
Committee of Adjustment

Date: October 28, 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

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1. CALL TO ORDER
 2. DECLARATION OF CONFLICT OF INTEREST
 3. DEFERRALS OR WITHDRAWALS
 4. MATTERS TO BE CONSIDERED
 - 4.1. B54/21-A261/21-A262/21
926 GOODWIN RD (WARD 1)
ROBERTO SANDRO MARCHIONI
 - 4.2. B57/21-A402/21-A403/21
1052 ENOLA AVE (WARD 1)
24832882 ONTARIO INC.
 - 4.3. B58/21-A406/21-A407/21
30 WOODLAWN AVE (WARD 1)
PATRYK KOT
 - 4.4. B61/21
1265 LORNE PARK RD (WARD 2)
FRANCIS JEREMY HOURIGAN, MICHELLE ANNE MACLEOD
 - 4.5. A379/21
5880 OSPREY BLVD (WARD 10)
MUHAMMAD SHAHID RAFIQ
 - 4.6. A399/21
440 LAURENTIAN AVE (WARD 4)
GUPTA ANITA
 - 4.7. A423/21
5025 HEATHERLEIGH AVE (WARD 6)
2705813 ONTARIO LIMITED
 - 4.8. A428/21
1910 DELANEY DR (WARD 2)
JESSE ROBINSON, FIORELLA ROBINSON

- 4.9. A431/21
243 LAKESHORE RD E (WARD 1)
2310486 ONTARIO INC
- 4.10. A432/21
1338 DAIMLER RD (WARD 2)
ABDUL SABIR KHALIQI, SOHAILA NAIMI
- 4.11. A434/21
16 ALPHONSE CRES (WARD 11)
SYED HUSSAIN MEHDI, IBTAYHAAJ NAQVI
- 4.12. A435/21
70 MISSISSAUGA RD S & 181 LAKESHORE RD W (WARD 1)
PORT CREDIT WEST VILLAGE PARTNERS INC
- 4.13. A436/21
1 OAKINGTON PL (WARD 11)
MHD OUSAYD KASSA, FARAH JUMAA
- 4.14. A258/21
3342 ANGEL PASS DR (WARD 8)
ALI HAMMOUDE & WAFA JARRAD
- 4.15. A304/21
6 WESLEY CRES (WARD 1)
SIOBHAIN CROWLEY

5. **OTHER BUSINESS**

6. **ADJOURNMENT**

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 926 Goodwin Road, zoned R4 - 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 10.06m (approx. 33.01ft) and an area of approximately 454.9sq.m (approx. 4,896.5sq.ft).

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

1. A lot coverage of 39.95% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
2. A side yard (westerly) of 1.20m (approx. 3.93ft) whereas By-law 0225-2007, as amended, requires a minimum of 1.81m (approx. 5.93ft) in this instance;
3. A side yard (easterly) of 1.21m (approx. 3.97ft) whereas By-law 0225-2007, as amended, requires a minimum of 1.81m (approx. 5.93ft) in this instance;
4. A building height measured to a flat roof of 7.83m (approx. 25.69ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to flat roof of 7.50m (approx. 24.60ft) in this instance; and
5. An eave encroachment of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, permits a maximum eave encroachment of 0.45m (approx. 1.48ft) in this instance.
6. A lot frontage of 10.06m (approx. 33.01ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance; and
7. A lot area of 454.9sq.m (approx. 4,896.50sq.ft) whereas By-law 0225-2007, as amended, permits a minimum lot area of 550.0sq.m (approx. 5,920.15sq.ft) in this instance.

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

1. A lot coverage of 40.88% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
2. A side yard (westerly) of 1.21m (approx. 3.97ft) whereas By-law 0225-2007, as amended, requires a minimum of 1.81m (approx. 5.93ft) in this instance;
3. A side yard (easterly) of 1.20m (approx. 3.93ft) whereas By-law 0225-2007, as amended, requires a minimum of 1.81m (approx. 5.93ft) in this instance; and
4. A building height measured to the eaves of 6.42m (approx. 21.06ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to flat roof of 6.40m (approx. 20.99ft) in this instance.
5. A lot frontage of 10.06m (approx. 33.01ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance; and
6. A lot area of 454.9sq.m (approx. 4,896.50sq.ft) whereas By-law 0225-2007, as amended, permits a

minimum lot area of 550.0sq.m (approx. 5,920.15sq.ft) in this instance.

The Committee has set **Thursday October 28, 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.



A262/21

Lands to be
Retained

B54/21-A261/21
926 Goodwin Rd.
Lands to be Severed

City of Mississauga Department Comments

Date Finalized: 2021-10-19	File(s): B54.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-10-28 1:00:00 PM

Consolidated Recommendation

The City has no objection to the consent and associated minor variance applications.

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 10.06m (approx. 33.01ft) and an area of approximately 454.9sq.m (approx. 4,896.5sq.ft).

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

1. A lot coverage of 39.95% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
2. A side yard (westerly) of 1.20m (approx. 3.93ft) whereas By-law 0225-2007, as amended, requires a minimum of 1.81m (approx. 5.93ft) in this instance;
3. A side yard (easterly) of 1.21m (approx. 3.97ft) whereas By-law 0225-2007, as amended, requires a minimum of 1.81m (approx. 5.93ft) in this instance;
4. A building height measured to a flat roof of 7.83m (approx. 25.69ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to flat roof of 7.50m (approx. 24.60ft) in this instance; and
5. An eave encroachment of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, permits a maximum eave encroachment of 0.45m (approx. 1.48ft) in this instance.
6. A lot frontage of 10.06m (approx. 33.01ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance; and
7. A lot area of 454.9sq.m (approx. 4,896.50sq.ft) whereas By-law 0225-2007, as amended, permits a minimum lot area of 550.0sq.m (approx. 5,920.15sq.ft) in this instance.

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

1. A lot coverage of 40.88% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
2. A side yard (westerly) of 1.21m (approx. 3.97ft) whereas By-law 0225-2007, as amended,

requires a minimum of 1.81m (approx. 5.93ft) in this instance;

3. A side yard (easterly) of 1.20m (approx. 3.93ft) whereas By-law 0225-2007, as amended, requires a minimum of 1.81m (approx. 5.93ft) in this instance; and

4. A building height measured to the eaves of 6.42m (approx. 21.06ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to flat roof of 6.40m (approx. 20.99ft) in this instance.

5. A lot frontage of 10.06m (approx. 33.01ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance; and

6. A lot area of 454.9sq.m (approx. 4,896.50sq.ft) whereas By-law 0225-2007, as amended, permits a minimum lot area of 550.0sq.m (approx. 5,920.15sq.ft) in this instance.

Amendments

While Planning Staff are not in a position to provide an interpretation of the Zoning By-law, staff note that variance #7 should be added as follows for the proposed severed lands:

7. An eave encroachment of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, permits a maximum eave encroachment of 0.45m (approx. 1.48ft) in this instance.

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 926 Goodwin Road

Mississauga Official Plan

Character Area: Lakeview Neighbourhood

Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R4 - Residential

Other Applications: Minor Variance A414.19, A415.21 and Consent B64.19

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, southeast of Cawthra Road and Lakeshore Road East. The neighbourhood is entirely residential,

consisting of one storey and newer two storey detached dwellings with mature vegetation. The subject property received provisional consent approval on October 31st, 2019 severing the lot into two new parcels for the purpose of developing detached dwellings, however, conditions of provisional consent were not cleared within the one year period.

The applicant is submitting new applications for consent and minor variances. The applicant is proposing creation of two new lots with two new two storey dwellings requiring variances related to lot coverage, lot area, side yard setbacks, flat roof height and eave overhang.



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.

Planning staff's comments are as follows:

The subject property received provisional approval on October 31st, 2019 to sever the existing parcel into two new lots with frontages of 10.06m (approx.33.01ft) and lot areas of 454.90m² (approx. 4,896.50ft²). On July 15th, 2021, the applicant's agent presented two minor variance applications to the Committee to accommodate two detached dwellings on the two new lots. Through discussions with the Committee of Adjustment office, it was determined that the conditions of provisional consent were not cleared within the one year period. A certificate of approval was never issued and the conditions associated with the consent expired. As such, the Committee deferred the minor variance applications on July 15th, 2021. The applicant has resubmitted a new consent and minor variance applications requesting approval for the creation of two new lots with two detached dwellings. Staff and the Committee supported the consent and minor variance applications brought forward in 2019, and the applicant's proposal has not changed. Planning staff are in agreement with the conclusions made by staff and the Committee at that time.

Minor Variance

The following are variances sought through applications brought forward to the Committee on July 15th, 2021. Staff did not previously evaluate these variances, as the certificate of consent approval was never issued and the conditions associated with the consent expired.

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

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

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached, semi-detached, duplex, triplex and other forms of low rise dwellings with individual frontages. The subject property is located within the Lakeside Precinct of the South Residential Neighbourhood and are subject to the policies within the Lakeview Local Area Plan. Section 10.3 (Built Form Types) of the Local Area Plan, states new housing within Lakeview should maintain the existing character of the area. The proposed dwellings maintain compatibility with newer two storey dwellings in the immediate area and will

not significantly alter the streetscape character that currently exists in the community. 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 following are staff's comments pertaining to the proposed retained lands:

Variance #1 proposes a lot coverage of 39.95% whereas a maximum of 35% is permitted. The intent in restricting lot coverage is to ensure that the lot is not overdevelopment. The excessive lot coverage is due to the overhang of the eaves, which makes up approximately 7% of the total lot coverage. The dwelling footprint including the front porch has a lot coverage of approximately 33%, which is less than the maximum permitted. The overhang of the eaves do not add significant massing to the dwelling thereby limiting the impact of the development towards neighbouring properties and the streetscape character. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #2 and 3 propose deficient side yards measured to the second storey. 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. Through a review of the immediate neighbourhood, similar deficiencies are common with newer two storey dwellings. The proposed setbacks are not out of character within the immediate neighbourhood. Additionally, the proposed setbacks maintain a sufficient buffer to the neighbouring properties. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #4 proposes a flat roof height of 7.82m (approx. 25.66ft) whereas a maximum 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 neighbouring properties. Furthermore, it was intended to restrict large flat roof dwellings that would have been permitted up to a height of 10.70m (approx. 35.11ft), which could accommodate a three storey dwelling. In this instance, the different between average grade and finished grade is approximately 0.17m (approx. 0.56ft). From a streetscape perspective, the proposed flat roof dwelling breaks up the first and second storey, thereby minimizing the overall massing of the dwelling. Additionally, the height is also measured to the top of the parapet which is only located at the front of the dwelling and spans only a portion of the roof. The remaining portion of the flat roof maintains a height of 7.22m (approx. 23.69ft). Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #5 proposes an eave overhang of 0.61m (approx. 2ft) whereas a maximum of 0.45m (approx. 1.48ft) is permitted. The overhang of the eaves do not add any significant massing to the dwelling from what the by-law currently permits. Staff is of the opinion that this variance is appropriate to be handled through the minor variance process and raises no concerns of a planning nature, in this instance.

The following are staff's comments pertaining to the proposed severed lands:

Variance #1 proposes a lot coverage of 40.88% whereas a maximum of 35% is permitted. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot. The dwelling footprint including the front porch has a lot coverage of approximately 33% which is less than the maximum permitted lot coverage. The remaining portion of the lot coverage is attributed to the overhang of the eaves. The eave overhang does not add any significant massing to the dwelling thereby limiting the impact of the development towards neighbouring properties and the streetscape character. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #2 and 3 propose deficient side yards measured to the second storey. 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. Through a review of the immediate neighbourhood, similar deficiencies are common with newer two storey dwellings. The proposed setbacks are not out of character within the immediate neighbourhood. Additionally, the proposed setbacks maintain a sufficient buffer to the neighbouring properties. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #4 proposes an eave height of 6.42 m (approx. 21.06ft) whereas 6.40m (approx. 21ft) is permitted. This is a minor deviation from the zoning by-law and is also measured from average grade which is 0.20m (approx. 0.66ft) below established grade. Staff is of the opinion that this variance is appropriate to be handled through the minor variance process and raises no concerns of a planning nature, in this instance.

Through a review of the application, it appears an additional variance would be required for the overhang of the eaves. The applicant is proposing an eave overhang of 0.61m (approx. 2 ft) whereas the by-law permits a maximum overhang of 0.45m (approx. 1.36ft). The overhang of the eaves do not add any significant massing to the dwelling from what the by-law currently permits. Staff is of the opinion that this variance is appropriate to be handled through the minor variance process and raises no concerns of a planning nature, in this instance.

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

The proposed dwellings maintain the existing and planned context of the surrounding neighbourhood. The dwellings contain architectural features, which break up the overall massing to the streetscape. The increased lot coverage is only due to the eave overhang, which does not add any significant massing to the dwelling. Regarding the deficient setbacks, the variances are similar to newer two storey dwellings within the immediate neighbourhood and will not adversely affect neighbouring properties from what is permitted. The increased flat roof height is measured

to the top of the parapet, which makes up a small portion of the overall roof area and is limited to a portion of the front of the dwelling. The remaining portion of the flat roof maintains a height less than the maximum permitted height of 7.50m (approx. 24.61ft). 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 1800mm storm sewer on Goodwin Road. 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 this property will be addressed under Consent Application 'B' 54/21.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

We have no objection to the consent application provided that the severed and retained lands comply with the provisions of Zoning By-law 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: Daniel Grdasic, Planning Associate

Appendix 3 – Parks, Forestry & Environment

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

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

- Norway Maple – 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 \$2,200.00 for the preservation of the municipal tree.

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, 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" 261-262/21)
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 2021-10-19.
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 2021-10-19.
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 2021-10-19.
7. A letter shall be received from the Region of Peel, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated 2021-10-15.

City Department and Agency Comments	File:B54.21	2021/10/19	13
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8. A letter shall be received from the Bell Canada, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated October 12, 2021.

Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

October 15, 2021

Secretary Treasurer
Committee of Adjustment
City of Mississauga
2nd Floor, Clerk's Office
Mississauga, ON – L5B 3C1

**Re: Region of Peel Consolidated Comments
City of Mississauga Committee of Adjustment Hearing
October 28th, 2021 Hearing**

Dear Secretary Treasurer,

Regional Planning staff have reviewed the applications listed on the October 28th, 2021 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-258/21, DEF-A-304/21

Consent Applications: B-061/21

Minor Variance Applications: A-261/21, A-262/21, A-399/21, A-402/21, A-403/21, A-406/21, A-407/21, A-423/21, A-431/21, A-434/21, A-436/21

Please note the comments and conditions on the following applications:

Comments for Conditions of Approval

Consent Application: B-054/21

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

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

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

Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

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

Consent Application: B- 057/21

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

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

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

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

Comments for Informational Purposes

Consent Application: B-058/21

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

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

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

Minor Variance Application: A-379/21

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

Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

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

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

Minor Variance Application: A-428/21

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

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

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

Minor Variance Application: A-432/21

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

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

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

Minor Variance Application: A-435/21

Development Planning: Joseph Filice (905) 791-7800 x3182

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

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

Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 3182 or by email at joseph.filice@peelregion.ca

Sincerely,



Joseph Filice
Junior Planner
Development Services, Region of Peel

cc. Alexander Davies, City of Mississauga
Umar Mahmood, City of Mississauga
Marylu Javed, City of Mississauga
Lucas Petricca, City of Mississauga
Brooke Herczeg, City of Mississauga
Connor DiPietro, City of Mississauga

Bell Canada
Fl-2, 140 Bayfield St.
Barrie, Ontario
L4M 3B1

Fax: 705-722-2263
Tel: 705-722-2244
E-mail: carrie.gordon@bell.ca



October 12, 2021

Mississauga Committee of Adjustment
Office of the City Clerk
300 City Centre Drive
Mississauga, ON
L5B 3C1

Attention: Secretary-Treasurer
Email only: committee.adjustment@mississauga.ca

Dear Sir/Madam:

Subject: Application for Consent – Severance
926 GOODWIN RD, Mississauga
CofA File: B54/21 Bell File: 905-21-414

Subsequent to review of the Severance Application by our local Engineering Department, it has been identified that Bell Canada will require a transfer of easement over these lands to protect existing aerial facilities, supply service to the properties, and to maintain service in the area. According to our records, Bell's aerial cable runs approximately at 0.6m parallel to the southwest property boundary which includes a pole as identified in the sketch provided.

Bell Canada would like to confirm that a blanket easement over the lands or a 3.0m wide corridor to be measured 1.5m on either side of the aerial cable and pole, then to extend from the pole to a minimum of 1.0m past any anchor installation to be measured 0.5m on either side of the guy, as can be accommodated, would satisfy our needs.

Since the easement is necessary in order to provide and maintain service to this area, all costs associated with this transaction is the responsibility of the landowner. Compensation should be set to the nominal amount of \$2.00 for the acquisition of these rights. Additionally, Bell Canada requires separate, registered postponements for any mortgages and certification of title.

We hope this proposal meets with your approval and request a copy of the Committee of Adjustments decision. We look forward to the owners' Solicitor contacting us with a draft reference plan and accompanying draft easement documents for our approval prior to registration, along with an acknowledgement and direction for our execution.

If you have any questions or concerns, please feel free to contact me.

Yours truly,

A handwritten signature in blue ink that reads "Carrie Gordon".

Carrie Gordon
Right of Way Associate
(Encl.)





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 1052 Enola Avenue, 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 of land has a frontage of approximately 7.62m (25.00ft) and an area of approximately 304.6sq.m (3,278.68sq.ft).

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

1. A lot area of 304.60sq.m (approx. 3,278.69sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 550.00sq.m (approx. 5,920.15sq.ft) in this instance;
2. A lot frontage of 7.62m (approx. 25.00ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) lot frontage in this instance;
3. A side yard setback of 0.90m (approx. 2.95ft) on each side whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 2.42 m (approx. 7.94ft);
4. A lot coverage of 40.23% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35% in this instance; and
5. A flat roof height of 8.98m (approx. 29.46ft) whereas by-law 0225-2007, as amended, permits a maximum flat roof height of 7.50m (approx. 24.60ft) in this instance.

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

1. A lot area of 304.60sq.m (approx. 3,278.69sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 550.00sq.m (approx. 5,920.15sq.ft) in this instance;
2. A lot frontage of 7.62m (approx. 25.00ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) lot frontage in this instance;
3. A side yard setback of 0.90m (approx. 2.95ft) on each side whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 2.42 m (approx. 7.94ft);
4. A lot coverage of 40.23% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35% in this instance; and
5. A flat roof height of 8.59m (approx. 28.18ft) whereas by-law 0225-2007, as amended, permits a maximum flat roof height of 7.50m (approx. 24.60ft) in this instance.

The Committee has set **Thursday October 28, 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

<p>Date Finalized: 2021-10-19</p> <p>To: Committee of Adjustment</p> <p>From: Committee of Adjustment Coordinator</p>	<p>File(s): B57.21 A402.21 A403.21 Ward: 1</p> <hr/> <p>Meeting date:2021-10-28 1:00:00 PM</p>
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Consolidated Recommendation

The City recommends that the applications be refused.

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 304.6sq.m (3,278.68sq.ft).

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

1. A lot area of 304.60sq.m (approx. 3,278.69sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 550.00sq.m (approx. 5,920.15sq.ft) in this instance;
2. A lot frontage of 7.62m (approx. 25.00ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) lot frontage in this instance;
3. A side yard setback of 0.90m (approx. 2.95ft) on each side whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 2.42 m (approx. 7.94ft);
4. A lot coverage of 40.23% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35% in this instance; and
5. A flat roof height of 8.98m (approx. 29.46ft) whereas by-law 0225-2007, as amended, permits a maximum flat roof height of 7.50m (approx. 24.60ft) in this instance.

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

1. A lot area of 304.60sq.m (approx. 3,278.69sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 550.00sq.m (approx. 5,920.15sq.ft) in this instance;
2. A lot frontage of 7.62m (approx. 25.00ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) lot frontage in this instance;
3. A side yard setback of 0.90m (approx. 2.95ft) on each side whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 2.42 m (approx. 7.94ft);

4. A lot coverage of 40.23% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35% in this instance; and

5. A flat roof height of 8.59m (approx. 28.18ft) whereas by-law 0225-2007, as amended, permits a maximum flat roof height of 7.50m (approx. 24.60ft) in this instance.

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 1052 Enola Avenue

Mississauga Official Plan

Character Area: Lakeview Neighbourhood

Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3-75 - Residential

Other Applications: Pre-Application Zoning Review – PREAPP 21-6831

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, northeast of Seneca Avenue and Lakeshore Road East. The immediate area consists of a mix of detached and semi-detached dwellings, a 6 storey apartment building and commercial plaza. The low-density dwellings in the immediate area contain lot frontages ranging from approximately 7.50m (approx. 24.61ft) to 20m (approx. 65.62ft). The subject property contains an existing one storey dwelling with little vegetation in the front yard. The applicant is proposing to sever the existing lot, creating two new parcels for the development of detached dwellings.

The proposed development requires variances related to lot frontage, lot area, lot coverage, flat roof height and setbacks.



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 are as follows:

The application proposes to sever the existing lot, creating two new parcels for the purpose of developing with detached dwellings. The retained and severed parcels propose lot frontages of 7.62m (approx. 25ft) and lot areas of 304.60m²(approx. 3,278.69ft²). The zoning by-law only permits detached dwellings with lot frontages of 15m (approx. 49.21ft) and lot areas of 550m²(approx. 5,920.15ft²).

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached, duplex, triplex and other forms of low rise dwellings with individual frontages. The subject property is also located within the Lakeview Neighbourhood Character Area. As per Section 16.1.2.1 of the MOP, 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. Furthermore, Section 5.3.5 (Neighbourhoods) states that neighbourhoods are not meant to remain static, however, when new development occurs it should be sensitive to the neighbourhoods existing and planned character.

Through a review of lots within the immediate area, single detached lots in the area generally have frontages of over 10m (approx. 32.8ft). The proposed size of the lots are also generally uncharacteristic for detached dwellings in the neighbourhood and results in variances that are required to accommodate detached dwelling due to the size of the lot.

Variance #3 for both the severed and retained lands propose a side yard setback 0.9m (approx. 2.95ft) on each side of each dwelling where a minimum side yard setback of 2.42 m (approx. 7.94ft) is required. These variances are not minor and are a direct result of the proposed reduced frontages. The side yard setbacks do not ensure that an adequate buffer exists between the massing of the primary structure on adjoining properties. Furthermore, staff are of the opinion that 0.9m (approx. 2.95ft) is not an adequate amount of space to provide an unencumbered access to the rear yards. The lots proposed are too small and narrow to accommodate the detached dwellings proposed.

Variances #4 for both the severed and retained lands propose a lot coverage of 40.23% and when the maximum permitted lot coverage is 35%. These variances are a direct result of the inadequate lot areas and frontages proposed. The proposed lot coverages are of concern to staff as they represent an overdevelopment of the lots.

Variance #5 for both the severed and retained lands propose a flat roof height of 8.59m (approx. 28.18ft) and 8.98m (approx. 29.46ft) where a maximum flat roof height of 7.50m (approx. 24.60ft) is permitted. The flat roof height requested proposes significant massing impacts to neighbouring properties and does not maintain the general intent and purpose of the infill regulations. Furthermore, the proposed heights are uncharacteristic of the neighbourhood, as staff was unable to locate similar flat roof heights for detached dwellings in the immediate neighbourhood. Lastly, the flat roof height is a significant deviation from what the by-law permits and allows for a design that does not contain any mitigating features to break up the massing of the dwellings.

The applicant's proposal takes a lot that complies with zoning regulations and create two new lots with areas and frontages that are not consistent with the neighbourhood and that would be

roughly half of what the Zoning By-law requires. The lot area and frontages proposed do not meet the purpose and intent of the zoning by-law.

Based on the preceding information, staff is of the opinion that the application does not conform to Section 51(24) of the Planning Act, more specifically that the application does not conform to the official plan.

As staff is not supportive of the consent application, the minor variance applications should also be refused.

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. 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 applicant is advised that there is no storm sewer system available in front of the proposed lot on Enola Ave. In this regard, we advise that all dwellings to be constructed on the subject lands will require a sump pump to discharge the weeping tile to grade. In situations where a sump pump is required and where a high groundwater table may exist, the sump pump may run continuously. The applicants are encouraged to design the weeping tile elevation to be at least 1.0 meter above the seasonal groundwater elevation. The owner is advised that the City has no obligations to address any concerns related to the operation of private sump pump systems.

We are noting that any Transportation and Works Department concerns/requirements for this property will be addressed under Consent Application 'B' 57/21.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Preliminary Zoning Review application under file PREAPP 21-6831. Based on review of the information currently available for this building permit, we advise that the following variance(s) should be amended as follows:

The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling on Part 1 proposing:

2. A lot frontage of 7.57m whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) lot frontage in this instance;

The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling on Part 2 proposing:

2. A lot frontage of 7.57m whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) lot frontage in this instance;

Our comments are based on the plans received by Zoning staff on 07/26/2021 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.

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 Enola 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. 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" 402-403/21)
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 2021-10-19.
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 2021-10-19.
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 2021-10-19.
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, 2021-10-15.

Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

October 15, 2021

Secretary Treasurer
Committee of Adjustment
City of Mississauga
2nd Floor, Clerk's Office
Mississauga, ON – L5B 3C1

**Re: Region of Peel Consolidated Comments
City of Mississauga Committee of Adjustment Hearing
October 28th, 2021 Hearing**

Dear Secretary Treasurer,

Regional Planning staff have reviewed the applications listed on the October 28th, 2021 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-258/21, DEF-A-304/21

Consent Applications: B-061/21

Minor Variance Applications: A-261/21, A-262/21, A-399/21, A-402/21, A-403/21, A-406/21, A-407/21, A-423/21, A-431/21, A-434/21, A-436/21

Please note the comments and conditions on the following applications:

Comments for Conditions of Approval

Consent Application: B-054/21

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

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

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

Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

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

Consent Application: B- 057/21

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

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

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

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

Comments for Informational Purposes

Consent Application: B-058/21

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

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

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

Minor Variance Application: A-379/21

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

Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

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

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

Minor Variance Application: A-428/21

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

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

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

Minor Variance Application: A-432/21

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

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

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

Minor Variance Application: A-435/21

Development Planning: Joseph Filice (905) 791-7800 x3182

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

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

Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 3182 or by email at joseph.filice@peelregion.ca

Sincerely,



Joseph Filice
Junior Planner
Development Services, Region of Peel

cc. Alexander Davies, City of Mississauga
Umar Mahmood, City of Mississauga
Marylu Javed, City of Mississauga
Lucas Petricca, City of Mississauga
Brooke Herczeg, City of Mississauga
Connor DiPietro, City of Mississauga

From: [Gordon, Carrie](#)
To: [Committee Adjustment](#)
Subject: 905-21-415 - B57/2 - Severance - 1052 ENOLA AVE
Date: Tuesday, October 12, 2021 10:44:00 AM

Dear Sir/Madam,

Re: Severance application B57/2

Subsequent to review of the abovementioned consent application at 1052 ENOLA AVE, Bell Canada's engineering department have determined that there are no concerns or comments at this time.

Kind regards,

Carrie Gordon



Associate, External Liaison
Right of Way Control Centre
140 Bayfield St, Fl 2
Barrie ON, L4M 3B1
T: 705-722-2244/844-857-7942
F :705-726-4600



COMMITTEE OF ADJUSTMENT NOTICE OF APPLICATION

File: B58.21 A406.21 A407.21

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 30 Woodlawn 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 9.145m (approx. 30.003ft) and an area of approximately 348.400sq.m (approx. 3750.146sq.ft).

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

1. A maximum lot coverage of 51.3% (approx. 178.67sq.m or 1,923.19sq.ft) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 45.0% (approx. 156.79sq.m or 1,687.67sq.ft) in this instance;
2. An interior side yard setback of 0.98m (approx. 3.22ft) where as By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) in this instance; and
3. A side yard setback of 0.00m whereas By-law 0225-2007, as amended, requires a minimum setback of 1.20m (approx. 3.94ft) in this instance.

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

1. A maximum lot coverage of 51.3% (approx. 178.67sq.m or 1,923.19sq.ft) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 45.0% (approx. 156.79sq.m or 1,687.67sq.ft) in this instance;
2. An exterior side yard setback of 0.98m (approx. 3.22ft) where as By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 4.50m (approx. 14.76ft) in this instance;
3. A side yard setback of 0.00m whereas By-law 0225-2007, as amended, requires a minimum setback of 1.20m (approx. 3.94ft) in this instance; and
4. A lot frontage of 9.145m (approx. 30.003ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 9.800m (approx. 32.152ft) in this instance.

The Committee has set **Thursday October 28, 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: 2021-10-19	File(s): B58.21 A406.21 A407.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-10-28 1:00:00 PM

Consolidated Recommendation

The City has no objection to the variance(s), 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 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 9.145m (approx. 30.003ft) and an area of approximately 348.400sq.m (approx. 3750.146sq.ft).

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

1. A maximum lot coverage of 51.3% (approx. 178.67sq.m or 1,923.19sq.ft) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 45.0% (approx. 156.79sq.m or 1,687.67sq.ft) in this instance;
2. An interior side yard setback of 0.98m (approx. 3.22ft) where as By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) in this instance; and
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The applicant requests the Committee to approve a minor variance to allow for the construction of a new dwelling:

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2. An exterior side yard setback of 0.98m (approx. 3.22ft) where as By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 4.50m (approx. 14.76ft) in this instance;
3. A side yard setback of 0.00m whereas By-law 0225-2007, as amended, requires a minimum

setback of 1.20m (approx. 3.94ft) in this instance; and

4. A lot frontage of 9.145m (approx. 30.003ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 9.800m (approx. 32.152ft) in this instance.

Amendments

The Building Department is currently processing a Preliminary Zoning Review application under file PREAPP 21-7141. Based on review of the information currently available in the application, we advise that the following variances be amended:

Lot A 3. A side setback of 0.00m for the proposed below grade stairwell in rear yard for the lot A whereas By-law 0225-2007, as amended, requires a minimum setback of 1.20m (approx. 3.94ft) in this instance.

Lot B

3. A side setback of 0.00m for the proposed below grade stairwell in rear yard for the lot B whereas By-law 0225-2007, as amended, requires a minimum setback of 1.20m (approx. 3.94ft) in this instance.

In addition, more information is required in order to verify variance #4.

Furthermore, we advise that the following variance should also be added for Lot B:

5. An exterior side setback of 2.02m (approx. 6.63ft) for the balcony in rear yard for the lot B whereas By-law 0225-2007, as amended requires a min exterior side setback of 4.5m (approx. 14.76ft) for the lot B.

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 30 Woodlawn 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:** Pre-Application Zoning Review – PREAPP 21-7141**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 older and newer two-storey detached and semi-detached dwellings. The low-density dwellings in the immediate area contain lot frontages ranging from approximately 7.5m to 25m. The subject property contains an existing one-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 lot coverage and side yards.

"[Enter air photo]"

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.

Variance #1 pertains to lot coverage. The applicant is proposing a lot coverage of 51.3% for each dwelling, when a maximum lot coverage of 45% is permitted. Staff has no concerns with this variance. Staff note that 42% of the lot coverage is attributed to the dwelling's footprint, which meets the zoning by-law requirement, and that the variance requested is required to accommodate the proposed covered porches and 2nd floor projection.

Variance #2 and 3 pertain to side yards. The applicant is proposing an interior side yard setback of 0.98m (approx. 3.22ft) where a minimum interior side yard setback of 1.20m (approx. 3.94ft) is required and a side yard setback of 0.00m where 1.20m (approx. 3.94ft) is required. The 0.98m side yard proposed is only required for a small portion of each dwelling with the remainder of each dwelling maintaining setbacks of 1.2m (approx. 3.94m) and 1.41m (approx. 4.63m), which either meets or exceeds the setback requirement. The 0.00m setback is required for the below grade stairwell in each of the rear yards. The proposed development is for a semi-detached dwelling with the 0.0m setback for the party wall between each dwelling . As such, staff has no planning concerns with the proposed setback.

Variance #4 pertains to lot frontage. The applicant is proposing a lot frontage of 9.15m (approx. 30.02ft) where a minimum lot frontage of 9.80m. The intent of the zoning by-law is to ensure that new lots are appropriately sized and fit within the context of the surrounding area. Staff

have no concerns with this variance, as many lots in the immediate area have much smaller frontages.

Variance #5 pertains to exterior side yard setback. The applicant is proposing an exterior side yard setback of 2.02m (approx. 6.63ft) for the balcony in rear yard for the lot B where a minimum exterior side setback of 4.5m (approx. 14.76ft) is required. The proposed balcony abuts a street; therefore, staff has no privacy or overlook concerns.

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

The proposed dwellings maintain the existing and planned context of the surrounding area and does not pose a negative impact to the neighbourhood. As a result, the proposed dwelling maintains compatibility with newer two storey semi-detached 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. 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 375mm storm sewer on Woodlawn 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.

We are noting that any Transportation and Works Department concerns/requirements for this property will be addressed under Consent Application 'B' 58/21.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Preliminary Zoning Review application under file PREAPP 21-7141. Based on review of the information currently available in the application, we advise that the following variances be amended:

Lot A

3. A side setback of 0.00m for the proposed below grade stairwell in rear yard for the lot A whereas By-law 0225-2007, as amended, requires a minimum setback of 1.20m (approx. 3.94ft) in this instance.

Lot B

3. A side setback of 0.00m for the proposed below grade stairwell in rear yard for the lot B whereas By-law 0225-2007, as amended, requires a minimum setback of 1.20m (approx. 3.94ft) in this instance.

In addition, more information is required in order to verify variance #4.

Furthermore, we advise that the following variance should also be added for Lot B:

5. An exterior side setback of 2.02m (approx. 6.63ft) for the balcony in rear yard for the lot B whereas By-law 0225-2007, as amended requires a min exterior side setback of 4.5m (approx. 14.76ft) for the lot B.

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

Comments Prepared by: Sherri Takaloo – Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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

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

- Red Oak, 35 cm DBH – Good Condition
- Sugar Maple, 95 cm DBH – 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 trees.
2. The applicant shall provide tree protection securities in the amount of \$20,700.00 for the preservation of the municipal trees.
3. The applicant shall provide a cash contribution of \$607.12 for planting of one (1) street tree on Forest 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. 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 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" 406-407/21)
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 2021-10-19.
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 2021-10-19.
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 2021-10-19.
7. A letter shall be received from the Region of Peel, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated 2021-10-15.

-
8. A letter shall be received from the Bell Canada, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated October 12, 2021.

Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

October 15, 2021

Secretary Treasurer
Committee of Adjustment
City of Mississauga
2nd Floor, Clerk's Office
Mississauga, ON – L5B 3C1

**Re: Region of Peel Consolidated Comments
City of Mississauga Committee of Adjustment Hearing
October 28th, 2021 Hearing**

Dear Secretary Treasurer,

Regional Planning staff have reviewed the applications listed on the October 28th, 2021 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-258/21, DEF-A-304/21

Consent Applications: B-061/21

Minor Variance Applications: A-261/21, A-262/21, A-399/21, A-402/21, A-403/21, A-406/21, A-407/21, A-423/21, A-431/21, A-434/21, A-436/21

Please note the comments and conditions on the following applications:

Comments for Conditions of Approval

Consent Application: B-054/21

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

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

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

Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

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

Consent Application: B- 057/21

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

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

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

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

Comments for Informational Purposes

Consent Application: B-058/21

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

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

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

Minor Variance Application: A-379/21

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

Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

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

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

Minor Variance Application: A-428/21

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

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

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

Minor Variance Application: A-432/21

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

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

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

Minor Variance Application: A-435/21

Development Planning: Joseph Filice (905) 791-7800 x3182

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

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

Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 3182 or by email at joseph.filice@peelregion.ca

Sincerely,



Joseph Filice
Junior Planner
Development Services, Region of Peel

cc. Alexander Davies, City of Mississauga
Umar Mahmood, City of Mississauga
Marylu Javed, City of Mississauga
Lucas Petricca, City of Mississauga
Brooke Herczeg, City of Mississauga
Connor DiPietro, City of Mississauga

Bell Canada
Fl-2, 140 Bayfield St.
Barrie, Ontario
L4M 3B1

Fax: 705-722-2263
Tel: 705-722-2244
E-mail: carrie.gordon@bell.ca



October 12, 2021

Mississauga Committee of Adjustment
Office of the City Clerk
300 City Centre Drive
Mississauga, ON
L5B 3C1

Attention: Secretary-Treasurer
Email only: committee.adjustment@mississauga.ca

Dear Sir/Madam:

Subject: Application for Consent – Severance
30 WOODLAWN AVE, Mississauga
CofA File: B58/21 Bell File: 905-21-416

Subsequent to review of the Severance Application by our local Engineering Department, it has been identified that Bell Canada will require a transfer of easement over these lands to protect existing aerial facilities, supply service to the properties, and to maintain service in the area. According to our records, Bell's aerial cable runs approximately at 0.6m parallel to the southwest property boundary as identified in the sketch provided.

Bell Canada would like to confirm that a blanket easement over the lands or a 3.0m wide corridor to be measured 1.5m on either side of the aerial cable and pole, then to extend from the pole to a minimum of 1.0m past any anchor installation to be measured 0.5m on either side of the guy, as can be accommodated, would satisfy our needs.

Since the easement is necessary in order to provide and maintain service to this area, all costs associated with this transaction is the responsibility of the landowner. Compensation should be set to the nominal amount of \$2.00 for the acquisition of these rights. Additionally, Bell Canada requires separate, registered postponements for any mortgages and certification of title.

We hope this proposal meets with your approval and request a copy of the Committee of Adjustments decision. We look forward to the owners' Solicitor contacting us with a draft reference plan and accompanying draft easement documents for our approval prior to registration, along with an acknowledgement and direction for our execution.

If you have any questions or concerns, please feel free to contact me.

Yours truly,

A handwritten signature in blue ink that reads "Carrie Gordon".

Carrie Gordon
Right of Way Associate
(Encl.)





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 1265 Lorne Park Road, zoned R2-5 - 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 purposes of a lot addition. The parcel is land-locked and has an area of 120.12sq.m (approx. 1,292.96). The new parcel will be added to the property immediately to the east known as 1272 Twin Oaks Dell.

The Committee has set **Thursday October 28, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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



City of Mississauga Department Comments

Date Finalized: 2021-10-19	File(s): B61.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-10-28 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the approval of the Committee to sever a parcel of land for the purposes of a lot addition. The parcel is land-locked and has an area of 120.12sq.m (approx. 1,292.96). The new parcel will be added to the property immediately to the east known as 1272 Twin Oaks Dell.

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 1265 Lorne Park Road

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R2-5 - Residential

Other Applications: Site Development Plan - SPI 14 100 and Minor Variances A459-88 and A-111/73

Site and Area Context

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

The applicant is proposing to sever a parcel of land for the purposes of a lot addition.



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 are as follows:

The subject property is designated Residential Low Density I on Schedule 10 of the Mississauga Official Plan (MOP). The applicant is proposing to sever a parcel of land for the purposes of a lot addition. The parcel is land-locked and has an area of 120.12m² (approx. 1,292.96ft²). The new parcel will be added to the property immediately to the east, known as 1272 Twin Oaks Dell. Planning staff have no concerns with the proposed consent. There is no proposed development, change in use or operation being proposed. The parcel of land to be severed is landlocked, and therefore staff have no frontage concerns. Furthermore, the conveyance of land does not cause any lot area deficiency for the retained lands. 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 and will result in a more logical lot fabric.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections to the applicant's request to attach the severed lands to the lands immediately to the east of the property known as 1272 Twin Oaks Dell.

In view of the above, we have no objections to the applicant's request. We would recommend that the owner of the subject lands review their records and be satisfied that any underground services to either the severed or retained lands are located such that the services are confined within the limits of their own property. Should it be determined that there are any services which will conflict with the new property limits, the owner would have the option of abandoning that service(s) and arranging for the construction of a new service(s) in the proper location, or alternatively protect it by means of a private easement.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Preliminary Zoning Review application under file PREAPP 21-5879, based on review of the information currently available in application, the variance, as requested is correct.

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

Comments Prepared by: Sherri Takaloo – Zoning Examiner

Appendix 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.

From: [Gordon, Carrie](#)
To: [Committee Adjustment](#)
Subject: 905-21-417 - B61/21 - Severance - 1265 LORNE PARK RD
Date: Tuesday, October 12, 2021 10:43:25 AM

Dear Sir/Madam,

Re: Severance application B61/21

Subsequent to review of the abovementioned consent application at 1265 LORNE PARK RD, Bell Canada's engineering department have determined that there are no concerns or comments at this time.

Kind regards,

Carrie Gordon



Associate, External Liaison
Right of Way Control Centre
140 Bayfield St, Fl 2
Barrie ON, L4M 3B1
T: 705-722-2244/844-857-7942
F :705-726-4600



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A379.21
Ward: 10

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 5880 Osprey Boulevard, zoned R7-8- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a below grade staircase proposing a side yard (northerly) of 0.68m (approx. 2.23ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (approx. 3.93ft) in this instance.

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How to submit a written comment:

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Advance registration is required to participate in the electronic hearing:

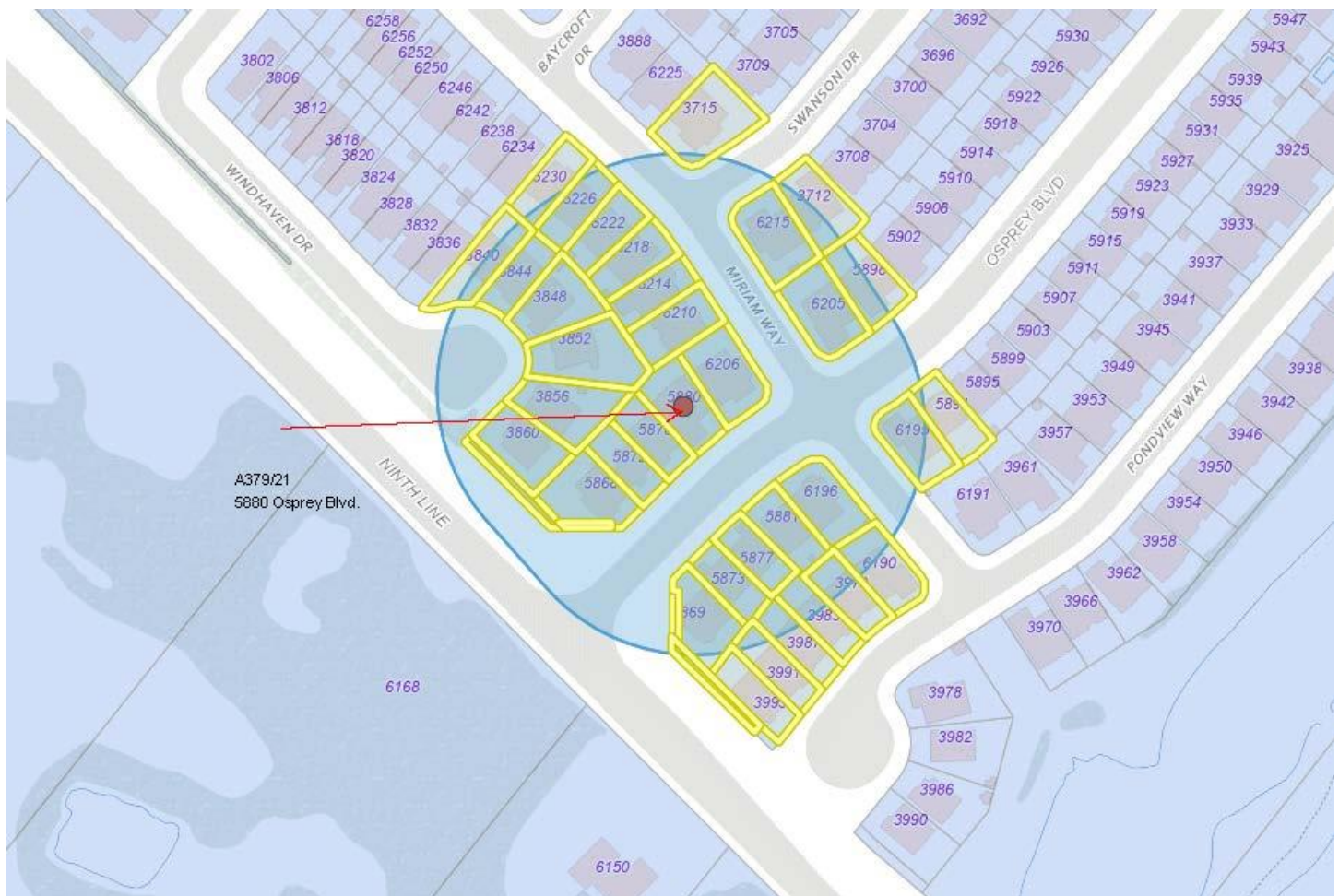
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Friday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services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

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COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A399.21
Ward: 4

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 440 Laurentian Avenue, zoned R5 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a widened driveway proposing:

1. A driveway width of 6.9m (approx. 22.64ft) whereas By-law 0225-2007, as amended, requires a maximum driveway width of 6.0m (approx. 19.69ft) in this instance;
2. A walkway width of 2.53m (approx. 8.30ft) whereas By-law 0225-2007, as amended, requires a maximum walkway width of 1.50m (approx. 4.92ft) in this instance; and
3. A hammerhead width of 4.1m (approx. 13.45ft) whereas By-law 0225-2007, as amended, requires a maximum hammerhead width of 3.0m (approx. 9.84ft) in this instance.

The Committee has set **Thursday October 28, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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



City of Mississauga Department Comments

Date Finalized: 2021-10-20	File(s): A399.21 Ward 4
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-10-28 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 widened driveway proposing:

1. A driveway width of 6.9m (approx. 22.64ft) whereas By-law 0225-2007, as amended, requires a maximum driveway width of 6.0m (approx. 19.69ft) in this instance;
2. A walkway width of 2.53m (approx. 8.30ft) whereas By-law 0225-2007, as amended, requires a maximum walkway width of 1.50m (approx. 4.92ft) in this instance; and
3. A hammerhead width of 4.1m (approx. 13.45ft) whereas By-law 0225-2007, as amended, requires a maximum hammerhead width of 3.0m (approx. 9.84ft) in this instance.

Recommended Amendments

While Planning staff are not in a position to interpret the Zoning By-law, it appears variance 3 should be amended as follows:

3. A hammerhead length of 4.1m (approx. 13.45ft) whereas By-law 0225-2007, as amended, permits a maximum hammerhead length of 3.0m (approx. 9.84ft) in this instance.

Background

Property Address: 440 Laurentian Avenue

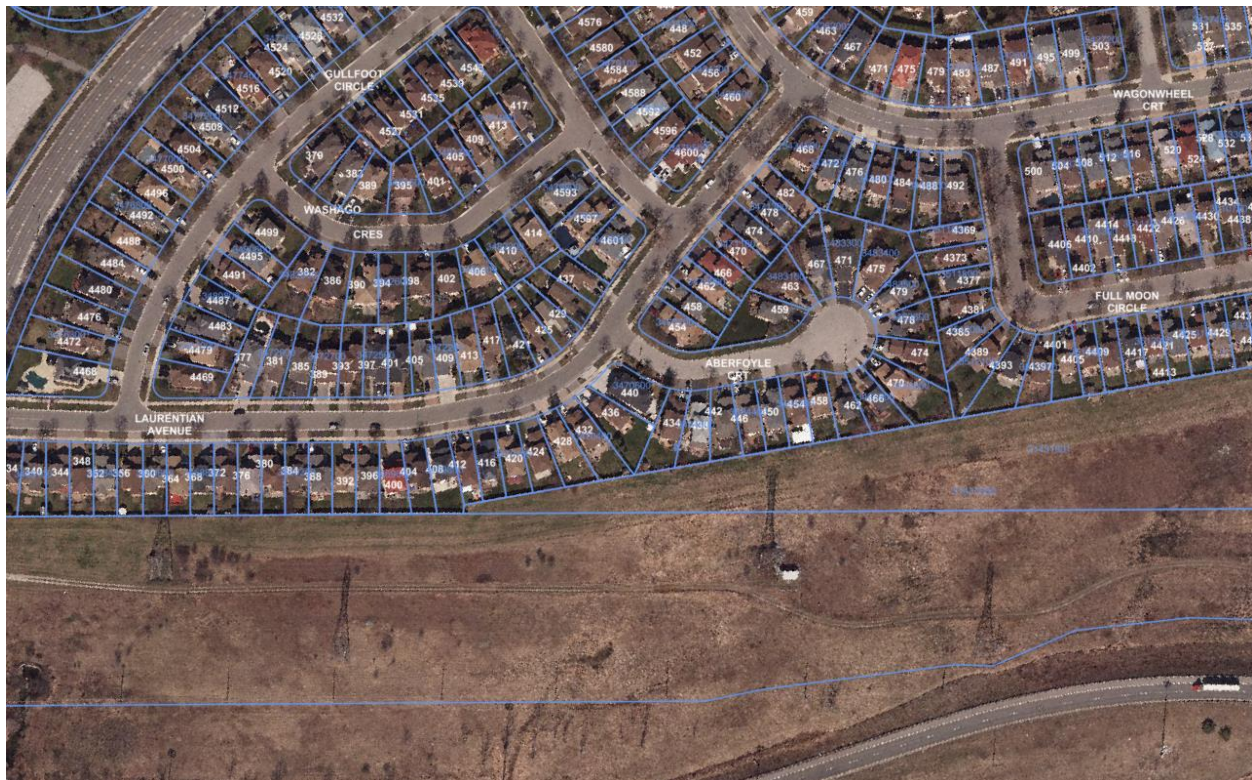
Mississauga Official Plan

Character Area: Hurontario Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007**Zoning:** R5 - Residential**Other Applications:** None**Site and Area Context**

The subject property is a corner property located on the corner of Laurentian Avenue and Aberfoyle Court in the Hurontario Neighbourhood. It has a frontage of +/- 16m (52.5ft) and contains a detached two storey dwelling with an attached double car garage. The surrounding consists exclusively of detached homes with a mix of single and double car attached garages. Limited landscaping and vegetation exists in both the front and rear yards.

The applicant is proposing modified hardscaping on the subject property requiring variances for driveway width, walkway attachment, and hammerhead width.



Comments

Planning

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

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

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

The subject property is located in the Hurontario 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 and duplex, triplex and other forms of low rise dwellings with individual frontages. Section 9.1 of the MOP states that driveway widths and associated setbacks should respect the identity and character of the surrounding context. Staff are satisfied that the driveway width is appropriate for both the subject property and surrounding context, and therefore 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 relates to the driveway width. The intent of the driveway width regulations are to ensure that the driveway can suitably accommodate two vehicles parked side by side, with the remainder of the front yard being soft landscaping. Staff are satisfied that the proposed driveway width does not create excessive hardscaping on the subject property, nor does it facilitate the parking of additional vehicles across the driveway. Finally, staff are of the opinion that the driveway is appropriately sized for the property.

Variance 2 requests an increased width for a walkway attachment. The intent of the walkway attachment provision is to help define the entryway and to permit safe movement of pedestrians to the dwelling while prohibiting vehicle accommodation. The requested walkway is located in such a way that staff are satisfied that it will be unable to accommodate or facilitate vehicular movements.

Variance 3 requests an increased hammerhead length. Staff note that a hammerhead is permitted as of right on the subject property. The intent of the hammerhead provisions of the by-law are to ensure that the hammerhead can facilitate the turning movements of a vehicle while preventing the parking of a motor vehicle. Given the tapered shape of the proposed hammerhead due to the front property line, staff are satisfied that the hammerhead will be unable to facilitate the parking of a motor vehicle.

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

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

The proposal increases the front yard softscaping which brings it more into line with the intent of the Zoning By-law, and the proposal is proportional to the size of the lot. Staff are satisfied that the proposal represents appropriate development of the subject lands, and that any impact to abutting properties and the streetscape are minor in nature.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Brandon Eidner, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A423.21
Ward: 6

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 5025 Heatherleigh Avenue, zoned C1 - Commercial, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a restaurant with a separation distance of 2.50m (approx. 8.20ft) from the Residential Zone whereas By-law 0225-2007, as amended, requires a minimum separation distance of 60.0m (approx. 196.9ft) from the restaurant to the Residential Zone in this instance.

The Committee has set **Thursday October 28, 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:

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City of Mississauga Department Comments

Date Finalized: 2021-10-20	File(s): A423.21 Ward 6
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-10-28 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a restaurant with a separation distance of 2.50m (approx. 8.20ft) from the Residential Zone whereas By-law 0225-2007, as amended, requires a minimum separation distance of 60.0m (approx. 196.9ft) from the restaurant to the Residential Zone in this instance.

Amendments

Based on review of the information currently available in this permit application, we advise that the variance should be amended as follows:

1. The applicant requests the Committee to approve a minor variance to allow the construction of a restaurant with reduced separation distance (approx. 8.20ft) from the Residential Zone whereas By-law 0225-2007, as amended, requires a minimum separation distance of 60.0m (approx. 196.9ft) from the restaurant to the Residential Zone in this instance.

Background

Property Address: 5025 Heatherleigh Avenue

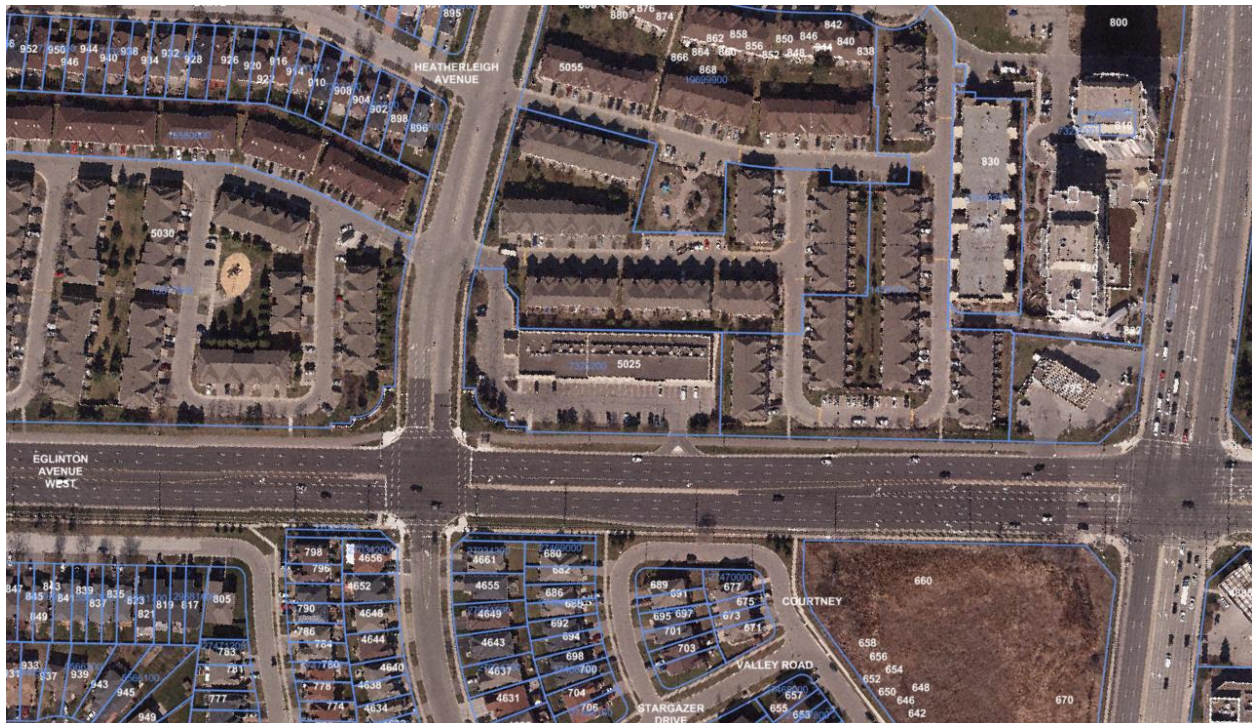
Mississauga Official Plan

Character Area: East Credit Neighbourhood
Designation: Convenience Commercial

Zoning By-law 0225-2007**Zoning: C1 - Commercial****Other Applications:** None**Site and Area Context**

The subject property is located on the north-east corner of Eglinton Avenue West and Heatherleigh Avenue in the East Credit neighbourhood. The property currently contains a single storey, multi-tenant commercial building with a range of uses. There is limited vegetation along the property lines abutting Eglinton Avenue West and Heatherleigh Avenue. The surrounding neighbourhood consists primarily of low density residential uses, with a mix of townhouse, detached, and semi-detached dwellings on both sides of Eglinton Avenue.

The applicant is proposing a restaurant in one of the units in the building requiring a variance for setback to a residential zone.

**Comments**

Planning

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

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

The site is located in the East Credit Neighbourhood Character Area and is designated Convenience Commercial by the Mississauga Official Plan (MOP). The Convenience Commercial designation permits a range of commercial uses, including a restaurant use. As such, the proposal meets the general intent and purpose of the Official Plan.

The intent of this portion of the by-law is to ensure that proposed restaurant uses are compatible with adjacent land uses. Where the restaurant use is not, a 60m buffer is imposed. Based on a detailed review of the proposal staff note that the front entrance of the unit faces away from the adjacent residential properties and into the parking lot. Furthermore the proposal does not include a drive through or patio which may cause additional noise or exhaust pollution. Staff are of the opinion that any impacts to the residential neighbourhood would be negligible and that the application is appropriate to be handled through the minor variance process. Planning staff are of the opinion the application raises no concerns of a planning nature.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections, comments or requirements with respect to C.A. 'A' 423/21.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Preliminary Zoning Review application under file PREAPP 21-5948. Based on review of the information currently available in this permit application, we advise that the variance should be amended as follows:

1. The applicant requests the Committee to approve a minor variance to allow the construction of a restaurant with reduced separation distance (approx. 8.20ft) from the Residential Zone whereas By-law 0225-2007, as amended, requires a minimum separation distance of 60.0m (approx. 196.9ft) from the restaurant to the Residential Zone in this instance.

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

Comments Prepared by: Brandon Eidner, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A428.21
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 1910 Delaney Drive, zoned R3-1 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction an addition to the main dwelling proposing:

1. A front yard setback of 4.03m (approx. 13.22ft) to the post whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 5.90m (approx. 19.36ft) in this instance;
2. A front yard setback of 5.73m (approx. 18.80ft) to the dwelling whereas By-law 0225-2007, as amended, requires a minimum 7.50m (approx. 24.61ft) front yard setback to the dwelling in this instance;
3. A front yard setback of 3.58m (approx. 11.75ft) to the porch roof overhang whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 5.45m (approx. 17.88ft) in this instance;
4. An interior side yard setback of 1.30m (approx. 4.27ft) to the rear corner of garage whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 2.41m (approx. 7.91ft) in this instance;
5. An interior side yard setback of 0.75m (approx. 2.46ft) to the eave overhang whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.96m (approx. 6.43ft) in this instance; and
6. A combined width of side yards of 3.21m (approx. 10.53ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 7.81m (approx. 25.62ft) in this instance.

The Committee has set **Thursday October 28, 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: 2021-10-19	File(s): A428.21
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2021-10-28 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 an addition to the main dwelling proposing:

1. A front yard setback of 4.03m (approx. 13.22ft) to the post whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 5.90m (approx. 19.36ft) in this instance;
2. A front yard setback of 5.73m (approx. 18.80ft) to the dwelling whereas By-law 0225-2007, as amended, requires a minimum 7.50m (approx. 24.61ft) front yard setback to the dwelling in this instance;
3. A front yard setback of 3.58m (approx. 11.75ft) to the porch roof overhang whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 5.45m (approx. 17.88ft) in this instance;
4. An interior side yard setback of 1.30m (approx. 4.27ft) to the rear corner of garage whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 2.41m (approx. 7.91ft) in this instance;
5. An interior side yard setback of 0.75m (approx. 2.46ft) to the eave overhang whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.96m (approx. 6.43ft) in this instance; and
6. A combined width of side yards of 3.21m (approx. 10.53ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 7.81m (approx. 25.62ft) in this instance.

Amendments

Zoning staff advise that the following variance be added:

7. A front yard setback of 5.73 m (approx. 18.80ft) to the garage face whereas By-law 0225-2007, as amended, requires a minimum front yard setback to the garage face of 7.50m (approx. 24.61ft) in this instance.

Background

Property Address: 1910 Delaney Drive

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R3-1 - Residential

Planning Applications: Building Permit BP 9ALT 98-7002

Site and Area Context

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

The applicant is proposing construction of an addition requiring variances for setbacks.

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

Comments Prepared by: Connor DiPietro

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed addition will be addressed through the Building Permit process, File BP 9ALT-21/7453.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 9ALT 21-7453. Based on review of the information currently available in this permit application, the following variances, as requested are correct:

1. A front yard setback of 4.03m (approx. 13.22ft) to the post whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 5.90m (approx. 19.36ft) in this instance;
2. A front yard setback of 5.73m (approx. 18.80ft) to the dwelling whereas By-law 0225-2007, as amended, requires a minimum 7.50m (approx. 24.61ft) front yard setback to the dwelling in this instance;
3. A front yard setback of 3.58m (approx. 11.75ft) to the porch roof overhang whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 5.45m (approx. 17.88ft) in this instance;
4. An interior side yard setback of 1.30m (approx. 4.27ft) to the rear corner of garage whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 2.41m (approx. 7.91ft) in this instance;
5. An interior side yard setback of 0.75m (approx. 2.46ft) to the eave overhang whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.96m (approx. 6.43ft) in this instance;

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

In addition, we advise that the following variance be added:

7. A front yard setback of 5.73 m (approx. 18.80ft) to the garage face whereas By-law 0225-2007, as amended, requires a minimum front yard setback to the garage face of 7.50 m (approx. 24.61ft) in this instance.

Please note that comments reflect those provided through the above permit application submitted on 09/02/2021 and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments

Comments Prepared by: Jeanine Benitez, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A431.21
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 243 Lakeshore Road East, zoned C4 - Commercial, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a medical office with 2 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 9 parking spaces in this instance.

The Committee has set **Thursday October 28, 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: 2021-10-19	File(s): A431.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-10-28 1:00:00 PM

Consolidated Recommendation

The City has no objection to the variances, as amended. Should Committee see merit in the Application, Planning staff would recommend the condition identified below be imposed.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a medical office with 2 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 9 parking spaces in this instance.

Amendments

CPS staff recommends the following:

Amend the variance to read:

- 6 parking spaces with a minimum of 4 parking spaces to be provided on-site whereas By-law 0225-2007, as amended, requires a minimum of 9 parking spaces for all uses on-site in this instance.

Add the following additional variances:

- To permit up to 2 required parking spaces to be located off-site whereas By-law 0225-2007, as amended, requires all parking spaces to be located on-site in this instance.
- To permit 4 tandem parking spaces whereas By-law 0225-2007, as amended, does not permit tandem parking in this instance.

Recommended Conditions and Terms

The applicant shall make satisfactory arrangements for off-site parking with Planning & Building Staff; and if necessary enter into any required agreements (contact Staff in City Planning Strategies Division).

Background

Property Address: 243 Lakeshore Road East

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (East)
Designation: Mixed Use

Zoning By-law 0225-2007

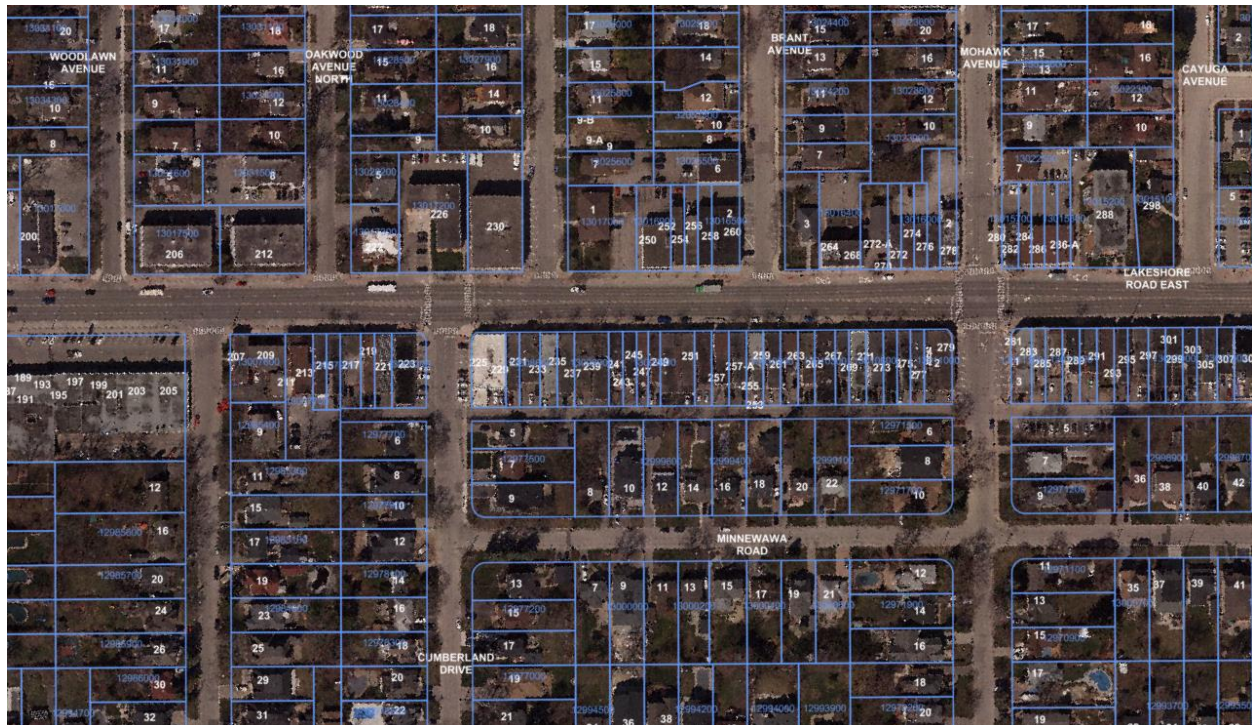
Zoning: C4 - Commercial

Other Applications: Pre-Application Zoning Review – C21-7383

Site and Area Context

The subject property is located in the Port Credit Neighbourhood (East) Character Area, southeast of the Hurontario Street and Lakeshore Road East intersection. The immediate area consists of a variety of commercial uses contained in plazas fronting onto Lakeshore Road East. Minimal vegetation exists in the form of urban trees.

The subject property is a commercial plaza containing a variety of commercial uses. The application proposes a medical office requiring a variance for parking.



Comments

Planning

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

Staff comments concerning the application are as follows:

The subject property is designated C4-Commercial in Schedule 10 of the Mississauga Official Plan (MOP) which permits a Medical Office use.

The applicant is requesting a variance to allow the construction of a medical office with 2 parking spaces being provided where a minimum of 9 parking spaces is required. The City Planning Strategies (CPS) Division has reviewed the application and their comment is as follows.

With respect to Committee of Adjustment application A-431/21, 243 Lakeshore Road East, the applicant is requesting to allow the construction of a medical office proposing 2 parking spaces on-site whereas By-law 0225-2007, as amended, requires a minimum 9 parking spaces on-site in this instance.

The proposal is for a new medical office (97.45m²) on the main floor of a mixed-used building. The building also contains two (2) residential units on the second storey. No Parking Utilization Study was submitted with the application.

We note that the existing uses on the subject property require 7 parking spaces:

Current Use	Number of Units/GFA	Required Parking Rate	Required Parking
<i>Residential Units</i>	2	1.25	3
<i>Retail (permit C-12/1885)</i>	97.45m ²	4.0	4
<i>Total</i>			7

From a parking perspective, staff can accept the tandem spaces for parking space #3 and #4 as shown on the site plan submitted in support of the application, dated June 10, 2021, and that a total of 4 parking spaces can be accommodated on site. Therefore the site has a current shortfall of 3 parking spaces.

We advise that the City's Payment-in-Lieu (PIL) of parking program applies to the subject property. The PIL Program allows for "grandfathering" existing parking deficiencies of current legal non-conforming uses. Therefore, the existing deficiency of 3 spaces can be "grandfathered" and a variance for these spaces is supported. We advise that PIL is required for the 2 additional parking spaces that are required as a result of the proposed change in use from retail (4 spaces required) to medical office (6 spaces required), as shown below:

Proposed Use	Number of Units/GFA	Required Parking Rate	New Required Parking
<i>Residential Units (existing)</i>	2 (existing)	1.25	3 (existing)
<i>Medical Office</i>	97.45m ²	6.5	6
<i>Total</i>			9

Since the new required parking is now 9 spaces, and the current 7 space requirement is being "grandfathered" this results in a shortfall of 2 parking spaces. The variance shall be amended to allow the 4 spaces on site plus 2 spaces off site for a total of 6 spaces.

As the PIL program applies to the subject property, the applicant has the following options:

- Apply for a PIL application for consideration for the entire new parking deficiency (for 2 parking spaces, in this instance). Through the PIL application process, the proponent contribution will be calculated for the requested parking deficiency;
- Provide a satisfactory Parking Utilization Study (PUS) to justify a reduction in the number of parking spaces for PIL. To address any potential additional variances and PIL application, the applicant may wish to defer the CofA application.

Considering the options presented above and without the benefit of a PUS, staff recommends the following:

Amend the variance to read:

- 6 parking spaces with a minimum of 4 parking spaces to be provided on-site whereas By-law 0225-2007, as amended, requires a minimum of 9 parking spaces for all uses on-site in this instance.

Additional variances:

- To permit up to 2 required parking spaces to be located off-site whereas By-law 0225-2007, as amended, requires all parking spaces to be located on-site in this instance.
- To permit 4 tandem parking spaces whereas By-law 0225-2007, as amended, does not permit tandem parking in this instance.

Conditions:

- The applicant shall make satisfactory arrangements for off-site parking with Planning & Building Staff; and if necessary enter into any required agreements (contact Staff in City Planning Strategies Division)

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

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

Planning Staff echo CPS' comments and are of the opinion that the general intent and purpose of the zoning by-law is maintained. The proposed parking reduction variance is required as a new tenant is proposing a Medical Office. In the absence of a PUS, the applicant will need to apply for a PIL application to address the parking deficiency. The proposed application represents orderly development of the land 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 easy reference are photos of the front of the building and the rear parking area of the property.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Zoning Certificate of Occupancy permit under file C 21-7383. 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: A432.21
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 1338 Daimler Road, zoned R3 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an addition to the main dwelling with an exterior side yard setback of 4.69m (approx. 15.39ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 6.00m (approx. 19.69ft) in this instance.

The Committee has set **Thursday October 28, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

How to submit a written comment:

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Advance registration is required to participate in the electronic hearing:

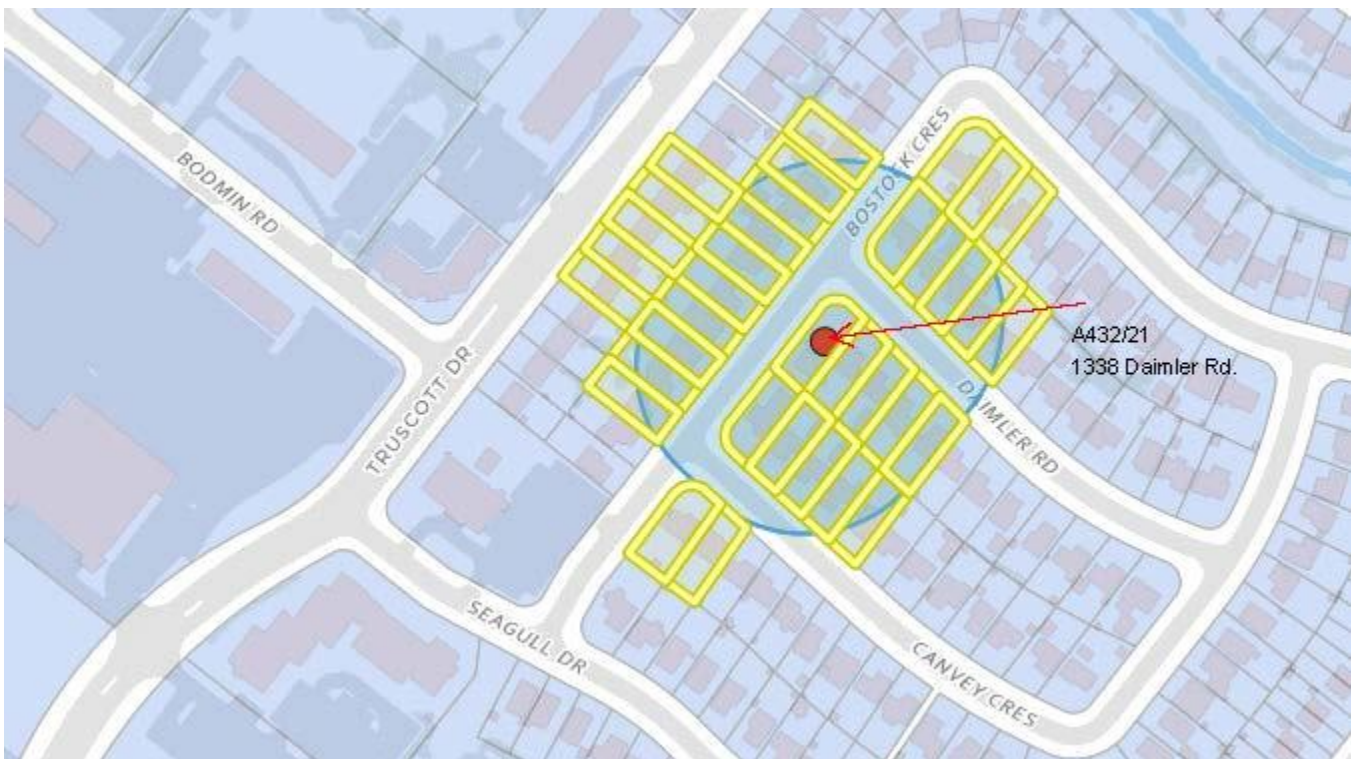
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Friday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services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

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City of Mississauga Department Comments

Date Finalized: 2021-10-19	File(s): A432.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-10-28 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an addition to the main dwelling with an exterior side yard setback of 4.69m (approx. 15.39ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 6.00m (approx. 19.69ft) in this instance.

Amendments

The Planning Building Department are currently processing a Site Plan application under file SPI 21-7. Based on review of the information currently available in this site plan application, we advise that the variances should be amended as follows:

The applicant requests the Committee to approve a minor variance to allow the construction of an addition to the main dwelling with an exterior side yard setback of 4.39m (approx. 14.40ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 6.00m (approx. 19.69ft) in this instance.

Background

Property Address: 1338 Daimler Road

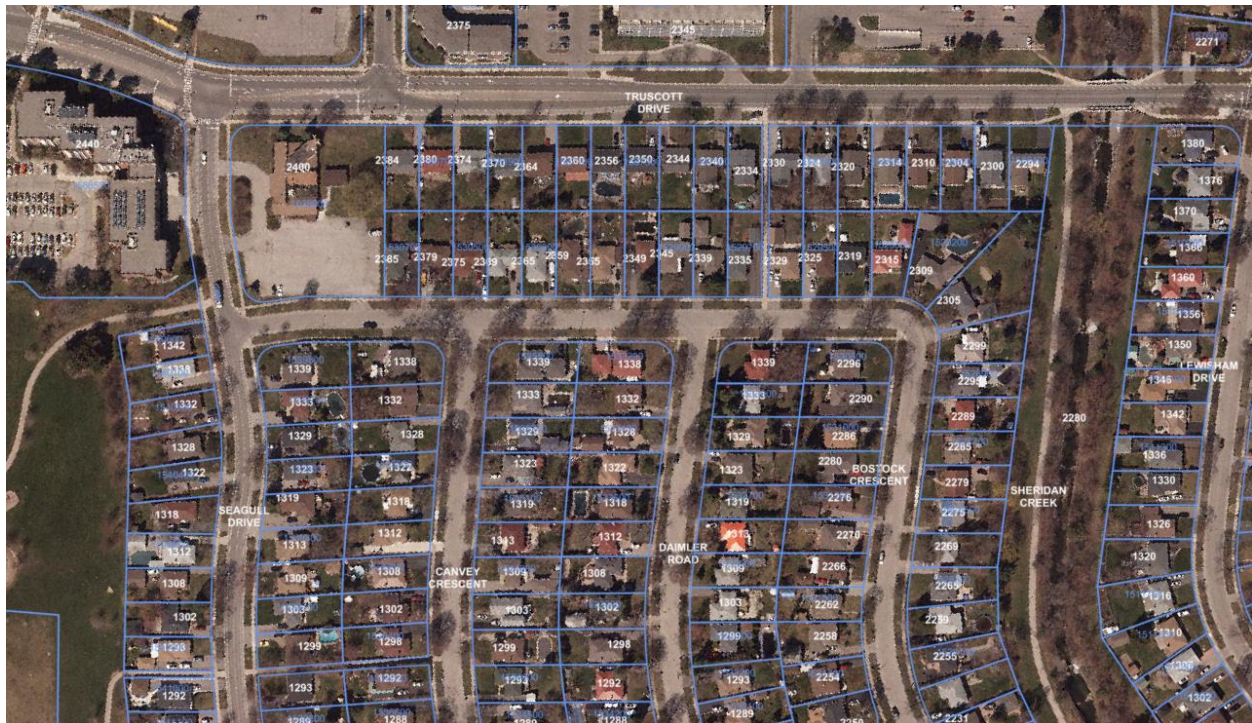
Mississauga Official Plan

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

Zoning By-law 0225-2007**Zoning: R3 - Residential****Other Applications:** Building Permit 20-2120**Site and Area Context**

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

The applicant is proposing construction of an addition requiring a variance for a reduced 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 are as follows:

The subject property is located in the Clarkson-Lorne Park Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan. The designation permits detached, semi-detached and duplex dwellings.

Planning Staff note that only a site plan drawing was submitted in support of this application. The site plan drawing provided raises questions and does not provide enough information about the proposal. Without elevation drawings, Planning staff are unable to determine the extent in which the application meets the criteria established by Section 45 of the *Planning Act*.

In the absence of additional supportive documentation illustrating the scope of work, Planning staff are of the opinion that any variance in this regard is premature until such time that the requested information is provided. As such, Planning staff recommend that the application be deferred.

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-21/007.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan application under file SPI 21-7. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

The applicant requests the Committee to approve a minor variance to allow the construction of an addition to the main dwelling with an exterior side yard setback of 4.39m (approx. 14.40ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 6.00m (approx. 19.69ft) 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: A434.21
Ward: 11

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 16 Alphonse Crescent, zoned R2-50 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling proposing:

1. A lot coverage of 27.39% whereas By-law 0225-2007, as amended requires a maximum lot coverage of 25.00% in this instance; and
2. A gross floor area of 314.72sq.m (approx. 3,387.62sq.ft) whereas By-law 0225-2007, as amended permits a maximum gross floor area of 272.62sq.m (approx. 2,934.46sq.ft) in this instance.

The Committee has set **Thursday October 28, 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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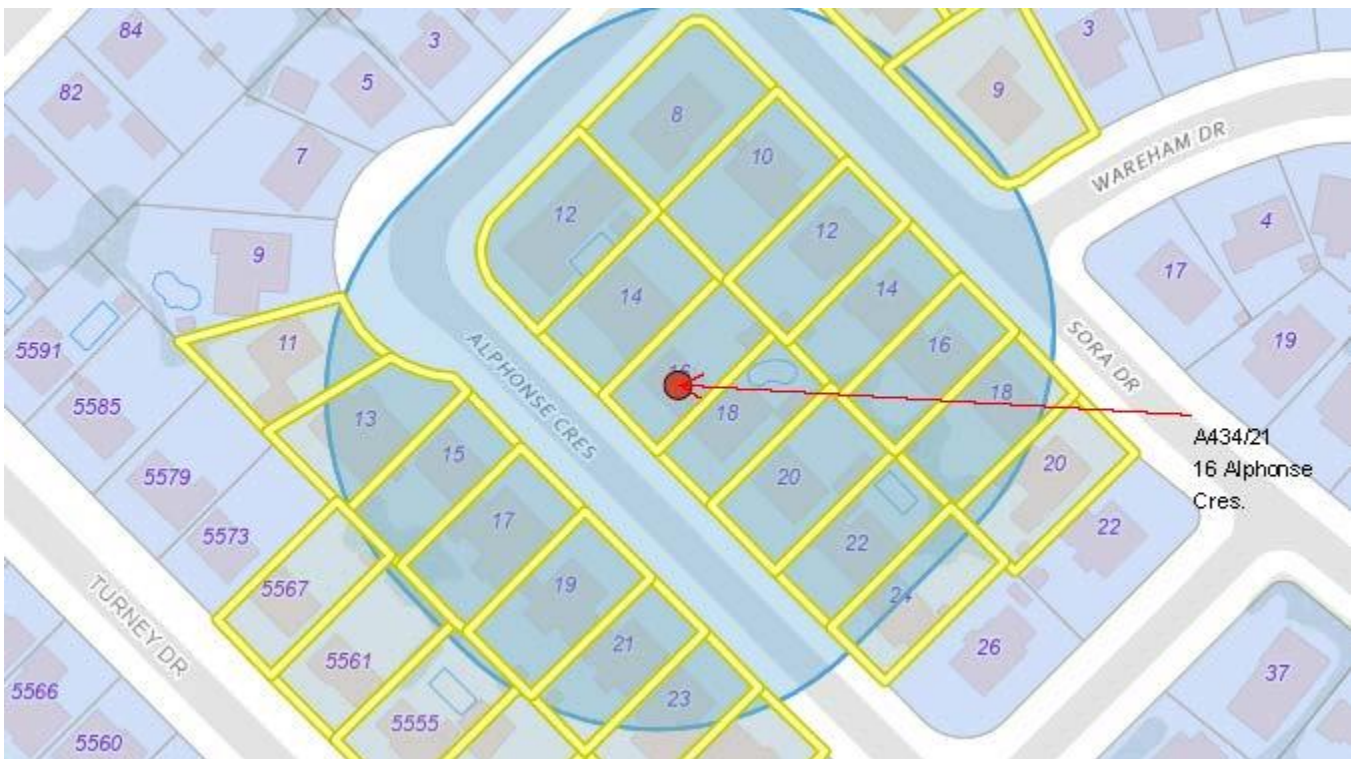
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Friday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services 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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City of Mississauga Department Comments

Date Finalized: 2021-10-20	File(s): A434.21 Ward 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-10-28 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 new dwelling proposing:

1. A lot coverage of 27.39% whereas By-law 0225-2007, as amended requires a maximum lot coverage of 25.00% in this instance; and
2. A gross floor area of 314.72sq.m (approx. 3,387.62sq.ft) whereas By-law 0225-2007, as amended permits a maximum gross floor area of 272.62sq.m (approx. 2,934.46sq.ft) in this instance.

Background

Property Address: 16 Alphonse Crescent

Mississauga Official Plan

Character Area: Streetsville Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

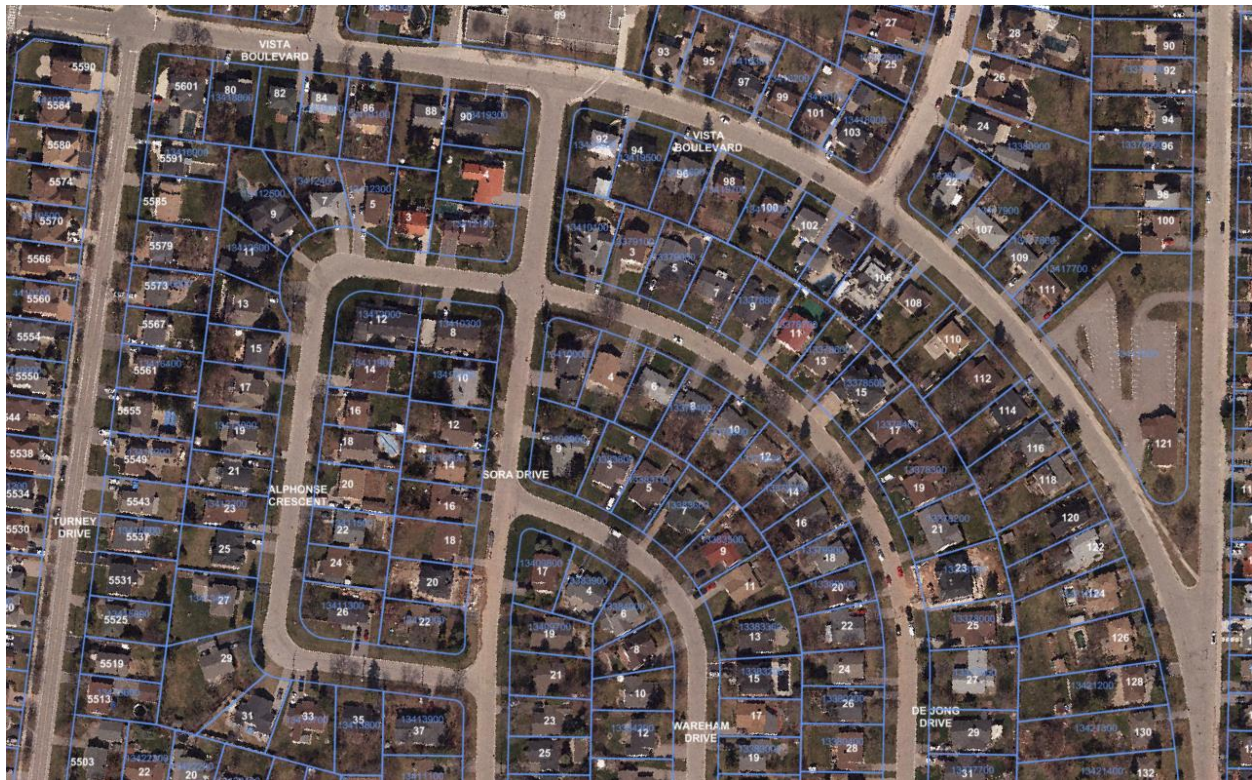
Zoning: R2-50 - Residential

Other Applications: None

Site and Area Context

The subject property is located north-east of the Thomas Street and Erin Mills Parkway in the Streetsville neighbourhood. The property has a frontage of +/- 16.8m (55.1ft), a lot area of +/- 613.11m² (6,599.46ft²) and currently contains a detached, single storey dwelling. The surrounding neighbourhood context is comprised exclusively of detached dwellings on lots of generally similar sizes. There is limited vegetation and landscaping in both the front and rear yards.

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



Comments

Planning

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

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

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

The subject property is located in the Streetsville Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation 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. Staff are satisfied that the proposal is appropriate given it is a permitted use under the designation and the surrounding built form. Staff are of the opinion that the application maintains the general intent and purpose of the Official Plan.

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

The proposed variances request increases in the gross floor area and lot coverage. The intent of these provisions in the by-law is to prevent overdevelopment of the lot and maintain compatibility between existing dwellings, new dwellings, and the planned character of the neighbourhood. Staff are satisfied that the design of the proposed dwelling is sympathetic to both the planned character of the area and existing dwellings. It is appropriately sized and situated on the subject property, minimizing any potential impact. Staff are of the opinion 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 of the opinion that the proposal is desirable for the appropriate development of the subject lands. It is an appropriate land use and the dwelling is at a scale proportional to the lot size. Any impacts on abutting properties will be minor in nature.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is 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: A435.21
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 70 Mississauga Road & 181 Lakeshore Road West, zoned D - Development, G1 - Greenland, C4 - Commercial, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of townhouse blocks and a commercial building proposing:

1. A rooftop terrace setback of 0.00m whereas By-law 0225-2007, as amended, requires a minimum rooftop terrace setback of 1.20m (approx. 3.94ft) in this instance;
2. A porch projection of 1.8m (approx. 5.9ft) from the building face whereas By-law 0225-2007, as amended, permits a maximum porch projection of 1.6m (approx. 5.2ft) from a building face in this instance;
3. A unit width of 4.57m (approx. 14.99ft) whereas By-law 0225-2007, as amended, requires a minimum unit width of 5.00m (approx. 16.40ft) in this instance;
4. An side yard setback of 1.9m (approx. 6.2ft) to the sidewalk whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 4.0m (approx. 13.1ft) to a sidewalk in this instance;
5. A landscape area of 21.0% whereas By-law 0225-2007, as amended, requires a minimum landscape area of 30.0% in this instance;
6. A road width of 8.0m (approx. 26.2ft) with on-street parking, whereas By-law 0225-2007, as amended, requires a minimum road width of 8.6m (approx. 28.2ft) in this instance; and
7. Parking and loading spaces to be located between a streetwall and a lot line that is a street line whereas By-law 0225-2007, as amended, does not permit parking and loading spaces to be located between a streetwall and a lot line that is a street line in this instance.

The Committee has set **Thursday October 28, 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: 2021-10-20	File(s): A435.21
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2021-10-28 1:00:00 PM

Consolidated Recommendation

The City has no concerns with the requested variances, as amended.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of townhouse blocks and a commercial building proposing:

1. A rooftop terrace setback of 0.00m whereas By-law 0225-2007, as amended, requires a minimum rooftop terrace setback of 1.20m (approx. 3.94ft) in this instance;
2. A porch projection of 1.8m (approx. 5.9ft) from the building face whereas By-law 0225-2007, as amended, permits a maximum porch projection of 1.6m (approx. 5.2ft) from a building face in this instance;
3. A unit width of 4.57m (approx. 14.99ft) whereas By-law 0225-2007, as amended, requires a minimum unit width of 5.00m (approx. 16.40ft) in this instance;
4. An side yard setback of 1.9m (approx. 6.2ft) to the sidewalk whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 4.0m (approx. 13.1ft) to a sidewalk in this instance;
5. A landscape area of 21.0% whereas By-law 0225-2007, as amended, requires a minimum landscape area of 30.0% in this instance;
6. A road width of 8.0m (approx. 26.2ft) with on-street parking, whereas By-law 0225-2007, as amended, requires a minimum road width of 8.6m (approx. 28.2ft) in this instance; and
7. Parking and loading spaces to be located between a streetwall and a lot line that is a street line whereas By-law 0225-2007, as amended, does not permit parking and loading spaces to be located between a streetwall and a lot line that is a street line in this instance.

Amendments

While Planning staff are not in a position to provide an interpretation of the zoning by-law, staff note that variances #5 and 6 should be amended as follows:

City Department and Agency Comments	File:A435.21	2021/10/20	2
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4. An side yard setback of 2.7m (approx. 8.9ft) to the sidewalk whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 4.0m (approx. 13.1ft) to a sidewalk in this instance;

5. A landscape area of 25.0% whereas By-law 0225-2007, as amended, requires a minimum landscape area of 30.0% in this instance;

Planning staff also note that variances #2 and 6 should be removed:

2. A porch projection of 1.8m (approx. 5.9ft) from the building face whereas By-law 0225-2007, as amended, permits a maximum porch projection of 1.6m (approx. 5.2ft) from a building face in this instance;

6. A road width of 8.0m (approx. 26.2ft) with on-street parking, whereas By-law 0225-2007, as amended, requires a minimum road width of 8.6m (approx. 28.2ft) in this instance; and

Background

Property Address: 70 Mississauga Road
181 Lakeshore Road West

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (West)
Designation: Mixed Use, Open Space, Residential High and Medium Density, Green Lands

Zoning By-law 0225-2007

Zoning: D - Development, G1 - Greenland, C4 - Commercial

Other Applications: Official Plan and Zoning By-law Amendment OZ/OPA 17 12; Plan of Subdivision 21T-M 17004; Site Plan Approval SP 19-155, SP 19-138, SP 20-48; Building Permit BP 21-5880, BP 21-6092, BP 21-6346.

Site and Area Context

The subject property is located within the Port Credit Neighbourhood Character Area, in the south west quadrant of Mississauga Road South and Lakeshore Road West. The immediate area

consists of a range of residential, commercial, and recreational uses. The subject property is currently vacant.

The Local Planning Appeal Tribunal (LPAT) through a settlement agreement between the applicant and the City approved Official Plan and Zoning amendments. The amendments permit a variety of uses including townhouses, mid and high-rise condominiums, retail, parkland and institutional uses.

The applicant is proposing a townhouse and commercial block requiring variances relating to roof terrace setback, porch projection, unit width, side yard setback, landscape area and parking and loading spaces.



70 Mississauga Rd. S.

181
Lakeshore
Rd. W

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:

Planning Staff advise that the applicant has submitted a revised list of variances and drawings. Planning staff comments reflect the applicant's revised proposal. Zoning staff comments are based on outdated drawings submitted through a Site Plan application (SP20-48) and Building Permit (BP 3NEW 21-6346).

The subject property is designated Mixed Use, Open Space, Residential High and Medium Density and Green Lands in Schedule 10 of the Mississauga Official Plan (MOP), which permits commercial and residential uses.

Variances #1-5 pertain to townhomes in Block I, where variance #7 pertains to a commercial building in Block C.

Variance #1 pertains to a rooftop balcony setback. The purpose of a minimum rooftop balcony setback measured to the exterior edge of the dwelling is to ensure that rooftop balconies are not situated too close to property lines creating issues of privacy and overlook. This provision was added to the zoning by-law in response growing infill development issues resulting from building design. In this case, Planning staff have no concerns with the proposed 0 m rooftop balcony setback, as the proposed development a townhouse complex that has shared party walls. Furthermore, the four sides of the development are adjacent to proposed roads, a trail and pedestrian mews. Therefore, there are no overlook or privacy concerns.

Variances #,3,4 and 7 are of no concern to Planning staff. Variance #3 pertains to unit width. The applicant is proposing a unit width of 4.57m when a minimum unit width of 5m is required. This variance does not raise any concerns of a planning nature. Variance #4 pertains to side yard setback. A side yard setback of 2.7m (approx. 8.9ft) to the sidewalk is proposed where a minimum side yard setback of 4.0m (approx. 13.1ft) to a sidewalk is required. While the proposed side yard setback appears to be a significant deviation from the minimum requirement, Planning staff are of the opinion that 2.7m will provide an adequate buffer between the townhouse dwellings and sidewalks. Variance #7 pertains to the location of parking and loading spaces. The applicant is proposing for parking and loading spaces to be located between a street wall and lot line that is a street wall, which is not permitted. This variance is of no concern to staff, as the location of the parking and loading spaces was envisioned through

the applicant's rezoning application and the required variance is technical in nature. Furthermore, additional landscaping has been provided on the eastern edges of the parking area, to screen the parking and loading spaces from the public realm.

Variance #5 pertains to landscaped area. The applicant is proposing a landscaped area of 25.0%, where a minimum landscaped area of 30.0% is required. The intent of the landscaped area requirement is to ensure a proportionate amount of landscaped areas is provided on site, while balancing other site components such as hard surfaces and built form. Planning staff note that through the OLT approved rezoning process, the total amount of required landscaped areas was reduced from the general standard of 40% to 30%. Typically staff do not support further reductions in landscaped areas, especially in instances when the site specific zoning by-law already provides for a reduced standard. However, for this particular site plan application, staff are able to support the reduction for the following reasons: the applicant is unable to include the individual townhouse unit rear amenity spaces into the calculation due to the elevated nature of the area and the applicant is providing additional sidewalks to improve pedestrian circulation, outside of the City's standard, which would not be included in the overall landscaped calculation. In addition, this reduction would only be applicable to this particular site and would not be applied over the entire Brightwater project site. Given this, staff are able to support the reduction of the landscaped areas percentage to 25% as it pertains to the unique circumstances with the associated site plan application. We note that the staff will generally be pursuing the landscaped area zoning standard as additional site plans are processed for the balance of the project in order to ensure that there is a proportionate amount of landscaped areas for the entire project site.

As such, Planning staff has no concerns with the proposed variances.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objection to the requests made through this Minor Variance application with exception to Variance #6 where the condo road width is requested to be reduced to 8.0m in width. This would leave a 2.0m width for the parking space which will result in parked vehicles encroaching into the 6.0m condo roadway. We have had further discussions with the applicant and reviewed revised drawings that will comply with all applicable by-law requirements for the condo road width and parking width. It is our understanding that variance request #6 regarding the condo road width will be withdrawn by the applicant. We concur with this request.

We also note for Committee's information that the City has approved Draft Plan of Subdivision T-17004 and we are currently in the process of finalizing the engineering works and Subdivision Agreement. We also note that site specific matters will be addressed through Site Plan application SP-19/138.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan application and a Building Permit under file SP 20-48 and BP 3NEW 21-6346. Based on review of the information currently available for this application, we advise that the following variance(s) should be amended as follows:

6. A parallel parking space with an unobstructed rectangular area with a width of 2.0m and a length of 6.7m, whereas By-law 0225-2007, as amended, requires a parallel parking space to have an unobstructed rectangular area with a minimum width of 2.6m and a length of 6.7m in this instance;

Our comments are based on the plans received by Zoning staff on 05/26/2021 for the above captioned site plan application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: A. McCormack, Zoning Examiner

Appendix 4 – Heritage

The adjacent property is designated under the *Ontario Heritage Act*. Accordingly, an appendix to the 2018 ERA Heritage Impact Assessment is required to ensure that these specific elements of the proposed development do not negatively impact the heritage resource. The appendix must address the specific development under this application and its impact to the adjacent Heritage Conservation District. The terms of reference are available at https://www7.mississauga.ca/documents/culture/heritage/HeritageImpactAssessment_TermsOfReference2017.pdf. More comments may be forthcoming once the Heritage Impact Assessment is accepted.

Comments Prepared by: Andrew Douglas, Heritage Analyst



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A436.21
Ward: 11

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 1 Oakington Place, zoned R3 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow stairs to facilitate a below grade entrance in a front yard whereas By-law 0225-2007, as amended, does not permit stairs to facilitate a below grade entrance in a front yard in this instance.

The Committee has set **Thursday October 28, 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: 2021-10-20	File(s): A436.21 Ward 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-10-28 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 stairs to facilitate a below grade entrance in a front yard whereas By-law 0225-2007, as amended, does not permit stairs to facilitate a below grade entrance in a front yard in this instance.

Background

Property Address: 1 Oakington Place

Mississauga Official Plan

Character Area: Streetsville Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3 - Residential

Other Applications: None

Site and Area Context

The subject property is located north-east of the Kenninghall Boulevard and Falconer Drive intersection in the Streetsville neighbourhood. It is a corner property with frontage onto both Falconer Drive and Oakington Place. The property currently contains a two storey detached

dwelling with an attached garage and limited vegetation in both the front and rear yards. The surrounding context includes a mix of detached, semi-detached, and townhouse dwellings.

The applicant is proposing a below grade entrance requiring a variance for its location in the front 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:

The subject property is located in the Streetsville Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation 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 intent of the Zoning By-law in limiting stairwells in the exterior side yard is to ensure that the visual integrity of the streetscape is maintained. The applicant is proposing the stairwell in a location that, in the opinion of staff, is not sufficiently screened by vegetation or a fence to mitigate its impact on the streetscape. The visibility of the stairwell from the street is neither desirable nor appropriate.

Given the above staff are of the opinion that the application, as submitted, does not meet the four tests of a minor variance. Staff recommend that the application be deferred in order to relocate the proposed stairwell.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

As the subject lot this is a corner lot, this department foresees no drainage related concerns with the location of the below grade entrance in the front yard. We do note from our site inspection that a safety railing should be installed around the existing below grade entrance as opposed to planters/ cedar hedge.





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: A258.21
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 3342 Angel Pass Drive, zoned RM2-18 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicants request the Committee to approve a minor variance to allow a driveway width of 6.8m (approx. 22.3ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.7m (approx. 15.4ft) in this instance.

The Committee has set **Thursday October 28, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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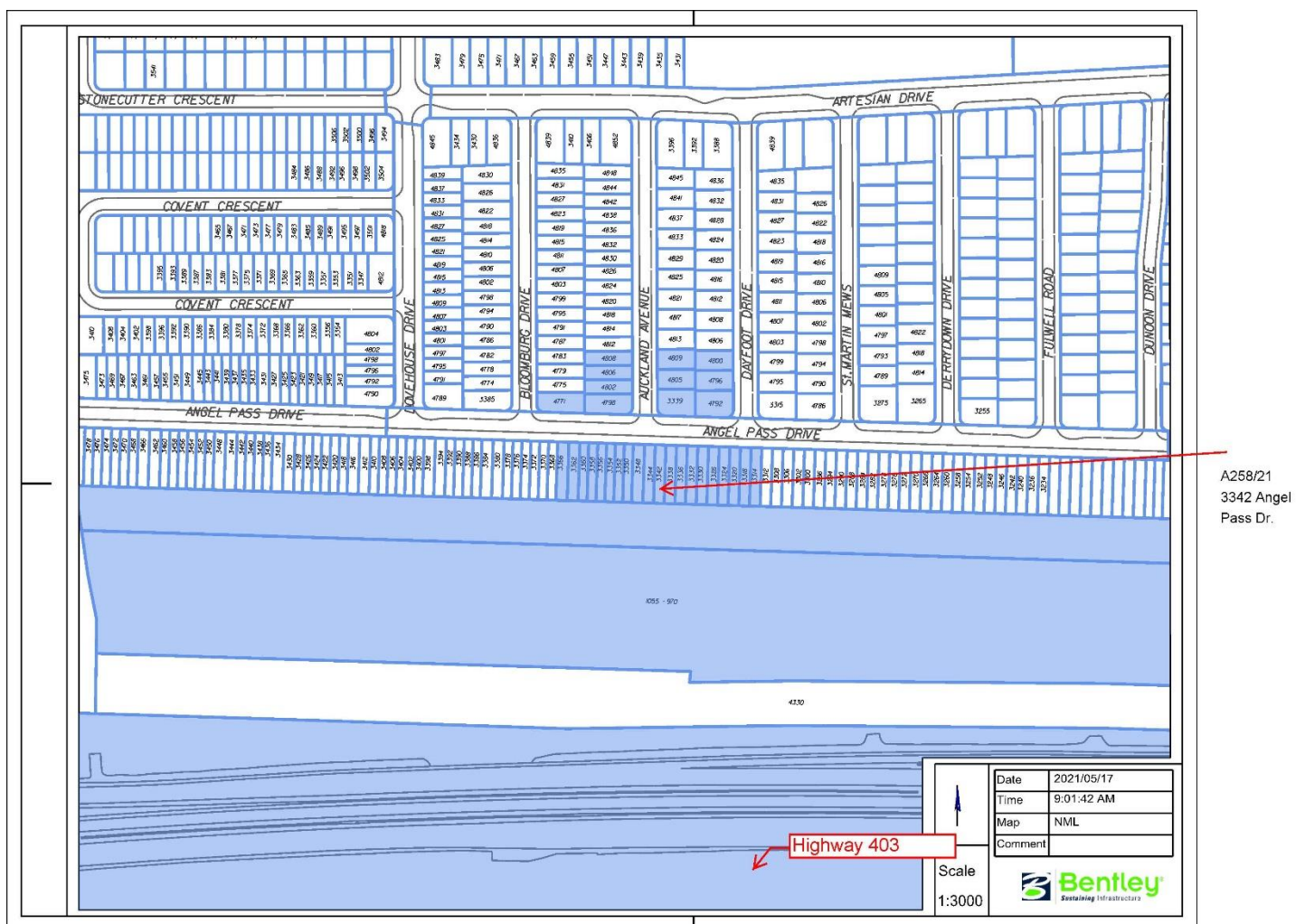
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City of Mississauga Department Comments

Date Finalized: 2021-10-19	File(s): A258.21
To: Committee of Adjustment	Ward: 8
From: Committee of Adjustment Coordinator	Meeting date:2021-10-28 1:00 PM

Consolidated Recommendation

The City recommends that the application be refused.

Application Details

The applicants request the Committee to approve a minor variance to allow a driveway width of 6.8m (approx. 22.3ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.7m (approx. 15.4ft) in this instance.

Background

Property Address: 3342 Angel Pass Drive

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: RM2-18 - Residential

Other Applications: None

Site and Area Context

The subject property is located within the Churchill Meadows Neighbourhood Character Area, southwest of Eglinton Avenue West and Winston Churchill Boulevard. The neighbourhood is entirely residential consisting of two storey detached and semi-detached dwellings with

vegetation mostly located within the municipal boulevard. The subject property contains an existing two storey semi-detached dwelling with minimal vegetation in the front yard.

The applicant is proposing an increased driveway width requiring a variance of 6.80m whereas a maximum of 4.7m is permitted.



Comments

Planning

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

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

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached, semi-detached, duplex, triplex and other forms of low rise dwellings with individual frontages. As per Section 9 (Preamble) states "sites will be developed to respect the experience, identity and character of the surrounding context". Furthermore, the intent of the zoning by-law is to permit a driveway large enough to suitably accommodate the required number parking spaces for a dwelling, with the remainder of lands being soft landscaped. While the proposed driveway tapers down to approximately 4.10 m at

the street, the majority of the driveway exceeds zoning by-law requirements. It should be noted that the RM2-18 (Residential) zone permits a maximum driveway width of 4.30 m for an interior lot. The proposed width of 6.80 m allows for a driveway that makes up a majority of the lot frontage and can accommodate four vehicles, two being side by side and two more behind whereas the intent of the by-law is to only allow for two vehicles in tandem on the driveway. The proposed width was not envisioned within the by-law and it results in the driveway being the prominent feature of the front yard at the expense of soft landscaping.

Based on the preceding information, staff is of the opinion that the application does not maintain the four tests set out in Section 45(1) of the Planning Act.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections, comments or requirements with respect to C.A. 'A'258/21.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Daniel Grdasic, Planning Associate



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A304.21
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 6 Wesley Crescent, zoned RM7-5 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing:

1. A front yard measured to a second floor of 4.39m (approx. 14.40ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to a second floor of 6.00m (approx. 19.69ft) in this instance; and
2. Two kitchens whereas By-law 0225-2007, as amended, permits a maximum of one kitchen in this instance;
3. A driveway width of 13.43m (approx. 44.06 ft.) whereas Zoning By-law 0225-2007, as amended, permits a maximum driveway width of 7.62m (approx. 25 ft.) in this instance; and,
4. A setback of a driveway to a side lot line of 0.0m whereas Zoning By-law 0225-2007, as amended, requires a setback of a driveway to a side lot line of 0.61m (approx. 2 ft.) in this instance.

The Committee has set **Thursday October 28, 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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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:

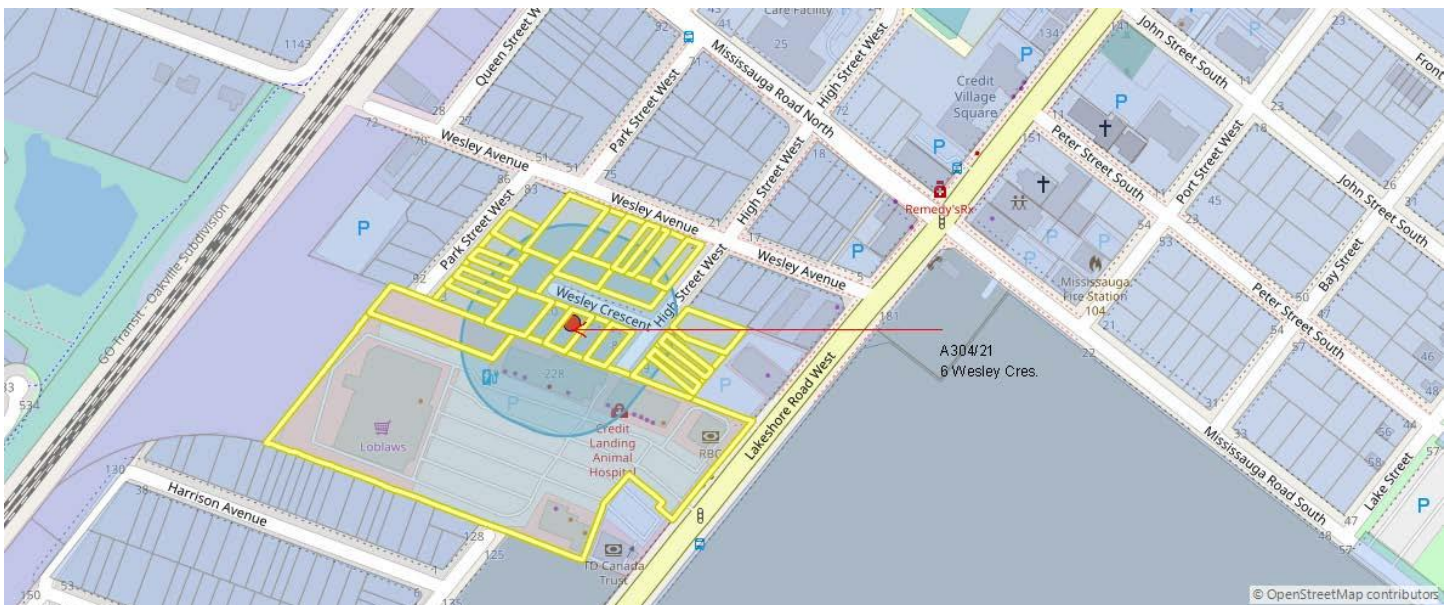
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Friday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services 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: 2021-10-19	File(s): A304.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-10-28 1:00:00 PM

Consolidated Recommendation

The City has no objection to variances #1, #2, however, recommends that variances #3 and 4 be refused.

Application Details

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

1. A front yard measured to a second floor of 4.39m (approx. 14.40ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to a second floor of 6.00m (approx. 19.69ft) in this instance; and
2. Two kitchens whereas By-law 0225-2007, as amended, permits a maximum of one kitchen in this instance;
3. A driveway width of 13.43m (approx. 44.06 ft.) whereas Zoning By-law 0225-2007, as amended, permits a maximum driveway width of 7.62m (approx. 25 ft.) in this instance; and,
4. A setback of a driveway to a side lot line of 0.0m whereas Zoning By-law 0225-2007, as amended, requires a setback of a driveway to a side lot line of 0.61m (approx. 2 ft.) in this instance.

Background

Property Address: 6 Wesley Crescent

Mississauga Official Plan

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

Zoning By-law 0225-2007

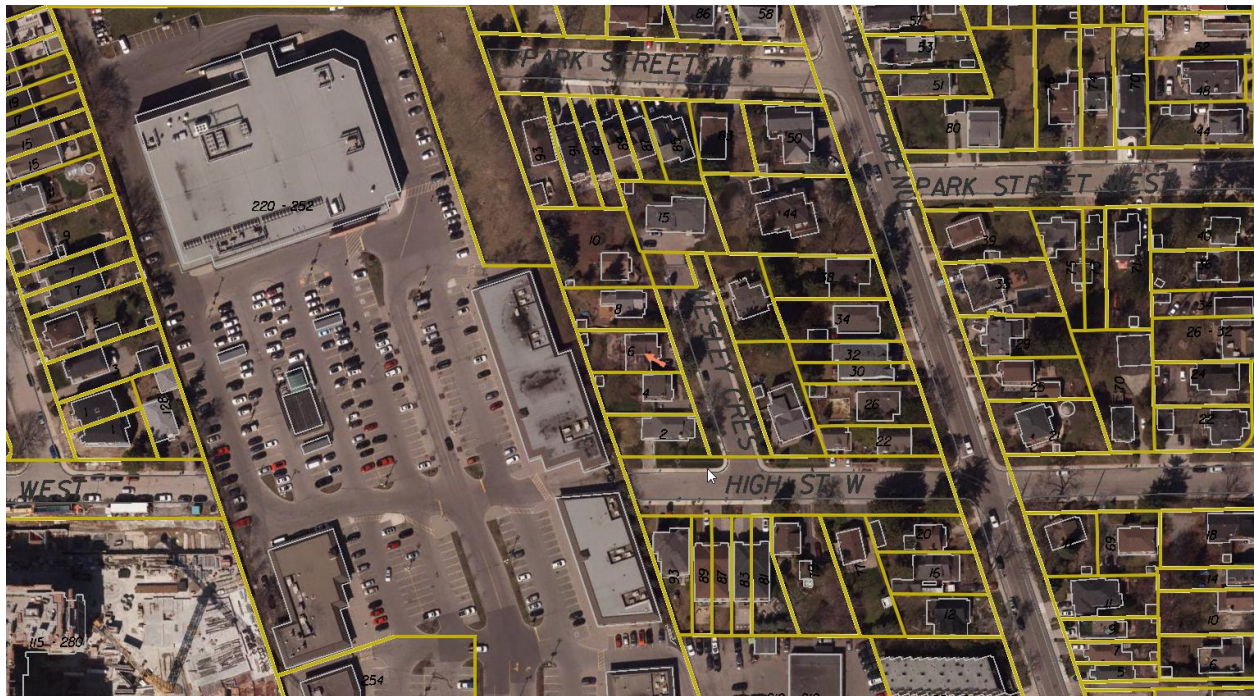
Zoning: RM7-5 - Residential

Other Applications: Building Permit – PREAPP 21-7899

Site and Area Context

The subject property is located within the Port Credit Neighbourhood (West) Character Area, northwest of the Mississauga Road and Lakeshore Road West intersection. The immediate neighbourhood is an eclectic mix of residential housing consisting of newer two storey semi-detached dwellings and older two storey detached dwellings with mature vegetation in the front yards. The subject property contains an existing two storey dwelling with mature vegetation in both the front and rear yards.

The applicant is proposing to construct an addition onto the existing house requiring variances related to the front yard, additional kitchen and driveway.



Comments

Planning

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

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

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

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached, duplex 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 addition respects the designated land use and maintains the general intent and purpose of the MOP.

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

Variance #1 as requested pertains to a deficient front yard setback. 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. The new second storey addition will be constructed on top of the first storey on the existing foundation. As a result, the addition will not pose any further impact on the neighbouring properties from what currently exists today. The front yard setback is generally in line with the neighbouring dwellings, presenting a consistent streetscape. Planning Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #2 as requested pertains to a second kitchen: The intent of limiting the number of kitchens is to regulate the number dwelling units within a dwelling. With no additional units being proposed, Staff have no concerns with the additional kitchen. Staff are of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variances #3 and #4 as requested pertain to the existing driveway width and setback to lot line. The intent of the maximum driveway width requirement in the zoning by-law is to permit a driveway large enough to suitably accommodate the required number parking spaces for a dwelling, with the remainder of lands being utilized for soft landscaping (front yard). The intent of the driveway setback requirement in the zoning by-law is to ensure that an adequate visual buffer exists between properties and that it is large enough to mitigate any potential drainage concerns. The Applicant's proposal results in a driveway large enough to accommodate at least three vehicles. A majority of the front yard contains paving and interlock, which may also require an additional minor variance. Furthermore, the Applicant has not provided a driveway setback to ensure a visual buffer is provided between the abutting properties, and no drainage infrastructure has been accommodated. Variances #3 and #4, do not meet the purpose or general intent of the Zoning By-law.

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

Staff find that any potential impact from the proposed decrease to the front yard and second kitchen are negligible, however Staff are of the opinion that the existing driveway is not minor and is undesirable as it covers nearly the entire front yard. Furthermore, the applicant has provided a 0m setback between the lot line and the driveway, which is not adequate and may result in drainage issues. Staff are also of the opinion that an additional variance may be required to address the lack of soft landscaping in the front yard.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file PREAPP 21-7899. 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