
Committee of Adjustment

Date: August 19, 2021
Time: 1:00 PM
Location: Online Video Conference

Members

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

Contacts

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905-615-3200 ext.5209
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PUBLIC MEETING STATEMENT: While some planning matters, such as consent or minor variance applications, do not specifically require that you participate in the process in order to appeal, the LPAT has the power to dismiss an appeal without holding a hearing if the person or public body that in circumstances such as appeal is not based on any apparent land use planning grounds and appeal is not made in good faith or is frivolous or vexatious, or is made only for the purpose of delay.

Send written submissions or request notification of future meetings to:

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

-
1. CALL TO ORDER
 2. DECLARATION OF CONFLICT OF INTEREST
 3. DEFERRALS OR WITHDRAWALS
 4. MATTERS TO BE CONSIDERED
 - 4.1. A291/21
3064 CHURCHILL AVE (WARD 5)
RAJ TAKHAR
 - 4.2. A300/21
7111 FIR TREE DR (WARD 5)
MIKE & LUCIA DI PIETRO
 - 4.3. A301/21
168 KENOLLIE AVE (WARD 1)
HERNANDO GARCIA
 - 4.4. A310/21
368 PRINCE OF WALES DR (WARD 4)
DANIELS CCW CORPORATION
 - 4.5. A311/21
2222 UTLEY RD (WARD 2)
CHINTAN ZANKAT & KHUSHALI MALAP
 - 4.6. A313/21
1470 CHRISEDEN DR (WARD 2)
RACHAL NIJJAR
 - 4.7. A314/21
24 JOHN ST S (WARD 1)
FRANCO JUNIOR PORCO
 - 4.8. A315/21
3205 ECLIPSE AVE (WARD 10)
DAVIS & SHIRLEY ASERON

- 4.9. A318/21
1249 MISSISSAUGA RD (WARD 2)
ALEXANDER TAYLOR & CHANTAL SOREL
- 4.10. A322/21
506 ARROWHEAD RD (WARD 2)
AMANDEEP & REETU MUNDI
- 4.11. A323/21
5601 MEADOWCREST AVE (WARD 10)
SHWETA TALWAR & NAVEEN KUNDRA
- 4.12. A324/21
501 AVONWOOD DR (WARD 1)
PETER & DEBORAH KOZELJ
- 4.13. A325/21
7269 HARWICK DR (WARD 5)
NOWREEN KHAN SHAMMI
- 4.14. A326/21
569 FAIRVIEW RD W (WARD 7)
JUE PENG
- 4.15. A328/21
3675 TAMARACK GATE (WARD 8)
997033 ONTARIO INC
- 4.16. A329/21
5245 ALICANTE ST (WARD 6)
MOIRA FRANCIS
- 4.17. A330/21
3355 THE COLLEGEWAY (WARD 8)
COLLEGEWAY MISSISSAUGA HOLDINGS LIMITED
- 4.18. A404/20
2543 WICKHAM RD (WARD 9)
HONG FU & MANYING PAN

4.19. A46/21
3146 MERRITT AVE (WARD 5)
NIMMI & VALIBHAI PATEL

4.20. A208/21
86 TROY ST (WARD 1)
MANINDER KAUR SANDHU

5. OTHER BUSINESS

6. ADJOURNMENT



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A291.21
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 3064 Churchill Avenue, zoned R4 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A gross floor area of 216.91sq.m (approx. 2334.80sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 174.32sq.m (approx. 1876.36sq.ft) in this instance; and
2. A lot coverage of 32.67% (121.40sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30% (111.48sq.m) in this instance.

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

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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: 2021-08-11	File(s): A291.21 Ward 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-19 1:00:00 PM

Consolidated Recommendation

The City recommends the application be deferred.

Application Details

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

1. A gross floor area of 216.91sq.m (approx. 2334.80sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 174.32sq.m (approx. 1876.36sq.ft) in this instance; and
2. A lot coverage of 32.67% (121.40sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30% (111.48sq.m) in this instance.

Background

Property Address: 3064 Churchill Avenue

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R4 - Residential

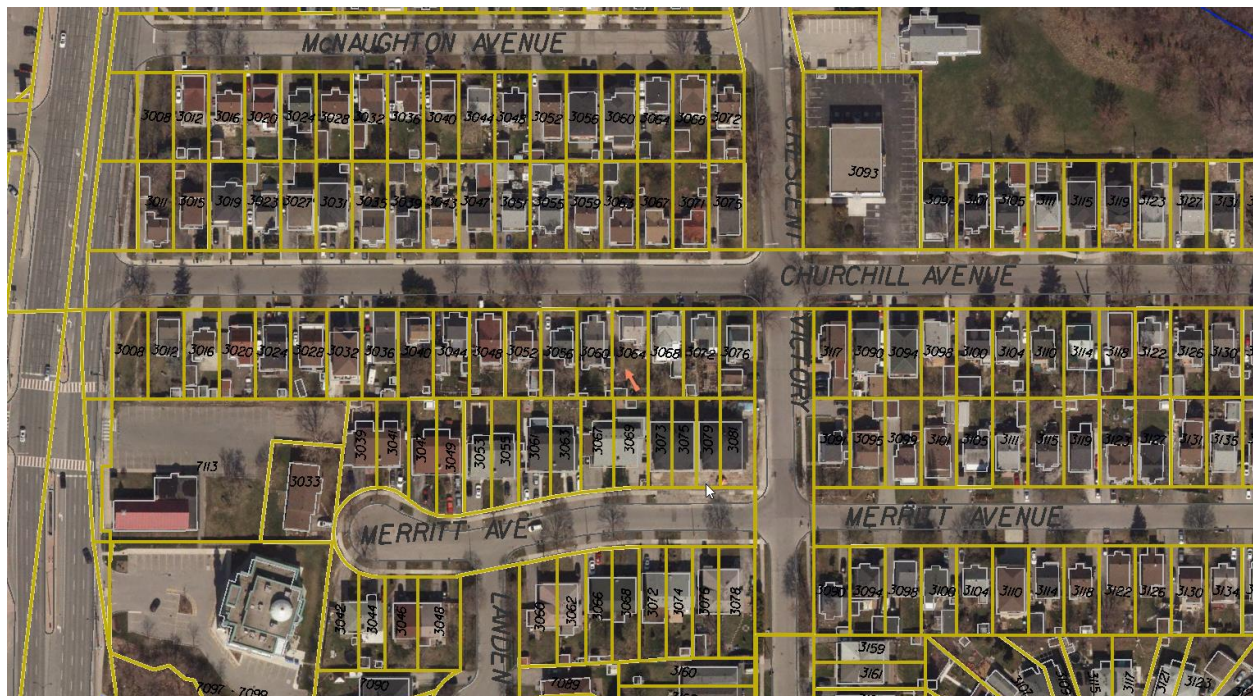
Other Applications: BP 9NEW 17-5910

Site and Area Context

The subject property is located north-east of the Airport Road and Derry Road East intersection, in the Malton Neighbourhood Character Area. This portion of Churchill Avenue contains only detached dwellings, however semi-detached dwellings are present in the nearby vicinity and

commercial uses are present along Airport Road. The vast majority of dwellings along this portion of Churchill Avenue are the original one and two storey dwellings that were built in the area when it was originally developed. Limited mature vegetation exists on the subject and surrounding properties.

The applicant is proposing to construct a new dwelling on the property requiring variances for gross floor area and lot coverage.



Comments

Planning

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

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

The subject property is located in the Malton Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan. This designation only permits detached, semi-detached and duplex dwellings. Section 9 of the 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.

Arising from public input expressed through the 'My Malton' Community Visioning exercise undertaken in 2015, the City completed the Malton Infill Housing Study in 2016. This study resulted in Council's adoption of new zoning regulations principally aimed at regulating the massing of dwellings in a manner that is sensitive to the surrounding context. The intent of the policies are to limit the overall massing of these dwellings and maintain compatibility between the existing and planned character of the neighbourhood. The application proposes an increase in gross floor area and coverage that is not consistent with the neighbourhood and does not maintain the intent of the infill regulations. These variances will create a dwelling with significant massing resulting in cumulative impacts that will negatively influence the neighbourhood's character. As such, staff are of the opinion that the design is not compatible with the existing and planned development of the neighbourhood and recommend that the application be deferred for redesign.

Conclusion

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

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 new dwelling will be addressed through the Building Permit Application process.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit application under file BP 9NEW 17-5910. 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 10/25/2017 for the above captioned building permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: A. McCormack

Appendix 5 – Region of Peel Comments

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

Comments Prepared by: Camila Marczuk (905) 791-7800 x8230



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A300.21
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 7111 Fir Tree Drive, zoned E2 - Employment, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to permit a motor vehicle repair facility - commercial motor vehicle whereas By-law 0225-2007, as amended, does not permit a motor a vehicle repair facility - commercial motor vehicle use in this instance.

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

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Aerial map showing the location of A300/21 at 7111 Fir Tree Dr. The site is highlighted with a yellow outline and a red dot. The map includes surrounding streets (Arson Drive, Fir Tree Drive, Lucknow Drive, Derry Road East, Vanguard Drive) and nearby landmarks (Chartright Hangar 6, Skyservice Hangar 6A, Esso gas station). The map is credited to OpenStreetMap contributors.

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-08-11	File(s): A300.21 Ward 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2021-08-19 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be refused.

Application Details

The applicant requests the Committee to approve a minor variance to permit a motor vehicle repair facility - commercial motor vehicle whereas By-law 0225-2007, as amended, does not permit a motor a vehicle repair facility - commercial motor vehicle use in this instance.

Background

Property Address: 7111 Fir Tree Drive

Mississauga Official Plan

Character Area: Northeast Employment Area
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2 - Employment

Other Applications: C 21-5180

Site and Area Context

The subject property is located north-west of the Torbram Road and Derry Road East intersection, in the City's Northeast Employment Area. The property has a frontage of +/- 36.86m (approx. 121ft.). It contains a single storey industrial building with 3 units and no vegetation other than a tree in the municipal boulevard. The surrounding area predominantly

contains one storey industrial buildings with limited vegetation and significant hardscaping. The area is located in close proximity to Pearson International Airport.

The applicant is proposing a new Motor Vehicle Repair Facility – Commercial Motor Vehicle use in units 2 and 3 of the subject property requiring a variance to permit the use.



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 Northeast Employment Area Character Area and is designated Business Employment in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits many different uses, including Motor Vehicle Commercial uses which includes motor vehicle repair. As the use is permitted under the MOP the proposal maintains the general intent and purpose of the official plan.

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

The subject property is zoned E2 (Employment) in zoning by-law 0225-2007, which does not permit the proposed use. When the by-law came into effect Motor Vehicle Repair Facilities were permitted only in E2 and E3 zones, however a by-law was later passed to further distinguish between facilities for personal vehicles and facilities for commercial vehicles. With this distinction made, Council passed by-law 0379-2009 which had the effect of limiting Motor Vehicle Repair Facility – Commercial Motor Vehicle uses to only E3 zones due to the intensity and noxiousness of the use. Given the City's active decision to remove the proposed use from the permissions of the E2 zone staff are of the opinion that the request does not meet the general intent and purpose of the zoning by-law.

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

Planning staff have concerns regarding the potential impacts of the proposed use on abutting properties given its intentional removal from the property's zone. While an E3 zone does exist approximately 350 metres north of the subject property, on the north side of Drew Road, the property is centrally located within the E2 zone and away from the more noxious uses located in the E3 zone. The vehicles that would be repaired on site are materially different from those being repaired on properties in an E2 zone. Staff are of the opinion that the application does not represent an appropriate use of the subject lands and is not minor in nature.

Conclusion

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

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee easy reference are photos depicting the subject property.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

Variance is accurate.

Comments Prepared by: Ramsen Hedoo



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A301.21
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 168 Kenollie Avenue, zoned R2-1 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling proposing:

1. A gross floor area of 371.00sq.m (approx. 3,993.41sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 344.41sq.m (approx. 3,707.20sq.ft) in this instance;
2. An encroachment of a window well into the required exterior side yard of 4.13m (approx. 13.55ft) whereas By-law 0225-2007, as amended, permits a maximum encroachment of a window well into the required exterior side yard of 0.61m (approx. 2.00ft) in this instance;
3. An encroachment of a window well into the required interior side yard of 1.42m (approx. 4.66ft) whereas By-law 0225-2007, as amended, permits a maximum encroachment of a window well into the required exterior side yard of 0.61m (approx. 2.00ft) in this instance;
4. A front yard of 6.19m (approx. 20.31ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m (approx. 24.60ft) in this instance;
5. An encroachment of a porch, inclusive of stairs into the required exterior side yard of 5.04m (approx. 16.54ft) whereas By-law 0225-2007, as amended, permits a maximum encroachment of a porch, inclusive of stairs into the required exterior side yard of 1.60m (approx. 5.25ft) in this instance;
6. An interior side yard (measured from the closest point of the dwelling) of 2.44m (approx. 8.00ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 3.00m (approx. 9.84ft) in this instance;
7. An encroachment of a deck into the required exterior side yard of 4.13m (approx. 13.55ft) whereas By-law 0225-2007, as amended, permits a maximum encroachment of a deck into the required exterior side yard of 1.60m (approx. 5.25ft) in this instance;
8. A garage projection of 6.14m (approx. 20.14ft) beyond the front wall of the dwelling whereas By-law 0225-2007, as amended does not permit a garage projection in this instance.
9. An exterior side yard (measured from the closest point of the dwelling) of 4.90m (approx. 16.08ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 7.50m (approx. 24.60ft) in this instance;
10. An eave height of 6.60m (approx. 21.65ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance;
11. A dwelling depth of 23.77m (approx. 77.99ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance; and
12. A driveway width of 6.78m (approx. 22.24ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.68ft) in this instance.

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-08-11	File(s): A301.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-19 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred to submit the requested information.

Application Details

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

1. A gross floor area of 371.00sq.m (approx. 3,993.41sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 344.41sq.m (approx. 3,707.20sq.ft) in this instance;
2. An encroachment of a window well into the required exterior side yard of 4.13m (approx. 13.55ft) whereas By-law 0225-2007, as amended, permits a maximum encroachment of a window well into the required exterior side yard of 0.61m (approx. 2.00ft) in this instance;
3. An encroachment of a window well into the required interior side yard of 1.42m (approx. 4.66ft) whereas By-law 0225-2007, as amended, permits a maximum encroachment of a window well into the required exterior side yard of 0.61m (approx. 2.00ft) in this instance;
4. A front yard of 6.19m (approx. 20.31ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m (approx. 24.60ft) in this instance;
5. An encroachment of a porch, inclusive of stairs into the required exterior side yard of 5.04m (approx. 16.54ft) whereas By-law 0225-2007, as amended, permits a maximum encroachment of a porch, inclusive of stairs into the required exterior side yard of 1.60m (approx. 5.25ft) in this instance;
6. An interior side yard (measured from the closest point of the dwelling) of 2.44m (approx. 8.00ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 3.00m (approx. 9.84ft) in this instance;
7. An encroachment of a deck into the required exterior side yard of 4.13m (approx. 13.55ft) whereas By-law 0225-2007, as amended, permits a maximum encroachment of a deck into the required exterior side yard of 1.60m (approx. 5.25ft) in this instance;
8. A garage projection of 6.14m (approx. 20.14ft) beyond the front wall of the dwelling whereas By-law 0225-2007, as amended does not permit a garage projection in this instance.
9. An exterior side yard (measured from the closest point of the dwelling) of 4.90m (approx.

16.08ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 7.50m (approx. 24.60ft) in this instance;

10. An eave height of 6.60m (approx. 21.65ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance;

11. A dwelling depth of 23.77m (approx. 77.99ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance; and

12. A driveway width of 6.78m (approx. 22.24ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.68ft) in this instance.

Amendments

Zoning staff advise that the following amendment be made:

3. An encroachment of a window well into the required interior side yard of 1.42m (approx. 4.66ft) whereas By-law 0225-2007, as amended, permits a maximum encroachment of a window well into the required interior side yard of 0.61m (approx. 2.00ft) in this instance;

Background

Property Address: 168 Kenollie Avenue

Mississauga Official Plan

Character Area: Mineola Neighbourhood

Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R2-1 - Residential

Other Applications:

SPI 20-138 W1

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, northwest of Hurontario Street and Mineola Road West. 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 contains a one storey bungalow on a corner lot with mature vegetation in the property's front and side yards.

The applicant is proposing a new two storey dwelling requiring variances related to gross floor area, encroachment of a window well, front yard, encroachment of a porch, 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*.

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached, duplex dwellings.

The applicant has requested the Committee to approve minor variances #1-12 to allow the construction of a new two storey dwelling on the subject property. Upon review of the application, staff have noticed multiple discrepancies between the submitted drawings and the requested variances. Due to the discrepancies, Planning staff are unable to complete a full review of the application at this time and recommend the application be deferred to give the applicant an opportunity to submit a revised list of variances and/or drawings.

Conclusion

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

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-20/138.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a site plan approval application under file SPI 20-138. Based on review of the information currently available for this application, we advise that the following variance(s) should be amended/added as follows:

3. An encroachment of a window well into the required interior side yard of 1.42m (approx. 4.66ft) whereas By-law 0225-2007, as amended, permits a maximum encroachment of a window well into the required interior side yard of 0.61m (approx. 2.00ft) in this instance;

Further, we note that variance 4. cannot be confirmed as the requested dimensions has not been provided on a Site Plan submitted through the permit process.

Our comments are based on the plans received by Zoning staff on 04/26/2021 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 5 – Region of Peel Comments

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



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A310.21
Ward: 4

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 368 Prince of Wales Drive, zoned CC2(1) - City Centre, 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 temporary sales trailer/pavilion (a period of 5 years) for sales/marketing of off-site residential unit whereas By-law 0225-2007, as amended, does not permit a temporary sales trailer/pavilion for sales/marketing of off-site residential units in this instance.

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

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

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

How to submit a written comment:

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

Advance registration is required to participate in the electronic hearing:

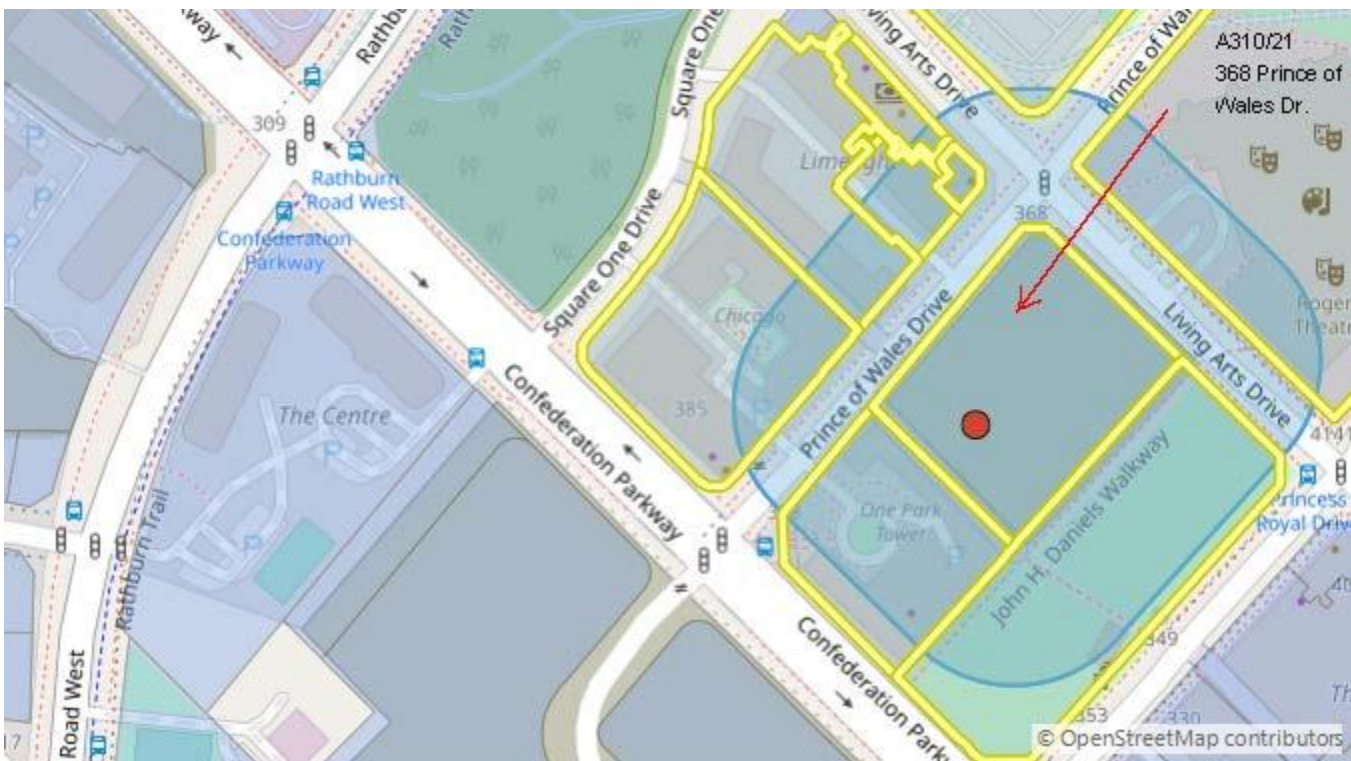
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud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

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

Legal notice:

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



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-08-11	File(s): A310.21 Ward 4
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-19 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application, subject to a temporary approval of 5 years. The applicant may wish to defer the application to ensure the accuracy of the requested variances and that no additional variances are required.

Application Details

The applicant requests the Committee to approve a minor variance to allow a temporary sales trailer/pavilion (a period of 5 years) for sales/marketing of off-site residential unit whereas By-law 0225-2007, as amended, does not permit a temporary sales trailer/pavilion for sales/marketing of off-site residential units in this instance.

Recommended Conditions and Terms

A temporary approval not exceeding 5 years.

Background

Property Address: 368 Prince of Wales Drive

Mississauga Official Plan

Character Area: Downtown Core

Designation: Downtown Mixed Use

Zoning By-law 0225-2007

Zoning: CC2(1) - City Centre

Other Applications: None

Site and Area Context

The subject property is located on the south-west corner of Living Arts Drive and Prince of Wales Drive in the City Centre. Currently the site contains a sales office that was approved in 2016 as well as a parking lot and sport field. The property consists of limited landscaping around the sales centre with no other notable vegetation elsewhere on the property. The property abuts Community Common Park, directly across the street from the Living Arts Centre and Sheridan College. To the north and west of the subject property are high rise residential buildings.

The existing sales centre on the property was given temporary approval in 2016 and the applicant is seeking to renew the temporary approval for another 5 years.



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 in the Downtown Core Character Area and is designated Downtown Mixed Use in Schedule 10 of the Mississauga Official Plan. The applicant is requesting a 5 year extension to the variance previously approved under file number A343/16 which permitted a sales office for off-site developments. The applicant has indicated that the sales office would be used for other condominium projects within the City Centre.

Given the location of the sales office in the City Centre and its intended continual sales office use for City Centre projects, staff have no concerns with the temporary extension of the use. Furthermore the temporary nature of the approval does not impact the future development of the subject property and facilitates the continued growth of the City Centre. The relocation of the sales centre would lead to the subject property sitting vacant and unused until such a time as it is approved for redevelopment which would not be a desirable use for the land. Staff are satisfied that the requests meets the four tests as set out in the Planning Act.

Conclusion

The Planning & Building Department has no objections to the application, subject to a temporary approval of 5 years.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's easy reference is a photo depicting the existing temporary sales trailer/pavilion.



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

City Department and Agency Comments	File:A310.21	2021/08/11	5
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minimum of 6-8 weeks will be required to process a preliminary zoning review application depending on the complexity of the proposal and the detail of the information submitted.

Comments Prepared by: Daniel Grdasic, Planning Associate

Appendix 3 – Parks, Forestry & Environment

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

1. The lands to the rear of the subject property are owned by the City of Mississauga, known as Community Common Park (P-471).
2. Construction access from the park is not permitted.
3. Stockpiling of construction materials and encroachment in the adjacent park is not permitted.

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

Comments Prepared by: Jim Greenfield, Park Planner

Appendix 4- Region of Peel Comments

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

Comments Prepared by: Camila Marczuk (905) 791-7800 x8230



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A311.21
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 2222 Utley Road, zoned R3- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling proposing:

1. An interior side yard of 1.22m (approx. 4.00ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 1.81m (approx. 5.93ft) in this instance; and
2. An interior side yard of 1.80m (approx. 5.90ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 1.81m (approx. 5.93ft) in this instance.

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

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How to submit a written comment:

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-08-11	File(s): A311.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2021-08-19 1:00:00 PM

Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the Applicant and area residents when assessing if the application, as requested, meets the requirements of Section 45(1) of the Planning Act. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

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

1. An interior side yard of 1.22m (approx. 4.00ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 1.81m (approx. 5.93ft) in this instance; and
2. An interior side yard of 1.80m (approx. 5.90ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 1.81m (approx. 5.93ft) in this instance.

Background

Property Address: 2222 Utley Road

Mississauga Official Plan

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

Zoning By-law 0225-2007

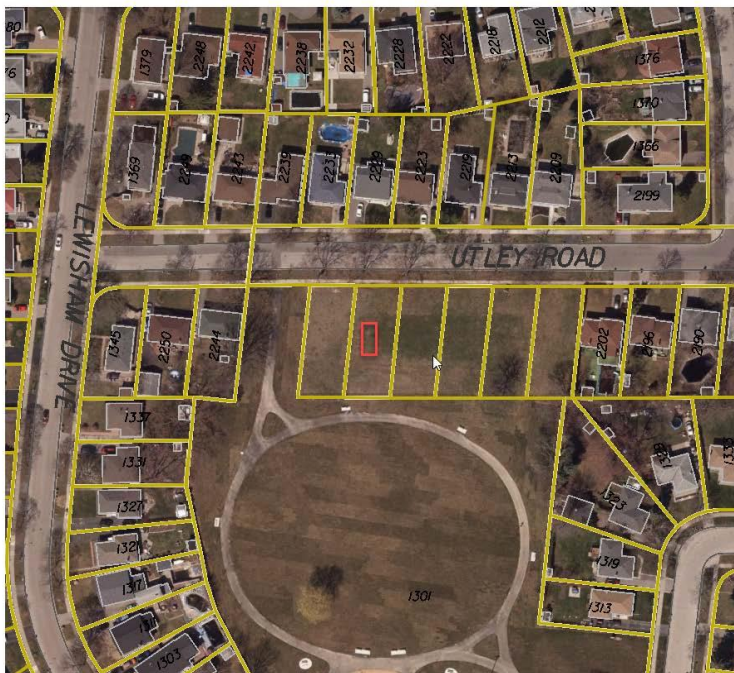
Zoning: R3- Residential

Other Applications: PREAPP 21-5537

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southwest of Truscott Drive and Southdown Road. The neighbourhood is entirely residential consisting of older one and two storey detached dwellings on lots with mature vegetation in the front yards. The subject property and abutting properties to the east and west are vacant with limited landscaping. Abutting the subject property to the south is Willow Glen Park.

The application proposes construction of a new two storey dwelling requiring variances for interior side yards.



Comments

Planning

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

Staff comments concerning the application are as follows:

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached, duplex, triplex and other forms of low rise dwellings with individual frontages. Variances #1 and #2 pertain to side yard setbacks. Through a review of the immediate neighbourhood, similar deficiencies are common for detached dwellings. The proposed setbacks are not out of character within the immediate neighbourhood. Additionally, the proposed setbacks maintain a sufficient buffer to the neighbouring properties and are large enough to ensure access to the rear yard is unencumbered. Through a detailed review of the application, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Conclusion

The Planning and Building Departments recommend that the Committee have regard for all comments and evidence provided by the Applicant and area residents when assessing if the application, as requested, meets the requirements of Section 45(1) of the Planning Act. 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 will be addressed through the future Site Plan Approval process.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Daniel Grdasic, Planning Associate

Appendix 3 – Region of Peel Comments

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

Comments Prepared by: Camila Marczuk (905) 791-7800 x8230



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A313.21
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 1470 Chriseden Drive, zoned R2-4 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an addition on the subject property proposing a gross floor area - infill residential of 412.70sq.m (approx. 4,442.27sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area - infill residential of 376.06sq.m (approx. 4,047.88sq.ft) in this instance.

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

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

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Advance registration is required to participate in the electronic hearing:

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-08-11	File(s): A313.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2021-08-19 1:00:00 PM

Consolidated Recommendation

The City has no objection to the variance.

Application Details

The applicant requests the Committee to approve a minor variance to allow an addition on the subject property proposing a gross floor area - infill residential of 412.70sq.m (approx. 4,442.27sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area - infill residential of 376.06sq.m (approx. 4,047.88sq.ft) in this instance.

Background

Property Address: 1470 Chriseden Drive

Mississauga Official Plan

Character Area: Clarkson-Lorne Park Neighbourhood

Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R2-4 - Residential

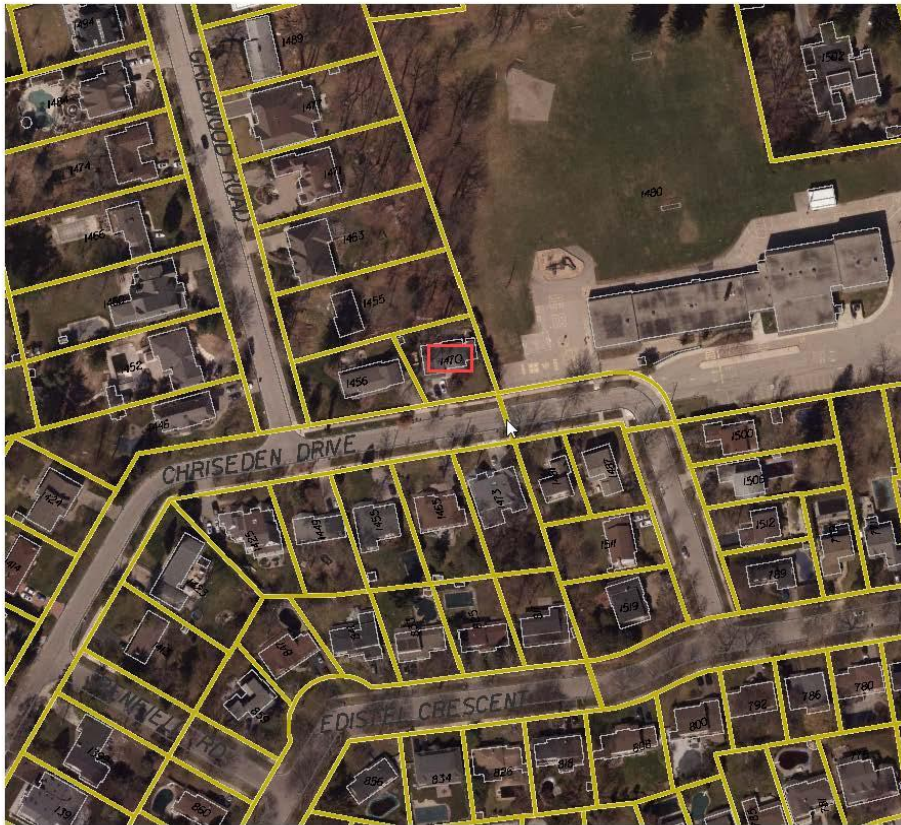
Other Applications: SPM 20-112 W2, BP 9ALT 21-6592, A 22/20

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southwest of the Queen Elizabeth Way and Indian Grove. Directly abutting the subject property to the east is Tecumseh Public School. Besides the school, the neighbourhood is entirely residential consisting of older one storey and newer, large two storey dwellings on lots with

significant mature vegetation in both the front and rear yards. The subject property contains an existing two storey dwelling with mature vegetation in both the front and rear yards.

The application proposes an addition requiring a variance related to gross 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?

The site is located within the Clarkson-Lorne Park Neighbourhood, and is designated Residential Low Density I by the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached dwellings; semi-detached dwellings and duplex 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 existing detached dwelling is permitted within this designation and the proposal to increase the dwelling's gross floor area would create a dwelling that is consistent with newer two storey dwellings in the immediate area; Staff is of the opinion that the general intent and purpose of the MOP is maintained.

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

The applicant proposes a gross floor area of 412.70m², where a maximum of 376.06m² is permitted. The intent of the zoning by-law is to maintain compatibility between existing and newer dwellings in order to ensure the existing and planned character of a neighbourhood is preserved. The proposed dwelling is a 2-storey side split. While both sides of the dwelling are two storeys, the height of each side differs. This difference in height helps to break up the dwelling's overall massing; resulting in an overall massing that is reflective of the neighbouring properties and community at large. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

The proposed dwelling maintains the existing and planned context of the surrounding area and does not pose a negative impact to the neighbourhood. The design of the dwelling disperses the additional gross floor area throughout the building as a whole, resulting varying heights across the structure that breaks up its overall massing. As a result, the proposed dwelling maintains compatibility with the newer two storey dwellings. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

Conclusion

The Planning and Building Departments have no objection to the variance.

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 addition are being addressed through the Site Plan Application process, File SPM-20/112.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit application under file BP 9ALT 6592. Based on review of the information currently available for this building permit, the variances, as requested are correct.

Our comments are based on the plans received by Zoning staff on 05/04/2021 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



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A314.21
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 24 John Street South, zoned R15-1 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a detached garage proposing a floor area of 35.75sq.m (approx. 384.81sq.ft) whereas By-law 0225-2007, as amended, permits a maximum floor area of 30.00sq.m (approx. 322.92sq.ft) in this instance.

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

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

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

How to submit a written comment:

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

Advance registration is required to participate in the electronic hearing:

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

Legal notice:

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

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



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-08-11	File(s): A314.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-19 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a detached garage proposing a floor area of 35.75sq.m (approx. 384.81sq.ft) whereas By-law 0225-2007, as amended, permits a maximum floor area of 30.00sq.m (approx. 322.92sq.ft) in this instance.

Background

Property Address: 24 John Street South

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (West)

Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R15-1 - Residential

Other Applications:

SPI 20-144 W1 and BP 21-5217

Site and Area Context

The subject property is located within the Port Credit Neighbourhood (West) Character Area, southeast of Mississauga Road and Lakeshore Road West. The immediate area is entirely residential, consisting of a 5 storey apartment, and older one and two storey detached dwellings with mature vegetation in the front yards. The subject property contains an existing one storey dwelling with landscape elements in the front yard.

The applicant is proposing a detached garage requiring a variance related to 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?

The site is located within the Port Credit Neighbourhood (West) Character Area, and is designated Residential Low Density I by the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached dwellings; semi-detached dwellings and duplex 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. Detached garages are common in the immediate neighbourhood; Staff is of the opinion that the general intent and purpose of the MOP is maintained.

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

The applicant requests the Committee to approve a minor variance to allow the construction of a detached garage with a proposed floor area of 35.75 m², when a maximum floor area of 30.00 m² is permitted. The intent of the zoning by-law is to ensure that a detached garage is sufficiently setback from neighbouring lots and would not create a negative impact regarding drainage. The proposed floor area is a minor deviation from what is permitted in the zoning by-law and is proportional to the lot and dwelling. The proposal is also consistent with detached garages in the immediate area and will not be an overdevelopment of the property, as the site maintains the required setbacks, height, and would not create a negative impact regarding drainage.

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 detached garage is significantly setback from the street and maintains the required height and setbacks contained in the zoning by-law. The proposal is also consistent with detached garages in the immediate area. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

Conclusion

The Planning and Building Departments have no objection to the variance 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 detached garage are being addressed through the Site Plan Application process, File SPI-20/144.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Daniel Grdasic, Planning Associate



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A315.21
Ward: 10

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 3205 Eclipse Avenue, zoned RM1-14, has applied for a minor variance under Section 45 of the Planning Act. The applicants request the Committee to approve a minor variance to allow:

1. A rear yard measured to a window well of 6.17m (approx. 20.24ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to a window well of 6.39m (approx. 20.96ft) in this instance;
2. A pedestrian entrance serving a second unit facing a street whereas By-law 0225-2007, as amended, does not permit a pedestrian entrance serving a second unit facing a street in this instance; and
3. A driveway width of 8.10m (approx. 26.57ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.70m (approx. 15.42ft) in this instance.

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

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

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

How to submit a written comment:

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

Advance registration is required to participate in the electronic hearing:

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

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

Legal notice:

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



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-08-11	File(s): A315.21 Ward 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-19 1:00:00 PM

Consolidated Recommendation

The City has no objections to variances 1 & 2, subject to the condition, however recommends that variance 3 be refused.

Application Details

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

1. A rear yard measured to a window well of 6.17m (approx. 20.24ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to a window well of 6.39m (approx. 20.96ft) in this instance;
2. A pedestrian entrance serving a second unit facing a street whereas By-law 0225-2007, as amended, does not permit a pedestrian entrance serving a second unit facing a street in this instance; and
3. A driveway width of 8.10m (approx. 26.57ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.70m (approx. 15.42ft) in this instance.

Recommended Conditions and Terms

The owner shall enter into an agreement pursuant to Section 45(9.1) of the Planning Act to the satisfaction of the Development & Design division that the existing privacy fence shall be extended forward on the property past the location of the entrance to the second unit, and that the fence shall be maintained in that location.

Background

Property Address: 3205 Eclipse Avenue

Mississauga Official Plan

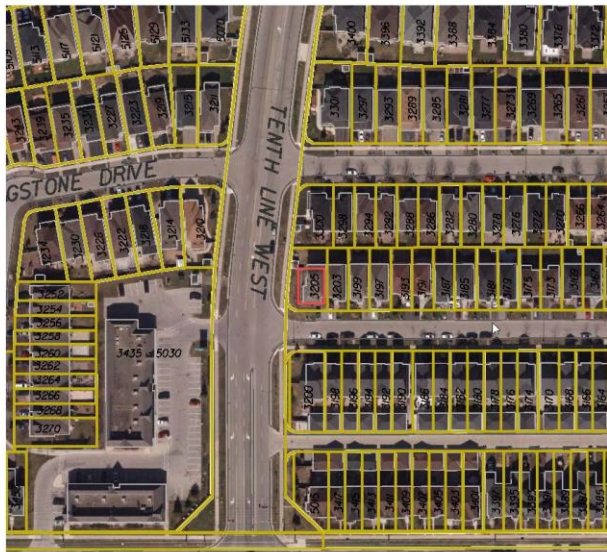
Character Area: Churchill Meadows Neighbourhood

Designation: Residential Medium Density

Zoning By-law 0225-2007**Zoning: RM1-14****Other Applications:** SEC UNIT 21-6204**Site and Area Context**

The subject property is located north-east of the Tenth Line West and Eglinton Avenue West intersection in the Churchill Meadows Neighbourhood. It is an exterior parcel with a lot frontage of +/- 16.5m (54ft.) and a lot area of +/- 397.5m² (4,279sq.ft.). The property currently contains a two-storey link dwelling with an attached single car garage. Contextually the area includes link dwellings and townhomes, with detached dwellings and a commercial plaza across Tenth Line West. The subject property and surrounding area contain no notable vegetation outside of the City boulevard.

The applicant is proposing a second unit on the property requiring variances for the rear yard, second unit entrance location, and driveway width.



Comments

Planning

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

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

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

The subject property is located in the Churchill Meadows Neighbourhood Character Area and is designated Residential Medium Density in Section 10 of the Mississauga Official Plan (MOP). This designation permits all forms of townhouse dwellings. Section 9 of the MOP promotes development (including its elements such as driveways) with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions, the surrounding context, and the landscape of the character area. The policy seeks to ensure that appropriate development of lots to reduce conflicts in design and maintain the streetscape and character of the area. Staff are satisfied that variance 1 meets this policy. Variance 2 creates concerns regarding its impacts on the streetscape, however staff note the presence of a privacy fence on the subject property. Should Committee see merit in the request, staff would recommend a condition to extend the fence past the proposed entrance in order to ensure the variance meets the general intent and purpose of the Official Plan. Variance 3 is proposing a widened driveway width which represents significant hardscaping in the front yard, does not fit in with the surrounding context and does not meet the general intent and purpose of the Official Plan.

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

Variance 1 requests a reduced rear yard measured to a window well. The intent of the rear yard regulations are to ensure an appropriate buffer between the massing of structures on adjoining properties is maintained and that a sufficient rear yard amenity area is provided for the dwelling. The proposed window well presents no massing concerns and does not significantly impact the rear yard amenity space. Therefore staff are of the opinion that the general intent and purpose of the Zoning By-law is maintained in this instance.

Variance 2 requests an entrance to facilitate a second unit facing a street. The intent of the regulation prohibiting such an entrance is to prevent a negative visual impact to the overall streetscape. A detached dwelling, even with a secondary unit, should continue to be presented as a detached dwelling from the streetscape. By adding a secondary unit entrance to the front or exterior side of a dwelling that is clearly visible from the street can impact that perception. In this instance there is no screening or landscaping currently screening the proposed entrance location from Tenth Line West. Should Committee see merit in the request, staff would

recommend a condition to require the fence be extended past the proposed entrance in order to ensure the variance meets the general intent and purpose of the Zoning By-law.

Variance 3 requests 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 the required parking for the dwelling, with the remainder of the front yard being soft landscaping. The driveway, as proposed, would represent nearly 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 a driveway of this size and remain within the intent of the regulations. Therefore the variance as proposed does not meet the general intent and purpose of the Zoning By-law.

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

The proposed driveway represents a significant negative impact to the existing streetscape. It represents significant hardscaping in the front yard which has effects that are not minor in nature and do not represent the appropriate development of the subject lands. Staff note that variances 1 and 2, with the inclusion of the fence condition, do not raise the same concerns, represent appropriate development and are minor in nature.

Conclusion

The Planning & Building Department has no objections to variances 1 & 2, subject to the condition, however recommends that variance 3 be refused.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This department does not support the request to allow for a proposed driveway width of 8.10M. With the proposed driveway extension as depicted on the Site Plan, the extended driveway would only have a length of 3.63 M (from the face of the dwelling to the municipal roadway). Typically in unique scenarios we may consider a 5.2M setback to the municipal roadway in order to avoid any vehicle encroaching into the municipal boulevard. In this instance the proposed extension would be on the other side of the existing steps and to access this parking space would require an approximate curb cut width of 14M.

Should the applicant not have the intention to widen the curb cut, we are still not supportive as we cannot support a vehicle being parked parallel to the roadway as this creates other sight visibility and manoeuvring concerns. In addition, as this is a corner property in close proximity to an intersection and stop sign, any parallel parking/widened driveway would also create safety related issues.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a second unit permit under file SU 21-6204. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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

Comments Prepared by: Sherri Takaloo – Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A318.21
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 1249 Mississauga Road, zoned R1-3 - Residential, G1 - Greenlands, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing:

1. A combined width of side yards of 8.09m (approx. 26.54ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 9.38m (approx. 30.77ft) in this instance;
2. A driveway width within 6.0m of the garage face of 12.54m (approx. 41.14ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width within 6.0m of the garage face of 10.50m (approx. 34.45ft) in this instance;
3. A driveway width beyond 6.0m of the garage face of 12.54m (approx. 41.14ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width beyond 6.0m of the garage face of 8.50m (approx. 27.88ft) in this instance; and
4. A walkway attachment width of 2.75m (approx. 9.02ft) whereas By-law 0225-2007, as amended, permits a maximum walkway attachment width of 1.50m (approx. 4.92ft) in this instance.

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

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

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How to submit a written comment:

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



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-08-11	File(s): A318.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-19 1:00:00 PM

Consolidated Recommendation

The City has no objections to variances #1, #2 and #3, however recommends that variance #4 be refused. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

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

1. A combined width of side yards of 8.09m (approx. 26.54ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 9.38m (approx. 30.77ft) in this instance;
2. A driveway width within 6.0m of the garage face of 12.54m (approx. 41.14ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width within 6.0m of the garage face of 10.50m (approx. 34.45ft) in this instance;
3. A driveway width beyond 6.0m of the garage face of 12.54m (approx. 41.14ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width beyond 6.0m of the garage face of 8.50m (approx. 27.88ft) in this instance; and
4. A walkway attachment width of 2.75m (approx. 9.02ft) whereas By-law 0225-2007, as amended, permits a maximum walkway attachment width of 1.50m (approx. 4.92ft) in this instance.

Background

Property Address: 1249 Mississauga Road

Mississauga Official Plan

Character Area: Clarkson – Lorne Park Neighbourhood
Designation: Greenlands and Residential Low Density I

Zoning By-law 0225-2007

Zoning: R1-3 - Residential, G1 - Greenlands

Other Applications: BP 21-6257

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southeast of the Indian Road and Mississauga Road intersection. The neighbourhood is east of the Credit River, and is entirely residential consisting of one and two storey detached dwellings on large lots with significant mature vegetation in both the front and rear yards. The subject property contains an existing two storey dwelling with mature vegetation in both the front and side yards.

The application proposes an addition to the residential dwelling requiring variances related to side yards, driveway width 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 property is located in the Clarkson – Lorne Park Neighbourhood Character Area is designated Residential Low Density I and Greenlands in the Mississauga Official Plan (MOP). The entirety of the proposal is situated on the Residential Low Density I portion of the property, which permits detached dwellings; semi-detached dwellings and duplex dwellings. The proposed detached dwelling respects the designated land use, and has regard for the distribution of massing on the property as a whole and will not negatively impact the character streetscape. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

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

Variance#1 as requested pertains to a combined width of side yards:

The general intent of this portion of the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties and that access to the rear yard ultimately remains unencumbered. The applicant has proposed a combined width of side yards of 8.09m when a minimum combined width of side yards of 9.38m is required. Staff has no concerns with the proposed variance as the proposed side yards are adequate and existing vegetation provides screening between the subject property and abutting properties.

Variance #2 and #3 as requested pertains to driveway width:

The intent of this portion of the By-law is to permit a driveway large enough to suitably accommodate the required number parking spaces for a dwelling with the remainder of lands being utilized for soft landscaping (front yard). The applicant has proposed a driveway width within 6.0m of the garage face of 12.54m, when a maximum driveway width of 10.50m is permitted. The applicant has also requested to maintain the driveway width of 12.54m, an additional 3.86m beyond the original 6m from the garage, where the by-law permits a maximum driveway width of 8.5m beyond 6.0m from the garage face. While the variances proposed are excessive, Planning Staff is not concerned with these variances as they are to permit a parking pad on the subject property that is significantly setback from the street. Furthermore, the

majority of the proposed driveway maintains a +/- 4.27m width and the proposed parking pad is adequately screened by existing vegetation. Staff is also of the opinion that although additional hardscaping is proposed, the front yard will maintain a large soft landscaped area.

Variance #4 as requested pertains to walkway attachment width:

The intent of this portion of the By-law is to allow a hard-surfaced pathway from the driveway to the front entrance and/or the rear yard, while ensuring that such an area cannot be utilized for parking purposes. The applicant has proposed a walkway attachment width of 2.75m when 1.5m is the permitted maximum. Staff have concluded that the increased walkway width of 2.75m is excessive, and is large enough to be utilized for parking purposes. Furthermore, given the nature of the walkway design, it is possible to accommodate vehicular access and parking.

It is therefore the opinion of staff that variances #1, #2 and #3 requested maintain the general intent and purpose of the Zoning By-law; however, variance #4 should be refused.

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

The proposed variance for the walkway width attachment is excessive and is large enough to be utilized for parking purposes. In addition to the driveway proposed, the excessive walkway would create more hardscaping on the property and would not be considered minor in nature. The remaining variances, as requested, maintain the context of the surrounding neighbourhood and do not pose any significant impact to the streetscape character and represent desirable or appropriate development of the subject lands.

Conclusion

The Planning and Building Department has no objections to variances #1, #2 and #3, however recommends that variance #4 be refused. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

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 addition will be addressed through the future Site Plan Approval process.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file BP 9ALT 21-6257. Based on review of the information currently available in this permit application, the following variance, as requested is correct:

1. A combined width of side yards of 8.09m (approx. 26.54ft) whereas By-law 0225 2007, as amended, requires a minimum combined width of side yards of 9.38m (approx. 30.77ft) in this instance;

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

Please note that comments reflect those provided through the above permit application submitted on 2021/04/30 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 – 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 - Valley Corridor, and Core Area – Environmentally Significant Areas, of the Greenlands System in Peel, under Policy 2.3.2. A portion of the subject property is also 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 (905) 791-7800 x8243



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A322.21
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 506 Arrowhead 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 an accessory structure proposing an area of 23.80sq.m (approx. 256.18sq.ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 20.00sq.m (approx. 215.28sq.ft) in this instance.

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

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

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

How to submit a written comment:

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

Advance registration is required to participate in the electronic hearing:

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

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

Legal notice:

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



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-08-11	File(s): A322.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2021-08-19 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow an accessory structure proposing an area of 23.80sq.m (approx. 256.18sq.ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 20.00sq.m (approx. 215.28sq.ft) in this instance.

Background

Property Address: 506 Arrowhead Road

Mississauga Official Plan

Character Area: Clarkson-Lorne Park Neighbourhood

Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R1-2 - Residential

Other Applications: PRE-75214, PREAPP 21-6546

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southwest of the Queen Elizabeth Way and Mississauga Road. The neighbourhood is east of

the Credit River, and is entirely residential consisting of one and two storey detached dwellings on large lots with significant mature vegetation in both the front and rear yards. The subject property contains an existing two storey dwelling with mature vegetation in both the front and side yards.

The application proposes a new accessory structure, requiring a variance related to 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:

The site is located within the Clarkson-Lorne Park Neighbourhood, 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.

The intent of the zoning by-law provisions regarding accessory structures is to ensure that the structures are proportional to the lot and dwelling and clearly accessory while not presenting any massing concerns to neighbouring lots. The proposed accessory structure would maintain an area of 23.80 m², which is a minor deviation from the 20.00 m² maximum. Furthermore, the proposed accessory structure is a predominantly open structure resulting in no massing concerns.

It is Staff's opinion that the proposed structure is sympathetic to the surrounding area and does not impact the neighbouring properties. Through a detailed review of the application, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Conclusion

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

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's easy reference are photos showing the existing rear yard of the subject property.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Preliminary Zoning Review application under file PREAPP 21-6546. 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



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A323.21
Ward: 10

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 5601 Meadowcrest Avenue, zoned RM2-55 - 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 a second dwelling unit proposing 2 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 3 parking spaces in this instance.

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

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

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

How to submit a written comment:

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

Advance registration is required to participate in the electronic hearing:

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

Legal notice:

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



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-08-11	File(s): A323.21 Ward 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-19 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant request the Committee to approve a minor variance to allow a second dwelling unit proposing 2 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 3 parking spaces in this instance.

Background

Property Address: 5601 Meadowcrest Avenue

Mississauga Official Plan

Character Area: Churchill Meadows Neighbourhood
Designation: Residential Medium Density

Zoning By-law 0225-2007

Zoning: RM2-55 - Residential

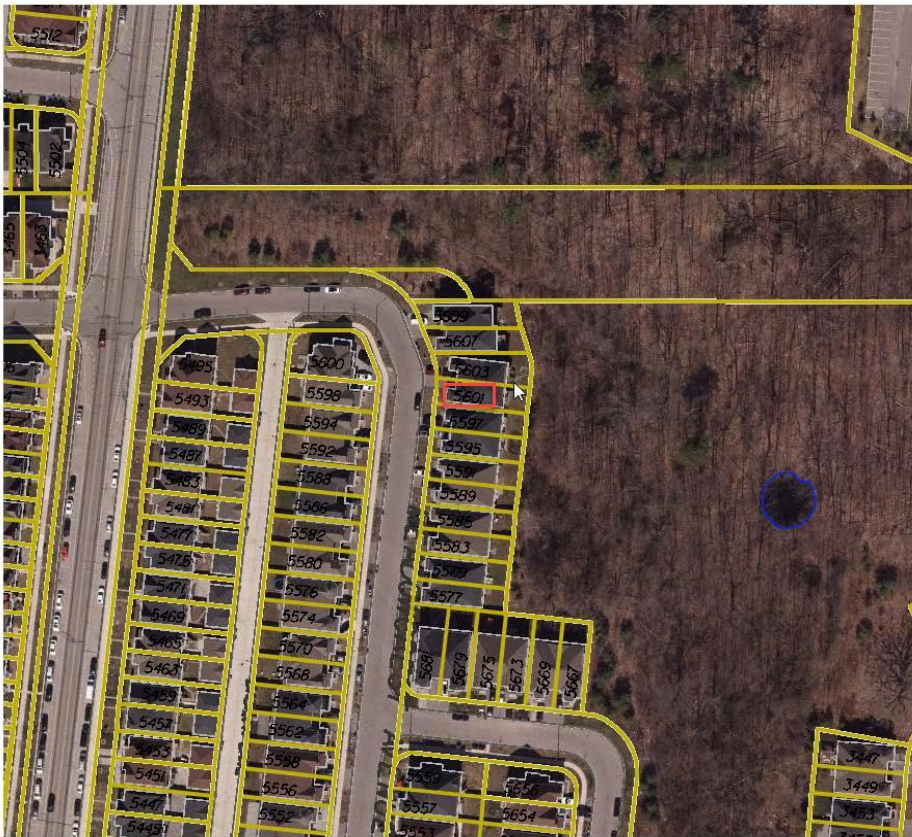
Other Applications: SEC UNIT 21-6580

Site and Area Context

The subject property is located south-east of the Tenth Line West and Thomas Street intersection in the Churchill Meadows Neighbourhood. The property currently contains a two-storey semi-detached dwelling with an attached single-car garage. The subject property has a lot area of +/- 202.8m² (2,183sq.ft.) and a lot frontage of +/- 7.5m (25ft.), with minimal vegetation

and landscaping in the front and rear yard. Contextually, the area is comprised exclusively of semi-detached dwellings.

The applicant has proposed a secondary unit in the basement that requires a variance for reduced parking.



Comments

Planning

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

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

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

The subject property is located in the Churchill Meadows Character Area and is designated Residential Medium Density in Schedule 10 of the Mississauga Official Plan (MOP). Section 7.2 of the MOP indicates that Mississauga will provide opportunities for a variety of affordable dwelling types and encourage the development of new rental units. Secondary units play a vital role in today's housing market by representing an affordable option for housing for area residents as well as providing additional rental stock in the City. Staff are of the opinion that the application meets the general intent and purpose of the Official Plan.

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

The intent of the zoning regulations relating to parking are to ensure that each lot has adequate parking for the dwelling unit(s) on site. In this instance, two spaces are required for the main dwelling unit and one space is required for the secondary unit. The property is able to facilitate 3 cars between the garage and driveway operationally, without blocking the road. Development & Design staff are therefore satisfied that the request meets the general intent and purpose of the Zoning By-law. Further, CPS staff have reviewed the application and note as follows:

Generally, City Planning Strategies is supportive of second units given proposed policies in Bill 108 and the City's Housing Strategy, assuming the necessary parking requirements can be reasonably accommodated. In accordance with Council Resolution 160-91, while the Applicant cannot accommodate three parking spaces within their front yard "proper", the property possess both a single car garage, and a contiguous combined driveway and municipal boulevard length long enough to house two vehicles parked in tandem. This results in two spaces being provided on the property and a third space being provided partially on the property/municipal boulevard. Therefore, staff can support the requested variance.

Note: Zoning has advised that the variance should be amended to propose 1 parking space whereas 3 are required because the parking space dimensions on the driveway are insufficient. Staff comments remain unchanged as the required parking can be reasonably accommodated onsite.

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

The applicant is proposing a secondary unit which will increase the affordable housing rental stock within the City and, in practice, is able to accommodate the parking of 3 vehicles without impeding on the travelled portion of the right of way. Staff are therefore of the opinion that any impacts to surrounding properties would be minor in nature and the application represents desirable development of the subject lands.

Conclusion

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

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's easy reference is a photo depicting the front of the property.



Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a second unit permit under file SU 21-6580. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

The applicant request the Committee to approve a minor variance to allow;

1. One(1) parking space in existing garage for the semi detached dwelling and second unit, whereas By-law 0225-2007, as amended, requires a minimum of 3 parking spaces on site 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

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 Not Yet Named P-403, and within Significant Natural Area in 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. Stockpiling, construction access and encroachment of construction materials in the adjacent 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

Comments Prepared by: Jim Greenfield, Park Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A324.21
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 501 Avonwood Drive, zoned R3-1 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling proposing:

1. A side yard (easterly) of 1.55m (approx. 5.09ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.40m (approx. 7.87ft) in this instance; and
2. A building height measured from average grade to the peak of the roof of 10.00m (approx. 32.80ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured from average grade to the peak of the roof of 9.00m (approx. 29.52ft) in this instance.

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

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How to submit a written comment:

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Advance registration is required to participate in the electronic hearing:

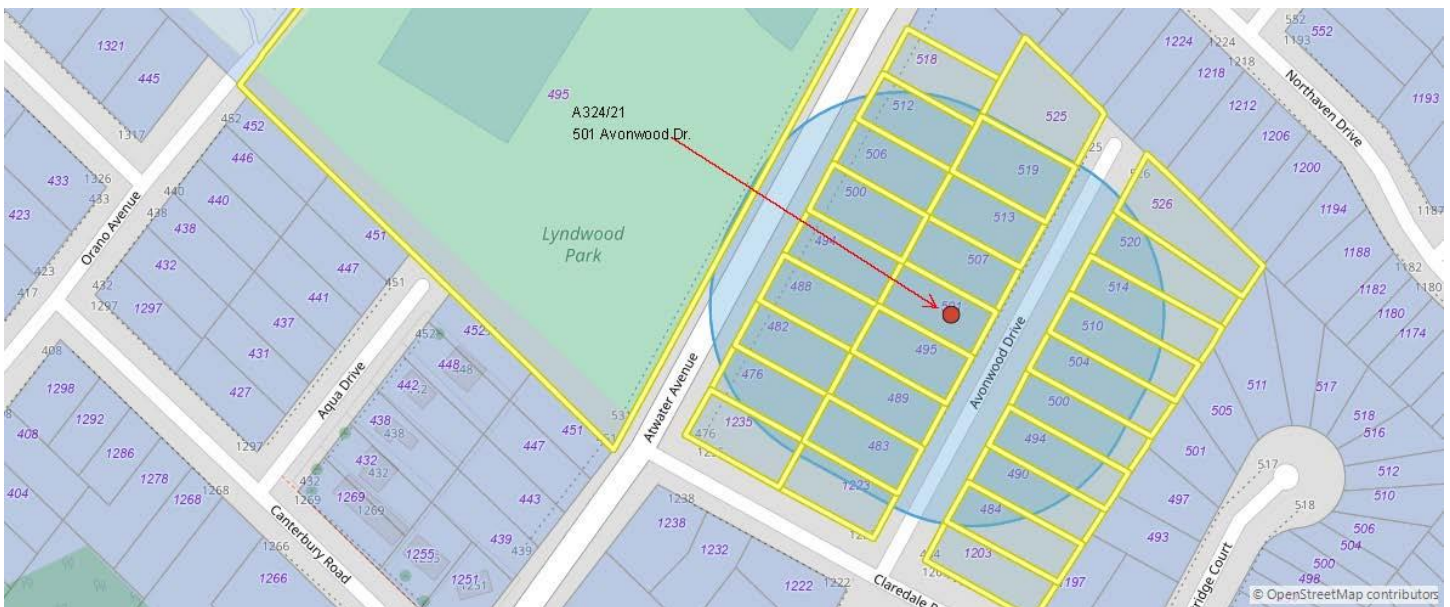
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud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

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-08-11	File(s): A324.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-19 1:00:00 PM

Consolidated Recommendation

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

Application Details

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

1. A side yard (easterly) of 1.55m (approx. 5.09ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.40m (approx. 7.87ft) in this instance; and
2. A building height measured from average grade to the peak of the roof of 10.00m (approx. 32.80ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured from average grade to the peak of the roof of 9.00m (approx. 29.52ft) in this instance.

Amendments

The Building Department is currently processing a site plan application under file SPI 21-59 W1. Based on review of the information currently available in this permit application, we advise that the following variance should be amended as follows:

1. A side yard (easterly) of 1.55m (approx. 5.09ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m (approx. 7.91ft) in this instance;

Background

Property Address: 501 Avonwood Drive

Mississauga Official Plan

Character Area: Mineola Neighbourhood

Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3-1 - Residential

Planning Applications: None

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, northwest of Lakeshore Road East and Cawthra Road. The immediate neighbourhood is entirely residential consisting of an eclectic mix of new two storey detached dwellings and older one storey detached dwellings with mature vegetation in the front yards. The subject property contains an existing one storey dwelling with mature vegetation in the front yard.

The applicant is proposing to construct a new dwelling requiring variances related to side yard and building height.



Comments

Planning

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

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

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

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached, duplexes, triplexes, street townhouses and other forms of low-rise dwellings with individual frontages. As per Section 16.18.1.1 (Infill Housing) of the Mineola Neighbourhood Character policies, new housing is encouraged to fit the scale and character of the surrounding area to ensure that new development has minimal impact on adjacent neighbours with respect to overshadowing and overlook. The proposed detached dwelling respects the designated land use, and has regard for the distribution of massing on the property as a whole and will not negatively impact the character streetscape. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

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

Variance #1 proposes a side yard (easterly) of 1.55m, when a minimum side yard of 2.41m is required. The general intent of this portion of the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties, and that access to the rear yard ultimately remains unencumbered. Staff are of the opinion that the proposed 1.55m side yard will provide an adequate buffer between the massing of the dwelling and structures on the adjacent property. Furthermore, the side yard (westerly) provides a greater setback of 2.78m to ensure access to the rear yard is unencumbered. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #2 proposes a building height measured from average grade to the peak of the roof of 10.00m, when the maximum building height measured from average grade is 9.00m. The intent of restricting height to the highest ridge is to restrict the height of the dwelling to limit the massing impact to neighbouring properties. While the proposed variance appears excessive, Staff note that there is a 0.62 m difference from the finished grade to average grade. If the dwelling was measured from finished grade, the overall height would be 9.38m. The height would represent a minor deviation from what is permitted and would be proportional in scale and consistent with two storey homes in the area. The staggered façade of the dwelling and architectural features helps to break up the overall massing of the dwelling as a result of the increased height. As such, Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

The proposed dwelling maintains the existing and planned context of the surrounding area and does not pose any negative impact to the neighbourhood. The dwelling's height if measured from finished grade is a minor deviation from what is permitted. Furthermore, the dwelling's

staggered façade and architectural features that breaks up the overall massing of the dwelling as a result of the increased building height. The proposed side yards provide an adequate buffer to structures on adjoining properties and ensure access to the rear yard is unencumbered. As a result, the proposed dwelling maintains compatibility with newer two storey dwellings. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

Conclusion

The Planning and Building Departments have no objection to the variances, as amended. 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-20/059.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a site plan application under file SPI 21-59 W1. Based on review of the information currently available in this permit application, we advise that the following variance should be amended as follows:

1. A side yard (easterly) of 1.55m (approx. 5.09ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m (approx. 7.91ft) in this instance;

We also 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 site plan application submitted on 2021/04/21 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 – Region of Peel Comments

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

Comments Prepared by: Camila Marczuk (905) 791-7800 x8230



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A325.21
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 7269 Harwick Drive, zoned R3-69 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a walkway proposing a walkway attachment width of 2.42m (approx. 7.94ft) whereas By-law 0225-2007, as amended, permits a maximum walkway attachment width of 1.50m (approx. 4.92ft) in this instance.

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

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

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

How to submit a written comment:

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

Advance registration is required to participate in the electronic hearing:

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

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

Legal notice:

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

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



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-08-11	File(s): A325.21 Ward 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-19 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow a walkway proposing a walkway attachment width of 4.75m (approx. 15.38ft) whereas By-law 0225-2007, as amended, permits a maximum walkway attachment width of 1.50m (approx. 4.92ft) in this instance.

Amendments

Zoning staff advise that it appears the variance requested is incorrect, and that the hard surface running alongside the driveway is considered a part of the driveway.

Background

Property Address: 7269 Harwick Drive

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

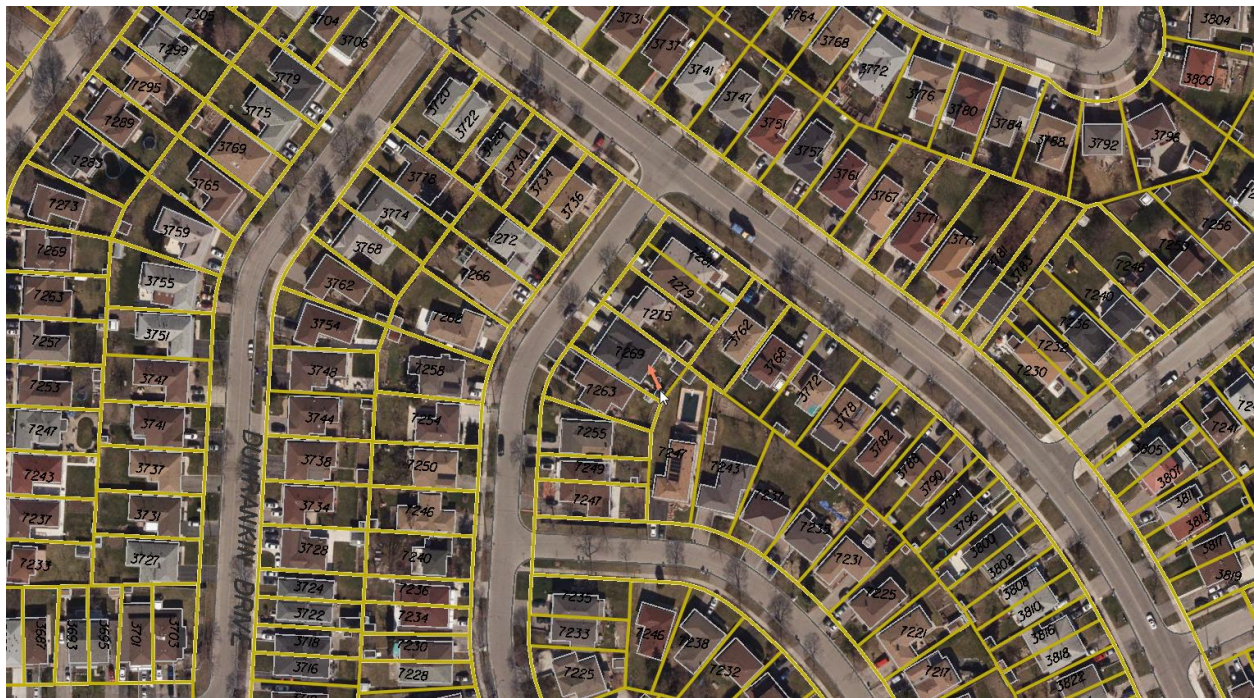
Zoning: R3-69 - Residential

Other Applications: BP 9ALT 18-4474

Site and Area Context

The subject property is located near the Morning Star Drive overpass of Highway 427, in the Malton Neighbourhood Character Area. Harwick Drive contains both detached and semi-detached dwellings with some mature vegetation. The subject property contains a detached dwelling with a mature tree in the City boulevard. It has a lot frontage of +/- 17m (56ft.) and a lot area of +/- 612.81m² (6,596sq.ft.).

The applicant is proposing alterations to the walkway requiring a variance for the proposed 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 located in the Malton Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan, which 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. Widened driveways are not common in this area, and the proposed hardscaping would represent one of the largest driveways in the surrounding area, comparable to some nearby driveways shared by two dwellings. Staff is of the opinion that the general intent and purpose of the Official Plan is not maintained in this instance.

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

The intent behind the walkway attachment regulation in the by-law is to provide a convenient surface for pedestrians to access the main entrance of a dwelling and define an entryway while not permitting vehicular movements or parking. While the drawing indicates that the proposed walkway is to be raised, staff have concerns regarding the details of how the walkway would be raised to prevent vehicle access, especially for larger vehicles. Furthermore the length of the proposed attachment has the ability to facilitate the parking of a motor vehicle and represents a significant deviation from the permissions of the by-law. Staff are therefore of the opinion that the general intent and purpose of the Zoning By-law is not maintained.

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

Planning staff are of the opinion that the request is not minor in nature due to its scale and its failure to meet the general intent of the Zoning By-law. The increased walkway attachment does not represent appropriate development of the subject lands.

Conclusion

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

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

The Site Plan DWG No: S-1 submitted with the application indicates that there will be no vehicles on the raised pathway and that the existing “Hardscaping” will be removed and re-sodded. Acknowledging the information provided with the application and the intention to have the municipal boulevard re-instated with sod, there will still be access to the raised walkway to be utilized for parking purposes.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing building permit application BP 9ALT 18-4474. From a review of the building permit application it appears the variance requested is incorrect. The Zoning office has indicated to the applicant that the hard surface running alongside the driveway is considered a part of the driveway. More information has been requested 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 2021/01/18 for the above captioned application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the building permit process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the building permit process in order to receive updated comments.

Comments Prepared by: Brian Bonner, Acting Supervisor



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A326.21
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 569 Fairview Road West, zoned R4-22 - 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 widened driveway on the subject property proposing a driveway width of 7.00m (approx. 22.96ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.68ft) in this instance.

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

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

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

How to submit a written comment:

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

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Legal notice:

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



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-08-11	File(s): A326.21 Ward 7
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-19 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to verify the accuracy of the requested variances and that no additional variances are required.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a widened driveway on the subject property proposing a driveway width of 7.00m (approx. 22.96ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.68ft) in this instance.

Background

Property Address: 569 Fairview Road West

Mississauga Official Plan

Character Area: Fairview Neighbourhood

Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R4-22 - Residential

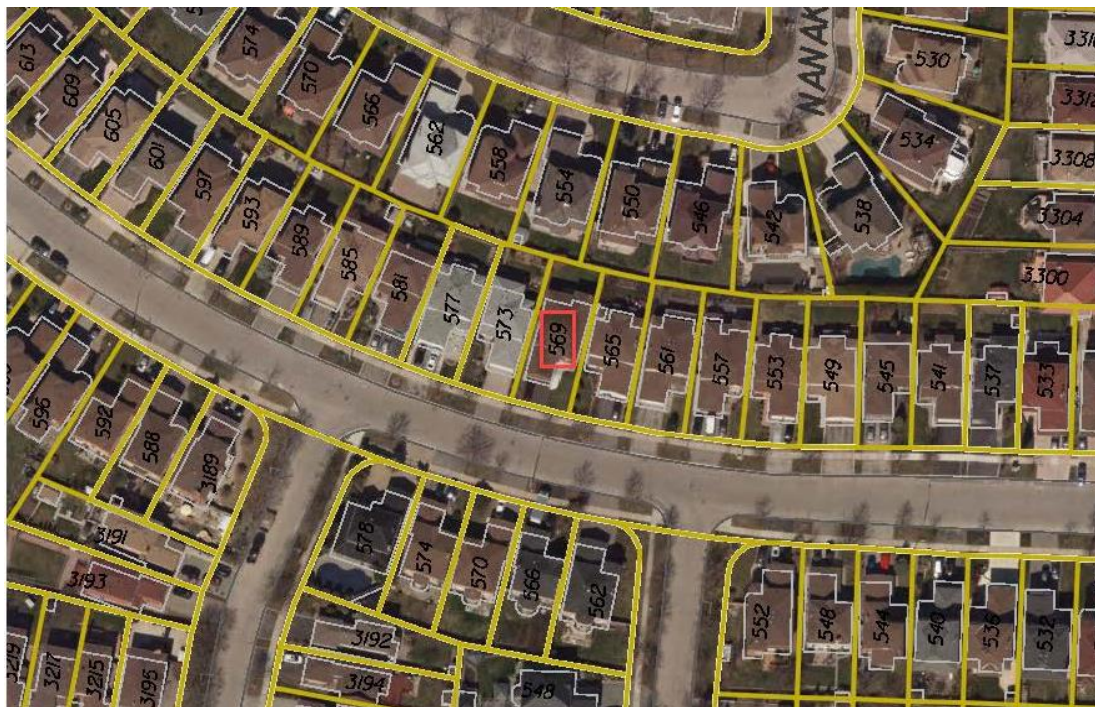
Other Applications: None

Site and Area Context

The subject property is located within the Fairview Neighbourhood Character Area, south-east of Mavis Road and Central Parkway West. The neighbourhood is entirely residential consisting

of two storey detached dwellings with vegetation mostly within the municipal boulevard. The subject property contains an existing two storey dwelling with no vegetation within the front yard.

The applicant is proposing to increase the driveway width to 7m whereas a maximum of 6 m is permitted.



Comments

Planning

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

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

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached and duplex, triplex and other forms of low rise dwellings with individual frontages. Section 9.1 of the MOP states that a driveway

width should respect the identity and character of the surrounding context. Furthermore, the intent of the zoning by-law is to permit a driveway large enough to suitably accommodate the required number parking spaces for a dwelling, with the remainder of lands being soft landscaping.

Staff are satisfied that the requested 1 metre (3 ft.) addition will appropriately fit into the surrounding context without undue impacts on adjacent properties. Additionally the proposed driveway width can suitably accommodate the required parking for the dwelling while providing a soft landscaping area that is within the character of the neighbourhood. Staff are of the opinion that the request is both minor and appropriate.

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

Acknowledging that the applicant is proposing to reduce the existing driveway width to 7.0M, we have no objections to the request.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Daniel Grdasic, Planning Associate



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A328.21
Ward: 8

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 3675 Tamarack Gate, zoned C1 - Commercial, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an addition:

1. A front yard of 1.40m (approx. 4.59 ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 4.50m (approx. 14.76ft) in this instance;
2. An exterior side yard of 1.00m (approx. 3.28ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 4.50m (approx. 14.76ft) in this instance;
3. A landscape buffer measured to the street line of 1.40m (approx. 4.59 ft) whereas By-law 0225-2007, as amended, requires a minimum landscape buffer measured to the street line of 4.50m (approx. 14.76ft) in this instance;
4. A landscape buffer measured to any other lot line of 1.20m (approx. 3.93ft) whereas By-law 0225-2007, as amended, requires a minimum landscape buffer to lot line of 4.50m (approx. 14.76ft) in this instance; and
5. A centre line setback (measured from Burnhamthorpe Road) of 19.50m (approx. 63.98 ft) whereas By-law 0225-2007, as amended, requires a minimum centre line setback of 22.00m (approx. 72.18ft) in this instance.

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

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How to submit a written comment:

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

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

Legal notice:

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



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-08-11	File(s): A328.21 Ward: 8
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-19 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred to submit the requested information.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an addition:

1. A front yard of 1.40m (approx. 4.59 ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 4.50m (approx. 14.76ft) in this instance;
2. An exterior side yard of 1.00m (approx. 3.28ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 4.50m (approx. 14.76ft) in this instance;
3. A landscape buffer measured to the street line of 1.40m (approx. 4.59 ft) whereas By-law 0225-2007, as amended, requires a minimum landscape buffer measured to the street line of 4.50m (approx. 14.76ft) in this instance;
4. A landscape buffer measured to any other lot line of 1.20m (approx. 3.93ft) whereas By-law 0225-2007, as amended, requires a minimum landscape buffer to lot line of 4.50m (approx. 14.76ft) in this instance; and
5. A centre line setback (measured from Burnhamthorpe Road) of 19.50m (approx. 63.98 ft) whereas By-law 0225-2007, as amended, requires a minimum centre line setback of 22.00m (approx. 72.18ft) in this instance.

Background

Property Address: 3675 Tamarack Gate

Mississauga Official Plan

Character Area: Erin Mills Neighbourhood
Designation: Convenience Commercial

Zoning By-law 0225-2007

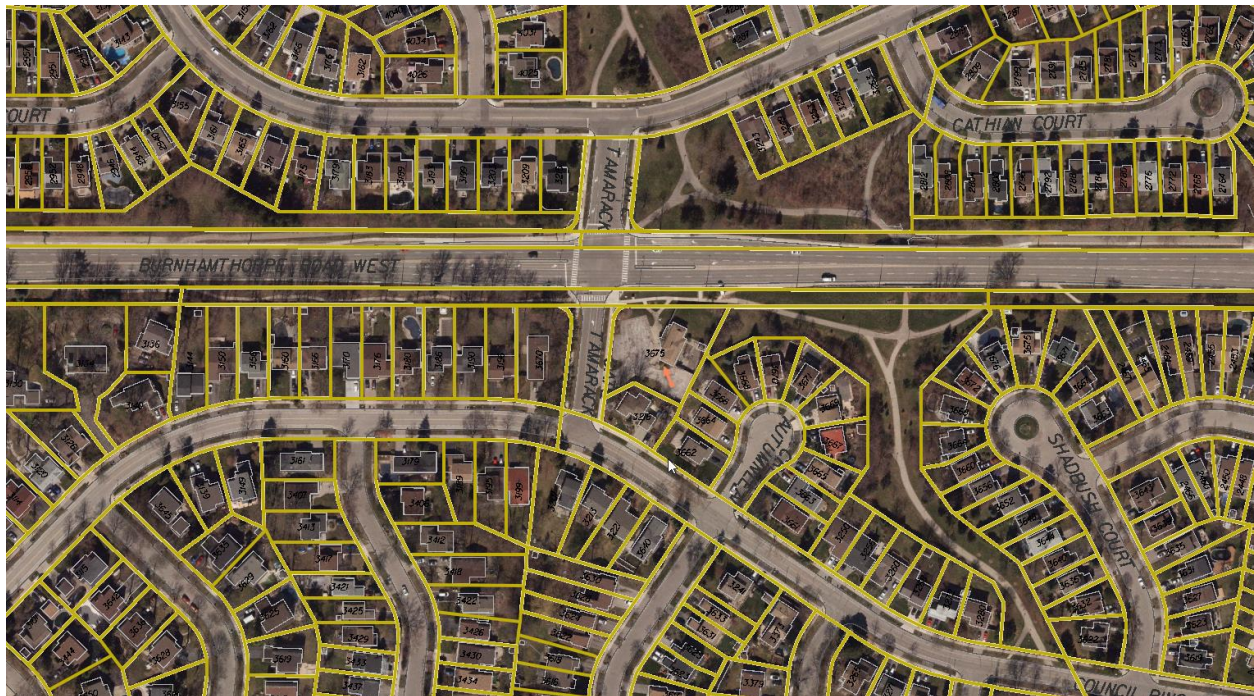
Zoning: C1 - Commercial

Other Applications: SP 18-90 W8

Site and Area Context

The subject property is located south-east of the Winston Churchill Boulevard and Burnhamthorpe West intersection in the Erin Mills Neighbourhood Character Area. The property contains the existing Pneuma Wellness Centre in a one storey singular building. To the north of the property is Glen Erin Trail. Surrounding the property to the south, east and west are one and two storey detached dwellings with mature vegetation in the front yards.

The applicant is seeking permission to allow the construction of an addition to the existing building requiring variances for front yard, exterior side yard, landscape buffer and a centreline setback.



Comments

Planning

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

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

The subject property is designated Convenience Commercial 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 m² or accommodating less than 500 jobs.

The applicant has requested the Committee to approve minor variances to allow the construction of a new one storey addition on the subject property. Upon review of the application, staff have noticed multiple discrepancies between the submitted drawings and the requested variances. Due to the discrepancies, Planning staff are unable to complete a full review of the application at this time and recommend the application be deferred to give the applicant an opportunity to submit a revised list of variances and/or drawings.

Conclusion

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

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 addition are being addressed through the Site Plan Application process, File SPI-18/090.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan application under file SP 18-090 W8. Based on review of the information currently available in this permit application, we advise that the drawings have changed and as such, we cannot confirm the variances at this time.

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

Comments Prepared by: Brandon Eidner, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A329.21
Ward: 6

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 5245 Alicante Street, zoned RM5 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a second unit proposing:

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

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

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

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How to submit a written comment:

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Advance registration is required to participate in the electronic hearing:

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

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

Legal notice:

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



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-08-11	File(s): A329.21 Ward 6
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-19 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

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

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

Background

Property Address: 5245 Alicante Street

Mississauga Official Plan

Character Area: East Credit Neighbourhood

Designation: Residential Medium Density

Zoning By-law 0225-2007

Zoning: RM5 - Residential

Other Applications: SEC UNIT 21-6884

Site and Area Context

The subject property is located south-west of the Terry Fox Way and Bristol Road West intersection in the East Credit Neighbourhood. It is a corner lot with a frontage of +/- 12.38m (133ft.) and a lot area of +/- 454.67m² (4,894sq.ft.). The dwelling on the property is a link dwelling with mature vegetation in both the front and exterior side yard. The surrounding neighbourhood includes both link and detached dwellings with vegetation in the front and rear yards.

In order to facilitate a legal second unit the applicant is requesting variances for the entrance to the unit to face the street.



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 in the East Credit Neighbourhood Character Area and is designated Residential Medium Density in Schedule 10 of the Mississauga Official Plan (MOP). 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 intent of the regulations relating to entrances for second units in the zoning by-law is to ensure that the secondary unit does not have a negative impact on the streetscape.

The applicant is proposing a below grade entrance to a secondary unit that would be visible from both the front and exterior side yards. While both yards to contain mature vegetation, it is the opinion of staff that the existing vegetation is insufficient to buffer the proposed entrance or mitigate its impacts on the streetscape. Furthermore the development is not compatible with the surrounding context and does not represent appropriate development for the subject property. Staff do not find that the impacts to the streetscape are minor in nature and recommend that the application be deferred in order to allow the applicant to relocate the proposed entrance.

Conclusion

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

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed are photos depicting the subject property. We also note that as this is a corner property, the proposed entrance stairwell will not alter the existing drainage pattern.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file SEC UNIT 21-6884. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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

Comments Prepared by: Alana Zheng, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A330.21
Ward: 8

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 3355 The Collegeway, zoned C4-73 - Commercial, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of townhouses proposing:

1. 1.12 parking spaces per dwelling unit whereas By-0225-2007, as amended, requires a minimum of 1.20 parking spaces per dwelling unit in this instance; and
2. A rooftop balcony setback measured to the exterior edge of the building of 0.00m whereas By-law 0225-2007, as amended, requires a minimum rooftop balcony setback measured to the exterior edge of the building of 1.20m (approx. 3.93ft) in this instance.

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

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

How to submit a written comment:

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Advance registration is required to participate in the electronic hearing:

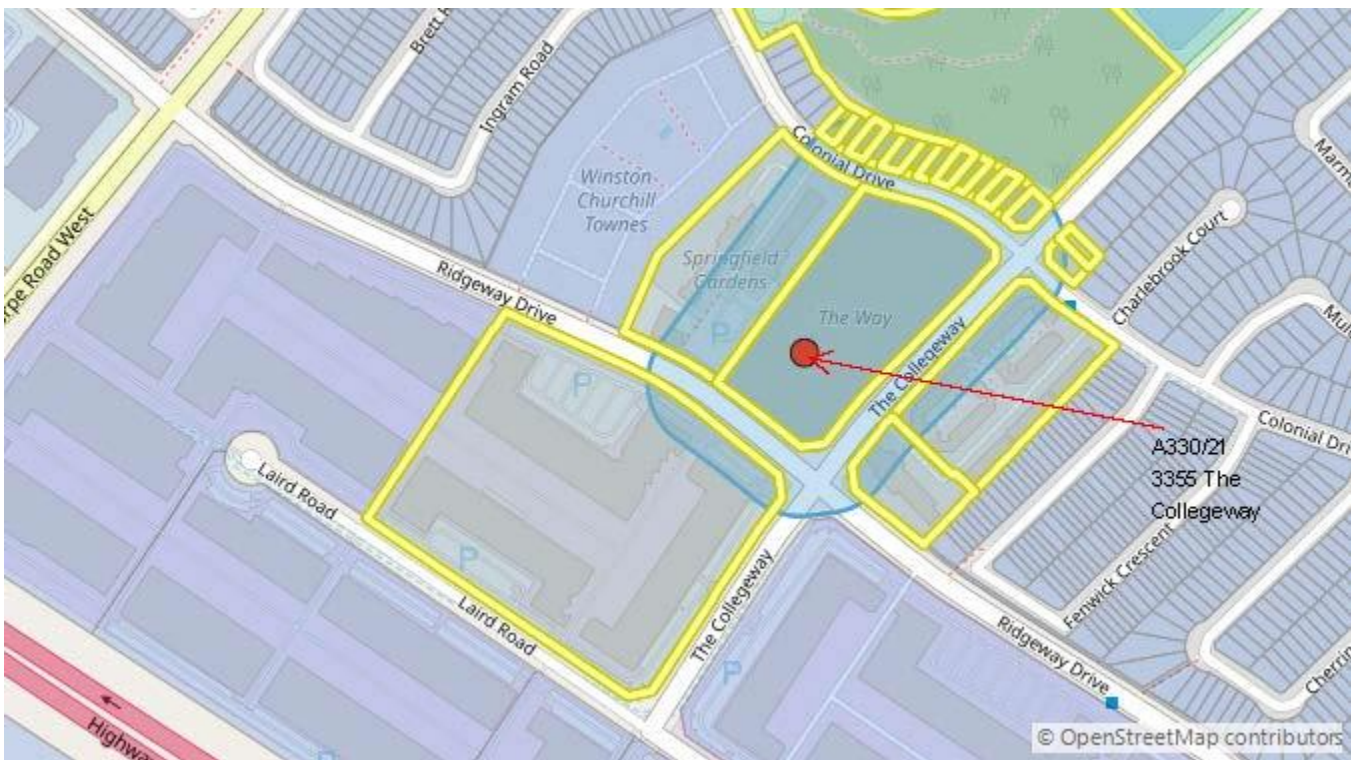
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud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

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

Legal notice:

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

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-08-11	File(s): A330.21 Ward: 8
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-19 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred to permit the Applicant the opportunity to submit the requested information.

Application Details

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

1. 1.12 parking spaces per dwelling unit whereas By-0225-2007, as amended, requires a minimum of 1.20 parking spaces per dwelling unit in this instance; and
2. A rooftop balcony setback measured to the exterior edge of the building of 0.00m whereas By-law 0225-2007, as amended, requires a minimum rooftop balcony setback measured to the exterior edge of the building of 1.20m (approx. 3.93ft) in this instance.

Background

Property Address: 3355 The Collegeway

Mississauga Official Plan

Character Area: Erin Mills Neighbourhood
Designation: Mixed Use

Zoning By-law 0225-2007

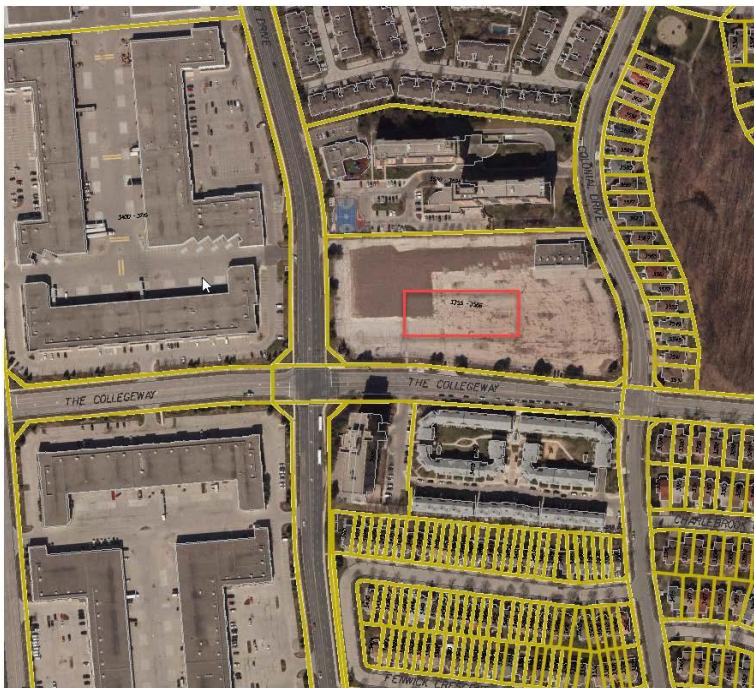
Zoning: C4-73 - Commercial

Other Applications: OZ 16/005 W8 (Approved By LPAT) and SP 19/80 W8 (Being Processed)

Site and Area Context

The subject property is located on the north-east corner of Ridgeway Drive and the Collegeway in the Erin Mills Neighbourhood Character Area. The property contains a plaza with commercial uses with a mix of commercial uses. To the north of the property are two ten-storey residential apartment buildings. South of the subject property is a residential townhouse complex and a twelve-storey apartment building.

The applicant is requesting minor variances to allow for the construction of a townhouses development requiring variances for parking and a rooftop balcony setback.



Comments

Planning

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

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

The subject property is designated Mixed Use in Schedule 10 of the Mississauga Official Plan (MOP) which permits residential uses.

Variance #1 pertains to parking. The applicant is requesting to allow the construction of townhouses proposing 1.12 parking spaces per dwelling unit where a minimum of 1.2 parking spaces per dwelling unit is required. The City Planning Strategies (CPS) Division has reviewed the application and their comment is as follows.

The applicant submitted a Parking Memorandum, prepared by BA Group, dated June 8, 2021, in support of the submitted application. The Parking Memorandum, dated June 8, 2021, explains that the Committee of Adjustment application is related to application OZ 16-005 and subject to a decision of the Local Planning Appeal Tribunal (LPAT), recently renamed the Ontario Land Tribunal. The LPAT decision approved site specific parking rates as follows:

- a minimum of 1.2 resident parking spaces per stacked townhouse dwelling unit
- a minimum of 0.2 visitor/non-residential parking spaces per dwelling unit

Based on the submitted information, the development is proposing an additional 20 residential dwelling units for a total of 384 back-to-back stacked townhouses, providing 431 residential parking spaces and 77 visitor/non-residential parking spaces, for a total of 508 parking spaces. Visitor/non-residential parking is being maintained at 0.2 spaces per unit and there are no changes to the proposed retail and office parking component.

The Parking Memorandum also included condominium ("condo") sales data and a proxy site survey as justification for the requested reduced residential parking rate.

Condo Sales Data

Approximately 82% of the units have been sold to date (total 384 units; sold 316 units) and each unit included one parking space. Based on the projected sales demand, there is a 1 to 1 parking demand rate and it results in a projected over supply of residential parking spaces. The submitted information explains that the developer offered all purchasers the ability to purchase a second parking space at cost with a 25% deposit requirement, however all the purchasers declined the offer.

Proxy Site Survey

A proxy site at 2277 South Millway was surveyed over three days via video camera count on:

- Thursday, April 29, 2021 at 6:30pm
- Monday, May 3, 2021 at 7:30am
- Friday, May 7, 2021 at 12:30am

The Parking Memorandum reported an observed peak demand on Friday, May 7, 2021 at 12:30 AM for a total peak demand of 87 spaces, which equates to a demand rate of 0.75 spaces per occupied unit. BA Group indicates that the proxy site is approximately 80% occupied, which means that 115 units are occupied out of a total 144 units. BA Group is of the opinion that the observed demand is representative of typical parking demand.

BA Group acknowledges limitations with the proxy site due to COVID-19, limited survey times/duration, and that the proxy site is in a location with better access to public transit than the proposed development.

CPS Staff contacted the agent, Jim Levac, Glen Schnarr & Associates Inc., via email on July 28, 2021, seeking additional information on the condo sales data strategy and the proxy site survey. Staff received the requested information pertaining to the condo sales data via email on August 5, 2021, however, requested information for the proxy site has not been submitted yet.

Overall, CPS staff have concerns with the application and provide the following comments:

- The proxy site survey was conducted only for 3 days, whereas a minimum of 4 to 6 days over a two consecutive week period should be provided.
- Staff conducted a site visit to 2277 South Millway on Thursday, July 29, 2021, and observed approximately 30 cars parked on both sides of the street, with parking permitted for 15 hours. Staff are of the opinion that the observed parking demand may not be accurate and does not account for 15hr/overnight parking on the adjacent street.
- Condo sales data is acceptable as supplementary justification in addition to appropriate parking surveys. Given that CPS staff have concerns with the proxy site survey, the sales data alone is not acceptable to determine the parking demand for the proposed development.
- CPS Staff note that the requested variance references the LPAT approved resident parking rate of 1.2 spaces per unit, whereas the current Zoning By-law rate is 1.5 spaces per 2-bedroom condo back to back and stacked townhouse unit.
 - Note: Staff reviewed previous parking comments for OZ 16-005 and anticipate that all dwelling units are 2-bedrooms.
- Based on the Parking Regulations Study currently underway, the proposed development would be in Precinct 4 with a proposed rate of 1.3 spaces per condo back to back and stacked townhouse unit.

Based on the submitted information, CPS staff recommend that the application be deferred pending the submission of additional information to address the concerns indicated above.

Variance #2 pertains to rooftop balcony setback. The purpose of a minimum rooftop balcony setback measured to the exterior edge is to ensure that rooftop balconies are not situated too close to property lines. This provision was added to the zoning by-law to ensure new infill development with rooftop balconies would not create privacy and overlook concerns in low-density neighbourhoods. In this case, Staff have no concerns with the proposed 0 m rooftop balcony setback, as the proposed development is not for infill development, it is for a townhouse complex. Furthermore, the four sides of the development are adjacent to public roads, a woodlot and drive aisle associated with an existing mid rise rental apartment. Therefore, there are no overlook or privacy concerns.

While Planning Staff are of the opinion that variance #2 meets the general intent and purpose of the zoning by-law, variance #1 does not. CPS Staff require a Parking Utilization Study in order to assess the reduced parking variance. As a result, Planning staff cannot complete its review of the application to determine if it is consistent with the tests outlined in the Planning Act.

Conclusion

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

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 townhouse development are being addressed through the Site Plan Application process, File SPI-19/080, and also previously approved Rezoning File OZ-16/005.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a site plan approval application under file xx-SP 19/080. Based on review of the information currently available for this application, the variances, as requested are correct.

Our comments are based on the plans received by Zoning staff on 07/06/2021 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



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A404.21
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 2543 Wickham Road, zoned R4 - 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 a driveway width of 8.5m (approx. 27.9ft) whereas By-law 0225-2007, as amended, permits a maximum driveway of 6.0m (approx. 19.7ft) in this instance.

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

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How to submit a written comment:

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Advance registration is required to participate in the electronic hearing:

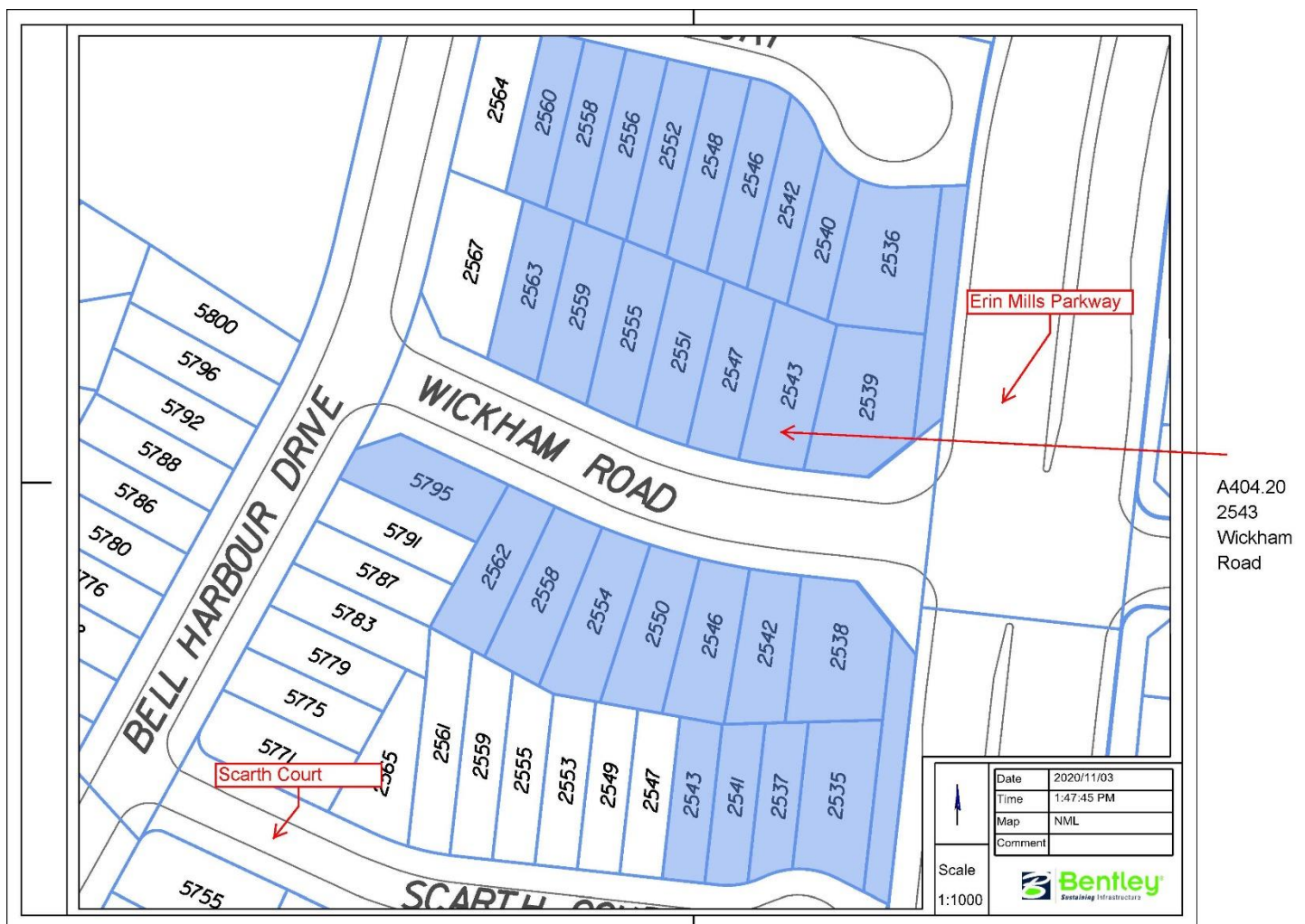
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud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

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-08-11	File(s): A404.20 Ward 9
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2021-08-19 1:00:00 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 and that additional variances are not required.

Application Details

The applicants request the Committee to approve a minor variance to allow a widened driveway on the subject property proposing a driveway width of 8.5m (approx. 27.9ft) whereas By-law 0225-2007, as amended, permits a maximum driveway of 6.0m (approx. 19.7ft) in this instance.

Amendments

While Planning staff are not in a position to interpret the Zoning By-law, based on the submitted drawings it appears that the variance should be amended as follows:

To allow a widened driveway on the subject property proposing a driveway width of 7.45m whereas By-law 0225-2007, as amended, permits a maximum driveway of 6.0m in this instance.

Background

Property Address: 2543 Wickham Road

Mississauga Official Plan

Character Area: Central Erin Mills Neighbourhood

Designation: Residential Low Density II

Zoning By-law 0225-2007

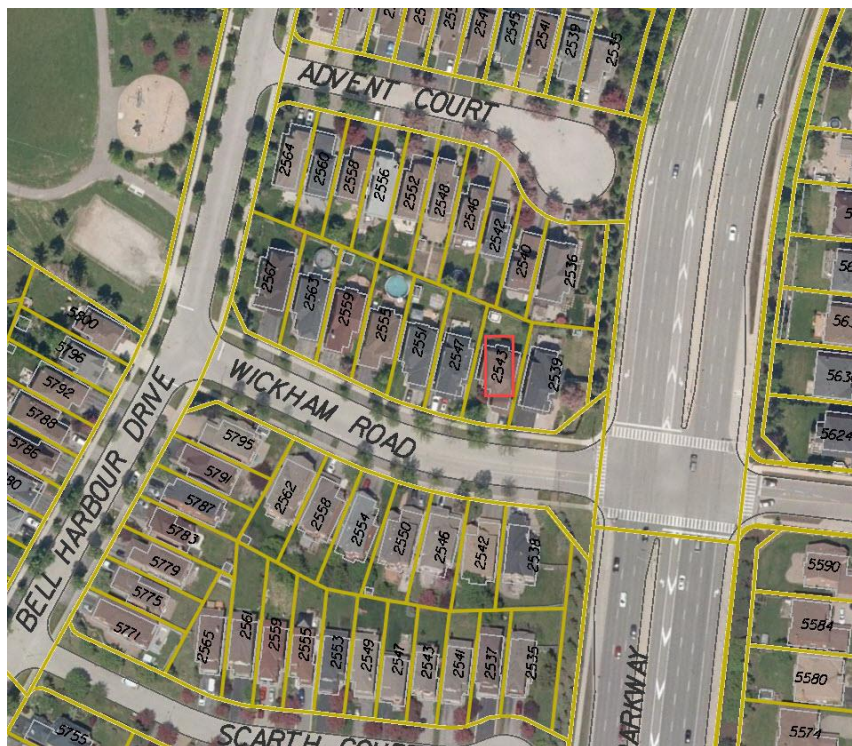
Zoning: R4 - Residential

Other Applications: None

Site and Area Context

The subject property is situated north-west of the Erin Mill Parkway and Wickham Road intersection and currently houses a two-storey, detached dwelling with an attached double-car garage. The subject property is an interior parcel, adjacent to the corner lot of Wickham Road and Erin Mills Parkway, with a lot area of +/- 541.32m² and a lot frontage of approximately +/- 15.04m. The area is comprised exclusively of two-storey detached dwellings. The properties in the immediate area possess lot frontages of +/- 15m with some vegetation within the front yards.

The applicant is proposing a widened driveway on the subject property requiring a variance for driveway width.



Comments

Planning

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

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

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

The subject property is located in the Central Erin Mills Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). 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 applicant has revised his request since the original application, reducing the driveway width from 8.5m to 7.45m. Staff are willing to support a widened driveway on the subject property given its proximity to Erin Mills Parkway, which in staff's opinion forms part of the surrounding context for this property. While staff were unable to support the driveway in its original configuration, staff are of the opinion that the revised driveway more appropriately fits the property and surrounding context, meeting the general intent and purpose of the Official Plan.

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

The intent of the driveway width regulations in the by-law are to permit a driveway wide enough to facilitate the parking of two vehicles side by side, with the remainder of the front yard being soft landscaping. Staff are satisfied that an appropriate front yard amenity area and sufficient soft landscaping are maintained under the current proposal and that the hardscaping does not represent an overdevelopment of the front yard. Therefore the 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?

Only one property separates the subject property from Erin Mills Parkway, and Wickham Road is the only easterly entrance to the subdivision between Britannia Road West and Thomas Street. As such, the subject property warrants special consideration. The proposal balances the permissions of the site appropriately with the planned and existing neighbourhood context resulting in only minor impacts to the streetscape and surrounding properties. It will allow for additional manoeuvrability and visibility to the street in order to facilitate access to and from the property. Staff are of the opinion that the proposal represents desirable development of the subject property.

Conclusion

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

City Department and Agency Comments	File:A404.21	2021/08/11	4
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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: Daniel Grdasic, Planning Associate



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A46.21
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 3146 Merritt Avenue, zoned R4-1 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicants request the Committee to approve a minor variance to allow the construction of a new home on the subject property proposing:

1. A gross floor area of 192.08sq.m (approx. 2,067.53sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 174.30sq.m (approx. 1,876.15sq.ft) in this instance;
2. A lot coverage of 33.47% of the lot area (124.36sq.m/approx. 1,338.60sq.ft) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.0% of the lot area (111.45sq.m/approx. 1,199.64sq.ft) in this instance;
3. A height measured to the eaves of 7.06m (approx. 23.16ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m (approx. 21.00ft) in this instance;
4. A driveway width of 2.43m (approx. 7.97ft) whereas By-law 0225-2007, as amended, requires a minimum driveway width of 2.60m (approx. 8.53ft) in this instance;
5. A driveway setback to the lot line of 0.00m whereas By-law 0225-2007, as amended, requires a minimum driveway setback of 0.60m (approx. 1.97ft) in this instance;
6. A front yard of 5.00m (approx. 16.40ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m (approx. 24.61ft) in this instance;
7. A front yard measured to a porch of 4.23m (approx. 13.88ft) 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; and
8. An easterly side yard of 1.22m (approx. 4.00ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.94ft) in this instance.

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

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

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

How to submit a written comment:

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

Advance registration is required to participate in the electronic hearing:

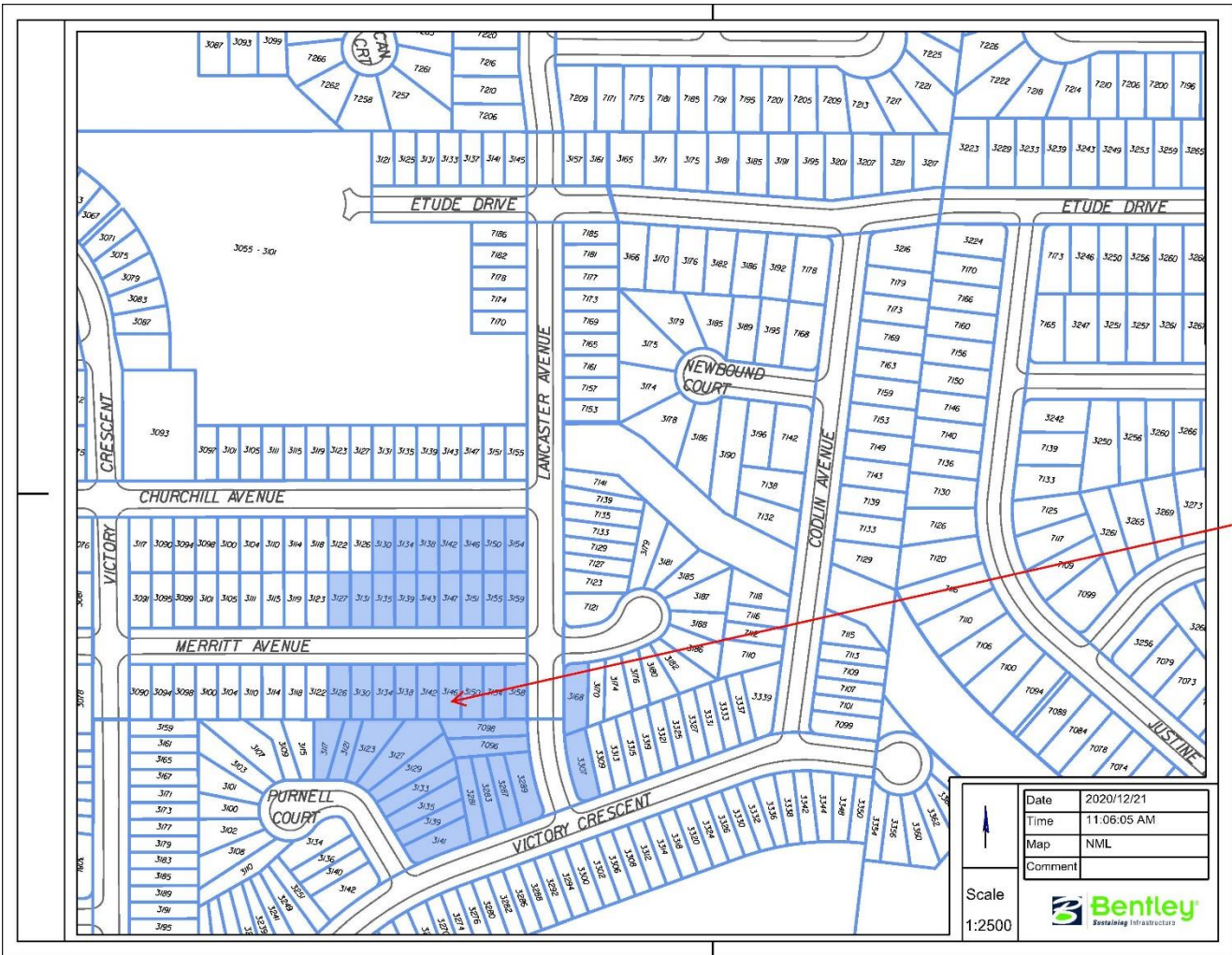
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud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

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

Legal notice:

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

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



A46/21
3146
Merritt Ave.

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-08-11	File(s): A46.21
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-12 1:00:00 PM

Consolidated Recommendation

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

Application Details

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

1. A gross floor area of 192.08sq.m (approx. 2,067.53sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 174.30sq.m (approx. 1,876.15sq.ft) in this instance;
2. A lot coverage of 33.47% of the lot area (124.36sq.m/approx. 1,338.60sq.ft) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.0% of the lot area (111.45sq.m/approx. 1,199.64sq.ft) in this instance;
3. A height measured to the eaves of 7.06m (approx. 23.16ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m (approx. 21.00ft) in this instance;
4. A driveway width of 2.43m (approx. 7.97ft) whereas By-law 0225-2007, as amended, requires a minimum driveway width of 2.60m (approx. 8.53ft) in this instance;
5. A driveway setback to the lot line of 0.00m whereas By-law 0225-2007, as amended, requires a minimum driveway setback of 0.60m (approx. 1.97ft) in this instance;
6. A front yard of 5.00m (approx. 16.40ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m (approx. 24.61ft) in this instance;
7. A front yard measured to a porch of 4.23m (approx. 13.88ft) 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; and
8. An easterly side yard of 1.22m (approx. 4.00ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.94ft) in this instance.

Background

Property Address: 3146 Merritt Avenue

Mississauga Official Plan

Character Area: Malton Neighbourhood

Designation: Residential Low Density II

Zoning By-law 0225-2007

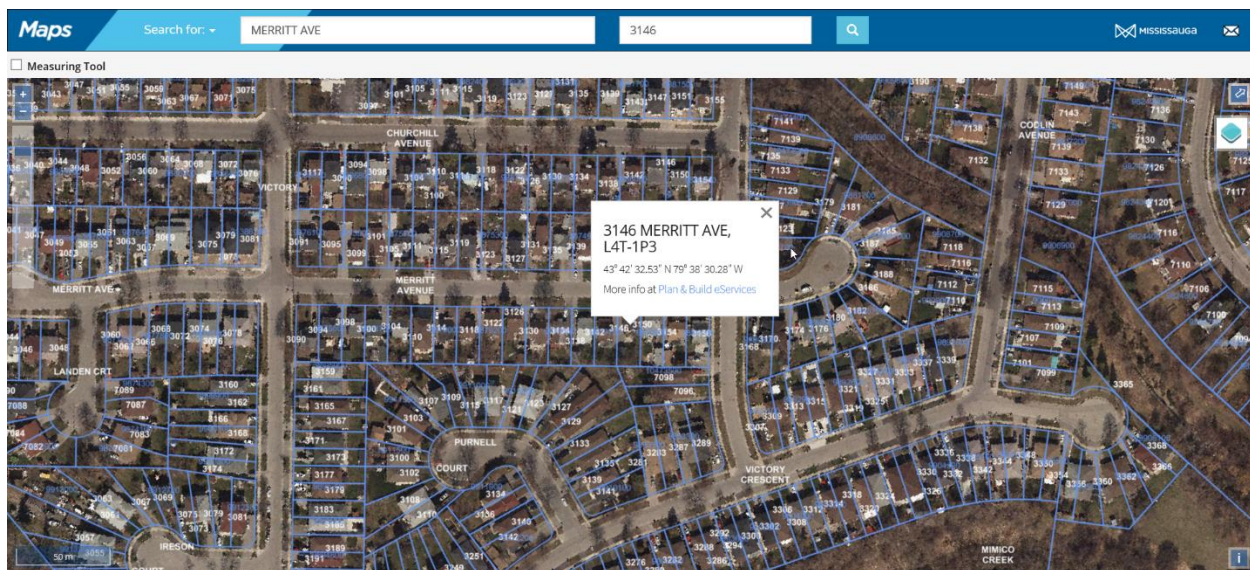
Zoning: R4-1 - Residential

Other Applications: PRE APP 20-3674

Site and Area Context

The property is located north-east of the Derry Road East and Airport Road intersection in the Malton Neighbourhood. The property currently contains a single storey detached dwelling with minimal vegetation in the front and rear yards. The subject property has a lot area of +/- 371.50m² and a lot frontage of +/- 12.19m. The built form of the surrounding neighbourhood consists of single storey detached dwellings.

The applicant is proposing a new dwelling requiring variances for lot coverage, gross floor area, height of the eaves, driveway width, as well as driveway, front yard and side yard setbacks.



Comments

Planning

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

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

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

The subject property is located in the Malton Neighbourhood Character Area and 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. 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 there are few redeveloped dwellings in the immediate area, staff are of the opinion that the proposed structure represents compatible development that is in line with the planned character of the area. Staff are therefore of the opinion that the proposal meets 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 & 2 are for an increased gross floor area and lot coverage. The intention of these provisions is to ensure that new development is compatible with the surrounding built form and prevent the overdevelopment of the lot. The proposed variances are minor in nature and do not represent significant increases that impact the planned character of the area. It is the opinion of staff that the proposed dwelling is appropriately sized for the subject property.

Variance 3 relates to the height measured to the eaves. Staff note that no variance is requested for the overall height of the structure. The intention of the height regulations in the by-law is to help regulate the massing of structures and to maintain a human scale. The subject property has a slight slope leading towards the rear of the property, causing the Average Grade (from which the height of the eaves is measured) to be below ground at the front of the house. Additionally the design of the front wall of the dwelling uses architectural details that help mitigate the massing of the dwelling and reduce the impact on the public realm. The proposal is in character with other new builds in the surrounding area and staff are satisfied that the request meets the general intent and purpose of the Zoning By-law.

Variances 4 & 5 relate to the proposed driveway. The minimum width provision is to ensure that the driveway is sufficiently wide in order to accommodate a motor vehicle, and the setback provision is to allow for a visual separation of properties and drainage. The driveway width is only restricted on the property when it passes the dwelling in order to access the parking in the rear yard. Staff are satisfied that the driveway will remain functional and have no concerns regarding this variance. Regarding the driveway setback request, the variance has been circulated as requesting 0.0m of setback, however the submitted site plan appears to show a setback of 0.3m from the property line. Shared driveways represent the norm along this portion

of Merritt Avenue, which reduces the visual separation between properties. Staff have no objections to the 0.3m driveway setback as shown on the Site Plan as it allows for drainage and increases the visual separation as envisioned by the by-law, however staff do have concerns with a requested 0.0m setback.

Variances 6, 7 & 8 request reduced setbacks on the subject properties. The setback regulations in the by-law seek to ensure a consistent character is maintained along the streetscape and that there is an adequate buffer between the primary structures on adjoining properties. The reduced front yard for both the dwelling and the porch brings the house more appropriately in line with the abutting properties than if the by-law setback was enforced, and continues to accommodate an appropriate front yard amenity area. The requested side yard setback represents a reduction on only one side of the dwelling, and staff are satisfied that an appropriate buffer is maintained between the proposed dwelling and the adjoining property. Furthermore access to the rear yard is maintained on the opposite side of the dwelling due to the increased setback to facilitate the driveway.

Given the above it is the opinion of staff that the variances meet the general intent and purpose of the Zoning By-law.

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

Planning staff are of the opinion that the proposed development has only minor impacts on surrounding properties and the streetscape, and that the redevelopment of the dwelling represents appropriate development of the subject lands. The requests are appropriate for the lot and do not negatively impact or significantly stray from the planned character of the neighbourhood.

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 new dwelling will be addressed through the Building Permit Application process.

As noted in our previous comments the applicant has removed the previously proposed trench drain and as indicated in the Site Plan DWG A1, a 0.304 setback to the driveway from the property line has been provided which we find acceptable.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

City of Mississauga

Memorandum:

City Department and Agency Comments

Appendix 2 – Zoning Comments

The Building Department is currently processing preliminary zoning review application PREAPP 20-3674. From a review of this application it appears that variances 3 through 8 are correct. Additional information is required in order to verify the accuracy of variances 1 and 2 and to determine if any additional variances are required.

Our comments are based on the plans received by Zoning staff on 2020/12/04 for the above captioned application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the preliminary zoning review 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 preliminary zoning review process in order to receive updated comments.

Comments Prepared by: Brian Bonner, Acting Supervisor



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A208.21
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 86 Troy Street, zoned R3-1 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A gross floor area of 366.56sq.m (approx. 3,945.62sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 326.31sq.m (approx. 3,512.37sq.ft) in this instance;
2. A building height measured to the eaves of 6.79m (approx. 22.23ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance; and
3. A horizontal setback measured to the Metrolinx rail corridor of 15.15m (approx. 49.70ft) whereas By-law 0225-2007, as amended, requires a minimum horizontal setback distance to the Metrolinx rail corridor of 30.00m (approx. 98.43ft) in this instance.

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

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

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

How to submit a written comment:

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

Advance registration is required to participate in the electronic hearing:

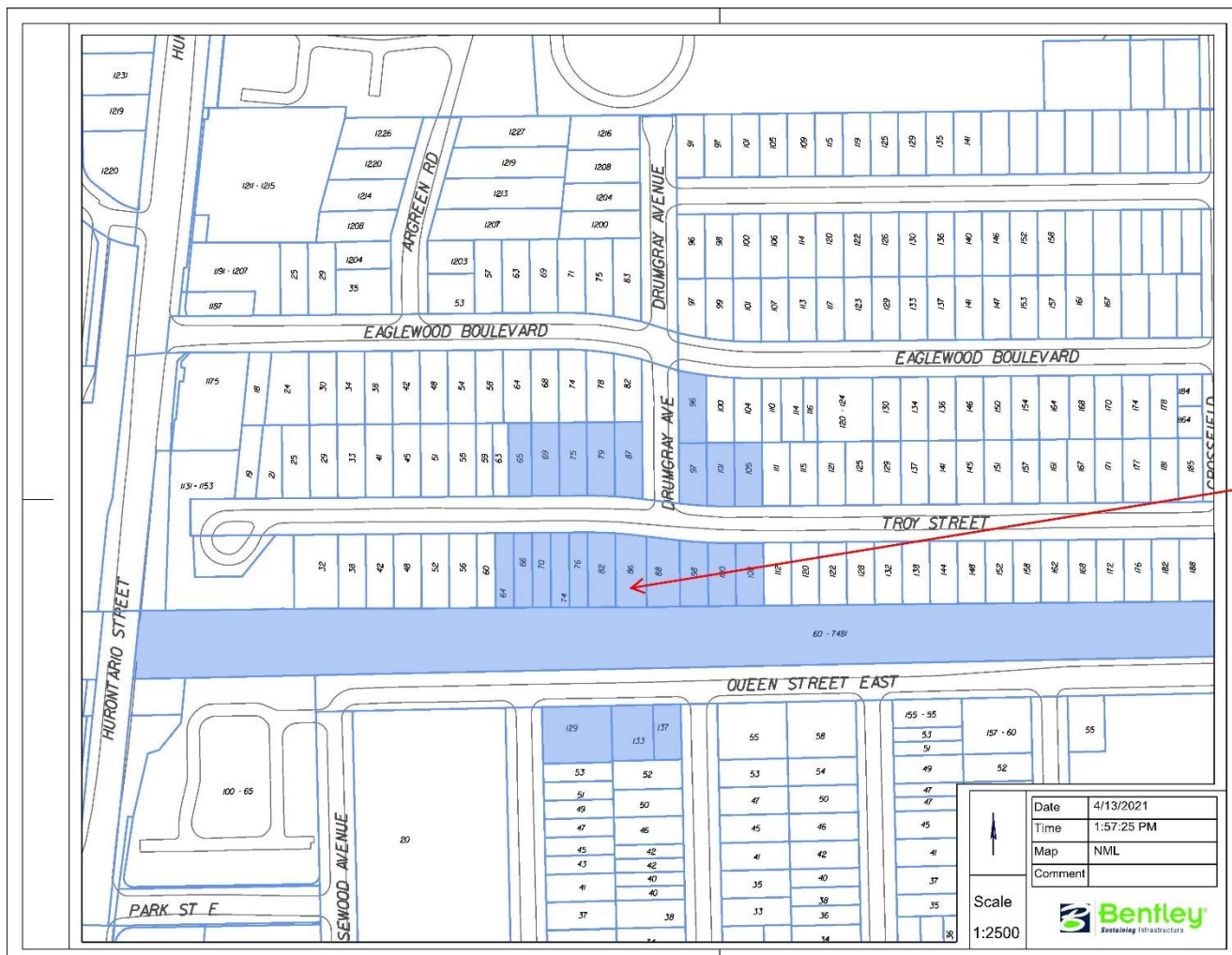
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To participate by telephone: To register, please call 905-615-3200 x5209 no later than 4:30pm the Tuesday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further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

Legal notice:

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



A208/21
86 Troy St.

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-08-11	File(s): A208.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-19 1:00:00 PM

Consolidated Recommendation

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

Application Details

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

1. A gross floor area of 366.56sq.m (approx. 3,945.62sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 326.31sq.m (approx. 3,512.37sq.ft) in this instance;
2. A building height measured to the eaves of 6.79m (approx. 22.23ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance; and
3. A horizontal setback measured to the Metrolinx rail corridor of 15.15m (approx. 49.70ft) whereas By-law 0225-2007, as amended, requires a minimum horizontal setback distance to the Metrolinx rail corridor of 30.00m (approx. 98.43ft) in this instance.

Background

Property Address: 86 Troy Street

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

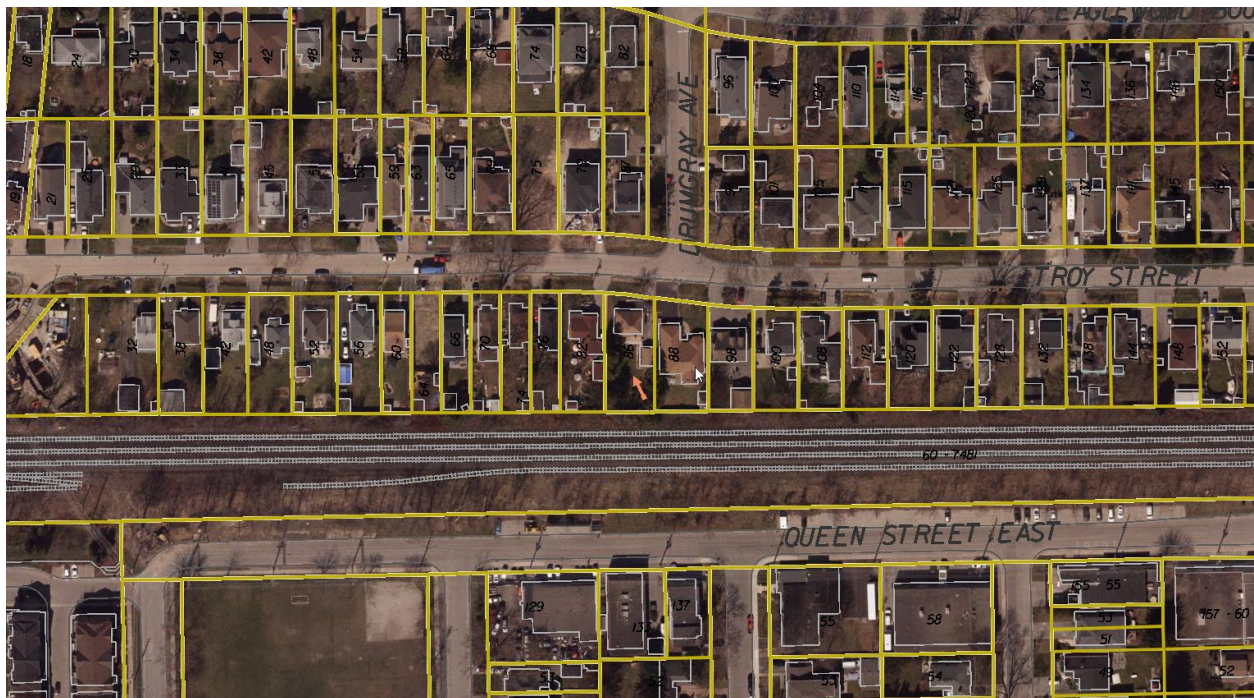
Zoning: R3-1 - Residential

Other Applications: Site Plan Application: 20-30

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southeast of Hurontario Street and Eaglewood Boulevard. The neighbourhood is entirely residential, consisting of one and two storey detached dwellings with little vegetation. The subject property contains an existing one storey detached dwelling, adjacent to an existing railway corridor. The properties on the south side of Troy Street historically contain deficiencies related to setbacks measured to the railway.

The applicant is proposing a new two storey dwelling requiring variances regarding gross floor area, eave height, and a deficient setback to the railway.



Comments

Planning

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

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, duplexes, triplexes, street townhouses and other forms of low-rise dwellings with individual frontages. As per Section 16.18.1.1 (Infill Housing) of the Mineola Neighbourhood Character policies, new housing is encouraged to fit the scale and character of the surrounding area to ensure that new development has minimal impact on adjacent neighbours with respect to overshadowing and overlook. The proposed detached dwelling respects the designated land use and has regard for the distribution of massing on the property as a whole and will not negatively impact the character streetscape. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

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

Variance #1 and #2 pertains to gross floor area and eave height:

The application proposes a gross floor area of 366.56 m² and an eave height of 6.79m whereas a maximum gross floor area of 326.31m² and a maximum eave height of 6.40m is permitted. The intent in restricting gross floor area is to maintain compatibility between existing and new dwellings and ensure the existing and planned character of a neighbourhood is preserved. The proposal is consistent with newer two storey dwellings within the immediate area and does not pose a negative impact to the character streetscape. Furthermore, most of the GFA proposed is towards the rear of the property and cannot be seen from the street.

The intent of restricting eave height is lessen the visual massing of the dwelling and bring the edge of the roof closer to the ground. This gives the dwelling a more human scale. In this instance, the overall height of the dwelling maintains by-law provisions of 9.50m, thereby reducing the impact of the increased eave height. The proposed dwelling contains architectural features that break up the first and second storey, which reduces the overall massing of the dwelling to the character streetscape.

Variance #3 pertains to a horizontal setback measured to the Metrolinx rail corridor:

The application proposes a horizontal setback measured to the Metrolinx rail corridor of 15.15m where a minimum horizontal setback distance to the Metrolinx rail corridor of 30.00m is required. Metrolinx and Transportation and Works staff have note that they will provide comments on the application through the Site Plan Approval process. Planning Staff have no concerns with this variance, as the proposed setback is consistent with the setback provided by neighbouring properties.

Staff note that the applicant has submitted a revised Site Plan Approval Application that is currently under review. The requested variances are based on drawings submitted with the revised Site Plan Approval application. Zoning's recommendation (in Appendix 2) was based off of the original Site Plan submitted. Staff compared the original application against the revised

application and informed the applicant's agent that additional variances may be required for the proposed walkway connection and three kitchens. Staff was advised by the applicant's agent that the additional variances would not be required and the proposal and drawings would be amended to ensure the walkway connection and kitchens comply with the zoning by-law.

Staff is of the opinion that the general intent and purpose of zoning by-law is maintained. Staff note that the Site Plan submitted is still under review. The applicant may choose to defer the application to ensure the variances are accurate.

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

The proposed dwelling maintains compatibility with newer two storey dwellings and does not alter the existing and planned character streetscape. The proposed dwelling contains architectural features that break up the first and second story of the dwelling, which limits the impact to the streetscape and neighbouring properties. Additionally, the proposed dwelling fits within the scale of the immediate neighbourhood. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

Conclusion

The Planning and Building Departments have no objection to the variances. 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-20/030.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a site plan approval application under file SPI 20/030. Based on review of the information currently available for this application, we advise that the following variance(s) should be amended/added as follows:

1. A gross floor area of 384.24m sq whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 326.31sq.m (approx. 3,512.37sq.ft) in this instance;
 2. Insufficient rear yard setback of 15.21m to the railway right-of-way, whereas By-law 0225/2007, as amended requires a minimum setback of 30.0m in this instance;
- Excessive walkway connection of 2.0m to the driveway, whereas By-law 0225-2007 as amended, permits a maximum walkway connection of 1.50m to the driveway, in this instance;
 - Three kitchens proposed, whereas By-law 0225-2007 as amended, permits 1 kitchen per dwelling unit, in this instance;

Our comments are based on the plans received by Zoning staff on 02/21/2021 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 – Region of Peel Comments

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