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## Committee of Adjustment

**Date:** July 15, 2021  
**Time:** 1:00 PM  
**Location:** Online Video Conference

### Members

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

### Contacts

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**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. B40/21-B41/21-A253/21-A254/21-A255/21  
2630 & 2670 ROYAL WINDSOR DR (WARD 2)  
KS 2630-2680 ROYAL WINDSOR INC
    - 4.2. A194/21  
580 RIDEAU GATE (WARD 4)  
ASIF MOHAMMAD
    - 4.3. A234/21  
129 TROY ST (WARD 1)  
HARDEEP HEHAR
    - 4.4. A245/21  
6633 Eastridge Rd (WARD 9)  
BRADLEY WILLIAMCLEAVER
    - 4.5. A251/21  
2075 AUTUMN BREEZE DR S (WARD 7)  
SHAHZAD & SUMERA SHAIKH
    - 4.6. A257/21  
3344 STONEY CRES (WARD 10)  
MUKESH & RENU SAINANI
    - 4.7. A259/21  
3217 STRABANE DR (WARD 6)  
ROBERT & MATYLD A COMELLA
    - 4.8. A260/21  
2744 HOLLINGTON CRES (WARD 2)  
WILLIAM & DANA ANN CHRISP

- 4.9. A261/21  
926 GOODWIN RD (WARD 1)  
ROBERTO SANDRO MARCHIONI
- 4.10. A262/21  
928 GOODWIN RD (WARD 1)  
ROBERTO SANDRO MARCHIONI
- 4.11. A263/21  
300 INDIAN VALLEY TR (WARD 1)  
KIMBERLY ANNE CAREY
- 4.12. A264/21  
5110 TIMBER MILL CRT (WARD 6)  
AYAD & MARY ATTIA
- 4.13. A265/21  
5188 ROTHESAY CRT (WARD 11)  
JASWINDER & ARWINDER GILL
- 4.14. A266/21  
1234 OLD RIVER RD (WARD 1)  
MICHAEL TOMBS & MELISSA BATTEY-PRATT
5. OTHER BUSINESS
6. ADJOURNMENT



## COMMITTEE OF ADJUSTMENT NOTICE OF APPLICATION

File: B40.21 B41.21 A253.21 A254.21 A255.21

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 2630 - 2666 Royal Windsor Drive & 2670 - 2680 Royal Windsor Drive, zoned E3-1 - Employment, has applied for Consent under Section 53 of the Planning Act. The applicant requests the approval of the Committee to sever a parcel of land (B40/21) for the creation of a new lot. The parcel of land has a frontage of approximately 63.37m (207.91ft) and an area of approximately 3,060sq.m (32,937.57sq.ft).

The applicant requests the approval of the Committee to sever a parcel of land (B41/21) for the creation of a new lot (totaling 3 lots). The parcel of land has a frontage of approximately 35.38m (116.08ft) and an area of approximately 2,937sq.m (31,613.60sq.ft).

A minor variance is requested for the Severed lands (file A253/21) proposing:

1. 34 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 218 parking spaces in this instance;
2. 1 accessible parking space whereas By-law 0225-2007, as amended, requires 7 accessible parking spaces in this instance;
3. A landscape buffer along Royal Windsor Drive of 0.91m (approx. 2.99ft) whereas By-law 0225-2007, as amended, requires a landscape buffer along Royal Windsor Drive of 4.50m (approx. 14.76ft) in this instance;
4. A rear yard of 0m whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.60ft) in this instance.

A minor variance is requested for the Severed lands (file A254/21) proposing:

1. 0 accessible parking space whereas By-law 0225-2007, as amended, requires 1 accessible parking spaces in this instance;
2. A landscape buffer along Royal Windsor Drive of 1.35m (approx. 4.43ft) whereas By-law 0225-2007, as amended, requires a minimum landscape buffer along Royal Windsor Drive of 4.50m (approx. 14.76ft) in this instance;
3. An interior side yard (easterly) of 4.31m (approx. 14.14ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 4.50m (approx. 14.76ft) in this instance;
4. An interior side yard (westerly) of 4.26m (approx. 13.98ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 4.50m (approx. 14.76ft) in this instance; and
5. Access to be provided off-site by driveways and aisles, whereas By-law 0225-2007, as amended, requires access to be provided by unobstructed on-site driveways or driveways and aisles in this instance.



## REVISED NOTICE

A minor variance is requested for the Retained lands (file A255/21) proposing:

1. 3 accessible parking space whereas By-law 0225-2007, as amended, requires 5 accessible parking spaces in this instance;
2. A landscape buffer along Royal Windsor Drive of 3.20m (approx. 10.50ft) whereas By-law 0225-2007, as amended, requires a minimum landscape buffer along Royal Windsor Drive of 4.50m (approx. 14.76ft) in this instance;
3. An interior side yard of 0.0m whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 4.76m (approx. 15.62ft) in this instance;
4. An aisle width of 5.23m (approx. 17.16ft) whereas By-law 0225-2007, as amended, requires a minimum drive aisle width of 7.00m (approx. 22.96ft) in this instance; and
5. Loading space dimensions of 3.5m x 6.0m (11.48ft x 19.68ft) whereas By-law 0225-2007, as amended, requires loading spaces dimensions to be a minimum of 3.5m x 9.0m (approx. 9.84ft x 29.52ft) in this instance.

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

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

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

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

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

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

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

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

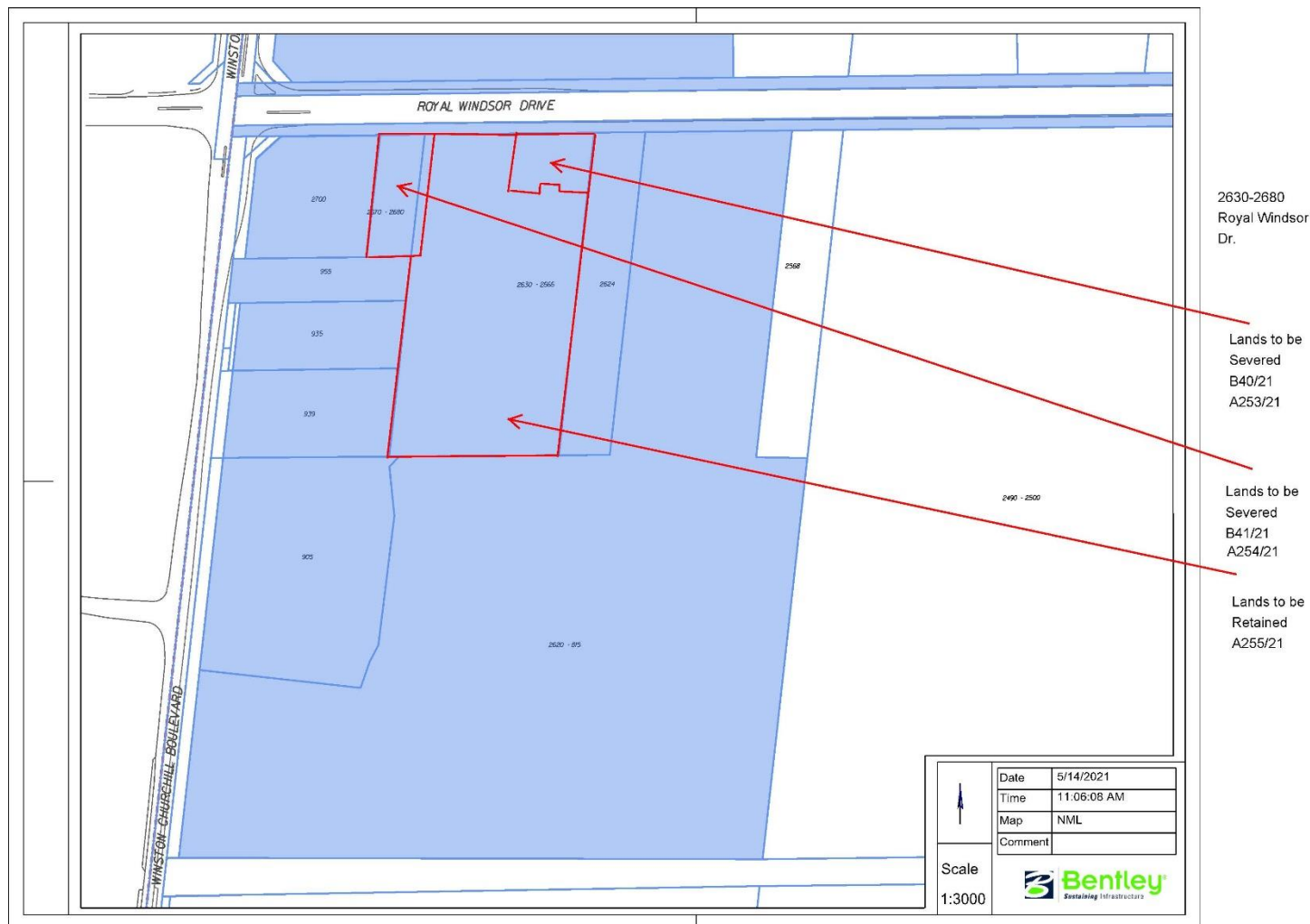
### **Legal notice:**

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

Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the

## REVISED NOTICE

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: 2021-07-08  To: Committee of Adjustment  From: Committee of Adjustment Coordinator	File(s): B40.21 B41.21 A253.21 A254.21 A255.21  Ward: 2
	Meeting date:2021-07-15 1:00 PM

## Consolidated Recommendation

The City recommends that the consent for Conveyed Lot #2 and associated minor variances (files: B41/21, A254.21) be approved. However, that the consent for Conveyed Lot #1 and the Retained Lot and associated minor variances (files B40/21, A253/21, A255/21) be refused.

## Application Details

The applicant requests the approval of the Committee to sever a parcel of land (B40/21) for the creation of a new lot. The parcel of land has a frontage of approximately 63.37m (207.91ft) and an area of approximately 3,060sq.m (32,937.57sq.ft).

The applicant requests the approval of the Committee to sever a parcel of land (B41/21) for the creation of a new lot (totaling 3 lots). The parcel of land has a frontage of approximately 35.38m (116.08ft) and an area of approximately 2,937sq.m (31,613.60sq.ft).

A minor variance is requested for the Severed lands (file A253/21) proposing:

1. 34 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 218 parking spaces in this instance;
2. Parking spaces to be provided off-site whereas By-law 0225-2007, as amended, requires all parking spaces to be provided on-site in this instance;
3. 1 accessible parking space whereas By-law 0225-2007, as amended, requires 7 accessible parking spaces in this instance;
4. A landscape buffer along Royal Windsor Drive of 0.91m (approx. 2.99ft) whereas By-law 0225-2007, as amended, requires a landscape buffer along Royal Windsor Drive of 3.00m (approx. 9.84ft) in this instance;

5. A rear yard of 0m whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.60ft) in this instance.

A minor variance is requested for the Severed lands (file A254/21) proposing:

1. 0 accessible parking space whereas By-law 0225-2007, as amended, requires 1 accessible parking spaces in this instance;
2. A landscape buffer along Royal Windsor Drive of 1.35m (approx. 4.43ft) whereas By-law 0225-2007, as amended, requires a minimum landscape buffer along Royal Windsor Drive of 3.00m (approx. 9.84ft) in this instance;
3. An interior side yard (easterly) of 4.31m (approx. 14.14ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 7.50m (approx. 24.60ft) in this instance;
4. An interior side yard (westerly) of 4.26m (approx. 13.98ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 7.50m (approx. 24.60ft) in this instance;
5. Access to be provided off-site by driveways and aisles, whereas By-law 0225-2007, as amended, requires access to be provided by unobstructed on-site driveways or driveways and aisles in this instance; and
6. A drive aisle width of 4.72m (approx. 15.49ft) whereas By-law 0225-2007, as amended, requires a minimum drive aisle width of 7.00m (approx. 22.96ft) in this instance.

A minor variance is requested for the Retained lands (file A255/21) proposing:

1. 3 accessible parking space whereas By-law 0225-2007, as amended, requires 5 accessible parking spaces in this instance;
2. A landscape buffer along Royal Windsor Drive of 3.20m (approx. 10.50ft) whereas By-law 0225-2007, as amended, requires a minimum landscape buffer along Royal Windsor Drive of 4.50m (approx. 14.76ft) in this instance;
3. An interior side yard (easterly) of 2.29m (approx. 7.51ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 4.76m (approx. 15.62ft) in this instance;
4. A drive aisle width of 5.23m (approx. 17.16ft) whereas By-law 0225-2007, as amended, requires a minimum drive aisle width of 7.00m (approx. 22.96ft) in this instance;
5. Loading space dimensions of 3.5m x 6.0m (11.48ft x 19.68ft) whereas By-law 0225-2007, as amended, requires loading spaces dimensions to be a minimum of 3.5m x 9.0m (approx. 9.84ft x 29.52ft) in this instance; and
6. Access to and from parking spaces to be provided by unobstructed on-site and off-site drive aisles whereas By-law 0225-2007, as amended, requires access to and from parking spaces to be provided by unobstructed on-site drive aisles in this instance.

## Amendments

Staff received a letter dated June 18, 2021 from the Applicant's agent providing the following amendments to the minor variance applications:

Severed lands (file A253/21):

- Remove Variance No. 2
- Variance No. 4 should be amended as follows: A landscape buffer along Royal Windsor Drive of 0.91m (approx. 2.99ft) whereas By-law 0225-2007, as amended, requires a landscape buffer along Royal Windsor Drive of 4.5m (approx. 14.76ft) in this instance;

Severed lands (file A254/21):

- Variance 2 should be amended as follows: A landscape buffer along Royal Windsor Drive of 1.35m (approx. 4.43ft) whereas By-law 0225-2007, as amended, requires a minimum landscape buffer along Royal Windsor Drive of 4.5 (approx. 14.76ft) in this instance;
- Variance No. 3 should be amended as follows: An interior side yard (easterly) of 4.31m (approx. 14.14ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 4.50m (approx. 14.76ft) in this instance;
- Variance No. 4 should be amended as follows: An interior side yard (westerly) of 4.26m (approx. 13.98ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 4.50m (approx. 14.76ft) in this instance; and,
- Remove Variance No. 6

Retained lands (file A255/21):

- Variance No. 3 should be amended as follows: An interior side yard of 0.0m (0.0ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 4.76m (approx. 15.62ft) in this instance;
- Variance No. 4 should be amended as follows: An aisle width of 5.23m (approx. 17.15ft) for 5 loading spaces; whereas, by-law 0225-2007, as amended, requires a minimum 7m (approx. 22.96ft) aisle width for all loading spaces in this instance.
- Variance No. 6 should be removed.

**Recommended Conditions and/or Terms of consent**

- Appendix A – Conditions of Provisional Consent
- Should Committee of Adjustment see merit in the application:
  - Staff recommend supporting the requested variance on a temporary basis for up to one (1) year, subject to the following condition:
    - Following the expiration of the temporary one (1) year approval, the applicant is required to provide a satisfactory Parking Utilization Study (PUS) to address the parking deficiency
  - Staff recommend appropriate easements for fire routes and access be provided as a condition of the severance

## Background

**Property Address: 2630 - 2666 Royal Windsor Drive & 2670 - 2680 Royal Windsor Drive**

**Mississauga Official Plan**

Character Area: Southdown Employment Area  
Designation: Industrial

**Zoning By-law 0225-2007**

**Zoning: E3-1 - Employment**

**Other Applications: None**

**Site and Area Context**

The subject property is a plaza located south-east of the Winston Churchill Boulevard and Royal Windsor Drive intersection that contains 4 buildings with employment uses. The subject property is an interior parcel possessing minimal vegetation and landscape elements along the front lot line. The buildings and site configuration reflect the industrial employment character of the broader surrounding area. Properties within the immediate vicinity possess minimal vegetation and landscaping kept to the periphery of each parcel.

The applicant is proposing to sever the existing parcel of land into three 3 lots requiring variances for parking, rear yard, side yard, landscape buffer, drive aisle, and loading spaces.



## Comments

### Planning

#### Planning Act

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

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

#### Provincial Matters

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

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

The Subject Property is located in the Southdown Employment Character area and is designated Industrial in Schedule 10 of the Mississauga Official Plan (MOP). The industrial land use designation supports a broad range of non-residential uses including Warehousing/Distribution Facilities and Manufacturing Facilities, Office and an Adult Entertainment Establishment (AEE), all of which are represented in the existing industrial plaza.

The applicant is seeking to sever two parcels from the existing lot, creating a total of 3 new lots, including the retained parcel. The applicant seeks to sever the property in order to:

- 1) allow for mortgage financing of the Retained Lands by placing Conveyed Lot #1, the AEE, on a separate lot
- 2) restore the previously existing lot pattern by creating a separate lot (Conveyed Lot #2)

Planning Staff have no objections to consent or variance applications B41/21 and A254/21 associated with regards to Conveyed Lot #2, as there is no proposed development or change in use or operation proposed. Planning Staff do however note that Conveyed Lot #2 does not have direct access to Royal Windsor Drive. In order to maintain the Subject Property's functionality



without interruption, Staff would request appropriate easements for fire routes and access be provided as a condition of the severance

With respect to application A253/21 (Conveyed Lot #1), the applicant is requesting to allow an adult entertainment establishment proposing a total of 34 parking spaces onsite whereas By-law 0225-2007, as amended, requires a minimum of 218 parking spaces in this instance. This is a reduction of 184 spaces which equates to an 84% deficiency.

The applicant's agent, Aird & Berlis LLP, prepared a Cover Letter, dated May 5, 2021, a Parking Justification Letter, dated May 5, 2021, and submitted a draft shared parking agreement in support of the submitted application. On June 25, 2021, the applicant provided a copy of the draft shared parking agreement via email to staff for consideration.

The Cover Letter explains how the newly created lots will function with proposed servicing easements, a shared parking agreement and an access agreement. The Parking Justification Letter, dated May 5, 2021, breaks down the required parking for each newly created lot and explains the compatibility of uses onsite. The subject property mostly has manufacturing and industrial uses, which operate generally Monday to Friday during standard business hours, whereas the AEE is typically the busiest during the evenings and weekends. The Letter explains that the subject property has already been sharing 178 parking spaces – which excludes 25 spaces at the rear of the subject property, for the exclusive use by the trucking terminal onsite.

City Planning Strategies (CPS) staff have reviewed the submission package in greater detail and have concerns. According to CPS Staff, the shared parking agreement is premature given there is no justification for the onsite parking demand and it remains unclear how much parking is needed for the AEE. The AEE, (Conveyed Lot #1) would have 34 spaces onsite, which need to be deducted from the 178 shared spaces. This leaves a remaining total of 144 parking spaces to be potential shared with the AEE. As such, it is CPS Staff's opinion that the onsite deficiency is so great that the shared parking agreement does not sufficiently justify a deficiency of 184 spaces, as per the Zoning By-law requirement. In the absence of a Parking Utilization Study, CPS staff do not have satisfactory justification to support the requested variance. Staff routinely rely on a Parking Utilization Study to justify parking reductions.

CPS Staff recommend that the application be deferred pending the submission of a satisfactory Parking Utilization Study. However, should the Committee of Adjustment see merit in the application, staff recommend supporting the requested variance on a temporary basis for up to one (1) year, subject to the following condition:

1. Following the expiration of the temporary one (1) year approval, the applicant is required to provide a satisfactory Parking Utilization Study (PUS) to address the parking deficiency

With respect to applications B40/21, A253/21, A255/2 (Conveyed Lot #1 and Retained Lands), Planning Staff echo CPS Staff's concerns with granting the consent to create a permanent lot with a deficiency of 184 parking spaces. With regards to the other variances contained in applications A253/21 and A255/2, based on the understanding that there is no proposed development or change in use or operation proposed, Staff has no concerns.



Based on the preceding information, Planning Staff is of the opinion that application B40/21 does not conform to Section 51(24) of the Planning Act and more specifically that the application does not maintain the intent and purpose of the zoning by-law. As staff is not supportive of consent application B40/21, minor variance applications A253/21 and A255/21 should also be refused.

## Conclusion

The Planning and Building Department recommends that the consent for Conveyed Lot #2 and associated minor variances (files: B41/21, A254.21) be approved. However, that the consent for Conveyed Lot #1 and the Retained Lot and associated minor variances (files B40/21, A253/21, A255/21) be refused.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

It is our understanding that the intent of this Consent Application is to create 2 new lots with existing buildings fronting onto Royal Windsor Drive and no additional physical changes to the site. It is also understood that blanket access and servicing easements will be provided for grading and site servicing site vehicle and pedestrian circulation. This department has had several meetings prior to the application proceeding to the Committee to understand the nature of the easements and ensure that they were appropriate for the proposal.

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

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

1. Draft Reference Plan and Schedule of required Easement(s)

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

2. Municipal Address Requirement

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

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

#### B. General Information

1. Site Plan Approval

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

Comments Prepared by: John Salvino, Development Engineering Technologist

## Appendix 2 – Zoning Comments

A minor variance is requested for the Severed lands (file A253/21) proposing:

(PREAPP 21-5264)

1. 34 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 218 parking spaces in this instance;

Correct

2. Parking spaces to be provided off-site whereas By-law 0225-2007, as amended, requires all parking spaces to be provided on-site in this instance;

Amend: Not needed if variance for total parking discrepancy is granted. If committee decides to proceed with off-site parking, they should specify the number of parking spaces provided off-site.

Have not received any information in zoning application indicating number of spaces to be provided off-site. For instance, if 184 spaces are provided off-site where will they provided ? Spaces used from another site must be surplus spaces (i.e. not required) otherwise that would cause a deficiency elsewhere. Also, applicant may require agreements to finalize off-site parking (e.g. restriction on title, etc.)

3. 1 accessible parking space whereas By-law 0225-2007, as amended, requires 7 accessible parking spaces in this instance;

Correct

4. A landscape buffer along Royal Windsor Drive of 0.91m (approx. 2.99ft) whereas By-law 0225-2007, as amended, requires a landscape buffer along Royal Windsor Drive of 3.00m (approx. 9.84ft) in this instance;

Not required. However, applicant may choose to legalize exiting conditions.

5. A rear yard of 0m whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.60ft) in this instance.

Correct.

A minor variance is requested for the Severed lands (file A254/21) proposing:

(PREAPP 21-5262)

1. 0 accessible parking space whereas By-law 0225-2007, as amended, requires 1 accessible parking spaces in this instance;

Correct

2. A landscape buffer along Royal Windsor Drive of 1.35m (approx. 4.43ft) whereas By-law 0225-2007, as amended, requires a minimum landscape buffer along Royal Windsor Drive of 3.00m (approx. 9.84ft) in this instance;

Not required. However, applicant may choose to legalize exiting conditions.

3. An interior side yard (easterly) of 4.31m (approx. 14.14ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 7.50m (approx. 24.60ft) in this instance;

Amend – Requires a minimum interior side yard of 4.5m instead of 7.5m

4. An interior side yard (westerly) of 4.26m (approx. 13.98ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 7.50m (approx. 24.60ft) in this instance;

Amend – Requires a minimum interior side yard of 4.5m instead of 7.5m

5. Access to be provided off-site by driveways and aisles, whereas By-law 0225-2007, as amended, requires access to be provided by unobstructed on-site driveways or driveways and aisles in this instance; and

Correct

6. A drive aisle width of 4.72m (approx. 15.49ft) whereas By-law 0225-2007, as amended, requires a minimum drive aisle width of 7.00m (approx. 22.96ft) in this instance.

Not Required. The minimum width of a driveway shall be 2.6 m.

Amend site stats to indicate 22 parking spaces are provided.

A minor variance is requested for the Retained lands (file A255/21) proposing:

(PREAPP 21-5263)

1. 3 accessible parking space whereas By-law 0225-2007, as amended, requires 5 accessible parking spaces in this instance;

Correct.

2. A landscape buffer along Royal Windsor Drive of 3.20m (approx. 10.50ft) whereas By-law 0225-2007, as amended, requires a minimum landscape buffer along Royal Windsor Drive of 4.50m (approx. 14.76ft) in this instance;

Not required. However, applicant may choose to legalize exiting conditions.

3. An interior side yard (easterly) of 2.29m (approx. 7.51ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 4.76m (approx. 15.62ft) in this instance;

Amend – An interior side yard of 0m provided. Not 2.29m.

4. A drive aisle width of 5.23m (approx. 17.16ft) whereas By-law 0225-2007, as amended, requires a minimum drive aisle width of 7.00m (approx. 22.96ft) in this instance;

Amend – “drive aisle” to “aisle”

5. Loading space dimensions of 3.5m x 6.0m (11.48ft x 19.68ft) whereas By-law 0225-2007, as amended, requires loading spaces dimensions to be a minimum of 3.5m x 9.0m (approx. 9.84ft x 29.52ft) in this instance; and

Correct

6. Access to and from parking spaces to be provided by unobstructed on-site and off-site drive aisles whereas By-law 0225-2007, as amended, requires access to and from parking spaces to be provided by unobstructed on-site drive aisles in this instance.

- Not required. The minimum width of a driveway shall be 2.6 m.

- Additional variance for insufficient aisle width for 5 loading spaces.

An aisle width of 5.23m (approx.. 17.15ft) for 5 loading spaces; whereas, by-law 0225-2007, as amended, requires a minimum 7m (approx.. 22.96ft) aisle width for all loading spaces.

Comments Prepared by: Ramsen Hedoo

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

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

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

1. The applicant shall provide a cash contribution of \$1,821.36 for planting of three (3) street trees on Royal Windsor Drive. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.

In addition, Community Services notes the following:

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

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

Comments Prepared by: Jim Greenfield, Park Planner

## Appendix 5 – Region of Peel Comments

### Consent Applications: B-40/21 & B-41/21

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

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

**Condition:** Arrangements satisfactory to the Region of Peel, Public Works shall be made with respect to the location of existing and installation of new services and/or possible required private service easements.

Comments Prepared by: Diana Guida, Junior Planner

**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 (A253-255.21).
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated (July 8, 2021).
5. A letter shall be received from the City of Mississauga, Community Services Department, Park Planning Section, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated (July 8, 2021).
6. A letter shall be received from the Region of Peel, Development Engineering, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated (July 8, 2021).



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A194.21  
Ward: 4

### 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 580 Rideau Gate, zoned RM1-3 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a widened driveway and decorative paving proposing:

1. A driveway width of 7.49m (approx. 24.57ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance; and
2. A setback to decorative paving in the rear yard of 0.00m whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (approx. 2.00ft) in this instance.

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

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### How to submit a written comment:

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

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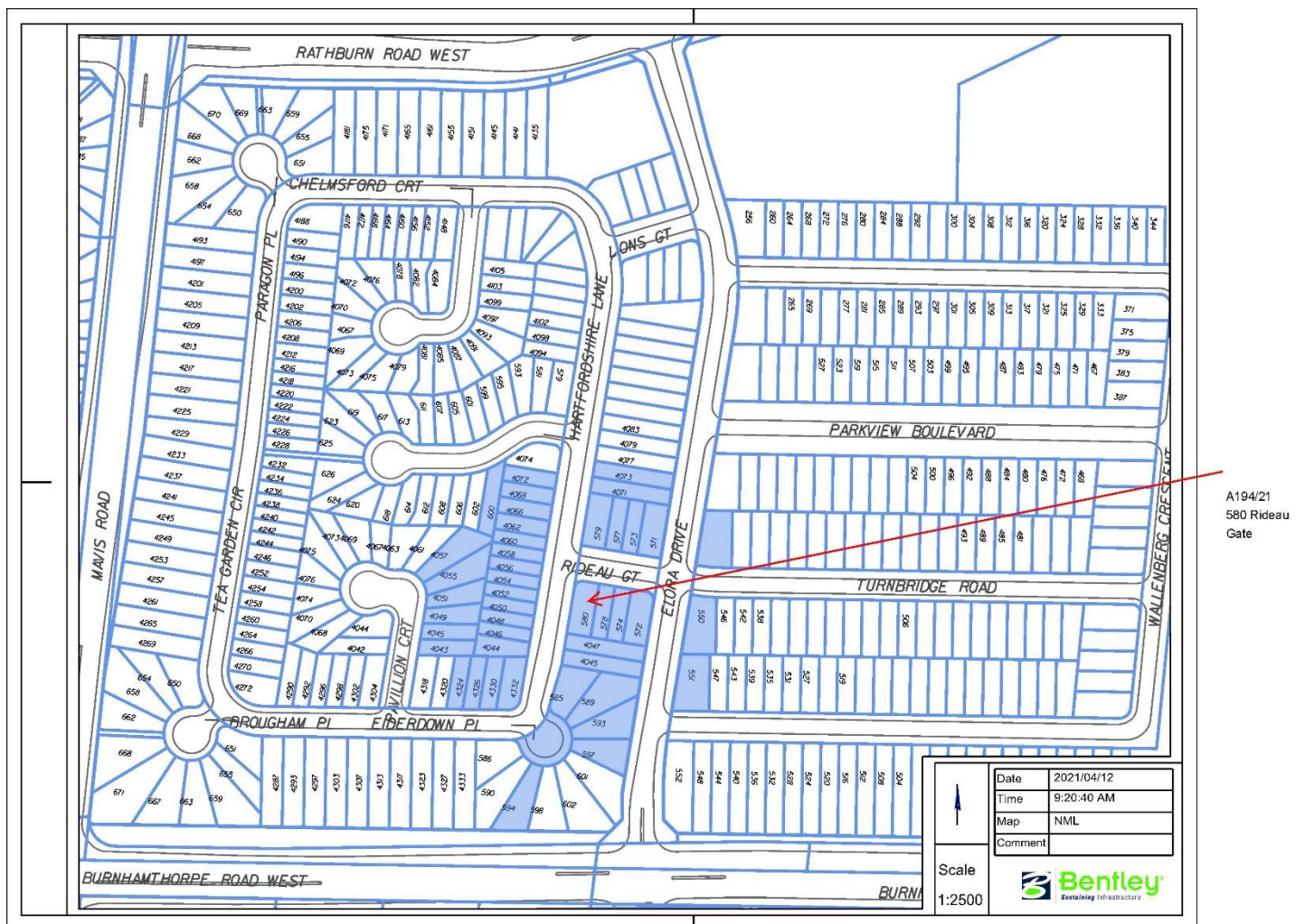


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Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process 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: 2021-07-08	File(s): A194.21 Ward 4
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-15 1:00 PM

## Consolidated Recommendation

The Planning and Building Department recommends that the application be deferred to submit the requested information.

## Application Details

The applicant requests the Committee to approve a minor variance to allow a widened driveway and decorative paving proposing:

1. A driveway width of 7.49m (approx. 24.57ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance; and
2. A setback to decorative paving in the rear yard of 0.00m whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (approx. 2.00ft) in this instance.

## Background

**Property Address:** 580 Rideau Gate

### Mississauga Official Plan

Character Area: Creditview Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

**Zoning:** RM1-3 - Residential

**Other Applications:** PREAPP 20-3587

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**Site and Area Context**

The subject property is located north-east of the Burnhamthorpe Road and Mavis Road intersection. It is a corner property that faces onto Rideau Gate and Tea Garden Circle, with an area of +/- 418.20m<sup>2</sup> and a frontage of +/- 13.71m. The property houses a two-storey detached dwelling with some landscape elements in both the front and rear yards. The surrounding area is comprised of detached dwellings on varying sized lots with a mix of single, oversized single, and double car garages.

The applicant is proposing a widened driveway and rear landscaping with variances required for driveway width and setbacks to hard landscaping in the rear.





## 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 located within the Creditview Neighbourhood Character Area and is designated Residential Low Density II. This designation permits detached, semi-detached, and duplex dwellings. Section 9 of MOP promotes development (including its features such as driveways and landscaping) with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions, the surrounding context, and the landscape of the character area.

Variance #1 is to allow a widened driveway on the subject property. The intent of the by-law regarding driveway widths is to permit a driveway large enough to suitably accommodate two vehicles parked side by side, with the remainder of the yard being soft landscaping. Variance #2 relates to hardscaping in the rear yard. Upon review of the application staff have noticed multiple discrepancies between the submitted drawings, the existing on site conditions and the requested variances. Staff have reached out to the applicant on file for further information; however due to the discrepancies, Planning staff are unable to complete a full review of the application at this time.

### Conclusion

The Planning and Building Department recommends that the application be deferred to submit the requested information.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

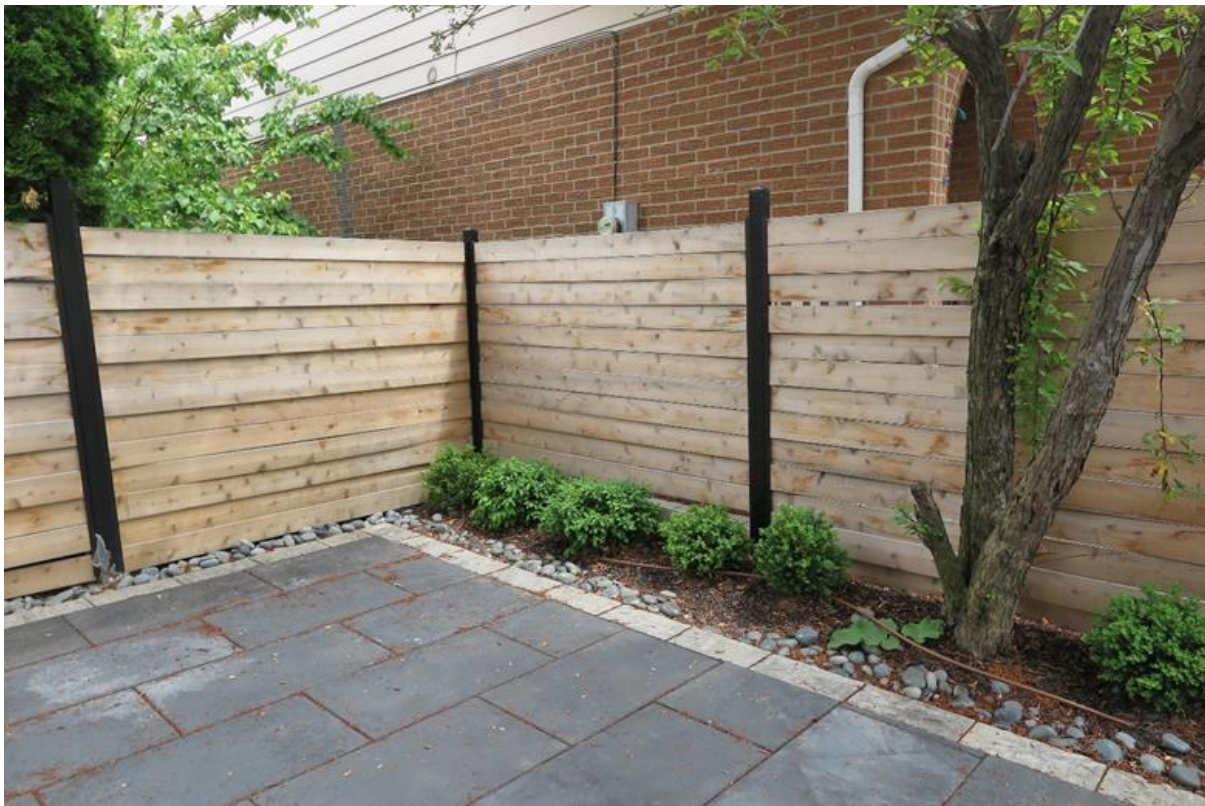
## Appendices

### Appendix 1 – Transportation and Works Comments

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

With regards to the setback to the decorative paving in the rear yard we note that this is a corner lot and the drainage from the rear yard is directed towards the roadway (Tea Garden Circle). We also observed from our site inspection that drainage is not impacting on the abutting property to the rear as the abutting neighbour has widened their driveway to the common property line and any drainage in the area would also be directed out to the roadway. A number of photos have been enclosed to depict the existing conditions, including the neighbour's driveway.











Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

The Building Department is currently processing a building permit application under file PREAPP 20-3587. Based on review of the information currently available for this building permit, the variances, as requested are correct.

Our comments are based on the plans received by Zoning staff on 02/01/2021 for the above captioned building permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: A. McCormack

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

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A234.21  
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 129 Troy Street, zoned R3-1 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A gross floor area of 330.27sq.m (approx. 3555.00sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 296.80sq.m (approx. 3194.73sq.ft) in this instance; and
2. A lot coverage of 37.40% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance.

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

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### How to submit a written comment:

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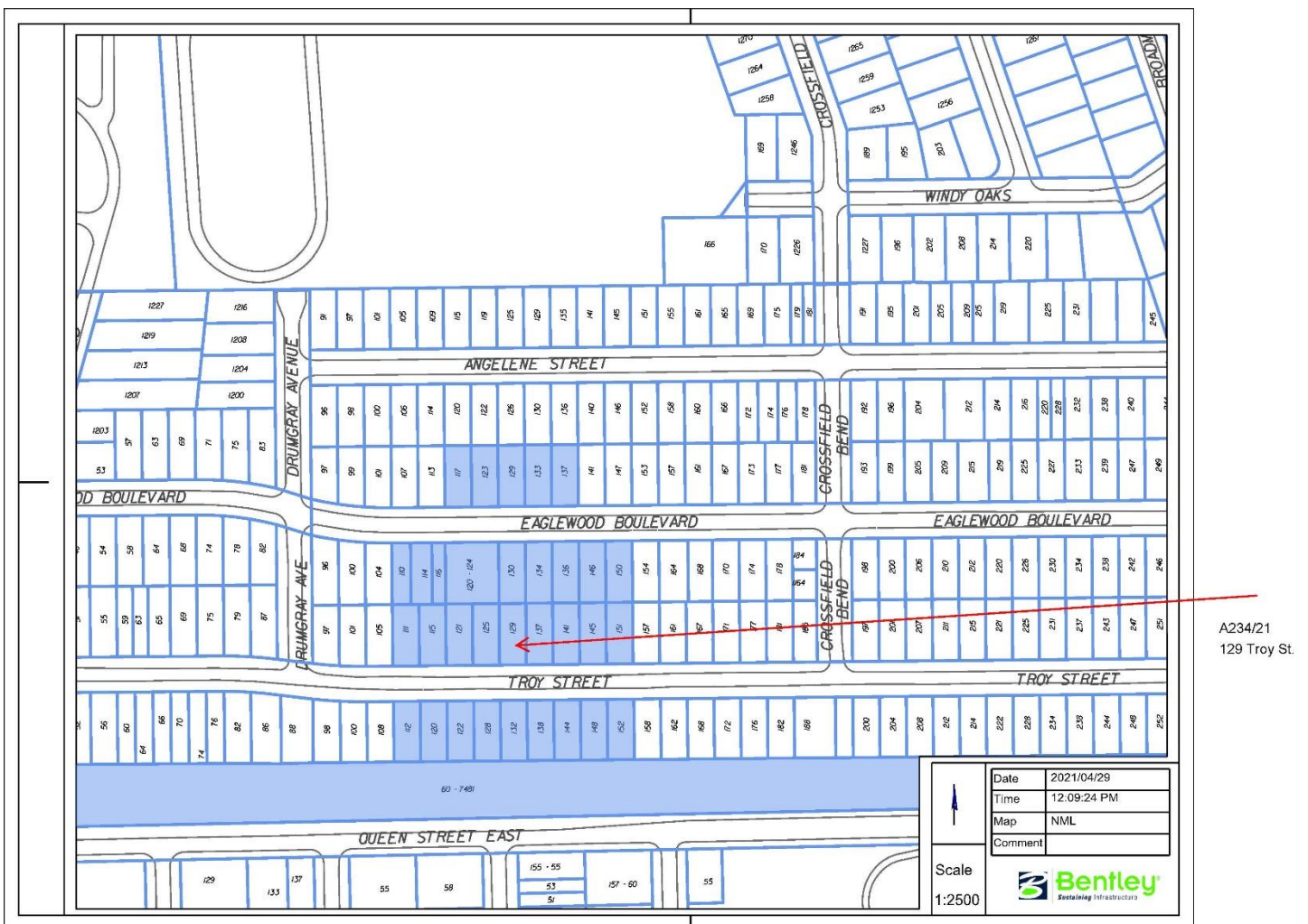
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# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-07-08	File(s): A234.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-15 1:00 PM

## Consolidated Recommendation

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

## Application Details

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

1. A gross floor area of 330.27sq.m (approx. 3555.00sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 296.80sq.m (approx. 3194.73sq.ft) in this instance; and
2. A lot coverage of 37.40% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance.

## Background

**Property Address:** 129 Troy Street

### Mississauga Official Plan

Character Area: Mineola Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

**Zoning:** R3-1 - Residential

## Other Applications

Site Plan Application: 20-78

## Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southeast of Hurontario Street and Eaglewood Boulevard. The neighbourhood is entirely residential, consisting of one and two storey detached dwellings with little vegetation. The subject property contains an existing one storey detached dwelling with no mature vegetation.

The applicant is proposing a new two storey dwelling requiring variances related to gross floor area and lot coverage.



## Comments

### Planning

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

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

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

The subject property is 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. Section 16.18.1 of the Mineola Neighbourhood Character Area policies states that new housing is encouraged to fit the scale and character of the surrounding area. 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 character 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?**

Variance #1 proposes a gross floor area of 330.27m<sup>2</sup>, whereas a maximum of 296.80m<sup>2</sup> is permitted. The intent of the zoning by-law is to maintain compatibility between existing and newer dwellings in order to ensure the existing and planned character of a neighbourhood is preserved. The proposed dwelling contains architectural features that break up the first and second storey, resulting in the overall massing of the dwelling being reflective of the established streetscape and neighbouring properties. The proposal is consistent with the newer two storey dwellings in the immediate area and does not pose a negative impact to the character of the neighbourhood. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #2 proposes a lot coverage of 37.40%, where a maximum of 35% is permitted. The intent of the zoning by-law is to ensure there isn't an overdevelopment of the lot. In this instance, the dwelling footprint maintains a lot coverage of approximately 34%, which is less than the maximum permitted under the by-law. The portion of the lot coverage that exceeds the by-law is only attributable to the front and rear covered porches. The covered porches do not add significant massing to the overall dwelling from what is currently permitted. As such, staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

The proposed dwelling maintains the existing and planned context of the surrounding area and does not pose a negative impact to the neighbourhood. The dwelling contains architectural features that breaks up the overall massing of the dwelling as a result of the increased gross floor area. As a result, the proposed dwelling maintains compatibility with newer two storey dwellings. 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 through the Site Plan Application process, File SPI-20/078.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a site plan approval application under file SPI 20-78. Based on review of the information currently available for this application, we advise that more information is required to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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

Comments Prepared by: Ramsen Hedoo

### Appendix 5 – Region of Peel Comments

#### **Minor Variance Application: A-234/21**

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





## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A245.21  
Ward: 9

### Why you received this letter:

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

### Details of the application and meeting information:

The property owner of 6633 Eastridge Road, zoned R4-12 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to permit accessory structures proposing:

1. A combined area of accessory structures of 30.94sq.m (approx. 333.04sq.ft) whereas By-law 0225-2007, as amended, permits a maximum combined area of accessory structures of 30.00sq.m (approx. 322.92sq.ft) in this instance;
2. An area of an accessory structure (arbour trellis) of 20.09sq.m (approx. 216.25sq.ft) whereas By-law 0225-2007, as amended, permits a maximum area of an accessory structure of 10.00sq.m (approx. 107.64sq.ft) in this instance;
3. A rear yard measured to a fireplace chimney of 0.38m (approx. 1.25ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to a fireplace chimney of 0.61m (approx. 2.00ft) in this instance;
4. A fireplace chimney height of 3.81m (approx. 12.50ft) whereas By-law 0225-2007, as amended, permits a maximum fireplace chimney height of 3.00m (approx. 9.84ft) in this instance;
5. An accessory structure (garden shed) height of 3.35m (approx. 10.99ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.00m (approx. 9.84ft) in this instance.

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

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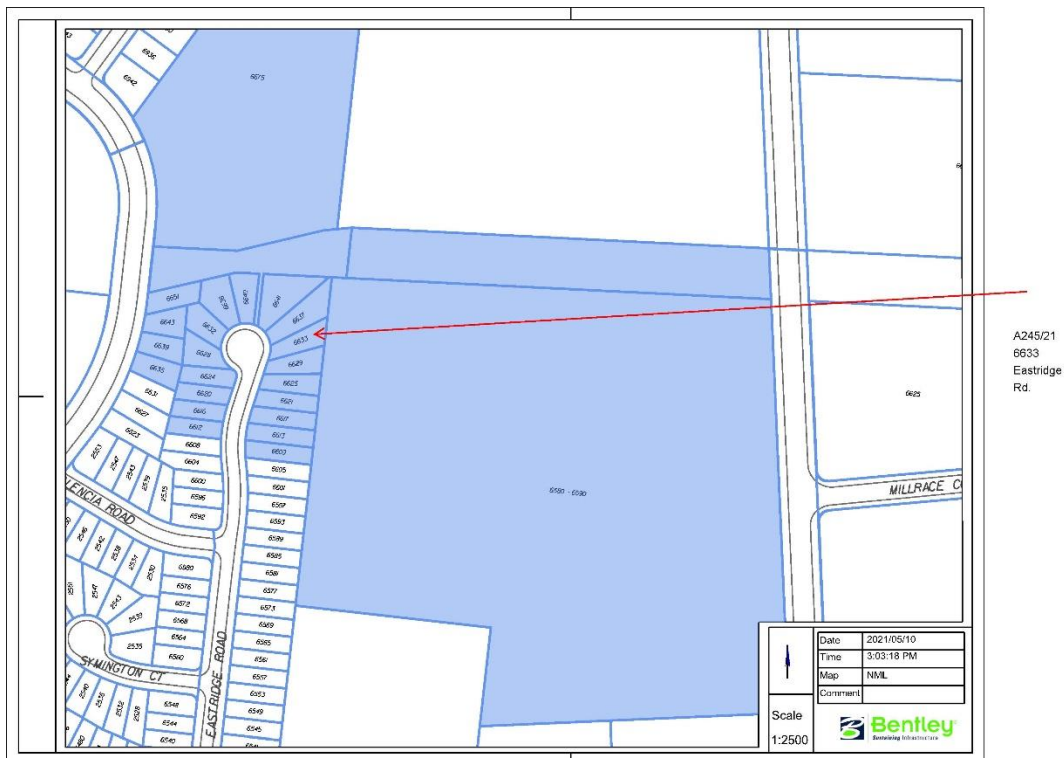
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**Legal notice:**

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



# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-07-08	File(s): A245.21 Ward 9
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-15 1:00 PM

## Consolidated Recommendation

The City has no objections to the application, as requested.

## Application Details

The applicant requests the Committee to approve a minor variance to permit accessory structures proposing:

1. A combined area of accessory structures of 30.94sq.m (approx. 333.04sq.ft) whereas By-law 0225-2007, as amended, permits a maximum combined area of accessory structures of 30.00sq.m (approx. 322.92sq.ft) in this instance;
2. An area of an accessory structure (arbour trellis) of 20.09sq.m (approx. 216.25sq.ft) whereas By-law 0225-2007, as amended, permits a maximum area of an accessory structure of 10.00sq.m (approx. 107.64sq.ft) in this instance;
3. A rear yard measured to a fireplace chimney of 0.38m (approx. 1.25ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to a fireplace chimney of 0.61m (approx. 2.00ft) in this instance;
4. A fireplace chimney height of 3.81m (approx. 12.50ft) whereas By-law 0225-2007, as amended, permits a maximum fireplace chimney height of 3.00m (approx. 9.84ft) in this instance; and
5. An accessory structure (garden shed) height of 3.35m (approx. 10.99ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.00m (approx. 9.84ft) in this instance.

## Background

**Property Address:** 6633 Eastridge Road

**Mississauga Official Plan**

Character Area: Meadowvale Neighbourhood  
Designation: Residential Low Density II

**Zoning By-law 0225-2007**

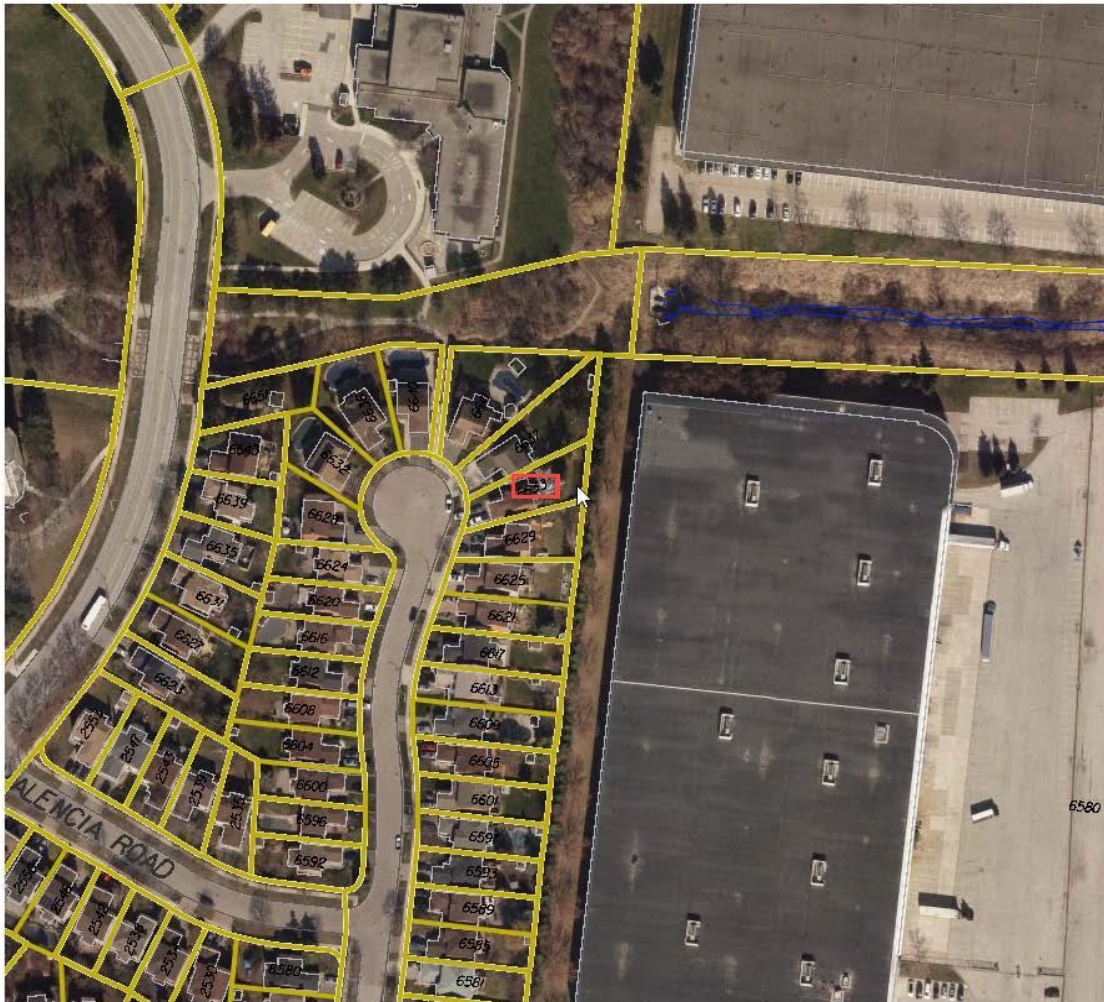
**Zoning:** R4-12 - Residential

**Other Applications:** PREAPP 20-2716

**Site and Area Context**

The subject property is a pie shaped lot located within the Meadowvale Neighbourhood Character Area, north-west of the Erin Mills Parkway and Battleford Road intersection. The property is an interior lot on the edge of the subdivision, backing on to industrial buildings that front onto Millcreek Drive. This portion of Eastridge Road is a cul-de-sac which contains exclusively two storey detached dwellings. The lot has an area of +/- 567.04m<sup>2</sup> and a frontage of +/- 12.29m.

The applicant is proposing landscaping and accessory structures in the rear yard with required variances for floor area, height, and setbacks.



## Comments

### Planning

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

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

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

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP), in the Meadowvale Neighbourhood Character Area, which permits detached, semi-detached, and duplex dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions, the surrounding context, and the landscape of the character area. The proposed accessory structures are in the rear of the property, separated from the public realm. The structures are compatible with the surrounding area and do not pose any significant impact to the abutting properties. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

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

The proposed accessory structures require variances related to floor area, height and setbacks. The intent of the accessory structure regulations is to ensure that the structures are proportional to the lot and dwelling and are clearly accessory to the primary use of the lot while not presenting any massing concerns to neighbouring properties.

Variances # 1 & 2 relate to the floor area of the accessory structures. The combined floor area of all of the structures exceeds the by-law by 0.94m<sup>2</sup>. Staff are of the opinion that this will have no significant impacts on the surrounding properties. While a floor area variance is required for the proposed trellis, staff have no concerns with the increased floor area as the trellis is a predominantly open structure resulting in no massing concerns. Furthermore, the structure is centrally located in the rear yard, away from abutting residential properties. It is Planning Staff's opinion that variances # 1 & 2 meet the general intent and purpose of the Zoning By-law.

Variances # 3 & 4 relate to a proposed outdoor fireplace chimney connected to the proposed trellis. With the fireplace being located away from the neighbouring residential properties, near the centre of the rear lot line, any impact of the proposed increase in accessory structure height is mitigated. Furthermore, the reduced property line setback is to an industrial property, at the rear of both properties. It is the opinion of staff that the variances relating to the fireplace meet the general intent and purpose of the Zoning By-law.

Variance # 5 is for the height of an accessory shed. The shed meets all required size and setback requirements, and the height is measured to the peak of a sloped roof. Staff have no concerns with the shed as proposed and are satisfied that the required variance will not negatively impact abutting residential properties.

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

Staff is of the opinion that the proposed accessory structures will not have any significant impacts on neighbouring properties and represent appropriate development of the subject lands. As such, the variances are minor in nature and result in the orderly development of the subject property.

## **Conclusion**

The Planning and Building Department has no objections to the application, as requested.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner



## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed for Committee's information are some photos which depict the rear yard and the areas where the accessory structures are being proposed. We have reviewed the Grading Plan (Plan C-20590) approved for this property under Registered Plan of Subdivision M-530 which reflects the existing grading on the property. This plan shows the high point in the rear yard being approximately in the middle of the lot and from that point drainage is equally directed into the rear yards of both abutting properties.

Acknowledging that a number of accessory structures and a swimming pool is being proposed, any alterations to the grading in the rear yard should adhere to the Grading Plan (Plan C-20590) originally approved for this property.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

The Building Department is currently processing a building permit application under file PREAPP 20-2716. Based on review of the information currently available for this building permit, the variances, as requested are correct.

Our comments are based on the plans received by Zoning staff on 12/02/2020 for the above captioned building permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: A. McCormack

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

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner





## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A251.21  
Ward: 7

### Why you received this letter:

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

### Details of the application and meeting information:

The property owner of 2075 Autumn Breeze Drive South, zoned R1-7 - 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 two driveways on the subject property whereas By-law 0225-2007, as amended, permits a maximum of one driveway in this instance.

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

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

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

### How to submit a written comment:

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

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

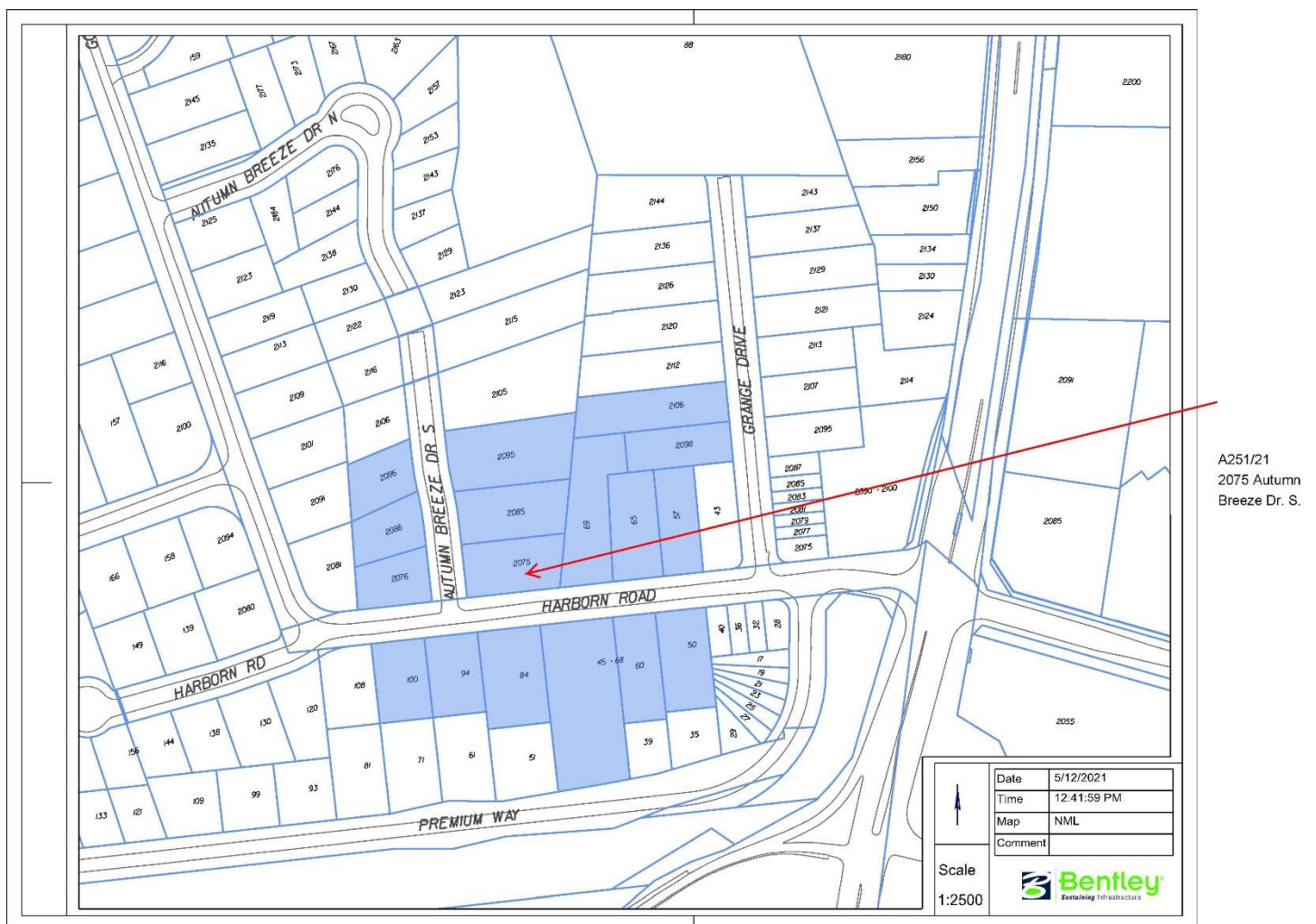
**To participate electronically (computer, tablet or smartphone):** Please email [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided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

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

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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: 2021-07-08	File(s): A251.21 Ward 7
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-15 1:00 PM

## Consolidated Recommendation

The City recommends that the application be refused.

## Application Details

The applicant requests the Committee to approve a minor variance to allow two driveways on the subject property whereas By-law 0225-2007, as amended, permits a maximum of one driveway in this instance.

### Amendments

"[Enter amendments to variances]"

### Recommended Conditions and Terms

"[Enter terms and conditions here]"

## Background

**Property Address:** 2075 Autumn Breeze Drive South

### Mississauga Official Plan

Character Area: Cooksville Neighbourhood (West)  
Designation: Residential Low Density I & Greenlands

### Zoning By-law 0225-2007

**Zoning:** R1-7 - Residential

**Other Applications:** SPI 19-147**Site and Area Context**

The subject property is located in the Cooksville Neighbourhood Character Area, north-west of the Hurontario Street and QEW interchange. It is a corner property with a slope leading towards Mary Fix Creek, which runs through the rear of the property. The property currently contains a one storey detached dwelling, which is proposed to be demolished and replaced with a two storey dwelling, and mature vegetation in both the front and rear yards. The surrounding area contains a mix of one and two storey dwellings with significant mature vegetation in both front and rear yards and varying lot sizes. The subject property has an area of +/- 1,714.47m<sup>2</sup> and a frontage on Autumn Breeze Drive South of +/- 30.48m.

The applicant is proposing to construct a new dwelling with two driveways on the property, one from Autumn Breeze Drive South and the other from Harbourn Road.

**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 property is located in the Cooksville Neighbourhood West Character Area (Special Site 4) and is designated Residential Low Density I and Greenlands in the Mississauga Official Plan (MOP). The entirety of the proposal is situated on the Residential Low Density I portion of the property, which only permits detached dwellings in this character area. Section 9.1 of the MOP states that sites being developed, including their driveways, should respect the identity and character of the surrounding context. While circular driveways are present in the immediate area, no other property in the immediate area appears to contain 2 distinct and separate driveways. Staff are of the opinion that the proposal does not maintain the general intent and purpose of the Official Plan.

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

The intent of driveway provisions within the by-law are to ensure sufficient parking can be provided for the intended use of the property while not overburdening the property with excessive hardscaping. This limiting of hardscaping is the intent behind section 4.1.9.1.2 of the Zoning By-law, which only permits a maximum of one driveway per lot. This policy works in tandem with the provision allowing a maximum of one garage per lot. Furthermore, while the property does possess the frontage to permit a circular driveway, the regulations state that a circular driveway must only be located in one yard and permit a maximum combined width of access points of 8.5m. The proposed driveways meet neither of these requirements if they were connected. Given the above the proposal does not meet the general intent and purpose of the Zoning By-law.

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

The proposal, in its current form, creates hardscaping in more locations on the subject property than the by-law contemplates and creates two entirely separate driveways, giving the impression of two separate dwelling units. Staff are of the opinion that the proposed driveways do not represent desirable or appropriate development of the subject property and that the variance is not minor in nature.

## Conclusion

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

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

This department does not support the request to allow two driveways on the subject property. The Site Plan circulated indicates that the proposed 4.0M access onto Harborn Road narrows down to a walkway width that exceeds the by-law requirement. This proposed access would not service a garage fronting onto Harborn Road and it appears that it would be utilized as a parking pad within a municipal right-of-way. A walkway on private property leading to a parking pad within city property should not be supported. We also note that the existing asphalt driveway on Harborn Road should be removed and re-instated.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

# City of Mississauga

## Memorandum:

## City Department and Agency Comments

### **Appendix 2 – Zoning Comments**

The Building Department is currently processing a site permit application under file SPI 19-147 W7. Based on review of the information currently available in this permit application, the variances, as requested are correct.

We also advise 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 site plan application submitted on 2019/12/13 and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Jeanine Benitez, Zoning Examiner

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

#### **Minor Variance Application: A-251/21**

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

Please be advised that a portion of the subject property is located within the limits of the regulated area of the Credit Valley Conservation (CVC).

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

Comments Prepared by: Diana Guida, Junior Planner

### **Appendix 6- Conservation Authority Comments**

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

1. Watershed Based Resource Management Agency and Public (commenting) Body under the *Planning Act* - providing comments based on CVC's Board approved policies;

2. Planning Advisory Services - providing environmental planning and technical advice/comments based on service agreements or memorandum of understanding;
3. Delegated Responsibilities – providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 3.1 of the *Provincial Policy Statement (2020)*;
4. Regulatory Responsibilities – providing comments to ensure the coordination of requirements under the *Conservation Authorities Act Section 28 regulation*, to eliminate unnecessary delay or duplication in process;
5. Source Protection Agency – providing advisory comments to assist with the implementation of the *CTC Source Protection Plan* under the *Clean Water Act*, as applicable.

**SITE CHARACTERISTICS:**

The subject property is traversed by Mary Fix Creek and its floodplain and valley slope. In addition, the property appears to be located within the City of Mississauga's Natural Heritage System and Credit River Watershed NHS. It is the policy of CVC and the Province of Ontario to conserve and protect the significant physical, hydrological and biological features associated with the functions of the above noted characteristics and to recommend that no development be permitted which would adversely affect the natural features or ecological functions of these areas.

**ONTARIO REGULATION 160/06:**

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

**PROPOSAL:**

It is our understanding that the applicant requests the Committee to approve a minor variance to allow two driveways on the subject property whereas By-law 0225-2007, as amended, permits a maximum of one driveway in this instance.

**COMMENTS:**

Based on the review of the information, CVC staff note that the Site Plan (last revised February 4, 2020) appears to inaccurately identify the Regulatory Floodline (98.27m), of which the existing driveway appears to encroach. Please ensure that there are no changes to the existing grade proposed within the floodplain to prevent impacts to the floodplain. CVC staff are currently reviewing a Site Plan application (SP 19/147) for the proposed development and any CVC concerns will be addressed during the site plan approval process.

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

It should be noted that a CVC permit will be required for the proposed development.

Please circulate CVC any future correspondence regarding this application.

Comments Prepared by: Elizabeth Paudel, Junior Planner

## Appendix 7 – Trans-Northern Pipelines Inc

Thank you for providing Trans-Northern Pipeline Inc. (TNPI) with the committee of adjustment agenda for the proposed development to allow two driveways on the subject property. TNPI currently operates a high-pressure petroleum products transmission pipeline within a 60 foot right of way on the property southeast and adjacent side to the proposed development relating to 2075 Autumn Breeze Drive South.

TNPI has no concerns with the proposed development as it is outside of the Prescribed Area (30m) and outside of our right-of-way. Please note, any development plans within the right-of-way will require a permit which can be requested by following the steps described near the end of this response.

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

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

*It is prohibited for any person to operate a vehicle or mobile equipment across a pipeline unless*

- *(a) that operation is authorized or required by orders made under subsection (3) or (4) or regulations made under subsections (5) or (6) and done in accordance with them; or*
- *(b) the vehicle or equipment is operated within the travelled portion of a highway or public road.*

If there is to be development (not discovered in this review) within the 30 metres prescribed area additional steps will be required. Additionally, should the applicant propose to cross the pipeline with a vehicle or construct a facility across, on, along or under the pipeline, the applicant would be required to contact TNPI prior to commencement of their work to receive the required authorization. This process can be initiated through Ontario One Call (1-800-400-2255). A representative from TNPI will attend on site mark the pipeline location, confirm safe work practices, and advise of any permit requirements.

Should the applicant require further information on the technical requirements related to ground disturbance or crossing of the pipeline, they may contact Sandrine Exibard-Edgar, Team Lead, Property Administrator via email at: [crossingrequestseast@tnpi.ca](mailto:crossingrequestseast@tnpi.ca).

As always, Trans-Northern Pipeline Inc. appreciates being circulated development applications.

Comments Prepared by: Renee Flowerday, Property and Right of Way Administrator





## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A257.21  
Ward: 10

### Why you received this letter:

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

### Details of the application and meeting information:

The property owner of 3344 Stoney Crescent, zoned RM5-48 - 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:

1. A driveway width of 5.28m (approx. 17.32ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.30m (approx. 14.11ft) in this instance; and
2. 0 parking spaces for a basement unit whereas By-law 0225-2007, as amended, requires a minimum of 1 parking space for a basement unit in this instance.

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

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

### How to submit a written comment:

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

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

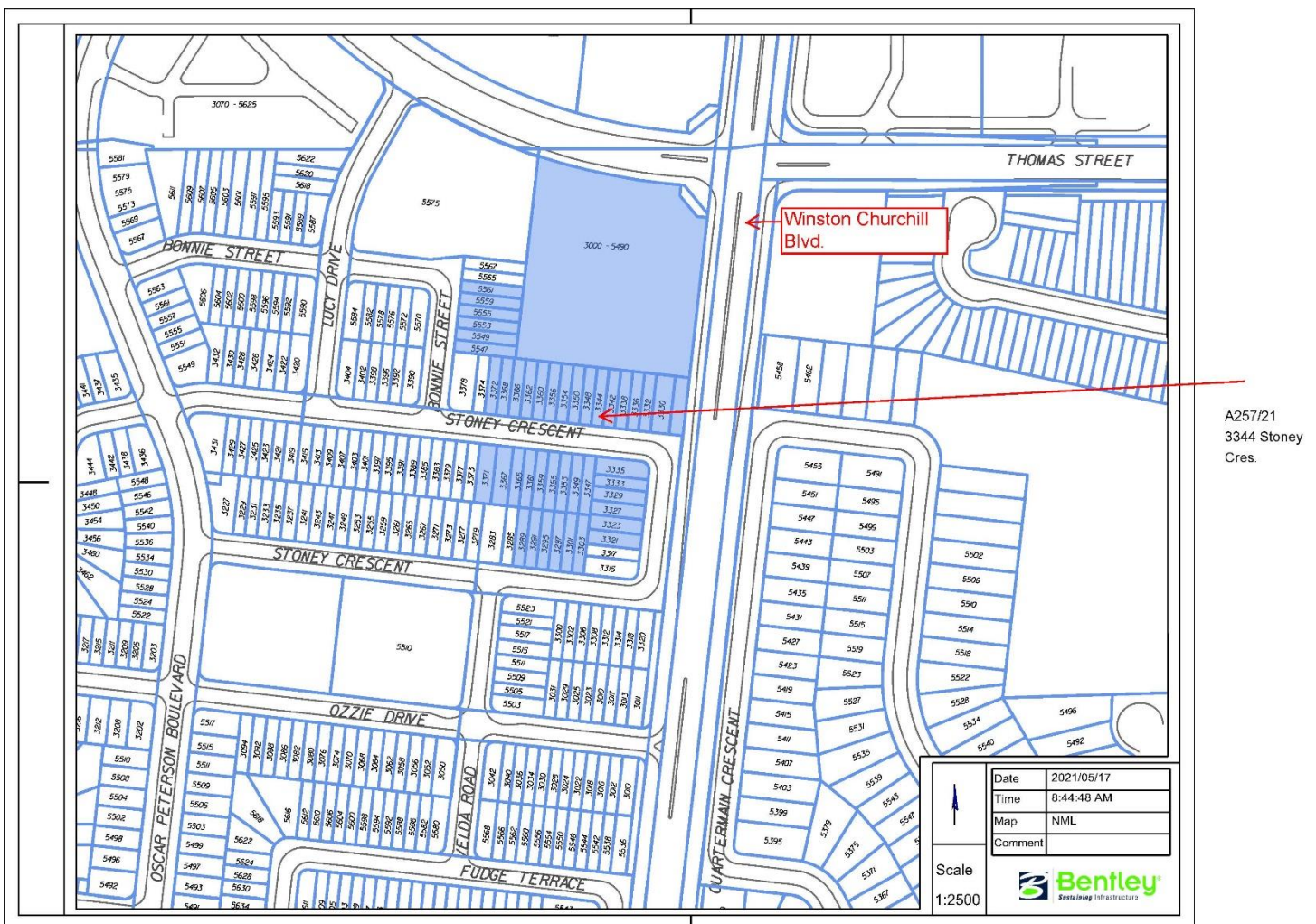
**To participate electronically (computer, tablet or smartphone):** Please email [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided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

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



# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-07-08	File(s): A257.21 Ward 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-15 1:00 PM

## Consolidated Recommendation

The City has no objection to the application, as amended. The applicant may wish to defer the application to ensure the accuracy of the requested variances.

## Application Details

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

1. A driveway width of 5.28m (approx. 17.32ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.30m (approx. 14.11ft) in this instance; and
2. 0 parking spaces for a basement unit whereas By-law 0225-2007, as amended, requires a minimum of 1 parking space for a basement unit in this instance.

## Amendments

While Planning Staff are not in a position to interpret the Zoning By-law, based on a review of the application it appears that variance #2 can be removed should variance #1 be approved.

## Background

**Property Address:** 3344 Stoney Crescent

### Mississauga Official Plan

Character Area: Churchill Meadows Neighbourhood  
Designation: Residential Medium Density

### Zoning By-law 0225-2007



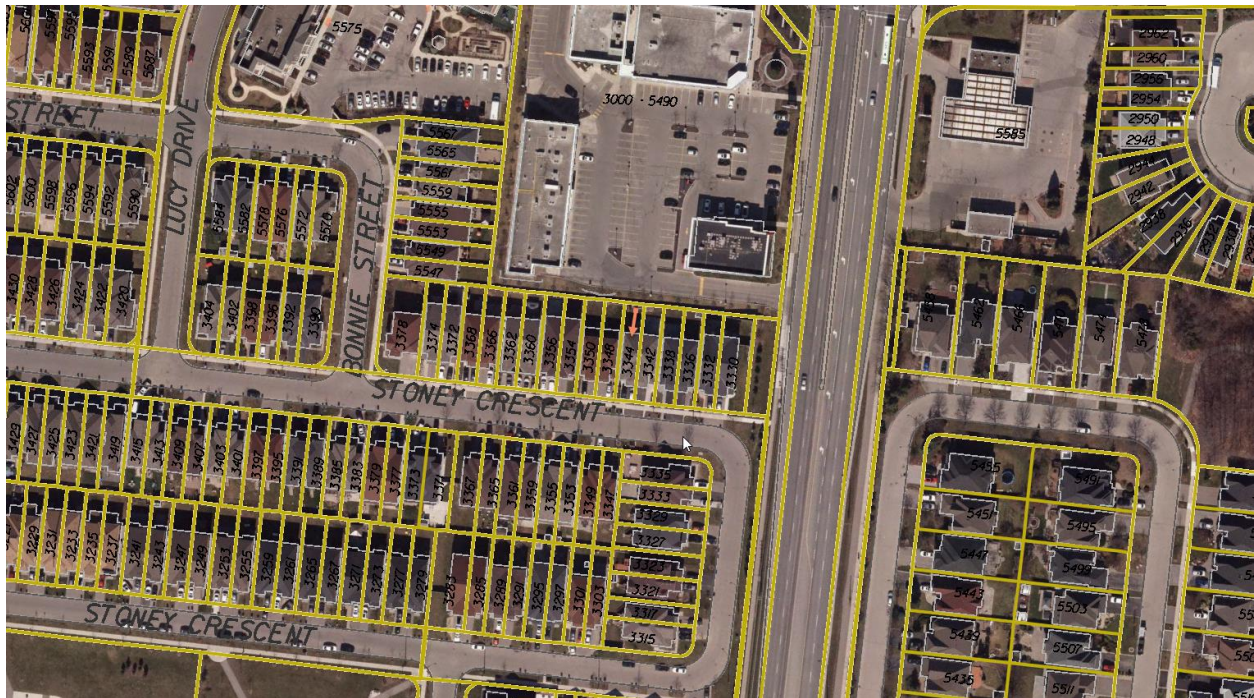
**Zoning:** RM5-48 - Residential

**Other Applications:** SEC UNIT 21-5436

### Site and Area Context

The subject property is located south-west of the Winston Churchill Boulevard and Thomas Street intersection, in the Churchill Meadows Neighbourhood Character Area. The property contains a semi-detached dwelling, which represents the predominant residential built form in the immediate area. The lot has a frontage of +/- 6.73m, which is consistent with the surrounding residential development. To the rear of the property is a commercial plaza and associated parking lot.

The applicant is in the process of applying for a second unit on the property, requiring variances for parking and driveway width.



## Comments

Planning

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

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

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

The subject property is designated Residential Medium Density in the Mississauga Official Plan (MOP) and is within the Churchill Meadows Neighbourhood Character Area. Section 9.1 of the MOP states that a driveway width should respect the identity and character of the surrounding context. A review of the surrounding context shows that widened driveways are a common attribute for properties in the area, and the proposed driveway is in line with surrounding extensions. Further, Section 7.2 of the MOP indicates that Mississauga will provide opportunities for a variety of affordable dwelling types and encourage the development of new rental units. The increased driveway width is to facilitate parking for a permitted secondary unit. Secondary units play a vital role in today's housing market by representing an affordable option for housing for area residents as well as providing additional rental stock in the City. The proposal maintains the general intent and purpose of the Official Plan.

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

Variance #1 for a driveway widening (existing condition) allows the property owner to accommodate two cars side by side on the driveway. The semi-detached dwelling has a garage for one parked vehicle. Based on the submitted information, the applicant can accommodate all three (3) required parking spaces onsite assuming that the proposed driveway widening variance #1 is approved by the Committee. Should the application be approved by the Committee, variance #2 would not be required.

The intent of the zoning regulations regarding driveway width is to allow a driveway width large enough to accommodate the parking requirements of the dwelling, with the remainder of the lands being used as soft landscaping. In this instance the applicant is requesting a widened driveway in order to accommodate the parking of an additional vehicle for a proposed secondary unit. While reduced, soft landscaping does exist on the property on the west side of the existing driveway, providing a visual separation from the neighbouring property. The easterly side the driveway is adjoined with the attached neighbour, providing no buffer even if the driveway width complied with the Zoning By-law. Staff note that the RM5-48 zone does not provide for a specific soft landscaping requirement in the front yard. The requested variance, in staff's opinion, meets the general intent and purpose of the Zoning By-law.

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

The proposal represents appropriate development of the lands and modest intensification. The request is minor and is reflective of the surrounding context, where widened driveways are a regular occurrence. Staff are of the opinion that the impacts of the requested variance are minor and will not cause undue impacts on adjacent properties.

## Conclusion

The Planning and Building Department has no objection to the application, as amended.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

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







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

The Building Department is currently processing a building permit under file SEC UNIT 21-5436. 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 submitted on 2021/04/20 and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Jeanine Benitez, Zoning Examiner

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

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner





## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A259.21  
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 3217 Strabane Drive, zoned R3 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicants request the Committee to approve a minor variance to allow the construction of an addition proposing:

1. A southerly side yard of 1.22m (approx. 4.00ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.94ft) in this instance;
2. A northerly side yard of 1.26m (approx. 4.13ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.94ft) in this instance;
3. A balcony encroachment into a side yard of 0.51m (approx. 1.67ft) whereas By-law 0225-2007, as amended, permits a maximum balcony encroachment into a side yard of 0.00m in this instance;
4. A driveway width of 7.95m (approx. 26.08ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance; and
5. A soft landscaped area of 37.7% of the front yard whereas By-law 0225-2007, as amended, requires a minimum soft landscaped area of 40.00% of the front yard in this instance.

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

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

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

### How to submit a written comment:

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

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

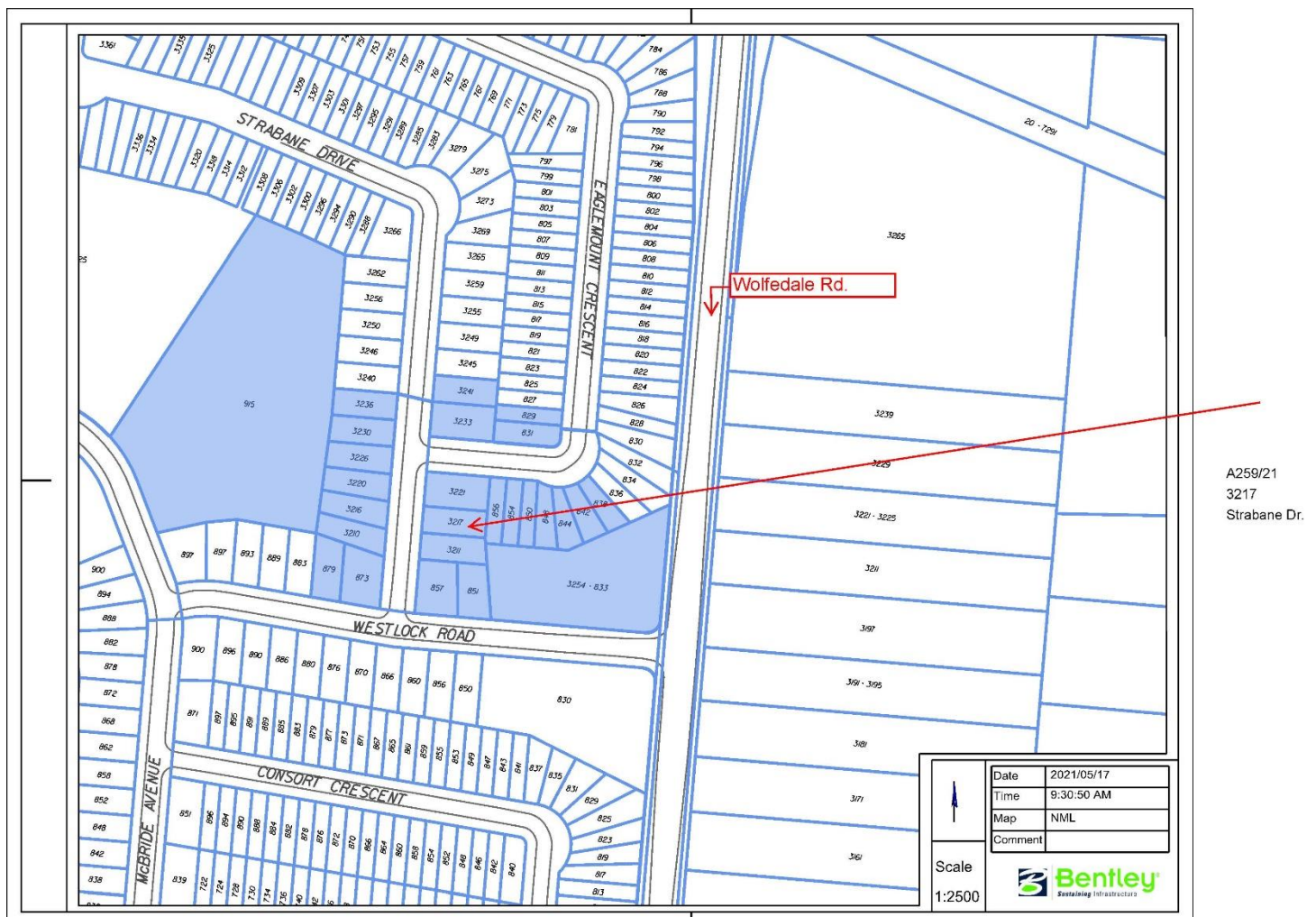
**To participate electronically (computer, tablet or smartphone):** Please email [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided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

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

### Legal notice:

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

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



# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-07-08	File(s): A259.21 Ward 6
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-15 1:00 PM

## Consolidated Recommendation

The City has no objections to variances # 1-3, however, recommend that the remaining variances be refused. The applicant may wish to defer the application to ensure the accuracy of the requested variances.

## Application Details

The applicants request the Committee to approve a minor variance to allow the construction of an addition proposing:

1. A southerly side yard of 1.22m (approx. 4.00ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.94ft) in this instance;
2. A northerly side yard of 1.26m (approx. 4.13ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.94ft) in this instance;
3. A balcony encroachment into a side yard of 0.51m (approx. 1.67ft) whereas By-law 0225-2007, as amended, permits a maximum balcony encroachment into a side yard of 0.00m in this instance;
4. A driveway width of 7.95m (approx. 26.08ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance; and
5. A soft landscaped area of 37.7% of the front yard whereas By-law 0225-2007, as amended, requires a minimum soft landscaped area of 40.00% of the front yard in this instance.

## Background

**Property Address:** 3217 Strabane Drive

### Mississauga Official Plan

**Character Area:** Erindale Neighbourhood



Designation: Residential Low Density II

### Zoning By-law 0225-2007

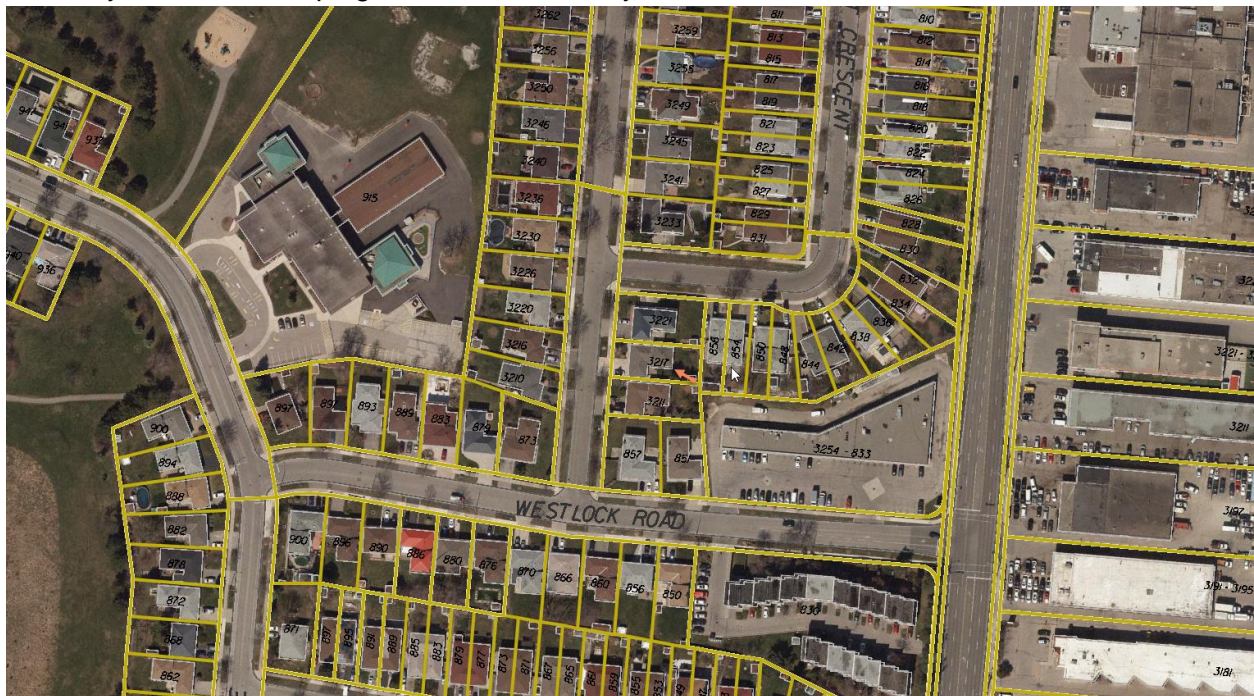
Zoning: R3 - Residential

Other Applications: PREAPP 21-6187

### Site and Area Context

The subject property is located west of Wolfedale Road, between Dundas Street West and the Milton GO Line tracks. The property currently contains a detached split level home which represents a common built form in the immediate vicinity. Semi-detached and townhome dwellings are also present, along with industrial uses on the east side of Wolfedale Road. Pockets of vegetation can be seen throughout the area. The subject property has a frontage of +/- 15.24m and an area of +/-557.5m<sup>2</sup>.

The applicant is proposing a second storey addition requiring variances for building setbacks, driveway width, landscaping area, and a balcony encroachment.



## Comments

Planning

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

Staff comments concerning the application 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 Erindale Neighbourhood Character Area and is designated Residential Low Density II. This designation allows for a variety of built forms with individual frontages, including detached dwellings. Section 9 of the MOP promotes development (including its features such as driveways) with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions, the surrounding context, and the landscape of the character area. Staff are of the opinion that while variances #1-3 maintain the general intent and purpose of the Official Plan, variances #4 & 5 do not as the proposed driveway and associated reduction in soft landscape area are neither appropriate site design nor are they compatible with the surrounding context.

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

Variances #1 & 2 relate to the northerly and southerly setbacks for the proposed addition. The intent of the side yard provisions in the by-law are to ensure an adequate buffer exists between the massing of primary structures on abutting properties, and to ensure that access to the rear yard remains unencumbered. The proposed addition is strictly a second floor addition, with the proposed second storey walls aligning with the existing walls on the first storey. Access to the rear yard will be maintained as it exists, and the impact of the massing on adjoining properties is minimal. No variances are requested for height or lot coverage. Staff are of the opinion that variances #1 & 2 maintain the general intent and purpose of the by-law.

Variance #3 is in regards to a balcony encroachment into a side yard. The purpose of a maximum balcony encroachment is to ensure that balconies are not situated too close to property lines which can result in overlook situations and loss of privacy. There is a distinction between balcony projection, which limits how far the balcony can project from the building, and balcony encroachment, which measures how far into a required yard a balcony can encroach. The proposed balcony is in line with the existing first storey and proposed second storey wall and does not encroach any further towards the property line than the building itself. This, in combination with its location on the lot and the built form of the proposal and neighbouring lot, mitigates privacy loss and overlook concerns. Variance #3 maintains the general intent and purpose of the By-law.

Variances #4 & 5 are for the driveway width and associated reduction in the front yard soft landscaped area. The intent of the by-law regarding driveway widths is to permit a driveway large enough to suitably accommodate two vehicles parked side by side, with the remainder of the front yard being soft landscaping. The driveway, as proposed, represents more than 50% of the front yard, resulting in a significant amount of hardscaping in the front yard, which is not consistent with the established neighbourhood. The subject property does not possess the frontage that is able to support a driveway as proposed while also providing a suitable soft

landscape area. Therefore, variances #4 & 5 do not meet the general intent and purpose of the by-law.

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

Variances #1-3 relate to the construction of the addition, which represents desirable development of the lands. The impacts of the variances to neighbouring properties are minimal and the proposed massing is appropriate for the lot. Variances #4 & 5, however, represent an inappropriate increase in hardscaping in the front yard, which is not minor in nature and does not represent desirable development of the subject lands.

## Conclusion

The Planning and Building Department has no objections to variances # 1-3, however, recommend that the remaining variances be refused.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner



## Appendices

### Appendix 1 – Transportation and Works Comments

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

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





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

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

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

Comments Prepared by: Daniel Grdasic, Planning Associate

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

We have no comments or objections.

City Department and Agency Comments	File:A259.21	2021/07/08	7
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Comments Prepared by: Diana Guida, Junior Planner





## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A260.21  
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 2744 Hollington Crescent, zoned RM1 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an accessory structure proposing:

1. An accessory structure area of 26.48sq.m (approx. 285.03sq.ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 10.00sq.m (approx. 107.64sq.ft) in this instance; and
2. A centreline setback of 18.60m (approx. 61.02ft) whereas By-law 0225-2007, as amended, requires a minimum centreline setback of 23.11m (approx. 75.82ft) in this instance.

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

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

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

### How to submit a written comment:

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

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

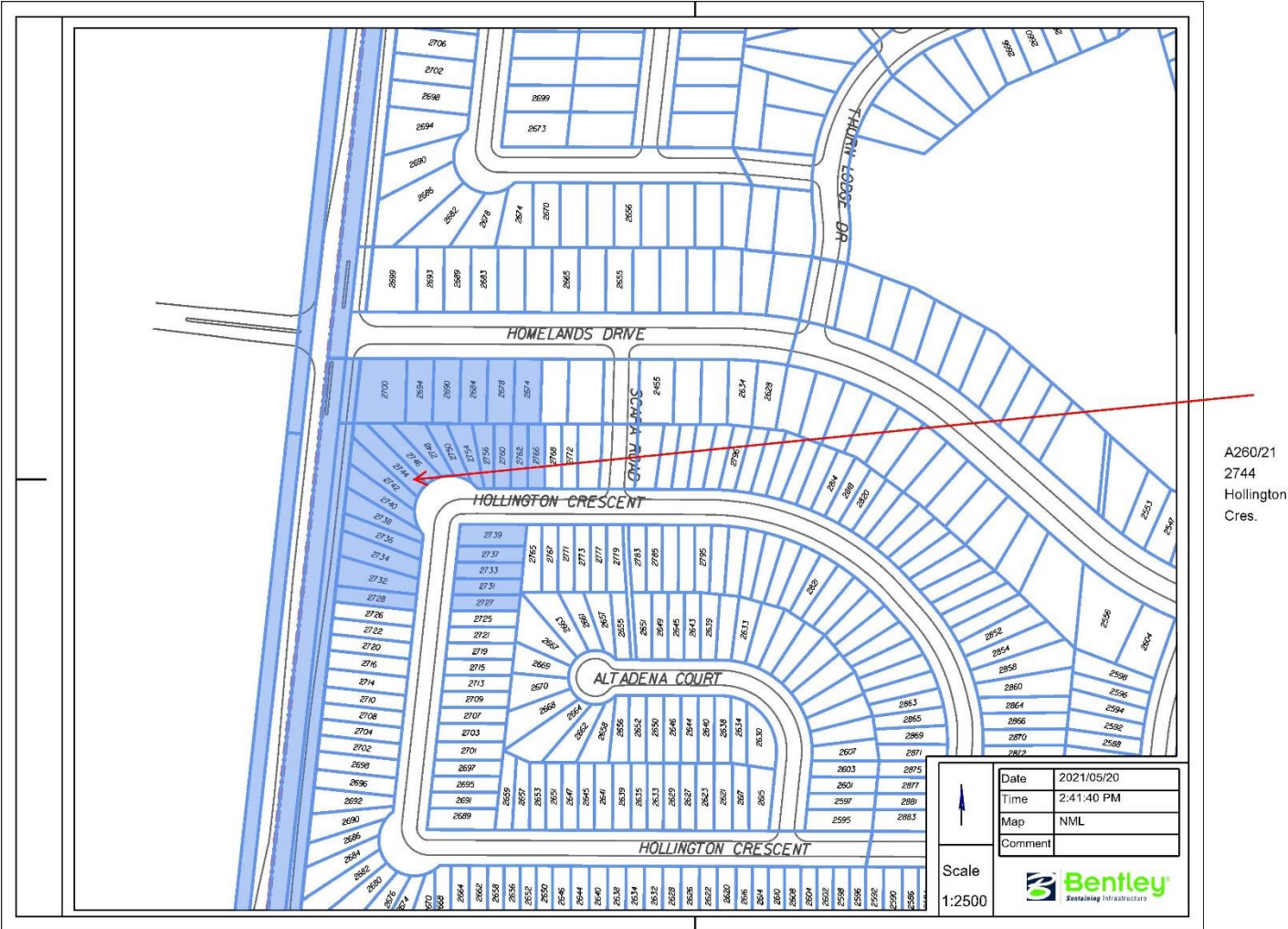
**To participate electronically (computer, tablet or smartphone):** Please email [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided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

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

**Legal notice:**

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

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





# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-07-08	File(s): A260.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-15 1:00 PM

## Consolidated Recommendation

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

## Application Details

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

1. An accessory structure area of 26.48sq.m (approx. 285.03sq.ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 10.00sq.m (approx. 107.64sq.ft) in this instance; and
2. A centreline setback of 18.60m (approx. 61.02ft) whereas By-law 0225-2007, as amended, requires a minimum centreline setback of 23.11m (approx. 75.82ft) in this instance.

## Recommended Conditions and Terms

Should the Committee see merit, we ask that the shed be equipped with eaves trough and down spout directed in such a manor not to impact the adjacent lands.

## Background

**Property Address:** 2744 Hollington Crescent

### Mississauga Official Plan

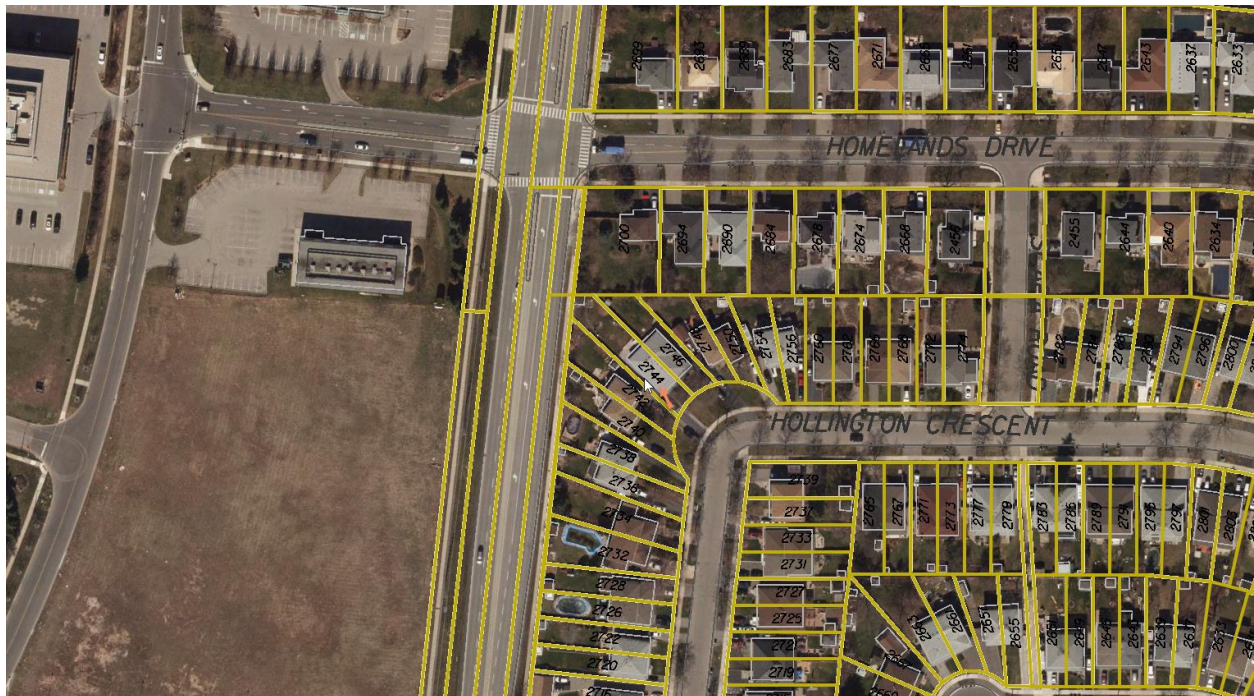
Character Area: Sheridan Neighbourhood  
Designation: Residential Low Density II

**Other Applications:** BP 9NEW 21-5967

**Zoning By-law 0225-2007****Zoning: RM1 - Residential****Site and Area Context**

The subject property is located within the Sheridan Neighbourhood Character Area, southeast of the Winston Churchill Boulevard and Dundas Street West intersection. The neighbourhood is entirely residential, consisting of one and two storey detached dwellings and semi-detached dwellings with mature vegetation.

The applicant is proposing an accessory structure requiring variances related to accessory structure area and centreline setback.

**Comments****Planning**

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

Staff comments concerning the application 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 East Credit Neighbourhood Character Area, and is designated Residential Low Density II by the Mississauga Official Plan (MOP). The Residential Low Density II designation permits detached dwellings; semi-detached dwellings, duplex dwellings, triplexes, street townhouses and other forms of low-rise dwellings with individual frontages. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions; the surrounding context; and, the landscape of the character area. The proposed structure 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 of the zoning by-law provisions regarding accessory structures is to ensure that the structures are proportional to the lot and dwelling and clearly accessory, while not presenting any massing concerns to neighbouring lots. The applicant's proposal for a shed having an area of 26.48m<sup>2</sup> is of no concern to Staff. The proposed shed is clearly subordinate to the main dwelling and is proportional to the lot. The Zoning By-law permits a maximum occupied combined area of 30m<sup>2</sup> for all accessory buildings and structures, subject to the accessory buildings/structures not going over the lot coverage.

Zoning identified an additional variance required for the proposed concrete slab underneath the proposed shed, as it appeared to be closer than 0.61 m to the interior side lot line. On June 22<sup>nd</sup>, the applicant's agent revised their site plan to ensure that the concrete slab would be set back 0.61 m from the interior lot line.

The applicant is proposing a centreline setback of 18.60m (approx. 61.02ft) while the by-law requires a minimum centreline setback of 23.11m (approx. 75.82ft) in this instance. The intent of this portion of the Zoning By-law is to ensure that any proposed construction will not come at the expense of a potential road widening. Transportation and Works Staff have not identified any issues with the proposed setback.

Staff is of the opinion that the proposal maintains the general intent and purpose of the Zoning by-law.

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

Staff is of the opinion that the proposal is desirable for the appropriate development of the subject lands and is minor in nature. The proposed shed is under the maximum occupied

combined area of 30m<sup>2</sup> and Transportation and Works has not identified any issues with the proposed centreline setback.

## 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, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed please find a picture of where the proposed shed will be located. We ask that the shed be equipped with eaves trough and down spout directed in such a manor not to impact the adjacent lands.

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 21-5967. Based on review of the information currently available in this permit application, the variances requested are correct.

However, it is noted that the proposed concrete slab underneath the proposed accessory structure is closer than 0.61 m to the interior side lot line, which does not comply. Please see regulation 4.1.5.7 below for reference:

- Decorative paving, pool decking, and other hard surfaced landscape material are permitted an unlimited encroachment in a required [rear yard](#), provided that they do not exceed 0.3 m in height above grade at any point, and maintain a minimum setback to any [lot line](#) of 0.61 m. ([0297-2013](#)), ([0190-2014](#)), ([0144-2016](#))

A variance will be required, however at this time, I do not have sufficient information to confirm the dimension from the concrete slab (hard surface landscaping) to the interior lot line.

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: A261.21  
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 926 Goodwin Road, 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 39.95% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
2. A side yard (westerly) of 1.20m (approx. 3.93ft) whereas By-law 0225-2007, as amended, requires a minimum of 1.81m (approx. 5.93ft) in this instance;
3. A side yard (easterly) of 1.21m (approx. 3.97ft) whereas By-law 0225-2007, as amended, requires a minimum of 1.81m (approx. 5.93ft) in this instance;
4. A building height measured to a flat roof of 7.83m (approx. 25.69ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to flat roof of 7.50m (approx. 24.60ft) in this instance; and
5. An eave encroachment of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, permits a maximum eave encroachment of 0.45m (approx. 1.48ft) in this instance.

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

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

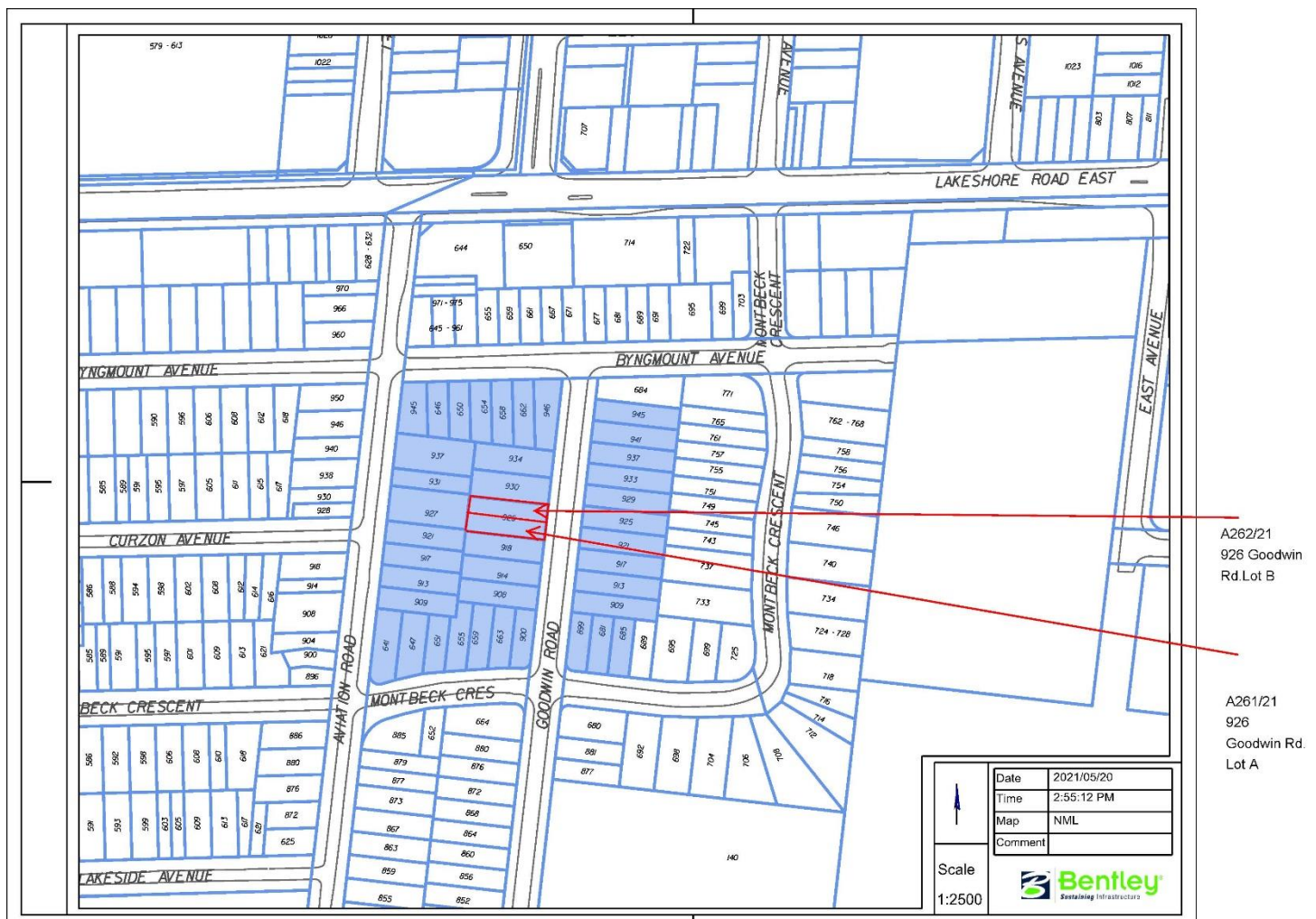
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# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-07-08	File(s): A261.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-15 1:00 PM

## Consolidated Recommendation

The City recommends that the application be deferred.

## Application Details

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

1. A lot coverage of 39.95% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
2. A side yard (westerly) of 1.20m (approx. 3.93ft) whereas By-law 0225-2007, as amended, requires a minimum of 1.81m (approx. 5.93ft) in this instance;
3. A side yard (easterly) of 1.21m (approx. 3.97ft) whereas By-law 0225-2007, as amended, requires a minimum of 1.81m (approx. 5.93ft) in this instance;
4. A building height measured to a flat roof of 7.83m (approx. 25.69ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to flat roof of 7.50m (approx. 24.60ft) in this instance; and
5. An eave encroachment of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, permits a maximum eave encroachment of 0.45m (approx. 1.48ft) in this instance.

## Background

**Property Address:** 926 Goodwin Road

### Mississauga Official Plan

Character Area: Lakeview Neighbourhood  
Designation: Residential Low Density II



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 received provisional approval on October 31<sup>st</sup>, 2019 to sever the existing parcel into two new lots with frontages of 10.06m and lot areas of 454.90m<sup>2</sup>. Through discussions with the Committee of Adjustment office, the conditions of provisional consent were not cleared within the one year period. A certificate of approval was never issued and the conditions associated with the consent have now expired. As such, the applicant is required to submit a new consent application requesting approval for the creation of two new lots.

Based on the preceding information, staff recommends that the application be deferred to allow the applicant time to submit a consent application and corresponding minor variance application required for a reduced lot frontage and lot area supporting the new lots, as well as the variances required for the detached dwelling.

## **Conclusion**

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

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner



## Appendices

### Appendix 1 – Transportation and Works Comments

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

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Daniel Grdasic, Planning Associate

### Appendix 5 – Region of Peel Comments

#### **Minor Variance Application: A-261/21**

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



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A262.21  
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 928 Goodwin Road, 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 40.88% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
2. A side yard (westerly) of 1.21m (approx. 3.97ft) whereas By-law 0225-2007, as amended, requires a minimum of 1.81m (approx. 5.93ft) in this instance;
3. A side yard (easterly) of 1.20m (approx. 3.93ft) whereas By-law 0225-2007, as amended, requires a minimum of 1.81m (approx. 5.93ft) in this instance; and
4. A building height measured to the eaves of 6.42m (approx. 21.06ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to flat roof of 6.40m (approx. 20.99ft) in this instance.

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# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-07-08	File(s): A262.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-15 1:00 PM

## Consolidated Recommendation

The City recommends that the application be deferred.

## Application Details

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

1. A lot coverage of 40.88% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
2. A side yard (westerly) of 1.21m (approx. 3.97ft) whereas By-law 0225-2007, as amended, requires a minimum of 1.81m (approx. 5.93ft) in this instance;
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## Background

**Property Address:** 928 Goodwin Road

### Mississauga Official Plan

Character Area: Lakeview Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007



**Zoning:** R3-75 - Residential

### Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, southeast of Cawthra Road and Lakeshore Road East. The neighbourhood is entirely residential, consisting of one storey and newer two storey detached dwellings with mature vegetation. The subject property received provisional consent approval on October 31<sup>st</sup>, 2019 to sever the lot to create two new parcels for the purpose of developing detached dwellings.

The applicant is proposing a new two storey detached dwelling requiring variances related to lot coverage, side yard setbacks 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 are as follows:

The subject property received approval on October 31<sup>st</sup>, 2019 to permit the severance of the existing parcel, creating two new lots with frontages of 10.06m and lot areas of 454.90m<sup>2</sup>. Through



discussions with the Committee of Adjustment office, the conditions of provisional consent were not cleared within the one year period. A certificate of approval was never issued and the conditions would now be expired. As such, the applicant is required to submit a new consent application requesting provisional approval to sever the existing residential lot.

Based on the preceding information, staff recommends that the application be deferred in order to allow the applicant time to submit a consent application and reapply for the variances required for lot frontage and lot area, as well as the variances required for the detached dwelling.

## Conclusion

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

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

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

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Daniel Grdasic, Planning Associate

### Appendix 5 – Region of Peel Comments

#### **Minor Variance Application: A-262/21**

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



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A263.21  
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 300 Indian Valley Trail, 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 642.99sq.m (approx. 6921.09sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 595.81sq.m (approx. 6413.25sq.ft) in this instance;
2. A building height measured to the highest ridge of 9.85m (approx. 32.32ft) 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;
3. A building height measured to the eaves of 6.99m (approx. 22.93ft) 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 dwelling depth of 24.90m (approx. 81.69ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
5. A driveway width of 8.00m (approx. 26.24ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.68ft) in this instance;
6. An accessory structure height (rear fireplace) of 7.43m (approx. 24.38ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.00m (approx. 9.84ft) in this instance; and
7. Two walkway attachments on one side of the driveway whereas By-law 0225-2007, as amended, permits a maximum of one walkway attachment per side of the driveway in this instance.

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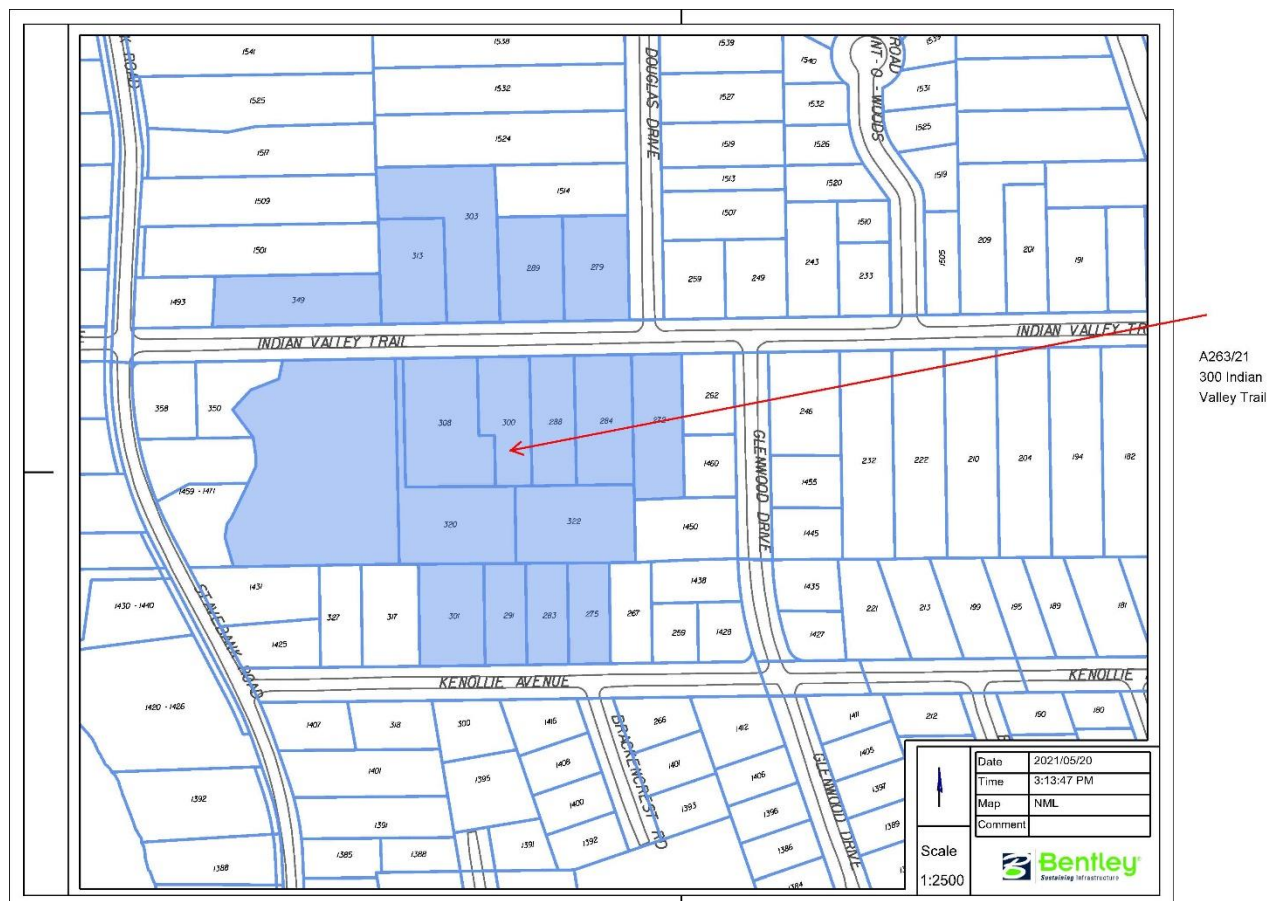
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# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-07-08	File(s): A263.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-15 1:00 PM

## Consolidated Recommendation

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

## 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 642.99sq.m (approx. 6921.09sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 595.81sq.m (approx. 6413.25sq.ft) in this instance;
2. A building height measured to the highest ridge of 9.85m (approx. 32.32ft) 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;
3. A building height measured to the eaves of 6.99m (approx. 22.93ft) 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 dwelling depth of 24.90m (approx. 81.69ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
5. A driveway width of 8.00m (approx. 26.24ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.68ft) in this instance;
6. An accessory structure height (rear fireplace) of 7.43m (approx. 24.38ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.00m (approx. 9.84ft) in this instance; and
7. Two walkway attachments on one side of the driveway whereas By-law 0225-2007, as amended, permits a maximum of one walkway attachment per side of the driveway in this instance.

## Amendments

While Planning Staff are not in a position to provide an interpretation of the Zoning By-law; Staff



would note variance #6 should be amended as follows:

6. An accessory structure height (rear fireplace) of 7.43m (approx. 24.38ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.5m

The Building Department is currently processing a SP permit under file SPI-21/23. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

5. A driveway width of 8.00m (approx. 26.24ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.68ft) in this instance;

Needs to be deleted from variance comments.

## Background

**Property Address:** 300 Indian Valley Trail

### Mississauga Official Plan

Character Area: Mineola Neighbourhood  
Designation: Residential Low Density I

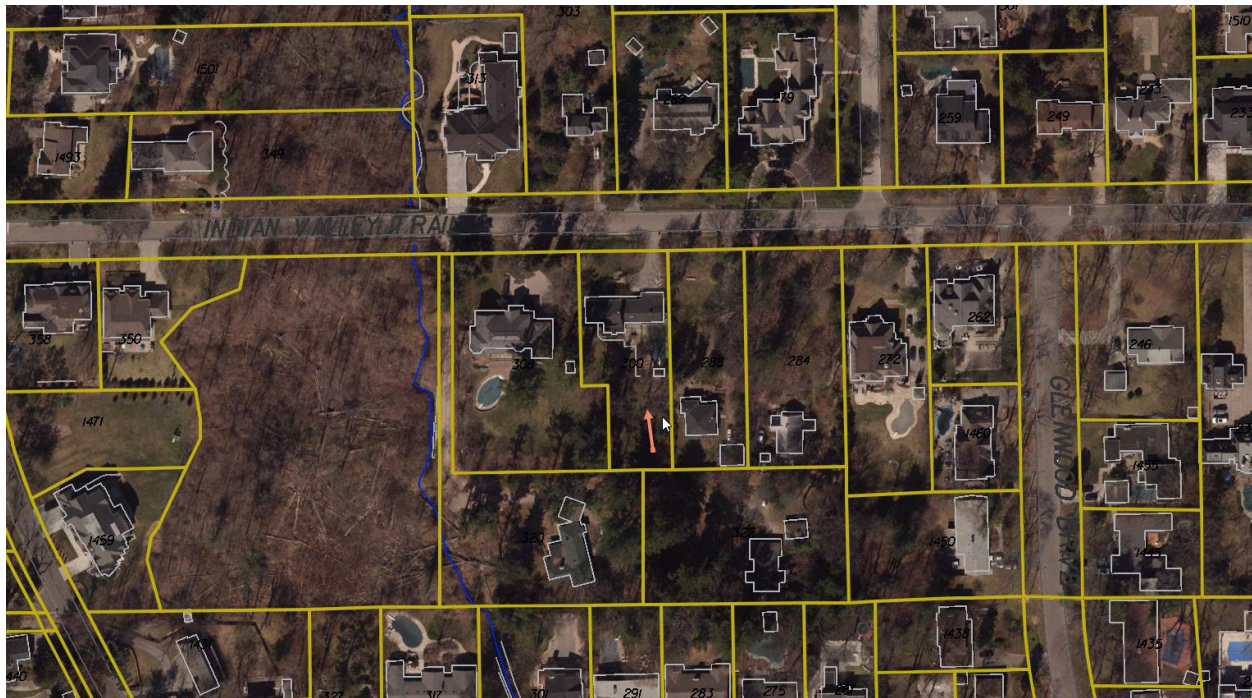
### Zoning By-law 0225-2007

**Zoning:** R2-5 - Residential

**Other Application:** SPI 21-23 W1

### Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southeast of Stavebank Road and Indian Valley Trail. The immediate neighbourhood is entirely residential consisting of two storey detached dwellings with mature vegetation. The subject property contains an existing two storey dwelling with mature vegetation in both the front and rear yards. The applicant is proposing to construct a new house requiring variances related to gross floor area, building height dwelling depth, driveway width accessory structure height and walkway attachments.



## 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 MOP. The policies within Section 16.18.1 in the Mineola Neighbourhood Character Area of MOP, refer to urban design policies regarding infill housing, which states that new housing is encouraged to fit the scale and character of the surrounding area. 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 character of the surrounding neighbourhood. Staff are of the opinion that the general intent and purpose of the official plan is maintained

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

Variance #1 proposes a gross floor area of 642.99m<sup>2</sup>, while the by-law permits a maximum is 595.81m<sup>2</sup>. The intent of the zoning by-law is to maintain compatibility between existing and newer dwellings to ensure the existing and planned character of the neighbourhood is preserved. The proposed dwelling contains architectural features that break up the first and second storey, thereby minimizing the overall massing in relation to the streetscape and neighbouring properties. The proposal is consistent with newer two storey dwellings in the immediate area and does not pose a negative impact to the establish neighbourhood character. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variances #2 and #3 pertain to height. The intent of restricting height to the highest ridge and eaves is to lessen the visual massing of dwelling, by managing the the overall pitch of the roof and keeping the dwelling within human scale. Staff are not concerned with these variances. The proposed heights are a minor deviation from the maximum height requirements contained in the zoning by-law.

Variance #4 proposes a dwelling depth of 24.90m. The maximum dwelling depth permitted in this instance is 20.00m. The intent of the zoning provisions for dwelling depth are to minimize impacts of long walls on neighbouring lots as a direct result of the building massing. The increased dwelling depth is attributed to the proposed a covered rear patio, which extends 6.1 m into the rear yard. The proposed covered rear patio is not to be closed in with any exterior walls and therefore would not cause massing issues.

Variance #6 proposes an accessory structure height (rear fireplace) of 7.43m, while the maximum accessory structure height contained in the zoning by-law is 3.5m. The intent of this zoning by-law provision is to ensure that the accessory structures are proportional to the lot and dwelling and are clearly accessory, while not presenting any massing concerns to neighbouring lots. While the proposed accessory structure (fireplace) height appears excessive, the fireplace is attached to the covered rear patio and uses coresponding exterior materials and finishes used on the dwelling, giving the appearance that it forms a part of the dwelling.

Variance #7 proposes two walkway attachments on one side of the driveway, while the By-law permits a maximum of only one walkway attachment per side . The intent of this portion of the By-law is to allow a hard-surfaced pathway from the driveway to the front entrance and/or the rear yard of the dwelling and ensuring that such a walkway cannot be utilized for parking purposes. The size of the walkway attachments is 1.5m, which is in keeping with the walkway width requirement. Futhermore, utilizing the walkway attachments for parking purposes would be difficult based on the configuration of the area and its location.

**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 area and does not pose a negative impact to the character of the neighbourhood. Furthermore, the dwelling contains features that breaks up the overall massing of the dwelling, thereby maintaining compatibility with the newer two storey dwellings. Staff is of the opinion that the application represents 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, 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-21/023.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a SP permit under file SPI-21/23. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

**5. A driveway width of 8.00m (approx. 26.24ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.68ft) in this instance;**

Needs to be deleted from variance comments:

#### 4.1.9.13

For lots having a lot frontage of 18.0 m or greater, the maximum driveway width may be increased to 10.5 m for that portion of the driveway that is within 6.0 m of the garage face and which is providing direct vehicular access to the garage. The driveway width for that portion of the driveway that is beyond 6.0 m from the garage face is a maximum width of 8.5 m. The driveway shall not cover more than 50% of the area of the front yard and/or exterior side yard.

The lot frontage for this property is 30.48m.

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

Comments Prepared by: Sherri Takaloo Zoning Examiner



**Appendix 5 – Region of Peel Comments**

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A264.21  
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 5110 Timbermill Court, zoned R5 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a widened driveway on the subject property proposing a width of 8.00m (approx. 26.24ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.68ft) in this instance.

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

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

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

### How to submit a written comment:

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

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

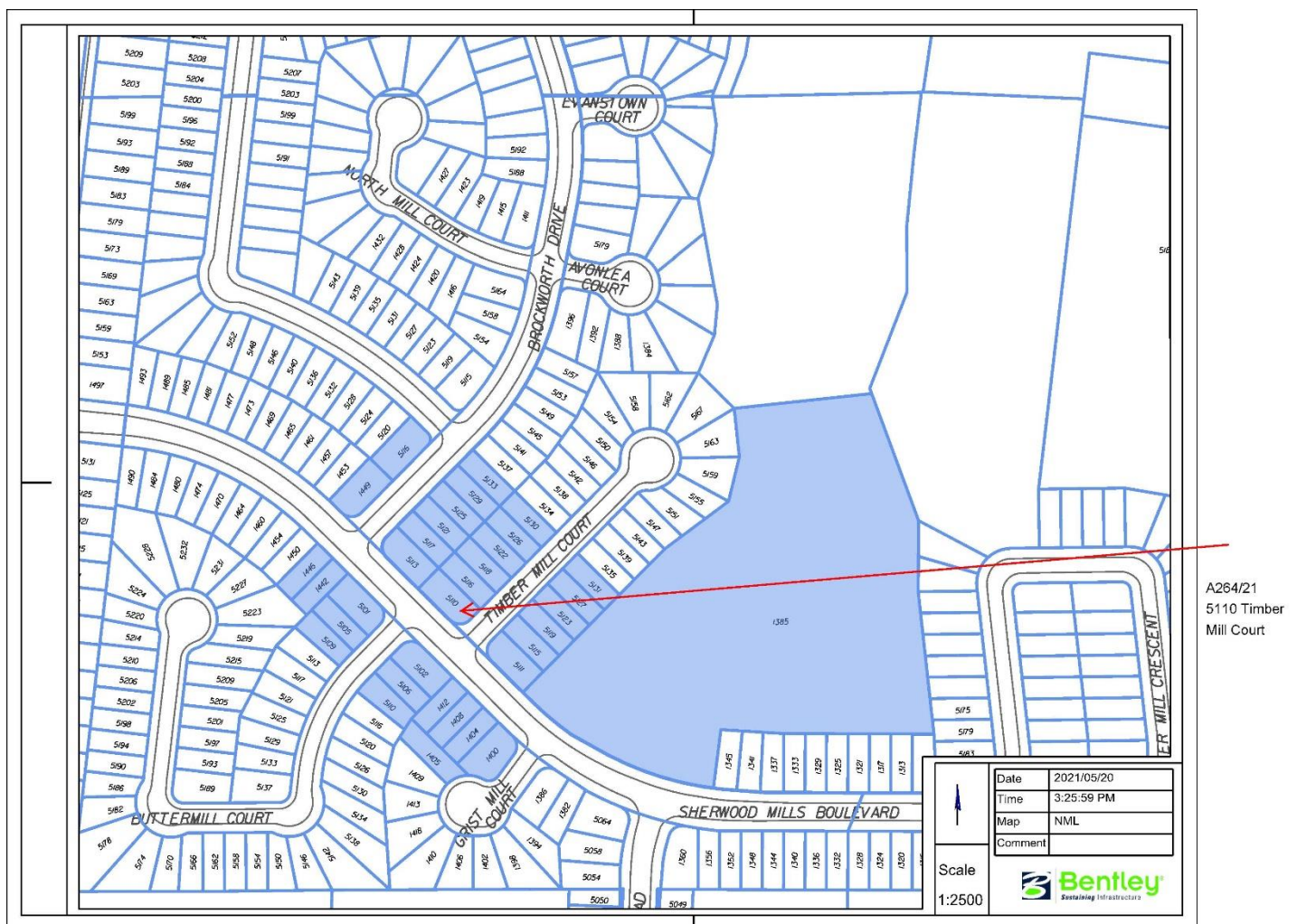
**To participate electronically (computer, tablet or smartphone):** Please email [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided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

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## Legal notice:

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# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-07-08	File(s): A264.21 Ward 6
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-15 1:00 PM

## Consolidated Recommendation

The City recommends that the application be refused.

## Application Details

The applicant requests the Committee to approve a minor variance to allow a widened driveway on the subject property proposing a width of 8.00m (approx. 26.24ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.68ft) in this instance.

## Background

**Property Address:** 5110 Timbermill Court

### Mississauga Official Plan

Character Area: East Credit Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

**Zoning:** R5 - Residential

**Other Applications:** SEC UNIT 20-2740

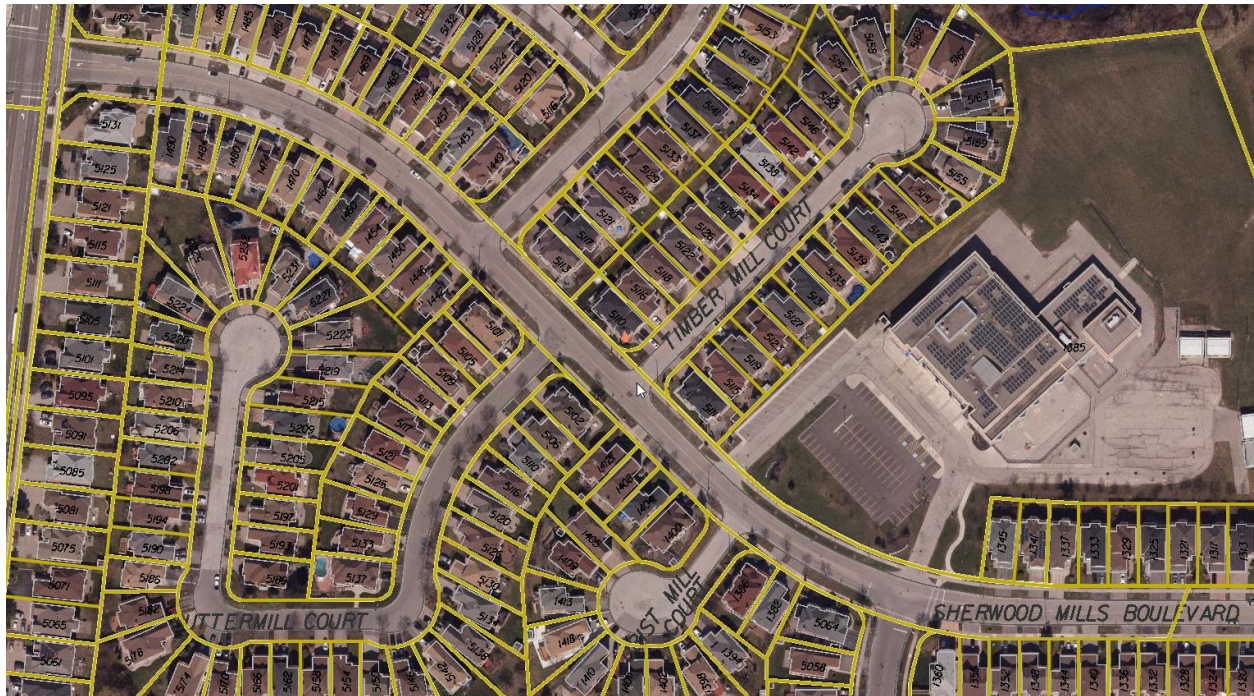
### Site and Area Context

The subject property is located north-east of the intersection of Eglinton Avenue West and Creditview Road, in the East Credit Neighbourhood Character Area. The property fronts onto



Timber Mill Court with a frontage of +/- 16.56m. The surrounding area, with the exception of Sherwood Mills Public School, completely consists of detached dwellings on similarly sized lots with little to no vegetation.

The applicant is seeking to legalize the existing widened driveway requiring a variance for driveway width.



## Comments

### Planning

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

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

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

The property is located within the East Credit Neighbourhood Character Area and is designated Residential Low Density II by the Mississauga Official Plan (MOP). The Residential Low Density II designation permits detached dwellings; semi-detached dwellings; duplex dwellings; and, triplexes, street townhouses, and other forms of low density dwellings with individual



frontages. As per Section 9.1 (Introduction), driveway widths should respect the identity and character of the surrounding context. The driveway, as existing, represents a deviation from the existing character of the neighbourhood and therefore does not meet the general intent and purpose of the Official Plan.

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

The applicant is proposing to legalize an existing driveway on site with a width of 8 metres. The intent of the by-law's driveway width provisions are to suitably accommodate two vehicles parked side by side, with the remainder of the front yard consisting of soft landscaping and amenity area. While staff are in receipt of evidence that the driveway has existed on the property since at least 2002 and a review of Zoning By-law 5500 reveals that the driveway may have been legal at the time of installation, staff are unable to verify the legality of the driveway and as such the driveway must be reviewed under the current by-law framework. The driveway, as it exists today, represents significant hardscaping in the front yard and creates an impact on the streetscape that does not maintain the general intent and purpose of the Zoning By-law.

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

Upon review of the application and the information currently available, it is the opinion of staff that the proposal does not represent a desirable and appropriate development of the subject lands and is not minor in nature. The driveway represents excessive hardscaping and would be more than capable of handling the required parking for the subject property at a reduced width.

## **Conclusion**

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

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

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

We are also noting for information purposes that we have been forwarded a copy of the Transportation and Works Department approval for a 1.7M curb cut for the subject property dated October 24, 2002. This approval depicted an existing 8.2M driveway width, a 6.2M existing Curb Depression and a 1.7M curb cut.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

The Building Department is currently processing a building permit under file SEC UNIT 20-2740. 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 submitted on 2021/01/19 and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Jeanine Benitez, Zoning Examiner

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

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A265.21  
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 5188 Rothesay Court, zoned R1-16 - 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 pool proposing:

1. A setback measured from a pool to a G1 Zone (Greenlands) of 2.74m (approx. 8.99ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured from a pool to a G1 Zone of 5.00m (approx. 16.40ft) in this instance; and
2. A setback measured from hardscape to a G1 Zone (Greenlands) of 1.20m (approx. 3.93ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured from hardscape to a G1 Zone of 5.00m (approx. 16.40ft) in this instance.

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

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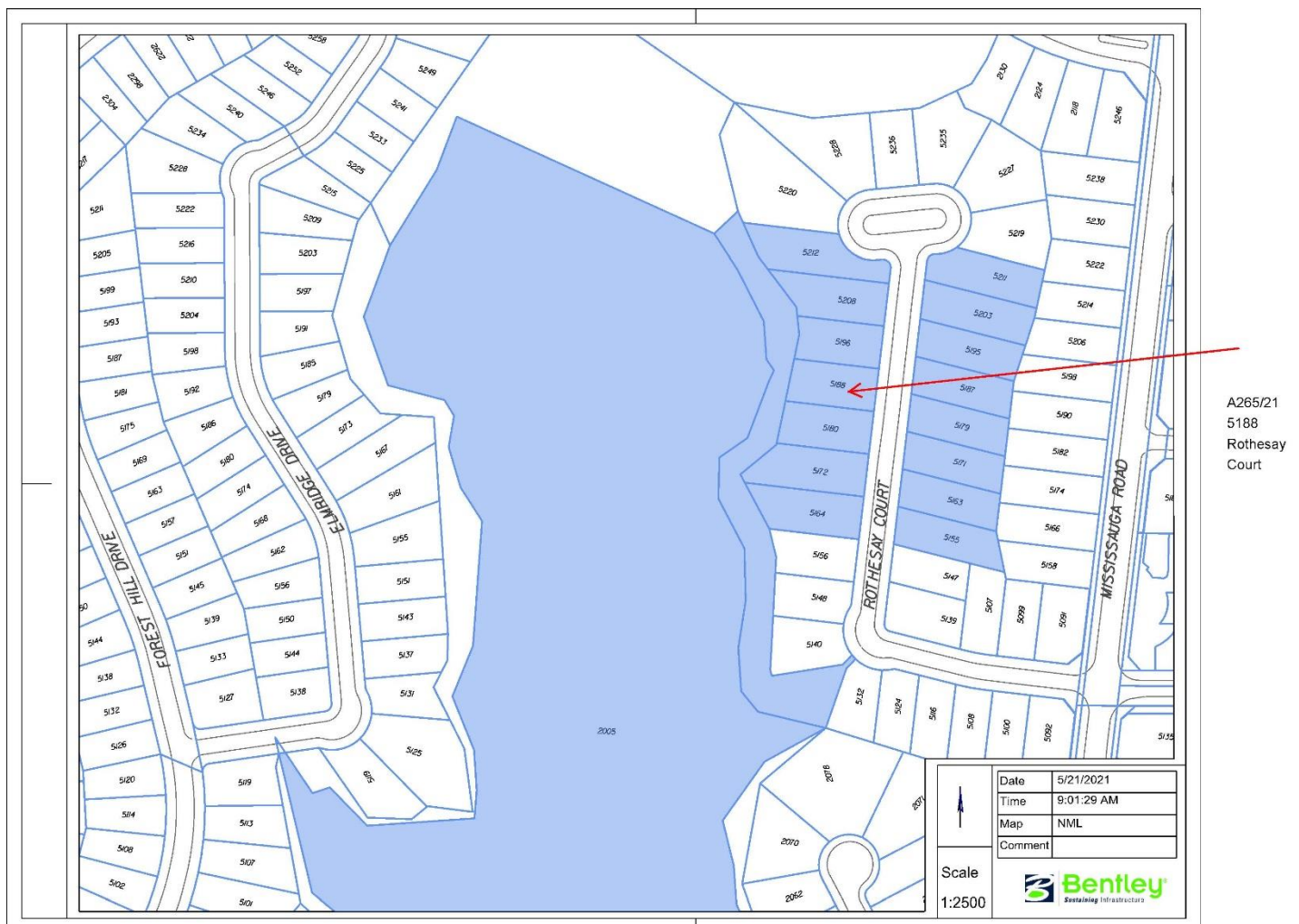
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# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-07-08	File(s): A265.21 Ward 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-15 1:00 PM

## Consolidated Recommendation

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

## Application Details

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

1. A setback measured from a pool to a G1 Zone (Greenlands) of 2.74m (approx. 8.99ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured from a pool to a G1 Zone of 5.00m (approx. 16.40ft) in this instance; and
2. A setback measured from hardscape to a G1 Zone (Greenlands) of 1.20m (approx. 3.93ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured from hardscape to a G1 Zone of 5.00m (approx. 16.40ft) in this instance.

## Background

**Property Address:** 5188 Rothesay Court

### Mississauga Official Plan

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

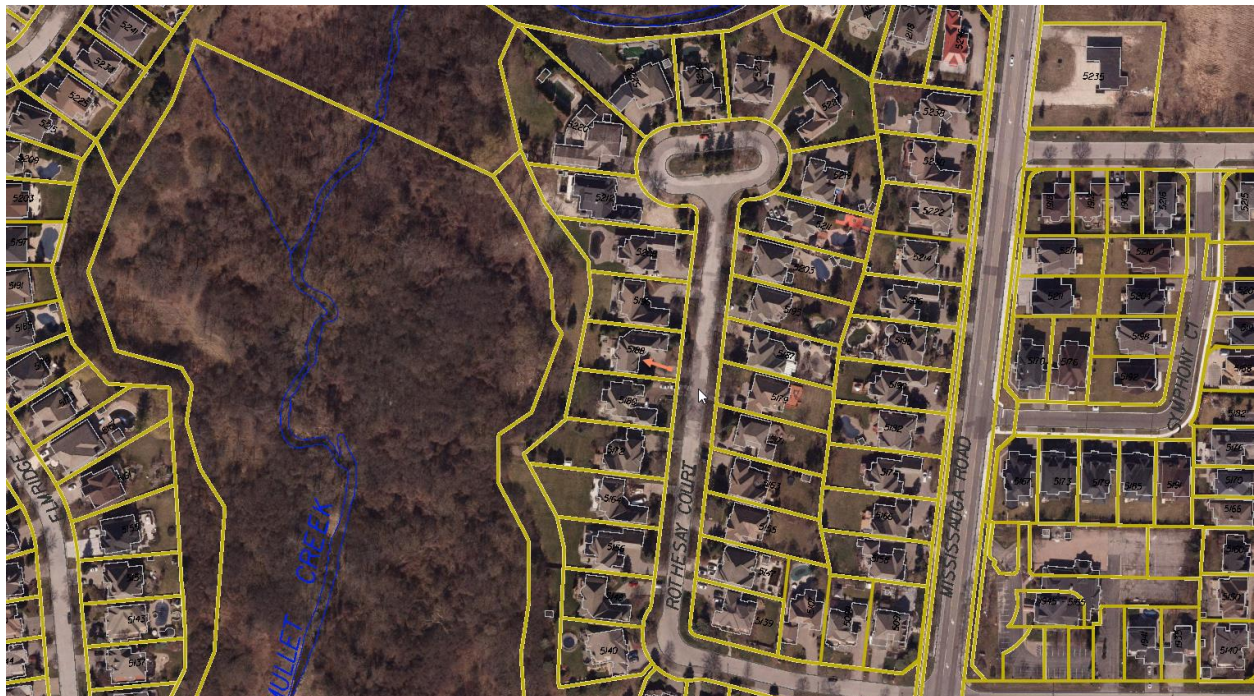
### Zoning By-law 0225-2007

**Zoning:** R1-16 - Residential

**Other Applications:** POOL 21-148**Site and Area Context**

The subject property is located north-west of the Mississauga Road and Eglinton Avenue West intersection, in the Central Erin Mills Neighbourhood Character Area. The neighbourhood is entirely residential and consists of two storey detached dwellings. The subject property contains an existing two storey dwelling and backs onto an area of heavy vegetation surrounding Mullet Creek. There is some vegetation on the subject property itself.

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

**Comments****Planning**

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

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

The subject property backs onto a G1 zone, which encompasses City owned lands called Bonne Brae. Through a review of the application there were no significant concerns identified regarding the location of the proposed pool. The deficient setback is measured to a pinch point, with the setback increasing along the length of the pool. Additionally the Credit Valley Conservation (CVC) Authority has reviewed the application and have no concerns with the proposed variances. As such, staff are of the opinion that the application is appropriate to be handled through the minor variance process.

## Conclusion

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

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

This department has no objections to the applicant's request.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a pool permit under file 21-148. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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

Comments Prepared by: Alana Zheng, Zoning Examiner

### Appendix 3 – Parks, Forestry & Environment

The Park Planning Section of the Community Services Department has reviewed the above noted minor variance application and advises as follows:

1. The lands to the rear of the property are City owned lands, identified as Bonne Brae (P-155) and within the Significant Natural Area, zoned G-1, that are also classified as a naturally significant area within the City's Natural Heritage System. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:
  - a) ensuring that development in or adjacent to the Natural Heritage System protects and maintains the natural heritage features and their ecological functions through such means as tree preservation, appropriate location of building envelopes, grading, landscaping...;
  - b) placing those areas identified for protection, enhancement, restoration and expansion in public ownership, where feasible.

Given that the subject lands are subject to site plan control and pool permit, should the application be approved, Community Services provides the following notes:

1. The applicant will be required to submit a pool permit for review by City Staff. Tree preservation hoarding and securities may be required as part of the application process.



2. Stockpiling, construction access and encroachment of construction materials in the adjacent park/greenlands is not permitted.

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

Comments Prepared by: Jim Greenfield, Park Planner

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

### **Minor Variance Application: A-265/21**

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

Please be advised that the subject property is located within the limits of the regulated area of the Credit Valley Conservation (CVC).

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

Comments Prepared by: Diana Guida, Junior Planner

## **Appendix 6- Conservation Authority Comments**

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

1. Watershed Based Resource Management Agency and Public (commenting) Body under the *Planning Act* - providing comments based on CVC's Board approved policies;
2. Planning Advisory Services - providing environmental planning and technical advice/comments based on service agreements or memorandum of understanding;
3. Delegated Responsibilities – providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 3.1 of the *Provincial Policy Statement (2020)*;
4. Regulatory Responsibilities – providing comments to ensure the coordination of requirements under the *Conservation Authorities Act Section 28 regulation*, to eliminate unnecessary delay or duplication in process;
5. Source Protection Agency – providing advisory comments to assist with the implementation of the *CTC Source Protection Plan* under the *Clean Water Act*, as applicable.

**SITE CHARACTERISTICS:**

The subject property is adjacent to Mullett Creek and its associated floodplain and valley slope. In addition, the property appears to be located within the Credit River Watershed Natural Heritage System (NHS) and adjacent to the City of Mississauga NHS and Region of Peel Greenlands. It is the policy of CVC and the Province of Ontario to conserve and protect the significant physical, hydrological and biological features associated with the functions of the above noted characteristics and to recommend that no development be permitted which would adversely affect the natural features or ecological functions of these areas.

**ONTARIO REGULATION 160/06:**

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

**PROPOSAL:**

It is our understanding that the applicant requests the Committee to approve a minor variance to allow the construction of a pool proposing:

1. A setback measured from a pool to a G1 Zone (Greenlands) of 2.74m (approx. 8.99ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured from a pool to a G1 Zone of 5.00m (approx. 16.40ft) in this instance; and
2. A setback measured from hardscape to a G1 Zone (Greenlands) of 1.20m (approx. 3.93ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured from hardscape to a G1 Zone of 5.00m (approx. 16.40ft) in this instance.

**COMMENTS:**

Based on the review of the information and site visit on July 6, 2021, CVC staff note that the proposed works appear to be sufficiently setback from the natural hazards and features of concern. As such, CVC staff have **no concerns** and **no objection** to the approval of this minor variance by the Committee at this time.

It should be noted that a CVC permit will be required for the proposed development prior to issuance of a building permit.

Please circulate CVC any future correspondence regarding this application.

Comments Prepared by: Elizabeth Paudel, Junior Planner



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A266.21  
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 1234 Old River Road, zoned R3-1 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicants request the Committee to approve a minor variance to allow the reconstruction of a rear extension proposing:

1. A height of 9.84m (approx. 32.28ft) whereas By-law 0225-2007, as amended, permits a maximum height of 9.50m (approx. 31.17ft) in this instance; and
2. A height measured to the eaves of 7.35m (approx. 24.11ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

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

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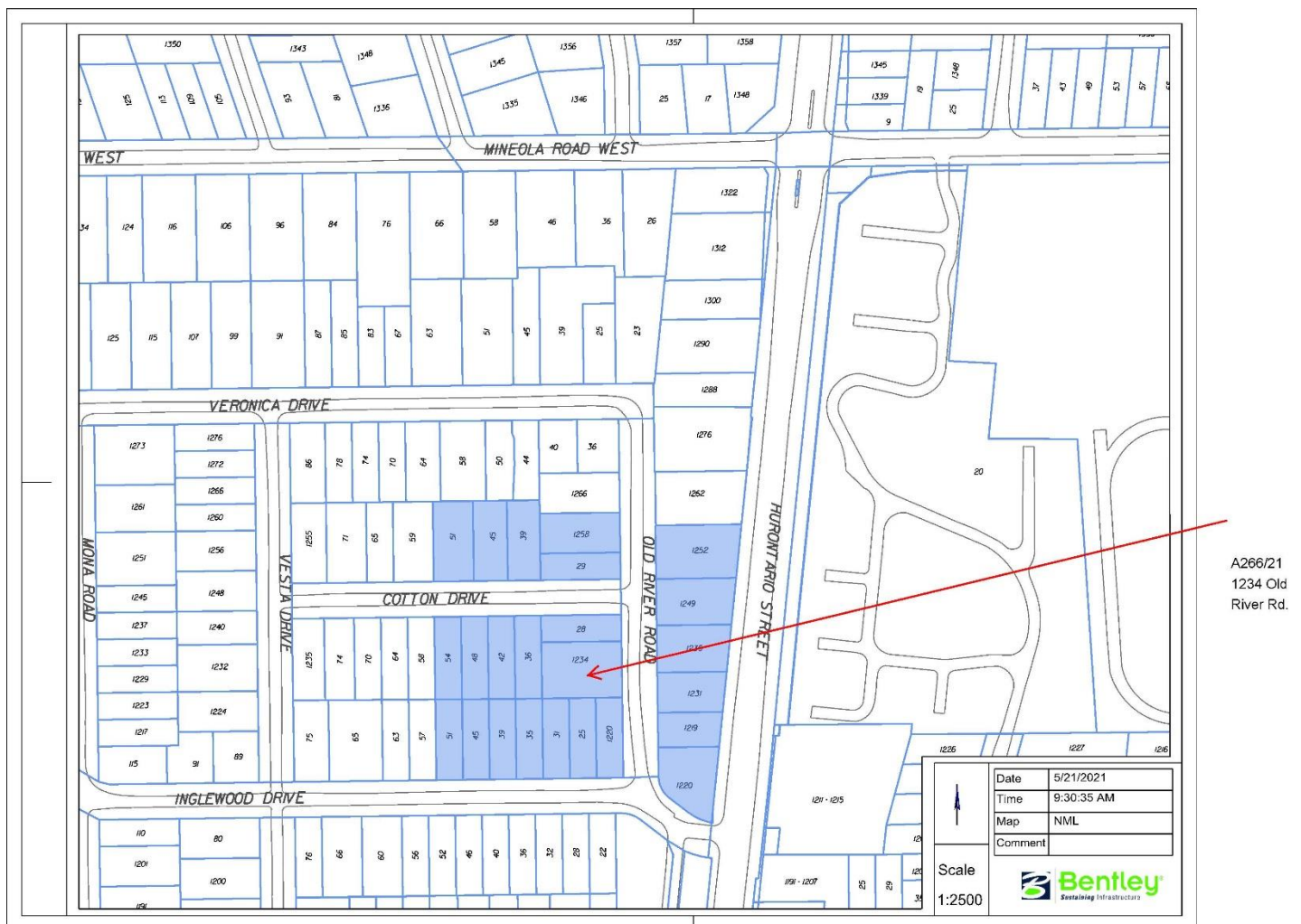
**To participate electronically (computer, tablet or smartphone):** Please email [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided 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: 2021-07-08	File(s): A266.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-15 1:00 PM

## Consolidated Recommendation

The City recommends that the application be deferred to permit the Applicant the opportunity to revise their drawings.

## Application Details

The applicants request the Committee to approve a minor variance to allow the reconstruction of a rear extension proposing:

1. A height of 9.84m (approx. 32.28ft) whereas By-law 0225-2007, as amended, permits a maximum height of 9.50m (approx. 31.17ft) in this instance; and
2. A height measured to the eaves of 7.35m (approx. 24.11ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

## Background

**Property Address:** 1234 Old River Road

### Mississauga Official Plan

Character Area: Mineola Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

**Zoning:** R3-1 - Residential

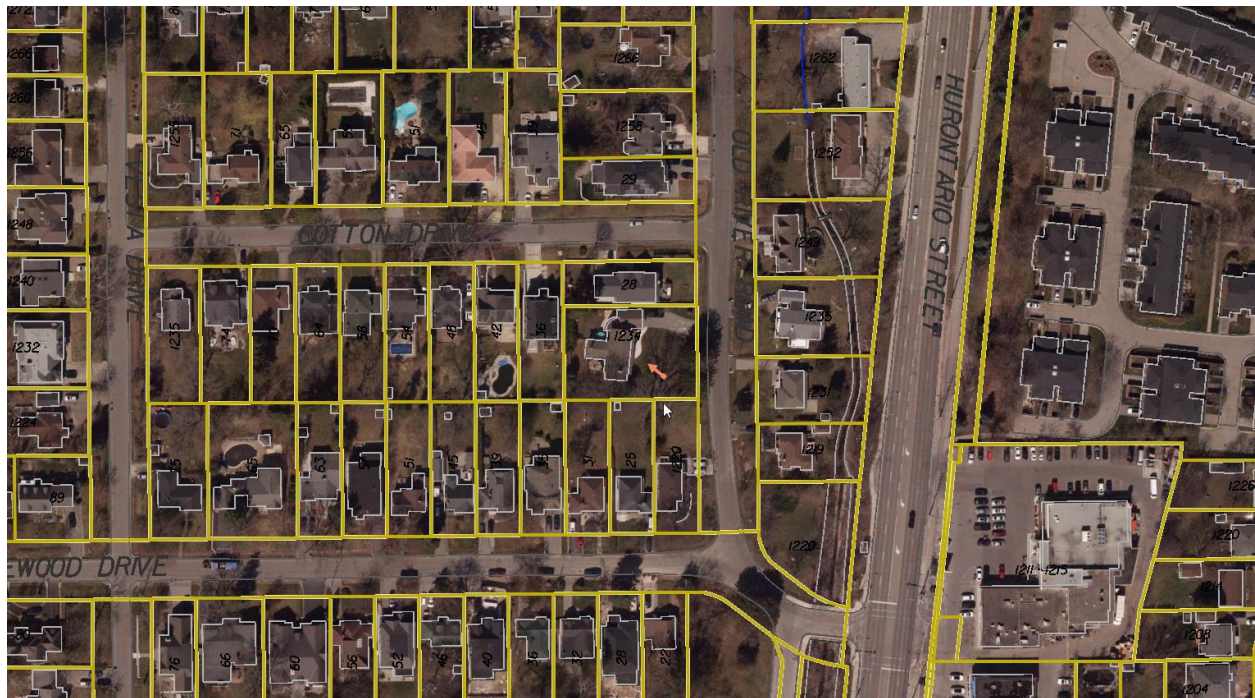
**Other Applications:** BPC 89 86, BP 9ALT 215365



## Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southwest of Mineola Road West and Hurontario Street. The immediate neighbourhood is an eclectic mix of new and old, one and two storey-detached dwellings with mature vegetation in both of the front and rear yards. The subject property contains an existing two storey dwelling with mature vegetation and landscape elements in both of the front and rear yards.

The applicant is proposing the reconstruction of a rear addition requiring variances related height.



## Comments

### Planning

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

Staff comments concerning the application are as follows:

The subject property is 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 heights and measurements provided in the applicant's application are incorrect and it is unclear of how they were determined. As such, staff recommend that the application be deferred to allow the applicant the opportunity to update their application.

## Conclusion

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

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting that any Transportation and Works Department concerns/requirements for the proposed rear addition will be addressed under Building Permit Application BP 9ALT-21/5365.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file 21-5365. 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: Richard Thompson, Zoning Examiner

### Appendix 5 – Region of Peel Comments

#### Minor Variance Application: A-266/21

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

Please be advised that a portion of the subject property is located within the limits of the regulated area of the Credit Valley Conservation (CVC).

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

Comments Prepared by: Diana Guida, Junior Planner

### Appendix 6- Conservation Authority Comments

CVC staff note that we have reviewed the proposed works and provided clearance (SP 21/Tombs) for the proposed addition. As such, CVC staff have **no concerns** and **no objection** to the requested variance by the Committee at this time.

Should you have any questions, please feel free to contact me.

Comments Prepared by: Elizabeth Paudel, Junior Planner