
Committee of Adjustment

Date: July 15, 2021
Time: 3:00 PM
Location: Online Video Conference

Members

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

Contacts

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

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

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

Send written submissions or request notification of future meetings to:

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

-
1. CALL TO ORDER
 2. DECLARATION OF CONFLICT OF INTEREST
 3. DEFERRALS OR WITHDRAWALS
 4. MATTERS TO BE CONSIDERED
 - 4.1. B-42/21B-43/21A-270/21B42/21-B43/21-A270/21-A271/21-A272/21
1079 ROOSEVELT RD (WARD 1)
AMRIT DHOOT
 - 4.2. B44/21
659 MISSISSAUGA CRES (WARD 8)
HELENA RAHEJA
 - 4.3. B58/20-B59/20-B60/20-B61/20
2482 CONFEDERATION PKY (WARD 7)
2629591 ONTARIO INC & 2629618 ONTARIO INC
 - 4.4. A267/21
1322 MINAKI RD (WARD 1)
ROCKETT LUMBER HOLDINGS LIMITED
 - 4.5. A268/21
3252 RESPOND RD (WARD 10)
SHAHZAD MUNAWAR BUTT
 - 4.6. A269/21
7125 MINOTOLA AVE (WARD 5)
JAGRAJ & KAMALPREET DHILLON
 - 4.7. A273/21
3955 ERIN CENTRE BLVD (WARD 10)
EVER BEAUTY INVESTMENT COMPANY LTD
 - 4.8. A276/21
56 LAKESHORE RD E (WARD 1)
J SAHDRA HOLDINGS LTD

4.9. A278/21
1408 RADCLIFFE BLVD (WARD 1)
FERNANDO & NADIA SOLANES

5. OTHER BUSINESS

6. ADJOURNMENT

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 1079 Roosevelt Road, zoned R3-75, 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 (B42/21) for the creation of a new lot. The parcel of land has a frontage of approximately 7.06m (23.16ft) and an area of approximately 391.88sq.m (4218.16sq.ft).

The applicant requests the approval of the Committee to sever a parcel of land (B43/21) for the creation of a new lot (totaling 3 lots). The parcel of land has a frontage of approximately 7.78m (25.53ft) and an area of approximately 355.09sq.m (3822.16sq.ft).

A minor variance is requested for the Retained lands (file A270/21) proposing the construction of a new detached dwelling proposing:

1. A lot area of 436.10sq.m (approx. 4694.14sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 550.00sq.m (approx. 5920.15sq.ft) in this instance;
2. A lot frontage of 11.38m (approx. 37.34ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;
3. A lot coverage of 39.80% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
4. A front yard of 5.79m (approx. 19.00ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m (approx. 24.60ft) in this instance;
5. A rear yard of 2.44m (approx. 8.00ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.60ft) in this instance; and
6. A side yard of 1.22m (approx. 3.97ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.93ft) in this instance.

A minor variance is requested for the Severed lands (file A271/21) proposing the construction of a new semi-detached dwelling:

1. A lot area of 391.88sq.m (approx. 4218.16sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 550.00sq.m (approx. 5920.15sq.ft) in this instance;
2. A lot frontage of 7.06m (approx. 23.16ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;
3. A lot coverage of 39.40% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
4. A semi-detached dwelling whereas By-law 0225-2007, as amended, does not permit a semi-detached dwelling in this instance;
5. A side yard (southeast – inner) of 0.00m whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.93ft) in this instance;

6. A side yard (northwest – outer) of 1.22m (approx. 3.97ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.93ft) in this instance; and
7. A building height measured to a flat roof of 9.80m (approx. 32.15ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to a flat roof of 7.50m (approx. 24.60m) in this instance.

A minor variance is requested for the Severed lands (file A272/21) proposing:

1. A lot area of 355.09sq.m (approx. 3822.16sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 550.00sq.m (approx. 5920.15sq.ft) in this instance;
2. A lot frontage of 7.78m (approx. 25.53ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;
3. A lot coverage of 39.90% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
4. A semi-detached dwelling whereas By-law 0225-2007, as amended, does not permit a semi-detached dwelling in this instance;
5. A side yard (northwest – inner) of 0.00m whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.93ft) in this instance;
6. A side yard (southeast – outer) of 1.22m (approx. 3.97ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.93ft) in this instance; and
7. A building height measured to a flat roof of 9.80m (approx. 32.15ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to a flat roof of 7.50m (approx. 24.60m) in this instance.

The Committee has set **Thursday July 15, 2021 at 3:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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

How to submit a written comment:

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

Advance registration is required to participate in the electronic hearing:

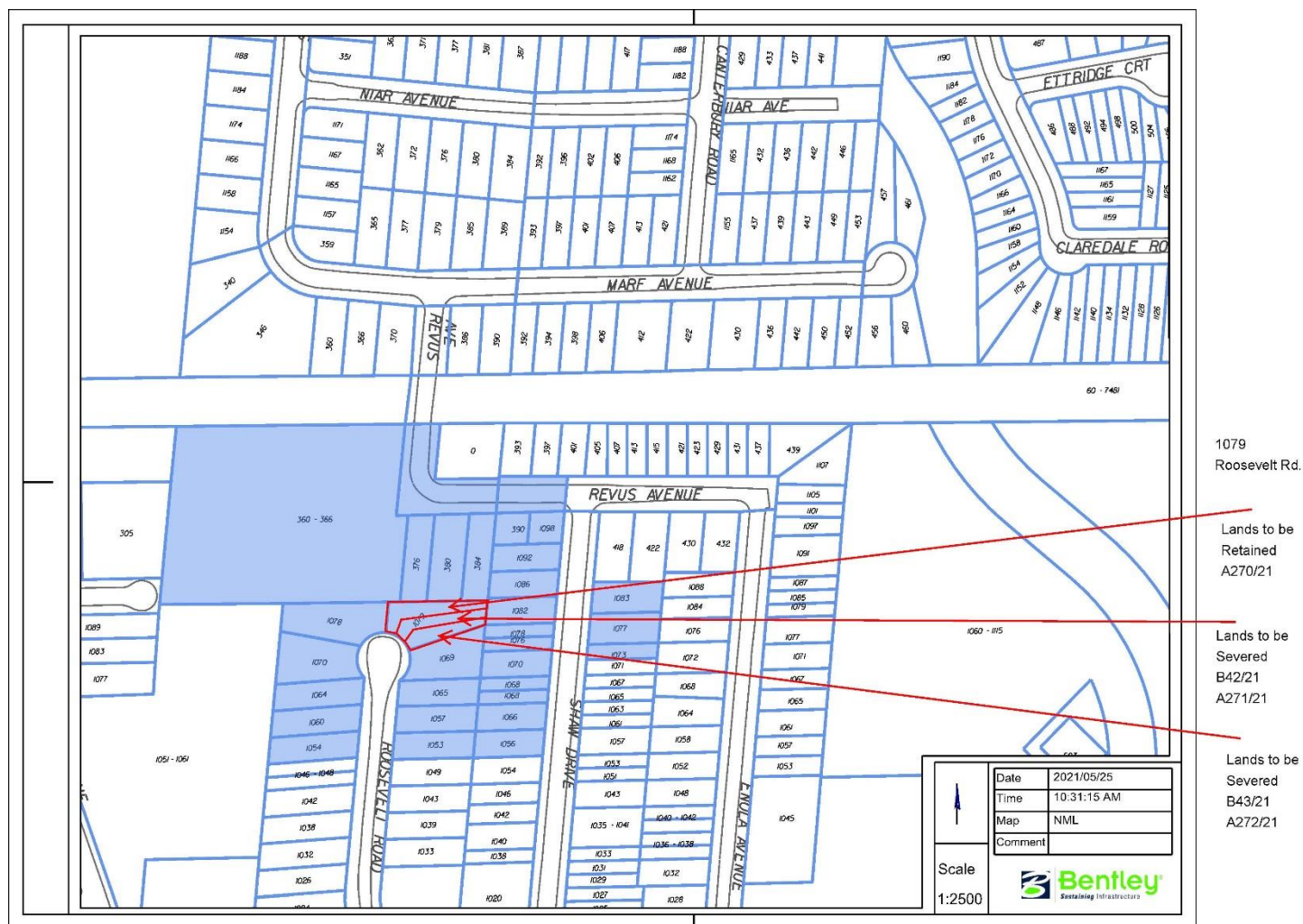
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud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

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

Legal notice:

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

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



City of Mississauga

Memorandum:

City Department and Agency Comments

<p>Date Finalized: 2021-07-07</p> <p>To: Committee of Adjustment</p> <p>From: Committee of Adjustment Coordinator</p>	<p>File(s): B42.21 B43.21 A270.21 A271.21 A272.21 Ward: 1</p>
	<p>Meeting date:2021-07-15 3:00 PM</p>

Consolidated Recommendation

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

Application Details

The applicant requests the approval of the Committee to sever a parcel of land (B42/21) for the creation of a new lot. The parcel of land has a frontage of approximately 7.06m (23.16ft) and an area of approximately 391.88sq.m (4218.16sq.ft).

The applicant requests the approval of the Committee to sever a parcel of land (B43/21) for the creation of a new lot (totaling 3 lots). The parcel of land has a frontage of approximately 7.78m (25.53ft) and an area of approximately 355.09sq.m (3822.16sq.ft).

A minor variance is requested for the Retained lands (file A270/21) proposing the construction of a new detached dwelling proposing:

1. A lot area of 436.10sq.m (approx. 4694.14sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 550.00sq.m (approx. 5920.15sq.ft) in this instance;
2. A lot frontage of 11.38m (approx. 37.34ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;
3. A lot coverage of 39.80% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
4. A front yard of 5.79m (approx. 19.00ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m (approx. 24.60ft) in this instance;
5. A rear yard of 2.44m (approx. 8.00ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.60ft) in this instance; and
6. A side yard of 1.22m (approx. 3.97ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.93ft) in this instance.

A minor variance is requested for the Severed lands (file A271/21) proposing the construction of a new semi-detached dwelling:

1. A lot area of 391.88sq.m (approx. 4218.16sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 550.00sq.m (approx. 5920.15sq.ft) in this instance;
2. A lot frontage of 7.06m (approx. 23.16ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;
3. A lot coverage of 39.40% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
4. A semi-detached dwelling whereas By-law 0225-2007, as amended, does not permit a semi-detached dwelling in this instance;
5. A side yard (southeast – inner) of 0.00m whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.93ft) in this instance;
6. A side yard (northwest – outer) of 1.22m (approx. 3.97ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.93ft) in this instance; and
7. A building height measured to a flat roof of 9.80m (approx. 32.15ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to a flat roof of 7.50m (approx. 24.60m) in this instance.

A minor variance is requested for the Severed lands (file A272/21) proposing:

1. A lot area of 355.09sq.m (approx. 3822.16sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 550.00sq.m (approx. 5920.15sq.ft) in this instance;
2. A lot frontage of 7.78m (approx. 25.53ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;
3. A lot coverage of 39.90% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
4. A semi-detached dwelling whereas By-law 0225-2007, as amended, does not permit a semi-detached dwelling in this instance;
5. A side yard (northwest – inner) of 0.00m whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.93ft) in this instance;
6. A side yard (southeast – outer) of 1.22m (approx. 3.97ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.93ft) in this instance; and
7. A building height measured to a flat roof of 9.80m (approx. 32.15ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to a flat roof of 7.50m (approx. 24.60m) in this instance.

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 1079 Roosevelt Road

Mississauga Official Plan

Character Area: Lakeview Neighbourhood

Designation: Residential Low Density II

Zoning By-law 0225-2007

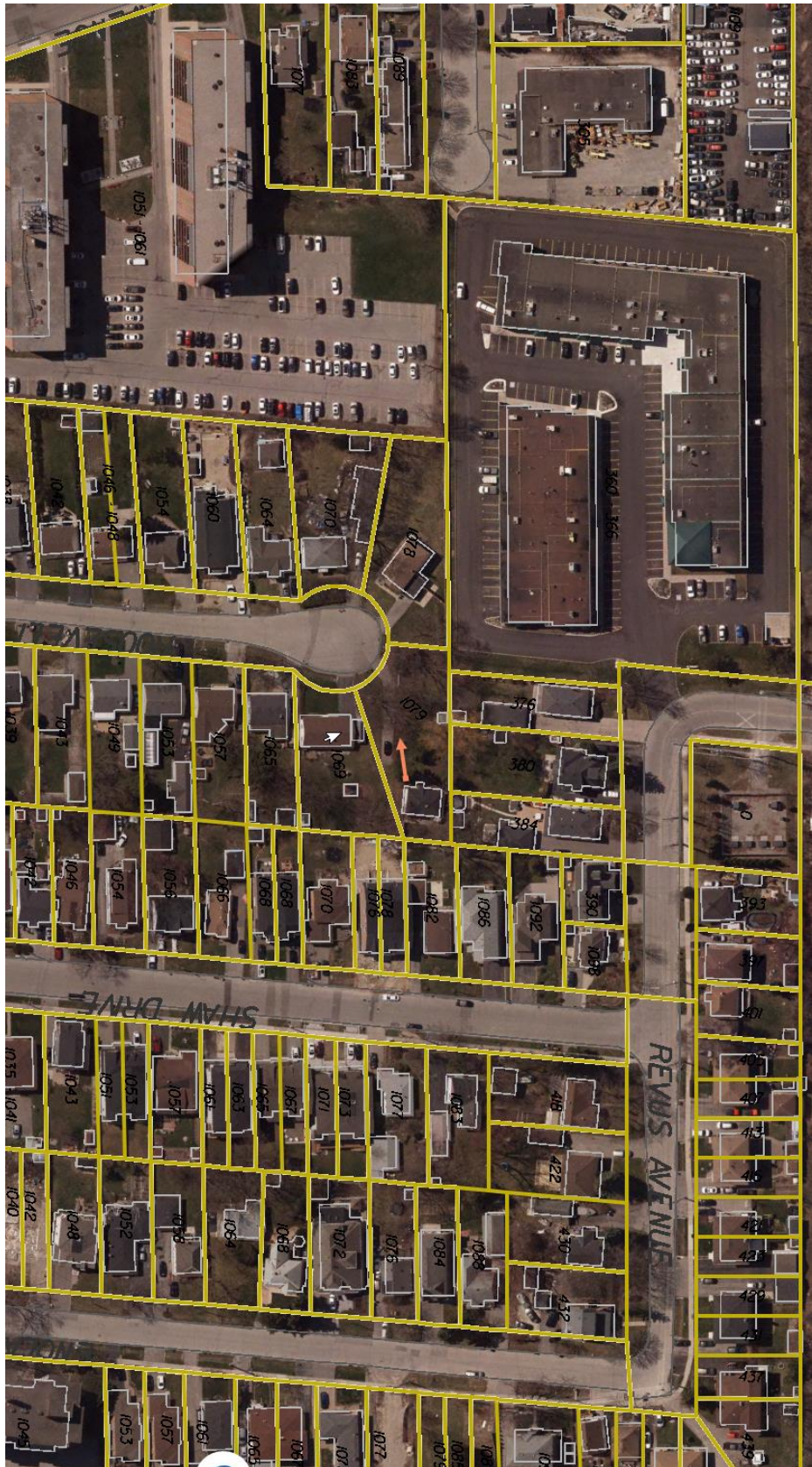
Zoning: R3-75

Other Applications: PRE-68343

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, northeast of Seneca Avenue and Lakeshore Road East. The immediate area consists of a mix of detached and semi-detached dwellings, a 7 and 8 storey apartment building and a commercial plaza. The low density dwellings in the immediate area contain lot frontages ranging from approximately 7m to 20m. The subject property contains an existing one storey dwelling with mature vegetation in the front yard. The applicant is proposing to sever the existing lot, creating three new parcels for the development of two new semi-detached dwellings and one new detached dwelling.

The proposed development requires variances related to lot frontage, lot area, lot coverage, front yard, rear yard, side yard and semi-detached dwelling use.



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 designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached, duplex, triplex and other forms of low rise dwellings with individual frontages. The subject property is also located within the Lakeview Neighbourhood Character Area. As per section 2.2.1 (k), new detached and semi detached dwellings within Lakeview will maintain the existing character of the area and the building mass, side yards and rear yards will respect and relate to those of adjacent lots. The rear yard proposed for the detached dwelling and the flat roof heights proposed for the semi-detached dwelling do not respect and relate to those of adjacent lots. Furthermore, these heights and setbacks create significant massing issues that would negatively impact the streetscape and neighbouring properties.

With respect to Severed lands (files A271/21 and A272/21), Section 16.1.2.1, describes to preserve the character of lands designated Residential Low Density I and Residential Low Density II, the minimum frontage and area of new lots will be evaluated in the context of the existing lot pattern in the surrounding area. The surrounding area which includes Roosevelt Road, Enola Avenue, Revus Avenue and Shaw Drive has experienced significant changes over the years in which numerous lots were severed to permit the development of semi-detached dwellings. As a result of these changes, on November 20th, 2019, Council directed planning staff to review the residential built form and zoning regulations to ensure orderly development of the area. Planning staff are still in the process of completing the study, including potential zoning amendments.

It should be noted that a public meeting was held and that the Information Report was received by the Planning and Development Committee (PDC) on April 19th, 2021. The report identified potential amendments, including rezoning the study area to RM2-42 (Residential).

As planning staff are currently completing the study to assess the permitted uses and applicable zoning regulations of the area, staff is of the opinion that permitting a semi-detached dwelling on the subject property is premature.

Based on the preceding information, staff is of the opinion that the application does not conform to Section 51(24) of the Planning Act, more specifically that the application does not conform to the official plan.

As staff is not supportive of the consent application, the minor variance applications should also be refused.

Conclusion

The Planning and Building Department recommends that the consent and associated minor variance applications be refused.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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

A. Items Required Prior to the Issuance of Final Consent

1. Overall Grading and Drainage Plan

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

2. Utility Pole Relocation

The applicant is to make satisfactory arrangements with Alectra Utilities for the relocation of the utility pole on the frontage of the proposed driveway access of the retained lands.

For further information regarding the above noted comments, please contact Lahini Senthil-kumaran at (905) 615-3200 ext. 5798 or lahini.senthil-kumaran@mississauga.ca

3. 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

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

B. GENERAL INFORMATION

1. Lot Grading and Drainage

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

2. Servicing

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

3. Access

The applicant will be required to apply for Access Modification Permits prior to Site Plan Approval and/or Building Permit Issuance. We advise the applicant that all costs incurred in providing any new driveway entrance(s) to the subject lands or any modifications/reinstatement required, would be at cost to the owner. Driveway accesses shall maintain a 1.5m setback from aboveground features such as utilities and trees. We are also noting that should any utilities need to be relocated, all costs incurred will also be to the owner.

4. Storm Sewer Outlet

The applicant is advised that there is no storm sewer available in front of this site (ditches only), so a sump pump will be required to discharge the weeping tile. The applicant is encouraged to design the basement elevation to be 1 metre above the obvert of the storm sewer on the street to eliminate the need for a sump pump.

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

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

BP RECEIVED, MORE INFO

The Building Department is currently processing a building permit application under file PREAPP 21-5371. Based on review of the information currently available for this building permit, we advise that more information is required to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Our comments are based on the plans received by Zoning staff on 02/19/2021 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 3 – Parks, Forestry & Environment

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

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

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

In addition, Community Services notes the following:

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

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

Comments Prepared by: Jim Greenfield, Park Planner

Appendix 5 – Region of Peel Comments

Consent Applications: B-42/21 & B-43/21

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

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

sewer servicing easements. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections.

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.
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).



COMMITTEE OF ADJUSTMENT NOTICE OF APPLICATION

File: B44.21
Ward: 8

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 659 Mississauga Crescent, zoned R1 - Residential, has applied for Consent under Section 53 of the Planning Act. The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 22.50m (73.82ft) and an area of approximately 1381.49sq.m (14,870.23sq.ft).

The Committee has set **Thursday July 15, 2021 at 3:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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

How to submit a written comment:

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

Advance registration is required to participate in the electronic hearing:

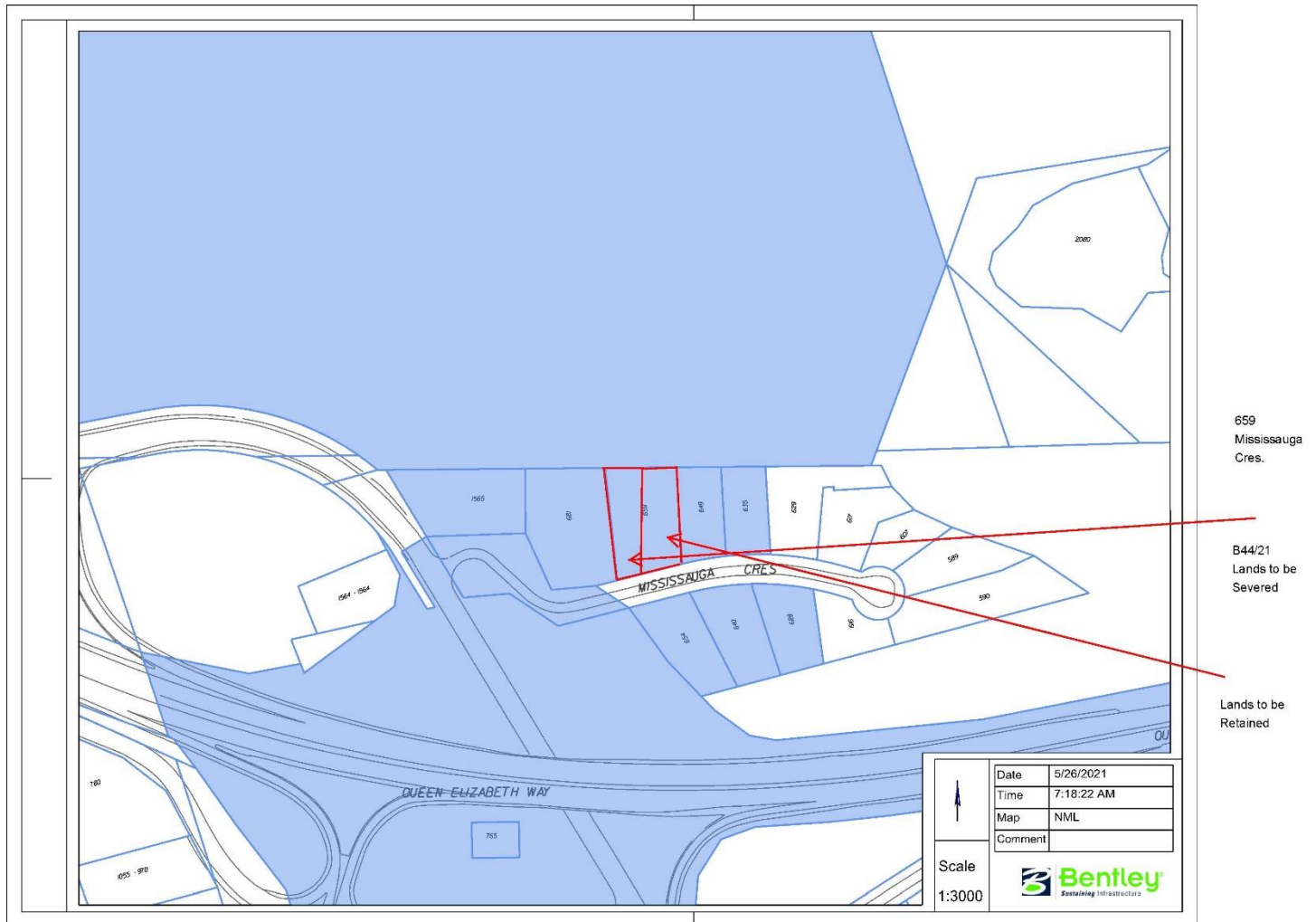
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud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

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

Legal notice:

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

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



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-07-07	File(s): B44.21 Ward: 8
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-15 3:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 22.50m (73.82ft) and an area of approximately 1381.49sq.m (14,870.23sq.ft).

Background

Property Address: 659 Mississauga Crescent

Mississauga Official Plan

Character Area: Sheridan Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R1 - Residential

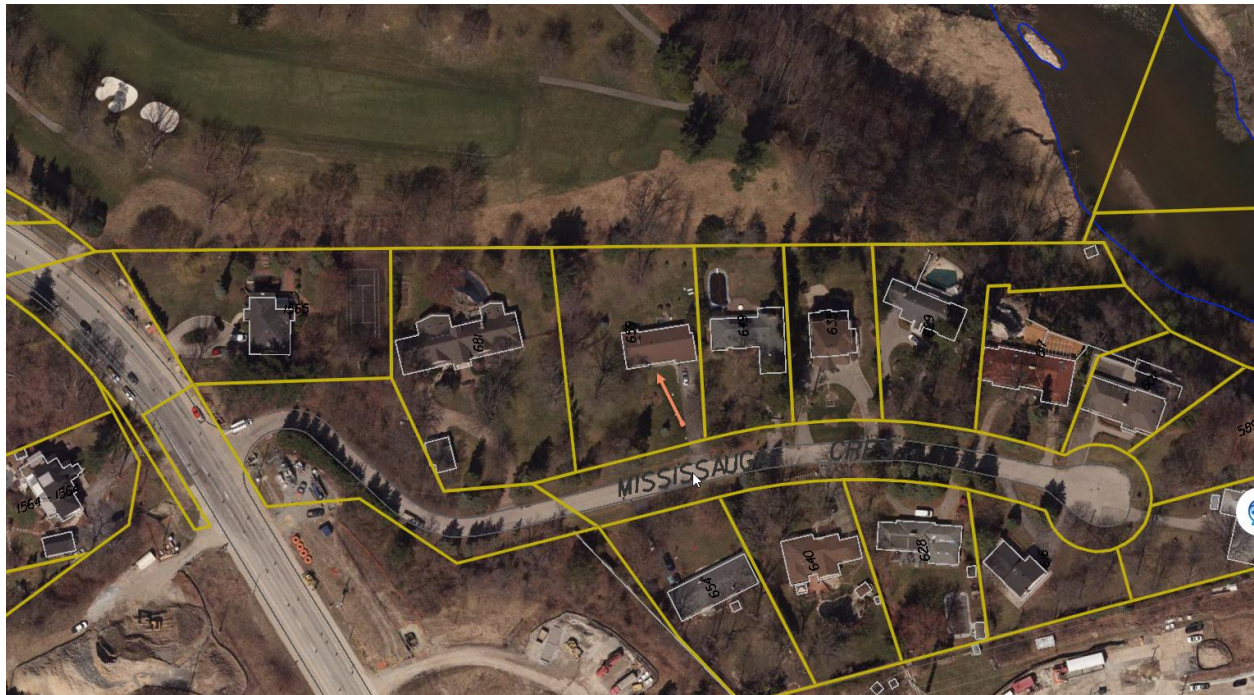
Other Applications: None

Site and Area Context

The subject property is located in the Sheridan Neighbourhood, south of the Mississauga Golf and Country Club and north east of Mississauga Rd and the Queen Elizabeth Way. The immediate area on Mississauga Crescent consists mostly of one and two storey detached

dwelling on large deep lots with mature vegetation. The subject property contains an existing two storey dwelling with mature vegetation within the front yard.

The application proposes to sever the subject property to create two new parcels.



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 are as follows:

The application proposes to sever an existing lot to create two new parcels. Staff are concerned that the irregular shape of the severed parcel may result in a building that would not maintain the areas streetscape and character. While the proposed severed parcel meets the lot frontage requirement contained in the zoning by-law, it does not maintain width and tapers inward towards the middle of the lot and flares back out towards the rear lot line. Planning Staff request that the applicant submit a building site plan to ensure a reasonably sized dwelling can be accommodated on the severed parcel and maintain the existing area's streetscape and character.

Furthermore, Heritage Staff note that the property has archeological potential due to its proximity to the Credit River and request that the applicant carry-out an archaeological assessment. Heritage Staff also request that letters corresponding with the Ministry of Heritage, Sport, Tourism, and Culture Industries confirming that all archaeological resource concerns have met licensing and resource conservation requirements be submitted to the Culture Division for review. Planning Staff echo these requests.

Conclusion

The Planning and Building Department recommends that the application be deferred to permit the Applicant the opportunity to provide a building site plan and carry-out an archaeological assessment.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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

A. Items Required Prior to the Issuance of Final Consent

1. Overall Grading and Drainage Plan

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

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

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

B. GENERAL INFORMATION

1. Lot Grading and Drainage

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

2. Servicing

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

3. Access

The applicant will be required to apply for Access Modification Permits prior to Site Plan Approval and/or Building Permit Issuance. We advise the applicant that all costs incurred in providing any new driveway entrance(s) to the subject lands or any modifications/reinstatement required, would be at cost to the owner. Driveway accesses shall maintain a 1.5m setback from aboveground features such as utilities and trees. We are also noting that should any utilities need to be relocated, all costs incurred will also be to the owner.

4. Storm Sewer Outlet

The applicant is advised that there is no storm sewer available in front of this site (ditches only), so a sump pump will be required to discharge the weeping tile. The applicant is encouraged to design the basement elevation to be 1 metre above the storm sewer obvert on the street to eliminate the need for a sump pump.

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

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

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

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

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

Comments Prepared by: Daniel Grdasic, Planning Associate

Appendix 3 – Parks, Forestry & Environment

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

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

- Spruce – Good Condition
- Cedar – Good Condition

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

1. The applicant shall provide a cash contribution of \$1,214.24 for planting of two (2) street trees on Mississauga Crescent. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.
2. The applicant shall provide tree protection securities in the amount of \$9,900.00 for the preservation of the municipal trees.

In addition, Community Services notes the following:

1. The applicant shall ensure that future driveways do not impact or require the removal of the above noted trees.
2. 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.
3. The applicant shall provide frame tree hoarding at the dripline of the above noted tree prior to any construction to the satisfaction of City of Mississauga Forestry Staff. Please call Ryan Cormier at 905-615-3200 ext. 4580 to arrange a hoarding inspection.
4. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, C.P. 13, as amended) and in accordance with the City's policies and by-laws.

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

Comments Prepared by: Jim Greenfield, Park Planner

Appendix 4 – Heritage

The property has archaeological potential due to its proximity to a present or past watercourse or known archaeological resource. The proponent shall carry out an archaeological assessment of the subject property and mitigate, through preservation or resource removal and

documenting, adverse impacts to any significant archaeological resources found. No grading or other soil disturbances shall take place on the subject property prior to the approval authority and the Ministry of Heritage, Sport, Tourism, and Culture Industries confirming that all archaeological resource concerns have met licensing and resource conservation requirements. Letters to this effect from said Ministry corresponding to each archaeological assessment report and activity are required to be submitted to the Culture Division for review.

Comments Prepared by: Andrew Douglas, Heritage Analyst

Appendix 5 – Region of Peel Comments

Consent Application: B-44/21

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

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

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:

Based on our mapping, the subject property appears to be regulated due to its proximity to the Credit River Marshes Provincially Significant Wetland Complex. Other natural heritage features of CVC interest on and adjacent to the property includes the Credit River Watershed Natural Heritage System (NHS). It is the policy of CVC and the Province of Ontario to conserve and protect the significant physical, hydrological and biological features associated with the functions of the above noted characteristics and to recommend that no development be permitted which would adversely affect the natural features or ecological functions of these areas.

Ontario Regulation 160/06:

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

Proposal:

It is our understanding that the applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The severed parcel of land has a frontage of approximately 22.50m (73.82ft) and an area of approximately 1381.49sq.m (14,870.23sq.ft).

Comments:

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

The applicant is to note that both the severed and retained lots continue to be regulated by CVC and a permit from CVC may be required for any development proposed within the CVC Regulated Area on both the retained and severed lots prior to getting a building permit from the City of Mississauga.

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

Please circulate CVC any future correspondence regarding this application.

Comments Prepared by: Elizabeth Paudel, Junior Planner

Appendix 7 – Bell Canada

Subsequent to review of the abovementioned consent application at 659 MISSISSAUGA CRES, Bell Canada's engineering department have determined that there are no concerns or comments at this time.

Comments prepared by: Carrie Gordon, Associate External Liaison

Appendix A – Conditions of Provisional Consent

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

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

File: B58.20 B59.20 B60.20 B61.20

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 2476-2482 Confederation Parkway, zoned R3 - Residential, has applied for Consent under Section 53 of the Planning Act.

B58/20

The applicant requests the approval of the Committee to sever a parcel of land for the purpose of a lot addition. The parcel has a frontage of approximately 16.61m (54.49ft) and an area of approximately 305.30sq.m (3286.22sq.ft).

B59/20

The applicant requests the approval of the Committee to sever a parcel of land for the purpose of a lot addition. The parcel has a frontage of approximately 20m (65.62ft) and an area of approximately 420.40sq.m (4525.15sq.ft).

B60/20

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel has a frontage of approximately 8.35m (27.39ft) and an area of approximately 305.00sq.m (3282.99sq.ft).

B61/20

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel has a frontage of approximately 9.12m (29.92ft) and an area of approximately 418.10sq.m (4500.39sq.ft).

The Committee has set **Thursday July 15, 2021 at 3:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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

How to submit a written comment:

Written comments to the Committee must be received no later than 4:30pm the Tuesday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of

Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and application number or address of the property you are providing comments on.

Advance registration is required to participate in the electronic hearing:

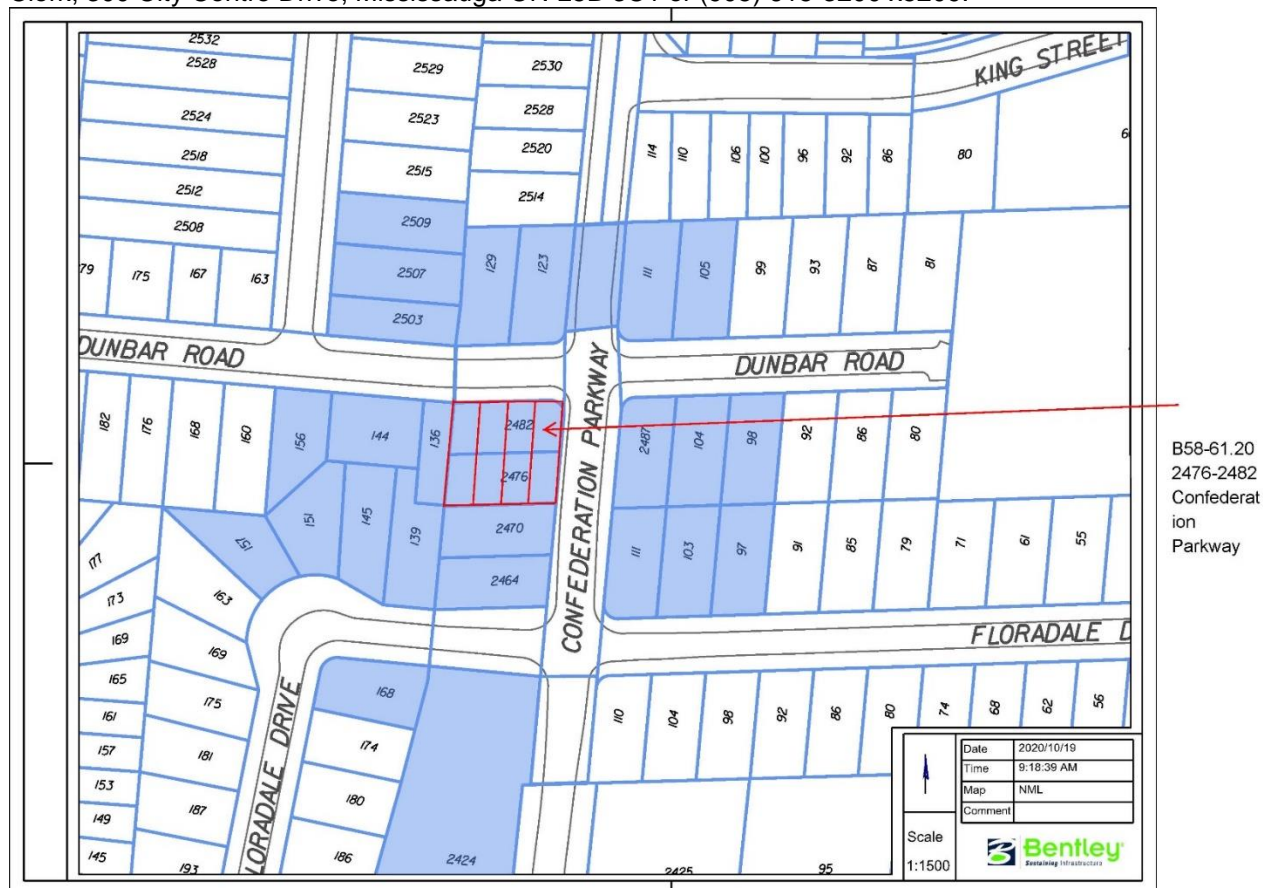
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud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

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

Legal notice:

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

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



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-07-08 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): B58.20 B59.20 B60.20 B61.20 Ward 7
	Meeting date:2021-07-15 3:00 PM

Consolidated Recommendation

The City has no objections to the requested Consent applications.

Application Details

B58/20

The applicant requests the approval of the Committee to sever a parcel of land for the purpose of a lot addition. The parcel has a frontage of approximately 16.61m (54.49ft) and an area of approximately 305.30sq.m (3286.22sq.ft).

B59/20

The applicant requests the approval of the Committee to sever a parcel of land for the purpose of a lot addition. The parcel has a frontage of approximately 20m (65.62ft) and an area of approximately 420.40sq.m (4525.15sq.ft).

B60/20

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel has a frontage of approximately 8.35m (27.39ft) and an area of approximately 305.00sq.m (3282.99sq.ft).

B61/20

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel has a frontage of approximately 9.12m (29.92ft) and an area of approximately 418.10sq.m (4500.39sq.ft).

Amendments

"[Enter amendments to variances]"

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent
- "[Enter terms and conditions here]"

Background

Property Address: 2476-2482 Confederation Parkway

Mississauga Official Plan

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

Zoning By-law 0225-2007

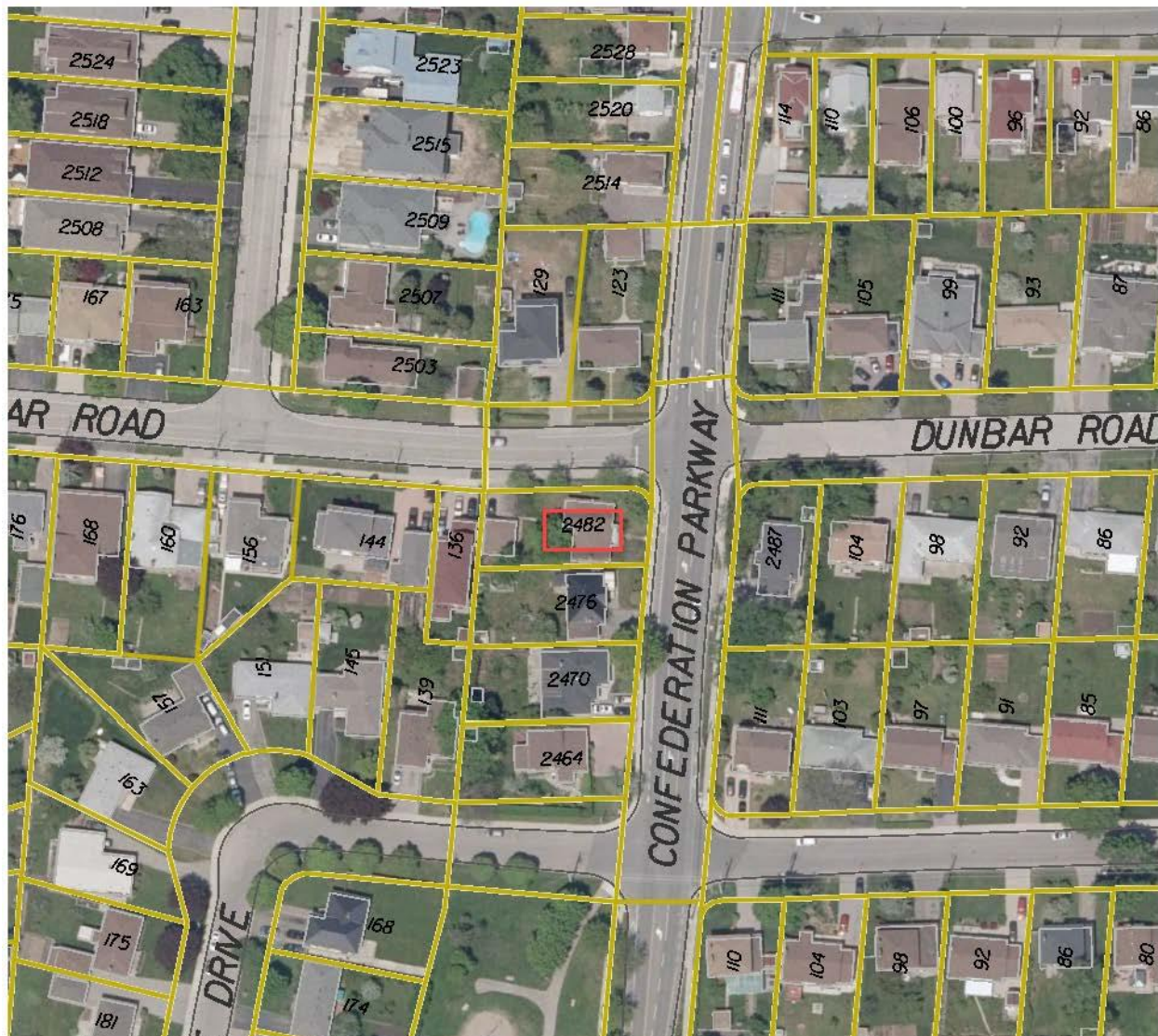
Zoning: R3 - Residential

Other Applications: OZ 19-7

Site and Area Context

The subject lands are located within the Cooksville Neighbourhood West Character Area, south of Confederation Parkway and Dundas Street West. The immediate neighbourhood consists of one and two storey detached dwellings and high-rise apartment buildings. Further north of the lands are commercial uses fronting onto Dundas Street West. Each property contains a one storey detached dwelling with mature vegetation.

The lands were recently subject to a zoning amendment application (OZ 19-07) to rezone the lands to RM2 (Residential) to permit semi-detached dwellings.



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.

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 are as follows:

The site is located within the Cooksville Neighbourhood (West) Character Area and is designated Residential Low Density I in the Mississauga Official Plan (MOP). The Residential Low Density I designation allows for semi-detached dwellings. Section 5 of the MOP encourages development in neighbourhoods to be compatible in built form and scale to the surrounding context. In this instance the surrounding context includes detached dwellings, townhomes, and apartment buildings. Semi-detached dwellings represent a gentle increase in intensification on the site and are compatible with the surrounding context.

The applicant is proposing to sever the existing two lots along Confederation Parkway into 4 lots to facilitate the construction of semi-detached dwellings. Frontage for the new lots will be re-oriented from Confederation Parkway to Dunbar Road. The proposed interior lots will have a lot frontage of +/- 8.35m and an area of +/- 305m². The retained corner lot will have a frontage of +/- 9.12m and a lot area of +/- 418.1m².

On April 21, 2021, Council approved the rezoning of the property to RM2-60 (Residential), which is now in force and effect. This zone permits semi-detached dwellings with a minimum lot area of 200m² for interior lots and 280m² for corner lot. The zone also requires a minimum lot frontage of 6.8m for the interior lots and 9.0m for the corner lots. All 4 proposed lots meet or exceed these requirements and are appropriately sized and represent appropriate development for these lands.

Staff are of the opinion that the application conforms to Section 51(24) of the Planning Act. Staff are also of the opinion that the application conforms to the Official Plan and represents an appropriate development for the subject lands.

Conclusion

The Planning & Building Department has no objections to the application.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

The intent of these applications is to create four new lots which would allow the development of two semi-detached dwellings. Previously under Consent Application, File 'B' 60 & 61/18 it was proposed that the two semi-detached dwellings would front onto Confederation Parkway as opposed to the current request which proposes frontages onto Dunbar Road.

Further to our previous comments we note that the Rezoning Application, reference OZ 19/07 to rezone the lands to RM2 (Residential) to permit semi-detached dwellings was enacted and passed by Council on April 21, 2021 under By-Law Number 0084-2021.

A number of development requirements such as a Development Agreement, road widening(s), servicing and grading plan review, acoustical requirements, etc. are were reviewed through the Rezoning application and addressed. We have reviewed the Rezoning Application and it is our understanding that the following conditions are still outstanding.

In view of the above, and should Committee see merit in the subject applications, we are providing the following comments for Committee's consideration:

A. Items Required Prior to the Issuance of Final Consent

1. Overall Grading and Drainage Plan

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

We acknowledge that under the Rezoning Review a Grading Plan DWG No. GP-1 prepared by Gama Engineering Inc. dated February 8, 2021 has been submitted. Upon receipt of a Grading Plan we will forward it to our Development Construction Section for review/approval.

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.

For further information regarding the above noted comments, please contact Tony Iacobucci at (905) 615-3200 ext. 5129 or tony.iacobucci@mississauga

B. GENERAL INFORMATION

1. Lot Grading and Drainage

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

2. Servicing

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

3. Access

We are also noting that should any utilities need to be relocated, or municipal curbs need to be modified, all costs incurred will also be to the owner.

4. Storm Sewer Outlet

It should be noted that Schedule "C" of the Development Agreement under the Transportation and Works Department contains a number of drainage related items pertaining to items such as Front Yard Stormwater Chambers, weeping tile requirements, Low impact Development Infrastructure, roof leaders NOT to be connected to storm sewer system, implementation of on-site storm water management techniques, etc. The above noted items are all to be addressed prior to Site Plan Approval.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 3 – Parks, Forestry & Environment

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

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

- 2 Manitoba Maple – Good Condition
- 1 Willow – Good Condition
- 1 Cherry – Good Condition

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

1. The applicant shall provide a cash contribution of \$1,214.24 for planting of two (2) street trees on Confederation Parkway. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.
2. The applicant shall provide tree protection securities in the amount of \$2,314.24 for the preservation of the municipal trees.

In addition, Community Services notes the following:

1. The applicant shall ensure that future driveways do not impact or require the removal of the above noted trees.
2. 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.
3. The applicant shall provide frame tree hoarding at the dripline of the above noted tree prior to any construction to the satisfaction of City of Mississauga Forestry Staff. Please call Ryan Cormier at 905-615-3200 ext. 4580 to arrange a hoarding inspection.
4. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, C.P. 13, as amended) and in accordance with the City's policies and by-laws.

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

Comments Prepared by: Jim Greenfield, Park Planner

Appendix 5 – Region of Peel Comments

Comments for Informational Purposes

Deferred Consent Applications: DEF-B-58/20, DEF-B-59/20, DEF-B-60/20, & DEF-B-61/20

Development Engineering: Camila Marczuk (905) 791-7800 x 8230

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.

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.
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.



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A267.21
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 1322 Minaki Road, 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 lot coverage of 34.72% (324.85sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% (280.68sq.m) in this instance;
2. A gross floor area of 397.78sq.m (approx. 4281.67sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 377.12sq.m (approx. 4059.29sq.ft) in this instance;
3. A front yard of 5.69m (approx. 18.67ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 5.90m (approx. 19.36ft) in this instance;
4. An exterior side yard of 7.26m (approx. 23.82ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 7.50m (approx. 24.60ft) in this instance;
5. A building height measured to the highest ridge of 10.26m (approx. 33.66ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the highest ridge of 9.50m (approx. 31.16ft) in this instance; and
6. A building height measured to the underside of the eaves of 7.65m (approx. 25.10ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to underside of the eaves of 6.40m (approx. 20.99ft) in this instance.

The Committee has set **Thursday July 15, 2021 at 3:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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

How to submit a written comment:

Written comments to the Committee must be received no later than 4:30pm the Tuesday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of

Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and application number or address of the property you are providing comments on.

Advance registration is required to participate in the electronic hearing:

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

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

Legal notice:

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

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



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-07-08	File(s): A267.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2021-07-15 3:00 PM

Consolidated Recommendation

The City has no objections to the requested variances.

Application Details

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

1. A lot coverage of 34.72% (324.85sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% (280.68sq.m) in this instance;
2. A gross floor area of 397.78sq.m (approx. 4281.67sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 377.12sq.m (approx. 4059.29sq.ft) in this instance;
3. A front yard of 5.69m (approx. 18.67ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 5.90m (approx. 19.36ft) in this instance;
4. An exterior side yard of 7.26m (approx. 23.82ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 7.50m (approx. 24.60ft) in this instance;
5. A building height measured to the highest ridge of 10.26m (approx. 33.66ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the highest ridge of 9.50m (approx. 31.16ft) in this instance; and
6. A building height measured to the underside of the eaves of 7.65m (approx. 25.10ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to underside of the eaves of 6.40m (approx. 20.99ft) in this instance.

Background

Property Address: 1322 Minaki Road

Mississauga Official Plan

Character Area: Mineola Neighbourhood

Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R2-5 - Residential

Other Applications

Site Plan Application: 21-36

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, west of Hurontario Street and Mineola Road West. The neighbourhood is primarily residential, consisting of one and two storey detached dwellings with significant mature vegetation in the front, rear and side yards. Immediately north of the subject property is Kenollie Public School. The subject property is currently vacant and contains mature vegetation throughout the lot.

The application proposes a new two storey dwelling requiring variances related to lot coverage, gross floor area, front and exterior side yard setbacks, and height to the eaves and highest ridge.



Comments

Planning

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

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

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

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached and duplex dwellings. As per Section 16.18.1.1 (Infill Housing) of the Mineola Neighbourhood Character policies, new housing is encouraged to fit the scale and character of the surrounding area to ensure that new development has minimal impact on adjacent neighbours with respect to overshadowing and overlook. The proposed detached dwelling respects the designated land use, and has regard for the distribution of massing on the property as a whole and will not negatively impact the character streetscape. 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 lot coverage of 34%, whereas a maximum of 30% is permitted. The intent of the by-law is to ensure there isn't an overdevelopment of the lot. In this instance, the dwelling itself, including the box windows, maintains a lot coverage of approximately 29.75%. The remaining portion of the lot coverage is due to the front covered porch and rear covered patio. The front porch and rear patio do not add any significant massing to the dwelling that might negatively impact the neighbouring properties and streetscape character. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variances #2, 5 and 6 propose an increased gross floor area, height to the eaves and highest ridge. The intent of the infill regulations is to maintain compatibility between existing and new dwellings, while also lessening the visual massing of the dwelling by keeping the edge of the roof closer to the ground. This results in the dwelling maintaining a more human scale. The requested height variances are attributed to the discrepancy between average and established grade. In this instance, the difference between the average grade and established grade is approximately 0.64 m. From a streetscape perspective, the requested height variances are a minor deviation from the maximums contained in the zoning by-law. Furthermore, by including gables in the roofline and incorporating the second story within the roof structure, these architectural design features have minimize the overall height and massing impact of the proposed dwelling. Additionally, the dwelling contains a staggered front façade, which further

mitigates the visual massing of the dwelling. As such, the proposed dwelling maintains compatibility with the surrounding area and would not negatively impact the character streetscape. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variances #3 and 4 proposes a deficient front and exterior side yard setback. In this instance, the exterior side yard setback is measured to a roof overhang and the deficient front yard setback is measured to a front planter. The proposed variances are a minor deviation from the zoning by-law's requirement. As such, staff is of the opinion that these variances are appropriate to be handled through the minor variance process and raise no concerns of a planning nature, in this instance.

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

The proposed dwelling includes architectural features, such as the second storey being built within the roofline and dormers, which breaks up the overall massing and height of the dwelling. Additionally, the the dwelling contains a staggered front façade, which further mitigates the visual massing of the dwelling. The proposal is consistent with newer two storey dwellings within the immediate area and does not pose a negative impact to the streetscape character.

Conclusion

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

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling are being addressed through the Site Plan Application process, File SPI-21/036.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file SPI 21-36. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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

Comments Prepared by: Alana Zheng, Zoning Examiner

Appendix 5 – Region of Peel Comments

Minor Variance Application: A-267/21

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: A268.21
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 3252 Respond Road, zoned RM1-14 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a widened driveway proposing a driveway width of 5.20m (approx. 17.06ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.30m (approx. 14.12ft) in this instance.

The Committee has set **Thursday July 15, 2021 at 3:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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

How to submit a written comment:

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

Advance registration is required to participate in the electronic hearing:

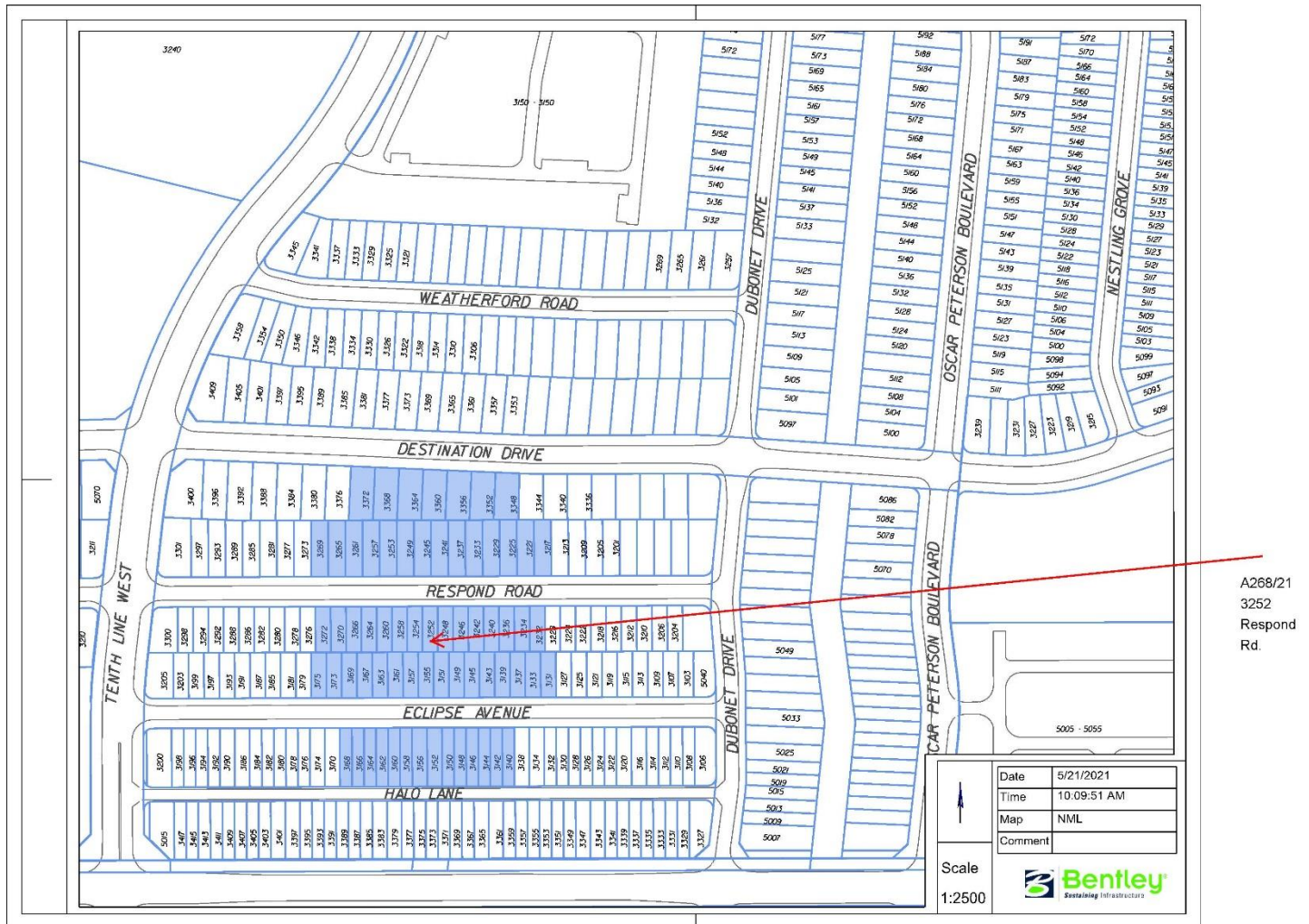
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud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

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

Legal notice:

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

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



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-07-08	File(s): A268.21 Ward 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-15 3:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

The applicant requests the Committee to approve a minor variance to allow a widened driveway proposing a driveway width of 5.20m (approx. 17.06ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.30m (approx. 14.12ft) in this instance.

Background

Property Address: 3252 Respond Road

Mississauga Official Plan

Character Area: Churchill Meadows Neighbourhood
Designation: Residential Medium Density

Zoning By-law 0225-2007

Zoning: RM1-14 - Residential
Other Applications: None

Site and Area Context

The subject property is located north-east of the Eglinton Avenue West and Tenth Line West intersection, in the Churchill Meadows Neighbourhood Character Area. The property contains an existing semi-detached dwelling with +/- 8.71m of frontage. The neighbourhood context includes a mix of low density residential housing, including detached, semi-detached and

City Department and Agency Comments	File:A268.21	2021/07/08	2
-------------------------------------	--------------	------------	---

townhome dwellings. The semi-detached dwellings all have a shared central driveway configuration.

The applicant is requesting a variance to allow an increased 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:

The subject property is located within the Churchill Meadows Neighbourhood Character Area and is designated Residential Medium Density. This designation allows detached, semi-detached, and duplex dwellings. Section 9 of 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.

The applicant is proposing to widen the subject property's driveway by 2.2m, however the proposed extension would only be constructed for a length of 5.4m from the garage face/porch rather than completely to the street. While the surrounding area does have numerous examples of both original and expanded driveways the proposal would result in significant hardscaping located in front of the dwelling, which would be out of character for the surrounding context. Furthermore, the proposal would have the visual effect of creating a paved area similar to a hammerhead, which is not permitted on a property of this size. The sharp angle of the pavement further raises concerns of functionality as vehicles attempting to park on the extension may end up driving over the soft landscaping near the corner.

Staff are of the opinion that, as currently proposed, the driveway does not meet the general intent or purpose of the Zoning By-law and is not minor in nature.

Conclusion

The Planning & Building Department recommends that the application be deferred to allow the applicant to redesign the driveway.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We note from the enclosed photos and from our site inspection that there is a fair size maple tree located within the municipal boulevard which will more than likely be impacted by the proposed driveway widening. In this regard the Planning and Community Services Departments should take this into consideration as the Site Plan Submitted with the application does not identify the existing tree.





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.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A269.21
Ward: 5

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 7125 Minotola Avenue, zoned R3-69 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A lot coverage of 31.72% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance;
2. A gross floor area of 318.20sq.m (approx. 3425.08sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 266.12sq.m (approx. 2864.49sq.ft) in this instance; and
3. A garage projection of 2.50m (approx. 8.20ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 2.00m (approx. 6.56ft) in this instance.

The Committee has set **Thursday July 15, 2021 at 3:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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

How to submit a written comment:

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

Advance registration is required to participate in the electronic hearing:

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

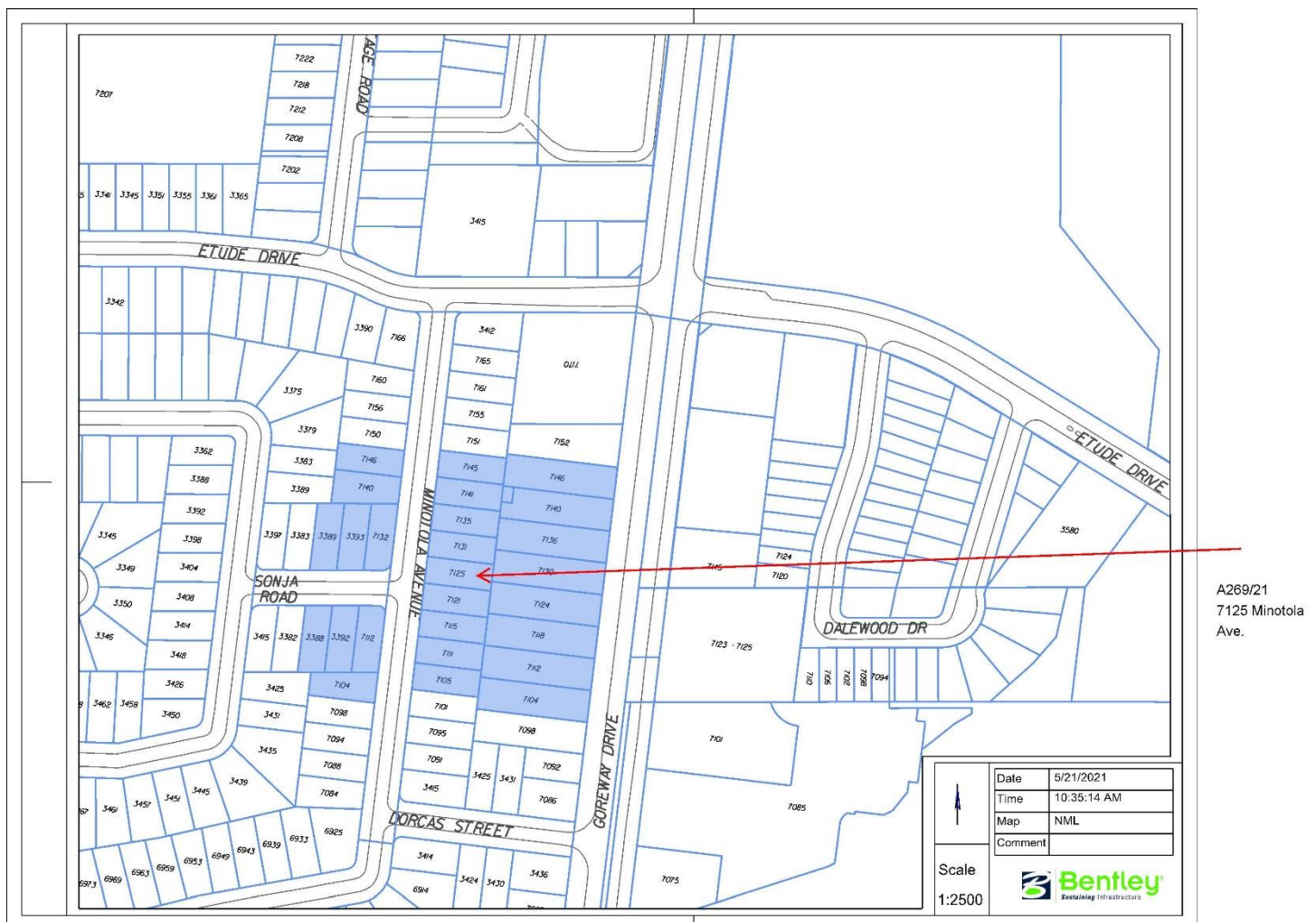
materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services will not be accepted.

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

Legal notice:

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

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



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-07-08	File(s): A269.21 Ward 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-15 3:00 PM

Consolidated Recommendation

The City recommends that the application be deferred to allow the applicant to redesign the dwelling to reduce the gross floor area.

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 31.72% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance;
2. A gross floor area of 318.20sq.m (approx. 3425.08sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 266.12sq.m (approx. 2864.49sq.ft) in this instance; and
3. A garage projection of 2.50m (approx. 8.20ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 2.00m (approx. 6.56ft) in this instance.

Amendments

The Building Department is currently processing a Preliminary Zoning Review Application under file 21-4956. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

- 2) A gross floor area of 318.20sq.m (approx. 3425.08sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 266.06sq.m (approx. 2863.85sq.ft) in this instance.

Background

Property Address: 7125 Minotola Avenue

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

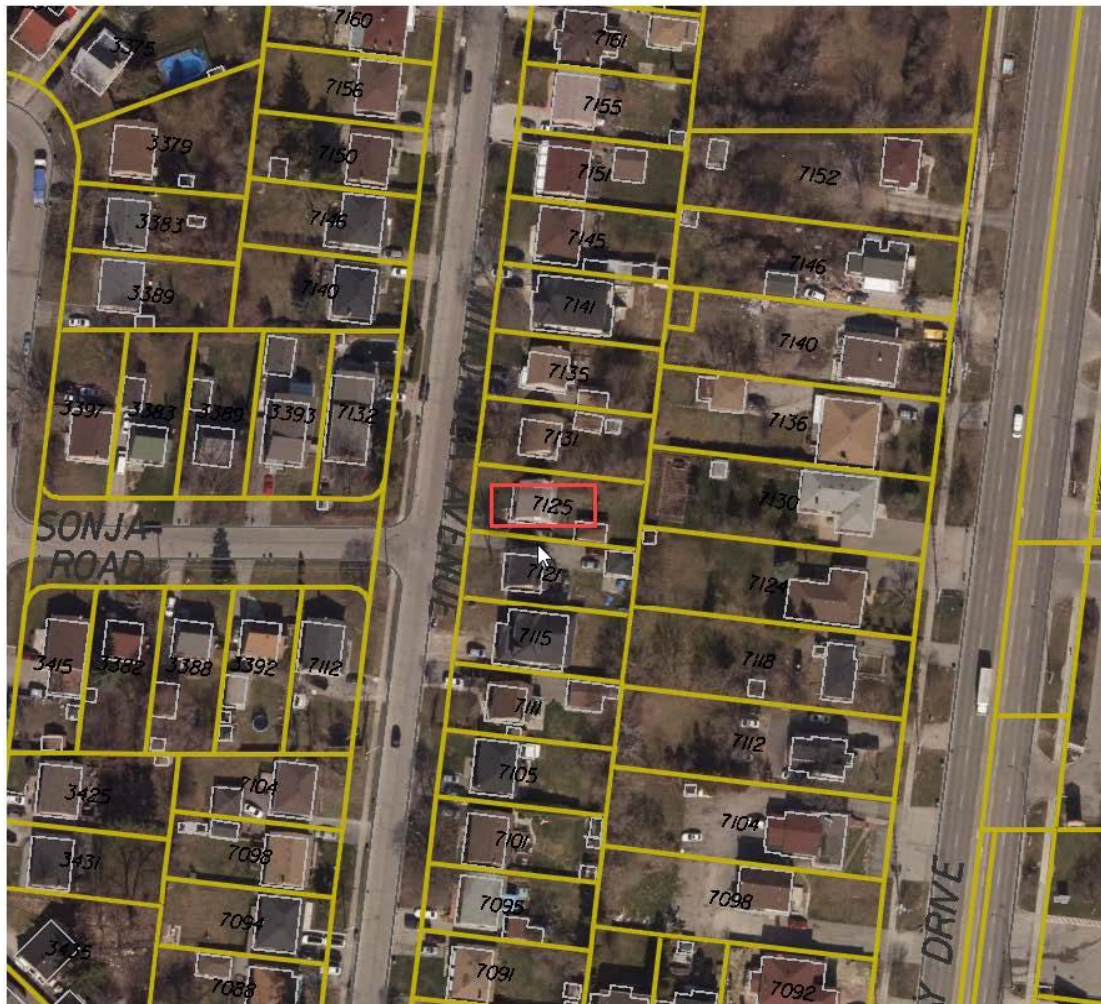
Zoning: R3-69 - Residential

Other Applications: PREAPP 21-4956

Site and Area Context

The subject property is located in the Malton Neighbourhood Character Area, north-west of the Derry Road East and Goreway Drive intersection. The property currently contains a single storey detached dwelling with a detached garage. There is little vegetation present on the subject property. The surrounding area context consists predominantly of single storey detached dwellings, however a few newer two storey detached dwellings are also present.

The applicant is proposing to demolish the existing dwelling to facilitate the construction of a new two storey dwelling requiring variances for lot coverage, gross floor area, and garage projection.



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 property is within the Malton Neighbourhood Character Area and is designated Residential Low Density I in the Mississauga Official Plan (MOP). This designation permits detached, semi-detached and duplex dwellings. The applicant is proposing a new infill house requiring variances for lot coverage, garage projection, and gross floor area.

Arising from the public input expressed through the 'My Malton' Community Visioning exercise, the City completed the Malton Infill Housing Study in 2016. This study resulted in Council's adoption of new zoning regulations principally aimed at regulating the massing of dwellings in a manner that is sensitive to the surrounding context. The intent of the policies are to limit the overall massing of these dwellings and maintain compatibility between the existing and planned character of the neighbourhood. While the variances related to lot coverage and garage projection represent a minor deviation from the permissions within the by-law, the variance to permit the increased gross floor area will create a dwelling with significant massing with cumulative impacts that impact the neighbourhood's character.

Staff are of the opinion that the current design is not inline with the Malton Infill Housing Study of 2016, nor is it compatible with both the existing and planned development of the neighbourhood. The proposed variances do not maintain the general intent and purpose of the Zoning By-law, and have impacts that are not minor in nature. As such, staff recommends that the application be deferred for redesign to reduce the gross floor area.

Conclusion

The Planning and Building Department recommends that the application be deferred to allow the applicant to redesign the dwelling to reduce the gross floor area.

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.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Preliminary Zoning Review Application under file 21-4956. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

- 3) A gross floor area of 318.20sq.m (approx. 3425.08sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 266.06sq.m (approx. 2863.85sq.ft) in this instance.

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

Comments Prepared by: Brandon Eidner, Zoning Examiner

Appendix 5 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-07-08	File(s): A273.21 Ward 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-15 3:00 PM

Consolidated Recommendation

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.

Application Details

The applicant requests the Committee to approve a minor variance to allow a take-out restaurant proposing a setback of 5m (approx. 16.40ft) from a residential zone whereas By-law 0225-2007, as amended, requires a minimum setback of 60m (approx. 196.85ft) in this instance.

Amendments

The Building Department is currently processing certificate of occupancy application C21-6421. From a review of this application we recommend the variance be amended as follows:

To permit a take-out restaurant within the required separation distance to an adjacent Residential Zone; whereas By-law 0225-2007, as amended, requires a minimum separation distance of 60m (approx. 196.85ft) measured in a straight line from the nearest part of the building or structure or portion of the building or structure containing the use, to the closest lot line of a Residential Zone in this instance.

Background

Property Address: 3955 Erin Centre Boulevard Unit 6

Mississauga Official Plan

Character Area: Churchill Meadows Neighbourhood
Designation: Convenience Commercial

Zoning By-law 0225-2007

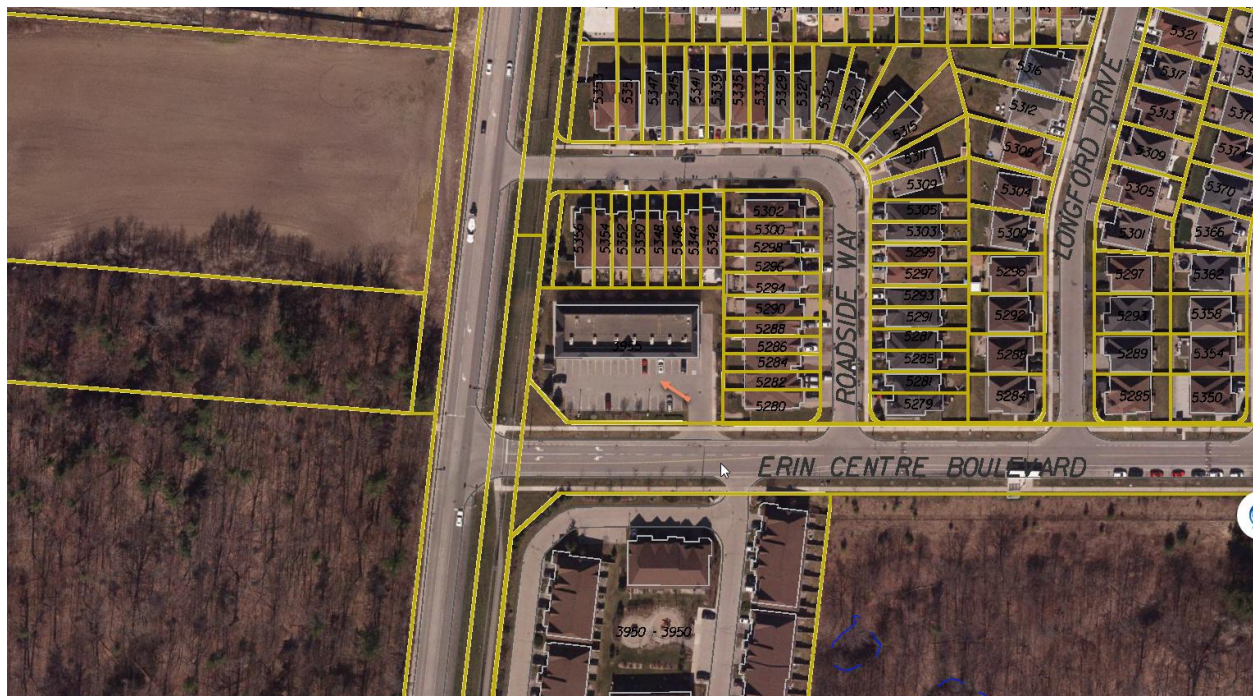
Zoning: C1-14 - Commercial

Other Applications: C 21-6421

Site and Area Context

The subject property is a commercial plaza located on the north-east corner of Erin Centre Boulevard and Ninth Line. The property has an area of +/- 2,861.63m². The subject lands are surrounded by residential development to the north, south, and east. The lands to the west are currently undeveloped lands. A row of vegetation exists behind the plaza, buffering it from the row of townhomes immediately adjacent to the rear. Current uses in the commercial plaza include personal service establishments and medical offices, among others.

The applicant is proposing a restaurant in unit 6 of the plaza requiring a variance for a deficient setback to a residential zone.



Comments

Planning

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

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

The site is located in the Churchill Meadows Neighbourhood Character Area and is designated Convenience Commercial by the Mississauga Official Plan (MOP). The Convenience Commercial designation permits a range of commercial uses, including a restaurant use. As such, the proposal meets the general intent and purpose of the Official Plan.

The intent of this portion of the by-law is to ensure that proposed restaurant uses are compatible with adjacent land uses. Where they are not, a 60m buffer is imposed. The applicant is not proposing a drive-through use or a large seating area within the restaurant. The drawings do not show a proposed patio space, further limiting impacts on adjacent residential properties. Based on a detailed review of the proposal and the nature of the restaurant proposed, staff are of the opinion that impacts to the residential zone will be negligible. Staff are of the opinion that the application is appropriate to be handled through the minor variance process and that the application raises no concerns of a planning nature.

Conclusion

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

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This department has no objections, comments or requirements with respect to C.A. 'A' 273/21.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing certificate of occupancy application C21-6421. From a review of this application we recommend the variance be amended as follows:

To permit a take-out restaurant within the required separation distance to an adjacent Residential Zone; whereas By-law 0225-2007, as amended, requires a minimum separation distance of 60m (approx. 196.85ft) measured in a straight line from the nearest part of the building or structure or portion of the building or structure containing the use, to the closest lot line of a Residential Zone in this instance.

Our comments are based on the plans received by Zoning staff on 2021/4/15 for the above captioned 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 certificate of occupancy 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 certificate of occupancy process in order to receive updated comments.

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 5 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A273.21
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 3955 Erin Centre Boulevard Unit 6, zoned C1-14 - Commercial, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a take-out restaurant proposing a setback of 5m (approx. 16.40ft) from a residential zone whereas By-law 0225-2007, as amended, requires a minimum setback of 60m (approx. 196.85ft) in this instance.

The Committee has set **Thursday July 15, 2021 at 3:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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

How to submit a written comment:

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

Advance registration is required to participate in the electronic hearing:

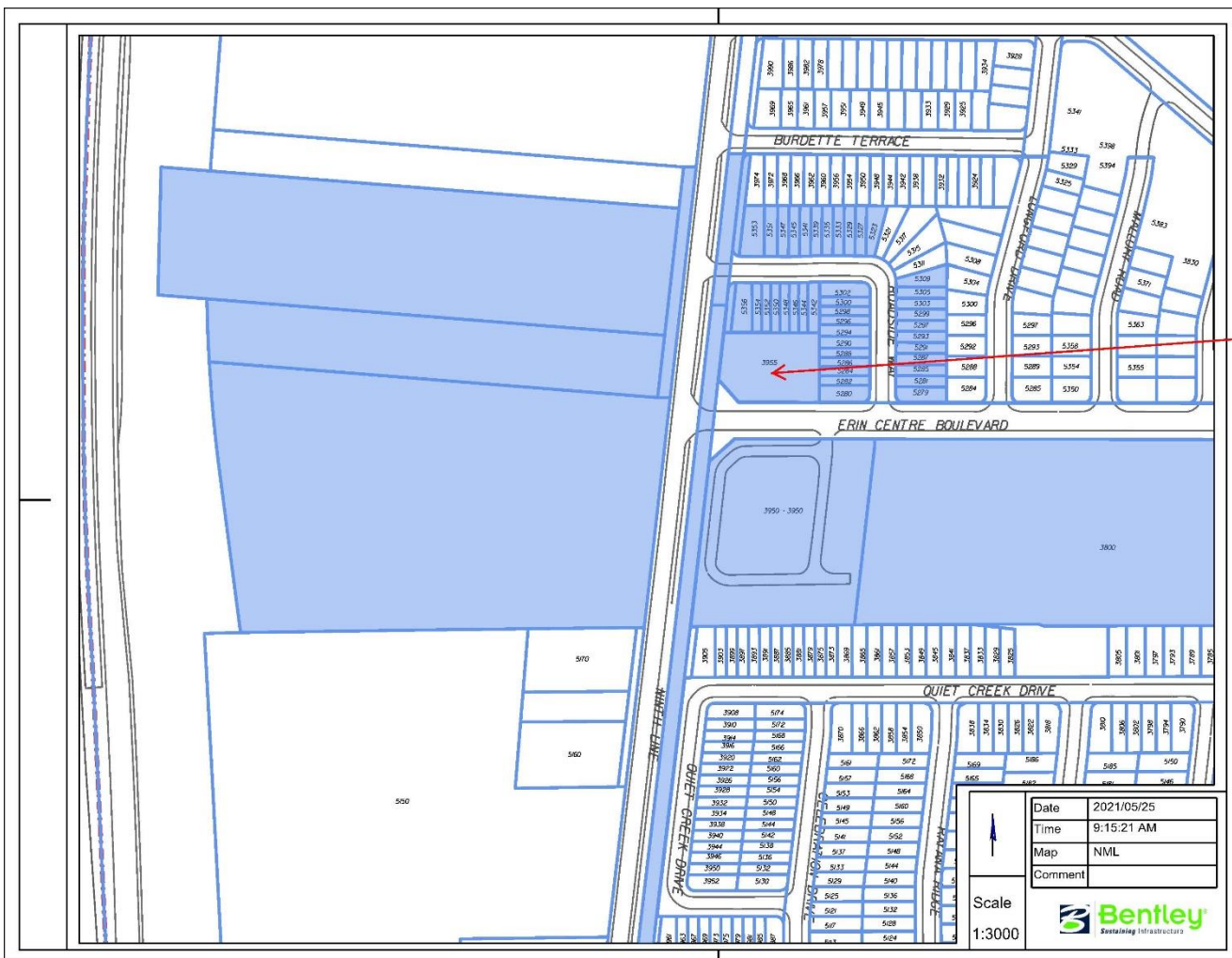
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud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

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

Legal notice:

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

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



A273/21
3955 Erin
Centre Blvd.
Unit 6



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A276.21
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 56 Lakeshore Road East, zoned C4-66 - Commercial, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a new restaurant proposing 8 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 29 parking spaces in this instance.

The Committee has set **Thursday July 15, 2021 at 3:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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

How to submit a written comment:

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

Advance registration is required to participate in the electronic hearing:

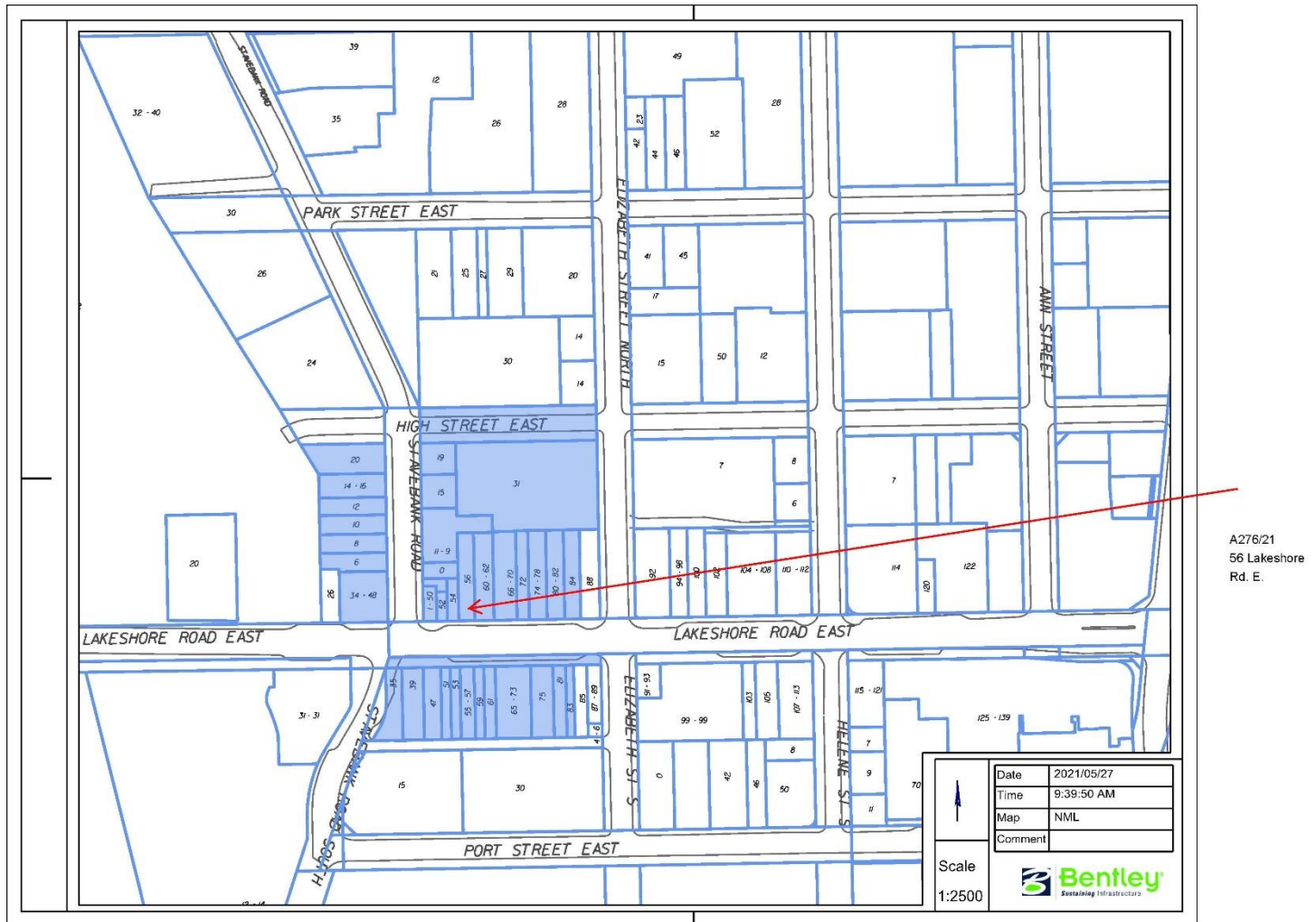
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud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

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

Legal notice:

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

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



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-07-08	File(s): A276.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-15 3:00 PM

Consolidated Recommendation

The City has no objection to the variances, as requested. Should Committee see merit in the Application, Planning Staff would recommend the condition(s) identified below be imposed.

Application Details

The applicant requests the Committee to approve a minor variance to allow a new restaurant proposing 8 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 29 parking spaces in this instance.

Recommended Conditions and Terms

Should Committee see merit in the Application, Planning Staff would recommend the application be approved on a temporary basis of 2 years. Following the expiration of the temporary two (2) year approval, the applicant is required to provide a satisfactory Parking Utilization Study (PUS) to address the parking deficiency onsite.

Background

Property Address: 56 Lakeshore Road East

Mississauga Official Plan

Character Area: Port Credit Community Node
Designation: Mixed Use

Zoning By-law 0225-2007

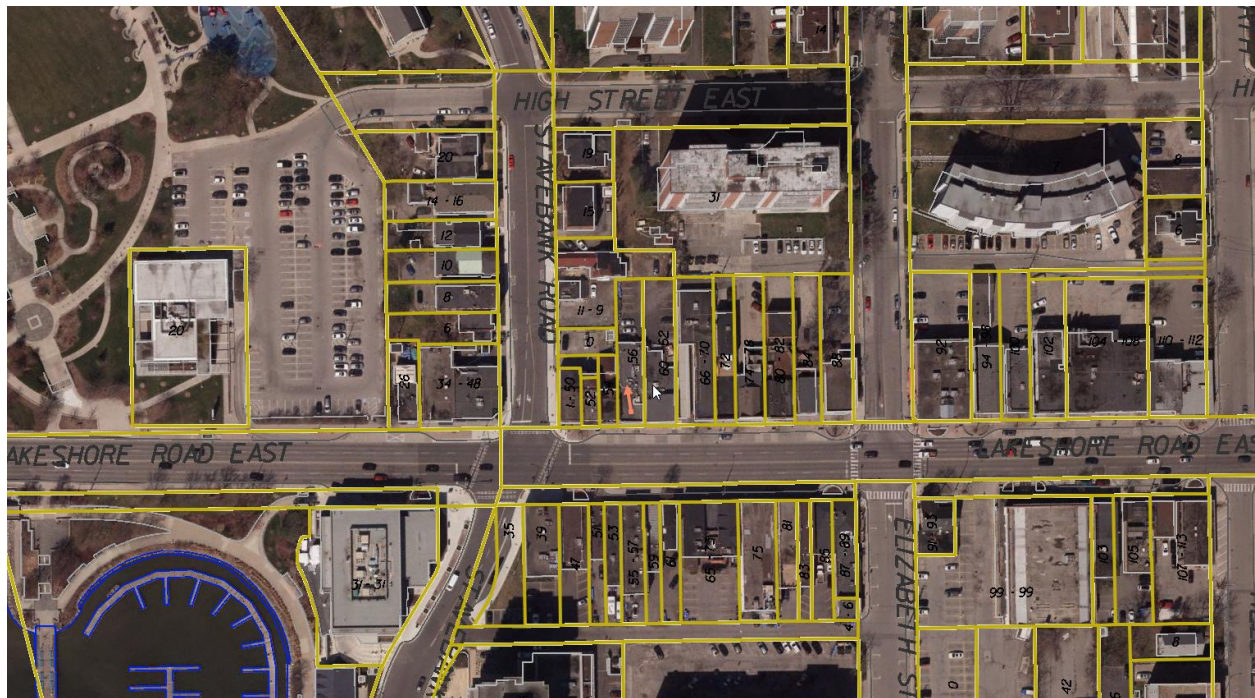
Zoning: C4-66 - Commercial

Other Applications: C20-945 and A-86/20

Site and Area Context

The subject property is located in the Port Credit Community Node Character Area, east of the Stavebank Road and Lakeshore Road East intersection. The immediate area consists of minimal vegetation in the form of urban trees and a variety of commercial uses that front onto Lakeshore Road East.

The subject property contains an existing two storey commercial Building with minimal vegetation elements in the front yard. The application proposes a new restaurant requiring variances related to parking.



Comments

Planning

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

Staff comments concerning the application are as follows:

The subject property is designated Mixed Use in Schedule 10 of the Mississauga Official Plan, which permits a restaurant among other uses. The official plan policies for lands in the Port Credit Neighbourhood Character Area are contained within the Port Credit Local Area Plan - Main street Neighbourhood precinct. The Port Credit Local Area Plan encourages related commercial uses and closely spaced storefronts to line the street in order to encourage and foster an active pedestrian street. The proposed variances are consistent with these policies and maintain the existing and planned character of the area. The minor variance application maintains the general intent and purpose of the official plan.

According to City Planning Strategies Staff (CPS), the subject property contains two existing restaurants, a takeout Indian Cuisine restaurant (Unit A) and an Italian restaurant (Unit B). The requested variance is for a new restaurant use in Unit B. Pizzaiolo is operating in its current location as a take-out restaurant, however the indoor seating exceeds the permitted maximum of six seats, and therefore Zoning Staff have identified the use as a restaurant. A sit down restaurant has a greater parking requirement than a take-out restaurant, which will increase the onsite parking deficiency.

CPS Staff have determined that due to the current pandemic, a parking study is not appropriate for a restaurant use at this time, as it may not accurately represent peak parking demand. Furthermore, CPS is of the understanding that the requested variance is not accurate and Zoning Staff has advised the variance should be amended to propose a total of 8 parking spaces onsite whereas, By-law 0225-2007, as amended, requires a minimum of 19 parking spaces onsite for all uses in this instance.

Given the current pandemic circumstances, CPS staff recommend supporting the amended parking variance on a temporary basis for up to two (2) years subject to the following condition:

1. Following the expiration of the temporary two (2) year approval, the applicant is required to provide a satisfactory Parking Utilization Study (PUS) to address the parking deficiency onsite.

CPS Staff advise that the City's Payment-In-Lieu (PIL) of parking program applies to the subject property and that the applicant has the option to apply for a PIL application for consideration of the parking deficiency. Therefore, if a satisfactory Parking Utilization Study is not submitted or there is still a parking deficiency onsite, the applicant may be required to address the parking deficiency through a PIL application and/or a satisfactory shared parking agreement.

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

Conclusion

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

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's easy reference are photos of the existing frontage and rear parking areas of the building.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a certificate of occupancy permit application under file 276-21. Based on review of the information currently available for this application, we advise that the following variance(s) should be amended as follows:

The applicant requests the Committee to approve a minor variance to allow a new restaurant proposing 22 parking spaces for the site whereas By-law 0225-2007, as amended, requires a minimum of 29 parking spaces for the site in this instance

Our comments are based on the plans commented on by Zoning staff on 03/23/2020 for the above captioned certificate of occupancy permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the occupancy permit process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: Sandra Morrison, Manager of Zoning

City of Mississauga

Memorandum:

City Department and Agency Comments

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: A278.21
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 1408 Radcliffe Boulevard, 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 legalize the lot area pursuant to consent application B70/20 proposing a lot area of 685sq.m (approx. 7,373.3sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 720sq.m (approx. 7,750.0sq.ft) in this instance.

The Committee has set **Thursday July 15, 2021 at 3:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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

How to submit a written comment:

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

Advance registration is required to participate in the electronic hearing:

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

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

Legal notice:

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

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



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-07-08	File(s): A278.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-15 3:00 PM

Consolidated Recommendation

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

Application Details

The applicants request the Committee to approve a minor variance to legalize the lot area pursuant to consent application B70/20 proposing a lot area of 685sq.m (approx. 7,373.3sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 720sq.m (approx. 7,750.0sq.ft) in this instance.

Background

Property Address: 1408 Radcliffe Boulevard

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

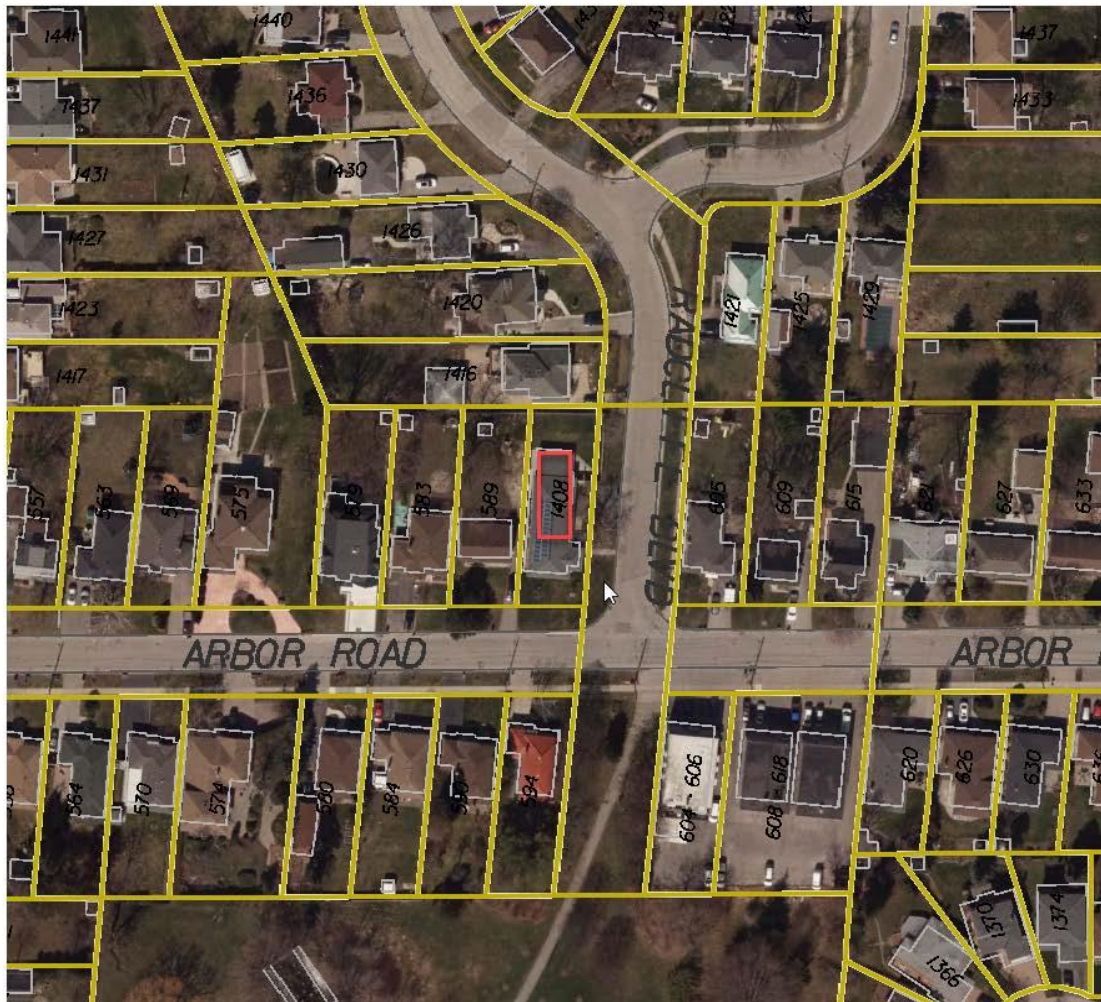
Zoning: R3-1 - Residential

Other Applications: B70/20

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, northwest of the Atwater Avenue and Cawthra Road intersection. The immediate area consists of a commercial plaza and a mix of one and two storey detached dwellings. Frontages for the low density dwellings within the immediate area range from approximately 14 m to 26 m. The subject property contains an existing one storey dwelling with vegetation and landscape elements in both the front and side yards.

The applicant is proposing to legalize the property's existing lot area. The property requires a variance for minimum lot area.



Comments

Planning

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

Staff comments concerning the application are as follows:

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached, duplex, triplex and other forms of low rise dwellings with individual frontages. Section 16.1.2.1 of the MOP states to preserve the character of lands designated Residential Low Density I and Residential Low Density II, the minimum frontage and area of new lots will be evaluated in the context of the existing lot pattern in the surrounding area. The proposed lot area is consistent and compatible with the character of the area. The minimum lot area is intended to establish an appropriate lotting pattern and minimum standards for development. The proposed lot would maintain a lot area of 685m², which represents a minor deviation from what is permitted in the Zoning By-law. Further, the proposed lot area is reflective of the existing lot pattern. It is Staff's opinion that the proposed lot is sympathetic to the surrounding area and does not impact the neighbourhood's lot pattern. Through a detailed review of the application, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Conclusion

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

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 this property will be addressed under Consent Application 'B' 70/20.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Daniel Grdasic, Planning Associate

Appendix 5 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner