
Committee of Adjustment

Date: August 26, 2021
Time: 1:00 PM
Location: Online Video Conference

Members

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

Contacts

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

Send written submissions or request notification of future meetings to:

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

-
1. CALL TO ORDER
 2. DECLARATION OF CONFLICT OF INTEREST
 3. DEFERRALS OR WITHDRAWALS
 4. MATTERS TO BE CONSIDERED
 - 4.1. B48/21-A333/21-A334/21
150 PAISLEY BLVD W (WARD 7)
CANAHANS COMPANY LIMITED
 - 4.2. B50/21
1260 KANE RD (WARD 2)
1854290 ONTARIO INC
 - 4.3. A312/21
1877 HINDHEAD RD (WARD 2)
2456060 ONTARIO INC
 - 4.4. A316/21
1191 & 1213 EGLINTON AVE E (WARD 5)
MGR GROUP INC
 - 4.5. A321/21
2355 GENEVIEVE DR (WARD 7)
JAMIE & SANDRA CARDOSO
 - 4.6. A327/21
3 TECUMSETH AVE (WARD 1)
BLAIR GRENNIER & PAULA BUCCI
 - 4.7. A332/21
1653 FENGATE DR (WARD 11)
SYLVAIN WILKIE & JANINA BINKOWSKA
 - 4.8. A338/21
1801 LAKESHORE RD W, UNIT 10 (WARD 2)
E.H. REALTY LTD

- 4.9. A339/21-A347/21
1082 LAKESHORE RD E, 800 & 985 HYDRO RD (WARD 1)
LAKEVIEW COMMUNITY PARTNERS LTD
- 4.10. A340/21
1827 & 1835 DREW RD (WARD 5)
A&M (ZH) HOLDINGS LTD
- 4.11. A345/21
835 NORTH SERVICE RD (WARD 1)
EVAN SANGWIN ALEXANDER
- 4.12. A348/20-A349/20
2400 SKYMARK AVE, 5055 SATELLITE DR (WARD 5)
PIRET (MISSISSAUGA) HOLDINGS INC
PIRET (SKYMARK SATELLITE) HOLDINGS INC
- 4.13. A157/21
6985 SECOND LINE WEST (WARD 11)
ISILDO MANUEL & SANDRA RAPOSO
- 4.14. A176/21
75 MORGON AVE (WARD 11)
SHARMA & RENU BHARAT
- 4.15. A264/21
5110 TIMBER MILL CRT (WARD 6)
AYAD & MARY ATTIA
5. OTHER BUSINESS
6. ADJOURNMENT



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: B48.21 A333.21 A334.21
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 150 Paisley Boulevard West, zoned RA4-20 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Consent of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 27.21m (89.27ft) and an area of approximately 0.64ha (68889.03sq.ft).

The applicant requests a minor variance for the severed lands (B48/21) proposing:

1. A lot frontage of 27.21m (approx. 89.27ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 30.00m (approx. 98.42ft) in this instance; and
2. An amenity area of 263.30sq.m (approx. 2834.14sq.ft) whereas By-law 0225-2007, as amended, requires a minimum amenity area of 635.30sq.m (approx. 6838.31sq.ft) in this instance.

The applicant requests a minor variance for the retained lands (B48/21) proposing:

1. A floor space index of 3.04 whereas By-law 0225-2007, as amended, permits a maximum floor space index of 1.50 in this instance; and
2. 12 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 182 parking spaces in this instance.

The Committee has set **Thursday August 26, 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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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:

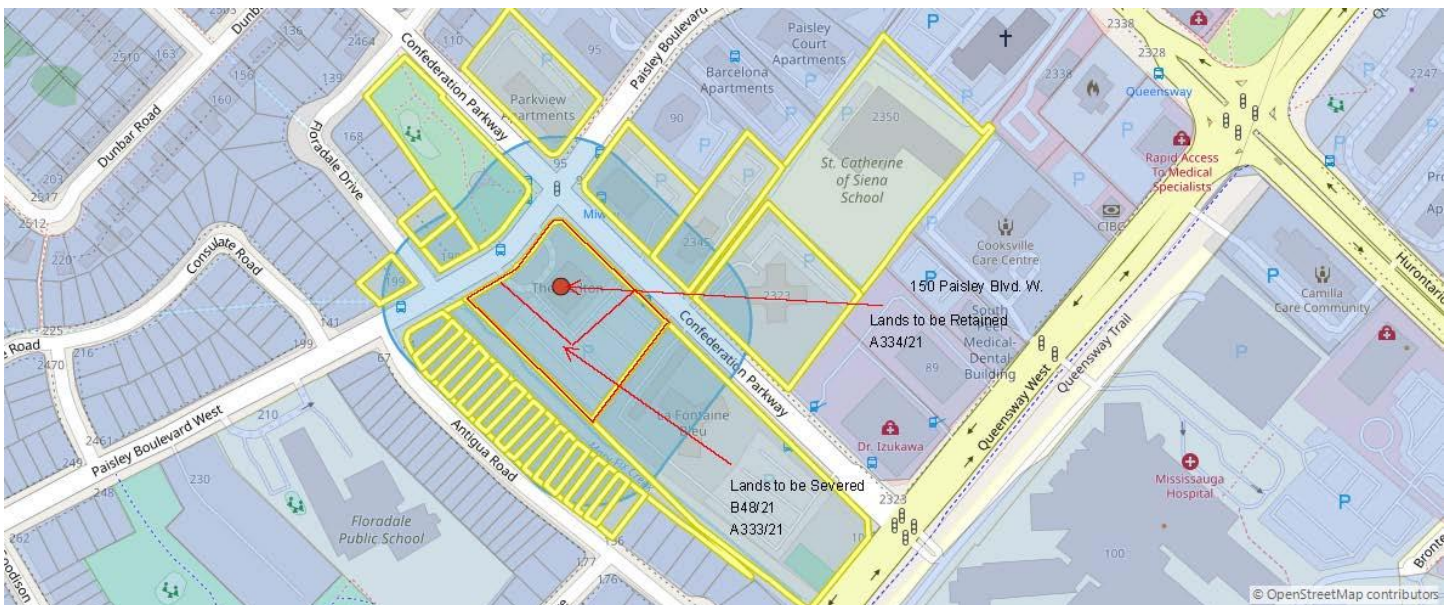
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm on the Friday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud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

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



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-08-18 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): B48.21 A333.21 A334.21 Ward 7
	Meeting date: 2021-08-26 1:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

The applicant requests the Consent of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 27.21m (89.27ft) and an area of approximately 0.64ha (68889.03sq.ft).

The applicant requests a minor variance for the severed lands (B48/21) proposing:

1. A lot frontage of 27.21m (approx. 89.27ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 30.00m (approx. 98.42ft) in this instance; and
2. An amenity area of 263.30sq.m (approx. 2834.14sq.ft) whereas By-law 0225-2007, as amended, requires a minimum amenity area of 635.30sq.m (approx. 6838.31sq.ft) in this instance.

The applicant requests a minor variance for the retained lands (B48/21) proposing:

1. A floor space index of 3.04 whereas By-law 0225-2007, as amended, permits a maximum floor space index of 1.50 in this instance; and
2. 12 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 182 parking spaces in this instance.

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent
- The variance application approved under File(s) A333.21 and A334.21 must be finalized

Recommended Conditions and/or Terms of minor variance

- Variance(s) approved under files A333.21 and A334.21 shall lapse if the consent application under file B48.21 is not finalized within the time prescribed by legislation.

Background

Property Address: 150 Paisley Boulevard West

Mississauga Official Plan

Character Area: Downtown Hospital
Designation: Residential High Density

Zoning By-law 0225-2007

Zoning: RA4-20 - Residential

Other Applications: PREAPP 21-6043

Site and Area Context

The subject property is located on the south-west corner of the Confederation Parkway and Paisley Boulevard West intersection. Currently the property contains a 16 storey apartment building with surface parking. The property has a frontage of +/- 88m and a lot area of +/- 9,884m². The property contains some vegetation near the street lines and around Mary Fix Creek immediately to the west. The surrounding area contains a mix of high rise, detached, and semi-detached dwellings on varying lot sizes.

The applicant is proposing to sever a portion of the property for a future apartment building and parking structure. The proposal requires variances for lot frontage, amenity area, floor space index, and parking.



Comments

Planning Act

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

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

Provincial Matters

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

Planning Analysis

Staff comments concerning the consent and minor variance applications are as follows:

The applicant is proposing to sever the subject property into two lots. The severed lands would form an 'L' shape around the retained lands and have a lot frontage of 27.21m on Paisley

Boulevard West and a lot area of approximately 0.64 hectares. The retained lands would be the corner property and have a lot frontage of 60.79m and a lot area of approximately 0.35 hectares.

The subject property is located in the Downtown Hospital Character Area and is designated Residential High Density in Schedule 10 of the Mississauga Official Plan. This designation permits apartment dwellings.

Planning staff have several concerns regarding the proposed variances, especially the requested parking and amenity space variances. Staff are unsure of how the proposed severance will impact the future operation of the site, should one of the portions be sold to a different party. The applicant has indicated on their application form that they would like staff to review the application as if both properties will continue to function as one site even after the severance, however no such variance has been requested. Staff have requested further information from the applicant regarding the intended future functionality of the site and clarification of the requested variances.

Furthermore, CPS staff have reviewed the application and note as follows:

With respect to Committee of Adjustment application 'A' 334/21, 150 Paisley Boulevard West, the applicant is requesting to allow the existing rental apartment on the Retained Lands proposing a total of 12 parking spaces onsite whereas By-law 0225-2007, as amended, requires a minimum of 182 parking spaces in this instance. This is a reduction of 170 spaces which equates to a 93% deficiency.

The applicant is seeking to sever a parcel of land for the creation of a new lot ('A' 333/21). The existing 16-storey rental apartment building, total of 124 units, is located on the Retained Lands ('A' 334/21). The submitted Severance Sketch, dated June 2, 2021, shows that the severed parcel of land is proposing a 10-storey rental apartment building with a total of 82 units and a 3-storey parking structure.

The subject property was approved for development pursuant to site plan application SPM 19-135 and minor variance application 'A' 265/20. Application 'A' 265/20 requested a parking reduction that was supported by staff and approved as amended by Committee of Adjustment.

However, for application 'A' 334/21, the applicant did not submit any parking justification and staff are seeking a letter to explain the current and future parking arrangement for the existing and proposed rental apartment buildings. Staff advise that the newly created lot and Retained Lands should be treated as one property for the purposes of parking.

Staff have not received the requested information and staff do not have satisfactory justification.

Conclusion

The Planning & Building Department recommends that the application be deferred to allow the applicant to submit the requested information.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Information submitted with this application indicates that the intent is to create a new lot for a proposed residential tower. From our initial review it appears that private easements will have to be established to ensure functionality between the severed and residual lands to facilitate any pedestrian/vehicular circulation, servicing requirements (storm, sanitary and water services), parking requirements, construction and maintenance requirements.

The City is currently processing a Site Plan Application for the severed parcel, reference SPM 19-135 for the construction of a 10 storey rental apartment building. The Site Plan submitted depicts a proposed 3-storey parking structure located entirely on the severed parcel. This department questions what mechanism will be in place to ensure that adequate parking will be available on the severed parcel for the existing 16 storey residential tower identified as 150 Paisley Boulevard West.

From our review of the Site Servicing Plan submitted with SPM 19-135 (Ordan Detech Consulting Engineers DWG C101), we note that the storm outlet for the severed lands is an existing storm sewer easement located along the southerly limits which outlets into the Mary Fix Creek. A Drainage Proposal will be required to confirm the extent of any drainage from the retained parcel over severed parcel to confirm if any storm easement(s) will have to be established.

From our review of the submitted Site Plan it is also evident that mutual right-of-way easements will be required to facilitate pedestrian/vehicular circulation within both parcels.

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

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

1. Drainage Proposal/Servicing Plan

We request that the applicant submit a Drainage Proposal/Servicing Plan prepared by a Consulting Engineer for this department's review/approval to address any storm sewer outlet requirements for the subject lands. From the Site Servicing Plan submitted with SPM 19-135 (Ordan Detech Consulting Engineers DWG C101) we note that the storm outlet for the severed parcel is through an existing storm easement located along the southerly limits which outlets to the Mary Fix Creek. The purpose of the Drainage Proposal is to address any storm drainage from the residual lands (150 Paisley Boulevard West) to determine if any easement(s) are required.

2. Required Easement

Upon the review of Item A1 and the confirmation of any required easements, the applicant/owner will be required to provide a 43R-Plan and letter / schedule prepared by the applicant's Solicitor which would specifically describe the new private easement(s) to be established. It should also be noted that any documentation received will be forwarded as an attachment to our clearance memo to the Committee of Adjustment so that any new proposed private easement can be identified and also be incorporated into the Certificate of Secretary-Treasurer.

3. Parking Requirements

Acknowledging that the Planning and Building Department will be addressing the parking requirements for the subject lands, we would request that additional information be provided to advise what mechanism will be in place to address the parking requirements for 150 Paisley Boulevard West during and after construction. As already indicated, the Site Plan submitted depicts a proposed 3 storey parking structure located entirely on the severed parcel.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

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

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

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

Comments Prepared by: Daniel Grdasic, Planning Associate

Appendix 3 – Parks, Forestry & Environment

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

- Requirements for Municipal Boulevard tree protection securities and protective hoarding will be addressed during the Site Plan Control Process.
- Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, C.P. 13, as amended) and in accordance with the City's policies and by-laws.

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

Comments Prepared by: Jim Greenfield, Park Planner

Appendix 4 – Heritage

N/A

Appendix 5 – Region of Peel Comments

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

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

The applicant shall verify the location of the existing service connections to the retained and severed parcels to determine if a private servicing easement is required. Please contact Records at PWServiceRequests@peelregion.ca. In addition, requests for underground locates can be made at <https://www.ontarioonecall.ca/portal/>

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

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

Comments Prepared by: Diana Guida, Junior Planner

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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding. ("A" 333/21 & A334/21)
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated August 18, 2021.

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 1260 Kane Road, zoned R3-80 - Residential, has applied for Consent under Section 53 of the Planning Act. The applicant requests the Consent of the Committee for the purpose of creating an easement for the servicing and right of way over a private driveway.

The Committee has set **Thursday August 26, 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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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-08-18	File(s): B50.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-26 1:00 PM

Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the Applicant and area residents when assessing if the application meets the requirements of Section 50(3) of the Planning Act.

Application Details

The applicant requests the Consent of the Committee for the purpose of creating an easement for the servicing and right of way over a private driveway.

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 1260 Kane Road

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R3-80 - Residential

Other Applications: OZ 16 7 and 21T-M 16002 (Draft Approved)

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southwest of Indian Road and Kane Road. A private driveway from Kane Road leads to the subject property. The driveway is the only portion of the property with frontage on Kane Road. The immediate neighbourhood is entirely residential consisting of older one storey and newer large two storey detached 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 along its perimeter.

The applicant requests the Consent of the Committee for the purpose of creating an easement for the servicing and right of way over a private driveway.



Comments

Planning

Planning Act

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

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

Provincial Matters

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

Staff comments concerning the application are as follows:

The subject proposal first commenced with the filing of Rezoning and Plan of Subdivision applications to permit 4 detached dwellings on a condominium road in 2016 under files OZ 16/007 W2 and T-M 16/002 W2. At the conclusion of the process, staff recommended refusal of the proposal and Planning and Development Committee adopted the staff recommendation.

The applicant then appealed the decision of Planning and Development Committee to the Ontario Land Tribunal (OLT). The applicant and staff engaged in settlement discussions resulting in an OLT order approving minutes of settlement; including a site specific Zoning By-law Amendment and Draft Plan of Subdivision reflective of an alternative proposal - two detached dwellings with access through a main driveway onto Kane Road. Among other Draft Plan of Subdivision Conditions, the applicant is required to register an easement in favour of Lot 2 that permits vehicular access over the driveway that access Kane Road.

The City is currently processing submissions from the applicant to address the outstanding Draft Plan of Subdivision Conditions issued by the OLT. The applicant has yet to satisfy the remaining conditions and as such, the subdivision has yet to be registered at the Land Registry Office.

In addition, staff are currently processing Site Plan and Building Permit applications for the subject site however, these applications have not been approved nor issued as there are outstanding conditions required to be satisfied by the applicant.

We further advise to the Committee that it appears there has been construction activity on site to date. City inspection staff have been out on site on a number of occasions to issue stop work orders and orders to comply.

Notwithstanding the above, the consent application facilitates the accommodation of an easement as required in the OLT order regarding the Draft Plan of Subdivision Conditions and staff do not have any concerns in this instance. However, we note for the Committee that support for this consent application does not preclude any staff concerns that may be had for future potential minor variance applications for the subject site.

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

Conclusion

The Planning and Building Department recommends that the Committee have regard for all comments and evidence provided by the Applicant and area residents when assessing if the application meets the requirements of Section 50(3) of the Planning Act.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We note that The City is currently processing a Draft Plan of Subdivision Application on the subject lands, reference T-16/002 for the proposal of two residential dwellings that will require a private easement over the existing driveway. As per the LPAT decision, the private easement shall be a minimum 5.3m vehicular and pedestrian right-of-way easement over the internal driveway and shall provide interconnections (including infrastructure) to lot 1.

In view of the above, and should Committee see merit in the subject application we ask that the applicant be required to provide a 'Draft' 43R-Plan prepared by an O.L.S. and a letter/schedule be prepared by the applicant's Solicitor which would specifically describe the new private easement to be established. It should also be noted that any documentation received will be forwarded as an attachment with our clearance memo to the Committee of Adjustment Office in order that any new proposed private easement can be identified and also be incorporated into the Certificate of Secretary-Treasurer.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

BP RECEIVED, MORE INFO

The Building Department is currently processing a building permit application under file BP 9NEW 20-3729. 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.

While additional information is required to the accuracy of the requested variance(s) or determine whether additional variance(s) will be required, it should be noted that the Zoning section has no comment or concern related to the requested easement.

Our comments are based on the plans received by Zoning staff on 01/14/2021 for the above captioned building permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: A. McCormack

Appendix 3 – Parks, Forestry & Environment

N/A

Appendix 4 – Heritage

There is a registered archaeological site on the property and requires a Stage 3 site-specific assessment as well as Stage 4 mitigation. The site has been registered in the Ontario Archaeological Sites Database and requires further archaeological assessment. Impacting or removing any part of the archaeological site outside of the archaeological assessment process is contrary to the Ontario Heritage Act. The Province of Ontario requires that the property owner retain a consultant archaeological licensed in good standing, who is able to conduct Stage 3 and Stage 4 assessment and mitigation. Both Stages of archaeological work must be completed prior to any development, grading, excavation or any other form or type of land alteration within the property.

Comments Prepared by: Andrew Douglas, Heritage Analyst

Appendix 5 – Region of Peel Comments

Condition: Arrangements satisfactory to the Region of Peel, Public Works shall be made with respect to required private service easements.

Comments Prepared by: Diana Guida, Junior Planner

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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding.
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated August 18, 2021.
5. A letter shall be received from the City of Mississauga, Community Services Department, Culture Division, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated August 18, 2021.
6. A letter shall be received from the Region of Peel, Development Services/Public Works, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated August 18, 2021.



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A312.21
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 1877 Hindhead Road, 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 407.57sq.m (approx. 4387.05ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 337.94sq.m (approx. 3637.56sq.ft) in this instance;
2. A side yard (easterly) of 1.38m (approx. 4.53ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m (approx. 7.91ft) in this instance; and
3. A building height measured to the eaves of 7.44m (approx. 24.41ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 20.99ft) in this instance.

The Committee has set **Thursday August 26, 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 on the Friday 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 on the Friday 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 on the Friday 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 on the Friday 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: 2021-08-18	File(s): A312.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-26 1:00:00 PM

Consolidated Recommendation

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

Application Details

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

1. A gross floor area of 407.57sq.m (approx. 4387.05ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 337.94sq.m (approx. 3637.56sq.ft) in this instance;
2. A side yard (easterly) of 1.38m (approx. 4.53ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m (approx. 7.91ft) in this instance; and
3. A building height measured to the eaves of 7.44m (approx. 24.41ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 20.99ft) in this instance.

Amendments

While Planning Staff are not in a position to provide an interpretation of the Zoning By-law, staff note that variance #2 should be amended as follows:

2. A side yard (westerly) of 1.38m (approx. 4.53ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m (approx. 7.91ft) in this instance; and

Recommended Conditions and Terms

"[Enter terms and conditions here]"

Background

Property Address: 1877Hindhead Road

Mississauga Official Plan

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

Zoning By-law 0225-2007

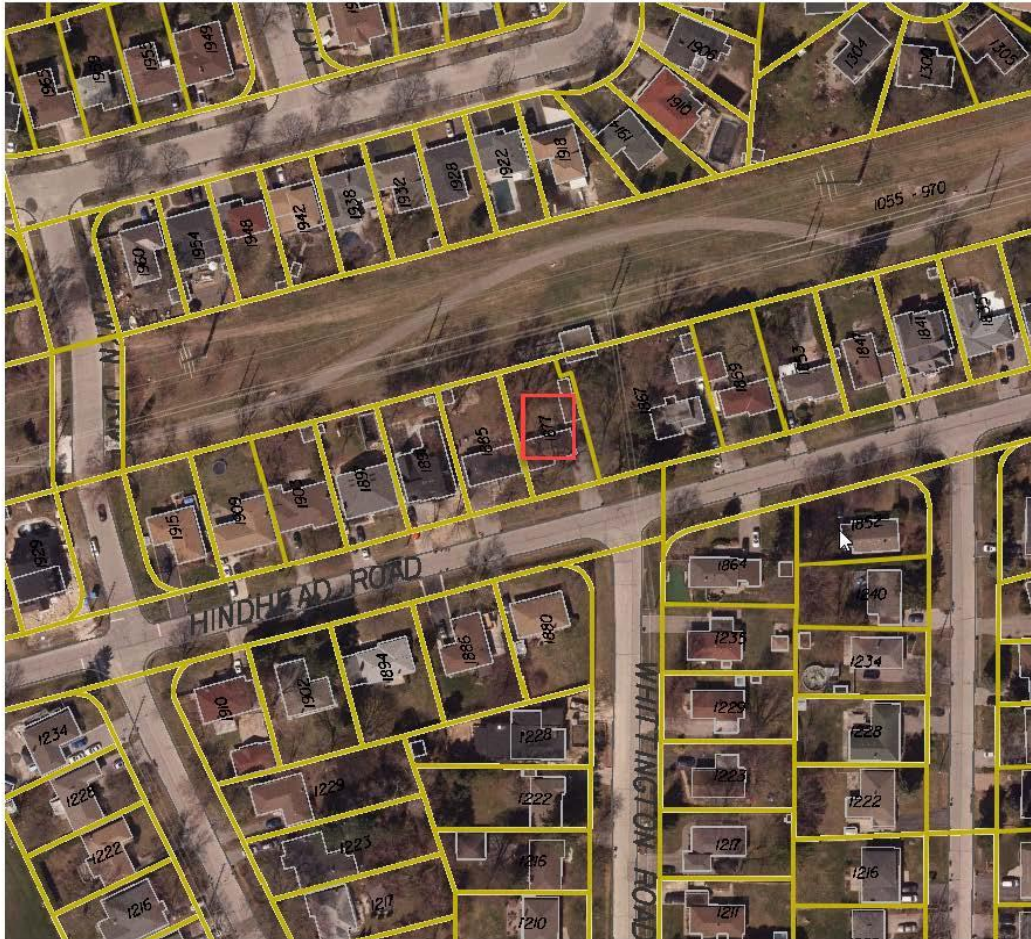
Zoning: R3-1 - Residential

Other Applications: SPI 21-28 W2

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, northeast of the Southdown Road and Royal Windsor Drive intersection. The neighbourhood is entirely residential, consisting of old and new one and two storey detached dwellings with significant vegetation in both the front and rear yards. The subject property contains an existing one storey dwelling with mature vegetation in the front, rear and side yards.

The application proposes a new two storey dwelling requiring variances related to gross floor area, 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 are as follows:

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached, duplex and triplex dwellings. Upon review of new two storey detached dwellings in the neighbourhood, Staff are of the opinion that the gross floor area proposed is excessive and does not maintain compatibility between the existing dwellings on the street nor would it preserve the established character of the neighbourhood. Additionally, the proposed dwelling's eave height and side yard (westerly) setback will cause significant massing issues and will directly impact the neighbouring property to the west. The westerly wall of the dwelling does not contain mitigating features to break up the dwelling's massing. As such, staff recommends that the application be deferred for redesign.

Conclusion

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

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling are being addressed through the Site Plan Application process, File SPI-21/028.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

SP RECEIVED, CORRECT VARIANCE

The Building Department is currently processing a site plan approval application under file SPI 21-28. 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 02/08/2021 for the above captioned site plan application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or

updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: A. McCormack

Appendix 3 – Parks, Forestry & Environment

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

1. The lands to the rear of the subject property are owned by Hydro One and leased by the City of Mississauga, known as Nine Creeks Trail.
2. Construction access from the park is not permitted.
3. Stockpiling of construction materials and encroachment in the adjacent park is not permitted.
4. Tree preservation securities may be required as a condition of site plan approval for street trees located within the Municipal Boulevard.

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

Comments Prepared by: Jim Greenfield, Park Planner

Appendix 4 – Heritage

N/A

Appendix 5 – Region of Peel Comments

Minor Variance Application: A-312/21

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

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

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

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A316.21
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 1191 & 1213 Eglinton Avenue East, zoned E2-19 - Employment & C3-1 - 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 outdoor storage on the subject property proposing:

1. An outdoor storage area that exceeds 5% of the lot area and 10% of the GFA of the building whereas By-law 0225-2007, as amended, does not permit an outdoor storage area that exceeds 5% of the lot area and 10% of the GFA of the building in this instance;
2. Outdoor storage closer to the street line than any portion of the building or structure whereas By-law 0225-2007, as amended, does not permit outdoor storage closer to the street line than any portion of the building or structure in this instance;
3. Outdoor storage in a front yard whereas By-law 0225-2007, as amended, does not permit outdoor storage in a front yard in this instance; and
4. An outdoor storage area with a minimum fence height of 1.2m (approx. 3.94ft) whereas By-law 0225-2007, as amended, requires a minimum fence height of 2.4m (approx. 7.78ft) around the perimeter of the area used for outdoor storage in this instance.

The Committee has set **Thursday August 26, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act*, *Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

How to submit a written comment:

Written comments to the Committee must be received no later than 4:30pm on the Friday 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:

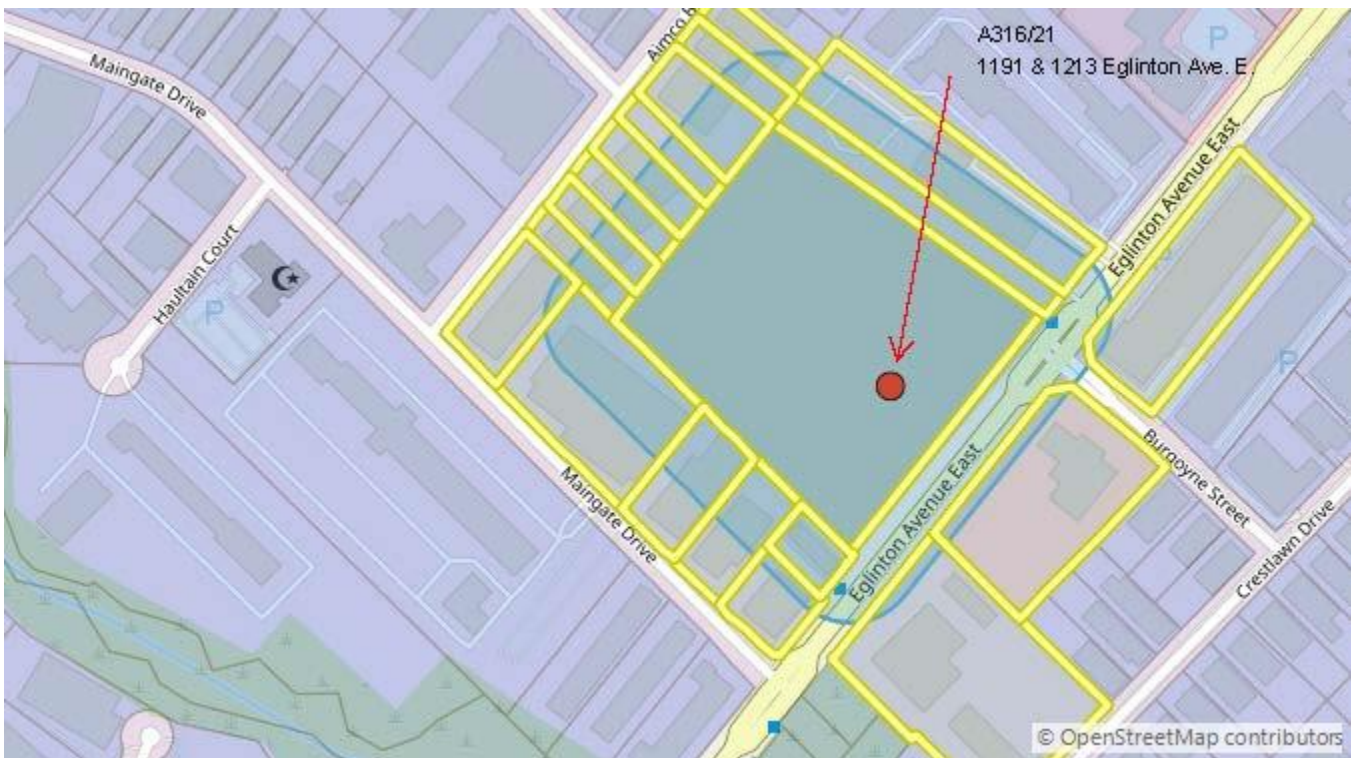
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm on the Friday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud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

To participate by telephone: To register, please call 905-615-3200 x5209 no later than 4:30pm on the Friday 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: 2021-08-18	File(s): A316.21 Ward 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-26 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 allow outdoor storage on the subject property proposing:

1. An outdoor storage area that exceeds 5% of the lot area and 10% of the GFA of the building whereas By-law 0225-2007, as amended, does not permit an outdoor storage area that exceeds 5% of the lot area and 10% of the GFA of the building in this instance;
2. Outdoor storage closer to the street line than any portion of the building or structure whereas By-law 0225-2007, as amended, does not permit outdoor storage closer to the street line than any portion of the building or structure in this instance;
3. Outdoor storage in a front yard whereas By-law 0225-2007, as amended, does not permit outdoor storage in a front yard in this instance; and
4. An outdoor storage area with a minimum fence height of 1.2m (approx. 3.94ft) whereas By-law 0225-2007, as amended, requires a minimum fence height of 2.4m (approx. 7.78ft) around the perimeter of the area used for outdoor storage in this instance.

Amendments

"[Enter amendments to variances]"

Recommended Conditions and Terms

"[Enter terms and conditions here]"

Background

Property Address: 1191 Eglinton Avenue East

Mississauga Official Plan

Character Area: Northeast Employment Area

Designation: Business Employment & Mixed Use

Zoning By-law 0225-2007

Zoning: E2-19 - Employment & C3-1 - Commercial

Other Applications: SP 18-37

Site and Area Context

The subject property is located north-west of the Dixie Road and Eglinton Avenue East intersection in the Northeast Employment Area. It contains a one storey warehouse with an attached two storey office as well as a small storm water pond. There is no vegetation on the property. The property is one of the largest in the area, with a frontage of +/- 266.35m and an area of +/- 68,935m². The surrounding area consists of low rise industrial buildings with a mix of industrial and commercial uses and sparse vegetation.

The applicant is proposing additional outdoor storage on the subject property requiring variances for the location, size and screening.



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. Schedule 10 of the Mississauga Official Plan (MOP) designates the rear portion of the property, which contains an existing industrial building, as Business Employment and the front section of the property as Mixed Use. Policy 17.7.1.1 permits industrial operations in the Character Area which have extensive outdoor storage area to continue and expand in accordance with the policies of the Plan under both Business Employment and Mixed Use designations. While the policy does permit continuation and expansion of the use as it is existing, staff are of the opinion that the scale of the proposal is not in accordance with the Plan. MOP Policy 9.5.4.6 dictates that outdoor storage should not be adjacent to or visible from the public realm by incorporating the use of appropriate setbacks, screening, landscaping and buffering. It is the opinion of staff that the proposal does not respect this policy, which is magnified by the request of variance 4. Furthermore Eglinton Avenue is designated as a Corridor in Schedule 1C of the MOP. Section 5.4 of the MOP sets out policies regarding Corridors, and Policy 5.4.4 states that development on Corridors should be compact, transit friendly, and appropriate to the context of the surrounding area. Staff are of the opinion that the proposal is not appropriate to the context of the surrounding area, where outdoor storage is limited and away from the Corridor. Staff are therefore of the opinion that the proposal does not maintain the general intent and purpose of the Official Plan.

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

The rear portion of the subject property is zoned E2-19 and the front portion of the property is zoned C3-1. The E2-19 zoning allows for E2 uses as well as most E3 uses. Under Zoning By-law 0225-2007, outdoor storage is permitted as a primary use in E3 zones (and therefore also in the E2-19 exception) and as an accessory use to a Warehouse/Distribution Facility in an E2 zone. The C3-1 zone allows for C3 uses as well as most E2 uses, which indicates that a Warehouse/Distribution Facility with accessory outdoor storage is permitted in the zone as a use. Section 8.1.5 of the Zoning By-law, which contains the provision that permits outdoor storage accessory to select E2 uses, also sets out further restrictions on outdoor storage. It is these provisions from which the applicant is seeking relief. The intent of these provisions is to ensure that outdoor storage is sufficiently screened from the public realm, appropriately sized, and located appropriately on the property. The applicant is proposing outdoor storage in the front yard and closer to the street line than any portion of a building or structure, directly in contravention of two of the regulations. Furthermore they are proposing a substantial increase to the maximum permitted area for outdoor storage, and are requesting to reduce the height of the required screening around the majority of the outdoor storage area. When considered as a

whole, staff are of the opinion that the application fails to maintain the intent of the Zoning By-law.

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

Staff are of the opinion that the application is neither appropriate development of the subject property, nor is it minor in nature. Variance 1 does not place a cap on the permitted amount of outdoor storage, and the size of the property would therefore permit a substantial area dedicated to outdoor storage which is not envisioned by the by-law and would have substantial impacts on the streetscape and surrounding properties. Furthermore the location of the proposed storage is immediately adjacent to Eglinton Avenue, which is not desirable for the streetscape of the corridor and not minor when considering the by-law's goals of having outdoor storage located away from street lines.

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's information are photos depicting the subject property.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Daniel Grdasic, Planning Associate

Appendix 3 – Parks, Forestry & Environment

N/A

Appendix 4 – Heritage

N/A



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A321.21
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 2355 Genevieve Drive, zoned R3 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing:

1. A side yard (easterly) of 1.27m (approx. 4.17ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.93ft) in this instance;
2. A side yard (westerly) of 1.17m (approx. 3.84ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.93ft) in this instance;
3. An area of an accessory structure (rear shed) of 14.00sq.m (approx. 150.70sq.ft) whereas By-law 0225-2007, as amended, permits a maximum area of an accessory structure of 10.00sq.m (approx. 107.64sq.ft) in this instance; and
4. A height of an accessory structure (rear shed) of 3.27m (approx. 10.73ft) whereas By-law 0225-2007, as amended, permits a maximum height of an accessory structure of 3.00m (approx. 9.84ft) in this instance.

The Committee has set **Thursday August 26, 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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To participate by telephone: To register, please call 905-615-3200 x5209 no later than 4:30pm on the Friday 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: 2021-08-18	File(s): A321.21 Ward 7
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-26 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

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

1. A side yard (easterly) of 1.27m (approx. 4.17ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.93ft) in this instance;
2. A side yard (westerly) of 1.17m (approx. 3.84ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.93ft) in this instance;
3. An area of an accessory structure (rear shed) of 14.00sq.m (approx. 150.70sq.ft) whereas By-law 0225-2007, as amended, permits a maximum area of an accessory structure of 10.00sq.m (approx. 107.64sq.ft) in this instance; and
4. A height of an accessory structure (rear shed) of 3.27m (approx. 10.73ft) whereas By-law 0225-2007, as amended, permits a maximum height of an accessory structure of 3.00m (approx. 9.84ft) in this instance.

Amendments

"[Enter amendments to variances]"

Recommended Conditions and Terms

"[Enter terms and conditions here]"

Background

Property Address: 2355 Genevieve Drive

Mississauga Official Plan

Character Area: Cooksville Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3 - Residential

Other Applications: PREAPP 21-6188

Site and Area Context

The subject property is located north-west of the Queensway East and Cliff Road intersection in the Cooksville Neighbourhood. The property currently contains a side split dwelling and has a lot frontage of +/- 20.73m and a lot area of +/- 735.7m². The surrounding area contains a mix of one and two storey dwellings with attached garages on similarly sized lots. There are pockets of mature vegetation throughout the neighbourhood.

The applicant is proposing a second floor addition requiring variances for both the side yard setbacks as well as an existing accessory structure.



Comments

Planning

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

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

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

The subject property is located in the Cooksville Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan. This designation permits detached, semi-detached, duplex and triplex dwellings, as well as other low rise dwellings with individual frontages. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context and, the landscape of the character area. Staff are of the opinion that the proposed built form is compatible with the surrounding context and 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 first two variances propose reduced side yards. The intent of the side yard regulations are to ensure an adequate buffer between the massing of structures on abutting properties and to ensure access to the rear yard remains unencumbered. The proposed side yards represent the existing side yards on the property. The applicant is proposing to build on top of the existing first storey and will not be encroaching farther into either side yard than the existing structure. Staff are satisfied that maintaining the existing side yards provides an adequate buffer and permits continued access to the rear yard, and therefore the variances meet the general intent and purpose of the Zoning By-law.

The final two variances relate to an existing accessory structure in the rear yard. The intent of the regulations regarding accessory structures is to ensure that the structures are proportional to the lot and dwelling and are clearly accessory while not presenting any massing concerns to neighbouring lots. Based on a review of the application, staff are satisfied that the accessory structure is appropriately sized. Staff note that had the property been an extra 15m² larger the structure's floor area and height would have been permitted as of right. Staff are satisfied that the variances relating to the accessory structure 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?

Staff are satisfied that the proposal represents appropriate development of the subject property and will not have significant impacts on abutting properties. The requested variances are minor in nature, representing existing conditions on the subject property.

Conclusion

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

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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

With regards to the accessory structure we do not foresee any drainage related concerns with the location of the shed, however we note that the shed does encroach into the limits of what appears to be a utility easement.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file PREAPP 21-6188. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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

Comments Prepared by: Alana Zheng, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

N/A

Appendix 4 – Heritage

N/A

Appendix 5 – Region of Peel Comments

"[Enter Region of Peel comments]"

Comments Prepared by: [Click here to insert name, title...](#)



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A327.21
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 3 Tecumseth Avenue, zoned RM7-5 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing:

1. A side yard of 0.91m (approx. 2.98ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 3.00m (approx. 3.00ft) in this instance; and
2. A front yard of 4.27m (approx. 14.00ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 6.00m (approx. 19.68ft) in this instance.

The Committee has set **Thursday August 26, 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 on the Friday 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:

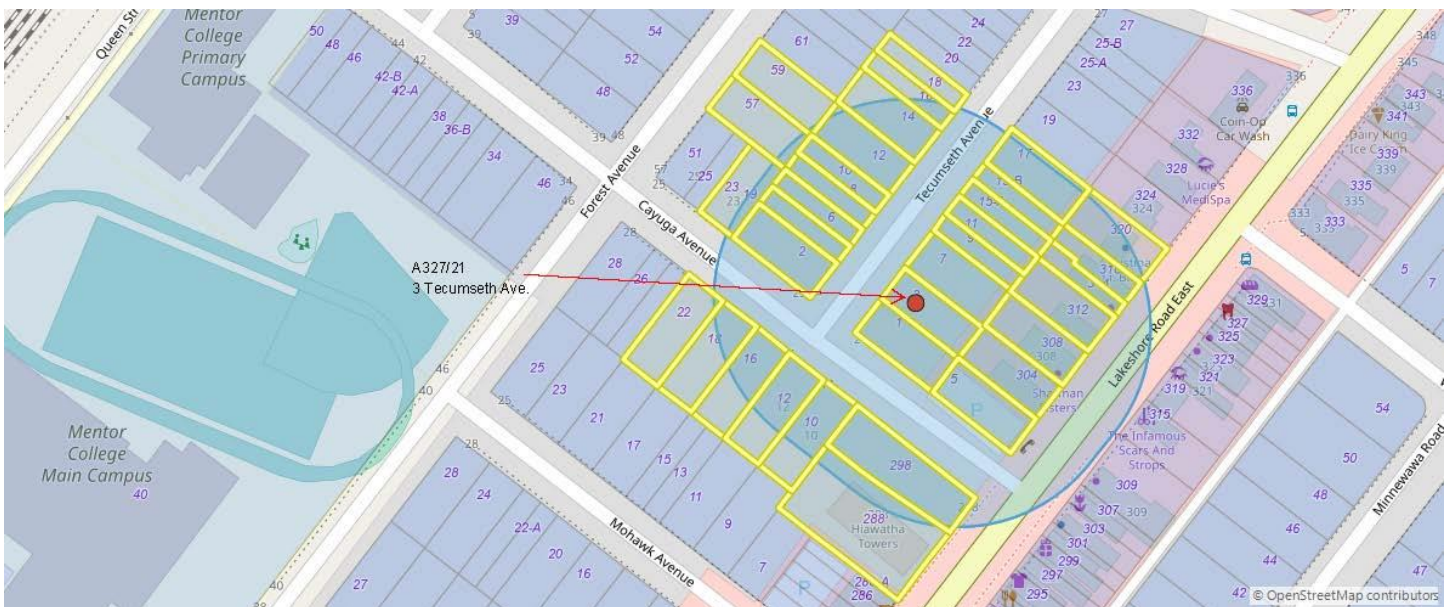
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm on the Friday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud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

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: Enter/choose date.	File(s): A327.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-26 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 an addition proposing:

1. A side yard of 0.91m (approx. 2.98ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 3.00m (approx. 3.00ft) in this instance; and
2. A front yard of 4.27m (approx. 14.00ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 6.00m (approx. 19.68ft) in this instance.

Amendments

"[Enter amendments to variances]"

Recommended Conditions and Terms

"[Enter terms and conditions here]"

Background

Property Address: 3 Tecumseth Avenue

Mississauga Official Plan

City Department and Agency Comments	File:A327.21	Enter date.	2
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Character Area: Port Credit Neighbourhood (East)
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM7-5 - Residential

Other Applications: Building Permit (File No. Unknown)

Site and Area Context

The subject property is located within the Port Credit Neighbourhood (East) Character Area, northeast of Hurontario Street and Lakeshore Road East. The immediate area consists of a mix of detached and semi-detached dwellings with mature vegetation in the front yards. The subject property contains an existing two storey dwelling with little vegetation limited to the front yard.

The applicant is proposing an addition and requires variances related to side yard and front yard.

"[Enter air photo]"

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:

Since 1961, the Village of Port Credit Zoning By-law No. 1227 has permitted a variety of housing types for the subject lands including detached, duplex, triplex, double duplex, double triplex, fiveplex, converted dwelling and boarding or lodging house. In 1997, City Plan (the Official Plan) was adopted permitting detached, semi-detached, duplex and other forms of dwellings with individual frontages on a public street. In 2007, the City undertook a zoning by-law conformity and consolidation exercise including public consultation, which adopted the current RM7 zone provisions.

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached, duplex, triplex and other forms of low rise dwellings with individual frontages. The subject property is also located within the Central Residential Precinct the Port Credit Local Area Plan.

Variances #1 and #2 related to front yard and side yard setbacks. Through a review of the immediate neighbourhood, similar deficiencies are common for detached and semi-detached dwellings. The proposed setbacks and front yard 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. Furthermore, the front yard setback is only required because of the proposed vestibule. The rest of the dwelling will maintain a 6.1 m front yard setback, which is more than the minimum requirement in the zoning by-law. It is Staff's opinion that the proposed addition 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 Department 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.

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 required future Building Permit Application 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 – Parks, Forestry & Environment

"[Enter Community Services staff comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 4 – Heritage

"[Enter Community Services staff comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 5 – Region of Peel Comments

"[Enter Region of Peel comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 6- Conservation Authority Comments

"[Entert CA comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 7 – "[Enter other agency name]"

"[Enter other agency comments]"

Comments Prepared by: [Click here to insert name, title...](#)



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A332.21
Ward: 11

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 1653 Fengate Drive, zoned R4-36 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a pool proposing a pool in an exterior side yard whereas By-law 0225-2007, as amended, does not permit a pool in an exterior side yard in this instance.

The Committee has set **Thursday August 26, 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 on the Friday 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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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: Enter/choose date.	File(s): A332.21 Ward 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-26 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a pool proposing a pool in an exterior side yard whereas By-law 0225-2007, as amended, does not permit a pool in an exterior side yard in this instance.

Amendments

"[Enter amendments to variances]"

Recommended Conditions and Terms

"[Enter terms and conditions here]"

Background

Property Address: 1653 Fengate Drive

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R4-36 - Residential

City Department and Agency Comments	File:A332.21	Enter date.	2
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Other Applications: POOL 21-194

Site and Area Context

The subject property is located north-east of the Derry Road West and Meadowvale Boulevard intersection in the Meadowvale Village Neighbourhood. It is a corner property, containing a detached dwelling with a detached garage, and has a lot frontage of +/- 18.2m and a lot area of +/-520.61m². The surrounding area contains detached dwellings with either attached or detached garages, as well as a townhouse development. There is limited mature vegetation in the subject area divided between the front and rear yards.

The applicant is proposing a new pool on the property, requiring a variance for its location in the exterior side yard.

"[Enter air photo]"

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 Meadowvale Village 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, as well as other forms of low rise dwellings with individual frontages. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context and, the landscape of the character area. The proposed pool is compatible with the surrounding area and does not abut any property. Furthermore, a wood fence screens the proposed pool that is located in the side yard of the property. Staff is of the opinion that the general intent and purpose of the Official Plan is maintained.

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

The general intent of the regulations regarding pools in the by-law is to ensure that they are appropriately located on the property, do not impact the streetscape, and provide adequate drainage around the pool. Staff note there is an existing fence that would screen the swimming pool from the streetscape providing necessary privacy and maintaining a typical exterior side yard streetscape. Furthermore, the pool itself meets the setback requirements and there is no massing concern. Staff are satisfied that the request 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?

Staff note that the swimming pool meets all other required setbacks. The exterior side yard where the pool is proposed does not abut any properties. The variance does not pose any significant negative impact to the streetscape and is an appropriate use of the amenity space. Staff are satisfied that the proposal is minor in nature and represents appropriate 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

As this is a corner lot, this department foresees no drainage related concerns with the location of the proposed pool.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a pool permit under file POOL 21-194. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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

Comments Prepared by: Alana Zheng, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

"[Enter Community Services staff comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 4 – Heritage

"[Enter Community Services staff comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 5 – Region of Peel Comments

"[Enter Region of Peel comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 6- Conservation Authority Comments

"[Entert CA comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 7 – "[Enter other agency name]"

"[Enter other agency comments]"

Comments Prepared by: [Click here to insert name, title...](#)



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A338.21
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 1801 Lakeshore Road West, Unit 10, zoned C4-63 - Commercial, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a medical office in unit 10 proposing:

1. 97 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 144 parking spaces in this instance; and
2. 2 accessible parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 5 accessible parking spaces in this instance.

The Committee has set **Thursday August 26, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

How to submit a written comment:

Written comments to the Committee must be received no later than 4:30pm on the Friday 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:

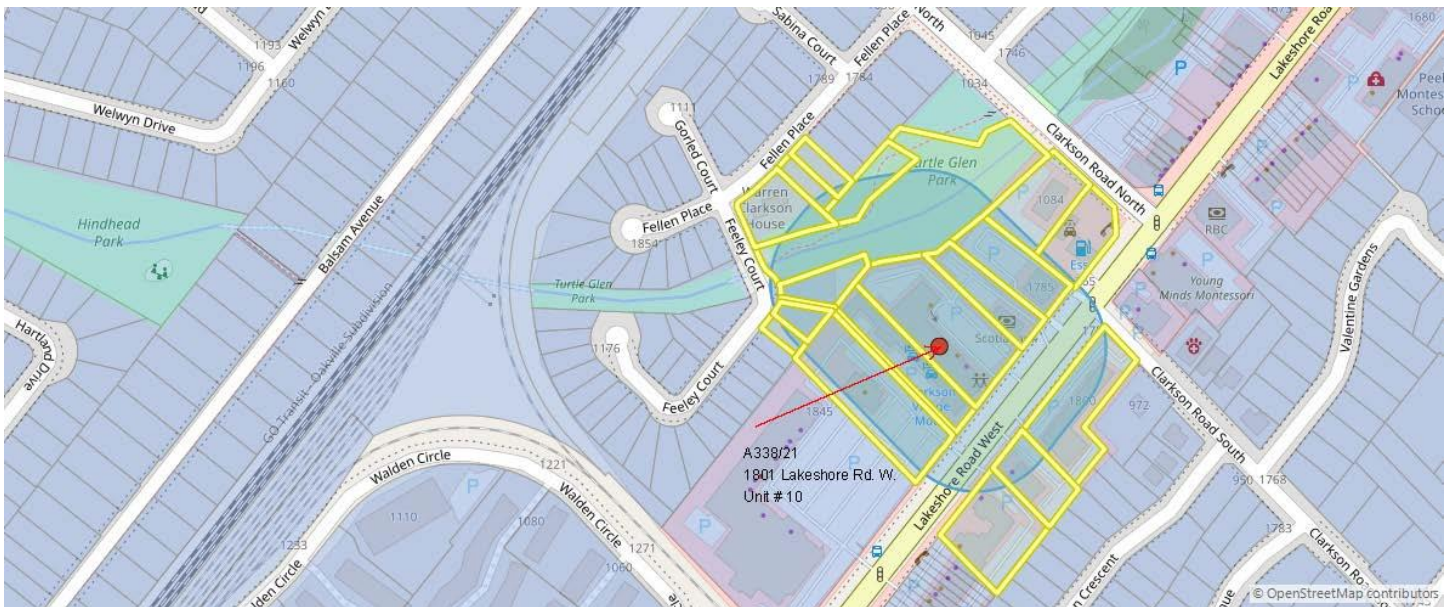
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm on the Friday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud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

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Legal notice:

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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: Enter/choose date.	File(s): A338.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-26 1:00 PM

Consolidated Recommendation

The City has no objection to the variances, as requested. Should Committee see merit in the Application, Planning Staff would recommend the condition(s) identified below be imposed. 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 a medical office in unit 10 proposing:

1. 97 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 144 parking spaces in this instance; and
2. 2 accessible parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 5 accessible parking spaces in this instance.

Recommended Conditions and Terms

Given the current pandemic circumstances, CPS staff recommend supporting the requested parking variance on a temporary basis for up to one (1) year subject to the following conditions:

- Following the expiration of the temporary one (1) year approval, the applicant is required to provide a satisfactory Parking Utilization Study (PUS) to address parking deficiency onsite and previous conditions under 'A' 461/05:
 - Maximum limit of 631m² (6,789 sq. ft.) gross floor area (GFA) for restaurant uses on the entire plaza.
 - Provide one (1) parking space allocated for persons with disabilities for the subject restaurant.

Background

Property Address: 1801 Lakeshore Road West, Unit 10

Mississauga Official Plan

Character Area: Clarkson Village Community Node

Designation: Mixed Use

Zoning By-law 0225-2007

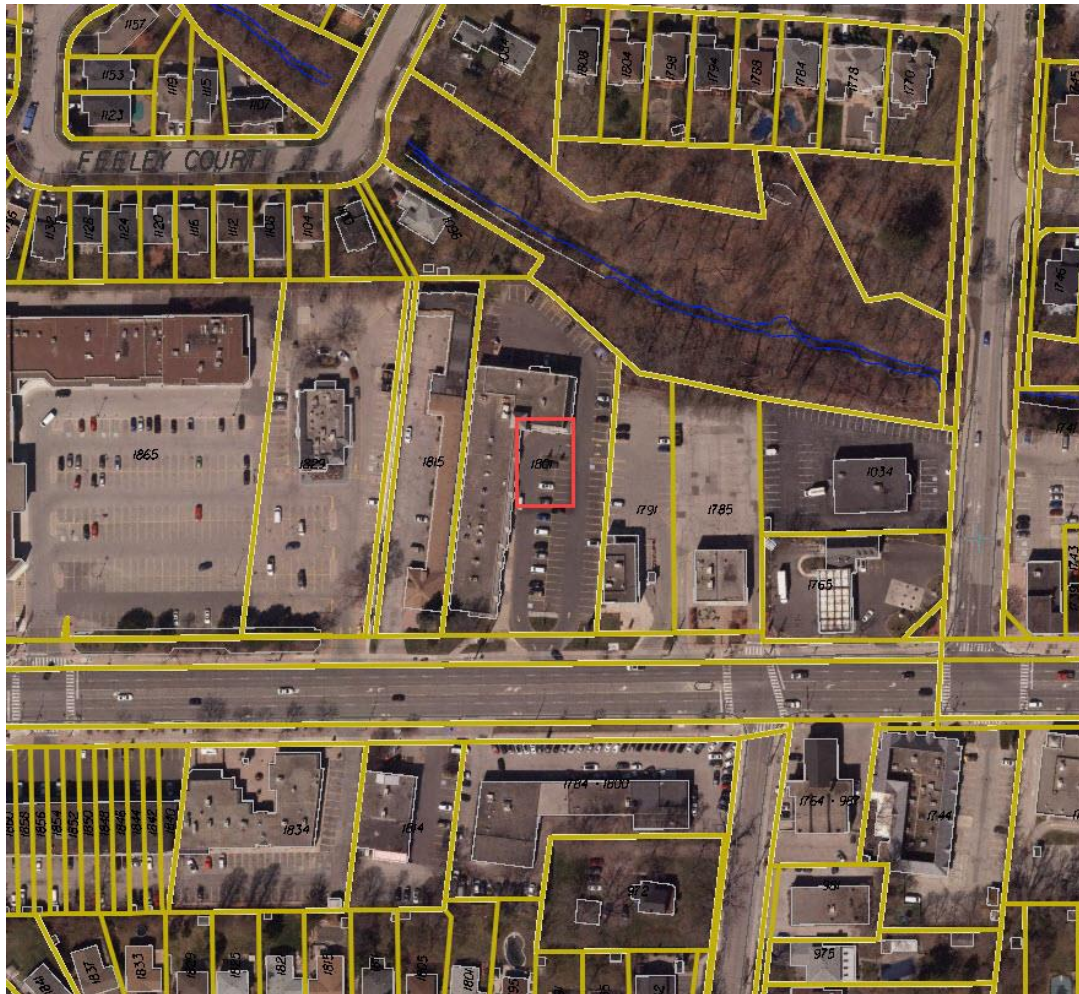
Zoning: C4-63 - Commercial

Other Applications: A71-11

Site and Area Context

The subject property is located in the Clarkson Village Community Node Character Area, east of the Southdown Road and Lakeshore Road West intersection. The immediate area consists of a variety of commercial uses contained in plazas fronting onto Lakeshore Road East. Minimal vegetation exists in the form of urban trees.

The subject property is a commercial plaza containing a variety of commercial uses. The application proposes a medical office in unit 10 requiring variances for 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*.

"[Enter info here]"

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 secondary office uses (business, professional and administrative offices) having an area less than 10,000 m² or accommodating less than 500 jobs. In this instance, the subject application would be considered secondary office and is permitted in the official plan.

The applicant is requesting to allow a medical office in Unit 10 with a total of 97 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 144 parking spaces in this instance. The subject site is currently occupied by an existing 2-storey commercial building with a total GFA of 1,940 m². The proposed medical office in Unit 10 has a total GFA of 175.12m². The City Planning Strategies (CPS) Division has reviewed the application and their comment is as follows.

The applicant submitted a Parking Review Letter, prepared by NexTrans Consulting Engineers, dated August 3, 2021, in support of the submitted application. The Parking Review Letter, dated August 3, 2021, explains that the existing parking onsite is adequate to accommodate the parking demand for the commercial building with a change in use in Unit 10 from a fitness centre to a medical office.

The property was subject to decisions for Committee of Adjustment applications 'A' 71/11 and 'A' 461/05. Previous conditions under 'A' 461/05 placed a maximum limit of 631m² (6,789 sq. ft.) gross floor area (GFA) for restaurant uses on the entire plaza, and required that one (1) parking space be provided and allocated for persons with disabilities for the subject restaurant (Japanese Sushi Restaurant).

CPS Staff contacted Zoning Staff to obtain a copy of the most updated Parking Allocation Report (PAR), dated August 3, 2021, to review the uses and overall parking requirement. CPS Staff are generally agreeable that the subject property has varying peak parking demand times with a mix of uses (e.g. restaurant, office, retail, and personal service establishment) that would be compatible from a parking perspective. Staff are seeking parking justification in the form of a Parking Utilization Study (PUS), however, due to the current COVID-19 pandemic circumstances a PUS is not recommended as it would not reflect an accurate parking demand, specifically for commercial and office related uses.

Given the current pandemic circumstances, CPS staff recommend supporting the requested parking variance on a temporary basis for up to one (1) year subject to the following conditions:

- Following the expiration of the temporary one (1) year approval, the applicant is required to provide a satisfactory Parking Utilization Study (PUS) to address parking deficiency onsite and previous conditions under 'A' 461/05:
 - Maximum limit of 631m² (6,789 sq. ft.) gross floor area (GFA) for restaurant uses on the entire plaza.
 - Provide one (1) parking space allocated for persons with disabilities for the subject restaurant.

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

Conclusion

The Planning and Building Department has no objection to the variances, as requested. Should Committee see merit in the Application, Planning Staff would recommend the condition(s) identified below be imposed. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference are photos of the subject property, building and existing parking areas.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Certificate of Occupancy Permit under file C 20-4531. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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

Comments Prepared by: Brandon Eidner, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

N/A

Appendix 4 – Heritage

N/A

Appendix 5 – Region of Peel Comments

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

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

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A339.21
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 1082 Lakeshore Road East, 800 & 985 Hydro Road, zoned G1 - Greenlands, & U-1 - Utility, 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 municipal contractor's yard proposing:

1. A municipal contractor's yard whereas By-law 0225-2007, as amended, does not permit a municipal contractor's yard in this instance; and
2. A multi use trail within a landscape buffer whereas By-law 0225-2007, as amended, does not permit a multi use trail within a landscape buffer in this instance.

The Committee has set **Thursday August 26, 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 on the Friday 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:

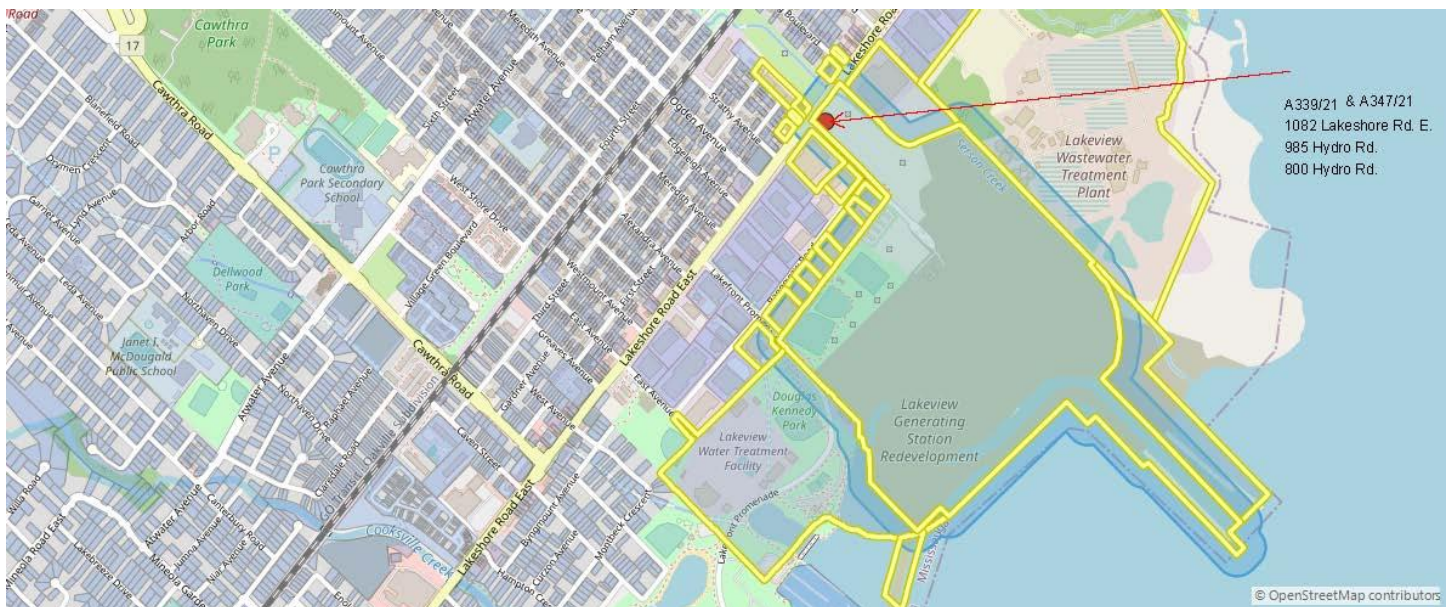
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm on the Friday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud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

To participate by telephone: To register, please call 905-615-3200 x5209 no later than 4:30pm on the Friday 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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COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A347.21
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 1082 Lakeshore Road East, 985 Hydro Road, & 800 Hydro Road, zoned G1 - Greenlands, U-1 - Utility, & OS2 - Open Space, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance for interim use for site activation (temporary period of 3 years) proposing:

1. Active Recreational Use whereas the By-law 0225-2007, as amended, does not permit an Active Recreational Use in this instance;
2. Passive Recreational Use whereas the By-law 0225-2007, as amended, permit only Passive Recreational Use accessory to a permitted use in this instance;
3. A Tent/Stage Use whereas By-law 0225-2007, as amended, does not a permit Tent/Stage Use in this instance;
4. A fairground use whereas By-law 0225-2007, as amended, does not permit a fairground use in this instance; and
5. Outdoor storage whereas By-law 0225-2007, as amended, does not permit outdoor storage in this instance.

The Committee has set **Thursday August 26, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act*, *Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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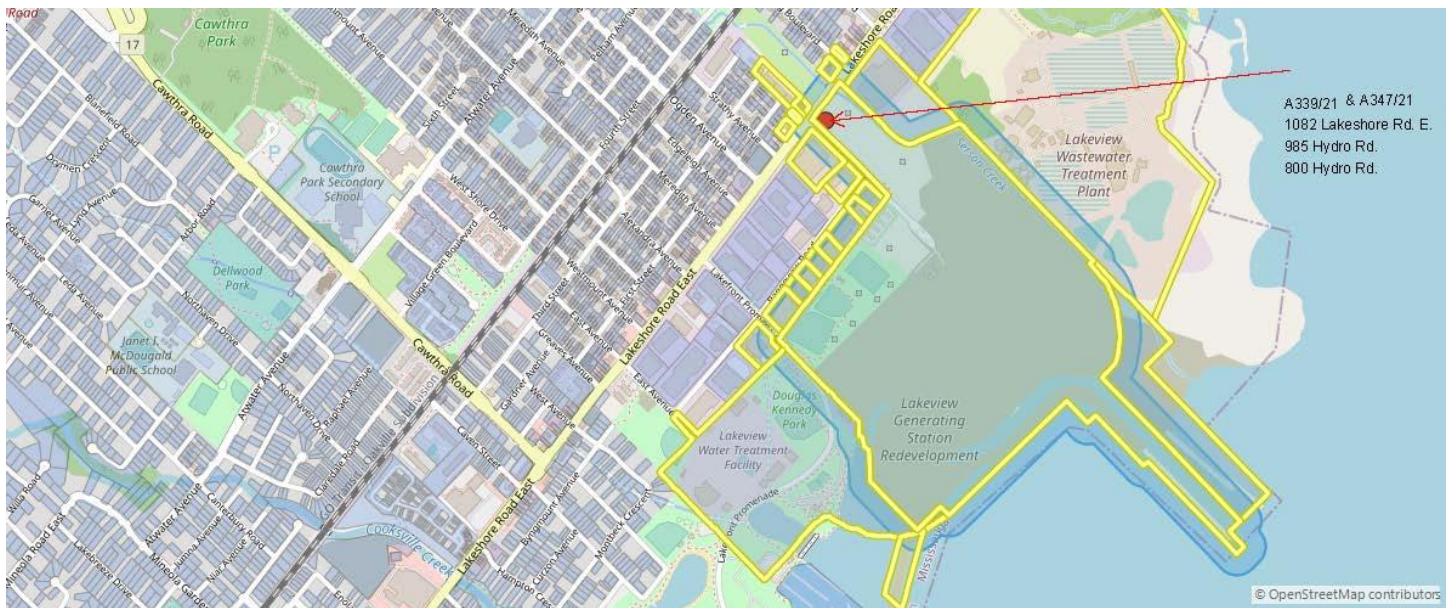
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: Enter/choose date.	File(s): A339.21
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-26 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow a municipal contractor's yard proposing:

1. A municipal contractor's yard whereas By-law 0225-2007, as amended, does not permit a municipal contractor's yard in this instance; and
2. A multi use trail within a landscape buffer whereas By-law 0225-2007, as amended, does not permit a multi use trail within a landscape buffer in this instance.

Amendments

The Park Planning Section of the Community Services Department has reviewed the minor variance application and advises Variance #2 should be amended as follows:

2. A 2m Maintenance Access Route within a landscape buffer whereas By-law 0225-2007, as amended, does not permit a 2m Maintenance Access Route within a landscape buffer.

Recommended Conditions and Terms

"[Enter terms and conditions here]"

Background

Property Address: 1082 Lakeshore Road East

City Department and Agency Comments	File:A339.21	Enter date.	2
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Mississauga Official Plan

Character Area: Lakeview Waterfront Major Node
Designation: Business Employment & Greenlands

Zoning By-law 0225-2007

Zoning: G1 - Greenlands, & U-1 - Utility

Other Applications: OZ 19/021, OZ 1/003 W1, 21T-M19/001 W1, and SPM 21-73 W1

Site and Area Context

The subject site is located within the Lakeview Waterfront Major Node, east of Cawthra Road and Lakeshore Road East. The south side of Lakeshore Road East consists of employment uses. Immediately east of the subject site is Serson Creek. These lands are municipally addressed as 1082 Lakeshore Road East, 985 Hydro Road and 800 Hydro Road and have a total site area of approximately 71.3 ha (176 ac). The block subject to this application for minor variance is addressed as 1082 Lakeshore Road East and is generally located at the east portion of the subject lands adjacent to Serson Creek. The block is approximately 0.51 hectares (1.25 acres) in size and is located at the north most portion of the Innovation District lands.

The minor variance application proposes a municipal contractor's yard proposing municipal contractor's yard and maintenance access route uses.

"[Enter air photo]"

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 applicant is proposing a municipal contractor's yard and requires variances to permit the municipal contractor's yard and a 2m wide maintenance access route.

The block subject to this application is designated Business Employment in the City of Mississauga Official Plan (MOP). As per Section 9.5.1.1 of MOP, site design is encouraged to be compatible with site conditions, the surrounding context and landscape of the existing and planned character of the area. The area currently consists of existing regional and local facilities and infrastructure. Replacing the old facilities with new facilities will improve the compatibility between the proposed uses and uses in the area. Furthermore, it is important to note that these uses are temporary and will be removed and/or replaced in the future. 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?

Variances #1 and #2 are required to permit a municipal contractor's yard and 2m wide maintenance access route to encroach into the required landscape buffer on the north and east sides of the subject site. The subject property is zoned G1 – Greenlands and U-1 Utility which permit utility and natural type uses. The proposed uses fit within these categories therefore meeting the intent and purpose of the zoning by-law. The proposed municipal contractor's yard is intended to be temporary in nature and will not jeopardize the ability to realize the ultimate intent for business employment uses in the future. Furthermore, the proposal will not supersede future development planned on the subject property.

The proposed 2m wide maintenance access route is required to implement permits issued by Credit Valley Conservation for Serson Creek shoreline. Maintenance of the creek ties in with the long term vision of the area. As such, Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained. Community Services Staff will determine if and when the maintenance access route will be made accessible to the public for recreational purposes. Planning Staff are of the opinion that the proposal will not interfere with the processing of current and future planning applications, and only requires the lands to be utilized for a temporary period while construction activities occur.

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

The new temporary municipal contractor's yard will be more desirable than the existing municipal contractor's yard. The existing municipal contractor's yard was required to be displaced from its current position because of the Lakeview development. The existing municipal contractor's yard obstructs pedestrian mobility, views of the water and hampers a logical road pattern for a proposed draft plan of subdivision as well as any consideration for continued waterfront park access. Furthermore, the new temporary municipal contractor's yard will be used by parks operations to service the new park network planned for the Lakeview community. The proposed 2m wide maintenance access route is required to access and maintain Serson Creek. Community Services Staff will determine if the trail will be accessible to the public at a later date. The proposed municipal contractor's yard and 2m maintenance access route are minor in nature, as these uses are temporary and will not impede the future development of the site. Furthermore, the subject block proposed to accommodate the yard is anticipated to be one of the last blocks within the Innovation District to be redeveloped and is expected to remain vacant for some time. The temporary use and development of the lands will

City Department and Agency Comments	File:A339.21	Enter date.	4
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not jeopardize its ability reach the planned intent and use of the lands outlined in the Lakeview plan.

Conclusion

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

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 contractor's yard are being addressed through the Site Plan Application process, File SPM-21/073.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan permit under file SPM 21-73 W1. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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

Comments Prepared by: Brandon Eidner, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

City Department and Agency Comments	File:A339.21	Enter date.	7
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The Park Planning Section of the Community Services Department has reviewed the above noted minor variance application and advises as follows:

1. Parks, Forestry & Environment Division has No Objection to the proposed variance to permit a municipal contractor's yard.
2. Parks, Forestry & Environment Division notes that the proposed 2m pathway within the landscape buffer will not function as a Multi-use Trail (MUT). The function of the proposed 2m pathway will be for the purpose of Maintenance Access Route with no any public access. Community Service Department will, at a later date, determine if the pathway can be opened to the public as a MUT. As such, the proposed variance should permit a 2m Maintenance Access Route and not a Multi-use Trail (MUT).

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

Comments Prepared by: Jim Greenfield, Park Planner

Appendix 4 – Heritage

"[Enter Community Services staff comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 5 – Region of Peel Comments

"[Enter Region of Peel comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 6- Conservation Authority Comments

"[Entert CA comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 7 – "[Enter other agency name]"

"[Enter other agency comments]"

Comments Prepared by: [Click here to insert name, title...](#)

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: Enter/choose date.	File(s): A347.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-26 1:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance for interim use for site activation (temporary period of 3 years) proposing:

1. Active Recreational Use whereas the By-law 0225-2007, as amended, does not permit an Active Recreational Use in this instance;
2. Passive Recreational Use whereas the By-law 0225-2007, as amended, permit only Passive Recreational Use accessory to a permitted use in this instance;
3. A Tent/Stage Use whereas By-law 0225-2007, as amended, does not a permit Tent/Stage Use in this instance;
4. A fairground use whereas By-law 0225-2007, as amended, does not permit a fairground use in this instance; and
5. Outdoor storage whereas By-law 0225-2007, as amended, does not permit outdoor storage in this instance.

Amendments

While Planning Staff are not in a position to provide an interpretation of the Zoning By-law, Staff would note variance #5 should be amended as follows:

5. Outdoor Storage accessory to an Active Recreational Use, Passive Recreational Use, A Tent/Stage Use and a Fairground Use whereas By-law 0225-2007, as amended, does not permit outdoor storage accessory to an Active Recreational Use, Passive Recreational Use, A Tent/Stage Use and a Fairground Use in this instance.

Background

Property Address: 1082 Lakeshore Road East, 985 Hydro Road, & 800 Hydro Road

Mississauga Official Plan

Character Area: Lakeview Waterfront Major Node
Designation: Business Employment, Greenlands, Institutional, Residential Medium Density, Mixed Use, and Public Open Space

Zoning By-law 0225-2007

Zoning: G1 - Greenlands, U-1 - Utility, & OS2 - Open Space

Other Applications: OZ 19/021, OZ 19/003 W1, 21T-M19/001 W1, SPM 21-73 W1, BP 3NEW 19-9497 and A 277/19

Site and Area Context

The subject site is located within the Lakeview Waterfront Major Node, east of Cawthra Road and Lakeshore Road East. The south side of Lakeshore Road East consists of employment uses. Immediately east of the subject site is Serson Creek. The subject site has an area of approximately 71.26 ha in size and contains mature vegetation. The subject site is currently undergoing a Site Plan, Rezoning, Official Plan Amendment, and Draft Plan of Subdivision application review.

The minor variance application proposes an interim use for site activation (temporary period of 3 years) proposing active recreational, passive recreational, tent/stage, fairground and outdoor storage uses.



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 'Business Employment', 'Greenlands', 'Institutional', 'Residential Medium Density', 'Mixed Use' and 'Public Open Space' in Schedule 10 of the Mississauga Official Plan (MOP). As per Section 9.5.1.1 of MOP, site design is encouraged to be compatible with site conditions, the surrounding context and landscape of the existing and planned character of the area. The application proposes temporary uses for site activation. The proposed uses are temporary and will not affect the future design of the site. Furthermore, the existing and planned site design will maintain compatibility with existing uses in the surrounding area. 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?

Variances #1-5 propose interim uses for site activation for a period of 3 years. The specific locations for where the interim uses will be located is unknown at this time. Currently, the subject lands are vacant and undergoing works related to site preparation and construction. The intent of the by-law is to allow land to be used for buildings, structures, or parts thereof, erected or used for a temporary period, while ongoing construction is occurring on the lot which has neither been finished or abandoned. The proposed uses will allow the site to be temporarily utilized for site activation uses by the community in the interim. While the current zoning is not consistent with the planned vision of the subject lands, staff note that the OS2 zone already permits active and passive recreational uses. As a result, the proposed temporary uses do not significantly deviate from what is permitted on the lands today and would be compatible with the MOP and rezoning application. The proposal maintains the general intent of the Zoning by-law as the proposed uses are intended to be temporary in nature and will not jeopardize the ability to realize the ultimate intent for uses on the site in the future. Furthermore, the proposal will not supersede future development or the planned vision of the subject property.

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

The proposed variance is minor in nature as the use is temporary and will not jeopardize the ultimate intent of the Official Plan or the Zoning By-law and will not impact the planned vision of the subject lands. Furthermore, the interim uses are desirable as they provide an opportunity for the lands to be utilized by the community for recreation and leisure.

Conclusion

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

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 uses are being addressed through the Site Plan Application process.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan permit under file SPM 21-73 W1. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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

Comments Prepared by: Brandon Eidner, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

City Department and Agency Comments	File:A347.21	2021/08/18	7
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The Park Planning Section of the Community Services Department has reviewed the above noted minor variance application and advises as follows:

- Parks, Forestry & Environment Division has No Objection to the proposed variances to permit Active and Passive, Tent/Stage, Fairground and Outdoor Storage Uses on the subject property.

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

Comments Prepared by: Jim Greenfield, Park Planner

Appendix 4 – Heritage

N/A

Appendix 5 – Region of Peel Comments

This site does not have frontage on existing municipal sanitary sewer. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at siteplanservicing@peelregion.ca. Region of Peel Site Servicing connection approvals are required prior to the local municipality issuing building permit.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A340.21
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 1827 and 1835 Drew Road, zoned E3 - Employment, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing 35 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 48 parking spaces in this instance.

The Committee has set **Thursday August 26, 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:

Written comments to the Committee must be received no later than 4:30pm on the Friday 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 on the Friday 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 on the Friday 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 on the Friday 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: Enter/choose date.	File(s): A340.21 Ward 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-26 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 the construction of an addition proposing 35 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 48 parking spaces in this instance.

Amendments

"[Enter amendments to variances]"

Recommended Conditions and Terms

"[Enter terms and conditions here]"

Background

Property Address: 1827 and 1835 Drew Road

Mississauga Official Plan

Character Area: Northeast Employment Area
Designation: Industrial

Zoning By-law 0225-2007

Zoning: E3 - Employment

City Department and Agency Comments	File:A340.21	Enter date.	2
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Other Applications: SP 20-117

Site and Area Context

The subject property is located north-west of the Bramalea Road and Drew Road intersection in the Northeast Employment Area. It currently contains a single storey industrial building and a large fenced parking/storage area. Vegetation is limited to the municipal boulevard, which is consistent with the area. The subject property has a frontage of +/- 60.96m and a lot area of +/- 7,407.72m², however lots in the area vary in size.

The applicant is proposing an addition to the existing building requiring a variance for parking supply.

"[Enter air photo]"

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 applicant is proposing to construct an addition on the subject property in order to facilitate a manufacturing facility. The subject property is designated Industrial in Schedule 10 of the Mississauga Official Plan (MOP) and is zoned E3 under Zoning By-law 0225-2007. Staff note that the proposed use is permitted under both the Official Plan and the Zoning By-law, and therefore staff are satisfied that the proposal maintains the general intent and purpose of the Official Plan and Zoning By-law.

CPS staff have reviewed the application and note as follows:

With respect to Committee of Adjustment application 'A' 340/21, 1827 and 1835 Drew Road, the applicant is requesting to allow the construction of an addition to an existing manufacturing facility proposing a total of 35 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 48 parking spaces in this instance. This is a reduction of 13 spaces which equates to a 27% deficiency.

The applicant submitted a Parking Study, prepared by CGE Transportation Consulting, dated May 21, 2021, in support of the submitted application. The Parking Study dated May 21, 2021,

explains that the applicant is relocating an existing manufacturing facility, called Surf Tech, from 2830 Anson Drive to the subject site at 1827 and 1835 Drew Road. The subject site has an existing industrial building and the applicant is proposing to construct an addition. After the expansion, the total GFA of the building will be 3,282.08 m².

Currently, the manufacturing facility has 15 employees that work from 8:00am to 6:00pm. The owner advised that the number of staff and business hours will be maintained as no additional staff are expected at the new building.

The Parking Study carried out one day of surveying on Monday, May 10, 2021 at the following two proxy sites:

- 2830 Anson Drive -> existing location of the manufacturing facility
- 1815 Drew Road -> a manufacturing facility with similar business hours and approximately 16-20 employees

The Parking Study reported an observed peak demand at 1815 Drew Road on Monday, May 10, 2021 at 11:00am for a total peak demand of 3 spaces, which equates to a demand rate of 0.2 spaces per 100 m² of GFA (e.g. 3 spaces / 1,513 m² GFA = 0.196). The demand rate was applied to the subject site resulting in a demand of 7 parking spaces, therefore the applicant is of the opinion that the proposed 35 parking spaces onsite are sufficient. Lastly, the Parking Study references Transportation Demand Management (TDM) measures and explains that majority of the existing employees use transit and it is anticipated that employees will do the same at the proposed new location.

Staff contacted the agent, Jamshaid Ali Durrani, Spatial Concepts, via email on August 5, 2021, seeking additional information on the proposed expansion and use, as well as, requesting additional proxy site surveys, as one day of surveying is not acceptable.

The requested information has not been submitted yet and staff require satisfactory parking justification.

Without the above noted information requested by CPS staff, Planning staff are unable to fully review the application and determine if the application is minor in nature and represents desirable development of the subject property. As such Planning staff are in support of the request for deferral by CPS staff.

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

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





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan application under file SP 20-117 W5. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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

Comments Prepared by: Brandon Eidner, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

"[Enter Community Services staff comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 4 – Heritage

"[Enter Community Services staff comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 5 – Region of Peel Comments

"[Enter Region of Peel comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 6- Conservation Authority Comments

"[Entert CA comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 7 – "[Enter other agency name]"

"[Enter other agency comments]"

Comments Prepared by: [Click here to insert name, title...](#)



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A345.21
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 835 North Service Road, zoned R3-75- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing:

1. A front yard measured to the front porch roof structure of 5.26m (approx. 17.26ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the front porch roof structure of 5.90m (approx. 19.36ft) in this instance;
2. A centreline setback measured from North Service Road to the porch roof structure of 16.70m (approx. 54.79ft) whereas By-law 0225-2007, as amended, requires a minimum centreline setback measured from North Service Road to the porch road structure of 17.50m (approx. 57.41ft) in this instance;
3. A centreline setback measured from North Service Road to the carport of 15.00m (approx. 49.21ft) whereas By-law 0225-2007, as amended, requires a minimum centreline setback measured from North Service Road to the carport of 17.50m (approx. 57.41ft) in this instance;
4. A westerly side measured to the third storey of 0.62m (approx. 2.03ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the third storey of 2.42m (approx. 7.94ft) in this instance;
5. A westerly side measured to the carport of 0.62m (approx. 2.03ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the carport of 1.20m (approx. 3.94ft) in this instance;
6. A building height measured to the highest ridge of 9.96m (approx. 32.68ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the highest ridge of 9.50m (approx. 31.17ft) in this instance; and
7. A building height measured to the eaves of 7.93m (approx. 26.02ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves 6.40m (approx. 21.00ft) in this instance.

The Committee has set **Thursday August 26, 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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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: Enter/choose date.	File(s): A345.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-26 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred for redesign.

Application Details

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

1. A front yard measured to the front porch roof structure of 5.26m (approx. 17.26ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the front porch roof structure of 5.90m (approx. 19.36ft) in this instance;
2. A centreline setback measured from North Service Road to the porch roof structure of 16.70m (approx. 54.79ft) whereas By-law 0225-2007, as amended, requires a minimum centreline setback measured from North Service Road to the porch rood structure of 17.50m (approx. 57.41ft) in this instance;
3. A centreline setback measured from North Service Road to the carport of 15.00m (approx. 49.21ft) whereas By-law 0225-2007, as amended, requires a minimum centreline setback measured from North Service Road to the carport of 17.50m (approx. 57.41ft) in this instance;
4. A westerly side measured to the third storey of 0.62m (approx. 2.03ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the third storey of 2.42m (approx. 7.94ft) in this instance;
5. A westerly side measured to the carport of 0.62m (approx. 2.03ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the carport of 1.20m (approx. 3.94ft) in this instance;
6. A building height measured to the highest ridge of 9.96m (approx. 32.68ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the highest ridge of 9.50m (approx. 31.17ft) in this instance; and
7. A building height measured to the eaves of 7.93m (approx. 26.02ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves 6.40m (approx. 21.00ft) in this instance.

Amendments

"[Enter amendments to variances]"

Recommended Conditions and Terms

"[Enter terms and conditions here]"

Background

Property Address: 835 North Service Road

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3-75- Residential

Other Applications: PRE-APP 21-5550, A307/19 (Approved)

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, east of Cawthra and the Queen Elizabeth Way (QEW). The area consists of one and two storey single detached dwellings with limited vegetation in the front and rear yards. The subject property contains a two storey detached dwelling with little vegetation in the rear yard.

The application proposes an addition requiring variances related to front yard, centreline setback, westerly side yards and building heights.

"[Enter air photo]"

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 Lakeview Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached, and duplex dwellings.

Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions; the surrounding context; and, the landscape of the character area. Additionally, Section 9.2.2.3 of the MOP states that while new development need not mirror existing development, new development in Neighbourhoods will respect the continuity of front, rear and side yard setbacks.

The proposed height variances will create a three storey dwelling that is out of character with the area and will have significant impacts on the neighbouring properties, particularly the abutting property to the west. Staff emailed the applicant's agent to confirm where the side yard setbacks had been measured from and did not receive a response to the request to identify where variances #4 and #5 are located. The westerly side yard setbacks proposed are not consistent with setbacks in the immediate area and do not provide an adequate buffer between the proposed addition and the detached dwelling on the abutting property to the west.

As such, staff recommend that the application be deferred for redesign to reduce the building height to both the proposed highest ridge and eaves, and to increase the westerly setbacks proposed.

Conclusion

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

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed addition are being addressed by our Development Construction Section through the Building Permit process, File BP 9ALT 19/6594.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

We note that a building permit application is required. In the absence of a building permit application we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed.

The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future. Alternatively, the

City Department and Agency Comments	File:A345.21	Enter date.	5
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applicant may wish to apply for a pre-zoning review application and submit working drawings in order for a full zoning review to be completed. Depending on the complexity of the proposal, a minimum of 6-8 weeks will be required to process a pre-zoning review application.

Comments Prepared by: Brandon Eidner, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

"[Enter Community Services staff comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 4 – Heritage

"[Enter Community Services staff comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 5 – Region of Peel Comments

"[Enter Region of Peel comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 6- Conservation Authority Comments

"[Entert CA comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 7 – "[Enter other agency name]"

"[Enter other agency comments]"

Comments Prepared by: [Click here to insert name, title...](#)



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A348.20

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 2400 Skymark Avenue, zoned E1-19-Employment, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a Manufacturing Facility and Warehousing/Distribution Facility on the subject property whereas By-law 0225-2007, as amended, does not permit such uses in this instance.

The Committee has set **Thursday August 26, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act*, *Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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Advance registration is required to participate in the electronic hearing:

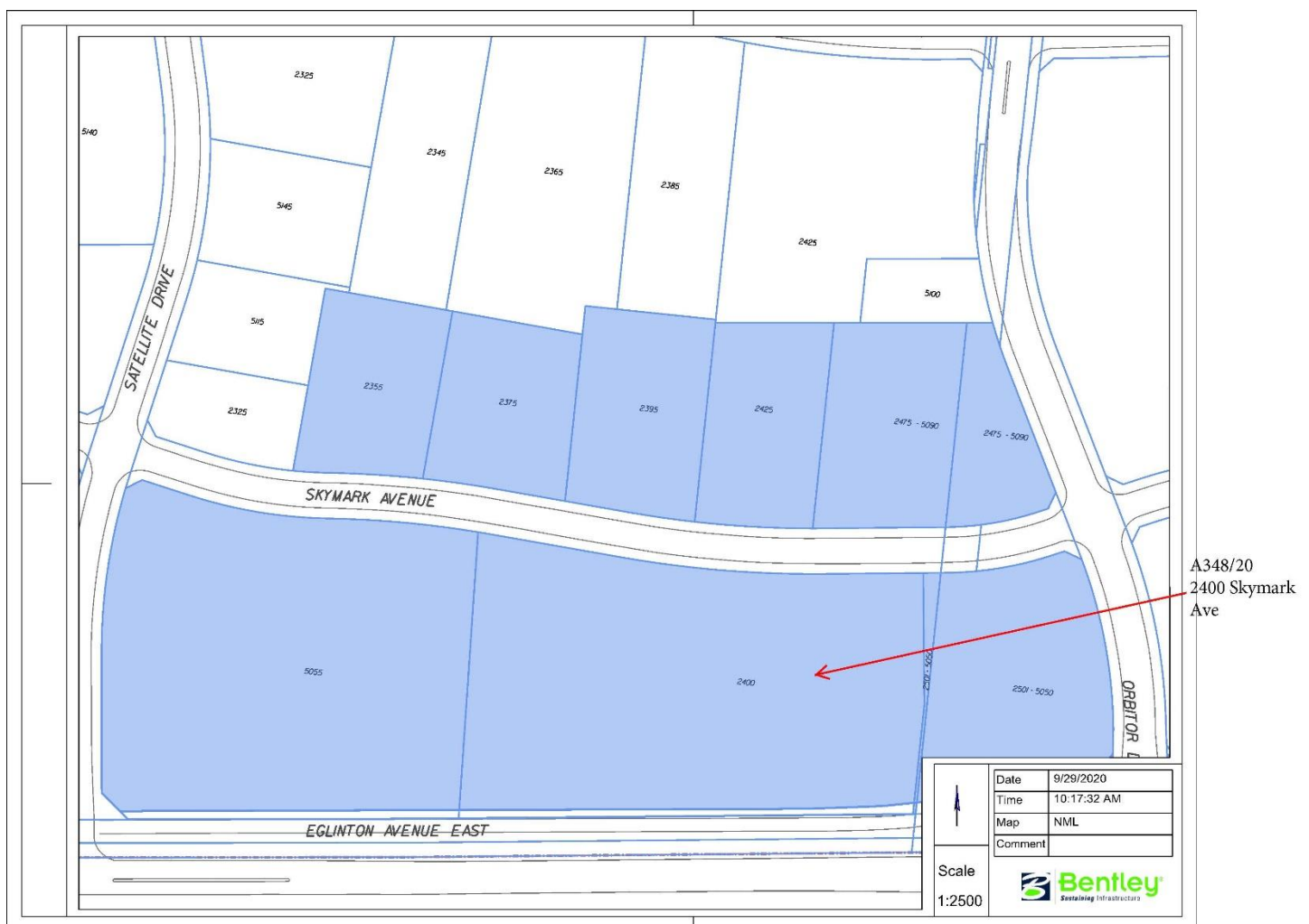
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COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A349.20

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 5055 Satellite Drive, zoned E1-19 – Employment, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a Manufacturing Facility and Warehousing/Distribution Facility on the subject property whereas By-law 0225-2007, as amended, does not permit such uses in this instance.

The Committee has set **Thursday August 26, 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 on the Friday 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:

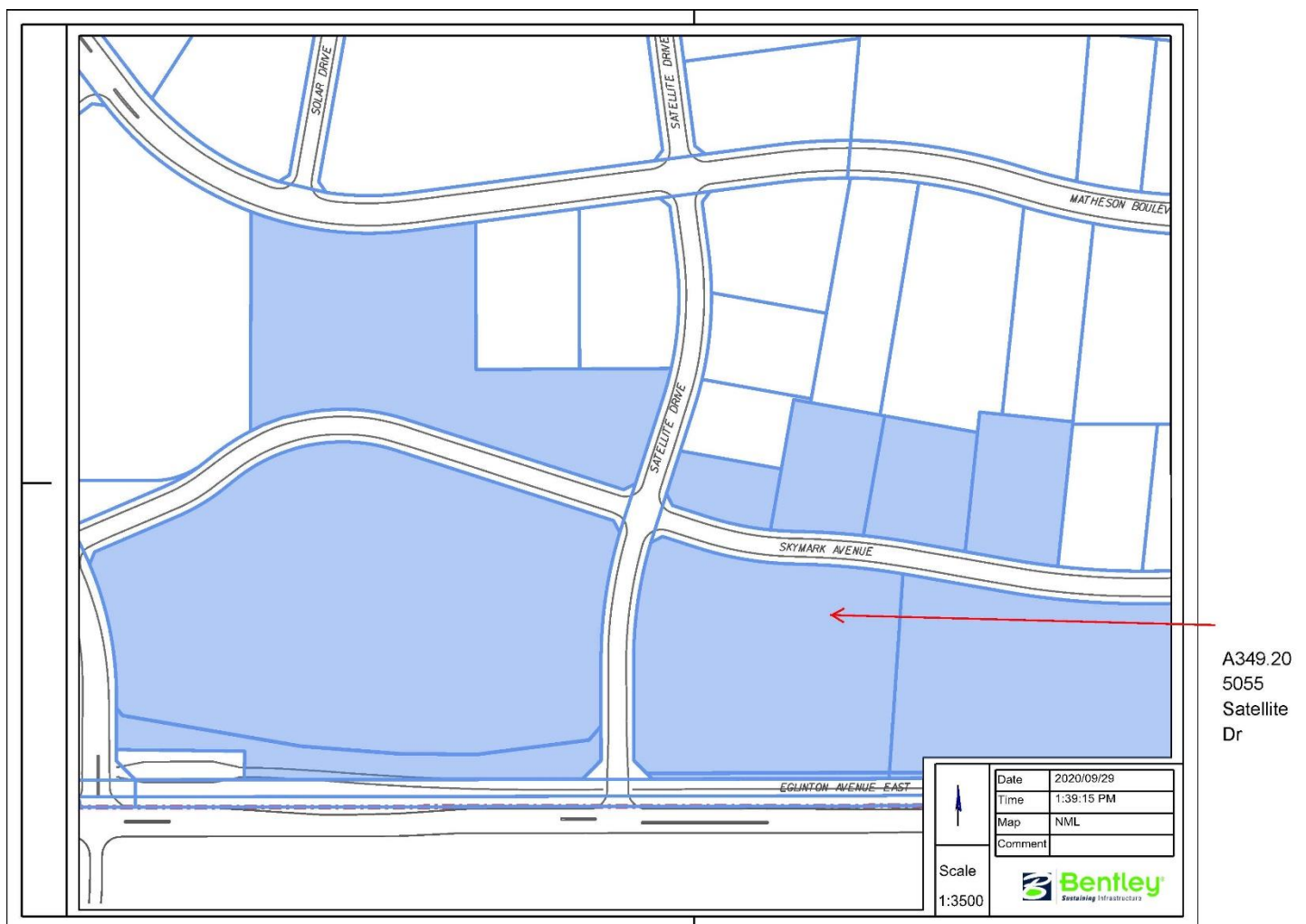
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm on the Friday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud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

To participate by telephone: To register, please call 905-615-3200 x5209 no later than 4:30pm on the Friday 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: 2021-08-18	File(s): A348.20 Ward 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-26 1:00 PM

Consolidated Recommendation

The City recommends that the application be refused.

Application Details

The applicant requests the Committee to approve a minor variance to allow a Manufacturing Facility and Warehousing/Distribution Facility on the subject property whereas By-law 0225-2007, as amended, does not permit such uses in this instance.

Background

Property Address: 2400 Skymark Avenue

Mississauga Official Plan

Character Area: Airport Corporate Centre
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E1-19 - Employment

Other Applications: None

Site and Area Context

The subject property is located north-east of the Eglinton Avenue East and Satellite Drive intersection in the Airport Corporate Centre. It has a lot area of +/- 36,500m² and a lot frontage of +/- 250m and currently contains a one storey industrial building. The surrounding context is

comprised of commercial and industrial uses on varying size lots, ranging in heights from one to three storeys. The Mississauga Transitway abuts the property immediately to the south. The area is virtually devoid of vegetation, except for within the municipal boulevard or front landscaped buffer of properties.



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 Airport Corporate Centre and is designated Business Employment in Schedule 10 of the Mississauga Official Plan (MOP). The property is also subject to the Special Site 1 policies as set out in the MOP under section 15.2.2.1. Section 15.2.2.1.1.a states that lands identified as Special Site 1 will not permit new industrial uses including manufacturing, warehousing, distributing and wholesaling, outdoor storage and display. The same policy also notes that only existing industrial uses will be permitted to continue and expand. The goal of this policy is to encourage the transition of the area to office and other uses while allowing existing uses to be maintained. The applicant's proposal would permit new industrial uses to occupy the building in direct contravention to policy 15.2.2.1.1a and therefore the proposal does not meet the general intent and purpose of the Official Plan.

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

The subject property is zoned E1-19 in Zoning By-law 0225-2007. While the base E1 zone permits the requested uses in this application, exception 19 goes on to expressly prohibit the uses requested in this application, except for those legally existing on the date of the passing of the By-law. Staff note that while not all properties within the Special Site 1 area share the same zoning, all but 5 properties within Special Site 1 bear zoning designations that do not permit the proposed uses. The City of Mississauga has instituted a clear policy that only the existing industrial uses are permitted to continue on the subject property and surrounding area and that new industrial uses should not be introduced. Staff are of the opinion that a blanket approval that allows these uses to be continuously replaced on an ongoing basis does not meet the general intent of the Zoning By-law.

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

Given the proposal's failure to meet the first two tests of a minor variance and its direct contravention of the Official Plan and Zoning By-law, staff are of the opinion that the application is not minor in nature. While the existing building and tenants represent appropriate uses of the subject property in accordance with the Official Plan and Zoning By-law, the introduction of new tenants for a use that is being phased out by City policy, which would be permitted under the applicant's proposal, would 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

This Department has no objections, comments or requirements with respect to C.A. 'A' 348/20.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Pre-Zoning application permit under file 21-6369. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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

Comments Prepared by: Marco Palermo

Appendix 3 – Parks, Forestry & Environment

N/A

Appendix 4 – Heritage

N/A

Appendix 5 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A157.21
Ward: 11

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 6985 Second Line West, zoned R1-32 - 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 334.76m² (approx. 3603.44ft²) whereas By-law 0225-2007, as amended, permits a maximum gross floor area 289.95m² (approx. 3121.00ft²) in this instance;
2. A lot coverage of 25.76% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% in this instance;
3. A height of 8.35m (approx. 27.40ft) for highest ridge of a sloped roof whereas By-law 0225-2007, as amended, permits a maximum height of 7.50m (approx. 24.61ft) for highest ridge of a sloped roof in this instance;
4. A driveway width of 6.68m (approx. 21.92ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 3.00m (approx. 9.84ft) in this instance;
5. An at grade paver patio above the below grade accessory storage structure whereas By-law 0225-2007, as amended does not permit at grade paver patio above the below grade accessory storage structure in this instance.

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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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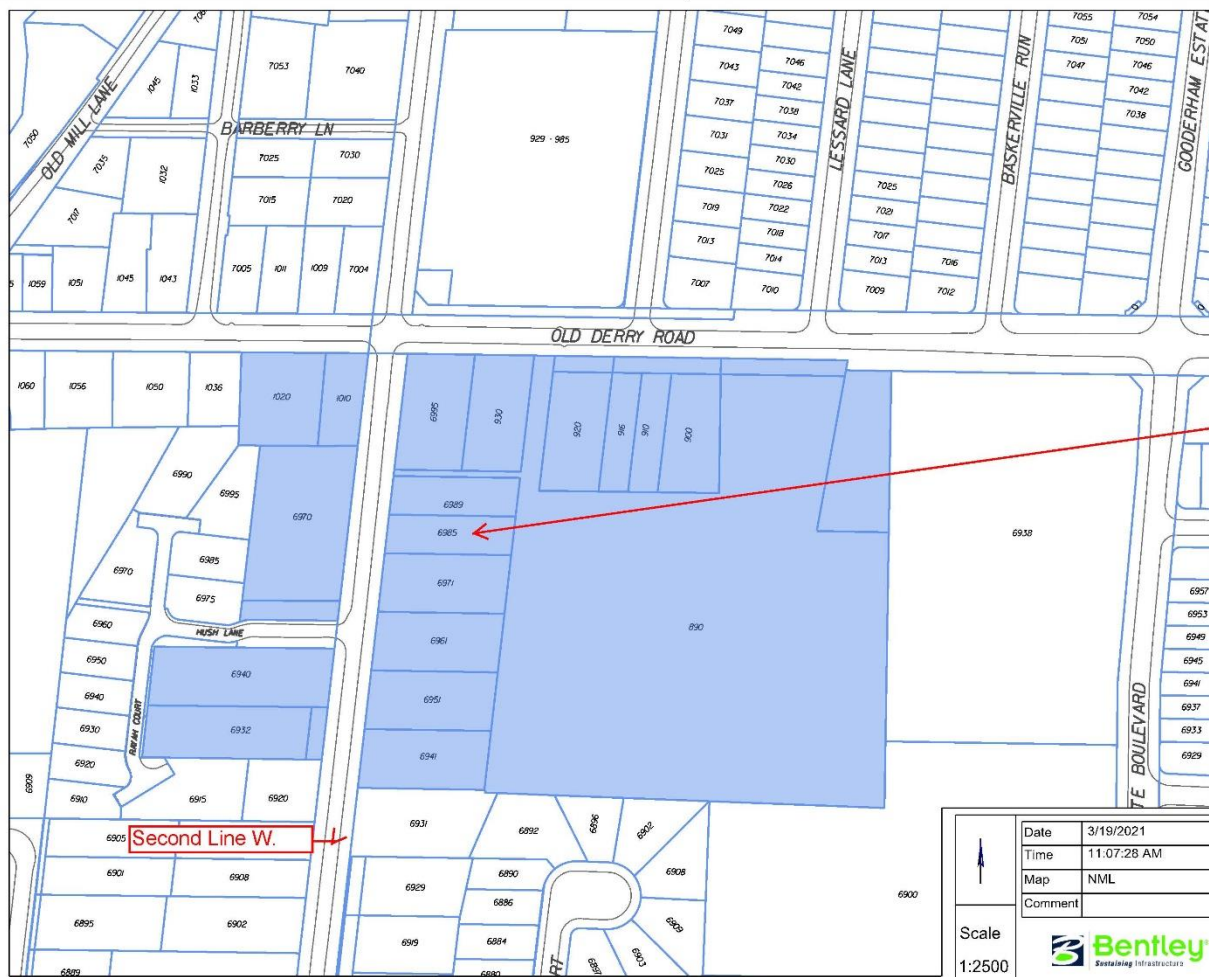
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A157/21
6985 Second
Line W.

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-08-18	File(s): A157.21 Ward 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-26 1:00 PM

Consolidated Recommendation

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

Application Details

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

1. A gross floor area of 334.76m² (approx. 3603.44ft²) whereas By-law 0225-2007, as amended, permits a maximum gross floor area 289.95m² (approx. 3121.00ft²) in this instance;
2. A lot coverage of 25.76% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% in this instance;
3. A height of 8.35m (approx. 27.40ft) for highest ridge of a sloped roof whereas By-law 0225-2007, as amended, permits a maximum height of 7.50m (approx. 24.61ft) for highest ridge of a sloped roof in this instance;
4. A driveway width of 6.68m (approx. 21.92ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 3.00m (approx. 9.84ft) in this instance;
5. An at grade paver patio above the below grade accessory storage structure whereas By-law 0225-2007, as amended does not permit at grade paver patio above the below grade accessory storage structure in this instance.

Amendments

The Building Department is currently processing a building permit under file SPI 21-2. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

1. A gross floor area of 338.14m² (approx. 3639.71ft²) whereas By-law 0225-2007, as amended, permits a maximum gross floor area 289.95m² (approx. 3121.00ft²) in this instance;

City Department and Agency Comments	File:A157.21	Enter date.	2
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2. A lot coverage of 25.76% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% in this instance;
3. A height of 8.35m (approx. 27.40ft) for highest ridge of a sloped roof whereas By-law 0225-2007, as amended, permits a maximum height of 7.50m (approx. 24.61ft) for highest ridge of a sloped roof in this instance;
4. A driveway width of 6.68m (approx. 21.92ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 3.00m (approx. 9.84ft) in this instance;
5. An at grade paver patio above the below grade accessory storage structure whereas By-law 0225-2007, as amended does not permit at grade paver patio above the below grade accessory storage structure in this instance.
6. A setback measured to window well of 11.07m (approx. 36.32ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured to window well of 11.39m (approx. 37.37ft) in this instance;
7. Two walkways attached to driveway whereas By-law 0225-2007, as amended, permits one walkway on each side of a driveway.

Recommended Conditions and Terms

"[Enter terms and conditions here]"

Background

Property Address: 6985 Second Line West

Mississauga Official Plan

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

Zoning By-law 0225-2007

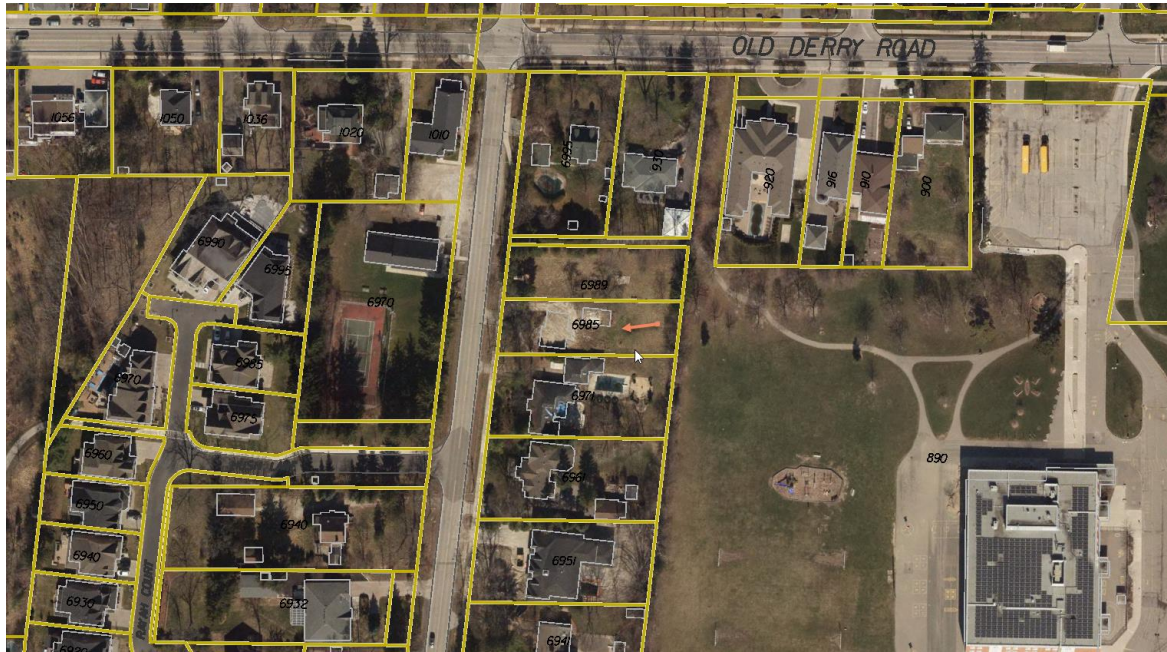
Zoning: R1-32 - Residential

Other Applications: SPI 21-2

Site and Area Context

The subject property is located south-west of the Second Line West and Old Derry Road intersection. It has a lot area of +/- 1,299.48m² and a lot frontage of +/- 19.94m. The property is currently vacant with mature vegetation scattered throughout the lot. The surrounding area is comprised primarily of two-storey detached dwellings with lot frontages of +/- 25.0m with mature vegetation and landscape elements present in the front yards.

The applicant is proposing a new dwelling requiring variances for gross floor area, driveway width, and height of the dwelling and garage.



Comments

Planning

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

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

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

The subject property is located in the Meadowvale Village Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation only permits detached dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. The proposed detached dwelling respects the designated and surrounding land use and maintains 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 and 2 request increases in the gross floor area and lot coverage. The intent of these provisions in the by-law is to prevent overdevelopment of the lot and maintain compatibility between existing dwellings, new dwellings, and the planned character of the neighbourhood. Staff are satisfied that the design of the proposed dwelling is sympathetic to both the planned character of the area and existing dwellings. It is appropriately sized and situated on the subject property.

Variance 3 is related to the height of the structure. The intent of the height provisions in the by-law are to lessen the visual massing of the dwelling and keep the dwelling within a human scale. Staff note that the Average Grade, from which the height of the dwelling is measured, is 0.39m below the Established Grade of the dwelling. This reduces the impact of the height on the streetscape and abutting properties as the dwelling will not appear to be as tall as the request in the variance. Furthermore the height is measured to the peak of the sloped roof, reducing the overall massing on the property when compared to a flat roof structure.

Variance number 4 requests an increased driveway width. Maximum driveway width provisions are to ensure that the driveway is large enough to accommodate the required parking for the dwelling while also maintaining sufficient soft landscaping in the front yard. Staff note that the driveway complies with the maximum width for the majority of its length and the requested increase is solely in front of the garage in order to service the double car garage. Staff are satisfied that there are no streetscape impacts or soft landscaping issues related to the driveway request.

Variance number 5 requests a patio on top of a below grade accessory structure. Staff are satisfied that variance 5 is a technical variance caused by the fact that the cold storage in the basement is accessed from the exterior of the dwelling. Staff are of the opinion that the variance raises no massing or privacy concerns.

Zoning staff have identified two additional variances, the first for a setback to a window well and the second for two walkways on the same side of the driveway.

The variance relating to the window well is measured to a window well in the front yard. The intent of front yard provisions is to ensure a consistent streetscape and a sufficient front yard amenity space. The property maintains a generous front yard setback and the proposed window well is below grade and therefore has no impacts on the streetscape or massing.

The variance related to the walkways is due to the fact that the driveway runs nearly the length of the property adjacent to the northerly property line. Both walkways therefore project from the south side of the driveway. When a driveway is more centrally located on the property having two walkways on the same side of the driveways may cause concerns regarding hardscaping in the front yard. In this instance only one walkway is in the front of the property and the other is towards the rear. As only one walkway would be visible from the street staff are satisfied that there are no impacts to the streetscape.

Given the above, staff are of the opinion that the variances, both individually and collectively, maintain the general intent and purpose of the Zoning By-law.

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

Staff are of the opinion that the proposal represents appropriate development of the subject lands. The proposed dwelling is in character for new builds in the surrounding area and the requested variances are minor in nature. Staff are satisfied that the request meets the four tests of the Planning Act.

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 Site Plan Application process, File SP-21/02.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file SPI 21-2. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

1. A gross floor area of 338.14m² (approx. 3639.71ft²) whereas By-law 0225-2007, as amended, permits a maximum gross floor area 289.95m² (approx. 3121.00ft²) in this instance;
2. A lot coverage of 25.76% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% in this instance;
3. A height of 8.35m (approx. 27.40ft) for highest ridge of a sloped roof whereas By-law 0225-2007, as amended, permits a maximum height of 7.50m (approx. 24.61ft) for highest ridge of a sloped roof in this instance;
4. A driveway width of 6.68m (approx. 21.92ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 3.00m (approx. 9.84ft) in this instance;

City Department and Agency Comments	File:A157.21	Enter date.	8
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5. An at grade paver patio above the below grade accessory storage structure whereas By-law 0225-2007, as amended does not permit at grade paver patio above the below grade accessory storage structure in this instance.
6. A setback measured to window well of 11.07m (approx. 36.32ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured to window well of 11.39m (approx. 37.37ft) in this instance;
7. Two walkways attached to driveway whereas By-law 0225-2007, as amended, permits one walkway on each side of a driveway.

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

Comments Prepared by: Alana Zheng, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

N/A

Appendix 4 – Heritage

The adjacent property is designated under the *Ontario Heritage Act*. Accordingly, a Heritage Impact Assessment is required to ensure that the proposed development does not negatively impact the heritage resource. The terms of reference are available at https://www7.mississauga.ca/documents/culture/heritage/HeritageImpactAssessment_TermsOfReference2017.pdf. More comments may be forthcoming once the Heritage Impact Assessment is accepted.

Comments Prepared by: Andrew Douglas, Heritage Analyst

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 call our Site Servicing Technicians at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca

Comments Prepared by: Diana Guida, Junior Planner

Appendix 6- Conservation Authority Comments

City Department and Agency Comments

File:A157.21

Enter date.

9

N/A



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A176.21

Ward: 11

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 75 Morgon Avenue, zoned R3-69 – Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A gross floor area of 351.31sq.m (approx. 3781.47sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 327.49sq.m (approx. 3525.07sq.ft) in this instance;
2. A building height measured to the eaves of 7.47m (approx. 24.51ft) whereas by-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (21.00ft) in this instance;
3. A garage projection beyond the front wall of the dwelling of 2.31m (approx. 7.58ft) whereas By-law 0225-2007, as amended, does not permit a garage projection beyond the front wall of the dwelling in this instance;
4. A dwelling depth of 20.54m (approx. 67.39ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00 (approx. 65.62ft) in this instance;
5. A side yard of 1.29m (approx. 4.23ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 6.00m (approx. 19.69ft) in this instance;
6. A setback measured to a balcony of 1.34m (approx. 4.40ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured to a balcony of 5.00m (approx. 16.40ft) in this instance; and
7. A setback measured to a covered porch of 1.31m (approx. 4.30ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured to a covered porch of 4.40m (approx. 14.44ft) in this instance.

The Committee has set **Thursday August 26, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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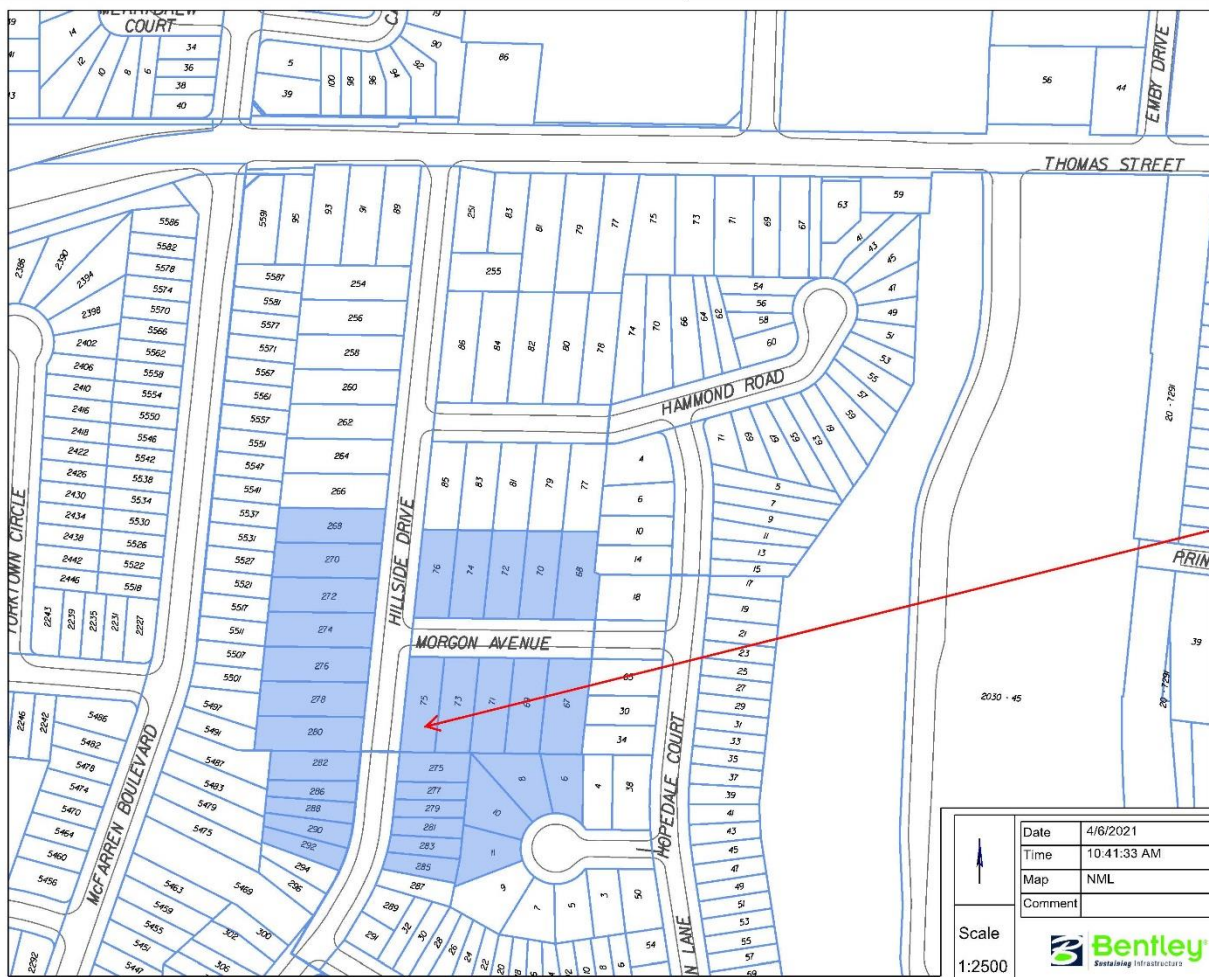
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Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process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



A176/21
75 Morgon
Ave.

Date	4/6/2021
Time	10:41:33 AM
Map	NML
Comment	

Scale
1:2500



Bentley
Sustaining Infrastructure

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: Enter/choose date.	File(s): A176.21 Ward 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-26 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application. 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 the construction of a new house proposing:

1. A gross floor area of 351.31sq.m (approx. 3781.47sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 327.49sq.m (approx. 3525.07sq.ft) in this instance;
2. A building height measured to the eaves of 7.47m (approx. 24.51ft) whereas by-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (21.00ft) in this instance;
3. A garage projection beyond the front wall of the dwelling of 2.31m (approx. 7.58ft) whereas By-law 0225-2007, as amended, does not permit a garage projection beyond the front wall of the dwelling in this instance;
4. A dwelling depth of 20.54m (approx. 67.39ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00 (approx. 65.62ft) in this instance;
5. A side yard of 1.29m (approx. 4.23ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 6.00m (approx. 19.69ft) in this instance;
6. A setback measured to a balcony of 1.34m (approx. 4.40ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured to a balcony of 5.00m (approx. 16.40ft) in this instance; and
7. A setback measured to a covered porch of 1.31m (approx. 4.30ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured to a covered porch of 4.40m (approx. 14.44ft) in this instance.

Amendments

"[Enter amendments to variances]"

Recommended Conditions and Terms

"[Enter terms and conditions here]"

Background

Property Address: 75 Morgon Avenue

Mississauga Official Plan

Character Area: Streetsville Neighbourhood

Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3-69

Other Applications: PREAPP 21-4899

Site and Area Context

The subject property is located south-east of the Thomas Street and Hillside Drive intersection and contains a single storey detached dwelling with minimal vegetation and landscaping elements in both the front and rear yards. It is a corner property with a lot area of +/- 887.46m² and a lot frontage of +/- 17.98m. The surrounding neighbourhood consists of single storey detached homes on lots with frontages of +/- 17m and with minimal vegetation and landscape elements scattered throughout the front yards.

The applicant is proposing a new dwelling requiring variances for gross floor area, building height, garage projection and setbacks.



Comments

Planning

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

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

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

The subject property is located in the Streetsville 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. The proposed detached dwelling respects the designated and surrounding land use and maintains the general intent and purpose of the Official Plan.

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

Variance 1 requests an increase in gross floor area for the proposed dwelling. 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. Staff are satisfied that the requested increase does not negatively impact the planned character of the neighbourhood and is incorporated into the design of the dwelling in a way that minimizes the impact of the variance.

Variance 2 relates to the height of the eaves. The intent of the height provisions in the by-law is to lessen the visual massing of the dwelling by bringing the edge of the roof closer to the ground in order to maintain a human scale. While the proposed variance appears excessive, Staff note that at the front of the dwelling there is a 0.37m difference from the Average Grade to the Established Grade, and a difference of 0.57m difference from the Average Grade to the grade at the dwelling. This difference can be attributed to the garage face being partially below grade. Furthermore the difference between the Average Grade and the grade at the dwelling at the rear is larger than at the front. Further staff note that no variance is requested for the overall height of the structure. The height as proposed represents a minor deviation from what is permitted and the staggered façade of the dwelling and architectural features help to break up the overall massing of the dwelling.

Variance 3 is to permit an increased garage projection. The intent of restricting the projection is to maintain a consistent streetscape while ensuring the garage is not the dominant feature of the dwelling. The proposed garage is partially below the grade of the property and is covered by a front porch. Staff are satisfied that the garage is designed in a way that prevents it from being the dominant feature of the dwelling and respects the streetscape.

Variance 4 requests an increased dwelling depth. The intent of this provision is to minimize the impacts of long walls on neighbouring lots as a result of the massing. Staff are of the opinion that the request will not create any impact on adjoining properties. Staff note that the only side wall abutting a neighbour is broken up through the use of differing setbacks and materials and is less than the permitted 20 metres in length.

Variances 5-7 are for side yards measured to the dwelling, covered porch, and balcony. Staff note that all of the requested variances are for the exterior side yard abutting Hillside Drive and not a neighbouring property. The intent of the exterior side yard provisions are to ensure that an adequate buffer exists between a structure's massing and the public realm. Staff are satisfied that an appropriate buffer will be maintained and are of the opinion that the proposal represents an improvement from the existing condition.

Given the above staff are satisfied that the variances maintain the general intent and purpose of the Zoning By-law.

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

Following a detailed review of the application staff are satisfied that the requested variances, both individually and cumulatively, are minor in nature. Staff are of the opinion that the proposed dwelling is appropriate development for the subject lands and meets the four tests of a minor variance.

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 Process.

In the previous request we indicated some concerns with the driveway location being in close proximity to the Morgon Avenue and Hillside Drive intersection. Through discussions with staff the applicant has modified the proposed driveway location to be a greater distance from the intersection which we find acceptable. The applicant has also confirmed that there will be no reverse grade driveway for the proposed dwelling.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file PREAPP 21-4899. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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

Comments Prepared by: Alana Zheng, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

"[Enter Community Services staff comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 4 – Heritage

"[Enter Community Services staff comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 5 – Region of Peel Comments

"[Enter Region of Peel comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 6- Conservation Authority Comments

"[Entert CA comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 7 – "[Enter other agency name]"

"[Enter other agency comments]"

Comments Prepared by: [Click here to insert name, title...](#)



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A264.21
Ward: 6

Why you received this letter:

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

Details of the application and meeting information:

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

The Committee has set **Thursday August 26, 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 on the Friday 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:

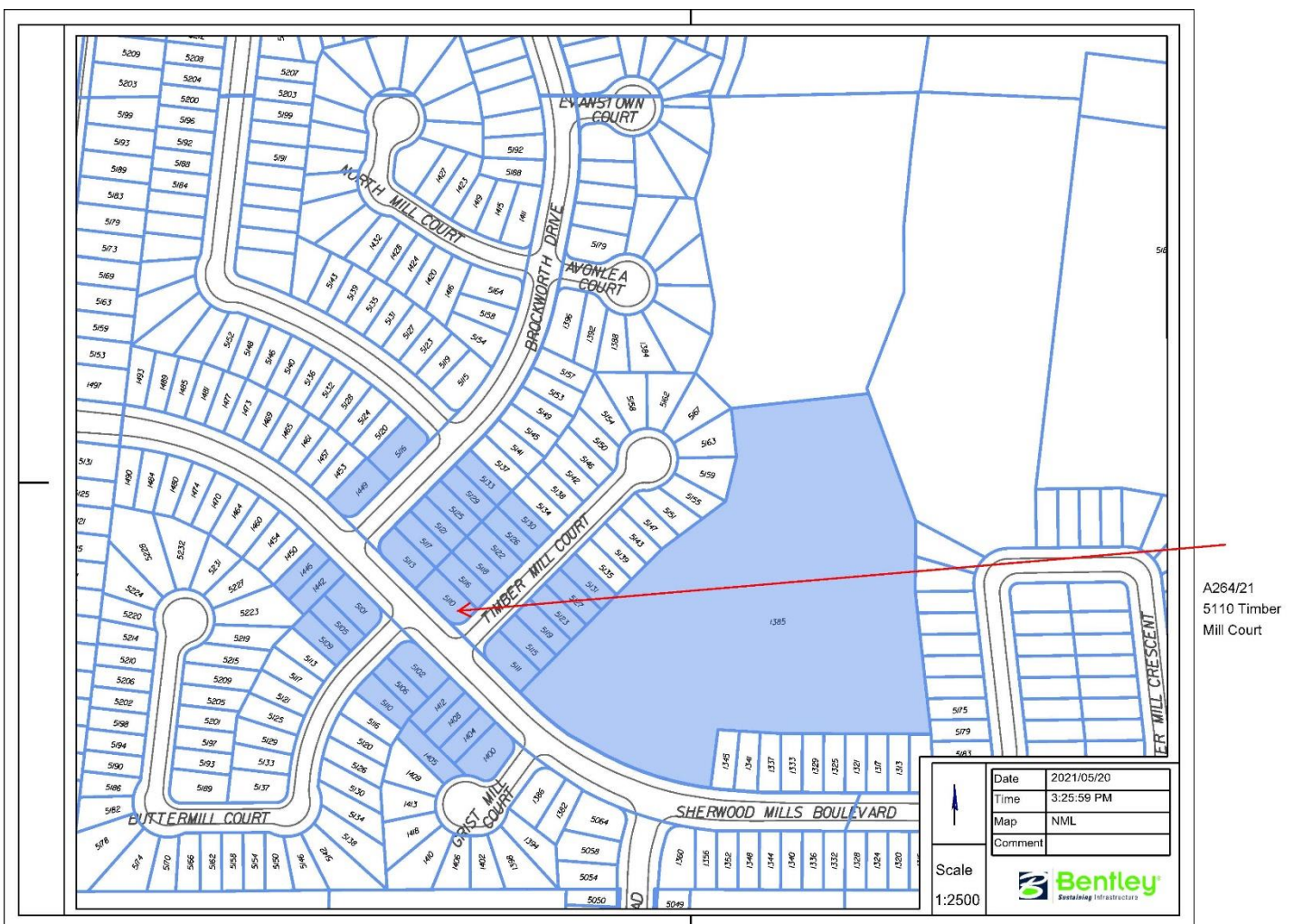
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm on the Friday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud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

To participate by telephone: To register, please call 905-615-3200 x5209 no later than 4:30pm on the Friday 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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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: Enter/choose date.	File(s): A264.21 Ward 6
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-08-26 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 allow a widened driveway on the subject property proposing a width of 8.00m (approx. 26.24ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.68ft) in this instance.

Amendments

"[Enter amendments to variances]"

Recommended Conditions and Terms

"[Enter terms and conditions here]"

Background

Property Address: 5110 Timbermill Court

Mississauga Official Plan

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

Zoning By-law 0225-2007

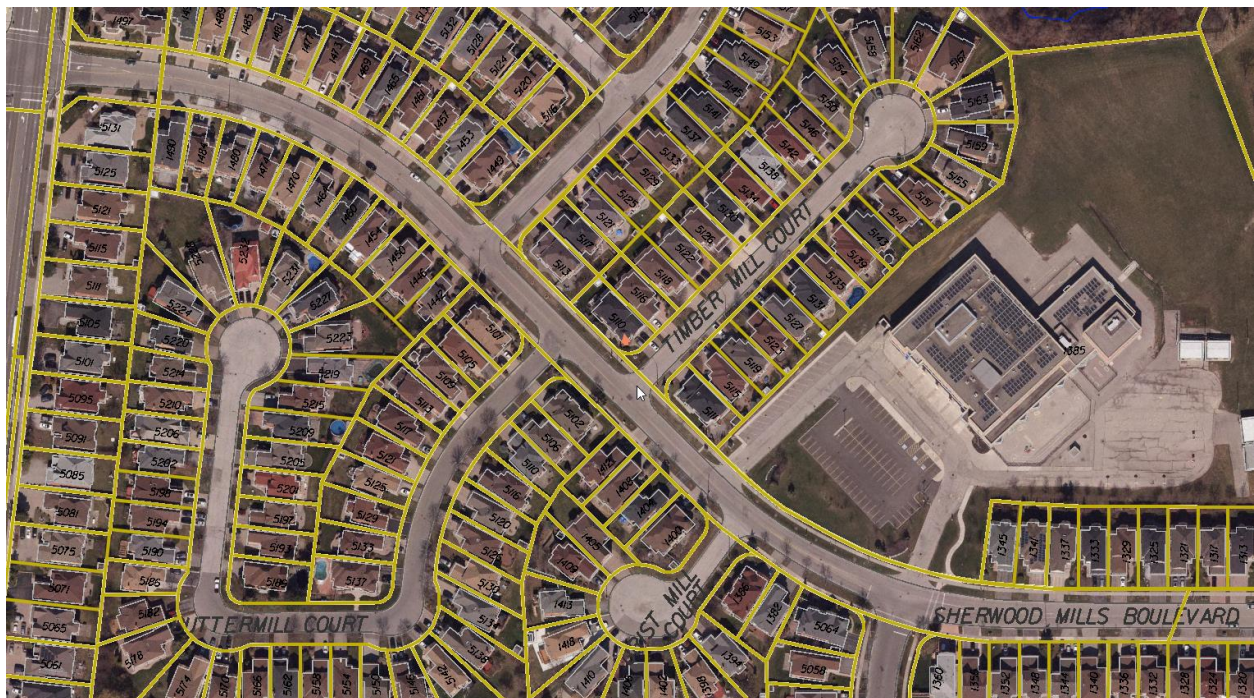
Zoning: R5 - Residential

Other Applications: SEC UNIT 20-2740

Site and Area Context

The subject property is located north-east of the intersection of Eglinton Avenue West and Creditview Road, in the East Credit Neighbourhood Character Area. The property fronts onto Timber Mill Court with a frontage of +/- 16.56m. The surrounding area, with the exception of Sherwood Mills Public School, completely consists of detached dwellings on similarly sized lots with little to no vegetation.

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



Comments

Planning

City Department and Agency Comments	File:A264.21	Enter date.	3
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Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to grant relief from the requirements of a municipal zoning by-law. Approval of applications must meet the requirements set out under 45(1) and/or 45(2) (a) or (b) in the *Planning Act*.

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

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

The property is located within the East Credit Neighbourhood Character Area and is designated Residential Low Density II by the Mississauga Official Plan (MOP). The Residential Low Density II designation permits detached dwellings; semi-detached dwellings; duplex dwellings; and, triplexes, street townhouses, and other forms of low density dwellings with individual frontages. As per Section 9.1 (Introduction), driveway widths should respect the identity and character of the surrounding context. The driveway, as existing, represents a deviation from the existing character of the neighbourhood and therefore does not meet the general intent and purpose of the Official Plan.

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

The applicant is proposing to legalize an existing driveway on site with a width of 8 metres. The intent of the by-law's driveway width provisions are to suitably accommodate two vehicles parked side by side, with the remainder of the front yard consisting of soft landscaping and amenity area. Staff are in receipt of evidence that the driveway has existed on the property since at least 2002, at which time the City was regulated by Zoning By-law 5500. A review of Zoning By-law 5500 reveals that the driveway may have been legal at the time of installation, as the regulation for driveways permitted a width of up to 50% of the lot frontage for lots with a frontage of over 12 metres. Unfortunately staff are unable to verify the legality of the driveway and as such the driveway must be reviewed under the current by-law framework. The driveway, as it exists today, represents significant hardscaping in the front yard and creates an impact on the streetscape that does not maintain the general intent and purpose of the Zoning By-law.

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

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

Conclusion

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

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This department notes that with regard to the widened driveway within the municipal boulevard (the area between the municipal curb and property line) we would request that this area be reinstated with topsoil and sod should the application be modified to reflect a smaller driveway width within the subject property or if the application is not supported by the Committee. We are also noting for information purposes that we have been forwarded a copy of the Transportation and Works Department approval for a 1.7M curb cut for the subject property dated October 24, 2002. This approval depicted an existing 8.2M driveway width, a 6.2M existing Curb Depression and a 1.7M curb cut.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

"[Enter zoning staff comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 3 – Parks, Forestry & Environment

"[Enter Community Services staff comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 4 – Heritage

"[Enter Community Services staff comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 5 – Region of Peel Comments

"[Enter Region of Peel comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 6- Conservation Authority Comments

"[Entert CA comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 7 – "[Enter other agency name]"

"[Enter other agency comments]"

Comments Prepared by: [Click here to insert name, title...](#)