
Committee of Adjustment

Date: September 9, 2021
Time: 1:00 PM
Location: Online Video Conference

Members

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

Contacts

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

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Legislative Services
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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. B49/21
3122 MERRITT AVE (WARD 5)
 - 4.2. A317/21
7460-7480 AIRPORT RD (WARD 5)
 - 4.3. A331/21
1692 LAKESHORE RD W (WARD 2)
 - 4.4. A336/21
1599 KENMUIR AVE (WARD 2)
 - 4.5. A337/21
3336 STONEY CRES (WARD 10)
 - 4.6. A351/21
3835 JANICE DR (WARD 10)
 - 4.7. A352/21
7086 HARWICK DR (WARD 5)
 - 4.8. A353/21
1143 KANE RD (WARD 2)
 - 4.9. A354/21
52 TROY ST (WARD 1)
 - 4.10. A356/21
89 DUNDAS ST W (WARD 7)
 - 4.11. A357/21
7374 WATERGROVE RD (WARD 10)
 - 4.12. A358/21
1185 VANIER DR (WARD 2)

- 4.13. A360/21
1617 BRISTOL RD W (WARD 6)
- 4.14. A361/21
377 BURNHAMTHORPE RD E (WARD 4)
- 4.15. A366/21
5500 ROSE CHERRY PL (WARD 5)
- 4.16. A368/21
5835 AIRPORT RD (WARD 5)
- 4.17. A188/21
3091 BONAVENTURE DR (WARD 5)
- 4.18. A240/21
918 OASIS DR (WARD 6)
- 4.19. A287/21
1471 STAVEBANK RD (WARD 1)

5. **OTHER BUSINESS**

6. **ADJOURNMENT**

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 3122 Merritt Avenue, zoned R4-1 - 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. The easement is for the benefit of the property directly to the east 3126 Merritt Avenue.

The Committee has set **Thursday September 9, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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How to submit a written comment:

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Advance registration is required to participate in the electronic hearing:

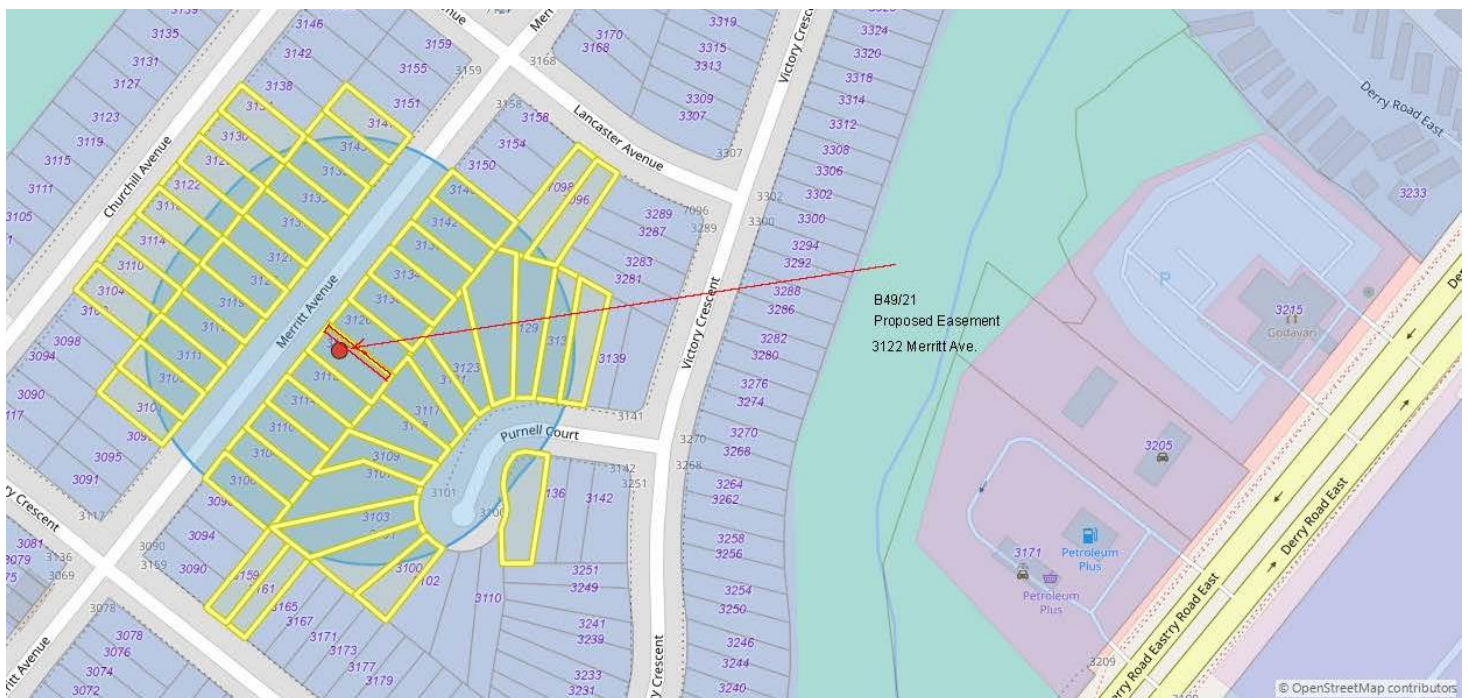
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-09-01	File(s): B49.21 Ward 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-09-09 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 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. The easement is for the benefit of the property directly to the east 3126 Merritt Avenue.

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 3122 Merritt Avenue

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density II

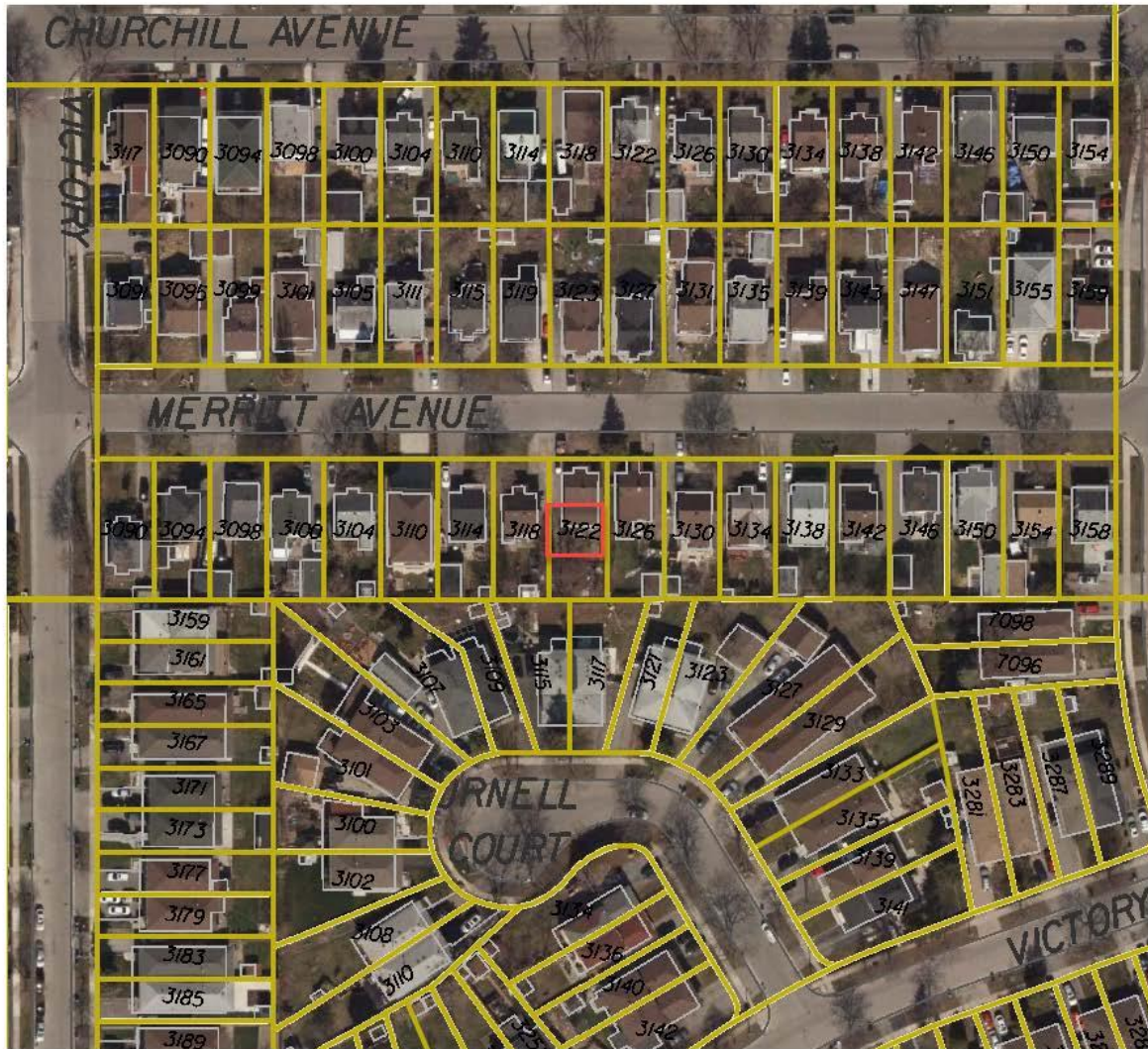
Zoning By-law 0225-2007

Zoning: R4-1 - Residential

Other Applications: BP 9NEW 21-6212, PREAPP 20-2278

Site and Area Context

The subject property is located north-east of the Derry Road East and Airport Road intersection in the Malton Neighbourhood. The area contains a mix of semi-detached and detached dwellings, with the subject property containing a detached dwelling. The property has a lot frontage of +/- 12.19m and a shared driveway, which is a common feature of the area.



Comments

Planning

Planning Act

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

Provincial Matters

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

Planning Analysis

Staff comments concerning the application are as follows:

The applicant is proposing a new easement due to accommodate the extension of water and sanitary service laterals and access to the subject properties. 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.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This department has no comments, objections or requirements for the applicant's request to create a sanitary sewer and water main easement in favor of the abutting property (3126 Merritt Avenue). We note that the sanitary sewer and water main easement would be under the jurisdiction of the Region of Peel as they are responsible for those services.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit application under file BP 9NEW 21-6212. Based on review of the information currently available for this building permit, Zoning has no comment or concern related to the requested easement.

Comments Prepared by: A. McCormack, Zoning Examiner

Appendix 3 – Region of Peel Comments

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

Comments Prepared by: Camila Marczuk, Development Engineering

Appendix A – Conditions of Provisional Consent

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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law.
4. 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 26, 2021.



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A317.21
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 7460-7480 Airport Road, zoned E2-38 - 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 an accessory dwelling unit proposing:

1. An accessory dwelling unit for security/caretaking staff and commercial/office use, whereas By-law 0225-2007, as amended, permits accessory dwelling units for business uses only in this instance; and
2. A gross floor area of an accessory dwelling unit of 225.60sq.m (approx. 1076.39ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of an accessory dwelling unit of 70.00sq.m (approx. 753.47sq.ft) in this instance.

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-09-01	File(s): A317.21 Ward 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-09-09 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 an accessory dwelling unit proposing:

1. An accessory dwelling unit for security/caretaking staff and commercial/office use, whereas By-law 0225-2007, as amended, permits accessory dwelling units for business uses only in this instance; and
2. A gross floor area of an accessory dwelling unit of 225.60sq.m (approx. 1076.39ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of an accessory dwelling unit of 70.00sq.m (approx. 753.47sq.ft) in this instance.

Amendments

1. A dwelling unit for caretaking and/or security staff in a building containing commercial and office uses, whereas By-law 0225-2007, as amended, permits one dwelling unit accessory to a Business Activity use contained in Table 8.2.1 in this instance; and
2. A gross floor area - residential of an accessory dwelling unit of 225.60 sq.m (approx. 1076.39ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area – residential of an accessory dwelling unit of 70.00 sq.m (approx. 753.47sq.ft) in this instance.

Background

Property Address: 7460-7480 Airport Road

Mississauga Official Plan

Character Area: Northeast Employment Area

Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2-38 - Employment

Other Applications: PREAPP 20-4347

The subject property is located north-west of the Airport Road and Slough Street intersection in the Northeast Employment Area. It contains three commercial buildings with a variety of uses including restaurants, medical office, and other uses. The surrounding area includes industrial areas to the north, west, and south, as well as residential uses to the east. The property contains very little vegetation, primarily along the Airport Road frontage.

The applicant is proposing an accessory dwelling unit on the subject property requiring variances for the use and size of the unit.



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 Northeast Employment Character Area and is designated Business Employment in Schedule 10 of the Mississauga Official Plan (MOP). The MOP does permit accessory uses, however it does not identify what accessory uses are permitted.

Section 8.1.4 regulates accessory dwelling units in E2 and E3 zones. The subject property is zoned E2-38, which permits an accessory dwelling unit as an accessory use to certain permitted primary uses. The intent of these regulations is to permit a dwelling unit on site for uses that may require overnight attention, and is appropriately restricted to certain uses including but not limited to Manufacturing Facilities, Science and Technology facilities, and Warehousing Facilities. Such units may be used by night guards or attendants who are required to be on site, however it is not intended to be used as a primary dwelling unit for the employee. The applicant is proposing an accessory dwelling unit that would not service one of the uses that allows the unit and is significantly larger than permitted under the Zoning By-law. The existing uses on site are not anticipated to require overnight attention. Furthermore the proposed dwelling unit contains three bedrooms which raises concerns regarding the number of people intended to use the unit. Staff are of the opinion that the proposal does not maintain the general intent of the Zoning By-law.

Staff are of the opinion that the requested variances, both individually and cumulatively, are not minor in nature. They represent significant deviations that are not anticipated in the Zoning By-law. The introduction of an excessively sized accessory dwelling unit does not represent appropriate development of the subject property.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's information are photos of the subject property.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Preliminary Zoning Review application under file PREAPP 20-4347. Based on review of the information currently available in this application, we advise that the variances should be amended as follows:

1. A dwelling unit for caretaking and/or security staff in a building containing commercial and office uses, whereas By-law 0225-2007, as amended, permits one dwelling unit accessory to a Business Activity use contained in Table 8.2.1 in this instance; and
2. A gross floor area - residential of an accessory dwelling unit of 225.60 sq.m (approx. 1076.39ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area – residential of an accessory dwelling unit of 70.00 sq.m (approx. 753.47sq.ft) in this instance.

Please note that comments reflect those provided through the above application and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no

longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Richard Thompson, Zoning Examiner

Appendix 3 – Toronto and Region Conservation Authority

Based on our preliminary 2D modeling results, it appears that a significant portion of the subject property, including the location of the proposed accessory dwelling unit, is located within the Regulatory Flood Plain. The Regional Water Surface Elevation at the subject property would be 172.3 m. As per TRCA's Living City Policies, additions to existing buildings within the flood hazard that will increase the number of dwellings in the existing building or structure will not be permitted. As such, TRCA staff do not support the proposed works as they will increase the risk to public safety.

Should the applicant disagree with this preliminary analysis, the applicant may hire a consultant to determine the flooding extent of the spill using two-dimensional hydraulic model, otherwise the applicant is required to apply the preliminary result for of TRCA's flood modelling.

Recommendation

On the basis of the comments noted below, TRCA staff recommend **refusal** of Minor Variance Application A317/21.

Fees

By copy of this letter, the applicant is advised that the TRCA has implemented a fee schedule for our planning application review services. This application is subject to a fee of \$1,550 (Variance Industrial/Commercial/Subdivision/Institutional– Minor). The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible.



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A331.21
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 1692 Lakeshore Road West, zoned C4-65 - 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 personal service establishment proposing:

1. 97 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 107 parking spaces in this instance;
2. 3 accessible parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 5 parking spaces in this instance; and
3. To allow the main front entrance to face the rear parking lot whereas By-law 0225-2007, as amended, does not allow the main front entrance to face the rear parking lot in this instance.

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-09-01	File(s): A331.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-09-09 1:00:00 PM

Consolidated Recommendation

The City recommends temporary approval of variances #1 and 2 and refusal of Variance #3. 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 personal service establishment proposing:

1. 97 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 107 parking spaces in this instance;
2. 3 accessible parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 5 parking spaces in this instance; and
3. To allow the main front entrance to face the rear parking lot whereas By-law 0225-2007, as amended, does not allow the main front entrance to face the rear parking lot in this instance.

Amendments

The Building Department is currently processing a Zoning Certificate of Occupancy application under file C 21-4768. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

1. 97 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 135 parking spaces in this instance;
2. 3 accessible parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 5 accessible parking spaces in this instance; and
3. To allow the main front entrance to face the rear parking lot whereas By-law 0225-2007, as amended, does not allow the main front entrance (non-residential) to face the rear parking lot in this instance.

Recommended Conditions and Terms

CPS staff recommends the variance be granted for a temporary period of one (1) year. At which time, should conditions have returned to normal from Covid-19, a full Parking Utilization Study will be required as per the City's Parking Studies Terms of Reference. At that time, the applicant must address any parking deficiencies identified in the above PUS through an off-site parking arrangement.

Background

Property Address: 1692 Lakeshore Road West

Mississauga Official Plan

Character Area: Clarkson Village Community Node

Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C4-65 - Commercial

Other Applications: ZON – 67366 and SPA - 77912

Site and Area Context

The subject site is located within the Clarkson Village Community Node and Historic Village Precinct, located on the southwest quadrant of Lakeshore Road West and Meadow Wood Road. The subject site contains multiple commercial buildings with a mix of commercial uses, and minimal vegetation in the form of street trees facing Lakeshore Road West. The broader area consists of commercial uses including restaurants, institutional uses and low density residential with minimal vegetation. Immediately abutting the subject site to the south is the Peel Montessori School with single detached dwellings south of the school.

The application proposes a personal services establishment requiring variances related to parking.



Comments

Planning

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

Staff comments concerning the application 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 personal service establishments. The subject property is also within the Historic Village Precinct of the Clarkson Village Community Node. MOP Policy 14.2.1.12 states that new development will encourage a pedestrian oriented streetscape and a walkable community. The applicant has requested a main front entrance to face the rear parking lot (Variance #3). A main entrance facing a rear parking lot does not encourage a pedestrian oriented streetscape or a walkable community. Furthermore, having a main front entrance face from the rear parking lot would encourage and favour automobile use.

The applicant is also proposing 97 parking spaces where a minimum of 135 parking spaces is required (Variance #1) and 3 accessible parking spaces where a minimum of 5 parking spaces is required (Variance #2). Planning Staff have no concerns with Variance #2 however, since Variance #1 proposes a deficiency of over 10%, City Planning Strategies (CPS) has provided additional comments:

The applicant is proposing a reduction of 38 spaces, or 28% from the zoning by-law. No Parking Utilization Study has been submitted for this application. Generally, City staff require a Parking Utilization Study (PUS) for any proposed parking deficiency over 10%, as per the City's Parking Studies Terms of Reference. However, CPS staff acknowledge that the Covid-19 pandemic has affected parking demand, and conducting a survey at this time would not capture the typical demand.

Therefore, CPS staff recommends the variance be granted for a temporary period of one (1) year. At which time, should conditions have returned to normal from Covid-19, a full Parking Utilization Study will be required as per the City's Parking Studies Terms of Reference. At that time, the applicant must address any parking deficiencies identified in the above PUS through an off-site parking arrangement.

Note: Off-site parking may be provided through the City of Mississauga Payment-In-Lieu of Parking Program or through a shared off-site parking agreement from a nearby property owner (a template for an Off-Site Parking License Agreement is available through City Planning Strategies Division).

As such, Planning staff echo CPS staff's comments and recommends temporary approval of variances #1 and 2 and refusal of Variance #3.

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's information are photos showing the existing building and parking areas.







Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Zoning Certificate of Occupancy application under file C 21-4768. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

1. 97 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 135 parking spaces in this instance;
2. 3 accessible parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 5 accessible parking spaces in this instance; and
3. To allow the main front entrance to face the rear parking lot whereas By-law 0225-2007, as amended, does not allow the main front entrance (non-residential) to face the rear parking lot in this instance.

Please note that comments reflect those provided through the above permit application and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings

must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Brandon Eidner, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A336.21
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 1599 Kenmuir Avenue, zoned R3-1 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling proposing:

1. A gross floor area of 377.55sq.m (approx. 4063.91sq.ft) whereas By-law 0225-2007, as amended permits a maximum gross floor area of 363.88sq.m (approx. 3916.77sq.ft) in this instance; and
2. A building height measured to the eaves of 6.58m (approx. 21.59ft) 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 September 9, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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How to submit a written comment:

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

Advance registration is required to participate in the electronic hearing:

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Legal notice:

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



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-09-01	File(s): A336.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2021-09-09 1:00:00 PM

Consolidated Recommendation

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

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 377.55sq.m (approx. 4063.91sq.ft) whereas By-law 0225-2007, as amended permits a maximum gross floor area of 363.88sq.m (approx. 3916.77sq.ft) in this instance; and
2. A building height measured to the eaves of 6.58m (approx. 21.59ft) 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.

Background

Property Address: 1599 Kenmuir Avenue

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

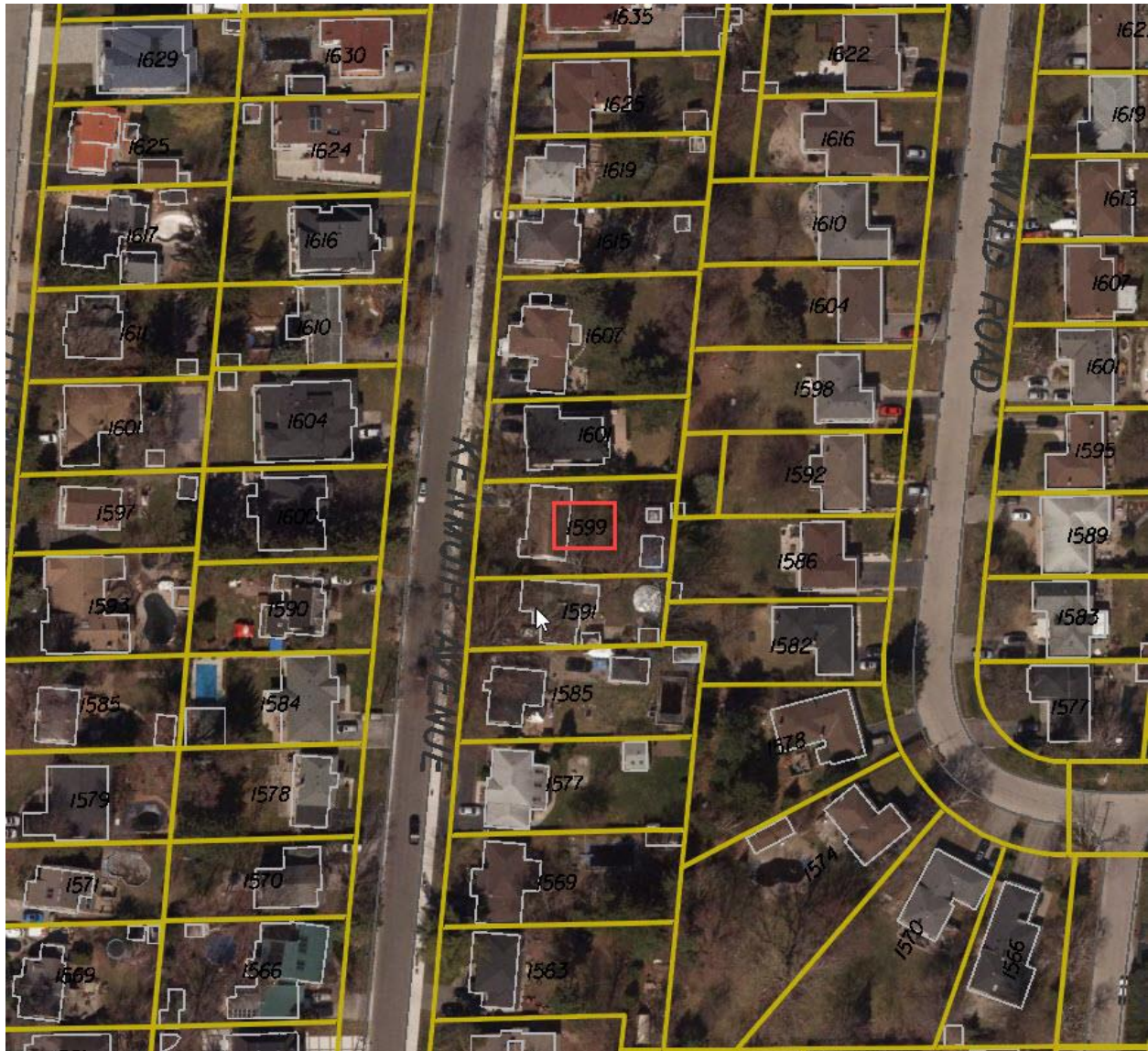
Zoning: R3-1 - Residential

Other Applications: SPI – 21-76 W1

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, west of Cawthra Road and South Service Road. The neighbourhood is primarily residential, consisting of an eclectic mix of older and newer one and two storey detached dwellings with significant mature vegetation in the front, rear and side yards. Immediately north of the subject property is the Queen Elizabeth Way. The subject property contains a one storey single detached dwelling with mature vegetation throughout the lot.

The application proposes a new two storey dwelling requiring variances related to gross floor area and height to the eaves.



Comments

Planning

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

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

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

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

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

Variances #1 and 2 propose an increased gross floor area and height to the eaves. The intent of the infill regulations is to maintain compatibility between existing and new dwellings, while also lessening the visual massing of the dwelling by keeping the edge of the roof closer to the ground. This results in the dwelling maintaining a more human scale. The requested height variance is attributed to the discrepancy between average and established grade. In this instance, the difference between the average grade and established grade is approximately 0.33 m. From a streetscape perspective, the dwelling's eave height would be 6.25m, which would not require relief from the zoning by-law. Furthermore, by including gables in the roofline and incorporating the second story within the roof structure, these architectural design features have minimized the resulting eave height and massing impact of the proposed dwelling. Additionally, the dwelling contains a staggered front façade, which further mitigates the visual massing of the dwelling. As such, the proposed dwelling maintains compatibility with the surrounding area and would not negatively impact the character streetscape. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

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

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-21/076.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan Infill application under file SPI 21-76. Based on review of the information currently available in this permit application, the variances, as requested are correct.

Please note that more information has been asked for in regard to the front porch.

Please note that comments reflect those provided through the above permit application and

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

Comments Prepared by: Brandon Eidner, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A337.21
Ward: 10

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 3336 Stoney Crescent, zoned RM5-48 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a widened driveway on the subject property proposing a driveway width of 5.20m (approx. 17.06ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.30m (approx. 14.11ft) in this instance.

The Committee has set **Thursday September 9, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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How to submit a written comment:

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-09-01	File(s): A337.21 Ward 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-09-09 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a widened driveway on the subject property proposing a driveway width of 5.20m (approx. 17.06ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.30m (approx. 14.11ft) in this instance.

Background

Property Address: 3336 Stoney Crescent

Mississauga Official Plan

Character Area: Churchill Meadows Neighbourhood
Designation: Residential Medium Density

Zoning By-law 0225-2007

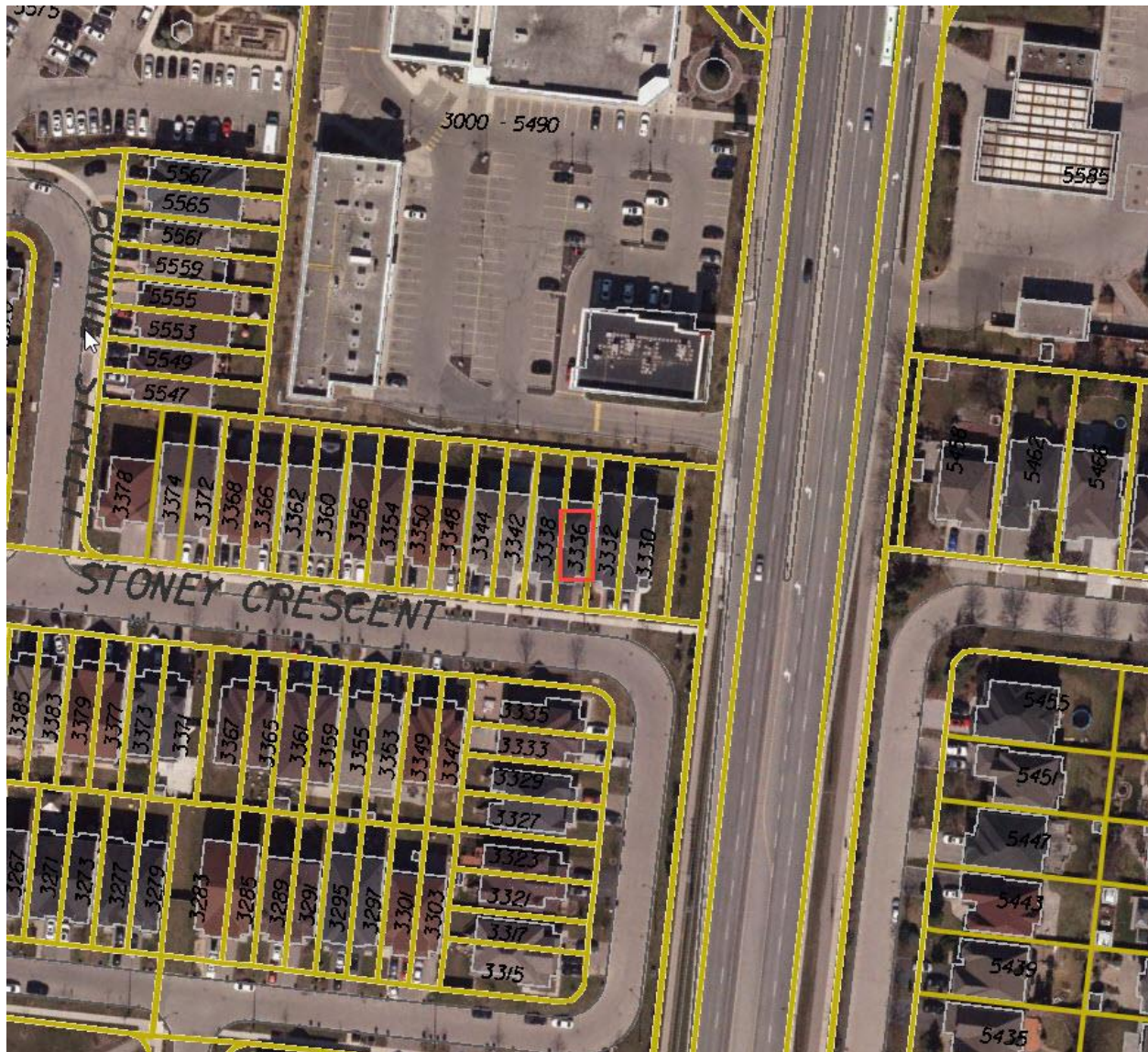
Zoning: RM5-48 - Residential

Other Applications: SEC UNIT 21-5423

Site and Area Context

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

surrounding residential development. To the rear of the property is a commercial plaza and associated parking lot.



Comments

Planning

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

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

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

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

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

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

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

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

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 existing driveway.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file SEC UNIT 21-5423. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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

Comments Prepared by: Alana Zheng, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A351.21
Ward: 10

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 3835 Janice Drive, zoned RM1-8 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling proposing:

1. A side yard measured to the dwelling of 3.64m (approx. 11.94ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the dwelling of 7.00m (approx. 22.96ft) in this instance; and
2. A rear yard of 7.37m (approx. 24.18ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 13.00m (approx. 42.65ft) in this instance.

The Committee has set **Thursday September 9, 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: 2021-09-01	File(s): A351.21 Ward 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2021-09-09 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 the construction of a new dwelling proposing:

1. A side yard measured to the dwelling of 3.64m (approx. 11.94ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the dwelling of 7.00m (approx. 22.96ft) in this instance; and
2. A rear yard of 7.37m (approx. 24.18ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 13.00m (approx. 42.65ft) in this instance.

Amendments

1. A rear yard measured to the dwelling of 3.64m (approx. 11.94ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to the dwelling of 7.00m (approx. 22.96ft) in this instance; and
2. A setback of 7.37m (approx. 24.18ft) whereas By-law 0225-2007, as amended, requires a minimum setback to lands zoned U-3 of 13.00m (approx. 42.65ft) in this instance.

Background

Property Address: 3835 Janice Drive

Mississauga Official Plan

Character Area: Churchill Meadows Neighbourhood
Designation: Residential Low Density II

City Department and Agency Comments	File:A351.21	2021/09/01	2
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Zoning By-law 0225-2007

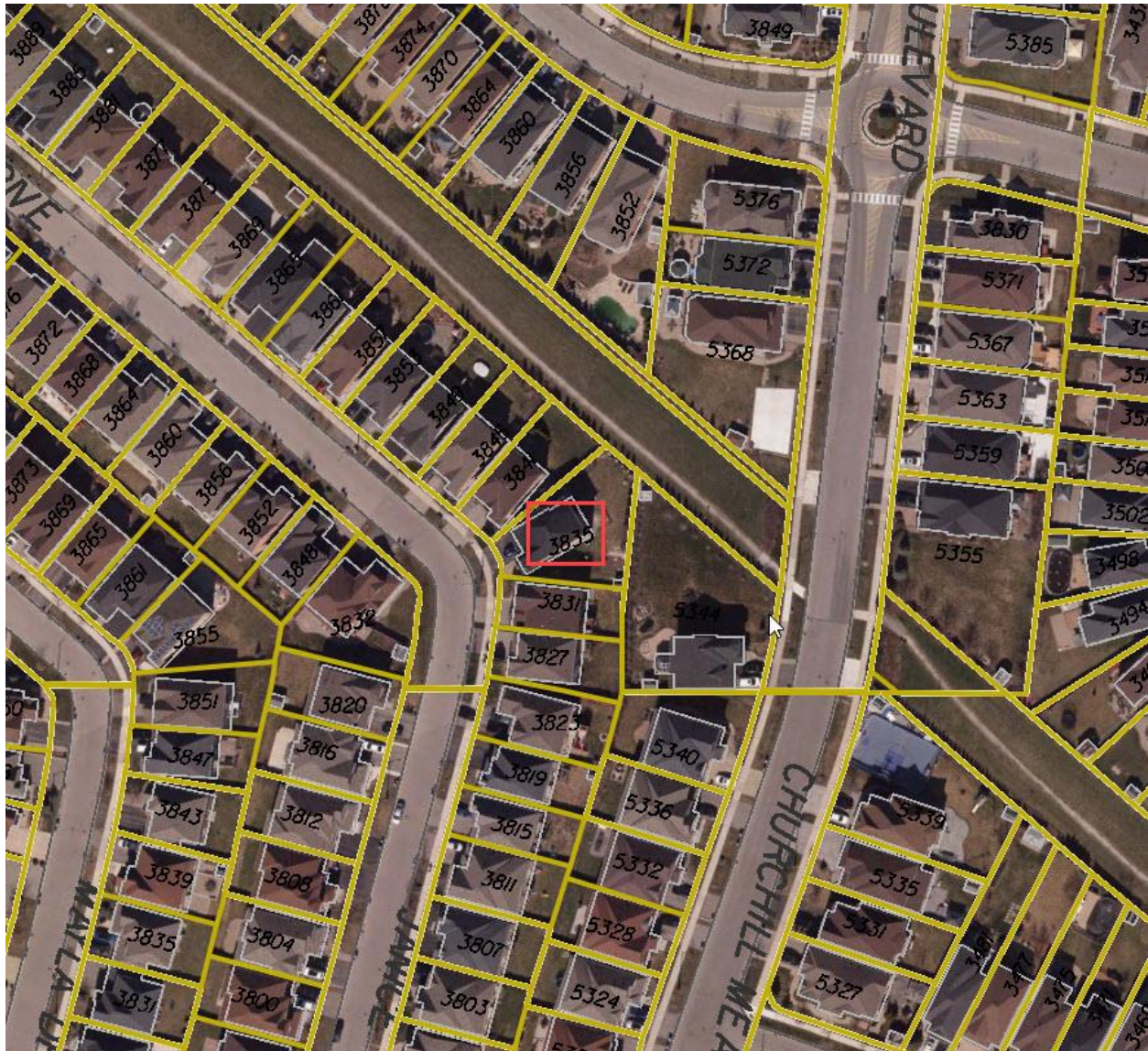
Zoning: RM1-8 - Residential

Other Applications: BP 9ALT 21-6328

Site and Area Context

The subject property is located north-west of the Erin Centre Boulevard and Churchill Meadows Boulevard intersection and contains a detached two storey dwelling with an attached garage. It is a pie shaped lot located on the curve of Janice Drive and partially backs onto an open green space. The surrounding neighbourhood is comprised exclusively of detached dwellings. The lot contains minimal vegetation and landscape elements, which is characteristic of the area.

The applicant is proposing a rear addition requiring variances for 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 Churchill Meadows 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 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. While the applicant is proposing an addition to a permitted detached dwelling, staff are concerned about the massing impacts due to the reduced yard as well as a reduced setback to a pipeline. Staff are of the opinion that the proposal is not compatible with the existing site conditions and surrounding context and therefore 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?

Both of the requested variances relate to a reduction in setbacks for the proposed addition. The first variance is for a rear yard abutting another residential property. The intent of the provision is to ensure there is an appropriate rear yard amenity area as well as maintaining an appropriate buffer between properties. While the property would be able to maintain an appropriate rear yard amenity area due to its size and shape, an appropriate buffer is not being maintained between properties. Furthermore this reduced buffer exacerbates the potential overlook condition from the proposed second floor balcony. The second variance is for a setback to a U-3 zone. The intent of this provision is to ensure a sufficient setback for safety from the existing pipeline. Staff are in agreement with the concerns raised by Sun Canadian regarding proximity to the pipeline and are of the opinion that neither variance maintains the general intent and purpose of the Zoning By-law.

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

It is the opinion of staff that the proposal does not represent appropriate development of the subject lands. Concerns include safety concerns raised by Sun Canadian Pipelines as well as privacy from the proposed balcony. The reduced setback creates an overlook situation into abutting properties that staff are unable to support. Staff are therefore also of the opinion that the application is therefore not minor in nature.

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 sunroom addition will be addressed through the Building Permit Process. From our site inspection of the property we note that we do not foresee any drainage related concerns with the addition provided that the existing drainage pattern be maintained.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit application under file BP 9ALT 21-6328. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

1. A rear yard measured to the dwelling of 3.64m (approx. 11.94ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to the dwelling of 7.00m (approx. 22.96ft) in this instance; and
2. A setback of 7.37m (approx. 24.18ft) whereas By-law 0225-2007, as amended, requires a minimum setback to lands zoned U-3 of 13.00m (approx. 42.65ft) in this instance.

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

Comments Prepared by: Brandon Eidner, Zoning Examiner

Appendix 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.

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

Comments Prepared by: Jim Greenfield, Park Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A352.21
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 7086 Harwick Drive, zoned R3-69 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling proposing:

1. A lot coverage of 40.24% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance;
2. A gross floor area of 389.68sq.m (approx. 4194.48sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 261.42sq.m (approx. 2813.90sq.ft) in this instance;
3. A building height measured to the highest ridge of 9.25m (approx. 30.35ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the highest ridge of 9.00m (approx. 29.52ft) in this instance; and
4. A building height measured to the eaves of 7.04m (approx. 23.10ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

The Committee has set **Thursday September 9, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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

How to submit a written comment:

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

Advance registration is required to participate in the electronic hearing:

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Legal notice:

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-09-01	File(s): A352.21 Ward 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-09-09 1:00:00 PM

Consolidated Recommendation

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

Application Details

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

1. A lot coverage of 40.24% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance;
2. A gross floor area of 389.68sq.m (approx. 4194.48sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 261.42sq.m (approx. 2813.90sq.ft) in this instance;
3. A building height measured to the highest ridge of 9.25m (approx. 30.35ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the highest ridge of 9.00m (approx. 29.52ft) in this instance; and
4. A building height measured to the eaves of 7.04m (approx. 23.10ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

Background

Property Address: 7086 Harwick Drive

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007**Zoning: R3-69 - Residential****Other Applications:** PREAPP 21-5931**Site and Area Context**

The subject property is located near the Morning Star Drive overpass of Highway 427, in the Malton Neighbourhood Character Area. Harwick Drive contains both detached and semi-detached dwellings with limited mature vegetation. The subject property contains a detached dwelling with mature vegetation in both the front and rear yards. It has a lot frontage of +/- 15.24m and a lot area of +/- 557.10m².

The applicant is proposing to construct a new dwelling requiring variances for gross floor area, lot coverage, and height.



Comments

Planning

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

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

The subject property is located in the Malton Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan. The designation permits detached, semi-detached and duplex dwellings. Section 9 of the MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions, the surrounding context, and the landscape of the character area.

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

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 new dwelling will be addressed through the Building Permit process.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file PREAPP 21-5931. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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

Comments Prepared by: Alana Zheng, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A353.21
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 1143 Kane Road, zoned R2-1 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling proposing:

1. An eave encroachment into the required interior side yard of 1.70m (approx. 5.58ft) whereas By-law 0225-2007, as amended, permits a maximum encroachment of 0.45m (approx. 1.48ft) in this instance;
2. A roof encroachment of 1.35m into the required exterior side yard, (approx. 4.43ft) whereas By-law 0225-2007, as amended, permits a maximum roof encroachment of 0.45m (approx. 1.48ft) in this instance;
3. A flat roof height of 7.93m (approx. 26.02ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof height of 7.50m (approx. 24.61ft) in this instance;
4. A gross floor area of 435.38sq.m (approx. 4686.41sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 374.14sq.m (approx. 4027.21sq.ft) in this instance;
5. A circular driveway on a lot with a frontage of 20.61m (approx. 67.62ft) whereas By-law 0225-2007, as amended, does not permit a circulate driveway on a lot with a frontage less than 22.50m (approx. 73.82ft) in this instance;
6. A driveway width of 1.73m (approx. 5.68ft) whereas By-law 0225-2007, as amended, requires a minimum driveway width of 2.60m (approx. 8.53ft) in this instance;
7. A lot coverage of 35.3% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.0% in this instance;
8. An interior side yard of 1.85m (approx. 6.07ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 3.0m (approx. 9.84ft) in this instance;
9. An exterior side yard of 7.14m (approx. 23.43ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 7.50m (approx. 24.61ft) in this instance;
10. A window well encroachment into the required exterior side yard of 1.21m (approx. 3.97ft) whereas By-law 0225-2007, as amended, permits a maximum widow well encroachment of 0.61m (approx. 2.00ft) in this instance;
11. An eave height of 7.06m (approx. 23.16ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance; and
12. A rear yard of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 1.20m (approx. 3.94ft) in this instance.

The Committee has set **Thursday September 9, 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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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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Advance registration is required to participate in the electronic hearing:

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-09-01	File(s): A353.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-09-09 1:00:00 PM

Consolidated Recommendation

The City recommends refusal of Variances #4 and 5 and approval of the remaining variances.

Application Details

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

1. An eave encroachment into the required interior side yard of 1.70m (approx. 5.58ft) whereas By-law 0225-2007, as amended, permits a maximum encroachment of 0.45m (approx. 1.48ft) in this instance;
2. A roof encroachment of 1.35m into the required exterior side yard, (approx. 4.43ft) whereas By-law 0225-2007, as amended, permits a maximum roof encroachment of 0.45m (approx. 1.48ft) in this instance;
3. A flat roof height of 7.93m (approx. 26.02ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof height of 7.50m (approx. 24.61ft) in this instance;
4. A gross floor area of 435.38sq.m (approx. 4686.41sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 374.14sq.m (approx. 4027.21sq.ft) in this instance;
5. A circular driveway on a lot with a frontage of 20.61m (approx. 67.62ft) whereas By-law 0225-2007, as amended, does not permit a circulate driveway on a lot with a frontage less than 22.50m (approx.73.82ft) in this instance;
6. A driveway width of 1.73m (approx. 5.68ft) whereas By-law 0225-2007, as amended, requires a minimum driveway width of 2.60m (approx. 8.53ft) in this instance;
7. A lot coverage of 35.3% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.0% in this instance;
8. An interior side yard of 1.85m (approx. 6.07ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 3.0m (approx. 9.84ft) in this instance;
9. An exterior side yard of 7.14m (approx. 23.43ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 7.50m (approx. 24.61ft) in this instance;
10. A window well encroachment into the required exterior side yard of 1.21m (approx. 3.97ft)

whereas By-law 0225-2007, as amended, permits a maximum widow well encroachment of 0.61m (approx. 2.00ft) in this instance;

11. An eave height of 7.06m (approx. 23.16ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance; and

12. A rear yard of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 1.20m (approx. 3.94ft) 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 #1 and #12 should be amended as follows, and that variance #6 should be removed.

1. An eave encroachment into the required interior side yard of 1.75m (approx. 5.58ft) whereas By-law 0225-2007, as amended, permits a maximum encroachment of 0.45m (approx. 1.48ft) in this instance;
12. A rear yard setback of 0.61m to an accessory structure (approx. 2.00ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 1.20m (approx. 3.94ft) in this instance.

Background

Property Address: 1143 Kane Road

Mississauga Official Plan

Character Area: Clarkson-Lorne Park Neighbourhood

Designation: Residential Low Density I

Zoning By-law 0225-2007

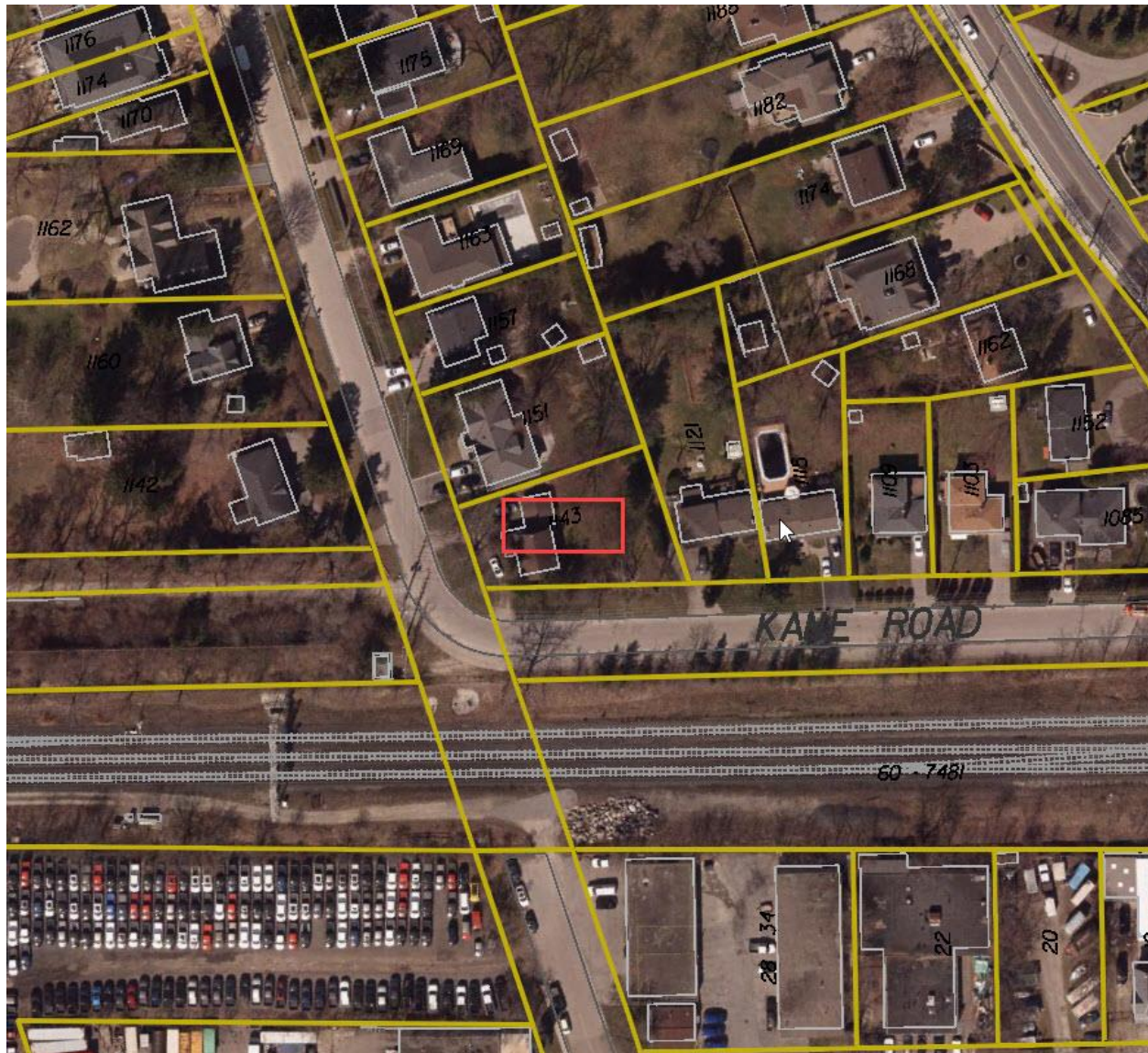
Zoning: R2-1 - Residential

Other Applications: Pre-Zoning Application (No. Unknown)

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southeast of Indian Road and Mississauga Road, directly north of the CN railway. 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 mature vegetation in the front yard.

The applicant is proposing a new dwelling requiring variances related to eave and roof encroachment; flat roof and eave heights; gross floor area; a circular driveway and driveway width; lot coverage; interior and exterior side yards; a window well encroachment and rear yard.



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:

In the applicant's original submission to Committee, the drawings did not match the list of variances. Since then the applicant has provided Staff with a revised list of variances and drawings on September 20th. Staff's comments are based on the applicant's revised list of variances and drawings.

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached dwellings. The applicant has requested the Committee approve the proposed minor variances to allow the construction of a new two storey detached dwelling on the subject property.

Staff have concerns with variances #4 and #5 with respect to the proposed GFA and a circular driveway. The applicant has proposed a GFA of 435.38m² when a maximum of 374.14m² is permitted (variance #4). While larger dwellings are not out of character with the surrounding area, Staff are of the opinion that the gross floor area proposed is excessive and does not maintain compatibility between the existing dwellings on the street nor would it preserve the established character of the neighbourhood. Furthermore, Staff are of the opinion that the northern wall abutting the adjacent property to the north causes significant massing issues. The northern wall does not contain any architectural design elements that would help to visually breakup the visual massing of the dwelling. The applicant also proposed a circular driveway on a lot with a frontage of 20.61m where the By-law does not permit a circular driveway on a lot with a frontage less than 22.50m (Variance #5). T&W staff are not supportive of the secondary access point proposed for this property. T&W staff have requested for the secondary access point to be removed through Site Plan Application SP-21/057. Furthermore, T&W staff are of the opinion that the configuration of the driveway would not be functional to operate as a driveway and manoeuvre cars. The proposed driveway would result in promoting additional car parking on the front yard. Planning staff has no concerns with the remaining variances. As such, staff recommends refusal of Variances #4 and 5 and approval of the remaining variances.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department **cannot** support the most easterly access to the property and therefore does not support a circular driveway as requested. Through the current Site Plan application process File SP-21/057, our Traffic Section has identified that the current secondary access point is to be removed. The access point does not meet TAC guideline's for minimum corner clearance. The configuration of the driveway would not be functional to operate as a driveway and manoeuvre cars. The proposed driveway would result in promoting additional car parking on the front yard.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a site plan approval application under file SPI 21-57. Based on review of the information currently available for this application, we advise that more information is required to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Our comments are based on the plans received by Zoning staff on 04/12/2021 for the above captioned site plan application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: A. McCormack



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A354.21
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 52 Troy Street, zoned R3-1 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing:

1. A front yard measured to the second floor of 7.22m (approx. 23.69ft) whereas By-law 0255-2007, as amended, requires a minimum front yard measured to the second floor of 7.50m (approx. 24.60ft) in this instance; and
2. A dwelling setback to a railway right-of-way of 20.17m (approx. 66.17ft) whereas By-law 0225-2007, as amended, requires a minimum dwelling setback to a railway right-of-way of 30.00m (approx. 98.43ft) in this instance.

The Committee has set **Thursday September 9, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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How to submit a written comment:

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Advance registration is required to participate in the electronic hearing:

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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: 2021-09-01	File(s): A354.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2021-09-09 1:00:00 PM

Consolidated Recommendation

The City has no objection to the variances. 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 front yard measured to the second floor of 7.22m (approx. 23.69ft) whereas By-law 0255-2007, as amended, requires a minimum front yard measured to the second floor of 7.50m (approx. 24.60ft) in this instance; and
2. A dwelling setback to a railway right-of-way of 20.17m (approx. 66.17ft) whereas By-law 0225-2007, as amended, requires a minimum dwelling setback to a railway right-of-way of 30.00m (approx. 98.43ft) in this instance.

Background

Property Address: 52 Troy Street

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3-1 - Residential

Other Applications: n/a

Site and Area Context

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

The applicant is proposing a second storey addition and a new attached garage requiring variances regarding front yard and a deficient setback to the railway.



Comments

Planning

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

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

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

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

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

The application proposes a setback measured to the Metrolinx rail corridor right-of-way of 15.15m where a minimum setback distance of 20.17m is required. The intent behind the minimum setback distance to the railway is to mitigate railway-oriented impacts such as noise, vibration, and safety hazards, to ensure that the quality of life of a building's residents and users is not negatively affected. Metrolinx, Transportation, and Works Staff will provide comments on the application through the Site Plan Approval process. Planning Staff have no concerns with this variance, as the proposed setback is consistent with the setback provided by neighbouring properties.

Staff is of the opinion that the general intent and purpose of zoning by-law is maintained.

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

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

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 Site Plan/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: Brandon Eidner, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A356.21
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 89 Dundas Street West, zoned H-RA4-53 - Holding & Residential, C4 - Commercial, and D-1 - Development, 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 reduction in required parking proposing 425 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 460 parking spaces in this instance.

The Committee has set **Thursday September 9, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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

How to submit a written comment:

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

Advance registration is required to participate in the electronic hearing:

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

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

Legal notice:

If holding an electronic rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30pm the Tuesday prior to the hearing to committee.adjustment@mississauga.ca. 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: 2021-09-01	File(s): A356.21 Ward 7
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-09-09 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow a reduction in required parking proposing 425 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 460 parking spaces in this instance.

Background

Property Address: 89 Dundas Street West

Mississauga Official Plan

Character Area: Downtown Cooksville

Designation: Mixed Use & Residential High Density

Zoning By-law 0225-2007

Zoning: H-RA4-53 - Holding & Residential, C4 - Commercial, and D-1 - Development

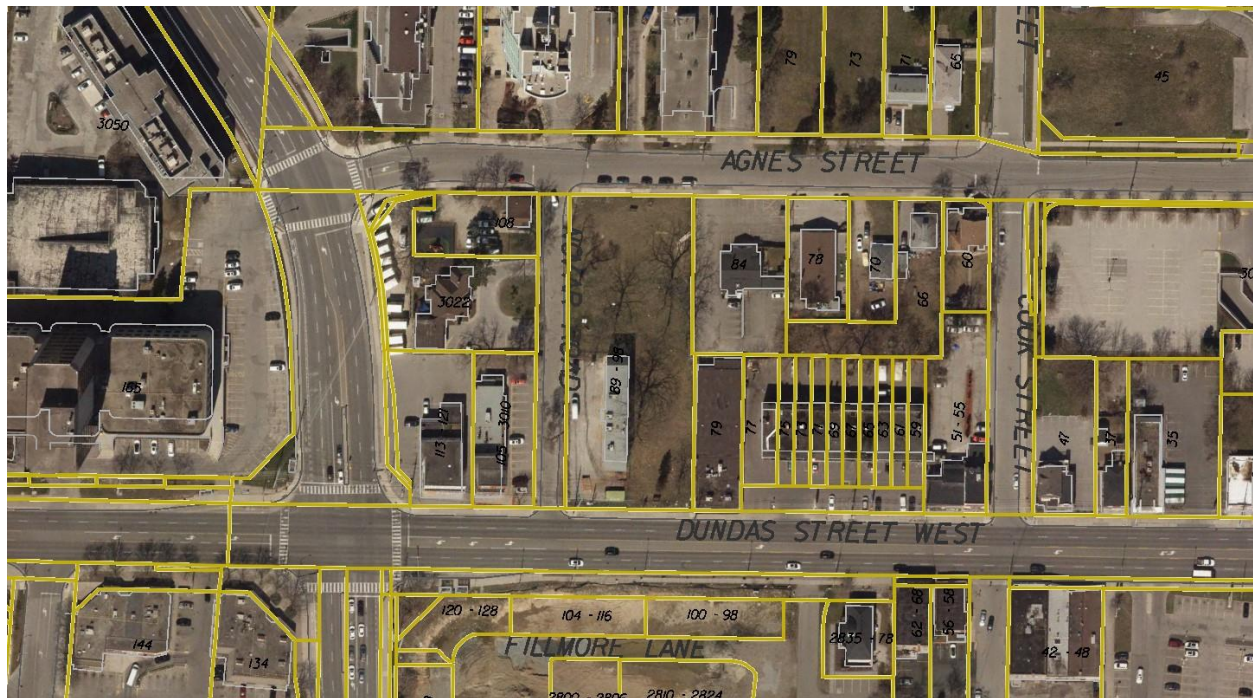
Other Applications: SP 020/52

Site and Area Context

The subject property is located in Downtown Cooksville, north-east of the Dundas Street West and Confederation Parkway intersection. It currently contains a two storey building, however the majority of the property is vacant. Multiple mature trees are present on the subject property. The

surrounding area includes one and two storey buildings with a mix of uses, as well as high rise residential buildings.

The applicant is proposing to construct a high rise residential building on the subject property requiring a variance 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*.

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

The subject property is located in the Downtown Cooksville Character Area and is designated both Mixed Use and Residential High Density in Schedule 10 of the Mississauga Official Plan. The proposed building is permitted in the Residential High Density designation, and is also permitted in the Mixed Use designation as long as other Mixed Use permitted uses are included in the building. The intent behind the parking regulations in the By-law is to ensure that each property can be self-sufficient and meet parking demand for all uses on site. CPS Staff have reviewed the application and have commented as follows:

With respect to Committee of Adjustment application A-356/21, 89 Dundas St W, the applicant is requesting to permit a new 18 storey mixed-use building with residential condominium units, proposing 425 parking spaces on-site whereas By-law 0225-2007, as amended, requires a minimum 460 parking spaces required on site in this instance;

Staff note that this property was subject to an approved rezoning (OZ-19/017) which granted the applicants reduced parking rates (0.9 spaces/unit for 1-bedroom, 1.0 for 1-bedroom, 1.3 for 3 bedroom, and 0.15 spaces/unit for visitor parking).

No parking study has been submitted in support of this application. However, as this request represents only a 35 space (7.6%) reduction from the approved zoning by-law, staff does not require a full PUS. A parking assessment letter by GHD, dated July 5, 2021 has been submitted in support of the application.

Justification provided in the letter included proxy information and sales data from a nearby development by the same developer at 86-90 Dundas Street East. That data showed parking demand averaged approximately 0.78 spaces/unit. The proxy site is only blocks away from this property (same neighbourhood context), and in addition, the proposed parking supply above equates to an overall rate of 0.84 spaces/unit.

Given the above justification and that the requested reduction is under 10% from the zoning by-law, as amended, staff can support the requested variance.

Planning Staff are in agreement with the comments provided by CPS and are satisfied that the request meets the general intent and purpose of the Official Plan and Zoning By-law. Staff are also satisfied that the request represents appropriate development of the subject property and is minor in nature.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting that any Transportation and Works Department concerns/requirements for the proposed development are being addressed through the Site Plan Application (SP20-52). We also note that the City has processed and approved a Rezoning Application OZ-19/17 for this development.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Brandon Eidner, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A357.21
Ward: 10

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 7374 Watergrove Road, zoned RM2-24 - 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 side door proposing an interior side yard measured to a below grade stairwell of 0.40m (approx. 1.31ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to a below grade stairwell of 1.20m (approx. 3.93ft) in this instance.

The Committee has set **Thursday September 9, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

How to submit a written comment:

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

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

Legal notice:

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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: 2021-09-01	File(s): A357.21 Ward 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-09-09 1:00:00 PM

Consolidated Recommendation

The City has no objections to the requested variance, however the applicant may wish to defer the application to redesign and legalize the existing driveway.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a side door proposing an interior side yard measured to a below grade stairwell of 0.40m (approx. 1.31ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to a below grade stairwell of 1.20m (approx. 3.93ft) in this instance.

Background

Property Address: 7374 Watergrove Road

Mississauga Official Plan

Character Area: Lisgar Neighbourhood

Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM2-24 - Residential

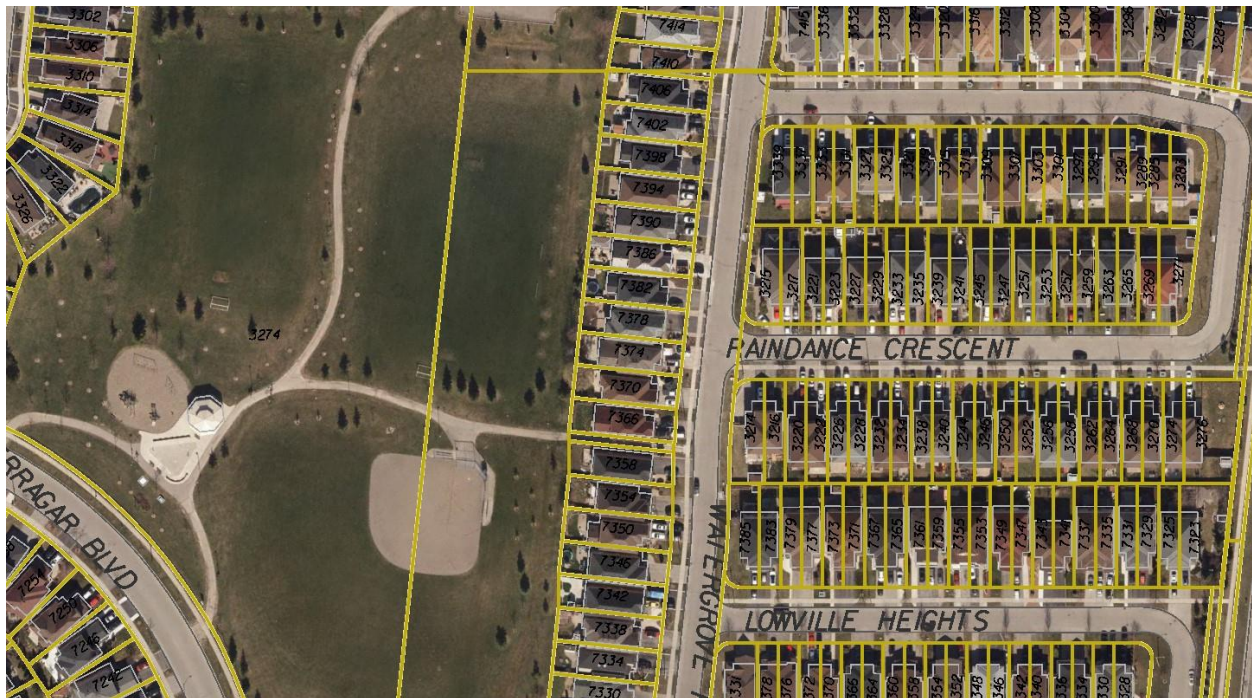
Other Applications: BP 9ALT 21-5548

Site and Area Context

The subject property is located south-west of the Tenth Line West and Cactus Gate intersection in the Lisgar Neighbourhood. It contains a two storey detached dwelling and backs onto Tobias

Mason Park. The surrounding context includes both detached and semi-detached dwellings. There is limited vegetation on the subject property, which is characteristic of the area.

The applicant is proposing to construct a side entrance to the dwelling requiring a variance for the side yard setback to the stairs to service the door.



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 Lisgar 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 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 entrance that the applicant is proposing is located in the interior side yard and will service a permitted detached dwelling. Staff are of the opinion that the application maintains the general intent and purpose of the Official Plan.

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

The intent of the side yard regulations in the By-law is to ensure an appropriate buffer between structures on abutting properties as well as maintain access to the rear yard. The proposal is for a below grade staircase to access a side entrance which creates no impacts on massing or separation between structures. Furthermore the applicant is proposing only a few steps and not a full staircase generating a difference of less than 2 feet between the existing grade and the landing for the door at a total length of less than 6 feet. Finally, access to the rear yard is maintained by the side yard on the opposite side of the dwelling. Staff are therefore satisfied that the request maintains the general intent and purpose of the By-law.

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

Staff are of the opinion that the side yard proposal represents appropriate development of the subject property and that the application is minor in nature. There are no impacts to the streetscape and circulation around the exterior of the dwelling is maintained.

In addition to the side yard request, after a review of the property staff note that the existing driveway appears to be wider than the permissions of the By-law. Staff have concerns with the existing width of the driveway and its impact on the streetscape, however are unable to comment on if the driveway meets the four tests of a minor variance without confirmation of the width and an appropriate Site Plan.

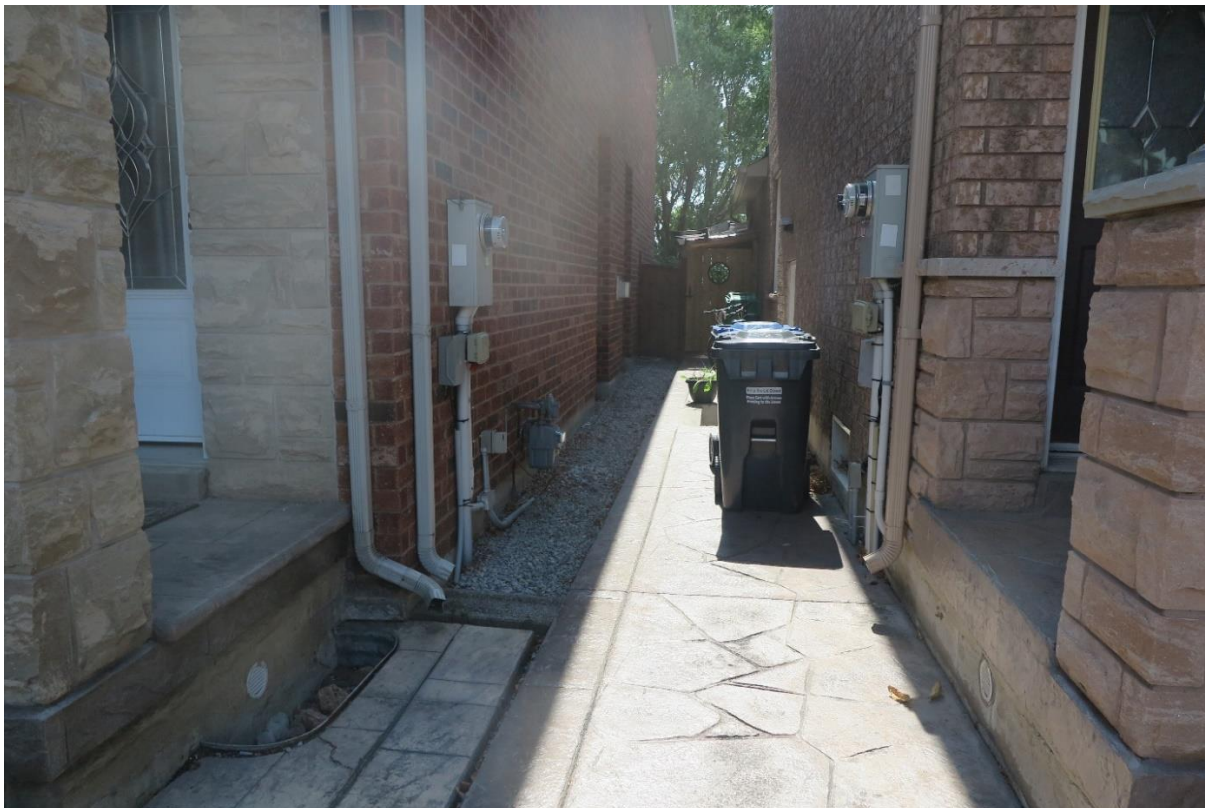
Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's information are some photos which depict the existing below grade stairwell. We note that the Grading Plan approved for this property depicts a split drainage pattern meaning that the high point is approximately in the middle of the dwelling in the area where the basement stairwell has been constructed. Acknowledging that the stairwell has been constructed at approximately the high point, we note from our site inspection that the basement entrance and walkway will result in drainage from this property being directed onto the abutting property which may be a concern for the neighbour.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit application under file BP 9ALT 21-5548. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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

Comments Prepared by: Brandon Eidner, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A358.21
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 1185 Vanier Drive, zoned R3-1 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an accessory structure proposing a lot coverage of 36.65% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance.

The Committee has set **Thursday September 9, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

How to submit a written comment:

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

Advance registration is required to participate in the electronic hearing:

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

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

Legal notice:

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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: 2021-09-01	File(s): A358.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2021-09-09 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an accessory structure proposing a lot coverage of 36.65% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance.

Recommended Conditions and Terms

Should the Committee see merit, we ask that the accessory structure be equipped with eaves troughs and a downspout directed in such a manner not to impact the adjacent lands.

Background

Property Address: 1185 Vanier Drive

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: Site Plan Approval (App no. unknown), BP 9ALT 21-6759, PRE-7257

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Character Area, northeast of Indian Road and South Sheridan Way, south of the Queen Elizabeth Way. The immediate area consists of two storey detached dwellings with little vegetation in the front yards. The subject property contains an existing two storey dwelling with little vegetation in the front yard.

The applicant is proposing an accessory structure that requires a variance related to lot coverage.



Comments

Planning

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

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

The subject property is 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 intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot. Approximately 29.86% of the dwelling's footprint is attributed to the property's lot coverage. The remaining 6.79% of lot coverage is attributed to the covered front porch area and the rear covered porch area. Furthermore, the proposed lot coverage is a minor deviation from the zoning by-law's requirement. Since the proposed covered porch is located in the rear yard and maintains the required heights and setbacks contained in the by-law, impacts to the streetscape and neighbours will be negligible.

It is Staff's opinion that the proposed dwelling 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.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's information are photos showing the existing structure in the rear yard. We would request that the structure be equipped with an eaves trough and down spout directed in such a manner to not affect the neighbouring property.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file BP 9ALT 21-6759. Based on review of the information currently available in this permit application, the variances, as requested are correct.

Please note that comments reflect those provided through the above permit application and should there be any changes contained within this Committee of Adjustment application that

have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Alana Zheng, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A360.21
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 1617 Bristol Road West, zoned R4-20 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a widened driveway proposing a driveway width of 8.77m (approx. 28.77ft) 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 September 9, 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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To participate by telephone: To register, please call 905-615-3200 x2408 no later than 4:30pm the Tuesday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.

Legal notice:

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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: 2021-09-01	File(s): A360.21 Ward 6
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-09-09 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 the construction of a widened driveway proposing a driveway width of 8.77m (approx. 28.77ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.68ft) in this instance.

Amendments

While Planning Staff are not in a position to interpret the Zoning By-law, it appears an additional variance may be required:

- A side yard setback to a driveway of 0.00m whereas By-law 0225-2007, as amended, requires a minimum side yard setback to a driveway of 0.60m in this instance.

Background

Property Address: 1617 Bristol Road West

Mississauga Official Plan

Character Area: East Credit Neighbourhood

Designation: Residential Low Density II

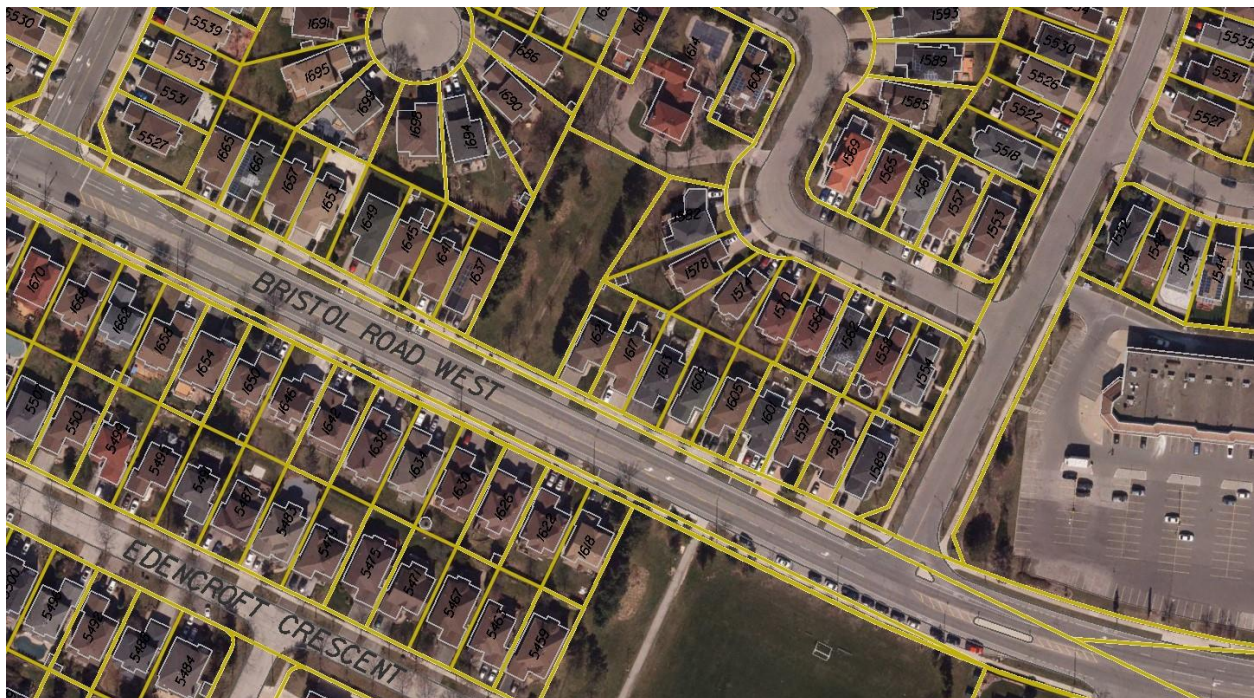
Zoning By-law 0225-2007

Zoning: R4-20 - Residential

Other Applications: None

Site and Area Context

The subject property is located north-east of the Bristol Road West and River Grove Avenue intersection in the East Credit Neighbourhood. The property contains a two storey detached dwelling with an attached garage and has a lot frontage of +/- 12.2m. The surrounding area is comprised of detached residential dwellings as well as a commercial plaza at the Bristol Road West and Creditview Road intersection. A typical front yard along this stretch of Bristol Road West contains minimal vegetation.



Comments

Planning

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

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

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

The subject property is located within the East Credit Neighbourhood Character Area and is designated Residential Low Density II. This designation permits detached, semi-detached, duplex and triplex dwellings, as well as street townhomes. Section 9 of MOP promotes development (including its features such as driveways and landscaping) with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions, the surrounding context, and the landscape of the character area. The planned character of the area is dwellings accessed by appropriately sized driveways. While some widened driveways do exist along Bristol Road West, the subject property represents one of the largest driveways in the area and would not be compatible with the existing or planned character of the area. Staff are of the opinion that the general intent and purpose of the Official Plan are not maintained in this instance.

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

The proposed variance is to permit a widened driveway on the subject property. The intent of the by-law, with regard to driveway widths, is to permit a driveway large enough to suitably accommodate two vehicles parked side by side, with the remainder of the front yard being soft landscaping. The driveway, as proposed, represents over 70% of the frontage of the property, creating a significant amount of hardscaping in the front yard which dominates the perception of the property from the street. The subject property does not possess the frontage that would support a driveway of the proposed size. As a result, the variance as proposed does not meet the general intent and purpose of the by-law.

Additionally, staff note that based on the submitted cover letter it appears a variance for driveway setback will be required. Driveway setbacks are required to allow for appropriate drainage, as well as provide a visual buffer between properties. The proposed driveway would be attached to the driveway on the abutting property to the east, providing no opportunities for drainage and no visual separation of properties beyond the differing materials. Staff are not supportive of a 0m driveway setback as it 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?

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

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Brandon Eidner, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A361.21
Ward: 4

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 377 Burnhamthorpe Road East, zoned C2 - Commercial, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a take-out restaurant (Unit 4A & 4B) within 60m (approx. 196.85ft) of a Residential Zone whereas By-law 0225-2007, as amended, does not permit a take-out restaurant within 60m of a Residential Zone in this instance.

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-09-01	File(s): A361.21 Ward 4
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-09-09 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 meets the requirements of Section 45 (1) of the Planning Act.

Application Details

The applicant requests the Committee to approve a minor variance to allow a take-out restaurant (Unit 4A & 4B) within 60m (approx. 196.85ft) of a Residential Zone whereas By-law 0225-2007, as amended, does not permit a take-out restaurant within 60m of a Residential Zone in this instance.

Background

Property Address: 377 Burnhamthorpe Road East

Mississauga Official Plan

Character Area: Rathwood Neighbourhood

Designation: Mixed Use

Zoning By-law 0225-2007

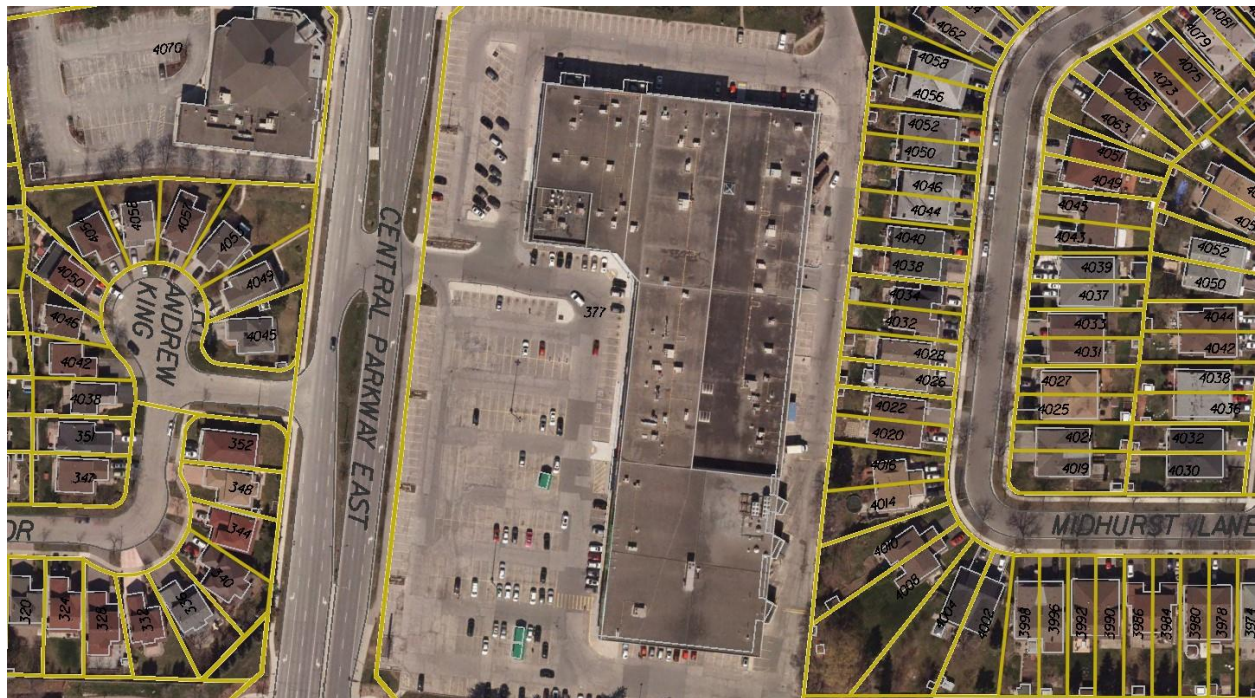
Zoning: C2 - Commercial

Other Applications: BP 3ALT 21-6458

Site and Area Context

The subject property is the Central Parkway Mall, located on the north-east corner of Burnhamthorpe Road East and Central Parkway. The mall is two storeys in height and is

surrounded by Burnhamthorpe Road East to the south, Central Parkway to the west, Meadows Boulevard to the north and detached dwellings to the east. There is a variety of residential built forms in the surrounding area, including detached dwellings, townhouses and high-rise residential. The mall building and parking lot represent the vast majority of the site, with vegetation existing only along the property's three street lines.



residential properties and into the mall's parking lot. Staff are of the opinion that impacts to the residential zone will be negligible, that the application is appropriate to be handled through the minor variance process, and that the application raises no concerns of a planning nature.

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections, comments or requirements with respect to C.A. 'A' 361/21.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Zoning Certificate of Occupancy permit under file C21-6803. 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: Ramsen Hedoo, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A366.21
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 5500 Rose Cherry Place, zoned OS2-6 - Open Space, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow 205 parking spaces to be used off site whereas By-law 0225-2007, as amended, does not parking to be provided off site in this instance.

The Committee has set **Thursday September 9, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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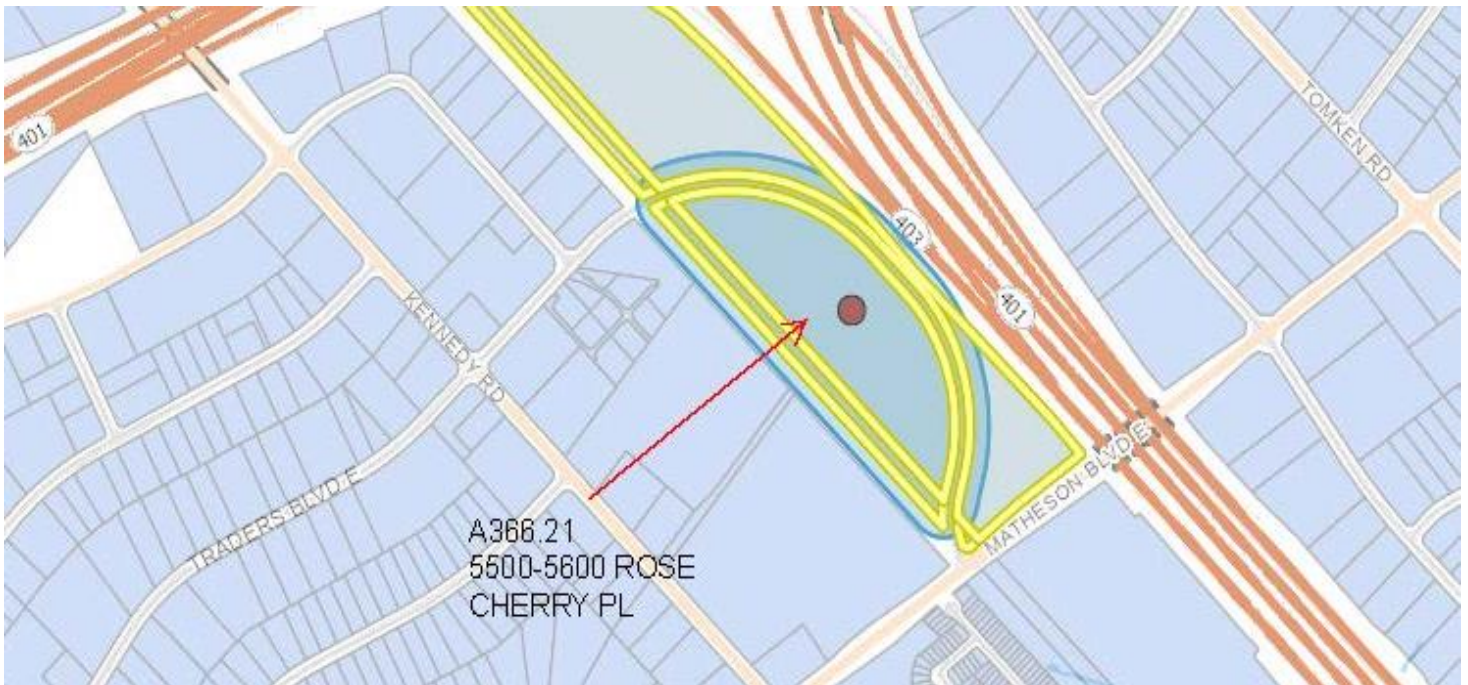
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-09-01	File(s): A366.21 Ward 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-09-09 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow 205 parking spaces to be used off site whereas By-law 0225-2007, as amended, does not parking to be provided off site in this instance.

Amendments

While Planning Staff are not in a position to interpret the By-law, Staff note that the variance should be amended as follows:

The applicant is requiring a variance to permit 1,236 parking spaces to be provided on-site with 205 parking spaces being subleased to IPC (Islamic Centre Propagation) whereas; by-law 225-2007 would require all 1,236 parking spaces to be used for Paramount Fine Foods Centre (PFFC) uses.

Recommended Conditions and Terms

A temporary approval for a period of 1 year.

Background

Property Address: 5500 Rose Cherry Place

Mississauga Official Plan

Character Area: Gateway Employment Area
Designation: Public Open Space

Zoning By-law 0225-2007

Zoning: OS2-6 - Open Space

Other Applications: None

Site and Area Context

The subject property is located north-east of the Kennedy Road and Matheson Boulevard East intersection and contains the Paramount Fine Foods Centre. There is some vegetation on the property, however the vast majority of the property consists of the building itself as well as the paved parking lot. The surrounding area contains multiple uses, including industrial uses to the west, Highway 403 to the east, Highway 401 to the north, and residential and recreational uses to the south.

The applicant is proposing a shared parking agreement with an adjacent property and requires a variance 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*.

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 Gateway Employment Area and is designated Public Open Space in Schedule 10 of the Mississauga Official Plan. Policy 8.4.2 of the Official Plan states that Mississauga will encourage the shared use of parking and allow off-site parking, where appropriate. Staff are satisfied the proposal maintains the general intent and purpose of the Official Plan.

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

The intent of parking regulations are to ensure that each property can provide the necessary parking required for each use on site. The applicant has indicated that the arrangement has been ongoing for several years prior to this application and has been successful at ensuring sufficient parking for the uses. CPS Staff have reviewed the application and note as follows:

With respect to Committee of Adjustment application A-366/21, 5500 Rose Cherry Place, *"The applicant is requiring a variance to permit 1,236 parking spaces to be provided on-site with 205 parking spaces being subleased to IPC whereas; by-law 225-2007 would require all 1,236 parking spaces to be used for PFFC uses."*

*Please note that the variance has been revised as per staff email sent March 15, 2021 by Janeth Haub (and confirmed by Zoning).

As per Zoning staff email dated February 19, 2021 (Domenic Tudino), the PFFC is required by the zoning by-law to have 1,236 parking spaces, which is what is provided. The PFFC is proposing to lease 205 parking spaces to the neighbouring Islamic centre. This represents an on-site reduction of 16.6% from the zoning by-law. No Parking Utilization Study has been submitted for this application.

Generally, City staff require a Parking Utilization Study (PUS) for any proposed parking deficiency over 10%, as per the City's [Parking Studies Terms of Reference](#). However, staff acknowledge that the Covid-19 pandemic has affected parking demand, and conducting a survey at this time would not capture the typical demand.

Therefore, staff recommends the variance be granted for a temporary period of one (1) year. At which time, should conditions have returned to normal from Covid-19, a full Parking

Utilization Study will be required as per the City's Parking Studies Terms of Reference. At that time, the applicant must address any parking deficiencies identified in the above PUS.

Planning Staff are in agreement with the comments provided by CPS Staff and are therefore satisfied that the proposal maintains the general intent and purpose of the Zoning By-law at this time.

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

Staff are satisfied that the application is minor in nature and represents appropriate development and use of the lands. The shared parking arrangement has the potential to reduce stress on street parking in the area and more effectively utilize existing parking resources. Planning Staff are in agreement with CPS Staff that a temporary approval should be granted in order for a Parking Utilization Study to be conducted in the future to ensure that the proposal does not negatively impact the parking situation at the Paramount Fine Foods Centre and negate the potential benefits of the arrangement.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's information are some photos depicting the lands subject to the Licencing Agreement.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Brandon Eidner, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A368.21
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 5835 Airport Road, zoned E2-38 - 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 service kiosk/gas bar proposing:

1. A landscape buffer of 3.0m (approx. 9.84ft) whereas By-law 0225-2007, as amended, requires a minimum landscape buffer of 4.5m (approx. 14.76ft) in this instance; and
2. An interior side yard of 4.6m (approx. 14.98ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 5.5m (approx. 18.04ft) in this instance.

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-09-01	File(s): A368.21 Ward 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-09-09 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow a service kiosk/gas bar proposing:

1. A landscape buffer of 3.0m (approx. 9.84ft) whereas By-law 0225-2007, as amended, requires a minimum landscape buffer of 4.5m (approx. 14.76ft) in this instance; and
2. An interior side yard of 4.6m (approx. 14.98ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 5.5m (approx. 18.04ft) in this instance.

Background

Property Address: 5835 Airport Road

Mississauga Official Plan

Character Area: Northeast Employment Area
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2-38 - Employment

Other Applications: SP 20-02

Site and Area Context

The subject property is located on the north-east corner of Airport Road and Bresler Drive in the Northeast Employment Area. The property currently contains a gas station and is located across the street from Pearson International Airport. Other uses in the surrounding area include a gas station, airport parking and offices. The site has limited existing vegetation, mostly located in the municipal boulevard.

The applicant is proposing to reconstruct the existing gas bar and accessory building requiring variances for side yard setback and landscape buffer.



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 Character Area and is designated Business Employment in Schedule 10 of the Mississauga Official Plan (MOP). The proposed gas bar and accessory use are permitted uses under this designation and therefore maintain the general intent and purpose of the Official Plan.

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

Variance 1 proposes a reduction of the landscape buffer. The reduction is proposed along the sight triangle abutting the intersection and the Bresler Drive frontage. The landscape buffer along the Airport Road frontage is proposed to meet the by-law requirement. The intent of this

portion of the by-law is to ensure that an appropriate buffer exists abutting all lot lines. For the portion abutting the sight triangle, the additional landscaping located on the municipal boulevard reduces the impact of the proposed reduced buffer. For the Bresler Drive frontage, the site plan shows a reduction of access points off Bresler Drive from two to one. This will allow for additional landscaping within the buffer, resulting in an improvement to existing conditions on the property. Staff are satisfied that the proposal maintains an appropriate buffer for the subject property.

Variance 2 requests a reduced side yard to the proposed building on the property. The intent of the side yard setback regulation is to ensure an adequate buffer between structures on adjoining properties. Staff are satisfied that the proposed side yard reduction will not negatively impact the abutting property. Furthermore staff are satisfied that the reduction permits an appropriate buffer in the eventuality that the adjoining Park N Fly parking lot were to be redeveloped.

Given the above staff are of the opinion 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?

Staff are satisfied that the proposal represents appropriate development of the subject lands. The variances, both individually and cumulatively, are minor in nature and will not create undue impacts on abutting properties and the public realm.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting that any Transportation and Works Department concerns/requirements for the proposed development are being addressed through the Site Plan Application Process (SP20-02).

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan Approval application under file SP 20-2. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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

Comments Prepared by: Marco Palerma, Zoning Examiner

Appendix 3 – Trans-Northern Pipelines Inc.

Since Trans-Northern has a high-pressure pipeline within the development area, TNPI requests the preliminary site development plans for review to ensure the development meets or exceeds our Crossing Guidelines. Please note, any development plans within the right-of-way will require a Crossing Permit. Development planned within 30m; the Prescribed Areas defined by the CER (Canadian Energy Regulator) will required a Controlled Area Access Permit. Each of these permit types can be requested by following the steps described near the end of this response.

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

-it is prohibited for any person to construct a facility across, on, along or under a pipeline or engage in an activity that causes a ground disturbance within the prescribed area unless the

construction or activity is authorized or required by the orders made under subsection (3) or (4) or regulations made under subsections (5) or (6) and done in accordance with them.

Prohibition — vehicles and mobile equipment

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

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

Additionally, should the applicant propose to cross the pipeline with a vehicle or construct a facility across, on, along or under the pipeline, the applicant would be required to contact TNPI prior to commencement of their work to receive the required authorization. This process can be initiated through Ontario One Call (1-800-400-2255). A representative from TNPI will attend on site mark the pipeline location, confirm safe work practices, and advise of any permit requirements.

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



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A188.21
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 3091 Bonaventure Drive, zoned R3-69 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling proposing:

1. A gross floor area of 332.2sq.m (approx. 3575.89ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 275.41sq.m (approx. 2964.49sq.ft) in this instance;
2. A building height measured to the highest ridge of 9.24m (approx. 30.31ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the highest ridge of 9.00m (approx. 29.53ft) in this instance; and
3. A building height measured to eaves of 6.59m (approx. 21.62ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

The Committee has set **Thursday September 9, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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

How to submit a written comment:

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

Advance registration is required to participate in the electronic hearing:

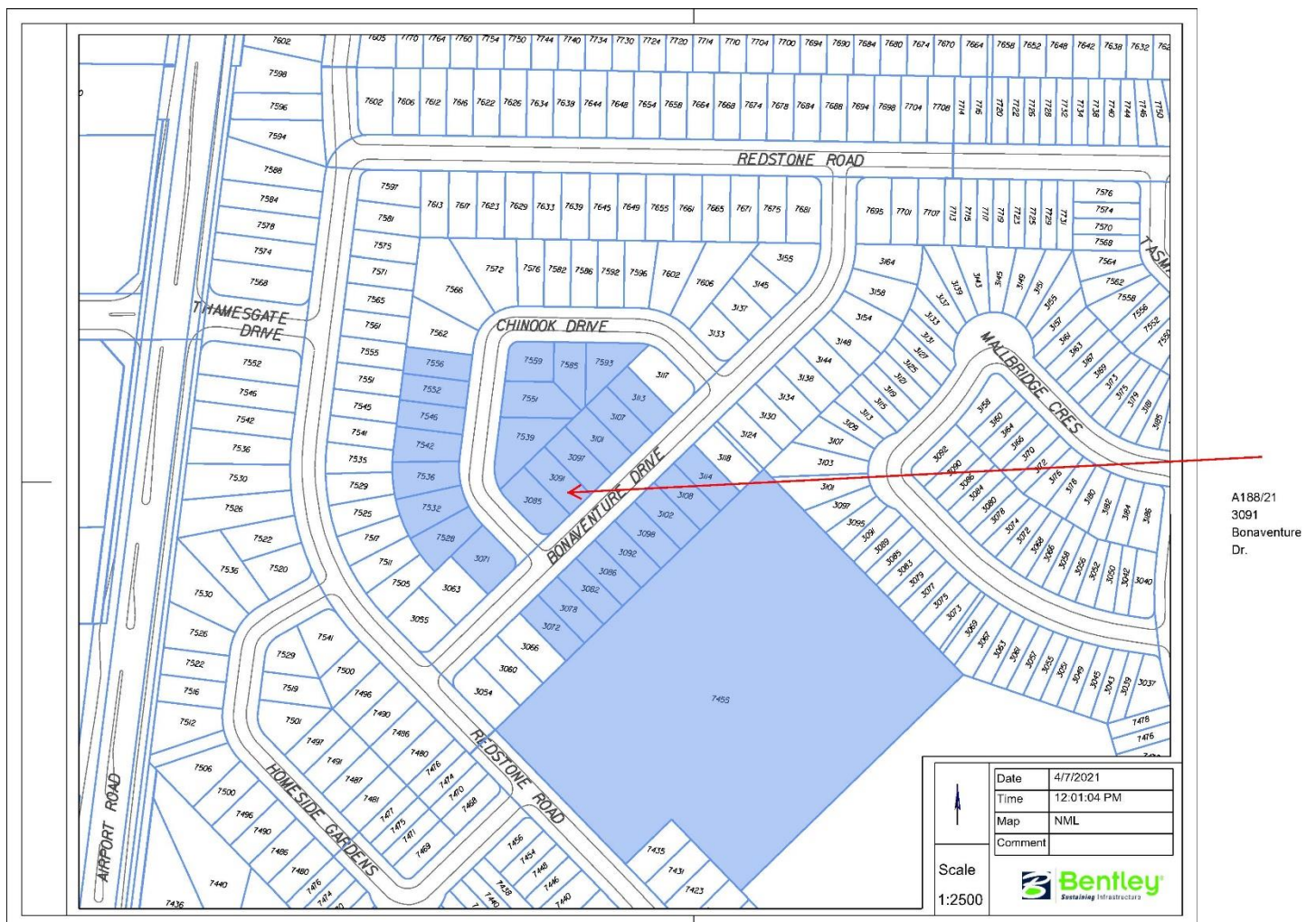
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud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

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

Legal notice:

If holding an electronic rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30pm the Tuesday prior to the hearing to committee.adjustment@mississauga.ca. 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: 2021-09-01	File(s): A188.21 Ward 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-09-09 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 new dwelling proposing:

1. A gross floor area of 332.2sq.m (approx. 3575.89ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 275.41sq.m (approx. 2964.49sq.ft) in this instance;
2. A building height measured to the highest ridge of 9.24m (approx. 30.31ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the highest ridge of 9.00m (approx. 29.53ft) in this instance; and
3. A building height measured to eaves of 6.59m (approx. 21.62ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

Background

Property Address: 3091 Bonaventure Drive

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

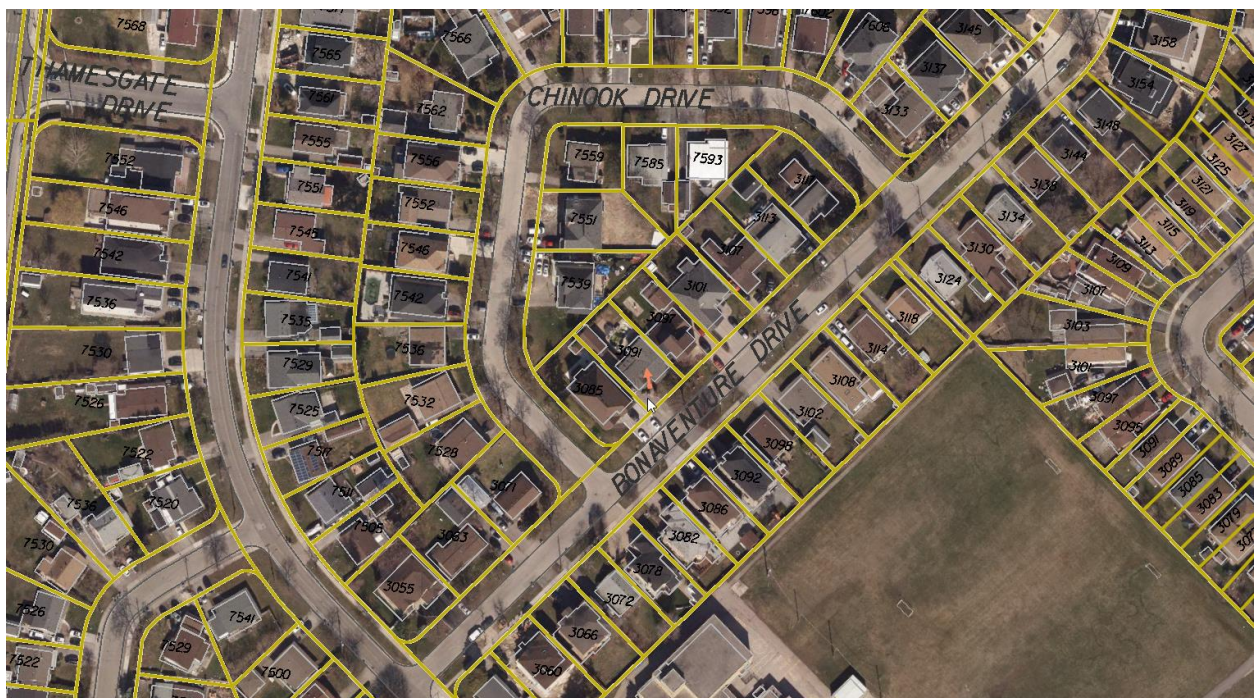
Zoning: R3-69 - Residential

Other Applications: None

Site and Area Context

The subject property is located north-east of the Airport Road and Thamesgate Drive intersection in the Malton Neighbourhood. It has a lot area of +/- 627.08m², a lot frontage of +/- 16.46m, and currently contains a single storey detached dwelling with minimal vegetation and landscaping elements in the front and rear yards. The surrounding neighbourhood consists of older single storey detached homes, as well as newer two storey detached dwellings on similarly sized lots.

The applicant is proposing a new two-storey dwelling requiring variances for gross floor area and height.



Comments

Planning

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

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

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

The subject property is located in the Malton Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, and duplex dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. The proposed dwelling conforms to the designation and staff are of the opinion that the proposed built form appropriately balances the planned character of the area and the existing built form of the surrounding context. Staff are satisfied that the general intent and purpose of the Official Plan are maintained.

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

Variance 1 requests an increase in gross floor area. The intent in restricting gross floor area is to maintain compatibility between existing and new dwellings in order to ensure the existing and planned character of a neighbourhood is preserved. While several properties along Bonaventure Drive have been redeveloped over the years, Building Permit records show that they were developed prior to the Malton Infill Housing Study in 2016. While the proposal represents an increase to the permissions of the by-law, staff are satisfied that the proposal appropriately balances the existing built form and character of the neighbourhood with the planned character envisioned by the Malton Infill Housing Study.

Variances 2 and 3 relate to the height of the structure. The intent of restricting height is to lessen the visual massing of the dwelling thereby keeping the dwelling at a human scale. The applicant has worked with staff to reduce the overall height of the proposal to bring it in line with the intent of the Zoning By-law. Staff are satisfied that the proposed height represents appropriate massing for the property.

Given the above, staff are satisfied that the application maintains the general intent and purpose of the Zoning By-law.

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

Upon review of the application staff are satisfied that the proposal represents appropriate development of the subject lands. The variances, both individually and cumulatively, are minor in nature and will not create any undue impacts to adjoining properties or the planned or existing character of the area.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

Our previous comments are based on the plans received by Zoning staff on 01/17/2020 for the above captioned building permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Appendix 3 – Toronto and Region Conservation Authority Comments

Based on our latest preliminary 2D modeling results, it appears that a small portion of the front of the subject property is located within the Regulatory Flood Plain. The Water Surface Elevation is 172.06 masl at the subject property. Additionally, it appears that the proposed 2-storey single family dwelling is located outside of the Regulatory Flood Plain and in the location of the existing house. Provided that the proposed dwelling maintains the same setback from the Regulatory Flood Plain as the existing dwelling at minimum, TRCA staff have no concerns with the proposed works and the requested variances, as submitted.

Please advise the applicant to submit a TRCA permit application for the proposed replacement dwelling (Application for Development, Interference with Wetlands & Alterations to Shorelines and Watercourses – Ontario Regulation 166/06) and the associated review fee of \$495 (Works on Private Residential Property – Minor). A site plan drawing demonstrating the existing and proposed front setback is required as well.

Should the applicant disagree with this preliminary analysis, the applicant may hire a consultant to determine the flooding extent of the spill using two-dimensional hydraulic model, otherwise the applicant is required to apply the preliminary result for of TRCA's flood modelling.

Recommendation

On the basis of the comments noted below, TRCA staff recommend conditional approval of Minor Variance Application A188/21, subject to the following conditions:

1. The applicant acquires a TRCA permit pursuant to Ontario 166/06 for the proposed works;
2. The applicant submits a \$610 review fee to this office.



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A240.21
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 918 Oasis Drive, zoned RM2-53 - 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 new side entrance proposing:

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

The Committee has set **Thursday September 9, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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How to submit a written comment:

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Advance registration is required to participate in the electronic hearing:

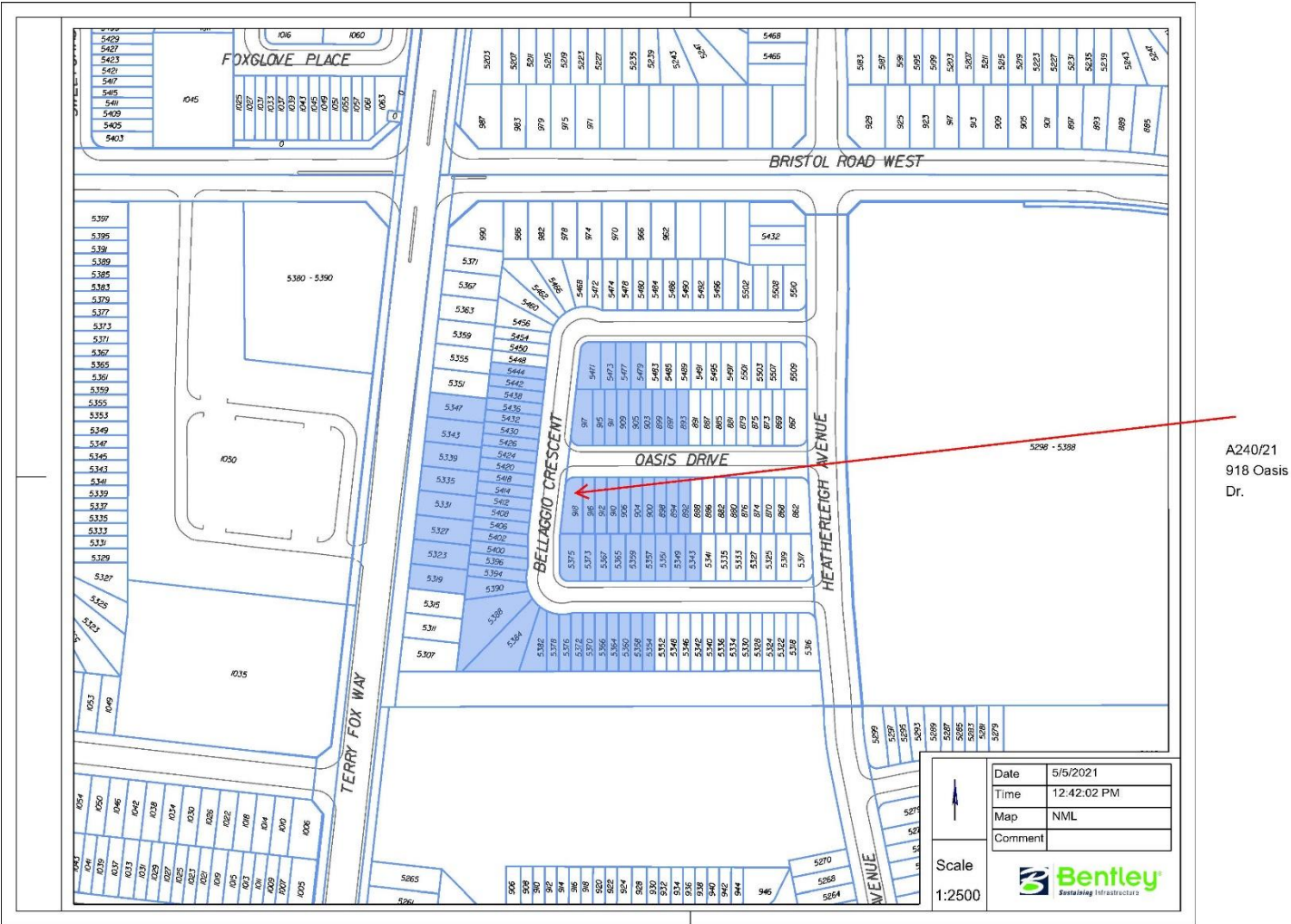
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud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

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

Legal notice:

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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: 2021-09-01	File(s): A240.21 Ward 6
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-09-09 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 a new side entrance proposing:

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

Background

Property Address: 918 Oasis Drive

Mississauga Official Plan

Character Area: East Credit Neighbourhood

Designation: Residential Medium Density

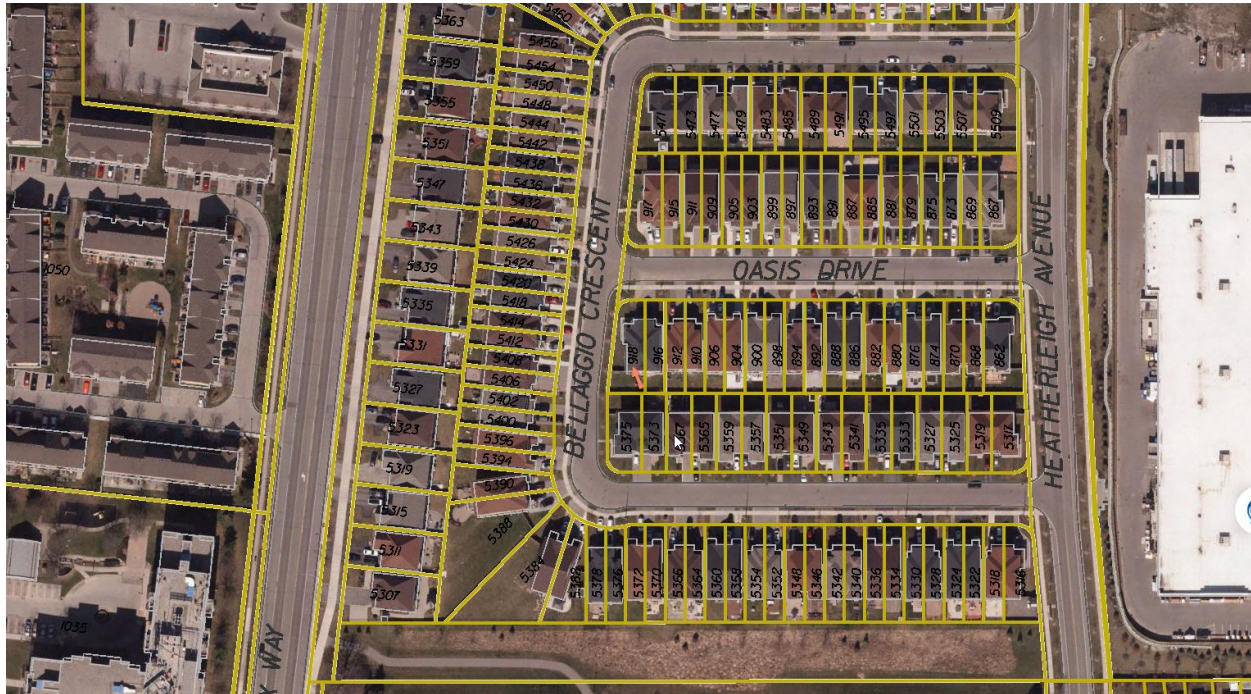
Zoning By-law 0225-2007

Zoning: RM2-53 - Residential

Site and Area Context

The subject property is located south-east of the Terry Fox Way and Bristol Road W. intersection. It is a corner property with a lot area of +/- 347.83m² and a lot frontage of +/- 8.06m. Currently the property contains a two-storey semi-detached dwelling with vegetation and landscape elements in both the front and rear yards. Contextually, the immediate area is comprised exclusively of two-storey semi-detached dwellings, with lot frontages of +/- 7m and vegetation and landscape elements in both the front and exterior side yards.

The applicant is proposing a side entrance requiring variances for a secondary unit entrance facing the street and a stairwell and retaining wall to facilitate a below grade in the front or exterior side yard.



within the existing covered porch and is compatible with the surrounding context. Staff are satisfied that the general intent and purpose of the Official Plan are maintained.

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

The intent of the regulations surrounding second unit entrances are to ensure that the entrances do not negatively impact the overall streetscape. In this instance the applicant has located the entrance in the existing covered porch which appropriately screens the stairwell from both the front and exterior side yards. Staff are satisfied that any negative impact to the streetscape has been appropriately mitigated by the design and that the general intent and purpose of the Zoning By-law have been maintained.

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

Staff are satisfied that the application is minor in nature. The proposed entrance is well screened within the existing covered porch and will not have significant impacts on the streetscape. Furthermore the addition of a permitted second unit represents appropriate development of the subject lands.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We note for Committee's information that we have no drainage related concerns with regards to the location of the stairwell.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a second unit application under file SEC UNIT 21-5592. 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 second unit application submitted on 06/29/2021 and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments

Comments Prepared by: Jeanine Benitez, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A287.21
Ward: 1

Why you received this letter:

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

Details of the application and meeting information:

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

1. A gross floor area – infill residential of 617.46sq.m (approx. 6.646.50sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area – infill residential of 550.80sq.m (approx. 5928.76sq.ft) in this instance;
2. A lot coverage of 26.77% (501.56sq.m) of the lot area, whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% (451.00sq.m) of the lot area in this instance;
3. A combined width of side yards of 5.14m (approx. 16.86ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 10.22m (approx. 33.53ft) in this instance;
4. A building height measured to the eaves of 6.85m (approx. 22.47ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 20.99ft) in this instance;
5. A building height measured to the highest ridge of 10.16m (approx. 33.33ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the highest ridge of 9.50m (approx. 31.16ft) in this instance;
6. A dwelling unit depth of 25.89m (approx. 84.94ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m (approx. 65.80ft) in this instance; and,
7. A total of two attached garages whereas By-law 0225-2007, as amended, permits a maximum of one attached garage per lot in this instance.

The Committee has set **Thursday September 9, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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How to submit a written comment:

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Advance registration is required to participate in the electronic hearing:

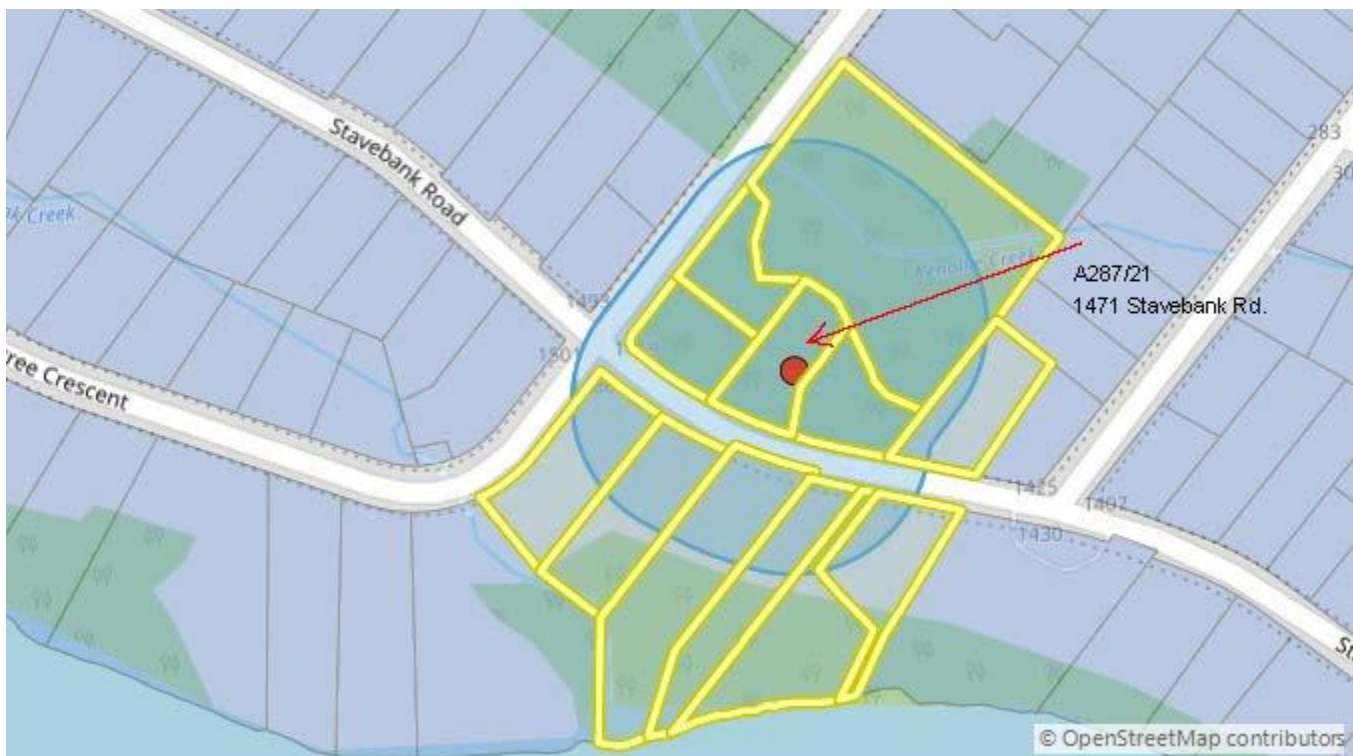
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Legal notice:

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

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



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-09-01	File(s): A287.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-09-09 1:00 PM

Consolidated Recommendation

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

Application Details

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

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

1. A gross floor area – infill residential of 617.46sq.m (approx. 6.646.50sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area – infill residential of 550.80sq.m (approx. 5928.76sq.ft) in this instance;
2. A lot coverage of 26.77% (501.56sq.m) of the lot area, whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% (451.00sq.m) of the lot area in this instance;
3. A combined width of side yards of 5.14m (approx. 16.86ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 10.22m (approx. 33.53ft) in this instance;
4. A building height measured to the eaves of 6.85m (approx. 22.47ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 20.99ft) in this instance;
5. A building height measured to the highest ridge of 10.16m (approx. 33.33ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the highest ridge of 9.50m (approx. 31.16ft) in this instance;
6. A dwelling unit depth of 25.89m (approx. 84.94ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m (approx. 65.80ft) in this instance; and,

7. A total of two attached garages whereas By-law 0225-2007, as amended, permits a maximum of one attached garage per lot in this instance.

Background

Property Address: 1471 Stavebank Road

Mississauga Official Plan

Character Area: Mineola Neighbourhood

Designation: Residential Low Density I

Zoning By-law 0225-2007

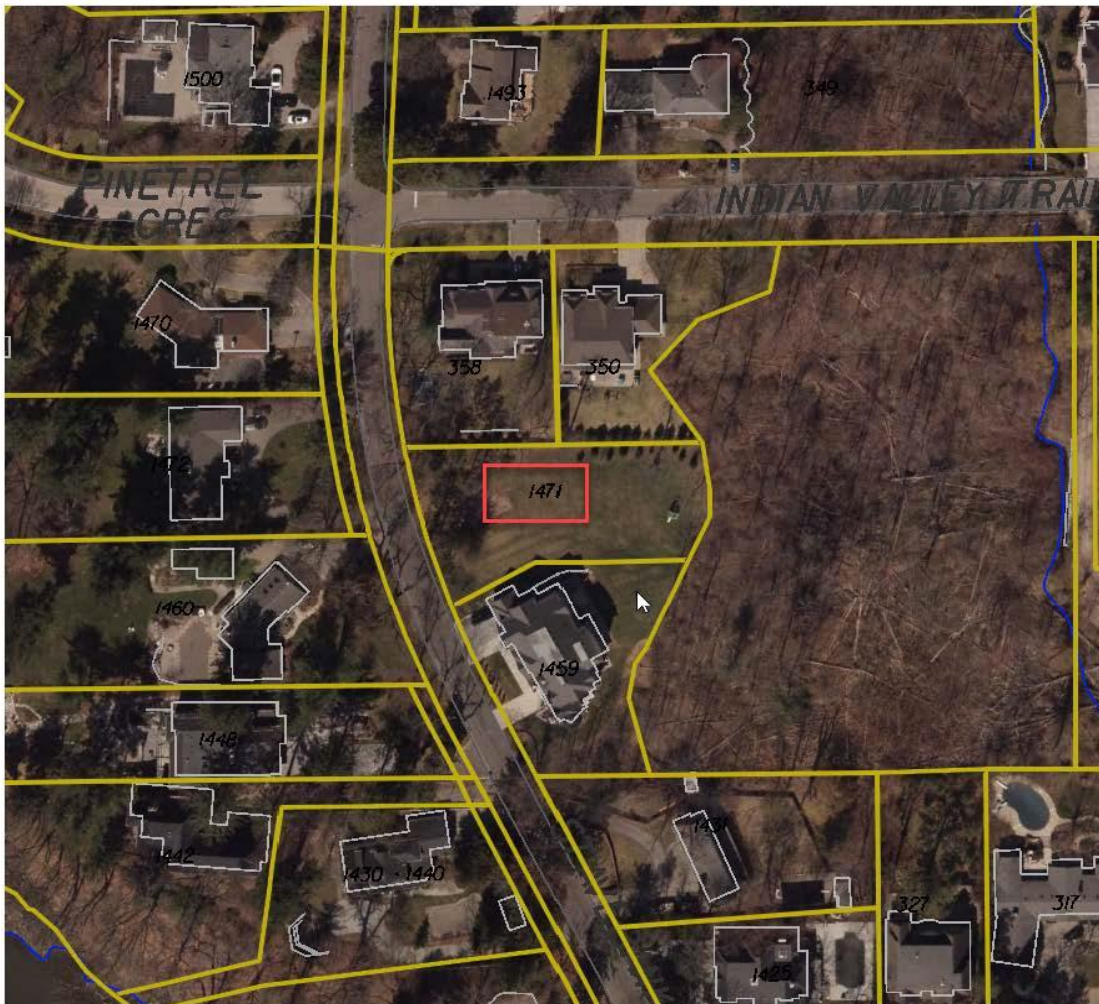
Zoning: R1-2 - Residential

Other Applications: SPI 21-51 W1

Site and Area Context

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

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



Comments

Planning

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

Staff comments concerning the application are as follows:

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached and duplex dwellings. New housing is encouraged to fit the scale and character of the surrounding area to ensure that new development has minimal impact on adjacent neighbours regarding overshadowing and overlook. The proposed detached dwelling respects the designated land use, and has regard for the distribution of massing on the property as a whole and will not negatively impact the character streetscape. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

Variance #1 pertains to Gross Floor Area (GFA). The applicant has proposed a GFA of 641.15m², while the maximum permitted GFA is 550.80m². The intent of the infill regulations regarding GFA and height is to maintain compatibility between existing and new dwellings, while lessening the visual massing of the dwelling and bringing the edge of the roof closer to the ground, creating a more human scale. The proposed dwelling contains architectural features that break up the first and second storey, minimizing the overall massing in relation to the streetscape and neighbouring properties. Furthermore the proposal is consistent with newer two storey dwellings in the immediate area and does not pose a negative impact to the establish neighbourhood character. Finally, most of the proposed GFA increase is located towards the rear of the property and cannot be seen from the street.

Variances #4 and #5 pertain to building height. The intent of restricting building height to the highest ridge and eaves is to regulate the visual massing of dwelling, by managing the overall pitch of the roof and keeping the dwelling within human scale. Staff are not concerned with these variances. While the proposed variance appears excessive, Staff note that there is a 0.60 m difference from the finished grade to average grade. If the dwelling was measured from finished grade, the overall height would be 9.56m and the height measured to the eaves would be 6.25m. The overall height would represent a minor deviation from what is permitted and the height measured to the eaves would not require a minor variance. The proposed heights are proportional in scale and consistent with two storey homes in the area. Furthermore, architectural features helps to break up the overall massing of the dwelling as a result of the increased height.

Variance #7 pertains to the proposed garages. The applicant has proposed a total of two attached garages. The intent in restricting the overall number of garages is to ensure that the detached dwelling remains residential in nature. Additionally, this portion of the by-law serves to

minimize the visual impact resulting from multiple or excessive garage faces fronting onto a street. Staff has no concerns with the two garages proposed, as one of them is single garage is not visible when standing perpendicular to the front facade.

With respect to the remaining variances, Staff have no issues with the proposed lot coverage (Variance #2), as the dwelling itself covers about 20.5% of the property while the permitted maximum is 25%. The variance requested for the deficient combined width of the side yard (Variance #3) is not of concern to staff as the applicant has not requested variances for the individual side yards, and dwellings abutting the subject property to the north and east are adequately buffered from the subject property by way of mature vegetation, natural features and large rear yards. Furthermore, the wall facing the property to the south is staggered and contains architectural features and materials that ensures the reduced combined width of side yard would not create any massing issues.

Staff has no concerns with the applicant's proposed dwelling depth (Variance #6). As mentioned, the properties to the north and east contain mature vegetation, natural features and large rear yards providing a sufficient buffer from the proposed dwelling. While the property to the south does not contain these screening/buffer elements, based on how dwelling depth is calculated, and given the irregular shape of the lot, the property to the south would only view about 22m of the proposed dwelling's depth, which is a minor deviation from the zoning by-law requirement of 20m. As such, Staff are of the opinion that the intent and purpose of the zoning by-law is maintained.

The proposed dwelling includes architectural features, which breaks up the overall massing and height of the dwelling. Additionally, the dwelling contains a staggered south wall with various materials that breakup it's massing. The proposal is consistent with newer two storey dwellings within the immediate area and does not pose a negative impact to the streetscape character.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

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

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

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

- b) placing those areas identified for protection, enhancement, restoration and expansion in public ownership, where feasible.

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

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

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