
Committee of Adjustment

Date: September 16, 2021
Time: 1:00 PM
Location: Online Video Conference

Members

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

Contacts

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

Send written submissions or request notification of future meetings to:

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

-
1. CALL TO ORDER
 2. DECLARATION OF CONFLICT OF INTEREST
 3. DEFERRALS OR WITHDRAWALS
 4. MATTERS TO BE CONSIDERED
 - 4.1. A319/21
5211 MISSISSAUGA RD (WARD 11)
FAWZIA & NIMR NASR
 - 4.2. A320/21
5217 MISSISSAUGA RD (WARD 11)
NARMIN ALFY ISKANDER & ABADIR NASR
 - 4.3. A335/21
3627 STONECUTTER CRES (WARD 8)
MARIAN SOLIMAN
 - 4.4. A362/21
2138 TRUSCOTT DR (WARD 2)
VICTORIA & MICHAEL GAJDEMSKI
 - 4.5. A367/21
3983 PONDVIEW WAY (WARD 10)
HARRY LIAUW & DIANA WATI
 - 4.6. A370/21
811 SUNNINGDALE BEND (WARD 2)
ERIC ANANT CHARLES SINGH
 - 4.7. A371/21
30 & 70 WORLD DR (WARD 5)
WORLD DRIVE CENTRE INC
 - 4.8. A373/21
6826 SECOND LINE WEST (WARD 11)
NAYYAR & RAHILA RAZVI

- 4.9. A376/21
2425 & 2475 MEADOWPINE BLVD (WARD 9)
2455 MEADOWPINE BLVD. LP
- 4.10. A377/21
1345 MADIGAN'S LANE (WARD 2)
SUNIL & AMITA HANDA
- 4.11. A378/21
1169 BARNSWALLOW CRT (WARD 6)
ELISABETE PINHEIRO
- 4.12. A9/21
3038 CANTELON CRES (WARD 9)
RICHARD GUINOT & TANYA DESOUSA-GUINOT
- 4.13. A108/21
6736 LISGAR DR (WARD 10)
NAZLI BHATTI
- 4.14. A206/21
1489 GREGWOOD RD (WARD 2)
RAJVEER KAUR TOOR
- 4.15. A234/21
129 TROY ST (WARD 1)
HARDEEP HEHAR
- 4.16. A235/21
882 BANCROFT (WARD 11)
AKIBRIYA; ALIA; SHAHJAHAN & ROOHI ADIL MATLOOB
5. **OTHER BUSINESS**
6. **ADJOURNMENT**



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A319.21
Ward: 11

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 5211 Mississauga Road, zoned R3 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a widened driveway on the subject property proposing:

1. A driveway width of 11.86m (approx. 38.91ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 10.50m (approx. 34.45ft) in this instance;
2. A walkway attachment width of 8.26m (approx. 27.10ft) whereas By-law 0225-2007, as amended, permits a maximum walkway attachment width of 1.50m (approx. 4.92ft) in this instance;
3. A side yard of 0.00m whereas By-law 0225-2007, as amended, requires a minimum side yard 0.60m (approx. 1.96ft) in this instance; and
4. A front yard soft landscape area of 34.10% whereas By-law 0225-2007, as amended, requires a minimum front yard soft landscape area of 50.00% in this instance.

The Committee has set **Thursday September 16, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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City of Mississauga Department Comments

Date Finalized: 2021-09-08	File(s): A319.21 Ward 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-09-16 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be refused.

Application Details

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

1. A driveway width of 11.86m (approx. 38.91ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 10.50m (approx. 34.45ft) in this instance;
2. A walkway attachment width of 8.26m (approx. 27.10ft) whereas By-law 0225-2007, as amended, permits a maximum walkway attachment width of 1.50m (approx. 4.92ft) in this instance;
3. A side yard of 0.00m whereas By-law 0225-2007, as amended, requires a minimum side yard 0.60m (approx. 1.96ft) in this instance; and
4. A front yard soft landscape area of 34.10% whereas By-law 0225-2007, as amended, requires a minimum front yard soft landscape area of 50.00% in this instance.

Background

Property Address: 5211 Mississauga Road

Mississauga Official Plan

Character Area: Central Erin Mills Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

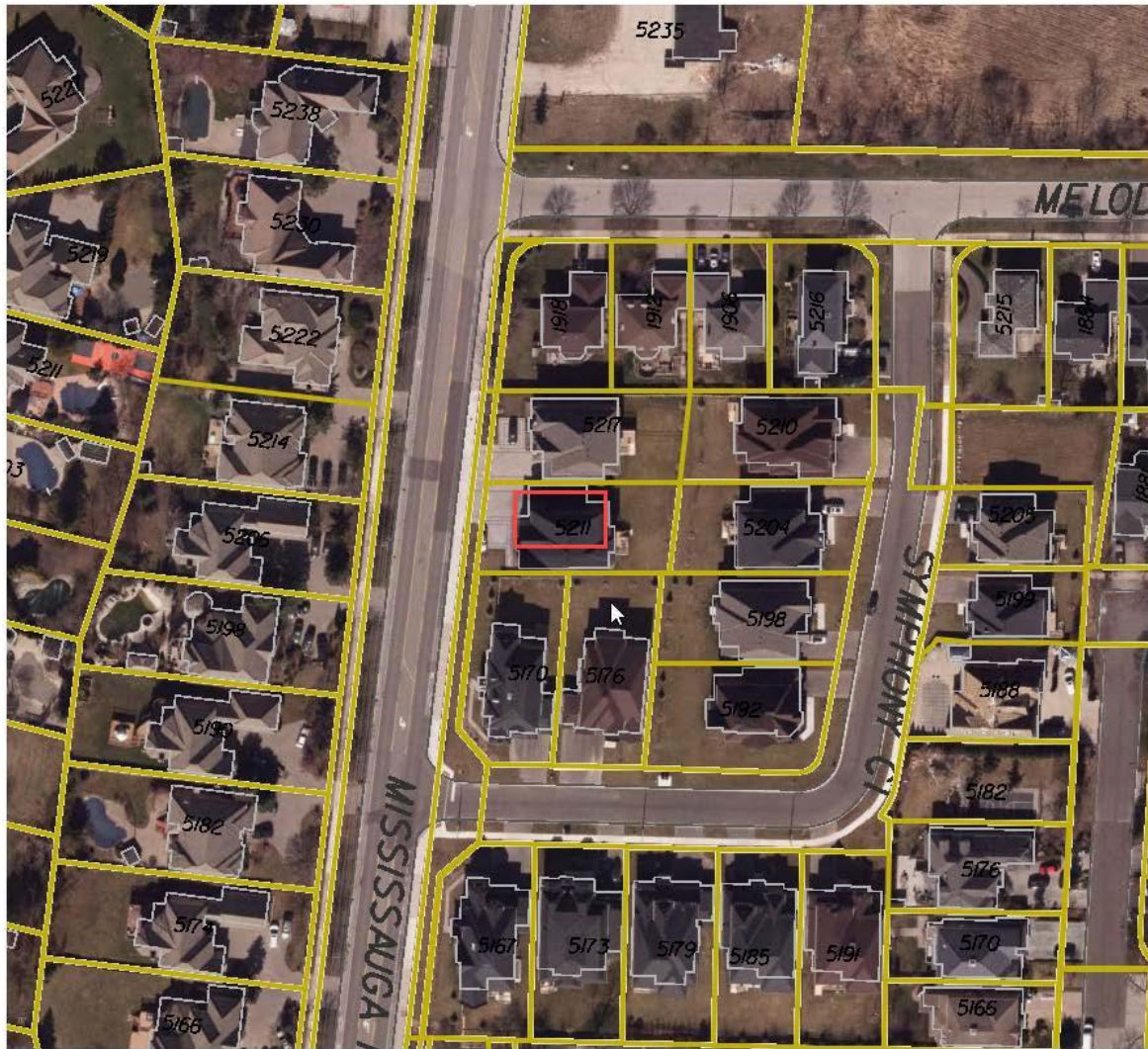
Zoning: R3 - Residential

Other Applications: PREAPP 21-6176

Site and Area Context

The subject property is located northeast of the Mississauga Road and Barbertown Road intersection in the Central Erin Mills Neighbourhood. The property contains a two storey detached dwelling with an existing garage and has a lot frontage of +/- 19.81m. There is minimal vegetation on the subject property, which is consistent with the more recently constructed properties on the east side of Mississauga Road. Older surrounding properties do contain more mature vegetation in both the front and rear yards.

The applicant is proposing to legalize the existing driveway and hardscaping in the front yard, requiring variances for driveway width, walkway attachment, side yard, and soft landscaped area.



Comments

Planning

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

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

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

The property is located within the Central Erin Mills Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached dwellings, semi-detached dwellings and duplex dwellings. As per Section 9.1 (Introduction), driveway widths should respect the identity and character of the surrounding context. The driveway, as existing, represents significant hardscaping when compared to driveways in the surrounding area. While staff note that the driveways fronting onto the west side of Mississauga Road are shared and significant in width, staff note that the shared driveways reduce to an appropriate width at the street line and the wider portions are screened by soft landscaping abutting the street line. Staff also note that those properties are larger than the subject property and are therefore able to accommodate increased hardscaping. It is the opinion of Staff that the proposal does not maintain the general intent and purpose of the Official Plan.

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

Variance 1 relates to the driveway width. Under the Zoning By-law a driveway width, on a property of this size, is permitted to be 10.5 metres (34.45 ft.) within 6 metres (19.69 ft.) of the garage face if it provides direct access to the garage and 8.5 metres (27.89 ft.) beyond 6 metres (19.69 ft.) of the garage face. The intent of this provision is to facilitate the entrance into a 3 car garage, while also limiting the width closer to the street in order to mitigate impacts to the streetscape. The subject property's driveway width represents a significant amount of hardscaping, much of which does not directly service a garage. Furthermore it is the opinion of staff that the hardscaping presents a significant impact to the streetscape.

Variance 2 requests an increased walkway attachment. The intent of the walkway attachment provision is to help define the entryway and permit the safe movement of pedestrians while prohibiting vehicle movements. The requested walkway attachment is significant enough to not only allow for pedestrian movements, but also allow vehicular movements and parking for multiple vehicles. Imagery of the property appears to show the described walkway being used for parking and could additionally function as a hammerhead.

Variance 3 requests a 0 metre setback from the driveway to the property line. The intent of this provision is to provide a visual buffer between driveways and properties and to allow for appropriate drainage. The proposed reduction creates a significant expanse of hardscaping that provides no visual buffer between properties and creates concerns around drainage.

Variance 4 proposes a reduced soft landscaped area in the front yard. The intent of this provision is to ensure that hardscaping does not dominate the lot frontage and that the character of the area is maintained. In this instance the hardscaping represents well over the majority of the front yard which is detrimental to the existing streetscape and is out of character with the surrounding area. While staff note that wide shared driveways are present across Mississauga Road, the driveways on the west side of the street are appropriately screened by landscaping and reduce to a smaller width at the street line, creating a form of courtyard for the properties.

Given the above Staff are of the opinion that the variances do 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?

It is the opinion of Staff that the variances, both individually and cumulatively, create significant impacts on the streetscape that cannot be considered minor in nature. The proposal represents an overdevelopment of hardscaping in the front yard and therefore does not represent appropriate development of the subject lands.

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.

With regards to Variance #3, we do not see the rationale in approving the requested 0.0M side yard setback. When reviewing requests for an increased hard surface area where a grassy permeable surface should be provided, we are concerned with the additional hard surface treatment as it essentially increases the flow of water into the municipal storm sewer system. Lots are designed to typically retain some rain water through infiltration of water into permeable surfaces such as grass. The bylaw requirement of 0.60M (1.97 ft.) setback to the driveway maintains a permeable grassed swale that will allow for some infiltration of water as it runs towards the street.





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: A320.21
Ward: 11

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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 5217 Mississauga Road, zoned R3 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a widened driveway on the subject property proposing:

1. A driveway width of 12.71m (approx. 41.69ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 10.50m (approx. 34.45ft) in this instance;
2. A walkway attachment width of 5.84m (approx. 19.16ft) whereas By-law 0225-2007, as amended, permits a maximum walkway attachment width of 1.50m (approx. 4.92ft) in this instance;
3. A side yard of 0.00m whereas By-law 0225-2007, as amended, requires a minimum side yard 0.60m (approx. 1.96ft) in this instance; and
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City of Mississauga Department Comments

Date Finalized: 2021-09-08	File(s): A320.21 Ward 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-09-16 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be refused.

Application Details

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

1. A driveway width of 12.71m (approx. 41.69ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 10.50m (approx. 34.45ft) in this instance;
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Background

Property Address: 5217 Mississauga Road

Mississauga Official Plan

Character Area: Central Erin Mills Neighbourhood

Designation: Residential Low Density I

Zoning By-law 0225-2007

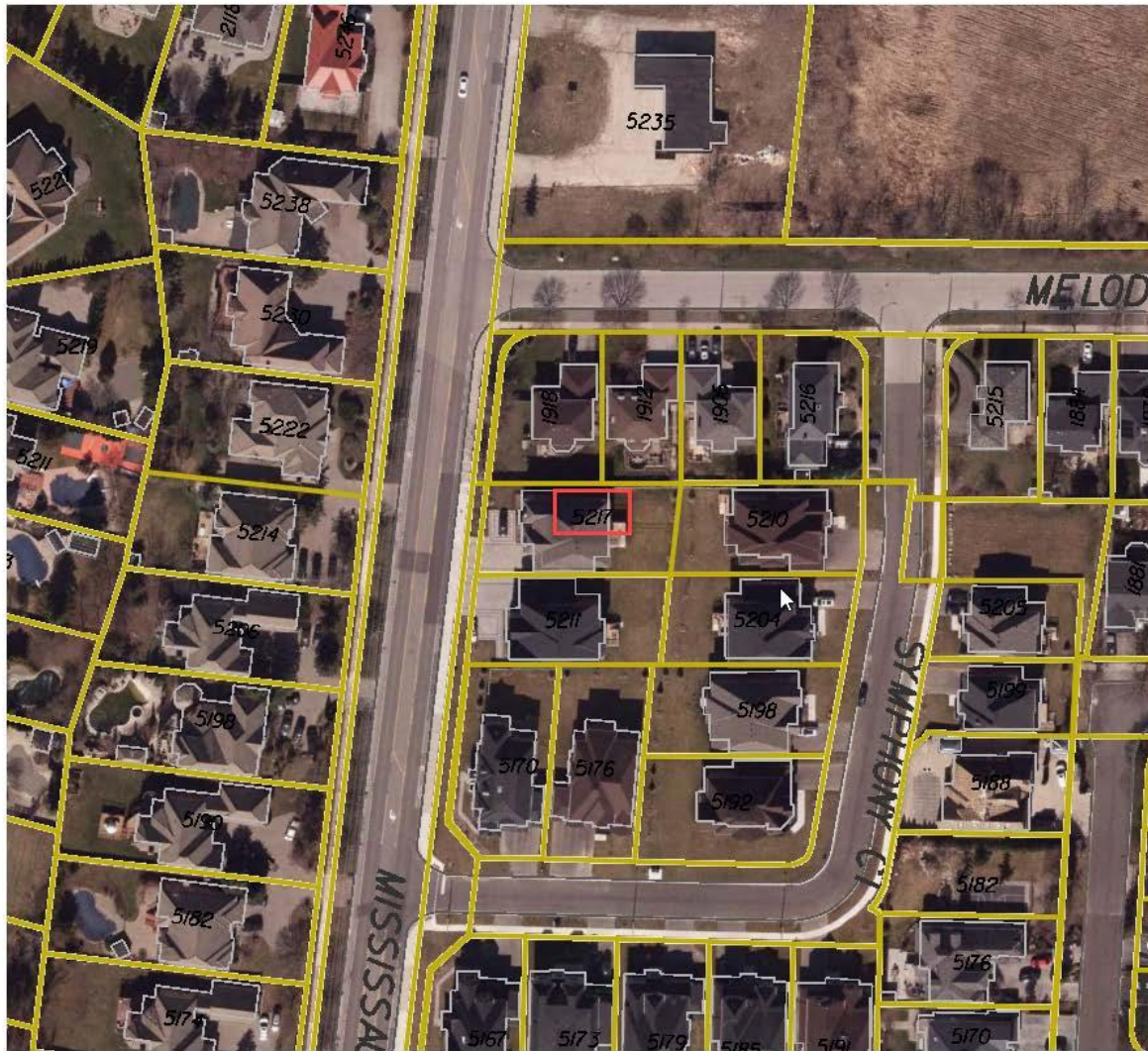
Zoning: R3 - Residential

Other Applications: PREAPP 21-6201

Site and Area Context

The subject property is located northeast of the Mississauga Road and Barbertown Road intersection in the Central Erin Mills Neighbourhood. The property contains a two storey detached dwelling with an existing garage and has a lot frontage of +/- 19.94m. There is minimal vegetation on the subject property, which is consistent with the more recently constructed properties on the east side of Mississauga Road. Older surrounding properties do contain more mature vegetation in both the front and rear yards.

The applicant is proposing to legalize the existing driveway and hardscaping in the front yard requiring variances for driveway width, walkway attachment, side yard, and soft landscaped area.



Comments

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Variance 2 requests an increased walkway attachment. The intent of the walkway attachment provision is to help define the entryway and permit the safe movement of pedestrians while prohibiting vehicle movements. The requested walkway attachment is significant enough to not only allow pedestrian movements, but also vehicular movements and parking for multiple vehicles. Imagery of the property appears to show the described walkway being used for parking and could additionally function as a hammerhead.

Variance 3 requests a 0 metre setback from the driveway to the property line. The intent of this provision is to provide a visual buffer between driveways and properties and allow for appropriate drainage. The proposed reduction creates a significant expanse of hardscaping that provides no visual buffer between properties and may create concerns around drainage.

Variance 4 proposes a reduced soft landscaped area in the front yard. The intent of this provision is to ensure that hardscaping does not dominate the lot frontage and that the character of the area is maintained. In this instance the hardscaping represents well over the majority of the front yard which is detrimental to the existing streetscape and is out of character with the surrounding area. While staff note that wide shared driveways are present across Mississauga Road, the driveways on the west side of the street are appropriately screened by landscaping and reduce to a smaller width at the street line, creating a form of courtyard for the properties.

Given the above Staff are of the opinion that the variances do 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?

It is the opinion of Staff that the variances, both individually and cumulatively, create significant impacts on the streetscape that cannot be considered minor in nature. The proposal represents an overdevelopment of hardscaping in the front yard and therefore does not represent appropriate development of the subject lands.

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.

With regards to Variance #3, we do not see the rationale in approving the requested 0.0m side yard setback. When reviewing requests for an increased hard surface area where a grassy permeable surface should be provided, we are concerned with the additional hard surface treatment as it essentially increases the flow of water into the municipal storm sewer system. Lots are designed to typically retain some rain water through infiltration of water into permeable surfaces such as grass. The bylaw requirement of 0.60m (1.97 ft.) setback to the driveway maintains a permeable grassed swale that will allow for some infiltration of water as it runs towards the street.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing preliminary zoning review application PREAPP 21-6201. Based on the review of the information currently available for the above referenced 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 2021/04/15 for the above captioned application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the preliminary zoning review process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the preliminary zoning review process in order to receive updated comments.

Comments Prepared by: Brian Bonner - Supervisor, Zoning



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A335.21
Ward: 8

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 3627 Stonecutter Crescent, zoned R6 - 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 basement entrance proposing a setback measured from concrete stairs to the property line of 0.31m (approx. 1.02ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured from concrete stairs to the property line of 0.61m (approx. 2.00ft) in this instance.

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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 Department Comments

Date Finalized: 2021-09-08	File(s): A335.21
To: Committee of Adjustment	Ward: 8
From: Committee of Adjustment Coordinator	Meeting date:2021-09-16 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 basement entrance proposing a setback measured from concrete stairs to the property line of 0.31m (approx. 1.02ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured from concrete stairs to the property line of 0.61m (approx. 2.00ft) in this instance.

Amendments

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

1. A setback measured from concrete stairs to the property line of 0.31m (approx. 1.02ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured from concrete stairs to the property line of 1.2m (approx. 3.94ft) in this instance.
2. A setback measured from a covered porch in the interior side yard to the property line of 0.31m (approx.1.02ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard to the property line of 1.2m (approx. 3.94ft) measured from a covered porch in this instance.

Recommended Conditions and Terms

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

Background

Property Address: 3627 Stonecutter Crescent

Mississauga Official Plan

Character Area: Churchill Meadows Neighbourhood

Designation: Residential Low Density II

Zoning By-law 0225-2007

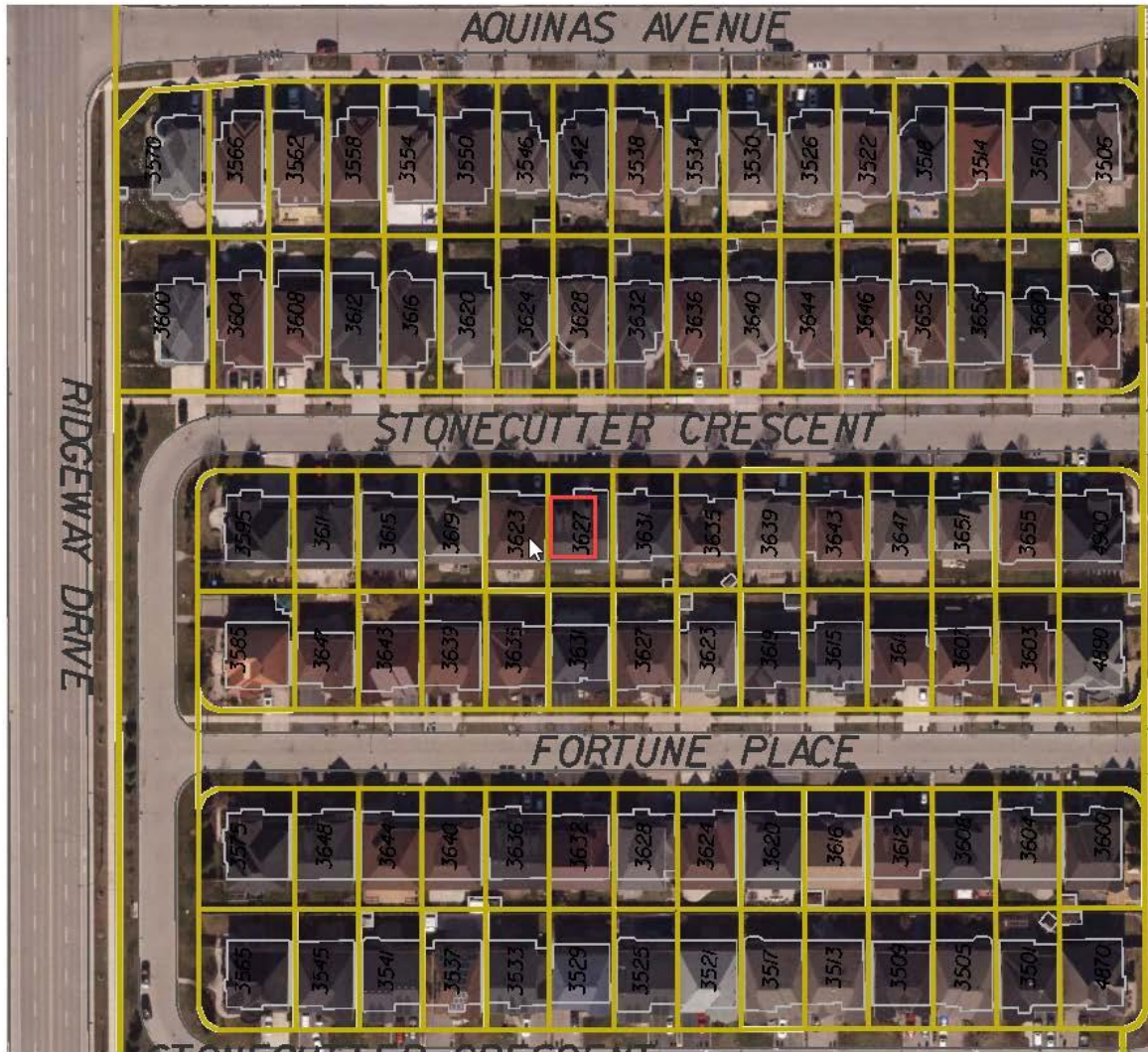
Zoning: R6 - Residential

Other Applications: Building Permit BPA - 75251

Site and Area Context

The subject property is located within the Churchill Meadows Neighbourhood Character Area, southeast of Eglinton Avenue West and Ridgeway Drive. The neighbourhood is entirely residential, consisting of one and two storey detached dwellings with vegetation in both the front and rear yards. The subject property contains an existing two storey dwelling with vegetation in the front yard.

The application proposes a new two storey dwelling requiring variances related to side yards and setbacks.



Comments

Planning

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

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

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

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached, duplex, triplex and other forms of low rise dwellings with individual frontages. 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 applicant is proposing a setback measured from the concrete stairs to the property line of 0.31m (1.02 ft.), when a minimum setback of 1.2m (3.94 ft.) is required and a setback from a covered porch in the interior side yard to the property line of 0.31m (1.02 ft.), where 1.2m (3.94 ft.) is required. The general intent of these portions of the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties and that access to the rear yard ultimately remains unencumbered.

Transportation and Works staff have identified drainage and access issues regarding the “back to front” drainage pattern and the walkway and stairwell construction. Planning Staff echo’s these concerns. Regarding access to the rear yard, the proposed variance would require the applicant to trespass onto the neighboring property to the east in order to access the rear yard. Furthermore, the west side of this dwelling was constructed to a 0.61m (2 ft.) side yard which also impedes access to the rear yard.

Staff is of the opinion that the general intent and purpose of the zoning by-law is not maintained.

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

The variances, as amended, create significant side yard reductions that impact rear yard access. The applicant would need to trespass into the neighbouring property’s side yard (east) in order to access their rear yard and the westerly side yard cannot be used to access the rear yard for maintenance purposes. Furthermore, the proposed stairwell and walkway would negatively impact the drainage of the property by directing storm flows onto other properties. This is an undesirable development of the land, and one whose effects are not minor in nature.

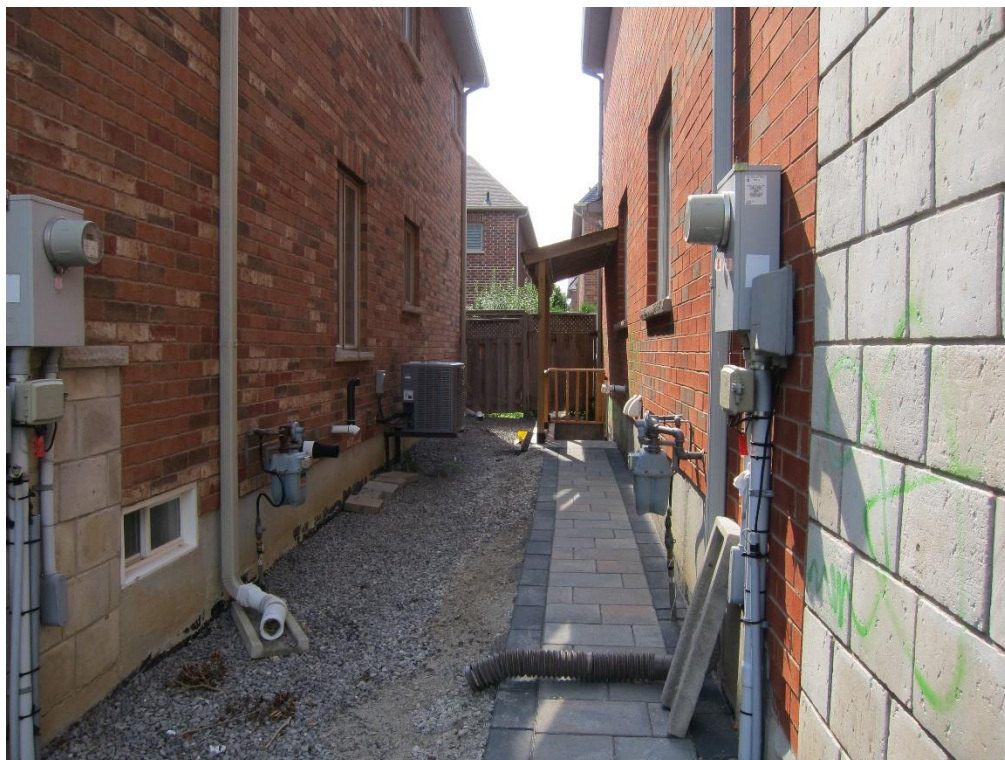
Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

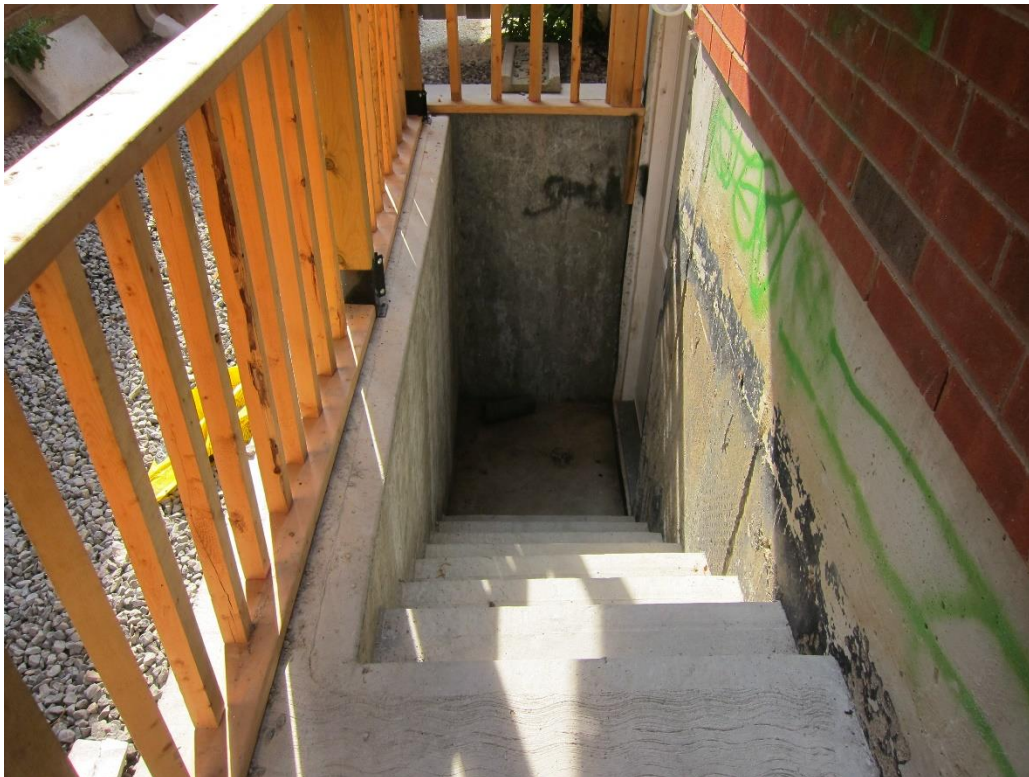
Appendices

Appendix 1 – Transportation and Works Comments

This Department has concerns with the proposed basement entrance. Enclosed for Committee's information are some photos which depict the existing below grade stairwell and wooden frame roof cover. We note that the Grading Plan approved for this property (Plan C-39990 attached for reference) depicts a 'back to front' drainage pattern for both this lot and the neighboring lot to the east, meaning that the drainage from the rear yard for both lots is designed to flow through this side yard. In addition to the stairwell construction, a walkway has also been constructed from the front of the dwelling leading to the basement entrance. The construction of both these items does not allow for a proper drainage swale along the property limit. This results in the full rear and side yard drainage from both properties to be directed onto the abutting property which may be a concern for the neighbor. Additionally, the roof cover would need to be equipped with an eaves trough and down spout which would concentrate the drainage onto the neighboring property.

We also question access to the rear yard. In its current state, the applicant would need to trespass onto the neighboring lands in order to access his rear yard. Further, the opposite side of this dwelling was constructed to a 0.61m side yard and cannot be used to access the rear yard with a lawnmower or any large maintenance items.





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 minimum interior side yard setback for a below grade stairwell in the interior side yard is 1.2 m. In addition, Zoning considers the roof over the below grade stairwell to be a porch and the minimum interior side yard setback to a porch in the interior side yard is 1.2 m. Lastly, A335.21.Dwgs.LATE indicate a proposed Second Unit. At the moment, there is no Building Permit for a Second Unit.

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: A362.21
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 2138 Truscott Drive, zoned R3 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing:

1. A setback measured from a lot line to a garage of 0.81m (approx. 2.66ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured from a lot line to a garage of 1.20m (approx. 3.93ft) in this instance; and
2. A side yard of 0.86m (approx. 2.82ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (approx. 3.93ft) in this instance.

The Committee has set **Thursday September 16, 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:

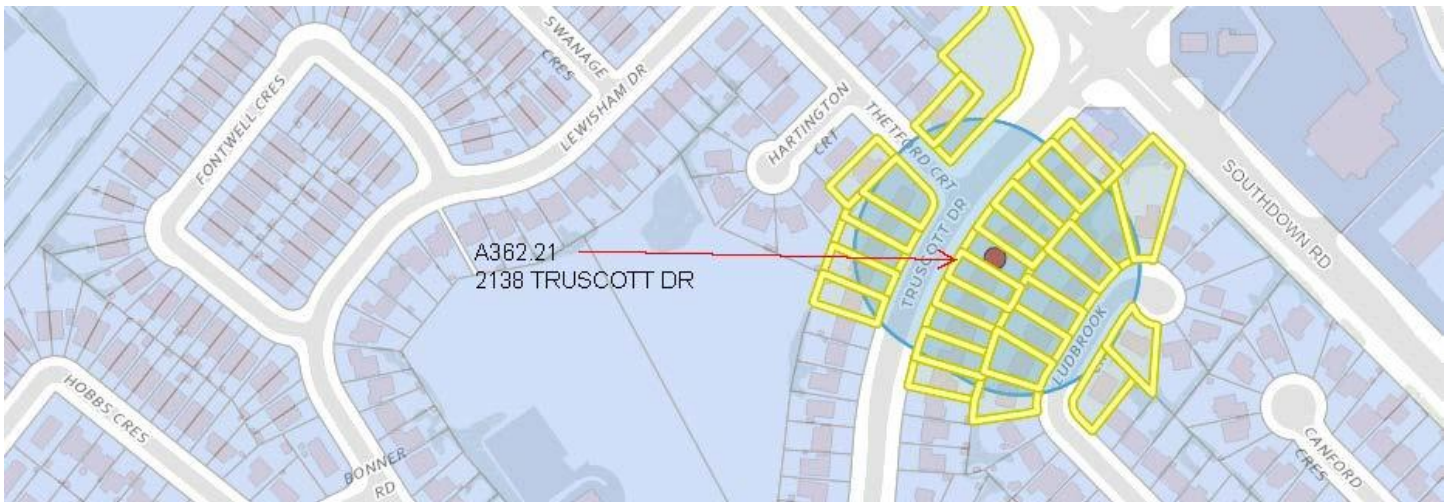
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm on the Friday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud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

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City of Mississauga Department Comments

Date Finalized: 2021-09-08	File(s): A362.21
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2021-09-16 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. 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 setback measured from a lot line to a garage of 0.81m (approx. 2.66ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured from a lot line to a garage of 1.20m (approx. 3.93ft) in this instance; and
2. A side yard of 0.86m (approx. 2.82ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (approx. 3.93ft) in this instance.

Background

Property Address: 2138 Truscott Drive

Mississauga Official Plan

Character Area: Clarkson – Lorne Park Neighbourhood

Designation: Residential Low Density II

Zoning By-law 0225-2007

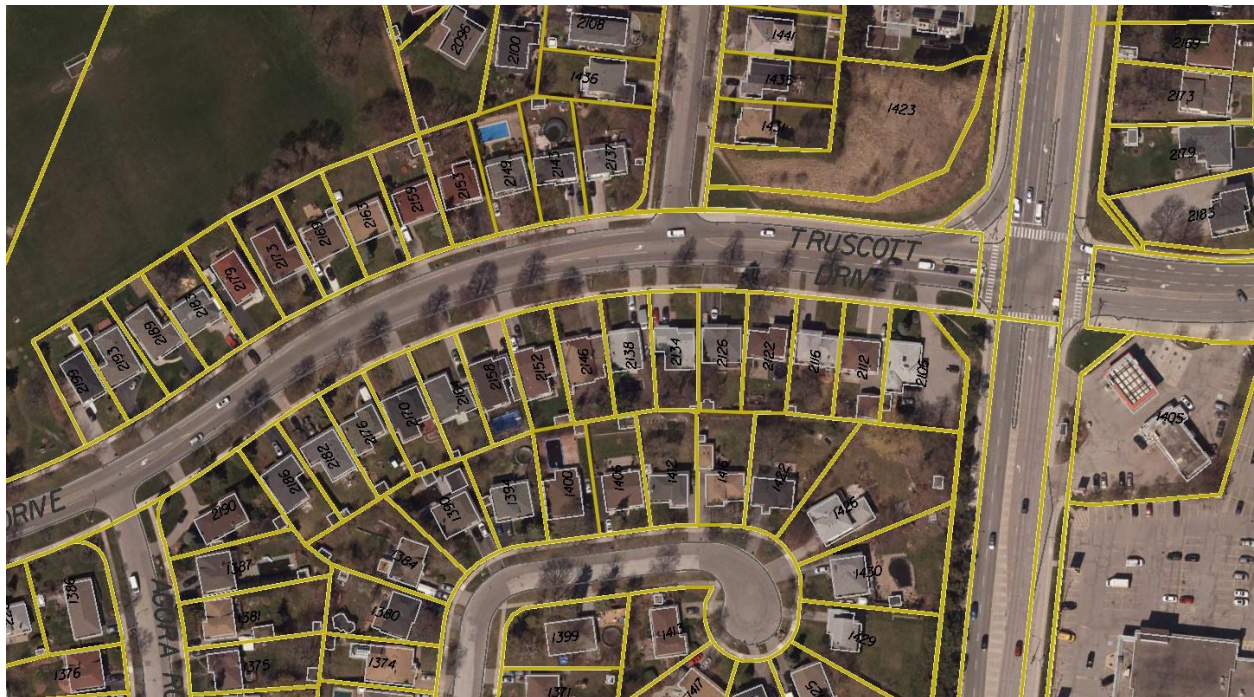
Zoning: R3 - Residential

Other Applications: Pre-Application Zoning Review 21-6974

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, northeast of Southdown Road and Truscott Drive. The immediate neighbourhood is residential, consisting of older one and two storey detached dwellings with mature vegetation in both the front and rear yards. The subject property contains an existing one and half storey dwelling with mature vegetation in the front and side yards.

The application proposes a new addition requiring variances related to side yards.



Comments

Planning

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

Staff comments concerning the application are as follows:

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached dwellings, semi-detached dwellings, duplexes, triplexes, street townhouses and other forms of low-rise dwellings with individual frontages.

The applicant is seeking a setback measured from a lot line to a garage of 0.81m (2.66 ft.), where a minimum setback measured from a lot line to a garage of 1.20m (3.94 ft.) is required, and a side yard of 0.86m (2.82 ft.) where a minimum side yard of 1.20m (3.94 ft.) is required.

The general intent of the side yard requirements are to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties, and that access to the rear yard ultimately remains unencumbered. The dwelling's height is in keeping with the zoning by-law requirement and only small portions of the dwelling (at pinch points) require a setback and side yard variance. From a street view, the setback and side yard proposed on the east side of the property maintains the 1.2m requirement (3.94 ft.). The setback and side yard then taper at certain points, that is why variances are required. Furthermore, the addition does not change the existing dwelling's height. This ensures any potential impact is mitigated. Staff note that similar setbacks can be found in the area, and that an interior side yard of approximately 1.5m is provided on the west side of the property, which is greater than the zoning by-law requirement.

It is Staff's opinion that the proposed side yards/setbacks are sympathetic to the surrounding area and will have a negligible impact on the neighbouring properties. Through a detailed review of the application, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Preliminary Zoning Review application under file PREAPP 21-6974. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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

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

Comments Prepared by: Brandon Eidner, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A367.21
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 3983 Pondview Way, zoned R7-25 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an addition proposing a rear yard of 5.55m (approx. 18.21ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.60ft) in this instance.

The Committee has set **Thursday September 16, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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Advance registration is required to participate in the electronic hearing:

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

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City of Mississauga Department Comments

Date Finalized: 2021-09-08	File(s): A367.21 Ward 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-09-16 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 an addition proposing a rear yard of 5.55m (approx. 18.21ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.60ft) in this instance.

Background

Property Address: 3983 Pondview Way

Mississauga Official Plan

Character Area: Lisgar Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R7-25 - Residential

Other Applications: BP 9ALT 21-6361

Site and Area Context

The subject property is located south-east of the Ninth Line and Osprey Boulevard intersection in the Lisgar Neighbourhood. The property contains a two storey detached dwelling with an attached two car garage. The surrounding context consists exclusively of detached dwellings with attached garages. The property contains no notable vegetation which is characteristic of the area.

The applicant is proposing a rear addition on the property requiring a variance for rear yard setback.



Comments

Planning

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

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

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 proposal represents a small addition to a permitted detached dwelling that would not impact the streetscape or character of the area. Staff are satisfied that the general intent and purpose of the Official Plan is maintained.

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

The intent of the rear yard provisions in the By-law is to ensure that there is a sufficient buffer between primary structures on abutting lots as well as to ensure an appropriate rear yard amenity area for the dwelling. The proposal represents a small addition that does not span the entirety of the width of the dwelling and replaces an existing deck on the subject property. Staff are satisfied that an appropriate buffer is maintained with the property to the rear and that the rear yard amenity area is relatively unaffected by the proposed development. The proposal therefore 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?

Staff are satisfied that any impacts of the proposed addition are minor in nature. Furthermore the proposal represents appropriate development for the subject property which respects massing concerns and the property's rear yard amenity area.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed 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 the existing grading and 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 under file BP 9ALT 21-6361. 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: A370.21
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 811 Sunningdale Bend, zoned R3-2 - 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 an addition proposing:

1. A lot coverage of 35.91% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
2. A front yard measured to the dwelling (existing) of 4.88m (approx. 16.01ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the dwelling of 6.00m (approx. 19.68ft) in this instance;
3. A front yard measured to the eaves (existing) of 3.95m (approx. 12.96ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the eaves of 5.55m (approx. 18.04ft) in this instance;
4. A front yard measured to a window well of 4.25m (approx. 13.94ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to a window well of 5.39m (approx. 17.68ft) in this instance;
5. An exterior side yard measured to a porch of 2.00m (approx. 6.56ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to a porch of 4.40m (approx. 14.44ft) in this instance;
6. A garage projection of 1.63m (approx. 5.35ft) whereas By-law 0225-2007, as amended, does not permit a garage projection in this instance;
7. A dwelling unit depth of 21.87m (approx. 71.75ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m (approx. 65.62ft) in this instance;
8. A driveway width of 8.46m (approx. 27.76ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.68ft) in this instance; and
9. Stairs, stairwells, or retaining walls to facilitate a below grade entrance in the front yard/exterior side yard whereas By-law 0225-2007, as amended, does not permit stairs, stairwells, or retaining walls to facilitate a below grade entrance in the front yard/exterior side yard in this instance.

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City of Mississauga Department Comments

Date Finalized: 2021-09-08	File(s): A370.21
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2021-09-16 12:00:00 AM

Consolidated Recommendation

The City recommends refusal of Variance #9 and approval of the remaining variances.

Application Details

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

1. A lot coverage of 35.91% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
2. A front yard measured to the dwelling (existing) of 4.88m (approx. 16.01ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the dwelling of 6.00m (approx. 19.68ft) in this instance;
3. A front yard measured to the eaves (existing) of 3.95m (approx. 12.96ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the eaves of 5.55m (approx. 18.04ft) in this instance;
4. A front yard measured to a window well of 4.25m (approx. 13.94ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to a window well of 5.39m (approx. 17.68ft) in this instance;
5. An exterior side yard measured to a porch of 2.00m (approx. 6.56ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to a porch of 4.40m (approx. 14.44ft) in this instance;
6. A garage projection of 1.63m (approx. 5.35ft) whereas By-law 0225-2007, as amended, does not permit a garage projection in this instance;
7. A dwelling unit depth of 21.87m (approx. 71.75ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m (approx. 65.62ft) in this instance;
8. A driveway width of 8.46m (approx. 27.76ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.68ft) in this instance; and
9. Stairs, stairwells, or retaining walls to facilitate a below grade entrance in the front yard/exterior side yard whereas By-law 0225-2007, as amended, does not permit stairs, stairwells, or retaining walls to facilitate a below grade entrance in the front yard/exterior side yard in this instance.

Amendments

"[Enter amendments to variances]"

Recommended Conditions and Terms

"[Enter terms and conditions here]"

Background

Property Address: 811 Sunningdale Bend

Mississauga Official Plan

Character Area: Clarkson – Lorne Park Neighbourhood

Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3-2 - Residential

Other Applications: Site Plan Application SPM 21-54-W2

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southeast of Lakeshore Road West and Clarkson Road South. The immediate area consists of a mix of one and two storey dwellings with mature vegetation in the front yards. The subject property contains an existing one storey dwelling with mature vegetation in the front yard.

The applicant is proposing construction of an addition requiring variances related to lot coverage; front and exterior side yards; a garage projection; a dwelling unit depth; a driveway width and stairs, stairwells, or retaining walls to facilitate a below grade entrance in the front yard/exterior side yard.



The proposed below grade entrance, retaining wall and stairwell are not screened behind a fence or landscaping. Furthermore, a detached dwelling, even with a secondary entrance, should continue to be presented as a detached dwelling from the streetscape. By adding a secondary unit entrance to the front or exterior side of a dwelling that is clearly visible from the street can impact that perception. Staff was unable to visually locate any detached dwellings in the immediate area that would require this variance, and therefore believes the construction of the below grade entrance, retaining wall and stairwell would be out of character with the immediate area as these elements are not properly screened. Planning staff has no concerns

with the remaining variances. Through a detailed review of the application, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the remaining variances raise no concerns of a planning nature. As such, staff recommends refusal of Variance #9 and approval of the remaining variances.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed addition are being addressed through the Site Plan Application process, File SPM-21/054.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a SPM application under file SPM-21-54. Based on latest review of the information currently available in this permit application on June 16th, we advise that the variances should be amended as follows:

1. A lot coverage of 37.10% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;

7. A dwelling unit depth of 22.38m (approx. 73.42ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m (approx. 65.62ft) in this instance;

In addition, two more variance comments should be added as follow;

- 10 An exterior side yard measured to the eaves of 5.46m (approx. 17.91ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to the eaves of 5.55m (approx. 18.20ft) in this instance;

11. A rear side yard measured to the eaves of 2.40m (approx. 7.87ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to the eaves of 2.55m (approx. 8.36ft) in this instance;

Note; More information is required to determine whether additional variances maybe 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: Sherri Takaloo – Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

"[Enter Community Services staff comments]"

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

Appendix 4 – Heritage

"[Enter Community Services staff comments]"

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



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A371.21
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 30 & 70 World Drive, zoned O3-1 - Office, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a new restaurant proposing:

1. A new restaurant use whereas By-law 0225-2007, as amended, does not permit a new restaurant use in this instance; and
2. 64 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 118 parking spaces.

The Committee has set **Thursday September 16, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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How to submit a written comment:

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City of Mississauga Department Comments

Date Finalized: 2021-09-08	File(s): A371.21 Ward 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-09-16 1:00:00 PM

Consolidated Recommendation

The City has no objections to variance number 2, however recommends that variance number 1 be refused.

Application Details

The applicant requests the Committee to approve a minor variance to allow a new restaurant proposing:

1. A new restaurant use whereas By-law 0225-2007, as amended, does not permit a new restaurant use in this instance; and
2. 64 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 118 parking spaces.

Amendments

"[Enter amendments to variances]"

Recommended Conditions and Terms

"[Enter terms and conditions here]"

Background

Property Address: 30 World Drive

Mississauga Official Plan

Character Area: Office

Designation: Gateway Corporate Centre

Zoning By-law 0225-2007

Zoning: O3-1 - Office

Other Applications: None

Site and Area Context

The subject property is located on the south-east corner of Hurontario Street and World Drive. The site has a lot area of +/- 6 261m² (67,395 sq.ft.) and contains two single storey commercial buildings with the associated parking lot. The surrounding area consists predominantly of industrial and office buildings of various heights. There is limited vegetation on the site, mostly along the Hurontario Street frontage.

The applicant is proposing a new restaurant in one of the units on the property requiring variances for the use and 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 Corporate Centre Character Area and is designated Office in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits offices and accessory uses. Policy 11.2.7.2 dictates that accessory uses will generally be limited to 20% of the total Gross Floor Area, and Policy 11.2.7.3 goes on to state that accessory uses should be clearly subordinate to the functioning of the permitted use. While a restaurant use could be considered accessory to an office use, staff note that the proposed restaurant would be the primary use of the unit and would represent significantly more than 20% of the Gross Floor Area of the structure as it exists today. Staff are of the opinion that the introduction of an additional restaurant use on the property would be contradictory to the Official Plan.

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

The subject property was recently rezoned from E1-1 to O3-1 by By-law 0121-2020. Staff note that the rezoning is currently under appeal. While the provisions of the E1-1 zone permitted restaurants as a primary use the O3-1 zoning only permits restaurants as an accessory use to a permitted office use, and can only account for a maximum of 20% of the Gross Floor Area. The proposed restaurant would not be accessory to a permitted use and would push the total restaurant Gross Floor Area on the site even further above the permitted 20%. The By-law does include a provision legalizing all uses legally existing on site on the date of the passing of the By-law, which the applicant has interpreted in their cover letter to suggest that restaurants would be permitted in any unit on the site as they are an existing use. Staff disagree with this interpretation and note that the unit proposed to be occupied by this application has remained vacant since the building was constructed. Staff are of the opinion that the City has undertaken a policy change that explicitly removes restaurants as a permitted use from the site, and therefore the introduction of an additional restaurant use does not maintain the general intent and purpose of the Zoning By-law.

Regarding variance 2 Staff note that the same variance was approved under file A266/18 and staff continue to have no objection to the parking rate on the property. Additionally CPS staff note as follows:

With respect to Committee of Adjustment application 'A' 371/21, 30 and 70 World Drive, the applicant is requesting to allow a restaurant proposing a total of 64 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 118 parking spaces in this instance. This is a parking deficiency of 54 spaces or 46%.

The applicant submitted a Cover Letter, prepared by Glen Schnarr & Associates Inc., dated July 16, 2021, in support of the submitted application. The Cover Letter, dated July 16, 2021, explains that the existing parking onsite is adequate to accommodate the parking demand with the proposed use and relies on the current and previous zoning to suggest that it is reasonable to support restaurant uses onsite. The Cover Letter explains the applicant's interpretation of the planning policies under MOPA 25 and the in-effect O3-1 zoning permissions.

The Cover Letter references previous minor variance applications 'A' 266/18 and 'A' 412/20 for the subject property. Under 'A' 266/18, the applicant submitted a Parking Utilization Study and

based on the results, staff supported the application. Committee of Adjustment approved the application subject to the following conditions:

- (1) Retail store shall be limited to the sales of nutritional supplements
- (2) The combined GFA of all restaurant uses (takeout, convenience and restaurant) shall be capped to 56% of the total combined GFA for both buildings

The applicant acknowledges that the proposed restaurant use through 'A' 371/21 exceeds the 56% cap (equates to approximately 581 m²) on restaurant GFA and is arguing that the application be considered from a technical perspective to allow the increased restaurant GFA to include this vacant unit.

Under 'A' 412/20, the applicant was seeking permission to allow a personal service establishment use however, the application was refused as the proposed land use did not align with the new MOPA 25 policies and site specific permissions.

Staff reviewed the current and previous minor variance applications and have concerns with the growing GFA of restaurant uses onsite. Staff deem it appropriate to maintain the previously approved condition to cap restaurant (takeout, convenience and restaurant) GFA to 56% to manage the parking demand onsite. Staff do not agree with the provided rationale that the application is a technicality to "expand the existing restaurant uses".

The application does not comply with the maximum allowable restaurant GFA onsite therefore; staff cannot support the requested parking variance.

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

Staff are of the opinion that variance 1 does not represent appropriate development of the subject lands. It is not minor in nature and is attempting to re-introduce a use that has been specifically removed from the By-law for the property. Staff note that variance 2 does not create the same concerns.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections, comments or requirements with respect to C.A. 'A' 371/21.

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: A373.21
Ward: 11

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 6826 Second Line West, zoned R2-10 - 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:

1. A lot coverage of 30% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25% in this instance;
2. A front yard landscape area of 29% whereas By-law 0225-2007, as amended, requires a minimum front yard landscape area of 40% in this instance; and
3. A driveway walkway attachment of 3.05m (approx. 10.01ft) whereas By-law 0225-2007, as amended, permits a maximum walkway attachment width of 1.50m (approx. 4.92ft) in this instance.

The Committee has set **Thursday September 16, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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City of Mississauga Department Comments

Date Finalized: 2021-09-08	File(s): A373.21 Ward 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-09-16 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

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

1. A lot coverage of 30% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25% in this instance;
2. A front yard landscape area of 29% whereas By-law 0225-2007, as amended, requires a minimum front yard landscape area of 40% in this instance; and
3. A driveway walkway attachment of 3.05m (approx. 10.01ft) whereas By-law 0225-2007, as amended, permits a maximum walkway attachment width of 1.50m (approx. 4.92ft) in this instance.

Background

Property Address: 6826 Second Line West

Mississauga Official Plan

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

Zoning By-law 0225-2007

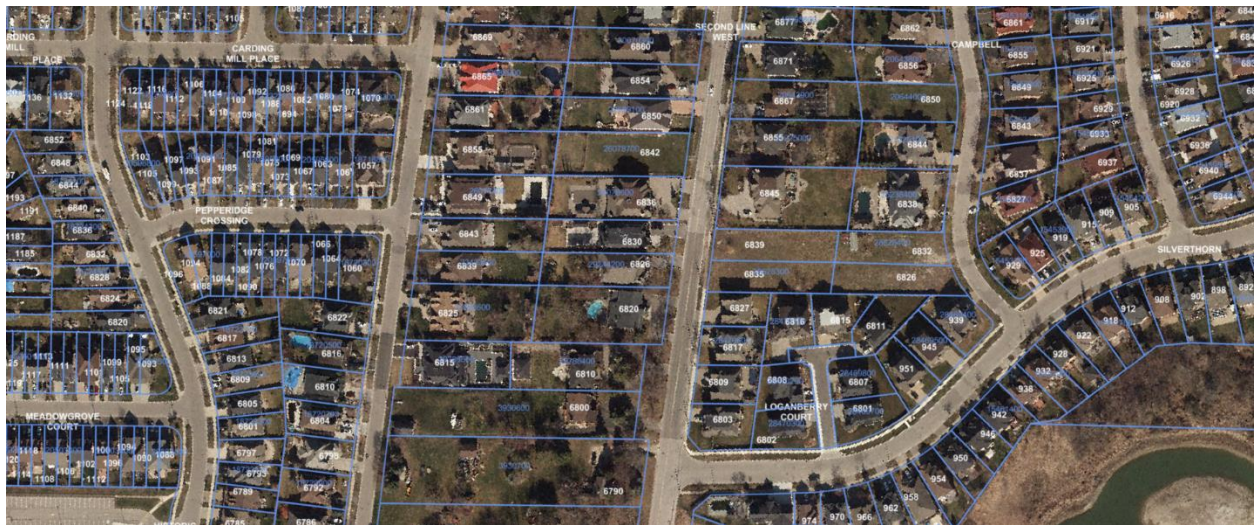
Zoning: R2-10 - Residential

Other Applications: PREAPP 21-6730, POOL 21-160

Site and Area Context

The subject property is located north-west of the Second Line West and Silverthorn Mill Avenue intersection in the Meadowvale Village Neighbourhood. It contains a detached dwelling and has a lot frontage of +/-18.03m (59.15ft) and a lot area of +/-1253.40m² (13,491.49ft²). This section of Second Line West contains lots that are both larger and smaller in size with varying frontages. There is limited vegetation on the property, which is characteristic of this area of Second Line West.

The applicant is proposing landscaping and accessory structures requiring variances for lot coverage, walkway attachment, and front yard soft landscaping.



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 Meadowvale Village Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached dwellings with lot frontages of at least 18 metres (59.06ft). 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 Planning Staff do not have any concerns regarding the massing created by variance 1, Transportation and Works staff have raised concerns regarding the drainage pattern on the property. Planning staff echo these concerns. Furthermore Planning staff have concerns regarding the amount of hardscaping proposed through variances 2 & 3, relating to both its impact on the existing streetscape and its failure to meet the intent of the Zoning By-law. Staff therefore recommend that the application be deferred in order to redesign the front yard hardscaping and address the drainage concerns raised by Transportation & Works.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's reference a number of photos depicting the subject property. With regards to Variance #2 & 3 pertaining to the driveway, the Planning and Building Department will be commenting on matters pertaining to the front landscape area and driveway walkway attachment as these items will be located within private property.

We note from our site inspection of the property, in particular the rear yard where the accessory structure (Variance #1 regarding coverage) is being proposed that the existing (previously approved) drainage pattern has been significantly impacted by the amount of hard surface area constructed/being proposed. A significant amount of interlocking pavers, a pool, structures and a sports court (basketball court/hockey rink) are in the process of being constructed. We note that there is no storm sewers available on Second Line West and question how all the additional drainage from the rear yard will be accommodated.

From our site inspection we also observed that the top height of the existing fence is relatively flat meaning that the property is relatively flat and in this regard difficult to determine where any drainage runoff will be directed.

In view of the above we would request that this application be deferred to allow for a review of our drainage related concerns. This review may necessitate a review of a Site Grading Plan prepared by a Certified Engineer being submitted for review/approval by the Transportation and Works Development Construction Section. We further note that the Site Grading Plan dated April 3, 2021 (Sheet SGI) is not an Engineer Certified Plan.







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 21-6730. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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

Comments Prepared by: Brandon Eidner, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A376.21
Ward: 9

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 2425 & 2475 Meadowpine Boulevard, zoned E2-24 - Employment, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a canopy extension proposing:

1. 241 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 254 parking spaces in this instance; and
2. A front yard measured to a canopy of 4.50m (approx. 14.76ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to a canopy of 7.50m (approx. 24.60ft) in this instance.

The Committee has set **Thursday September 16, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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City of Mississauga Department Comments

Date Finalized: 2021-09-01	File(s): A376.21 Ward 9
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-09-16 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 canopy extension proposing:

1. 241 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 254 parking spaces in this instance; and
2. A front yard measured to a canopy of 4.50m (approx. 14.76ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to a canopy of 7.50m (approx. 24.60ft) in this instance.

Background

Property Address: 2455 Meadowpine Boulevard

Mississauga Official Plan

Character Area: Meadowvale Business Park Corporate Centre
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2-24 - Employment

Other Applications: SP 21-40

Site and Area Context

The subject property is located south-west of the Meadowvale Boulevard and Meadowpine Boulevard intersection in the Meadowvale Business Park Corporate Centre. Currently the

property contains a two storey industrial building and associated parking. Vegetation on the property is located predominantly along the front and rear property lines. The rear of the property backs onto Highway 401. The surrounding area contains industrial and office buildings, as well as some vacant parcels.

The applicant is proposing to construct two new industrial buildings on the subject property requiring variances for parking and a front yard measured to a canopy.



Comments

Planning

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

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

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

The subject property is located in the Meadowvale Business Park Corporate Centre Character Area and is designated Business Employment in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits a variety of office, industrial, manufacturing and warehousing uses (among others). Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. Staff are satisfied that the proposal represents an appropriate built form for the area and for the uses permitted in the Official Plan.

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

Variance 1 requests a reduction in parking. The intent of the parking regulations in the By-law are to ensure that each property is self-sufficient in meeting its parking demand based on the uses present. CPS staff have reviewed the request and have commented as follows:

Variance 2 requests a reduced front yard to a canopy. The intent of front yard regulations in the By-law is to ensure an appropriate setback from the street to buildings to allow for landscaping and the public realm. The proposed canopy represents a very small portion of the frontage of the property and would still allow for appropriate landscaping.

With respect to Committee of Adjustment application 'A' 376/21, 2425 and 2475 Meadowpine Boulevard, the applicant is requesting to allow construction of a canopy extension proposing a total of 241 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 254 parking spaces in this instance. This is a parking deficiency of 13 spaces or 5%.

The applicant submitted a Cover Letter, prepared by MSH Land Use Planning Consultants, dated July 9, 2021, and a Traffic Impact Brief, prepared by GHD, dated June 18, 2021, in support of the submitted application. The Cover Letter, dated July 9, 2021, explains that the proposed development will consist of two warehouse buildings and a proposed canopy will extend into the front yard of the property to create a stronger pedestrian oriented entrance and protect pedestrians from the elements. Given that the parking deficiency is less than 10%, the submitted Traffic Impact Brief and Cover Letter is satisfactory.

Based on the submitted information, staff can support the requested parking variance.

Staff are satisfied that the proposed 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?

Based on the above staff are satisfied that the application is minor in nature. Furthermore the proposed development represents appropriate development of the subject property in accordance with the Official Plan and goals for the Corporate Centre.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections, comments or requirements with respect to C.A. 'A' 376/21.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan application under file SP 21-40 W9. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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

Comments Prepared by: Brandon Eidner, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A377.21
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 1345 Madigan's Lane, zoned R2-4 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an accessory structure proposing a setback measured to a side lot line of 0.60m (approx. 1.96ft) whereas By-law 0225-2007, as amended, requires a minimum setback of an accessory structure measured to a side lot line of 1.20m (approx. 3.93ft) in this instance.

The Committee has set **Thursday September 16, 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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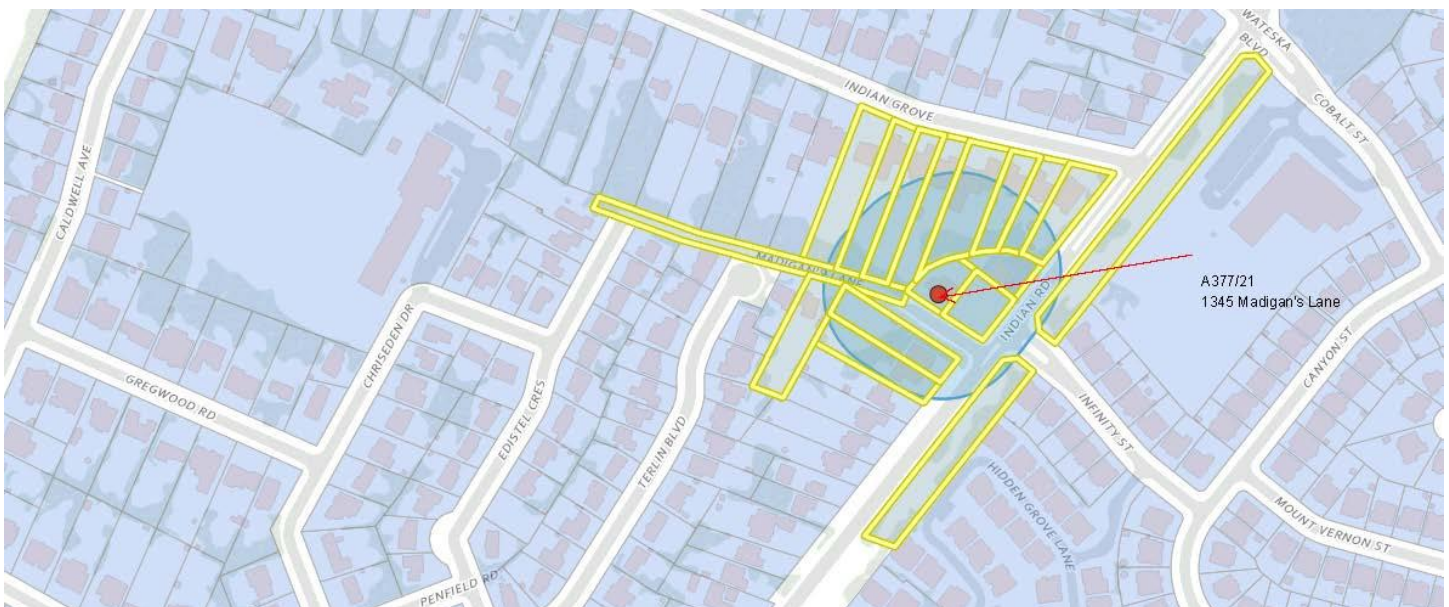
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City of Mississauga Department Comments

Date Finalized: 2021-09-08	File(s): A377.21
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2021-09-16 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow an accessory structure proposing a setback measured to a side lot line of 0.60m (approx. 1.96ft) whereas By-law 0225-2007, as amended, requires a minimum setback of an accessory structure measured to a side lot line of 1.20m (approx. 3.93ft) in this instance.

Amendments

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

1. A setback of an accessory structure measured to a side lot line of 0.56m (approx. 1.83ft) whereas By-law 0225-2007, as amended, requires a minimum setback of an accessory structure measured to a side lot line of 1.20m (approx. 3.93ft) in this instance.

Background

Property Address: 1345 Madigan's Lane

Mississauga Official Plan

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

Zoning By-law 0225-2007**Zoning: R2-4 - Residential****Planning Applications:** None**Site and Area Context**

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, northwest of Mississauga Road and Indian Road. The surrounding neighbourhood consists of commercial, institutional and residential uses. The residential housing consists of older and newer two storey dwellings on large lots with significant mature vegetation in both the front and rear yards. The subject property contains an existing two storey dwelling with young vegetation in both the front and rear yards.

The application proposes an addition requiring a variance related to setback of an accessory structure.

**Comments****Planning**

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

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

The site is located within the Clarkson-Lorne Park Character Area, and is designated Residential Low Density I by the Mississauga Official Plan (MOP). The proposed structure is permitted within this designation. Staff is of the opinion that the intent and purpose of the Official Plan is maintained.

The applicant has requested a reduced setback of an accessory structure measured to a side lot line of 0.56m (1.84 ft.) when a minimum of 1.2m (3.94 ft.) is required. The general intent of this portion of the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties, and that access to the rear yard ultimately remains unencumbered. Staff is of the opinion that the proposed setback provides an adequate buffer from the lot line. Furthermore, Staff believes the proposal would not cause any significant impacts to the adjacent property to the north, as the property to the north is a deep lot and the accessory structure on the subject property would be facing the neighbouring property's rear yard. The applicant is also not seeking any additional variances for accessory structure height or size. Lastly, access to the rear yard would remain unencumbered, as the interior setback on the south side of the property is 2.4m (7.87 ft.). Staff is of the opinion that the intent and purpose of the zoning by-law is maintained.

The proposed side yard setbacks provide an adequate buffer to structures on adjoining properties and ensure access to the rear yard is unencumbered. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed are pictures of the existing shed. The pictures show that the shed has been constructed over top of an existing swale that is required to drain the rear yard of the property. The shed has been constructed in such a manner to not impede the drainage within the swale. We advise that our Development Construction Section has been on site previously and have no objections to the location of the shed.







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: A378.21
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 1169 Barnswallow Court, zoned R5 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing:

1. A driveway width of 8.29m (approx. 27.20ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.68ft) in this instance;
2. A front yard soft landscaped area of 14.70% whereas By-law 0225-2007, as amended, requires a minimum front yard soft landscaped area of 40.00% in this instance;
3. A setback measured from a shed to a lot line of 0.32m (approx. 1.05ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured from a shed to a lot line of 0.61m (approx. 2.00ft) in this instance;
4. A setback measured from a garbage enclosure to a lot line of 0m whereas By-law 0225-2007, as amended, requires a minimum setback measured from a garbage enclosure to a lot line of 0.61m (approx. 2.00ft) in this instance;
5. A rear yard measured to an eave overhang of 3.72m (approx. 12.20ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to an eave overhang of 7.50m (approx. 24.60ft) in this instance; and
6. A rear yard measured to a rear addition of 4.50m (approx. 14.76ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measure to a rear addition of 7.50m (approx. 24.60ft) in this instance.

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City of Mississauga Department Comments

Date Finalized: 2021-09-08	File(s): A378.21 Ward 6
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-09-16 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred to allow the applicant to redesign the proposal.

Application Details

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

1. A driveway width of 8.29m (approx. 27.20ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.68ft) in this instance;
2. A front yard soft landscaped area of 14.70% whereas By-law 0225-2007, as amended, requires a minimum front yard soft landscaped area of 40.00% in this instance;
3. A setback measured from a shed to a lot line of 0.32m (approx. 1.05ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured from a shed to a lot line of 0.61m (approx. 2.00ft) in this instance;
4. A setback measured from a garbage enclosure to a lot line of 0m whereas By-law 0225-2007, as amended, requires a minimum setback measured from a garbage enclosure to a lot line of 0.61m (approx. 2.00ft) in this instance;
5. A rear yard measured to an eave overhang of 3.72m (approx. 12.20ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to an eave overhang of 7.50m (approx. 24.60ft) in this instance; and
6. A rear yard measured to a rear addition of 4.50m (approx. 14.76ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measure to a rear addition of 7.50m (approx. 24.60ft) in this instance.

Background

Property Address: 1169 Barnswallow Court

Mississauga Official Plan

Character Area: East Credit Neighbourhood

Designation: Residential Low Density II

Zoning By-law 0225-2007

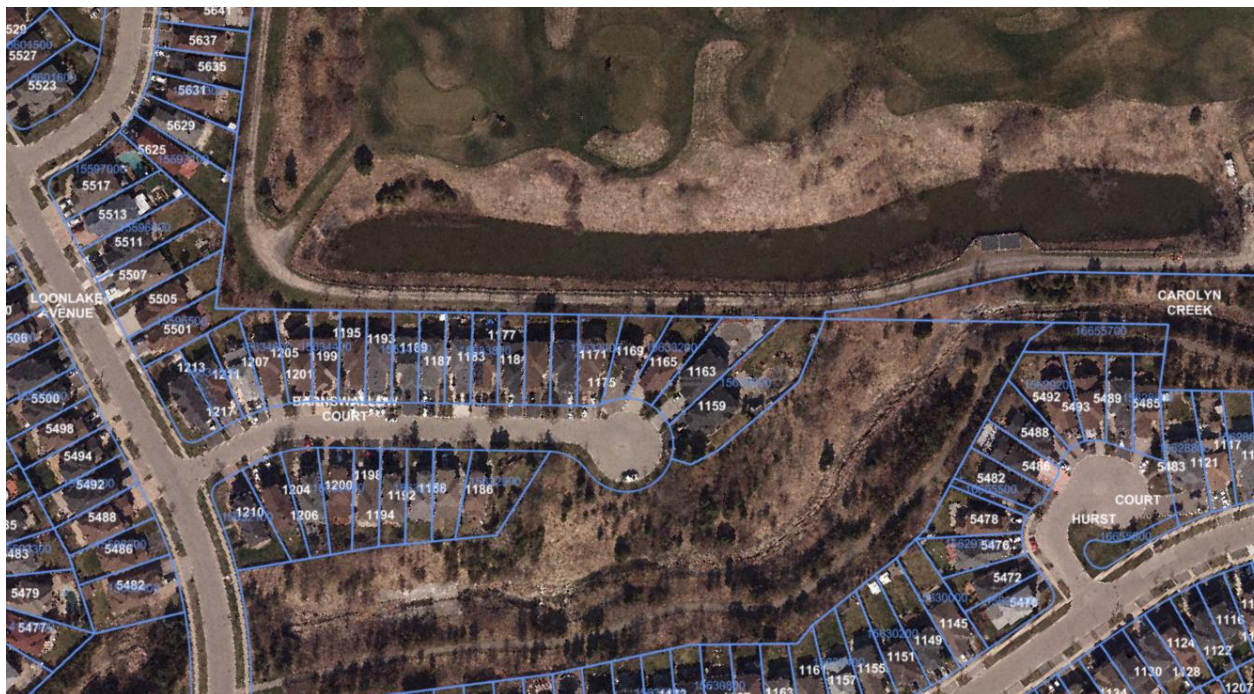
Zoning: R5 - Residential

Other Applications: PREAPP 21-6250

Site and Area Context

The subject property is located north-east of the Bristol Road West and Loonlake Avenue intersection in the East Credit Neighbourhood. It contains a two storey detached dwelling with an attached single car garage and backs onto Braeburn Golf Course. The lot has a lot frontage of +/-9.26m (30.38 ft.) and an area of +/-404.65m² (4,355.76 sq.ft.). There is very little vegetation on the subject property, in contrast to surrounding lots with mature vegetation in the front yard.

The applicant is proposing to construct an addition and legalize the existing driveway and accessory structures requiring variances for driveway width, soft landscaping, and setbacks.



Comments

Planning

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

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

The subject property is located in the East Credit 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 street frontages. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. Staff have concerns with several of the variances regarding their impacts on abutting properties as well as the streetscape. Information has also been requested from the applicant, however it remains outstanding at this time. Staff are therefore unable to complete a full review of the application to determine if the request meets the four tests of a minor variance at this time.

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 one storey addition at the rear will be addressed through the Building Permit Process.

With regards 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.

For variances #3 and 4 we are uncertain if there are any drainage related concerns for the abutting property. From our site inspection it appears that this property contains a split drainage pattern where the high point is approximately in the middle of the dwelling and drainage from this point should be directed to the front and rear yards. There is a walkway which does accommodate some of the drainage from the area and directs it to the front, however we are unsure if any drainage from the roof of the structures is impacting onto the abutting property.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department has processed a Preliminary Zoning Review application under file PREAPP 21-6250. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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

Comments Prepared by: Brandon Eidner, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A9.21
Ward: 9

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 3038 Cantelon Crescent, zoned RM1-5 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicants request the Committee to approve a minor variance to allow a 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 0.61m (approx. 2.00ft) in this instance.

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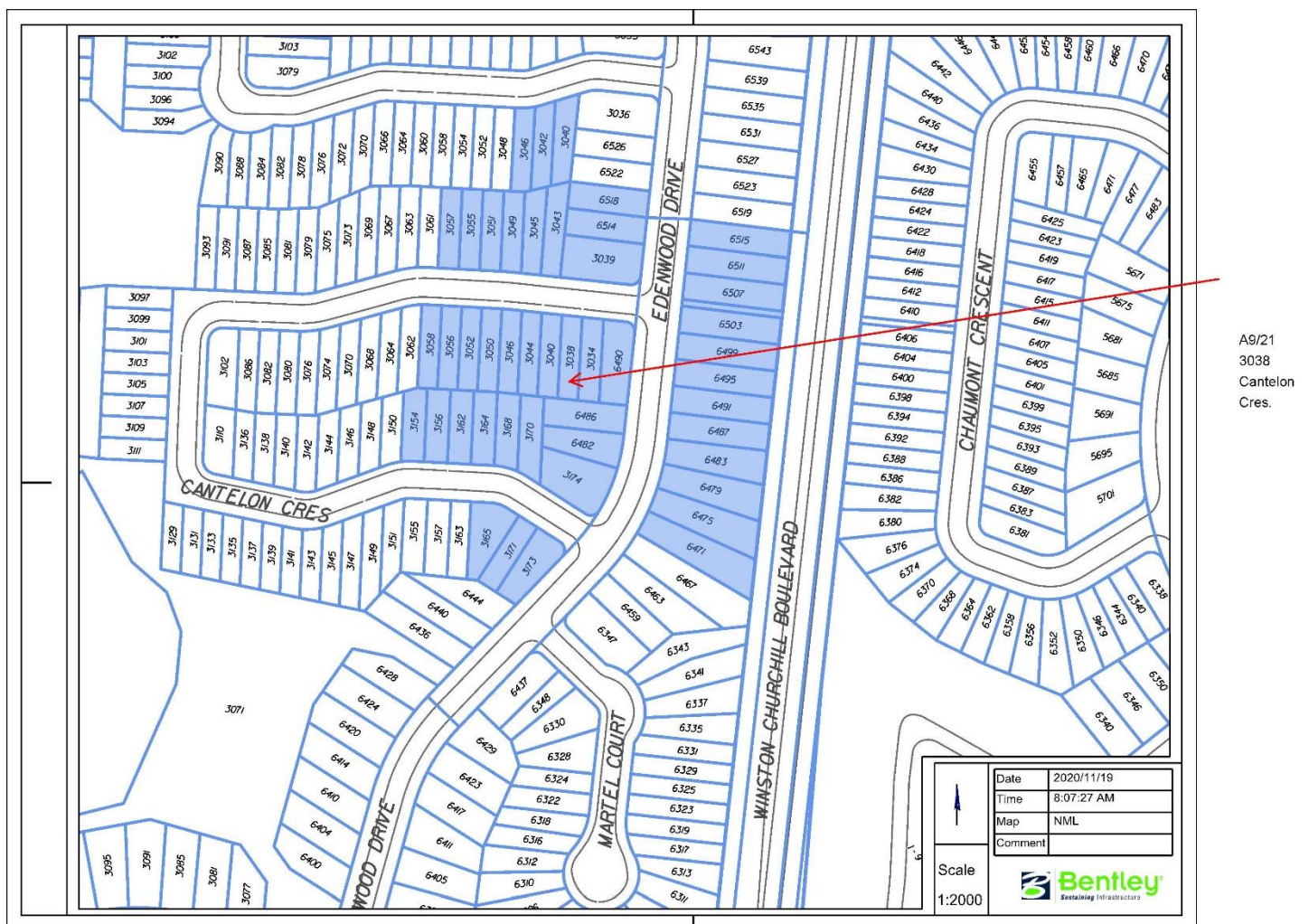
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City of Mississauga Department Comments

Date Finalized: 2021-09-08	File(s): A9.21 Ward 9
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-09-16 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 applicants request the Committee to approve a minor variance to allow 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 0.61m (approx. 2.00ft) in this instance.

Background

Property Address: 3038 Cantelon Crescent

Mississauga Official Plan

Character Area: Meadowvale Neighbourhood

Designation: Residential Low Density II

Zoning By-law 0225-2007

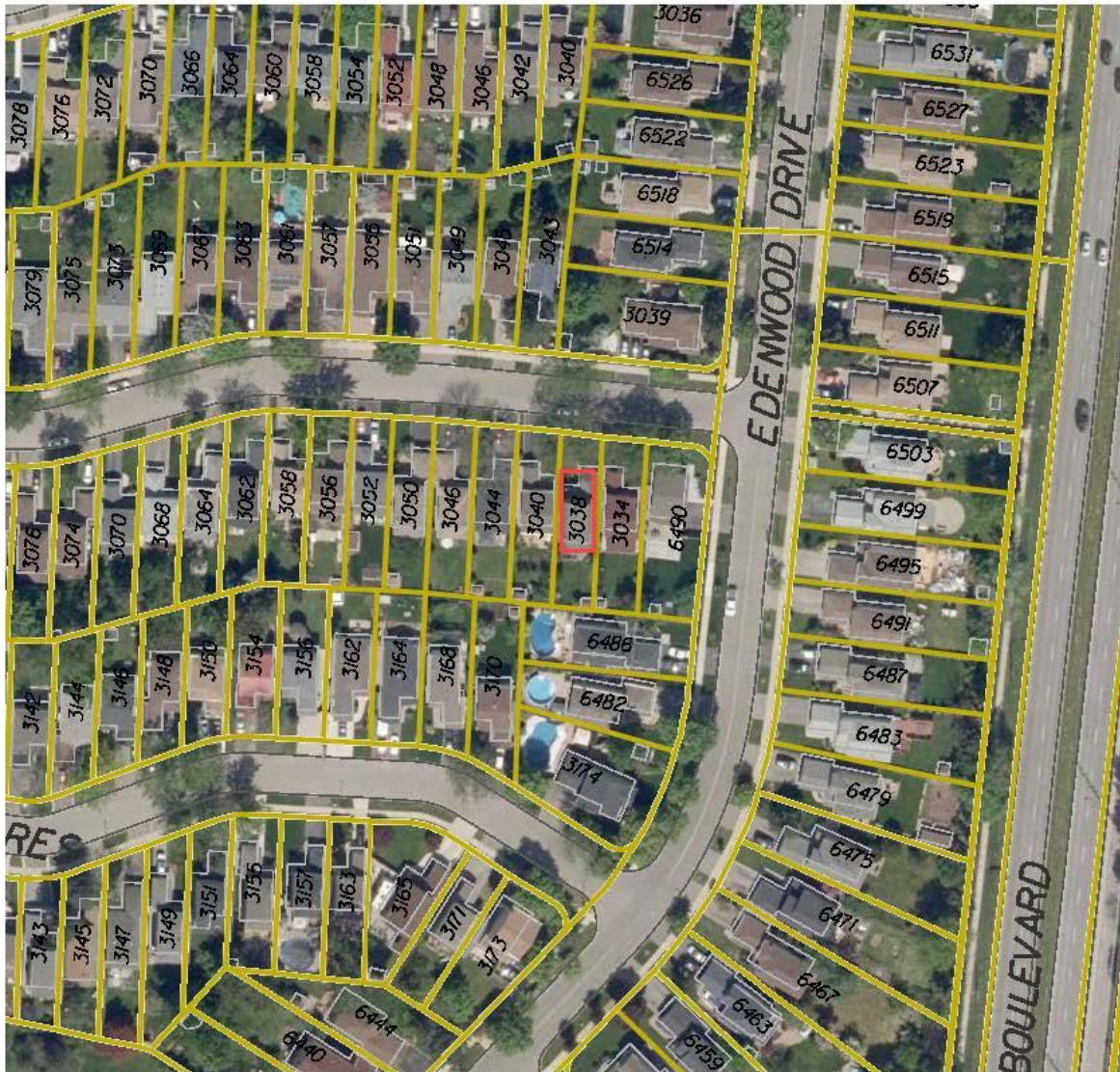
Zoning: RM1-5 - Residential

Site and Area Context

The subject property is situated south-west of the Winston Churchill Boulevard and Trelawny Circle intersection, and currently houses a two-storey, detached dwelling with an attached single-car garage and minimal landscaping elements in the front and rear yard. Contextually, the area is comprised exclusively of detached two-storey residential dwellings. The properties within the

immediate area possess lot frontages of approximately +/-10.0m (32.8 ft.), with moderate vegetative / natural landscaped elements within the front yards.

The subject property is an interior parcel, with a lot area of 352.99m² (3,799.68 sq.ft.) and a lot frontage of approximately +/- 9.7m (31.82 ft.). The applicant is proposing a smaller side yard to accommodate a wider driveway, requiring a variance related to side yard setback.



Comments

Planning

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

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

The subject property is located in the Meadowvale Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). Section 9.1 of the MOP states that driveway widths and associated setbacks should respect the identity and character of the surrounding context. The intent of this portion of the By-law is to ensure the opportunity for appropriate drainage and provide a visual separation between properties. Staff have completed a review of the application and surrounding area and note several instances of attached oversized driveways along this section of Cantelon Crescent. Staff are of the opinion that the application is appropriate to be handled through the minor variance process, and that the application raises no concerns of a planning nature.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that further to our previous comments we meet with the applicant, re-visited the property and had an internal discussion with staff to further review the request to allow a side yard setback to the driveway of 0.00m. In view of the above we are now advising that we are no longer opposing the request to allow the existing driveway as constructed on site.



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: A108.21
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 6736 Lisgar Drive, zoned R4 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an accessory structure (gazebo) proposing:

1. A lot coverage of an accessory structure of 14.99sq.m (approx. 161.35sq.ft) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of an accessory structure of 10.00sq.m (approx. 107.64sq.m) in this instance;
2. An accessory structure height of 3.63m (approx. 11.91ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.00m (approx. 9.84ft) in this instance;
3. An accessory structure with a dimension of 4.05m (approx. 13.3ft) by 4.23m (approx. 13.9ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure of 3m x 3m (approx. 9.85ft.)
4. An accessory structure (outdoor fireplace) with a height of 3.44m (approx. 11.39ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.00m (approx. 11.91ft); and,
5. An interior side yard setback of an accessory structure (outdoor fireplace) of 0.075m (approx. 0.25ft) whereas By-law 0225-2007, as amended, permits an interior side yard setback of 0.61m (approx. 2ft).

The Committee has set **Thursday September 16, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

How to submit a written comment:

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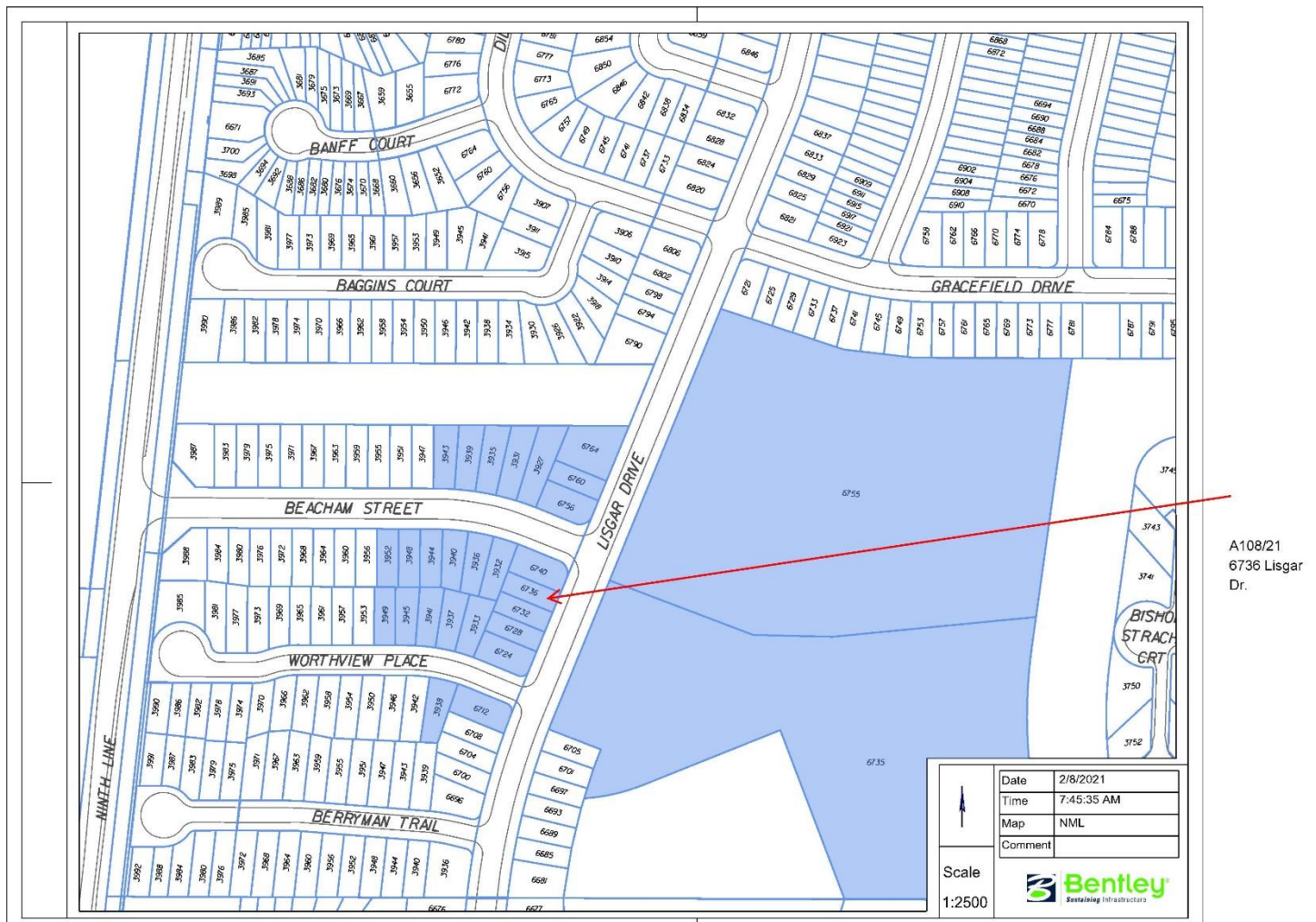
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City of Mississauga Department Comments

Date Finalized: 2021-09-08	File(s): A108.21 Ward 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-09-16 1:00:00 PM

Consolidated Recommendation

The City has no objections to variances 1-4, however recommends that variance 5 be refused. The applicant may wish to defer the application to ensure the accuracy of the requested variances and that no additional variances are required.

Application Details

The applicant requests the Committee to approve a minor variance to allow an accessory structure (gazebo) proposing:

1. A lot coverage of an accessory structure of 14.99sq.m (approx. 161.35sq.ft) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of an accessory structure of 10.00sq.m (approx. 107.64sq.m) in this instance;
2. An accessory structure height of 3.63m (approx. 11.91ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.00m (approx. 9.84ft) in this instance;
3. An accessory structure with a dimension of 4.05m (approx. 13.3ft) by 4.23m (approx. 13.9ft) whereas By-law 0225-2007,, as amended, permits a maximum accessory structure of 3m x 3m (approx. 9.85ft.)
4. An accessory structure (outdoor fireplace) with a height of 3.44m (approx 11.39ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.00m (approx. 11.91ft); and,
5. An interior side yard setback of an accessory structure (outdoor fireplace) of 0.075m (approx. 0.25ft) whereas By-law 0225-2007, as amended, permits an interior side yard setback of 0.61m (approx. 2ft).

Amendments

1. An occupied area of an accessory structure of 14.99sq.m (approx. 161.35sq.ft) whereas By-law 0225-2007, as amended, permits a maximum occupied area of per accessory structure of 10.00sq.m (approx. 107.64sq.m) in this instance;

3. A lot coverage of 44.63 % (172.46 sq.m.) for the zone R4, whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40% (154.57 sq.m.) for zone R4.

Background

Property Address: 6736 Lisgar Drive

Mississauga Official Plan

Character Area: Lisgar Neighbourhood

Designation: Residential Low Density II

Zoning By-law 0225-2007

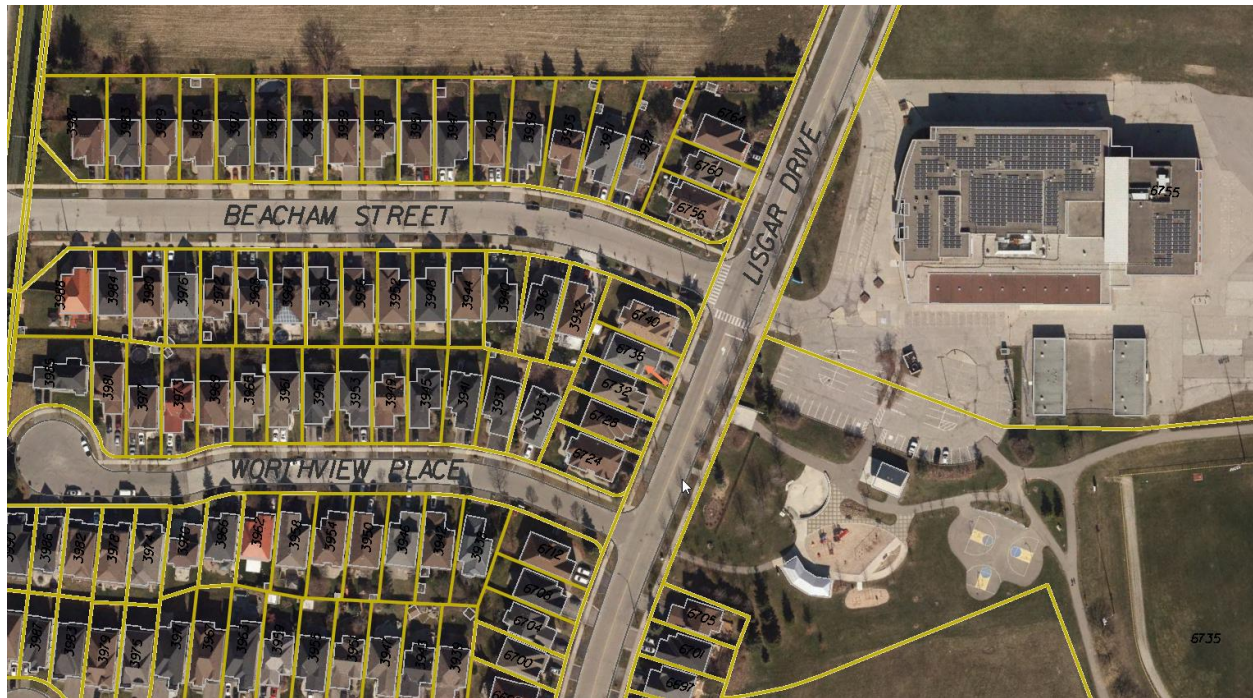
Zoning: R4 - Residential

Other Applications: BP 9NEW 19-6630

Site and Area Context

The property is located south-east of the Ninth Line and Beachman Street intersection, and currently houses a two-storey detached dwelling with minimal vegetation and landscape elements in the front and rear yards. The subject property has a lot area of +/- 386.42m² (4,159.53 sq.ft.) and a lot frontage of +/- 11.99m (39.34 ft.). Contextually, the surrounding neighbourhood consists of two-storey detached dwellings. The properties within the immediate area possess lot frontages of +/- 12.0m (39.37 ft.), with minimal vegetative / natural landscaped elements within the front yards.

The applicant is proposing a new accessory structure requiring variances related to lot coverage, setback, dimensions 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 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 proposed structure is accessory to a detached dwelling, which is a permitted use in this designation. The application therefore maintains the general intent and purpose of the Official Plan.

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

Variance 1 requests an increased floor area for an accessory structure. The intent of the zoning by-law provisions regarding accessory structures is to ensure that the structures are proportional to the lot and dwelling and clearly accessory, while not presenting any massing concerns to neighbouring lots. The proposed increase is relatively minor and the structure fits appropriately on the subject property. Furthermore the massing concerns are mitigated as the structure is mostly open.

Variances 2 & 4 requests an increase in height for the gazebo and fireplace. The intent of the provisions regarding accessory structures is to ensure that the structures are proportional to the lot and dwelling and are clearly accessory while not presenting any massing concerns to neighbouring lots. Staff note that the height for the gazebo is measured to the peak of the roof located in the centre of the structure and does not create the same massing concerns as if the request was to a flat roof. Furthermore the fireplace is a relatively small structure attached to and shorter than the gazebo, so its massing would be combined with that of the gazebo.

Variance 3 has been amended by Zoning staff to reflect an overall lot coverage variance. The intent of the lot coverage provisions in the By-law are to ensure the lot is not overdeveloped. Staff are satisfied that the proposal does not represent an overdevelopment of the lot and results in an accessory structure that is appropriately sized for the property.

Staff are satisfied that the above requests maintain the general intent and purpose of the Zoning By-law. Staff do note, however, that the building permit drawings do not include the fireplace which may impact the required variances and any approval granted by the Committee.

Variance 5 requests a reduced setback measured to the fireplace. The intent of setback provisions in the Zoning By-law is to ensure a sufficient buffer between structures on properties and to facilitate maintenance of structures on the property. Staff have concerns that the proposed setback provides an insufficient buffer between properties and would potentially prohibit future maintenance on the fireplace. Furthermore staff are concerned about the potential impact of smoke from the fireplace on the abutting property and drainage concerns as noted by the Transportation & Works Department.

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

Staff are of the opinion that variances 1-4 represent appropriate development of the property and are minor in nature. They facilitate the creation of a desirable rear yard amenity area that is appropriate for the subject property. Variance 5, however, poses multiple concerns and the impact on the abutting property cannot be considered minor in nature.

Conclusion

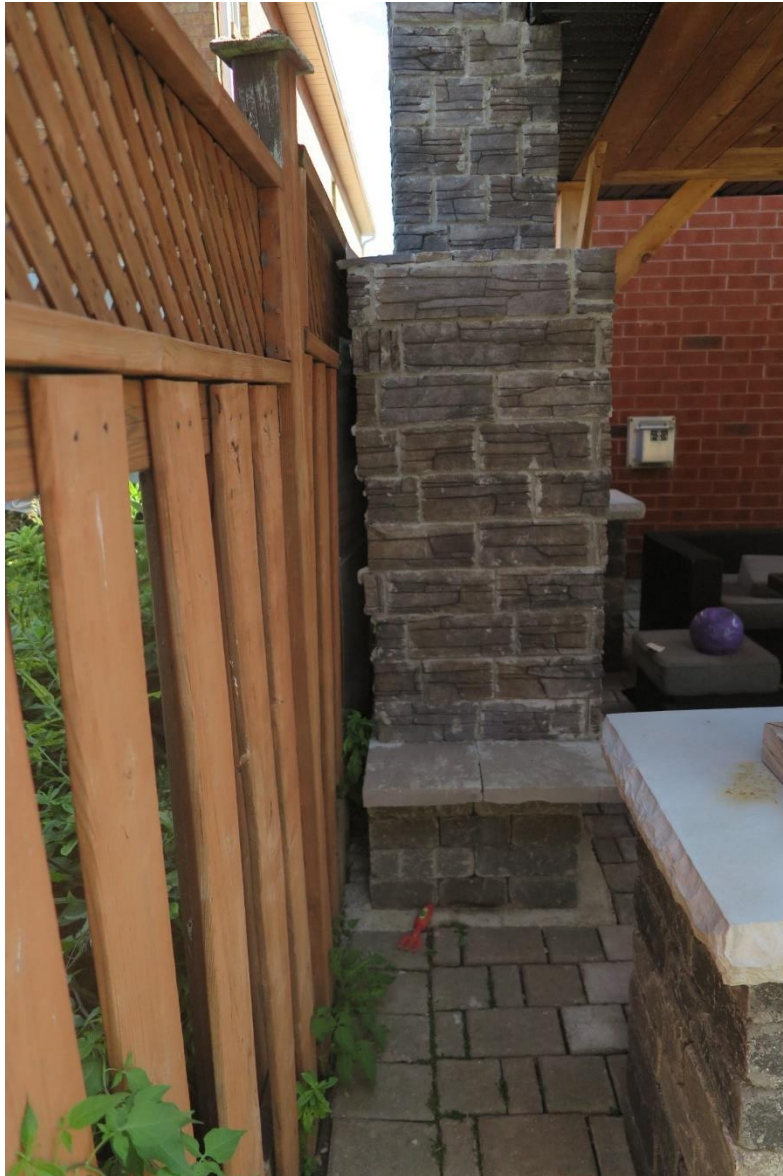
Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

As we indicated in our previous comments the Grading Plan approved for this property depicted a split drainage pattern where the high point was approximately at the rear of the dwelling. The accessory structure constructed does have an adequate setback from the fence, however the fireplace/structure and interlocking pavers constructed could slightly impede the minimal amount of drainage which was intended to be accommodated through this area.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file BP19-6630. Based on information provided and latest zoning review of this permit application on 2021-Feb-22, we advise the variance comments:

1. An occupied area of an accessory structure of 14.99sq.m (approx. 161.35sq.ft) whereas By-law 0225-2007, as amended, permits a maximum occupied area of per accessory structure of 10.00sq.m (approx. 107.64sq.m) in this instance;

City Department and Agency Comments	File:A108.21	2021/09/08	7
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2. An accessory structure height of 3.63m (approx. 11.91ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.00m (approx. 9.84ft) in this instance and;

3. A lot coverage of 44.63 % (172.46 sq.m.) for the zone R4, whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40% (154.57 sq.m.) for zone R4.

Note: There is no fireplace on building permit (BP19-6630) drawings and documents provided by applicant; therefore, zoning is not able to comment the By-law compliance/non-compliance of the fireplace/any other accessory structure.

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

Comments Prepared by: Sherri Takaloo – Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A206.21
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 1489 Gregwood Road, zoned R2-4 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A gross floor area of 581.92sq.m (approx. 6,263.9sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 546.10sq.m (approx. 5878.17sq.ft) in this instance;
2. A combined width of side yards of 6.11m (approx. 20.05ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 7.40m (approx. 24.28ft) in this instance;
3. Height of eaves of 6.706m (approx. 22ft) whereas By-law 0225-2007, as amended, permits a maximum height of eaves of 6.4m (approx. 21ft) in this instance; and,
4. Height to the peak of a roof of 9.59m (approx. 31.5ft) whereas By-law 0225-2007, as amended, permits a maximum height to the peak of a roof 9.5m (approx. 31.2ft) in this instance.

The Committee has set **Thursday September 16, 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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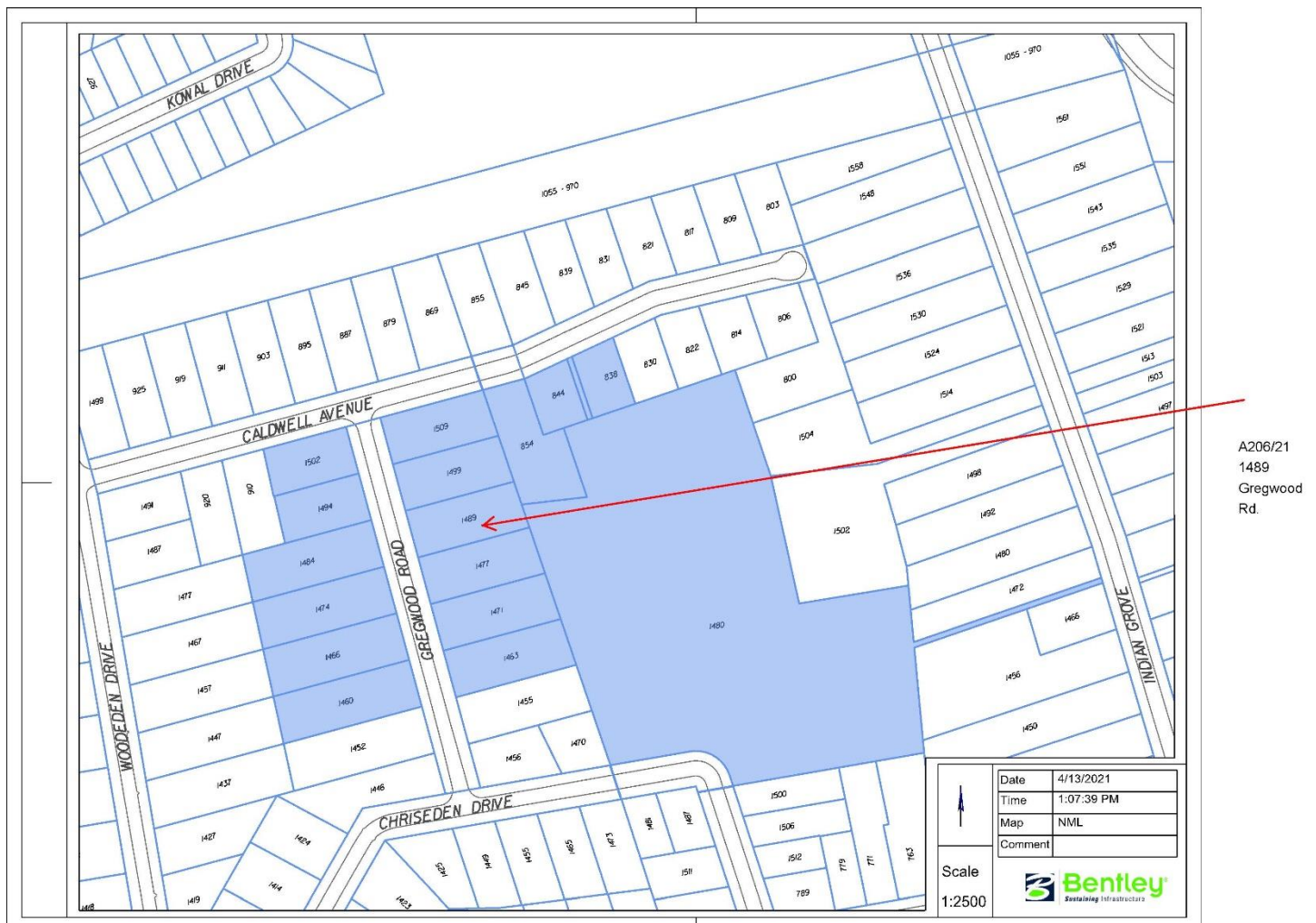
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City of Mississauga Department Comments

Date Finalized: 2021-09-08	File(s): A206.21
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2021-09-16 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 a new house proposing:

1. A gross floor area of 581.92sq.m (approx. 6,263.9sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 546.10sq.m (approx. 5878.17sq.ft) in this instance;
2. A combined width of side yards of 6.11m (approx. 20.05ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 7.40m (approx. 24.28ft) in this instance;
3. Height of eaves of 6.706m (approx. 22ft) whereas By-law 0225-2007, as amended, permits a maximum height of eaves of 6.4m (approx. 21ft) in this instance; and,
4. Height to the peak of a roof of 9.59m (approx. 31.5ft) whereas By-law 0225-2007, as amended, permits a maximum height to the peak of a roof 9.5m (approx. 31.2ft) in this instance. 9.5m

Background

Property Address: 1489 Gregwood Road

Mississauga Official Plan

Character Area: Clarkson – Lorne Park Neighbourhood

Designation: Residential Low Density I

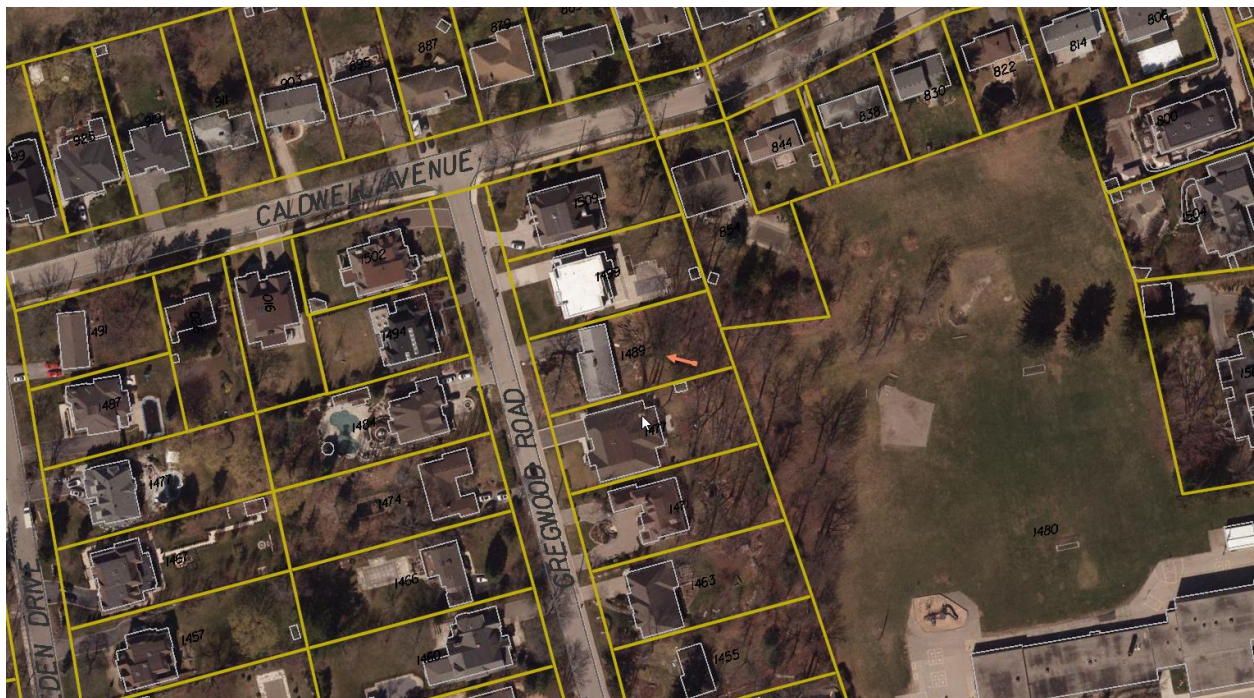
Zoning By-law 0225-2007

Zoning: R2-4 - Residential

Other Applications: Building Permit 18-2612**Site and Area Context**

The subject site is located within the Clarkson-Lorne Park Neighbourhood Character Area, southwest of Indian Gove and South Sheridan Way. The neighbourhood is entirely residential consisting of one and two storey detached dwellings with significant mature vegetation in the front yards. Abutting the subject property to the rear is Tecumseh Public School, an institutional use. The subject property contains an existing one storey dwelling with mature vegetation throughout the lot.

The applicant is proposing a two storey dwelling requiring variances related to gross floor area, combined side yard width and building heights.



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

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

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached, semi-detached and duplex dwellings. New housing is encouraged to fit the scale and character of the surrounding area in order 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, 3 and 4 propose an increased gross floor area, height to the eaves and height to the peak of the roof. The intent of the infill regulations is to maintain compatibility between existing and new dwellings, while also lessening the visual massing of the dwelling by keeping the edge of the roof closer to the ground. This results in the dwelling maintaining a more human scale. The requested height variances are attributed to the discrepancy between average and established grade. In this instance, the difference between the average grade and established grade is approximately 0.4m. From a streetscape perspective, the dwelling's eave height would be 6.31m and the dwelling's height to the peak of a roof would be 9.19m, which would not require relief from the zoning by-law. Furthermore, by including windows and a gable in the roofline design and imbedding the second storey within the roof structure, minimizes the impacts of both the eave and peak of roof heights and massing 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.

Variance #2 proposes a combined width of side yards of 6.11m, where a minimum combined yard width of 7.40m is required. The general intent of this portion of the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties, and that access to the rear yard ultimately remains unencumbered. Staff is not concerned with this variance, as the applicant is not seeking additional variances for the side yards. Furthermore, the side yards proposed provided an adequate buffer between the massing of the proposed dwelling and adjacent properties. The setbacks proposed are also consistent with setbacks for dwellings in the immediate neighbourhood.

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 gables and proposes to embed the second storey 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.

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 SP-20/074.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a site plan application under file SPI 20-74. Based on latest review of the information currently available in this site plan application on 2021, August 30th, we advise that a zoning review has not been completed; more information is required and unable to confirm the accuracy of the requested variance or determine whether additional variances maybe required.

Comments Prepared by: Sherri Takaloo – Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A234.21
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 129 Troy Street, zoned R3-1 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A gross floor area of 330.27sq.m (approx. 3555.00sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 296.80sq.m (approx. 3194.73sq.ft) in this instance; and
2. A lot coverage of 37.40% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance; and,
3. A roof eave with a maximum height of 7.1m (approx 23.3ft) from average grade, whereas By-law 0225-2007, as amended, permits a maximum height of eaves of 6.4m (approx. 21ft) measured from average grade in this instance.

The Committee has set **Thursday September 16, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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How to submit a written comment:

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

Advance registration is required to participate in the electronic hearing:

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

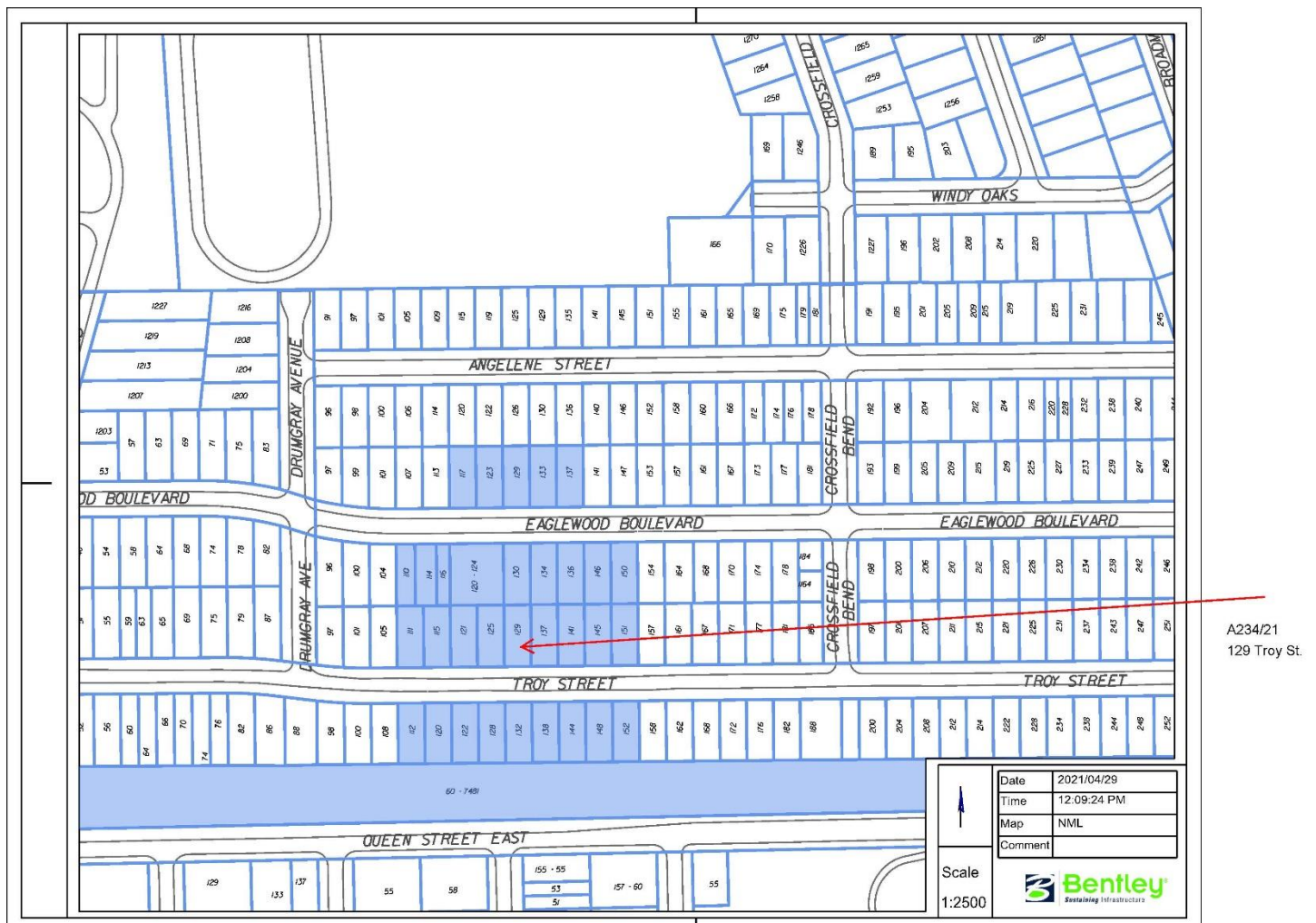
materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services will not be accepted.

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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 Department Comments

Date Finalized: 2021-09-08	File(s): A234.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-09-16 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 a new house proposing:

1. A gross floor area of 330.27sq.m (approx. 3555.00sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 296.80sq.m (approx. 3194.73sq.ft) in this instance; and
2. A lot coverage of 37.40% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance; and,
3. A roof eave with a maximum height of 7.1m (approx 23.3ft) from average grade, whereas By-law 0225-2007, as amended, permits a maximum height of eaves of 6.4m (approx. 21ft) measured from average grade in this instance.

Amendments

While Staff is not in a position to provide an interpretation of the zoning by-law, staff note that variance #2 should be amended as follows:

2. A lot coverage of 37.21% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;

Background

Property Address: 129 Troy Street

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

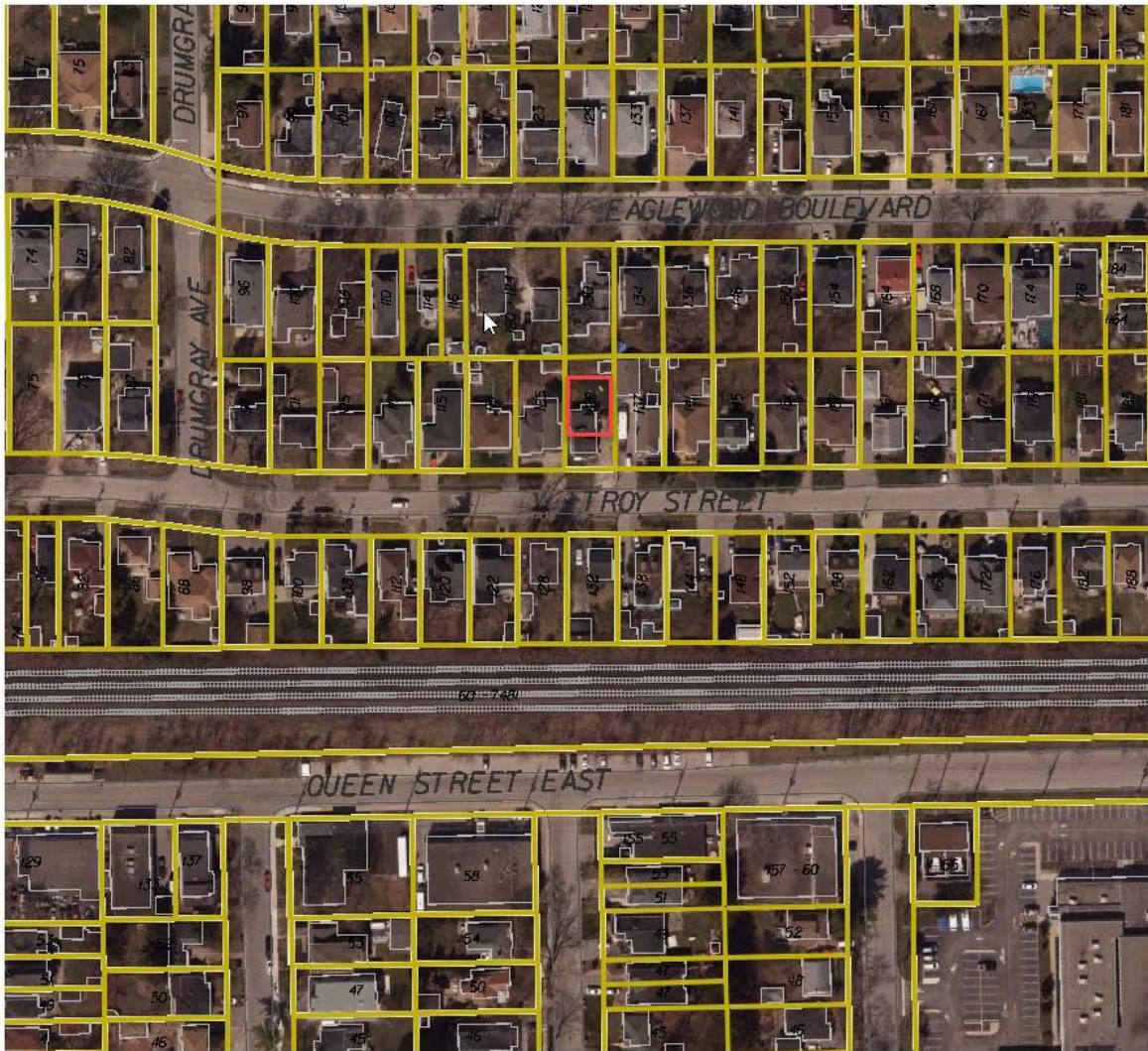
Zoning: R3-1 - Residential

Other Applications: Site Plan Application 20-78-W1

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 and landscape elements in the front yards. The subject property contains an existing one storey detached dwelling with mature vegetation in the front yard.

The applicant is proposing a new two storey dwelling requiring variances related to gross floor area, lot coverage and eave height.



Comments

Planning

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

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

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

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached, duplex, triplex and other forms of low rise dwellings with individual frontages. Section 16.18.1 of the Mineola Neighbourhood Character Area policies states that new housing is encouraged to fit the scale and character of the surrounding area. The proposed detached dwelling respects the designated land use and has regard for the distribution of massing on the property as a whole, thereby maintaining the character of the surrounding neighbourhood. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

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

Variance #1 proposes a gross floor area of 330.27m² (3,555.11 sq.ft.) whereas a maximum of 296.80m² (3,194,83 sq.ft.) is permitted. The intent of the zoning by-law is to maintain compatibility between existing and newer dwellings in order to ensure the existing and planned character of a neighbourhood is preserved. The proposed dwelling contains architectural features that break up the first and second storey, resulting in the appearance of a reduced overall massing of the dwelling and being reflective of the established streetscape and neighbouring properties. The proposal is consistent with the newer two storey dwellings in the immediate area and does not pose a negative impact to the character of the neighbourhood. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #2 proposes a lot coverage of 37.21%, where a maximum of 35% is permitted. The intent of the zoning by-law is to ensure there isn't an overdevelopment of the lot. In this instance, the dwelling footprint maintains a lot coverage of approximately 34%, which is less than the maximum permitted under the by-law. The portion of the lot coverage that exceeds the by-law is only attributable to the front and rear covered porches. The covered porches do not add significant massing to the overall dwelling from what is currently permitted. As such, staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

The proposed dwelling maintains the existing and planned context of the surrounding area and does not pose a negative impact to the neighbourhood. The dwelling contains architectural

features that breaks up the overall massing of the dwelling as a result of the increased gross floor area. As a result, the proposed dwelling maintains compatibility with newer two storey dwellings. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling are being addressed through the Site Plan Application process, File SPI-20/078.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a site plan approval application under file SPI 20-78. 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 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: Brandon Eidner, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A235.21
Ward: 11

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 882 Bancroft Drive, zoned R3-15 - 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 lot coverage of 41.2% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
2. A setback from a side lot line measured to a shed (existing) of 0.30m (approx. 0.98ft) whereas By-law 0225-2007, as amended, requires a minimum setback from a side lot line measured to a shed of 0.61m (approx. 2.00ft) in this instance; and
3. A setback from a rear lot line measured to a shed (existing) of 0.30m (approx. 0.98ft) whereas By-law 0225-2007, as amended, requires a minimum setback from a rear lot line measured to a shed of 0.61m (approx. 2.00ft) in this instance; and,
4. A driveway width of 6.7m (approx. 22ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6m (approx. 20ft) in this instance; and,
5. A walkway attached to a driveway with a width of 2m (approx. 6.6ft) whereas By-law 0225-2007, as amended, permits a maximum width of a walkway attached to a driveway of 1.5m (approx. 4.9ft) in this instance.

The Committee has set **Thursday September 16, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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How to submit a written comment:

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

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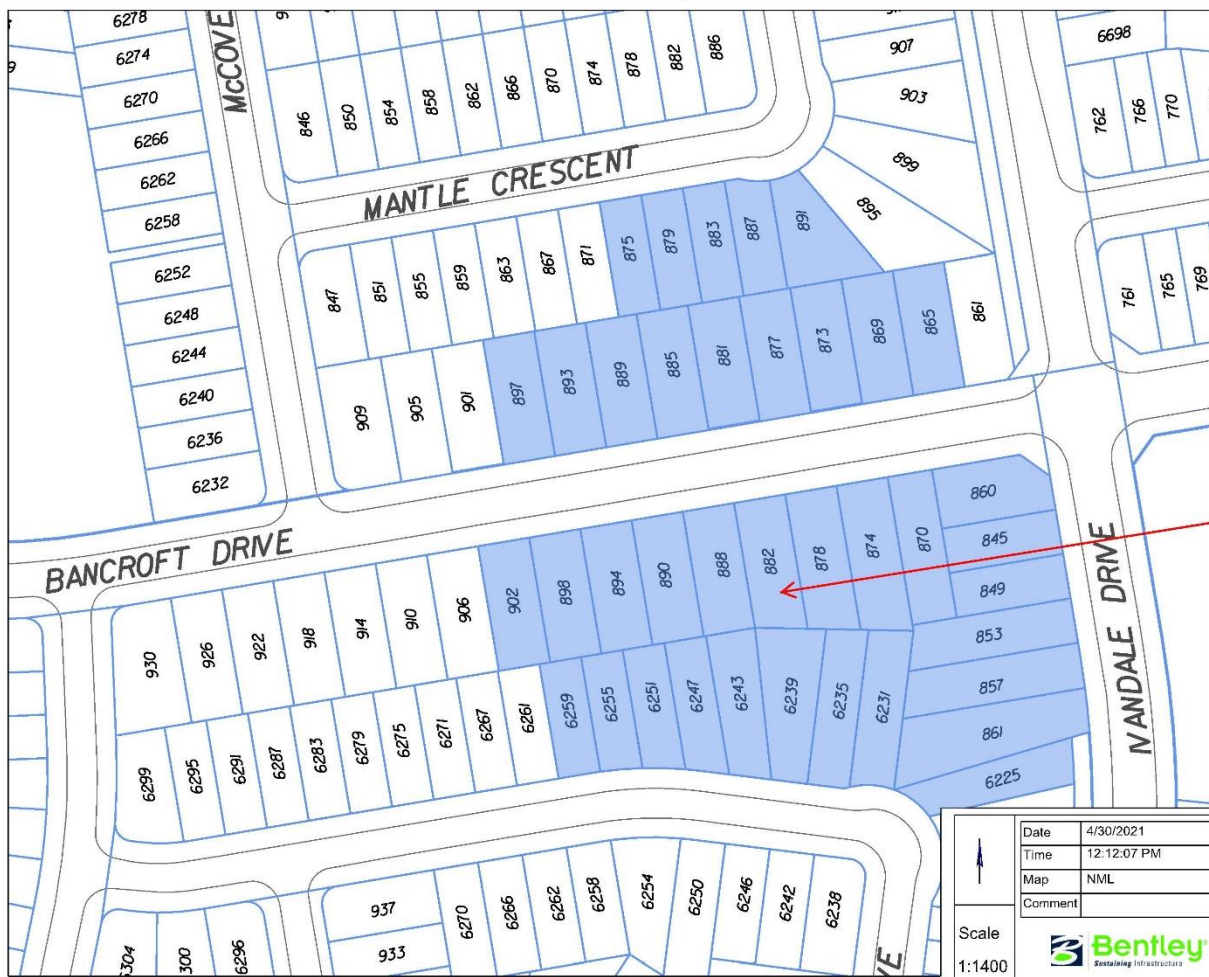
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Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process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



A235/21
882 Bancroft
Dr.

City of Mississauga Department Comments

Date Finalized: 2021-09-08	File(s): A235.21 Ward 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-09-16 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to confirm the accuracy of the requested variances and that additional variances are not required.

Application Details

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

1. A lot coverage of 41.2% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
2. A setback from a side lot line measured to a shed (existing) of 0.30m (approx. 0.98ft) whereas By-law 0225-2007, as amended, requires a minimum setback from a side lot line measured to a shed of 0.61m (approx. 2.00ft) in this instance; and
3. A setback from a rear lot line measured to a shed (existing) of 0.30m (approx. 0.98ft) whereas By-law 0225-2007, as amended, requires a minimum setback from a rear lot line measured to a shed of 0.61m (approx. 2.00ft) in this instance; and,
4. A driveway width of 6.7m (approx. 22ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6m (approx. 20ft) in this instance; and,
5. A walkway attached to a driveway with a width of 2m (approx. 6.6ft) whereas By-law 0225-2007, as amended, permits a maximum width of a walkway attached to a driveway of 1.5m (approx. 4.9ft) in this instance.

Background

Property Address: 882 Bancroft Drive

Mississauga Official Plan

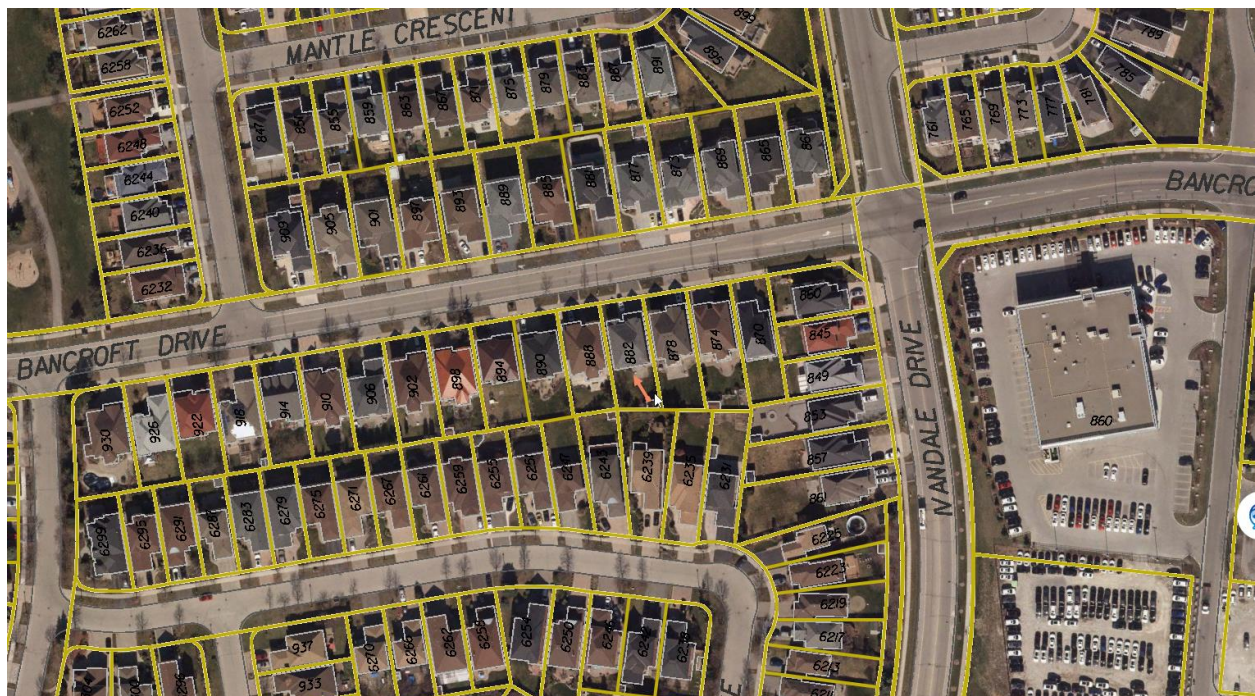
Character Area: East Credit NHD

Designation: Residential Low Density II

Zoning By-law 0225-2007**Zoning: R3-15 - Residential****Other Applications: PREAPP 21-5077****Site and Area Context**

The subject property is located east of the Mavis Road and Bancroft Drive intersection. The property is an interior parcel with a lot area of +/- 568.42m² (6,118.62 sq.ft.) and a lot frontage of +/- 15.01m (49.25 ft.). Currently the property houses a two-storey, detached dwelling with vegetation and landscape elements in both the front and rear yards. Contextually, the area is comprised exclusively of two-storey detached dwellings possessing lot frontages of +/- 14.6m (47.9 ft.) with mature vegetation and landscape elements in both the front and exterior side yards.

The applicant is proposing an addition to the existing dwelling as well as to legalize an accessory structure and driveway, requiring variances for side and rear lot line setbacks, driveway width, walkway attachment, and lot coverage.



Comments

Planning

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

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

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

The site is located within the East Credit Neighbourhood Character Area, and is designated Residential Low Density II by the Mississauga Official Plan (MOP). The Residential Low Density II designation permits detached dwellings; semi-detached dwellings and duplex dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. The existing residential dwelling is permitted within this designation and the proposed variances create a built form on site that is compatible with the surrounding context. Staff is of the opinion that the general intent and purpose of the MOP is maintained.

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

Variance 1 proposes an increased lot coverage on the subject property. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot. Overdevelopment can impact the neighbourhood streetscape and neighbouring properties by not reflecting the neighbourhood's existing character and massing. Staff is of the opinion that the proposed addition does not represent the overdevelopment of the lot and any massing concerns are mitigated by the addition being one storey. Furthermore, with the addition only being visible from the rear yard, the proposed addition will have no impact on the streetscape.

Variances 2 & 3 relate to the existing shed in the rear yard. The general intent of the yard setbacks for accessory structures is to ensure that an adequate buffer exists between the massing of structures on adjoining properties and ensuring that there is sufficient space surrounding the structure to allow for maintenance. Staff is of the opinion that the existing setbacks of 0.30m provide an adequate buffer between the shed and adjoining properties.

Variances 4 & 5 are for an increased driveway width and walkway attachment. The intent of the driveway width regulations are to ensure that the driveway can suitably accommodate two vehicles parked side by side, with the remainder of the front yard being soft landscaping. The intent of the walkway attachment provisions are to help define the entryway to the dwelling and allow for safe pedestrian access while prohibiting vehicle movements. Staff are satisfied that the proposed driveway is appropriately sized for the subject property and that the proposed walkway attachment will not facilitate vehicular movements.

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?

The proposed addition will not impact the existing streetscape and does not represent overdevelopment of the lot. Furthermore an adequate buffer between the shed and primary structures on adjoining properties is maintained. Regarding the driveway, staff are satisfied that the proposal maintains appropriate soft landscaping in the front yard and is compatible with the surrounding context. Staff are therefore of the opinion that this application represents the orderly development of the lands 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 construction of an addition will be addressed through the Building Permit Process. With regards to the existing shed we have no drainage related concerns. This property does have a rear to front drainage pattern and we note from our site inspection that the existing and previously approved grading pattern has not been impacted.

With regards 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 has processed a Preliminary Zoning Review application under file PREAPP 21-5077. Based on review of the information currently available in this permit application, we advise that we can't confirm the variances at this time as they have changed from what was originally proposed in the Preliminary Zoning Review application.

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

City of Mississauga Department Comments