
Committee of Adjustment

Date: November 25, 2021
Time: 1:00 PM
Location: Online Video Conference

Members

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

Contacts

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

Send written submissions or request notification of future meetings to:

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

-
1. CALL TO ORDER
 2. DECLARATION OF CONFLICT OF INTEREST
 3. DEFERRALS OR WITHDRAWALS
 4. MATTERS TO BE CONSIDERED
 - 4.1. A411/21
4497 TAVISTOCK CRT (WARD 8)
ALI AL-BAGHDADI, THURAYA WAZEER
 - 4.2. A420/21
5757 MACPHEE RD (WARD 10)
ROSEMARY MATHEW, SHAJI MATHEW
 - 4.3. A443/21
1266 MINAKI RD (WARD 1)
KEVIN MCDONALD, KRISTIE MCDONALD
 - 4.4. A475/21
3369 TESTIMONY SQ (WARD 7)
CAM THUY TO
 - 4.5. A483/21
2518 STILLMEADOW RD (WARD 7)
ANNURAG CHAWLA, ANURAADA CHAAWLA
 - 4.6. A485/21
894 EIGHTH ST (WARD 1)
ZENON SCILENYJ, JAROSLAWA BENKO SCILENYJ
 - 4.7. A487/21
500 ARROWHEAD RD (WARD 2)
LINGXIAO ZHAO, XINWEI WANG
 - 4.8. A489/21
2329 DOULTON DR (WARD 8)
SWAMAKANTA DILAWRI

- 4.9. A490/21
3105- 3115 WINSTON CHURCHILL BLVD (WARD 8)
TANSON PROPERTIES INC
- 4.10. A491/21
964 NINTH ST (WARD 1)
A3 BUILDERS LTD
- 4.11. A493/21
6770 GRACEFIELD DR (WARD 10)
PHYLLIS KENNEDY
- 4.12. A494/21
28 ANN ST (WARD 1)
EDENSHAW ANN DEVELOPMENTS LIMITED
- 4.13. A501/21
3611 MAVIS RD (WARD 7)
HAJUNA INVESTMENTS LTD
- 4.14. A529/21-A530/21
2 ROBERT SPECK PKY (WARD 4)
SWBC MEC 2 LTD; DESJARDINS FINANCIAL SECURITY LIFE ASSURANCE
- 4.15. A543/21-A544/21
4 ROBERT SPECK PKY (WARD 4)
SWBC MEC 4 LTD; DESJARDINS FINANCIAL SECURITY LIFE ASSURANCE
- 4.16. A375/21
141 EAGLEWOOD BLVD (WARD 1)
HUYNH HUY LE & PHAM THI NGUYET ANH
5. **OTHER BUSINESS**
6. **ADJOURNMENT**



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A411.21
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 4497 Tavistock Crt, zoned R4-52 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a second unit proposing:

1. A pedestrian entrance facing the street whereas By-law 0225-2007, as amended, does not permit a pedestrian entrance facing the street in this instance; and
2. A below grade entrance located in the side yard whereas By-law 0225-2007, as amended, does not permit a below grade entrance located in the side yard in this instance.

The Committee has set **Thursday November 25, 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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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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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: 2021-11-16	File(s): A411.21 Ward: 8
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-11-25 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow a second unit proposing:

1. A pedestrian entrance facing the street whereas By-law 0225-2007, as amended, does not permit a pedestrian entrance facing the street in this instance; and
2. A below grade entrance located in the side yard whereas By-law 0225-2007, as amended, does not permit a below grade entrance located in the side yard in this instance.

Background

Property Address: 4497 Tavistock Crt

Mississauga Official Plan

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

Zoning By-law 0225-2007

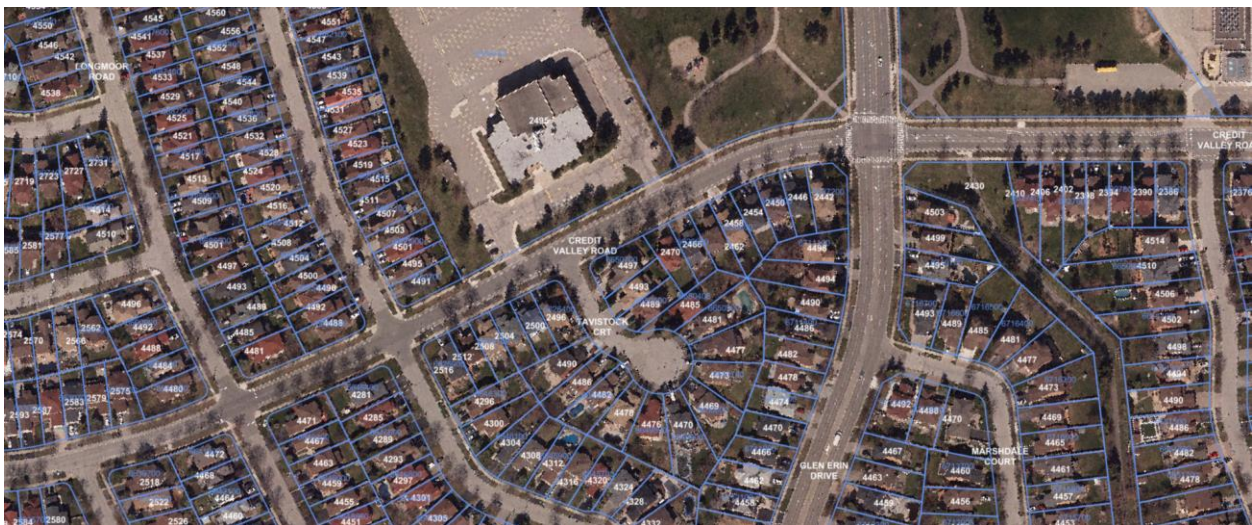
Zoning: R4-52 - Residential

Other Planning Applications: Building Permit BP 9ALT 19-8994

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, directly south of Archbishop Romero Catholic Secondary School, southwest of Glen Erin Road and Credit Valley Road. The immediate area consists of two-storey detached dwellings with mature vegetation in the front yards. The subject property contains an existing two-storey dwelling with vegetation in the front and northerly side yard.

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



Comments

Planning

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

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

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

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

permitted within this designation; Staff are of the opinion that the general intent and purpose of the official plan is maintained.

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

The intent of the by-law in prohibiting a below grade entrance in the exterior side yard and facing a street is to prevent a negative visual impact to the overall streetscape. The proposed entrance faces Credit Valley Road and can only be viewed from the streetscape when standing perpendicular to the north side of the dwelling. When travelling east or west on Credit Valley Road, existing vegetation and fencing completely screens the proposed entrance from the streetscape. The proposed entranceway is difficult to view from the school directly north of the subject property, as the wide municipal boulevards contain street trees that screen the entranceway. Staff is supportive of Variances #1 and #2 and are of the opinion that these maintain the general intent and purpose of the zoning by-law.

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

Staff are of the opinion that the proposed secondary unit entrance is sufficiently screened and will not impact the streetscape. This application represents the orderly development of the lands, and is minor in nature.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed second unit will be addressed through the Building Permit process, File BP 9ALT 19/8994.



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 19-8944. Based on review of the information currently available for this building permit, we advise that more information is required to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Our comments are based on the plans received by Zoning staff on 12/03/2019 for the above captioned building permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: Adam McCormack, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A420.21
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 5757 Macphee Road, zoned R7 - 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 dwelling proposing:

1. A rear yard setback of 6.16m (approx. 20.21ft) for 56.55% of the width of the rear wall of the dwelling, whereas By-law 0225-2007, as amended, permits a rear yard setback of 6.00m (approx. 19.69ft) for a maximum of 50.00% of the width of the rear wall of the dwelling in this instance; and
2. A rear yard setback of 6.16m (approx. 20.21ft) where as By-law 0225-2007, as amended, requires a minimum rear yard setback of 7.00m (approx. 22.97ft) in this instance.

The Committee has set **Thursday November 25, 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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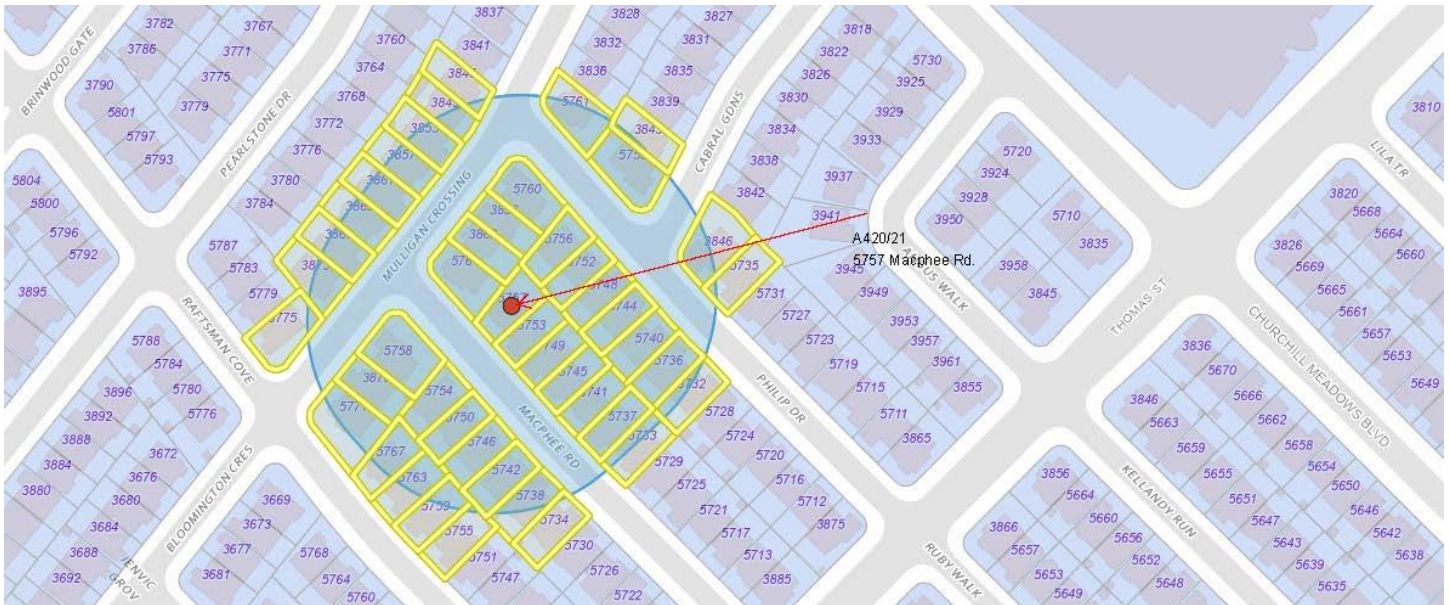
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City of Mississauga Department Comments

Date Finalized: 2021-11-17	File(s): A420.21 Ward 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-11-25 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application in order 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 an addition to the dwelling proposing:

1. A rear yard setback of 6.16m (approx. 20.21ft) for 56.55% of the width of the rear wall of the dwelling, whereas By-law 0225-2007, as amended, permits a rear yard setback of 6.00m (approx. 19.69ft) for a maximum of 50.00% of the width of the rear wall of the dwelling in this instance; and
2. A rear yard setback of 6.16m (approx. 20.21ft) where as By-law 0225-2007, as amended, requires a minimum rear yard setback of 7.00m (approx. 22.97ft) in this instance.

Background

Property Address: 5757 Macphee Road

Mississauga Official Plan

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

Zoning By-law 0225-2007

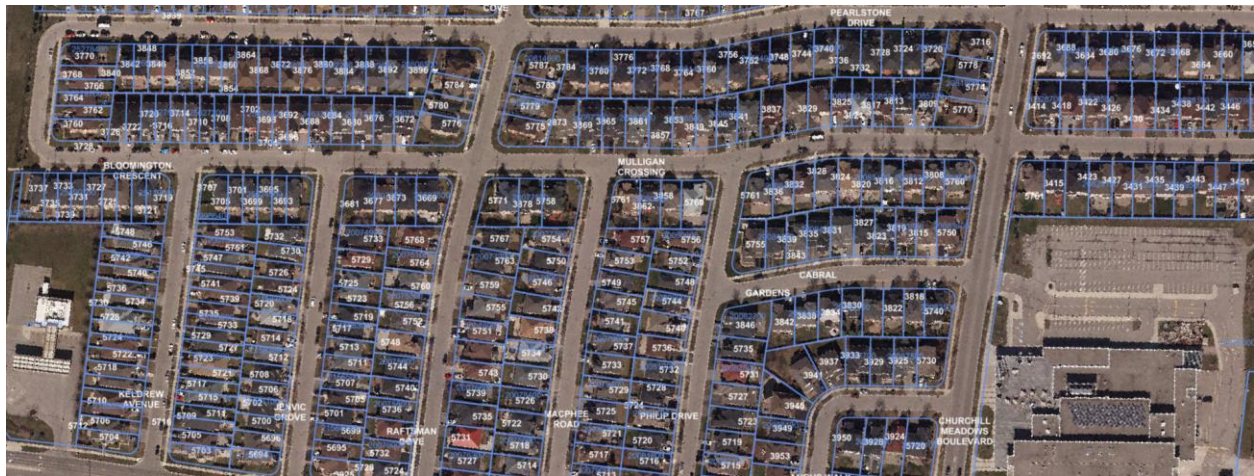
Zoning: R7 - Residential

Other Applications: BP 9ALT 21-6800

Site and Area Context

The subject property is located north-west of the Churchill Meadows Boulevard and Thomas Street intersection in the Churchill Meadows neighbourhood. It contains a detached dwelling with an attached garage and has a lot area of +/- 329.52m² (3,546.92ft²). Landscape/vegetation elements are present in both the front and rear yards. The surrounding context consists exclusively of detached dwellings on similarly sized lots.

The applicant is proposing an addition requiring variances relating to the rear yard setback.



Comments

Planning

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

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

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

The subject property is located in the Churchill Meadows Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). 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 proposed addition

maintains the planned character of the area and is appropriately located on the site given the surrounding context. The application therefore, in the opinion of staff, maintains the general intent and purpose of the Official Plan.

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

Both of the requested variances relate to a reduction in the rear yard setback. The property is zoned R7, which in this instance allows for a rear yard of 6 metres for 50% of the rear wall and requires 7 metres for the remainder of the rear wall. The intent of rear yard provisions in the by-law are to ensure that an appropriate buffer between structures on abutting properties is provided as well as to maintain an appropriate rear yard amenity area. Staff are satisfied that the buffer between structures remains appropriate and that the rear yard amenity area is maintained on the subject property. The application, as proposed, 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 rear yard proposal represents appropriate development of the subject property and that the application is minor in nature. An appropriate rear yard amenity area is maintained and the majority of the additional floor area being added to the dwelling complies with the zoning by-law. Staff are satisfied that the addition, as proposed, creates no additional impacts when compared to an addition that would fully comply with the Zoning By-law.

Notwithstanding the above comments on the requested variance, a site visit to the property has revealed that the existing driveway appears different than the driveway shown on the drawings. Staff note that the width of the driveway appears to be larger than is permitted under the Zoning By-law. Staff have concerns with the existing width of the driveway and its impact on the streetscape, however are unable to comment if the driveway meets the four tests of a minor variance without confirmation of the width and an appropriate Site Plan. As such the applicant may wish to defer the application at this time to resubmit the application with any additional necessary variances and an updated drawing for review.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's information are some photos which depict the addition which is currently under construction. Grading Plan C-38198 (approved under the Brittany Glen Subdivision, 43M-1461 prepared by Rand Engineering) depicts half the drainage from the rear yard being directed to the catch basin on the abutting lot #83 to the south, and the other half of the drainage designed to be directed towards the front of the dwelling via the side yard.

From our site inspection and enclosed photos it is evident that the side yard area is currently under construction and will have to be regraded. In this regard we strongly advise the applicant that any works/regrading is to conform to the original drainage pattern which allows a significant portion of the drainage from the rear yard to be directed towards the front.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 9ALT 21-6800. Based on review of the information currently available for this building permit, we advise that more information is required to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Our comments are based on the plans received by Zoning staff on 05/18/2021 for the above captioned building permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: Adam McCormack, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A443.21
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 1266 Minaki Road, zoned R2-5 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an accessory dwelling proposing:

1. An accessory structure area of 46.3sq.m (approx. 498.37sq.ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 20.00sq.m (approx. 215.28sq.ft) in this instance; and
2. An accessory structure height of 4.986m (approx. 16.358ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.500m (approx. 11.483ft) in this instance.

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City of Mississauga Department Comments

Date Finalized: 2021-11-16	File(s): A443.21
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2021-11-25 1:00:00 PM

Consolidated Recommendation

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

Application Details

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

1. An accessory structure area of 46.3sq.m (approx. 498.37sq.ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 20.00sq.m (approx. 215.28sq.ft) in this instance; and
2. An accessory structure height of 4.986m (approx. 16.358ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.500m (approx. 11.483ft) in this instance.

Background

Property Address: 1266 Minaki Road

Mississauga Official Plan

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

Zoning By-law 0225-2007

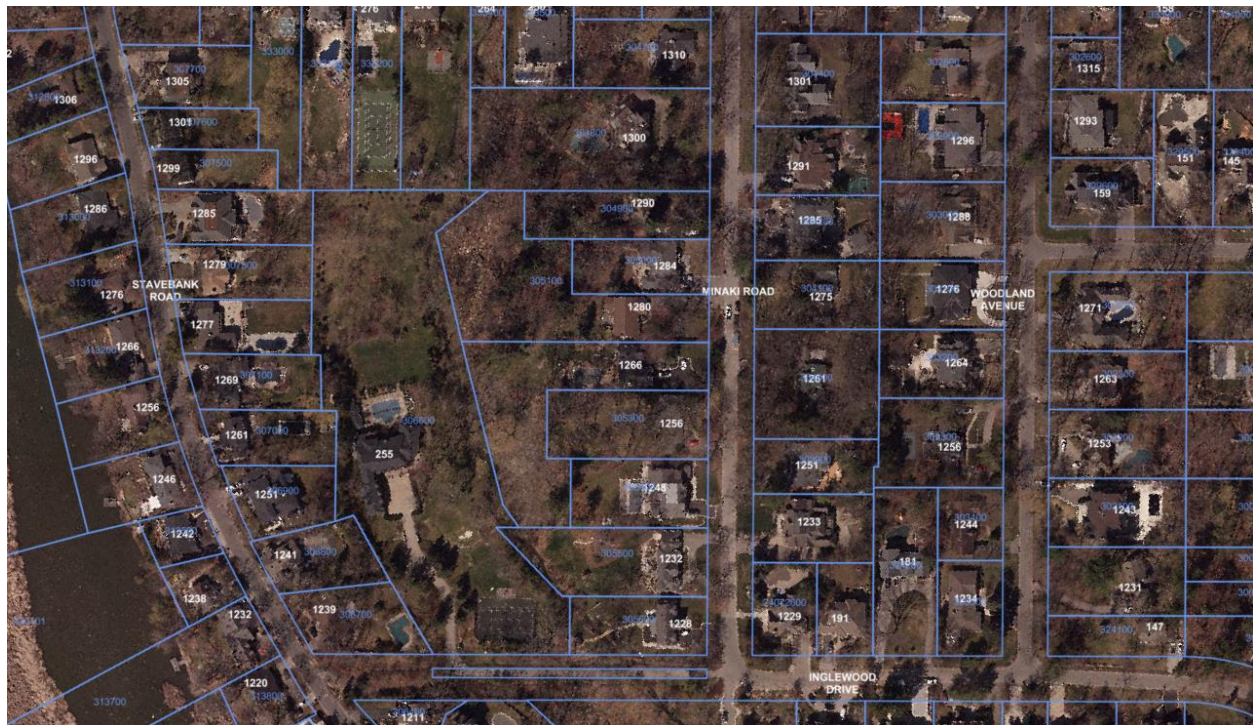
Zoning: R2-5 - Residential

Other Applications: None.

Site and Area Context

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

The applicant is proposing an accessory structure requiring variances for accessory structure height and 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 site is located within the Mineola Neighbourhood Character Area, and is designated Residential Low Density I and Greenlands by the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached, semi-detached and duplex dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions; the surrounding context; and, the landscape of the character area. The proposed structure is permitted within this designation; Staff is of the opinion that the general intent and purpose of the MOP is maintained.

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

The applicant is proposing an accessory structure with a height of 4.99m (16.36ft) where a maximum accessory structure height of 3.5m (11.48ft) is permitted, and a accessory structure area of 46.3m² (498.37ft²) where a maximum accessory structure area of 20.00m² (215.28ft²) is permitted. The intent of the zoning by-law provisions regarding accessory structures is to ensure that the structures are proportional to the lot and dwelling and clearly accessory while not presenting any massing concerns to neighbouring lots.

Staff note that the proposed accessory structure area and height appear excessive. However, the total lot area of the subject property is 4,072.9m² (43,840ft²), and the accessory structure is clearly subordinate to the existing 1 and ½ storey dwelling. Therefore, the proposed structure is clearly proportional to the lot and the existing dwelling. Furthermore, the proposed accessory structure area is lower than the maximum combined area for accessory structures, being 60m² (645.8ft²). Lastly, the accessory structure is located further into the interior of the property, not directly abutting any property lines, and is screened from neighbouring properties by mature vegetation.

The proposed height of the accessory structure is concealed from the streetscape, as it is located in the rear yard and screened by mature vegetation in the front and side yards. Furthermore, the location of the accessory structure, depth of the lot and existing mature vegetation in the rear and abutting rear yards ensure the abutting properties will not be impacted by the proposal.

As such, Planning staff have no concerns with the proposed variances and are of the opinion that the general intent and purpose of the Zoning By-law is maintained.

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

Planning Staff are of the opinion that this application represents the orderly development of the lands, and is minor in nature. The accessory structure poses no significant massing impact and does not impose upon the neighbouring properties.

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 accessory structure will be addressed through the Building Permit process, File BP 9NEW-21/8246.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Brandon Eidner, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A475.21
Ward: 7

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 3369 Testimony Square, zoned R4-2 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction a below grade entrance proposing:

1. A stairwell to facilitate an entrance below grade in an exterior side yard, whereas By-law 0225-2007, as amended, does not permit a stairwell to facilitate an entrance below grade in an exterior side yard in this instance;
2. An exterior side yard setback of 2.21m (approx. 7.25ft) whereas By-law 0225-2007, as amended, requires a minimum exterior yard setback of 4.50m (approx. 14.76ft) in this instance; and
3. An exterior side yard setback of 0.84m (approx. 2.76ft) for an accessory structure whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 4.50m (approx. 14.76ft) for an accessory structure in this instance.

The Committee has set **Thursday November 25, 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.

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Legal notice:

If holding an electronic rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30pm the 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: 2021-11-17	File(s): A475.21 Ward 7
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-11-25 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 a below grade entrance proposing:

1. A stairwell to facilitate an entrance below grade in an exterior side yard, whereas By-law 0225-2007, as amended, does not permit a stairwell to facilitate an entrance below grade in an exterior side yard in this instance;
2. An exterior side yard setback of 2.21m (approx. 7.25ft) whereas By-law 0225-2007, as amended, requires a minimum exterior yard setback of 4.50m (approx. 14.76ft) in this instance; and
3. An exterior side yard setback of 0.84m (approx. 2.76ft) for an accessory structure whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 4.50m (approx. 14.76ft) for an accessory structure in this instance.

Background

Property Address: 3369 Testimony Square

Mississauga Official Plan

Character Area: Fairview Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R4-2 - Residential

Other Applications: BP 9ALT 21-5401

Site and Area Context

The subject property is located south-west of the Confederation Parkway and Central Parkway West intersection in the Fairview neighbourhood. It is a corner property containing a detached dwelling with an attached garage. Limited landscaping/vegetation elements are present in both the front and rear yards. The surrounding context is mostly residential, consisting exclusively of detached dwellings. Parkland and a high school are present across Confederation Parkway.

The applicant is proposing to legalize a below grade entrance and shed requiring variances for the location of the stairs and setbacks.



Comments

Planning

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

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

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

The subject property is located in the Fairview Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, duplex and triplex dwellings, as well as other low-rise dwellings with individual frontages. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. Staff are satisfied that the below grade entrance is compatible with existing site conditions and creates no impacts on the surrounding neighbourhood. Regarding the shed, accessory structures are common in the surrounding context. Staff are satisfied that the general intent and purpose of the Official Plan is maintained.

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

Variance 1 requests a below grade entrance in an exterior side yard. The intent of the zoning by-law in limiting stairs in the exterior side yard is to ensure that both the visual integrity of the streetscape is maintained, and that access to the rear yard ultimately remains unencumbered. In this instance the stairs are screened by an existing fence, preventing them from being visible from the streetscape, and are additionally located between the shed and some larger bushes. Furthermore access to the rear of the dwelling is maintained both due to the setback of the stairs and through the opposite side of the dwelling.

Variances 2 and 3 request a reduction in the exterior side yard to both the below grade entrance stairs and the shed. The general intent of this portion of the by-law is to ensure that an adequate buffer exists between a structure's massing and the public realm. In this instance the stairs create no massing concerns as they are below grade. The shed is located behind the fence and no additional variances for height or size have been requested. Staff are satisfied that the impacts to the public realm are minimal in this instance due to the fence and the orientation of the shed.

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

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

The below grade entrance is appropriately screened from the streetscape by the existing privacy fence, and the shed does not create any significant impacts on abutting properties. The shed is located behind the fence and does not require additional variances for height or size. Staff are therefore satisfied that the application represents appropriate development of the subject lands and is minor in nature.

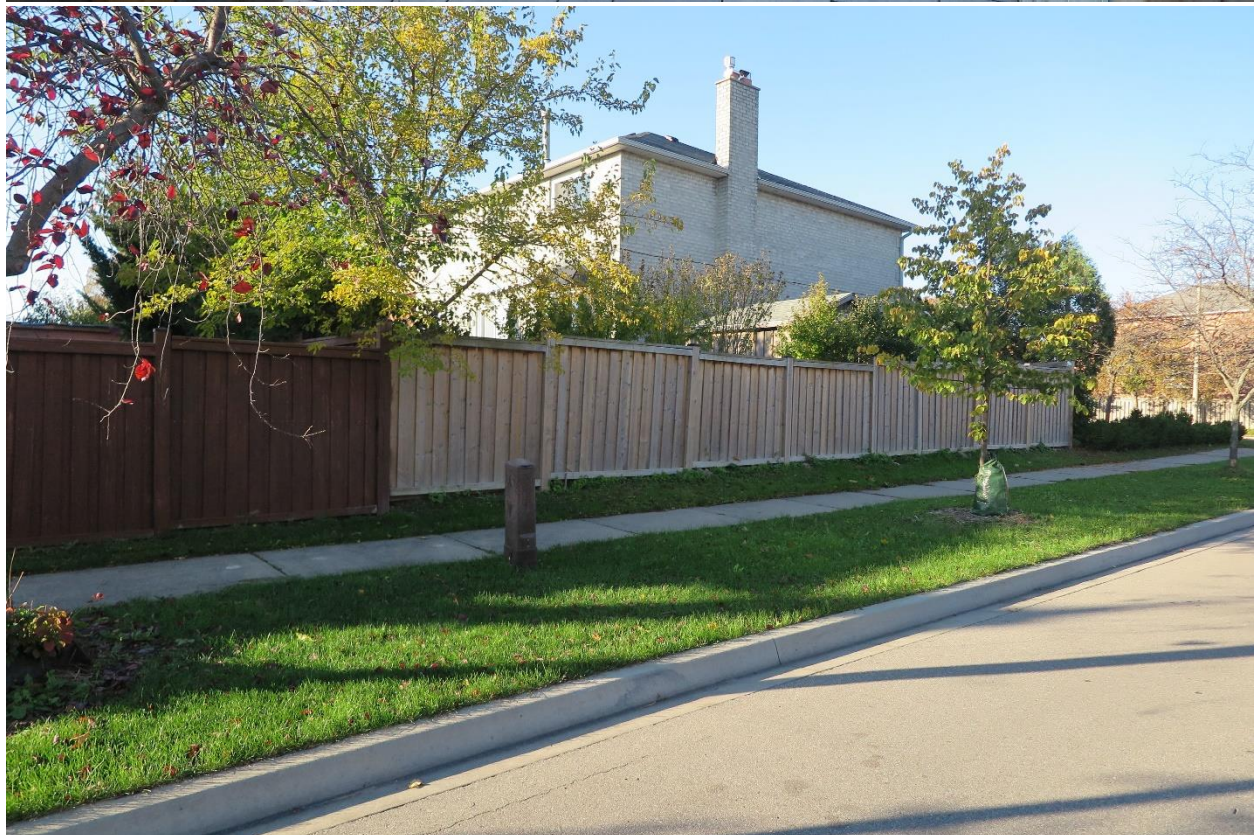
Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's information are some photos which depict the below grade entrance and accessory structure. Acknowledging that this is a corner lot, both the below grade entrance and accessory structure are located in an area where there are no drainage related concerns to any immediate abutting properties.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 9ALT 21-5401. Based on review of the information currently available in this permit application, the variances 1 and 2, as requested are correct.

However, we advise that more information is required in order to verify the accuracy of the requested variance:

3. An exterior side yard setback of 0.84m (approx. 2.76ft) for an accessory structure whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 4.50m (approx. 14.76ft) for an accessory structure 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: A483.21
Ward: 7

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 2518 Stillmeadow 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 a new dwelling proposing:

1. A lot coverage of 43.93% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
2. A stairwell to facilitate a below grade entrance with an interior side yard setback of 0.91m (approx. 2.99ft) whereas By-law 0225-2007, as amended, requires an interior side yard setback of 1.20m (approx. 3.94ft) in this instance; and
3. An interior side yard setback of 1.31m (approx. 4.30ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.81m (approx. 5.94ft) in this instance.

The Committee has set **Thursday November 25, 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: 2021-11-17	File(s): A483.21 Ward 7
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-11-25 1:00:00 PM

Consolidated Recommendation

The City recommends the application be deferred to allow the applicant to redesign the proposed dwelling in order to reduce the proposed lot coverage.

Application Details

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

1. A lot coverage of 43.93% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
2. A stairwell to facilitate a below grade entrance with an interior side yard setback of 0.91m (approx. 2.99ft) whereas By-law 0225-2007, as amended, requires an interior side yard setback of 1.20m (approx. 3.94ft) in this instance; and
3. An interior side yard setback of 1.31m (approx. 4.30ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.81m (approx. 5.94ft) in this instance.

Amendments

We advise that the following variance be added:

4. An eaves encroachment of 0.95m (approx. 3.11ft) into interior side yard, on left side of building whereas By-law 0225-2007, as amended, permits a maximum encroachment of eaves of 0.45m (approx. 1.47ft) in this instance.

Background

Property Address: 2518 Stillmeadow Road

Mississauga Official Plan

Character Area: Cooksville Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

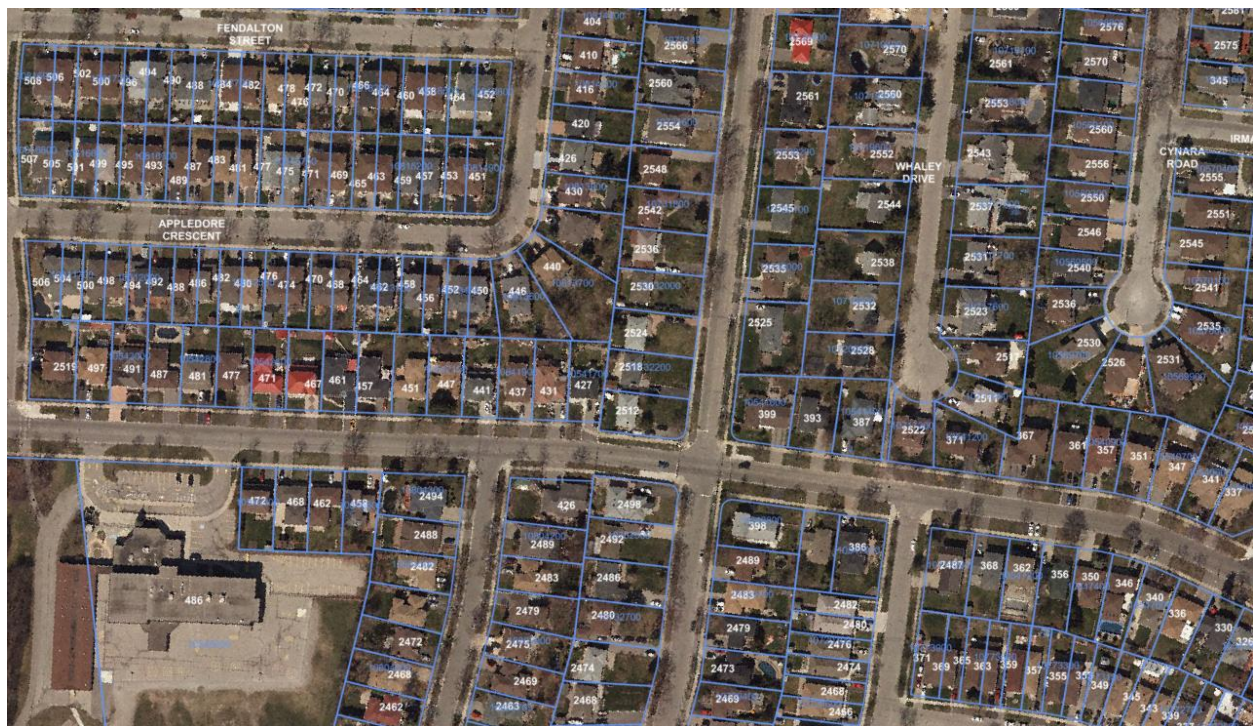
Zoning: R3 - Residential

Other Applications: PREAPP 21-7890

Site and Area Context

The subject property is located north-west of the Stillmeadow Road and Paisley Road West intersection in the Cooksville neighbourhood. It currently contains a single storey detached dwelling with a frontage of +/- 18.29m (60.01ft) and a lot area of +/- 696.89m² (7,501.26ft²). There are limited landscaping/vegetation elements in both the front and rear yards. The subject property, like several properties along the west side of Stillmeadow Road on this block, has the dwelling located closer to the rear of the property, creating a relatively small rear yard and a significant front yard.

The applicant is seeking to construct a new dwelling on the subject property requiring variances for lot coverage and setbacks.



Comments

Planning

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

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

The subject property is located in the Cooksville Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, duplex and triplex dwellings, as well as other low-rise dwellings with individual frontages. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. Staff are concerned that the proposal is not in character or compatible with the surrounding context, which is categorized by older and smaller one to two storey dwellings as well as some new builds and renovations. Staff's concerns specifically relate to the proposed lot coverage. The intent behind restricting lot coverage is to ensure that there is not overdevelopment of the lot that is detrimental to the streetscape and abutting properties. The current proposal represents a significant development of the lot with massing that is out of character for the street and negatively impacts abutting properties. It is the opinion of staff that the scale of the proposed development is not minor nor is it in keeping with the neighbourhood. Staff therefore recommend that the application be deferred in order to allow the applicant the opportunity to redesign the dwelling to reduce the lot coverage.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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



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 21-7890. Based on review of the information currently available in this permit application, the variances, as requested are correct. In addition, we advise that the following variance be added:

4. An eaves encroachment of 0.95m (approx. 3.11ft) into interior side yard, on left side of building whereas By-law 0225-2007, as amended, permits a maximum encroachment of eaves of 0.45m (approx. 1.47ft) 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: Sherri Takaloo, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A485.21
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 894 Eighth Street, zoned RM1-26 - 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 deck proposing a total lot coverage of 42.1% whereas By-law 0225-2007, as amended, permits a maximum total lot coverage of 40.0% in this instance.

The Committee has set **Thursday November 25, 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: 2021-11-16	File(s): A485.21
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2021-11-25 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a deck proposing a total lot coverage of 42.1% whereas By-law 0225-2007, as amended, permits a maximum total lot coverage of 40.0% in this instance.

Background

Property Address: 894 Eighth Street

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

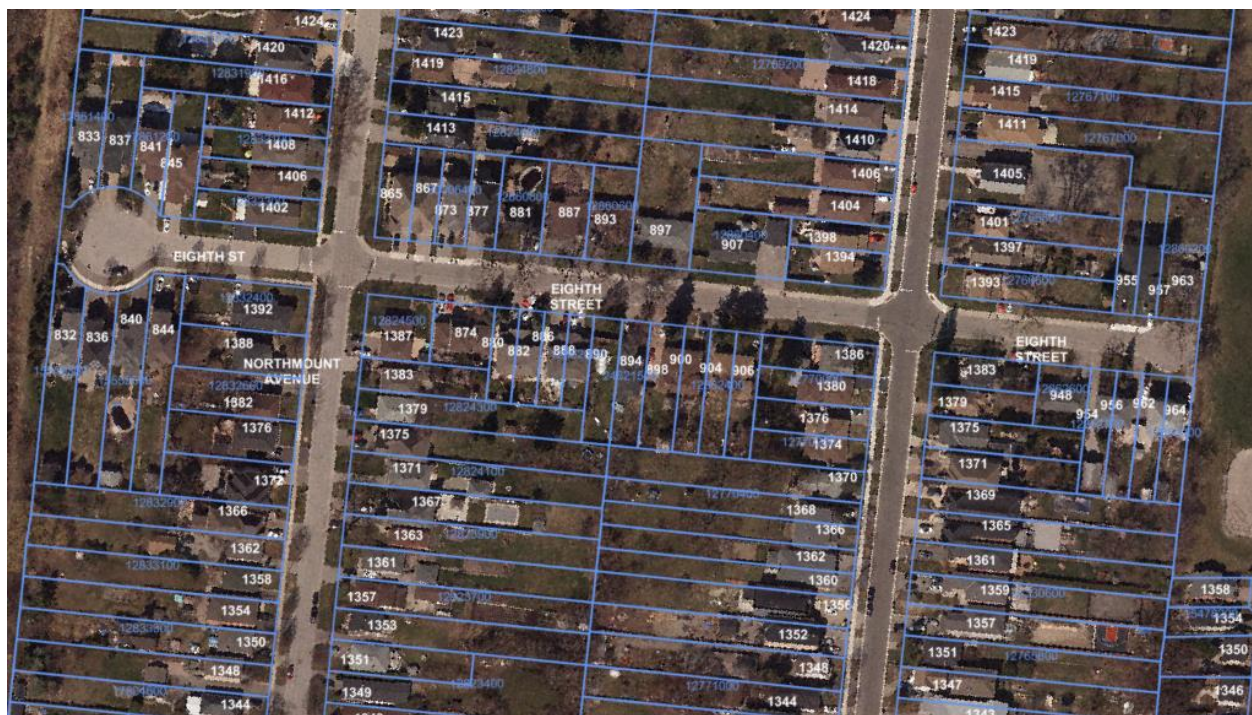
Zoning: RM1-26 - Residential

Other Applications: Site Plan (no. unknown), Building Permit 03 7587 and Pre-Application Zoning Review BP 9ALT 09 5775

Site and Area Context

The subject property is located within the Lakeview Neighbourhood, northeast of Atwater Avenue and Cawthra Road. The immediate neighbourhood is residential consisting of one and two storey detached and semi-detached dwellings, on lots with mature vegetation in the front yards. The subject property is a two storey detached dwelling with mature vegetation in the front yard.

The applicant is proposing a deck requiring a variance for lot coverage.



Comments

Planning

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

Staff comments concerning the application are as follows:

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached and duplex and triplex dwellings. The intent of the zoning by-law is to ensure there is not an overdevelopment of the lot. In this

instance, the applicant is proposing a lot coverage of 42.1% when a maximum lot coverage of 40% is permitted. Staff note that based off the drawings provided, the variance requested is only required to accommodate the proposed deck. Staff cannot confirm how much of the lot coverage is attributable to the detached dwelling's footprint, as a lot coverage breakdown was not provided. Furthermore, staff contacted the applicant on November 5th and did not receive a response. Through a detailed review of the application, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Daniel Grdasic, Planning Associate



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A487.21
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 500 Arrowhead Road, zoned R1-2 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an accessory structure (cabana) proposing:

1. An interior side yard setback of 0.64m (approx. 2.10ft) whereas By-law 0225-007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) in this instance; and
2. A rear yard setback of 0.64m (approx. 2.10ft) whereas By-law 0225-007, as amended, requires a minimum rear yard setback of 1.20m (approx. 3.94ft) in this instance.

The Committee has set **Thursday November 25, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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How to submit a written comment:

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Advance registration is required to participate in the electronic hearing:

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City of Mississauga Department Comments

Date Finalized: 2021-11-16	File(s): A487.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-11-25 1:00:00 PM

Consolidated Recommendation

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

Application Details

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

1. An interior side yard setback of 0.64m (approx. 2.10ft) whereas By-law 0225-007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) in this instance; and
2. A rear yard setback of 0.64m (approx. 2.10ft) whereas By-law 0225-007, as amended, requires a minimum rear yard setback of 1.20m (approx. 3.94ft) in this instance.

Recommended Conditions and Terms

Should Committee see merit in the applicant's request, we ask that the structure be equipped with an eaves trough and down spout on the 2 rear sides. The down spout is to be positioned/directed in such a manor to not impact the adjacent properties.

Background

Property Address: 500 Arrowhead Road

Mississauga Official Plan

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

Zoning By-law 0225-2007

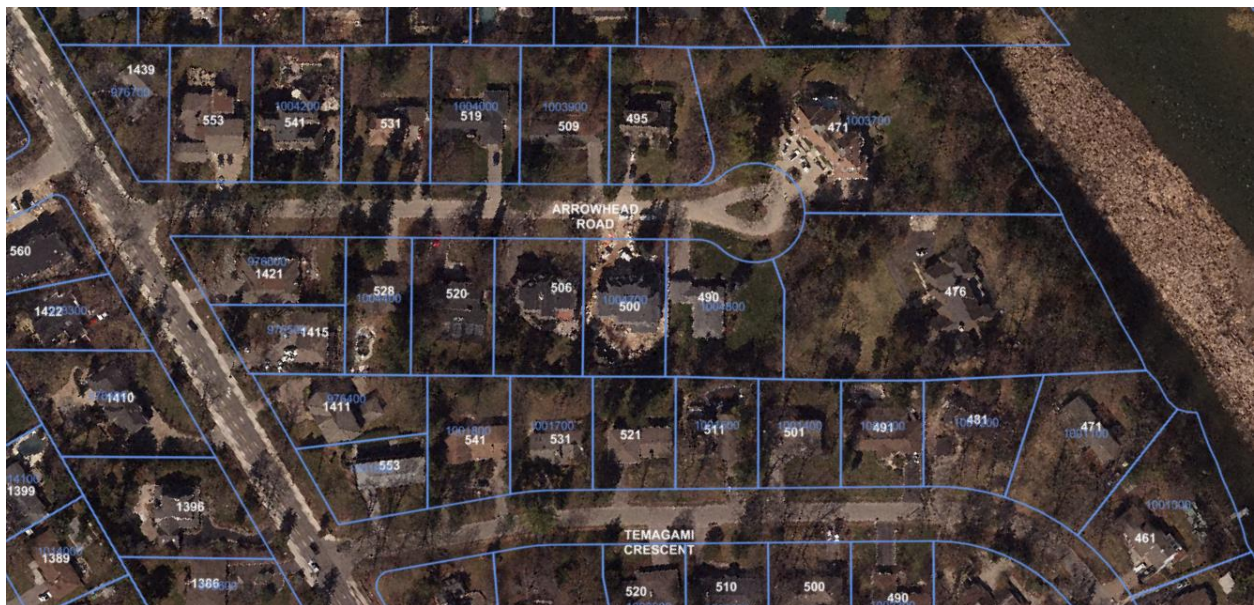
Zoning: R1-2 - Residential

Other Planning Applications: Site Plan Approval: SP18/105 W2, Minor Variance A19/19M, BP 9NEW 19-6602

Site and Area Context

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

The applicant is proposing construction of an accessory structure (cabana) requiring variances for setbacks.



Comments

Planning

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

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

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

The applicant has requested reduced setbacks of an accessory structure measured to a side and rear lot lines of 0.64m (approx. 2.10ft) when a minimum of 1.20m (approx. 3.94ft) is required. The intent of the zoning by-law provisions regarding accessory structures is to ensure that the structures are proportional to the lot and dwelling and clearly accessory while not presenting any massing concerns to neighbouring lots. Staff is of the opinion that the proposed setbacks provide an adequate buffer from the lot lines. No additional variances for the accessory structure, such as structure height or size are required, which mitigates any potential massing concerns and ensures the accessory structure is proportional. Staff is of the opinion that the intent and purpose of the zoning by-law is maintained.

The proposed accessory structure is clearly proportional to the lot and dwelling. Furthermore, the proposed setbacks provide an adequate buffer to structures on adjoining properties. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's information are photos of the existing structure. Should Committee see merit in the applicant's request, we ask that the structure be equipped with an eaves trough and down spout on the 2 rear sides. The down spout is to be positioned/directed in such a manner to not impact the adjacent properties.





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: A489.21
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 2329 Doulton Drive, zoned R1-5 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling proposing:

1. A driveway width of 17.37m (approx. 56.99ft) whereas By-law 0225-007, as amended, permits a maximum driveway width of 10.50m (approx. 34.45ft) within the 6.0m of the garage face and provides direct vehicular access to the garage and a maximum driveway width of 8.50m (approx. 27.89ft) for the portion of the driveway beyond 6.0m of the garage face in this instance;
2. 2 driveways whereas By-law 0225-007, as amended, permits 1 driveway in this instance;
3. A balcony area of 95.45sq.m (approx. 1,027.42sq.ft) whereas By-law 0225-007, as amended, permits a maximum balcony area of 10.00sq.m (approx. 107.64sq.ft) in this instance;
4. A combined width of two points of access of a circular driveway of 10.98m (approx. 36.02ft) whereas By-law 0225-007, as amended, permits a maximum combined width of 8.50m (approx. 27.89ft) in this instance;
5. A walkway connection of 1.96m (approx. 6.43ft) on each side of the driveway fronting Doulton Drive whereas By-law 0225-007, as amended, permits a maximum walkway connection of 1.50m (approx. 4.92ft) in this instance;
6. A garage area of 143.78sq.m (approx. 1,547.64sq.ft) whereas By-law 0225-007, as amended, permits a maximum garage area of 75.00sq.m (approx. 807.29sq.ft) in this instance;
7. 2 walkway connections of the same side of the driveway fronting Doulton Drive whereas By-law 0225-007, as amended, permits a maximum of 1 walkway connection on each side of the driveway in this instance;
8. An eaves encroachment of 0.88m (approx. 2.89ft) whereas By-law 0225-007, as amended, permits a maximum eaves encroachment of 0.45m (approx. 1.48ft) in this instance; and
9. 2 kitchens whereas By-law 0225-007, as amended, permits a maximum of 1 kitchen in this instance.

The Committee has set **Thursday November 25, 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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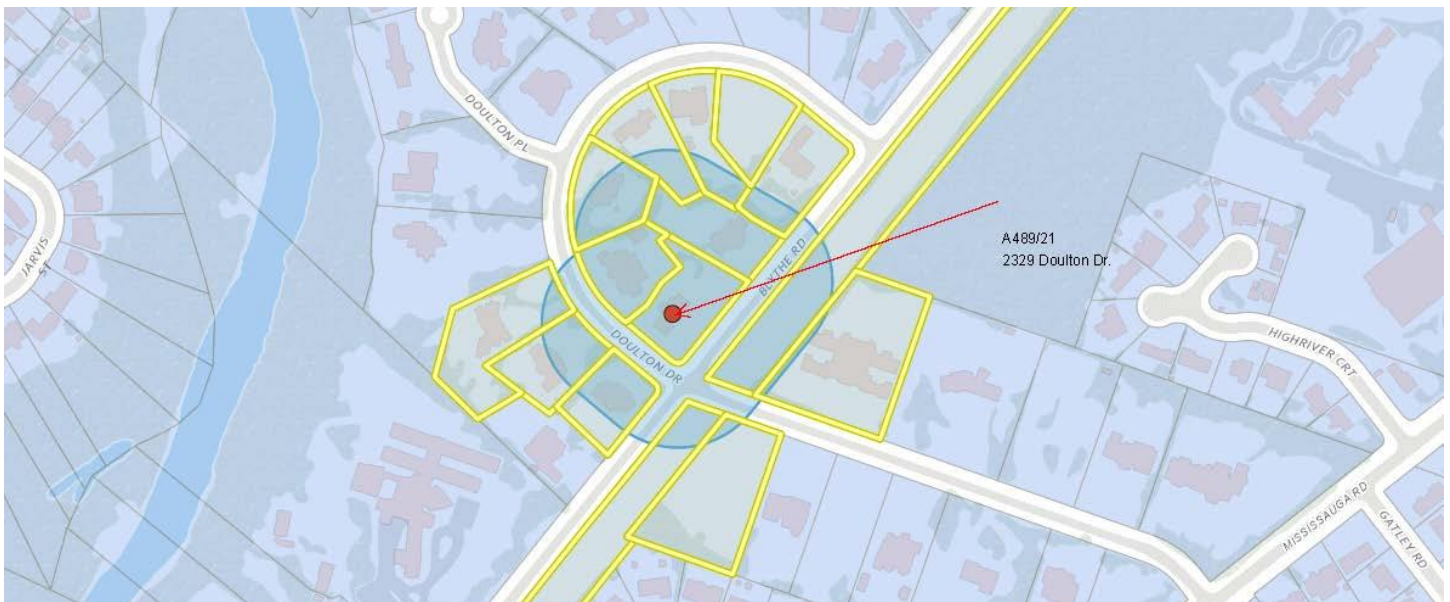
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City of Mississauga Department Comments

Date Finalized: 2021-11-16	File(s): A489.21 Ward: 8
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-11-25 1:00:00 PM

Consolidated Recommendation

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

Application Details

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

1. A driveway width of 17.37m (approx. 56.99ft) whereas By-law 0225-007, as amended, permits a maximum driveway width of 10.50m (approx. 34.45ft) within the 6.0m of the garage face and provides direct vehicular access to the garage and a maximum driveway width of 8.50m (approx. 27.89ft) for the portion of the driveway beyond 6.0m of the garage face in this instance;
2. 2 driveways whereas By-law 0225-007, as amended, permits 1 driveway in this instance;
3. A balcony area of 95.45sq.m (approx. 1,027.42sq.ft) whereas By-law 0225-007, as amended, permits a maximum balcony area of 10.00sq.m (approx. 107.64sq.ft) in this instance;
4. A combined width of two points of access of a circular driveway of 10.98m (approx. 36.02ft) whereas By-law 0225-007, as amended, permits a maximum combined width of 8.50m (approx. 27.89ft) in this instance;
5. A walkway connection of 1.96m (approx. 6.43ft) on each side of the driveway fronting Doulton Drive whereas By-law 0225-007, as amended, permits a maximum walkway connection of 1.50m (approx. 4.92ft) in this instance;
6. A garage area of 143.78sq.m (approx. 1,547.64sq.ft) whereas By-law 0225-007, as amended, permits a maximum garage area of 75.00sq.m (approx. 807.29sq.ft) in this instance;
7. 2 walkway connections of the same side of the driveway fronting Doulton Drive whereas By-law 0225-007, as amended, permits a maximum of 1 walkway connection on each side of the driveway in this instance;
8. An eaves encroachment of 0.88m (approx. 2.89ft) whereas By-law 0225-007, as amended, permits a maximum eaves encroachment of 0.45m (approx. 1.48ft) in this instance; and
9. 2 kitchens whereas By-law 0225-007, as amended, permits a maximum of 1 kitchen in this instance.



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 I in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached, semi-detached and duplex dwellings. The proposed detached dwelling respects the designated land use.

Variances #1, 2, 4, 5 and 7 pertain to driveways and walkway connections. The applicant requires five variances to permit two widened driveways in the front and exterior side yard, as well as additional walkway connections. 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. Planning staff are concerned with the amount of hardscaping proposed on the subject property. Furthermore, a majority of the exterior side yard is paved. Lastly, the proposed driveways can accommodate far more spaces than the zoning by-law's requirement for two spaces (side by side) for a detached dwelling.

Variance #3 is for a balcony area of 95.45m² (1,027.42ft²) where a maximum balcony area of 10.00m² (107.64ft²) is permitted. Staff are of the opinion that this variance is not minor in nature, and the number of balconies proposed is excessive. Furthermore, the proposed balconies are located on all sides of the proposed dwelling. Staff is concerned that the balconies proposed will negatively impact adjacent neighbours and present overlook and privacy concerns. The applicant has not proposed any additional measures to screen the balconies to mitigate these concerns.

As such, staff recommends that the application be deferred to redesign the proposed dwelling.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling are being addressed through the Site Plan Application process, File SPI-20/093.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan Infill application under file SPI 20-93. Based on review of the information currently available for this application, the variances, as requested are correct.

Our comments are based on the plans received by Zoning staff on 10/05/2021 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: Adam McCormack, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A490.21
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 3105-3115 Winston Churchill Boulevard, zoned G1 - Greenlands; C2-9 - 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 Take-out Restaurant proposing a total of 285 off-street parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 292 off-street parking spaces in this instance.

The Committee has set **Thursday November 25, 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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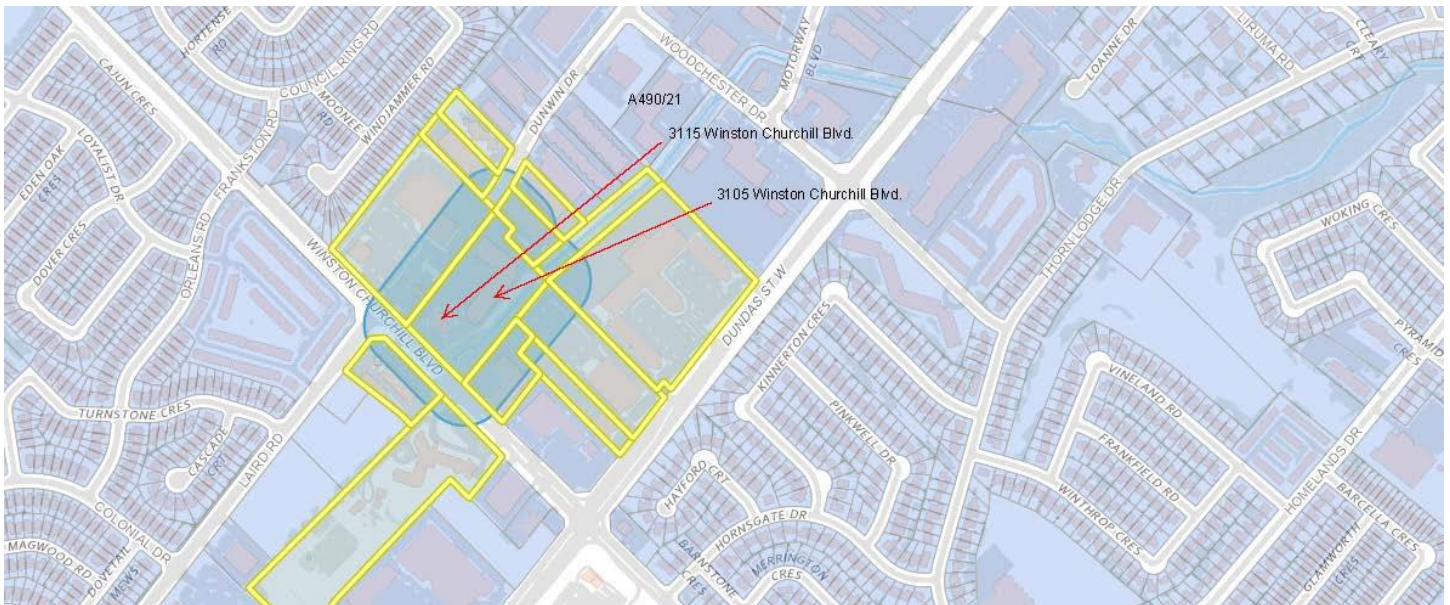
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City of Mississauga Department Comments

Date Finalized: 2021-11-16	File(s): A490.21 Ward: 8
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-11-25 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a Take-out Restaurant proposing a total of 285 off-street parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 292 off-street parking spaces in this instance.

Background

Property Address: 3105-3115 Winston Churchill Boulevard

Mississauga Official Plan

Character Area: Western Business Park Employment Area
Designation: Greenlands and Mixed Use

Zoning By-law 0225-2007

Zoning: G1 - Greenlands; C2-9 - Commercial

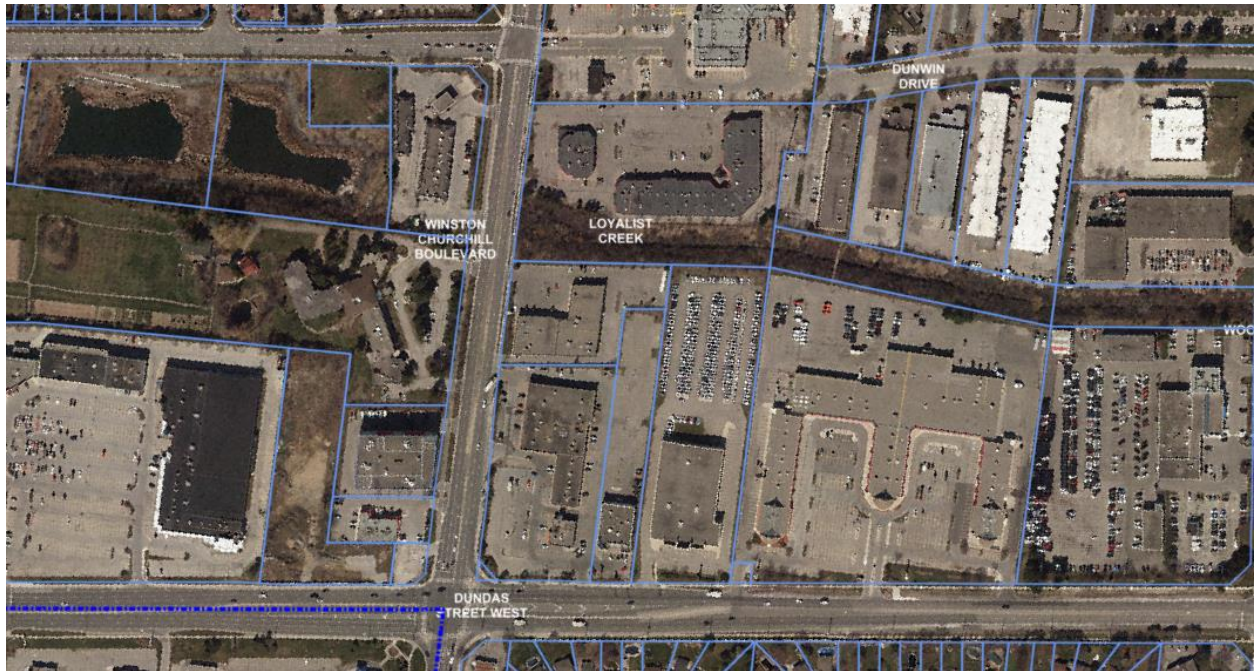
Other Planning Applications: Site Plan – SPAX 17-48 W8 and Pre-Application Zoning Review – C21-8042

Site and Area Context

The subject property is located northeast of the Winston Churchill Boulevard and Dundas Street West intersection and currently houses a commercial plaza with medical office, retail and restaurant uses. The immediate neighbourhood is exclusively commercial in nature, being

comprised entirely of commercial retail plazas containing local commercial uses. There is limited vegetation on the subject property located along the perimeter.

The applicant is proposing a take-out restaurant, requiring a variance for deficient parking.



Comments

Planning

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

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

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

The subject property is designated Greenlands and Mixed Use in Schedule 10 of the Mississauga Official Plan (MOP). The entirety of the proposal is located on lands designated Mixed Use, which permits Take-Out restaurants.

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

The applicant is requesting to permit a take-out restaurant providing a total of 285 parking spaces onsite, where a minimum of 292 parking spaces is required. This is a reduction of 7 spaces which equates to a 2% deficiency onsite. City Planning Strategies (CPS) staff comment on requests for parking deficiencies and have provided the following comments.

A Parking Letter, prepared by Stephen Bernatt, Bernatt Architect Ltd., dated October 4, 2021, explains the function of the take-out restaurant use and the ample parking available on the site. The unit (Unit #20) is located at the very rear of the site, which has very limited exposure of the business.

Staff contacted the agent, Stephen Bernatt, Bernatt Architect Ltd., via email on October 27, 2021 seeking clarification to the submitted Parking Letter regarding the business hours of operations, delivery/pick up times and other uses onsite.

The agent provided satisfactory responses via email on November 1, 2021 and explained compatibility of all uses onsite.

Based on the submitted information, staff can support the variance to allow a take-out restaurant providing a total 285 parking spaces on site whereas By-law 0225-2007, as amended, requires a minimum of 292 parking spaces in this instance.

Planning Staff echo CPS' comments and are of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

The proposed parking reduction is required as the tenant is proposing a Take-out Restaurant. With the addition of this use, the subject property will remain self-sufficient and the proposed parking reduction will not pose a negative impact on the surrounding area from a parking perspective. As such, the proposed application represents orderly development of the land and is minor in nature.

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' 490/21.

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 21-8042. 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: Richard Thompson, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A491.21
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 964 Ninth Street, zoned RM1-26 - 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 height of eaves of 7.15m (approx. 23.46ft) from average grade to lower edge of eaves whereas By-law 0225-007, as amended, permits a maximum height of eaves of 6.40m (approx. 21.00ft) in this instance;
2. A front yard setback of 3.49m (approx. 11.45ft) whereas By-law 0225-007, as amended, requires a minimum front yard setback of 6.00m (approx. 19.69ft) in this instance;
3. A front yard setback to the porch of 3.71m (approx. 12.17ft) whereas By-law 0225-007, as amended, requires a minimum front yard setback to a porch of 4.40m (approx. 14.44ft) in this instance; and
4. A front yard setback to the porch stairs of 1.93m (approx. 6.33ft) whereas By-law 0225-007, as amended, requires a minimum front yard setback to porch stairs of 4.40m (approx. 14.44ft) in this instance.

The Committee has set **Thursday November 25, 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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City of Mississauga Department Comments

Date Finalized: 2021-11-17	File(s): A491.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-11-25 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

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

1. A height of eaves of 7.15m (approx. 23.46ft) from average grade to lower edge of eaves whereas By-law 0225-007, as amended, permits a maximum height of eaves of 6.40m (approx. 21.00ft) in this instance;
2. A front yard setback of 3.49m (approx. 11.45ft) whereas By-law 0225-007, as amended, requires a minimum front yard setback of 6.00m (approx. 19.69ft) in this instance;
3. A front yard setback to the porch of 3.71m (approx. 12.17ft) whereas By-law 0225-007, as amended, requires a minimum front yard setback to a porch of 4.40m (approx. 14.44ft) in this instance; and
4. A front yard setback to the porch stairs of 1.93m (approx. 6.33ft) whereas By-law 0225-007, as amended, requires a minimum front yard setback to porch stairs of 4.40m (approx. 14.44ft) in this instance.

Recommended Conditions and Terms

Should Committee see merit in this application, we would request that the widened driveway area within the municipal boulevard be reinstated with topsoil and sod and that the asphalt ramp that has been placed along the barrier curb be removed.

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

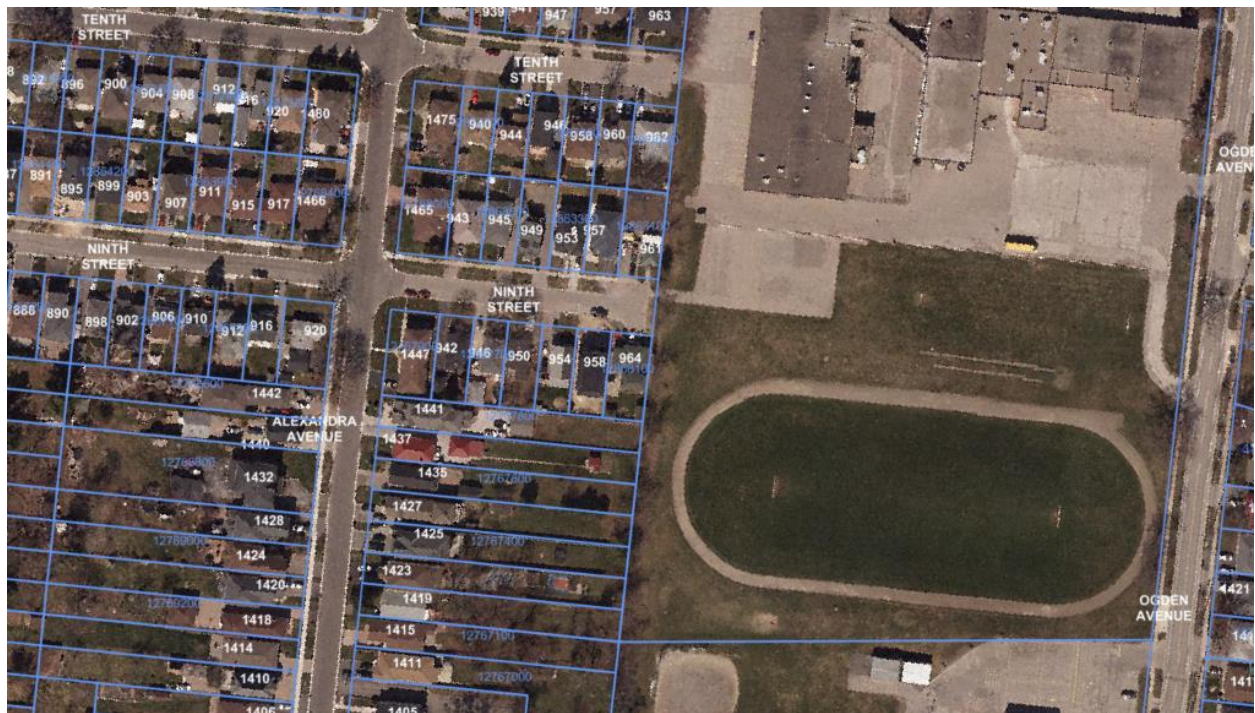
Zoning: RM1-26 - Residential

Other Planning Applications: Building Permit – BP 9ALT 21-8176

Site and Area Context

The subject property is located within the Lakeview Neighbourhood, northeast of Ogden Avenue and Atwater Avenue. The immediate neighbourhood is residential consisting of an eclectic mix of older and newer one and two storey-detached dwellings, on lots with mature vegetation in the front yards. The subject property is a one storey detached dwelling with no vegetation in the front yard.

The applicant is proposing an addition to the main dwelling requiring variances for front yard setbacks and lot coverage.



Comments

Planning

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

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

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

Staff has no concerns with the proposed variances. Variances #1 pertains to the height of the eaves. Staff note a discrepancy of 0.18m (0.59ft) between the dwelling's average and established grades. From a streetscape perspective, the discrepancy results in a proposed height of 6.97m (22.87ft), which represents a minor deviation from the maximum permitted in the zoning by-law.

Variances #2, 3 and 4 pertain to front yard setbacks. Variance #2 is consistent with front yards found in the immediate area. Variance #3 is existing, and therefore will have a negligible impact on the streetscape, and Variance #4 is to porch stairs, which do not present any massing impacts. While staff have no concerns with the variances as proposed, staff note that the drawings submitted indicate only one parking space on the subject property when two are required. Staff are continuing to work with the applicant on a revised proposal that will incorporate the required additional parking space (totally two spaces). As such, staff recommend that the application be deferred to allow the applicant more time to work with staff to address the parking deficiency on the subject property.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's information please find a photo depicting the existing property. We draw attention to the widened driveway and asphalt ramp that has been placed along the municipal raised curb along Ninth Street. Should Committee see merit in this application, we would request that the widened driveway area within the municipal boulevard be reinstated with topsoil and sod and that the asphalt ramp that has been placed along the barrier curb be removed.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 21-8176. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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

Comments Prepared by: Sherri Takaloo, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A493.21
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 6770 Gracefield Drive, zoned R4 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing:

1. A lot coverage of 41.91% whereas By-law 0225-007, as amended, permits a maximum lot coverage of 40.00% in this instance; and
2. A rear yard setback of 4.56m (approx. 14.96ft) whereas By-law 0225-007, as amended, requires a minimum rear yard setback of 7.50m (approx. 24.61ft) in this instance.

The Committee has set **Thursday November 25, 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: 2021-11-17	File(s): A493.21 Ward 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-11-25 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred in order to allow the applicant to redesign the addition.

Application Details

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

1. A lot coverage of 41.91% whereas By-law 0225-007, as amended, permits a maximum lot coverage of 40.00% in this instance; and
2. A rear yard setback of 4.56m (approx. 14.96ft) whereas By-law 0225-007, as amended, requires a minimum rear yard setback of 7.50m (approx. 24.61ft) in this instance.

Background

Property Address: 6770 Gracefield Drive

Mississauga Official Plan

Character Area: Lisgar Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

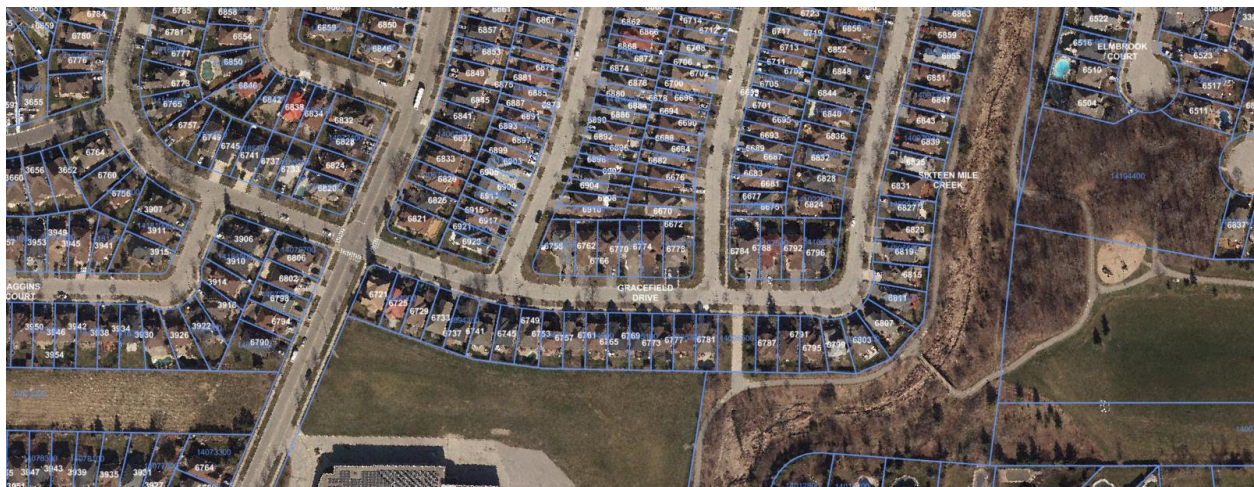
Zoning: R4 - Residential

Other Applications: BP 9ALT 16-3947

Site and Area Context

The subject property is located north-east of the Lisgar Drive and Gracefield Drive intersection in the Lisgar neighbourhood. It currently contains a detached dwelling on a lot with an area of +/- 398.33m² (4,287.59ft²). Limited vegetation/landscaping elements are present in both the front and rear yards. The surrounding context is exclusively residential, consisting of a mix of detached and semi-detached dwellings. The existing dwelling and subject property are similar in size and scale to the surrounding properties and detached dwellings.

The applicant is proposing a rear sunroom addition requiring variances for lot coverage and rear yard setback.



Comments

Planning

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

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

The subject property is located in the Lisgar Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, duplex and triplex dwellings, as well as other low-rise dwellings with individual frontages. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. Variance 2 requests a reduction in the rear yard setback to the addition. The intent of the rear

yard setback is to ensure that both an adequate buffer exists between the massing of primary structures on adjoining properties, as well as create an appropriate amenity area within the rear yard. Staff are of the opinion that the proposed addition, in its current form, does not maintain an appropriate amenity area in the rear yard and is not compatible with the surrounding context as enclosed projections into the rear yard are not characteristic of the area. Staff therefore recommend that the application be deferred to allow the applicant to redesign the proposed addition and increase the rear yard setback.

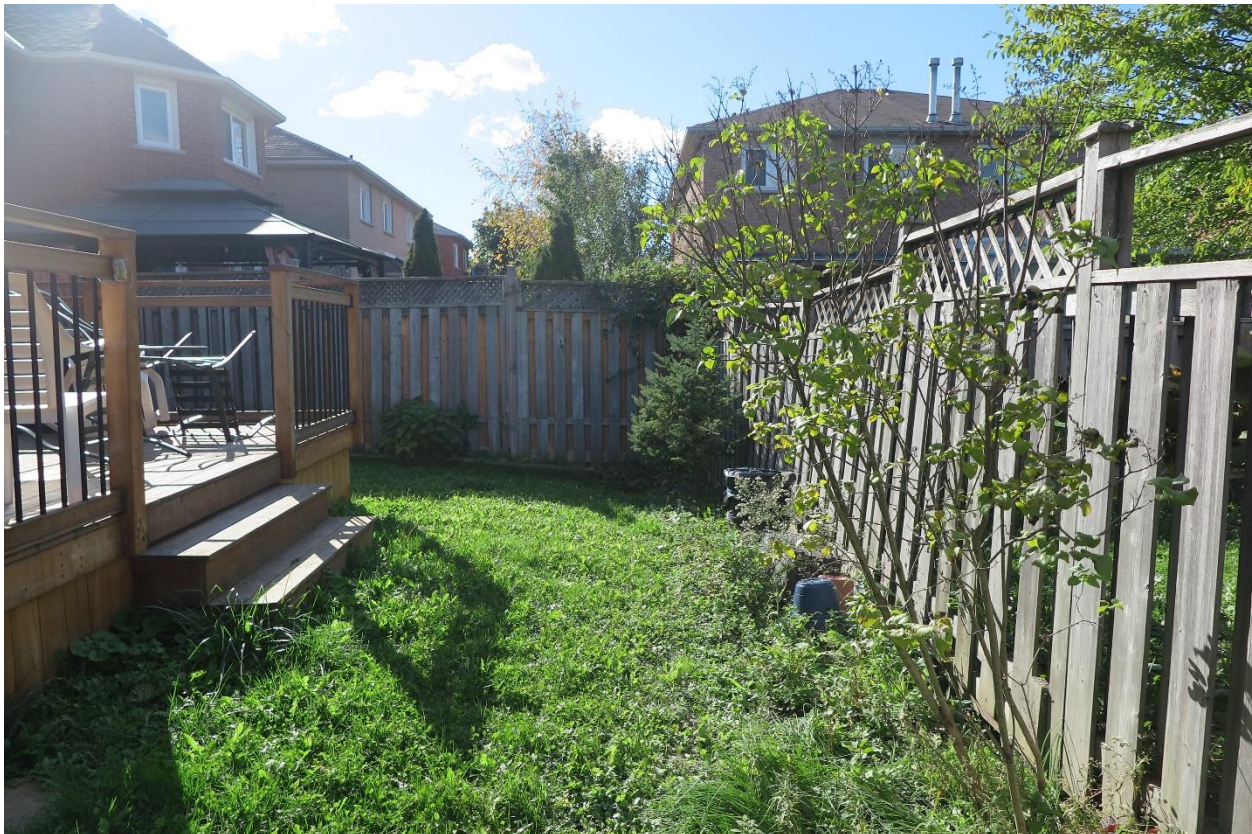
Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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

From our site inspection of the property we also note that there is a functioning catchbasin on this property and we foresee no drainage related concerns.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 9ALT 16-3947. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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

Comments Prepared by: Brandon Eidner, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A494.21
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 28 Ann Street, zoned RA5-53 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a condominium building proposing:

1. A balcony projection of 2.0m (approx. 6.56ft) beyond the buildable area on the north side of the building, as shown on Schedule RA5-53 whereas By-law 0225-2007, as amended, does not permit balconies to project beyond the buildable area on a Schedule where a dimension is provided;
2. To change the dimensions indicated on the attached Schedule RA5-23 to 1.4m (approx. 4.59ft) whereas Schedule RA5-23 shows a dimension of 1.7m (approx. 5.58ft); and
3. To convert one surface parking space to a utility pad as identified on the attached Schedule RA5-53 whereas By-law 0225-2007, as amended, does not permit a parking space to be used for any other purpose.

The Committee has set **Thursday November 25, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

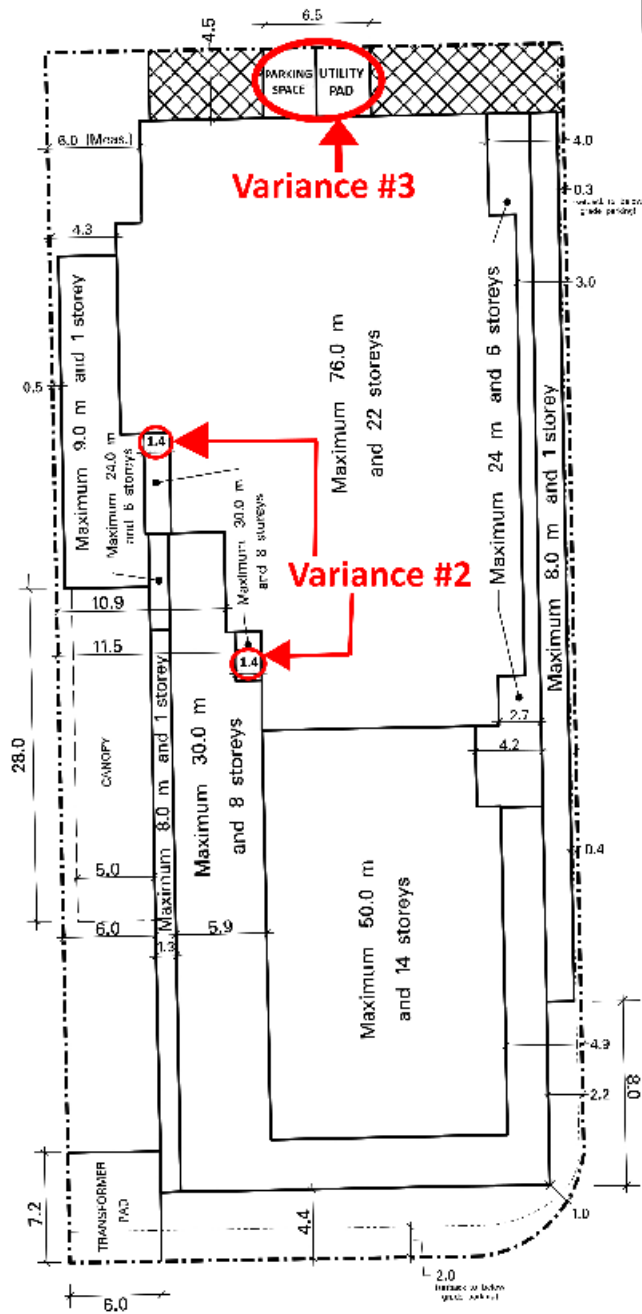
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ANN STREET

PARK STREET EAST



BUILDABLE AREA



UNDERGROUND PARKING LIMITS



LANDSCAPED BUFFER



Note:
All measurements are in metres
and are minimum setbacks,
unless otherwise noted.

This is not a Plan of Survey.

THIS IS SCHEDULE "RA5-53"

AS ATTACHED TO BY-LAW _____

PASSED BY COUNCIL ON _____

City of Mississauga Department Comments

Date Finalized: 2021-11-16	File(s): A494.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-11-25 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a condominium building proposing:

1. A balcony projection of 2.0m (approx. 6.56ft) beyond the buildable area on the north side of the building, as shown on Schedule RA5-53 whereas By-law 0225-2007, as amended, does not permit balconies to project beyond the buildable area on a Schedule where a dimension is provided;
2. To change the dimensions indicated on the attached Schedule RA5-23 to 1.4m (approx. 4.59ft) whereas Schedule RA5-23 shows a dimension of 1.7m (approx. 5.58ft); and
3. To convert one surface parking space to a utility pad as identified on the attached Schedule RA5-53 whereas By-law 0225-2007, as amended, does not permit a parking space to be used for any other purpose.

Amendments

While Planning staff is not in a position to provide an interpretation of the zoning by-law, Planning staff note that the applicant has requested the following revisions be made to Variances #1 and 2.

1. A balcony projection of 2.0m (6.56ft) beyond the buildable area on the north and west sides of the building, as shown on Schedule RA5-53 whereas By-law 0225-2007, as amended, does not permit balconies to project beyond the buildable area on a Schedule where a dimension is provided;
2. To change the dimensions indicated on the attached Schedule RA5-23 to 1.7m (5.58ft); whereas Schedule RA5-23 shows a dimension of 1.4m (4.59ft);

Background

Property Address: 28 Ann Street

Mississauga Official Plan

Character Area: Port Credit Community Node

Designation: Mixed Use

Zoning By-law 0225-2007

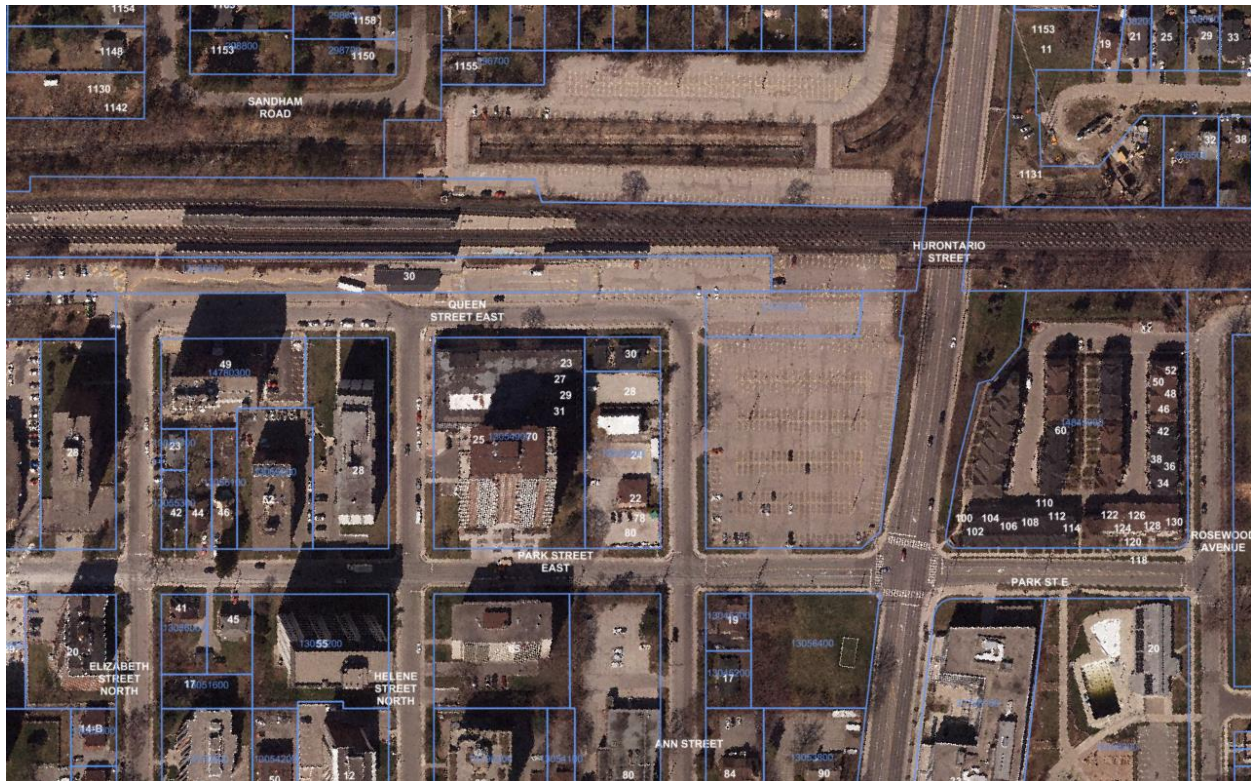
Zoning: RA5-53 - Residential

Other Planning Applications: Official Plan Amendment and Zoning By-law Amendment OZ19-08, Site Plan – SP 20-51, Minor Variance A106-21

Site and Area Context

The subject property is located within the Port Credit Community Node Character Area, northwest of Hurontario Street and Lakeshore Road East, in a Major Transit Station Area (MTSA). The immediate area contains the Port Credit Go Station, commercial uses, parking structures and high-rise apartment buildings. On February 24, 2020 the subject property received Zoning by-law Amendment approval (Application OZ 19-18) for a 22-storey condominium. The subject property is currently undergoing the site plan approval process (Application SP 20-51).

The applicant is seeking variances to formalize the intent of the Zoning By-law Amendment (By-law 0054-2020). As such, the applicant requires variances to permit balconies on the north and west side of the building, to permit a gas meter and associated stairs within the area identified as 'Parking' on Schedule RA5-53 and to modify a dimension of two eighth storey projections on the west façade of the building from 1.40m(4.59ft) to 1.7m(5.58ft).



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 Mixed Use in Schedule 10 of the Mississauga Official Plan (MOP). The Mixed Use designation permits residential uses. The proposed 22-storey condominium respects the designated land use. As such, staff is of the opinion that the general intent and purpose of the MOP is maintained.

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

Variance #1 pertains to balcony projections. The applicant is requesting a variance to permit a balcony projection of 2.0m (6.56ft) beyond the buildable area on the north and west sides of the

City Department and Agency Comments	File:A494.21	2021/11/16	4
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building, where the balconies are not permitted to project beyond the buildable area. Staff has no concerns with this variance, as balcony projections on the north side of the building were always envisioned in the applicant's proposal. Furthermore, the balcony projections on the north side of the building were included in the applicant's concept drawings submitted with the zoning application. Staff do however note that correspondence between the applicant and Planning staff never indicated any balcony projections on the west side of the building. However, Planning staff have no planning concerns regarding the applicant's request to amend variance #1 to include balcony projections on the west side of the building.

Variance #2 pertains to the dimension of two eighth storey projections on the west façade of the building. The applicant is proposing to amend the dimensions indicated on the attached Schedule (RA5-23) to 1.7m (5.58ft) where the Schedule shows a dimension of 1.4m (4.59ft). The applicant has indicated that variance #2 is required to provide a buffer to account for potential future site conditions that may reduce the projections to 1.48m (4.86ft) for example. Variance #2 does not raise any concerns of a planning nature.

Variance #3 pertains to conversion of a parking space to a utility pad. The applicant is proposing to convert one surface parking space (shown on Schedule RA5-53) to a utility pad, where the parking space is not permitted to be used for any other purpose. Conversion of the parking space to a utility pad is required to accommodate a gas meter and associated pad and stairs. Conversion of the parking space will not result in a parking rate deduction, as the parking space was never included in the parking rate calculations and was originally provided by the applicant as a drop-off space for people and deliveries (food, etc.). Planning staff have worked with the applicant to find a suitable location for the proposed utility pad. The applicant has provided a landscape plan to Planning staff outlining the new scheme, which includes the conversion of the parking space. Staff is of the opinion that the proposed conversion is appropriate. Furthermore, Variance #3 does not raise any concerns of a planning nature.

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

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

The proposed balcony projections on the north side of the building have always been considered part of the development proposal and staff have no concerns with the addition of balcony projections on the west side of the building. The variances related to the dimensions of the eighth storey projections, parking area and dimensions are technical and minor in nature. Staff is aware that the building's form and site layout was determined through the Zoning By-law Amendment process. Furthermore, detailed site design through Site Plan control process has resulted in minor modifications to the applicant's proposal. Staff is of the opinion that the minor modifications to the building form and site layout represent refinements brought about by a more detailed design review process and continue to implement the zoning by-law amendment as approved by Council. Staff is of the opinion that the applicant's proposal is desirable for the appropriate development of the lands and is minor in nature.

City Department and Agency Comments	File:A494.21	2021/11/16	5
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Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We advise that the Transportation and Works comments/conditions for this property have been addressed through application HOZ-20/001 and currently through SP-20/051.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing site plan approval application SPI 20-51 & building permit application BP 3NEW 20-3380. More information is required to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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: Brian Bonner – Supervisor



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A501.21
Ward: 7

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 3611 Mavis Road Units 12-15, zoned D-10 - Development, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to permit the operation of an existing fitness and recreational centre within units 12-15 in a D-10 Zone (Development) whereas By-law 0225-2007, as amended, only permits a building or structure legally existing on the date of passing this by-law and the existing legal use of such building or structure in this instance.

The Committee has set **Thursday November 25, 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: 2021-11-17	File(s): A501.21 Ward 7
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-11-25 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application, subject to a temporary approval of 5 years.

Application Details

The applicant requests the Committee to approve a minor variance to permit the operation of an existing fitness and recreational centre within units 12-15 in a D-10 Zone (Development) whereas By-law 0225-2007, as amended, only permits a building or structure legally existing on the date of passing this by-law and the existing legal use of such building or structure in this instance.

Recommended Conditions and Terms

A temporary approval period of 5 years.

Background

Property Address: 3611 Mavis Road Units 12-15

Mississauga Official Plan

Character Area: Fairview Neighbourhood
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: D-10 - Development

Other Applications: BP 3ALT 20-894

Site and Area Context

The subject property is located south-east of the Burnhamthorpe Road West and Mavis Road intersection and currently houses two, single-storey multitenant commercial/employment structures with shared surface parking. Contextually, this portion of Mavis Road is comprised of a combination of heavy industrial and mixed commercial uses; with the subject property providing a minor transitional area between these aforementioned land-uses. The properties along this portion of Mavis Road are situated upon large parcels, with lot frontages ranging from +/-40m (131ft) to +/-165m (541ft). The subject property is an interior parcel, with a lot area of +/-28,640.0m² (2.9ha) and a frontage of +/-165.0m (541ft).

The applicant is proposing to permit the existing fitness and recreation centre to remain requiring a variance to permit the use.



Comments

Planning

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

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

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

The site is located within Special Site 1 of the Fairview Neighbourhood Character Area and is designated Mixed Use by the Mississauga Official Plan (MOP). Special Site 1 enacts high level developmental policies and encourages redevelopment on the east side of Mavis Road to be a mix of residential and commercial development. The intent of the Official Plan is clear that the City envisions the area to transition from industrial to residential and commercial as it redevelops. While the subject property has yet to redevelop, the proposed fitness studio use is in line with the goals of a commercial use for the lands. Staff are therefore satisfied 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 subject property is zoned D-10 (Development). Changes in use, and additional development, are generally not permitted within the D zone, however the D-10 exception zone permits minor alterations within existing buildings. Regarding this property, similar approvals have been granted to permit alternate uses for multiple units located upon the subject lands. The use within the subject units was previously approved under file A422/14 for a temporary period of 7 years, and the current application requests a renewal of the approval. The requested variance meets the general intent and purpose of the Zoning By-law.

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

The subject site is a multi-unit commercial warehouse located within an industrial environment. The requested use is contained wholly within the existing unit, and no alterations have been proposed to the footprint of the structure. The variance to permit the continuation of the existing use represents the orderly development of the lands, and whose resultant impact is minor in 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' 501/21.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Brandon Eidner, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A529.21 A530.21
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 2 Robert Speck Parkway, zoned CC2(3) - Commercial; H-CC2(3), 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 existing office building and parking garage on the subject property, being the retained lands of application B66/20, to permit the existing 391 required parking spaces to be located off-site on the severed parcel associated with file B66/20, whereas By-law 0225-2007, as amended, requires all parking spaces to be located on the same lot in this instance.

The applicant requests the Committee to approve a minor variance on the subject property, being the severed lands of application B66/20, to permit the use of the existing parking structure to provide 391 parking spaces required for the use of the retained parcel associated with application B66/20, whereas By-law 0225-2007, as amended, requires all parking spaces to be located on the same lot in this instance.

The Committee has set **Thursday November 25, 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: 2021-11-17	File(s): A529.21 Ward 4
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-11-25 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 existing office building and parking garage on the subject property, being the retained lands of application B66/20, to permit the existing 391 required parking spaces to be located off-site on the severed parcel associated with file B66/20, whereas By-law 0225-2007, as amended, requires all parking spaces to be located on the same lot in this instance.

The applicant requests the Committee to approve a minor variance on the subject property, being the severed lands of application B66/20, to permit the use of the existing parking structure to provide 391 parking spaces required for the use of the retained parcel associated with application B66/20, whereas By-law 0225-2007, as amended, requires all parking spaces to be located on the same lot in this instance.

Background

Property Address: 2 Robert Speck Parkway

Mississauga Official Plan

Character Area: Downtown Core
Designation: Mixed Use

Zoning By-law 0225-2007

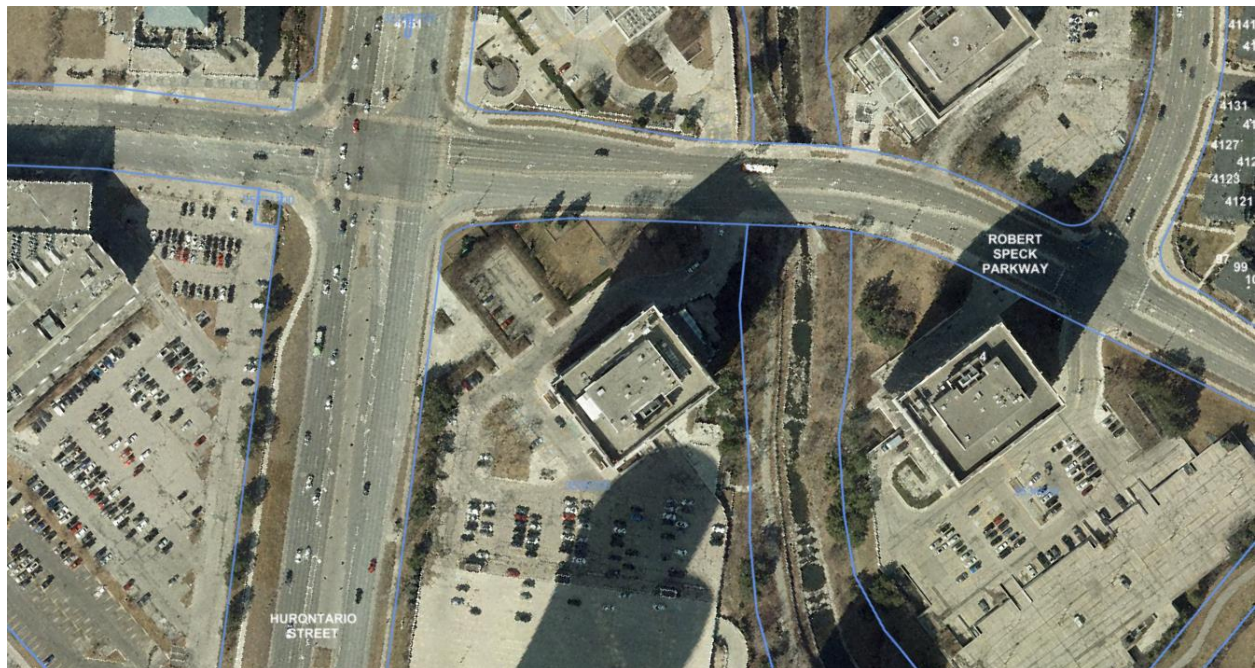
Zoning: H-CC2(3); CC2(3) - Commercial

Other Applications: PREAPP 21-5257

Site and Area Context

The subject property is situated within the Downtown Core Character Area and is located on the south-east corner of Robert Speck Parkway and Hurontario Street. From a land-use perspective, the immediate neighbourhood is comprised primarily of multi-storey office and residential condominium structures, as well as residential townhouses in close proximity. Cooksville Creek is located on the east side of the site.

The subject site is a corner property with a lot area of +/-24,000m² (2.4ha) and a lot frontage of +/-110.0m (360.9ft) with minimal vegetation and landscape elements surrounding the perimeter of the site.



Comments

Planning

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

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

The applicant is proposing an off site parking variance in order to finalize consent application B66/20. The consent application severed the subject property, currently containing an office tower, resulting in a portion of the required parking for the office use being on the severed lands. Planning staff have no objection to the proposed variance in theory, however there are currently several outstanding concerns regarding the accuracy and wording of the requested variance, as well as agreements that would need to be in place to secure off site parking rights.

City Planning Strategies staff have reviewed the application and note as follows:

The required parking justification was not submitted with the application. Staff contacted the agent, Neil Loewen, Urban Strategies, via email on November 2, 2021 requesting parking justification in the form of an off-site shared parking agreement, as well as, inquiring about whether the site has oversupply of parking, pre-COVID survey data or parking spaces registered on title.

The applicant, Anne Messore, Starlight Developments, asked to meet with staff on November 4, 2021 and subsequently on November 5, 2021 to discuss the applicant's preferred method to address parking through a blanket easement for the retained lands and severed parcel. Staff shared their concerns and explained that the City's off-site shared parking agreement is the appropriate tool to address parking in this instance. The applicant had more questions and requested to connect with the City's Legal team however, the Legal team needs to review this inquiry and had insufficient time to provide a response on short notice.

Anne Messore also indicated to staff that a parking survey was carried out onsite prior to COVID-19 and would submit a parking utilization study to staff.

Staff provided the applicant with the City's template for an off-site shared parking agreement. A Parking Utilization Study has not been submitted to date. Staff have concerns with the requested variance in the absence of a shared parking agreement and lack of satisfactory parking justification.

Furthermore, Zoning advised that they cannot confirm the accuracy of the requested variance.

Based on the submitted information, staff recommend the application be deferred to confirm the accuracy of the variance and to allow the applicant to address the shared off-site parking arrangements.

Planning staff are in agreement with the concerns that CPS staff have raised. The application should therefore be deferred in order to allow the applicant to submit the required information.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting that any Transportation and Works comments/conditions for this property will be addressed through Consent Application 'B' 66/20.

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 21-5257. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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

Comments Prepared by: Marco Palerma



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A543.21 A544.21
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 4 Robert Speck Parkway, zoned H-CC2(3); CC2(3) - 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 existing office building and parking garage on the subject property, being the retained lands of application B67/20, to permit 98 of the existing required parking spaces to be located off-site on the severed parcel associated with file B67/20, whereas By-law 0225-2007, as amended, requires all parking spaces to be located on the same lot in this instance.

The applicant requests the Committee to approve a minor variance on the subject property, being the severed lands of application B67/20, to permit the use of the existing parking structure to provide 98 parking spaces required for the use of the retained parcel associated with application B67/20, whereas By-law 0225-2007, as amended, requires all off-street parking spaces to be located on the same lot in this instance.

The Committee has set **Thursday November 25, 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: 2021-11-17	File(s): A543.21 Ward 4
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-11-25 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 existing office building and parking garage on the subject property, being the retained lands of application B67/20, to permit 98 of the existing required parking spaces to be located off-site on the severed parcel associated with file B67/20, whereas By-law 0225-2007, as amended, requires all parking spaces to be located on the same lot in this instance.

The applicant requests the Committee to approve a minor variance on the subject property, being the severed lands of application B67/20, to permit the use of the existing parking structure to provide 98 parking spaces required for the use of the retained parcel associated with application B67/20, whereas By-law 0225-2007, as amended, requires all off-street parking spaces to be located on the same lot in this instance.

Background

Property Address: 4 Robert Speck Parkway

Mississauga Official Plan

Character Area: Downtown Core
Designation: Mixed Use

Zoning By-law 0225-2007

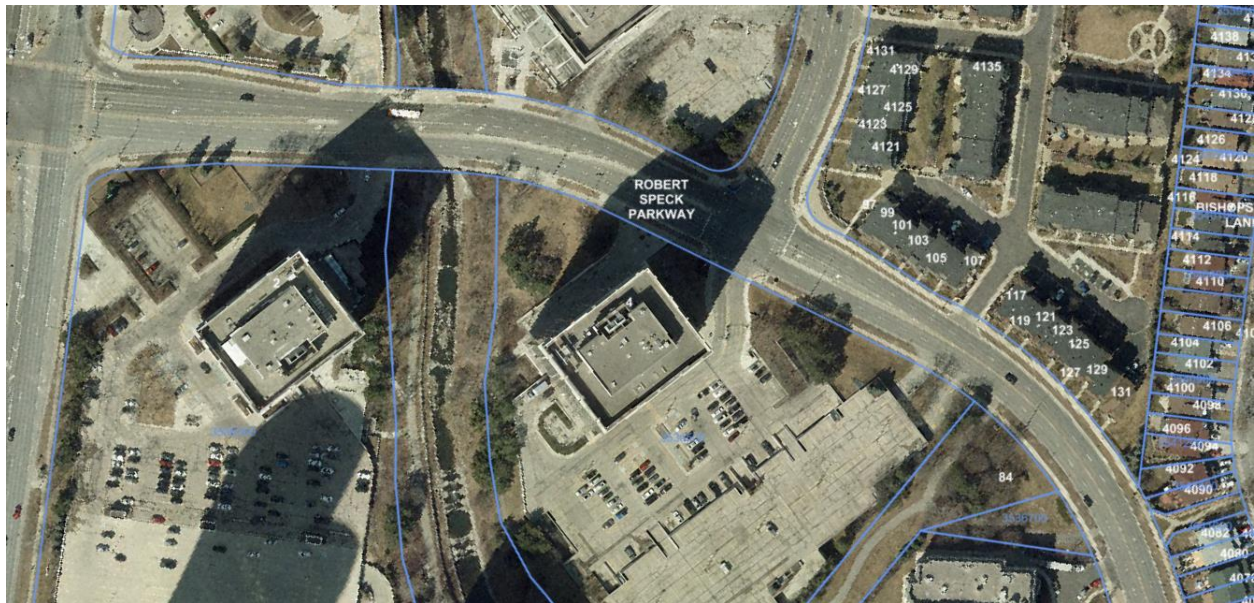
Zoning: H-CC2(3); CC2(3) - Commercial

Other Applications: PREAPP 21-5256

Site and Area Context

The subject property is situated within the Downtown Core Character Area, on the south-east corner of the Robert Speck Parkway and Hurontario Street intersection. From a land-use perspective, the immediate neighbourhood is comprised primarily of multi-storey office and residential condominium structures, as well as residential townhouses. Cooksville Creek is located on the west side of the site.

The subject site has a lot area of +/-21,465.3m² (2.15ha) and a lot frontage of +/-196.0m (643ft) with minimal vegetation and landscape elements surrounding the perimeter of the site.



The applicant is proposing an off site parking variance in order to finalize consent application B67/20. The consent application severed the subject property, currently containing an office tower, resulting in a portion of the required parking for the office use being on the severed lands. Planning staff have no objection to the proposed variance in theory, however there are currently several outstanding concerns regarding the accuracy and wording of the requested variance, as well as agreements that would need to be in place to secure off site parking rights.

City Planning Strategies staff have reviewed the application and note as follows:

The required parking justification study was not submitted with the application. Staff contacted the agent, Neil Loewen, Urban Strategies, via email on November 2, 2021 requesting parking justification in the form of an off-site shared parking agreement, as well as, inquiring about whether the site has oversupply of parking, pre-COVID survey data or parking spaces registered on title.

The applicant, Anne Messor, Starlight Developments, asked to meet with staff on November 4, 2021 and subsequently on November 5, 2021 to discuss the applicant's preferred method to address parking through a blanket easement for the retained lands and severed parcel. Staff shared their concerns and explained that the City's off-site shared parking agreement is the appropriate tool to address parking in this instance. The applicant had more questions and requested to connect with the City's Legal team however, the Legal team needs to review this inquiry and had insufficient time to provide a response on short notice.

Anne Messor indicated to staff that a parking survey was carried out onsite prior to COVID-19 and would submit a parking utilization study to staff.

Staff provided the applicant with the City's template for an off-site shared parking agreement. A Parking Utilization Study has not been submitted to date. Staff have concerns with the requested variance in the absence of a shared parking agreement, lack of satisfactory parking justification and discrepancies in the total required parking, which suggests the subject property has a parking deficiency.

Furthermore, Zoning advised that they cannot confirm the accuracy of the requested variance.

Based on the submitted information, staff recommend the application be deferred to confirm the accuracy of the variance and to allow the applicant to address the shared off-site parking arrangements.

Planning staff are in agreement with the concerns that CPS staff have raised. The application should therefore be deferred in order to allow the applicant to submit the required information.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting that any Transportation and Works comments/conditions for this property will be addressed through Consent Application 'B' 67/20.

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 21-5256. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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

Comments Prepared by: Marco Palerma



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A375.21
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 141 Eaglewood Boulevard, 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 an addition proposing:

1. A gross floor area of 328.70sq.m (approx. 3538.10sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 296.90sq.m (approx. 3195.81sq.ft) in this instance; and
2. A building height measured to the eaves of 7.21m (approx. 23.65ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 20.99ft) in this instance.

The Committee has set **Thursday November 25, 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: 2021-09-28	File(s): A375.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-10-07 3:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred to permit the Applicant the opportunity to redesign.

Application Details

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

1. A gross floor area of 328.70sq.m (approx. 3538.10sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 296.90sq.m (approx. 3195.81sq.ft) in this instance; and
2. A building height measured to the eaves of 7.21m (approx. 23.65ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 20.99ft) in this instance.

Background

Property Address: 141 Eaglewood Boulevard

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

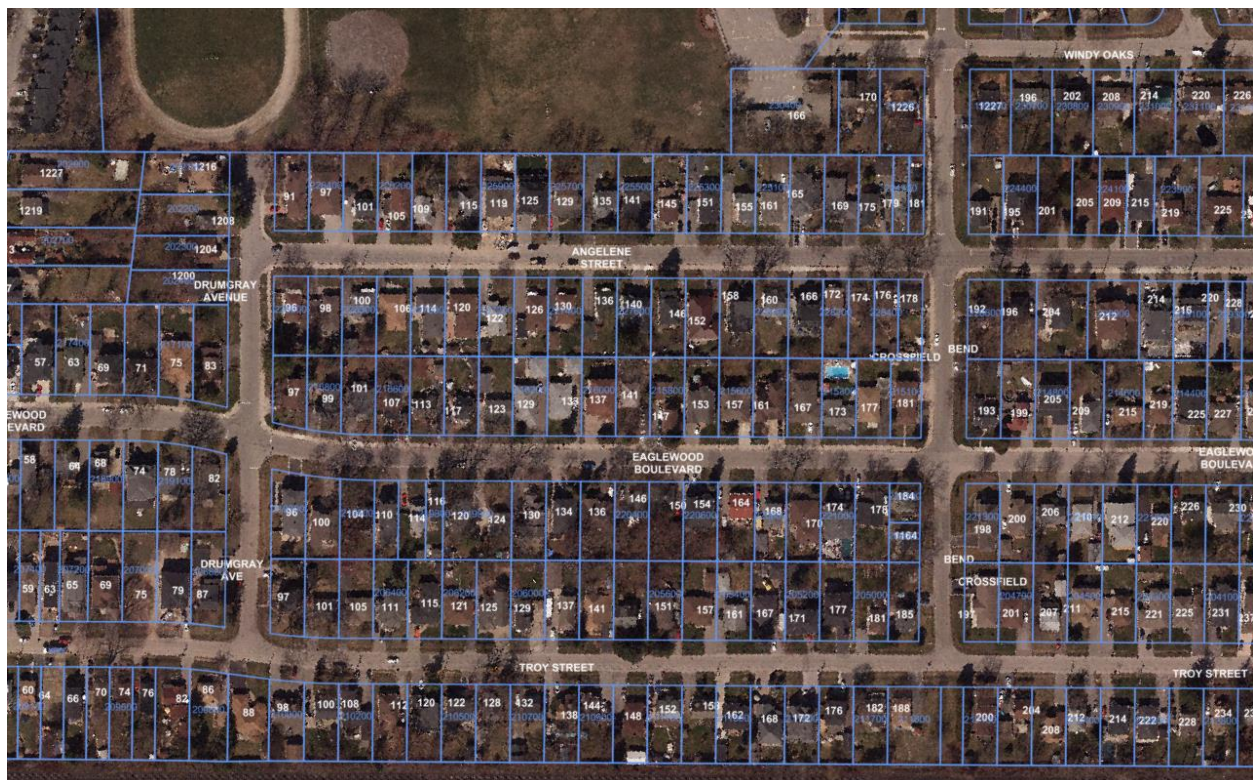
Zoning: R3-1 - Residential

Other Planning Applications: Site Plan Infill SPI 21-70 W1

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southeast of the Mineola Road East and Hurontario Street intersection. The neighbourhood is entirely residential, consisting of old and new one and two storey detached dwellings with significant vegetation in both the front and rear yards. The subject property contains an existing one storey dwelling with mature vegetation in the front, rear and side yards.

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



Comments

Planning

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

Staff comments concerning the application are as follows:

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

The proposed dwelling's eave height is excessive and will cause significant massing issues and will directly impact the neighbouring properties to the east and west. Furthermore, the easterly and westerly walls of the dwelling do not contain mitigating features to break up the dwelling's massing. Staff are not opposed to an increase of GFA on the subject property, however, staff are concerned that the proposed eave height and increased GFA may create a dwelling that does not maintain compatibility between the existing dwellings on the street or preserve the established character of the neighbourhood. As such, staff recommends that the application be deferred for redesign.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling are being addressed through the Site Plan Application process, File SPI-21/070.



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 21-70. Based on latest review of the information currently available in this permit application on June 8th, we advise that a zoning review has not been completed and **more information has been requested** to determine whether more variances will be required.

Comments Prepared by: Zoning Examiner – Sherri Takaloo