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## Committee of Adjustment

**Date:** June 24, 2021  
**Time:** 3:00 PM  
**Location:** Online Video Conference

### Members

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

### Contacts

Umar Mahmood, Committee of Adjustment Coordinator, Legislative Services  
905-615-3200 ext.5209  
[umar.mahmood@mississauga.ca](mailto:umar.mahmood@mississauga.ca)

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

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

### ***Send written submissions or request notification of future meetings to:***

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

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1. CALL TO ORDER
  2. DECLARATION OF CONFLICT OF INTEREST
  3. DEFERRALS OR WITHDRAWALS
  4. MATTERS TO BE CONSIDERED
    - 4.1. B38/21-A246/21-A247/21  
202 QUEEN ST W (WARD 1)  
VOLODYMYR ZINCHENKO, AND BURCU AND AHMET SEMIZ
    - 4.2. A240/21  
918 OASIS DR (WARD 6)  
MARCIN HAPUNIK
    - 4.3. A241/21  
1403 ALDO DR (WARD 2)  
RAVINDER PAUL MAND
    - 4.4. A242/21  
1060 WALDEN CIR (WARD 2)  
DEBORAH BERNARD
    - 4.5. A243/21  
1020 WALDEN CIR (WARD 2)  
DONALD HARRINGTON
    - 4.6. A244/21  
3073 FOLKWAY DR (WARD 8)  
JEFF CHIN & CHRISTINE DIFRUSCIO
    - 4.7. A250/21  
6889 SECOND LINE WEST (WARD 11)  
JATINDER & JASWINDER HUNDAL
    - 4.8. A252/21  
1081 OGDEN AVE (WARD 1)  
MANJIT SINGH & SUMAN RIYAT

- 4.9. A256/21  
1589 GLENHILL CRES (WARD 2)  
FRANK MAGNO
- 4.10. A258/21  
3342 ANGEL PASS DR (WARD 8)  
ALI HAMMOUDE & WAFA JARRAD
5. OTHER BUSINESS
6. ADJOURNMENT



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: B38.21 A246.21 A247.21  
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 202 Queen Street West, zoned RM7-5 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 9.77m (32.05ft) and an area of approximately 384.37sq.m (4137.32sq.ft).

A minor variance is requested for the Severed lands (file A246/21) and the construction of a new house proposing:

1. A lot frontage of 9.77m (approx. 32.05ft) whereas By-law 0225-2007, as amended, requires minimum lot frontage of 12.00m (approx. 39.37ft) in this instance;
2. A lot area of 384.37sq.m (approx. 4137.32sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 460.00sq.m (approx. 4951.40sq.ft) in this instance;
3. A setback measured to a porch of 2.97m (approx. 9.74ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured to a porch of 4.40m (approx. 14.44ft) in this instance;
4. A front yard of 5.37m (approx. 17.62ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 6.00m (approx. 19.68ft) in this instance;
5. An interior side yard of 0.58m (approx. 1.90ft) whereas By-law 0225-2007, as amended, requires a minimum interior side of 1.20m (approx. 3.93ft) in this instance;
6. A building height measured to a flat roof of 8.00m (approx. 26.23ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to a flat roof of 7.50m (approx. 24.60ft) in this instance;
7. A setback from side/rear yard measured to a below grade stairwell of 0.58m (approx. 1.90ft) whereas By-law 0225-2007, as amended, requires a minimum setback from side/rear yard measured to a below grade stairwell of 1.20m (approx. 3.93ft) in this instance; and
8. A setback measured to a railway right-of-way of 12.31m (approx. 40.39ft) whereas By-law 0225-2007, as amended, requires a minimum setback to a railway right-of-way of 30.00m (approx. 98.43ft) in this instance.

A minor variance is requested for the Retained lands (file A247/21) and the construction of a new house proposing:

1. A lot frontage of 9.77m (approx. 32.05ft) whereas By-law 0225-2007, as amended, requires minimum lot frontage of 12.00m (approx. 39.37ft) in this instance;
2. A lot area of 326.44sq.m (approx. 35ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 460.00sq.m (approx. 4951.40sq.ft) in this instance;
3. A setback measured to a porch of 3.43m (approx. 9.74ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured to a porch of 4.86m (approx. 15.94ft) in this instance;



4. A front yard of 4.80m (approx. 15.75ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 6.00m (approx. 19.68ft) in this instance;
5. An interior side yard of 0.58m (approx. 1.90ft) whereas By-law 0225-2007, as amended, requires a minimum interior side of 1.20m (approx. 3.93ft) in this instance;
6. A building height measured to a flat roof of 8.00m (approx. 26.23ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to a flat roof of 7.50m (approx. 24.60ft) in this instance;
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The Committee has set **Thursday June 24, 2021 at 3:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

#### **How to submit a written comment:**

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

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

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

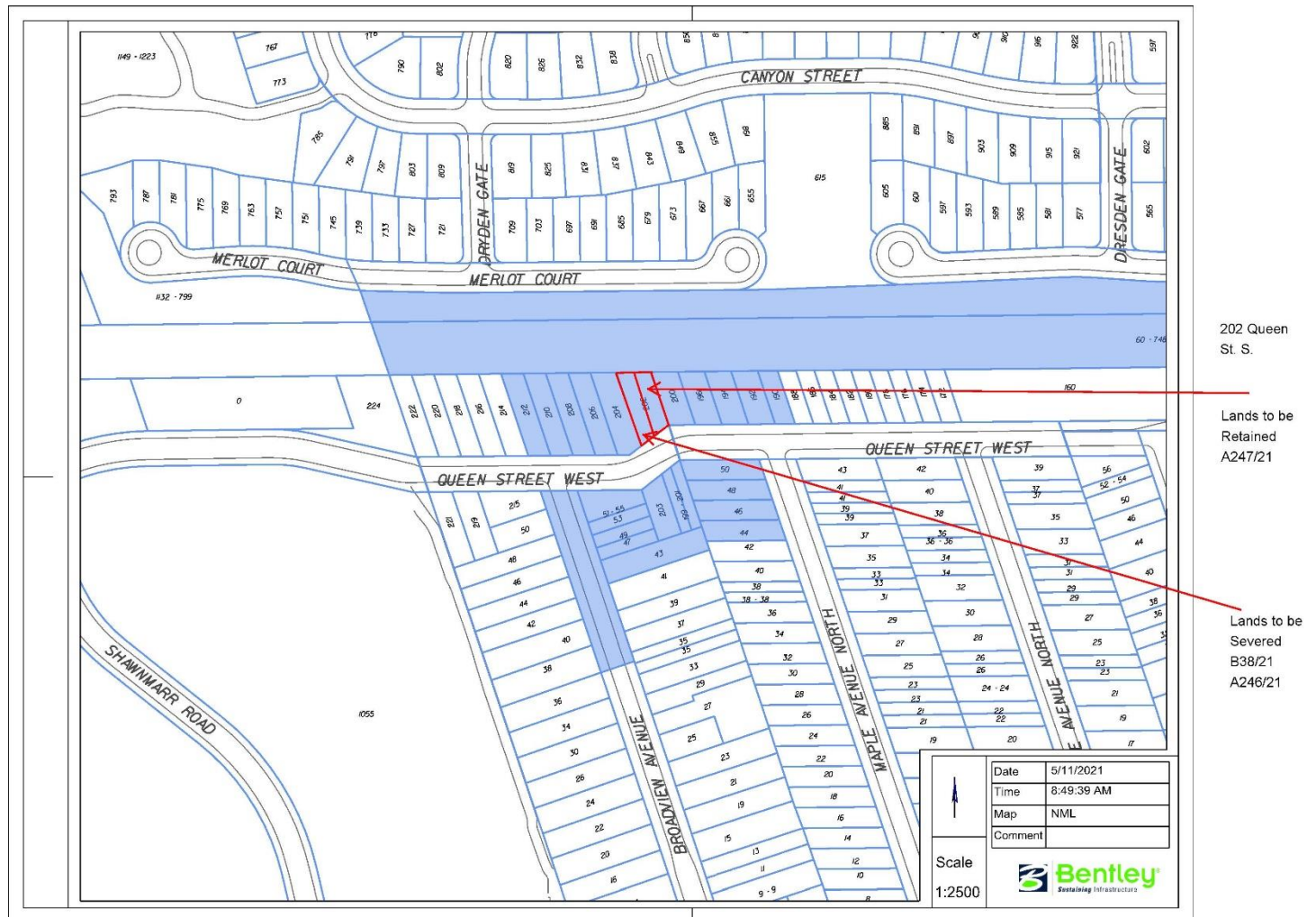
**To participate by telephone:** To register, please call 905-615-3200 x5209 no later than 4:30pm the Tuesday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.

#### **Legal notice:**

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

Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and

Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual (including being posted on the internet) upon request in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x5209.



# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-06-16	File(s): B38.21 A246.21 A257.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2021-06-24 3:00 PM

## Consolidated Recommendation

The City recommends that the applications be deferred.

## 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 9.77m (32.05ft) and an area of approximately 384.37sq.m (4137.32sq.ft).

A minor variance is requested for the Severed lands (file A246/21) and the construction of a new house proposing:

1. A lot frontage of 9.77m (approx. 32.05ft) whereas By-law 0225-2007, as amended, requires minimum lot frontage of 12.00m (approx. 39.37ft) in this instance;
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City Department and Agency Comments	File: B38.21 A246.21 A257.21	2021/06/16	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) "246.21 & A247.21" must be finalized

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

- Variance(s) approved under file(s) A246-247.21 shall lapse if the consent application under file B38.21 is not finalized within the time prescribed by legislation.

## **Background**

**Property Address:** 202 Queen Street West

**Mississauga Official Plan**

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

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

**Zoning:** RM7-5 - Residential

### **Other Applications**

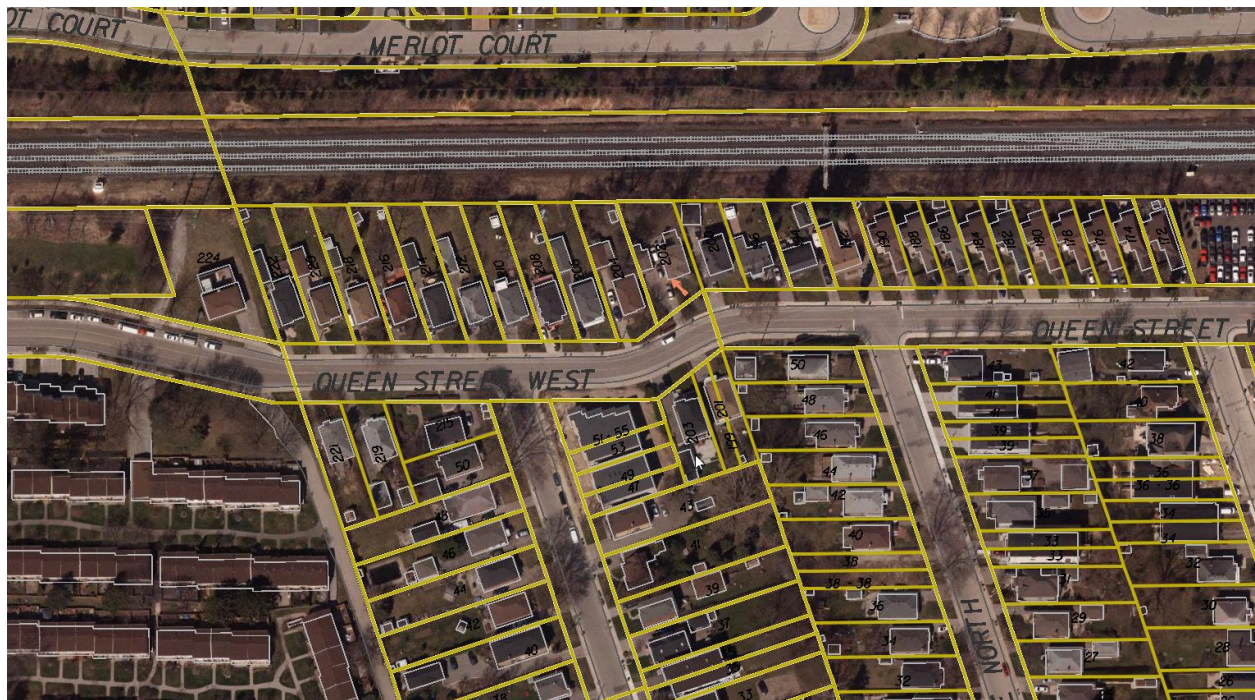
Pre-Application: 21-5043

### **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 neighbourhood contains a diverse lot fabric with lot frontages ranging from approximately 6.80 m to 20 m. The subject property contains an existing two storey detached dwelling with mature vegetation in the front and rear yard.

The applicant is proposing to sever the lot, creating two new parcels for the purpose of developing detached dwellings. The development proposal requires variances related to lot frontage, lot area, front and side yard setbacks and a rear yard setback measured to the railway.





## 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*.

### 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 consent and minor variance applications are as follows:

The retained and severed parcel both propose lot frontages of approximately 9.77 m. The retained parcel proposes a lot area of 326.44 m<sup>2</sup> while the severed parcel proposes a lot area of 384.37 m<sup>2</sup>. The zoning by-law requires lot frontages of 12 m and lot areas of 460 m<sup>2</sup>.

Since 1961, the Village of Port Credit Zoning By-law No. 1227 has permitted a variety of housing types for the subject lands including detached, duplex, triplex, double duplex, double triplex, fiveplex, converted dwelling and boarding or lodging house. In 1997, City Plan (the Official Plan) was adopted, permitting detached, semi-detached, duplex and other forms of

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dwellings with individual frontages on a public street. In 2007, the City undertook a zoning bylaw conformity and consolidation exercise which included public consultation. This led to the adoption of the current RM7 zone provisions.

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached, duplex, triplex and other forms of low rise dwellings with individual frontages. The official plan policies for lands within the Port Credit Neighbourhood Character Area are contained within the Port Credit Local Area Plan and are within the North Residential Neighbourhood precinct (Shawnmarr/Indian Heights). Lands within the North Residential Neighbourhoods are predominately stable residential areas allowing for infill development that is compatible with and enhances the existing character of the area. The zoning by-law allows for a mix of residential uses and lot sizes, creating an eclectic lot fabric within the immediate and broader neighbourhood. The surrounding area contains a diverse lot fabric with frontages that range from approximately 6.80 m to 20 m. Additionally, the forms of housing within the area are equally as diverse contributing to the eclectic nature of the community. The proposed consent application is consistent with the eclectic lot fabric of the surrounding area and will represent development that is compatible with the low density residential uses.

Through discussions with the Transportation and Works Department, an acoustical report is required and must satisfy Ministry of the Environment and Climate Change (MOECC) requirements to determine the feasibility of the proposed severance. As such, staff recommends that the applications be deferred.

## Conclusion

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

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

Through our initial review of this application, we anticipate some issues/concerns which may have a significant impact on the feasibility of proposed severance. Further review and analysis needs to be undertaken to ensure that the proposed outdoor living area (OLA) and building design for the 2 lots can be adequately mitigated to Ministry of the Environment and Climate Change (MOECC) requirements for noise and vibration emanating from railway activities adjacent to the site. Until a detailed noise and vibration study is submitted for review, this Department **cannot support** the application in its current form. We note that this section of the Metrolinx railway corridor has significant railway traffic volumes and noise levels emanating from the railway traffic as has been exhibited in other noise and vibration studies along this railway corridor.

For the applicant's information, an OLA is identified in the Environmental Noise Guidelines (Publication NPC-300) of the Ministry of Environment and Climate Change (MOECC). A minimum area of 56.00m<sup>2</sup> (602.79sq.ft.) is required for single family dwellings.

In addition, under Section 6.10.4.1 of Mississauga Official Plan, states that every effort should be made to achieve the sound level limits specified by the applicable Provincial Government environmental noise guideline for an outdoor living area (55dBA or less). Only in cases where the required noise attenuation measures are not feasible for technical, economic, aesthetic or administrative reasons would excess noise above the limit (55 dBA) be acceptable, with a warning clause to prospective purchasers, consistent with the applicable Provincial Government environmental noise guideline. In these situations, any excess noise above the limit will not be acceptable if it exceeds 60 dBA.

**In view of the above noted concerns, we strongly request that this application be deferred to provide the required noise and vibration impact study determine the feasibility of the proposed severed lot.**

This department's comments/requirements with respect to the minor variance applications will be addressed through the Consent Application File 'B' 38/21.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file PREAPP 21-5043. Based on review of the information currently available in this permit application, we advise that



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

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

Comments Prepared by: Alana Zheng, Zoning Examiner

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

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

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

- Black Walnut – Good Condition
- Crab Apple – Good Condition

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

1. The applicant shall ensure that future driveways do not impact or require the removal of the above noted trees.
2. The applicant shall provide a cash contribution of \$607.12 for planting of one (1) street trees on Queen Street West. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.
3. The applicant shall provide tree protection securities in the amount of \$2,407.12 for the preservation of the municipal tree.

In addition, Community Services notes the following:

1. Payment for street tree fees and charges can be made at the Parks and Forestry customer service counter located at 950 Burnhamthorpe Road West in the form of a certified cheque, bank draft, or money order payable to the City of Mississauga. Please contact Jim Greenfield regarding the Covid-19 interim payment process.
2. The applicant shall provide frame tree hoarding at the dripline of the above noted tree prior to any construction to the satisfaction of City of Mississauga Forestry Staff. Please call Ryan Cormier at 905-615-3200 ext. 4580 to arrange a hoarding inspection.

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

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

Comments Prepared by: Jim Greenfield, Park Planner

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

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

Please note that severing the lands may adversely affect the existing location of the water and sanitary sewer services, if any exist. The result of this may require the applicant to install new water / sanitary servicing connections to either the severed or retained lands in compliance with the Ontario Building Code. The applicant may require the creation of private water / sanitary sewer servicing easements. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections.

Comments Prepared by: Diana Guida, Junior Planner

## **Appendix 7 – Bell Canada**

Subsequent to review of the abovementioned consent application at 202 QUEEN ST W, 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:B38.21 A246.21 A257.21	2021/06/16	9
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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 (A246-247/21).
4. 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 June 16, 2021.



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A240.21  
Ward: 6

### Why you received this letter:

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

### Details of the application and meeting information:

The property owner of 918 Oasis Drive, zoned RM2-53 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a new side entrance proposing:

1. A second unit entrance facing a street, whereas By-law 0225-2007, as amended, does not permit a second unit entrance to face a street in this instance; and
2. A stairwell and retaining wall to facilitate a below grade in the front or exterior side yard, whereas By-law 0225-2007, as amended, does not permit a stairwell and retaining wall to facilitate a below grade entrance in the front or exterior side yard in this instance.

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

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

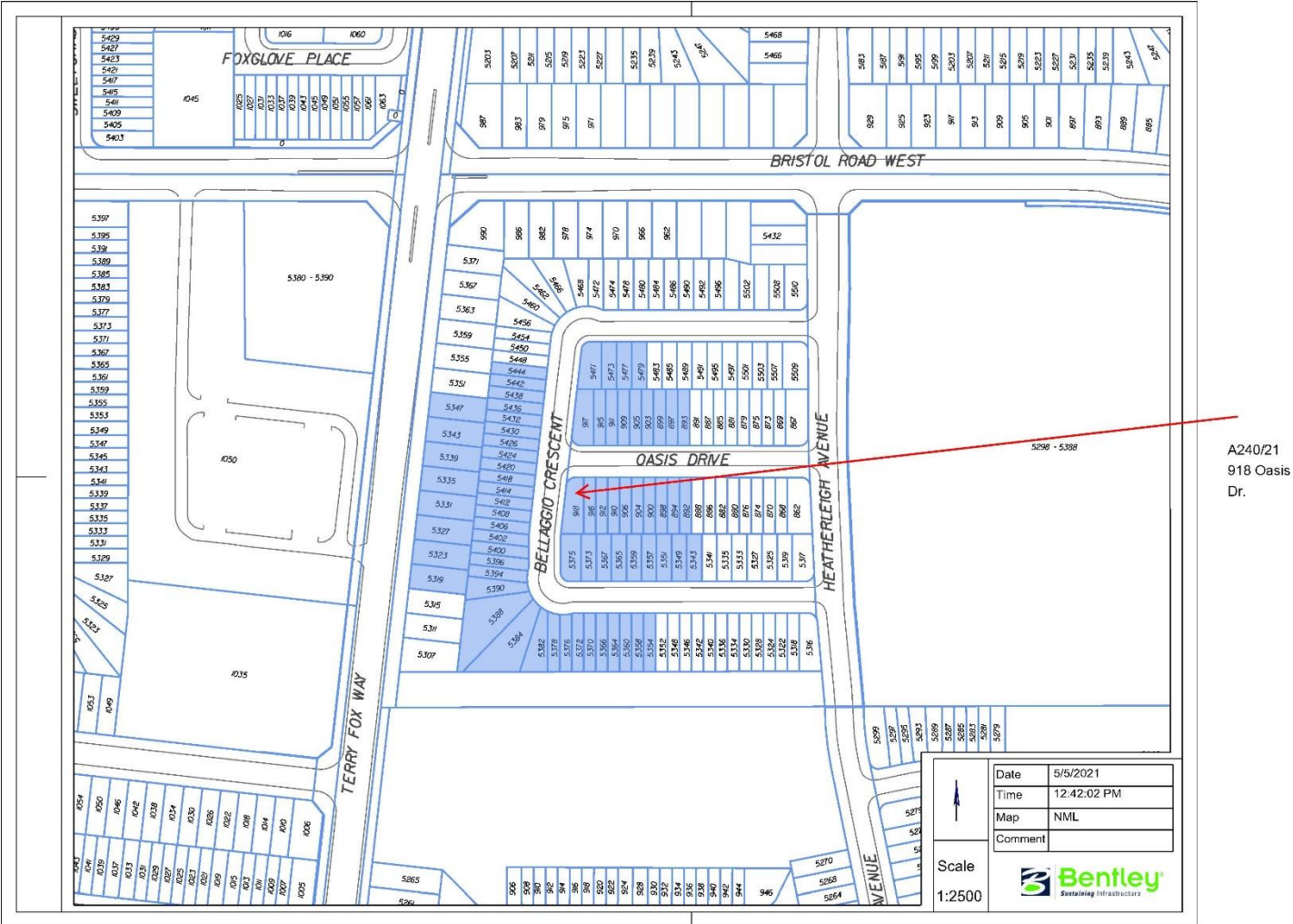
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# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-06-16	File(s): A240.21 Ward: 6
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-06-24 1:00 PM

## Consolidated Recommendation

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

## Application Details

The applicant requests the Committee to approve a minor variance to allow a new side entrance proposing:

1. A second unit entrance facing a street, whereas By-law 0225-2007, as amended, does not permit a second unit entrance to face a street in this instance; and
2. A stairwell and retaining wall to facilitate a below grade in the front or exterior side yard, whereas By-law 0225-2007, as amended, does not permit a stairwell and retaining wall to facilitate a below grade entrance in the front or exterior side yard in this instance.

## Amendments

While Planning Staff are not in a position to provide an interpretation of the Zoning By-law; Staff would note that additional minor variances may be required for the existing widened driveway.

And note that the following should be added:

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.

## Background

**Property Address:** 918 Oasis Drive

**Mississauga Official Plan**

Character Area: East Credit NHD  
Designation: Residential Medium Density

**Zoning By-law 0225-2007**

**Zoning:** RM2-53 - Residential

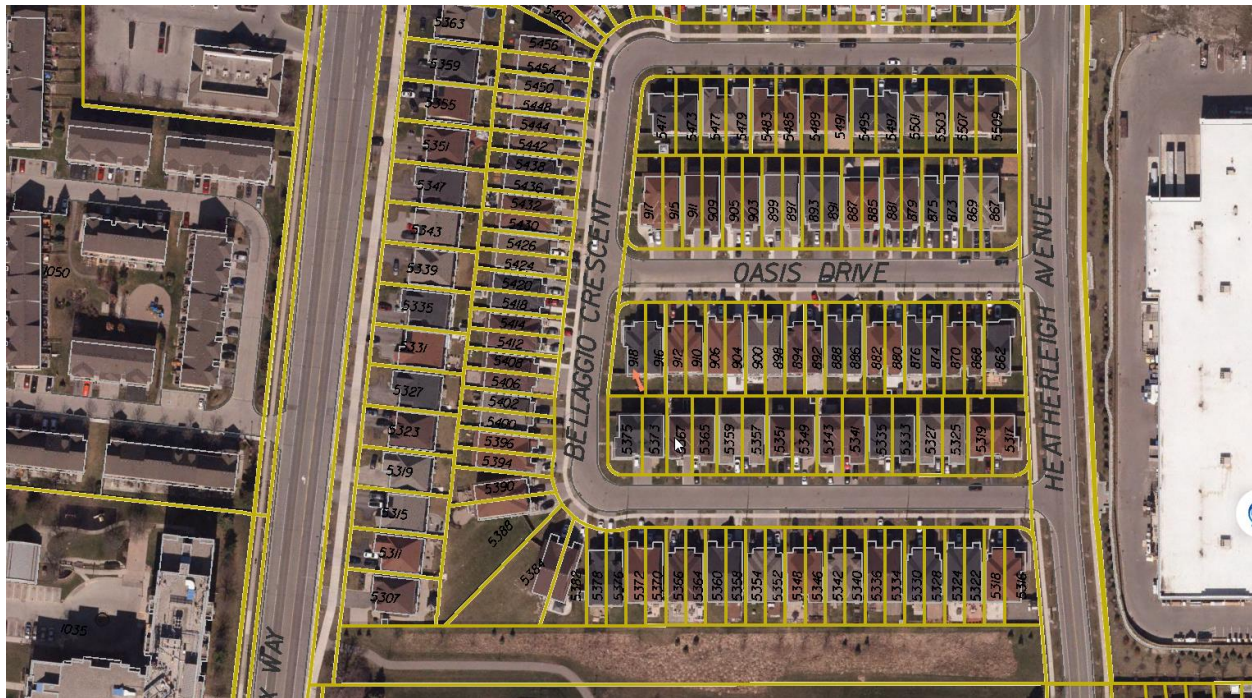
**Other Applications:** None

**Site and Area Context**

The subject property is located south-east of the Terry Fox Way and Bristol Road W. intersection. The property is an exterior parcel with a lot area of +/- 347.83m<sup>2</sup> and a lot frontage of +/- 8.06m. Currently the property houses a two-storey, detached dwelling with vegetation and landscape elements within the both the front and rear yards. Contextually, the immediate area is comprised exclusively of two-storey semi-detached dwellings, possessing lot frontages of +/- 7m and vegetation and landscape elements in both the front and exterior side yards.

The applicant is proposing a side entrance requiring variances for a secondary unit entrance facing the street and a stairwell and retaining wall to facilitate a below grade in the front or exterior side yard.





## Comments

### Planning

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

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

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

The subject property is located within the East Credit Neighbourhood Character Area and is designated Residential Medium Density in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Medium Density designation permits all forms of townhouse 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 secondary unit is permitted within this designation; Staff is of the opinion that the general intent and purpose of the official plan is maintained.



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

The intent of the by-law in prohibiting a below grade entrance in the front/exterior yard and facing a street is to prevent a negative visual impact to the overall streetscape. While the proposed entrance faces the street, the proposed is located within an existing portico that sufficiently screens the entranceway. Additionally, the portico possesses an existing railing that hides the proposed entrance from the streetscape, softening the impact. Staff are of the opinion that this deviation from the by-law can be supported based on existing built conditions of the portico. Staff is supportive of Variances #1 and #2 and are of the opinion that these maintain the general intent and purpose of the zoning by-law.

Upon review of the photos provided by T&W, Planning Staff note that additional variances may be required for an existing widened driveway. Staff do not support these additional variances and recommend the application be deferred to permit the Applicant the opportunity to redesign the driveway.

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

The proposed secondary unit entrance is sufficiently screened and will not impact the streetscape. Planning Staff are of the opinion that this application represents the orderly development of the lands, and is minor in nature.

**Conclusion**

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

Comments Prepared by: Connor DiPietro, Planning Associate

## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed for Committees information are some photos which depict the existing second unit entrance. We have no drainage related concerns with regards to the location of the stairwell.





**Appendix 2 – Zoning Comments**

The Building Department is currently processing a Second Unit under file SEC UNIT 21-5592 SU. Based on review of the information currently available in this permit application, we advise that the current variances requested are correct, and that more information is required in order to determine whether additional variance(s) will be required.

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

Comments Prepared by: Brandon Eidner, Zoning Examiner

**Appendix 5 – Region of Peel Comments**

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner





## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A241.21  
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 1403 Aldo Drive, zoned R2-5 - 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 the construction of a new house proposing:

1. A gross floor area of 646.21sq.m (approx. 6955.75sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 536.34sq.m (approx. 5773.12ft) in this instance;
2. A side yard measured to a window well of 1.31m (approx. 4.30ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to a window well of 1.80m (approx. 5.91ft) in this instance;
3. A building height measured to the eaves of 7.11m (approx. 23.33ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 20.99ft) in this instance;
4. A building height measured to the highest ridge of 9.58m (approx. 31.43ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the highest ridge of 9.50m (approx. 31.16ft) in this instance;
5. A dwelling depth of 24.69m (approx. 81.00ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance; and
6. A garage area of 114sq.m (approx. 1227.09sq.ft) whereas By-law 0225-2007, as amended, permits a maximum garage area of 75sq.m (approx. 807.29sq.ft) in this instance.

The Committee has set **Thursday June 24, 2021 at 3:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

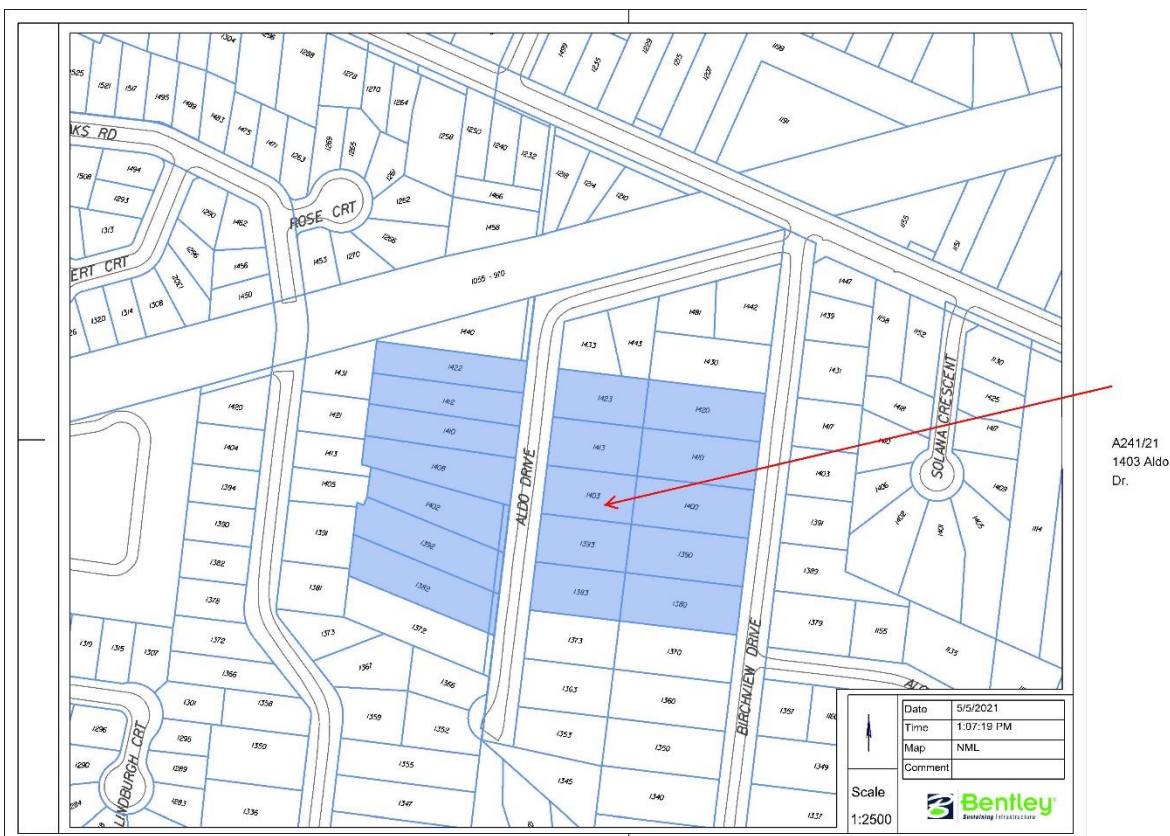
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# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-06-16	File(s): A241.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-06-24 3:00 PM

## Consolidated Recommendation

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

## Application Details

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

1. A gross floor area of 646.21sq.m (approx. 6955.75sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 536.34sq.m (approx. 5773.12ft) in this instance;
2. A side yard measured to a window well of 1.31m (approx. 4.30ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to a window well of 1.80m (approx. 5.91ft) in this instance;
3. A building height measured to the eaves of 7.11m (approx. 23.33ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 20.99ft) in this instance;
4. A building height measured to the highest ridge of 9.58m (approx. 31.43ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the highest ridge of 9.50m (approx. 31.16ft) in this instance;
5. A dwelling depth of 24.69m (approx. 81.00ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance; and
6. A garage area of 114sq.m (approx. 1227.09sq.ft) whereas By-law 0225-2007, as amended, permits a maximum garage area of 75sq.m (approx. 807.29sq.ft) in this instance.

## Background

**Property Address:** 1403 Aldo Drive

## Mississauga Official Plan

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

## Zoning By-law 0225-2007

Zoning: R2-5 – Residential

## Other Applications

Site Plan: 21-34

## Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southwest of Indian Road and the Hydro corridor. The neighbourhood consists of large lots with mature vegetation, containing one and two storey detached dwellings. The subject property contains an existing two storey dwelling with mature vegetation.

The applicant is proposing a new two storey dwelling requiring variances related to gross floor area, side yard, height, dwelling depth and garage area.



## Comments

Planning



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

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

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

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

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

The application proposes an increased gross floor area, dwelling height and eave height. The intent of the infill regulations is to maintain compatibility between existing and new dwellings. The regulations also lessen the visual massing of the dwelling by bringing the edge of the roof closer to the ground, giving the dwelling a more human scale. In this instance, the proposed dwelling contains a below grade garage which accounts for approximately 54.81 m<sup>2</sup> of the total gross floor area. Excluding the below grade garage, the dwelling would have a gross floor area of 591.40 m<sup>2</sup>. Additionally, the difference between average grade and finished grade is approximately 0.45 m. From a streetscape perspective, the overall height would be under the maximum permitted height of 9.50 m and the eave height proposed would be approximately 6.66 m which is a minor deviation from what is permitted. The dwelling contains architectural features that break up the overall massing of the dwelling, maintaining a design character that is reflective of the neighbouring properties. The proposed dwelling maintains the scale of newer dwellings within the immediate area and is not out of character with the existing or planned context of the neighbourhood. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #5 proposes a dwelling depth of 24.69 m whereas a maximum dwelling depth of 20 m is permitted. The intent of regulating dwelling depth is to minimize the impact of long walls on neighbouring properties as a result of the building massing. In this instance, the increased dwelling depth is due to habitable space located below grade. Above grade, the ground and second floor maintain the maximum permitted depth of 20 m. As the increased depth is below grade, there will be no massing concerns to neighbouring properties. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

The remaining variances propose a deficient setback measured to a window well and increased garage area. The window well does not present any massing concerns to the neighbouring property. Additionally, the setback measured to the dwelling exceeds by-law requirements. The increased garage area is due to the below grade garage. The garage at grade maintains the maximum area permitted within the by-law. As such, staff is of the opinion that these variances are appropriate to be handled through the minor variance process and further, raise no concerns of a planning nature.

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

The proposed dwelling maintains the existing character of the neighbourhood and is similar to newer two storey dwellings within the neighbourhood. The dwelling contains features which reduce the overall massing of the dwelling to the streetscape and neighbouring properties. Finally, the increased dwelling depth is due to habitable space below grade. Above grade, the dwelling maintains the maximum permitted dwelling depth. Staff is of the opinion that the application represents orderly development and is minor in nature.

## **Conclusion**

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

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling are being addressed through the Site Plan Application process, File SPI-21/034.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan Infill application under file SPI 21-34. A review of the second cycle of this application has not taken place yet and as such, the requested variances can't be confirmed at this time.

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

Comments Prepared by: Brandon Eidner, Zoning Examiner

### Appendix 5 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A242.21  
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 1060 Walden Circle Unit 20, zoned RM4 - 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 balcony for Unit 20 proposing:

1. A balcony projection of 4.06m (approx. 13.32ft) whereas By-law 0225-2007, as amended, permits a maximum balcony projection of 1.00m (approx. 3.28ft) in this instance; and
2. The area below the balcony to be considered soft landscaping whereas By-law 0225-2007, as amended, does not permit the area below a balcony to be considered as soft landscaping in this instance.

The Committee has set **Thursday June 24, 2021 at 3:00 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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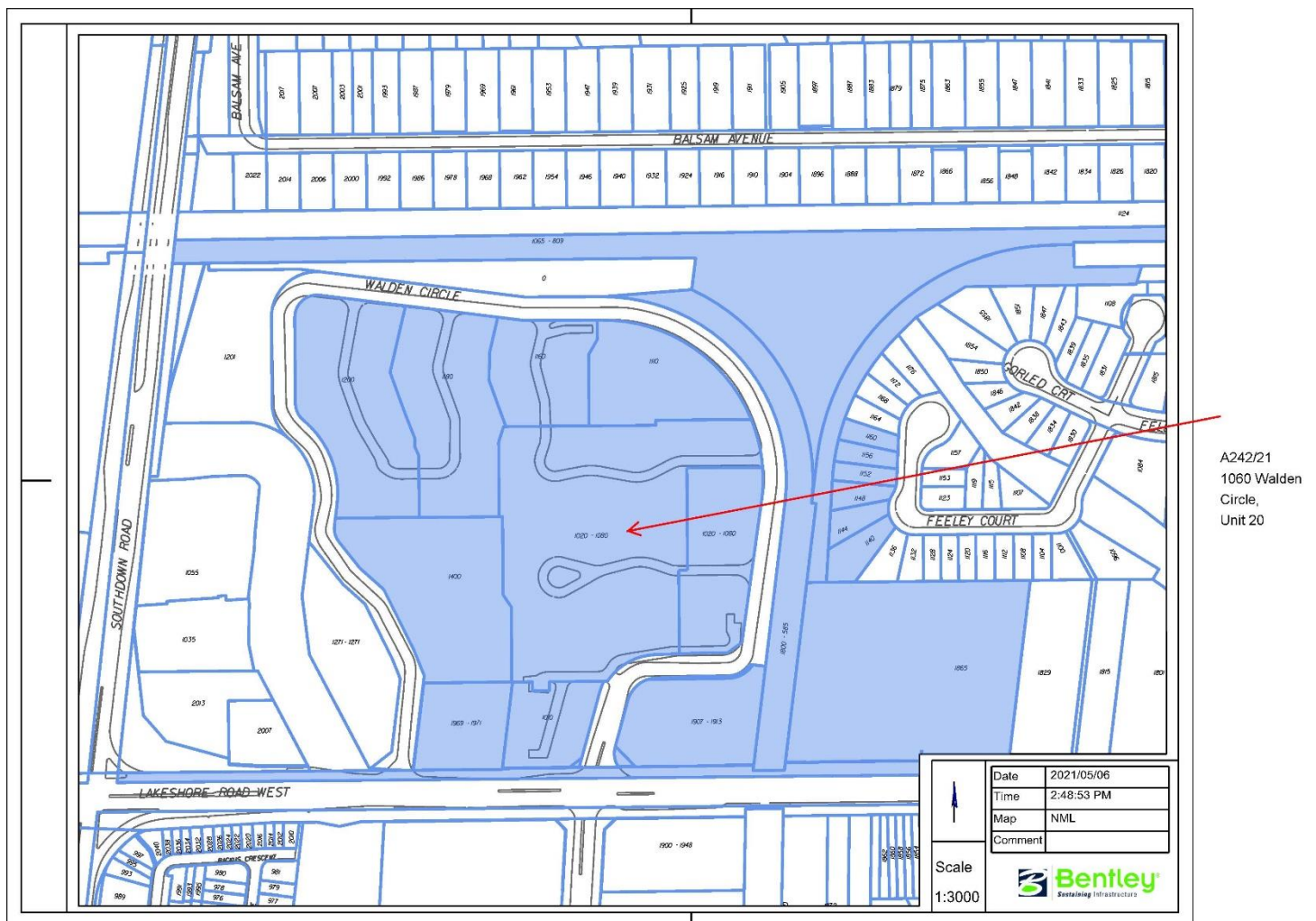
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Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process 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.



# City of Mississauga

## Memorandum:

## City Department and Agency Comments

Date Finalized: 2021-06-16	File(s): A242.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2021-06-24 3:00 PM

## Consolidated Recommendation

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

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a balcony for Unit 20 proposing:

1. A balcony projection of 4.06m (approx. 13.32ft) whereas By-law 0225-2007, as amended, permits a maximum balcony projection of 1.00m (approx. 3.28ft) in this instance; and
2. The area below the balcony to be considered soft landscaping whereas By-law 0225-2007, as amended, does not permit the area below a balcony to be considered as soft landscaping in this instance.

## Background

**Property Address:** 1060 Walden Circle Unit 20

**Character Area:** Clarkson Village Community Node  
**Designation:** Residential Medium Density

### Zoning By-law 0225-2007

**Zoning:** RM4 (Residential)

### Site and Area Context



The subject property is located within the Clarkson Village Community Node Character Area, northwest of Clarkson Road North and Lakeshore Road West. The subject site is located within a townhouse complex which also contains high-rise apartment buildings. The area is comprised of mature vegetation and includes Sheridan Creek Trail which is a Significant Natural Area.

The applicant is proposing a balcony in the rear yard requiring a variance for a balcony projection and to include the lands below the balcony to be included in landscaped area.



## Comments

### Planning

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

Staff comments concerning the application are as follows:

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

This Department has no objections, comments or requirements with respect to C.A. 'A' 242/21.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Brandon Eidner, Zoning Examiner

### Appendix 5 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner

### Appendix 7 – Metrolinx

I understand the property owner has applied for a minor variance to permit the construction of a balcony projecting 4.06m, and to permit soft landscaping below the balcony. As the balcony projection does not intrude into the 30m horizontal setback required by Metrolinx for all development adjacent to the rail corridor, I have no objections should the Committee choose to grant the request.

Comments Prepared by: Tony To, Project Manager



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A243.21  
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 1020 Walden Circle Unit 16, zoned RM4 - 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 balcony for Unit 16 proposing:

1. A balcony projection of 4.06m (approx. 13.32ft) whereas By-law 0225-2007, as amended, permits a maximum balcony projection of 1.00m (approx. 3.28ft) in this instance; and
2. The area below the balcony to be considered soft landscaping whereas By-law 0225-2007, as amended, does not permit the area below a balcony to be considered as soft landscaping in this instance.

The Committee has set **Thursday June 24, 2021 at 3:00 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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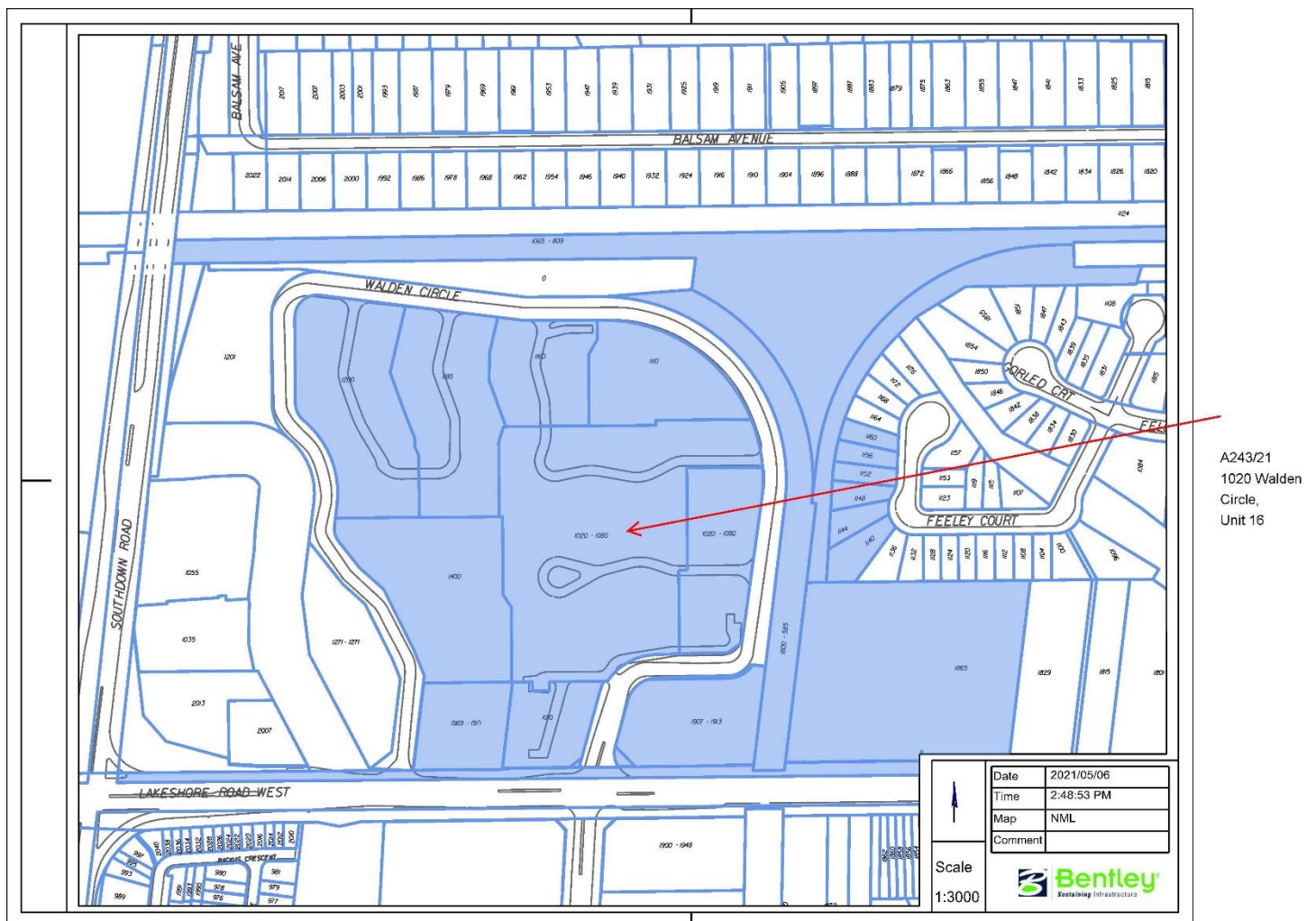
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**Legal notice:**

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# City of Mississauga

## Memorandum:

## City Department and Agency Comments

Date Finalized: 2021-06-16	File(s): A243.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-06-24 3:00 PM

## Consolidated Recommendation

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

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a balcony for Unit 16 proposing:

1. A balcony projection of 4.06m (approx. 13.32ft) whereas By-law 0225-2007, as amended, permits a maximum balcony projection of 1.00m (approx. 3.28ft) in this instance; and
2. The area below the balcony to be considered soft landscaping whereas By-law 0225-2007, as amended, does not permit the area below a balcony to be considered as soft landscaping in this instance.

## Background

**Property Address:** 1020 Walden Circle Unit 16

### Mississauga Official Plan

Character Area: Clarkson Village Community Node  
Designation: Residential Medium Density

### Zoning By-law 0225-2007

**Zoning:** RM4 (Residential)

### Site and Area Context

The subject property is located within the Clarkson Village Community Node Character Area, northwest of Clarkson Road North and Lakeshore Road West. The subject site is located within a townhouse complex which also contains high-rise apartment buildings. The area is comprised of mature vegetation and includes Sheridan Creek Trail which is a Significant Natural Area.

The applicant is proposing a balcony in the rear yard requiring a variance for a balcony projection and to include the lands below the balcony to be included in landscaped area.



## Comments

### Planning

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

Staff comments concerning the application are as follows:

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

This Department has no objections, comments or requirements with respect to C.A. 'A' 243/21.

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

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner

### Appendix 7 – Metrolinx

I understand the property owner has applied for a minor variance to permit the construction of a balcony projecting 4.06m, and to permit soft landscaping below the balcony. As the balcony projection does not intrude into the 30m horizontal setback required by Metrolinx for all development adjacent to the rail corridor, I have no objections should the Committee choose to grant the request.

Comments Prepared by: Tony To, Project Manager





## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A244.21  
Ward: 8

### Why you received this letter:

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

### Details of the application and meeting information:

The property owner of 3073 Folkway Drive, zoned R3 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to construct a pool proposing a rear yard measured to a pool of 1.75m (approx. 5.74ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to a pool of 5.0m (approx. 16.40ft) in this instance.

The Committee has set **Thursday June 24, 2021 at 3:00 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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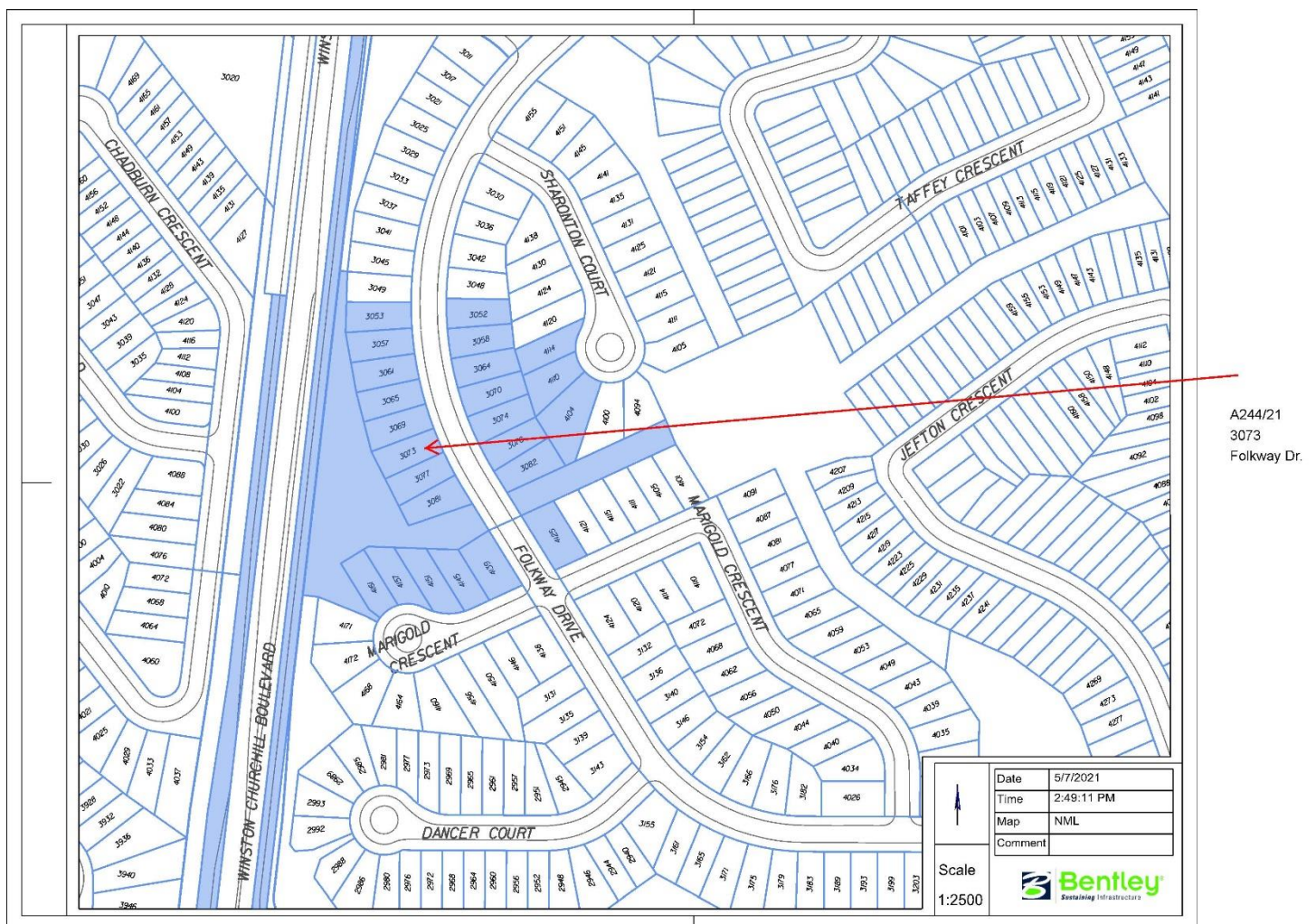
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# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-06-16	File(s): A244.21 Ward: 8
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2021-06-24 3:00 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 construct a pool proposing a rear yard measured to a pool of 1.75m (approx. 5.74ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to a pool of 5.0m (approx. 16.40ft) in this instance.

### Amendments

Staff recommends that the variance be amended as follows:

The applicant requests the Committee to approve a minor variance to construct a pool proposing a rear yard measured to a pool of 1.72m (approx. 5.64ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured from a G1 Zone to a pool of 5.0m (approx. 16.40ft) in this instance.

## Background

**Property Address:** 3073 Folkway Drive

### Mississauga Official Plan

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



**Zoning By-law 0225-2007**

**Zoning:** R3 - Residential

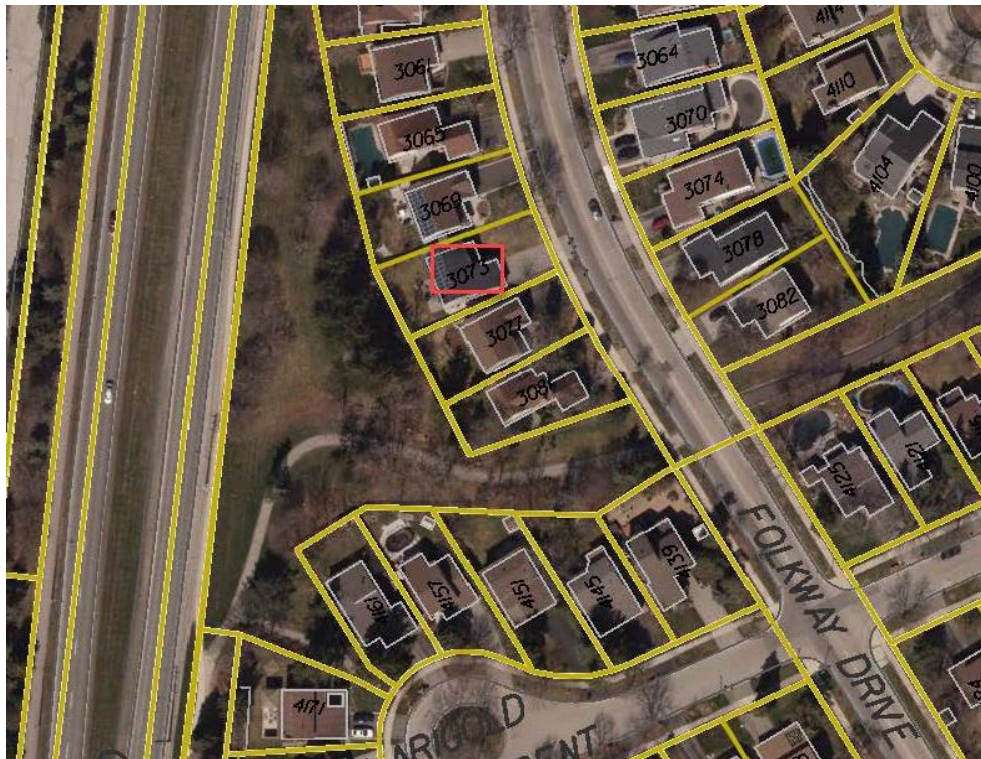
**Other Applications**

**Pool Permit:** 21-135

**Site and Area Context**

The subject property is located within the Erin Mills Neighbourhood Character Area, northeast of Winston Churchill Boulevard and Burnhamthorpe Road West. The neighbourhood is entirely residential, consisting of two storey detached dwellings with mature vegetation. The subject property contains an existing two storey dwelling and abuts Glen Erin Trail at the rear of the lot, a City owned park that is currently zoned G1 (Greenlands).

The applicant is proposing to construct a pool requiring a deficient setback measured to a G1 zone.



**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 abuts a G1 zone which is not considered a natural area. The proposed setback is measured to the narrowest point of the pool in relation to the rear lot line. At the widest point, the pool maintains a setback of 3.54 m. Staff is of the opinion that the application is appropriate to be handled through the minor variance process and raises no concerns of a planning nature in this instance.

**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 have no objections to the applicant's request. We note that the proposed retaining wall at the rear of the property that is greater than 0.60m in height may require certifications through the permitting process.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a Pool Enclosure Permit under file POOL 21-135. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

1. The applicant requests the Committee to approve a minor variance to construct a pool proposing a rear yard measured to a pool of 1.72m (approx. 5.64ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured from a G1 Zone to a pool of 5.0m (approx. 16.40ft) 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 Glen Erin Trail (P-079).
2. Construction access from the park is not permitted.
3. Stockpiling of construction materials and encroachment in the adjacent park is not permitted.



4. The submission of a pool permit will be required and may be subject to hoarding and securities.

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

Comments Prepared by: Jim Greenfield, Park Planner

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

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A250.21  
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 6889 Second Line West, zoned R2-10 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing a lot coverage of 29.19% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% in this instance.

The Committee has set **Thursday June 24, 2021 at 3:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-06-16	File(s): A250.21 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-06-24 3:00 PM

## Consolidated Recommendation

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

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing a lot coverage of 29.19% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% in this instance.

## Background

**Property Address:** 6889 Second Line West

### Mississauga Official Plan

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

### Zoning By-law 0225-2007

**Zoning:** R2-10 - Residential

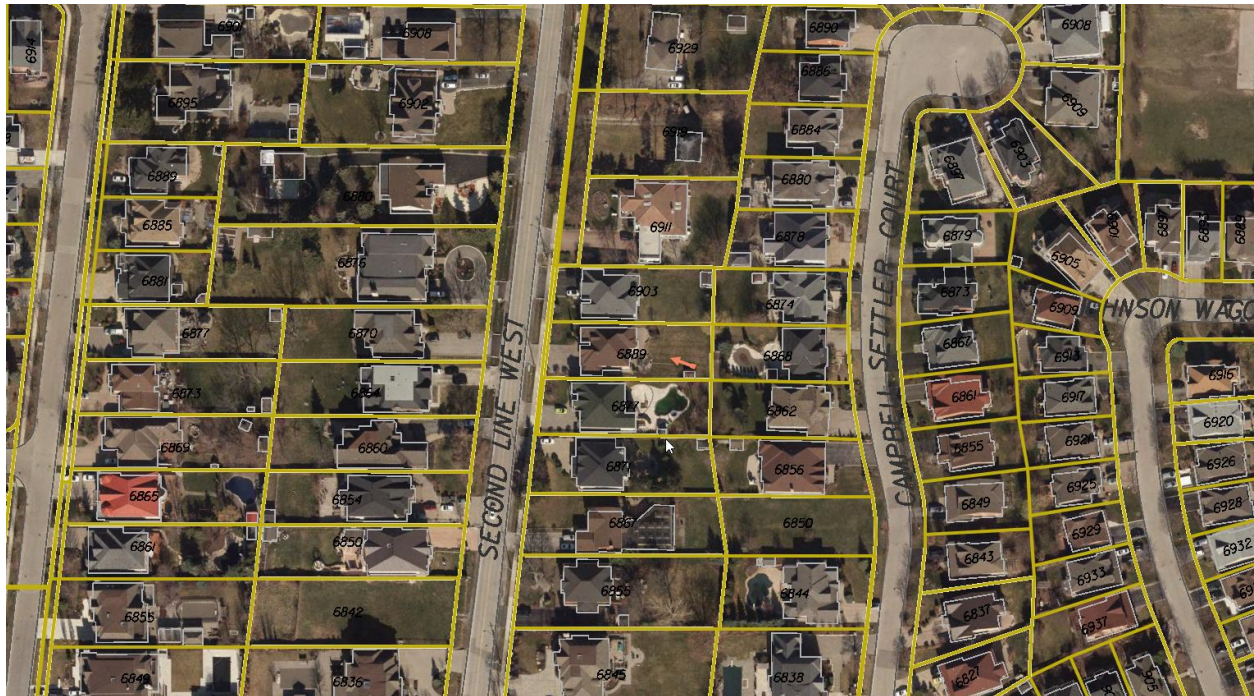
**Other Applications:** BP 9New 99-1405

### Site and Area Context

The subject property is located north-east of the Second Line West and Silverthorn Mill Avenue intersection. The property is an interior parcel with a lot area of +/- 1,078.41m<sup>2</sup> and a lot frontage of +/- 18.94m. Currently the property houses a two-storey, detached dwelling with

mature vegetation and landscape elements in both the front and rear yards. Contextually, the area is comprised exclusively of detached dwellings possessing lot frontages of +/- 20.95m, with and mature vegetation and landscape elements in both the front and exterior side yards.

The applicant is proposing an addition requiring a variance for lot coverage.



## Comments

### Planning

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

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

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

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



dwelling. 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 existing residential dwelling is permitted within this designation. Staff is of the opinion that the general intent and purpose of the MOP is maintained.

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

The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot. Overdevelopment negatively impacts the neighbourhood streetscape and neighbouring properties by disrespecting the neighbourhood's existing character and massing. The proposed canopy addition will not add structural massing to the dwelling or impact the abutting neighbours. As a result the proposed addition does not represent the overdevelopment of the lot. Furthermore, with the proposed canopy being located at the rear of the property, it will not have any impact on the streetscape. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

The proposed canopy does not represent the overdevelopment of the lot and will not negatively impact neighbouring properties or the streetscape. Staff are of the opinion that this application represents the orderly development of the lands, and is minor in nature.

## **Conclusion**

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

Comments Prepared by: Connor DiPietro, Planning Associate



## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed addition will be addressed through the Building Permit Process. From our site inspection of the property we note that we do not foresee any drainage related concerns with the addition provided that the existing drainage pattern be maintained.



Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file BP 9ALT 21-6313. 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.

City Department and Agency Comments	File:A250.21	2021/06/16	5
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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: A252.21  
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 1081 Ogden Avenue, zoned R3-75 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A lot coverage of 38.50% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance; and
2. A building height measured to the eaves of 6.9m (approx. 22.64ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.4m (approx. 20.99ft) in this instance.

The Committee has set **Thursday June 24, 2021 at 3:00 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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### Legal notice:

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

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



# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-06-16	File(s): A252.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-06-24 3:00 PM

## Consolidated Recommendation

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

## Application Details

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

1. A lot coverage of 38.50% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance; and
2. A building height measured to the eaves of 6.9m (approx. 22.64ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.4m (approx. 20.99ft) in this instance.

## Background

**Property Address:** 1081 Ogden Avenue

### Mississauga Official Plan

Character Area: Lakeview Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

**Zoning:** R3-75 - Residential



## Other Application

Building Permit: 21-6202

## Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, north of Lakeshore Road East and Ogden 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 a detached garage in the exterior side yard.

The application proposes a new two storey dwelling, requiring variances related to lot coverage and eave height.



## Comments

### Planning

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

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



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

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached, 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. The proposed dwelling is similar to newer two storey dwellings, maintaining compatibility with the neighbourhood character. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

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

The application proposes a lot coverage of 38.50% whereas a maximum of 35% is permitted. The intent of the by-law is to ensure there isn't overdevelopment of the lot. In this instance, the increased lot coverage is attributed to the front covered porch and rear covered deck. Excluding these features, the dwelling including the detached garage would have a lot coverage of approximately 34%, maintaining the by-law provision. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #2 proposes an eave height of 6.90 m whereas a maximum of 6.40 m is permitted. The intent of restricting height to the eaves is to lessen the visual massing of the dwelling by bringing the edge of the roof closer to the ground, thereby giving the dwelling a more human scale. The dwelling maintains a height of 9.14 m which is less than the maximum permitted height of 9.50 m which mitigates the impact of the increased eave height. Additionally, the dwelling is measured to average grade, which is approximately 0.20 m below the finished grade. As such, from a streetscape perspective, the eave height would be approximately 6.70 m which represents a minor deviation from the zoning by-law and does not significantly alter the streetscape character. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

The proposed dwelling maintains the existing and planned context of the surrounding neighbourhood. The overall height of the dwelling is less than the maximum permitted height of 9.50 m, reducing the impact of the increased eave height. The increased lot coverage is due to the covered porch and rear covered deck, which does not add significant massing to the dwelling. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

**Conclusion**

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

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling are being addressed by our Development Construction Section through the Building Permit process, File BP 9NEW 21/6202.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file BP 9NEW 21-6202. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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

Comments Prepared by: Alana Zheng, Zoning Examiner

### Appendix 5 – Region of Peel Comments

#### Minor Variance Application: A-252/21

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

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

Comments Prepared by: Diana Guida, Junior Planner

### Appendix 7 – Metrolinx

I understand the property owner has applied for a minor variance to allow the construction of a new house, which would have a lot coverage of 38.5% and a building height of 6.9m, both of which exceed the permissible amounts stipulated in the City By-Law. The subject property is

located approximately 75 m from Metrolinx's Oakville Subdivision, which carries GO Transit ridership on the Lakeshore West rail line. Residential development and railway activities are inherently conflicting land uses. It is requested that the following be considered by the Committee prior to granting any approvals.

1. In accordance with Section 3.9 of the "Guidelines for New Development in Proximity to Railway Operations", prepared for The Federation of Canadian Municipalities and the Railway Association of Canada, it is advised that the Owner grant to Metrolinx an environmental easement for operational emissions, which is to be registered on title of the subject lands. I have included a copy of the easement language for the applicant's information. The applicant may contact Metrolinx (Tony To; [tony.to@metrolinx.com](mailto:tony.to@metrolinx.com)) with any questions and to initiate the registration process.

#### Form of Easement

WHEREAS the Transferor is the owner of those lands legally described as [insert legal description] (the "Easement Lands");

IN CONSIDERATION OF the sum of TWO DOLLARS (\$2.00) and such other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the Transferor, the Transferor transfers to the Transferee, and its successors and assigns, a permanent and perpetual non-exclusive easement or right and interest in the nature of a permanent and perpetual non-exclusive easement over, under, along and upon the whole of the Easement Lands and every part thereof for the purposes of discharging, emitting, releasing or venting thereon or otherwise affecting the Easement Lands at any time during the day or night with noise, vibration and other sounds and emissions of every nature and kind whatsoever, including fumes, odours, dust, smoke, particulate matter, electromagnetic interference and stray current but excluding spills, arising from or out of, or in connection with, any and all present and future railway or other transit facilities and operations upon the lands of the Transferee and including, without limitation, all such facilities and operations presently existing and all future renovations, additions, expansions and other changes to such facilities and all future expansions, extensions, increases, enlargement and other changes to such operations (herein collectively called the "Operational Emissions").

THIS Easement and all rights and obligations arising from same shall extend to, be binding upon and enure to the benefit of the parties hereto and their respective officers, directors, shareholders, agents, employees, servants, tenants, sub-tenants, customers, licensees and other operators, occupants and invitees and each of its or their respective heirs, executors, legal personal representatives, successors and assigns. The covenants and obligations of each party hereto, if more than one person, shall be joint and several.

Easement in gross.

Comments Prepared by: Tony To, Project Manager



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A256.21  
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 1589 Glenhill Crescent, zoned R2-1 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house on the subject property proposing:

1. A gross floor area of 437.55sq.m (approx. 4,709.75sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 392.26sq.m (approx. 4,222.25sq.ft) in this instance;
2. A height measured to the eaves of 7.05m (approx. 23.13ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m (approx. 20.99ft) in this instance;
3. An exterior side yard of 3.90m (approx. 12.80ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 7.50m (approx. 24.61ft) in this instance;
4. An exterior side yard measured to a chimney of 4.32m (approx. 14.17ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to a chimney of 6.89m (approx. 22.60ft) in this instance;
5. An exterior side yard measured to hard surface in the rear yard of 0.33m (approx. 1.08ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to hard surface in the rear yard of 0.61m (approx. 2.00ft) in this instance;
6. An exterior side yard measured to a window well of 2.86m (approx. 9.38ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to a window well of 6.89m (approx. 22.60ft) in this instance;
7. An exterior side yard measured to a roof overhang greater than 0.45m of 2.89m (approx. 9.48ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to a roof overhang greater than 0.45m of 7.05m (approx. 23.13ft) in this instance;
8. An exterior side yard measured to a balcony of 6.35m (approx. 20.83ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to a balcony of 6.50m (approx. 21.33ft) in this instance; and
9. An exterior side yard measured to a below grade entrance of 2.23m (approx. 7.32ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to a below grade entrance of 7.50m (approx. 24.61ft) in this instance.

The Committee has set **Thursday June 24, 2021 at 3:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

You can get more information on this matter by emailing [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) or calling 905-615-3200 x5209. You can review city staff and agency comments one week before the hearing at the

following link: <http://www.mississauga.ca/portal/cityhall/calendar>. Hearings will be streamed online for the public to view at the following link: <http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>.

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

**How to submit a written comment:**

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

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

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

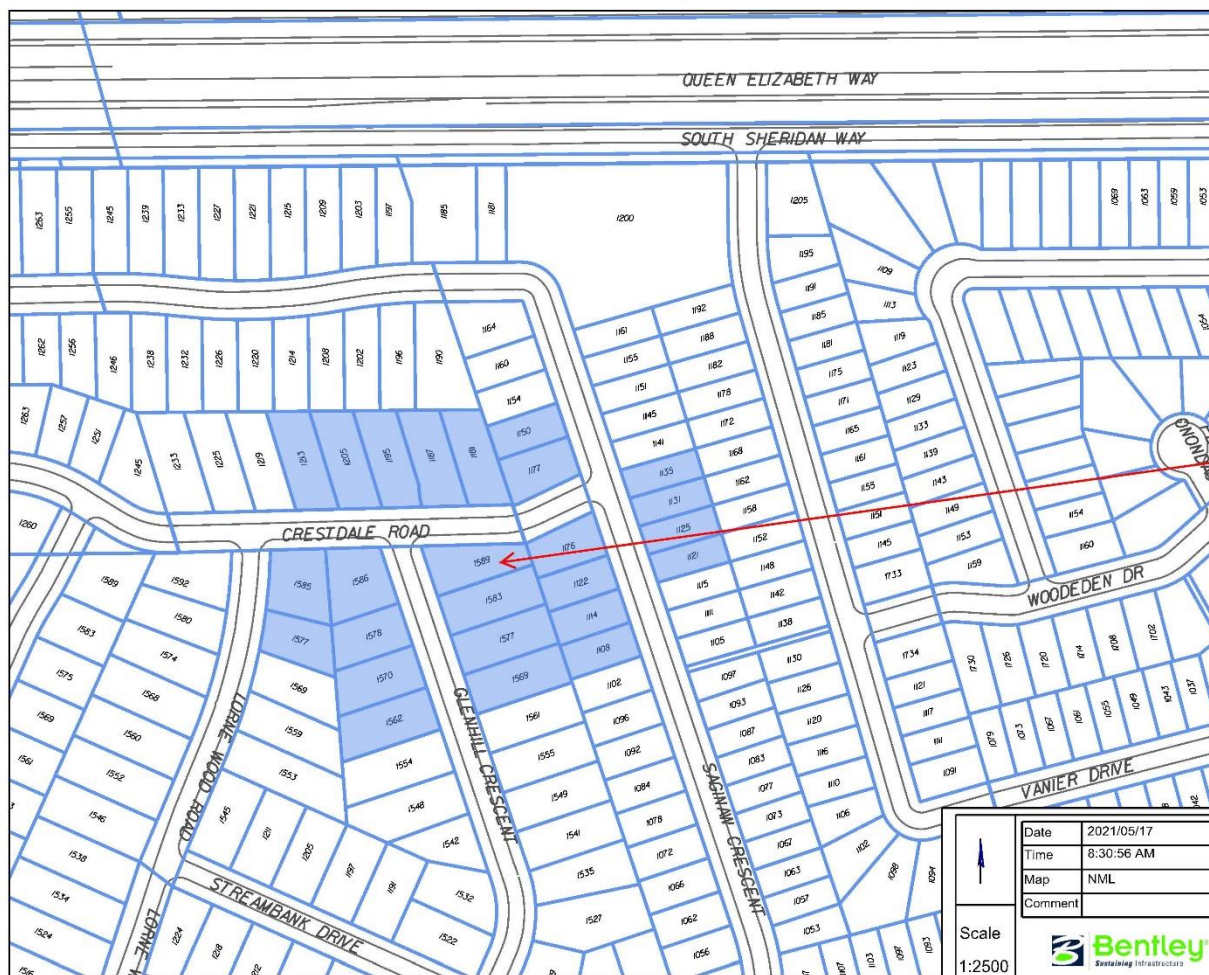
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A256/21  
1589  
Glenhill  
Cres.

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Time	8:30:56 AM
Map	NML
Comment	

Scale  
1:2500

 **Bentley**  
Sustaining Infrastructure

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-06-16	File(s): A256.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-06-24 3:00 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 on the subject property proposing:

1. A gross floor area of 437.55sq.m (approx. 4,709.75sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 392.26sq.m (approx. 4,222.25sq.ft) in this instance;
2. A height measured to the eaves of 7.05m (approx. 23.13ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m (approx. 20.99ft) in this instance;
3. An exterior side yard of 3.90m (approx. 12.80ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 7.50m (approx. 24.61ft) in this instance;
4. An exterior side yard measured to a chimney of 4.32m (approx. 14.17ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to a chimney of 6.89m (approx. 22.60ft) in this instance;
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6. An exterior side yard measured to a window well of 2.86m (approx. 9.38ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to a window well of 6.89m (approx. 22.60ft) in this instance;
7. An exterior side yard measured to a roof overhang greater than 0.45m of 2.89m (approx. 9.48ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to a roof overhang greater than 0.45m of 7.05m (approx. 23.13ft) in this instance;
8. An exterior side yard measured to a balcony of 6.35m (approx. 20.83ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to a balcony of 6.50m (approx. 21.33ft) in this instance; and

9. An exterior side yard measured to a below grade entrance of 2.23m (approx. 7.32ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to a below grade entrance of 7.50m (approx. 24.61ft) in this instance.

## Background

**Property Address:** 1589 Glenhill Crescent

### Mississauga Official Plan

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

### Zoning By-law 0225-2007

**Zoning:** R2-1 - Residential

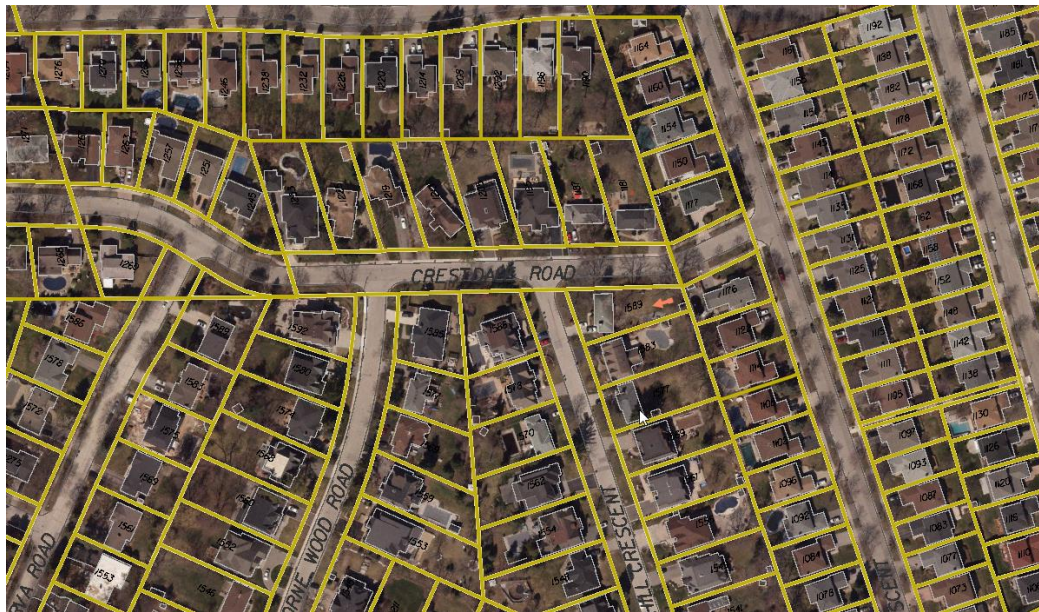
### Other Applications

Site Plan Application: 20-135

### Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southeast of South Sheridan Way and Indian Road. The neighbourhood is entirely residential, consisting of one and two storey detached dwellings with mature vegetation. The subject property is a corner lot containing a one storey dwelling with mature vegetation within the front and exterior side yards.

The applicant is proposing a new two storey dwelling requiring variances related to gross floor area, eave height and exterior side yard setbacks.



## Comments

### Planning

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

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

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

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

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

The application proposes a gross floor area of 437.55 m<sup>2</sup> and an eave height of 7.05 m whereas a maximum gross floor area of 392.26 m<sup>2</sup> and a maximum eave height of 6.40 m is permitted. The intent of the zoning by-law is to maintain compatibility between existing and new dwellings while lessening the visual massing of the dwelling and bringing the edge of the roof closer to the

ground. This gives the dwelling a more human scale. In this instance, the overall height of the dwelling is less than the maximum permitted height of 9.50 m, thereby reducing the impact of the increased eave height. Furthermore, the proposed dwelling contains architectural features that break up the first and second storey, reducing the overall massing relationship of the dwelling to the existing streetscape. The proposal is consistent with newer two storey dwellings in the immediate area and does not pose a negative impact to the streetscape character. Staff is of the opinion that the general intent and purpose of zoning by-law is maintained.

The remaining variances propose deficiencies in the exterior side yard which are measured to the dwelling, hard surfacing, eaves, balcony and window well. In this instance, due to the exterior lot line narrowing towards the rear of the property, there deficiencies are created to accommodate the proposed dwelling. It should be noted that the existing dwelling contains greater deficiencies than the proposed variances. The setbacks measured to the chimney, window well, eaves and balcony do not add significant massing to the dwelling in related to the streetscape character. The main setback to the dwelling of 3.90 m is measured at the narrowest and does not continue throughout the entire exterior side of the dwelling. The remaining portion of the dwelling maintains a greater setback than what is proposed. 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, in this instance.

**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 streetscape character. The proposed dwelling contains architectural features that break up the first and second story of the dwelling, thereby limiting the impact to the existing streetscape and neighbouring properties. 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 SP-20/135.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan Infill application under file SPI 20-135. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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

Comments Prepared by: Brandon Eidner, Zoning Examiner

### Appendix 5 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner





## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A258.21  
Ward: 8

### Why you received this letter:

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

### Details of the application and meeting information:

The property owner of 3342 Angel Pass Drive, zoned RM2-18 - 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 a driveway width of 6.8m (approx. 22.3ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.7m (approx. 15.4ft) in this instance.

The Committee has set **Thursday June 24, 2021 at 3:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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

### How to submit a written comment:

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

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

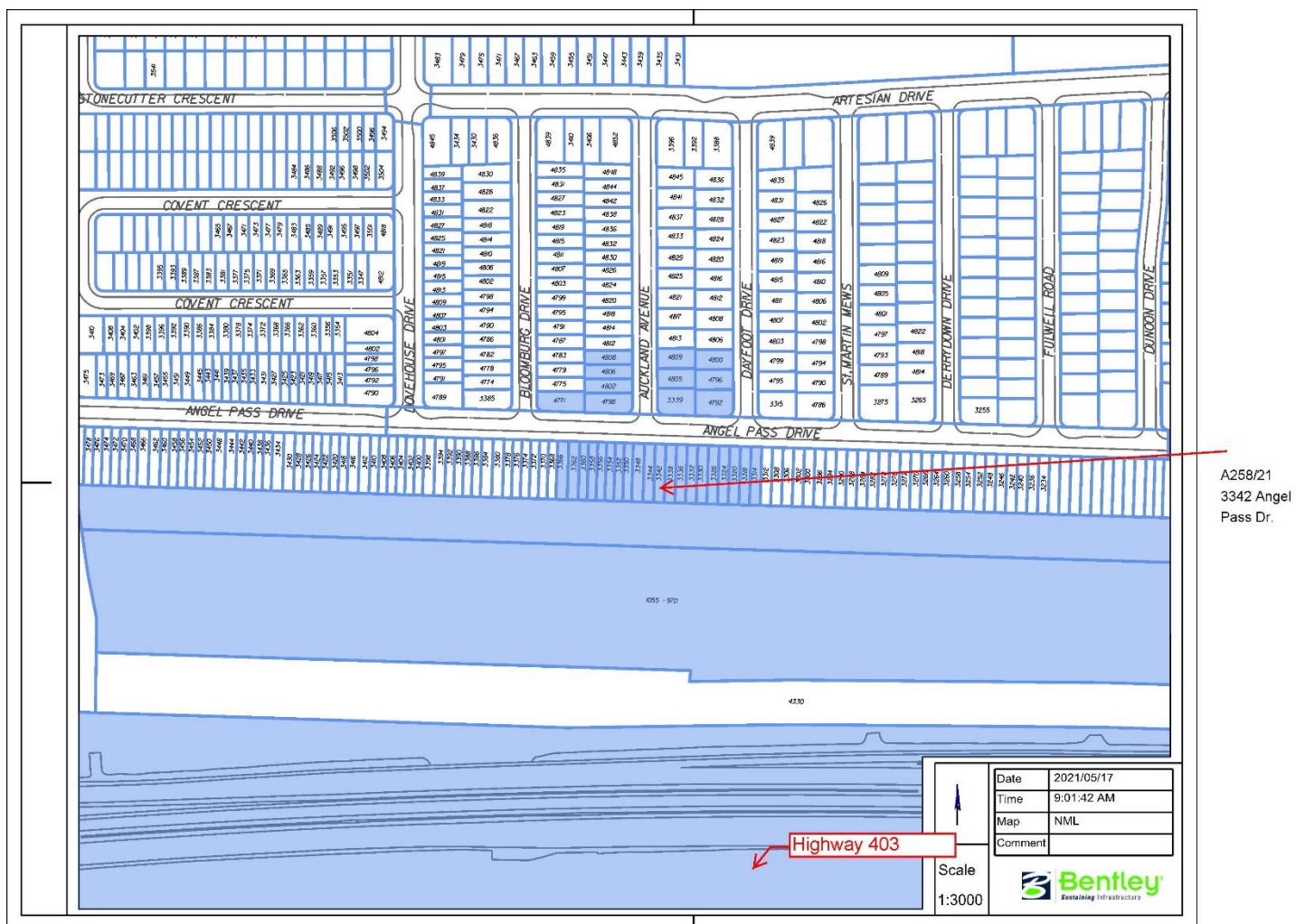
**To participate electronically (computer, tablet or smartphone):** Please email [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided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

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

## Legal notice:

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

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



# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-06-16	File(s): A258.21 Ward: 8
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-06-24 3:00 PM

## Consolidated Recommendation

The City recommends that the application be refused.

## Application Details

The applicants request the Committee to approve a minor variance to allow a driveway width of 6.8m (approx. 22.3ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.7m (approx. 15.4ft) in this instance.

## Background

**Property Address:** 3342 Angel Pass Drive

### Mississauga Official Plan

Character Area: Churchill Meadows Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

**Zoning:** RM2-18 - Residential

### Site and Area Context

The subject property is located within the Churchill Meadows Neighbourhood Character Area, southwest of Eglinton Avenue West and Winston Churchill Boulevard. The neighbourhood is entirely residential consisting of two storey detached and semi-detached dwellings with vegetation mostly within the municipal boulevard. The subject property contains an existing two storey semi-detached.

The applicant is proposing an increased driveway width requiring a variance of 6.80 m whereas a maximum of 4.7 m is permitted.



## Comments

### Planning

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

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

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached, semi-detached, duplex, triplex and other forms of low rise dwellings with individual frontages. As per Section 9 (Preamble), sites will be developed to respect the experience, identity and character of the surrounding context. Furthermore, the intent of the zoning by-law is to permit a driveway large enough to suitably accommodate the required number parking spaces for a dwelling, with the remainder of lands being soft landscaping. While the proposed driveway tapers down to approximately 4.10 m at the street, the majority of the driveway exceeds zoning by-law requirements. It should be noted that the RM2-18 (Residential) zone permits a maximum driveway width of 4.30 m for an interior lot. The proposed width of 6.80 m allows for a driveway that makes up a majority of the lot frontage and can accommodate four vehicles, two being side by side and two more behind whereas the intent

of the by-law is to only allow for two vehicles in tandem on the driveway. The proposed width was not envisioned within the by-law and it results in the driveway being the prominent feature of the front yard at the expense of soft landscaping.

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

## Conclusion

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

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner



## Appendices

### Appendix 1 – Transportation and Works Comments

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







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**

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner