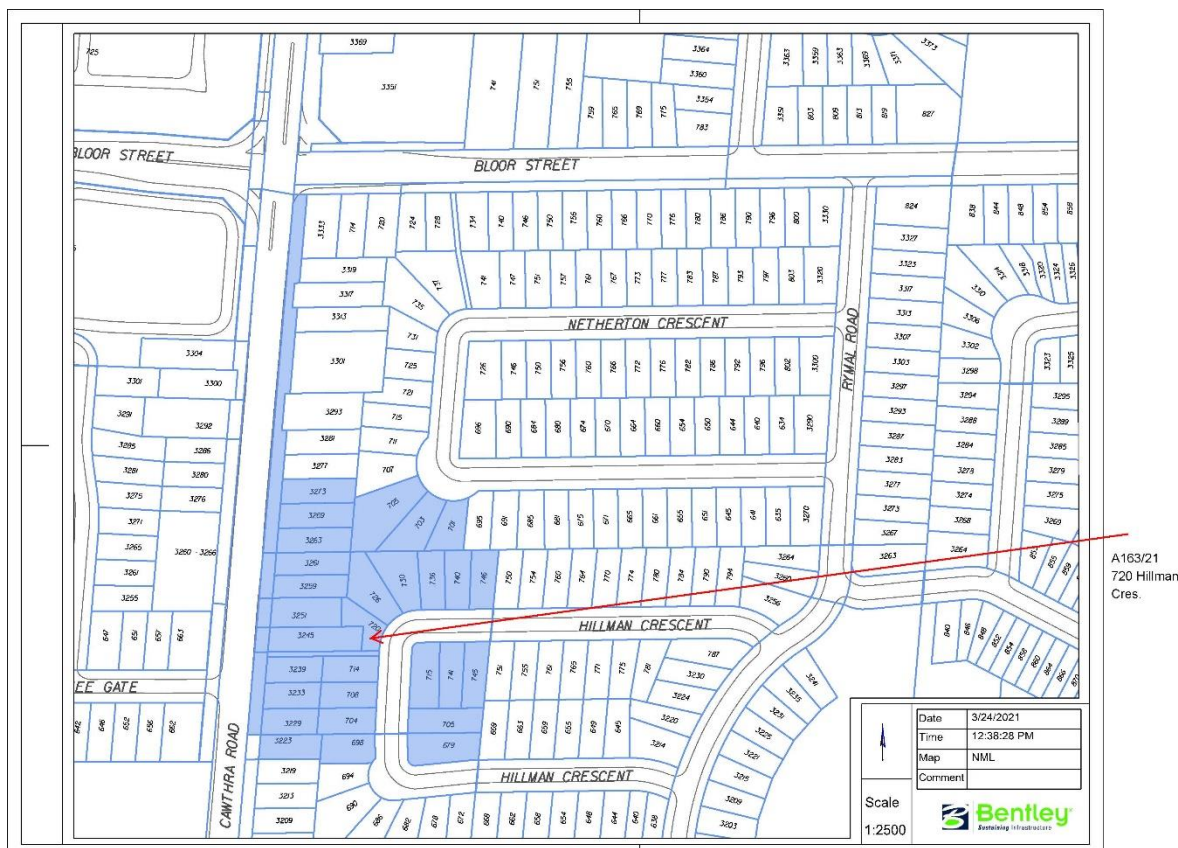
**To participate electronically (computer, tablet or smartphone):** Please email [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided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

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# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-04-28	File(s): A163.21 Ward: 3
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-05-06 1:00 PM

## Consolidated Recommendation

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

## Application Details

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

1. A front yard measured to the dwelling of 6.02m (approx. 19.75ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the dwelling of 7.50m (approx. 24.61ft) in this instance;
2. A front yard measured to the garage of 6.05m (approx. 19.85ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the garage of 7.50m (approx. 24.61ft) in this instance;
3. A side yard westerly of 1.20m (approx. 3.94ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.94ft) in this instance;
4. A side yard easterly of 1.23m (approx. 4.04ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.94ft) in this instance; and
5. A driveway width along the property line of 6.58m (approx. 21.59ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width along the property line of 4.74m (approx. 15.55ft) in this instance.

## Background

**Property Address:** 720 Hillman Crescent

**Mississauga Official Plan**

City Department and Agency Comments	File:A163.21	2021/04/28	2
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Character Area: Applewood Neighbourhood  
Designation: Residential Low Density II

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

**Zoning: R3 - Residential**

**Other Applications: BP 9NEW 20-785  
PREAPP 17-5540  
A 17-277**

### **Site and Area Context**

The subject property is located south-west of the Bloor St. and Cawthra Rd. intersection. It is an interior parcel with a lot area of +/- 473.40m<sup>2</sup> and a lot frontage of +/- 16.72m. The property currently houses a two-storey, detached dwelling with mature vegetation and landscape elements in the front and rear yards. Contextually, the area is comprised primarily of two-storey detached dwellings with lot frontages +/-15.0m with mature vegetation and landscape elements present in the front yards.

The applicant is proposing a new dwelling requiring variances for front and side yard setbacks as well as driveway width.



## Comments

### Planning

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

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

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

The subject property is located in the Applewood Neighbourhood character area and designated Residential Low Density II on Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density II designation permits detached dwellings; semi-detached dwellings, duplex dwellings and triplexes. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context and, the landscape of the character area. The proposed dwelling is generally in-keeping with the character of two storey dwellings in the immediate area and does not propose a negative impact to the streetscape character. As such, staff is of the opinion that the proposed dwelling maintains the general intent and purpose of the official plan.

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

Through a detailed review of the application, variances #1-4 do not present any significant concerns as the overall intent of the zoning by-law is being maintained. The reduced front yard, measured to the front façade of the dwelling as well as the garage, is marginal in nature and maintains the overall character of the streetscape. The deficient easterly and westerly side yard setbacks maintain a sufficient buffer to the neighbouring property and does not present any significant massing concerns or impede upon rear yard access. Staff is of the opinion that these variances are appropriate to be handled through the minor variance process.

Variance #5 proposes a unique driveway with a width of 6.58m whereas 4.74m is permitted. The proposed driveway width is a minor deviation from what the zoning by-law envisions. However, the Transportation and Works Department (T&W) note that the configuration poses an adverse sightline as a result of the curvilinear nature of the street.. Planning Staff echo T&W's comments and recommend that application be deferred in order to provide the applicant the opportunity to redesign the driveway.

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

The proposed dwelling maintains the existing and planned character of the surrounding neighbourhood and does not present any significant massing concerns to the neighbouring property or streetscape. However, the proposed driveway does pose safety concerns as a result of the street design. The Transportation and Works Department have noted the concerns with the proposed driveway and are not supportive of it. As such, staff is of the opinion that variance #5 is not desirable and is not minor in nature.

## **Conclusion**

The Planning and Building Department recommends that the application be deferred to permit the Applicant the opportunity to redesign the driveway.

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

## Appendices

### Appendix 1 – Transportation and Works Comments

From the information submitted, in particular the Site Plan, it is evident that this is a very unique lot. This department has reviewed the Site Plan submitted and is concerned with the proposed driveway configuration. The applicant is proposing a garage which is parallel with the roadway and in order for any vehicle to back up into the roadway would require some significant manoeuvring going backwards which could also result in the driver getting dis-oriented. Given the natural curvature of Hillman Crescent directly in front of this property and the existing sidewalk, we are also concerned that adequate sight distances would not be maintained for any vehicles approaching on the roadway or even pedestrians utilizing the sidewalk.

To ensure that adequate sight distances would be available for all approaching and exiting vehicles and pedestrians, we would suggest that some type of turn-around be installed within the property to allow any vehicle to turn around safely within the property and exit the driveway in a forward motion rather than reversing out onto Hillman Crescent.

Additionally, it should be noted that driveway accesses shall maintain a 1.5m setback from aboveground features such as utilities and trees and any costs related to any relocation of utilities would be at the applicant's expense.

In view of the above we would request that this application be deferred until such time that the applicant can explore the re-orientation of the attached garage so that a vehicle could back out into the roadway directly, or alternatively provide for some type of turn-around within the property. Although it may be an expensive option, but the redesign of the driveway configuration may have to consider the relocation of the light standard. The attached photos depict the location of the bell box, light standard and hydro transformer which all significantly restrict and impact on this proposal.



## Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit application under file BP 9NEW 20-785. Based on review of the information currently available in this permit application, the following variances, as requested are correct:

1. A front yard measured to the dwelling of 6.02m (approx. 19.75ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the dwelling of 7.50m (approx. 24.61ft) in this instance;
  2. A front yard measured to the garage of 6.05m (approx. 19.85ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the garage of 7.50m (approx. 24.61ft) in this instance;
  3. A side yard westerly of 1.20m (approx. 3.94ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.94ft) in this instance;
  4. A side yard easterly of 1.23m (approx. 4.04ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.94ft) in this instance;
- and

We also advise that more information is required in order to verify the accuracy of the remaining requested variance(s) or determine whether additional variance(s) will be required.

Please note that comments reflect those provided through the above permit application submitted on 2021/03/02 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-163/21

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

Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. 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: A164.21  
Ward: 9

### Why you received this letter:

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

### Details of the application and meeting information:

The property owner of 3080 Windwood Drive, zoned C1 - Commercial, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the alteration of the existing parking lot proposing:

1. A landscape buffer of 0.00m whereas By-law 0225-2007, as amended, requires a minimum landscape buffer of 4.50m (approx. 14.76ft) in this instance; and
2. A setback measured from a driveway to a G1 Zone (Greenlands) of 0.00m whereas By-law 0225-2007, as amended, requires a minimum setback measured from a driveway to a G1 Zone of 6.00m (approx. 19.69ft) in this instance.

The Committee has set **Thursday May 6, 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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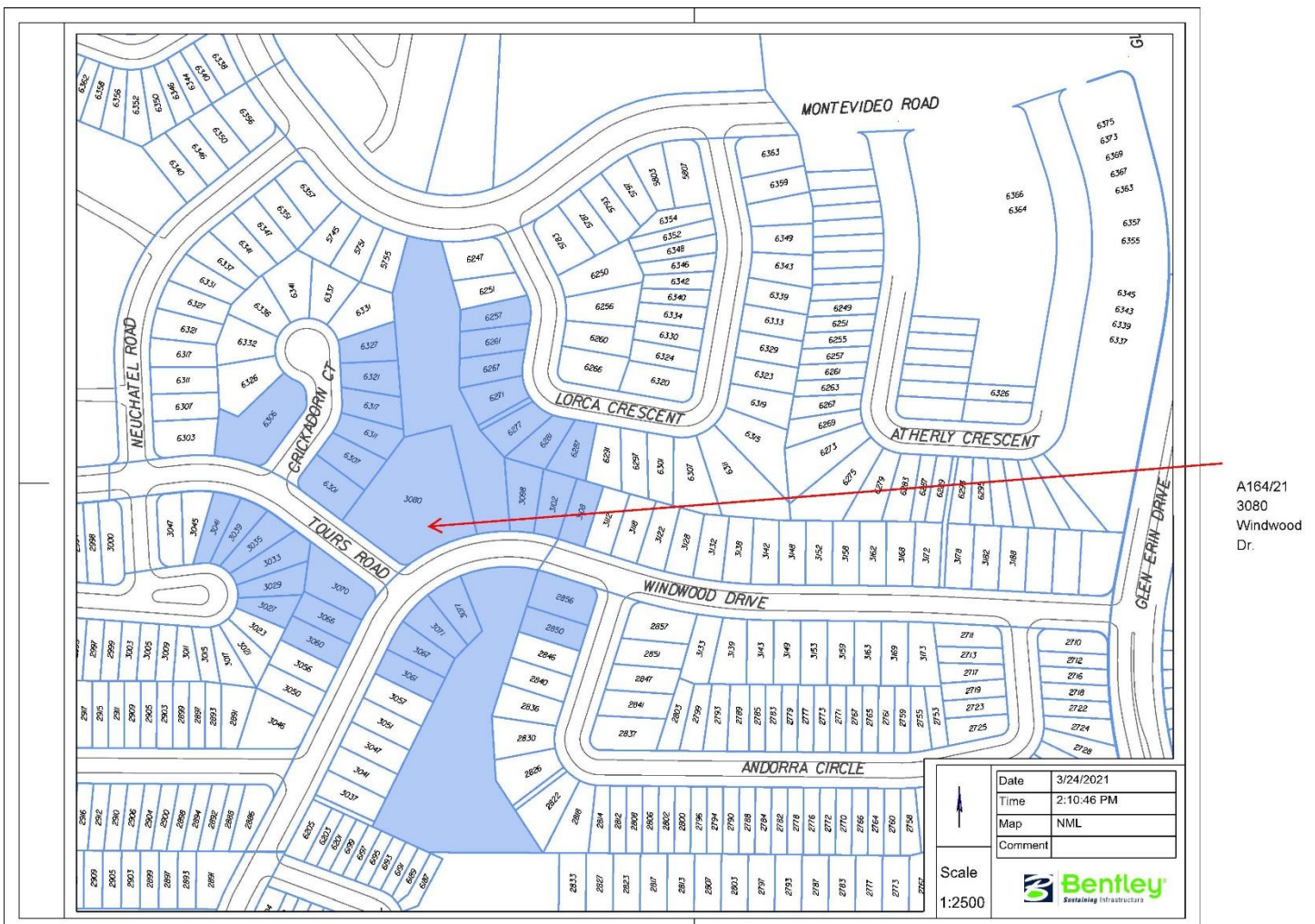
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# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-04-28	File(s): A164.21 Ward: 9
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2021-05-06 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 alteration of the existing parking lot proposing:

1. A landscape buffer of 0.00m whereas By-law 0225-2007, as amended, requires a minimum landscape buffer of 4.50m (approx. 14.76ft) in this instance; and
2. A setback measured from a driveway to a G1 Zone (Greenlands) of 0.00m whereas By-law 0225-2007, as amended, requires a minimum setback measured from a driveway to a G1 Zone of 6.00m (approx. 19.69ft) in this instance.

## Background

**Property Address:** 3080 Windwood Drive

### Mississauga Official Plan

Character Area: Meadowvale Neighbourhood  
Designation: Convenience Commercial

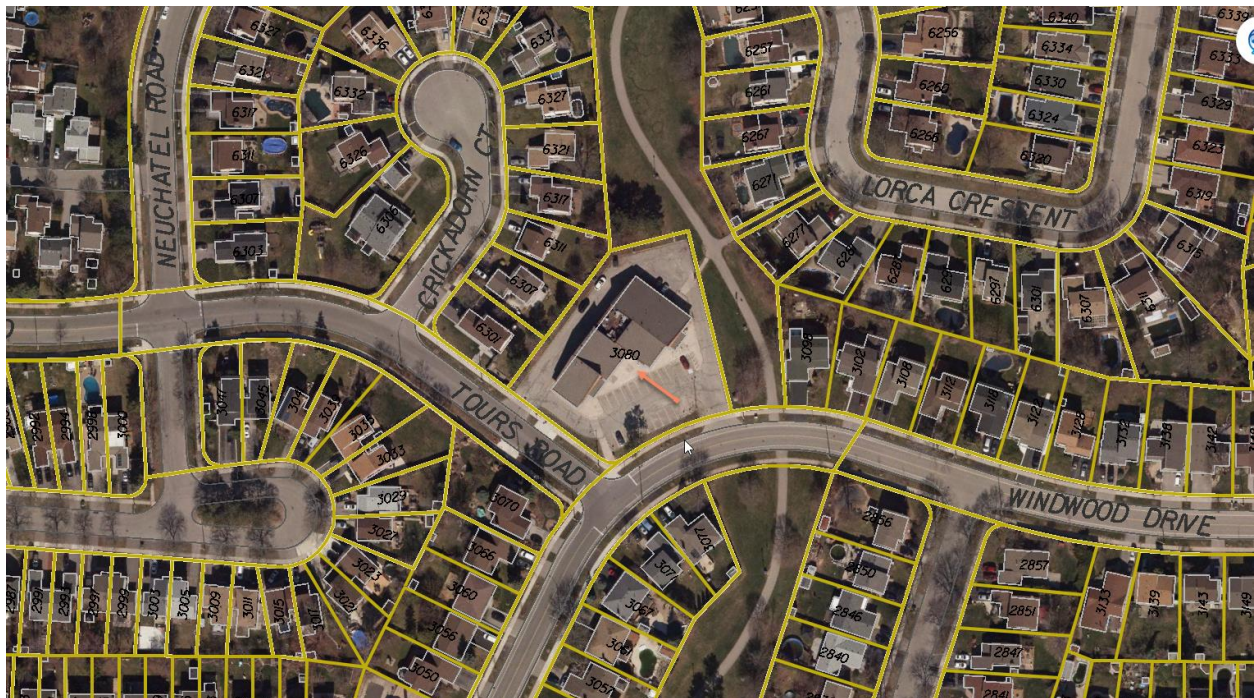
### Zoning By-law 0225-2007

**Zoning:** C1 - Commercial

## Site and Area Context

The subject property is located within the Meadowvale Neighbourhood Character Area, southeast of Battleford Road and Winston Churchill Boulevard. The immediate neighbourhood is primarily residential, consisting of two storey detached dwellings with mature vegetation. Abutting the subject property is City owned land, known as Meadowvale Trail. The subject property contains an existing commercial plaza.

The applicant is proposing to increase the parking supply, resulting in a variance for a deficient landscape buffer and driveway measured to a G1 (Greenlands) zone.



## Comments

### Planning

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

Staff comments concerning the application are as follows:

The proposed variances relate to an existing condition as the drive aisle directly abuts the G1 zone. In this instance, the G1 zone relates to Meadowvale Trail, which is not considered a

natural area. As the site historically contained this deficient setback, staff is of the opinion that the application is appropriate to be handled through the Committee of Adjustment 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

This Department has no objections, comments or requirements with respect to C.A. 'A' 164/21.

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 3 – Parks, Forestry & Environment

The Park Planning Section of the Community Services Department has reviewed the above noted minor variance application and has no objections given the request is an existing condition with no proposed construction adjacent to City owned Parkland:

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

1. Meadowvale Trail Park (Park #120) is adjacent to the subject property.
2. Construction access from the park is not permitted.
3. Stockpiling of construction materials and encroachment in the adjacent park is not permitted.

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

Comments Prepared by: Jim Greenfield, Park Planner

**Appendix 5 – Region of Peel Comments**

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A165.21  
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 569 Fairview Road West, zoned R4-22 - 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 widened driveway proposing a driveway width of 8.00m (approx. 26.25ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

The Committee has set **Thursday May 6, 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:

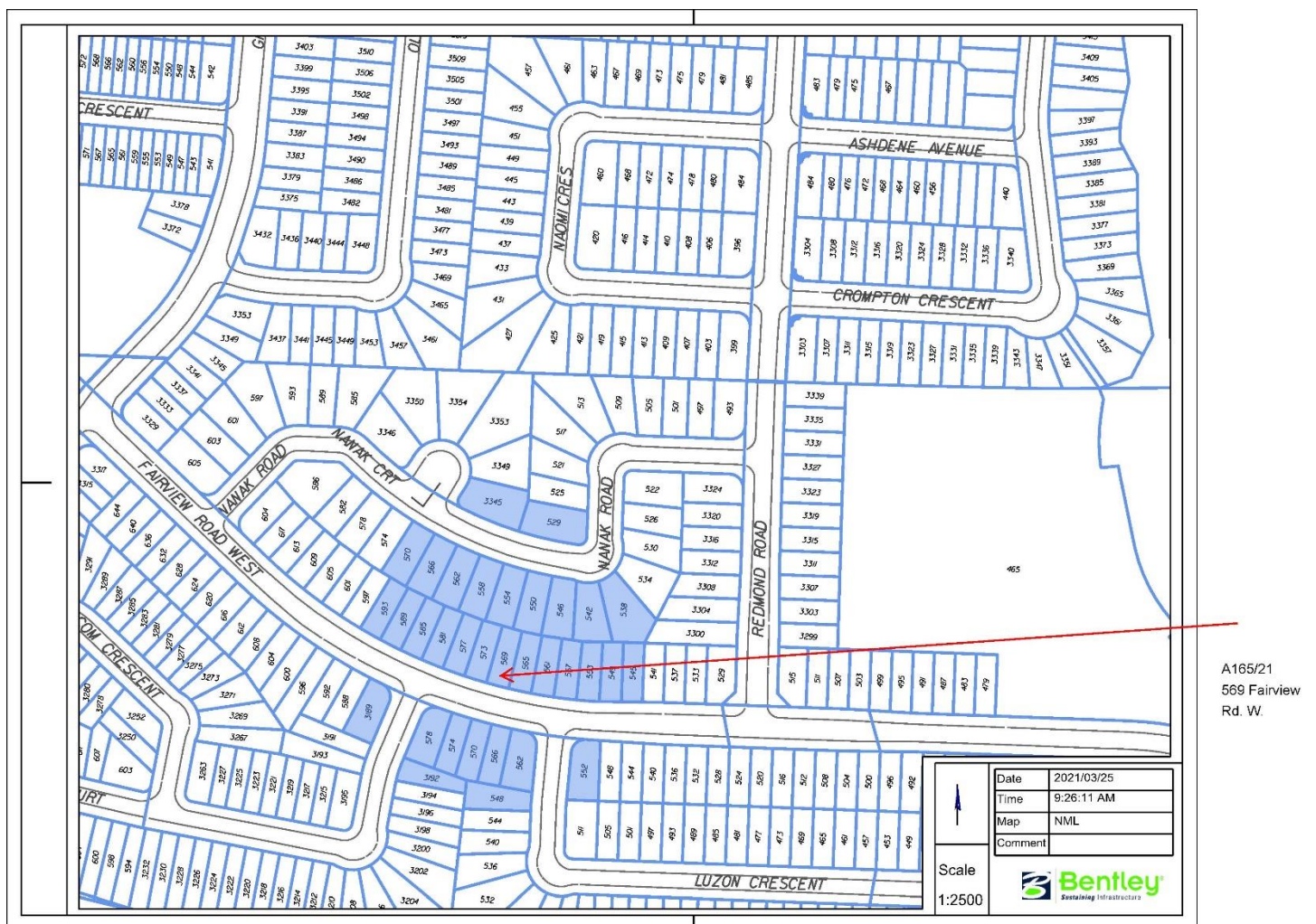
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Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process 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: 2021-04-28	File(s): A165.21 Ward: 7
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-05-06 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 a widened driveway proposing a driveway width of 8.00m (approx. 26.25ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

## Background

**Property Address:** 569 Fairview Road West

### Mississauga Official Plan

Character Area: Fairview Neighbourhood  
Designation: Residential Low Density II

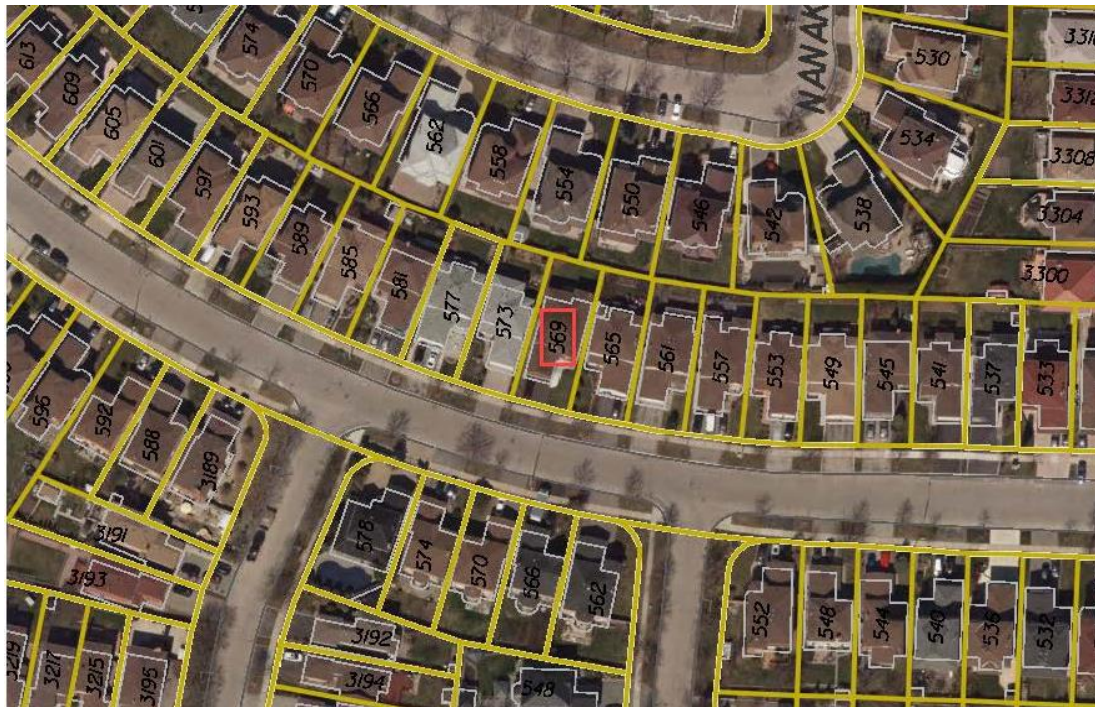
### Zoning By-law 0225-2007

**Zoning:** R4-22 - Residential

### Site and Area Context

The subject property is located within the Fairview Neighbourhood Character Area, southeast of Mavis Road and Central Parkway West. The neighbourhood is entirely residential consisting of two storey detached dwellings with vegetation mostly within the municipal boulevard. The subject property contains an existing two storey dwelling with no vegetation within the front yard.

The applicant is proposing an increased driveway width that requires a variance of 8 m whereas a maximum of 6 m is permitted.



## Comments

### Planning

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

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

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached, semi-detached and duplex, triplex and other forms of low rise dwellings with individual frontages. As per Section 9 (Preamble), sites will be developed to respect the experience, identity and character of the surrounding context. Furthermore, the intent of the zoning 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 proposed width of 8 m allows for the driveway to accommodate three vehicles parked side-by-side, which was not envisioned within the by-law. Additionally, it results in the driveway being the prominent feature of the front yard as it makes up more than

50% of the total lot frontage at the expense of soft landscaping. Through a review of the immediate area, properties mostly consist of an appropriate amount of hard surfacing in relation to the greenspace, resulting in a constant streetscape.

Based on the preceding information, staff is of the opinion that the application does not maintain the four tests set out in Section 45(1) of the *Planning Act*.

## Conclusion

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

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

This department 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

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**Appendix 2 – Zoning Comments**

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

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

Comments Prepared by: Brandon Eidner, Zoning Examiner

**Appendix 5 – Region of Peel Comments**

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A17.21  
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 6612 Lisgar Drive, zoned R4 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a widened driveway on the subject property proposing a driveway width of 7.50m (approx. 24.61ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

The Committee has set **Thursday May 6, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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### How to submit a written comment:

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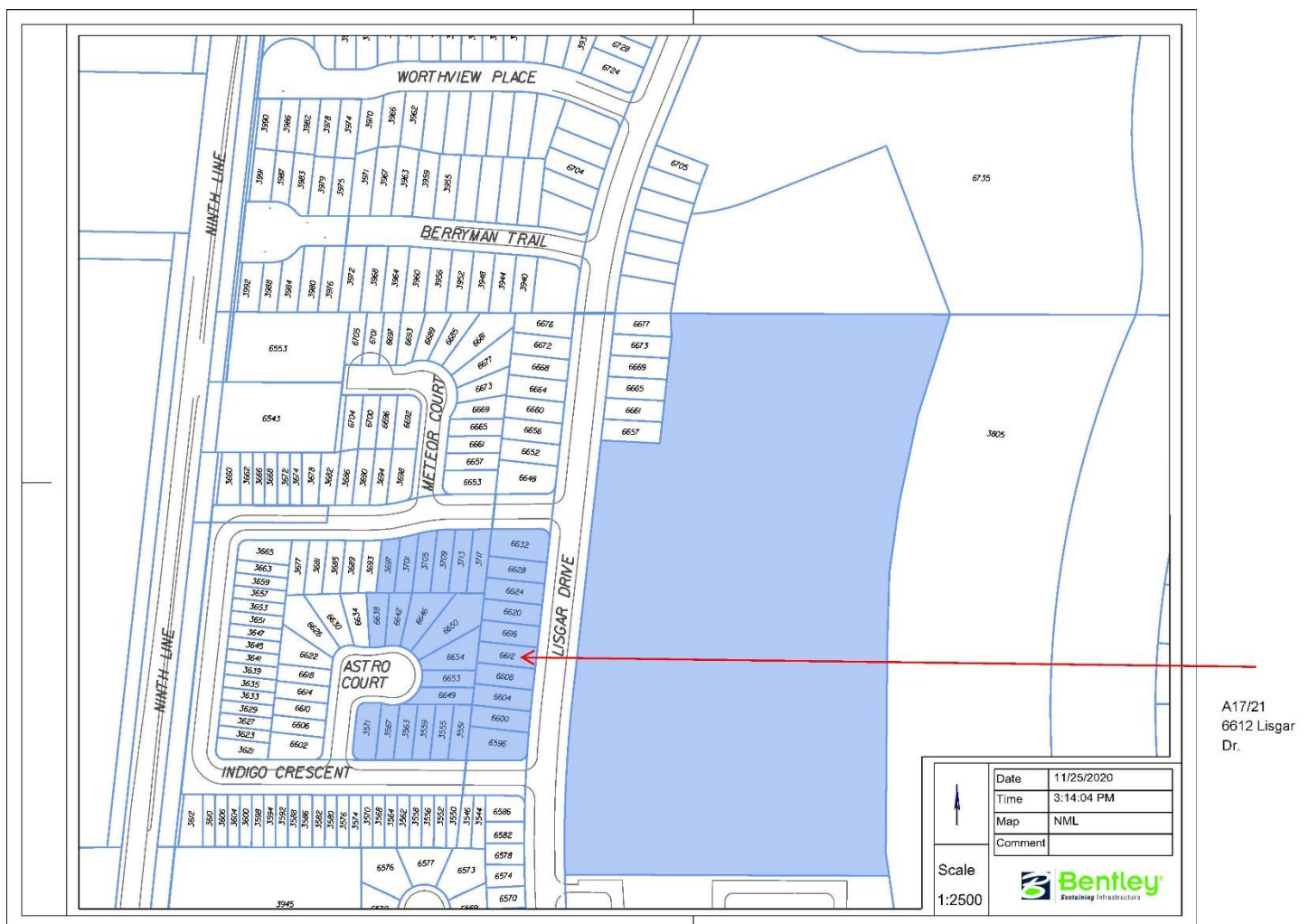
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# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-04-28	File(s): A17.21 Ward: 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-05-06 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 a widened driveway on the subject property proposing a driveway width of 7.50m (approx. 24.61ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

## Background

**Property Address:** 6612 Lisgar Drive

### Mississauga Official Plan

Character Area: Lisgar Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

**Zoning:** R4 - Residential

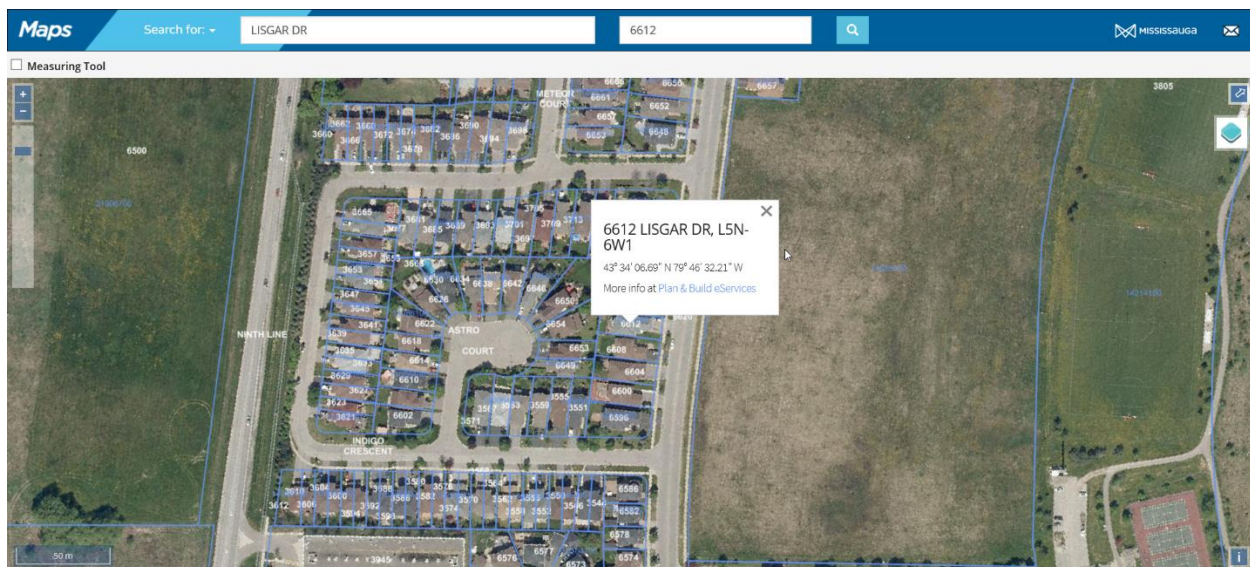
**Other Applications:** None

### Site and Area Context

The subject property is situated south-east of the 407 express highway and Derry Rd E. The subject property is an interior parcel with a lot area of 408.45m<sup>2</sup> and a lot frontage of approximately

+/- 12.21m. The property currently houses a two-storey, detached dwelling with minimal landscaping elements in both the front and rear yards. Contextually, the area is comprised exclusively of detached two-storey residential dwellings. The properties within the immediate area possess lot frontages of approximately +/-12.0m, with moderate vegetative / natural landscaped elements within the front yards.

The applicant is proposing to widen their driveway which requires a variance for driveway width.



## Comments

### Planning

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

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

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

The site is situated within the Lisgar Neighbourhood Character Area, and designated Residential Low Density II by the Mississauga Official Plan (MOP). As per Section 9.1 (Introduction), driveway widths should respect the identity and character of the surrounding context. The planned context of this neighbourhood is that of detached and semi-detached dwellings are to be serviced by appropriately sized driveways, with the remainder of the

property's frontage serving to form a soft-landscaped area. The proposal meets the purpose or general intent of the Official Plan.

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

As per Zoning By-law 0225-2007, the subject property is zoned R4 (Residential). Pursuant to Table 4.2.1.12.3 (R1 to R5 Permitted Uses and Zone Regulations), the maximum driveway width for a detached dwelling is 6.0m; whereas, the Applicant is proposing 7.5m. The applicant previously brought a much larger application to the committee on January 21, 2021, which was deferred. The applicant has since redesigned their proposal with a smaller driveway width. The general intent of this portion of the Zoning By-law is to permit a driveway width large enough to accommodate two vehicles parked side-by-side, with the remainder of front yard being soft landscaping. The Applicant's proposal results in a driveway that can only accommodate two vehicles parked side-by-side thereby, meeting the general intent and purpose of the zoning bylaw.

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

Staff note the redesigned proposal can accommodate two vehicles parked side by side, with the remaining front yard reserved for soft-landscaping. The variances, as amended, results in both the orderly development of the lands, and whose impacts will be minor in nature.

## **Conclusion**

Based upon the preceding information, it is the opinion of Staff that the variances, as amended, 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.

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

## Appendices

### Appendix 1 – Transportation and Works Comments

This department notes that with regard to the widened driveway within the municipal boulevard (the area between the municipal curb and property line) we would request that this area be reinstated with topsoil and sod should the application be modified to reflect a smaller driveway width within the subject property or if the application is not supported by the Committee.



Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

### Appendix 2 – Zoning Comments

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

The applicant is advised that a completed zoning review may identify additional instances of zoning non-compliance. The applicant may consider applying for a preliminary zoning review

application and submit working drawings for a detailed zoning review to be completed. A minimum of 6-8 weeks will be required to process a preliminary zoning review application depending on the complexity of the proposal and the detail of the information submitted.

Comments Prepared by: Brandon Eidner, Zoning Examiner

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

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A63.21  
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 20 Harrow St, zoned R3-69 - 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 house on the subject property proposing:

1. A lot coverage of 32.48% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% of the lot area in this instance;
2. A gross floor area of 290.24sq.m (approx. 3,124.12sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 248.48sq.m (approx. 2,674.62sq.ft) in this instance; and
3. A height measured to the eaves of 6.6m (approx. 21.7ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.4m (approx. 21.0ft) in this instance.

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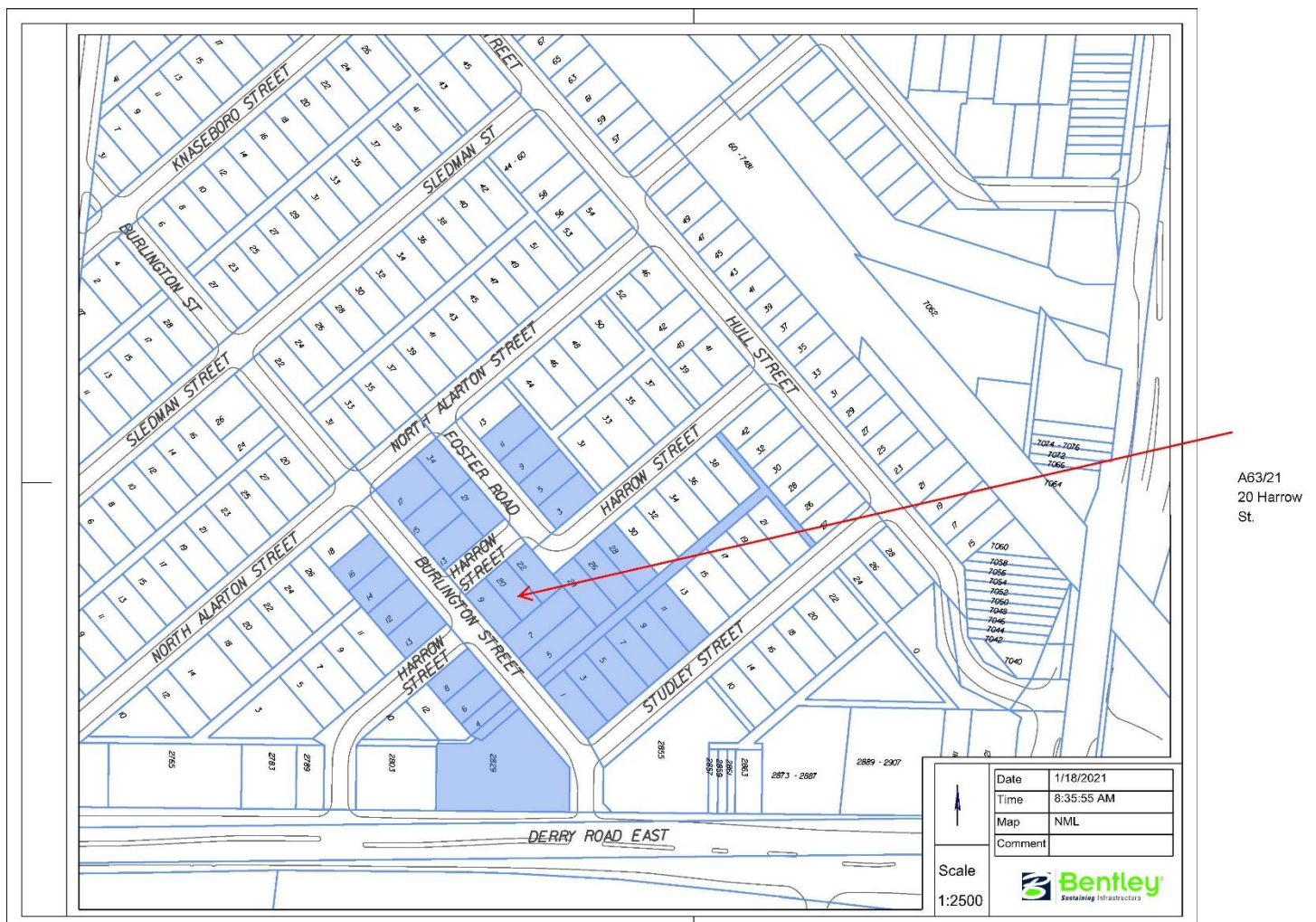
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# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-04-28	File(s): A63.21 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-05-06 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 applicants request the Committee to approve a minor variance to allow the construction of a new house on the subject property proposing:

1. A lot coverage of 32.48% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% of the lot area in this instance;
2. A gross floor area of 290.24sq.m (approx. 3,124.12sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 248.48sq.m (approx. 2,674.62sq.ft) in this instance; and
3. A height measured to the eaves of 6.6m (approx. 21.7ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.4m (approx. 21.0ft) in this instance.

## Recommended Conditions and Terms

The following clause should be inserted in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of dwelling unit within 300m of the railway right-of-way:

“Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration

attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.”

## Background

**Property Address:** 20 Harrow St

### Mississauga Official Plan

Character Area: Malton Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

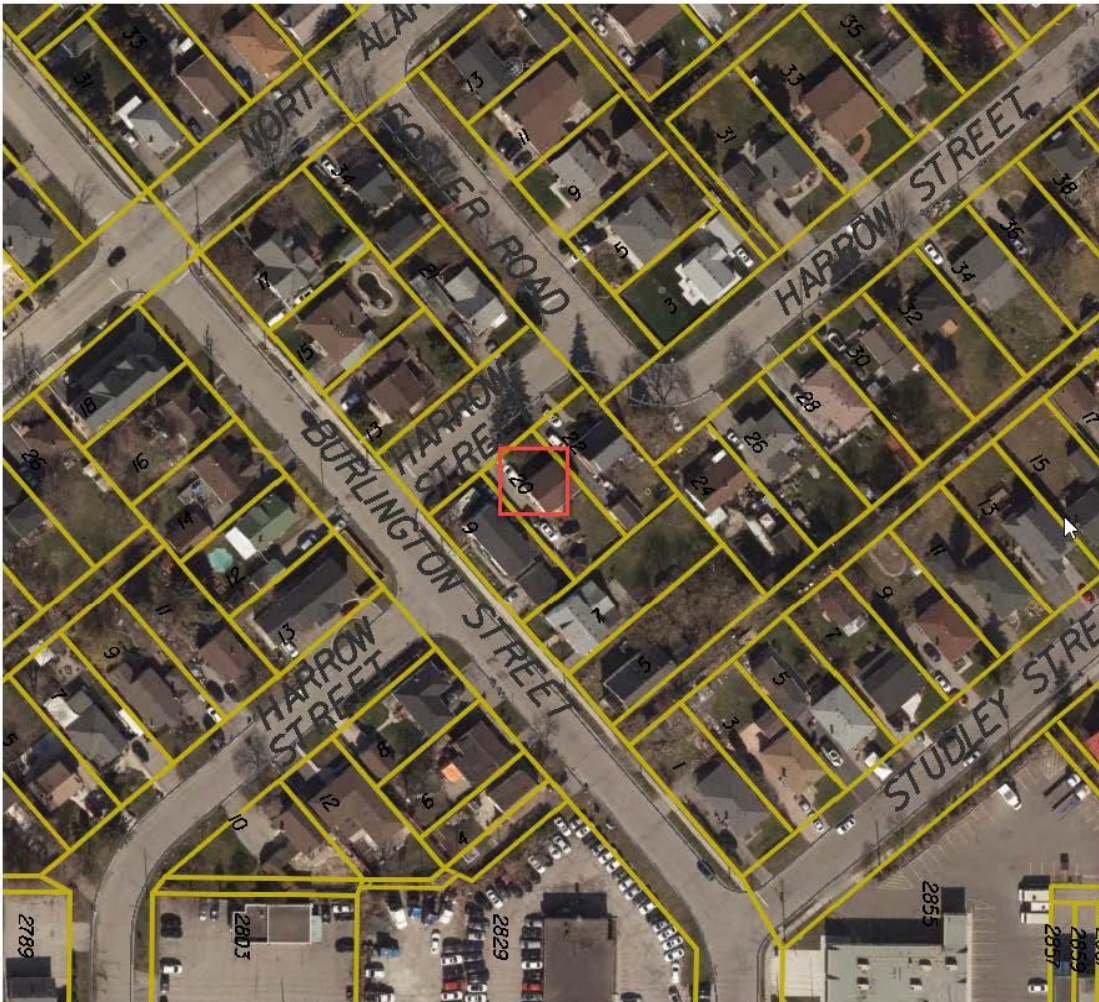
**Zoning:** R3-69 - Residential

**Other Applications:** None

### 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 in both the front and rear yards. The subject property is an interior parcel with a lot area of approximately +/- 492.39m<sup>2</sup> and a lot frontage of approximately +/- 15.24m. Contextually, the surrounding neighbourhood consists of modest, single storey detached homes with mature vegetation scattered throughout and minimal landscape elements within the front yards. The surrounding properties possess lot frontages of +/- 15.0m.

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



## Comments

### Planning

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

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

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

The subject property is located in the Malton Neighbourhood character areas and 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 undertaken 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. Although the surrounding area contains a lot of newer two storey dwellings, the intent of the policies are to limit the overall massing of these dwellings, in order to maintain compatibility between the existing and planned character of the neighbourhood. The application originally came to the Committee of Adjustment on March 4, 2021 with a significantly larger proposal. Committee members were concerned with the size of the dwelling and deferred the application for redesign. The subsequent 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 as requested pertains to eave height:

The intent of restricting height of 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 proposed eave height of 6.60m whereas 6.40m is permitted is a minor deviation from what the by-law envisions. The proposed

does not affect the overall pitch of the roof and maintains a human scale. As such, variance #3 meets the general intent and purpose of the by-law.

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

While the relief sought represents a deviation from what is contemplated through the Zoning By-law, Staff note that the applicant's redesign represents an 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.

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

## Appendices

### Appendix 1 – Transportation and Works Comments

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

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is 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-63/21**

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

### Appendix 7 – Canadian National Railway Company

Thank you for circulating CN the proposed projects mentioned in subject. This is to confirm that we have reviewed the information and site locations. CN Rail does have comments only with

regards to the application addressed as 20 HARROW street. We recommend implementing the following criteria as your condition to project approval:

- The following clause should be inserted in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of dwelling unit within 300m of the railway right-of-way:

“Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.”

Comments Prepared by: Ashkan Matlabi, Senior Planner