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## Committee of Adjustment

**Date:** December 2, 2021  
**Time:** 1:00 PM  
**Location:** Online Video Conference

### Members

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

### Contacts

Umar Mahmood, Committee of Adjustment Coordinator, Legislative Services  
905-615-3200 ext.5209  
[umar.mahmood@mississauga.ca](mailto:umar.mahmood@mississauga.ca)

Alexander Davies, Committee of Adjustment Coordinator,  
Legislative Services  
905-615-3200 ext.5422  
[alexander.davies@mississauga.ca](mailto:alexander.davies@mississauga.ca)

**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](mailto:committee.adjustment@mississauga.ca)

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1. CALL TO ORDER
  2. DECLARATION OF CONFLICT OF INTEREST
  3. DEFERRALS OR WITHDRAWALS
  4. MATTERS TO BE CONSIDERED
    - 4.1. B65/21  
1190 LORNE PARK RD (WARD 2)  
1190 LORNE PARK ROAD DEVELOPMENT INC
    - 4.2. B67/21-A495/21-A496/21  
1338 KENMUIR AVE (WARD 1)  
1338 KENMUIR AVENUE CORP
    - 4.3. A445/21  
94 VISTA BLVD (WARD 11)  
ARSHDEEP RANA, RAMNEET KAUR
    - 4.4. A451/21  
1885 SISMET RD (WARD 5)  
2212264 ONTARIO INC
    - 4.5. A459/21  
3585 MAVIS RD (WARD 7)  
MARK EDWARD NYE
    - 4.6. A463/21  
6115 EDENWOOD DR (WARD 9)  
RUKMANI SADANA, SUMATI SADANA
    - 4.7. A476/21  
2076 SHAWANAGA TR (WARD 8)  
JESSICA NAYLOR
    - 4.8. A500/21  
1433 ALDO DR (WARD 2)  
KULDEEP BASWALA

- 4.9. A502/21  
5255 BROCKWORTH DR (WARD 6)  
AMANDA WONG, IVAN LO
- 4.10. A532/21  
1428 BROADMOOR AVE (WARD 1)  
MARIO DI GENOVA
- 4.11. A534/21  
2643 HAYFORD CRT (WARD 2)  
YANA BAYANOVA
- 4.12. A539/21  
5711 RIVERDALE CRES (WARD 6)  
DAVID TO, CHRISTINA TO
- 4.13. B45/21-A293/21-A294/21  
1594 CALVERTON CRT (WARD 1)  
DARIO DINAPOLI & KENDALL MANOR
- 4.14. A211/21  
320 INDIAN VALLEY TR (WARD 1)  
ALLAN & DIMPLE MADAN
- 4.15. A345/21  
835 NORTH SERVICE RD (WARD 1)  
EVAN SANGWIN ALEXANDER
5. **OTHER BUSINESS**
6. **ADJOURNMENT**

**Why you received this letter:**

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

**Details of the application and meeting information:**

The property owner of 1190 Lorne Park Road, 1200 Lorne Park Road, zoned RM4-77 - Residential, has applied for Consent under Section 53 of the Planning Act. The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 22.5m (73.8ft) and an area of approximately 711.9sq.m (7,662.8sq.ft).

The Committee has set **Thursday December 2, 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](mailto: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](mailto:committee.adjustment@mississauga.ca) or by mailing the Committee of Adjustment, 300 City Centre Drive 2<sup>nd</sup> 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](mailto: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](mailto: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: 2021-11-23	File(s): B65.21
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2021-12-02 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the requested consent application.

## Application Details

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 22.5m (73.8ft) and an area of approximately 711.9sq.m (7,662.8sq.ft).

## Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent

## Background

**Property Address:** 1190 Lorne Park Road, 1200 Lorne Park Road

### Mississauga Official Plan

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

### Zoning By-law 0225-2007

**Zoning:** RM4-77 - Residential

### Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, northwest of Lorne Park Road and the railway corridor. The immediate area is predominantly

residential, consisting mostly of one and two storey-detached dwellings. Immediately south of the subject property are townhouse dwellings and a commercial plaza. There are two active demolition permit applications on the subject property to demolish the existing church and detached dwelling. A rezoning application was approved by the Local Planning Appeal Tribunal (LPAT) permitting semi-detached and townhouse dwellings on the larger lot fronting Lorne Park Road, while the lots fronting onto Garden Road will contain three detached dwellings.



## Comments

### Planning

#### Planning Act

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

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

**Provincial Matters**

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

Staff comments concerning the application for consent are as follows:

The subject property previously received approval from the Committee of Adjustment on June 21st, 2018 for the subdivision of three lots fronting onto Garden Road and one larger lot fronting onto Lorne Park Road. The Planning and Building Department had no objections to the requested consent applications. Staff was informed by the applicant's agent that the applicant could not satisfy all of the provisional conditions associated with the approval of the middle lot (outlined as Part 3 in the consent application), which required the demolition of the existing dwelling. However, the certificates for the northern and southern lots were issued, granting these lots final approval.

A second consent approval was granted by the Committee of Adjustment on November 12<sup>th</sup>, 2020, re-establishing the provisional approval of the middle lot fronting onto Garden Road. The consent application was still unable to be finalized due to the limited timeline to demolish the existing dwelling.

The intent of this application is to re-establish provisional consent of the middle lot fronting onto Garden Road. As there have been no changes to the proposed lot from what was previously approved, Staff is of the opinion that the application conforms to Section 51(24) of the Planning Act.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

We note for the Committee's information that the City has processed a rezoning application under file OZ 16/014 for the residual lands of the subject application. We also note that the subject lands were previously dealt with through Consent Applications 'B' 38-40/18 where matters pertaining to grading, drainage, acoustical requirements and site servicing were reviewed and addressed satisfactorily. We further advise that it is our understanding that the subject lands did not finalize the previous consent application due to the timing of the removal of the existing dwelling on site. Any future matters pertaining to site specific requirements for the subject application can be addressed through the future Site Plan application. These requirements may or may not require the need for a Site Plan Agreement should matters in the previously registered Development Agreement not apply to the subject application.

Should Committee see merit in the applicant's request we have **no comments, conditions or objection** to the subject application. We provide the following general requirements for the applicant's information:

#### GENERAL INFORMATION

##### 1. Lot Grading and Drainage

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

##### 2. Servicing

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

##### 3. Access

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

are also noting that should any utilities need to be relocated, all costs incurred will also be to the owner. Driveway accesses shall maintain a 1.5m setback from aboveground features such as utilities and trees.

Comments Prepared by: John Salvino, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

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

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

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

Comments Prepared by: Adam McCormack, Zoning Examiner

## **Appendix 3 – Parks, Forestry & Environment**

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

Community Services notes the following:

1. Tree preservation securities and hoarding will be required as a condition of site plan approval for the street trees located within the Municipal Boulevard.
2. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, C.P. 13, as amended) and in accordance with the City's policies and by-laws.

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

Comments Prepared by: Jim Greenfield, Park Planner

**Appendix A – CONDITIONS OF PROVISIONAL CONSENT**

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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding.
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated 2021-11-24 1:00:00 PM.



**Why you received this letter:**

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

**Details of the application and meeting information:**

The property owner of 1338 Kenmuir Avenue, zoned R3-1 - Residential, has applied for Consent under Section 53 of the Planning Act. The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 10.91m (approx. 35.79ft) and an area of approximately 438.8sq.m (approx. 4,723.2sq.ft).

The applicant requests the Committee to approve a minor variance for the Severed Lands (file A495/21) to allow the construction of a new dwelling proposing:

1. An interior lot area of 438.8sq.m (approx. 4,723.2sq.ft) ) whereas By-law 0225-007, as amended, permits a minimum interior lot area of 550.0sq.m (approx. 5,920.15sq.ft) in this instance;
2. An interior lot frontage of 10.91m (approx. 35.79ft) whereas By-law 0225-007, as amended, permits a minimum interior lot frontage of 15.00m (approx. 49.21ft) in this instance;
3. An interior side yard to the second storey of 1.20m (approx. 3.94ft) on the north side whereas By-law 0225-007, as amended, requires a minimum interior side yard of 1.81m (approx. 5.94ft) in this instance; and,
4. A combined width of side yards of 2.48m (approx. 8.14ft) whereas By-law 0225-007, as amended, requires a minimum combined width of side yards of 3.60m (approx. 11.81ft) in this instance.

The applicant requests the Committee to approve a minor variance for the Retained lands (file A496/21) to allow the construction of a new dwelling proposing:

1. An interior lot area of 438.8sq.m (approx. 4,723.2sq.ft) ) whereas By-law 0225-007, as amended, permits a minimum interior lot area of 550.0sq.m (approx. 5,920.15sq.ft) in this instance;
2. An interior lot frontage of 10.91m (approx. 35.79ft) whereas By-law 0225-007, as amended, permits a minimum interior lot frontage of 15.00m (approx. 49.21ft) in this instance;
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# City of Mississauga Department Comments

Date Finalized: 2021-11-23 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): B67.21 A495.21 A496.21  Ward: 1
	Meeting date:2021-12-02 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the consent and associated minor variance application.

## Application Details

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 10.91m (approx. 35.79ft) and an area of approximately 438.8sq.m (approx. 4,723.2sq.ft).

The applicant requests the Committee to approve a minor variance for the Severed Lands (file A495/21) to allow the construction of a new dwelling proposing:

1. An interior lot area of 438.8sq.m (approx. 4,723.2sq.ft) ) whereas By-law 0225-007, as amended, permits a minimum interior lot area of 550.0sq.m (approx. 5,920.15sq.ft) in this instance;
2. An interior lot frontage of 10.91m (approx. 35.79ft) whereas By-law 0225-007, as amended, permits a minimum interior lot frontage of 15.00m (approx. 49.21ft) in this instance;
3. An interior side yard to the second storey of 1.20m (approx. 3.94ft) on the north side whereas By-law 0225-007, as amended, requires a minimum interior side yard of 1.81m (approx. 5.94ft) in this instance; and,
4. A combined width of side yards of 2.48m (approx. 8.14ft) whereas By-law 0225-007, as amended, requires a minimum combined width of side yards of 3.60m (approx. 11.81ft) in this instance.

The applicant requests the Committee to approve a minor variance for the Retained lands (file A496/21) to allow the construction of a new dwelling proposing:

1. An interior lot area of 438.8sq.m (approx. 4,723.2sq.ft) ) whereas By-law 0225-007, as amended, permits a minimum interior lot area of 550.0sq.m (approx. 5,920.15sq.ft) in this instance;
2. An interior lot frontage of 10.91m (approx. 35.79ft) whereas By-law 0225-007, as amended, permits a minimum interior lot frontage of 15.00m (approx. 49.21ft) in this instance;

3. An interior side yard to the second storey of 1.20m (approx. 3.94ft) on the south side whereas By-law 0225-007, as amended, requires a minimum interior side yard of 1.81m (approx. 5.94ft) in this instance; and,

4. A combined width of side yards of 2.48m (approx. 8.14ft) whereas By-law 0225-007, as amended, requires a minimum combined width of side yards of 3.60m (approx. 11.81ft) in this instance.

### **Recommended Conditions and/or Terms of consent**

- Appendix A – Conditions of Provisional Consent

## **Background**

**Property Address: 1338 Kenmuir Avenue**

### **Mississauga Official Plan**

Character Area: Mineola Neighbourhood  
Designation: Residential Low Density II

### **Zoning By-law 0225-2007**

**Zoning: R3-1 - Residential**

### **Other Applications:**

Site Plan Infill 17 40 (Cancelled) AND Minor Variance A445/17 (Refused)

### **Site and Area Context**

The subject property is located within the Mineola Character Area, northwest of Cawthra Road and Atwater Avenue. The immediate area consists of a mix of older and newer one and two-storey detached dwellings. The lots in the immediate area contain lot frontages ranging from approximately 10.17m (33.37ft) to 25m (82.02ft). The subject property contains an existing one-storey dwelling with mature vegetation in the front yard.

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



## Comments

### Planning

#### Planning Act

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

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

#### Provincial Matters

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

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



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

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached, duplex, triplex and other forms of low rise dwellings with individual frontages. Section 16.1.2.1 of the MOP states, to preserve the character of lands designated Residential Low Density I and Residential Low Density II, the minimum frontage and area of new lots will be evaluated in the context of the existing lot pattern in the surrounding area. The immediate area contains a mix of lot sizes and frontages. The proposed parcels are consistent with other detached lots found within the immediate area and contribute to the eclectic nature of the existing and planned community. Staff is of the opinion that the application conforms to Section 51(24) of the Planning Act, more specifically that the application conforms to the official plan and the proposed parcels are suitable to accommodate detached dwellings.

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

Variances #1 and 2 for the severed and retained lands pertain to lot area and frontage. An interior lot area of 438.8m<sup>2</sup> (4,723.2ft<sup>2</sup>) is proposed where a minimum interior lot area of 550.0m<sup>2</sup> (5,920.15ft<sup>2</sup>) is required, and an interior lot frontage of 10.91m (35.79ft) is proposed, where a minimum interior lot frontage of 15.00m (49.21ft) is required. The intent of the zoning by-law is to ensure that new lots are appropriately sized and fit within the context of the surrounding area. Staff have no concerns with these variances, as the proposed lots are reflective of the lots in the area, which contain a large mix of frontages and lot areas.

Variance #2 and 3 for the severed and retained lands pertain to side yards. The applicant is proposing interior side yards to the second storeys of 1.20m (3.94ft) where a minimum interior side yard of 1.81m (5.94ft) is required, and a combined width of side yards of 2.48m (8.14ft) where a minimum combined width of side yards of 3.60m (approx. 11.81ft) is required. The general intent of this portion of the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties, and that access to the rear yard ultimately remains unencumbered. Staff have no concerns with these variances, as the side yards proposed provided an adequate buffer between the massing of the proposed dwellings and the adjacent properties. Furthermore, the proposed setbacks ensure access to the rear yard is maintained. The setbacks proposed are consistent with side yard setbacks for residential dwellings in the immediate neighbourhood. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

The proposed dwellings maintain the existing and planned context of the surrounding area and do not pose a negative impact to the neighbourhood. As a result, the proposed dwellings maintain compatibility with other detached dwellings in the immediate area. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

## Appendices

### Appendix 1 – Transportation and Works Comments

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

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

##### 1. Overall Grading and Drainage Plan

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

##### 2. Municipal Address Requirement

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

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

#### B. GENERAL INFORMATION

##### 1. Lot Grading and Drainage

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

##### 2. Servicing

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

### 3. Access

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

### 4. Storm Sewer Outlet

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

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

For further information please contact Ghazwan Yousif at (905) 615-3200 ext. 3526.

We are noting that any Transportation and Works Department concerns/requirements for this property will be addressed under Consent Application 'B' 67/21.

Comments Prepared by: John Salvino, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

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

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

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



Comments Prepared by: Brandon Eidner, Zoning Examiner

### **Appendix 3 – Parks, Forestry & Environment**

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

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

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

In addition, Community Services notes the following:

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

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

Comments Prepared by: Jim Greenfield, Park Planner

### **Appendix 4 – Heritage**

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

Comments Prepared by: Andrew Douglas, Heritage Analyst

# City of Mississauga Department Comments

## **Appendix A – CONDITIONS OF PROVISIONAL CONSENT**

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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding. ("A" 495-496/21)
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated 2021-11-24.
5. A letter shall be received from the City of Mississauga, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated 2021-11-24.
6. A letter shall be received from the City of Mississauga, Culture Division, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated 2021-11-24.
7. A letter shall be received from the Region of Peel, Development Services/Public Works, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated November 19, 2021.



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A445.21  
Ward: 11

### Why you received this letter:

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

### Details of the application and meeting information:

The property owner of 94 Vista Blvd, zoned R2-50 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling proposing:

1. A lot coverage of 27.88% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% in this instance; and
2. A gross floor area of 356.93sq.m (approx. 3,841.96sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 297.80sq.m (approx. 3,205.49sq.ft) in this instance.

The Committee has set **Thursday December 2, 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](mailto: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](mailto:committee.adjustment@mississauga.ca) or by mailing the Committee of Adjustment, 300 City Centre Drive 2<sup>nd</sup> 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](mailto: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](mailto: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: 2021-11-24	File(s): A445.21 Ward 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-12-02 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 or that additional variances are not required.

## Application Details

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

1. A lot coverage of 27.88% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% in this instance; and
2. A gross floor area of 356.93sq.m (approx. 3,841.96sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 297.80sq.m (approx. 3,205.49sq.ft) in this instance.

### Amendments

1. A lot coverage of 27.64% (204.24m<sup>2</sup>); whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% (184.75m<sup>2</sup>) in this instance; and,
2. A gross floor area – infill residential of 356.86m<sup>2</sup>; whereas By-law 0225-2007, as amended, permits a maximum gross floor area – Infill residential of 297.80m<sup>2</sup> in this instance.

## Background

**Property Address:** 94 Vista Blvd

### Mississauga Official Plan

**Character Area:** Streetsville Neighbourhood



Designation: Residential Low Density I

### Zoning By-law 0225-2007

Zoning: R2-50 - Residential

Other Applications: BP 9NEW 21-7359

### Site and Area Context

The property is located north-east of the Erin Mills Parkway and Thomas Street intersection and currently houses a single-storey detached dwelling. Contextually, the surrounding neighbourhood consists exclusively of detached dwellings. While new construction is present, it is not prevalent in this instance. The properties within the immediate area are situated upon large parcels, possessing lot frontages of +/- 22.5m (73.8ft), with moderate vegetative / natural landscaped elements within the front yards. The subject property is an interior parcel, with a lot area of approximately +/- 739m<sup>2</sup> (7,954.5ft<sup>2</sup>) and a lot frontage of approximately +/- 21.34m (70.01ft).

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



## Comments

### Planning

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

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

The applicant previously appeared before the Committee on November 19, 2020 for a replacement dwelling on the subject property. The variances currently requested are nearly identical to those previously approved. The original decision included a condition tying the approval of the application to the submitted drawings, however changes have been made to the design which necessitated a new application. Staff have reviewed the revised design and note the design changes to the elevations. There do not appear to be any changes to or variances requested from the height of the structure, and changes to setbacks appear to continue to conform to the Zoning By-law. After a full review of the updated application, the opinion of staff remains unchanged from the November 19, 2020 hearing and the comments from the hearing have been attached below. Staff continue to be satisfied that the proposal: maintains the general intent and purpose of the Official Plan and Zoning By-law, is minor in nature, and represents appropriate development of the subject property.

#### November 19, 2020 Comments:

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

The site is located within the Streetsville Neighbourhood Character Area, and designated Residential Low Density I by the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached dwellings; semi-detached dwellings; and, duplex dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions; the surrounding context; and, the landscape of the character area.

The subject lands are to be used for residential purposes. The proposed dwelling respects the designated residential land use, and, despite the variances, has regard for the distribution of massing on the property as a whole. The variances, as requested, meet the purpose and general intent of the Official Plan.

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

#### Variance 1 (Gross Floor Area)

As per Zoning By-law 0225-2007, the subject property is zoned R2-50 (Residential). Pursuant to Table 4.2.3.50.2 (R2 Exception Zones), this zone regulates a detached dwelling's maximum gross floor area to be 297.80m<sup>2</sup> (approx. 3,205.49ft<sup>2</sup>). The general intent of this portion of the Zoning

By-law, as it pertains to infill development, is to ensure that individual properties are not overdeveloped, and that additional massing as a result of construction will not negatively impact the character of the neighbourhood.

Despite requiring relief to permit the proposed increase in gross floor area; the detached dwelling remains appropriate in size and whose massing is well-hidden by multiple defined sections of the proposed dwelling – the recessed front wall façade contrasting against the projecting entrance area; the multiple gable / roof sections, etc. – resulting in an unobtrusive design from a streetscape perspective.

Variance 1, as requested, maintains the purpose and general intent of the Zoning By-law.

#### Variance 2 (Lot Coverage)

As per Zoning By-law 0225-2007, the subject property is zoned R2-50 (Residential). Pursuant to Table 4.2.3.50.1 (R2 Exception Zones), the Zoning By-law permits a maximum lot coverage of 25.0%; whereas, the Applicant has proposed 27.88%. The general intent of this portion of the Zoning By-law is to ensure that individual lots are not visibly or disproportionately developed as it pertains to the overall size of the property.

Planning Staff would note the slight pie-shaped nature of the property, which tapers to rear, and results in the site being somewhat smaller from an overall lot area perspective than it would appear from the street. As no side yard variances are required to facilitate this proposal, any additional development resultant of Variance 2 can be assumed to occur within the rear yard, where it is inherently less problematic and more evenly distributed. As such, the proposal results in the suitable allocation of horizontal structural-massing when viewed from a streetscape perspective.

Variance 2, as requested, maintains the purpose and general intent of the Zoning By-law.

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

Despite the requested variances, Planning Staff cannot identify any additional undue impact created as a result of the proposed increase size of the dwelling, with no subsequent variances requested as it pertains to either increased height, or reduced yard regulations. The application results in both the orderly development of the lands, and whose impacts are minor in nature.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner



## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed 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 building permit application BP 9NEW 21-7359. The plans for the building permit application depict a lot coverage and a gross floor area – infill residential that differ than the variances requested. No further information has been submitted to support the variances as requested. Therefore the following amendments are required:

1. A lot coverage of 27.64% (204.24m<sup>2</sup>); whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% (184.75m<sup>2</sup>) in this instance; and,
2. A gross floor area – infill residential of 356.86m<sup>2</sup>; whereas By-law 0225-2007, as amended, permits a maximum gross floor area – Infill residential of 297.80m<sup>2</sup> in this instance.

Our comments are based on the plans received by Zoning staff on 2021/07/21 for the above captioned building permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been reviewed through the building

permit process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the building permit process in order to receive updated comments.

Comments Prepared by: Brian Bonner - Supervisor



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A451.21  
Ward: 5

### Why you received this letter:

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

### Details of the application and meeting information:

The property owner of 1885 Sismet Road Unit 3, zoned E3 - Employment, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a Motor Vehicle Sales, Leasing and/or Rental Facility - Restricted use for unit 3, whereas By-law 0225-2007, as amended, only permits a Motor Vehicle sales, Leasing and/or Rental Facility - Commercial Motor Vehicles use in this instance.

The Committee has set **Thursday December 2, 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](mailto: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](mailto:committee.adjustment@mississauga.ca) or by mailing the Committee of Adjustment, 300 City Centre Drive 2<sup>nd</sup> 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](mailto: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](mailto: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: 2021-11-24	File(s): A451.21 Ward 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-12-02 1:00:00 PM

## Consolidated Recommendation

The City recommends that the application be refused.

## Application Details

The applicant requests the Committee to approve a minor variance to allow a Motor Vehicle Sales, Leasing and/or Rental Facility - Restricted use for unit 3, whereas By-law 0225-2007, as amended, only permits a Motor Vehicle sales, Leasing and/or Rental Facility - Commercial Motor Vehicles use in this instance.

## Background

**Property Address:** 1885 Sismet Road Unit 3

### Mississauga Official Plan

Character Area: Northeast Employment Area  
Designation: Industrial

### Zoning By-law 0225-2007

**Zoning:** E3 - Employment

**Other Applications:** C 20-3713

### Site and Area Context

The subject property is located south-east of the Matheson Boulevard East and Creekbank Road intersection in the Northeast Employment Area. It currently contains a single storey, multi-unit industrial building with frontage onto both Sismet Road and Matheson Boulevard East. Next

to no landscaping or vegetation exists on the property. The surrounding area context consists predominantly of single storey, multi-unit industrial buildings with limited to no vegetation.

The applicant is proposing a Motor Vehicle Sales, Leasing and/or Rental Facility – Restricted, requiring a variance for 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:

The subject property is located in the Northeast Employment Character Area and is designated Industrial in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits several industrial and motor vehicle uses. The sole variance requested proposes a Motor Vehicle Sales, Leasing and/or Rental Facility – Restricted use. The intent and purpose of the

zoning by-law is to permit motor vehicle retail uses in a Commercial zone with other retail uses and to not create precedence in establishing retail car dealerships in employment zones as of right. Staff note that vehicle sales and rentals are permitted within the E3 zone, however it is limited to commercial vehicles and not regular cars. This is due to the commercial vehicles more appropriately serving surrounding businesses and the intensity of the use when selling, renting, and repairing those types of commercial motor vehicles.

While the City has supported non-commercial motor vehicle sales uses in Employment Areas in the past, they have been accessory to a permitted use whereas the applicant is proposing the use as a primary use in this instance. The intent and purpose of the Zoning By-law is not maintained by permitting uses not contemplated by the zone category and in accordance with an entirely different zoning framework. Furthermore staff are of the opinion that the application is not appropriate development of the subject lands and is not minor in nature.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner



## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed for Committee's easy reference are photos depicting the subject property.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

The Building Department is currently processing a Zoning Certificate of Occupancy application under file C 20-3713. 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: A459.21  
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 3585 Mavis Road, 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 allow the construction an addition proposing an additional gross floor area of 1,388.5sq.m (approx. 14,945.7sq.ft) to the existing industrial building with an existing gross floor area of 1193.4sq.m (approx. 12,845.7sq.ft) whereas By-law 0225-2007, as amended, permits only minor alterations or additions to existing industrial facilities, buildings and structures in this instance.

The Committee has set **Thursday December 2, 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](mailto: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](mailto:committee.adjustment@mississauga.ca) or by mailing the Committee of Adjustment, 300 City Centre Drive 2<sup>nd</sup> Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and application number or address of the property you are providing comments on.

### Advance registration is required to participate in the electronic hearing:

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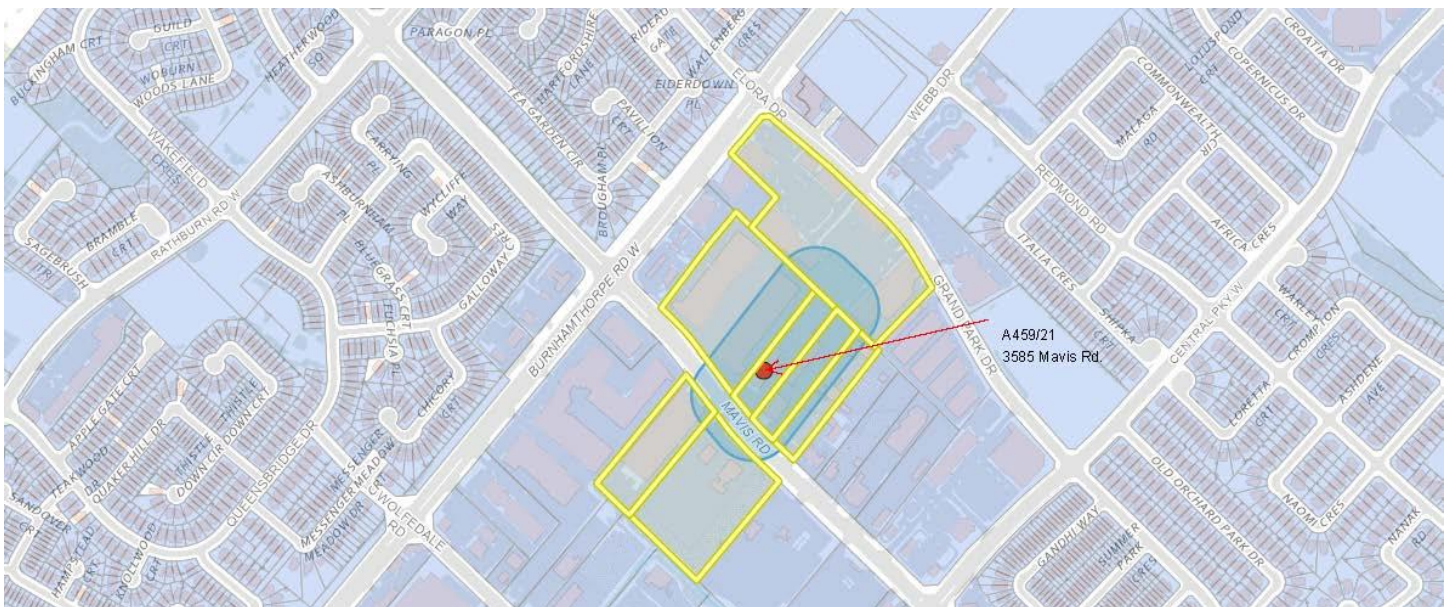


**To participate by telephone:** To register, please call 905-615-3200 x 2408 no later than 4:30pm the Friday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.

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# City of Mississauga Department Comments

Date Finalized: 2021-11-24	File(s): A459.21 Ward 7
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-12-02 1:00:00 PM

## Consolidated Recommendation

The City recommends that the application be refused.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction an addition proposing an additional gross floor area of 1,388.5sq.m (approx. 14,945.7sq.ft) to the existing industrial building with an existing gross floor area of 1193.4sq.m (approx. 12,845.7sq.ft) whereas By-law 0225-2007, as amended, permits only minor alterations or additions to existing industrial facilities, buildings and structures in this instance.

## Background

**Property Address:** 3585 Mavis Road

### Mississauga Official Plan

Character Area: Fairview Neighbourhood  
Designation: Mixed Use

### Zoning By-law 0225-2007

**Zoning:** D-10 - Development

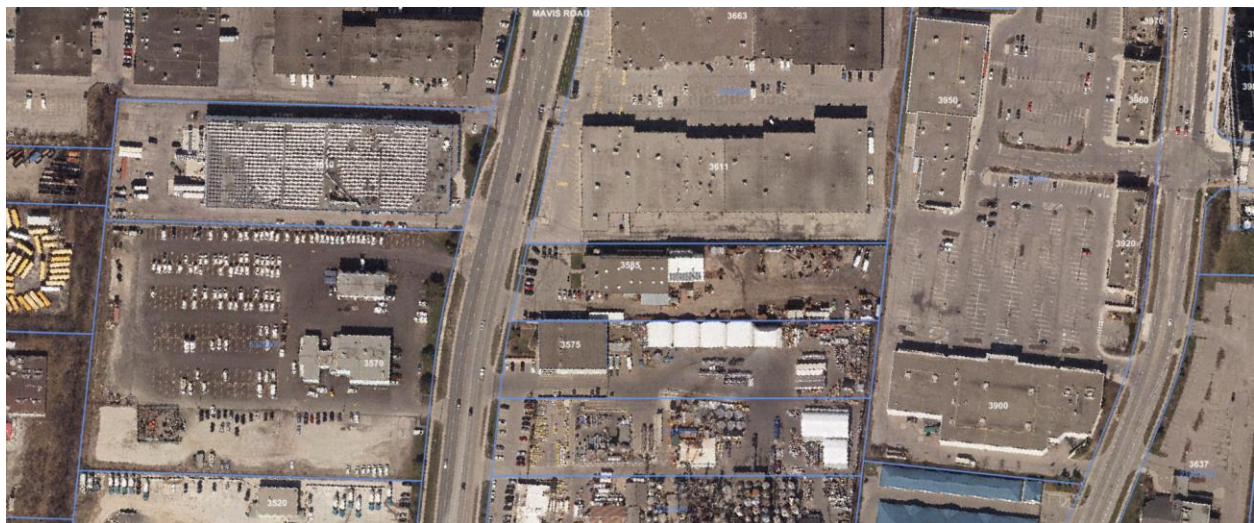
**Other Applications:** None

### Site and Area Context

The subject property is located south-east of the Burnhamthorpe Road West and Mavis Road intersection and currently houses a two-storey industrial structure with an associated surface

parking area. 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 +/-160m (525ft). The subject property is an interior parcel, with a lot area of 7,970.5m<sup>2</sup> (85,793.75ft<sup>2</sup>) and a frontage of +/-41.0m (134.5ft).

The applicant is proposing an addition to the subject property requiring a variance for the proposed size.



## 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 Fairview Neighbourhood Character Area and is designated Mixed Use in Schedule 10 of the Mississauga Official Plan. It also forms part of the Special Site 1 area, which sets out policies proposing that lands fronting upon the east side of Mavis Road will eventually be comprised of both residential and mixed commercial land-uses.



While the Mixed Use designation does not permit industrial uses, the Special Site 1 area policies do recognize industrial uses legally existing in the area.

In order to further the goal of redevelopment of this portion of Mavis Road, while recognizing the existing industrial operations in the area, Policy 16.11.2.1.3(g) of the Official Plan permits existing industrial operations to continue, but stipulates that only minor alterations and additions to existing industrial uses will be permitted. The intent is to facilitate the continued operation of legally existing industrial uses while preventing these uses from becoming further ingrained in the area by large scale additions and renovations and hindering the eventual redevelopment as the operations cease to exist.

It is the opinion of Planning staff that the proposed 1,388.5m<sup>2</sup> (14,945.7ft<sup>2</sup>), 2 storey addition cannot be classified as a minor addition as permitted by the policy. The addition would further ingrain the industrial land use on the site and hinder the eventual redevelopment of the lands. As the proposal fails to further the goals and objectives of the Official Plan, staff are of the opinion that the general intent and purpose of the Official Plan are not maintained.

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

The subject property is zoned D-10 under Zoning By-law 0225-2007. On the subject lands the applicant is proposing an addition that represents an increase to the gross floor area of well over 100%. The intent of the D zone, as set out in Section 12.3 of the Zoning By-law and Section 19.11 of the Official Plan, is to recognize and give legal rights, in the interim, to a previously permitted land-use which the City acknowledges is not in line with the future vision of the Municipality during a period in which the area transitions. It is intended that the lands will later be rezoned and redeveloped for uses considered by the Official Plan. While the D-10 zone does contemplate some minor construction, this has specifically been regulated to only minor additions and alterations to any existing industrial facility.

It is the opinion of Planning staff that the proposed addition does not constitute minor construction, as contemplated by the D-10 zone. Such a significant addition would undermine the planned function of the property and is in contradiction to the intent of the Zoning By-law. Staff are therefore of the opinion that the general intent and purpose of the Zoning By-law is not maintained.

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

The current proposal fails to maintain the general intent and purpose of both the Official Plan and Zoning By-law as it deviates from the planned vision of the area as envisioned in those documents. It is therefore the opinion of staff that the application cannot be viewed as being minor in nature and that the requested variance does not represent appropriate development of the subject lands.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

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 and Site Plan Approval Process.



Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

### Appendix 2 – Zoning Comments

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

The applicant is advised that a completed zoning review may identify additional instances of zoning non-compliance. The applicant may consider applying for a preliminary zoning review

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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: A463.21  
Ward: 9

### Why you received this letter:

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

### Details of the application and meeting information:

The property owner of 6115 Edenwood Dr, 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 a driveway proposing a driveway width of 8.49m (approx. 27.85ft) whereas By-law 0225-2007, as amended, requires a maximum driveway width of 7.62m (approx. 25.00ft) in this instance.

The Committee has set **Thursday December 2, 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](mailto:committee.adjustment@mississauga.ca) or calling 905-615-3200 x5209. You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>. Hearings will be streamed online for the public to view at the following link: <http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>.

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

### How to submit a written comment:

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# City of Mississauga Department Comments

Date Finalized: 2021-11-24	File(s): A463.21 Ward 9
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-12-02 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 a driveway proposing a driveway width of 8.49m (approx. 27.85ft) whereas By-law 0225-2007, as amended, requires a maximum driveway width of 7.62m (approx. 25.00ft) in this instance.

## Background

**Property Address:** 6115 Edenwood Dr

### Mississauga Official Plan

Character Area: Meadowvale Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

**Zoning:** R3 - Residential

**Other Applications:** None

### Site and Area Context

The subject property is located north-west of the Britannia Road West and Winston Churchill Boulevard intersection in the Meadowvale neighbourhood. It has a lot frontage of +/-14.1m (46.3ft) and currently contains a detached dwelling with an attached garage. Some mature



vegetation is present in the front yard. The surrounding context is residential, consisting of detached dwellings on lots of varying sizes and frontages.

The applicant is proposing to legalize the existing driveway on the subject property requiring a variance for driveway width.



## Comments

### Planning

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

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

The subject property is located in the Meadowvale Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, and duplex dwellings. Section 9.1 of the MOP states that driveway widths and associated setbacks should respect the identity and character of the surrounding context. Staff have concerns with the proposal regarding its impacts on abutting properties as well as the streetscape. Staff are also concerned that the proposal will require multiple additional variances. Clarification has also been requested from the applicant, however it remains outstanding. Staff are therefore unable to complete a full review of the application to determine if the request meets the four tests of a minor variance at this time.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner



## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed for Committee's information are some photos which depict the widened driveway which the applicant has described as a "Hammer Head" driveway. According to city standards this "parking spot" in no way resembles a hammer head driveway.

From our site inspection and the enclosed photos we note that the widened driveway has been constructed on an angle in close proximity to the Edenwood Drive road allowance and surrounded by heavily vegetated evergreen trees/shrubs. Acknowledging that there is a municipal sidewalk in very close proximity to the widened driveway, the city must ensure that sight visibility and vehicle manoeuvrability is not impacted for any vehicles exiting the driveway for both pedestrians on the sidewalk or vehicles on the roadway.

We should also note to the applicant that even with the removal of the heavily vegetated evergreen trees/shrubs, this department would still not be in support of the request as sight visibility concerns would remain.

In view of the above we cannot support the application and would request that the widened driveway in question be reinstated with topsoil and sod should the application not be supported by the Committee.











Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

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

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

Comments Prepared by: Brandon Eidner, Zoning Examiner



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A476.21  
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 2076 Shawanaga Terrace, zoned R1 - 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 new dwelling proposing:

1. A lot coverage of 30.62% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% in this instance;
2. A front yard setback of 11.43m (approx. 37.50ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 12.00m (approx. 39.37ft) in this instance;
3. A side yard canopy encroachment of 3.38m (approx. 11.09ft) in the side yard whereas By-law 0225-2007, as amended, permits a maximum side yard canopy encroachment of 0.45m (approx. 1.48ft) in this instance;
4. An easterly interior side yard setback of 1.22m (approx. 4.00ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.80m (approx. 5.91ft) in this instance;
5. A westerly interior side yard setback of 1.85m (approx. 6.07ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 4.20m (approx. 13.78ft) in this instance; and
6. A porch encroachment of 2.4m (approx. 7.87ft) into the front yard whereas By-law 0225-2007, as amended, permits a maximum porch encroachment of 1.6m (approx. 5.25ft) into a front yard in this instance.

The Committee has set **Thursday December 2, 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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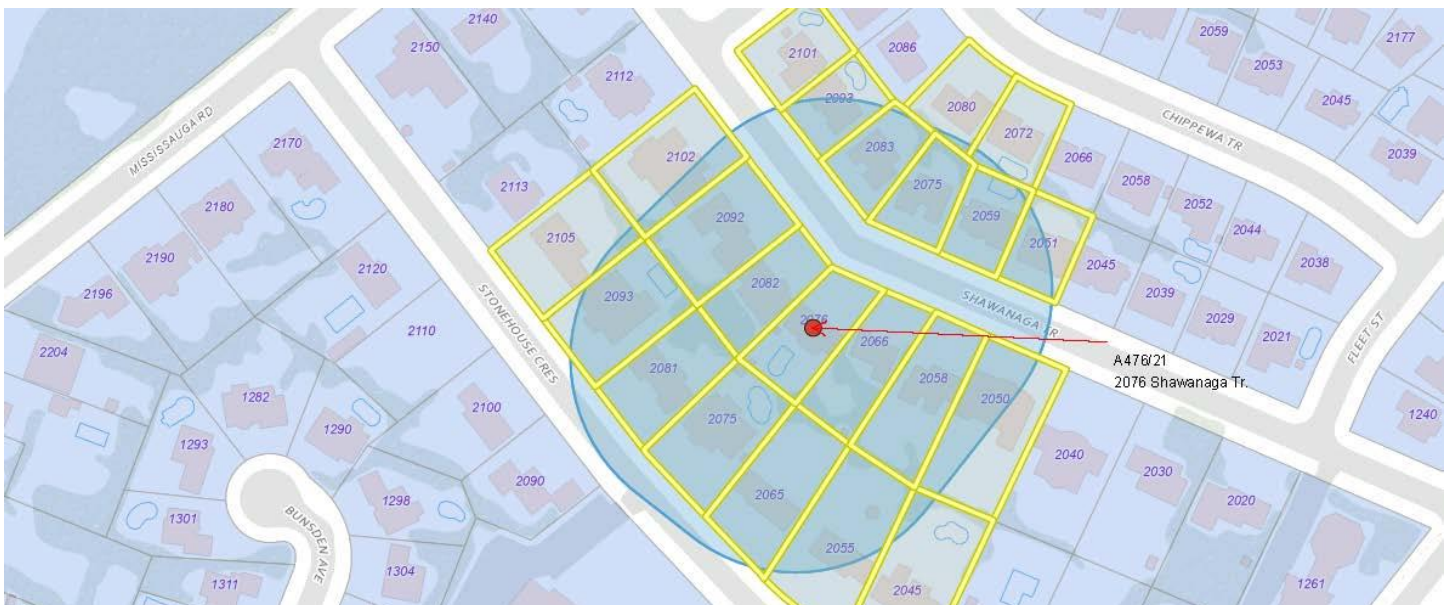
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# City of Mississauga Department Comments

Date Finalized: 2021-11-23	File(s): A476.21
To: Committee of Adjustment	Ward: 8
From: Committee of Adjustment Coordinator	Meeting date:2021-12-02 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 a new dwelling proposing:

1. A lot coverage of 30.62% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% in this instance;
2. A front yard setback of 11.43m (approx. 37.50ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 12.00m (approx. 39.37ft) in this instance;
3. A side yard canopy encroachment of 3.38m (approx. 11.09ft) in the side yard whereas By-law 0225-2007, as amended, permits a maximum side yard canopy encroachment of 0.45m (approx. 1.48ft) in this instance;
4. An easterly interior side yard setback of 1.22m (approx. 4.00ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.80m (approx. 5.91ft) in this instance;
5. A westerly interior side yard setback of 1.85m (approx. 6.07ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 4.20m (approx. 13.78ft) in this instance; and
6. A porch encroachment of 2.4m (approx. 7.87ft) into the front yard whereas By-law 0225-2007, as amended, permits a maximum porch encroachment of 1.6m (approx. 5.25ft) into a front yard in this instance.

## Background



**Property Address:** 2076 Shawanaga Terrace

## Mississauga Official Plan

Character Area: Sheridan Neighbourhood  
Designation: Residential Low Density I

## Zoning By-law 0225-2007

**Zoning:** R1 - Residential

## Other Applications

Pre-Application Zoning Review – 21-6596

## Site and Area Context

The subject property is located within the Sheridan Neighbourhood Character Area, southeast of Spring Bank Road and Mississauga Road. The area consists of one and two storey single detached dwellings with mature vegetation in the front and rear yards. The subject property contains a one storey detached dwelling with mature vegetation in the front yard.

The application proposes an addition requiring variances related to lot coverage, front yard setback, side yard canopy and porch encroachments and interior side yards.



## Comments

### Planning

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

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

Variance #1 pertains to lot coverage. The intent of the zoning by-law is to ensure there is not an overdevelopment of the lot. The applicant is proposing a lot coverage of 30.62% when a maximum lot coverage of 25% is permitted. In this instance, the dwelling footprint maintains a lot coverage of approximately 23%, which is less than the maximum permitted under the by-law. The portion of the lot coverage that exceeds the by-law is only attributable to a portion of the 2<sup>nd</sup> floor that extends over the walkout stairs, a covered deck on the 1<sup>st</sup> floor, a 1<sup>st</sup> floor front porch canopy, a portion of the 2<sup>nd</sup> floor overhang, a feature wall and an existing pool equipment shed. These elements do not add significant massing to the overall dwelling from what is currently permitted. As such, staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #2 pertains to front yard setback. The applicant has proposed a front yard setback of 11.43m (37.50ft) where a minimum front yard setback of 12.00m (39.37ft) is required. Through a review of the immediate neighbourhood, similar deficiencies are common for detached dwellings. Furthermore, the front yard setback is only required because of the proposed porch. This variance raises no concerns of a planning nature.

Variances #3 and 6 pertain to encroachments. The intent of encroachment requirements is to ensure certain elements in a dwelling are sufficiently setback from all property lines. Staff is of the opinion that the encroachment variances do not raise any concerns of a planning nature.

Variances #4 and 5 pertain to interior side yards. The applicant is proposing an easterly interior side yard setback of 1.22m (4.00ft) where a minimum side yard setback of 1.80m (5.91ft) is required, and a westerly interior side yard setback of 1.85m (6.07ft) where a minimum side yard setback of 4.20m (13.78ft). The general intent of this portion of the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties, and that access to the rear yard ultimately remains unencumbered. Staff have no concerns with these variances, as the proposed side yards provided an adequate buffer between the massing of the proposed dwelling and adjacent properties. Furthermore, the proposed setbacks ensures access to the rear yard is maintained. The setbacks proposed are consistent with side yard setbacks for residential dwellings found in the immediate neighbourhood. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

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 dwelling 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 currently processing a Preliminary Zoning Review application under file PREAPP 21-6596. Based on review of the information currently available for this building permit, we advise that the variances are correct, however the following variance(s) should be amended as follows:

Variances 4 and 5 should be combined and revised as follows;

4. An easterly interior side yard setback of 1.22m (approx. 4.00ft) and a westerly interior side yard setback of 1.85m (approx. 6.07ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.80m (approx. 5.91ft) on one side of the dwelling and 4.20m (approx. 13.78ft) on the other side, in this instance;

Our comments are based on the plans received by Zoning staff on 06/16/2021 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: A500.21  
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 1433 Aldo Drive, zoned R2-5 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling proposing:

1. A gross floor area of 469.12sq.m (approx. 5,049.57sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 426.88sq.m (approx. 4,594.90sq.ft) in this instance;
2. A driveway width of 11.0m (approx. 36.1ft) for the portion of the driveway within 6.0m of the garage face whereas By-law 0225-2007, as amended, requires a maximum driveway width of 10.5m (approx. 34.4ft) for the portion of a driveway within 6.0m of a garage face in this instance; and,
3. A height of eaves of 6.7m (approx. 22.0ft) whereas By-law 0225-2007, as amended, permits a maximum height of eaves of 6.4m (approx. 21.0ft) in this instance.

The Committee has set **Thursday December 2, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

### How to submit a written comment:

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

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# City of Mississauga Department Comments

Date Finalized: 2021-11-23	File(s): A500.21
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2021-12-02 1:00:00 PM

## Consolidated Recommendation

The City has no objection to variances #1, 3 and 4. However, staff recommends refusal of variance #2. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

## Application Details

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

1. A gross floor area of 469.12sq.m (approx. 5,049.57sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 426.88sq.m (approx. 4,594.90sq.ft) in this instance;
2. A driveway width of 11.0m (approx. 36.1ft) for the portion of the driveway within 6.0m of the garage face whereas By-law 0225-2007, as amended, requires a maximum driveway width of 10.5m (approx. 34.4ft) for the portion of a driveway within 6.0m of a garage face in this instance; and,
3. A height of eaves of 6.7m (approx. 22.0ft) whereas By-law 0225-2007, as amended, permits a maximum height of eaves of 6.4m (approx. 21.0ft) in this instance.

## Amendments

The Building Department is currently processing a Site Plan Infill application under file SPI 21-117 W2. Based on review of the information currently available in this permit application, the Department advises that the following variance(s) be added as follows:

4. A reduced exterior side yard setback of 7.18m (approx. 23.56ft) to the dwelling (portico) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 7.5m (approx. 24.61ft) in this instance.

## Background

**Property Address:** 1433 Aldo Drive

### Mississauga Official Plan

Character Area: Clarkson-Lorne Park Neighbourhood

Designation: Residential Low Density I

### Zoning By-law 0225-2007

**Zoning:** R2-5 - Residential

### Other Applications:

Pre-Application Zoning Review 21-6650

### Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southeast of Indian Road and Lorne Park Road. The immediate neighbourhood contains an eclectic mix of newer and older one and two storey-detached dwellings on large lots with mature vegetation in the front yards. The subject property is a corner lot and contains a one-storey detached dwelling with mature vegetation in the front yard.

The application proposes the construction of a new dwelling, requiring variances related to gross floor area, driveway width and eave height.



## Comments

### Planning

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

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

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

The site is located within the Clarkson-Lorne Park Neighbourhood, and is designated Residential Low Density I by the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached dwellings; semi-detached dwellings and duplex dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions; the surrounding context; and, the landscape of the character area. The proposed detached dwelling is permitted within this designation. The proposed increase to the dwelling's gross floor area and eave height would create a dwelling that is consistent with newer two storey dwellings in the immediate area. 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 gross floor area. The applicant proposes a gross floor area of 469.12m<sup>2</sup> (5,049.57ft<sup>2</sup>) where a maximum gross floor area of 426.88m<sup>2</sup> (4,594.90ft<sup>2</sup>) is permitted. The intent of the zoning by-law is to maintain compatibility between existing and newer dwellings thereby preserving the existing and planned character of a neighbourhood. The proposed dwelling contains architectural features, which define the first and second storey of the dwelling which breaks -up the dwelling's overall massing. This results in an overall massing that is reflective of the neighbouring properties and community at large. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #2 pertains to driveway width. Under the Zoning By-law the maximum driveway width permitted on a property of this size, is 10.5 metres (34.45 ft.) within 6 metres (19.69 ft.) of the garage face if it provides direct access to the garage and 8.5 metres (27.89 ft.) beyond 6 metres (19.69 ft.) of the garage face. The intent of this provision is to facilitate the entrance into a 3 car garage, while also limiting the width closer to the street in order to mitigate impacts to the streetscape. The subject property's driveway width represents a significant amount of hardscaping and widened driveways that are not common in the immediate area. Furthermore it is the opinion of staff that the hardscaping presents a significant impact to the streetscape.

Variance #3 pertains to the height of the eaves. The intent of restricting height is to lessen the visual massing of the dwelling thereby keeping the dwelling at a human scale. The proposed increase in eave height does not have any significant impact on the massing of the dwelling. Furthermore staff note that an overall height variance has not been requested, which helps keep the building massing within an appropriate scale.

Variance #4 pertains to an exterior side yard setback. Through a review of the immediate neighbourhood, similar deficiencies are common for detached dwellings. Additionally, the proposed setbacks maintain a sufficient buffer to the neighbouring properties and are large enough to ensure access to the rear yard remains unencumbered. Lastly, the wide municipal boulevard adds an additional buffer to further mitigate any potential impacts created by the reduced exterior side yard setback.

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

Upon review of the application, staff are satisfied that variances #1, 3 and 4 of the proposal represents appropriate development of the subject lands. These variances, both individually and cumulatively, are minor in nature and will not create any undue impacts to adjoining properties or the planned or existing character of the area. However, staff are concerned that variance #2 poses a significant amount of hardscaping on the property and is not compatible with other driveways found in the immediate area.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner



## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting that any Transportation and Works Department concerns/requirements for the proposed dwelling will be addressed under Site Plan Application SP-21/117.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan Infill application under file SPI 21-117 W2. Based on review of the information currently available in this permit application, the following variance(s) are correct:

3. A height of eaves of 6.7m (approx. 22.0ft) whereas By-law 0225-2007, as amended, permits a maximum height of eaves of 6.4m (approx. 21.0ft) in this instance.

In addition, we advise that the following variance(s) be added as follows:

4. A reduced exterior side yard setback of 7.18m (approx. 23.56ft) to the dwelling (portico) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 7.5m (approx. 24.61ft) in this instance.

We advise that more information is required in order to verify the remaining variances not listed above.

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: A502.21  
Ward: 6

### Why you received this letter:

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

### Details of the application and meeting information:

The property owner of 5255 Brockworth 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 a widened driveway with a driveway width of 8.0m (approx. 26.2ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.0m (approx. 19.7ft) in this instance.

The Committee has set **Thursday December 2, 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](mailto:committee.adjustment@mississauga.ca) or by mailing the Committee of Adjustment, 300 City Centre Drive 2<sup>nd</sup> Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and application number or address of the property you are providing comments on.

### Advance registration is required to participate in the electronic hearing:

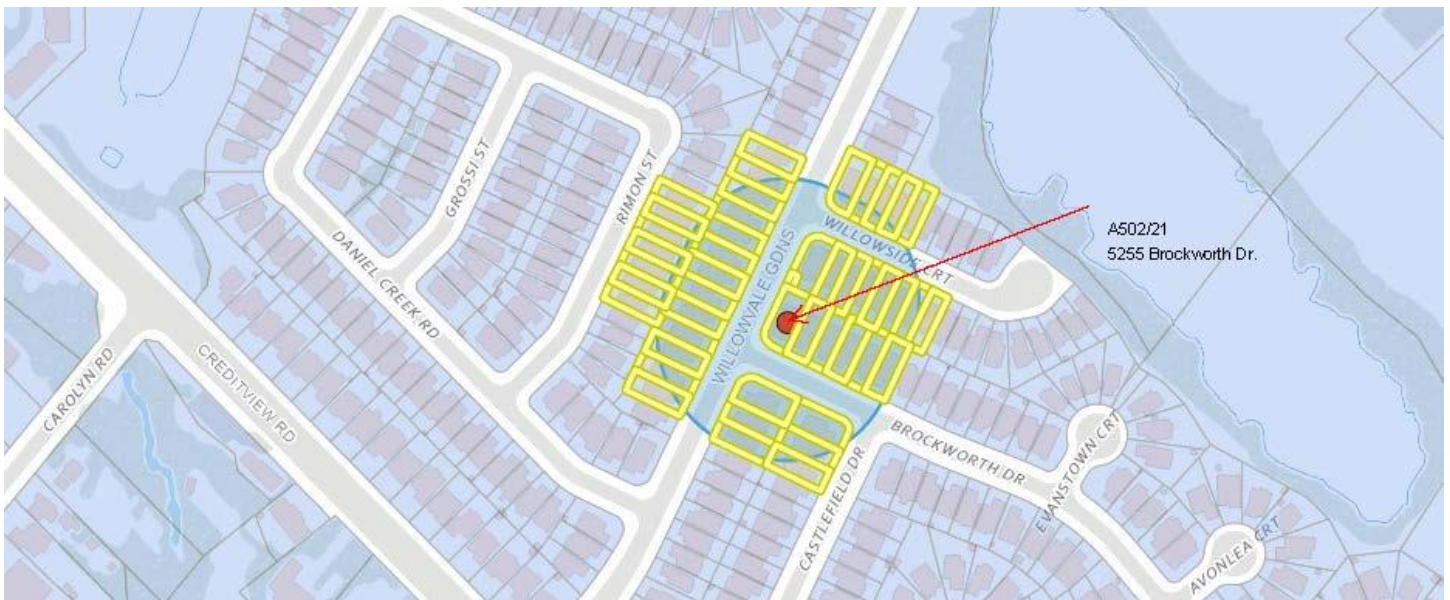
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**To participate by telephone:** To register, please call 905-615-3200 x 2408 no later than 4:30pm the Friday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with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

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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: 2021-11-24	File(s): A502.21 Ward 6
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-12-02 1:00:00 PM

## Consolidated Recommendation

The City recommends that the application be deferred.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a widened driveway with a driveway width of 8.0m (approx. 26.2ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.0m (approx. 19.7ft) in this instance.

## Background

**Property Address:** 5255 Brockworth Drive

### Mississauga Official Plan

Character Area: East Credit Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

**Zoning:** R4 - Residential

**Other Applications:** None

### Site and Area Context

The subject property is located south-east of the Creditview Road and Bristol Road West intersection in the East Credit neighbourhood. It is a corner lot with a frontage of +/-16.5m (54.13ft) and contains a detached dwelling with an attached garage. Limited vegetation and



landscaping elements are present in both the front and rear yards. The surrounding context consists exclusively of detached dwellings on lots with varying frontages.

The applicant is proposing a widened driveway requiring a variance for driveway width.



## Comments

### Planning

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

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

The subject property is located within the East Credit Neighbourhood Character Area and is designated Residential Low Density II. Section 9 of MOP promotes development (including its features such as driveways) 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 applicant is proposing to widen the subject property's driveway by 2.0m (6.56ft). The planned character of the area is that of dwellings serviced by appropriately sized driveways that can accommodate the parking required by the Zoning By-law for each property. The intent of the driveway width regulations in the by-law is to allow a driveway that can accommodate two vehicles parked side by side, with the remainder of the front yard being soft landscaped area. The proposed driveway would be able to facilitate the parking of 3 cars across, which is not the intent of the Zoning By-law.

Staff are of the opinion that, as currently proposed, the driveway does not meet the general intent or purpose of the Zoning By-law. Staff recommend that the application be deferred to allow the applicant to redesign the driveway.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed for Committee's information are some photos of the existing driveway. Should Committee see merit in the applicant's request we note that any proposed widening of the driveway should not be located within the city road allowance. The sketch site plan submitted shows part of the proposed widening to be between the front property line and the municipal sidewalk.





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: A532.21  
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 1428 Broadmoor Avenue, 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 proposing:

1. An area occupied by an accessory structure of 25.84sq.m (approx. 278.14sq.ft) whereas By-law 0225-2007, as amended, permits a maximum area occupied per accessory structure of 20.00sq.m (approx. 215.28sq.ft) in this instance; and,
2. A lot coverage of 25.15% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% in this instance.

The Committee has set **Thursday December 2, 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: 2021-11-23	File(s): A532.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-12-02 1:00:00 PM

## Consolidated Recommendation

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

## Application Details

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

1. An area occupied by an accessory structure of 25.84sq.m (approx. 278.14sq.ft) whereas By-law 0225-2007, as amended, permits a maximum area occupied per accessory structure of 20.00sq.m (approx. 215.28sq.ft) in this instance; and,
2. A lot coverage of 25.15% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% in this instance.

## Background

**Property Address:** 1428 Broadmoor Avenue

### Mississauga Official Plan

Character Area: Mineola Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

**Zoning:** R1-2 - Residential

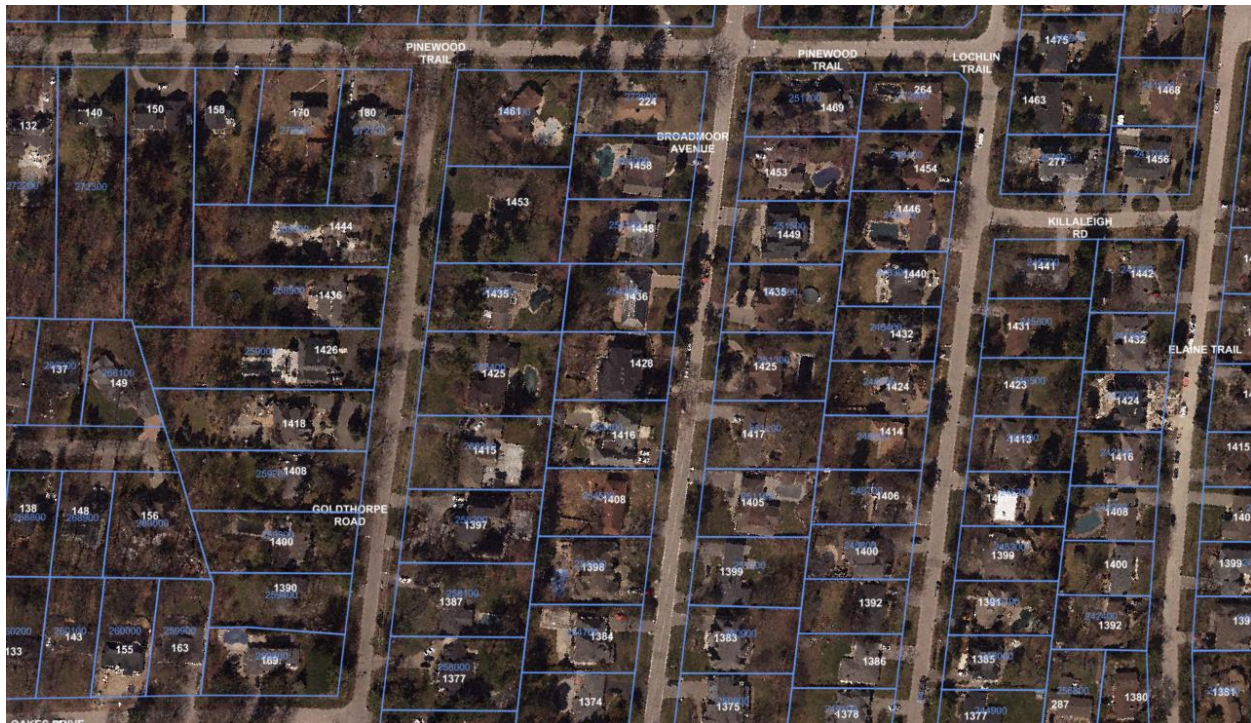
### Other Applications:

None

## Site and Area Context

The subject property is located in the Mineola Neighbourhood Character Area, northeast of Hurontario Street and Mineola Road East. The immediate neighbourhood contains an eclectic mix of newer and older one and two storey-detached dwellings with mature vegetation in the front yards. The subject property contains a two storey detached dwelling with mature vegetation in the front yard.

The application proposes the construction of an accessory structure requiring variances related to accessory structure area 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 are as follows:

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

Variances #1 and 2 are required to permit the construction of an accessory structure. The applicant is proposing an area occupied by an accessory structure of 25.84m<sup>2</sup> (278.14ft<sup>2</sup>) where a maximum area occupied per accessory structure of 20.00m<sup>2</sup> (215.28ft<sup>2</sup>) is permitted. The by-law also permits a maximum lot coverage of 25.15% where a maximum lot coverage of 25.00% 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 are clearly accessory, while not presenting any massing concerns to neighbouring lots. In this case, the proposed structure is clearly subordinate to the main dwelling and is proportional to the lot. The Zoning By-law permits a maximum occupied combined area of 60m<sup>2</sup> (645.84 ft<sup>2</sup>) for all accessory buildings and structures on lots with areas over 750m<sup>2</sup> (8072ft<sup>2</sup>). The proposal meets this requirement.

Variance #2 pertains to lot coverage. A lot coverage of 25.15% is proposed, where a maximum lot coverage of 25% is permitted. Only 23.45% of the lot coverage is attributed to the dwelling's footprint. The remaining lot coverage is attributed to the proposed accessory structure. The increase in lot coverage raises no concerns of a planning nature. Furthermore, the lot coverage that exceeds the maximum permitted is negligible.

As such, staff are of the opinion that the application is appropriate to be handled through the minor variance process and 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 accessory structure 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 currently processing a Preliminary Zoning Review application under file PREAPP 21-8308. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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

Comments Prepared by: Alana Zheng, Zoning Examiner





## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A534.21  
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 2643 Hayford Court, zoned R3 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an accessory structure (shed) proposing:

1. An area occupied by an accessory structure of 32.28sq.m (approx. 347.46sq.ft) whereas By-law 0225-2007, as amended, permits a maximum area occupied per accessory structure of 20.00sq.m (approx. 215.28sq.ft) in this instance; and,
2. An interior side yard setback of 0.97m (approx. 3.18ft) to the accessory structure whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) for an accessory structure located in the rear yard in this instance.

The Committee has set **Thursday December 2, 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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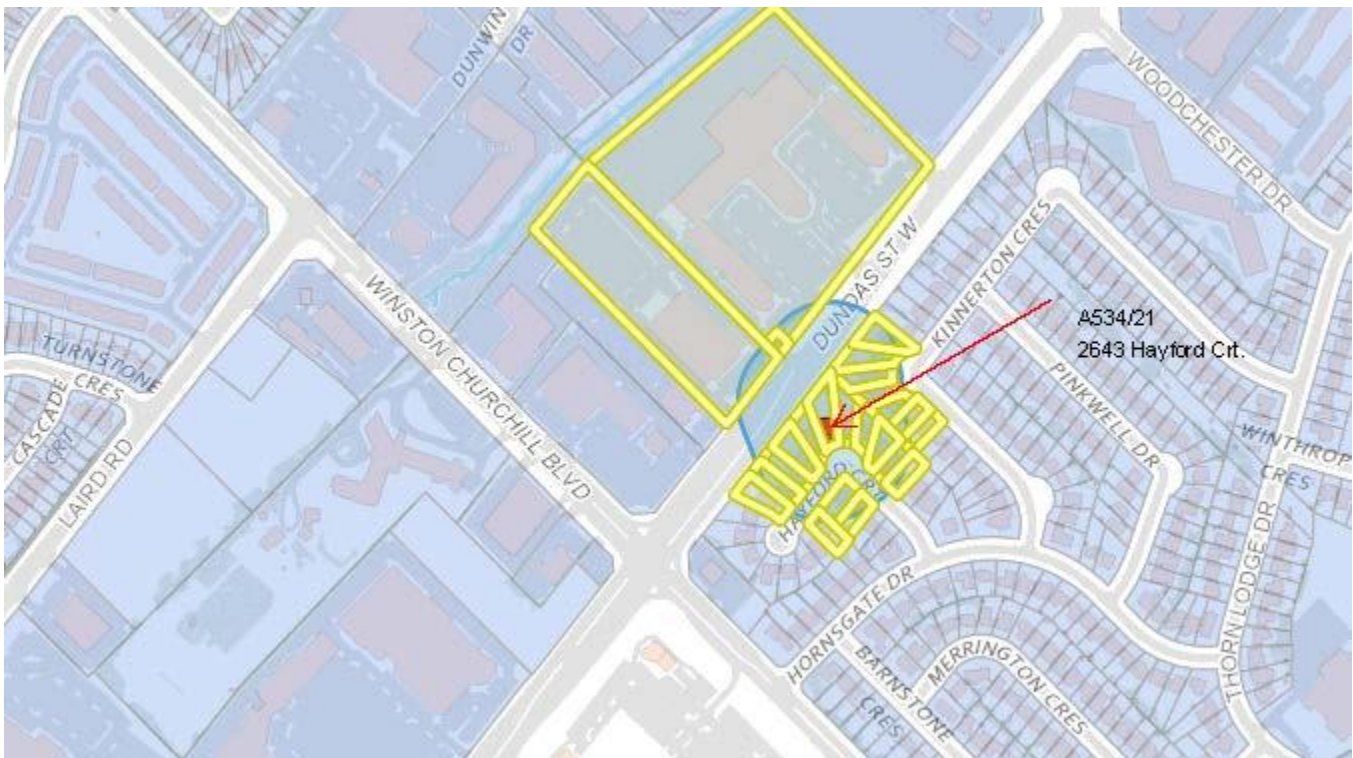
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# City of Mississauga Department Comments

Date Finalized: 2021-11-23	File(s): A534.21
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2021-12-02 1:00:00 PM

## Consolidated Recommendation

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

## Application Details

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

1. An area occupied by an accessory structure of 32.28sq.m (approx. 347.46sq.ft) whereas By-law 0225-2007, as amended, permits a maximum area occupied per accessory structure of 20.00sq.m (approx. 215.28sq.ft) in this instance; and,
2. An interior side yard setback of 0.97m (approx. 3.18ft) to the accessory structure whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) for an accessory structure located in the rear yard in this instance.

## Recommended Conditions

Should Committee see merit in the application, we ask that the back side of the structure be equipped with an eaves trough and down spout directed in such a manor to not impact the adjacent property.

## Background

**Property Address:** 2643 Hayford Court

### Mississauga Official Plan

Character Area: Sheridan Neighbourhood  
Designation: Residential Low Density II



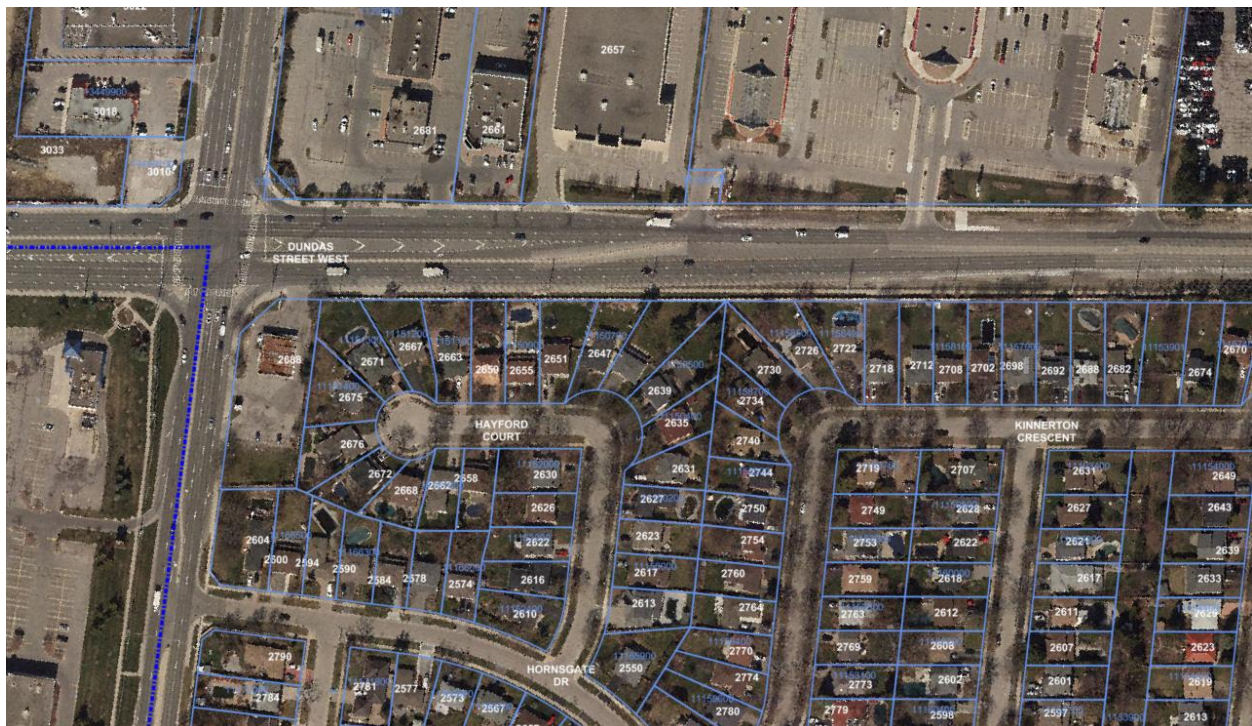
**Zoning By-law 0225-2007****Zoning:** R3 - Residential**Other Applications:**

None

**Site and Area Context**

The subject property is located within the Sheridan Neighbourhood Character Area, south east of Winston Churchill Boulevard and Dundas Street West. The immediate neighbourhood contains an eclectic mix of newer and older one and two storey-detached dwellings with mature vegetation in the front yards. The subject property contains a two storey detached dwelling with mature vegetation in the front yard.

The application proposes the construction of accessory structure, requiring variances related to setbacks and gross floor area.





## Comments

### Planning

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

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

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

The subject property is located in the Sheridan 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, triplex dwellings and other forms of low-rise dwellings with individual frontages. Section 9 of MOP City Department and Agency 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 accessory structure is appropriate for the subject property and is clearly accessory to the permitted detached dwelling. The general intent and purpose of the Official Plan is therefore maintained.

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

Variance #1 pertains to occupied area of an accessory structure. The applicant proposes an area occupied by an accessory structure of 32.28m<sup>2</sup> (347.46ft<sup>2</sup>) where a maximum area occupied per accessory structure of 20.00m<sup>2</sup> (215.28ft<sup>2</sup>) 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 are clearly accessory, while not presenting any massing concerns to neighbouring lots. The proposed structure is clearly subordinate to the main dwelling and proportional to the lot, as it covers 3% of the lot and has a footprint of nearly 8 times smaller than the two-storey dwelling. The Zoning By-law permits a maximum occupied combined occupied area of 60m<sup>2</sup> (645.8ft<sup>2</sup>) for all accessory buildings and structures on lots with areas over 750m<sup>2</sup> (8072ft<sup>2</sup>). The proposal has met this Zoning By-law requirement.

Variance #2 pertains to the setback of an accessory structure from a required yard. The applicant has requested an interior side yard setback of 0.97m (3.18ft) to the accessory structure where a minimum interior side yard setback of 1.20m (3.94ft) is required. Staff is of the opinion that the proposed setback provides an adequate buffer from the lot lines. Furthermore, the proposed setback is not out of character within the immediate neighbourhood and is a minor deviation from what is permitted in the zoning by-law. Lastly, the setbacks provided will ensure there is sufficient space to maintain the structure.

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?**

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

Enclosed please find photos of the existing structure. Should Committee see merit in the application, we ask that the back side of the structure be equipped with an eaves trough and down spout directed in such a manor to not impact the adjacent property.







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: A539.21  
Ward: 6

### Why you received this letter:

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

### Details of the application and meeting information:

The property owner of 5711 Riverdale Crescent, zoned R4-20 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an existing widened driveway with:

1. A driveway width of 9.35m (approx. 30.7ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.7ft) in this instance; and,
2. A distance of 0.0m from the driveway to the side lot line whereas By-law 0225-2007, as amended, requires a minimum distance of 0.6m (approx. 2.0ft) from a driveway to a side lot line in this instance.

The Committee has set **Thursday December 2, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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# City of Mississauga Department Comments

Date Finalized: 2021-11-24	File(s): A539.21 Ward 6
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-12-02 1:00:00 PM

## Consolidated Recommendation

The City recommends that the application be refused.

## Application Details

The applicant requests the Committee to approve a minor variance to allow an existing widened driveway with:

1. A driveway width of 9.35m (approx. 30.7ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.7ft) in this instance; and,
2. A distance of 0.0m from the driveway to the side lot line whereas By-law 0225-2007, as amended, requires a minimum distance of 0.6m (approx. 2.0ft) from a driveway to a side lot line in this instance.

## Background

**Property Address:** 5711 Riverdale Creacent

### Mississauga Official Plan

Character Area: East Credit Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

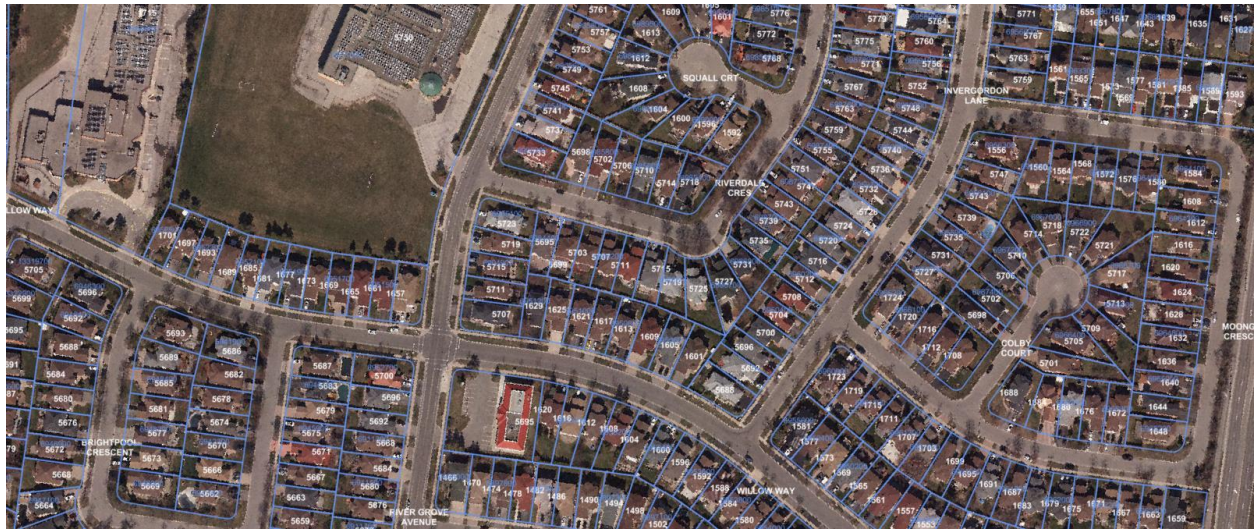
**Zoning:** R4-20 - Residential

**Other Applications:** None

### Site and Area Context

The subject property is located north-east of the River Grove Avenue and Willow Way intersection in the East Credit neighbourhood. It contains a detached dwelling with an attached garage and a lot frontage of +/-12.20m (40.03ft). There are limited landscaping/vegetation elements in both the front and rear yards. The surrounding context consists exclusively of detached dwellings on lots of similar frontages.

The applicant is proposing to legalize a widened driveway on the subject property requiring variances for driveway width and 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 within the East Credit Neighbourhood Character Area and is designated Residential Low Density II. Section 9 of MOP promotes development (including its features such as driveways) with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions, the surrounding context, and the landscape of the character area. The existing hardscaping represents over 75% of the frontage of the subject property, which is not appropriate for the subject property and is not compatible with the surrounding context.



The planned character of the area is that of dwellings serviced by appropriately sized driveways that can accommodate the parking required by the Zoning By-law for each property. The intent of the driveway width regulations in the by-law is to allow a driveway that can accommodate two vehicles parked side by side, with the remainder of the front yard being soft landscaped area. The existing driveway is able to facilitate the parking of 3 cars across, which is not the intent of the Zoning By-law. Furthermore the Zoning By-law contains regulations requiring a setback of the driveway from the lot line. The intent of these regulations are to ensure a visual buffer between properties and allow appropriate soft landscaping for drainage and water runoff. A 0 metre driveway setback, which is currently present, is unable to accommodate these goals.

In addition to the above, staff note some discrepancies with the application. The application form requests a driveway width of 9.35m (30.68ft), whereas the submitted drawing appears to indicate a driveway width of 9.95m (32.64ft). Furthermore a variance for reduced soft landscape area in the front yard may be required.

Staff are of the opinion that the driveway does not meet the general intent or purpose of the Zoning By-law or Official Plan, does not represent appropriate development of the subject property, and the request is not minor in nature. Staff therefore recommend that the application be refused.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

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

With regards to variance #2 requesting a 0.0m setback to the lot line, when reviewing these types of variances for increased hard surfaces being proposed where grassy permeable surfaces exist or existed, we are concerned with the additional hard surface treatment as this essentially increases the flow of water into the municipal storm sewer system. Incremental increases across the neighbourhood and the city essentially can have increased pressure on the City's storm sewer system. Lots are designed to typically retain some rain water through infiltration of water into the permeable surfaces such as grass. The by-law requirement of a 0.60m setback to the driveway maintains a permeable grassed swale that will allow infiltration of water as it runs towards the street.

In view of the above we cannot support the request to have a reduced 0.0m setback to the lot line.









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 APPLICATION

File: B45.21 A293.21 A294.21

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 1594 Calverton Court, zoned R2-1 - Residential, has applied for Consent under Section 53 of the Planning Act. The applicant requests the Consent of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 15m (49ft) and an area of approximately 670.0sq.m (7,211.8sq.ft).

A minor variance is requested for the Severed lands (A293.21) proposing a lot area of 661.4sq.m (approx. 7119.25sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 695.0sq.m (approx. 7,480.9sq.ft) in this instance.

A minor variance is requested for the Retained lands (A294.21) proposing a lot area of 787.2sq.m (approx. 8473.35sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 810.0sq.m (approx. 8,718.8sq.ft) in this instance.

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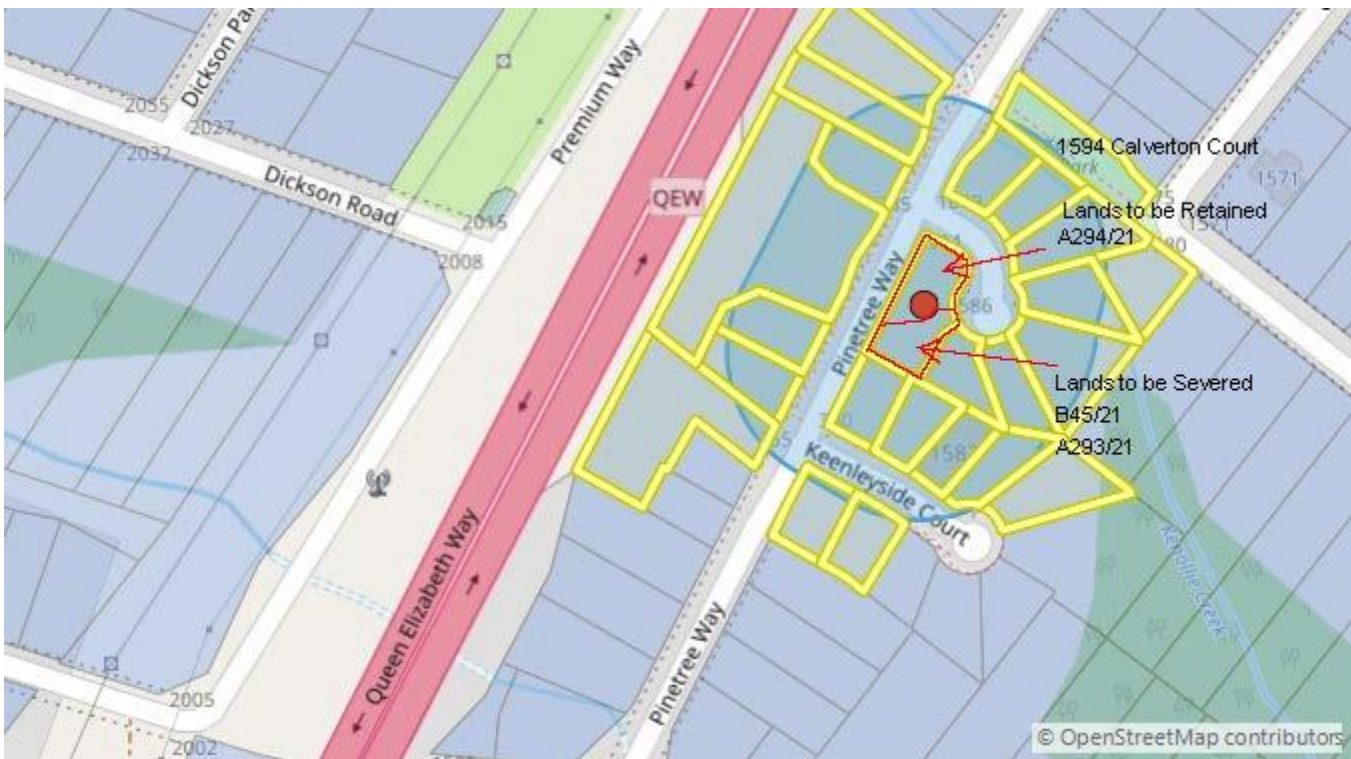
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## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A211.21  
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 320 Indian Valley Trail, zoned R2-4 & R2-5 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A gross floor area – infill residential of 871.29sq.m (approx. 9377.52sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 823.10sq.m (approx. 8859.77sq.ft) in this instance;
2. A dwelling depth of 21.03m (approx. 69.00ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
3. An balcony area of 19.37sq.m (approx. 208.50sq.ft) whereas By-law 0225-2007, as amended, permits a maximum balcony area of 10.00sq.m (approx. 107.64sq.ft) in this instance;
4. A balcony projection beyond the garage face of 1.52m (approx. 4.99ft) whereas By-law 0225-2007, as amended, permits a maximum balcony projection beyond the garage face of 1.00m (approx. 3.28ft) in this instance;
5. A building height measured to the eaves (from average grade) of 9.51m (approx. 31.20ft) whereas By-law 0225-2007, as amended, permits a maximum building height measure to the eaves of 6.40m (approx. 21.00ft) in this instance;
6. A building height measured to a flat roof of 10.27m (approx. 33.69ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to a flat roof of 7.50m (approx. 24.61ft) in this instance;
7. A driveway width of 16.46m (approx. 54.00ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance;
8. Two driveways whereas By-law 0225-2007, as amended, permits a maximum of one driveway in this instance;
9. A setback measured from a lot line to the driveway of 0m whereas By-law 0225-2007, as amended, requires a minimum setback measured from a lot line to a driveway of 0.61m (approx. 2.00ft) in this instance;
10. A building height of an accessory structure of 5.51m (approx. 18.20ft) whereas By-law 0225-2007, as amended, permits a maximum building height of an accessory structure of 3.50m (approx. 11.48ft) in this instance;
11. A hammerhead driveway on a lot with a lot frontage less than 15.0m (approx. 49.21ft) whereas By-law 0225-2007, as amended, does not permit a hammerhead driveway on a lot with a lot frontage less than 15.0m (approx. 49.21ft) in this instance;
12. Dimensions of a hammerhead driveway of 6.0m x 14.0m (approx. 19.68 x 45.92ft) whereas By-law 0225-2007, as amended, permits maximum dimensions of a hammerhead driveway of 2.6 x 3.0m (approx. 8.53x 9.84ft) in this instance; and
13. A walkway attachment of 3.68m (approx. 12.07ft) whereas By-law 0225-2007, as amended, permits a maximum walkway attachment of 1.50m (approx. 4.92ft) in this instance.



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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](mailto:committee.adjustment@mississauga.ca) or by mailing the Committee of Adjustment, 300 City Centre Drive 2<sup>nd</sup> 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:**

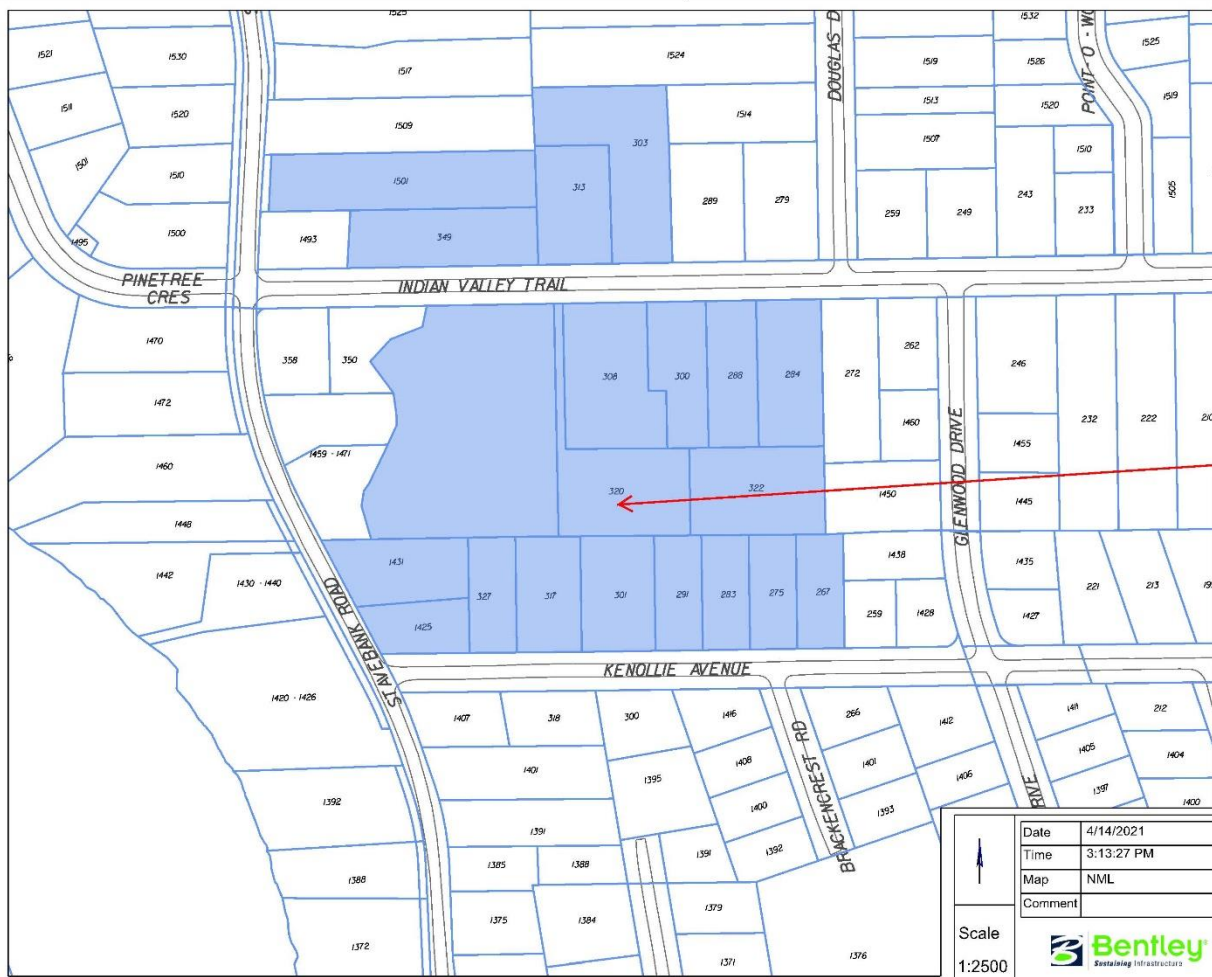
**To participate electronically (computer, tablet or smartphone):** Please email [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) no later than 4:30pm the Friday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided 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](mailto: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.



A211/21  
320 Indian  
Valley Trail

# City of Mississauga Department Comments

Date Finalized: 2021-11-23	File(s): A211.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-12-02 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 the accuracy of the requested variances and that no additional variances are required.

## Application Details

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

1. A gross floor area – infill residential of 871.29sq.m (approx. 9377.52sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 823.10sq.m (approx. 8859.77sq.ft) in this instance;
2. A dwelling depth of 21.03m (approx. 69.00ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
3. An balcony area of 19.37sq.m (approx. 208.50sq.ft) whereas By-law 0225-2007, as amended, permits a maximum balcony area of 10.00sq.m (approx. 107.64sq.ft) in this instance;
4. A balcony projection beyond the garage face of 1.52m (approx. 4.99ft) whereas By-law 0225-2007, as amended, permits a maximum balcony projection beyond the garage face of 1.00m (approx. 3.28ft) in this instance;
5. A building height measured to the eaves (from average grade) of 9.51m (approx. 31.20ft) whereas By-law 0225-2007, as amended, permits a maximum building height measure to the eaves of 6.40m (approx. 21.00ft) in this instance;
6. A building height measured to a flat roof of 10.27m (approx. 33.69ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to a flat roof of 7.50m (approx. 24.61ft) in this instance;
7. A driveway width of 16.46m (approx. 54.00ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance;
8. Two driveways whereas By-law 0225-2007, as amended, permits a maximum of one driveway in this instance;
9. A setback measured from a lot line to the driveway of 0m whereas By-law 0225-2007, as

amended, requires a minimum setback measured from a lot line to a driveway of 0.61m (approx. 2.00ft) in this instance;

10. A building height of an accessory structure of 5.51m (approx. 18.20ft) whereas By-law 0225-2007, as amended, permits a maximum building height of an accessory structure of 3.50m (approx. 11.48ft) in this instance;

11. A hammerhead driveway on a lot with a lot frontage less than 15.0m (approx. 49.21ft) whereas By-law 0225-2007, as amended, does not permit a hammerhead driveway on a lot with a lot frontage less than 15.0m (approx. 49.21ft) in this instance;

12. Dimensions of a hammerhead driveway of 6.0m x 14.0m (approx. 19.68 x 45.92ft) whereas By-law 0225-2007, as amended, permits maximum dimensions of a hammerhead driveway of 2.6 x 3.0m (approx. 8.53x 9.84ft) in this instance; and

13. A walkway attachment of 3.68m (approx. 12.07ft) whereas By-law 0225-2007, as amended, permits a maximum walkway attachment of 1.50m (approx. 4.92ft) in this instance.

## Background

**Property Address:** 320 Indian Valley Trail

### Mississauga Official Plan

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

### Zoning By-law 0225-2007

**Zoning:** R2-4 & R2-5 - Residential

### Other Applications

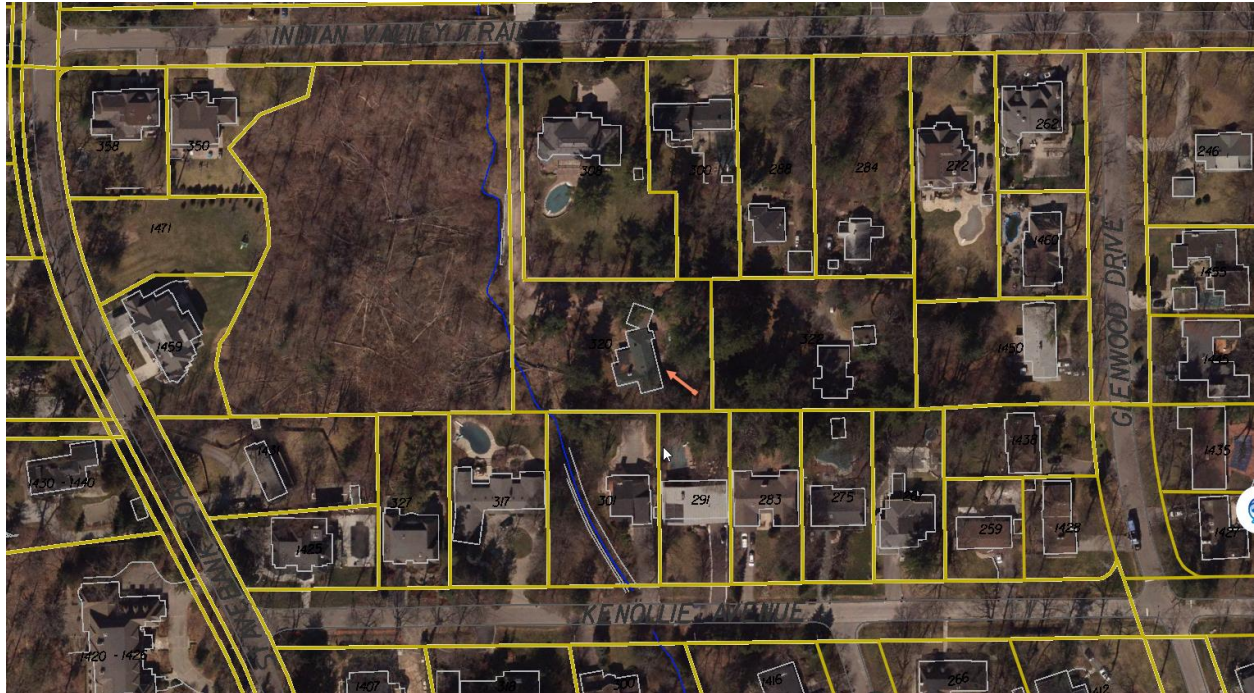
Site Plan Application 19-153

### Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, west of Hurontario Street and Indian Valley Trail. The immediate neighbourhood is entirely residential, consisting of one and two storey-detached dwellings with significant mature vegetation in the front yards. The subject property is a flag shaped lot containing an existing one-storey dwelling with significant mature vegetation throughout the lot.

The applicant is proposing a new two-storey dwelling that requires variances related to gross floor area, dwelling depth, balconies, height, driveways, walkway attachment and an accessory structure.





## Comments

### Planning

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

Staff comments concerning the application are as follows:

Staff note that the above noted applications were previously heard by the Committee of Adjustment on June 3<sup>rd</sup>, 2021, and were subsequently deferred to allow the applicant an opportunity to submit a letter to the Fire Department to request permission to vary a hammerhead length requirement.

The applicant's agent has since provided a letter from the Fire Department dated June 17, 2021, which states that the proposed design concept is acceptable.

Staff echo's the Fire Department's support of the proposal. Furthermore, there are no changes proposed to the requested variances. As noted in Staff's report dated May 27, 2021, staff had

no concerns with the remaining variances proposed. Staff continues to have no concerns with the proposed variances.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling are being addressed through the Site Plan Application process, File SPI-19/153.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

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

1. A gross floor area – infill residential of 871.29sq.m (approx. 9377.52sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 823.10sq.m (approx. 8859.77sq.ft) in this instance;
2. A dwelling depth of 21.03m (approx. 69.00ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
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12. Dimensions of a hammerhead driveway of 6.0m x 14.0m (approx. 19.68 x 45.92ft) whereas By-law 0225-2007, as amended, permits maximum dimensions of a hammerhead driveway of 2.6 x 3.0m (approx. 8.53x 9.84ft) in this instance; and

13. A walkway attachment of 3.68m (approx. 12.07ft) whereas By-law 0225-2007, as amended, permits a maximum walkway attachment of 1.50m (approx. 4.92ft) in this instance.

The Building Department is currently processing a Site Plan Infill application under file SPI 19-153. 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: Ramsen Hedoo, Zoning Examiner

### **Appendix 3 – Parks, Forestry & Environment**

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

- The lands adjacent to the property are City owned lands, identified as Not Yet Named (P-510). Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:
  - a) ensuring that development in or adjacent to the Natural Heritage System protects and maintains the natural heritage features and their ecological functions through such means as tree preservation, appropriate location of building envelopes, grading, landscaping...;
  - b) placing those areas identified for protection, enhancement, restoration and expansion in public ownership, where feasible.

Given the property is subject to site plan control, should the application be approved, Community Services provides the following notes:

1. Requirements for Municipal Boulevard tree protection securities and protective hoarding will be addressed during the Site Plan Process.
2. Stockpiling, construction access and encroachment of construction materials in the adjacent park is not permitted.

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



City Department and Agency Comments	File:A211.21	2021/11/23	7
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Comments Prepared by:      Jim Greenfield, Park Planner



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A345.21  
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 835 North Service Road, zoned R3-75- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing:

1. A front yard measured to the front porch roof structure of 5.26m (approx. 17.26ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the front porch roof structure of 5.90m (approx. 19.36ft) in this instance.
2. A centerline setback measured from North Service Road to the porch roof structure of 16.70m (approx. 54.79ft) whereas By-law 0225-2007, as amended, requires a minimum centerline setback measured from North Service Road to the porch roof structure of 17.50m (approx. 57.41ft) in this instance.
3. A centerline setback measured from North Service Road to the carport of 15.00m (approx. 49.21ft) whereas By-law 0225-2007, as amended, requires a minimum centerline setback measured from North Service Road to the carport of 17.50m (approx. 57.41ft) in this instance;
4. A westerly side yard measured to the third storey of 0.92m (approx. 3.02ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the third storey of 2.42m (approx. 7.94ft) in this instance;
5. A westerly side yard measured to the carport of 0.62m (approx. 2.03ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the carport of 1.20m (approx. 3.94ft) in this instance; and
6. A building height measured to the eaves of 7.93m (approx. 26.02ft) 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 December 2, 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](mailto:committee.adjustment@mississauga.ca) or calling 905-615-3200 x5209. You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>. Hearings will be streamed online for the public to view at the following link: <http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>.

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

### How to submit a written comment:

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### Advance registration is required to participate in the electronic hearing:

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### Legal notice:

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# City of Mississauga Department Comments

Date Finalized: 2021-11-24	File(s): A345.21
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2021-12-02 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 no additional variances are required.

## Application Details

1. A front yard measured to the front porch roof structure of 5.26m (approx. 17.26ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the front porch roof structure of 5.90m (approx. 19.36ft) in this instance.
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6. A building height measured to the eaves of 7.93m (approx. 26.02ft) 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:** 835 North Service Road

### Mississauga Official Plan

Character Area: Lakeview Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

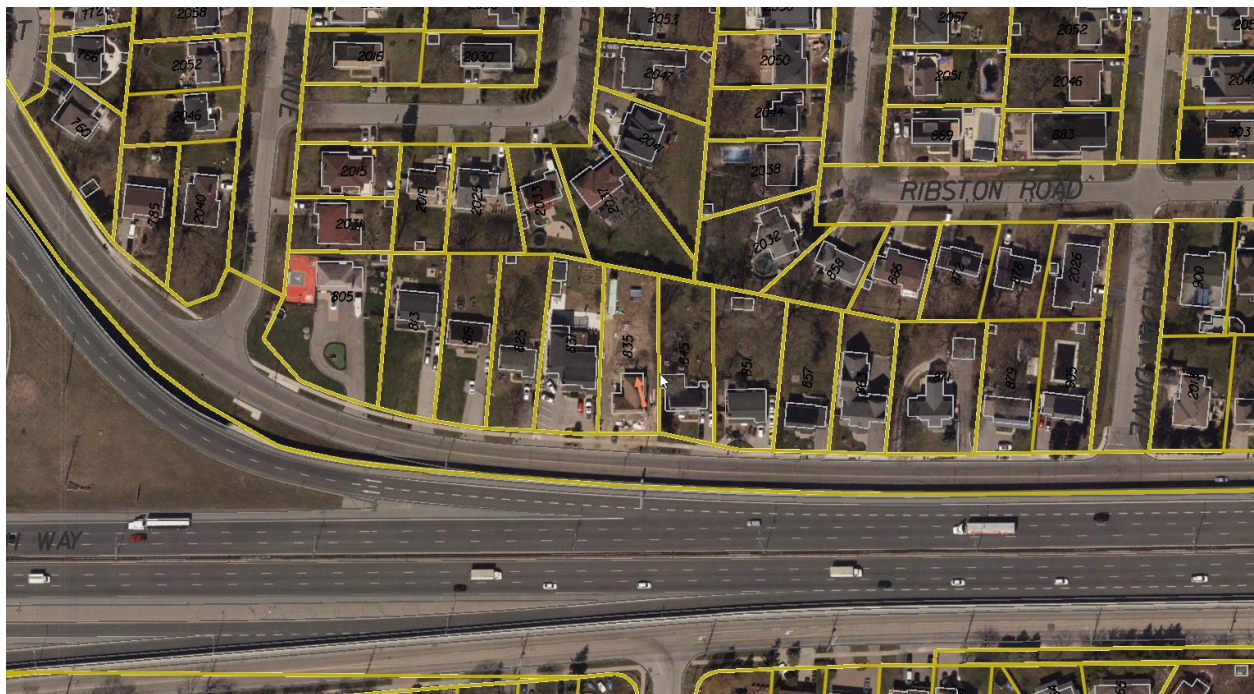
**Zoning:** R3-75- Residential

**Other Applications:** PRE-APP 21-5550, A307/19 (Approved)

### Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, east of Cawthra Road and the Queen Elizabeth Way (QEW). The area consists of one and two storey single detached dwellings with limited vegetation in the front and rear yards. The subject property contains a two storey detached dwelling with little vegetation in the rear yard.

The application proposes an addition to an existing detached dwelling requiring variances related to front yard, centreline setback, westerly side yards and building heights.



## 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 note that the above noted application was previously heard by the Committee of Adjustment on August 26<sup>th</sup>, 2021, and was subsequently deferred to allow the applicant an opportunity to redesign the dwelling to reduce the building height and increase the westerly setbacks proposed.

The applicant has since revised their proposal, removed the variance for overall height, and increased the westerly side yard setbacks. The new proposed westerly setback of the 3rd floor is 0.9m (3.0ft) on the north west corner, which was previously 0.6m (2.0ft), and 1.51m (4.95ft) on the south west corner, which was previously 1.21m (3.97ft) of the addition. Furthermore, the third floor of the dwelling has been pushed in by 0.3m (1.0ft).

As indicated in Staff's report dated August 18, 2021, Staff have no concerns with the remaining variances regarding the front yard and centreline setbacks. The applicant's revisions have mitigated staff's concerns with the dwelling's massing. Staff is of the opinion that the new proposal is appropriate and the revised setbacks will provide an adequate buffer between the subject property and the adjacent property to the west.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed addition will be addressed through the current Building Permit application process, BP 9NEW 19-7265.

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