
Committee of Adjustment

Date: October 21, 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. B59/21-A414/21-A415/21
368 MEADOW WOOD LANE (WARD 2)
MICHAEL COCORAN
 - 4.2. B60/21
20 BROADVIEW AVE (WARD 1)
HEATHER ESTER MCNABB, NICOLAE BUDIOU
 - 4.3. B13/21-A77/21-A78/21
1474 HAIG BLVD (WARD 1)
PANCHAK MYKOLA
 - 4.4. B39/21-A248/21-A249/21
10 CAYUGA AVE (WARD 1)
MAREK PRZECLAWSKI
 - 4.5. A397/21
3230 GALBRAITH DR (WARD 8)
MUNA ADEL; AL-KHATIB SAMAR
 - 4.6. A398/21
7626 ALMADALE CRT (WARD 5)
SUBRAY ANIL; SUBRAY ALIZBETH
 - 4.7. A400/21
980 FREDONIA DR (WARD 7)
VALMIKI PERSUAD, ROBYN PERSAUD
 - 4.8. A404/21
2285 THE COLLEGEWAY (WARD 8)
TIMBERCREEK 2285 THE COLLEGEWAY INC

- 4.9. A409/21
1421 GLENBURNIE RD (WARD 1)
HUSSEIN AMAD, HAYA AL-AREF
- 4.10. A410/21
2200 SHEROBEE RD (WARD 7)
SHEROBEE INVESTMENTS INC
- 4.11. A412/21
4213 TAFFEY CRES (WARD 8)
DANIEL MCNAMARA, AMY MCNAMARA
- 4.12. A413/21
1022 CALDWELL AVE (WARD 2)
NIMESH SHAH, PRIYA SHAH
- 4.13. A416/21
1480 BRITANNIA RD E (WARD 5)
SHELL CANADA
- 4.14. A417/21
1542 MYRON DR (WARD 1)
MARK KELSO, PATRICIA KELSO
- 4.15. A426/21
1062 WEST AVE (WARD 1)
PRITAM GREWAL, NEERAJ DHAWAN
- 4.16. A312/21
1877 HINDHEAD RD (WARD 2)
2456060 ONTARIO INC
5. **OTHER BUSINESS**
6. **ADJOURNMENT**



COMMITTEE OF ADJUSTMENT NOTICE OF APPLICATION

File: B.59.21 A414.21 A415.21

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 368 Meadow Wood Lane, zoned R3-3 Residential, has applied for Consent under Section 53 of the Planning Act. The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 19.59m (approx. 64.27ft) and an area of approximately 799.08sq.m (approx. 8,601.23sq.ft).

The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling with a lot frontage of 19.59m (approx. 64.27ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 30.00 (approx. 98.43ft) in this instance.

The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling with a lot frontage of 19.40m (approx. 63.65ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 30.00 (approx. 98.43ft) in this instance.

The Committee has set **Thursday October 21, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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How to submit a written comment:

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Advance registration is required to participate in the electronic hearing:

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

To participate by telephone: To register, please call 905-615-3200 x 2408 no later than 4:30pm the Friday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.

Legal notice:

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

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



City of Mississauga Department Comments

Date Finalized: 2021-10-12 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): B.59.21 A414.21 A415.21 Ward: 2
	Meeting date: 2021-10-21 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 19.59m (approx. 64.27ft) and an area of approximately 799.08sq.m (approx. 8,601.23sq.ft).

The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling with a lot frontage of 19.59m (approx. 64.27ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 30.00 (approx. 98.43ft) in this instance.

The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling with a lot frontage of 19.40m (approx. 63.65ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 30.00 (approx. 98.43ft) 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 following variance should be added:

The easterly lot line to be considered the front lot line for each of the severed and retained lots, notwithstanding the existing definition Zoning By-law No. 0225-2007, as amended.

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 368 Meadow Wood Lane

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R3-3 Residential

Planning Applications: Minor Variance 468/15, 467/15; Consent B5715

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southeast of Clarkson Road South and Orr Road. The immediate area consists of a mix of detached dwellings on large lots with mature vegetation. The low density dwellings in the immediate area contain lot frontages ranging from approximately 15m to 39m. The subject property contains an existing two storey dwelling with mature vegetation in the front yard.

The applicant is proposing to sever the existing lot, creating two new parcels for the development of two detached dwellings, requiring variances related to lot frontage.



Comments

Planning

Planning Act

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

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

Provincial Matters

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

Staff comments concerning the applications are as follows:

The subject property was subject to a previous Consent Application B57.15, and Minor Variance Applications A467.15 & 468.15 and Ontario Municipal Board (OMB) Decision/Order under file PL151237. These applications were approved and were subsequently upheld by the OMB (now Ontario Land Tribunal – OTL).

Applications B.59.21, A414.21, and A415.21 were filed because the original Consent (B57/15) lapsed since conditions of provisional consent were not fulfilled. Staff, the Committee and the OMB supported applications brought forward in 2015. Planning staff are agreement with the conclusions made by staff, the Committee and the OMB at that time.

Staff note the subject property does not have frontage according to the Zoning By-law's definition. Article 2.1.3.1 of the zoning by-law states that all lots shall have frontage on a street. A street is defined in the zoning by-law as a public highway right-of-way. Meadow Wood Lane is a privately owned and maintained laneway. As such, staff recommends a variance be added to recognize the easterly lot line to be the front lot line for each of the severed and retained lots.

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: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We note for Committee's information that the subject property was subject to a previous Consent Application 'B' 57/15, Minor Variance File 'A' 467 & 468/15 and Ontario Municipal Board Decision/Order under file PL151237. These Committee files were approved and subsequently upheld by the Ontario Municipal Board. This department has no objections to the applicant's request to create a new lot, however, it should be acknowledged that the subject lands do not have frontage onto a public roadway but rather onto Meadow Wood Lane which is a privately owned and maintained laneway and in no way maintained by the City of Mississauga. In this regard the applicant/owner will be required to provide confirmation to this department that satisfactory arrangements have been made with regards to ensuring that a private maintenance agreement is in place with the organization/parties which hold the common interest for the private driveway identified as Meadow Wood Lane.

Should Committee see merit in the subject application we are providing the following conditions/requirements that will have to be addressed to the satisfaction of this department prior to the issuance of final consent:

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

1. Private Right of Way/Maintenance Agreement

We note that the subject lands do not have frontage onto a public roadway but rather onto Meadow Wood Lane which is a privately owned and maintained laneway and in no way maintained by the City of Mississauga. In this regard the applicant/owner will be required to provide confirmation to this department that satisfactory arrangements have been made with regards to ensuring that a private maintenance agreement is in place with the organization/parties which hold the common interest for the private driveway identified as Meadow Wood Lane.

From our review of this application it is our understanding that the existing right-of-way for the subject lands to have access onto Meadow Wood Lane is a 2.77M wide access identified as Part 7, Plan 43R-20070 under Instrument Number 533011. It is also our assumption that the subject lands then have a right-of-way over Parts 1 to 6 on Plan 43R-20070 to a point where the private laneway meets Watersedge Drive which is a municipal roadway.

City of Mississauga Department Comments

2. Overall Servicing Proposal

We request that the applicant submit a Functional Servicing Proposal prepared by a Consulting Engineer for this department's review/approval to confirm that any required municipal services can be provided for any dwellings to be constructed on the subject lands.

3. Overall Grading and Drainage Plan

The applicant's consulting engineer will be required to prepare an Overall Grading and Drainage Plan which contains sufficient details to ensure grading compatibility with the adjacent lands and submit the grading and drainage proposal to this department for review/approval.

4. Storm Sewer "Warning Clause" Undertaking

The applicant is advised that there is no storm sewer service available on Meadow Wood Lane and in this regard a sump pump will be required to drain the foundation weeping tiles. In this regard, prior to the issuance of final consent, the owner will be required to submit an undertaking to the City to the effect that any Offer of Purchase and Sale on the property will contain a clause advising any prospective purchaser of the following:

"The applicant is advised that there is no storm sewer service available on Meadow Wood Lane and in this regard a sump pump will be required to drain the foundation weeping tiles. We also note that any sump pump and downspouts for any future dwelling is to discharge to the surface and drainage not directed to the abutting properties".

B. GENERAL INFORMATION

1. Servicing

We note for the owner's information that all costs incurred in providing any required services to the subject lands will be the responsibility of the owner.

2. Access

We advise the applicant that all costs incurred in providing any new driveway entrances to the subject lands or any modifications/reinstatement required (including the existing driveway), would be at cost to the owner. We are also noting that should any utilities need to be relocated, all costs incurred will also be to the owner.

3. Lot Grading and Drainage

We advise the applicant that issuance of any building permits for any new dwellings will be subject to the owner submitting a certified lot grading and drainage plan to this Department for review/approval. The grading and drainage plan is to contain sufficient detail to ensure grading compatibility with the adjacent properties. In addition, the owner will be required to submit the applicable lot grading and municipal services protection deposits.

Comments Prepared by: Dave Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

We have no objection to the consent application provided that the severed and retained lands comply with the provisions of Zoning By-law 0225-2007, as amended, with respect to, among other things, minimum lot frontage, minimum lot area, setbacks to the existing building(s), on site parking, etc., or alternatively, that any minor variance(s) is approved, final and binding and/or the demolition of any existing building(s) is complete.

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

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

Comments Prepared by: Brandon Eidner, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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

1. The lands to the rear of the subject property are owned by the City of Mississauga, known as Meadowwood Park (P-006).
2. Construction access from the park is not permitted.
3. Stockpiling of construction materials and encroachment in the adjacent park is not permitted.
4. Requirements for Parkland and tree protection securities and protective hoarding will be addressed during the Site Plan Process.

5. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, C.P. 13, as amended) and in accordance with the City's policies and by-laws.

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

Comments Prepared by: Jim Greenfield, Park Planner

Appendix 4 – Heritage

The property has archaeological potential due to its proximity to a present or past watercourse or known archaeological resource. The applicant should contact the Ministry of Heritage, Sport, Tourism and Culture Industries to determine the archaeological concerns related to the application. A letter from the Ministry of Tourism, Culture and Sport confirming that all archaeological resource concerns have met licensing and resource conservation requirements for the property must be submitted to Heritage Planning.

Comments Prepared by: Andrew Douglas, Heritage Analyst

Appendix A – CONDITIONS OF PROVISIONAL CONSENT

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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding. ("A" 414-415/21)
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated 2021-10-12.
5. A letter shall be received from the City of Mississauga, Culture Division, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated 2021-10-12.
6. A letter shall be received from the Region of Peel, Development Services/Public Works, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated October 8, 2021.

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 20 Broadview Avenue, zoned RM7-5 - Residential, has applied for Consent under Section 53 of the Planning Act. The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 7.92m (approx. 25.98ft) and an area of approximately 483.1sq.m (approx. 5,200.05sq.ft).

The Committee has set **Thursday October 21, 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: 2021-10-12	File(s): B60.21
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2021-10-21 1:00:00 PM

Consolidated Recommendation

The City has no objection to the consent application.

Application Details

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 7.92m (approx. 25.98ft) and an area of approximately 483.1sq.m (approx. 5,200.05sq.ft).

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 20 Broadview Avenue

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (West)
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM7-5 - Residential

Planning Applications: None

Site and Area Context

The subject property is located within the Port Credit Neighbourhood (West) Character Area, northeast of Mississauga Road South and Lakeshore Road West. The immediate area consists of a mix of detached, triplex, duplex and semi-detached dwellings. The low density dwellings in the immediate area consists of lots with frontages ranging from approximately 7.22m (23.7ft) to 17.2m (56.4ft). The subject property contains an existing one and a half storey dwelling with no vegetation in the front yard.

The applicant is proposing to sever the existing lot to create two new parcels for the development of two new semi-detached dwellings.



Comments

Planning

Planning Act

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

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

Provincial Matters

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

Staff comments concerning the application for consent are as follows:

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

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached, duplex, triplex and other forms of low rise dwellings with individual frontages. The subject property is located within the North Residential Neighbourhood Precinct the Port Credit Local Area Plan. Section 16.1.2.1 of the MOP states, to preserve the character of lands designated Residential Low Density I and Residential Low Density II, the minimum frontage and area of new lots will be evaluated in the context of the existing lot pattern in the surrounding area. Section 10.3 (Neighbourhood Character Area) of the Port Credit Local Area Plan, intends to ensure development is sensitive to the existing low rise context and reinforces the planned character of the area. The official plan and zoning by-law envisions a mix of dwelling types with an eclectic lot fabric in the surrounding area. The proposed parcels are consistent with other semi-detached lots found within the immediate area and contributes to the eclectic nature of the existing and planned community.

Staff is of the opinion that the application conforms to Section 51(24) of the Planning Act, more specifically that the application conforms to the official plan and the proposed parcels are suitable to accommodate semi-detached dwellings.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Should Committee see merit in the applicant's request we are providing the following conditions/requirements for Committee's consideration:

A. Items Required Prior to the Issuance of Final Consent

1. Overall Grading and Drainage Plan

The applicant's consulting engineer will be required to prepare an Overall Grading and Drainage Plan which contains sufficient details to ensure grading compatibility with the adjacent lands and submit the grading and drainage proposal to this department for review/approval.

2. Municipal Address Requirement

Prior to the issuance of final consent, satisfactory arrangements are to be made with Corporate Services Department, Information Technology Division, Digital Services & Mobility Section, Geospatial Solutions Group for the creation of new municipal addresses for the severed and retained lands. For further information, please contact Susie Tasca at (905) 615-3200 ext. 3088 or susie.tasca@mississauga.ca

For further information regarding the above noted comments, please contact John Salvino at (905) 615-3200 ext. 5183 or john.salvino@mississauga.ca

B. GENERAL INFORMATION

1. Lot Grading and Drainage

We advise the applicant that issuance of any building permits for the new dwelling(s) will be subject to the owner submitting a certified lot grading and drainage plan to this Department for review/approval. The grading and drainage plan is to contain sufficient detail to ensure grading compatibility with the adjacent properties. In addition, the owner will be required to submit the applicable lot grading and municipal services protection deposits.

2. Servicing

All costs incurred in providing any service laterals will be the responsibility of the owner. The owner will also be responsible for all costs incurred for the required road reinstatement (if required). If the service connections are to be installed by a private contractor retained by the owner, issuance of an open cut permit will be subject to the owner depositing adequate securities with the City to guarantee proper road reinstatement.

3. Access

The applicant will be required to apply for Access Modification Permits prior to Site Plan Approval and/or Building Permit Issuance. We advise the applicant that all costs incurred in providing any new driveway entrance(s) to the subject lands or any modifications/reinstatement required, would be at cost to the owner. Driveway accesses shall maintain a 1.5m setback from aboveground features such as utilities and trees. We are also noting that should any utilities need to be relocated, all costs incurred will also be to the owner.

4. Storm Sewer Outlet

The storm sewer outlet for this site is the existing 525mm storm sewer on Broadview Avenue. The applicant is encouraged to design the basement elevation 1 metre above the obvert of the storm sewer on the street to eliminate the need for a sump pump.

Please note that in cases of a high groundwater table where a sump pump could run continuously if a sump pump was implemented, the applicants should consider raising the basement elevation to be at least 1.0 meter above the groundwater level. It is the owner's responsibility to satisfy themselves with these conditions as the City has no obligation to address any concerns with the operating conditions of private sump pump systems.

For further information please contact Ghazwan Yousif at ext. 3526.

Comments Prepared by: Dave Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

We have no objection to the consent application provided that the severed and retained lands comply with the provisions of Zoning By-law 0225-2007, as amended, with respect to, among other things, minimum lot frontage, minimum lot area, setbacks to the existing building(s), on site parking, etc., or alternatively, that any minor variance(s) is approved, final and binding and/or the demolition of any existing building(s) is complete.

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

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

Comments Prepared by: Brandon Eidner, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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

Should the application be approved, Community Services wishes to impose the following conditions:

1. The applicant shall provide a cash contribution of \$607.12 for planting of one (1) street tree on Broadview Avenue. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.

In addition, Community Services notes the following:

1. Payment for street tree fees and charges can be made at the Parks and Forestry customer service counter located at 950 Burnhamthorpe Road West in the form of a certified cheque, bank draft, or money order payable to the City of Mississauga. Please contact Jim Greenfield regarding the Covid-19 interim payment process.
2. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, C.P. 13, as amended) and in accordance with the City's policies and by-laws.

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

Comments Prepared by: Jim Greenfield, Park Planner

Appendix 4 – Heritage

The property has archaeological potential due to its proximity to a present or past watercourse or known archaeological resource. The applicant should contact the Ministry of Heritage, Sport, Tourism and Culture Industries to determine the archaeological concerns related to the application. A letter from the Ministry of Tourism, Culture and Sport confirming that all archaeological resource concerns have met licensing and resource conservation requirements for the property must be submitted to Heritage Planning.

Comments Prepared by: Andrew Douglas, Heritage Analyst

Appendix A – CONDITIONS OF PROVISIONAL CONSENT

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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding.
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated 2021-10-12.
5. A letter shall be received from the City of Mississauga, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated 2021-10-12.
6. A letter shall be received from the City of Mississauga, Culture Division, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated 2021-10-12.
7. A letter shall be received from the Region of Peel, Development Services/Public Works, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated October 8, 2021.

-
8. A letter shall be received from Bell Canada indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated September 24, 2021.

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 1474 Haig Boulevard, zoned R3-75 - Residential, has applied for Consent under Section 53 of the Planning Act. The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel has a frontage of approximately 23.58m (77.36ft) and an area of approximately 491.89sq.m (5294.66sq.ft).

A minor variance is requested for the severed lands of application B13/21 to allow the construction of a new house proposing:

1. A lot area (interior lot) of 491.89sq.m (approx. 5294.66sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 550.00sq.m (approx. 5920.15sq.ft) in this instance;
2. A lot coverage of 39.1% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
3. A front yard (interior lot) of 6.00m (approx. 19.69ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m (approx. 24.61ft) in this instance;
4. An interior side yard (easterly) of 1.71m (approx. 5.61ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 1.81m (approx. 5.94ft) in this instance;
5. A rear yard of 4.61m (approx. 15.12ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.61ft) in this instance; and,
6. A building height measured to a flat roof of 8.34m (approx. 27.36ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to a flat roof of 7.50m (approx. 24.61ft) in this instance.

A minor variance is requested for the retained lands of application B13/21 to allow the construction of a new house proposing:

1. A lot area (exterior lot) of 610.05sq.m (approx. 6566.52sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 720.00sq.m (approx. 7750.02sq.ft) in this instance;
2. An interior side yard of 1.65m (approx. 5.41ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 1.81m (approx. 5.94ft) in this instance; and
3. A building height measured to a flat roof of 8.28m (approx. 27.17ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to a flat roof of 7.50m (approx. 24.61ft) in this instance.

The Committee has set **Thursday October 21, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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

How to submit a written comment:

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

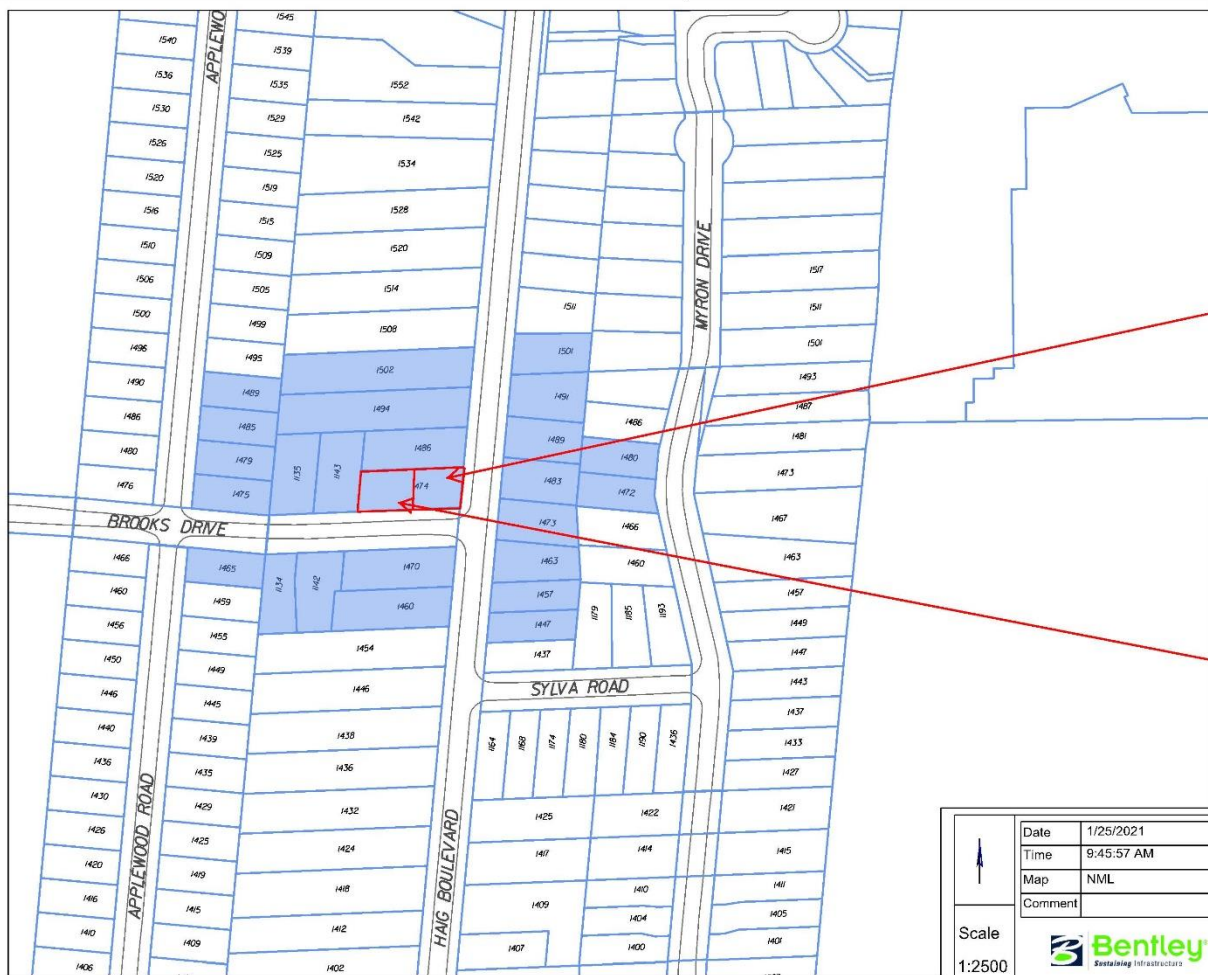
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Friday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services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

To participate by telephone: To register, please call 905-615-3200 x 2408 no later than 4:30pm the Friday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.

Legal notice:

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



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



1474 Haig Blvd.

A78/21
Lands to be
Retained

B13/21
A77/21
Lands to be
Severed

	Date	1/25/2021
	Time	9:45:57 AM
	Map	NML
	Comment	
Scale 1:2500		 Bentley Sustaining Infrastructure

City of Mississauga Department Comments

Date Finalized: 2021-10-12	File(s): B13.21 A77.21 A78.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-10-21 1:00:00 PM

Consolidated Recommendation

The Planning and Building Department has no objection to the consent and associated minor variance applications. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel has a frontage of approximately 23.58m (77.36ft) and an area of approximately 491.89sq.m (5294.66sq.ft).

A minor variance is requested for the severed lands of application B13/21 to allow the construction of a new house proposing:

1. A lot area (interior lot) of 491.89sq.m (approx. 5294.66sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 550.00sq.m (approx. 5920.15sq.ft) in this instance;
2. A lot coverage of 39.1% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
3. A front yard (interior lot) of 6.00m (approx. 19.69ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m (approx. 24.61ft) in this instance;
4. An interior side yard (easterly) of 1.71m (approx. 5.61ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 1.81m (approx. 5.94ft) in this instance;
5. A rear yard of 4.61m (approx. 15.12ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.61ft) in this instance; and,
6. A building height measured to a flat roof of 8.34m (approx. 27.36ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to a flat roof of 7.50m (approx. 24.61ft) in this instance.

A minor variance is requested for the retained lands of application B13/21 to allow the construction of a new house proposing:

1. A lot area (exterior lot) of 610.05sq.m (approx. 6566.52sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 720.00sq.m (approx. 7750.02sq.ft) in this instance;

2. An interior side yard of 1.65m (approx. 5.41ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 1.81m (approx. 5.94ft) in this instance; and

3. A building height measured to a flat roof of 8.28m (approx. 27.17ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to a flat roof of 7.50m (approx. 24.61ft) in this instance.

Amendments

The Building Department is currently processing a Building Permit application under file PREAPP 21-5185. Based on review of the information currently available for this building permit, we advise that the following variance(s) should be amended and added as follows:

For the severed lands of application B13/21:

4. An interior side yard (easterly) of 1.71m (approx. 5.61ft) to the 2nd storey portion, whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 1.81m (approx. 5.94ft) to the 2nd storey portion, in this instance;
7. Excessive encroachment of a porch, inclusive of stairs, of 4.24m into the required front yard, whereas By-law 0225-2007, as amended, permits a maximum encroachment of a porch, inclusive of stairs, of 1.60m into the required front yard, in this instance;
8. Insufficient setback to the garage face of 6.0m, whereas By-law 0225-2007, as amended, permits a minimum setback to the garage face of 7.50m, in this instance;
9. Excessive balcony encroachment of 0.14m into the required side yard, whereas By-law 0225-2007, as amended, does not permit a balcony to encroach into a required side yard, in this instance;

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 1474 Haig Boulevard

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3-75 - Residential

Planning Applications: None

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, south of Haig Boulevard and South Service Road. The immediate area entirely consists of one and two storey detached dwellings with mature vegetation. Additionally, the immediate area contains lot frontages of approximately 14m (approx. 45.93ft) and greater, including lots that exceed by-law requirements. The subject property contains an existing one storey dwelling with vegetation throughout the lot.

The applicant is proposing to sever the property for the purpose of creating two new parcels to develop detached dwellings. As a result, variances are required for lot area, deficient side, front and rear yards, lot coverage and an increased flat roof height.

Comments

Planning

Planning Act

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

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

Provincial Matters

The Provincial Policy Statement 2014 (PPS 2014) and Growth Plan for the Greater Golden Horseshoe promote efficient development and land use, directing the focus towards intensification and redevelopment.

The PPS encourages opportunities for intensification along with establishing appropriate development standards that facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety. The PPS requires municipalities to encourage intensification generally throughout the delineated built-up area. The proposed

development represents growth within a built up area, allowing for better utilization of the lands. Intensification may occur throughout a settlement area, subject to compatibility with existing development and with the existing context. In the Mississauga Official Plan (MOP) the word 'compatible' means development, which may not necessarily be the same as, or similar to, the existing or desired development, but nonetheless enhances an established community and coexists with existing development without unacceptable adverse impact on the surrounding area. The proposal is consistent with the general directive in provincial policy as it is sensitive intensification within the settlement area that will not negatively impact the character of the neighbourhood.

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. Section 16.1.2.1 of MOP states, to preserve the character of lands designated Residential Low Density I and Residential Low Density II, the minimum frontage and area of new lots will be evaluated in the context of the existing lot pattern in the surrounding area. Neighbourhoods are not meant to remain static, and that new development should be sensitive to the neighbourhoods existing and planned character.

The proposed lot frontages exceed zoning by-law requirements and are consistent with frontages in the neighbourhood. Although the lot areas do not meet the average of the lots within the immediate area, the proposal would still create lots that could be developed with appropriate sized dwellings for the neighbourhood.

Minor Variance

The following comments are with respect to the severed lands of Application B13/21:

Variance #1 pertains to lot area. A lot area (interior lot) of 491.89m² (approx. 5294.66ft²) is proposed, where a minimum lot area of 550.00m² (approx. 5920.15ft²) is required. The minimum lot area is intended to establish an appropriate lot pattern and minimum standards for development. The proposed lot area represents a minor deviation from what is permitted in the Zoning By-law. While the proposed lot area is not reflective of the existing lot pattern, the dwelling proposed is appropriately sized for the neighbourhood and is not an overdevelopment of the property.

Variance #2 pertains to lot coverage. A lot coverage of 39.1% is proposed where a maximum lot coverage of 35.00% is permitted. The intent of the zoning by-law is to ensure there isn't an overdevelopment of the lot. Staff has no concerns with this variance. In this instance, the dwelling footprint maintains a lot coverage of approximately 29%, 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 porch, deck, balcony, eaves and 2nd floor overhang.

Variances #3 and 6 pertain to the front yard. Variance #3 proposes a front yard (interior lot) of 6.00m (approx. 19.69ft) where a minimum front yard of 7.50m (approx. 24.61ft) is required. Variance #6 proposes a setback to the garage face of 6.0m, where a minimum setback to the

garage face of 7.50m is required. Staff has no concerns with Variances #3 and 6, as similar front yards exist in the immediate neighbourhood.

Variance #4 pertains to interior side yard. An interior side yard (easterly) of 1.71m (approx. 5.61ft) to the 2nd storey portion, where a minimum interior side yard of 1.81m (approx. 5.94ft) to the 2nd storey portion is required. Staff have no concerns with this variance, as the 1.71m side yard is a minor deviation from the zoning by-law's requirement and will have a negligible impact on the abutting property.

Variance #4 pertains to rear yard. A rear yard of 4.61m (approx. 15.12ft) is proposed where a minimum rear yard of 7.50m (approx. 24.61ft) is required. The intent of the rear yard setback is to ensure that both an adequate buffer exists between the massing of primary structures on adjoining properties, as well as create an appropriate amenity area within the rear yard. The rear yard variance is measured to the proposed deck. The rest of the dwelling maintains a 5.8m rear yard. Staff are of the opinion that the proposed rear yard will create an appropriate amenity area within the rear yard. Furthermore, the rear yard abuts a neighbouring rear yard providing an appropriate buffer between dwellings. Staff have no massing concerns.

Variance #6 pertains to building height. A building height measured to a flat roof of 8.34m (approx. 27.36ft) is proposed where a maximum building height measured to a flat roof of 7.50m (approx. 24.61ft) is permitted. The intent in restricting height to the flat roof is to reduce the overall massing of a flat roof dwelling compared to a sloped roof dwelling, and to minimize negative impacts on the streetscape and to neighbouring properties. Variance #6 is only required for the proposed front parapet wall. From street view, the parapet wall only spans a portion for the dwelling's front facade. The parapet wall assists in visually breaking up the roofline and massing of the dwelling. The rest of the dwelling maintains an approx. flat roof height of 8.1m (approx. 26.59ft) to 8.2 m (approx. 26.90ft) and limits the dwelling to two storeys.

Variances #7 and #9 pertain to encroachments. The intent of encroachment requirements is to ensure certain elements in a dwelling are sufficiently setback from all property lines. Staff are of the opinion that the encroachment variances are required due to the proposed shape of the subject property. Furthermore, these variances do not raise any concerns of a planning nature.

The following comments are with respect to the retained lands of Application B13/21:

Variance #1 pertains to lot area. A lot area (exterior lot) of 610.05m² (approx. 6566.52ft²) is proposed where a minimum lot area of 720.00m² (approx. 7750.02sq.ft) is required. Staff have no concerns with this variance. Similar lot areas can be found in the neighbourhood. Furthermore, the dwelling proposed is appropriately sized for the neighbourhood and is not an overdevelopment of the property.

Variance #2 pertains to interior side yard. An interior side yard of 1.65m (approx. 5.41ft) is proposed, where a minimum interior side yard of 1.81m (approx. 5.94ft) is required. Staff have

no concerns with this variance, as the proposed side yard is a minor deviation from the zoning by-law's requirement and is consistent with setbacks found in the immediate neighbourhood.

Variance #3 pertains to building height. A building height measured to a flat roof of 8.28m is proposed (approx. 27.17ft) where a maximum building height measured to a flat roof of 7.50m (approx. 24.61ft) is permitted. Staff have no concerns with the proposed variance as the proposed dwelling contains architectural features that mitigate the dwelling's massing and define the first and second storeys of the dwelling.

Staff are of the opinion that creation of a new lot within the settlement area is compatible with the character of the surrounding area and is consistent with the Provincial planning goals and objectives..

Based on the preceding information, the Planning and Building Department is of the opinion that the proposed consent application and associated minor variance applications meet the criteria of Section 51(24) of the *Planning Act* and the four tests for a minor variance. Furthermore, the proposed parcels are suitable to accommodate detached dwellings.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Should Committee see merit in the applicant's request we are providing the following conditions/requirements for Committee's consideration:

A. Items Required Prior to the Issuance of Final Consent

1. Overall Grading and Drainage Plan

The applicant's consulting engineer will be required to prepare an Overall Grading and Drainage Plan which contains sufficient details to ensure grading compatibility with the adjacent lands and submit the grading and drainage proposal to this department for review/approval.

Upon the review of an Overall Grading and Drainage Plan it may be determined that a catch basin may be required and satisfactory arrangements will have to be made for the construction of any required catch basin.

2. Overall Site Servicing Plan

We request that the applicant submit a Site Servicing Plan prepared by a Consulting Engineer for this department's review/approval. The Site Servicing Plan is to confirm that all the necessary municipal services can be provided for the dwellings to be constructed on the subject lands.

3. Municipal Address Requirement

Prior to the issuance of final consent, satisfactory arrangements are to be made with Corporate Services Department, Information Technology Division, Digital Services & Mobility Section, Geospatial Solutions Group for the creation of new municipal addresses for the severed and retained lands. For further information, please contact Susie Tasca at (905) 615-3200 ext. 3088 or susie.tasca@mississauga.ca.

For further information regarding the above noted comments, please contact John Salvino at (905) 615-3200 ext. 5183 or john.salvino@mississauga.ca

B. GENERAL INFORMATION

1. Lot Grading and Drainage

We advise the applicant that issuance of any building permits for the new dwelling(s) will be subject to the owner submitting a certified lot grading and drainage plan to this Department for review/approval. The grading and drainage plan is to contain sufficient detail to ensure grading compatibility with the adjacent properties. In addition, the owner will be required to submit the applicable lot grading and municipal services protection deposits.

2. Servicing

All costs incurred in providing any service laterals will be the responsibility of the owner. The owner will also be responsible for all costs incurred for the required road reinstatement (if required). If the service connections are to be installed by a private contractor retained by the owner, issuance of an open cut permit will be subject to the owner depositing adequate securities with the City to guarantee proper road reinstatement.

3. Access

We advise the applicant that all costs incurred in providing any new driveway entrance(s) to the subject lands or any modifications/reinstatement required, would be at cost to the owner. We are also noting that should any utilities need to be relocated, all costs incurred will also be to the owner.

4. Storm Sewer Outlet

The storm sewer outlet for the lands fronting Haig Boulevard is the existing 600mm diameter storm sewer system located on Haig Boulevard. We advise that there is currently no storm sewer on Brooks Drive to serve the proposed lot. If a new storm connection is required a downstream sewer analysis may be required. For further information please contact Ghazwan Yousif at ext. 3526.

Please note that in cases of a high groundwater table where a sump pump could run continuously if a sump pump was implemented, the applicants should consider raising the basement elevation to be at least 1.0 metre above the groundwater level. It is the owner's responsibility to satisfy themselves with these conditions as the City has no obligation to address any concerns with the operating conditions of private sump pump systems.

We are noting that any Transportation and Works Department concerns/requirements for the Minor Variance application for this property will be addressed under Consent Application 'B' 13/21.

Comments Prepared by: Dave Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit application under file PREAPP 21-5185. Based on review of the information currently available for this building permit, we advise that the following variance(s) should be amended as follows:

For the severed lands of application B13/21:

4. An interior side yard (easterly) of 1.71m (approx. 5.61ft) to the 2nd storey portion, whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 1.81m (approx. 5.94ft) to the 2nd storey portion, in this instance;

In addition, the following variance(s) should be added as follows:

7. Excessive encroachment of a porch, inclusive of stairs, of 4.24m into the required front yard, whereas By-law 0225-2007, as amended, permits a maximum encroachment of a porch, inclusive of stairs, of 1.60m into the required front yard, in this instance;
8. Insufficient setback to the garage face of 6.0m, whereas By-law 0225-2007, as amended, permits a minimum setback to the garage face of 7.50m, in this instance;
9. Excessive balcony encroachment of 0.14m into the required side yard, whereas By-law 0225-2007, as amended, does not permit a balcony to encroach into a required side yard, in this instance;

Further, we advise that more information is required to verify variance 6.

Our comments are based on the plans received by Zoning staff on 07/08/2021 for the above captioned building permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: Adam McCormack, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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

City of Mississauga Forestry Staff have attended the site and identified the following City owned tree within the municipal boulevard:

- Eastern White Cedar – Good Condition

Should the application be approved, Community Services wishes to impose the following conditions:

1. The applicant shall ensure that future driveways do not impact or require the removal of the above noted tree.
2. The applicant shall provide tree protection securities in the amount of \$3,600.00 for the preservation of the municipal tree.
3. The applicant shall provide a cash contribution of \$1,214.24 for planting of two (2) street trees, one on Haig Boulevard and one on Brooks Drive. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.

In addition, Community Services notes the following:

1. Payment for street tree fees and charges can be made at the Parks and Forestry customer service counter located at 950 Burnhamthorpe Road West in the form of a certified cheque, bank draft, or money order payable to the City of Mississauga. Please contact Jim Greenfield regarding the Covid-19 interim payment process.
2. The applicant shall provide frame tree hoarding at the dripline of the above noted tree prior to any construction to the satisfaction of City of Mississauga Forestry Staff. Please call Ryan Cormier at 905-615-3200 ext. 4580 to arrange a hoarding inspection.
3. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, C.P. 13, as amended) and in accordance with the City's policies and by-laws.

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

Comments Prepared by: Jim Greenfield, Park Planner

Appendix 4 – Heritage

The property has archaeological potential due to its proximity to a present or past watercourse or known archaeological resource. The applicant should contact the Ministry of Heritage, Sport, Tourism and Culture Industries to determine the archaeological concerns related to the application. A letter from the Ministry of Tourism, Culture and Sport confirming that all archaeological resource concerns have met licensing and resource conservation requirements for the property must be submitted to Heritage Planning.

Comments Prepared by: Andrew Douglas

Appendix A – CONDITIONS OF PROVISIONAL CONSENT

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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding. ("A" 77-78/21)
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated 2021-10-12.
5. A letter shall be received from the City of Mississauga, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated 2021-10-12.
6. A letter shall be received from the City of Mississauga, Culture Division, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated 2021-10-12.

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 10 Cayuga Avenue, zoned RM7-5 - Residential, has applied for Consent under Section 53 of the Planning Act. The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 7.62m (25.00ft) and an area of approximately 290.32sq.m (3124.98sq.ft).

A minor variance is requested for the Retained lands (file A248/21) and the construction of a new house proposing:

1. A building height measured to a flat roof of 8.07m (approx. 26.48ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to a flat roof of 7.50m (approx. 24.61ft) in this instance; and
2. A building height measured to the eaves of 7.25m (approx. 23.79ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

A minor variance is requested for the Severed lands (file A249/21) and the construction of a new house proposing:

1. A building height measured to a flat roof of 8.07m (approx. 26.48ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to a flat roof of 7.50m (approx. 24.61ft) in this instance; and
2. A building height measured to the eaves of 7.25m (approx. 23.79ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

The Committee has set **Thursday October 21, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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

How to submit a written comment:

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

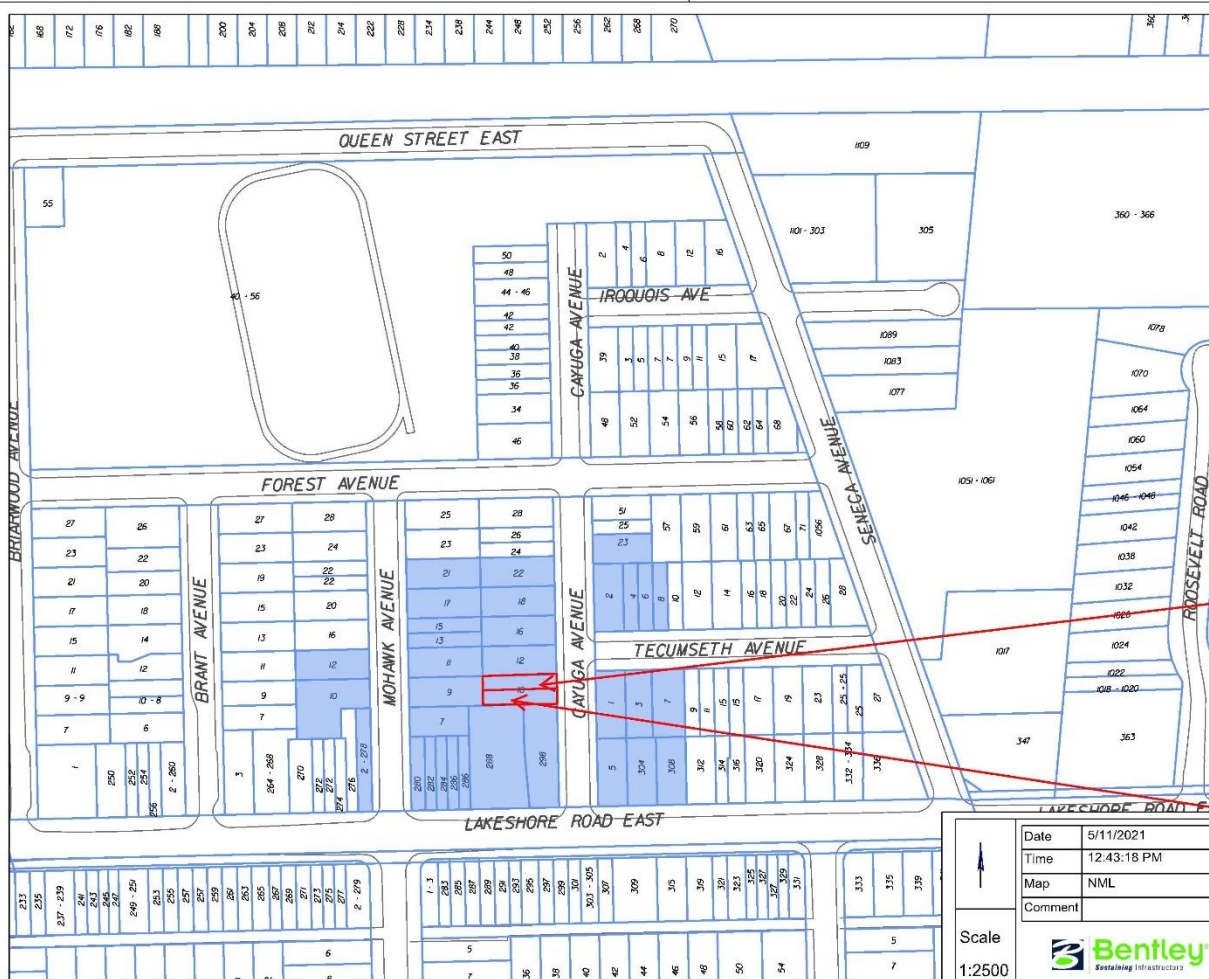
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Friday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services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

To participate by telephone: To register, please call 905-615-3200 x 2408 no later than 4:30pm the Friday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.

Legal notice:

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



10 Cayuga Ave.
Lands to be Severed
B39/21
A249/21

Lands to be Retained
A248/21

Date	5/11/2021
Time	12:43:18 PM
Map	NML
Comment	

Scale
1:2500

Bentley
Sustaining Infrastructure

City of Mississauga Department Comments

Date Finalized: 2021-10-12 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): B39.21 A248.21 A249.21 Ward: 1
	Meeting date:2021-10-21 1:00:00 PM

Consolidated Recommendation

The City has no objection to the consent application and associated variances.

Application Details

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 7.62m (25.00ft) and an area of approximately 290.32sq.m (3124.98sq.ft).

A minor variance is requested for the Retained lands (file A248/21) and the construction of a new house proposing:

1. A building height measured to a flat roof of 8.07m (approx. 26.48ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to a flat roof of 7.50m (approx. 24.61ft) in this instance; and
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2. A building height measured to the eaves of 7.25m (approx. 23.79ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 10 Cayuga Avenue

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (East)
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM7-5 - Residential

Other Applications: None

Site and Area Context

The subject property is located within the Port Credit Neighbourhood (East) Character Area, northeast of Hurontario Street and Lakeshore Road East. The immediate area consists of a mix of detached and semi-detached dwellings, a 3 and 5 storey apartment building and commercial plazas. The low density dwellings in the immediate area contain lot frontages ranging from approximately 7.5m to 15.4m. The subject property contains an existing two storey dwelling with mature vegetation in the front yard.

The applicant is proposing to sever the existing lot, creating two new parcels for the development of two new semi-detached dwellings, requiring variances related to height.



Comments

Planning

Planning Act

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

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

Provincial Matters

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

Staff comments concerning the applications for consent and the four tests to the minor variance request are as follows:

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

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached, duplex, triplex and other forms of low rise dwellings with individual frontages. The subject property is located within the North Residential Neighbourhood Precinct in the Port Credit Local Area Plan. Section 16.1.2.1 of the MOP states, to preserve the character of lands designated Residential Low Density I and Residential Low Density II, the minimum frontage and area of new lots will be evaluated in the context of the existing lot pattern in the surrounding area. Section 10.3 (Neighbourhood Character Area) of the Port Credit Local Area Plan, intends to ensure development is sensitive to the existing low rise context and reinforces the planned character of the area. The official plan and zoning by-law envisions a mix of dwelling types with an eclectic lot fabric in the surrounding area. The proposed parcels are consistent with semi-detached lots found within the immediate

area and contributes to the eclectic nature of the existing and planned community. Staff is of the opinion that the application conforms to Section 51(24) of the Planning Act, more specifically that the application conforms to the official plan and the proposed parcels are suitable to accommodate semi-detached dwellings.

Section 10.2.2.2 in the Port Credit Local Area Plan states that building heights on lots adjacent to the Mainstreet Precinct will demonstrate an appropriate transition. While the dwelling's heights appear to be calculated from street level, Staff are not concerned with the proposed heights, as they represent an appropriate transition into the lower density neighbourhood. The subject property abuts the Mainstreet precinct and a three storey apartment to the north. Additionally, a five storey apartment building is located southwest of the property, which can be viewed when standing perpendicular to the front facade.

Variances #1 pertains to flat roof height. The intent in restricting height to the flat roof is to reduce the overall massing of a flat roof dwelling compared to a sloped roof dwelling, and to minimize negative impacts on the streetscape and neighbouring properties. Furthermore, it was intended to restrict large flat roof dwellings that were permitted up to a height of 10.70 m and could accommodate a three storey dwelling. Variance #1 proposes a height of 8.07 when a maximum flat roof height of 7.5m is permitted. Variance #1 is only required for the proposed parapet wall. From street view, the parapet wall only spans the middle portion of the front of the proposed dwellings. The parapet wall also assists in visually breaking up the roofline and the dwelling's massing. The height of the remainder of the dwelling measures 7.61 m, which is a minor deviation from what is permitted in the zoning by-law. Additionally, there is a 0.6m discrepancy between average and established grade. If the flat roof height was measured from established grade the variance would not be required. Lastly, the dwellings proposed are two storeys, which maintain the intent of the zoning by-law.

Variance #2 pertains to eave height. The applicant has proposed two semi-detached dwellings with a shared flat roof. Variance #2 proposes an eave height of 7.25m, when the zoning by-law permits a maximum eave height of 6.4m. While this appears to be a significant deviation from the zoning by-law requirement, eaves are less common in modern box style homes, and in this instance, the eaves assist to further breakup the dwelling's massing. As mentioned above, the proposed heights allow for an appropriate transition into the neighbourhood. Finally, if the eave height was calculated from established grade, the eave height would be 6.65m, which is a minor deviation from the maximum eave height requirement.

As such, staff is of the opinion that the proposal maintains the general intent and purpose of the zoning by-law.

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, 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

Should Committee see merit in the applicant's request we are providing the following conditions/requirements for Committee's consideration:

A. Items Required Prior to the Issuance of Final Consent

1. Overall Grading and Drainage Plan

The applicant's consulting engineer will be required to prepare an Overall Grading and Drainage Plan which contains sufficient details to ensure grading compatibility with the adjacent lands and submit the grading and drainage proposal to this department for review/approval.

2. Municipal Address Requirement

Prior to the issuance of final consent, satisfactory arrangements are to be made with Corporate Services Department, Information Technology Division, Digital Services & Mobility Section, Geospatial Solutions Group for the creation of new municipal addresses for the severed and retained lands. For further information, please contact Susie Tasca at (905) 615-3200 ext. 3088 or susie.tasca@mississauga.ca

For further information regarding the above noted comments, please contact John Salvino at (905) 615-3200 ext. 5183 or john.salvino@mississauga.ca

B. GENERAL INFORMATION

1. Lot Grading and Drainage

We advise the applicant that issuance of any building permits for the new dwelling(s) will be subject to the owner submitting a certified lot grading and drainage plan to this Department for review/approval. The grading and drainage plan is to contain sufficient detail to ensure grading compatibility with the adjacent properties. In addition, the owner will be required to submit the applicable lot grading and municipal services protection deposits.

2. Servicing

All costs incurred in providing any service laterals will be the responsibility of the owner. The owner will also be responsible for all costs incurred for the required road reinstatement (if required). If the service connections are to be installed by a private contractor retained by the owner, issuance of an open cut permit will be subject to the owner depositing adequate securities with the City to guarantee proper road reinstatement.

3. Access

The applicant will be required to apply for Access Modification Permits prior to Site Plan Approval and/or Building Permit Issuance. We advise the applicant that all costs incurred in providing any new driveway entrance(s) to the subject lands or any modifications/reinstatement required, would be at cost to the owner. Driveway accesses shall maintain a 1.5m setback from aboveground features such as utilities and trees. We are also noting that should any utilities need to be relocated, all costs incurred will also be to the owner.

4. Storm Sewer Outlet

The storm sewer outlet for this site is the existing 675mm storm sewer on Cayuga Ave. The applicant is encouraged to design the basement elevation 1 metre above the obvert of the storm sewer on the street to eliminate the need for a sump pump.

Please note that in cases of a high groundwater table where a sump pump could run continuously if a sump pump was implemented, the applicants should consider raising the basement elevation to be at least 1.0 meter above the groundwater level. It is the owner's responsibility to satisfy themselves with these conditions as the City has no obligation to address any concerns with the operating conditions of private sump pump systems.

For further information please contact Ghazwan Yousif at ext. 3526.

We are noting that any Transportation and Works Department concerns/requirements for the Minor Variance application for this property will be addressed under Consent Application 'B' 39/21.

Comments Prepared by: Dave Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Building Department is currently processing a preliminary zoning review application under file PREAPP 21-5315. Based on review of the information currently available in this application, the variances, as requested are correct.

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

Comments Prepared by: Alana Zheng, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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

Should the application be approved, Community Services wishes to impose the following conditions:

1. The applicant shall provide a cash contribution of \$607.12 for planting of one (1) street tree on Cayuga Avenue. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.

In addition, Community Services notes the following:

1. Payment for street tree fees and charges can be made at the Parks and Forestry customer service counter located at 950 Burnhamthorpe Road West in the form of a certified cheque, bank draft, or money order payable to the City of Mississauga. Please contact Jim Greenfield regarding the Covid-19 interim payment process.
2. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, C.P. 13, as amended) and in accordance with the City's policies and by-laws.

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

Comments Prepared by: Jim Greenfield, Park Planner

Appendix A – CONDITIONS OF PROVISIONAL CONSENT

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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding. ("A" 248-249/21)
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated 2021-10-12.
5. A letter shall be received from the City of Mississauga, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated 2021-10-12.
6. A letter shall be received from Bell Canada, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated 2021-06-07.



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A397.21
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 3230 Galbraith Drive, zoned R4-52 - 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 below grade entrance proposing:

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

The Committee has set **Thursday October 21, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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How to submit a written comment:

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Advance registration is required to participate in the electronic hearing:

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

To participate by telephone: To register, please call 905-615-3200 x 2408 no later than 4:30pm 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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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: 2021-10-12	File(s): A397.21
To: Committee of Adjustment	Ward: 8
From: Committee of Adjustment Coordinator	Meeting date:2021-10-21 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow a below grade entrance proposing:

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

Background

Property Address: 3230 Galbraith Drive

Mississauga Official Plan

Character Area: Erin Mills Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

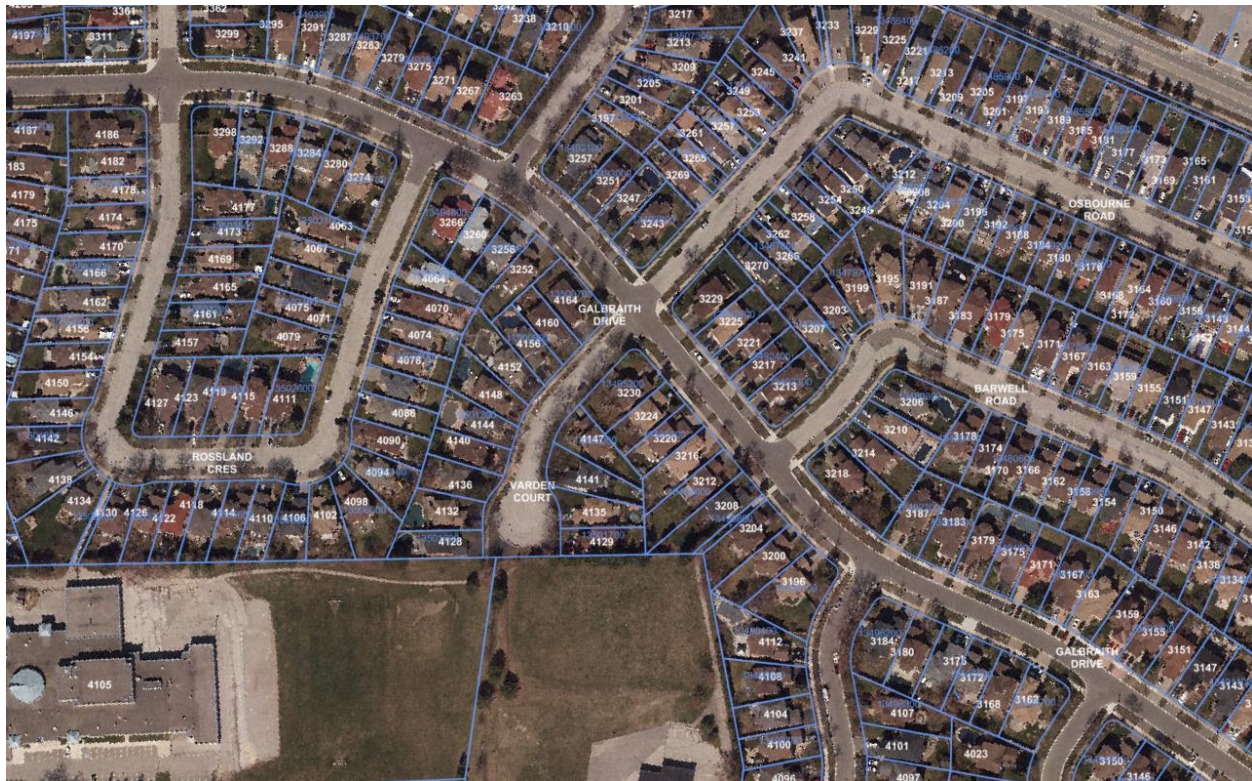
Planning Applications: Building Permit BPA-76836

Zoning: R4-52 - Residential

Site and Area Context

The subject property is located within the Erin Mills Neighbourhood, southwest of Winston Churchill Boulevard and Burnhamthorpe Road West. The neighbourhood is entirely residential consisting of two storey detached dwellings with mature vegetation in the side yards. The subject property is a two storey detached dwelling with vegetation in both the front and exterior side yard.

The applicant is proposing a pedestrian entrance requiring variances for a secondary unit entrance facing the street and a below grade entrance in the exterior side yard.



Comments

Planning

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

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

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

The subject property is located within the Erin Mills Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density II designation permits detached, semi-detached, duplex and triplex dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context and, the landscape of the character area. The proposed secondary unit is permitted within this designation; Staff is of the opinion that the general intent and purpose of the official plan is maintained.

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

The intent of the by-law in prohibiting a below grade entrance in the front/exterior yard and facing a street is to prevent a negative visual impact to the overall streetscape. While the proposed below grade entrance faces the street, it will be located behind an existing fence and hedge that hides the proposed entrance from the streetscape, softening the impact. Staff is supportive of Variances #1 and #2 and are of the opinion that these maintain the general intent and purpose of the zoning by-law.

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

The proposed secondary unit entrance is sufficiently screened and will not impact the streetscape. Planning Staff are of the opinion that this application represents the 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

This department has no objections or any drainage related concerns with the proposed basement entrance stairwell located in the exterior side yard and enclosed behind the privacy fence.







Comments Prepared by: Dave Martin, Supervisor Development Engineering

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: A398.21
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 7626 Almadale Court, zoned R3-69 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a basement entrance proposing a side yard measured to below grade stairs of 0.70m (approx. 2.30ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to below grade stairs of 1.20m (approx. 3.93ft) in this instance.

The Committee has set **Thursday October 21, 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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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: 2021-10-13	File(s): A398.21 Ward 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-10-21 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a basement entrance proposing a side yard measured to below grade stairs of 0.70m (approx. 2.30ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to below grade stairs of 1.20m (approx. 3.93ft) in this instance.

Background

Property Address: 7626 Almadale Court

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3-69 - Residential

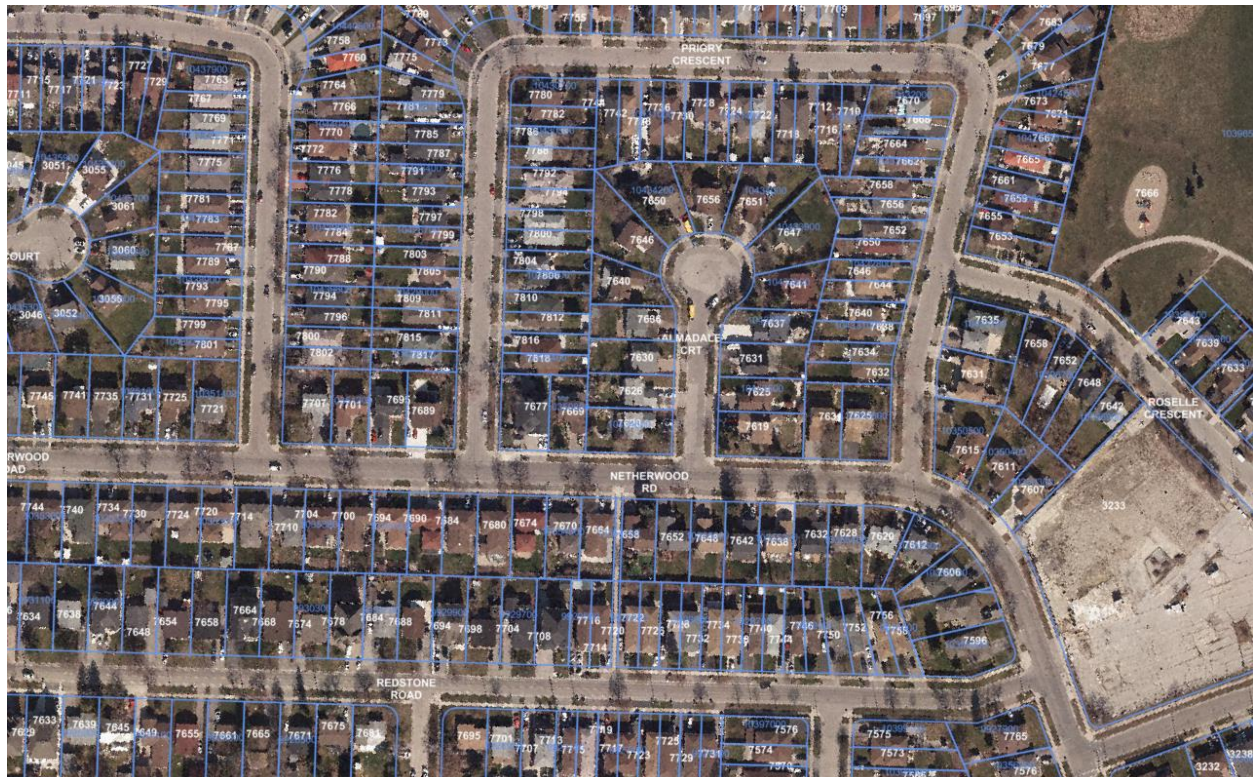
Other Applications: None

Site and Area Context

The subject property is located north-east of the Airport Road and Thamesgate Drive intersection in the Malton Neighbourhood. It currently contains a two storey detached dwelling

with an attached garage and limited landscape elements in both the front and rear yards. Almadale Court consists exclusively of detached dwellings, however semi-detached dwellings are present in the larger area context. The subject property has a frontage of +/- 15.24m (50ft) and an area of +/- 580.6m² (6,250ft²).

The applicant is proposing to construct a below grade entrance requiring a variance for the side yard setback to the stairs.



Comments

Planning

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

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

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

The subject property is located in the Malton Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, duplex and triplex dwellings, as well as other low-rise dwellings with individual frontages. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. Staff are satisfied that the proposal is compatible with the existing site conditions and surrounding area context. It will have no impact on the streetscape and maintains the general intent and purpose of the Official Plan.

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

The intent of the side yard regulations in the By-law is to ensure that an appropriate buffer between structures on abutting properties is maintained as well as ensuring appropriate access to the rear yard and appropriate drainage is preserved. The proposal is for a below grade staircase to access a side entrance into the dwelling which creates no impacts on massing or separation between structures, and preserves access to the rear yard on the other side of the dwelling. Furthermore Transportation & Works staff have raised no drainage concerns regarding the proposal. Staff are therefore satisfied that the request maintains the general intent and purpose of the By-law.

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

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

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

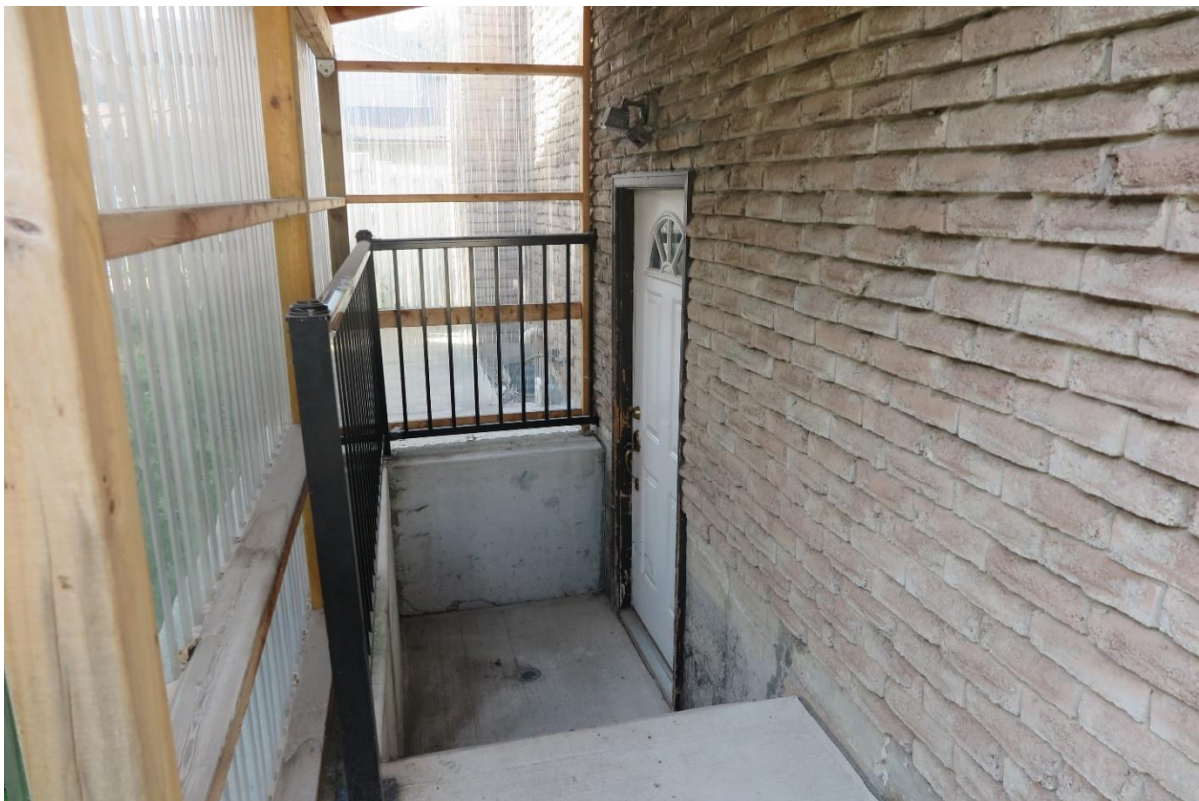
Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

From our site inspection we note that both the subject and abutting property have both constructed similar below grade covered entrances. We also note that there is an adequate area between the properties to allow any drainage to be directed out towards the front. In view of the above we do not have any drainage related concerns.







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: A400.21
Ward: 7

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 980 Fredonia Ave, zoned R2, 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 for the construction of an accessory structure proposing a lot coverage of 32.92% (approx. 262.32sq.m or 2823.59sq.ft) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% (approx. 239.05sq.m or 2573.11sq.ft) in this instance.

The Committee has set **Thursday October 21, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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How to submit a written comment:

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

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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: 2021-10-13	File(s): A400.21 Ward 7
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-10-21 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 for the construction of an accessory structure proposing a lot coverage of 32.92% (approx. 262.32sq.m or 2823.59sq.ft) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% (approx. 239.05sq.m or 2573.11sq.ft) in this instance.

Recommended Conditions and Terms

Should Committee see merit in the applicant's request to construct a new covered deck, we request that the proposed roof be equipped with an eaves trough and the down spout(s) be directed such that drainage would not impact on the adjacent properties.

Background

Property Address: 980 Fredonia Ave

Mississauga Official Plan

Character Area: Erindale Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

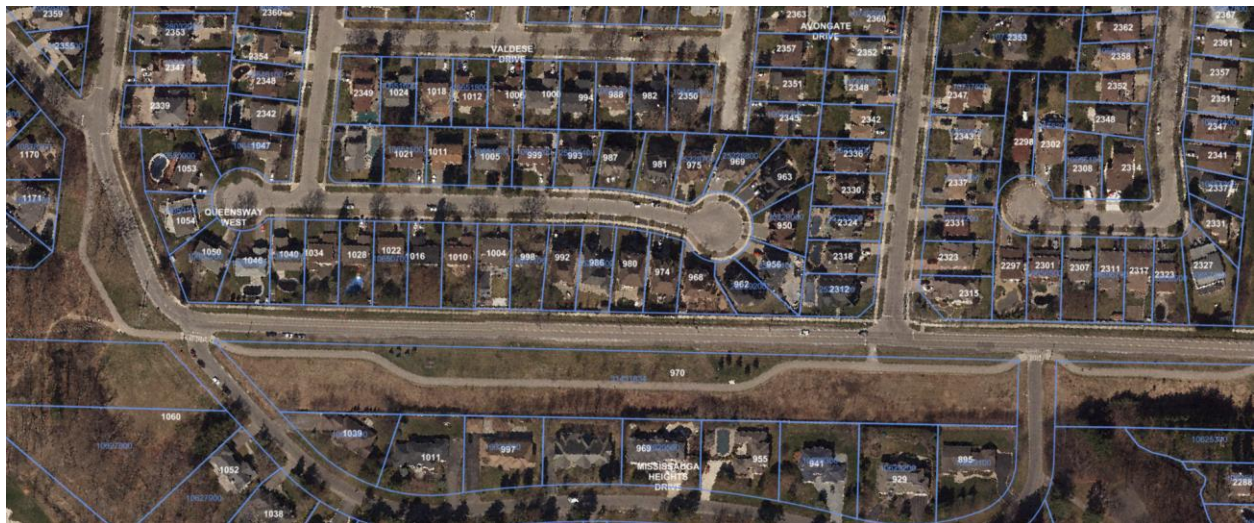
Zoning: R2 - Residential

Other Applications: BP 9ALT 21-6763

Site and Area Context

The subject property is located north-east of the Queensway West and Glengarry Road intersection in the Erindale Neighbourhood. It currently contains a two storey detached dwelling with an attached garage and some landscape elements in both the front and rear yards. The surrounding neighbourhood context is exclusively detached dwellings on lots of varying sizes. The subject property has a frontage of +/- 18m (59ft) and an area of +/- 796.8m² (8,576.7ft²).

The applicant is proposing a covered deck at the rear of the property requiring a variance for lot coverage.



Comments

Planning

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

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

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

The subject property is located in the Erindale Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation only permits detached dwellings. Section 9 of MOP promotes development

with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. The proposal maintains the permitted detached dwelling use, is appropriately sized and located for the subject property, and respects the surrounding context. Staff are satisfied that the general intent and purpose of the Official Plan are maintained.

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

The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot which would impact the streetscape as well as abutting properties. Staff are satisfied that the proposal does not represent an overdevelopment of the subject property. The proposed deck does not span the full width of the existing dwelling nor does it protrude excessively beyond the rear walls of adjacent dwellings. Furthermore with the deck being open on the sides it limits the massing impact on the surrounding properties. Staff are satisfied that the general intent and purpose of the Zoning By-law are maintained.

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

The application proposes a minor increase to lot coverage that will not create any significant negative impacts to abutting properties or to the Queensway West, located to the rear of the subject lands. It represents appropriate development of the subject property that fits within the surrounding context and improves upon the existing rear yard amenity area.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed are photos of the rear yard. Should Committee see merit in the applicant's request to construct a new covered deck, we request that the proposed roof be equipped with an eaves trough and the down spout(s) be directed such that drainage would not impact on the adjacent properties.





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 21-6763. 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: A404.21
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 2285 The Collegeway, zoned RA2-43 - 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 for the construction of a residential infill building proposing:

1. A maximum building height of 27.0m (approx. 88.6ft) whereas By-law 0225-2007, as amended, requires a maximum height of 26.0m (approx. 85.3ft) in this instance;
2. A maximum mechanical penthouse height of 7.5m (approx. 24.6ft) whereas By-law 0225-2007, as amended, requires a maximum height of 6.0m (approx. 19.7ft) in this instance;
3. A front yard of 7.5m (approx. 24.6ft) for the portion of the dwelling with a height greater than 13.0m (approx. 42.7ft) and less than or equal to 20.0m (approx. 65.6ft) whereas By-law 0225-2007, as amended, requires a minimum of 8.5m (approx. 27.9ft) in this instance;
4. A front yard of 9.0m (approx. 29.5ft) for the portion of the dwelling with a height greater than 20.0m (approx. 65.6ft) and less than or equal to 26.0m (approx. 85.3ft) whereas By-law 0225-2007, as amended, requires a minimum of 9.5m (approx. 31.2ft) in this instance;
5. An interior side yard of 4.5m (approx. 14.8ft) for that portion of the dwelling with a height greater than 13.0m (approx. 42.7ft) and less than or equal to 20.0m (approx. 65.6ft) whereas By-law 0225-2007, as amended, requires a minimum of 6.0m (approx. 19.7ft) in this instance;
6. A landscape buffer of 1.5m (approx. 4.92ft) in depth to an Apartment Zone whereas By-law 0225-2007, as amended, requires a minimum depth of a landscaped buffer of 3.0m (approx. 9.8ft) in this instance;
7. For the existing building, a minimum parking rate of 1.21 resident spaces per unit and 0.15 visitor spaces per unit whereas By-law 0225-2007, as amended, requires a minimum parking rate of 1.00 resident space per studio unit, 1.18 resident spaces per one-bedroom unit, 1.36 resident spaces per two-bedroom unit, 1.50 resident spaces per three-bedroom unit and 0.20 visitor spaces per unit in this instance;
8. For the proposed building, a minimum parking rate of 0.73 resident spaces per unit and 0.15 visitor spaces per unit whereas By-law 0225-2007, as amended, requires a minimum parking rate of 1.00 resident space per studio unit, 1.18 resident spaces per one-bedroom unit, 1.36 resident spaces per two-bedroom unit, 1.50 resident spaces per three-bedroom unit and 0.20 visitor spaces per unit in this instance; and
9. A 1.5m (approx. 4.9ft) setback from surface parking spaces or aisles to any other lot line whereas By-law 0225-2007, as amended, requires a minimum setback of 3.0m (approx. 9.8ft) in this instance.

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City of Mississauga Department Comments

Date Finalized: 2021-10-12	File(s): A404.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-10-21 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred. 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 for the construction of a residential infill building proposing:

1. A maximum building height of 27.0m (approx. 88.6ft) whereas By-law 0225-2007, as amended, requires a maximum height of 26.0m (approx. 85.3ft) in this instance;
2. A maximum mechanical penthouse height of 7.5m (approx. 24.6ft) whereas By-law 0225-2007, as amended, requires a maximum height of 6.0m (approx. 19.7ft) in this instance;
3. A front yard of 7.5m (approx. 24.6ft) for the portion of the dwelling with a height greater than 13.0m (approx. 42.7ft) and less than or equal to 20.0m (approx. 65.6ft) whereas By-law 0225-2007, as amended, requires a minimum of 8.5m (approx. 27.9ft) in this instance;
4. A front yard of 9.0m (approx. 29.5ft) for the portion of the dwelling with a height greater than 20.0m (approx. 65.6ft) and less than or equal to 26.0m (approx. 85.3ft) whereas By-law 0225-2007, as amended, requires a minimum of 9.5m (approx. 31.2ft) in this instance;
5. An interior side yard of 4.5m (approx. 14.8ft) for that portion of the dwelling with a height greater than 13.0m (approx. 42.7ft) and less than or equal to 20.0m (approx. 65.6ft) whereas By-law 0225-2007, as amended, requires a minimum of 6.0m (approx. 19.7ft) in this instance;
6. A landscape buffer of 1.5m (approx. 4.92ft) in depth to an Apartment Zone whereas By-law 0225-2007, as amended, requires a minimum depth of a landscaped buffer of 3.0m (approx. 9.8ft) in this instance;
7. For the existing building, a minimum parking rate of 1.21 resident spaces per unit and 0.15 visitor spaces per unit whereas By-law 0225-2007, as amended, requires a minimum parking rate of 1.00 resident space per studio unit, 1.18 resident spaces per one-bedroom unit, 1.36 resident spaces per two-bedroom unit, 1.50 resident spaces per three-bedroom unit and 0.20 visitor spaces per unit in this instance;
8. For the proposed building, a minimum parking rate of 0.73 resident spaces per unit and 0.15 visitor spaces per unit whereas By-law 0225-2007, as amended, requires a minimum parking

rate of 1.00 resident space per studio unit, 1.18 resident spaces per one-bedroom unit, 1.36 resident spaces per two-bedroom unit, 1.50 resident spaces per three-bedroom unit and 0.20 visitor spaces per unit in this instance; and

9. A 1.5m (approx. 4.9ft) setback from surface parking spaces or aisles to any other lot line whereas By-law 0225-2007, as amended, requires a minimum setback of 3.0m (approx. 9.8ft) in this instance.

Background

Property Address: 2285 The Collegeway

Mississauga Official Plan

Character Area: South Common Community Node
Designation: Residential High Density

Zoning By-law 0225-2007

Zoning: RA2-43 - Residential

Planning Applications: Pre-Application Zoning Review – PREAPP 20-3375

Site and Area Context

The subject property is located in the South Common Community Node, southwest of the Erin Mills Parkway and The Collegeway intersection. The surrounding neighbourhood consists of multiple townhouse complexes and a 6-storey apartment building. The subject property contains a rental apartment building that has a 4-storey height along The Collegeway and steps up to 7-storeys along the northern and westerly portions of the property. On the western portion of the subject property, east of South Millway, are four (4), 2-storey townhouse dwellings. The remainder of the subject property is occupied by surface parking lots and landscaped area. Mature trees are scattered over the property, and a fence has been provided along the northern and southern property lines.

The application proposes to construct a new 7 storey rental infill building requiring variances for heights, front yards, interior side yard, landscape buffer 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 are as follows:

The subject property is designated Residential High Density in Schedule 10 of the Mississauga Official Plan (MOP), which permits apartment dwellings. The applicant is proposing to demolish the existing townhouses and the surface parking lot on the western portion of the subject property and construct a new 7-storey residential rental infill building. The existing 7-storey apartment building on the subject property and its associated underground parking garage will not be modified through this application.

The applicant is proposing reduced parking rates for the existing and proposed buildings, for resident and visitor spaces (Variances #7 and 8). Municipal Parking staff have provided the following comments with respect to these variances:

A Parking Justification Letter, prepared by LEA Consulting Ltd., dated June 24, 2021, has been submitted in support of the application.

The subject property is currently occupied by a seven-storey apartment building with 141 units as well as four (4) two-storey townhouse dwellings, with 214 total parking spaces. The development proposes to demolish the existing townhouse dwellings and nine 9 surface parking spaces to provide a new seven-storey residential building with 101 residential units in their place. The existing seven-storey residential building will also be maintained.

The applicant is proposing a minimum of 280 parking spaces. Of these spaces, 205 spaces will be maintained from the existing supply, which includes 138 underground parking spaces and 67 surface parking spaces. A total of 69 additional underground parking spaces and 9 new surface parking spaces are proposed to be provided through the new building, resulting in a total of 280 spaces overall.

Table 1 – Parking Requirements and Applicant Proposed Parking

Unit type	# of Units / GFA (m2)	Rate Required (ZBL)	Spaces Required	Rate Proposed	Spaces Proposed
Existing (rental)					
Studio	14	1.0	14	1.21	16.94
1-bed	31	1.18	36.58	1.21	37.51
2-bed	65	1.36	88.4	1.21	78.65
3-bed+	31	1.5	46.5	1.21	37.51
Visitors	141	0.2	28.2	0.15	21.15
Total	141		213.68		191.76
Proposed (rental)					
1-bed	45	1.18	53.1	0.73	32.85
2-bed	42	1.36	57.12	0.73	30.66
3-bed	14	1.5	21	0.73	10.22
Visitors	101	0.2	20.2	0.15	15.15
Total	101		151.42		88.88
Total	242		365.10		280.64

Staff Comments for Residential & Visitor Parking

- Staff had concerns with the proxy sites and the analysis. The existing and the proposed new buildings should not have separate rates as they are located on the same site. In addition, the existing site must be surveyed to better understand the parking demands on site.
- Generally staff require that survey counts are recent and proxy sites are comparable, including the building tenure. In this case, the Toronto sites and surveys conducted earlier than 2016 did not fit the requirement due to transit connectivity, locational context, and recent enough information.

Overall Staff Comments

- Staff recommend deferral of this application.
 - Staff do not support separating the parking rates based on existing and proposed site developments.
 - Staff do not support all proxy sites chosen for site comparison. Applicant is asked to survey the existing site in accordance to the Parking Utilization Study Terms of Reference.

Planning staff echo Municipal Parking staff's concerns with Variances #7 and 8 and note that the subject property is subject to site plan approval. At this time, the applicant has not submitted a site plan application. Development and Design staff are concerned that this application is premature and the applicant should undergo site plan approval before applying for variances. Planning staff echo these concerns and are unable to provide a recommendation on the remaining variances at this time. Planning staff recommend that the minor variance application be deferred to permit the applicant an opportunity to submit a site plan application.

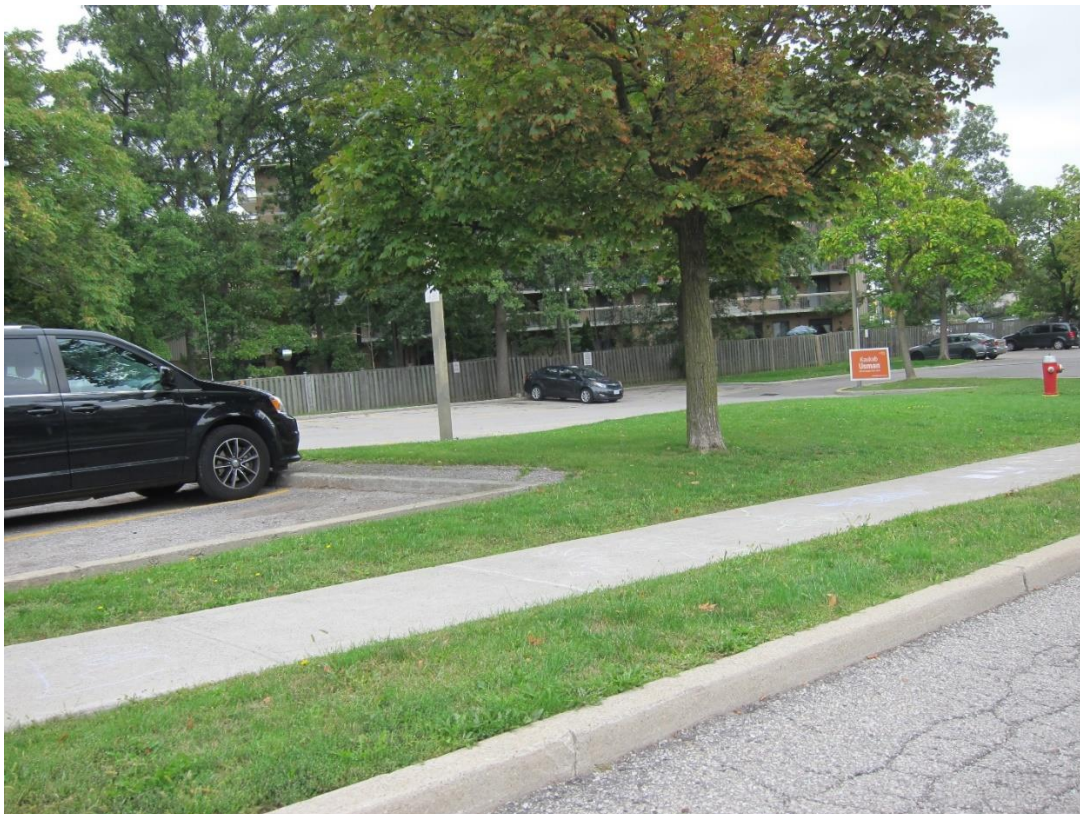
Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the new apartment building on the subject property will be addressed through future Site Plan and Building Permit applications.





Comments Prepared by: Dave Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Building Department is currently processing a Preliminary Zoning Review application under file PREAPP 20-3375. 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: A409.21
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 1421 Glenburnie Rd, zoned R2-5 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling proposing:

1. A flat roof dwelling height of 9.42m (approx. 30.91ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof dwelling height of 7.50m (approx. 24.61ft) in this instance; and
2. A front yard setback of 6.89m (approx. 22.60ft) to the porch stairs whereas By-law 0225-2007, as amended, requires a front yard setback of 7.40m (approx. 24.28ft) to the porch stairs in this instance.

The Committee has set **Thursday October 21, 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 the Friday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and application number or address of the property you are providing comments on.

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

To participate by telephone: To register, please call 905-615-3200 x 2408 no later than 4:30pm the Friday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.

Legal notice:

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

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



City of Mississauga Department Comments

Date Finalized: 2021-10-12	File(s): A409.21
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2021-10-21 1:00:00 PM

Consolidated Recommendation

The City recommends refusal of Variance #1, and has no concerns with the remaining variances.

Application Details

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

1. A flat roof dwelling height of 9.42m (approx. 30.91ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof dwelling height of 7.50m (approx. 24.61ft) in this instance; and
2. A front yard setback of 6.89m (approx. 22.60ft) to the porch stairs whereas By-law 0225-2007, as amended, requires a front yard setback of 7.40m (approx. 24.28ft) to the porch stairs in this instance.

Amendments

The Building Department is currently processing a building permit under file SPI 21-68. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

3. A combined width of side yards of 4.21m (approx. 13.81ft) whereas By-law 0225-2007, as amended, requires a combined width of side yards of 8.03m (approx. 26.35ft) in this instance; and
4. A walkway attached to driveway with attachment of 4.4m (approx. 14.44ft) whereas By-law 0225-2007, as amended, permits a walkway attached to driveway with attachment of 1.5m (approx. 4.92ft) in this instance.

Background

Property Address: 1421 Glenburnie Rd

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Greenlands & Residential Low Density I

Zoning By-law 0225-2007

Zoning: R2-5 - Residential

Planning Applications: Site Plan Infill – 21-68 W1

Site and Area Context

The subject property is located within the Mineola Neighbourhood, northwest of Hurontario Street and Mineola Road West. The neighbourhood is entirely residential consisting of newer and older one and two storey detached dwellings on lots with mature vegetation in the front yards. The subject property is a two storey detached dwelling with mature vegetation in the front yard.

The applicant is proposing a new dwelling requiring variances for flat roof height, front yard setback, combined width of side yards and a walkway attachment.



Comments

Planning

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

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

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

The subject property is designated Residential Low Density I and Greenlands in Schedule 10 of the Mississauga Official Plan (MOP). The entirety of the proposal is situated on the lands designated Residential Low Density I, which permits detached, semi-detached and duplex dwellings. The proposed detached dwelling respects the designated land use. 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 pertains to height of the flat roof. The applicant is proposing a flat roof height of 9.42m (approx. 30.91ft), where a maximum flat roof height of 7.5m (approx. 24.61ft) is permitted. Staff note that there is a 0.48m discrepancy between the established grade and average grade. From a street view, the flat roof height would appear to be 8.94m (approx. 29.33ft). Even though this discrepancy exists, staff would not be supportive of an 8.94 m (29.33ft) flat roof in this instance. Staff are concerned that the height proposed is not consistent with flat roof heights in the immediate area and does not maintain the general intent and purpose of the infill regulations. Furthermore, the flat roof height is a significant deviation from what the by-law permits.

Variance #2 pertains to front yard setback. The applicant is proposing a front yard setback of 6.89m (approx. 22.60ft) to the porch stairs where a minimum front yard setback of 7.40m (approx. 24.28ft) to the porch stairs is required. The intent of a front yard setback is to ensure that a consistent character is maintained along the streetscape and that a sufficient front yard space is incorporated into the design of neighbourhoods. While a variance to the porch stairs is required, staff is not concerned with the variance because the proposed porch does not create any massing concerns, as it is an open structure. Furthermore, the proposed dwelling, excluding the front porch, exceeds the zoning by-law standard for front yard. The proposed front yard setback is generally in line with the neighbouring dwellings and presents a consistent streetscape.

Variance #3 pertains to combined width of side yards. The applicant is proposing a combined width of side yards of 4.21m (approx. 13.81ft), where a minimum combined yard width of 8.03m (approx. 26.35ft) 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.

Variance #4 pertains to a walkway attachment. The applicant is proposing a walkway attachment of 4.4m (approx. 14.45ft), when a maximum walkway attachment of 1.5m (approx. 4.92ft) is permitted. The intent of this portion of the bylaw is to provide a convenient surface for pedestrians (not vehicles) and assists in defining an entryway to a dwelling. While the walkway attachment appears to be excessive, the attachment is not able to accommodate a vehicle as the walkway is only 2.14m (approx. 7.02ft) deep. After 2.14m (approx. 7.02ft), the walkway width tapers to 1.5m (4.92ft).

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?

Staff are concerned with the dwelling's proposed flat roof height, as it would create a dwelling that would be out of character with the immediate area. Staff are of the opinion that proposed height does not represent orderly development of the lands and is not minor in nature. As such, staff cannot support this variance. Regarding the remaining variances, staff are of the opinion that the variances would not result in any adverse impacts to the character streetscape and maintains the established neighbourhood context. As such, Planning Staff recommends refusal of Variance #1, and has no concerns with 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 dwelling are being addressed through the Site Plan Application process, File SPI-21/068.



Comments Prepared by: Dave Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file SPI 21-68. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

1. A flat roof dwelling height of 9.42m (approx. 30.91ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof dwelling height of 7.50m (approx. 24.61ft) in this instance;
2. A front yard setback of 6.89m (approx. 22.60ft) to the porch stairs whereas By-law 0225-2007, as amended, requires a front yard setback of 7.40m (approx. 24.28ft) to the porch stairs in this instance;
3. A combined width of side yards of 4.21m (approx. 13.81ft) whereas By-law 0225-2007, as amended, requires a combined width of side yards of 8.03m (approx. 26.35ft) in this instance; and
4. A walkway attached to driveway with attachment of 4.4m (approx. 14.44ft) whereas By-law 0225-2007, as amended, permits a walkway attached to driveway with attachment of 1.5m (approx. 4.92ft) in this instance.

Please note that comments reflect those provided through the above permit application and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these 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: A410.21
Ward: 7

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 2200 Sherobee Rd, zoned RA3-8 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of new dwelling units proposing:

1. Four dwelling units to be located below the first storey whereas By-law 0225-2007, as amended, does not permit a dwelling unit to be located below the first storey in this instance; and
2. The finished floor level of a basement dwelling unit to be a minimum of 1.20m (approx. 3.94ft) and a maximum of 2.60m (approx. 8.53ft) below the highest grade level immediately adjacent to the dwelling unit whereas By-law 0225-2007, as amended, permits the finished floor level of a basement dwelling unit to be a maximum of 1.20m (approx. 3.94ft) below the highest grade level immediately adjacent to the dwelling unit in this instance.

The Committee has set **Thursday October 21, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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

How to submit a written comment:

Written comments to the Committee must be received no later than 4:30pm the 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 the Friday prior to the hearing. Any materials

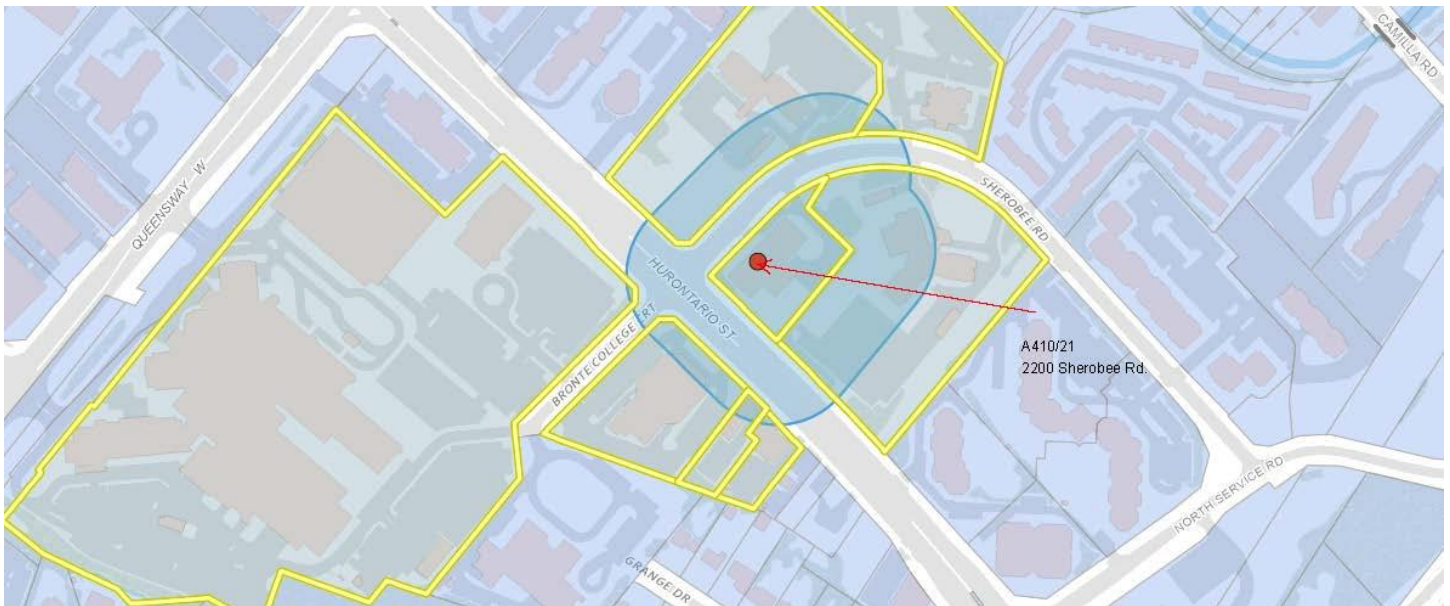
you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services will not be accepted.

To participate by telephone: To register, please call 905-615-3200 x 2408 no later than 4:30pm the Friday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.

Legal notice:

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

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



City of Mississauga Department Comments

Date Finalized: 2021-10-13	File(s): A410.21 Ward 7
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-10-21 1:00:00 PM

Consolidated Recommendation

The City recommends the application be deferred.

Application Details

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

1. Four dwelling units to be located below the first storey whereas By-law 0225-2007, as amended, does not permit a dwelling unit to be located below the first storey in this instance; and
2. The finished floor level of a basement dwelling unit to be a minimum of 1.20m (approx. 3.94ft) and a maximum of 2.60m (approx. 8.53ft) below the highest grade level immediately adjacent to the dwelling unit whereas By-law 0225-2007, as amended, permits the finished floor level of a basement dwelling unit to be a maximum of 1.20m (approx. 3.94ft) below the highest grade level immediately adjacent to the dwelling unit in this instance.

Amendments

From a review of this application it appears the following amendments are required:

2. The finished floor level of the dwelling units to be more than 1.2m below the highest grade level immediately adjacent to the dwelling unit at any point; whereas By-law 0225-2007, as amended, does not permit the finished floor level of a dwelling unit to be more than 1.2m below the highest grade level immediately adjacent to the dwelling unit at any point in this instance.

Background

Property Address: 2200 Sherobee Rd

Mississauga Official Plan

Character Area: Downtown Hospital
Designation: Residential High Density

Zoning By-law 0225-2007

Zoning: RA3-8 - Residential

Other Applications: BP 3ALT 20-2119

Site and Area Context

The subject property is located on the south-east corner of Hurontario Street and Sherobee Road. It contains a 10-storey residential building with associated parking and limited landscaping. The surrounding area context includes a mix of high density residential uses, commercial uses, and institutional uses.

The applicant is proposing to add units to the building requiring variances for the units to be located below the first storey.



Comments

Planning

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

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

The subject property is located in the Downtown Hospital Neighbourhood Character Area and is designated Residential High Density in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits apartment dwellings, as well as some commercial uses at grade.

Upon review of the application staff determined that additional information regarding the proposed units would be required. The applicant provided the requested information to the Committee of Adjustment on September 28. Staff are continuing to review the application, however are unable to determine if the request meets the four tests of a minor variance as additional review is required at this time.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's information are photos depicting the subject property. We are noting that any Transportation and Works Department concerns/requirements for the proposed modifications to the subject property will be addressed through the Building Permit Process.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing building permit application BP 3ALT 20-2119. From a review of this application it appears the following amendments are required:

2. The finished floor level of the dwelling units to be more than 1.2m below the highest grade level immediately adjacent to the dwelling unit at any point; whereas By-law 0225-2007, as amended, does not permit the finished floor level of a dwelling unit to be more than 1.2m below the highest grade level immediately adjacent to the dwelling unit at any point in this instance.

Our comments are based on the plans received by Zoning staff on 8/30/2021 for the above captioned building permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been reviewed through the building permit process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the building permit process in order to receive updated comments.

Comments Prepared by: Brian Bonner, Supervisor - Zoning



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A412.21
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 4213 Taffey Crescent, zoned R4 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an outdoor pool with a setback of 0.914m (approx. 3.000ft) from the lot line whereas By-law 0225-2007, as amended, requires an outdoor pool to have a minimum setback of 1.500m (approx. 4.921ft) from all lot lines in this instance.

The Committee has set **Thursday October 21, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act*, *Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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How to submit a written comment:

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City of Mississauga Department Comments

Date Finalized: 2021-10-12	File(s): A412.21
To: Committee of Adjustment	Ward: 8
From: Committee of Adjustment Coordinator	Meeting date:2021-10-21 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an outdoor pool with a setback of 0.914m (approx. 3.000ft) from the lot line whereas By-law 0225-2007, as amended, requires an outdoor pool to have a minimum setback of 1.500m (approx. 4.921ft) from all lot lines in this instance.

Background

Property Address: 4213 Taffey Crescent

Mississauga Official Plan

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

Zoning By-law 0225-2007

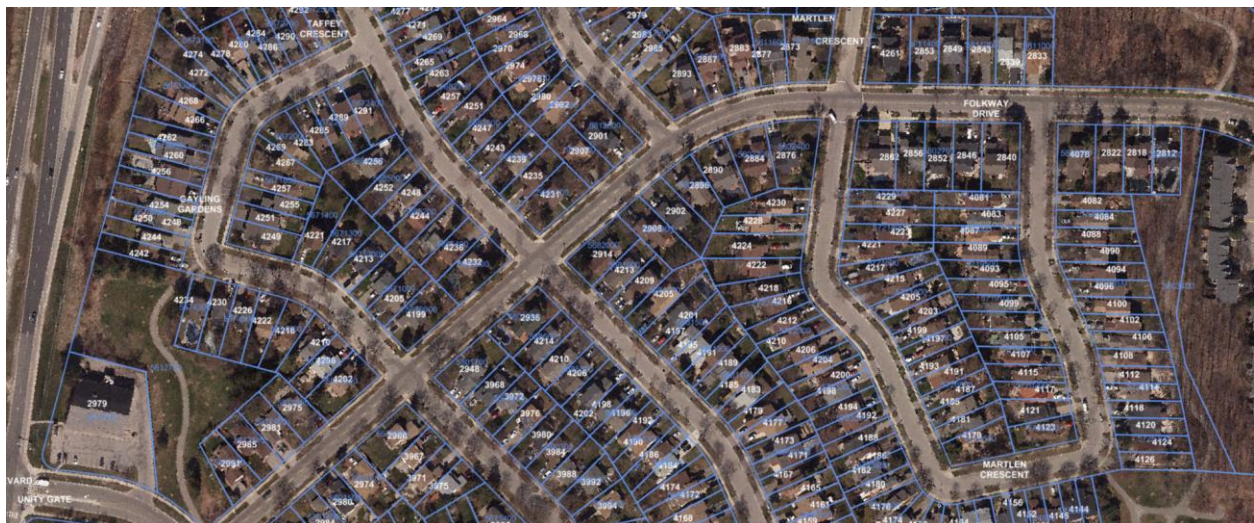
Zoning: R4 - Residential

Planning Applications: None

Site and Area Context

The subject property is located within the Erin Mills Neighbourhood, northeast of Winston Churchill Boulevard and Burnhamthorpe Road West. The immediate area is residential consisting of two storey semi-detached and detached dwellings, on lots with mature vegetation in the front and side yards. The subject property is a two storey detached dwelling with vegetation in the front yard.

The applicant is proposing an outdoor pool requiring a variance for outdoor pool 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 are as follows:

Variance #1 is pertains to outdoor pool setback. The applicant is requesting a variance to allow an outdoor pool with a setback of 0.914m (approx. 3.000ft) from the lot line where an outdoor pool is required to have a minimum setback of 1.500m (approx. 4.921ft) from all lot lines. The setbacks from a lot line to pool are to ensure that there is sufficient space for any maintenance or repairs to the pool that need to be made without needing to encroach onto a neighbour's property. In addition, in the event there is a major leak, it protects adjacent neighbour's properties in case their foundation is close to the lot line. Transportation and Works (T&W) staff

have no objection to the proposed reduced setback. However, T&W staff have expressed drainage concerns with the creation of the proposed gardens indicated on the applicant's drawings. It is staff's opinion that the proposed setback is sympathetic to the surrounding area and does not impact the neighbouring properties. Through a detailed review of the application, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This department has no objection to the proposed reduced setback from the pool to the lot line in this instance. We note that the current plans indicate proposed gardens along two sides of the pool between the pool and the property line. This department does not support the creation of gardens in these areas as they will typically be raised at the property line and impact drainage patterns along common property line swales. We would request that gardens be deleted from these areas to reduce the potential for drainage related issues with adjoining properties in the future.





Comments Prepared by: Dave Martin, Supervisor Development Engineering

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: A413.21
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 1022 Caldwell Avenue, zoned R2-4, 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 new dwelling proposing:

1. A lot coverage of 30.40% (approx. 318.74sq.m or 3,430.89sq.ft) whereas By-law 0225-2007, as amended, requires a maximum lot coverage of 30.00% (approx. 313.92sq.m or 3,379.01sq.ft) in this instance;
2. An above grade gross floor area of 445.51sq.m (approx. 4795.43sq.ft) whereas By-law 0225-2007, as amended, requires a maximum above grade gross floor area of 399.28sq.m (approx. 4297.81sq.ft) in this instance;
3. A rear yard measured to an eave overhang of 2.38m (approx. 7.81ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to an eave overhang of 2.55m (approx. 8.37ft) in this instance;
4. A rear yard setback of 2.99m (approx. 9.81ft) to the dwelling wall whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 3.00m (approx. 9.84ft) to the dwelling wall in this instance;
5. An exterior side yard setback of 5.99m (approx. 19.65ft) to the garage face whereas By-law 0225-2007, as amended, requires a minimum exterior yard setback of 7.50m (approx. 24.61ft) to the garage face in this instance;
6. An exterior side yard setback of 5.99m (approx. 19.65ft) to the dwelling face whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 7.50m (approx. 24.61ft) to the dwelling face in this instance;
7. An exterior side yard setback of 5.39m (approx. 17.68ft) to the eave overhang whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 7.05m (approx. 23.13ft) to the eave overhang in this instance;
8. An exterior side yard setback of 4.49m (approx. 14.73ft) to the porch stairs whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 5.90m (approx. 19.36ft) to the porch stairs in this instance;
9. A dwelling height of 10.09m (approx. 33.10ft) from the average grade to the roof ridge whereas By-law 0225-2007, as amended, requires a maximum dwelling height of 9.50m (approx. 31.17ft) to the roof ridge in this instance;
10. A dwelling height of 7.62m (approx. 25.00ft) from average grade to underside of eaves whereas By-law 0225-2007, as amended, requires a maximum dwelling height of 6.40m (approx. 21.00ft) from average grade to underside of eaves in this instance;
11. A 0.914m (approx. 2.999ft) garage projection whereas By-law 0225-2007, as amended, requires a 0.000m garage projection in this instance; and
12. A dwelling depth of 21.59m (approx. 70.83ft) whereas By-law 0225-2007, as amended, requires a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance.

The Committee has set **Thursday October 21, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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

How to submit a written comment:

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

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To participate by telephone: To register, please call 905-615-3200 x 2408 no later than 4:30pm the Friday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.

Legal notice:

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

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



City of Mississauga Department Comments

Date Finalized: 2021-10-12	File(s): A413.21 Ward" 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-10-21 1:00:00 PM

Consolidated Recommendation

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

Application Details

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

1. A lot coverage of 30.40% (approx. 318.74sq.m or 3,430.89sq.ft) whereas By-law 0225-2007, as amended, requires a maximum lot coverage of 30.00% (approx. 313.92sq.m or 3,379.01sq.ft) in this instance;
2. An above grade gross floor area of 445.51sq.m (approx. 4795.43sq.ft) whereas By-law 0225-2007, as amended, requires a maximum above grade gross floor area of 399.28sq.m (approx. 4297.81sq.ft) in this instance;
3. A rear yard measured to an eave overhang of 2.38m (approx. 7.81ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to an eave overhang of 2.55m (approx. 8.37ft) in this instance;
4. A rear yard setback of 2.99m (approx. 9.81ft) to the dwelling wall whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 3.00m (approx. 9.84ft) to the dwelling wall in this instance;
5. An exterior side yard setback of 5.99m (approx. 19.65ft) to the garage face whereas By-law 0225-2007, as amended, requires a minimum exterior yard setback of 7.50m (approx. 24.61ft) to the garage face in this instance;
6. An exterior side yard setback of 5.99m (approx. 19.65ft) to the dwelling face whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 7.50m (approx. 24.61ft) to the dwelling face in this instance;
7. An exterior side yard setback of 5.39m (approx. 17.68ft) to the eave overhang whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 7.05m (approx. 23.13ft) to the eave overhang in this instance;
8. An exterior side yard setback of 4.49m (approx. 14.73ft) to the porch stairs whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 5.90m (approx. 19.36ft) to the porch stairs in this instance;
9. A dwelling height of 10.09m (approx. 33.10ft) from the average grade to the roof ridge

whereas By-law 0225-2007, as amended, requires a maximum dwelling height of 9.50m (approx. 31.17ft) to the roof ridge in this instance;

10. A dwelling height of 7.62m (approx. 25.00ft) from average grade to underside of eaves whereas By-law 0225-2007, as amended, requires a maximum dwelling height of 6.40m (approx. 21.00ft) from average grade to underside of eaves in this instance;

11. A 0.914m (approx. 2.999ft) garage projection whereas By-law 0225-2007, as amended, requires a 0.000m garage projection in this instance; and

12. A dwelling depth of 21.59m (approx. 70.83ft) whereas By-law 0225-2007, as amended, requires a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance.

Amendments

The applicant has made revisions to their proposal. As such, staff notes the following variances should be amended as follows:

2. An above grade gross floor area of 437.2sq.m (approx. 4705.98sq.ft) whereas By-law 0225-2007, as amended, requires a maximum above grade gross floor area of 399.28sq.m (approx. 4297.81sq.ft) in this instance;

3. A rear yard measured to an eave overhang of 2.38m (approx. 7.81ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to an eave overhang of 2.55m (approx. 8.37ft) in this instance;4. A rear yard setback of 2.99m (approx. 9.81ft) to the dwelling

5. An exterior side yard setback of 6.4m (approx. 21ft) to the garage face whereas By-law 0225-2007, as amended, requires a minimum exterior yard setback of 7.50m (approx. 24.61ft) to the garage face in this instance;

6. An exterior side yard setback of 6.4m (approx. 21ft) to the dwelling face whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 7.50m (approx. 24.61ft) to the dwelling face in this instance;

7. An exterior side yard setback of 5.38m (approx.17.65ft) to the eave overhang whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 7.05m (approx. 23.13ft) to the eave overhang in this instance;

11. A 0.508m (approx. 1.667ft) garage projection whereas By-law 0225-2007, as amended, requires a 0.000m garage projection in this instance;

Background

Property Address: 1022 Caldwell Avenue

Mississauga Official Plan

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

Zoning By-law 0225-2007

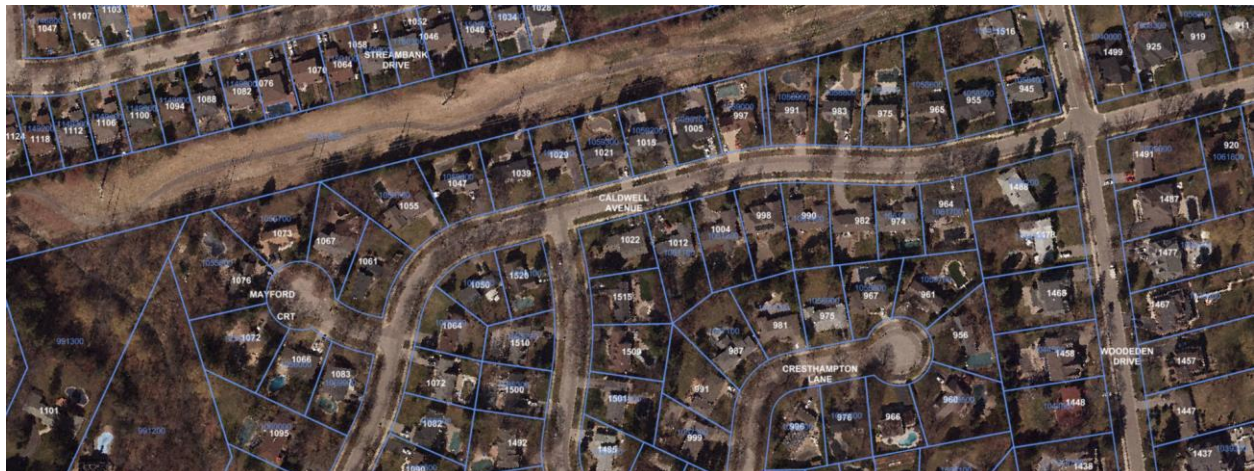
Zoning: R2-4

Planning Applications: Site Plan Infill SPI – 21-52 W2

Site and Area Context

The subject property is located within the Clarkson – Lorne Park Neighbourhood, northwest of Indian Road and Tecumseh Park Drive. The neighbourhood is entirely residential consisting of one and two storey detached dwellings on lots with mature vegetation in the front and side yards. The subject property is a one storey detached dwelling with mature vegetation in both the front and exterior side yard.

The applicant is proposing a two storey dwelling requiring variances for lot coverage, gross floor area, rear and exterior side yard setbacks, dwelling heights, garage projection and dwelling depth.



Comments

Planning

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

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

On October 5, 2021, the applicant's agent submitted revised drawings and variances to staff. Revisions include a reduction in the proposed Garage Projection, GFA, and increase in the proposed exterior side yard setbacks.

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 to ensure that new development has minimal impact on adjacent properties 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?

Variance #1 pertains to lot coverage. The applicant has proposed a lot coverage of 30.4%, when a maximum lot coverage of 30% is permitted. This is a minor deviation from the zoning by-law's requirement. As such, staff has no concerns with this variance.

Variances #2, 9 and 10 propose an increased gross floor area, height to the eaves and highest ridge. The intent of the infill regulations is to maintain compatibility between existing and new dwellings, while also lessening the visual massing by keeping the dwellings within human scale. By keeping the edge of the roof closer to the ground it will maintain the dwellings human relationship. 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 0.88m (2.89ft). From a streetscape perspective, the proposed ridge height would be consistent with the by-law if the height were to be measured from established grade. For the eave height, the increased height would represent only a minor deviation from the maximum permitted in the zoning by-law. Furthermore, by incorporating the second storey in the roof structure and adding gables to the roofline, the proposed architectural design features minimize the overall height and massing impact of the proposed dwelling. Additionally, the dwelling contains a staggered front façade, further mitigating 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.

Variances #3 and 4 pertain to rear yard setbacks. The intent of the rear yard setback is to ensure that both an adequate buffer exists between the massing of primary structures on adjoining properties, as well as create an appropriate amenity area within the rear yard. Staff is of the opinion that the proposed rear yard setbacks are a minor deviation from the minimum rear yard requirement in the zoning by-law. Furthermore, the rear yard setbacks ensures that an adequate amenity area is accommodated in the rear yard and provides an adequate buffer between the dwelling and adjoining properties.

Variances #5, 6, 7 and 8 pertain to exterior side yard setbacks. Through a review of the immediate neighbourhood, similar deficiencies are common for detached dwellings. Therefore, the proposed setbacks are not out of character within the immediate neighbourhood. Additionally, the proposed setbacks maintain a sufficient buffer to the neighbouring properties. Lastly, the wide municipal boulevard adds an additional buffer, which further mitigates any potential impacts created by the reduced exterior side yard setback.

Variance #11 pertains to garage projection. The intent of the zoning by-law is to maintain a consistent streetscape, while ensuring the garage is not the dominant feature of the dwelling. The proposed increase is marginal and the proposed covered porch further assists by softening the garage projection's impact.

Variance #12 pertains to dwelling depth. The intent of the zoning provisions for dwelling depth are to minimize impacts of long walls on neighbouring lots as a direct result of the building massing. Staff are not concerned with the proposed dwelling depth, as the north and south walls of the dwelling contains architectural elements that breakup the overall dwelling's massing. Therefore, staff are of the opinion that the massing impacts to the adjacent property would be negligible.

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 includes architectural features that breaks up the overall massing and height of the dwelling. Additionally, the dwelling contains a staggered front façade that would further mitigate the visual massing of the dwelling. The proposal is consistent with newer two storey dwellings within the immediate area and does not pose a negative impact to the streetscape character.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling are being addressed through the Site Plan Application process, File SPI-21/052.





Comments Prepared by: Dave Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan application under file SPI 21-52 W2. Based on review of the information currently available in this permit application, we advise that the following variance should be amended as follows:

7. An exterior side yard setback of 5.38m (approx.17.65ft) to the eave overhang whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 7.05m (approx. 23.13ft) to the eave overhang in this instance;

In addition, based on the review of the information currently available in this site plan application, we also advise that more information is required in order to verify the accuracy of the remaining requested variance(s) or determine whether additional variance(s) will be required.

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

Comments Prepared by: Jeanine Benitez, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A416.21
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 1480 Britannia Road East, zoned E2 - Employment, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a motor vehicle wash facility proposing:

1. A corner lot frontage of 43.653m (approx. 143.219ft) where as By-law 0225-2007, as amended, requires a minimum corner lot frontage of 70.000m (approx. 229.659ft) in this instance;
2. An interior side yard setback of 2.00m (approx. 6.56ft) where as By-law 0225-2007, as amended, requires a minimum interior side yard setback of 4.50m (approx. 14.76ft) in this instance; and
3. 5 spaces per wash bay for a Motor Vehicle Wash Facility where as By-law 0225-2007, as amended, requires a minimum of 10 spaces per wash bay in this instance.

The Committee has set **Thursday October 21, 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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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: 2021-10-13	File(s): A416.21 Ward 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-10-21 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a motor vehicle wash facility proposing:

1. A corner lot frontage of 43.653m (approx. 143.219ft) where as By-law 0225-2007, as amended, requires a minimum corner lot frontage of 70.000m (approx. 229.659ft) in this instance;
2. An interior side yard setback of 2.00m (approx. 6.56ft) where as By-law 0225-2007, as amended, requires a minimum interior side yard setback of 4.50m (approx. 14.76ft) in this instance; and
3. 5 spaces per wash bay for a Motor Vehicle Wash Facility where as By-law 0225-2007, as amended, requires a minimum of 10 spaces per wash bay in this instance.

Amendments

Based on review of the information currently available for this building permit, we advise that the following variance(s) should be amended as follows:

1. A corner lot used for a motor vehicle wash facility – restricted, with a frontage of 43.65m (approx. 143.219ft) whereas By-law 0225-2007, as amended, requires a corner lot used for a motor vehicle wash facility – restricted to have a minimum frontage of 70.000m (approx. 229.659ft) in this instance;

Additionally, we note that more information is required for staff to confirm variance 3.

Municipal Parking staff further note that variance 3 should be amended as follows:

3. 5 stacking lane tandem parking spaces per 1 Motor Vehicle Wash Facility whereas By-law 0225-2007, as amended, requires a minimum of 10 spaces per wash bay in this instance.

Background

Property Address: 1480 Britannia Road East

Mississauga Official Plan

Character Area: Northeast Employment Area
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2 - Employment

Other Applications: SPAX 20-67, PREAPP 21-6995

Site and Area Context

The subject property is located on the south-west corner of Dixie Road and Britannia Road East in the Northeast Employment Area. It has a frontage of +/- 43.65m (143.21ft) and an area of +/- 0.42ha (1.05ac). Currently the property contains a gas bar. The surrounding context includes a mix of commercial and industrial buildings on varying lot sizes. There is limited vegetation along the peripheries of the property.

The applicant is proposing a new car wash requiring variances for lot frontage, side yard setback, 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 Northeast Employment Character Area and is designated Business Employment in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits a variety of business and commercial uses, including a gas bar and motor vehicle wash facility. 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 general intent and purpose of the Official Plan are maintained.

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

Variance 1 requests a reduced frontage for a wash facility combined with a gas bar use. The intent of the frontage regulation for this use is to ensure that the property is sufficiently sized to handle the circulation of traffic generated by the car wash without spilling onto the roadway. While the property is deficient in frontage the wash facility is situated in such a way that any backed up traffic should be contained within the site itself.

Variance 2 requests a reduced side yard setback. The intent of this is to ensure an adequate buffer between the massing of structures on abutting properties. Staff note that the length of wall along the reduced setback is relatively small when compared to the depth of the property, and that no structures are located near the property line on the abutting property. Given the size of the wash facility staff are satisfied that the reduced setback maintains an appropriate buffer to the property line.

Variance 3 requests a reduction in stacking spaces for the wash facility. Staff note that due to the location of the proposed structure any overflow of vehicles beyond the stacking spaces would be contained on the subject property and would not impact surrounding roadways. Furthermore, Municipal Parking staff have reviewed the request and note as follows:

A Parking Justification Letter, had not been submitted in support of the application.

The subject property is currently occupied by a gas station. The development proposes to construct a motor vehicle wash facility on site. The existing gas station will be maintained. The applicant is proposing 16 parking spaces overall.

Table 1 – Parking Requirements and Applicant Proposed Parking

Unit type	# of units/GFA (m2)	Rate Required (ZBL)	Spaces Required	Spaces Proposed
Proposed (non-residential use; motor vehicle wash facility)				
Vehicle Service Station	195.83	5.4 spaces per 100m2 GFA	11	14
Vehicle Wash Facility	1	4.0 spaces per wash bay	4	2
TOTAL			15	16

Staff Comments for Site-Wide Parking

- The original variance is incorrect, as a reduction is being requested from 10 STACKING lane spaces to 5, not overall number of parking spaces. The applicant is asked to revise the minor variance to state the following:
 - 5 stacking lane tandem parking spaces per 1 Motor Vehicle Wash Facility whereas By-law 0225-2007, as amended, requires a minimum of 10 spaces per wash bay in this instance.
- In this instance, a variance for the Vehicle Service Station number of parking spaces is not required, as the applicant is providing 14 parking spaces on site, which is more than the by-law rate requires (11 parking spaces).

Overall Staff Comments

- Please note that above comments are based on the details submitted along with the application and are subject to change should Zoning identify any additional variances or any changes to the variances with regards to the above application.

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?

Staff are satisfied that the proposal represents appropriate development of the subject lands. Staff do not anticipate negative impacts to abutting properties, and the site is sufficiently sized to handle the additional vehicles.

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 motor vehicle wash facility will be addressed through the Building Permit process.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit application under file PREAPP 21-6995. Based on review of the information currently available for this building permit, we advise that the following variance(s) should be amended as follows:

1. A corner lot used for a motor vehicle wash facility – restricted, with a frontage of 43.65m (approx. 143.219ft) whereas By-law 0225-2007, as amended, requires a corner lot used for a motor vehicle wash facility – restricted to have a minimum frontage of 70.000m (approx. 229.659ft) in this instance;

Additionally, we note that more information is required for staff to confirm variance 3.

Our comments are based on the plans received by Zoning staff on 07/07/2021 for the above captioned building permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission

procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: Adam McCormack, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A417.21
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 1542 Myron Drive, zoned R3-75 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an addition to the main dwelling proposing:

1. A rear yard setback of 6.89m (approx. 22.60ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 7.50m (approx. 24.61ft) in this instance; and
2. A lot coverage of 37.26% (262.70sq.m or 2,827.68sq.ft) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% (approx. 246.75sq.m. or 2,655.99sq.ft) in this instance.

The Committee has set **Thursday October 21, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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

How to submit a written comment:

Written comments to the Committee must be received no later than 4:30pm the 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 the Friday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services will not be accepted.

To participate by telephone: To register, please call 905-615-3200 x 2408 no later than 4:30pm the Friday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.

Legal notice:

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

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



City of Mississauga Department Comments

Date Finalized: 2021-10-12	File(s): A417.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-10-21 1:00:00 PM

Consolidated Recommendation

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

Application Details

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

1. A rear yard setback of 6.89m (approx. 22.60ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 7.50m (approx. 24.61ft) in this instance; and
2. A lot coverage of 37.26% (262.70sq.m or 2,827.68sq.ft) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% (approx. 246.75sq.m. or 2,655.99sq.ft) in this instance.

Background

Property Address: 1542 Myron Drive

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3-75 - Residential

Planning Applications: Building Permit BP 21-7310

Site and Area Context

The subject property is located within the Lakeview Neighbourhood, southeast of Haig Boulevard and South Service Road. The immediate neighbourhood is residential consisting of one and two storey detached dwellings, on lots with mature vegetation in the front yards. The subject property is a one storey detached dwelling with vegetation in the front yard.

The applicant is proposing an addition to the main dwelling requiring variances for rear yard setback 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 subject property is located within the Lakeview 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. 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. 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 a rear yard setback of 6.89m (approx. 22.60ft) where a minimum rear yard setback of 7.50m (approx. 24.61ft) is required. The intent of the rear yard setback is to ensure that both an adequate buffer exists between the massing of primary structures on adjoining properties, as well as create an appropriate amenity area within the rear yard. Staff is of the opinion that the proposed rear yard setback is a minor deviation from the minimum rear yard requirement in the zoning by-law. Furthermore, the rear yard setback ensures an adequate amenity area is accommodated in the rear yard and provides an adequate buffer between the dwelling and adjoining properties.

Variance #2 proposes a lot coverage of 37.26%, 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 31%, 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 covered porch, eave overhang and shed. The covered

porch, eave overhang and shed 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 addition maintains the existing and planned context of the surrounding area and does not pose a negative impact to the neighbourhood. As a result, the dwelling will maintain 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

Enclosed for Committee's information are photos depicting the subject property. We are noting that any Transportation and Works Department concerns/requirements for the proposed addition to the existing dwelling will be addressed through the Building Permit process.



Comments Prepared by: Dave Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file BP 21-7310 based on latest review of the information currently available in this permit application on 2021-Aug-23, the variances, as requested are correct.

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

Comments Prepared by: Sherri Takaloo – Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A426.21
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 1062 West Avenue, zoned RM7-6 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow for the construction of a new dwelling proposing:

1. An interior side yard setback of 1.22m (approx. 4.00ft) to the second storey whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.81m (approx. 5.94ft) to a second storey in this instance;
2. An interior side yard setback of 2.08m (approx. 6.82ft) to the third storey whereas By-law 0225-2007, as amended, requires a minimum interior yard setback of 2.42m (approx. 7.94ft) to a third storey in this instance; and
3. An exterior side yard setback of 1.38m (approx. 4.53ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 4.50m (approx. 14.76ft) in this instance.

The Committee has set **Thursday October 21, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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

How to submit a written comment:

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

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To participate by telephone: To register, please call 905-615-3200 x 2408 no later than 4:30pm 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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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: 2021-10-12	File(s): A426.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-10-21 1:00:00 PM

Consolidated Recommendation

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

Application Details

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

1. An interior side yard setback of 1.22m (approx. 4.00ft) to the second storey whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.81m (approx. 5.94ft) to a second storey in this instance;
2. An interior side yard setback of 2.08m (approx. 6.82ft) to the third storey whereas By-law 0225-2007, as amended, requires a minimum interior yard setback of 2.42m (approx. 7.94ft) to a third storey in this instance; and
3. An exterior side yard setback of 1.38m (approx. 4.53ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 4.50m (approx. 14.76ft) in this instance.

Background

Property Address: 1062 West Avenue

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Medium Density

Zoning By-law 0225-2007**Zoning: RM7-6 - Residential****Planning Applications: None****Site and Area Context**

The subject property is located within the Erin Mills Neighbourhood, northeast of Cawthra Road and Lakeshore Road East. The immediate area is residential consisting of one, two and three storey semi-detached and detached dwellings, on lots with mature vegetation in the front and side yards. The subject property is a one storey detached dwelling with mature vegetation in the front and interior side yard.

The applicant is proposing a new dwelling requiring variances for reduced side yard setbacks.

**Comments**

Planning

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

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

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

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached, duplex, triplex and other forms of low rise dwellings with individual frontages. The requested variances pertain to side yard setbacks. Through a review of the immediate neighbourhood, similar deficiencies are common for detached dwellings. Therefore, the proposed setbacks are not out of character within the immediate neighbourhood. Additionally, the proposed setbacks maintain a sufficient buffer to the neighbouring properties and are large enough to ensure access to the rear yard is unencumbered. Lastly, the wide municipal boulevard adds an additional buffer to further mitigate any potential impacts created by the reduced exterior side yard setback. 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

Enclosed for Committee's information are photos depicting the subject property. We are noting that any Transportation and Works Department concerns/requirements for the proposed new detached dwelling on the subject property will be addressed through the Building Permit process.



Comments Prepared by: Dave Martin, Supervisor Development Engineering

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: A312.21
Ward: 2

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 1877 Hindhead Road, zoned R3-1 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A gross floor area of 383.48sq.m (approx. 4,127.88ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 337.94sq.m (approx. 3637.56sq.ft) in this instance;
2. A side yard (easterly) of 1.38m (approx. 4.53ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m (approx. 7.91ft) in this instance; and
3. A building height measured to the eaves of 7.44m (approx. 24.41ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 20.99ft) in this instance.

The Committee has set **Thursday October 21, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

How to submit a written comment:

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

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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: 2021-10-12	File(s): A312.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-10-21 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 a new house proposing:

1. A gross floor area of 383.48sq.m (approx. 4,127.88ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 337.94sq.m (approx. 3637.56sq.ft) in this instance;
2. A side yard (easterly) of 1.38m (approx. 4.53ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m (approx. 7.91ft) in this instance; and
3. A building height measured to the eaves of 7.44m (approx. 24.41ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 20.99ft) in this instance.

Amendments

The Building Department is currently processing a site plan approval application under file SPI 21-28. Based on review of the information currently available for this application, we advise that the following variance(s) should be amended as follows:

1. A gross floor area of 407.57m sq whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 337.94sq.m (approx. 3637.56sq.ft) in this instance;

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

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

Background

Property Address: 1877 Hindhead Road

Mississauga Official Plan

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

Zoning By-law 0225-2007

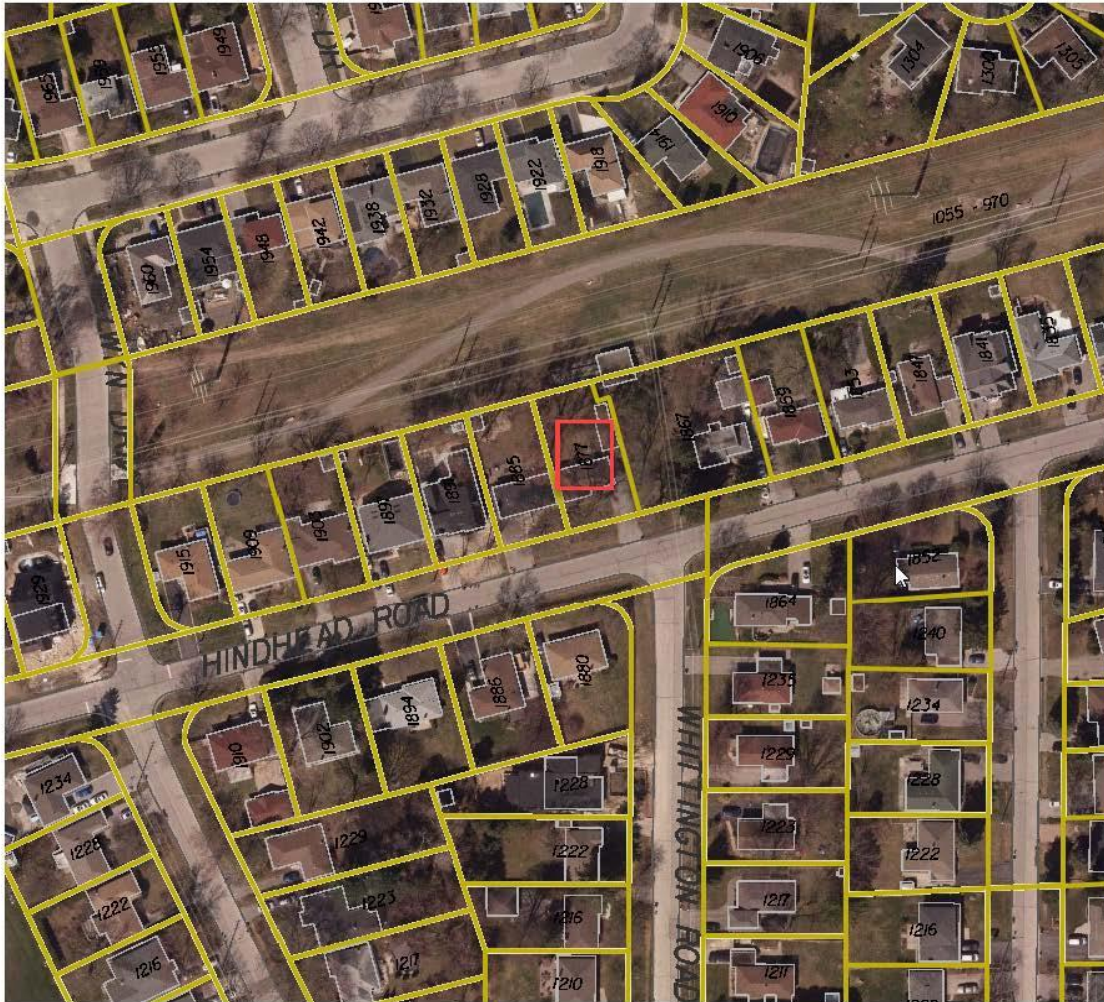
Zoning: R3-1 - Residential

Other Planning Applications: Site Plan Infill 21-28 W2

Site and Area Context

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

The application proposes a new two storey dwelling requiring variances related to gross floor area, side yard and building height.



Comments

Planning

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

Staff comments concerning the application are as follows:

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

This application was previously deferred by the Committee of Adjustment on August 26th, 2021. The applicant has since staggered portions of the west wall of the proposed dwelling requiring a 1.38m (approx. 4.53ft) setback for only a small portion of the dwelling with the remainder of the dwelling maintaining setbacks of 1.42m (approx. 4.66ft) and 1.99m (approx. 6.53ft). The applicant has also added additional design features, including a gable, to attempt to breakup the massing of the westerly wall. Planning staff have discussed these changes with Development and Design staff, who have expressed concerns with the new proposal. Planning Staff are of the opinion that the proposed GFA is still excessive and that the additional design features and proposed eave height does not mitigate the massing issues of the design and would not maintain compatibility with the existing dwellings on the street or preserve the established character of the neighbourhood. Planning staff echo these concerns and recommends that the application be deferred to reduce the dwelling's GFA.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

SP RECEIVED, AMEND VARIANCE

The Building Department is currently processing a site plan approval application under file SPI 21-28. Based on review of the information currently available for this application, we advise that the following variance(s) should be amended as follows:

1. A gross floor area of 407.57m sq whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 337.94sq.m (approx. 3637.56sq.ft) in this instance;

Our comments are based on the plans received by Zoning staff on 02/08/2021 for the above captioned site plan application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: A. McCormack

Appendix 3 – Parks, Forestry & Environment

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

1. The lands to the rear of the subject property are owned by Hydro One and leased by the City of Mississauga, known as Nine Creeks Trail.
2. Construction access from the park is not permitted.
3. Stockpiling of construction materials and encroachment in the adjacent park is not permitted.

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

Comments Prepared by: Jim Greenfield, Park Planner