
Committee of Adjustment

Date: May 27, 2021
Time: 1:00 PM
Location: Online Video Conference

Members

Sebastian Patrizio (Chair)
David George
John Page
David Kennedy
Wajeeha Shahrukh
David Cook
John Kwast

Contacts

Umar Mahmood, Committee of Adjustment Coordinator, Legislative Services
905-615-3200 ext.5209
umar.mahmood@mississauga.ca

Alexander Davies, Committee of Adjustment Coordinator,
Legislative Services
905-615-3200 ext.5422
alexander.davies@mississauga.ca

PUBLIC MEETING STATEMENT: While some planning matters, such as consent or minor variance applications, do not specifically require that you participate in the process in order to appeal, the LPAT has the power to dismiss an appeal without holding a hearing if the person or public body that in circumstances such as appeal is not based on any apparent land use planning grounds and appeal is not made in good faith or is frivolous or vexatious, or is made only for the purpose of delay.

Send written submissions or request notification of future meetings to:

Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, Attn: Committee of Adjustment Coordinators – 2nd Floor 300 City Centre Drive, Mississauga, ON, L5B 3C1 or Email:
committee.adjustment@mississauga.ca

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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. B31/21-A180/21-A181/21
15 & 17 BROADVIEW AVE (WARD 1)
MICHAEL WALKER
 - 4.2. A145/21
510 DRIFTCURRENT DR (WARD 5)
678604 ONTARIO INC
 - 4.3. A170/21
1834 LAKESHORE RD W (WARD 2)
CLARKSON VILLAGE PLAZA CORP
 - 4.4. A171/21
4050 WESTMINSTER PL (WARD 3)
MAISA & RYAAN OTHMAN
 - 4.5. A176/21
75 MORGON AVE (WARD 11)
SHARMA & RENU BHARAT
 - 4.6. A177/21
7135 KENNEDY RD (WARD 5)
PAG COMMERCIAL VEHICLES & PTG MISSISSAUGA ENTERPRISES
 - 4.7. A179/21
1256 MINEOLA GDNS (WARD 1)
SEAN WILSON
 - 4.8. A182/21
6519 MISSISSAUGA RD (WARD 11)
EUROPRO (GTAW) GP INC

- 4.9. A183/21
1200-1210 LORIMAR DR (WARD 5)
3T(1200 LORIMAR) LP
- 4.10. A184/21
2960 & 2980 DREW RD (WARD 5)
PSCP 884
- 4.11. A186/21
1455 GREGWOOD RD (WARD 2)
GAVIN & CRISTINA WELLS
- 4.12. A187/21
208 QUEEN ST S (WARD 11)
1917976 ONTARIO INC.
- 4.13. A188/21
3091 BONAVENTURE DR (WARD 5)
KRISHNA BAHADUR CHHETRI
- 4.14. A189/21
220 QUEEN ST W (WARD 1)
CLARISSE KIM CRENIAN & DAVID ALFRED WHITE
- 4.15. A190/21
995 GARDNER AVE (WARD 1)
RONALD & ANNIE CROFT
- 4.16. A245/20
6237 MILLER'S GROV (WARD 9)
WESLEY STEELE
- 4.17. A410/20
4358 SHELBY CRES (WARD 3)
TANIA & CHARBEL NOUR

5. **OTHER BUSINESS**

6. **ADJOURNMENT**

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 15 & 17 Broadview Avenue, zoned RM7-5 - Residential, has applied for Consent under Section 53 of the Planning Act. The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 8.26m (27.10ft) and an area of approximately 508.82sq.m (5476.89sq.ft).

A minor variance is requested for the Severed lands (file A180/21) and the construction of a new dwelling (semi-detached) proposing:

1. A building height measured to the eaves of 6.71m (approx. 22.01ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance; and
2. A building depth of 20.57m (approx. 67.49ft) whereas By-law 0225-2007, as amended, permits a maximum building depth of 20.00m (approx. 65.62ft) in this instance.

A minor variance is requested for the Retained lands (file A181/21) and the construction of a new dwelling (semi-detached) proposing:

1. A building height measured to the eaves of 6.71m (approx. 22.01ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance; and
2. A building depth of 20.57m (approx. 67.49ft) whereas By-law 0225-2007, as amended, permits a maximum building depth of 20.00m (approx. 65.62ft) in this instance.

The Committee has set **Thursday May 27, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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Advance registration is required to participate in the electronic hearing:

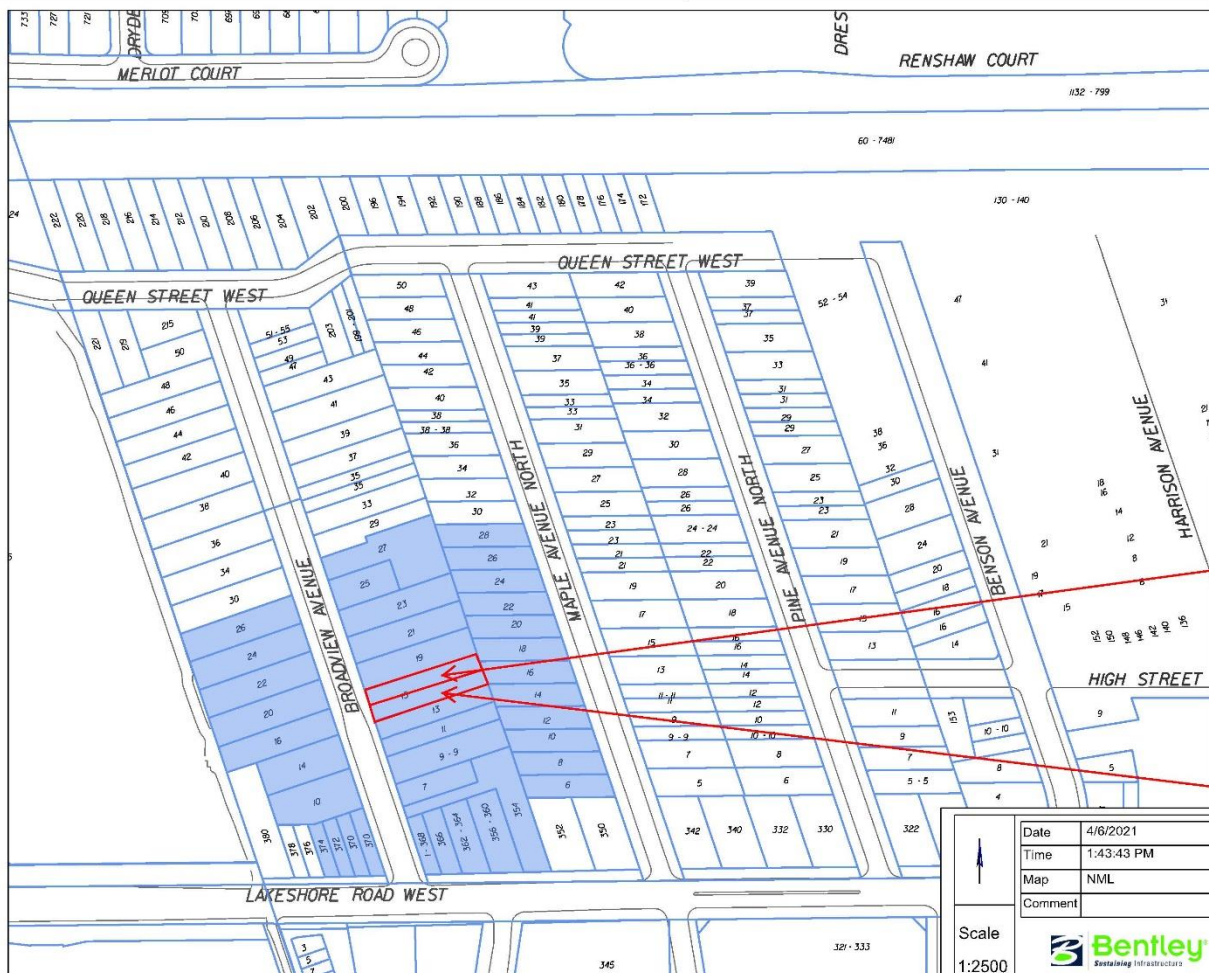
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud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

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



15 Broadview Ave.

B31/21
A18021
Lands to
be Severed

A181/21
Lands to be
Retained

Date	4/6/2021
Time	1:43:43 PM
Map	NML
Comment	

Scale
1:2500



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-05-19 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): B31.21 A180.21 A181.21 Ward: 1
	Meeting date: 2021-05-27 1:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 8.26m (27.10ft) and an area of approximately 508.82sq.m (5476.89sq.ft).

A minor variance is requested for the Severed lands (file A180/21) and the construction of a new dwelling (semi-detached) proposing:

1. A building height measured to the eaves of 6.71m (approx. 22.01ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance; and
2. A building depth of 20.57m (approx. 67.49ft) whereas By-law 0225-2007, as amended, permits a maximum building depth of 20.00m (approx. 65.62ft) in this instance.

A minor variance is requested for the Retained lands (file A181/21) and the construction of a new dwelling (semi-detached) proposing:

1. A building height measured to the eaves of 6.71m (approx. 22.01ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance; and
2. A building depth of 20.57m (approx. 67.49ft) whereas By-law 0225-2007, as amended, permits a maximum building depth of 20.00m (approx. 65.62ft) in this instance.

City Department and Agency Comments	File:B31.21 A180.21 A181.21	2021/05/19	2
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Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent
- The variance application approved under File(s) A180.21 & A181.21 must be finalized

Recommended Conditions and/or Terms of minor variance

- Variance(s) approved under file(s) A180.21 & A181.21 shall lapse if the consent application under file B31.21 is not finalized within the time prescribed by legislation.

Background

Property Address: 15 & 17 Broadview Avenue

Mississauga Official Plan

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

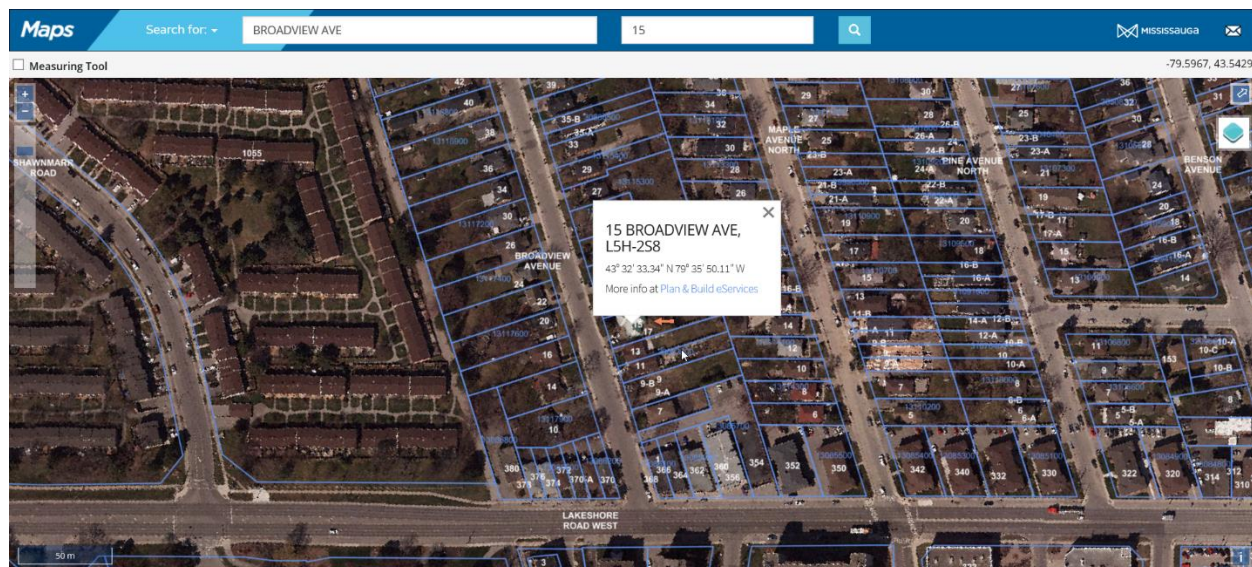
Zoning By-law 0225-2007

Zoning: RM7-5 - Residential

Site and Area Context

The subject property is located within the Port Credit Neighbourhood Character Area, west of Mississauga Road and Lakeshore Road West. The immediate area contains an eclectic lot fabric with lot frontages ranging from 6.50 m to 15 m. Currently the subject property contains a detached dwelling with a detached garage and little mature vegetation. The surrounding area includes a mix of residential uses, including detached and semi-detached and apartment dwellings with little mature vegetation. Commercial and high density residential uses are also present along Lakeshore Road West.

The applicant proposes to sever the lot for the purpose of constructing semi-detached dwellings, requiring variances to eave height and dwelling depth.



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

The proposed retained and severed parcels propose a lot frontage of 8.26 m and lot areas of 508.82 m². The zoning by-law requires a lot frontage of 6.80 m and lot area of 250 m².

City Department and Agency Comments	File:B31.21 A180.21 A181.21	2021/05/19	4
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The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached, semi-detached, duplex, triplex and other forms of low rise dwellings with individual frontages. As per Section 16.1.2.1, to preserve the character of lands designated Residential Low Density I and Residential Low Density II, the minimum frontage and area of new lots will be evaluated in the context of the existing lot pattern in the surrounding area. The neighbourhood contains an eclectic lot fabric which, ranging from approximately 6.50 m to 16 m with a mix of dwelling types envisioned within the zoning by-law. The proposed lots are compatible with the surrounding neighbourhood and are similar to other lots that contain semi-detached dwellings.

Staff is of the opinion that the application conforms to Section 51(24) of the *Planning Act*, more specifically that the application conforms to the official plan and is suitable for the purpose of developing semi-detached dwellings.

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

Variance #1 proposes an eave height of 6.71 m whereas a maximum of 6.40 m is permitted. The intent of restricting height to the eaves is to lessen the visual massing of dwelling by bringing the edge of the roof closer to the ground, resulting in the dwelling maintaining a human scale. The semi-detached dwellings maintain an overall height of 8.52 m, less than the maximum permitted height of 9.50 m, thereby lessening any potential impact of the increased eave height.

Variance #2 proposes a dwelling depth of 20.57 m whereas a maximum of 20 m is permitted. The intent of the zoning provisions for dwelling depth are to minimize impacts of long walls on neighbouring lots as a direct result of the building massing. In this instance, the dwelling depth includes the covered entry feature that projects beyond the garage. Excluding this feature, the dwelling would maintain the maximum permitted dwelling depth. Additionally, the second storey of the dwelling is within the maximum permitted depth, minimizing the massing impact of a long continuous wall abutting the neighbouring properties.

Does the proposal represent orderly development of the lands and is minor in nature?

The proposed semi-detached dwellings maintain the existing and planned context of the surrounding area. The overall height of the dwelling is less than the maximum permitted height of 9.50 which minimizes the impact of the increased eave height. Furthermore, the dwelling depth is due to a covered entry feature that projects beyond the garage. The second storey maintains the maximum permitted depth of 20 m, lessening the impact of a long continuous wall. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

Conclusion

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

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has reviewed the request to create new parcels of land for residential purposes fronting onto Broadview Avenue. Should Committee see merit in the applicant's request we are providing the following conditions/requirements for Committee's consideration:

A. Items Required Prior to the Issuance of Final Consent

1. Overall Grading and Drainage Plan

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

For further information regarding the above noted comments, please contact John Salvino at (905) 615-3200 ext. 5183 or john.salvino@mississauga.ca

B. GENERAL INFORMATION

1. Lot Grading and Drainage

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

2. Servicing

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

3. Access

City Department and Agency Comments	File:B31.21 A180.21 A181.21	2021/05/19	7
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We advise the applicant that all costs incurred in providing any new driveway entrance(s) to the subject lands or any modifications/reinstatement required, would be at cost to the owner. We are also noting that should any utilities need to be relocated, all costs incurred will also be to the owner.

4. Storm Sewer Outlet

The storm sewer outlet for this site is the existing 525mm storm sewer on Broadview Ave. Storm connection approval will be required for the weeping tiles if the basement elevation is 1.0 above the obvert of the storm sewer on the street, otherwise a sump pump will be required to discharge the weeping tile to grade . The applicant is encouraged to design the basement elevation to be 1 metre above the obvert of the storm sewer on the street to eliminate the need for a sump pump.

Please note that in cases of a high groundwater table where a sump pump could run continuously if a sump pump was implemented, the applicants should consider raising the basement elevation to be at least 1.0 meter above the groundwater level. It is the owner's responsibility to satisfy themselves with these conditions as the City has no obligation to address any concerns with the operating conditions of private sump pump systems.

We are noting that any Transportation and Works Department concerns/requirements for the Minor Variance applications will be addressed under Consent Application 'B' 31/21.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

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

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

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

Comments Prepared by: Brandon Eidner, Zoning Examiner

City Department and Agency Comments	File:B31.21 A180.21 A181.21	2021/05/19	8
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Appendix 3 – Parks, Forestry & Environment

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

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

1. The applicant shall provide a cash contribution of \$1,214.24 for planting of two (2) street tree on Broadview Avenue. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.

In addition, Community Services notes the following:

1. Payment for street tree fees and charges can be made at the Parks and Forestry customer service counter located at 950 Burnhamthorpe Road West in the form of a certified cheque, bank draft, or money order payable to the City of Mississauga. Please contact Jim Greenfield regarding the Covid-19 interim payment process.
2. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, C.P. 13, as amended) and in accordance with the City's policies and by-laws.

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

Comments Prepared by: Jim Greenfield, Park Planner

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.

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 contact Servicing Connections at siteplanservicing@peelregion.ca

Comments Prepared by: Diana Guida, Junior Planner

City Department and Agency Comments	File:B31.21 A180.21 A181.21	2021/05/19	9
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Appendix 7 – Bell Canada

Subsequent to review of the severance application at 15 & 17 BROADVIEW AVE, Bell Canada's engineering department have determined that there are no concerns or comments at this time.

Comments Prepared by: Carrie Gordon, External Liaison

City Department and Agency Comments	File:B31.21 A180.21 A181.21	2021/05/19	10
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Appendix A – Conditions of Provisional Consent

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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding (A180-181/21).
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated May 19, 2021.
5. A letter shall be received from the City of Mississauga, Community Services Department, Park Planning Division, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated May 19, 2021.



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A145.21
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 510 Driftcurrent Drive, Unit 18, 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 proposing a take-out restaurant within 60m (approx. 196.85ft) of a residential zone whereas By-law 0225-2007, as amended, does not permit a take-out restaurant within 60m (approx. 196.85ft) of a residential zone in this instance.

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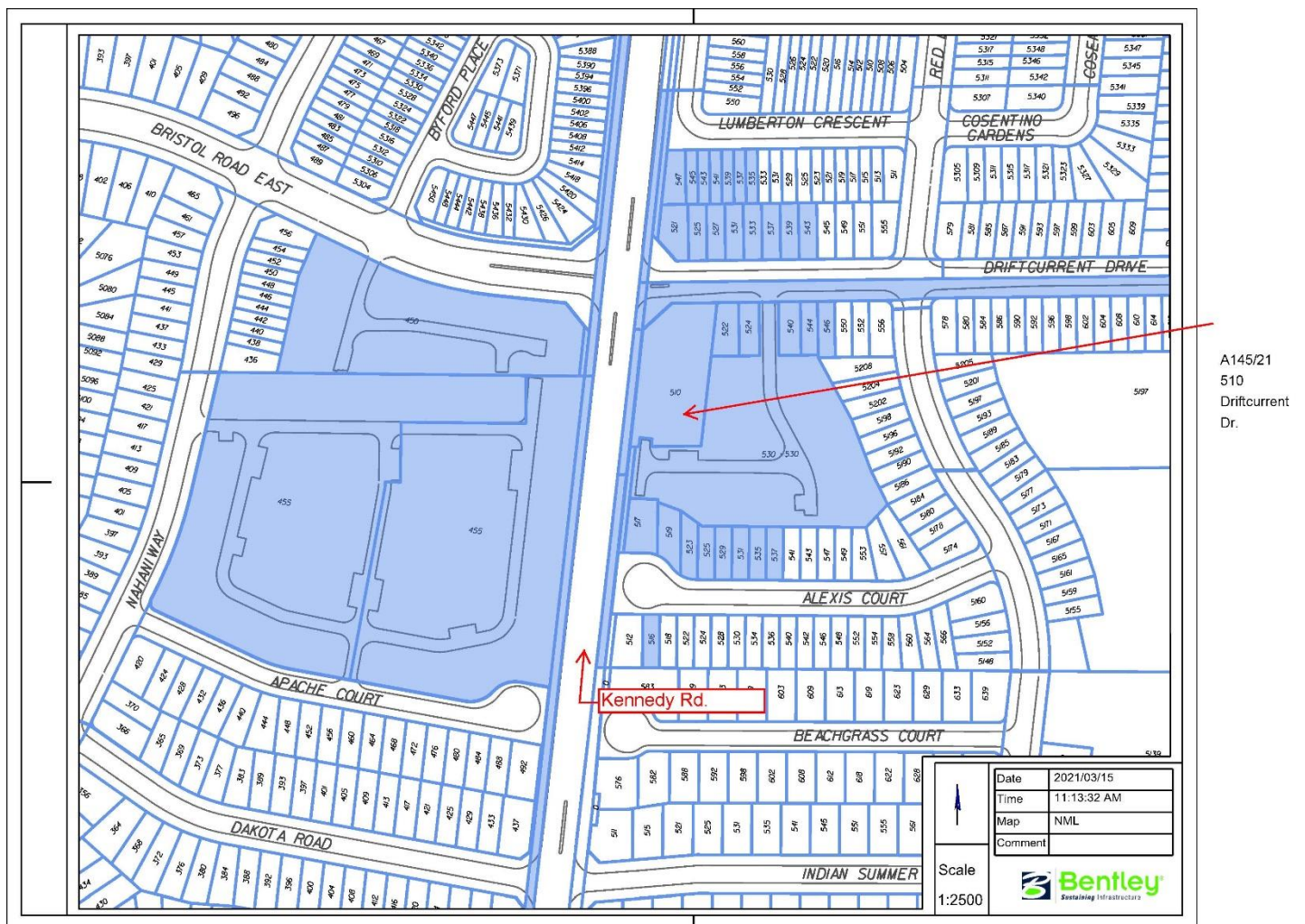
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-05-19	File(s): A145.21 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-05-27 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 proposing a take-out restaurant within 60m (approx. 196.85ft) whereas By-law 0225-2007, as amended, does not permit a take-out restaurant within 60m (approx. 196.85ft) in this instance.

Background

Property Address: 510 Driftcurrent Drive, Unit 18

Mississauga Official Plan

Character Area: Hurontario Neighbourhood
Designation: Convenience Commercial

Zoning By-law 0225-2007

Zoning: C1 - Commercial

Other Applications: None

Site and Area Context

The subject property is a commercial unit located in an existing multi-tenant retail plaza located at the south-east corner of Driftcurrent Dr. and Kennedy Rd S. It is an exterior parcel, with a lot area of +/- 1,396.0m² and a lot frontage of +/- 82.0m. The property possesses minimal

vegetation and landscape elements along the periphery of the site. From a land-use perspective, the immediate neighbourhood is surrounded by residential dwellings with minimal vegetation and landscape elements in the front yards.

The applicant is proposing a take-out restaurant that requires a variance for minimum setback to a residential zone.



Comments

Planning

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

Staff comments concerning the application are as follows:

The site is located within the Hurontario Neighbourhood Character Area, and is currently designated Convenience Commercial by the Mississauga Official Plan (MOP). Section 11.2.9 (Convenience Commercial) permits a restaurant within the designation. The Applicant's proposal of a take- out restaurant meets the purpose and general intent of the Official Plan.

The intent of this portion of the by-law is to ensure that proposed restaurant uses are compatible with the adjacent land uses and where they cannot, a 60.0m buffer is created. The existing retail plaza on the subject property was built in 2001 and is within the required minimum separation distance from a residential zone, a buffer of 60m. Additionally, there are existing restaurant units in the plaza, that are within the required separation distance of a residential zone. Staff are of the opinion that any potential impact to the residential zone are not significant. Through a detailed review of the application, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Conclusion

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

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

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections, comments or requirements with respect to C.A. 'A' 145/21.

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 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: A170.21
Ward: 2

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 1834 Lakeshore Road West, zoned C4-63 - Commercial, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a medical office proposing 48 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 53 parking spaces in this instance.

The Committee has set **Thursday May 27, 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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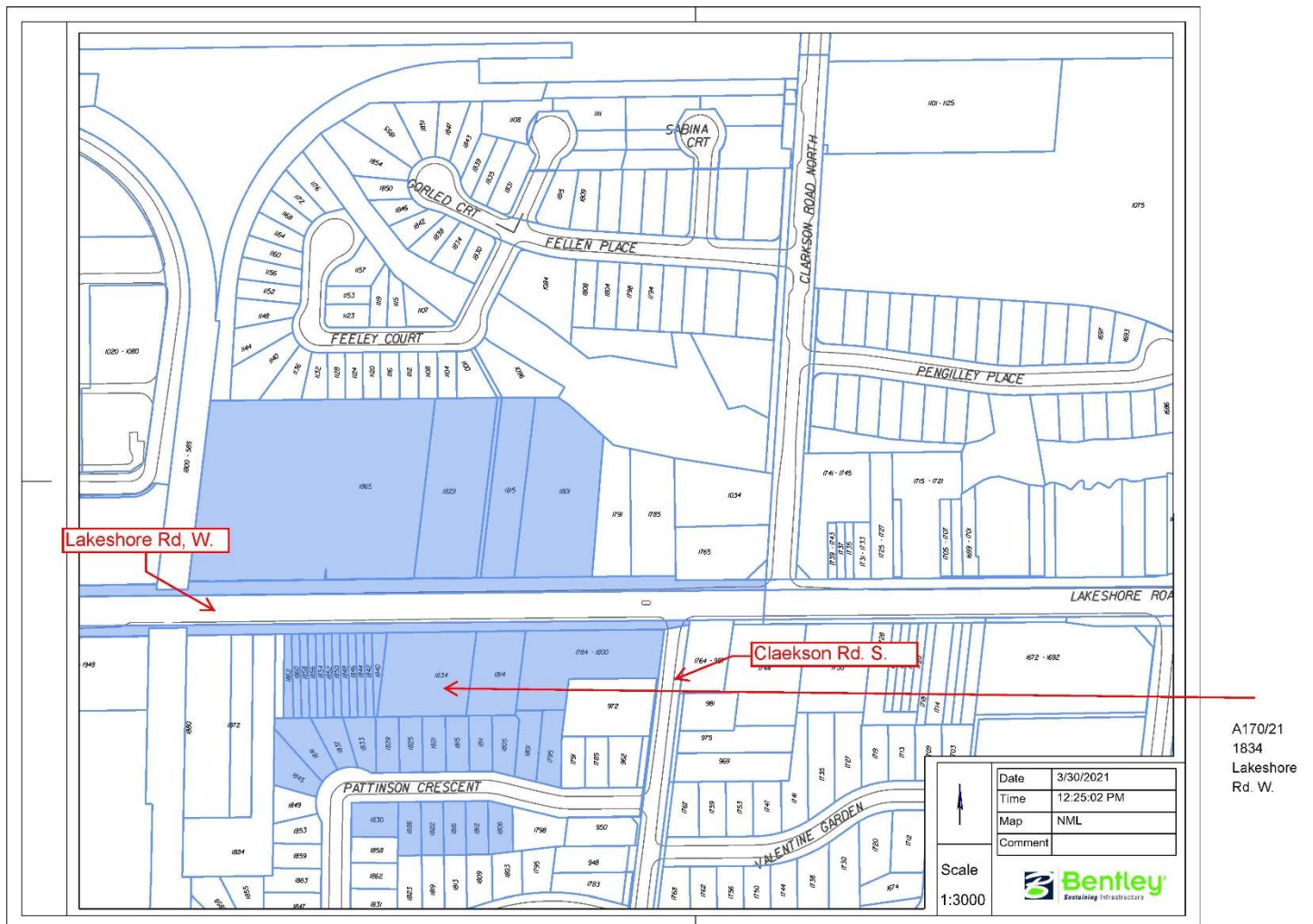
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services will not be accepted.

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-05-19	File(s): A170.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-05-27 1:00 PM

Consolidated Recommendation

The City has no objections to the requested variance.

Application Details

The applicant requests the Committee to approve a minor variance to allow a medical office proposing 48 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 53 parking spaces in this instance

Background

Property Address: 1834 Lakeshore Road West

Mississauga Official Plan

Character Area: Clarkson-Village Community Node
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C4-63 - Commercial

Other Applications

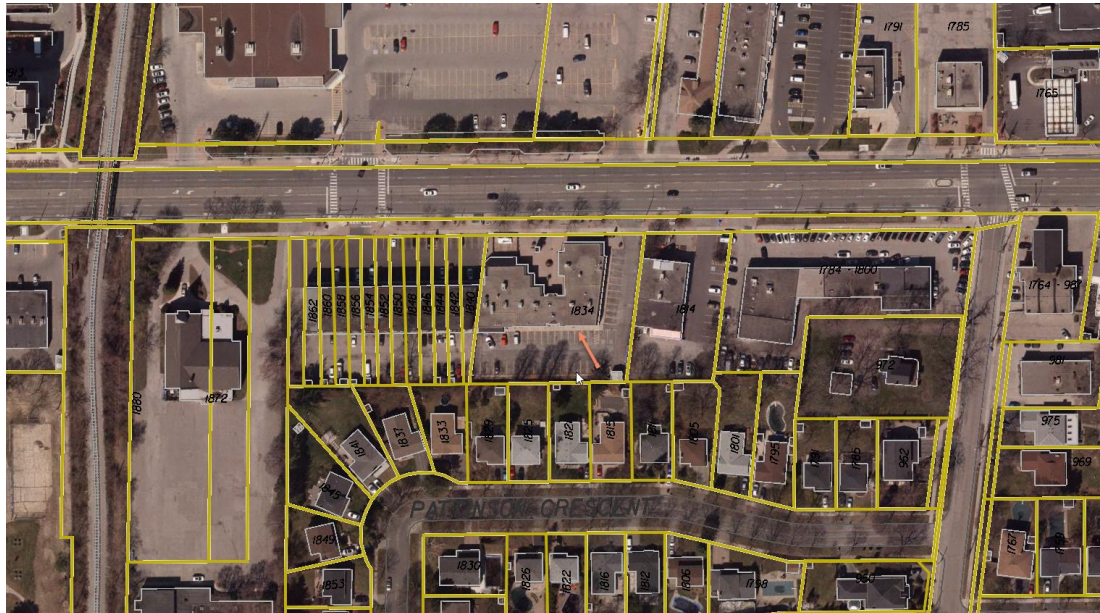
Certificate of Occupancy: 21-5054

Site and Area Context

The subject property is located within the Clarkson-Village Community Node Character Area, southwest of Lakeshore Road West and Clarkson Road North. The surrounding area consists of

a mix of restaurant, commercial and office uses fronting onto Lakeshore Road West. The subject property contains an existing one storey building that contains a similar mix of uses that exist within the immediate area.

The applicant is proposing a medical office within unit 5A that requires a variance for deficient parking.



Comments

Planning

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

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

The subject property is designated Mixed Use in Schedule 10 of the Mississauga Official Plan, which permits restaurants, personal service establishments, and retail, among other uses. The zoning by-law permits similar uses including a medical office. The application proposes 48 parking spaces whereas a minimum of 53 parking spaces are required to accommodate a medical office. The intent in quantifying the required number of parking spaces is to ensure that each structure is self-sufficient in providing adequate parking accommodations based upon its intended use. As per the parking letter (Trans-Plan, March 25, 2021) submitted by the applicant, the proposed 48 parking spaces are suitable to adequately accommodate the peak parking demands of the subject site for the following reasons:

- Maximum number of staff expected on site at any time is 3, as well as a maximum of 3 patients at any time. This results in the peak parking demand being minimal to the overall site.
- The highest parking demand generator in the plaza is a restaurant in Unit 1. Business hours for the restaurant were provided and it appears that the medical office will be operating in off-peak hours from the restaurant, which would allow for spaces to be used when the restaurant is closed.
- The site has access to MiWay route 23, and the future Lakeshore BRT, which will include 15-minute service.

Based on the proceeding information, staff is of the opinion that the application maintains the four tests within Section 45(1) of the *Planning Act*.

Conclusion

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

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee information are photos showing the existing parking area.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

Through a review of the Certificate of Occupancy permit under file 21-5054, the variance as requested, is correct. It should be noted that the application states the proposed use is for a medical office whereas a retail store is also proposed.

Comments Prepared by: Ramsen Hedoo

Appendix 5 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A171.21
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 4050 Westminister Place, zoned R4-12 - 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 11.81m (approx. 38.75ft) 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 27, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

How to submit a written comment:

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

Advance registration is required to participate in the electronic hearing:

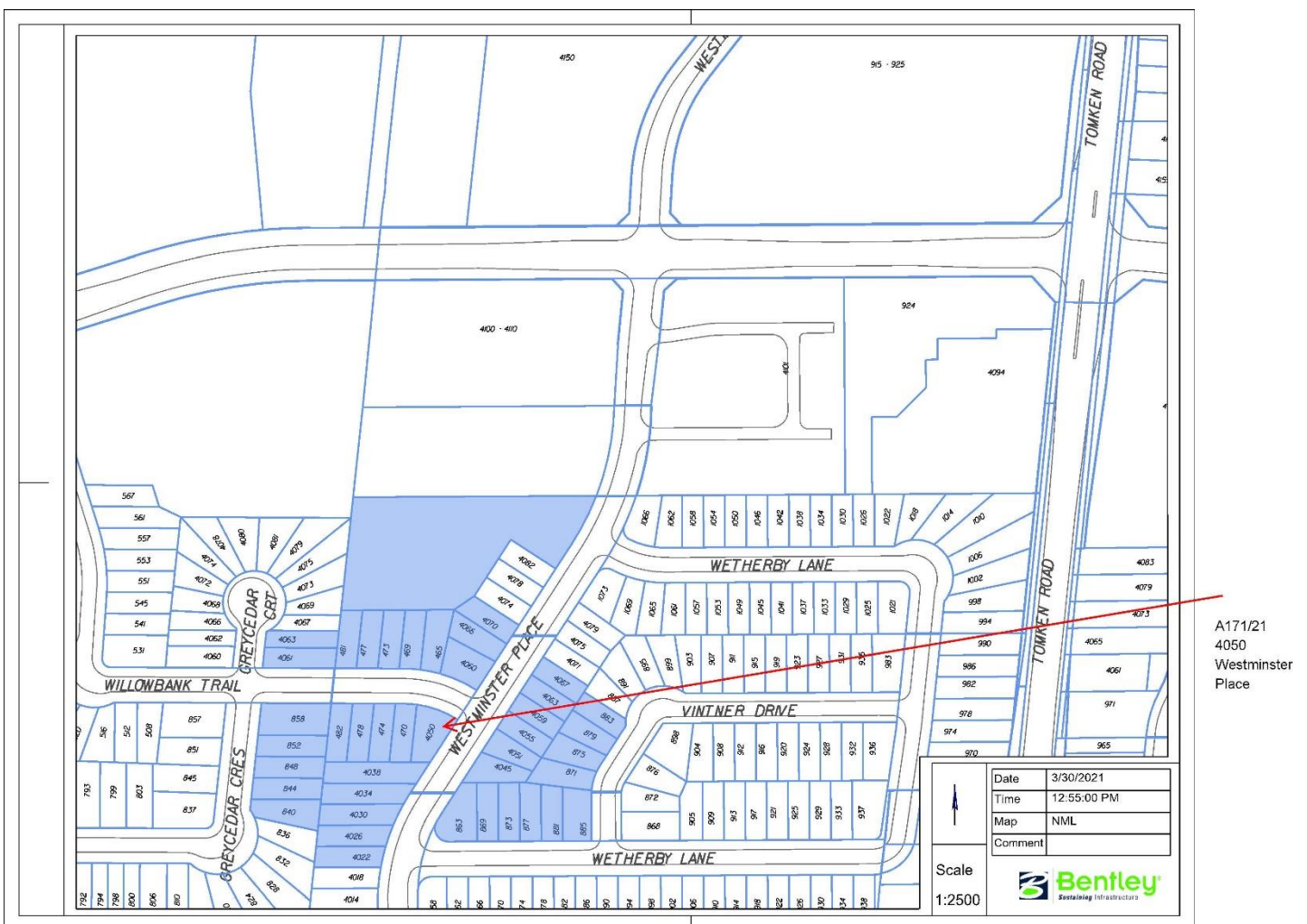
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Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process 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: 2021-05-19 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): A171.21 Ward: 3
	Meeting date:2021-05-27 1:00 PM

Consolidated Recommendation

The City recommends that the application be deferred to allow the applicant an opportunity to redesign the driveway.

Application Details

The applicant requests the Committee to approve a minor variance to allow a widened driveway proposing a driveway width of 11.81m (approx. 38.75ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) 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 a widened driveway width of 11.81m for that portion of the driveway that is within 6.0m of the garage face whereas By-law 0225-2007, as amended, permits a maximum driveway width of 10.5m for that portion of the driveway that is within 6.0 m of the garage face and which is providing direct vehicular access to the garage.

And note the following should be added:

2. A driveway width of 8.97m for that portion of the driveway that is beyond 6.0m of the garage face, whereas By-law 0225-2007, as amended permits a maximum driveway width of 8.50m for that portion of the driveway that is beyond 6.0m of the garage face.

3. A gravel driveway whereas By-law 0225-2007, as amended requires all parking areas, driveways and loading areas shall have a minimum overall vertical depth of 15.0 cm comprised

City Department and Agency Comments	File:A171.21	2021/05/19	2
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of a stable surface such as asphalt, concrete, pervious materials or other hard-surfaced material.

The Building Department is currently processing a building permit application under file PREAPP 21-5251. Based on review of the information currently available for this building permit, we advise that the following variance(s) should be added as follows:

4. Proposed landscaped soft area, in the yard containing the driveway, of 36.39%, whereas By-law 0225-2007, as amended, requires a minimum landscaped soft area of 40% in this instance.

Background

Property Address: 4050 Westminister Place

Mississauga Official Plan

Character Area: Rathwood Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

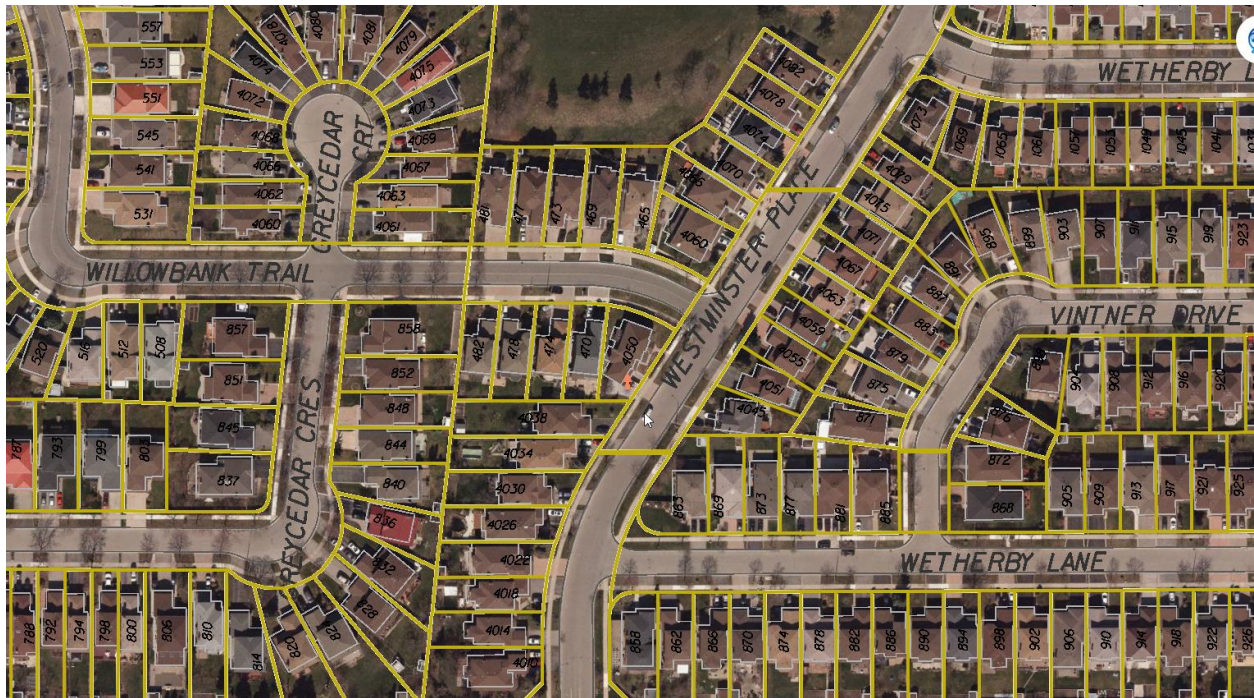
Zoning: R4-12 - Residential

Other Applications: None

Site and Area Context

The subject property is situated south-west of the Burnhamthorpe Rd E. and Westminister Pl. intersection. The subject property is an interior parcel with a lot area of +/- 556.84m² and a lot frontage of +/- 25.57m. The property currently houses a two-storey detached dwelling with a double-car garage and possesses minimal vegetation/ landscape elements in the front and rear yards. Contextually, the surrounding neighbourhood is comprised exclusively of detached dwellings with minimal vegetation and landscape elements in the front yards. The properties within the immediate area possess lot frontages of +/-17.00m.

The application proposes a driveway widening requiring 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 located within the Rathwood Neighbourhood Character Area, and designated Residential Low Density I by the Mississauga Official Plan (MOP). As per Section 9.1 (Introduction), driveway widths should respect the identity and character of the surrounding area. The planned context of this neighbourhood is that of detached dwellings serviced by appropriately sized driveways, with the remainder of the property's front yard being in the form of soft-landscaping. From a streetscape perspective, the proposed driveway widening, and its associate hard-surfaced area, represents a significant portion of the property's front yard. This is visibly different from the unaltered lots in this neighbourhood. The proposal does not meet 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 R4-12 (Residential). Section 4.1.9.13 (Driveways and Parking), permit lots with a lot frontage of 18.0m or greater, a maximum driveway width of 10.5m for that portion of the driveway that is within 6.0m of the garage face, which provides direct vehicular access to the garage. The general intent of this portion of the Zoning By-law is to permit a driveway width large enough to provide two vehicles to park side by side, with the remainder of the lands being soft landscaping (front yard). The Applicant's proposal results in a driveway large enough to accommodate an excessive amount of vehicles parked in tandem as well as side-by-side at its widest point, based on current zoning regulations.

Section 4.1.9.13 also stipulates that the driveway width for that portion of the driveway that is beyond 6.0m from the garage face is a maximum width of 8.5m. Through correspondence with the applicant on May 3, 2021, the driveway length from the garage face extends to 6.56m and 8.97m wide. As such the driveway is excessive in nature and extends in width beyond what the by-law envisions, becoming the prominent feature of the front yard.

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 a widened driveway width of 11.81m for that portion of the driveway that is within 6.0m of the garage face whereas By-law 0225-2007, as amended, permits a maximum driveway width of 10.5m for that portion of the driveway that is within 6.0 m of the garage face and which is providing direct vehicular access to the garage.

And note the following should be added:

2. A driveway width of 8.97m for that portion of the driveway that is beyond 6.0m of the garage face, whereas By-law 0225-2007, as amended permits a maximum driveway width of 8.50m for that portion of the driveway that is beyond 6.0m of the garage face.

3. A gravel driveway whereas By-law 0225-2007, as amended requires all parking areas, driveways and loading areas shall have a minimum overall vertical depth of 15.0 cm comprised of a stable surface such as asphalt, concrete, pervious materials or other hard-surfaced material.

The Building Department is currently processing a building permit application under file PREAPP 21-5251. Based on review of the information currently available for this building permit, we advise that the following variance(s) should be added as follows:

4. Proposed landscaped soft area, in the yard containing the driveway, of 36.39%, whereas By-law 0225-2007, as amended, requires a minimum landscaped soft area of 40% in this instance.

Staff note that the proposal does not meet the purpose or general intent of the Zoning By-law and recommends that the application be deferred.

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

The variance, as amended, results in the driveway being the prominent feature of the yard and which is out of character with the surrounding area. This is an undesirable development of the land, and one whose effects are not minor in nature.

Conclusion

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

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

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's information are photos of the existing driveway on the subject property.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

BP RECEIVED, AMEND VARIANCE

The Building Department is currently processing a building permit application under file PREAPP 21-5251. Based on review of the information currently available for this building permit, we advise that the following variance(s) should be added as follows:

-Proposed landscaped soft area, in the yard containing the driveway, of 36.39%, whereas By-law 0225-2007, as amended, requires a minimum landscaped soft area of 40% in this instance.

Our comments are based on the plans received by Zoning staff on 03/01/2021 for the above captioned building permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: A. McCormack

Appendix 5 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A176.21
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 75 Morgon Avenue, zoned R3-69, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A gross floor area of 351.31sq.m (approx. 3781.47sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 327.49sq.m (approx. 3525.07sq.ft) in this instance;
2. A building height measured to the eaves of 8.06m (approx. 26.44ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 6.40m (approx. 21.00ft) in this instance;
3. A garage projection beyond the front wall of the dwelling of 2.31m (approx. 7.58ft) whereas By-law 0225-2007, as amended, does not permit a garage projection beyond the front wall of the dwelling in this instance;
4. A dwelling depth of 20.54m (approx. 67.39ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00 (approx. 65.62ft) in this instance;
5. A side yard of 1.29m (approx. 4.23ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 6.00m (approx. 19.69ft) in this instance;
6. A setback measured to a balcony of 1.34m (approx. 4.40ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured to a balcony of 5.00m (approx. 16.40ft) in this instance; and
7. A setback measured to a covered porch of 1.31m (approx. 4.30ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured to a covered porch of 4.40m (approx. 14.44ft) in this instance.

The Committee has set **Thursday May 27, 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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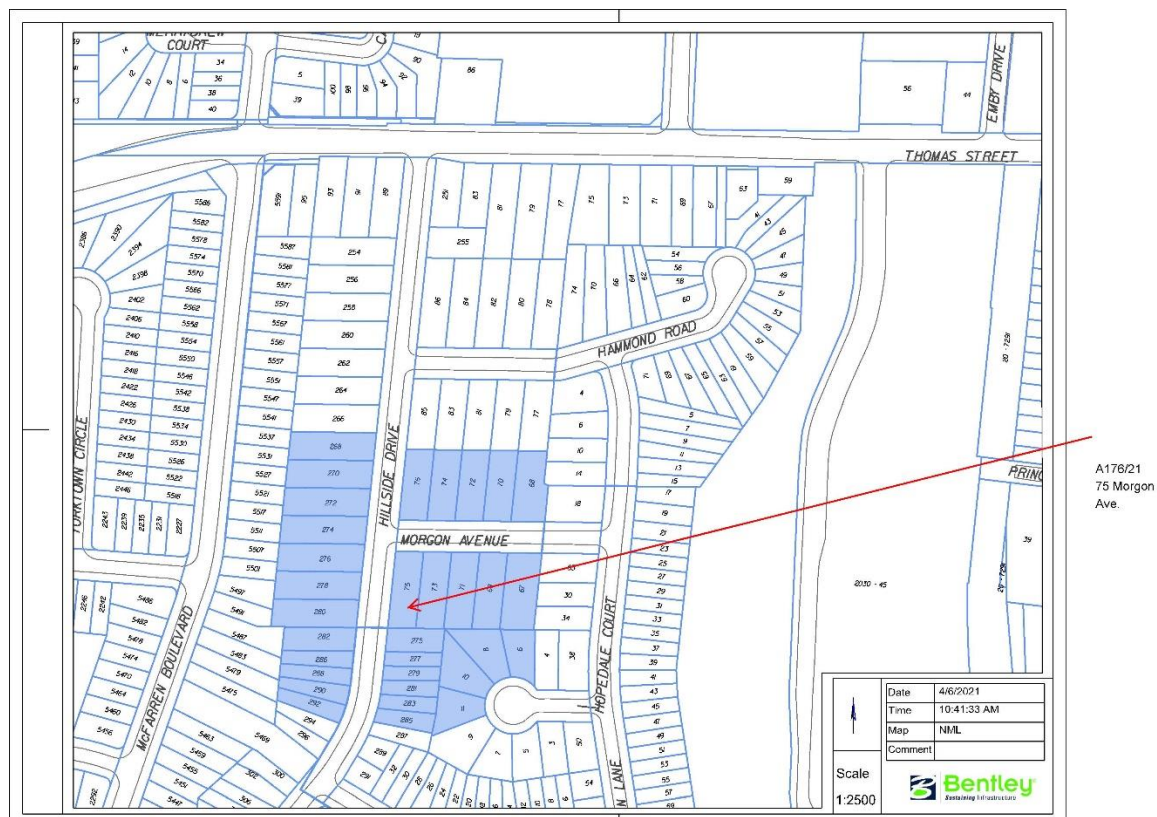
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-05-19	File(s): A176.21 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-05-27 1:00 PM

Consolidated Recommendation

The City recommends the application be deferred in order to give the Applicant the opportunity to redesign the height of the dwelling.

Application Details

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

1. A gross floor area of 351.31sq.m (approx. 3781.47sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 327.49sq.m (approx. 3525.07sq.ft) in this instance;
2. A building height measured to the eaves of 8.06m (approx. 26.44ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 6.40m (approx. 21.00ft) in this instance;
3. A garage projection beyond the front wall of the dwelling of 2.31m (approx. 7.58ft) whereas By-law 0225-2007, as amended, does not permit a garage projection beyond the front wall of the dwelling in this instance;
4. A dwelling depth of 20.54m (approx. 67.39ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00 (approx. 65.62ft) in this instance;
5. A side yard of 1.29m (approx. 4.23ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 6.00m (approx. 19.69ft) in this instance;
6. A setback measured to a balcony of 1.34m (approx. 4.40ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured to a balcony of 5.00m (approx. 16.40ft) in this instance; and
7. A setback measured to a covered porch of 1.31m (approx. 4.30ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured to a covered porch of 4.40m (approx. 14.44ft) in this instance.

Amendments

City Department and Agency Comments	File:A176.21	2021/05/19	2
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While Planning Staff are not in a position to provide an interpretation of the Zoning By-law; Staff would note variance #2 should be amended as follows:

2. A building height measured to the eaves of 8.06m (approx. 26.44ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 6.40m measured to the eaves (approx. 21.00ft) in this instance;

Background

Property Address: 75 Morgon Avenue

Mississauga Official Plan

Character Area: Streetsville Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3-69

Other Applications: PREAPP 21-4899

Site and Area Context

The property is located south-east of the Thomas St. and Hillside Dr. intersection, and houses a single storey detached dwelling with minimal vegetation and landscaping elements in the front and rear yards. The subject property is an interior parcel with a lot area of approximately +/- 887.46m² and a lot frontage of approximately +/- 17.98m. Contextually, the surrounding neighbourhood consists of modest, single storey detached homes with minimal vegetation and landscape elements scattered throughout the front yards. The surrounding properties possess lot frontages of +/- 17.0m with limited vegetation.

The applicant is proposing a new dwelling, requiring variances related to gross floor area, building height, garage projection and setbacks.



Comments

Planning

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

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

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

The subject property is located in the Streetsville Neighbourhood character area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan. This designation permits detached, semi-detached, duplex 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 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, #3 - #7 do not present any significant concerns and maintain the overall intent of the zoning by-law.

The proposed reduction in the required side yard, as well as setbacks to the balcony and porch, are similar to the existing garage side yard. These setbacks are present within the surrounding neighbourhood and are therefore reflective of the area context. Additionally, the proposed variance does not impede upon the rear yard access, and expands to 2.83m at the rear of the dwelling. This results in an increased buffer to the street. Staff is of the opinion that the variances do not deviate significantly from what the by-law envisions and are appropriate to be handled through the minor variance process.

Variance #2 as requested, pertains to height:

The intent of restricting the height of the structure is to lessen the visual massing of the dwelling, while lowering the overall pitch of the roof and bringing the edge of the roof closer to the ground, thus maintaining a human scale. While respecting what is permissible under the zoning by-law, new construction should be sensitive to the planned area context. The proposed height of 8.06m whereas 6.40m is permitted, is excessive and out of character with the planned context of the neighbourhood. Although gentle intensification is taking place within the immediate vicinity, the proposed height is disproportionate and out of scale and with the majority of the adjacent dwellings.

Staff recommends that the application be deferred in order to provide the applicant the opportunity to redesign the height of the dwelling.

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

Based on the preceding information, Staff find variances #1, #3 - #7 do not present any significant planning concerns, are minor in nature and generally result in the order development of the lands. However, Staff recommend the application be deferred to provide the applicant the opportunity to redesign the height of the dwelling.

Conclusion

The City recommends the application be deferred in order to give the Applicant the opportunity to redesign the height of the dwelling.

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

Appendices

Appendix 1 – Transportation and Works Comments

This department acknowledges that the proposed driveway would be in the same location as the existing driveway which is in very close proximity to the Morgon Avenue and Hillside Drive intersection and creates significant safety concerns with vehicles backing out and up of a depressed basement garage into the intersection. This department suggests that the proposed dwelling be re-designed (flipped) to depict the driveway on the opposite side of the property which would be at a location further removed from the intersection. It should also be noted that there is an existing sidewalk on Hillside Drive which would be in very close proximity to the proposed/existing driveway which could create some sight visibility concerns for a vehicle backing out of the driveway.

The front elevation drawing submitted appear to depict a reverse grade driveway which this department strongly discourages for reasons of potential basement flooding. It has not been demonstrated that adequate emergency backup measures have been proposed should there be a power failure during a substantial rain storm. The Site Plan drawing provided gives very limited grading information in the area of the driveway and we are unable to determine from this plan if there will be a positive slope from the face of the garage to the roadway, or if a reverse grade driveway is being proposed.

Should a reverse grade driveway be approved, at the time of Building Permit review the applicant will be required to provide a disclaimer to the City for any potential flooding risks. We also note that as there is no municipal storm sewer available on Morgon Avenue. We note that there is a 525mm storm sewer on Hillside Drive which may be utilized to connect the any proposed area drain at the base of the driveway. Should the applicant's engineer determine that they can meet the connection criteria of 1.0m above the obvert of the Hillside Drive storm sewer, a connection to the Hillside Drive storm sewer which meets city requirements should be pursued.

In view of the above, we would suggest that this application be deferred in order that our above noted concerns regarding the driveway location and reverse grade driveway drainage can be addressed.



Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file PREAPP 21-4899. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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

Comments Prepared by: Alana Zheng, Zoning Examiner

Appendix 5 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A177.21
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 7135 Kennedy Road, zoned E2 - Employment, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow alterations to the parking lot proposing a landscape buffer of 2.64m (approx. 8.66ft) whereas By-law 0225-2007, as amended, requires a minimum landscape buffer of 4.50m (approx. 14.76ft) in this instance.

The Committee has set **Thursday May 27, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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

How to submit a written comment:

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

Advance registration is required to participate in the electronic hearing:

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

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

Legal notice:

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

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



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-05-19	File(s): A177.21 Ward:5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-05-27 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 alterations to the parking lot proposing a landscape buffer of 2.64m (approx. 8.66ft) whereas By-law 0225-2007, as amended, requires a minimum landscape buffer of 4.50m (approx. 14.76ft) in this instance.

Background

Property Address: 7135 Kennedy Road

Mississauga Official Plan

Character Area: Gateway Employment Area East
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2 - Employment

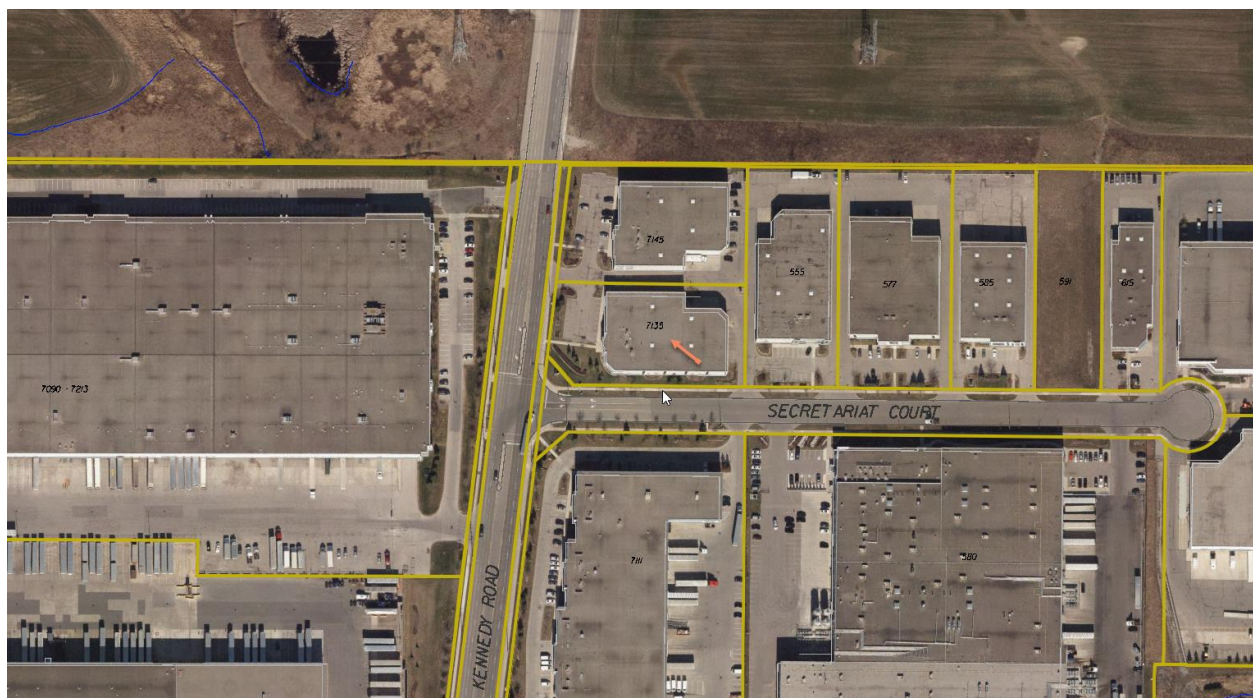
Other Applications: None

Site and Area Context

The subject property is located at the north-east corner of the Kennedy Rd and Secretariat Ct intersection. The subject property is an exterior parcel with a lot area of +/- 5,277.0m² and a lot frontage of +/- 39.84m. The property currently houses a two-storey building with minimal

vegetation along the periphery of the property. From a land-use perspective, the immediate neighbourhood consists of a mixture of employment uses including a printing and distribution center, woodworking company and bakery. These properties have minimal vegetation and landscape elements located at the periphery of each parcel. The properties within the immediate area possess lot frontages of +/-50.0m.

The applicant is proposing modifications to the existing parking lot requiring a variance for a reduced landscape buffer.



Comments

Planning

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

Staff comments concerning the application are as follows:

The site is located within the Gateway Employment Character Area, and is designated Business Employment by the Mississauga Official Plan (MOP). Section 11.2.11(Business Employment),

permit existing office and warehouse uses within this designation. As such, the proposed use meets the purpose and general intent of the Official Plan.

The intent of this portion of the by-law is to ensure that an appropriate landscape buffer along all lot lines exists. Planning Staff note the requested variance is only for a small portion of the landscaped area located at the south-west corner of the parking lot. The proposed reduction to 2.64m whereas 4.50m is required, is nominal in nature and poses no significant impact. The site maintains the required landscape buffer along the remaining perimeter of the property. Through a detailed review of the application, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Conclusion

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

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

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for the Committees information are photos which depict the area of the proposed parking lot expansion. This department foresees no drainage related concerns with the request.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Brandon Eidner, Zoning Examiner

Appendix 5 – Region of Peel Comments

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

Please be advised that an eastern portion of the subject property is located within the limits of the regulated area of the Toronto and Region Conservation Authority (TRCA).

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

Comments Prepared by: Diana Guida, Junior Planner

Appendix 6- Conservation Authority Comments

This letter acknowledges receipt of the above noted application circulated by the City of Mississauga. The materials were received by Toronto and Region Conservation Authority (TRCA) on April 21, 2021. TRCA staff has reviewed the above noted application, and as per the "Living City Policies for Planning and Development within the Watersheds of the TRCA" (LCP), provides the following comments as part of TRCA's commenting role under the *Planning Act*, the Authority's delegated responsibility of representing the provincial interest on natural hazards encompassed by Section 3.1 of the *Provincial Policy Statement, 2020*; TRCA's Regulatory Authority under Ontario Regulation 166/06, *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses*; and, our Memorandum of Understanding (MOU) with the Region of Peel, wherein we provide technical environmental advice related to provincial plans.

Purpose of the Application

It is our understanding that the purpose of Minor Variance Application A 177/21 is to allow alterations to the parking lot proposing a landscape buffer of 2.64m (approx. 8.66ft) whereas By-law 0225- 2007, as amended, requires a minimum landscape buffer of 4.50m (approx. 14.76ft) in this instance.

It is our understanding that the requested variance is required to allow an extension to the existing parking area.

Ontario Regulation 166/06

The subject land is located within TRCA's Regulated Area of the Etobicoke Creek Watershed. Specifically, the subject property is traversed by an underground piped tributary of the Etobicoke Creek. As such, a TRCA permit pursuant to Ontario Regulation 166/06 will be required for any development or site alteration within the Regulated Area on the property.

Application Specific Comments

Based on our review, it appears that the proposed parking extension is located within TRCA's Regulated Area and on top the underground piped tributary. Given that the tributary is underground, TRCA staff have no concerns with the proposed works and the requested variance, as submitted.

Please advise the applicant to submit a TRCA permit application (Application for Development, Interference with Wetlands & Alterations to Shorelines and Watercourses – Ontario Regulation 166/06) and the associated review fee of \$860 (Projects on commercial, industrial lands – Minor Ancillary – Single Structure). A site plan drawing indicating the location of the tributary on the subject property is required.

Recommendation

Based on the comments noted below, TRCA staff supports **conditional approval** of Minor Variance Application A 177/21, subject to the following conditions:

1. The applicant acquires a TRCA permit pursuant to Ontario Regulation 166/06;
2. The applicant submits a \$1,100 review fee to this office.

Fees

By copy of this letter, the applicant is advised that the TRCA has implemented a fee scheduled for our planning application review services. This application is subject to a \$1,100 review fee (Variance – Commercial/industrial Minor). The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible.

Please note that TRCA's Administrative Fees for Planning and Permitting Services are presently under review. It is anticipated that new (2021-2022) fee schedules will be in place as of May/June 2021. For applications in which TRCA's fees have not been paid by this date, the applications will be subject to the new fees, effective the date of the approval of the new fees by TRCA's Board of Directors. TRCA's current fee top-up provisions, as outlined in our current fee schedules, will continue to apply.

We trust these comments are of assistance. Should you have any questions, please contact me at 416-661-6600 extension 5657 or at Lina.alhabash@trca.ca.

Comments Prepared by: Lina Alhabash, Planner I



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A179.21
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 1256 Mineola Gardens, zoned R3-1 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the accessory structures on the subject property proposing:

1. A height of an accessory structure (play equipment) of 4.38m (approx. 14.37ft) whereas By-law 0225-2007, as amended, permits a maximum height of an accessory structure of 3.00m (approx. 9.84ft) in this instance;
2. A height of an accessory structure (shed) of 3.32m (approx. 10.89ft) whereas By-law 0225-2007, as amended, permits a maximum height of an accessory structure of 3.00m (approx. 9.84ft) in this instance; and
3. A setback measured to a lot line from hardscape material of 0.00m whereas By-law 0225-2007, as amended, requires a minimum setback measured to a lot line from hardscape material of 0.61m (approx. 2.00ft) in this instance.

The Committee has set **Thursday May 27, 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:

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Advance registration is required to participate in the electronic hearing:

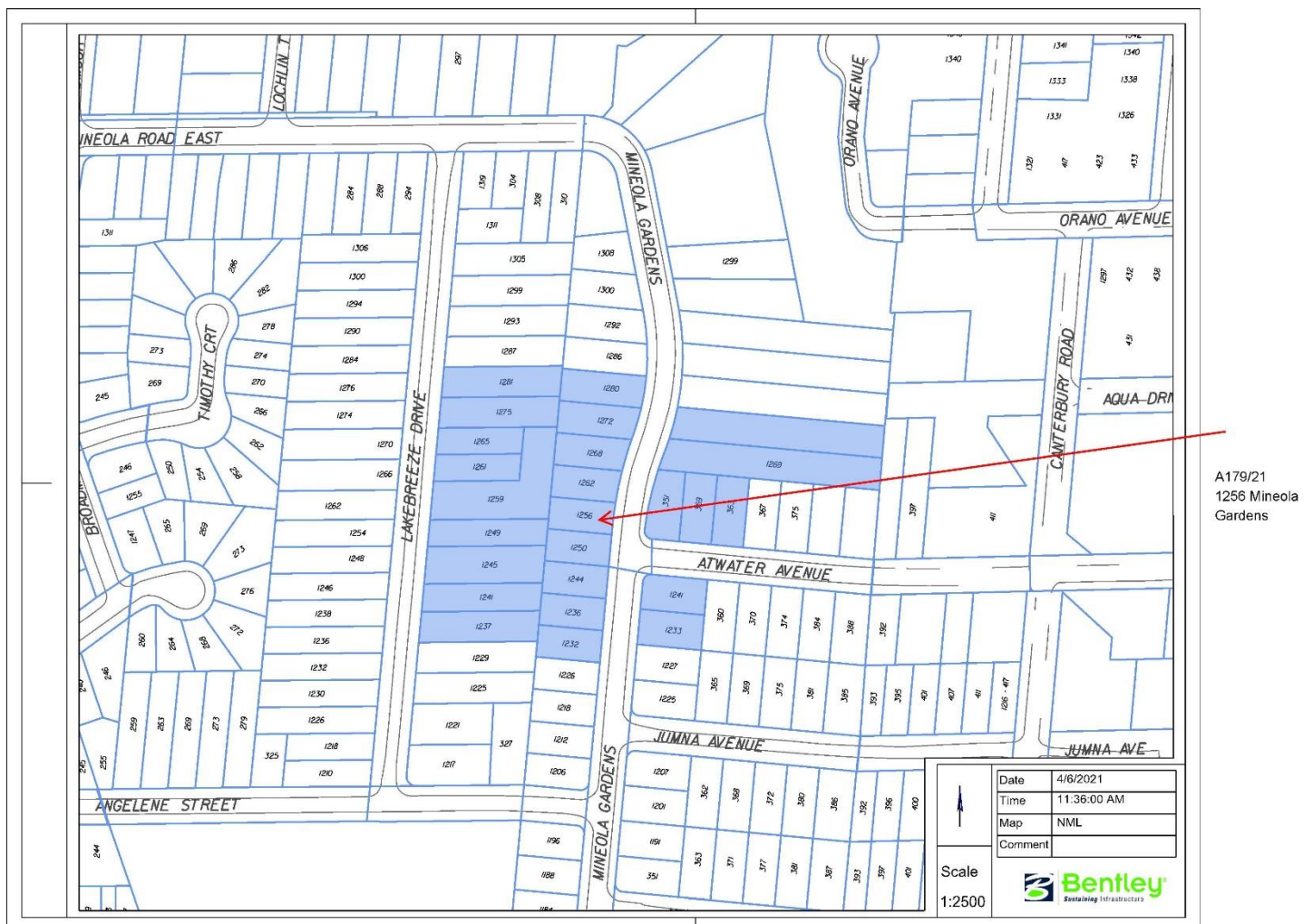
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Legal notice:

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



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-05-19	File(s): A179.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-05-27 1:00 PM

Consolidated Recommendation

The City has no objections to variances #1 and 2, however recommend that variance #3 be refused. The applicant may choose to defer the application to verify the accuracy of the variances and ensure additional variances are not required.

Application Details

The applicant requests the Committee to approve a minor variance to allow the accessory structures on the subject property proposing:

1. A height of an accessory structure (play equipment) of 4.38m (approx. 14.37ft) whereas By-law 0225-2007, as amended, permits a maximum height of an accessory structure of 3.00m (approx. 9.84ft) in this instance;
2. A height of an accessory structure (shed) of 3.32m (approx. 10.89ft) whereas By-law 0225-2007, as amended, permits a maximum height of an accessory structure of 3.00m (approx. 9.84ft) in this instance; and
3. A setback measured to a lot line from hardscape material of 0.00m whereas By-law 0225-2007, as amended, requires a minimum setback measured to a lot line form hardscape material of 0.61m (approx. 2.00ft) in this instance.

Recommended Conditions and Terms

We would request that the shed be equipped with an eaves trough and down spout directed in such a manor to not impact the adjacent lot behind the shed.

Background

Property Address: 1256 Mineola Gardens

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density II

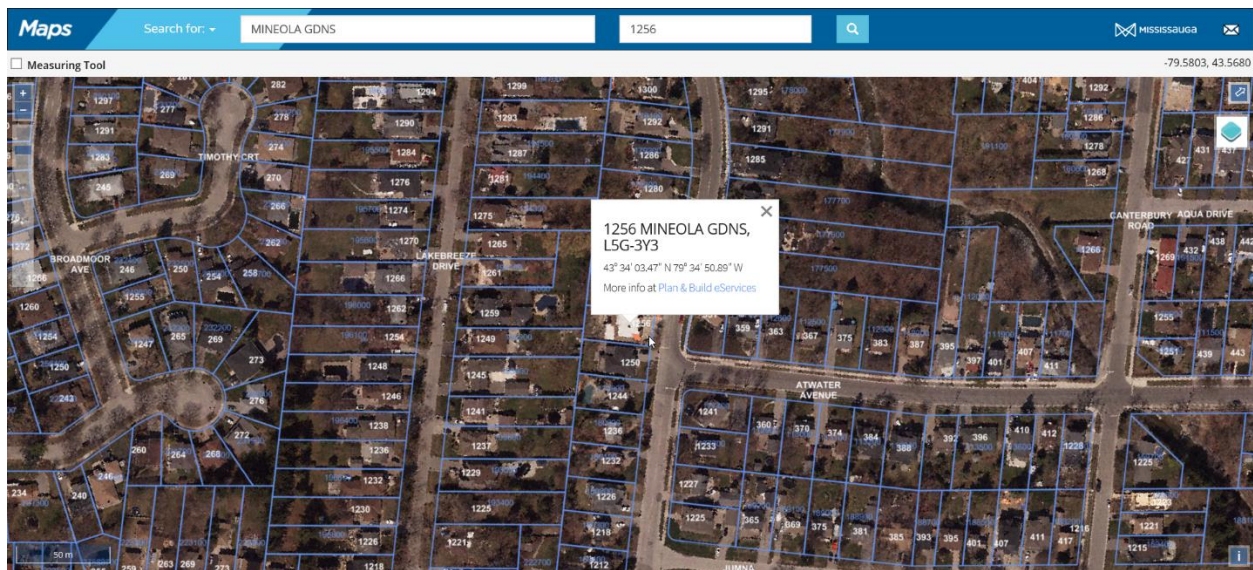
Zoning By-law 0225-2007

Zoning: R3-1 - Residential

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, west of Cawthra Road and Atwater Avenue. The neighbourhood consists of one and two storey detached dwellings with mature vegetation. The subject property contains an existing two storey dwelling with mature vegetation within the front yard.

The applicant is proposing variances related height and a deficient side yard to permit the existing play structure, accessory structure and hard surfacing.



Comments

Planning

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

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

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

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached, semi-detached, duplex, triplex and other forms of low rise dwellings with individual frontages. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions; the surrounding context; and, the landscape of the character area. The proposed play structure maintains a sufficient setback to neighbouring properties. The second accessory structure is located on the southerly portion of the rear yard and does not present significant massing concerns to the abutting property. Regarding variance #3, the deficient side yard measured to the hard surfacing may negatively impact the abutting property regarding drainage. Staff is of the opinion that variance #1 and 2 maintain the general intent and purpose of the official plan.

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

Variance 1 proposes a play equipment structure with a height of 4.38 m whereas a maximum of 3 m is permitted. The intent of the zoning by-law is to ensure that the height of an accessory structure does not present any massing concerns to neighbouring lots. The increased height is measured to the awning which is not fully enclosed and does not have the same impact as a fully enclosed roof. This minimizes any potential massing concerns to abutting properties as a result of the accessory structure. Additionally, the structure maintains a sufficient setback to the interior and rear lot line, further mitigating the impact of the increased height. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #2 proposes a height of 3.32 m for an accessory structure whereas a maximum of 3 m is permitted. The proposed increase is a minor deviation from the zoning by-law and does not present any additional concerns regarding massing from what is currently permitted. As such, staff is of the opinion that the variance is appropriate to be handled through the minor variance process and raises no concerns of a planning nature.

Variance #3 proposes a setback of 0 m whereas a minimum setback of 0.61 m is required. The intent of this portion of the by-law is to ensure that an appropriate buffer exists between abutting properties and that it is large enough to mitigate any potential drainage concerns. The proposed 0 m setback does not provide a sufficient buffer between the abutting properties. Staff generally recommends a setback of 0.30 m which could accommodate a swale should one be required in the future. As such, staff is of the opinion that the intent of the zoning by-law is not maintained.

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

The proposed play equipment structure maintains a sufficient setback to neighbouring properties and is measured to the peak of the awning. The additional height of the awning does not present any significant massing concerns to the abutting property as it is partially open and does not entirely enclose the structure. Regarding variance #3, staff generally recommends a 0.30 m setback to accommodate swale should one be required in the future to address any drainage concerns. As such staff cannot support a setback of 0 m. Staff is of the opinion that variances #1 and 2 represents orderly development of the lands and is minor in nature.

Conclusion

The Planning and Building Department has no objections to variances #1 and 2, however recommend that variance #3 be refused. The applicant may choose to defer the application to verify the accuracy of the variances and ensure additional variances are not required.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committees information are photos showing the existing play structure, shed and hard surface areas. We would request that the shed be equipped with an eaves trough and down spout directed in such a manor to not impact the adjacent lot behind the shed.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Daniel Grdasic, Planning Associate

City Department and Agency Comments	File:A179.21	2021/05/19	7
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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: A182.21
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 6519 Mississauga Road, zoned E2-1 - Employment, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to permit a medical office proposing 314 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 318 parking spaces in this instance.

The Committee has set **Thursday May 27, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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

How to submit a written comment:

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

Advance registration is required to participate in the electronic hearing:

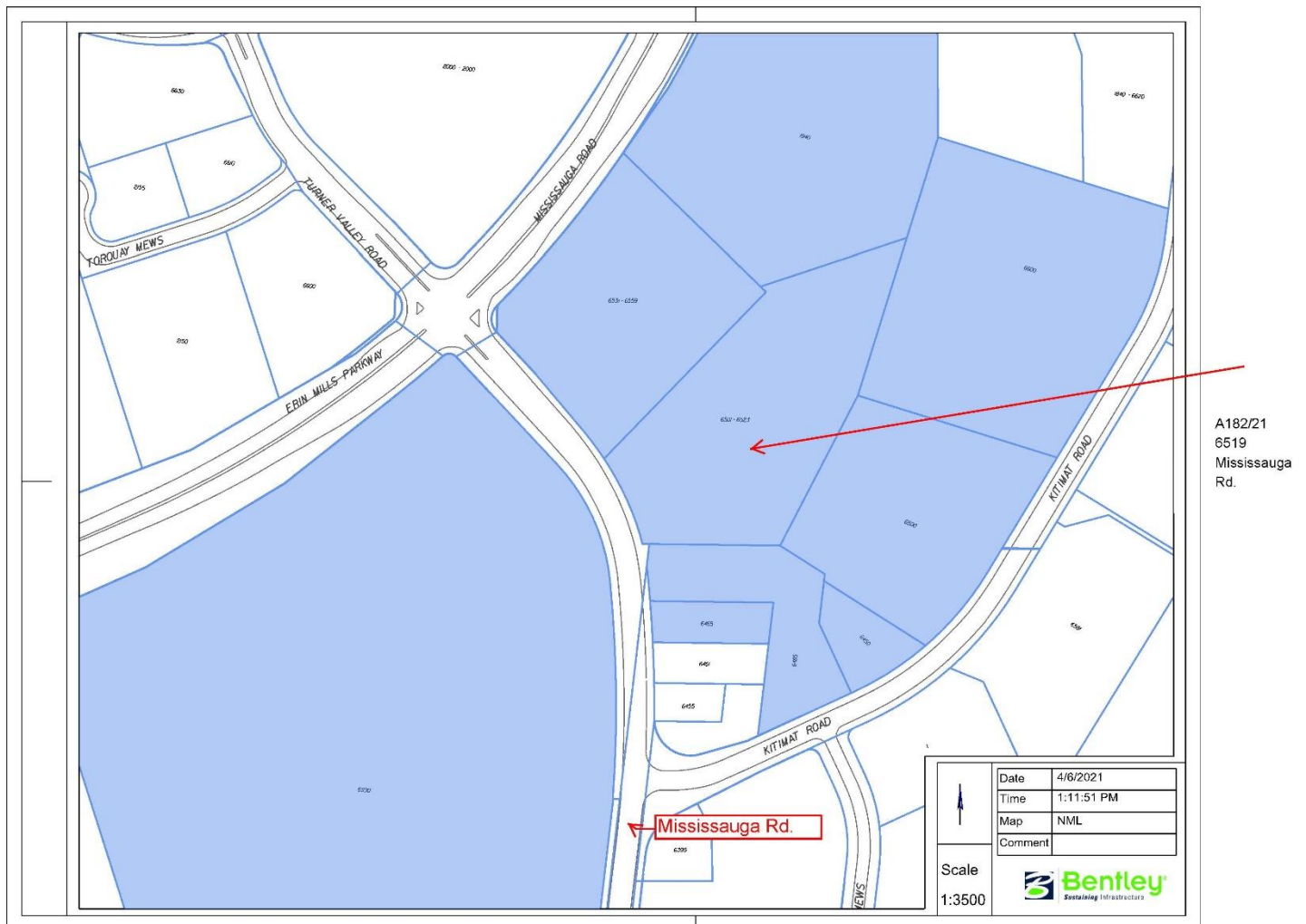
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud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

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

Legal notice:

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



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-05-19	File(s): A182.21 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-05-27 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 permit a medical office proposing 314 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 318 parking spaces in this instance.

Background

Property Address: 6519 Mississauga Road

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: E2-1 - Employment

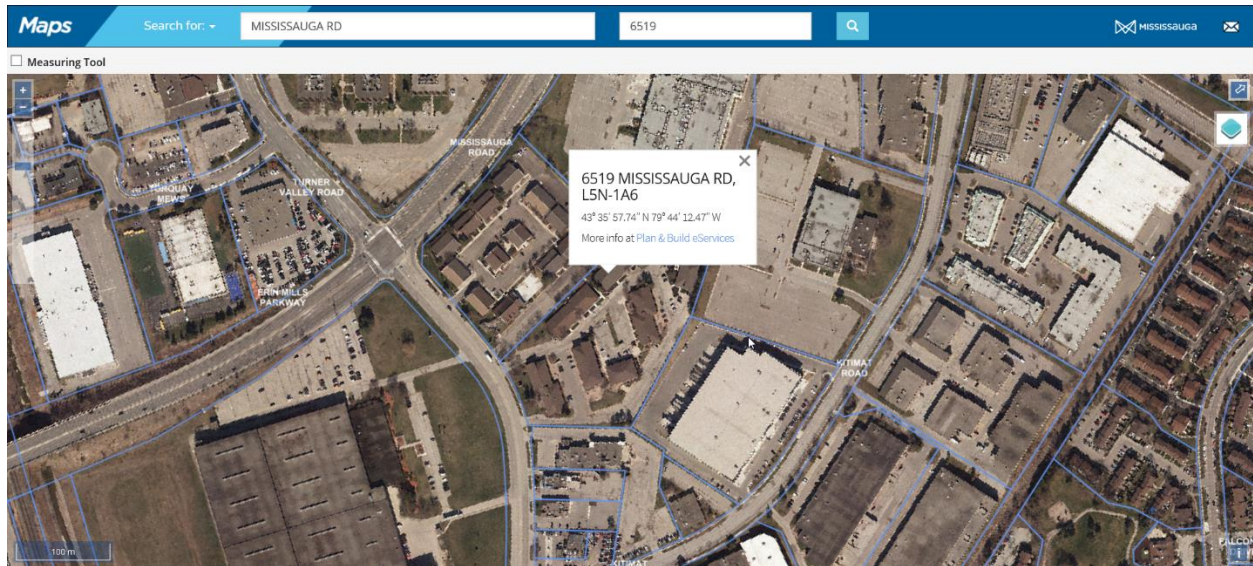
Other Applications: C 21-4644

Site and Area Context

The subject property is a one-storey building located north-west of the Mississauga Rd and Kitimat Rd intersection. The subject property is an interior parcel with a lot area of +/- 31,849.39m² and a lot frontage of +/- 218.40m, possessing minimal vegetation and landscape

elements along the lot line. From a land-use perspective, the immediate neighbourhood consists exclusively of employment uses, including a law office, a security office and an animal hospital. Properties within the immediate vicinity possess lot frontages of +/- 100.00m with minimal vegetation and landscaping kept to the periphery of each parcel.

The proposed change in use to a medical office requires a variance for reduced parking spaces.



Comments

Planning

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

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

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

The site is located within the Meadowvale Business Park Corporate Centre Character Area, and is designated Business Employment by the Mississauga Official Plan (MOP). With regards to Section 11.2.11 (Business Employment), a secondary office use is permitted within this designation. The Applicant's proposal of a medical office meets the purpose and 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 E2-1 (Employment). Parking provisions identified in Table 3.1.2.2 (Required Number of Parking Spaces for Non-Residential Uses), regulate the required parking rates for various uses permitted on this site. The intent in quantifying the required number of parking spaces is to ensure that each structure is self-sufficient in providing adequate parking accommodations based upon its intended use. As per Zoning By-law 0225-2007, the applicant is requesting to permit a medical office with 314 parking spaces, whereas By-law 0225-2007, as amended, requires a minimum of 318 parking spaces for all uses on site in this instance.

The proposed medical office will be part of a multi-tenant commercial plaza (6510-6523 Mississauga Rd). The proposed variance represents 4 spaces, or a 1% deficiency. As the proposed variance is under a 10% reduction from the zoning by-law, a formal parking study is not required in this instance. The following rationale was used to justify the requested reduction:

- The applicant stated that patients are commonly dropped off and picked up as the nature of the medical procedures prohibit patients from driving themselves. As such, patient parking demand is expected to be lower than traditional medical offices.
- The site is located within 200m of a major intersection (Mississauga Rd. & Erin Mills Pkwy.) and has access to MiWay routes 21, 27, 43, and 48.

Given the above justification, planning staff can support the proposed variance.

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

As the proposed variance is a 1% deficiency staff are of the opinion that the variance is minor in nature and represents the orderly development of the lands.

Conclusion

The Planning and Building department have no objections to the variance, as requested.

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

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections, comments or requirements with respect to C.A. 'A' 182/21.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a certificate of occupancy permit application under file 21-4644. 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 02/16/2021 for the above captioned certificate of occupancy 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: Sandra Morrison

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: A183.21
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 1200 Lorimar Drive, zoned E2 - Employment, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the industrial condominium proposing 87 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 105 parking spaces.

The Committee has set **Thursday May 27, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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

How to submit a written comment:

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

Advance registration is required to participate in the electronic hearing:

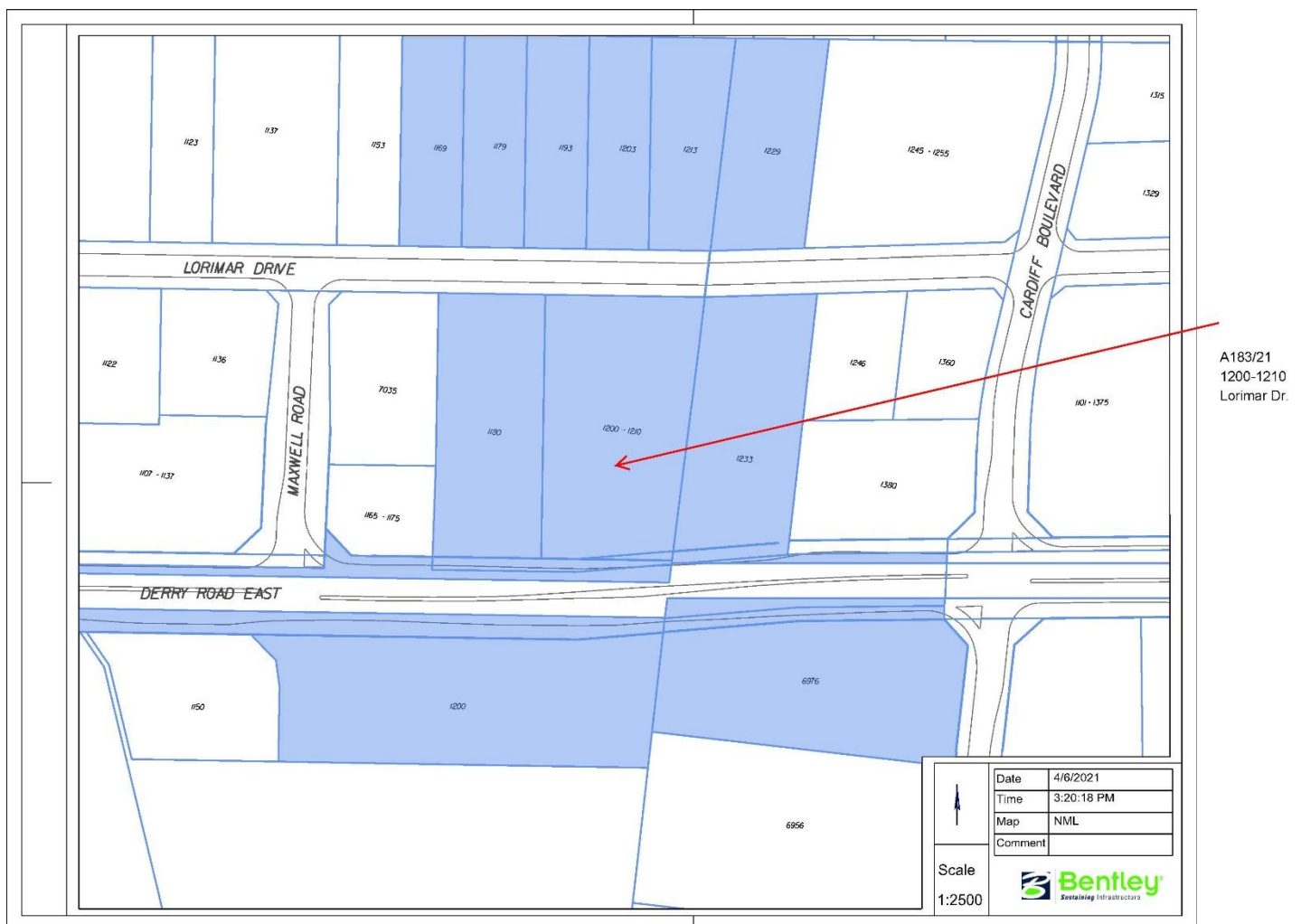
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-05-19	File(s): A183.21 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-05-27 1:00PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow the industrial condominium proposing 87 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 105 parking spaces.

Background

Property Address: 1200 Lorimar Drive

Mississauga Official Plan

Character Area: Northeast Employment Area West
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2 - Employment

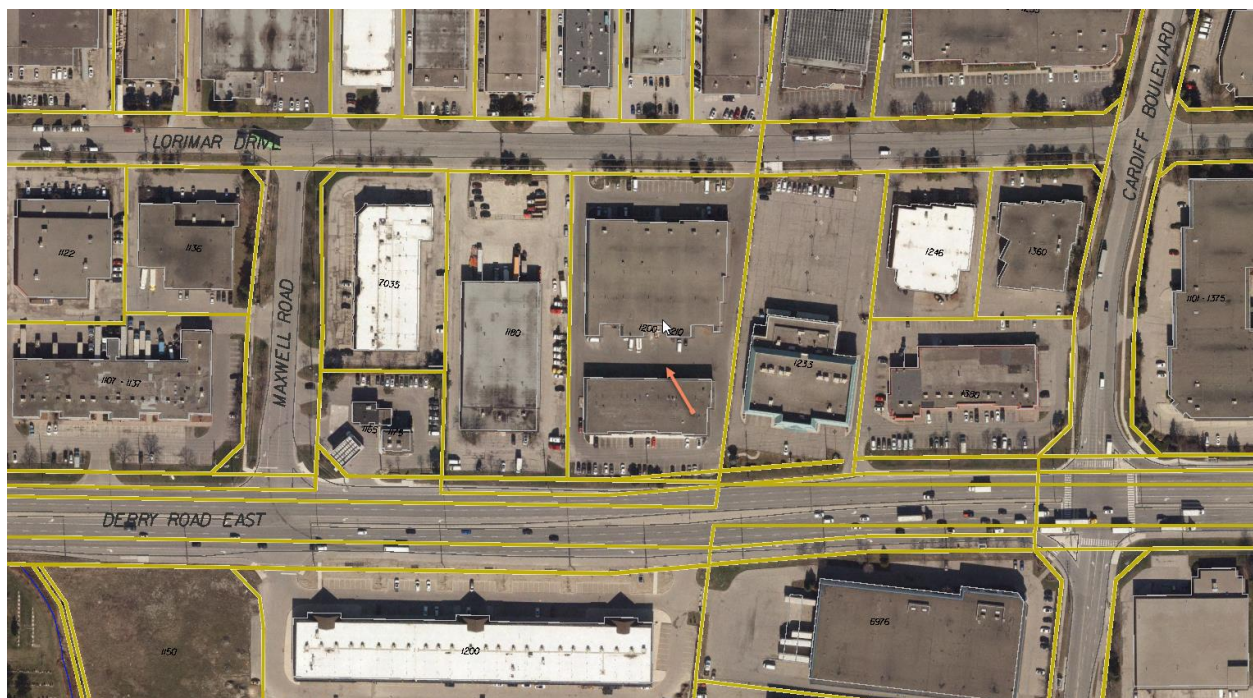
Other Applications: 21CDM-M 18 8

Site and Area Context

The subject property is an industrial, commercial building located north-east of the Derry Rd E and Cardiff Blvd intersection. The subject property is an interior parcel with a lot area of +/-

12,455.05m² and a lot frontage of +/- 91.0m, possessing minimal vegetation and landscape elements along the lot line. From a land-use perspective, the immediate neighbourhood consists exclusively of employment uses, including an accounting firm, a convention centre and training centre. Properties within the immediate vicinity possess lot frontages of +/- 70.00m with minimal vegetation and landscaping kept to the periphery of each parcel.

The applicant has proposed an industrial condominium that requires a variance for reduced parking spaces.



Comments

Planning

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

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

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

The site is located within the Northeast Employment Area Character Area, and is designated Business Employment by the Mississauga Official Plan (MOP). Section 11.2.11 (Business Employment) specifies that the existing industrial commercial uses are permitted within this designation; as such the proposal meets the purpose and 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 E2 (Employment). Parking provisions identified in Table 3.1.2.2 (Required Number of Parking Spaces for Non-Residential Uses), regulate the required parking rates for various uses permitted on this site. The intent in quantifying the required number of parking spaces is to ensure that each structure is self-sufficient in providing adequate parking accommodations based upon its intended use. As per Zoning By-law 0225-2007, the applicant is proposing 87 parking spaces, whereas 105 are required onsite for all uses. This is a reduction of 18 spaces or a 17% deficiency.

A Parking Justification Study prepared by Nextrans Consulting Engineers, dated, March 26, 2021, was submitted in support of the application. NexTrans Consulting Engineers carried out an onsite survey of two existing multi-occupant commercial and manufacturing buildings with a total GFA of 5,381.3m². There are six rental units in the north building and ten rental units in the south building, for a total of sixteen (16) units onsite. The City's Parking Allocation Report, dated January 18, 2021, calculated the parking requirement separately for each use onsite.

The application is seeking to change tenure from rental to condominium industrial units, with no proposed changes to the existing total GFA. The subject property currently provides a total of 81 parking spaces. Recent reconfigurations of the parking area increase the onsite parking supply from 81 to 87 parking spaces.

The Planning Utilization Study explained that the business operations of the uses onsite were not significantly impacted by COVID-19. With the provided information, staff calculated the peak parking demand to be 67 parking spaces, which equates to an overall demand ratio of 1.24 spaces per 100 m² of total GFA (e.g. $67 / 5,381.3 \text{ GFA} \times 100 = 1.24$), which can be sufficiently accommodated onsite with 87 parking spaces.

Table 1: Applying the Zoning By-law Rate to Vacant and Proposed Uses

Use		GFA (m ²)	Zoning By-law Rate	Total
South Building	Unit #1 - Manufacturing (Vacant)	165.0	1.6 / 100 m ²	2.64
	Unit # 7 - Manufacturing (Proposed)	160.5	1.6 / 100 m ²	2.56
	Unit # 8 - Manufacturing (Proposed)	166.2	1.6 / 100 m ²	2.65
PUS Observed Onsite Demand				59
TOTAL PARKING DEMAND				67

Note: Total parking demand was rounded up to nearest whole number

Based on the submitted information and survey results, planning staff can support the parking variance to provide a total of 87 parking spaces, whereas, a minimum of 105 parking spaces are required for all uses onsite. However, the applicant may wish to defer the application in order for

Zoning to confirm the accuracy of the requested variance.

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

As the peak parking demand equates to less than the requested variance staff are of the opinion the variance is minor in nature resulting in the orderly development of the lands.

Conclusion

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

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

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections, comments or requirements with respect to C.A. 'A' 183/21.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a certificate of occupancy permit application under file 20-3489. Comments provided in this file indicated that 101 spaces were required as opposed to the 105 applied for. Conversations with the applicant indicated an anticipated change of use which would result in an additional requirement.

It should also be noted that the notice identifies the property as 1200 Lorimar Drive whereas the application identifies it as 1210 Lorimar.

Our comments are based on the plans received by Zoning staff on January 19, 2021 for the above captioned certificate of occupancy 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: Sandra Morrison

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: A184.21
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 2960 & 2980 Drew Road, zoned E2-138 & E2-38 - Employment, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow changes of use on the subject property proposing 691 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 712 parking spaces in this instance.

The Committee has set **Thursday May 27, 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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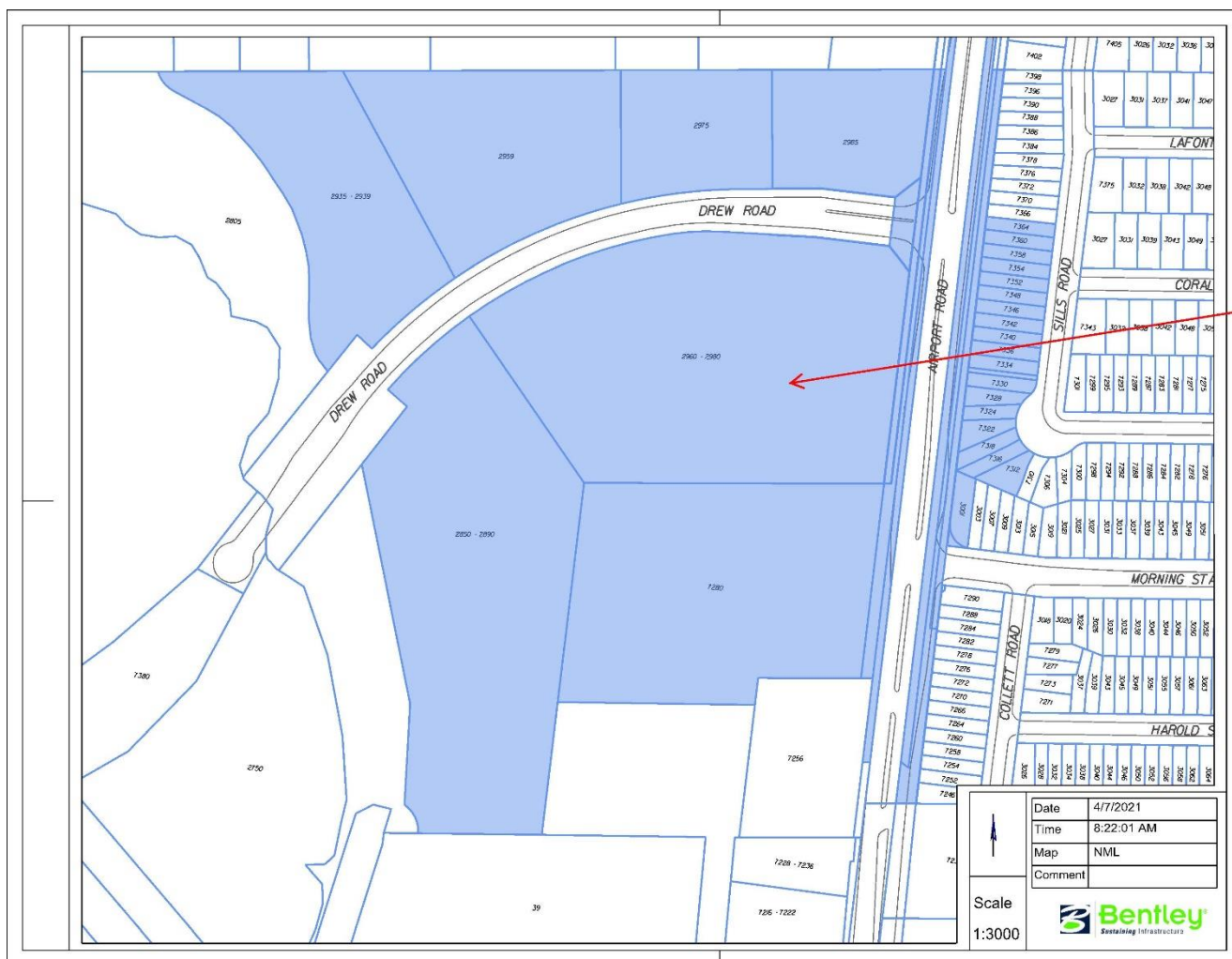
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Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process 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.



A184/21
2960-2980
Drew Rd.

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-05-19	File(s): A184.21 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-05-27 1:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow changes of use on the subject property proposing 691 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 712 parking spaces in this instance.

Background

Property Address: 2960 & 2980 Drew Road

Mississauga Official Plan

Character Area: **North East Employment Area**
Designation: Business Employment

Zoning By-law 0225-2007

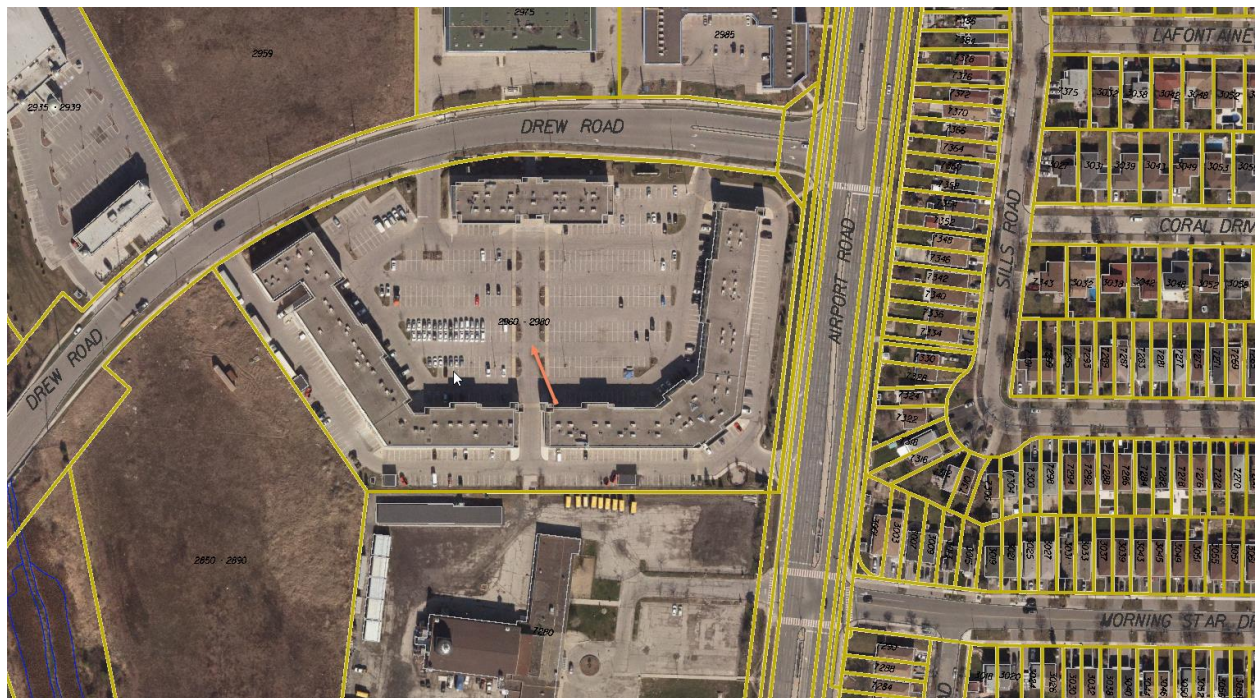
Zoning: E2-138 & E2-38 - Employment

Other Applications: C20-2190
C20-2381
C20-3932
C20-3934
C20-2468
BP 20-2472

BP 19-9566**Site and Area Context**

The subject property is a two-storey commercial building located west of the Airport Rd and Morning Star Dr intersection. The subject property is an exterior parcel with a lot area of +/- 38,900.0m² and a lot frontage of +/- 280.0m, possessing minimal vegetation and landscape elements along the lot line. From a land-use perspective, the immediate neighbourhood is composed of a mix of uses, including a middle school, restaurants and personnel services. Properties within the immediate vicinity possess lot frontages of +/- 70.00m with minimal vegetation and landscaping kept to the periphery of each parcel.

The applicant has proposed a change in use at 2960 Drew Rd. units #156 and #130 from warehouse to office use and at 2980 Drew Rd. units #132, #135, #136 from warehouse to retail use and #125 from office to retail use, requiring a variance for reduced parking spaces.

**Comments****Planning**

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

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

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

The site is located within the North East Employment Area Character Area, and is designated Business Employment by the Mississauga Official Plan (MOP). With reference to Section 11.2.11 (Business Employment), Secondary Office use is permitted within this designation. With reference to 17.7.2 (Special Site Policies), the subject property lies within Site 1 of the Special Site Policies, permitting retail stores and personal service establishments. As such, the proposed office and retail uses maintain the intent and purpose of the MOP.

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 E2-138 (Employment) which permits a retail store less than or equal to 600m² in gross floor area. Parking provisions identified in Table 3.1.2.2 (Required Number of Parking Spaces for Non-Residential Uses), regulate the required parking rates for the various uses permitted on this site. The intent in quantifying the required number of parking spaces is to ensure that each structure is self-sufficient in providing adequate parking accommodations based upon its intended use. The applicant is proposing multiple changes of use with only 691 parking spaces, whereas By-law 0225-2007, as amended, requires a minimum of 712 parking spaces for all uses on site in this instance.

Staff note that a parking justification study by Nextrans, dated February 4, 2021 has been submitted in support of this application. Five units in the same commercial plaza (Great Punjab Business Centre) are proposing changes of use requiring additional parking spaces. The proposed variance represents a 21 space, or 3%, deficiency from the by-law. As the proposed variance is under a 10% reduction from the zoning by-law, a formal parking study is not required in this instance. The proposed units and changes of use are summarized in the table below.

Unit #	GFA (m2)	Existing Use	Existing Parking Requirement (spaces)	Proposed Use	New Parking Requirement (spaces)	Number of Additional Spaces required
125	104.27	Office	4	Retail	6	+2
130	117.05	Warehouse	1	Office	4	+3
132	117.05	Warehouse	1	Retail	6	+5
135-136	214.5	Warehouse	2	Retail	12	+10
156	295.12	Warehouse	3	Office	9	+6
Grand Total						+26

Should the Committee see merit in the application, staff would support the requested parking reduction for the following reasons:

- Despite not being required, parking study data was submitted by Nextrans. Parking surveys were conducted on-site prior to demand being affected by the Covid-19 Pandemic. Study dates were October 11, 13, 18, and 19, 2018.
- The peak parking demand was found to occur on Oct. 11, with 502 spaces being occupied. Given the parking supply of 691 spaces, this means that 189 spaces were available at this time.
- The proposed change in use for all five units will increase the parking space requirement by a total 26 spaces from what is currently existing. As peak demand was found to be 502 spaces, staff can add the new required spaces to estimate a new peak demand of 528 spaces.

Given the supply of 691 spaces, this would leave 163 parking spaces available during peak demand.

Given the above justification, planning staff can support the proposed variance.

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

Based on the proceeding information the parking demands can easily be met on site. As such Staff are of the opinion that the variance requested is minor in nature and results in the orderly development of the lands.

Conclusion

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

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

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections, comments or requirements with respect to C.A. 'A' 184/21.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is in receipt of several incomplete Certificate of Occupancy applications for the subject property. Additional information for each application has been requested so that a consolidated parking calculation can be performed to verify the requested variance. We are unable to confirm the accuracy of the requested variance(s) or determine whether additional variance(s) may be required.

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 5 – Region of Peel Comments

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

The Region of Peel has an Environmental Compliance Approval (9582-B9TRLW) for the Regional Municipality of Peel Stormwater Management System. Therefore, it is the Region's mandate that no additional flows are permitted and no new connections are made to Regional Roads.

Development flows are to be directed to the Local Municipality's storm sewer system or watercourses, to the satisfaction of the Region of Peel, the local Conservation Authority and all concerned departments and agencies. Alternatively, flows can be mitigated using Low Impact Development Technologies. Developers are required to demonstrate how this will be achieved through a Stormwater Management Report.

Comments Prepared by: Diana Guida, Junior Planner

Appendix 6- Conservation Authority Comments

This letter acknowledges receipt of the above noted application circulated by the City of Mississauga. The materials were received by Toronto and Region Conservation Authority (TRCA) on April 21, 2021. TRCA staff has reviewed the above noted application, and as per the "Living City Policies for Planning and Development within the Watersheds of the TRCA" (LCP), provides the following comments as part of TRCA's commenting role under the *Planning Act*; the Authority's delegated responsibility of representing the provincial interest on natural hazards

encompassed by Section 3.1 of the *Provincial Policy Statement, 2020*; TRCA's Regulatory Authority under Ontario Regulation 166/06, *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses*; and, our Memorandum of Understanding (MOU) with the Region of Peel, wherein we provide technical environmental advice related to provincial plans.

Purpose of the Application

It is our understanding that the purpose of Minor Variance Application A 184/21 is to allow changes of use on the subject property proposing 691 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 712 parking spaces in this instance.

It is our understanding that the requested variance is required to facilitate a change of use in units 156, 130, 132, 135 and 125 in the existing building at the subject property.

Ontario Regulation 166/06

The subject property is potentially located within TRCA's Regulated Area of the Mimico Creek Watershed, as it is located downstream from a spill area of the Regional Storm Floodplain associated with the Mimico Creek. As such, a TRCA permit pursuant to Ontario Regulation 166/06 will be required for any development or site alteration within the Regulated Area on the property.

Application-Specific Comments

Based on our review, it appears that the subject property is located adjacent to a spill area of the Regional Flood Plain located to the north of the property. TRCA staff have not yet determined the limits of flooding and as such, cannot yet determine whether the subject property is subject to flooding.

It appears that requested variance is required in order to facilitate a change of use in units 156, 130, 132, 135 and 125, however, no new development is being proposed at this time. As such, TRCA staff have no concerns with the requested variance, as submitted.

TRCA staff has an interest in any future development on the subject property and future development may be subject to a TRCA permit.

Recommendation

Based on the comments noted below, TRCA staff have **no objection** to the approval of Minor Variance Application A 184/21.

We trust these comments are of assistance. Should you have any questions, please contact me at 416-661-6600 extension 5657 or at Lina.alhabash@trca.ca.

Comments Prepared by: Lina Alhabash, Planner I



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A186.21
Ward: 2

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 1455 Gregwood Road, zoned R2-4 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A gross floor area – infill residential of 609.92sq.m (approx. 6565.12ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area – infill residential of 587.90sq.m (approx. 6328.10sq.ft) in this instance;
2. A building height measured to the highest ridge of 9.95m (approx. 32.65ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the highest ridge of 9.50m (approx. 31.17ft) in this instance;
3. A building height measured to the eaves of 7.50m (approx. 24.61ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance;
4. A combined width of side yards of 6.86m (approx. 22.51ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 7.41m (approx. 24.31ft) in this instance;
5. Dimensions of hammerhead driveway of 2.60m x 3.20m (approx. 8.53ft x 10.50ft) whereas By-law 0225-2007, as amended, permits dimensions of a hammerhead driveway of 2.60m x 3.0m (approx. 8.53ft x 9.84ft) in this instance; and
6. A driveway width of 9.20m (approx. 30.18ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 8.50m (approx. 27.89ft) in this instance.

The Committee has set **Thursday May 27, 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:

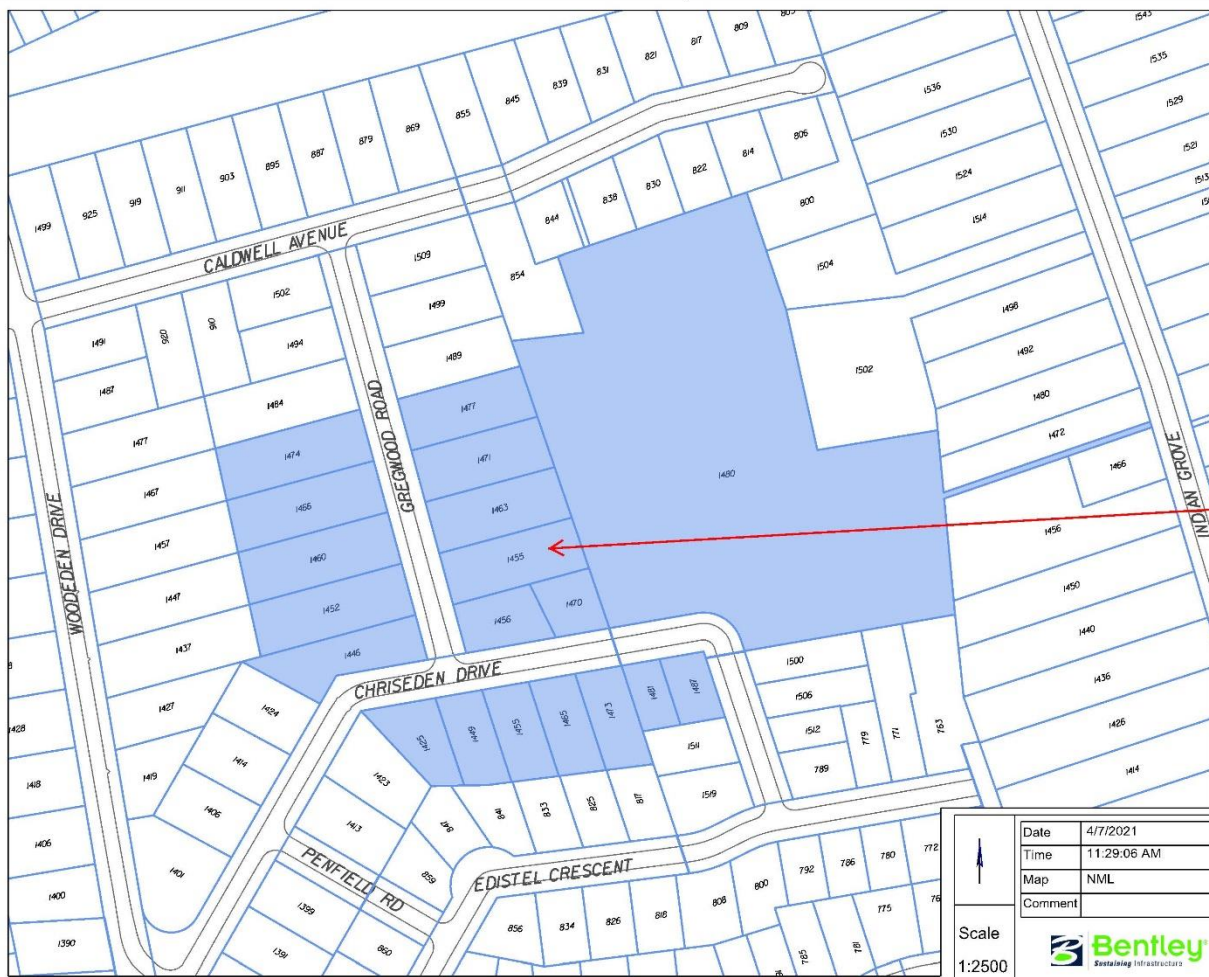
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A186/21
1455
Gregwood Rd.

Date	4/7/2021
Time	11:29:06 AM
Map	NML
Comment	

Scale
1:2500



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-05-19	File(s): A186.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-05-27 1:00 PM

Consolidated Recommendation

The City has no objections to the requested variances.

Application Details

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

1. A gross floor area – infill residential of 609.92sq.m (approx. 6565.12ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area – infill residential of 587.90sq.m (approx. 6328.10sq.ft) in this instance;
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6. A driveway width of 9.20m (approx. 30.18ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 8.50m (approx. 27.89ft) in this instance.

Background

Property Address: 1455 Gregwood Road

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R2-4 - Residential

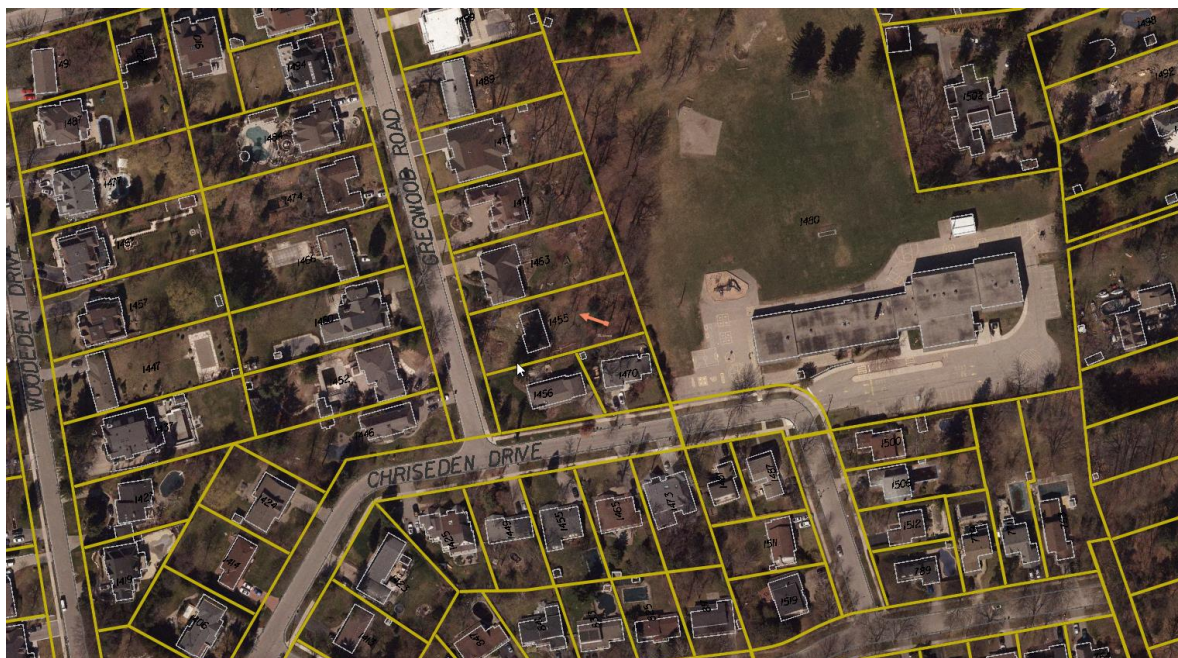
Other Applications

Site Plan Application: 19-128

Site and Area Context

The subject site is located within the Clarkson-Lorne Park Neighbourhood Character Area, southwest of Indian Gove and South Sheridan Way. The neighbourhood is entirely residential consisting of one and two storey detached dwellings with significant mature vegetation. Abutting the subject property to the rear is an institutional use known as Tecumseh Public School. The subject property contains an existing one storey dwelling with mature vegetation throughout the lot.

The application was previously approved for an increased overall height and eave height on June 23rd, 2020. The subject application requires additional variances for gross floor area, combined side yard width, height and an increased width for a driveway and hammerhead.



Comments

Planning

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

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

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

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached, semi-detached and duplex dwellings. As per Section 16.5.1.4 (Infill Housing), infill housing is encouraged to fit the scale and character of the surrounding area and to ensure that new development has minimal impact on its adjacent neighbours. The proposed dwelling respects the scale of the surrounding area and maintains compatibility with newer two storey dwellings within the immediate neighbourhood. The proposed detached dwelling respects the designated land use, and has regard for the distribution of massing on the property as a whole. Staff is of the opinion that the application maintains the general intent and purpose of the official plan.

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

Variances #1 to 3 propose an increase in gross floor area, dwelling height and eave height. The intent of the infill regulations is to maintain compatibility between existing and new dwellings while also lessening the visual massing of the dwelling by bringing the edge of the roof closer to the ground, thereby giving the dwelling a more human scale. In this instance, the calculation of average grade inflates the variances regarding height. If the heights were measured from finished grade, the dwelling would have an overall height of 9.31 m and an eave height of 6.86 m. From a streetscape perspective, the increased eave height represents a minor deviation from the zoning by-law that would not significantly alter the existing and planned character streetscape, maintaining compatibility with the surrounding area.

Variance #4 proposes a combined side yard width of 6.86 m whereas 7.41 m is required. The general intent of this portion of the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties, and that access to the rear yard ultimately remains unencumbered. The proposed dwelling contains projections on both sides of the dwelling, thereby creating a deficient combined side yard width. These projections make up a minor portion of the dwelling and do not continue throughout the entire length of the dwelling. Excluding these projections, the combined side yard width would exceed by-law requirements. The proposed dwelling maintains a sufficient buffer to neighbouring properties. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

The remaining variances are due to the increased width of the hammerhead and driveway. These variances represent minor deviations from what is permitted and will not result in excessive hard surfacing within the front yard. The driveway width is only increased due to the hammerhead. The remaining portion of the driveway maintains a width less than what the by-law permits. As such, staff is of the opinion that these variances are appropriate to be handled through the minor variance process and raise no concerns of a planning nature.

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

The proposed dwelling maintains compatibility with newer two storey dwellings and does not alter the existing and planned character streetscape. The increased heights are measured to average grade which is approximately 0.64 m below finished grade, thereby inflating the height from a streetscape perspective. Additionally, the combined side yard width is measured to the projections on the sides of the dwelling which make up a minor portion of the side yards. A majority of the dwelling exceeds the required combined side yard width. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

Conclusion

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

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling are being addressed through the Site Plan Application process, File SPI-19/128.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a SPI permit under file SPI-19-128. Based on review of the information currently available in this permit application, the variances, as requested are correct.

Please note that comments reflect those provided through the above permit application and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings

must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Sherri Takaloo - 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: A187.21
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 208 Queen Street South, zoned C4 - Commercial, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a food retail store (Ice Cream) proposing no parking whereas By-law 0225-2007, as amended, requires a minimum of 1 parking spot in this instance.

The Committee has set **Thursday May 27, 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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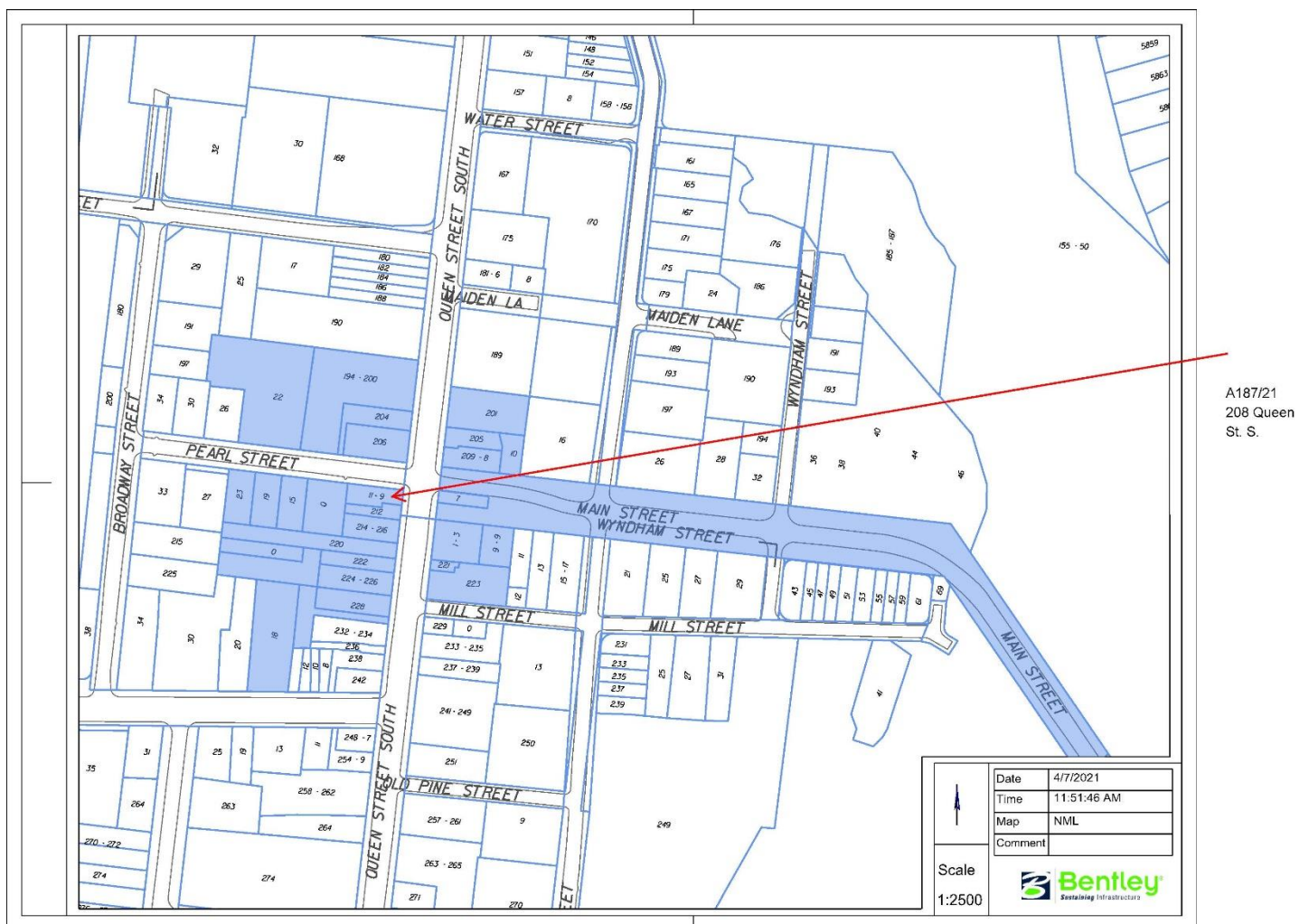
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-05-19	File(s): A187.21 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-05-27 1:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

The applicant requests the Committee to approve a minor variance to allow a food retail store (Ice Cream) proposing no parking whereas By-law 0225-2007, as amended, requires a minimum of 1 parking spot in this instance.

Background

Property Address: 208 Queen Street South

Mississauga Official Plan

Character Area: Streetsville Community Node
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C4 - Commercial

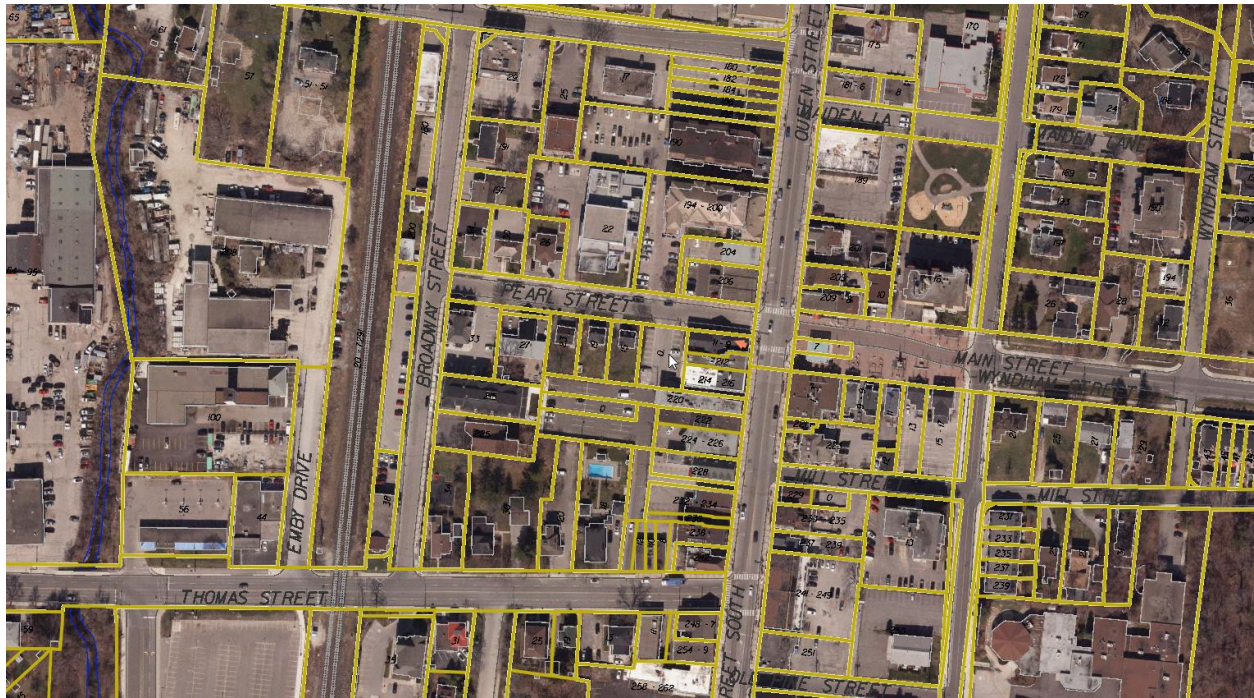
Other Applications: None

Site and Area Context

The subject property is a commercial building located south-east of the Derry Rd E and Tomken Rd intersection. The subject property is an exterior parcel with a lot area of +/- 336.09m² and a lot frontage of +/- 11.87m, possessing no vegetation or landscape elements along the lot line.

From a land-use perspective, the immediate neighbourhood consists exclusively of commercial uses including, a restaurant, a hairdresser and spa. Properties within the immediate vicinity possess lot frontages of +/- 9.0m with no vegetation or landscaping.

The applicant has proposed an ice-cream shop that requires a variance for reduced parking spaces.



Comments

Planning

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

Staff comments concerning the application are as follows:

The site is located within the Streetsville Community Node Character Area, and is designated Mixed-Use by the Mississauga Official Plan (MOP). Pursuant to Section 11.2.6 (Mixed-Use), a restaurant is permitted within this designation. The Applicant's proposal of an ice-cream shop meets the purpose and general intent of the Official Plan.

As per Zoning By-law 0225-2007, the subject property is zoned C4 (Commercial). Parking provisions identified in Table 3.1.2.2 (Required Number of Parking Spaces for Non-Residential

Uses) regulate the required parking rates for various uses permitted on this site. The intent in quantifying the required number of parking spaces is to ensure that each structure is self-sufficient in providing adequate parking accommodations based upon its intended use. The applicant is proposing to permit a take-out restaurant with 0 parking spaces for the restaurant, whereas By-law 0225-2007, as amended, requires a minimum of 1 parking space in this instance.

Staff note that when applying the Zoning By-law rate of 6.0 spaces/100m² for the proposed take-out restaurant (ice cream parlour), which has a GFA of 29.5m² then 1.8 (rounded up to 2) parking spaces are required. Therefore, the variance should be amended to reflect this.

The proposed ice cream parlour will be in unit 208 of a multi-tenant heritage building. The proposed variance represents a 2 space, or 100% deficiency. As such, staff are recommending one of the following options:

We advise that the City's Payment-In-Lieu (PIL) of parking program applies to the subject property and that the applicant has the following options:

- Apply for a PIL application for consideration for the entire parking deficiency (2 spaces). Through the PIL application process, the proponent contribution will be calculated for the requested parking deficiency; or,
- Off-site parking - Option to seek an off-site parking agreement with a nearby landowner with surplus parking; or,
- Provide a satisfactory Parking Utilization Study to justify a reduction in the number of parking spaces for PIL. Given this option potentially requires both a variance and PIL application; the applicant may wish to defer the Committee of Adjustment application.

Staff note that the above comments are based on the details submitted with the application and are subject to change should Zoning identify any additional variances or any changes to the variances with regards to above applications.

Planning Staff echo City Planning strategies comments and recommend that the application be deferred in order to provide the applicant with time to consider the above mentioned options.

Conclusion

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

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

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections, comments or requirements with respect to C.A. 'A' 187/21.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Zoning Certificate of Occupancy application under file 20-521. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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

Comments Prepared by: Marco Palerma

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: A188.21
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 3091 Bonaventure Drive, zoned R3-69 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling proposing:

1. A gross floor area of 358.09sq.m (approx. 3854.45ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 275.41sq.m (approx. 2964.49sq.ft) in this instance;
2. A lot coverage of 34.90% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance;
3. A building height measured to the highest ridge of 10.26m (approx. 33.66ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the highest ridge of 9.00m (approx. 29.53ft) in this instance; and
4. A building height measured to eaves of 6.69m (approx. 21.94ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

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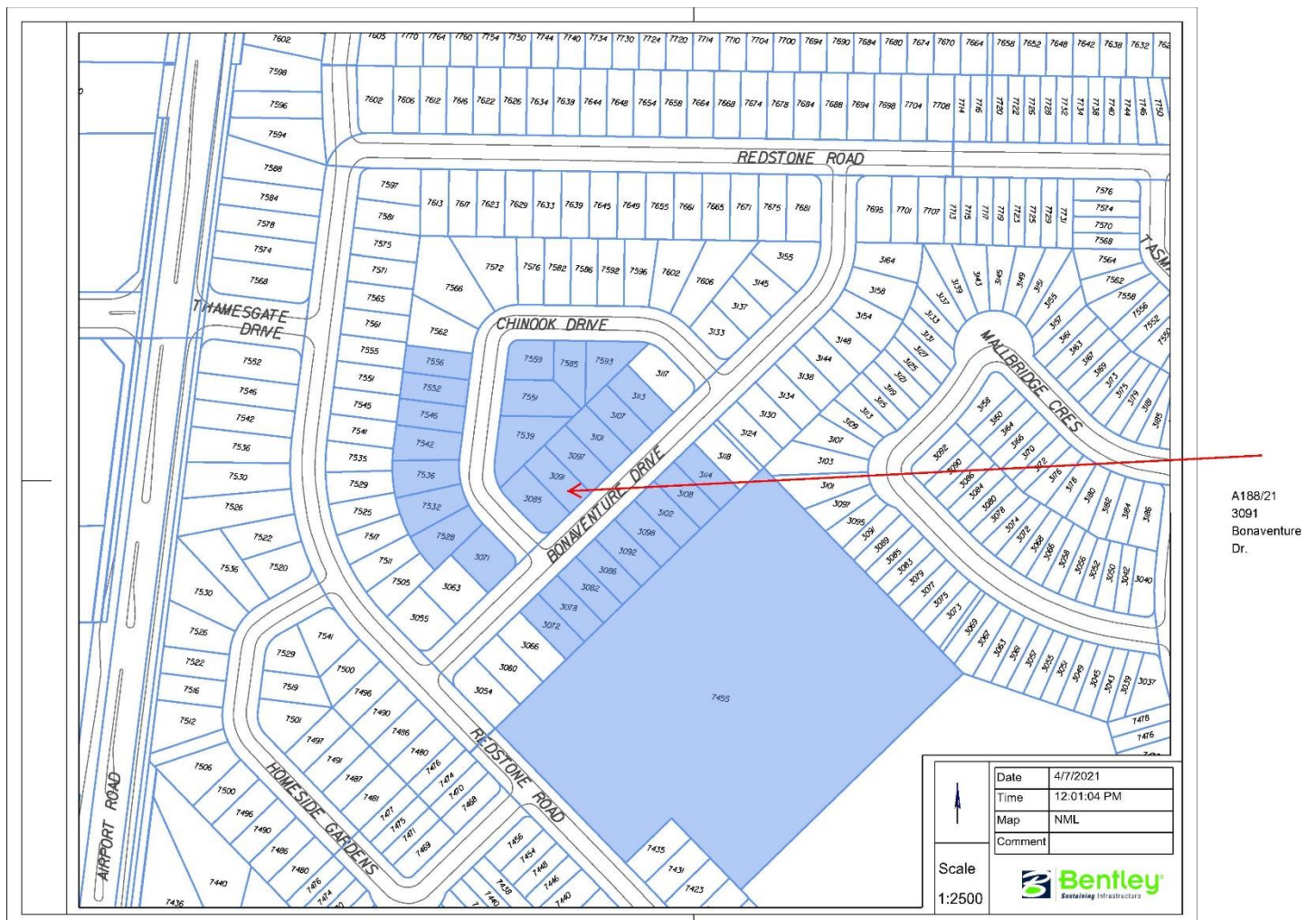
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-05-19	File(s): A188.21 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-05-27 1:00 PM

Consolidated Recommendation

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

Application Details

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

1. A gross floor area of 358.09sq.m (approx. 3854.45ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 275.41sq.m (approx. 2964.49sq.ft) in this instance;
2. A lot coverage of 34.90% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance;
3. A building height measured to the highest ridge of 10.26m (approx. 33.66ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the highest ridge of 9.00m (approx. 29.53ft) in this instance; and
4. A building height measured to eaves of 6.69m (approx. 21.94ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

Amendments

The Building Department is currently processing a building permit application under file PREAPP 20-4033. Based on review of the information currently available for this building permit, we advise that the following variance(s) should be amended as follows:

3. A building height measured to the highest ridge of 11.26 whereas By-law 0225-2007, as amended, permits a maximum building height measured to the highest ridge of 9.00m (approx. 29.53ft) in this instance; and

4. A building height measured to eaves of 7.0m whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

Background

Property Address: 3091 Bonaventure Drive

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

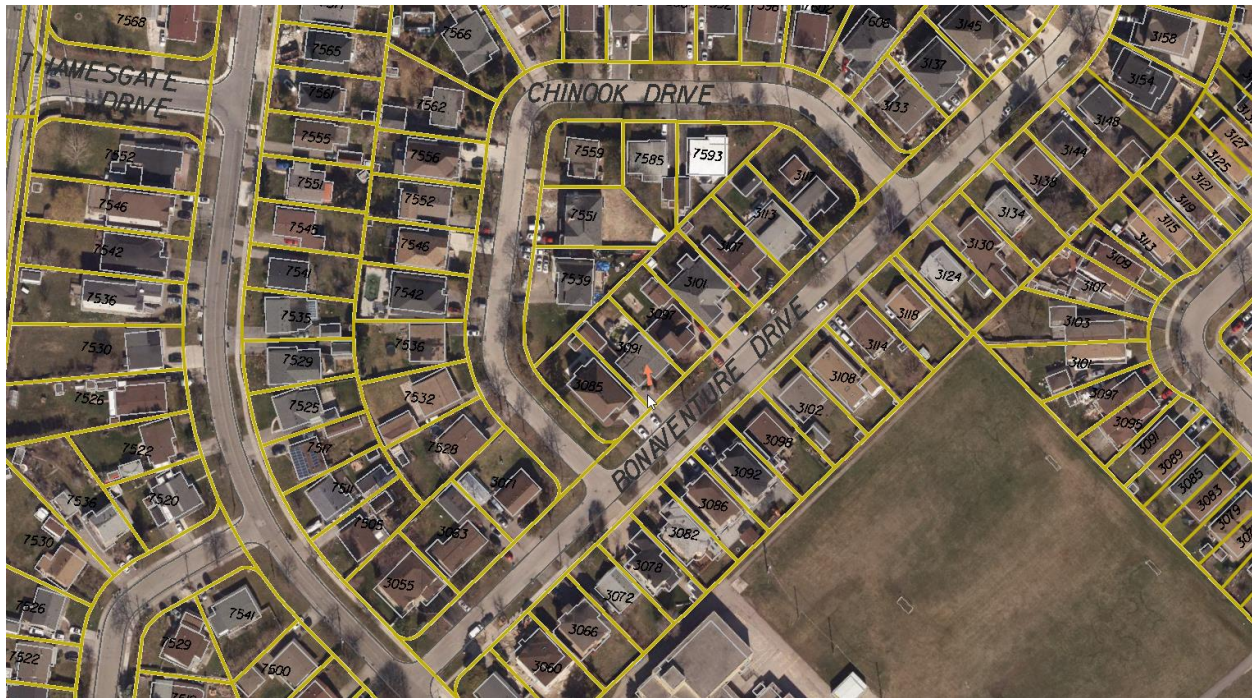
Zoning: R3-69 - Residential

Other Applications: None

Site and Area Context

The subject property is located north-east of the Airport Rd and Thamesgate Dr. intersection. It is an interior parcel with a lot area of approximately +/- 627.08m² and a lot frontage of approximately +/- 16.46m. The property currently houses a single storey detached dwelling with minimal vegetation and landscaping elements within the front and rear yards. Contextually, the surrounding neighbourhood consists of post-war, single storey detached homes mixed within newer two storey detached dwellings. Within the immediate area properties possess lot frontages of +/- 15.0m, with matured, scattered vegetation and minimal landscape elements within the front yards.

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



proposed character of the neighbourhood. The application proposes an increase in gross floor area that does not maintain the intent of the infill regulations. As such, staff recommends that the application be deferred for redesign to reduce the gross floor area.

Conclusion

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

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

Appendices

Appendix 1 – Transportation and Works Comments

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

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

BP RECEIVED, AMEND VARIANCE

The Building Department is currently processing a building permit application under file PREAPP 20-4033. Based on review of the information currently available for this building permit, we advise that the following variance(s) should be amended as follows:

5. A building height measured to the highest ridge of 11.26 whereas By-law 0225-2007, as amended, permits a maximum building height measured to the highest ridge of 9.00m (approx. 29.53ft) in this instance; and
6. A building height measured to eaves of 7.0m whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

Our comments are based on the plans received by Zoning staff on 01/17/2020 for the above captioned building permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: A. McCormack

Appendix 5 – Region of Peel Comments

Development 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 contact Servicing Connections.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A189.21
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 220 Queen Street West, zoned RM7-5 - 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 rear deck proposing:

1. A deck encroachment inclusive of stairs into a required rear yard of 8.44m (approx. 27.69ft) whereas By-law 0225-2007, as amended, permits a maximum deck encroachment inclusive of stairs into a required rear yard of 5.00m (approx. 16.40ft) in this instance; and
2. A rear yard setback measured to a door opening of 28.67m (approx. 94.06ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback measured to a door opening of 30.00m (approx. 98.43ft) in this instance.

The Committee has set **Thursday May 27, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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

How to submit a written comment:

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

Advance registration is required to participate in the electronic hearing:

To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any

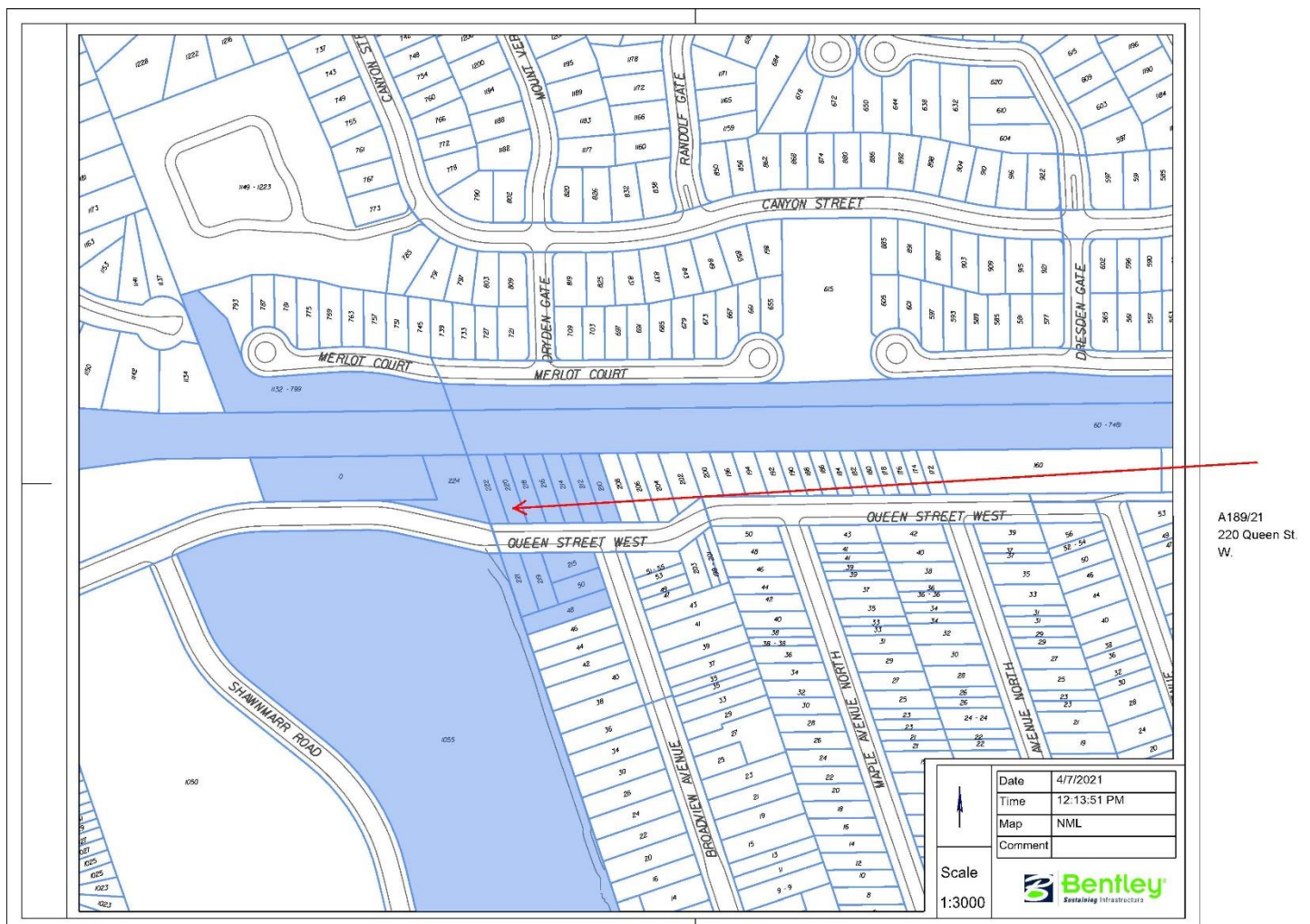
materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services will not be accepted.

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

Legal notice:

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

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



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-05-19	File(s): A189.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-05-27 1:00 PM

Consolidated Recommendation

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

Application Details

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

1. A deck encroachment inclusive of stairs into a required rear yard of 8.44m (approx. 27.69ft) whereas By-law 0225-2007, as amended, permits a maximum deck encroachment inclusive of stairs into a required rear yard of 5.00m (approx. 16.40ft) in this instance; and
2. A rear yard setback measured to a door opening of 28.67m (approx. 94.06ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback measured to a door opening of 30.00m (approx. 98.43ft) in this instance.

Background

Property Address: 220 Queen Street West

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: RM7-5 - Residential

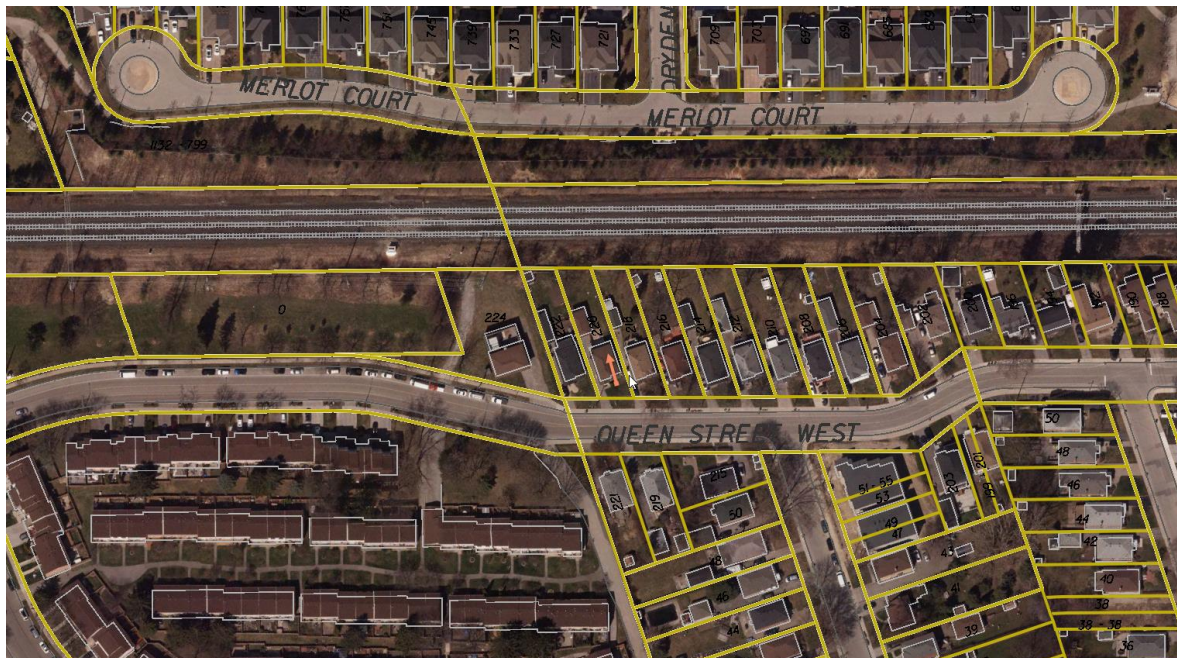
Other Applications

Building Permit: 21-5068

Site and Area Context

The subject property is located within the Port Credit Neighbourhood Character Area, northwest of Mississauga Road North and Lakeshore Road West. The neighbourhood is primarily residential, consisting of a mix of townhouses, detached and semi-detached dwellings. The subject property contains an existing one storey detached dwelling with an existing deficient setback to the railway corridor. Many of the dwellings that abut the railway corridor along Queen Street West historically contain deficient setbacks.

The applicant is proposing a new rear deck and interior building alterations requiring a deficient setback measured to the railway and a deck encroachment.



Comments

Planning

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

Staff comments concerning the application are as follows:

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

Conclusion

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

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed deck are being addressed through the Building Permit Application process, File BP 9ALT-21/5068.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file BP 9ALT 21-5068. Based on review of the information currently available in this permit application, the variances, as requested are correct.

Please note that comments reflect those provided through the above building permit application submitted on 2021/03/18 and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Jeanine Benitez, 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: A190.21
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 995 Gardner Avenue, zoned R3-75 - 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 property proposing:

1. A lot frontage of 12.19m (approx. 39.99ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 19.50m (approx. 63.98ft) in this instance;
2. A lot coverage of 45.3% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.0% of the lot area in this instance;
3. A front yard of 3.0m (approx. 9.84ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 6.0m (approx. 19.69ft) in this instance;
4. A front yard measured to the eaves of 2.7m (approx. 8.86ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the eaves of 5.5m (approx. 18.04ft) in this instance;
5. A front yard measured to a garage canopy of 3.0m (approx. 9.84ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to a garage canopy of 5.4m (approx. 17.72ft) in this instance;
6. An exterior side yard of 3.0m (approx. 9.84ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 6.0m (approx. 19.69ft) in this instance;
7. An exterior side yard measured to the eaves of 2.7m (approx. 8.86ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to the eaves of 5.5m (approx. 18.04ft) in this instance;
8. An exterior side yard measured to a porch of 0.8m (approx. 2.62ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to a porch of 4.4m (approx. 14.44ft) in this instance;
9. An exterior side yard measured to a porch canopy of 0.6m (approx. 1.97ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to a porch canopy of 5.4m (approx. 17.72ft) in this instance;
10. An interior side yard of 0.9m (approx. 2.95ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 2.42m (approx. 7.94ft) in this instance;
11. An interior side yard measured to the eaves of 0.7m (approx. 2.30ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to the eaves of 1.9m (approx. 6.23ft) in this instance;
12. An interior side yard measured to a window well of 0.3m (approx. 0.98ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to a window well of 1.8m (approx. 5.91ft) in this instance;
13. A height measured to the highest ridge of 11.8m (approx. 38.71ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the highest ridge of 9.5m (approx. 31.17ft) in this instance;

14. A mean building height of 10.7m (approx. 35.10ft) whereas By-law 0225-2007, as amended, permits a maximum mean building height of 9.5m (approx. 31.17ft) in this instance;
15. A height measured to the eaves of 9.4m (approx. 30.84ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.4m (approx. 21.00ft) in this instance;
16. A dwelling unit depth of 23.3m (approx. 76.44ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.0m (approx. 65.62ft) in this instance; and
17. A minimum landscaped (softscape) area of 28.6% of the exterior side yard whereas By-law 0225-2007, as amended, requires a minimum landscaped (softscape) area of 40% of the exterior side yard in this instance.

The Committee has set **Thursday May 27, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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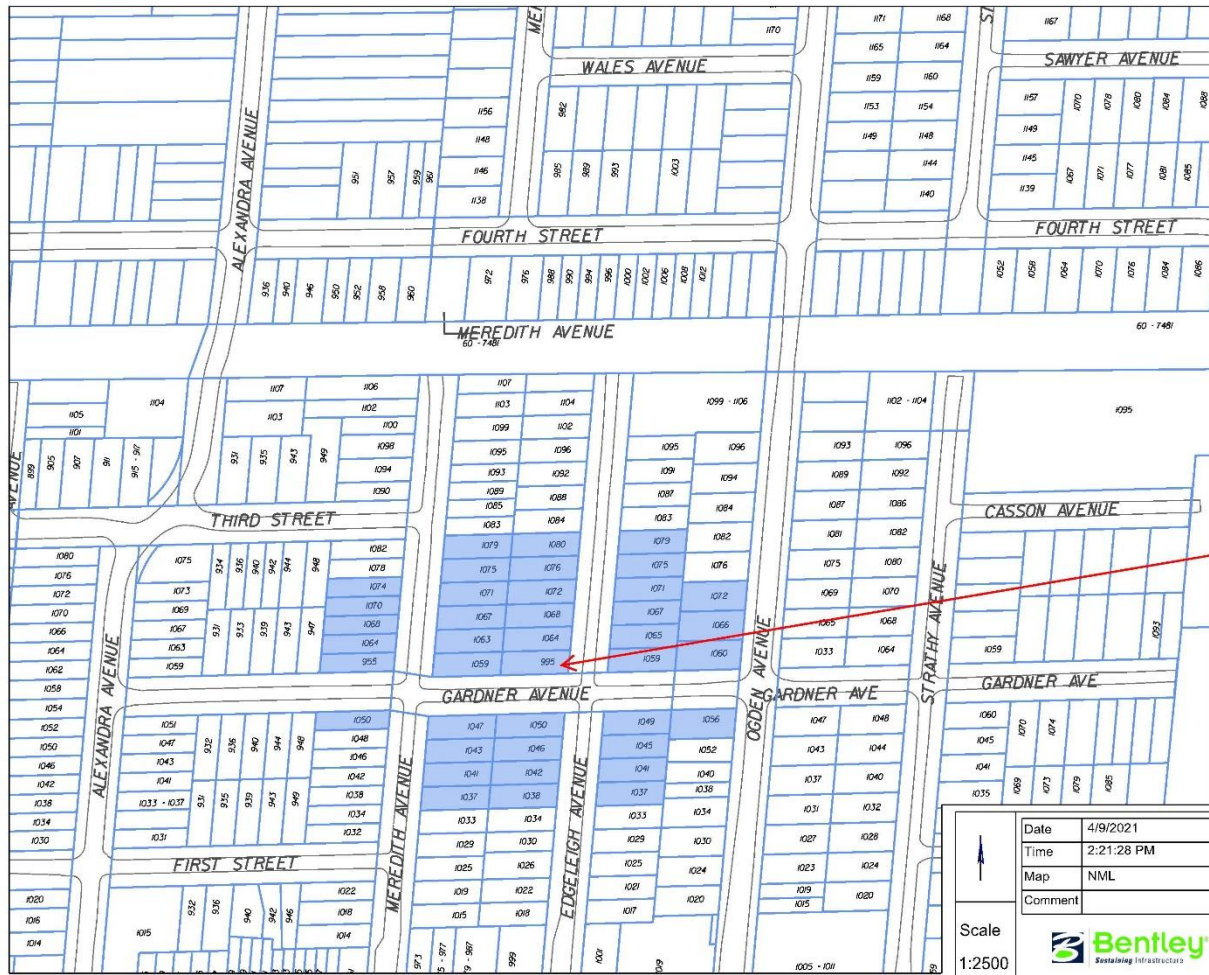
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud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

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A190/21
995 Gardner
Ave.

Date	4/9/2021
Time	2:21:28 PM
Map	NML
Comment	

Scale
1:2500

Bentley
Sustaining Infrastructure

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-05-19	File(s): A190.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-05-27 1:00 PM

Consolidated Recommendation

The City recommends that the application be deferred for redesign.

Application Details

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

1. A lot frontage of 12.19m (approx. 39.99ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 19.50m (approx. 63.98ft) in this instance;
2. A lot coverage of 45.3% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.0% of the lot area in this instance;
3. A front yard of 3.0m (approx. 9.84ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 6.0m (approx. 19.69ft) in this instance;
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10. An interior side yard of 0.9m (approx. 2.95ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 2.42m (approx. 7.94ft) in this instance;

11. An interior side yard measured to the eaves of 0.7m (approx. 2.30ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to the eaves of 1.9m (approx. 6.23ft) in this instance;
12. An interior side yard measured to a window well of 0.3m (approx. 0.98ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to a window well of 1.8m (approx. 5.91ft) in this instance;
13. A height measured to the highest ridge of 11.8m (approx. 38.71ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the highest ridge of 9.5m (approx. 31.17ft) in this instance;
14. A mean building height of 10.7m (approx. 35.10ft) whereas By-law 0225-2007, as amended, permits a maximum mean building height of 9.5m (approx. 31.17ft) in this instance;
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16. A dwelling unit depth of 23.3m (approx. 76.44ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.0m (approx. 65.62ft) in this instance; and
17. A minimum landscaped (softscape) area of 28.6% of the exterior side yard whereas By-law 0225-2007, as amended, requires a minimum landscaped (softscape) area of 40% of the exterior side yard in this instance.

Background

Property Address: 995 Gardner Avenue

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3-75 - Residential

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, northeast of Lakeshore Road East and Alexandra Avenue. The neighbourhood is primarily residential, consisting of one and two storey detached dwellings with mature vegetation. The subject property contains an existing one storey dwelling with no mature vegetation on-site.

The applicant is proposing a new three storey dwelling requiring variances related to lot frontage, lot coverage, front, exterior and interior side yard setbacks, height, soft landscaping and dwelling depth.



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 (MOP) which permits detached, semi-detached and duplex, triplex and other forms of low rise dwellings with individual frontages. As per Section 10.3 (Built Form Types) of the Lakeview Local Area Plan, new housing within Lakeview should maintain the existing character of the area. Additionally, 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 variances individually and combined, present significant massing concerns to the neighbouring property and the streetscape as whole. The proposed dwelling is not compatible with new development and does not maintain the intent of the infill regulations within the zoning by-law. As such, staff recommends that the application be deferred for redesign.

Conclusion

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

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has reviewed the information and sketches provided with this application. We advise that our Traffic Section cannot support the 'proposed' driveway moving closer to the intersection of Edgeleigh Avenue and Gardner Avenue. We recommend that the driveway remain in the existing location.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Daniel Grdasic, Planning Associate

Appendix 5 – Region of Peel Comments

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

Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections.

Comments Prepared by: Diana Guida, Junior Planner

Appendix 7 – CN Rail

Thank you for circulating CN the proposed applications mentioned in subject agenda. This is to confirm that we have reviewed the information and site locations. CN Rail has comments only with regards to the application addressed, 995 GARDNER AVE (A-190/21). CN encourages the municipality to pursue the implementation of the following criteria as conditions of an eventual project approval:

- To consider noise insulating windows and doors, brick exterior siding and an air conditioning system,
- The following clause should be inserted in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of the dwelling located 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.”

Thank you and don't hesitate to contact me for any questions.

Comments Prepared by: Ashkan Matlabi, Senior Planner (CN Proximity)



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A245.20
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 6237 Miller's Grove, 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 the existing accessory structures to remain on the subject property proposing:

1. A rear yard measured to a shed from a G1 Zone of 0.05m (approx. 0.16ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to a shed from a G1 Zone of 5.00m (approx. 16.40ft) in this instance;
2. An occupied area of a shed of 10.14sq.m (approx. 109.15sq.ft) whereas By-law 0225-2007, as amended, permits a maximum occupied area of a shed of 10.00sq.m (approx. 107.64sq.ft) in this instance;
3. A height of a shed of 3.4m (approx. 11.15ft) whereas By-law 0225-2007, as amended, permits a maximum height of 3.00m (approx. 9.84ft) in this instance; and
4. A side yard measured to a shed of 0.05m (approx. 0.16ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to a shed of 0.61m (approx. 2.00ft) in this instance.

The Committee has set **Thursday May 27, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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

How to submit a written comment:

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Advance registration is required to participate in the electronic hearing:

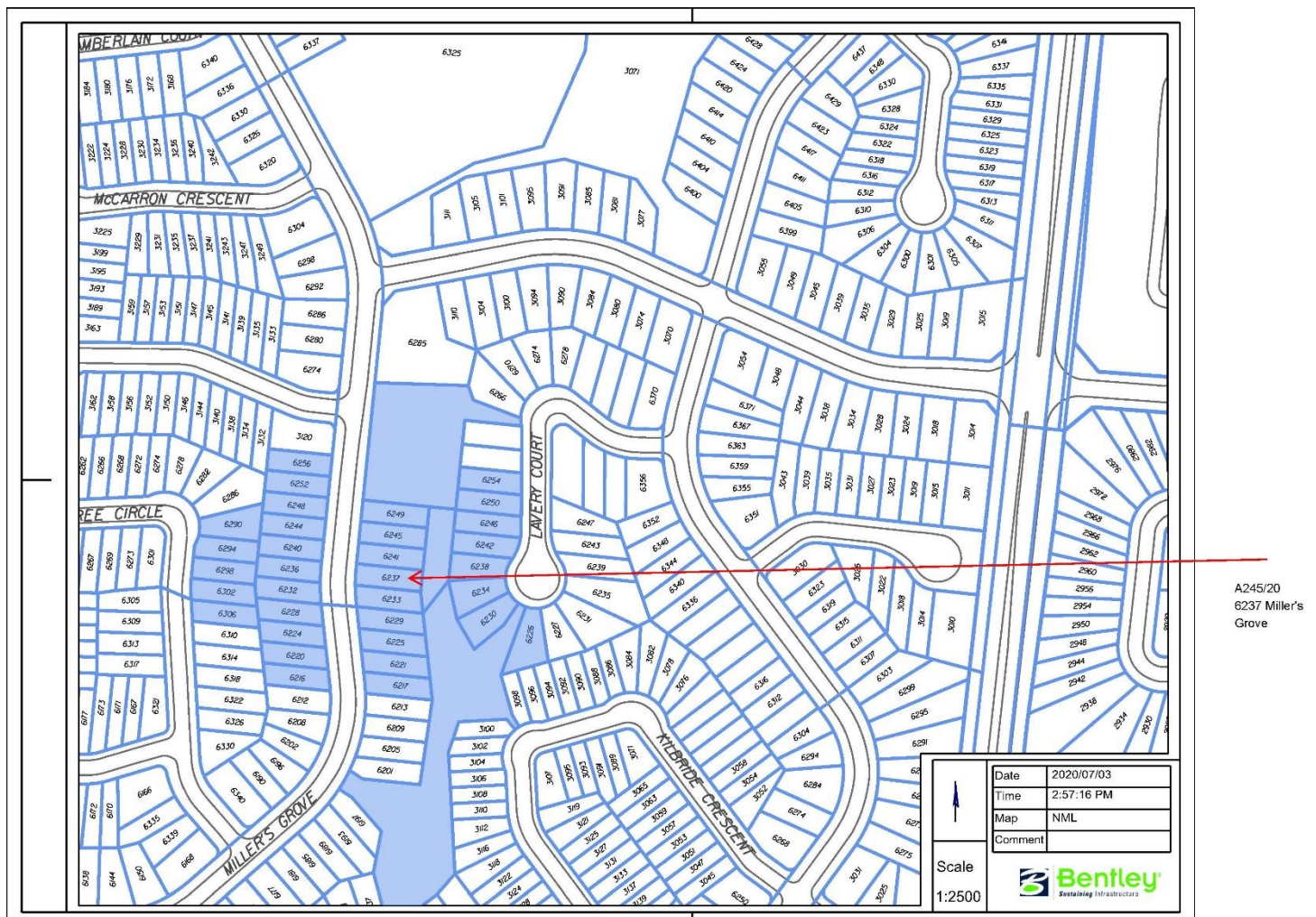
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To participate by telephone: To register, please call 905-615-3200 x5209 no later than 4:30pm the Tuesday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further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

Legal notice:

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



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-05-19	File(s): A245.20 Ward: 9
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-05-27 1:00 PM

Consolidated Recommendation

The City has no objection with variance #1-3 however recommends that variance #4 be refused. 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 existing accessory structures to remain on the subject property proposing:

1. A rear yard measured to a shed from a G1 Zone of 0.05m (approx. 0.16ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to a shed from a G1 Zone of 5.00m (approx. 16.40ft) in this instance;
2. An occupied area of a shed of 10.14sq.m (approx. 109.15sq.ft) whereas By-law 0225-2007, as amended, permits a maximum occupied area of a shed of 10.00sq.m (approx. 107.64sq.ft) in this instance;
3. A height of a shed of 3.4m (approx. 11.15ft) whereas By-law 0225-2007, as amended, permits a maximum height of 3.00m (approx. 9.84ft) in this instance; and
4. A side yard measured to a shed of 0.05m (approx. 0.16ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to a shed of 0.61m (approx. 2.00ft) in this instance.

Amendments

The Building Department is currently processing a Building Permit under file BP 9SMAL 21-5454. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

3. A height of a shed of 3.42m (approx. 11.21ft) whereas By-law 0225-2007, as amended, permits a maximum height of 3.00m (approx. 9.84ft) in this instance; and
4. A side yard measured to a shed of 0.05m (approx. 0.16ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to a shed of 1.2m (approx. 3.94ft)

in this instance.

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

5. An occupied area of a shed of 11.1sq.m (approx. 109.15sq.ft) whereas By-law 0225-2007, as amended, permits a maximum occupied area of a shed of 10.00sq.m (approx. 107.64sq.ft) in this instance;
6. A height of a shed of 3.35m (approx. 11.15ft) whereas By-law 0225-2007, as amended, permits a maximum height of 3.00m (approx. 9.84ft) in this instance; and

Background

Property Address: 6237 Miller's Grove

Mississauga Official Plan

Character Area: Meadowvale Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

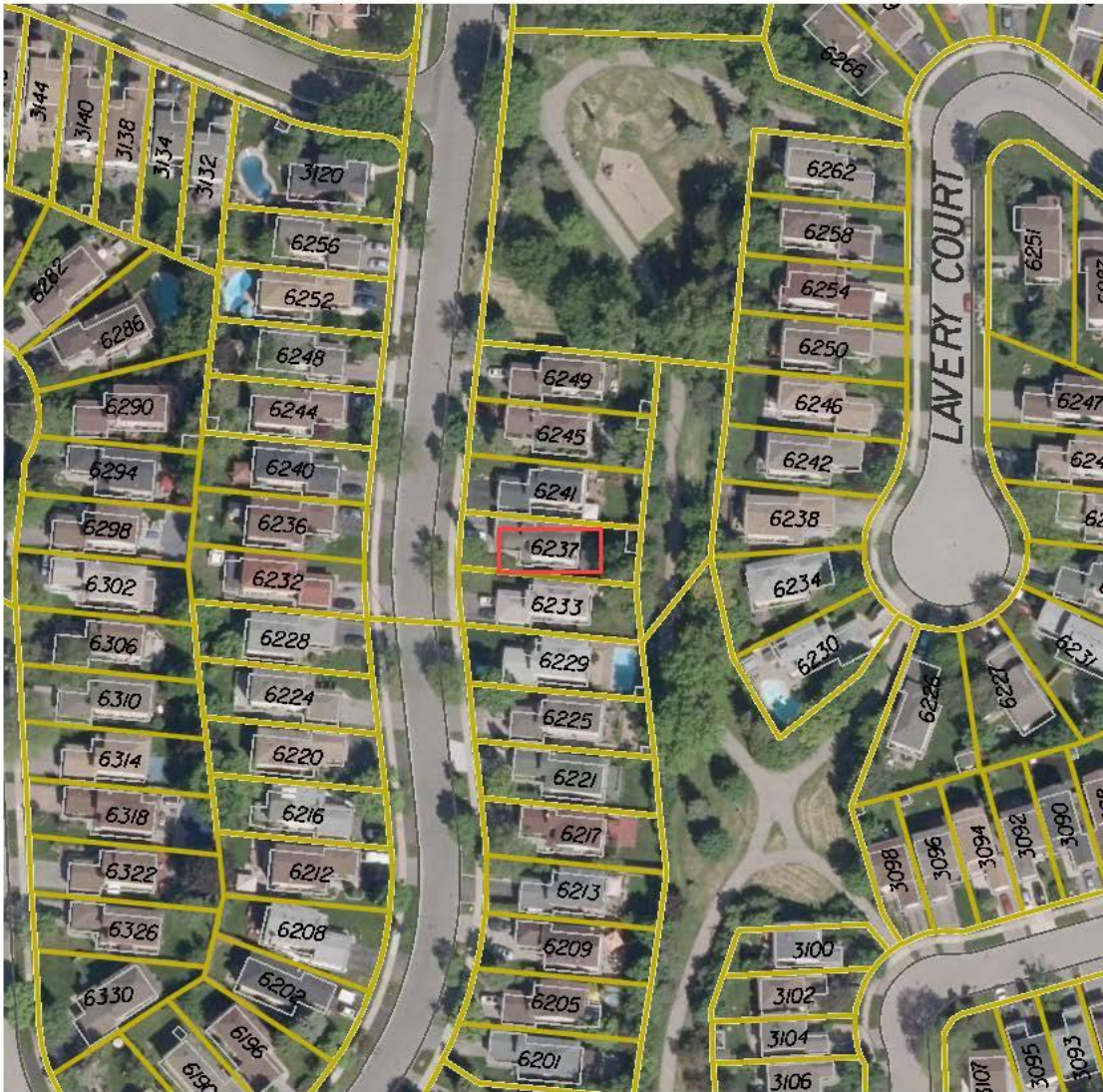
Zoning: R4 - Residential

Other Applications: None

Site and Area Context

The subject property is located north-east of the Tenth Line W and Miller's Grove intersection. The subject property is an interior parcel with a lot area of +/- 465.20m² and a lot frontage of +/- 12.21m. 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 existing two (2) sheds on the property require variances for side and rear yard setbacks, height and occupied area.



Comments

Planning

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

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

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

The site is located within the Meadowvale 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 continued residential use of the property is in line with this designated land use; however, the proposed location of Shed #2, combined with its massing, and non-complaint size, ultimately disregards the permissible setbacks resulting in what appears to be an addition to the house and encumbrance to the rear yard. This type of development does not suitably respect the existing or planned massing of the character area. Variance #4 does not maintain the purpose or general intent of the Official Plan.

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

Variance #1-#3 pertain to shed #1 located at the rear of the property:

As per Zoning By-law 0225-2007, the subject property is zoned R4 (Residential). With reference to Table 4.1.2.2 (Accessory Buildings and Structures), Shed #1 proposes a size of 10.14m² an increased height of 3.4m and a rear yard setbacks of 0.05m. This application previously came to the committee on August 25, 2020 and was deferred based on Staff's original recommendation of refusal. The applicant has since reduced the size of Shed #1. The general intent of this portion of the Zoning By-law is to ensure that access around the structure and drainage remain unencumbered to facilitate any required maintenance of the structure as well as to establish a visual and physical buffer between the neighbouring properties.

The subject property abuts City owned greenlands that include a pedestrian trail system. The intent in providing setbacks to Greenland Zones is to ensure that any proposed development will not have significant or lasting negative impacts upon any neighbouring environmentally sensitive features. Planning Staff note the absence of environmentally sensitive features in this instance.

The proposed deficiencies are marginal in nature and will not impact the abutting greenlands at the rear of the property, nor will there be access, drainage or massing concerns to the neighbouring properties. Staff finds variances #1-#3 maintain the general intent and purpose of the zoning bylaw.

Variance #4 pertains to shed #2:

The requested relief disregards the required side yard setback. Planning Staff note that, from a streetscape perspective, the accessory structure appears to be a residential addition to the primary dwelling extending towards the lot line. The siting of the accessory structure produces a significant amount of massing in an area where such construction should be absent. It is further exacerbated by the structure's seemingly non-compliant height of 3.35m and increased size of 11.15m². These measurements were confirmed through correspondence with the Applicant and the original drawings provided. Variance #4, as requested, does not maintain the purpose or general intent of the Zoning By-law.

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

Based upon the provided drawings Variance #1-#3 pose insignificant impacts to the neighbouring properties. Planning Staff are of the opinion that the variances related to shed #1 are minor in nature and represents the orderly development of the lands. With regards to Shed #2, Planning Staff are of the opinion that the proposed variances are not compatible with the planned context of the surrounding neighbourhood and not minor in nature. As a result, the proposed variances does not represent the orderly development of the lands.

Conclusion

Based upon the preceding information, the City has no objection with variance #1-3 however recommend that variance #4 be refused. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

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

Appendices

Appendix 1 – Transportation and Works Comments

This department has no objections to the applicant's request to allow the existing accessory structures to remain. The rear shed has been constructed at what appears to be a high point in the rear yard and any drainage would be directed towards the front of the dwelling which is at a lower elevation. The shed which is located next to the house has been constructed in a manner where drainage is still able to drain between the properties towards the front of the dwelling.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 9SMAL 21-5454. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

5. A height of a shed of 3.42m (approx. 11.21ft) whereas By-law 0225-2007, as amended, permits a maximum height of 3.00m (approx. 9.84ft) in this instance; and
6. A side yard measured to a shed of 0.05m (approx. 0.16ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to a shed of 1.2m (approx. 3.94ft) in this instance.

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

Comments Prepared by: Brandon Eidner, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

The Park Planning Section of the Community Services Department has no objections to the minor variance application and advises as follows:

1. The lands to the rear of the subject property are owned by the City of Mississauga, known as Millgrove Trail (P-196).
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

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: A410.20

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 4358 Shelby Crescent, zoned RM1 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicants request the Committee to approve a minor variance to allow:

1. A lot coverage of 44.97% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40% of the lot area in this instance;
2. A driveway width of 6.6m (approx. 21.7ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 5.2m (approx. 17.1ft) in this instance;
3. A side yard measured to hard surface of 0.0m whereas By-law 0225-2007, as amended, requires a minimum side yard measured to hard surface of 0.61m (approx. 2.00ft) in this instance;
4. A gross floor area of an accessory structure of 10.60sq.m (approx. 114.10sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of an accessory structure of 10.00sq.m (approx. 107.64sq.ft) in this instance;
5. A height of an accessory structure of 3.09m (approx. 10.14ft) whereas By-law 0225-2007, as amended, permits a maximum height of an accessory structure of 3.00m (approx. 9.84ft) in this instance; and
6. A setback to an accessory structure of 0.46m (approx. 1.51ft) whereas By-law 0225-2007, as amended, requires a minimum setback to an accessory structure of 0.61m (approx. 2.00ft) in this instance.

The Committee has set **Thursday May 27, 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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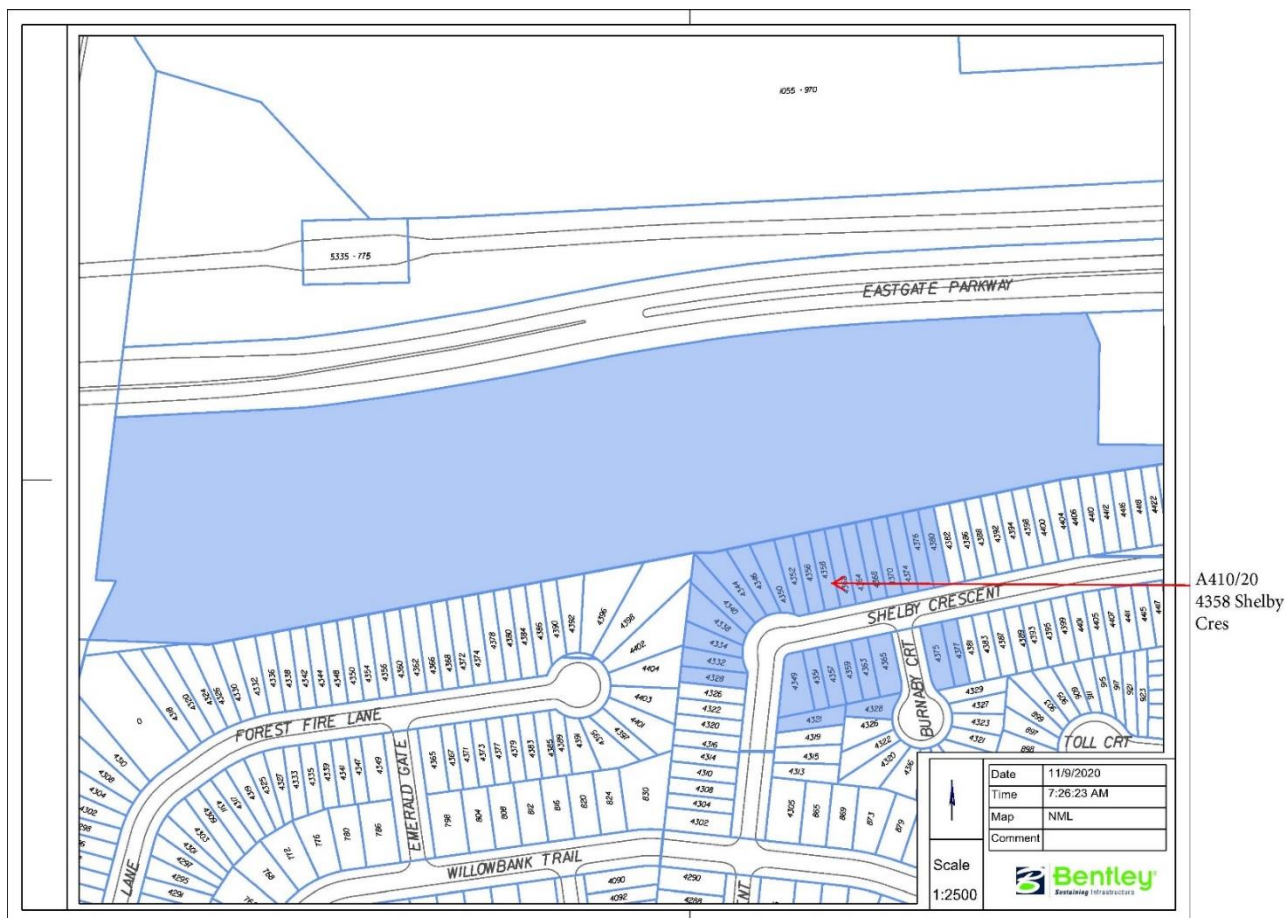
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-05-19	File(s): A410.20 Ward: 3
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-05-27 1:00 PM

Consolidated Recommendation

The City has no objections to variances #1 and 3-6, however, recommend that variance #2 be refused. The applicant may choose to defer the application to verify the accuracy of the requested variances.

Application Details

The applicants request the Committee to approve a minor variance to allow:

1. A lot coverage of 44.97% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40% of the lot area in this instance;
2. A driveway width of 6.6m (approx. 21.7ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 5.2m (approx. 17.1ft) in this instance;
3. A side yard measured to hard surface of 0.0m whereas By-law 0225-2007, as amended, requires a minimum side yard measured to hard surface of 0.61m (approx. 2.00ft) in this instance;
4. A gross floor area of an accessory structure of 10.60sq.m (approx. 114.10sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of an accessory structure of 10.00sq.m (approx. 107.64sq.ft) in this instance;
5. A height of an accessory structure of 3.09m (approx. 10.14ft) whereas By-law 0225-2007, as amended, permits a maximum height of an accessory structure of 3.00m (approx. 9.84ft) in this instance; and
6. A setback to an accessory structure of 0.46m (approx. 1.51ft) whereas By-law 0225-2007, as amended, requires a minimum setback to an accessory structure of 0.61m (approx. 2.00ft) in this instance.

Background

Property Address: 4358 Shelby Crescent

Mississauga Official Plan

Character Area: Rathwood Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: RM1 - Residential

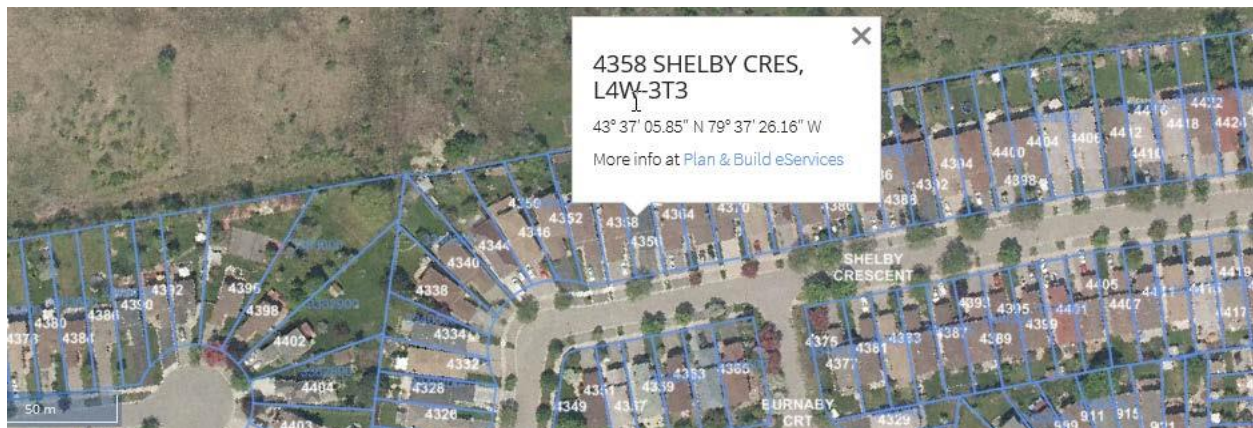
Other Applications

Building Permit: 20-4218

Site and Area Context

The subject property is located within the Rathwood Neighbourhood Character Area, southwest of Eastgate Parkway and Tomken Road. The neighbourhood consists of two storey detached dwellings with limited mature vegetation. The subject property contains an existing two storey dwelling with a widened driveway.

The applicant is proposing to legalize existing conditions related to the increased driveway width, the reduced side yard measured to a hard surface and variances related to the existing accessory structures. The applicant is also proposing a new rear covered porch.



Comments

Planning

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

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

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

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached, semi-detached and duplex dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions; the surrounding context; and, the landscape of the character area. Variance #2 proposes a driveway width that makes up a large majority of the lot frontage, resulting in excessive hard surfacing within the front yard. The deficient side yard is measured to the edge of the driveway at the face of the garage which makes up a minor portion of the deficient side yard and does not negatively impact the character of the streetscape. It should be noted that the interior side yard of the dwelling is permitted to have a setback of 0 m. Staff is of the opinion that variances #1 and 3-6 maintain the general intent and purpose of the official plan.

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

The intent of the zoning by-law in regulating individual driveway widths is to establish a driveway wide enough to accommodate space necessary for two vehicles parked side-by-side, with the remainder of lands being soft landscaping. While the proposed 6.66 m driveway width would not be wide enough to accommodate three vehicles parked side-by-side using the by-law regulations for the width of a parking space; it does result in the driveway being the prominent feature of the front yard with little soft landscaping. As such, staff is of the opinion that the general intent and purpose of the zoning by-law is not maintained.

The remaining variances do not pose any unacceptable adverse impacts to the character of the neighbourhood and neighbouring properties. The deficient side yard is measured to the edge of the driveway at the garage face and does not continue down the entire length of the driveway, thereby limiting the impact to the neighbouring properties and streetscape. The variances related to the accessory structure are minor deviations from what is permitted, which limits the overall massing impact to the neighbouring property. Regarding the increased lot coverage, the dwelling itself combined with the attached sunroom has a lot coverage of 37.77%, which is less than what the by-law requires. The increased lot coverage is due to the combination of the proposed rear covered porch, accessory structure and front covered porch. These features do not add significant massing to the dwelling, nor do they represent an overdevelopment of the lot. As such, staff is of the opinion that these variances are appropriate to be handled through the minor variance process.

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

The increased driveway width makes up more than 50% of the lot frontage, which results in a reduction of soft landscaping. As such, the front yard consists of an excessive amount of hard surfacing, which is not in-keeping with the character of the surrounding neighbourhood. The remaining variances maintain the existing and planned context of the surrounding neighbourhood and do not pose significant massing concerns to adjacent properties. Staff is of the opinion that variance #2 does not represent orderly development of the lands and is not minor in nature.

Conclusion

The Planning and Building Department has no objections to variances #1 and 3-6, however, recommend that variance #2 be refused. The applicant may choose to defer the application to verify the accuracy of the requested variances.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This department advises that we do not have any drainage related concerns with respect to the accessory shed structure.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit application under file BP 9ALT 20-4218. Based on review of the information currently available for this building permit, we advise that more information is required to verify the accuracy of the requested variances or determine whether additional variances will be required.

Our comments are based on the plans received by Zoning staff on 11/04/2020 for the above captioned building permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: Adam McCormack – Zoning Examiner

Appendix 5 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner