

---

## Committee of Adjustment

**Date:** July 22, 2021  
**Time:** 1:00 PM  
**Location:** Online Video Conference

### Members

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

### Contacts

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

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

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

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

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

- 
1. CALL TO ORDER
  2. DECLARATION OF CONFLICT OF INTEREST
  3. DEFERRALS OR WITHDRAWALS
  4. MATTERS TO BE CONSIDERED
    - 4.1. A275/21  
2170 GORDON DR (WARD 7)  
JOHN LEOMBRUNO
    - 4.2. A277/21  
6418 DONWAY DR (WARD 11)  
RAIS & NAGINA ALI
    - 4.3. A279/21  
6905 JOHNSON WAGON CRES (WARD 11)  
HARVINDER & HARDIP SINGH
    - 4.4. A280/21-A281/21  
920 & 922 FOURTH ST (WARD 1)  
2786415 ONTARIO INC
    - 4.5. A282/21  
1235 QUEENSWAY E. UNIT 11 (WARD 1)  
THERAPLACE INC
    - 4.6. A283/21  
1235 QUEENSWAY E. UNIT 20 (WARD 1)  
MIRKOVIC PHYSIOTHERAPY PROFESSIONAL CORPORATION
    - 4.7. A284/21  
7247 DANTON PROMENADE (WARD 9)  
DONG VU & BINH T. LAI
    - 4.8. A285/21  
91 EGLINTON AVE E (WARD 5)  
91 EGLINTON LIMITED PARTNERSHIP

- 4.9. A286/21  
501 RATTRAY PARK DR (WARD 2)  
RAFAL & MALGORZATA KUBAT
- 4.10. A287/21  
1471 STAVEBANK RD (WARD 1)  
PATRICK MANZA
- 4.11. A290/21  
2380 HAINES RD (WARD 1)  
HAINES ROAD HOLDINGS INC
- 4.12. A292/21  
6802 LOGANBERRY CRT (WARD 11)  
RAHUL KUMAR & DEEPIKA RUSTAGI
- 4.13. A341/21 TO A344/21  
7140, 7230 HURONTARIO ST, 0 VICKSBURGH DR.& 0 DERRYCREST DR, (WARD 5)  
1105239 ONTARIO INC &  
678604 ONTARIO INC
- 4.14. A402/20  
2212 SHARDAWN MEWS (WARD 7)  
TONY TRIGIANI
- 4.15. A73/21  
5599 CORTINA CRES (WARD 5)  
ZUBDA NADEEM
- 4.16. A220/21  
925 GOODWIN RD (WARD 1)  
SELVIN JUDE & NECITA CONCESSION
5. **OTHER BUSINESS**
6. **ADJOURNMENT**



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A275.21  
Ward: 7

### Why you received this letter:

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

### Details of the application and meeting information:

The property owner of 2170 Gordon Drive, zoned R1-6 - 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 and accessory structure on the subject property proposing:

1. Two garages whereas By-law 0225-2007, as amended, permits a maximum of one garage in this instance;
2. A pedestrian entrance to facilitate a second unit facing a street, whereas By-law 0225-2007, as amended, does not allow a pedestrian entrance to facilitate a second unit to face a street in this instance;
3. A garage area of 277.60sq.m (approx. 2988.06sq.ft) whereas By-law 0225-2007, as amended, permits a maximum garage area of 75.00sq.m (approx. 807.29sq.ft) in this instance;
4. An accessory structure floor area of 147.00sq.m (approx. 1582.23sq.ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure floor area of 20.00sq.m (approx. 215.28sq.ft) in this instance;
5. A building height of an accessory structure of 5.30m (approx. 17.39ft) whereas By-law 0225-2007, as amended, permits a maximum building height of an accessory structure of 3.50m (approx. 11.48ft) in this instance; and
6. A driveway width of 24.77m (approx. 81.27ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 10.50m (approx. 34.45ft) in this instance.

The Committee has set **Thursday July 22, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

You can get more information on this matter by emailing [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) or calling 905-615-3200 x2408. You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>. Hearings will be streamed online for the public to view at the following link: <http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>.

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

### How to submit a written comment:

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



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

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

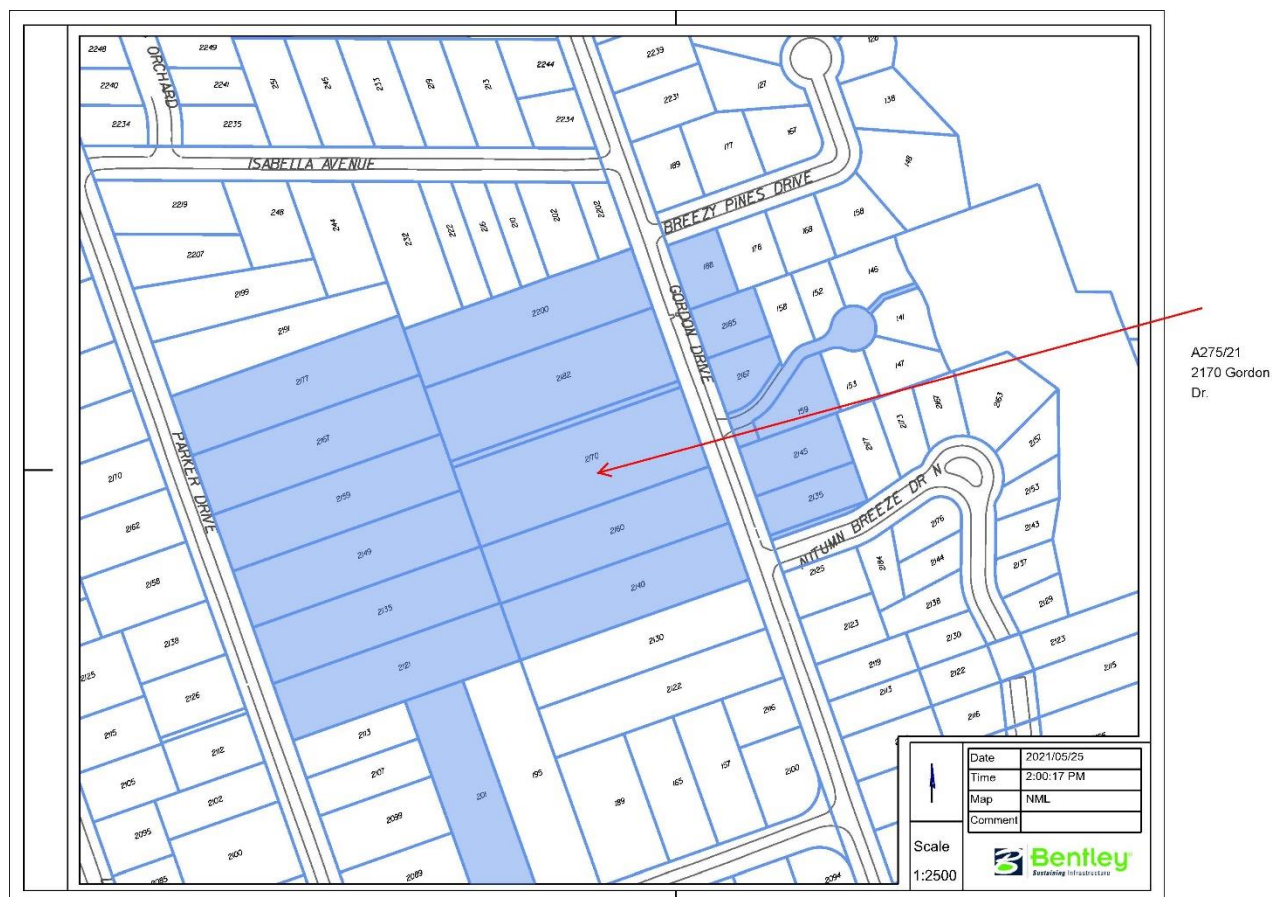
**To participate electronically (computer, tablet or smartphone):** Please email [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided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

**To participate by telephone:** To register, please call 905-615-3200 x2408 no later than 4:30pm the Tuesday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.

**Legal notice:**

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

Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual (including being posted on the internet) upon request in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x2408.



# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-07-13	File(s): A275.21 Ward 7
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-22 1:00 PM

## Consolidated Recommendation

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

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a new house and accessory structure on the subject property proposing:

1. Two garages whereas By-law 0225-2007, as amended, permits a maximum of one garage in this instance;
2. A pedestrian entrance to facilitate a second unit facing a street, whereas By-law 0225-2007, as amended, does not allow a pedestrian entrance to facilitate a second unit to face a street in this instance;
3. A garage area of 277.60sq.m (approx. 2988.06sq.ft) whereas By-law 0225-2007, as amended, permits a maximum garage area of 75.00sq.m (approx. 807.29sq.ft) in this instance;
4. An accessory structure floor area of 147.00sq.m (approx. 1582.23sq.ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure floor area of 20.00sq.m (approx. 215.28sq.ft) in this instance;
5. A building height of an accessory structure of 5.30m (approx. 17.39ft) whereas By-law 0225-2007, as amended, permits a maximum building height of an accessory structure of 3.50m (approx. 11.48ft) in this instance; and
6. A driveway width of 24.77m (approx. 81.27ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 10.50m (approx. 34.45ft) in this instance.

## Amendments

The Building Department is currently processing a SPI permit under file SPI 20-139. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

1. Two(2) attached garages and one(1) carport whereas By-law 0225-2007, as amended, permits a maximum of one garage in this instance;

The accessory structure height, variance comment #5: The required information for height of the accessory structure (cabana) from EG has not been provided based on latest zoning review on 2021-May-05, the height of the Cabana verification hold for the deck's respective established grade confirmation.

### **Recommended Conditions and Terms**

Staff recommend that the following condition be imposed:

Construction related to this variance shall be in general conformance with the Site Plan approved by the Committee.

## **Background**

**Property Address:** 2170 Gordon Drive

### **Mississauga Official Plan**

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

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

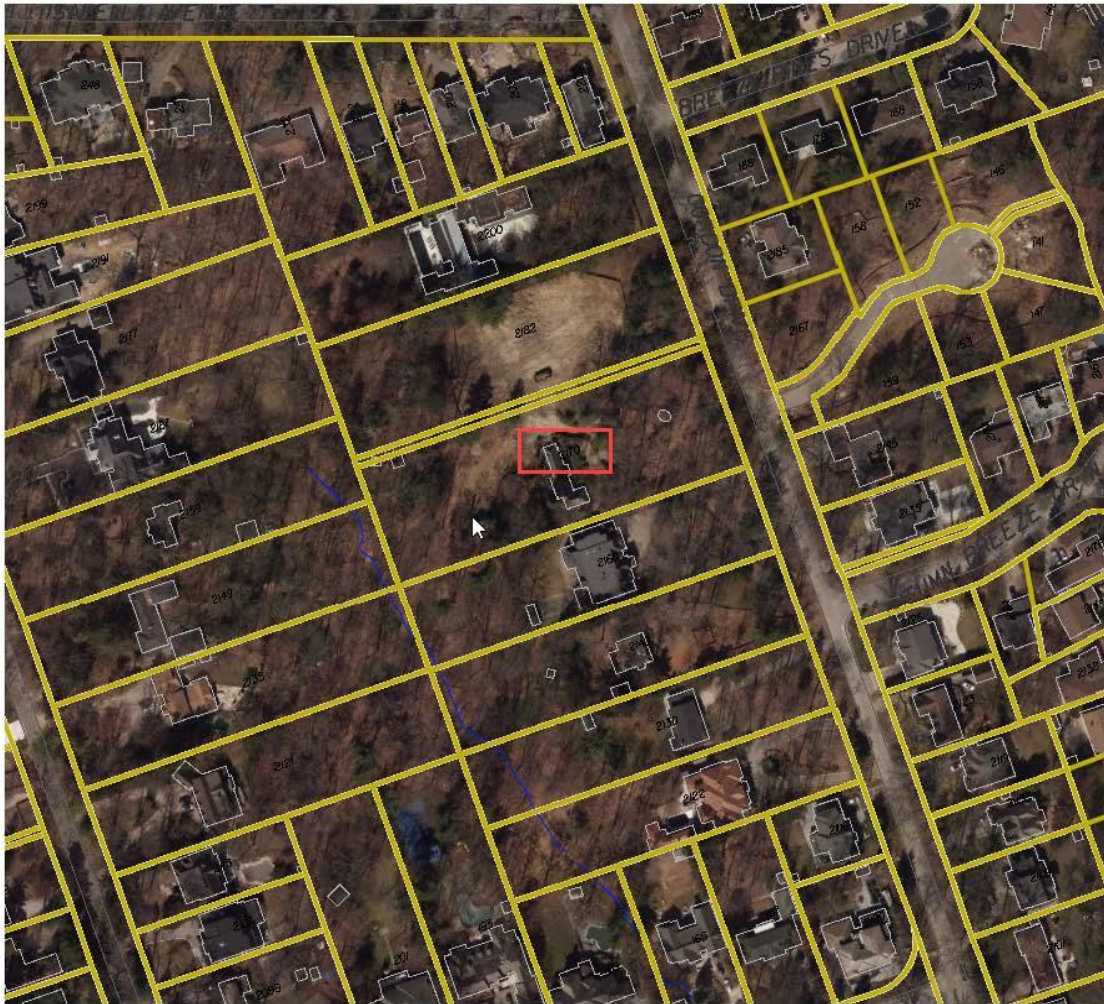
**Zoning:** R1-6 - Residential

**Other Applications:** SPI 20-139

### **Site and Area Context**

The subject property is located south-west of the Queensway West and Hurontario Street intersection in the Gordon Woods community. The property has a frontage of +/- 49.48m and a lot area of +/- 7,050m<sup>2</sup>. The surrounding neighbourhood exclusively contains detached homes on varying (but typically very generous) lot sizes. The subject property is one of the largest lots on the street and contains significant mature vegetation.

The applicant is proposing to construct a new detached dwelling requiring variances related to two garages, a secondary unit, the driveway and an accessory structure.





## Comments

### Planning

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

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

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

The subject property is located in the Cooksville Neighbourhood Character Area and is designated Residential Low Density I in the Mississauga Official Plan (MOP). The MOP permits only detached dwellings in this area, and the site is also subject to the provisions of Special Site 4. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions, the surrounding context, and the landscape of the character area. Special Site 4 includes policies that maintain generous yards, protecting and enhancing natural features and preserving high quality trees. Upon review of the application staff are of the opinion that the proposal is compatible with the provisions of the Official Plan and that the general intent and purpose of the plan is maintained.

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

Variances #1 & 3 relate to the two garages and a car port in the proposal, as well as the combined size of the garages, which exceeds the permissions provided in the by-law. The intent in restricting the overall number and individual size of an attached garage is to ensure that the detached dwelling remains residential in nature, keeping the majority of the structure's ground floor area attributed to livable space. Additionally, this portion of the By-law serves to minimize the visual impact resulting from the multiple or excessive garage faces from a streetscape perspective. In this instance the second (and much larger) garage is well hidden behind the dwelling's façade, limiting its impact on the streetscape. The combined width of the front garage and carport gives the appearance of a three car garage, which is permitted and appropriate for a lot of this size. Furthermore, given the size of the lot, the garage size can be suitably accommodated without dominating the use of the first floor.

Variance #2 proposes an entrance to a secondary unit facing a street. The proposed door is located near the second garage, screened by the front garage and carport. The proposed entrance recessed from the main wall of the house and would not be visible from the street.

Variances #4 & 5 are for the proposed accessory structure in the rear of the property. The intent of the zoning by-law's accessory structure provisions is to ensure that the structures are proportional to the lot and dwelling and clearly accessory, while not presenting any massing concerns to neighbouring properties. In this instance the proposed structure represents approximately 2% of the total lot area and is clearly accessory in nature. Furthermore it is setback well beyond the required minimum setback and is well screened from neighbouring properties by both existing and proposed landscaping.

Variance #6 is a request for an increased driveway width. The intent of the driveway width regulation is to ensure that there is sufficient soft landscaping and amenity area in the front yard while ensuring the required parking for the residence can be provided. The proposed driveway width does not represent the width for the entire driveway, but only a small section in front of the dwelling. Furthermore the applicant exceeds the minimum requirement for soft landscaping in the front yard. The proposed width would not impact the streetscape as there is significant mature vegetation screening the property from the road, and the proposed driveway width narrows from 24.77m at the dwelling to only 6.43m at the street. This type of driveway is not out of character for lots of this size in the area.

It is therefore the opinion of staff that the variances requested maintain the general intent and purpose of the Zoning By-law.

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

The request as proposed represents appropriate development of the lands with a dwelling that is well designed for the lot. It is the opinion of staff that the proposal presents no significant impacts to surrounding properties and is appropriate in the context of the neighbourhood. The variances, both individually and combined, are minor in this instance.

## Conclusion

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

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 and accessory structure are being addressed through the Site Plan Application process, File SPI 20-139.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

The Building Department is currently processing a SPI permit under file SPI 20-139. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

1. Two(2) attached garages and one(1) carport whereas By-law 0225-2007, as amended, permits a maximum of one garage in this instance;

The accessory structure height, variance comment #5: The required information for height of the accessory structure (cabana) from EG has not been provided based on latest zoning review on 2021-May-05, the height of the Cabana verification hold for the deck's respective established grade confirmation.

Please note that comments reflect those provided through the above permit application and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these



comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Sherri Takaloo – Zoning Examiner

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

N/A

### **Appendix 4 – Heritage**

N/A

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

We have no comments or objections.



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A277.21  
Ward: 11

### Why you received this letter:

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

### Details of the application and meeting information:

The property owner of 6418 Donway Drive, zoned R3-26 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicants request the Committee to approve a minor variance to allow a widened driveway on the subject property proposing:

1. A driveway width of 9.4m (approx. 30.8ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.0m (approx. 19.69ft) in this instance; and
2. A driveway setback of 0.3m (approx. 0.98ft) whereas By-law 0225-2007, as amended, requires a minimum driveway setback of 0.6m (approx. 1.97ft) in this instance.

The Committee has set **Thursday July 22, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

You can get more information on this matter by emailing [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) or calling 905-615-3200 x2408. You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>. Hearings will be streamed online for the public to view at the following link: <http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>.

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

### How to submit a written comment:

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

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

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

**To participate by telephone:** To register, please call 905-615-3200 x2408 no later than 4:30pm the Tuesday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.

**Legal notice:**

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

Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual (including being posted on the internet) upon request in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x2408.



# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-07-13	File(s): A277.21 Ward 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-22 1:00 PM

## Consolidated Recommendation

The Planning and Building Department has no objections to variance #2, however recommends that variance #1 be refused.

## Application Details

The applicants request the Committee to approve a minor variance to allow a widened driveway on the subject property proposing:

1. A driveway width of 9.4m (approx. 30.8ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.0m (approx. 19.69ft) in this instance; and
2. A driveway setback of 0.3m (approx. 0.98ft) whereas By-law 0225-2007, as amended, requires a minimum driveway setback of 0.6m (approx. 1.97ft) in this instance.

## Background

**Property Address:** 6418 Donway Drive

### Mississauga Official Plan

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

### Zoning By-law 0225-2007

**Zoning:** R3-26 - Residential

**Other Applications:** None



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

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

The subject property is located within the East Credit Neighbourhood Character Area and is designated Residential Low Density I. This designation permits detached, semi-detached, and duplex dwellings. Section 9 of MOP promotes development (including its features such as driveways and landscaping) with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions, the surrounding context, and the landscape of the character area. The driveway, as proposed, represents a significant divergence from both the existing and planned character of the surrounding neighbourhood. The variance does not maintain the general intent and purpose of the Official Plan.

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

Variance #1 is to allow a widened driveway on the subject property. The intent of the by-law regarding driveway widths is to permit a driveway large enough to suitably accommodate two vehicles parked side by side, with the remainder of the front yard being soft landscaping. The driveway, as proposed, would represent more than 50% of the lot frontage and create a significant amount of hardscaping that would dominate the perception of the property from the street. The subject property does not possess the lot frontage that would support the size of the driveway and remain within the intent of the regulations. Therefore the variance as proposed does not meet the general intent and purpose of the by-law.

Variance #2 proposes a reduced setback between the proposed driveway and the side lot line. The intent of this portion of the by-law is to ensure that an adequate visual buffer exists between properties and that it is large enough to mitigate any potential drainage concerns. In this instance the reduced setback maintains the intent of the buffer between properties and the Transportation and Works Department has raised no drainage issues. Staff are satisfied that this variance meets the general intent and purpose of the zoning by-law.

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

The proposed variance for the driveway width would permit a driveway that visually dominates the front yard of the subject property and creates an excessive amount of hardscaping whose impact on the streetscape would not be considered minor in nature. The variance, as requested, does not represent desirable or appropriate development of the subject lands.

**Conclusion**

The Planning and Building Department has no objections to variance #2, however recommends that variance #1 be refused.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

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







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

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

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

Comments Prepared by: Brandon Eidner, Zoning Examiner

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

N/A



**Appendix 4 – Heritage**

N/A

**Appendix 5 – Region of Peel Comments****Minor Variance Application: A-277/21**Development Planning: Diana Guida (905) 791-7800 x8243

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

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

**Appendix 6- Conservation Authority Comments**

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

Comments Prepared by: Elizabeth Paudel, Junior Planner (Acting)



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A279.21  
Ward: 11

### Why you received this letter:

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

### Details of the application and meeting information:

The property owner of 6905 Johnson Wagon Crescent, zoned R9 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an accessory structure (pool/spa glass enclosure) proposing an area of 24.60sq.m (approx. 264.79sq.ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 20.00sq.m (approx. 215.28sqm) in this instance.

The Committee has set **Thursday July 22, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

You can get more information on this matter by emailing [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) or calling 905-615-3200 x2408. You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>. Hearings will be streamed online for the public to view at the following link: <http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>.

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

### How to submit a written comment:

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

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

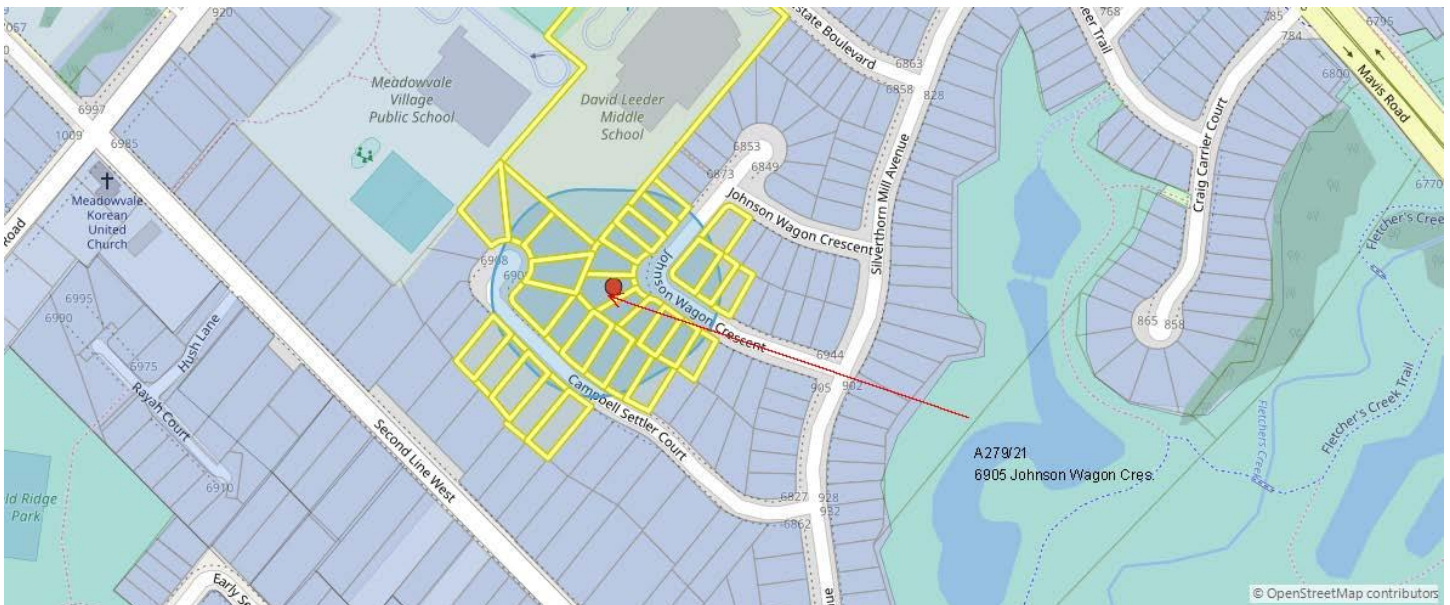
**To participate electronically (computer, tablet or smartphone):** Please email [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided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

**To participate by telephone:** To register, please call 905-615-3200 x2408 no later than 4:30pm the Tuesday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.

**Legal notice:**

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

Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual (including being posted on the internet) upon request in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x2408.



# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-07-13	File(s): A279.21 Ward 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-22 1:00 PM

## Consolidated Recommendation

The City has no objections to the application.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an accessory structure (pool/spa glass enclosure) proposing an area of 24.60sq.m (approx. 264.79sq.ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 20.00sq.m (approx. 215.28sqm) in this instance.

## Background

**Property Address:** 6905 Johnson Wagon Crescent

### Mississauga Official Plan

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

### Zoning By-law 0225-2007

**Zoning:** R9 - Residential

**Other Applications:** BP 9ALT 21-5979

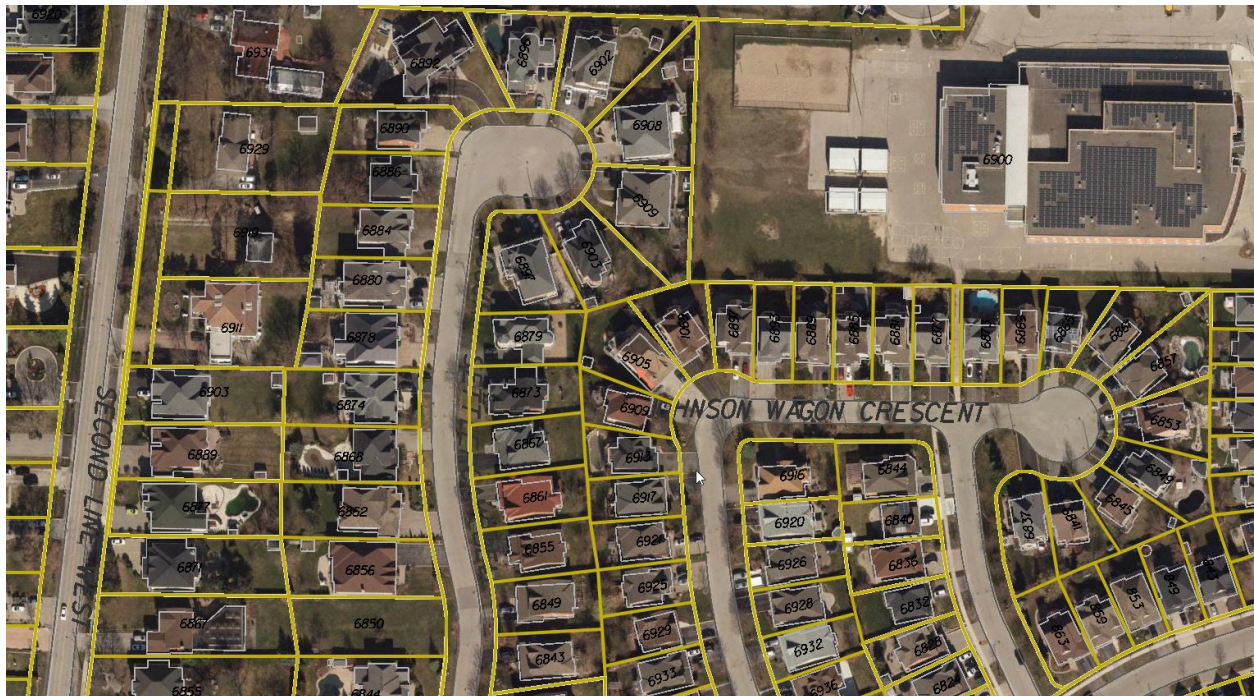
### Site and Area Context

The subject property is located east of Second Line West, between Old Derry Road and Highway 401. Currently it contains a two storey detached dwelling with an attached two car



garage, which is representative of the area's built form. The property has a lot area of +/- 759m<sup>2</sup> and contains limited vegetation, mainly within the right of way. While lot sizes in Meadowvale Village vary greatly, the lot pattern is more consistent in this section of the neighbourhood.

The applicant is proposing an accessory structure in the rear yard requiring a variance for floor area.



## Comments

### Planning

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

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

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

Located in the Meadowvale Village Neighbourhood Character Area, the subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP).

This designation permits detached, semi-detached, duplex and triplex dwellings as well as other forms of low rise dwellings with individual frontages. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions, the surrounding context, and the landscape of the character area. The proposed accessory structure is in the rear of the property and is removed from the public view. Staff are of the opinion that the structure is appropriately sized and does not pose any significant impact to the abutting properties. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

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

The intent of the by-law provisions regarding accessory structures is to ensure that the structures are proportional to the lot and dwelling and are clearly accessory, while also ensuring that the structure does not present any massing concerns to neighbouring lots. The proposed structure is located centrally in the rear yard of the property, exceeding all required setbacks required under the zoning by-law. The accessory structure is a glass enclosure requiring no height variances, which mitigates any potential impacts on surrounding properties. Additionally the difference between the variance being sought and the current by-law regulations for the maximum area of an accessory structure is nearly indistinguishable. Staff is therefore of the opinion that the general intent and purpose of the by-law is maintained.

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

The proposed structure fits well with the subject property and is unlikely to cause any concerns, massing or otherwise, to adjacent properties. Staff are of the opinion that the proposal is desirable, appropriate, and minor.

## **Conclusion**

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

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

This department has no objections to the applicant's request to allow for the construction of an accessory structure (pool/spa glass enclosure). We note from our site inspection of this property that the topography of this site is such that there is a significant grade which slopes to the rear and the accessory structure will not have an impact on the existing grading pattern.









Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

The Building Department is currently processing a Building Permit under file BP 9ALT 21-5979. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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

Comments Prepared by: Brandon Eidner, Zoning Examiner

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

N/A

## **Appendix 4 – Heritage**

N/A

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

We have no comments or objections.



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A280.21 A281.21  
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 920 Fourth Street & 922 Forth Street, zoned RM1-26 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance on the severed lands of B63/21 to allow the construction of a semi-detached dwelling proposing:

1. A setback measured to a railway right of way of 10.95m (approx. 35.93ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured to a railway right of way of 30.00m (approx. 98.43ft) in this instance;
2. A building height measured to a flat roof of 8.71m (approx. 28.58ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to a flat roof of 7.50m (approx. 24.60ft) in this instance; and
3. A building height measured to the underside of the eaves of 8.39m (approx. 27.53ft) whereas By-law 0225-2007, as amended, permits a maximum building height measure to the underside of the eaves of 6.40m (approx. 20.99ft) in this instance.

The applicant requests the Committee to approve a minor variance on the retained lands of B63/21 to allow the construction of a semi-detached dwelling proposing:

1. A setback measured to a railway right of way of 10.95m (approx. 35.93ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured to a railway right of way of 30.00m (approx. 98.43ft) in this instance;
2. A building height measured to a flat roof of 8.71m (approx. 28.58ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to a flat roof of 7.50m (approx. 24.60ft) in this instance; and
3. A building height measured to the underside of the eaves of 8.39m (approx. 27.53ft) whereas By-law 0225-2007, as amended, permits a maximum building height measure to the underside of the eaves of 6.40m (approx. 20.99ft) in this instance.

The Committee has set **Thursday July 22, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

You can get more information on this matter by emailing [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) or calling 905-615-3200 x2408. You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>. Hearings will be streamed online for the public to view at the following link: <http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>.

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

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

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

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

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

**To participate by telephone:** To register, please call 905-615-3200 x2408 no later than 4:30pm the Tuesday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.

#### **Legal notice:**

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

Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual (including being posted on the internet) upon request in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x2408.



# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-07-13	File(s): A280.21 A281.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-22 1:00 PM

## Consolidated Recommendation

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

## Application Details

The applicant requests the Committee to approve a minor variance on the severed lands of B63/21 to allow the construction of a semi-detached dwelling proposing:

1. A setback measured to a railway right of way of 10.95m (approx. 35.93ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured to a railway right of way of 30.00m (approx. 98.43ft) in this instance;
2. A building height measured to a flat roof of 8.71m (approx. 28.58ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to a flat roof of 7.50m (approx. 24.60ft) in this instance; and
3. A building height measured to the underside of the eaves of 8.39m (approx. 27.53ft) whereas By-law 0225-2007, as amended, permits a maximum building height measure to the underside of the eaves of 6.40m (approx. 20.99ft) in this instance.

The applicant requests the Committee to approve a minor variance on the retained lands of B63/21 to allow the construction of a semi-detached dwelling proposing:

1. A setback measured to a railway right of way of 10.95m (approx. 35.93ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured to a railway right of way of 30.00m (approx. 98.43ft) in this instance;
2. A building height measured to a flat roof of 8.71m (approx. 28.58ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to a flat roof of 7.50m (approx. 24.60ft) in this instance; and
3. A building height measured to the underside of the eaves of 8.39m (approx. 27.53ft) whereas By-law 0225-2007, as amended, permits a maximum building height measure to the underside of the eaves of 6.40m (approx. 20.99ft) in this instance.

City Department and Agency Comments	File:A280.21 A281.21	2021/07/13	2
-------------------------------------	-------------------------	------------	---

---

## Amendments

The application above was mislabelled and should include application no. B63.20.

## Background

**Property Address:** 920 Fourth Street & 922 Fourth Street

### Mississauga Official Plan

Character Area: Lakeview Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

**Zoning:** RM1-26 - Residential

**Other Applications:** BP 21-6272, B63/20, A386 & 387/20

### Site and Area Context

The subject properties are located within the Lakeview Neighbourhood Character Area, southeast of Cawthra Road and Lakeshore Road East. The neighbourhood is entirely residential, consisting of one storey and newer two storey detached and semi dwellings with mature vegetation and landscape elements in the front and rear yards. The subject properties were created through a consent application, creating two new parcels for the purpose of developing semi-detached dwellings.

The applicant is proposing two new, two storey semi-detached dwellings, requiring variances related to building height and railway setbacks.





City Department and Agency Comments	File:A280.21 A281.21	2021/07/13	4
-------------------------------------	-------------------------	------------	---

---

## Conclusion

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

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling are being addressed through the Severance Application process File B-63/20 and also Building Permit File BP 9NEW-21/6272.

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 BP 9NEW 21-6272. 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 04/06/2021 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

N/A

### Appendix 4 – Heritage

N/A

### Appendix 5 – Region of Peel Comments

We have no comments or objections.





## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A282.21  
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 11-1235 Queensway East, zoned E2-131 - Employment, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to allow a medical office proposing 386 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 429 parking spaces in this instance.

The Committee has set **Thursday July 22, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

You can get more information on this matter by emailing [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) or calling 905-615-3200 x2408. You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>. Hearings will be streamed online for the public to view at the following link: <http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>.

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

### How to submit a written comment:

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

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

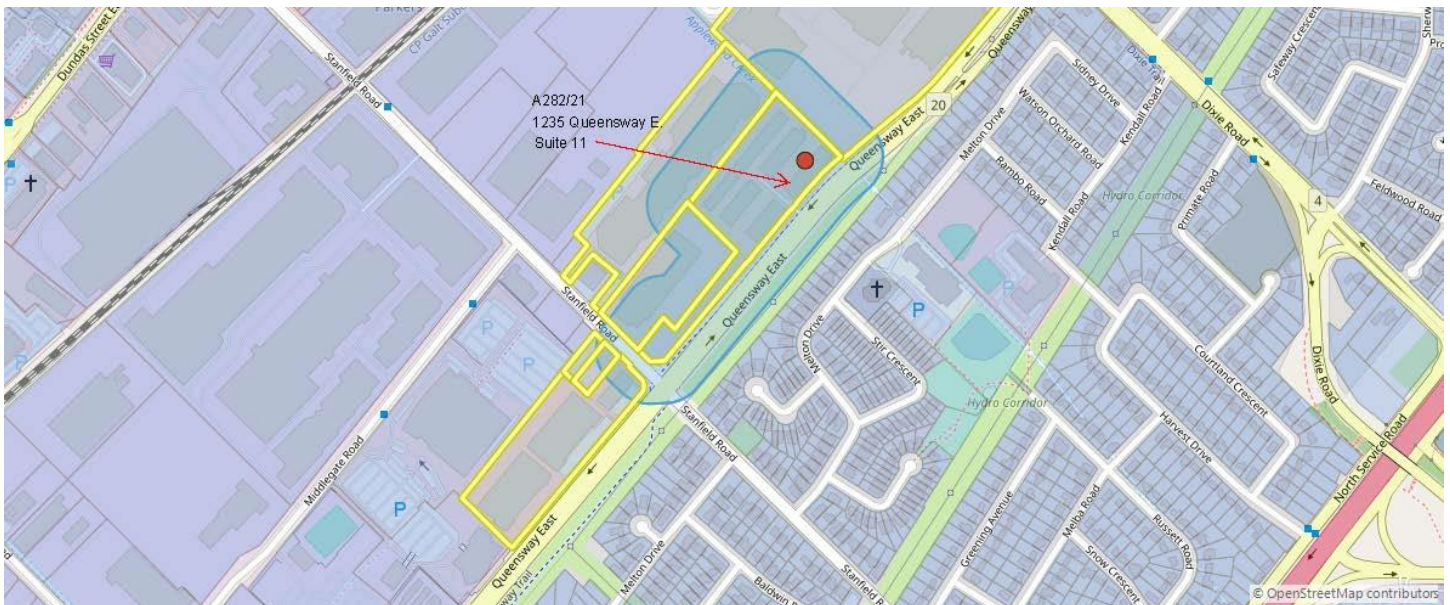
**To participate electronically (computer, tablet or smartphone):** Please email [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided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

**To participate by telephone:** To register, please call 905-615-3200 x2408 no later than 4:30pm the Tuesday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.

### Legal notice:

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

Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual (including being posted on the internet) upon request in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x2408.



# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-07-13	File(s): A282.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-22 1:00 PM

## Consolidated Recommendation

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

## Application Details

The applicant requests the Committee to allow a medical office proposing 386 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 429 parking spaces in this instance.

### Amendments

Based on the Parking Allocation Report obtained from Zoning, dated June 29, 2021, City Planning Strategies staff recommend that the requested parking variance be amended:

- proposing a total of 386 parking spaces onsite whereas By-law 0225-2007, as amended, requires a minimum of 432 parking spaces for all uses onsite in this instance

## Background

**Property Address:** 11-1235 Queensway East

### Mississauga Official Plan

Character Area: Dixie Employment Area  
Designation: Business Employment

### Zoning By-law 0225-2007

**Zoning:** E2-131 - Employment



**Other Applications: C21-5231 and BP 3ALT 21-5281****Site and Area Context**

The subject property is located within the Dixie Employment Character Area, west of Queensway East and Dixie Road. The surrounding area north of Queensway East comprises of a mix of commercial, employment and industrial type uses while the subject property contains a similar mix of commercial and employment uses. The area south of Queensway East consists of detached residential dwellings.

The applicant is proposing a dental office on-site, requiring a variance for a parking reduction.

**Comments****Planning**

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

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



The subject property is designated Business Employment in Schedule 10 of the Mississauga Official Plan (MOP) which permits secondary office uses - meaning business and professional and administrative offices having an area less than 10,000 m<sup>2</sup> or accommodating less than 500 jobs. In this instance, the subject application would be considered secondary office and is permitted in the official plan.

The applicant is requesting to allow a medical office proposing a total of 386 parking spaces onsite whereas By-law 0225-2007, as amended, requires a minimum of 429 (for the whole site) parking spaces in this instance. This is a reduction of 43 spaces which equates to a 10% deficiency. The City Planning Strategies (CPS) Division has reviewed the application and their comment is as follows.

The applicant submitted a Letter of Justification, dated April 6, 2021, in support of the submitted application. The Letter, dated April 6, 2021, explains the business model and operations of Developing Hands Pediatric Therapy, parking demand, compatibility of uses and other factors. The Letter explains the subject property does not have a parking issue and the spaces onsite are sufficient.

The subject property has 6 buildings and a total of 91 units. Originally, Building C, D and F were approved by the City for warehouse facility use with a parking rate of 1.1 spaces per 100 m<sup>2</sup> of GFA. Building A, B and F were approved for office use with a parking rate of 3.2 spaces per 100 m<sup>2</sup> of GFA. All the buildings share a total of 386 parking spaces onsite. Currently, only 48 of the 91 units are open and operating, which equates to a 52% occupancy. The site has a mix of uses, including warehousing, office, medical office, restaurant, commercial school and recreational establishment. The proposed medical office in Unit 11 is 156 m<sup>2</sup> in size and located on the ground floor of Building B, which was approved at the office parking rate. Based on Zoning's Parking Allocation Report (PAR), the medical office is calculated at a rate of 6.5 spaces per 100 m<sup>2</sup> GFA and requires 10 parking spaces.

The Letter further explains the business functions of the medical office and states that they have a low parking demand. The medical office does not require administrative staff because the clinic is accessed via key-fob system and practitioners book their own appointments. The practitioners work part time and scheduling is by appointment only. The medical office projects their parking demand will be lower than the Zoning by-law requirement. The applicant also evaluated the business hours of 25 occupied units which are mostly open Monday to Friday between 8:00am to 5:00pm. About half of these units are open on Saturdays and most of them are closed on Sundays. The peak times for the proposed medical office are anticipated to be weekday evenings between 3:30pm - 5:00pm and weekends. Overall, there appear to be varying hours of peak parking utilization, with closures on weekends and weekday evenings after 5:00pm.

The Letter provides onsite parking survey data from March 25<sup>th</sup> through 31<sup>st</sup>, 2021 and April 5, 2021, however this data is limited and inconclusive. The Letter acknowledges the current pandemic circumstances and that the parking survey may not represent typical conditions. CPS Staff are concerned that the survey data may not be an accurate reflection of the parking demand onsite due to the current pandemic circumstances, however, overall, the information submitted in the Letter is satisfactory to CPS Staff, as the variance represents a 10% reduction that staff can support.

Previously, staff commented on application 'A' 392/20 at 1235 Queensway East, which was also a proposed medical office use in Unit 15. At the time of the application, the required parking variance was to provide 386 spaces onsite whereas 410 spaces were required for all uses. Now, through this application ('A' 282/21) the parking requirement is 429 spaces for all uses, which indicates that the parking deficiency is increasing, especially considering that about half of the 91 units are not occupied yet. CPS and Planning Staff are concerned about the growing parking deficiency on the entire subject property. It is evident to staff that as more uses with higher parking requirements move into the units, the parking deficiency will be exacerbated and contribute to future parking issues onsite.

Moving forward, once the parking deficiency surpasses the 10% threshold, applicants will be required to submit a satisfactory Parking Utilization Study (PUS) to justify a parking variance. Upon review of the PUS survey data and results, CPS staff may consider implementing tools to manage parking demand, such as capping the gross floor area of certain uses with high parking requirements (including medical office); consider a blended rate for the subject property and other measures.

Staff reviewed the subject property comprehensively and strongly recommend that prospective unit holders are made aware of the parking deficiency onsite and that the applicant may be required to undertake a PUS to justify a parking reduction in the future.

CPS Staff contacted Zoning regarding the uses and parking requirements. Based on the Parking Allocation Report obtained from Zoning, dated June 29, 2021, CPS staff recommend that the requested parking variance be amended:

- proposing a total of 386 parking spaces onsite whereas By-law 0225-2007, as amended, requires a minimum of 432 parking spaces for all uses onsite in this instance

Based on the submitted information, CPS staff can support the amended parking variance proposing a total of 386 parking spaces onsite whereas By-law 0225-2007, as amended, requires a minimum of 432 parking spaces for all uses onsite in this instance.

Planning Staff echo CPS' comments and are of the opinion that the general intent and purpose of the zoning by-law is maintained. The proposed parking reduction is required as a new tenant is proposing a dental office in a unit. With the addition of this use, the subject property will remain self-sufficient and the proposed parking reduction will not pose a negative impact on the surrounding area from a parking perspective. As such, the proposed application represents orderly development of the land and is minor in nature.

## Conclusion

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

Comments Prepared by: Connor DiPietro, 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' 282/21.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a Zoning Certificate application under file 21-5231. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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

Comments Prepared by: Marco Palermo

### Appendix 3 – Parks, Forestry & Environment

N/A

### Appendix 4 – Heritage

N/A

### Appendix 5 – Region of Peel Comments

We have no comments or objections.



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A283.21  
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 20-1235 Queensway East, zoned E2-131 - Employment, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to allow a medical office proposing 386 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 429 parking spaces in this instance.

The Committee has set **Thursday July 22, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

You can get more information on this matter by emailing [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) or calling 905-615-3200 x2408. You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>. Hearings will be streamed online for the public to view at the following link: <http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>.

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

### How to submit a written comment:

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

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

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

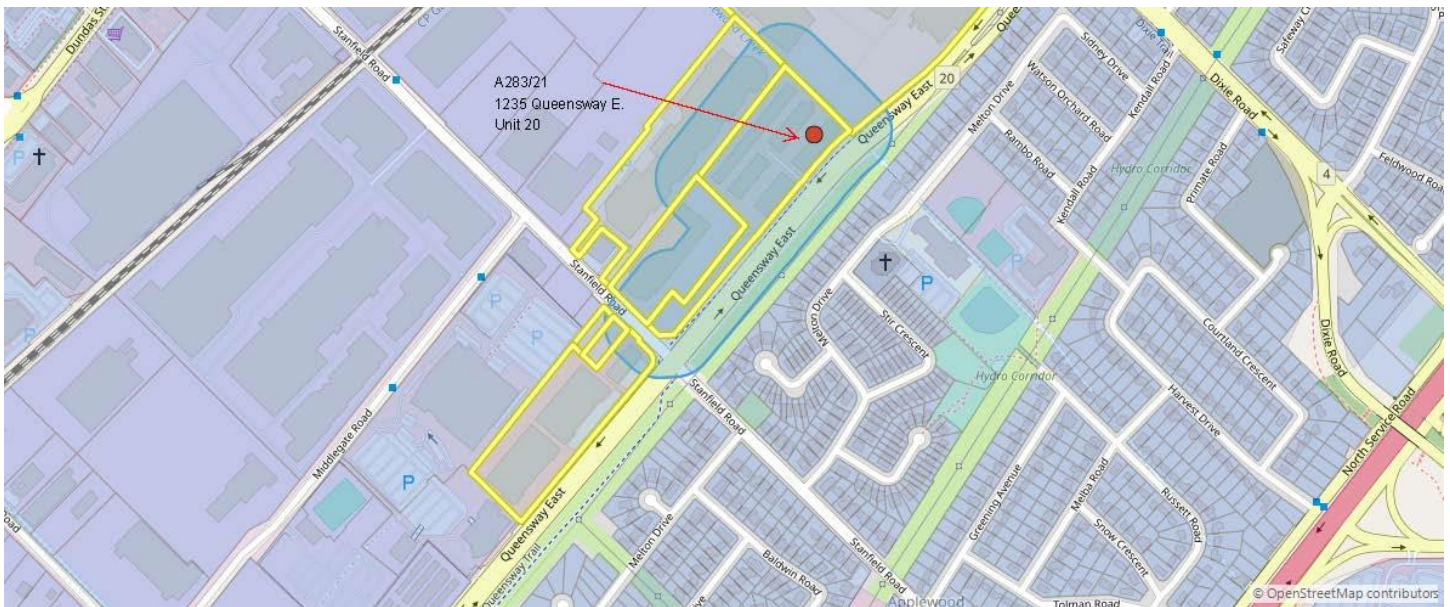
**To participate by telephone:** To register, please call 905-615-3200 x2408 no later than 4:30pm the Tuesday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.



## Legal notice:

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

Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual (including being posted on the internet) upon request in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x2408.



# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-07-13	File(s): A283.21 Ward:1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-22 1:00 PM

## Consolidated Recommendation

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

## Application Details

The applicant requests the Committee to allow a medical office proposing 386 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 429 parking spaces in this instance.

### Amendments

Based on the Parking Allocation Report obtained from Zoning, dated June 29, 2021, City Planning Strategies staff recommend that the requested parking variance be amended:

- proposing a total of 386 parking spaces onsite whereas By-law 0225-2007, as amended, requires a minimum of 432 parking spaces for all uses onsite in this instance

## Background

**Property Address:** 20-1235 Queensway East

### Mississauga Official Plan

Character Area: Dixie Employment Area  
Designation: Business Employment

### Zoning By-law 0225-2007

**Zoning:** E2-131 - Employment

## Other Applications: None

## Site and Area Context

The subject property is located within the Dixie Employment Character Area, west of Queensway East and Dixie Road. The surrounding area north of Queensway East comprises a mix of commercial, employment and industrial type uses, while the subject property contains a similar mix of commercial and employment uses. The area south of Queensway East consists of detached residential dwellings.

The applicant is proposing a dental office on-site, requiring a variance for a parking reduction.



## 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*.

City Department and Agency Comments	File:A283.21	2021/07/13	3
-------------------------------------	--------------	------------	---

---

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

The subject property is designated Business Employment in Schedule 10 of the Mississauga Official Plan (MOP), which permits secondary office uses – meaning businesses and professional and administrative offices having an area less than 10,000 m<sup>2</sup> or accommodating less than 500 jobs. In this instance, the subject application would be considered a secondary office and is permitted in the official plan.

The applicant is requesting to allow a medical office proposing a total of 386 parking spaces onsite whereas By-law 0225-2007, as amended, requires a minimum of 429 parking spaces (for the whole site) in this instance. This is a reduction of 43 spaces which equates to a 10% deficiency. The City Planning Strategies (CPS) Division has reviewed the application and their comment is as follows.

CPS Staff evaluated 'A' 282/21 and 'A' 283/21 comprehensively and it is important to highlight that the growing parking deficiency onsite is of concern. The deficiency will likely increase and be worsened through future minor variance applications seeking greater parking reductions.

The applicant submitted a Letter of Justification, dated March 17, 2021, in support of 'A' 283/21. The Letter, dated March 17, 2021, explains the business operations of the proposed physiotherapy use. The unit allows for a small business with one physiotherapist, one secretary and a maximum of two clients per hour. The Letter explains that the use has a low demand, with a maximum requirement of four parking spaces at any given time. A Physiotherapy clinic functions on an appointment basis which helps manage parking demand.

The subject property has 6 buildings and a total of 91 units. Originally, Building C, D and F were approved by the City for warehouse facility use with a parking rate of 1.1 spaces per 100 m<sup>2</sup> of GFA. Building A, B and F were approved for office use with a parking rate of 3.2 spaces per 100 m<sup>2</sup> of GFA. All the buildings share a total of 386 parking spaces onsite. Currently, only 48 of the 91 units are open and operating, which equates to a 52% occupancy. The site has a mix of uses, including warehousing, office, medical office, restaurant, commercial school and recreational establishment.

The proposed medical office in Unit 20 is 167 m<sup>2</sup> in size and located in Building B, which was approved at the office parking rate. Based on Zoning's Parking Allocation Report (PAR), the medical office is calculated at a rate of 6.5 spaces per 100 m<sup>2</sup> GFA and requires 11 parking spaces.

Overall, the submitted information is satisfactory as the variance represents a 10% reduction that staff can support.

Previously, staff commented on application 'A' 392/20 at 1235 Queensway East, which was also a proposed medical office use in Unit 15. At the time of the application, the required parking variance was to provide 386 spaces onsite whereas 410 spaces were required for all uses. Now, through this application ('A' 283/21) the parking requirement is 429 spaces for all uses, which indicates that the parking deficiency is increasing, especially considering that about half of the 91 units are not occupied yet.



CPS Staff are concerned about the growing parking deficiency on the entire subject property. It is evident to staff that as more uses with higher parking requirements move into the units, the parking deficiency will be exacerbated and contribute to future parking issues onsite.

Moving forward, once the parking deficiency surpasses the 10% threshold, the applicant will be required to submit a satisfactory Parking Utilization Study (PUS) to justify a parking variance. Upon review of the PUS survey data and results, CPS staff may consider implementing tools to manage parking demand, such as capping the gross floor area of certain uses with high parking requirements (including medical office); consider a blended rate for the subject property and other measures.

CPS Staff reviewed the subject property comprehensively and strongly recommend that prospective unit holders are made aware of the parking deficiency onsite and that the applicant may be required to undertake a PUS to justify a parking reduction in the future.

CPS Staff contacted Zoning regarding the uses and parking requirements. Based on the Parking Allocation Report obtained from Zoning, dated June 29, 2021, staff recommend that the requested parking variance be amended:

- proposing a total of 386 parking spaces onsite whereas By-law 0225-2007, as amended, requires a minimum of 432 parking spaces for all uses onsite in this instance

Based on the submitted information, CPS staff can support the amended parking variance proposing a total of 386 parking spaces onsite whereas By-law 0225-2007, as amended, requires a minimum of 432 parking spaces for all uses onsite in this instance.

Planning Staff echo CPS' comments and are of the opinion that the general intent and purpose of the zoning by-law is maintained. The proposed parking reduction is required as a new tenant is proposing a dental office in a unit. With the addition of this use, the subject property will remain self-sufficient and the proposed parking reduction will not pose a negative impact on the surrounding area from a parking perspective. As such, the proposed application represents orderly development of the land and is minor in nature.

## Conclusion

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

Comments Prepared by: Connor DiPietro, 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' 283/21.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a Zoning Certificate application under file 21-5023. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

**1. To provide 386 parking spaces on site whereas By-law 0225-2007, as amended, requires a minimum of 424 parking spaces 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: Marco Palerma

### Appendix 3 – Parks, Forestry & Environment

N/A

### Appendix 4 – Heritage

N/A

### Appendix 5 – Region of Peel Comments

We have no comments or objections.



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A284.21  
Ward: 9

### Why you received this letter:

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

### Details of the application and meeting information:

The property owner of 7247 Danton Promenade, zoned R4-49 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to allow a widened driveway on the subject property proposing a driveway width of 9.1m (approx. 29.86ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.0m (approx. 19.68ft) in this instance.

The Committee has set **Thursday July 22, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

You can get more information on this matter by emailing [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) or calling 905-615-3200 x2408. You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>. Hearings will be streamed online for the public to view at the following link: <http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>.

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

### How to submit a written comment:

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

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

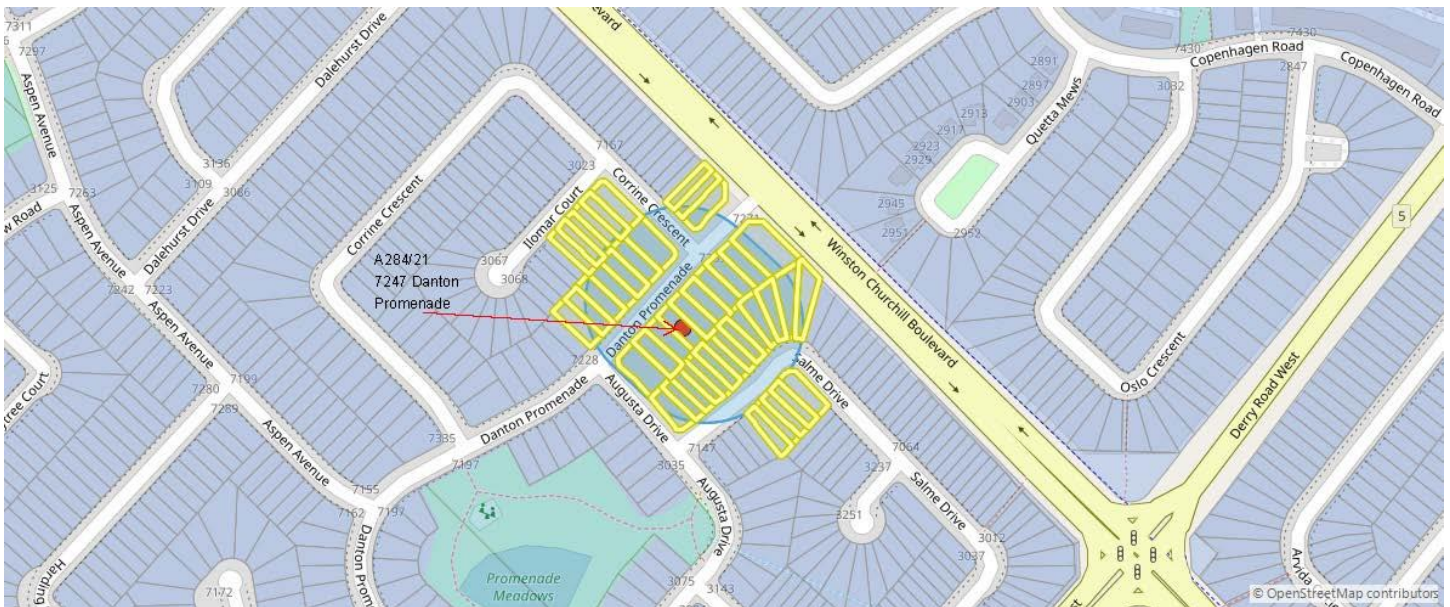
**To participate electronically (computer, tablet or smartphone):** Please email [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided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

**To participate by telephone:** To register, please call 905-615-3200 x2408 no later than 4:30pm the Tuesday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.

### Legal notice:

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

Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual (including being posted on the internet) upon request in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x2408.





# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-07-13	File(s): A284.21 Ward 9
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-22 1:00 PM

## Consolidated Recommendation

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

## Application Details

The applicant requests the Committee to allow a widened driveway on the subject property proposing a driveway width of 9.1m (approx. 29.86ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.0m (approx. 19.68ft) in this instance.

## Background

**Property Address:** 7247 Danton Promenade

### Mississauga Official Plan

Character Area: Meadowvale Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

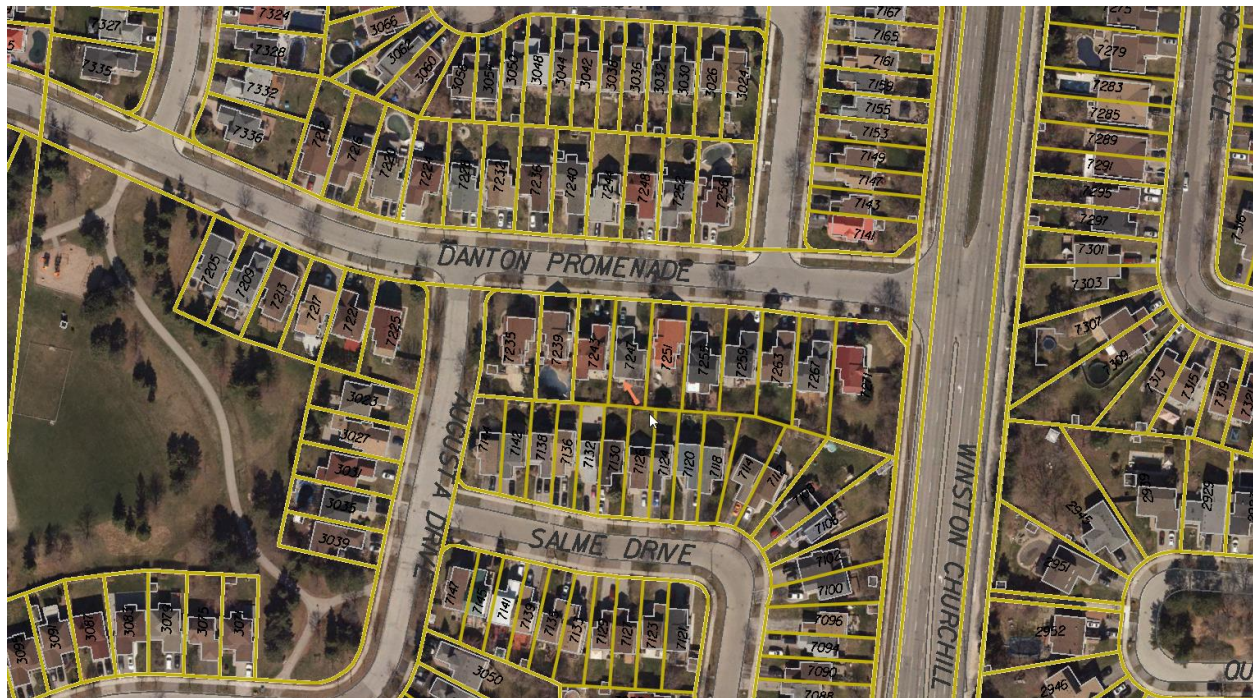
**Zoning:** R4-49 - Residential  
**Other Applications:** None

### Site and Area Context

The subject property is located north-west of the Derry Road West & Winston Churchill Boulevard intersection, in the Meadowvale Neighbourhood Character Area. The surrounding context is exclusively residential, with both detached and semi-detached built forms present.

The subject property contains a two storey detached dwelling with an attached two car garage. The lot has a frontage of +/- 12.5m directly onto Danton Promenade. This built form and lot frontage is typical for this block of Danton Promenade.

The applicant is looking to widen their existing driveway requiring a variance for driveway width.



## Comments

### Planning

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

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

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

The proposed variance is to permit a widened driveway on the subject property. The intent of the by-law, with regard to driveway widths, is to permit a driveway large enough to suitably accommodate two vehicles side by side, with the remainder of the front yard being soft landscaping. The driveway, as proposed, represents nearly 75% of the frontage of the property, creating a significant amount of hardscaping in the front yard, which dominates the perception of the property from the street. The subject property does not possess the frontage that would support a driveway of the proposed size while also providing a suitable soft landscape area. As a result, the variance as proposed does not meet the general intent and purpose of the by-law.

Recognizing the impact that the proposed driveway would have on the subject property regarding its excessive hard surfacing, the property would be out of character and not compatible with the rest of the neighbourhood. As a result of the broader impacts, the variances being sought are not considered to be minor in nature or desirable.

## Conclusion

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

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

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







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## Appendix 2 – Zoning Comments

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

Please note that upon a cursory review of the drawings, it appears that the minimum soft landscaped area at 39.90% does not comply, whereas a minimum of 40.00% is required.

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

Comments Prepared by: Brandon Eidner, Zoning Examiner

# City of Mississauga

Memorandum:

City Department and Agency Comments

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

N/A

## **Appendix 4 – Heritage**

N/A

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

We have no comments or objections.



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A285.21  
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 91 Eglinton Avenue East, zoned H-RA5-55 - Holding Residential, OS1 - Open Space, & RM6-13 - 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 25 storey residential building and townhouses proposing:

1. Construction not in accordance with Zoning By-law Schedule RA5-55, whereas By-law 0225-2007, as amended, requires construction in accordance with Zoning By-law Schedule RA5-55 in this instance;
2. An encroachment of porches and/or patios inclusive of stairs, outside of the buildable area, into a landscape buffer abutting a streetline of 2.5m (approx. 8.20ft), whereas By-law 0225-2007, as amended, does not permit any encroachment beyond the buildable area or obstruction to the landscape buffer area;
3. A maximum of projection of a balcony beyond a building face, outside of the buildable area 1.5m (approx. 4.92ft) whereas By-law 0225-2007, as amended, does not permit any projections outside of the buildable area in this instance;
4. A maximum projection of a canopy or awning located at the ground floor from the building face of 2.0m (approx. 6.56ft), whereas By-law 0225-2007, as amended, permits a maximum projection of a canopy or awning located at the ground floor from the building face of 0.61m (approx. 2.00ft) in this instance;
5. A contiguous amenity area of 25%, whereas the By-law 0225-2007, as amended, requires a minimum contiguous amenity area of 50% in this instance;
6. A landscape buffer abutting an Open Space Zone of 1.0m (approx. 3.28ft) whereas By-law 0225-2007 as amended, requires a 3.5m minimum landscape buffer abutting an Open Space zone of 3.5m (approx. 11.48ft) in this instance.

The Committee has set **Thursday July 22, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

You can get more information on this matter by emailing [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) or calling 905-615-3200 x2408. You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>. Hearings will be streamed online for the public to view at the following link: <http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>.

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



### How to submit a written comment:

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

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

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

**To participate by telephone:** To register, please call 905-615-3200 x2408 no later than 4:30pm the Tuesday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.

### Legal notice:

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

Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual (including being posted on the internet) upon request in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x2408.





# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-07-13	File(s): A285.21 Ward 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-22 1:00 PM

## Consolidated Recommendation

The City recommends that the application be deferred.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a 25 storey residential building and townhouses proposing:

1. Construction not in accordance with Zoning By-law Schedule RA5-55, whereas By-law 0225-2007, as amended, requires construction in accordance with Zoning By-law Schedule RA5-55 in this instance;
2. An encroachment of porches and/or patios inclusive of stairs, outside of the buildable area, into a landscape buffer abutting a streetline of 2.5m (approx. 8.20ft), whereas By-law 0225-2007, as amended, does not permit any encroachment beyond the buildable area or obstruction to the landscape buffer area;
3. A maximum of projection of a balcony beyond a building face, outside of the buildable area 1.5m (approx. 4.92ft) whereas By-law 0225-2007, as amended, does not permit any projections outside of the buildable area in this instance;
4. A maximum projection of a canopy or awning located at the ground floor from the building face of 2.0m (approx.6.56ft), whereas By-law 0225-2007, as amended, permits a maximum projection of a canopy or awning located at the ground floor from the building face of 0.61m (approx. 2.00ft) in this instance;
5. A contiguous amenity area of 35%, whereas the By-law 0225-2007, as amended, requires a minimum contiguous amenity area of 50% in this instance;
6. A landscape buffer abutting an Open Space Zone of 1.0m (approx. 3.28ft) whereas By-law 0225-2007 as amended, requires a 3.5m minimum landscape buffer abutting an Open Space zone of 3.5m (approx. 11.48ft) in this instance.

## Background

**Property Address:** 91 Eglinton Avenue East

City Department and Agency Comments	File:A285.21	2021/07/13	2
-------------------------------------	--------------	------------	---

---

## **Mississauga Official Plan**

Character Area: Uptown Major Node  
Designation: Residential High Density, Residential Low Density & Public Open Space

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

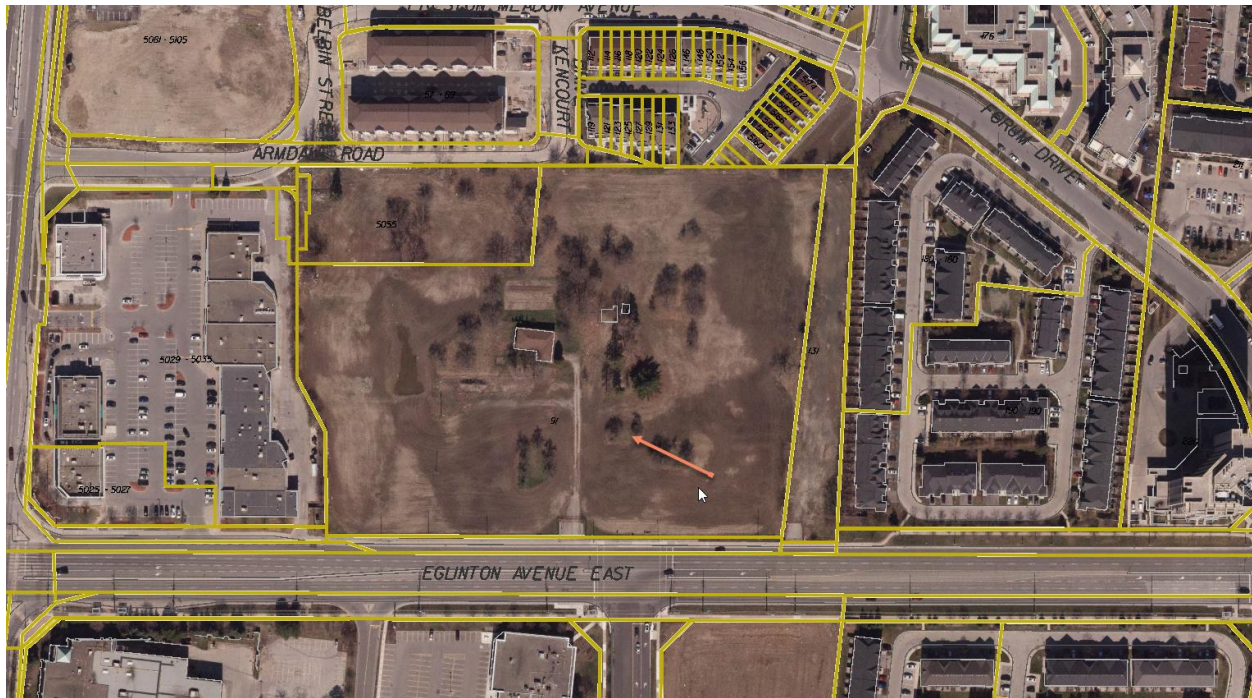
**Zoning:** H-RA5-55 - Holding Residential, OS1 - Open Space, & RM6-13 - Residential

**Other Applications:** SP 21-13, 21T-M 18-5 & OZ 18-16

## **Site and Area Context**

The submitted application is for a portion of the property that is currently under site plan review. The subject site is located north-east of the Hurontario Street and Eglinton Avenue intersection and has direct frontage onto Eglinton Avenue. There is little vegetation on the property, which is surrounded by townhome developments and commercial plazas. Condominium towers are also present in the surrounding context.

The applicant is proposing a condominium development with multiple forms of residential dwellings that require variances for a By-law schedule exception, encroachments, projections, amenity areas and landscape buffers.



## 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 Uptown Major Node Character Area and is designated Residential High Density, Residential Low Density, and Public Open Space. The portion of the site currently under application, being the southeastern most portion of the lot, is designated entirely Residential High Density. This designation permits apartment dwellings, accessory Residential Medium Density built forms and commercial uses at grade.

Based on the review of the application and its supporting documents staff have determined that there is insufficient information to evaluate the impacts of wind and shadow effects stemming from the proposed amendments on not only the abutting properties, but also the subject property itself. Additionally, staff have concerns that the wording of the variances do not accurately reflect the variances required, requiring the wording of the variances to be refined. Further review is required in this regard.

The proposal, as submitted, represents substantial changes to a recently approved (November 2020) Zoning By-law schedule. Additionally the draft plan of subdivision for the site has not been finalized or registered, and an H provision remains on the zoning for the site. Staff are also of the opinion that the Site Plan Approval process has not reached a satisfactory stage at this time to properly review and make a recommendation on the application. Staff recommend that the application be deferred in order to allow staff to continue to work with the applicant and refine the proposed application.

## Conclusion

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

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner



## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting that any Transportation and Works Department concerns/requirements for the proposed development are being addressed through Site Plan Application SP-21/13 as well as Rezoning Application OZ-18/16 for this development.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

### Appendix 2 – Zoning Comments

SP RECEIVED, MORE INFO

The Building Department is currently processing a site plan approval application under file SP 21-13. Based on review of the information currently available for this application, we advise that more information is required to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Our comments are based on the plans received by Zoning staff on 05/05/2021 for the above captioned site plan application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: A. McCormack

### Appendix 3 – Parks, Forestry & Environment

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

- Comments and conditions are under review through an active Plan of Subdivision Application (TM 18-05), Zoning Amendment Application (OZ 18-16) and Site Plan Application (SP 21-13). Given the subject lands are currently under review through the above noted development applications, Park Planning Staff recommend the application be deferred until these applications reach a satisfactory stage. Staff note that these requested variances are substantial and the proposal should continue to be refined with the applicant prior to granting variances.

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

Comments Prepared by: Jim Greenfield, Park Planner

**Appendix 4 – Heritage**

N/A

**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: A286.21  
Ward: 2

### Why you received this letter:

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

### Details of the application and meeting information:

The property owner of 501 Rattray Park Drive, zoned R1-2 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling proposing:

1. A front yard measured to a garage of 11.41m (approx. 37.43ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to a garage of 12.00m (approx. 39.37ft) in this instance;
2. A front yard measured to a porch of 10.03m (approx. 32.91ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to a porch of 10.40m (approx. 34.12ft) in this instance;
3. A front yard measured to a garage awning of 10.95m (approx. 35.93ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to a garage awning of 11.39m (approx. 37.37ft) in this instance;
4. A building height of 10.38m (approx. 33.90ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.50m (approx. 31.16ft) in this instance;
5. Play equipment height of 3.15m (approx. 10.33ft) whereas By-law 0225-2007, as amended, permits a maximum play equipment height of 3.00m (approx. 9.84ft) in this instance; and
6. Play equipment area of 7.32sq.m (approx. 78.79sq.ft) whereas By-law 0225-2007, as amended, permits a maximum play equipment area of 5.50m (approx. 59.20sq.ft) in this instance.

The Committee has set **Thursday July 22, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

You can get more information on this matter by emailing [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) or calling 905-615-3200 x2408. You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>. Hearings will be streamed online for the public to view at the following link: <http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>.

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

### How to submit a written comment:

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

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

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

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

**To participate by telephone:** To register, please call 905-615-3200 x2408 no later than 4:30pm the Tuesday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.

**Legal notice:**

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

Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual (including being posted on the internet) upon request in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x2408.





# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-07-13	File(s): A286.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-22 1:00 PM

## Consolidated Recommendation

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

## Application Details

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

1. A front yard measured to a garage of 11.41m (approx. 37.43ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to a garage of 12.00m (approx. 39.37ft) in this instance;
2. A front yard measured to a porch of 10.03m (approx. 32.91ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to a porch of 10.40m (approx. 34.12ft) in this instance;
3. A front yard measured to a garage awning of 10.95m (approx. 35.93ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to a garage awning of 11.39m (approx. 37.37ft) in this instance;
4. A building height of 10.38m (approx. 33.89ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.50m (approx. 31.16ft) in this instance;
5. Play equipment height of 3.15m (approx. 10.33ft) whereas By-law 0225-2007, as amended, permits a maximum play equipment height of 3.00m (approx. 9.84ft) in this instance; and
6. Play equipment area of 7.32sq.m (approx. 78.79sq.ft) whereas By-law 0225-2007, as amended, permits a maximum play equipment area of 5.50m (approx. 59.20sq.ft) in this instance.

## Amendments

The Building Department is currently processing a SP permit under file SPI 20-137. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows: The variance comment for insufficient front yard setback is required and added to comments:

7. A front yard measured from front lot line to the nearest part of the building of 11.41m (approx. 37.431ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to nearest part of the building of 12.00m (approx. 39.37ft) in this instance;

## Background

**Property Address:** 501 Rattray Park Drive

### Mississauga Official Plan

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

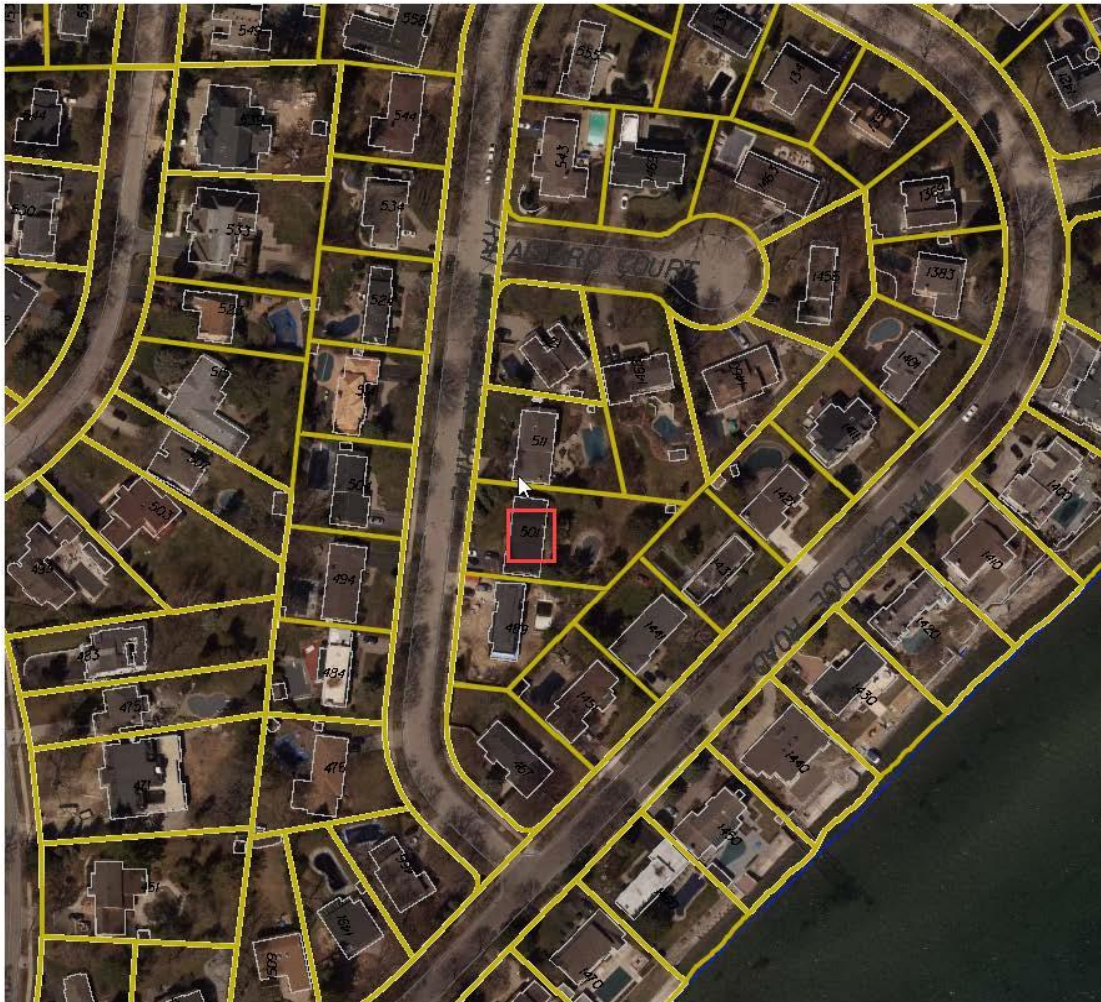
### Zoning By-law 0225-2007

**Zoning:** R1-2 - Residential

### Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southeast of the Southdown Road and Lakeshore Road West intersection. The neighbourhood consists of large lots with one and two storey detached dwellings and significant mature vegetation. The subject property contains an existing two storey dwelling with mature vegetation in the front and rear yard.

The applicant is proposing a new two storey dwelling, requiring variances related to front yard setback, height and play equipment.



## Comments

### Planning

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

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

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

The site is located within the Clarkson-Lorne Park Area, and is designated Residential Low Density I by the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached, semi-detached and duplex dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions; the surrounding context; and, the landscape of the character area. The proposed structure is permitted within this designation; Staff is of the opinion that the general intent and purpose of the MOP is maintained.

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

Variances #1, #2, #3 and #7 pertain to reduced front yard setbacks. The intent of a front yard setback is to ensure that a consistent character is maintained along the streetscape and that a sufficient front yard space is incorporated into the design of neighbourhoods. Staff have no concerns with the proposed front yard setbacks as they are a minor deviation from the zoning by-law requirements and are insignificant to the neighbouring properties. Furthermore, the applicant's proposed front yard is more aligned with the front yards for the properties directly abutting the subject property, than the existing detached dwelling is. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #4 proposes a building height of 10.38m where a maximum building height of 9.50m is permitted. The intent of restricting height to the highest ridge and eaves is to lessen the visual massing of dwelling while lowering the overall pitch of the roof and bringing the edge of the roof closer to the ground, thus keeping the dwelling within a human scale. The proposed dwelling proposes eave heights that are in keeping with the zoning by-law requirement and help lessen the visual impact of the overall height of the dwelling. Furthermore, the proposed dwelling contains architectural features that break up the overall massing of the dwelling in relation to the streetscape and neighbouring properties. As a result, the proposed dwelling would maintain compatibility with the surrounding area. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variances #5 and #6 propose a height and area of 3.15m and 7.32 m<sup>2</sup> for the proposed play equipment where a maximum play equipment height and area permitted is 3 m and 5.5m<sup>2</sup>. The intent of the zoning by-law provisions regarding play equipment structures is to ensure that the structures are proportional to the lot and dwelling and clearly accessory while not presenting



any massing concerns to neighbouring lots. The play equipment structure currently exists on the property and is of no concern to staff. The proposed height is a minor deviation from what is permitted in the zoning by-law and causes no overlook or privacy concerns. Furthermore, the applicant is seeking to move the structure more centrally into the backyard, which will lessen its impact and negate any massing concerns to neighbouring lots. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

The proposed variances maintain the context of the surrounding neighbourhood and do not pose any significant impact to the streetscape character. The dwelling's eave height is less than the permitted maximum, which lessens the impact of the increased building height. Architectural elements also breakup the dwelling's overall massing lessening the increased building height impact. Additionally, the proposed front yard setbacks are similar to properties in the immediate area and does not alter the streetscape character. The proposed play structure area and height are minor in nature and located centrally into the backyard to negate any privacy, massing and overlook concerns to neighbouring lots. As a result, the proposed dwelling maintains the existing and planned character of the neighbourhood. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

## Conclusion

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

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling are being addressed through the Site Plan Application process, File SPI-20/137.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a SP permit under file SPI 20-137. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

The variance comment for insufficient front yard setback is required and added to comments:

**8. A front yard measured from front lot line to the nearest part of the building of 11.41m (approx. 37.431ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to nearest part of the building of 12.00m (approx. 39.37ft) in this instance;**

The “**play equipment**” and the “**shed**” in rear yard NOT included in zoning review as the full architectural drawings and documents has not been provided by applicant based on latest zoning review on 2021-May-14<sup>th</sup>,

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

Comments Prepared by: Sherri Takaloo - Zoning Examiner

### Appendix 3 – Parks, Forestry & Environment

N/A

### Appendix 4 – Heritage

N/A

**Appendix 5 – Region of Peel Comments**

We have no comments or objections.



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A287.21  
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 1471 Stavebank Road, zoned R1-2 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling proposing:

1. A gross floor area – infill residential of 655.28sq.m (approx. 7053.38sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area – infill residential of 550.80sq.m (approx. 5928.76sq.ft) in this instance;
2. A lot coverage of 30.11% (543.18sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% (451.00sq.m) in this instance;
3. A side yard of 1.21m (approx. 3.97ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m (approx. 7.91ft) in this instance;
4. A combined width of side yards of 4.80m (approx. 15.75ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 10.22m (approx. 33.53ft) in this instance;
5. A building height measured to the eaves of 6.85m (approx. 22.47ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 20.99ft) in this instance;
6. A building height measured to the highest ridge of 10.16m (approx. 33.33ft) 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
7. A dwelling unit depth of 27.39m (approx. 89.86ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m (approx. 65.80ft) in this instance.

The Committee has set **Thursday July 22, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

You can get more information on this matter by emailing [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) or calling 905-615-3200 x2408. You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>. Hearings will be streamed online for the public to view at the following link: <http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>.

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



**How to submit a written comment:**

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

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

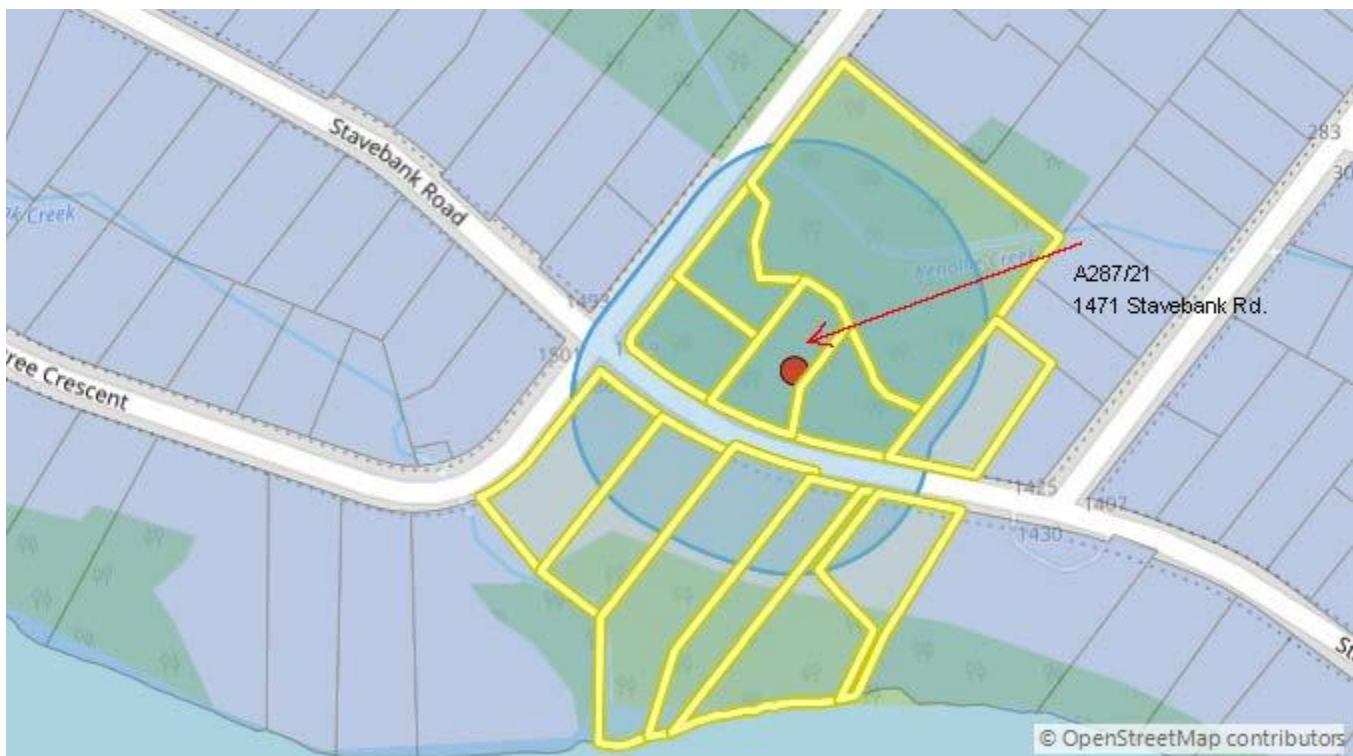
**To participate electronically (computer, tablet or smartphone):** Please email [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided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

**To participate by telephone:** To register, please call 905-615-3200 x2408 no later than 4:30pm the Tuesday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.

**Legal notice:**

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

Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual (including being posted on the internet) upon request in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x2408.



# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-07-13	File(s): A287.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-22 1:00 PM

## Consolidated Recommendation

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

## Application Details

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

1. A gross floor area – infill residential of 655.28sq.m (approx. 7053.38sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area – infill residential of 550.80sq.m (approx. 5928.76sq.ft) in this instance;
2. A lot coverage of 30.11% (543.18sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% (451.00sq.m) in this instance;
3. A side yard of 1.21m (approx. 3.97ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m (approx. 7.91ft) in this instance;
4. A combined width of side yards of 4.80m (approx. 15.75ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 10.22m (approx. 33.53ft) in this instance;
5. A building height measured to the eaves of 6.85m (approx. 22.47ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 20.99ft) in this instance;
6. A building height measured to the highest ridge of 10.16m (approx. 33.33ft) 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
7. A dwelling unit depth of 27.39m (approx. 89.86ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m (approx. 65.80ft) in this instance.

## Amendments

The Building Department is currently processing a building permit under file SPI 21-51. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

1. A gross floor area – infill residential of 641.15sq.m (approx. 6901.28sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area – infill residential of 550.80sq.m (approx. 5928.76sq.ft) in this instance;
2. A lot coverage of 28% (501.56sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% (451.00sq.m) in this instance;
3. A combined width of side yards of 5.14m (approx. 16.86ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 10.22m (approx. 33.53ft) in this instance;
4. A building height measured to the eaves of 6.85m (approx. 22.47ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 20.99ft) in this instance;
5. A building height measured to the highest ridge of 10.16m (approx. 33.33ft) 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 dwelling unit depth of 27.39m (approx. 89.86ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m (approx. 65.80ft) in this instance.
7. A total of two attached garages whereas By-law 0225-2007, as amended, permits a maximum of one attached garage per lot in this instance.
8. A walkway attachment width of 3.25m (approx. 10.66ft) whereas By-law 0225-2007, as amended, permits a maximum attachment width of 1.5m (approx. 4.92ft) in this instance.

## Background

**Property Address:** 1471 Stavebank Road

### Mississauga Official Plan

Character Area: Mineola Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

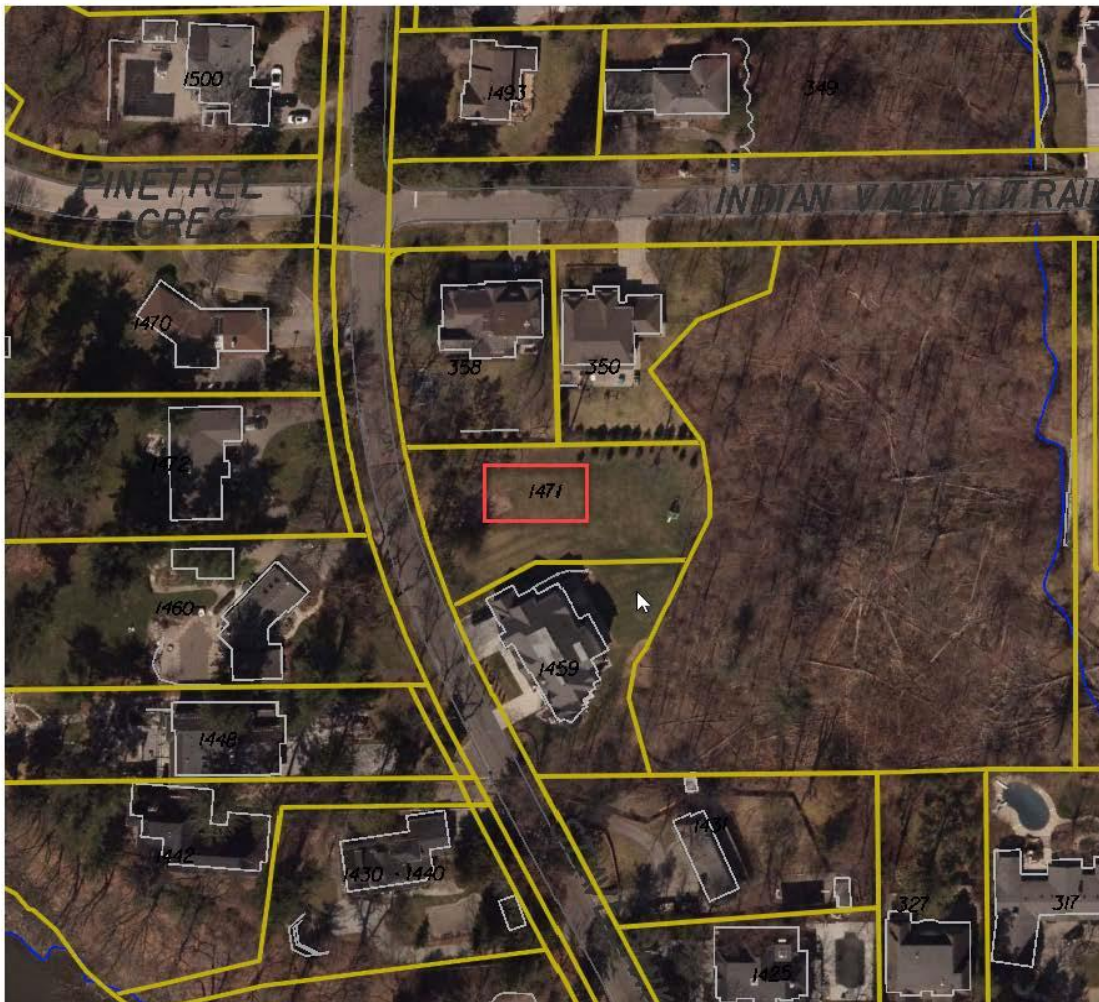
**Zoning:** R1-2 - Residential

**Other Applications:** SPI 21-51 W1

### Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southwest of Hurontario Street and Indian Valley Trail. The neighbourhood is entirely residential, consisting of one storey and two storey detached dwellings with mature vegetation and landscape elements in both the front and side yards. The subject property is vacant with mature vegetation lining the property's frontage and northerly side yard.

The applicant is proposing a new two storey dwelling, requiring variances related to gross floor area, lot coverage, combined width of side yards, building heights and dwelling unit depth.





## Comments

### Planning

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

Staff comments concerning the application are as follows:

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached and duplex dwellings. While larger dwellings are not out of character with the surrounding area, Staff are of the opinion that the gross floor area proposed is excessive and does not maintain compatibility between the existing dwellings on the street nor would it preserve the established character of the neighbourhood. Staff are also concerned that the proposed dwelling depth causes significant massing issues and will directly impact the neighbouring property to the south. Regarding the proposed walkway width attachment of 3.25m, staff have concluded that the increased walkway width is excessive, and is large enough to be utilized for parking purposes. As such, staff recommends that the application be deferred for redesign to reduce the gross floor area, dwelling depth and walkway attachment.

## Conclusion

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

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling are being addressed through the Site Plan Application process, File SPI-21/051.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file SPI 21-51. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

1. A gross floor area – infill residential of 641.15sq.m (approx. 6901.28sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area – infill residential of 550.80sq.m (approx. 5928.76sq.ft) in this instance;
2. A lot coverage of 28% (501.56sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% (451.00sq.m) in this instance;
3. A combined width of side yards of 5.14m (approx. 16.86ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 10.22m (approx. 33.53ft) in this instance;
4. A building height measured to the eaves of 6.85m (approx. 22.47ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 20.99ft) in this instance;
5. A building height measured to the highest ridge of 10.16m (approx. 33.33ft) 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 dwelling unit depth of 27.39m (approx. 89.86ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m (approx. 65.80ft) in this instance.
7. A total of two attached garages whereas By-law 0225-2007, as amended, permits a maximum of one attached garage per lot in this instance.
8. A walkway attachment width of 3.25m (approx. 10.66ft) whereas By-law 0225-2007, as amended, permits a maximum attachment width of 1.5m (approx. 4.92ft) 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

City Department and Agency Comments	File:A287.21	2021/07/13	7
-------------------------------------	--------------	------------	---

---

comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Alana Zheng, Zoning Examiner

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

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

1. The lands to the rear of the property are City owned lands, identified as P-510 (Not Yet Named) and within Residential Woodland, that are also classified as a naturally significant area within the City's Natural Heritage System. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:
  - a) ensuring that development in or adjacent to the Natural Heritage System protects and maintains the natural heritage features and their ecological functions through such means as tree preservation, appropriate location of building envelopes, grading, landscaping...;
  - b) placing those areas identified for protection, enhancement, restoration and expansion in public ownership, where feasible.

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

1. Tree preservation/ Woodland protection hoarding and securities may be required as part of the application process.
2. Stockpiling, construction access and encroachment of construction materials in the adjacent park/greenlands is not permitted.

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

Comments Prepared by: Jim Greenfield, Park Planner

### **Appendix 4 – Heritage**

N/A

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

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

---

Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca)

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

Please be advised that the subject property is located within an area the Regional Official Plan (ROP) designates as a Natural Areas and Corridors (NAC) Woodland of the Greenlands System in Peel, under Policy 2.3.2. The subject property is also located directly adjacent to the limits of the regulated area of the Credit Valley Conservation (CVC).

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



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A290.21  
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 2380 Haines Road, zoned E2-131 - Employment, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the existing waste processing/transfer facility within 800m (approx. 2624.67ft) of a Residential Zone whereas By-law 0225-2007, as amended, requires a minimum 800m separation distance of a waste processing/transfer facility to a Residential Zone in this instance.

The Committee has set **Thursday July 22, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

You can get more information on this matter by emailing [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) or calling 905-615-3200 x2408. You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>. Hearings will be streamed online for the public to view at the following link: <http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>.

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

### How to submit a written comment:

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

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

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



**To participate by telephone:** To register, please call 905-615-3200 x2408 no later than 4:30pm the Tuesday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.

**Legal notice:**

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

Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual (including being posted on the internet) upon request in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x2408.



# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-07-13	File(s): A290.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-22 1:00 PM

## Consolidated Recommendation

The City recommends that the application be deferred to allow the applicant an opportunity to attend a zoning compliance review with Staff.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the existing waste processing/transfer facility within 800m (approx. 2624.67ft) of a Residential Zone whereas By-law 0225-2007, as amended, requires a minimum 800m separation distance of a waste processing/transfer facility to a Residential Zone in this instance.

### Recommended Conditions and Terms

- Should Committee of Adjustment see merit in the application, staff recommend the following:
  - Waste materials may include non-anatomical biomedical waste in addition to the waste materials already permitted
  - There shall be no outside storage of any unprocessed or processed waste material on the subject property
  - A satisfactory updated Spill Response Plan must be submitted to the City

## Background

**Property Address:** 2380 Haines Road

### Mississauga Official Plan

**Character Area:** Dixie Employment Area

City Department and Agency Comments	File:A290.21	2021/07/13	2
-------------------------------------	--------------	------------	---

---

Designation: Business Employment

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

**Zoning: E2-131 - Employment**

### **Site and Area Context**

The subject property is located in the Dixie Employment Area, northeast of the Cawthra Road and Queensway East intersection. Immediately surrounding the property are other employment uses to the north, south, east and west. The broader area, identified to be north of the Queensway East, is largely dominated by employment uses. South of the Queenway East, there is a utility corridor followed by a residential neighbourhood, which is located approximately 250m from the subject property.

Currently the site is permitted to operate as a waste processing/transfer facility. Any new material to be processed at the facility would require a new variance for minimum separation distance 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 subject property is designated Business Employment and is located within the Dixie Employment Area in the City of Mississauga Official Plan (MOP), which permits a waste processing station, a waste transfer stations and composting facilities.

Planning Staff note that the Committee previously approved minor variance applications for a waste processing/transfer facility within 800 m of a residential zone on the subject property, under files A386/13 and A66/14, which were supported by Planning Staff. The Committee approved application A386/13 subject to the waste processing facility being limited to processing of wire and cable material. File no. A66/14 was submitted because the property was sold and the new owner's proposed waste processing activities didn't align with Committee's previous condition which limited the facility to only wire and cable processing and rendered the previous variance null and void.

The owner of the subject property is now proposing to expand the range of waste materials being processed at this facility to include non-anatomical biomedical waste in the existing buildings on the subject property. To process this new waste stream, a new technology will be integrated within the existing facility, which converts non-anatomical biomedical waste into "sterilized fluff" to be resold, recycled or landfilled at a ministry approved landfill site.

The new technology uses heat and friction to break down the materials and emits a small amount of clean condensation that is captured before going down the drain. Furthermore, the new technology will not generate any additional air emissions, odours, or noise.

With regards to the variance, the intent of the zoning by-law regulations regarding the separation of waste processing facilities from other sensitive land uses is to ensure that the operation of the use does not create any negative impacts on nearby sensitive areas such as noise or odour. According to the applicant's agent, the new technology will not generate any air emissions resulting in additional odours. Furthermore, given that additional employment uses and a major roadway is situated in-between the subject property and the residential zone; and recognizing that the operation is a permitted use within a business employment area, Planning Staff are satisfied that the intent of the zoning by-law is maintained in this instance.

It is important to note that previous Committee decisions prohibited outdoor storage of materials. During a site visit on the property, Staff noted the presence of nine waste bins on the property. This appears to be in contravention to the conditions imposed by the committee associated with the previous variances and may require further relief.



It is Staff's opinion that the proposed use of the property is consistent to the surrounding area and that the new proposed use of the property will not impact nearby residential areas. 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. While Planning Staff are not in a position to provide an interpretation of the Zoning By-law; Staff would note additional variances may be required to address the outdoor storage onsite.

## **Conclusion**

Based on the preceding information, the City recommends that the application be deferred to allow the applicant an opportunity to attend a zoning compliance review with Staff.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

We note for Committee's reference that the applicant for this Minor Variance is also currently in the process of making a proposal to the MECP for an Environmental Compliance Approval to add a biomedical, non-anatomical waste. These materials are intended for recycling once they are processed. This proposal is currently under review by the members of the internal technical review committee for comments and concerns to be provided to the MECP on the proposed additional process and waste type. One of the initial comments that the City has provided to the proponent, the MECP and the Region of Peel is the provision that an updated spill plan to reflect this change in operations be provided to Environmental Services. Other specific issues raised by the review team are also to be resolved so that final comments on the proposal can be provided to the MECP from the Commissioner of Transportation and Works.

Therefore, with regards to storm water quality and management, the Applicant is to update their existing Spill Response Plan to reflect the new process with the additional non-anatomical, bio-medical waste stream. The Applicant is to provide a copy of the updated plan to the City.

(Contact: Trevor Swift, Environmental Coordinator, Storm Sewers – Environmental Services 905-615-3200 ext. 8358).

We ask that the application be **deferred** until such time as the applicant has provided the required plan all required parties have had a chance to review and comment.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a Zoning Certificate application under file 19-9331. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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

Comments Prepared by: Marco Palermo

### Appendix 3 – Parks, Forestry & Environment

N/A

#### **Appendix 4 – Heritage**

N/A

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

We have no comments or objections.

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

N/A

#### **Appendix 7 – Trans Northern Pipeline Inc**

Thank you for providing Trans-Northern Pipeline Inc. (TNPI) with the Committee of Adjustments Agenda relating to a minor variance to allow the existing waste processing/transfer facility within 800m (approx. 2624.67ft) of a Residential Zone. TNPI currently operates a high-pressure petroleum products transmission pipeline within a 60 foot right of way on the property northeast and adjacent side to the proposed development relating to 2380 Haines Rd.

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

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

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

- **Prohibition — vehicles and mobile equipment**

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

- *(a) that operation is authorized or required by orders made under subsection (3) or (4) or regulations made under subsections (5) or (6) and done in accordance with them; or*

- **(b)** *the vehicle or equipment is operated within the travelled portion of a highway or public road.*

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

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

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



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A292.21  
Ward: 11

### Why you received this letter:

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

### Details of the application and meeting information:

The property owner of 6802 Loganberry Court, zoned R16-7 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an accessory structure proposing a lot coverage of 32.91% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance.

The Committee has set **Thursday July 22, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

You can get more information on this matter by emailing [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) or calling 905-615-3200 x2408. You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>. Hearings will be streamed online for the public to view at the following link: <http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>.

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

### How to submit a written comment:

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

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

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

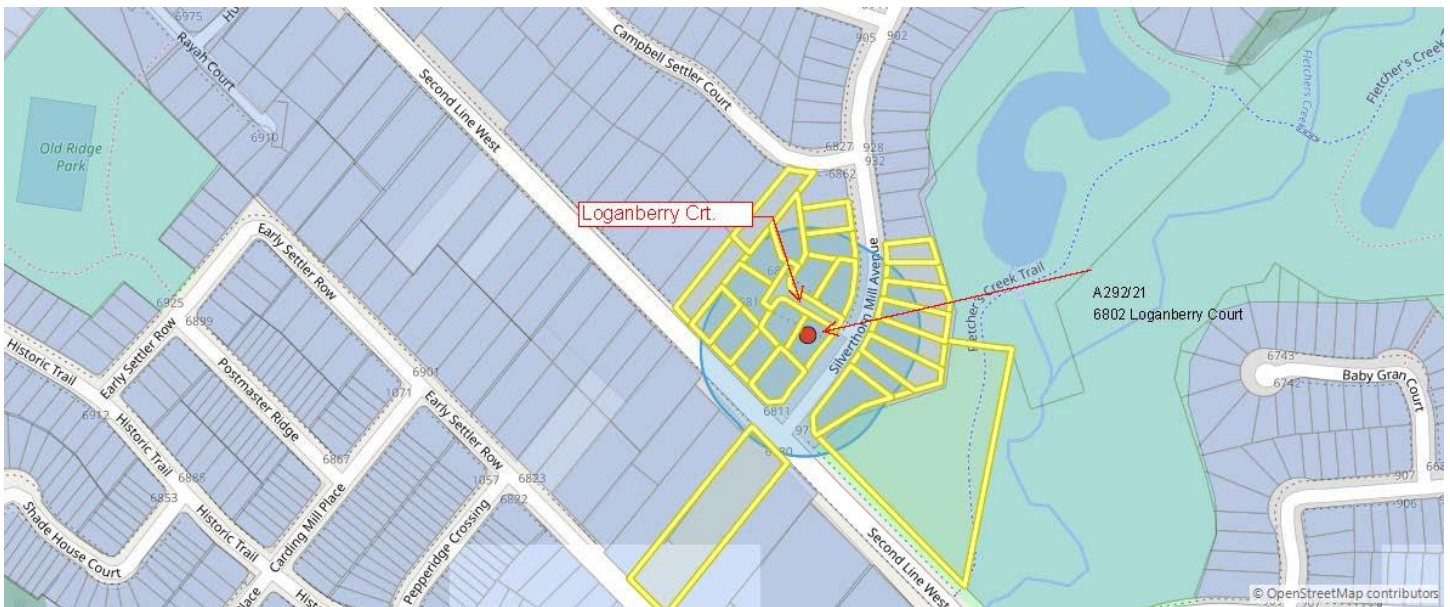
**To participate by telephone:** To register, please call 905-615-3200 x2408 no later than 4:30pm the Tuesday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.



### Legal notice:

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

Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual (including being posted on the internet) upon request in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x2408.



# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-07-13	File(s): A292.21 Ward 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-22 1:00 PM

## Consolidated Recommendation

The City has no objections to the application.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an accessory structure proposing a lot coverage of 32.91% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance.

### Amendments

"[Enter amendments to variances]"

### Recommended Conditions and Terms

"[Enter terms and conditions here]"

## Background

**Property Address:** 6802 Loganberry Court

### Mississauga Official Plan

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

### Zoning By-law 0225-2007

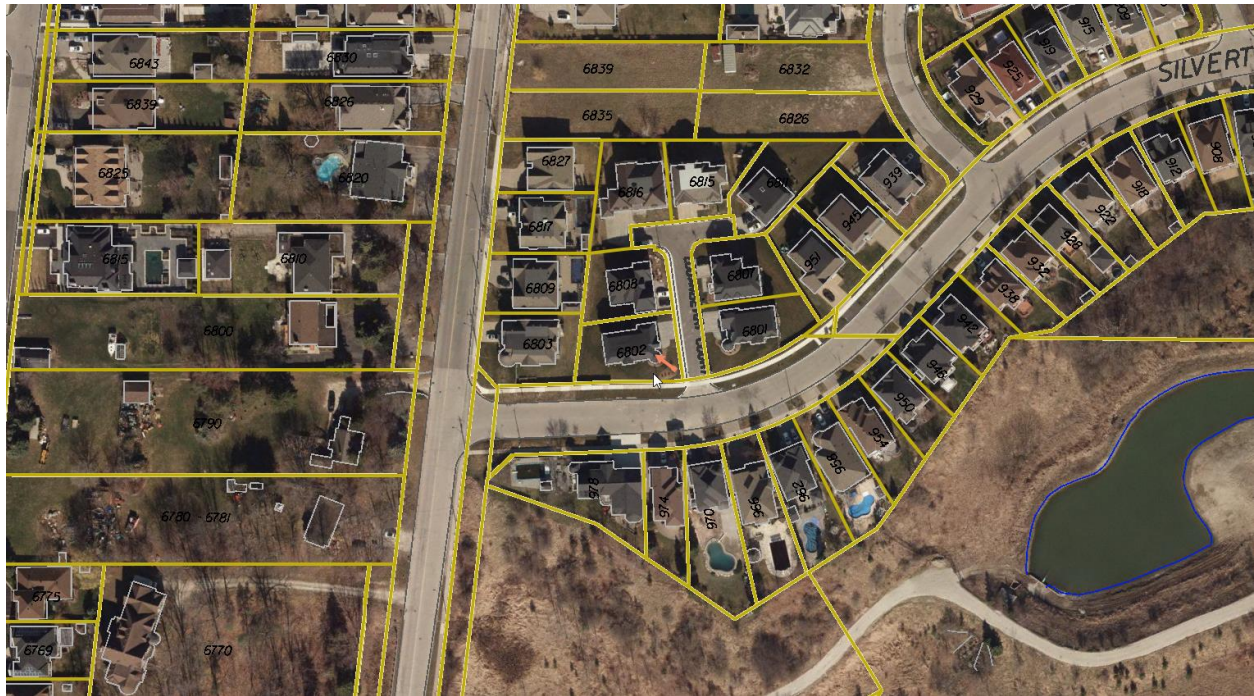
**Zoning:** R16-7 - Residential

**Other Applications:** BP 9NEW 21-5905

## Site and Area Context

The subject property is located east of Second Line West, between Old Derry Road and Highway 401. Currently the property contains a two storey detached dwelling accessed from a condominium road. The property is a corner lot with a lot area of +/- 753.6m<sup>2</sup> and no notable vegetation. The surrounding neighbourhood contains single detached dwellings exclusively, however lot sizes vary greatly.

The applicant is proposing an accessory structure in the rear yard requiring a variance for lot coverage.



## Comments

### Planning

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

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

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

Located in the Meadowvale Village Neighbourhood Character Area, the subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). The residential designations permits detached dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions, the surrounding context, and the landscape of the character area. While the proposed accessory structure is to be located in the rear yard of the property, it is important to recognize that the subject property is a corner lot resulting in the structure not being entirely removed from the public view. Upon review of the application, the structure does not appear to require additional variances for height, setbacks, or floor area. Given this, staff are of the opinion that the structure is appropriately sized and does not pose any significant impact to the abutting properties. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

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

The intent of the variance requested is to permit an increase in the maximum permitted lot coverage for the subject property. The intent of the lot coverage provision in the Zoning By-law is to ensure that the lot is not overdeveloped to the detriment of the streetscape and neighbouring properties. The proposed structure is located away from the main dwelling, thereby breaking up the overall massing on the subject property. Furthermore it has been clarified through a discussion with the applicant that the proposed structure is to be open with no walls on any side, reducing any potential impact the accessory structure could have on the overall massing on the subject property. Staff are of the opinion that the general intent and purpose of the by-law is maintained in this instance.

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

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

## **Conclusion**

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

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner



## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference are photos depicting the area where the accessory structure is being proposed. We also note that there is an existing catch basin in close proximity to the proposed structure which will accommodate any drainage from this property.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

The Building Department is currently processing a Building Permit under file BP 9NEW 21-5905. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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

Comments Prepared by: Brandon Eidner, Zoning Examiner

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

N/A

## **Appendix 4 – Heritage**

N/A

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

We have no comments or objections.



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A341.21, A342.21, A343.21 & A344.21  
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 owners of 7140 Hurontario Street, 7230 Hurontario Street, 0 Vicksburgh Drive, & 0 Derrycree Drive, zoned G1 - Greenlands, U-1 - Utility, O2 - Open Space, & O2-2 - Open Space, 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 lights festival proposing:

1. Outdoor, seasonal, festival of lights in that will operate yearly on a temporary basis until July 31, 2026. The festival of lights will operate during the evening hours and allow patrons to walk or drive through the festival event and will include accessory thereto, retail sales, restaurant and take-out restaurant; food preparation areas; food trucks; banking machine; maintenance and administration buildings and offices; indoor and outdoor displays with or without lights, live events, entertainment activities, portable restrooms, outside storage, temporary tents and/or stages, parking/security attendant booth and associated parking whereas Zoning By-law 0225-2007, as amended, does not permit this in this instance;
2. Temporary tents, buildings and structures, cargo containers and other equipment and appurtenances ancillary to the proposed festival of lights on the subject properties, and that those section of the by-law related to parking spaces, parking areas, aisle requirements, temporary tents, structures and other appurtenances, setbacks to property and zone lines, provincial highway and lands zoned greenbelt, outdoor storage requirements, floor space index, landscape including landscape buffers and streetwall requirements be varied whereas the applicable provisions of By-law 0225-2007, as amended would apply in this instance; and
3. A structure identified as a signature tree to have a maximum height of 47m and all other buildings/structures to have a maximum height of 20m whereas By-law 0225-2007, as amended does not permit this in this instance.

The Committee has set **Thursday July 22, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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



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

### How to submit a written comment:

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

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

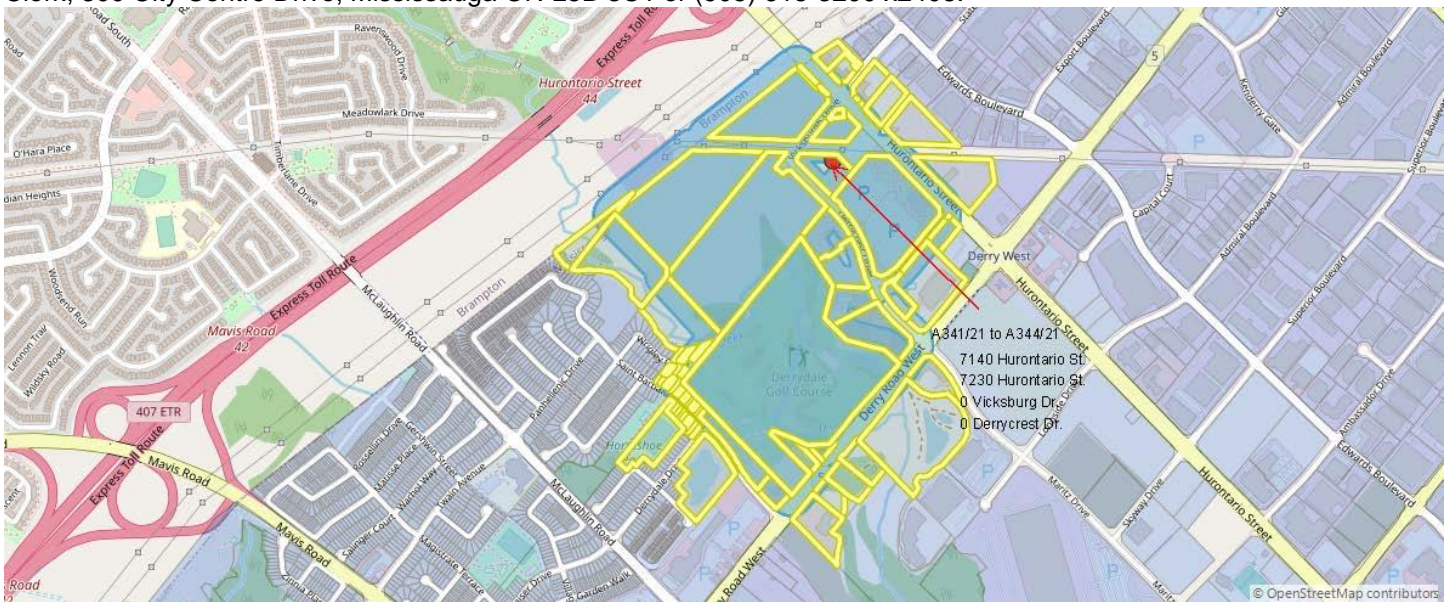
**To participate electronically (computer, tablet or smartphone):** Please email [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided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

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

### Legal notice:

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

Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual (including being posted on the internet) upon request in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x2408.



# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-07-13	File(s): A341-A344.21 Ward 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-22 1:00 PM

## Consolidated Recommendation

The City recommends that the application be refused.

## Application Details

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

1. Outdoor, seasonal, festival of lights in general conformity with that will operate yearly on a temporary basis until July 31, 2026. The festival of lights will operate during the evening hours and allow patrons to walk or drive through the festival event and will include accessory thereto, retail sales, restaurant and take-out restaurant; food preparation areas; food trucks; banking machine; maintenance and administration buildings and offices; indoor and outdoor displays with or without lights, live events, entertainment activities, portable restrooms, outside storage, temporary tents and/or stages, parking/security attendant booth and associated parking whereas Zoning By-law 0225-2007, as amended, does not permit this in this instance;
2. Temporary tents, buildings and structures, cargo containers and other equipment and appurtenances ancillary to the proposed festival of lights on the subject properties, and that those section of the by-law related to parking spaces, parking areas, aisle requirements, temporary tents, structures and other appurtenances, setbacks to property and zone lines, provincial highway and lands zoned greenbelt, outdoor storage requirements, floor space index, landscape including landscape buffers and streetwall requirements be varied whereas the applicable provisions of By-law 0225-2007, as amended would apply in this instance; and
3. A structure identified as a signature tree to have a maximum height of 47m and all other buildings/structures to have a maximum height of 20m whereas By-law 0225-2007, as amended does not permit this in this instance.

## Amendments



"[Enter amendments to variances]"

### **Recommended Conditions and Terms**

- Development shall be in accordance with an approved Site Plan;
- Approval of a Zoning Certificate of Occupancy shall be required;
- The approval be for a period of 5 years; and
- Approval or clearance from the GTAA and NAV Canada shall be provided to the City.

## **Background**

**Property Address:** 7140 Hurontario Street, 7230 Hurontario Street, 0 Vicksburgh Drive, & 0 Derrycrest Drive

### **Mississauga Official Plan**

Character Area: Gateway Employment Area, Gateway Corporate Centre  
Designation: Business Employment, Office, Greenlands

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

**Zoning:** G1 - Greenlands, U-1 - Utility, O2 - Open Space, & O2-2 - Open Space, D - Development

**Other Applications:** PREAPP 21-7179

### **Site and Area Context**

The subject properties are located north-west of the Hurontario Street and Derry Road West intersection near the Brampton border. The properties are significant in size, stretching from Hurontario Street to Fletcher's Creek, and are in both the Gateway Employment Area and Gateway Corporate Centre. The properties are currently vacant and are bordered by office uses to the east and south, Highway 407 to the north, and residential uses to the west across Fletcher's Creek.

The applicant is proposing a festival of lights and requires variances for the use, structures, parking and height.



## Comments

### Planning

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

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

The subject properties are designated Business Employment, Office and Greenlands in Schedule 10 of the Mississauga Official Plan (MOP) and are split between the Gateway Employment Area and Gateway Corporate Centre. Under these designations a variety of employment, office, and educational uses are permitted. The proposed use is located predominantly on lands designated Business Employment within the Gateway Employment Area, and the proposed use is not included under the list of permitted uses in Section 11.2.11.1. As such the proposal does not meet the general intent and purpose of the official plan.

The properties are split zoned between Development, Greenlands, Utility and Office zones. The proposal is predominantly on lands zoned Development, which permits only the existing uses on the subject property on the date of the passing of the by-law. The intent of this zone is to allow a comprehensive review of the future use of the property through the rezoning process. City staff are currently in the process of bringing forward a report that is scheduled for Planning Committee in September that recommends changes to D zone regulations and policies in the MOP that will enable temporary uses such as this on D zone properties. As these changes are

not yet in force, however, staff are of the opinion that the application does not meet the general intent and purpose of the by-law at this time.

While staff are of the position that the proposal does not meet the 4 tests as set out in the Planning Act, should the Committee see merit in the application, the Planning and Building Department recommends that the following conditions be imposed:

- Development shall be in accordance with an approved Site Plan;
- Approval of a Zoning Certificate of Occupancy shall be required;
- The approval be for a period of 5 years; and
- Approval or clearance from the GTAA and NAV Canada shall be provided to the City.

## Conclusion

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

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting that any Transportation and Works Department conditions/requirements for the proposed interim development of the subject property will be addressed through any future Site Plan Application and/or Building Permit Application.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

### Appendix 2 – Zoning Comments

N/A

### Appendix 3 – Parks, Forestry & Environment

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

- The subject lands have areas identified as Significant Natural Area as part of the Natural Areas System Classification and adjacent to City owned lands (P-492 – Not Yet Named). Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:
  - a) ensuring that development in or adjacent to the Natural Heritage System protects and maintains the natural heritage features and their ecological functions through such means as tree preservation,..., grading, landscaping...;

Given the subject lands has significant existing vegetation and is within the Significant Natural Area classification, Park Planning and Forestry requires the submission of a satisfactory Environmental Impact Statement (EIS) is submitted for review and approval. Park Planning provides the following conditions:

1. Submit for review and approval, an Environmental Impact Statement (EIS) that details the proposed uses, setbacks, appropriate buffers and grading from environmentally sensitive Greenlands to the satisfaction of the Community Services Department, Region of Peel and Credit Valley Conservation Authority. Please contact City Staff to discuss the Terms or Reference.
2. A site visit shall be organized by the applicant to stake the top-of-bank, floodline, long term stable slope, and natural feature to establish limits of gratuitous dedication to the satisfaction of the pertinent Conservation Authority and the City. A Qualified Land Surveyor (OLS) must be present, in addition to staff from the Community Services Department, Transportation and Works Department, and the Credit Valley Conservation Authority

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

1. Greenlands and tree preservation hoarding including securities may be required as part of the site plan control process.
2. Stockpiling, construction access and encroachment of construction materials in the adjacent park/greenlands is not permitted.
3. A satisfactory Grading Plan, Site Servicing Plan, Drainage Plan and Tree Preservation/Inventory Plan will also be required and reviewed as part of the site plan control process.

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

Comments Prepared by: Jim Greenfield, Park Planner

#### **Appendix 4 – Heritage**

N/A

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

We have no comments or objections.

#### **Appendix 6 – Credit Valley Conservation Comments**

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

Comments prepared by: Maricris Marinas, Senior Planner





## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A402.20  
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 2212 Shardawn Mews, zoned R1-8 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an addition and accessory structure on the subject property proposing:

1. A carport in a front yard whereas By-law 0225-2007, as amended, does not permit a carport in a front yard in this instance;
2. 1 garage and 1 carport whereas By-law 0225-2007, as amended, permits a maximum of 1 garage in this instance;
3. A front yard measured to a carport of 2.40m (approx. 7.87ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 12.00m (approx. 39.37ft) in this instance;
4. A rectangular area measured from the inside face of walls for a carport of 2.75m x 5.20m (approx. 9.02ft x 17.06ft) whereas By-law 0225-2007, as amended, requires a minimum rectangular area of 2.75m x 6.00m (approx. 9.02ft x 19.69ft) in this instance; and
5. A garage area of 109.38sq.m (approx. 1,177.36sq.ft) whereas By-law 0225-2007, as amended, permits a maximum garage area of 75.00sq.m (approx. 807.29sq.ft) in this instance.

The Committee has set **Thursday July 22, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

You can get more information on this matter by emailing [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) or calling 905-615-3200 x2408. You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>. Hearings will be streamed online for the public to view at the following link: <http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>.

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

### How to submit a written comment:

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

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

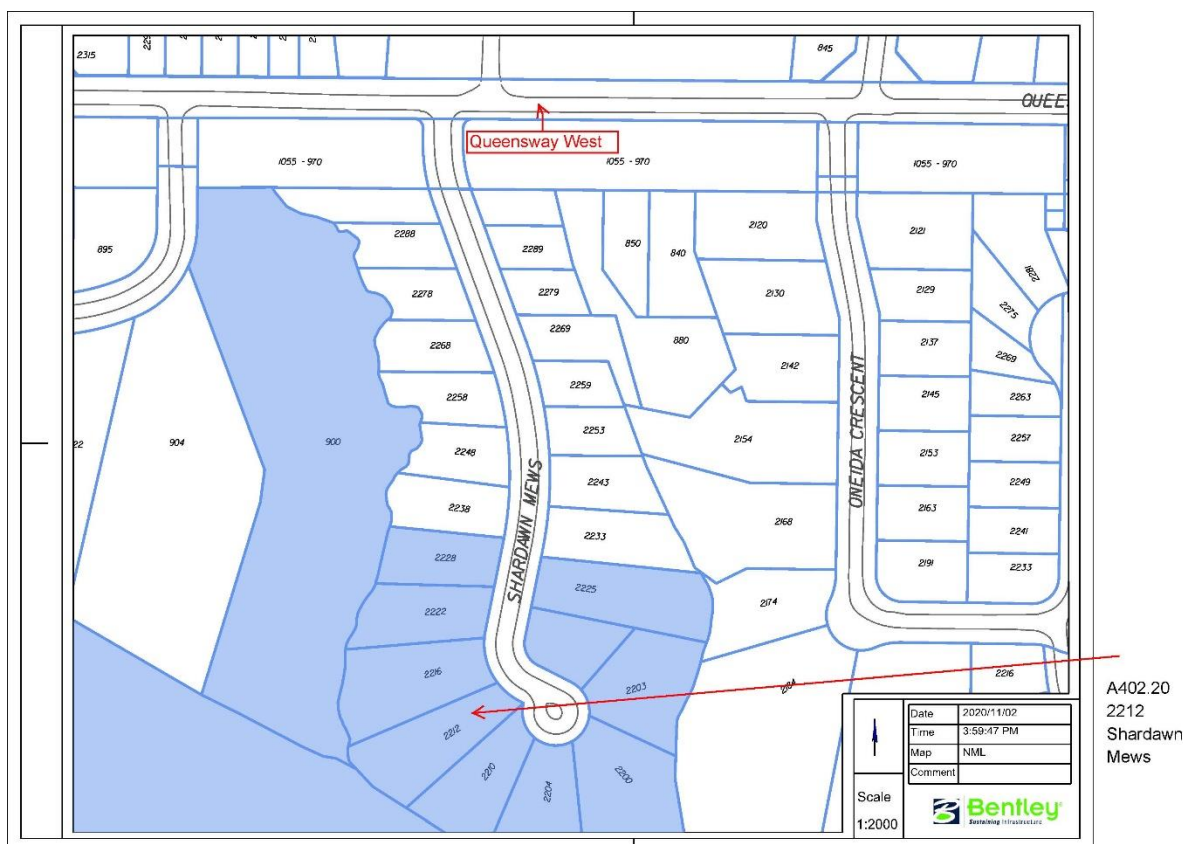
**To participate electronically (computer, tablet or smartphone):** Please email [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided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

**To participate by telephone:** To register, please call 905-615-3200 x2408 no later than 4:30pm the Tuesday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.

## Legal notice:

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

Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual (including being posted on the internet) upon request in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x2408.



# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-07-13	File(s): A402.20 Ward 7
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-22 1:00 PM

## Consolidated Recommendation

The City has no objections to variance #5, however, recommend that the remaining variances be refused.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an addition and accessory structure on the subject property proposing:

1. A carport in a front yard whereas By-law 0225-2007, as amended, does not permit a carport in a front yard in this instance;
2. 1 garage and 1 carport whereas By-law 0225-2007, as amended, permits a maximum of 1 garage in this instance;
3. A front yard measured to a carport of 2.40m (approx. 7.87ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 12.00m (approx. 39.37ft) in this instance;
4. A rectangular area measured from the inside face of walls for a carport of 2.75m x 5.20m (approx. 9.02ft x 17.06ft) whereas By-law 0225-2007, as amended, requires a minimum rectangular area of 2.75m x 6.00m (approx. 9.02ft x 19.69ft) in this instance; and
5. A garage area of 109.38sq.m (approx. 1,177.36sq.ft) whereas By-law 0225-2007, as amended, permits a maximum garage area of 75.00sq.m (approx. 807.29sq.ft) in this instance.

## Amendments

The Building Department is currently processing a SPI permit under file SPI 20-79. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

The variance comment #5 would be deleted,

City Department and Agency Comments	File:A402.20	2021/07/13	2
-------------------------------------	--------------	------------	---

---

- 5 A garage area of 109.38sq.m (approx. 1,177.36sq.ft) whereas By-law 0225-2007, as amended, permits a maximum garage area of 75.00sq.m (approx. 807.29sq.ft) in this instance.

A new variance comment would be added as below;

5. A side yard measured to a second unit above a garage of 1.77m (approx. 5.81ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.80m (approx. 5.91ft) in this instance;

## Background

**Property Address:** 2212 Shardawn Mews

### Mississauga Official Plan

Character Area: Erindale Neighbourhood  
Designation: Greenlands, Residential Low Density I

### Zoning By-law 0225-2007

**Zoning:** R1-8 - Residential

### Other Applications:

Site Plan Application: 20-79

### Site and Area Context

The subject property is located within the Erindale Neighbourhood Character Area, southwest of Mavis Road and Queensway West. The neighbourhood is entirely residential, consisting of one and two storey detached dwellings with significant mature vegetation. Abutting the subject property to the rear is the Mississauga Golf and Country Club and the Credit River. The subject property contains an existing two storey dwelling with an attached garage in the front yard with mature vegetation.

The applicant is proposing a carport in the front yard, requiring variances related to the carport and the existing garage.





## Comments

### Planning

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

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

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



The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached and duplex dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions, the surrounding context, and the landscape of the character area. The subject property is also located within Special Site 2 of the Erindale Neighbourhood Character Area. As per the policies of Special Site 2 (Section 16.9.2.2.2) of the MOP, specifically paragraphs 'a' and 'd', require the existing front yard setbacks be preserved and enhanced and garages be recessed or located behind the main face of the house. While the garage on site is an existing condition, the proposed new carport would be an additional structure in the front yard, closer to the street than any other structure in the immediate vicinity. Furthermore, the carport would be the only detached accessory structure in a front yard within the surrounding context. As such, staff are of the opinion that variances #1 & #3 do not maintain the general intent and purpose of the Official Plan.

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

Variances #1 & #3 relate to the carport's proposed location in the front yard. The intent of front yard setback provisions in the by-law are to ensure a consistent character is maintained along the streetscape and that a sufficient front yard space is incorporated into the design of each property in the neighbourhood. The proposed location of the carport represents a deviation from the established front yard character of the surrounding area. As staff does not support the location of the proposed carport, the remaining variances relating to the carport cannot be supported. Staff is therefore of the opinion that variances #1-4 do not maintain the general intent and purpose of the Zoning By-law.

Variance #5 represents an existing condition that is a minor deviation from the zoning by-law and will not have any additional undue impact from what is currently permitted. Furthermore, the setback is measured to a single pinch point near the front of the existing garage, with the majority of the structure complying with the required setback. As such, the proposed variance is appropriate to be handled through the minor variance process and raises no concerns of a planning nature.

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

The proposal is out of context with the existing character of the surrounding neighbourhood which would result in a negative impact to the established streetscape character. While visual buffering exists in the form of vegetation at this time, staff have concerns regarding potential future changes in landscaping, as well as the efficacy of the screening during winter months. As such, staff is of the opinion that variances #1-4 do not represent orderly development of the lands and are not minor in nature.

## **Conclusion**

The Planning and Building Department has no objections to variance #5, however, recommend that the remaining variances be refused.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed addition and accessory structure are being addressed through the Site Plan Application process, File SP 20-79.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a SPI permit under file SPI 20-79. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

The variance comment #5 would be **deleted**,

- 5 A garage area of 109.38sq.m (approx. 1,177.36sq.ft) whereas By-law 0225-2007, as amended, permits a maximum garage area of 75.00sq.m (approx. 807.29sq.ft) in this instance.

A new variance comment would be **added** as below;

5. A side yard measured to a second unit above a garage of 1.77m (approx. 5.81ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.80m (approx. 5.91ft) 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: Sherri Takaloo – Zoning Examiner

### Appendix 3 – Parks, Forestry & Environment

N/A

### Appendix 4 – Heritage

N/A

---

## Appendix 5 – Region of Peel Comments

Please be advised that a portion of the subject property is located within an area the Regional Official Plan (ROP) designates as a Core Area - Woodland and a Core Area - Valley Corridor of the Greenlands System in Peel, under Policy 2.3.2. The subject property is also located within the limits of the regulated area of the Credit Valley Conservation (CVC). Within the above-mentioned designations, ROP policies seek to protect environmental resources.

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

## Appendix 6- Conservation Authority Comments

Based on the review of the information, CVC staff have **no concerns** with the requested variance. CVC staff have reviewed and provided clearance on a Site Plan application (SP 20/079) for the proposed development. As such, CVC staff have **no objection** to the approval of this minor variance by the Committee at this time.

Comments Prepared by: Elizabeth Paudel, Junior Planner



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A73.21  
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 5599 Cortina Crescent, zoned R5-18 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant request the Committee to approve a minor variance to allow the construction of an addition proposing a rear yard of 4.76m (approx. 15.62ft) whereas By-law 2005-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.61ft) in this instance.

The Committee has set **Thursday July 22, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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

### How to submit a written comment:

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

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

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

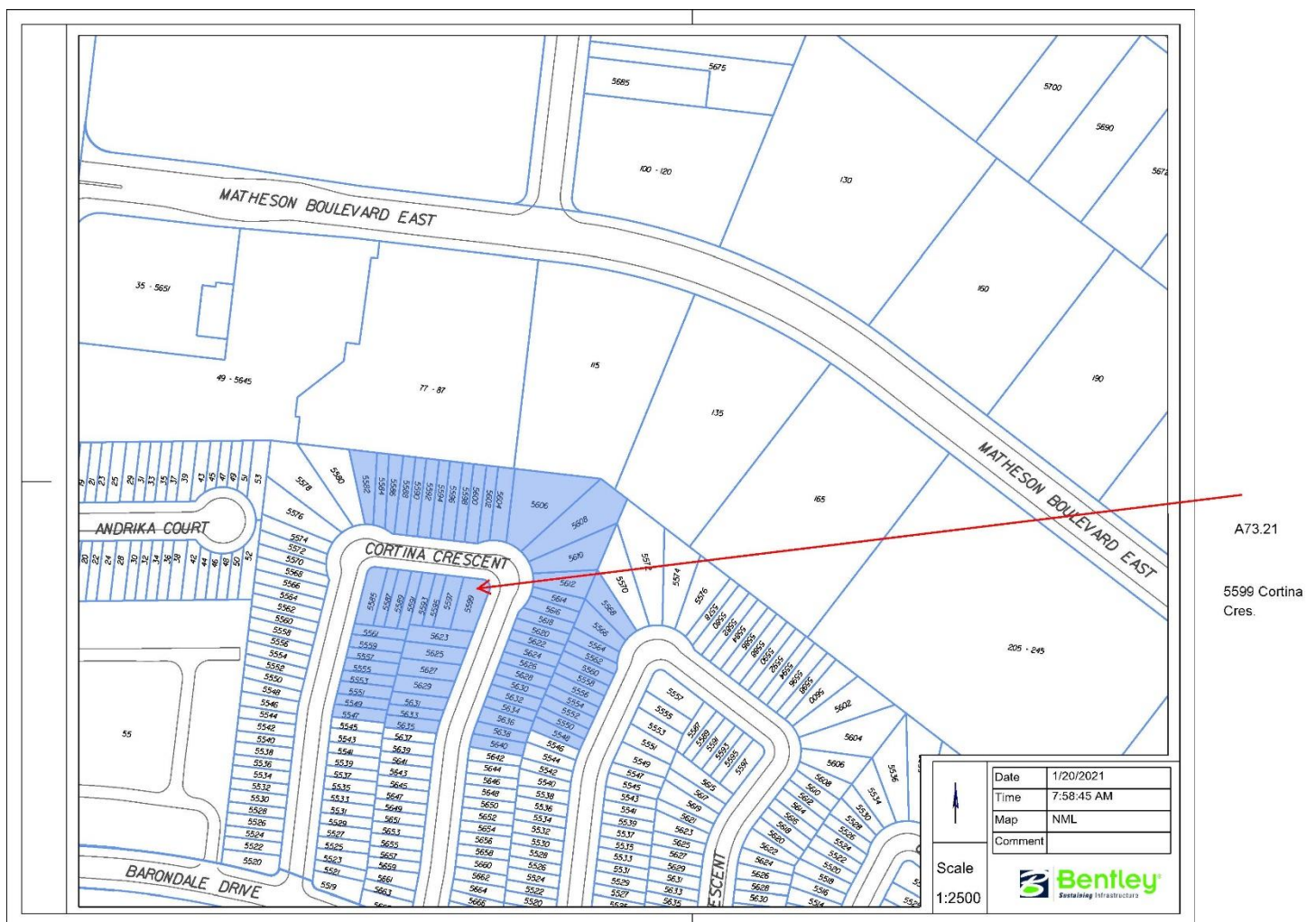
**To participate by telephone:** To register, please call 905-615-3200 x5209 no later than 4:30pm the Tuesday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.



## Legal notice:

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

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



# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-07-13	File(s): A73.21 Ward 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-22 1:00 PM

## Consolidated Recommendation

The City has no objections to the application.

## Application Details

The applicant request the Committee to approve a minor variance to allow the construction of an addition proposing a rear yard of 4.76m (approx. 15.62ft) whereas By-law 2005-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.61ft) in this instance.

## Recommended Conditions and Terms

The addition should be equipped with an eavetrough with the downpipes located such that drainage is directed towards Cortina Crescent and not the abutting properties.

## Background

**Property Address:** 5599 Cortina Crescent

### Mississauga Official Plan

Character Area: Hurontario Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

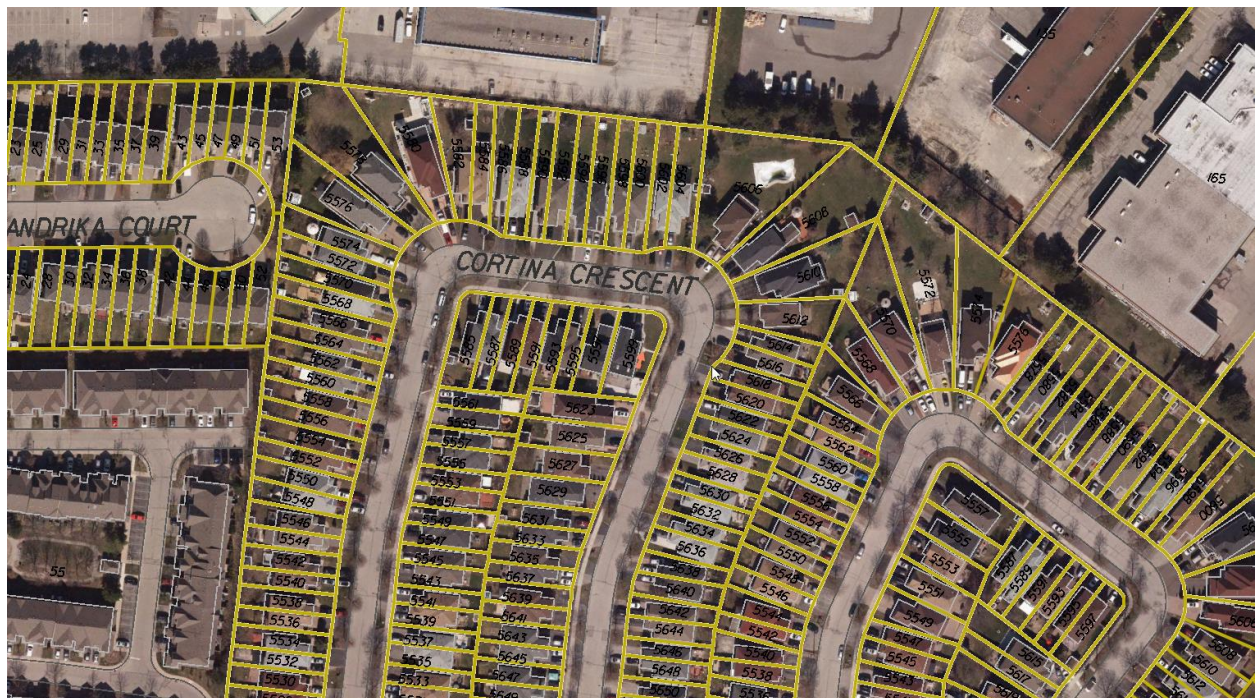
**Zoning:** R5-18 - Residential

**Other Applications:** PREAPP 20-426

## Site and Area Context

The subject property is located north-east of the Hurontario St. and Barondale Dr. intersection. The property is an interior parcel, with a lot area of +/- 455.45m<sup>2</sup> and a lot frontage of +/- 16.73m. Currently the property houses a two-storey, detached dwelling with minimal vegetation and landscape elements in both the front and rear yards. Contextually, the area is comprised exclusively of residential detached and semi-detached dwellings. The properties within the immediate area possess lot frontages of +/- 7.0m, with minimal vegetative / natural landscaped elements within the front yards.

The applicant is proposing an addition requiring a rear yard setback variance.



## Comments

### Planning

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

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

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

The site is situated within the Hurontario Neighbourhood Character Area, and designated Residential Low Density II by the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, duplex and triplex dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions, the surrounding context, and the landscape of the character area. The proposed addition is located in the rear of the property and away from the exterior side lot line, separated from the public view.

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

The intent of the rear yard setback is to ensure that both an adequate buffer exists between the massing of primary structures on adjoining properties, as well as create an appropriate amenity area within the rear yard. The proposed addition faces the driveway of the property to the rear and maintains an appropriate buffer between the massing of the structures. Furthermore the requested rear yard variance is measured to a single pinch point as a result of an angled property line leaving much of the rear yard amenity area intact. Staff are of the opinion that the general intent and purpose of the Zoning By-law are maintained.

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

The proposed addition is single storey, requiring no side yard setback variances and poses no overlook or privacy concerns due to the design of the addition. Staff are of the opinion that the proposal represents appropriate development of the subject lands and any potential impacts of the development are minor in nature.

**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

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed addition will be addressed through the Building Permit process. This is a corner lot and the addition should be equipped with an eavetrough with the downpipes located such that drainage is directed towards Cortina Crescent and not the abutting properties.

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 PREAPP 20-426. Based on review of the information currently available in this permit application, the variance, as requested is correct.

However, we also advise that more information is required to determine whether additional variance(s) will be required.

Please note that comments reflect those provided through the above application submitted on 2020/12/23 and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Jeanine Benitez, Zoning Examiner

### Appendix 3 – Parks, Forestry & Environment

N/A

### Appendix 4 – Heritage

N/A

### Appendix 5 – Region of Peel Comments

We have no comments or objections.





## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A220.21  
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 925 Goodwin Road, zoned R3-75 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling proposing:

1. A lot coverage of 43.24% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
2. A building height measured to the eaves of 7.28m (approx. 23.88ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 20.99ft) in this instance;
3. A front yard soft landscape percentage of 34.7% whereas By-law 0225-2007, as amended, requires a minimum front yard soft landscape percentage of 40.0% in this instance;
4. A front yard of 5.52m (approx. 18.11ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m (approx. 24.61ft) in this instance;
5. A front yard measured to a porch of 5.49m (approx. 18.01ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to a porch of 5.90m (approx. 19.36ft) in this instance;
6. A front yard measured to a concrete planter of 4.58m (approx. 15.03ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to a porch of 5.90m (approx. 19.36ft) in this instance;
7. A front yard measured to a paved landing (stair) of 2.78m (approx. 9.12ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to a paved landing (stair) of 5.90m (approx. 19.36ft) in this instance;
8. A front yard measured to a balcony of 5.95m (approx. 19.52ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to a balcony of 6.50m (approx. 21.33ft) in this instance;
9. A front yard measured to an eave overhang of 5.06m (approx. 16.60ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to an eave overhang of 7.05m (approx. 23.13ft) in this instance;
10. An easterly side yard of 1.22m (approx. 4.00ft) whereas By-law 0225-2007, as amended, requires a minimum easterly side yard of 1.81m (approx. 5.93ft) in this instance;
11. A westerly side yard of 1.21m (approx. 3.97ft) whereas By-law 0225-2007, as amended, requires a minimum westerly side yard of 1.81m (approx. 5.93ft) in this instance;
12. An eave overhang over the easterly side yard of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, requires a minimum eave over hang over the easterly side yard of 1.36m (approx. 4.46ft) in this instance;
13. An eave overhang over the westerly side yard of 1.11m (approx. 3.64ft) whereas By-law 0225-2007, as amended, requires a minimum eave over hang over the westerly side yard of 1.36m (approx. 4.46ft) in this instance;
14. A dwelling unit depth of 20.92m (approx. 68.64ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m (approx. 35.60ft) in this instance; and

15. A walkway connection width of 1.83m (approx. 6.00ft) whereas By-law 0225-2007, as amended, permits a maximum walkway connection width of 1.50m (approx. 4.92ft) in this instance.

The Committee has set **Thursday July 22, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

You can get more information on this matter by emailing [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) or calling 905-615-3200 x2408. You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>. Hearings will be streamed online for the public to view at the following link: <http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>.

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

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

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

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

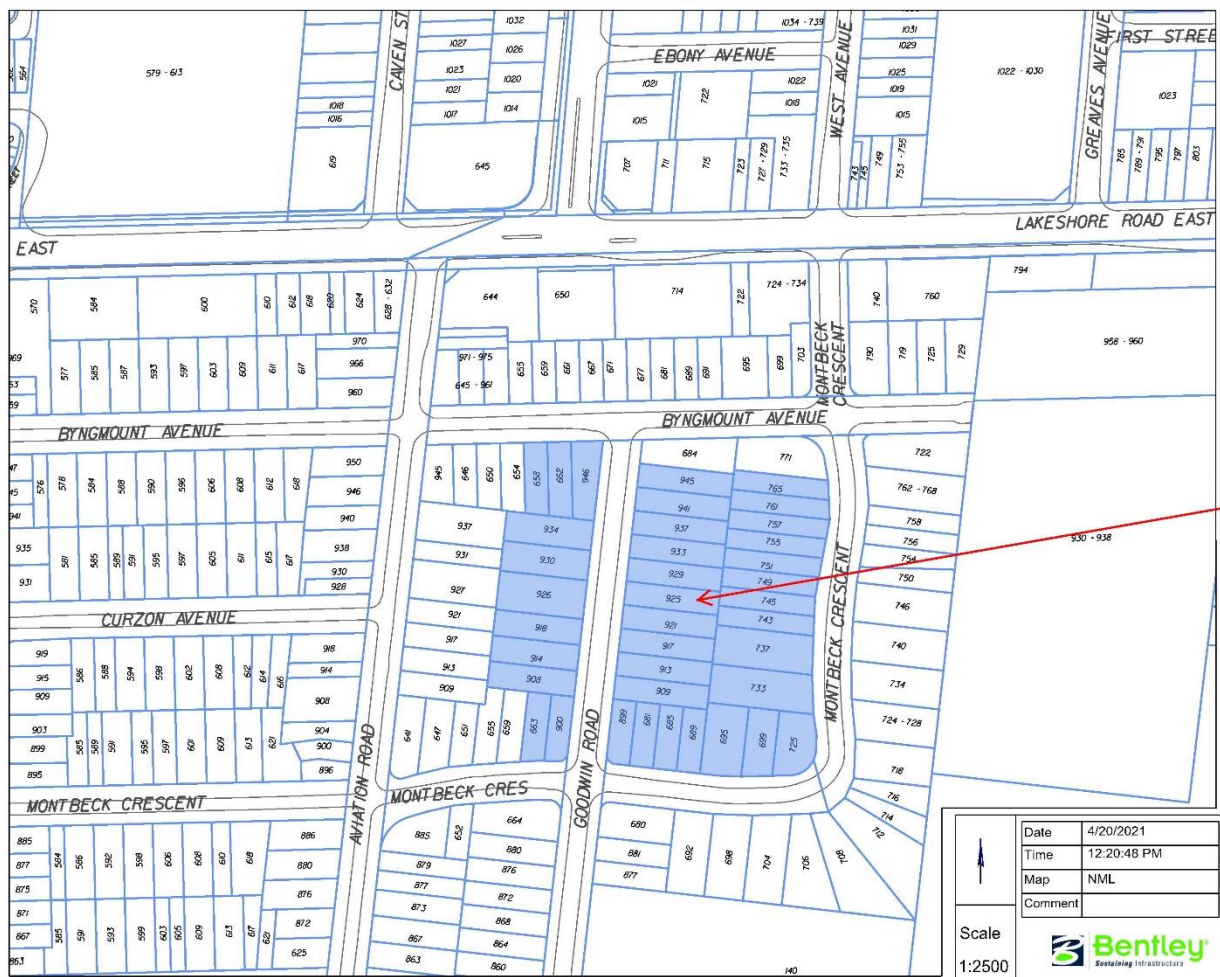
**To participate electronically (computer, tablet or smartphone):** Please email [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided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

**To participate by telephone:** To register, please call 905-615-3200 x2408 no later than 4:30pm the Tuesday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.

#### **Legal notice:**

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

Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual (including being posted on the internet) upon request in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x2408.



A220/21  
925 Goodwin  
Rd.

# City of Mississauga

## Memorandum:

### City Department and Agency Comments

Date Finalized: 2021-07-13	File(s): A220.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-07-22 1:00 PM

## Consolidated Recommendation

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

## Application Details

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

1. A lot coverage of 43.24% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
2. A building height measured to the eaves of 7.28m (approx. 23.88ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 20.99ft) in this instance;
3. A front yard soft landscape percentage of 34.7% whereas By-law 0225-2007, as amended, requires a minimum front yard soft landscape percentage of 40.0% in this instance;
4. A front yard of 5.52m (approx. 18.11ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m (approx. 24.61ft) in this instance;
5. A front yard measured to a porch of 5.49m (approx. 18.01ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to a porch of 5.90m (approx. 19.36ft) in this instance;
6. A front yard measured to a concrete planter of 4.58m (approx. 15.03ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to a porch of 5.90m (approx. 19.36ft) in this instance;
7. A front yard measured to a paved landing (stair) of 2.78m (approx. 9.12ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to a paved landing (stair) of 5.90m (approx. 19.36ft) in this instance;
8. A front yard measured to a balcony of 5.95m (approx. 19.52ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to a balcony of 6.50m (approx. 21.33ft) in this instance;

9. A front yard measured to an eave overhang of 5.06m (approx. 16.60ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to an eave overhang of 7.05m (approx. 23.13ft) in this instance;
10. An easterly side yard of 1.22m (approx. 4.00ft) whereas By-law 0225-2007, as amended, requires a minimum easterly side yard of 1.81m (approx. 5.93ft) in this instance;
11. A westerly side yard of 1.21m (approx. 3.97ft) whereas By-law 0225-2007, as amended, requires a minimum westerly side yard of 1.81m (approx. 5.93ft) in this instance;
12. An eave overhang over the easterly side yard of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, requires a minimum eave over hang over the easterly side yard of 1.36m (approx. 4.46ft) in this instance;
13. An eave overhang over the westerly side yard of 1.11m (approx. 3.64ft) whereas By-law 0225-2007, as amended, requires a minimum eave over hang over the westerly side yard of 1.36m (approx. 4.46ft) in this instance;
14. A dwelling unit depth of 20.92m (approx. 68.64ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m (approx. 35.60ft) in this instance; and
15. A walkway connection width of 1.83m (approx. 6.00ft) whereas By-law 0225-2007, as amended, permits a maximum walkway connection width of 1.50m (approx. 4.92ft) in this instance.

## Background

**Property Address:** 925 Goodwin Road

### Mississauga Official Plan

Character Area: Lakeview Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

**Zoning:** R3-75 - Residential

### Other Applications

Pre-Application: 20-4228

### Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, southeast of Cawthra Road and Lakeshore Road East. The neighbourhood is entirely residential,



consisting of one storey and newer two storey detached dwellings with mature vegetation in the front yards. The subject property contains an existing one storey dwelling with little vegetation.

The applicant is proposing a new two storey detached dwelling, requiring variances related to lot coverage, front and side yard setbacks, eave overhang, dwelling depth and walkway attachment.



## Comments

### Planning

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

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

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

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached, duplex, triplex and other forms of low rise dwellings with individual frontages. The subject property is located in the Lakeside Precinct of the South Residential Neighbourhood and are subject to the policies within the

Lakeview Local Area Plan. Section 10.3 (Built Form Types) of the Local Area Plan, states new housing in Lakeview should maintain the existing character of the area. The applicant's agent provided staff with scaled concepts of the proposed dwelling in relation to the neighbouring properties included in this report (*Appendix 7*). The proposed dwelling maintains compatibility with newer two storey dwellings in the immediate area and will not significantly alter the existing character streetscape from what currently exists within the community. 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 43.24%, whereas a maximum of 35% is permitted. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot. Through discussions with the applicant's agent, the applicant has agreed to remove the rear balcony to reduce privacy/overlook concerns. The excessive lot coverage is due to the combination of the eaves, front covered porch, rear deck and floor projections. The dwelling itself has a lot coverage of approximately 32%, which is less than the maximum permitted. The features that increase the lot coverage of the dwelling do not add significant massing to the dwelling, thereby limiting the impact of overdevelopment towards neighbouring properties and the character streetscape. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #2 proposes an eave height of 7.28 m, whereas a maximum of 6.40 m is permitted. The intent of restricting height to the eaves is to lessen the visual massing of the dwelling by bringing the edge of the roof closer to the ground, thereby maintaining a human scale of the dwelling. The proposed dwelling maintains a height of 9.33 m, which is less than the maximum permitted height of 9.50 m, which also mitigates the impact of the increased eave height. Additionally, the dwelling is measured from average grade, which is approximately 0.20 m below the finished grade. Although the eaves would have a height of approximately 7.08 m from a streetscape perspective, the overall height of the dwelling would be approximately 0.47 m below the maximum permitted height. The reduced finished grade height ultimately limits any potential shadowing impacts on neighbouring properties. From a streetscape perspective, the dwelling maintains an appearance that is not out of context with newer two storey dwellings within the immediate neighbourhood. As such, staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

This application was originally heard by the Committee at the June 3<sup>rd</sup>, 2021 hearing. Many residents described concerns with the original proposal, including proposed eave height and dwelling depth. The Committee addressed these concerns by requesting the applicant move the dwelling forward by 2m. This request has resulted in additional minor variances for front yard setbacks and soft landscaping. Staff are not concerned with these additional minor variances as the new proposal aligns better with the neighbourhood's established character. Furthermore, these variances are a direct result of the Committees' request to move the dwelling forward. Staff is of the opinion that the remaining variances do not add significant massing to the dwelling nor impact the streetscape character.

The front yard setbacks are generally in-line with the neighbouring properties. The increased eave overhang of 0.15 m does not add any significant massing to the dwelling. If the eave overhangs maintained the maximum permitted encroachment, variances #5 and 6 would not be

required. Lastly, the walkway attachment is a minor deviation from the zoning by-law and is not large enough to allow for vehicular access. Staff is of the opinion that these variances are appropriate to be handled through the Committee of Adjustment process and raise no concerns of a planning nature, in this instance.

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

The proposed dwelling maintains the existing and planned context of the surrounding neighbourhood. The proposed dwelling contains architectural features, that break up the overall massing of the dwelling in relation to the streetscape. Additionally, the overall height of the dwelling is less than the maximum permitted height of 9.50 m, thereby reducing the impact of the increased eave height. The increased lot coverage is due to the covered porch, rear deck, eaves and floor projections, none of which add significant massing to the dwelling. Regarding the deficient setbacks and soft landscaping requirement, the variances are similar to dwellings within the immediate neighbourhood and will not adversely affect neighbouring properties from what is permitted. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

## **Conclusion**

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

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

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



Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

We note that a building permit application is required. In the absence of a building permit application, we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that there is a closed Preapp file (20-4228) but it is for a different proposal, as such, the proposed variances cannot be verified.



City Department and Agency Comments	File:A220.21	2021/07/13	7
-------------------------------------	--------------	------------	---

---

The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future. Alternatively, the applicant may wish to apply for a pre-zoning review application and submit working drawings in order for a full zoning review to be completed. Depending on the complexity of the proposal, a minimum of 6-8 weeks will be required to process a pre-zoning review application.

Comments Prepared by: Sherri Takaloo Zoning Examiner

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

N/A

### **Appendix 4 – Heritage**

N/A

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

#### **Deferred Minor Variance Application: DEF-A-220/21**

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.

Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca)

#### 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 & Camila Marczuk, Development Engineer