
Committee of Adjustment

Date: January 20, 2022
Time: 1:00 PM
Location: Council Chambers, Civic Centre, 2nd Floor
300 City Centre Drive, Mississauga, Ontario, L5B 3C1
And 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
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Legislative Services
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PUBLIC MEETING STATEMENT: While some planning matters, such as consent or minor variance applications, do not specifically require that you participate in the process in order to appeal, the LPAT has the power to dismiss an appeal without holding a hearing if the person or public body that in circumstances such as appeal is not based on any apparent land use planning grounds and appeal is not made in good faith or is frivolous or vexatious, or is made only for the purpose of delay.

Send written submissions or request notification of future meetings to:

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

-
1. CALL TO ORDER
 2. DECLARATION OF CONFLICT OF INTEREST
 3. DEFERRALS OR WITHDRAWALS
 4. MATTERS TO BE CONSIDERED
 - 4.1. B-63/21B-64/21A-447/21A-449/21A-450/21B-63/21B-64/21A-447/21A-449/21A-450/21
5264 CREDITVIEW RD (WARD 6)
 - 4.2. B-1/22A-7/22A-8/22
1391 QUEEN VICTORIA AVE (WARD 2)
 - 4.3. B-3/22A-13/22A-14/22
1090 CASSON AVE (WARD 1)
 - 4.4. A-527/21
1215 QUEENSWAY E (WARD 1)
 - 4.5. A-559/21
5917 RAYSHAW CRES (WARD 11)
 - 4.6. A-561/21
5150 ELMRIDGE DR (WARD 11)
 - 4.7. A-567/21
1123 HALLIDAY AVE (WARD 1)
 - 4.8. A-573/21
161 VOLTARIE CRES (WARD 4)
 - 4.9. A-575/21
3205 ANDERSON CRES (WARD 9)
 - 4.10. A-576/21
3429 PALGRAVE RD (WARD 7)
 - 4.11. A-4/22
134 CUMBERLAND DR (WARD 1)
 - 4.12. A-9/22
1091 SAWYER AVE (WARD 1)

- 4.13. A-15/22
5304 CHAMPLAIN TR (WARD 5)
- 4.14. A-18/22
7630 AIRPORT RD (WARD 5)
- 4.15. A-19/22
3164 HARRIS CRES (WARD 9)
- 4.16. A-20/22
6492 VALIANT HTS (WARD 11)
- 4.17. A-373/21
6826 SECOND LINE WEST (WARD 11)

5. OTHER BUSINESS

6. ADJOURNMENT



COMMITTEE OF ADJUSTMENT NOTICE OF APPLICATION

File: B63.21 B64.21 A447.21 A449.21 A450.21

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 5264 Creditview Road, zoned R3 - 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 14.15m (46.42ft) and an area of approximately 876.85sq.m (9,438.33sq.ft).

The applicant requests the Committee to approve a minor variance to allow the creation of a dwelling on a new lot on the subject property, being the severed lands of application B63/21, proposing a lot frontage of 14.15m (approx. 46.42ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance.

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 14.15m (46.42ft) and an area of approximately 707.25sq.m (7,612.78sq.ft).

The applicant requests the Committee to approve a minor variance to allow the creation of a new dwelling on a new lot on the subject property, being the severed lands of application B64/21, proposing a lot frontage of 14.15m (approx. 46.42ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance.

The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling on the retained lands of B64/21 proposing:

1. A lot frontage of 14.15m (approx. 46.42ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance; and
2. A lot coverage of 37.1% whereas By-law 0225-2007, as amended, requires a maximum lot coverage of 35.0% in this instance.

The Committee has set **Thursday, January 20, 2022 at 1:00pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

You can get more information on this matter by emailing committee.adjustment@mississauga.ca or calling 905-615-3200 x5209. You can review city staff and agency comments one week before the hearing at the

following link: <http://www.mississauga.ca/portal/cityhall/calendar>. Hearings will be streamed online for the public to view at the following link: <http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>.

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

How to submit a written comment:

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

Advance registration is required to participate in the electronic hearing:

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

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

Legal notice:

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

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



City of Mississauga Department Comments

<p>Date Finalized: 2022-01-12</p> <p>To: Committee of Adjustment</p> <p>From: Committee of Adjustment Coordinator</p>	<p>File(s): B63.21 B64.21 A447.21 A449.21 A450.21 Ward 6</p>
	<p>Meeting date:2022-01-20 1:00:00 PM</p>

Consolidated Recommendation

The City has no objections to the 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 14.15m (46.42ft) and an area of approximately 876.85sq.m (9,438.33sq.ft).

The applicant requests the Committee to approve a minor variance to allow the creation of a dwelling on a new lot on the subject property, being the severed lands of application B63/21, proposing a lot frontage of 14.15m (approx. 46.42ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance.

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 14.15m (46.42ft) and an area of approximately 707.25sq.m (7,612.78sq.ft).

The applicant requests the Committee to approve a minor variance to allow the creation of a new dwelling on a new lot on the subject property, being the severed lands of application B64/21, proposing a lot frontage of 14.15m (approx. 46.42ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance.

The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling on the retained lands of B64/21 proposing:

1. A lot frontage of 14.15m (approx. 46.42ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;
2. A lot coverage of 37.1% whereas By-law 0225-2007, as amended, requires a maximum lot coverage of 35.0% in this instance; and,

3. A lot area of 535sq.m (approx. 5,759 sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 550sq.m (approx. 5,920.15sq.ft) in this instance.

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent
- The variance application approved under File(s) A447/21, A449/21 & A450/21 must be finalized

Recommended Conditions and/or Terms of minor variance

- Variance(s) approved under file(s) A447/21, A449/21 & A450/21 shall lapse if the consent application under file(s) B63/21 & B64/21 are not finalized within the time prescribed by legislation.

Background

Property Address: 5264 Creditview Road

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R3 - Residential

Other Applications: None

Site and Area Context

The subject property is located on the west side of Creditview Road, north of the intersection with Willowvale Gardens. It has a lot frontage of +/- 42.44m (139.2ft) and a lot area of +/- 6,096.77m² (65,625ft²). Currently it contains a detached dwelling with a detached garage. Significant mature vegetation is present on the subject property, especially in the rear yard. The surrounding area context is predominantly residential with lots of varying sizes. Generally lot frontages along this portion of Creditview are 15 to 16 metres (49 to 52 feet), however a few lots with frontages of around 30 metres (98 feet) are also present.

The applicant is proposing to sever the existing lot into 3 lots, requiring variances for lot frontage, lot area, and lot coverage.



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:

The subject property is located in the East Credit Neighbourhood Character Area and is designated Residential Low Density II and Greenlands in Schedule 10 of the Mississauga Official Plan (MOP). The Greenlands designation is at the rear of the property, and the Residential Low Density II designation represents approximately the front half of the property abutting Creditview Road. The Residential Low Density II designation permits detached, semi-detached, duplex and triplex dwellings, as well as other low-rise dwellings with individual frontages. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. The application is consistent with the Official Plan as proposed lots are appropriately sized given the surrounding context, represent appropriate intensification for this area of the City, and are suitable for the proposed use.

The sole variances requested under files A447/21 and A449/21, as well as variance 1 under file A450/21, request a reduction in the lot frontage of the proposed properties. 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.

Lot frontages vary in the surrounding area due to the presence of suburban subdivisions along the east side of Creditview Road as well as both larger and severed lots along the west side of Creditview Road. Upon a review of the severed lots along the west side and subdivision lots along the east side of Creditview Road, existing frontages in the area range between 15 to 16 metres (49 to 52 feet). Staff are of the opinion that the reduced frontage of 14.15m (46.42ft) would be imperceptible from the street and that the lots fit appropriately into the surrounding area context.

Variance 2 under file A450/21 requests an increase in lot coverage. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot to the detriment of the streetscape and neighbours. Staff note that the rear property lines for the three properties do not form a straight line, resulting in the retained lot being the smallest of the three. This creates the third variance for lot area resulting in a lot coverage issue despite the proposed dwelling on the subject property being in line with the dwellings proposed on the other two lots. Due to the reduced lot area being a result of the angled rear property line, which would not be visible from the street, and the consistency of the proposed dwellings, staff are of the opinion that the proposed increase in lot coverage and decrease in lot area do not represent overdevelopment of the lot and fit appropriately into the surrounding context.

Given the above staff are of the opinion that the application conforms to Section 51(24) and meets the four tests of a minor variance as set out in Section 45(1) of the Planning Act.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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

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

1. Top of Bank Gratuitous Dedication

The Community Services Department and Credit Valley Conservation Authority have identified under the previous Consent Application 'B' 50 & 51/19 the required Greenlands (G1) to be gratuitously dedicated to the City of Mississauga. The Draft 43R-Plan submitted indicates the the Top of Bank was staked out by the CVC on October 25, 2016 and Parts 3, 4 and 7 on this Draft 43R-Plan will be the lands to be conveyed to the city.

In view of the above, confirmation will be required from the City's Legal Department indicating that the required lands, specifically Parts 3,4 and 7 on the Draft 43R-Plan have been dedicated to the city.

2. Overall Servicing Proposal

The applicant has submitted a Site Servicing Plan DWG No: C101 prepared by Jain Infrastructure Consultants Ltd. with the application. This Plan will be circulated to the appropriate section in our department for review/approval.

We note that under the previous application we indicated that the storm sewer outlet for the subject lands was the existing 600mm storm sewer on Creditview Road. The submitted Site Servicing Plan depicts no storm connections to the Creditview Road storm sewer but rather infiltration trenches are being proposed in the rear yard.

3. Overall Grading and Drainage Plan

A Site Grading Plan DWG No: C102 prepared by Jain Infrastructure Consultants Ltd has been submitted with the application. This Site Grading Plan will be forwarded to the appropriate section in our department for review/approval.

4. Road Widening on Creditview Road

The applicant is to gratuitously dedicate to the City of Mississauga a road allowance widening towards the ultimate right-of-way width of 30.0m for Creditview Road as identified in the City's Official Plan. The dimensions related to the right-of-way width and required widening have already been verified by the City's O.L.S. under the previous application.

In view of the above, confirmation will be required from the City's Legal Department indicating that the required road widening, specifically Part 1 on the Draft 43R-Plan submitted have been dedicated to the city.

5. Environmental Site Assessment (ESA) for Top of Bank and Road Widening on Creditview Road Dedications (Satisfied)

The Phase One ESA, dated September 15, 2020, and prepared by Terraprobe, was accepted by the City.

If land dedication does not occur within 18 months from September 15, 2020, a Qualified Person (as defined by section 5 and 6 under O. Reg. 153/04, as applicable), must confirm that no significant change has occurred to the site that could alter soil and groundwater quality since the date of the existing Phase One ESA report and that these lands are suitable for the intended land use.

The above-referenced letter must include a clause to the satisfaction of the City, which allows the City of Mississauga to make reliance on the findings and conclusions presented in the report to the same extent as the property owner. The wording of the reliance must meet the City's sole and unfettered satisfaction. The template is provided on the last page of the following document: <https://www.mississauga.ca/wp-content/uploads/2020/08/26144135/Section-5-Environmental-Requirements-1.pdf>.

The certification letter must include a specific reference of all lands to be dedicated to the City (provide a written legal description in the letter and as a separate attachment, include an overlay on a plan of survey drawn to scale and signed by a licensed Ontario Land Surveyor that clearly outlines the legal boundaries of the conveyance lands); be completed in accordance with O. Reg. 153/04 ;

Should additional information be required with regard to the Environmental Site Assessment (ESA), please contact Valeriya Danylova, P.Eng, Environmental Technologist at 905 615-3200 ext. 5930 or valeriya.danylova@mississauga.ca should you require further information.

6. Fee Requirements as Per Fees and Charges By-Law

As per the City of Mississauga's Fees and Charges By-law there will be fees required to be paid to the Legal Services Department for their services, in particular for the preparation of

documents required for items pertaining to land dedications. The fee amounts payable will be in accordance with the current fees and charges bylaw.

7. 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

B. GENERAL INFORMATION

1. Servicing

We note for the owner's information that all costs incurred in providing the required services (i.e., sanitary, water, storm, hydro, gas, etc.) to the subject lands will be the responsibility of the owner.

2. Access

We advise the applicant that all costs incurred in providing any new driveway entrance 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.

3. Lot Grading and Drainage

We advise the applicant that issuance of a building permit for any new dwelling 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.

We are noting that any Transportation and Works Department concerns/requirements for the Minor Variance applications for this property will be addressed under Consent Application 'B' 63 & 64/21.

Comments Prepared by: Tony Iacobucci, 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 above noted consent applications and advises as follows:

Given that the subject lands are not subject to site plan control, should the application be approved, Community Services wishes to impose the following conditions:

1. The applicant shall provide a cash contribution of \$2501.32 for planting of four (4 at \$625.33) street trees on Creditview Road. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.
2. Prior to the preparation of plans, the applicant is to contact Community Services - Park Planning to coordinate a site visit for site staking with appropriate staff from the Conservation Authority and the City. The plans must identify the top of bank, Regional storm floodline, stable valley slope, and/or woodland boundary/dripline to the satisfaction of the pertinent Conservation Authority and the City.
3. All lands below the greatest environmental constraint at the rear of the property (top-of-bank, long-term stable slope, or natural features), including a 10 meter buffer, shall be gratuitously dedicated to the City for conservation purposes.

The proposed greatest environmental constraint shall be consistent with the Greenlands Overlay which are designated Greenlands in the Mississauga Official Plan but are not zoned G1 or G2. The Greenlands Overlay also applies to lands within the Regulatory Floodplain, Special Policy Areas and the Lake Ontario Waterfront as identified in the Official Plan. Deviation from this established framework may require additional studies to assess the environmental impact on the Natural Heritage System.

The lands to the rear of the property are identified as Natural Hazard Lands within the City's Natural Heritage System. 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.

The subject property is located directly adjacent to City owned Greenlands identified as Carolyn Creek (P-250). Placing the natural hazard lands into public ownership will strengthen the connection to Carolyn Creek and contribute to the protection and enhancement of the Natural Heritage System.

4. A 1.5 metre high, black vinyl chain-link fence shall be built to current municipal standards, along City Owned lot lines. The fencing is to be located 0.15 metres inside the lands to be dedicated to the City.
5. The applicant shall provide securities for the fencing in the amount of \$15,250.00. The fencing will be erected and maintained to the satisfaction of the Community Services Department - Park Planning Section. Gates will not be permitted in the fence.
6. The applicant shall provide securities for the preservation/protection of City Owned lands south of the subject property in the amount of \$10,000.00. The page wire hoarding with sediment control will be erected and maintained to the satisfaction of the Community Services Department - Park Planning Section.
7. Submit a draft Reference Plan identifying the lands to be dedicated to the City.
8. Submit a Site Servicing Plan and Grading Plan that is to the satisfaction of the Community Services Department.
9. Prior to Greenlands dedication, the Applicant is to provide written confirmation that the Transportation and Works Department has received and approved Phase 1 and Phase 2 (if required) Environmental Site Assessment Report (ESA), together with a Record of Site Condition (RSC) for these dedicated lands. Both sets of documents are to be prepared, signed, dated and sealed by a Professional Engineer.

In addition, Community Services notes the following:

1. Payment for street tree fees and charges can be made at the Parks and Forestry customer service counter located at 950 Burnhamthorpe Road West in the form of a

certified cheque, bank draft, or money order payable to the City of Mississauga. Please contact Jim Greenfield regarding the Covid-19 interim payment process.

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

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

Comments Prepared by: Jim Greenfield, Park Planner

Appendix 4 – Heritage

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

Comments Prepared by: Andrew Douglas, Heritage Analyst

Appendix A – CONDITIONS OF PROVISIONAL CONSENT

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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding. ("A" 447-450/22)
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 2022-01-12.
5. A letter shall be received from the City of Mississauga, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated 2022-01-12.



COMMITTEE OF ADJUSTMENT NOTICE OF APPLICATION

File: B1.22.A7.22.A8.22

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 1391 Quen Victoria Avenue, zoned R2-4 - Residential, has applied for Consent under Section 53 of the Planning Act. The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 19.01m (approx. 62.37ft) and an area of approximately 823.4sq.m (approx. 8,863.0sq.ft).

The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling on the subject property, being the retained lands of application B1/22, with a lot frontage of 19.01m (approx. 62.37ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 22.50m (approx. 73.82ft) in this instance.

The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling on the subject property, being the severed lands of application B1/22, with a lot frontage of 19.01m (approx. 62.37ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 22.50m (approx. 73.82ft) in this instance.

The Committee has set **Thursday, January 20, 2022 at 1:00pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

How to submit a written comment:

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

Advance registration is required to participate in the electronic hearing:

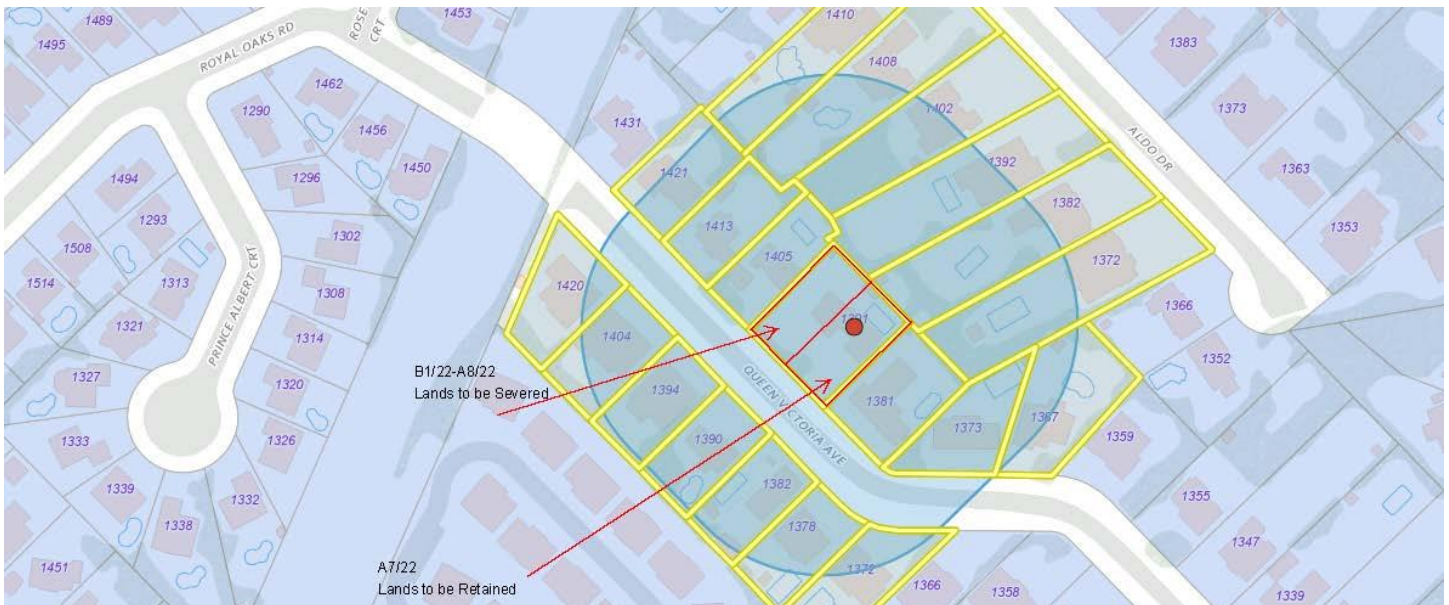
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Friday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services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

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

Legal notice:

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

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



City of Mississauga Department Comments

Date Finalized: 2022-01-12 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): B1.22.A7.22.A8.22 Ward: 2
	Meeting date:2022-01-20 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 19.01m (approx. 62.37ft) and an area of approximately 823.4sq.m (approx. 8,863.0sq.ft).

The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling on the subject property, being the retained lands of application B1/22, with a lot frontage of 19.01m (approx. 62.37ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 22.50m (approx. 73.82ft) in this instance.

The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling on the subject property, being the severed lands of application B1/22, with a lot frontage of 19.01m (approx. 62.37ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 22.50m (approx. 73.82ft) in this instance.

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 1391 Queen Victoria Avenue

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R2-4 - Residential

Other Applications: None

Site and Area Context

The subject property is located within the Clarkson – Lorne Park Neighbourhood Character Area, northeast of Lorne Park Road. The immediate area consists of a mix of older and newer two-storey detached dwellings with mature vegetation throughout the properties. 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 one new detached dwelling, requiring variances related to lot frontage.



Comments

Planning

Planning Act

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

Furthermore, 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 I in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached, and duplex dwellings. Section 16.1.2.1 of MOP states, to preserve the character of lands designated Residential Low Density I and Residential Low Density II, the minimum frontage and area of new lots will be evaluated in the context of the existing lot pattern in the surrounding area. The proposed lot frontages fall short of zoning by-law requirements, however are comparable with frontages in the neighbourhood. The proposed severance would result in lots that could be developed with appropriate sized dwellings for the neighbourhood. As per Section 5.3.5 (Neighbourhoods) of MOP, neighbourhoods are not meant to remain static, however, when new development occurs, it should be sensitive to the neighbourhoods existing and planned character. The proposed severance represents sensitive intensification that is compatible with the area and does not negatively impact the established lot fabric of the neighbourhood. As such, Staff is of the opinion that the proposal maintains the general intent and purpose of the official plan.

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

Variance #1 pertains to lot frontage. The applicant is proposing a lot frontage of 19.01m (approx. 62.37ft) where a minimum lot frontage of 22.50m (approx. 73.82ft) 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 this variance, as the proposed lots appear to be capable of reasonably accommodating the existing dwelling and a new dwelling on the severed lands. Furthermore, Queen Victoria Avenue contains a diverse mix of lot sizes and frontages. The proposed lot sizes and frontages for the retained and severed properties are consistent with existing properties located on Queen Victoria Avenue.

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

It is staff's opinion that the proposed development is sympathetic to the surrounding area and is capable of reasonably accommodating the existing dwelling and a new dwelling. Furthermore, the proposed lot sizes and frontages for the retained and severed properties are consistent with existing properties in the area. As such, it is staff's opinion that the proposed development is appropriate and sensitive form of intensification and is minor in nature.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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

A. Items Required Prior to the Issuance of Final Consent

1. 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

B. GENERAL INFORMATION

1. Servicing

We note for the owner's information that all costs incurred in providing the required services (i.e., sanitary, water, storm, hydro, gas, etc.) to the subject lands will be the responsibility of the owner.

2. Access

We advise the applicant that all costs incurred in providing any new driveway entrances to the subject lands or any modifications/reinstatement required (including the existing driveway), would be at cost to the owner. We are also noting that should any utilities need to be relocated, all costs incurred will also be to the owner. Driveway accesses shall maintain a 1.5m setback from aboveground features such as utilities and trees.

3. Lot Grading and Drainage

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

4. Storm Sewer Outlet

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

We are noting that any Transportation and Works Department concerns/requirements for the Minor Variance applications for this property will be addressed under Consent Application 'B' 1/22.

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 \$625.33 for planting of one (1) street tree on Queen Victoria 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.

Comments Prepared by: Jim Greenfield, Park Planner

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" 7-8/22)
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 2022-01-12.
5. A letter shall be received from the City of Mississauga, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated 2022-01-12.

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 1090 Casson Avenue, zoned R3-75 - Residential, has applied for Consent under Section 53 of the Planning Act. The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 10.01m (approx. 32.84ft) and an area of approximately 336.61sq.m (approx. 3,623.24sq.ft).

The applicant requests the Committee to approve minor variances to allow the construction of a new dwelling on the retained lands of application B3/22 proposing:

1. A lot coverage of 41.1% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.0% in this instance;
2. A lot area of 336.16sq.m (approx. 3,618.40sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 550.0sq.m (approx. 5,920.15sq.ft) in this instance;
3. A lot frontage of 10.04m (approx. 32.94ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;
4. A height of eaves of 6.65m (approx. 21.82ft) whereas By-law 0225-2007, as amended, permits a maximum height of eaves of 6.40m (approx. 21.00ft) in this instance;
5. A side yard setback (northerly) of 0.65m (approx. 2.13ft) to the first storey whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.20m (approx. 3.94ft) in this instance;
6. A side yard setback (northerly) of 0.65m (approx. 2.13ft) to the second storey whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.81m (approx. 5.94ft) in this instance; and
7. A side yard setback (southerly) of 1.24m (approx. 4.07ft) to the second storey whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.81m (approx. 5.94ft) in this instance.

The applicant requests the Committee to approve minor variances to allow the construction of a new dwelling on the subject property, being the severed lands of application B3/22, proposing:

1. A lot coverage of 41.0% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.0% in this instance;
2. A lot area of 336.61sq.m (approx. 3,623.24sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 550.0sq.m (approx. 5,920.15sq.ft) in this instance;
3. A lot frontage of 10.01m (approx. 32.84ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;
4. A height of eaves of 6.65m (approx. 21.82ft) whereas By-law 0225-2007, as amended, permits a maximum height of eaves of 6.40m (approx. 21.00ft) in this instance;
5. A side yard setback (southerly) of 0.65m (approx. 2.13ft) to the first storey whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.20m (approx. 3.94ft) in this instance;
6. A side yard setback (southerly) of 0.65m (approx. 2.13ft) to the second storey whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.81m (approx. 5.94ft) in this instance; and,

7. A side yard setback (northerly) of 1.22m (approx. 4.00ft) to the second storey whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.81m (approx. 5.94ft) in this instance.

The Committee has set **Thursday, January 20, 2022 at 1:00pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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

How to submit a written comment:

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

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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: 2022-01-12 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): B3.22 A13.22 A14.22 Ward: 1
	Meeting date:2022-01-20 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 10.01m (approx. 32.84ft) and an area of approximately 336.61sq.m (approx. 3,623.24sq.ft).

The applicant requests the Committee to approve minor variances to allow the construction of a new dwelling on the retained lands of application B3/22 proposing:

1. A lot coverage of 41.1% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.0% in this instance;
2. A lot area of 336.16sq.m (approx. 3,618.40sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 550.0sq.m (approx. 5,920.15sq.ft) in this instance;
3. A lot frontage of 10.04m (approx. 32.94ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;
4. A height of eaves of 6.65m (approx. 21.82ft) whereas By-law 0225-2007, as amended, permits a maximum height of eaves of 6.40m (approx. 21.00ft) in this instance;
5. A side yard setback (northerly) of 0.65m (approx. 2.13ft) to the first storey whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.20m (approx. 3.94ft) in this instance;
6. A side yard setback (northerly) of 0.65m (approx. 2.13ft) to the second storey whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.81m (approx. 5.94ft) in this instance; and
7. A side yard setback (southerly) of 1.24m (approx. 4.07ft) to the second storey whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.81m (approx.

5.94ft) in this instance.

The applicant requests the Committee to approve minor variances to allow the construction of a new dwelling on the subject property, being the severed lands of application B3/22, proposing:

1. A lot coverage of 41.0% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.0% in this instance;
2. A lot area of 336.61sq.m (approx. 3,623.24sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 550.0sq.m (approx. 5,920.15sq.ft) in this instance;
3. A lot frontage of 10.01m (approx. 32.84ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;
4. A height of eaves of 6.65m (approx. 21.82ft) whereas By-law 0225-2007, as amended, permits a maximum height of eaves of 6.40m (approx. 21.00ft) in this instance;
5. A side yard setback (southerly) of 0.65m (approx. 2.13ft) to the first storey whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.20m (approx. 3.94ft) in this instance;
6. A side yard setback (southerly) of 0.65m (approx. 2.13ft) to the second storey whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.81m (approx. 5.94ft) in this instance; and,
7. A side yard setback (northerly) of 1.22m (approx. 4.00ft) to the second storey whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.81m (approx. 5.94ft) in this instance.

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 1090 Casson Avenue

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3-75 - Residential

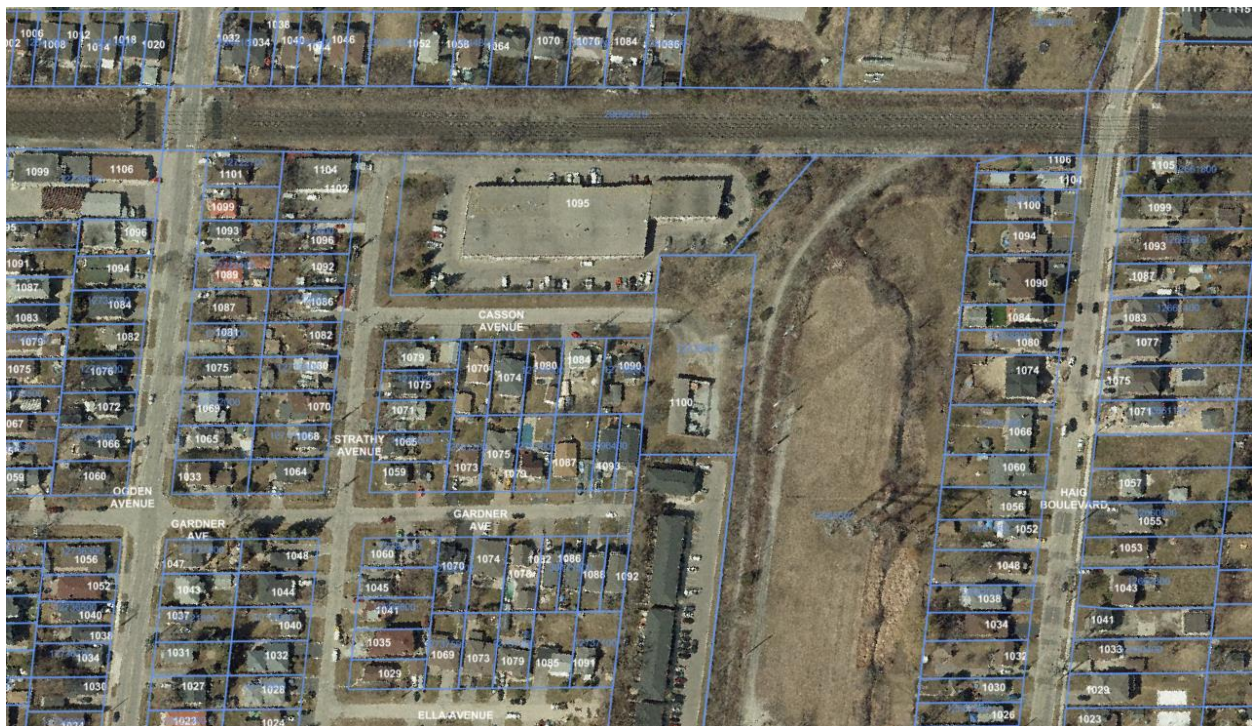
Other Applications:

Preliminary Application Zoning Review – PREAPP 21-74

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, northeast of Lakeshore Road East and Ogden Avenue. The immediate neighbourhood contains a mix of employment, utility and residential uses. The residential uses consist primarily of one and two storey detached dwellings with mature vegetation in the front yards. Lot frontages for detached dwellings generally range between 7.65m (25.1ft) and 19 m (62.3ft). The subject property contains an existing one and a half storey dwelling with mature vegetation in the front yard.

The applicant is proposing to sever the subject property and build two new two-storey detached dwellings requiring variances related to lot frontage, lot area, lot coverage, height of eaves and side yard setbacks.

**Comments****Planning****Planning Act**

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

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

Provincial Matters

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

Staff comments concerning the applications are as follows:

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached, duplex, triplex and other forms of low rise dwellings with individual frontages. 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 official plan and zoning by-law envisions a mix of dwelling types with an eclectic lot fabric in the surrounding area. Although a variance for lot area and frontage (Variance #2 and 3) are required for the severed and retained lands, both proposed parcels are consistent with lots found in the immediate and broader area. Furthermore, the proposed lots provide a transition between medium-density townhomes to the south-east of the subject property and low-density detached dwellings to the west of the subject property.

Historically, City staff did not support proposals in the immediate area for detached dwellings with similar lot sizes and frontages. These examples include 1088 & 1092 Gardner Avenue (in 2012), 1093 Gardner (in 2013) and 1082 Gardner (in 2015). Subsequently all of these developments received approval by the Committee of Adjustment or Ontario Municipal Board. In 2019, another similar proposal was received by Staff to sever 1092 Ella Avenue. This proposal was supported by Staff and approved by the Committee of Adjustment, as approvals on Gardner Avenue (listed above) had ultimately changed the character and context of the neighbourhood. Staff are of the opinion that the consent application conforms to Section 51(24) of the *Planning Act*, that the application conforms to the official plan and the proposed parcels are suitable to accommodate detached dwellings.

Staff also note that the requested minor variances are generally consistent with replacement dwellings on deficient lots located in the immediate area.

Variance #1 pertains to lot coverage. The intent of the zoning by-law is to ensure there is not an overdevelopment of the lot. In this instance, the applicant is proposing a lot coverage of 41% when a maximum lot coverage of 35% is permitted. Staff note that only 37% of the lot coverage is attributable to the detached dwelling's footprint. This increased lot coverage represents a

minor deviation from the zoning by-law's requirement. The remaining 4% is attributable to porches, decks and eaves, which do not pose any significant massing concerns.

Variance #4 pertains to eave height. The intent of restricting height to the highest ridge and eaves is to lessen the visual massing of dwelling, while lowering the overall pitch of the roof and bringing the edge of the roof closer to the ground. This results in the dwelling having a more human scale. The proposed eave height does not pose any massing concerns and represents a minor deviation from the zoning by-law requirement. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variances #5, 6 and 7 pertain to side yard setbacks. Through a review of the immediate neighbourhood, similar deficiencies are common for detached dwellings. The proposed setbacks are not out of character within the immediate neighbourhood. Additionally, the proposed setbacks maintain a sufficient buffer to the neighbouring properties and are large enough to ensure access to the rear yard is unencumbered.

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

It is staff's opinion that the proposed development is sympathetic to the surrounding area and is capable of reasonably accommodating the new two detached dwellings. Furthermore, the proposed lot sizes and frontages for the retained and severed properties are consistent with existing properties in the area. As such, it is staff's opinion that the proposed development is appropriate and sensitive form of intensification and is minor in nature.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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

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

1. 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. Acoustical Report

Due to the proximity and noise emanating from Metrolinx railway tracks, the owner will be required to retain the services of an Acoustical Consultant to prepare a detailed Acoustical Report for the subject lands and make comments/recommendations in support of this severance application. This report is to determine the need for the implementation of any noise attenuation measures that are to be incorporated into the construction of the site works to achieve the City's and the M.O.E.'s current noise level objectives. The scope of this report is to define the minimum noise attenuation requirements for the control of outdoor and indoor environmental sound levels.

We are also noting for the owner's information that securities will be required to ensure that any noise attenuation measures such as air conditioning units are installed for the dwellings to be constructed.

3. Development Agreement

Upon the review of the Acoustical Report which would contain the appropriate Warning Clauses, the owner may be required to enter into a Development Agreement which is to be registered against title of the subject lands. The said agreement is to advise any prospective purchasers that, despite the inclusion of noise control features, noise levels emanating from the Metrolinx tracks may continue to be of concern, occasionally interfering with some of the activities of the dwelling occupants as the noise exposure level may exceed the noise criteria of the municipality and the Ministry of the Environment and Climate Change.

In view of the above, the applicant should contact this Department with regard to obtaining a sample copy of a Development Agreement to determine which clauses are to be incorporated.

4. 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

B. GENERAL INFORMATION

1. Servicing

We note for the owner's information that all costs incurred in providing the required services (i.e., sanitary, water, storm, hydro, gas, etc.) to the subject lands will be the responsibility of the owner.

2. Access

We advise the applicant that all costs incurred in providing any new driveway entrances to the subject lands or any modifications/reinstatement required (including the existing driveway), would be at cost to the owner. We are also noting that should any utilities need to be relocated, all costs incurred will also be to the owner. Driveway accesses shall maintain a 1.5m setback from aboveground features such as utilities and trees.

3. Lot Grading and Drainage

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

4. Storm Sewer Outlet

The applicant is advised that there is no storm sewer system available in front of the proposed lot on Casson Avenue. In this regard, we advise that all dwellings to be constructed on the subject lands will require a sump pump to discharge the weeping tile to grade. It is the full responsibility of the applicant to advise any prospective purchasers of the properties of this requirement. In situations where a sump pump is required and where a high groundwater table may exist, the sump pump may run continuously. The applicants are encouraged to design the

weeping tile elevation to be at least 1.0 meter above the seasonal groundwater elevation. The owner is advised that the City has no obligations to address any concerns related to the operation of private sump pump systems.

We are noting that any Transportation and Works Department concerns/requirements for the Minor Variance applications for this property will be addressed under Consent Application 'B' 3/22.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department has processed a Preliminary Zoning Review application under file PREAPP 21-7174. Based on review of the information currently available in this permit application, we advise that the variances requested are correct, however more information is required in order to verify the accuracy of variances #4 in regard to height of eaves.

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

Comments Prepared by: Sherri Takaloo, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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 condition:

1. The applicant shall provide a cash contribution of \$625.33 for planting of one (1) street tree on Casson Avenue. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.

In addition, Community Services notes the following:

1. Payment for street tree fees and charges can be made at the Parks and Forestry customer service counter located at 950 Burnhamthorpe Road West in the form of a certified cheque, bank draft, or money order payable to the City of Mississauga. Please contact Jim Greenfield regarding the Covid-19 interim payment process.

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

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

Comments Prepared by: Jim Greenfield, Park Planner

Appendix A – CONDITIONS OF PROVISIONAL CONSENT

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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding. ("A" 13-14/22)
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 2022-01-12.
5. A letter shall be received from the City of Mississauga, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated 2022-01-12.



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A527.21
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 60-1215 Queensway East, zoned E2-131 - 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 commercial/industrial unit proposing 386 on-site parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 433 on-site parking spaces in this instance.

The Committee has set **Thursday, January 20, 2022 at 1:00pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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

How to submit a written comment:

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

Advance registration is required to participate in the electronic hearing:

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

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

Legal notice:

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

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



City of Mississauga Department Comments

Date Finalized: 2022-01-12	File(s): A527.21
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2022-01-20 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 a commercial/industrial unit proposing 386 on-site parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 433 on-site parking spaces in this instance.

Amendments

The requested variance is incorrect as per confirmation from zoning and shall be amended:

To allow a commercial/industrial unit proposing 386 on-site parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 430 on-site parking spaces in this instance.

Background

Property Address: 60-1215 Queensway East

Mississauga Official Plan

Character Area: Dixie Employment Area
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2-131 - Employment

Other Applications: None

Site and Area Context

The subject property is located within the Dixie Employment Character Area, west of Queensway East and Dixie Road. The surrounding area north of Queensway East comprises of a mix of commercial, employment and industrial type uses while the subject property contains a similar mix of commercial and employment uses. The area south of Queensway East consists of detached residential dwellings.

The applicant is proposing a commercial/industrial unit on-site, requiring a variance for a parking reduction.



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 Business Employment in Schedule 10 of the Mississauga Official Plan (MOP) which permits warehousing and secondary office uses. A secondary office use means business, professional and administrative offices having an area less than 10,000 m² (107,639 ft²) or accommodating less than 500 jobs.

The applicant is requesting to allow a commercial/industrial unit proposing 386 on-site parking spaces where a minimum of 433 on-site parking spaces are required in this instance.

Zoning staff have informed Transportation and Works (T&W) staff that the request is incorrect and must be amended as follows:

To allow a commercial/industrial unit proposing 386 on-site parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 430 on-site parking spaces in this instance.

According to T&W staff, this is a reduction of 44 spaces, which equates to a 10% deficiency. A request for a 10% parking deficiency requires a satisfactory parking justification letter be submitted with the application. A satisfactory parking justification letter was not submitted with the application. As such, T&W staff recommend the application be deferred, pending the submission of satisfactory justification.

Planning staff echo T&W's concerns and are of the opinion that the application should be deferred pending the submission of satisfactory parking justification letter. Furthermore, Planning staff recommend that the variance be amended.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections, comments or requirements with respect to C.A. 'A' 527/21.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Zoning Certificate of Occupancy permit under file C 21-5472. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

1. To allow a commercial/industrial unit proposing 386 on-site parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 430 on-site parking spaces in this instance.

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

Comments Prepared by: Marco Palerma



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A559.21
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 5917 Rayshaw Crescent, zoned R3 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a balcony proposing a lot coverage of 35.9% (approx. 225.86sq.m or 2,431.14sq.ft) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.0% (approx. 220.33sq.m or 2,371.61sq.ft) in this instance.

The Committee has set **Thursday, January 20, 2022 at 1:00pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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How to submit a written comment:

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Advance registration is required to participate in the electronic hearing:

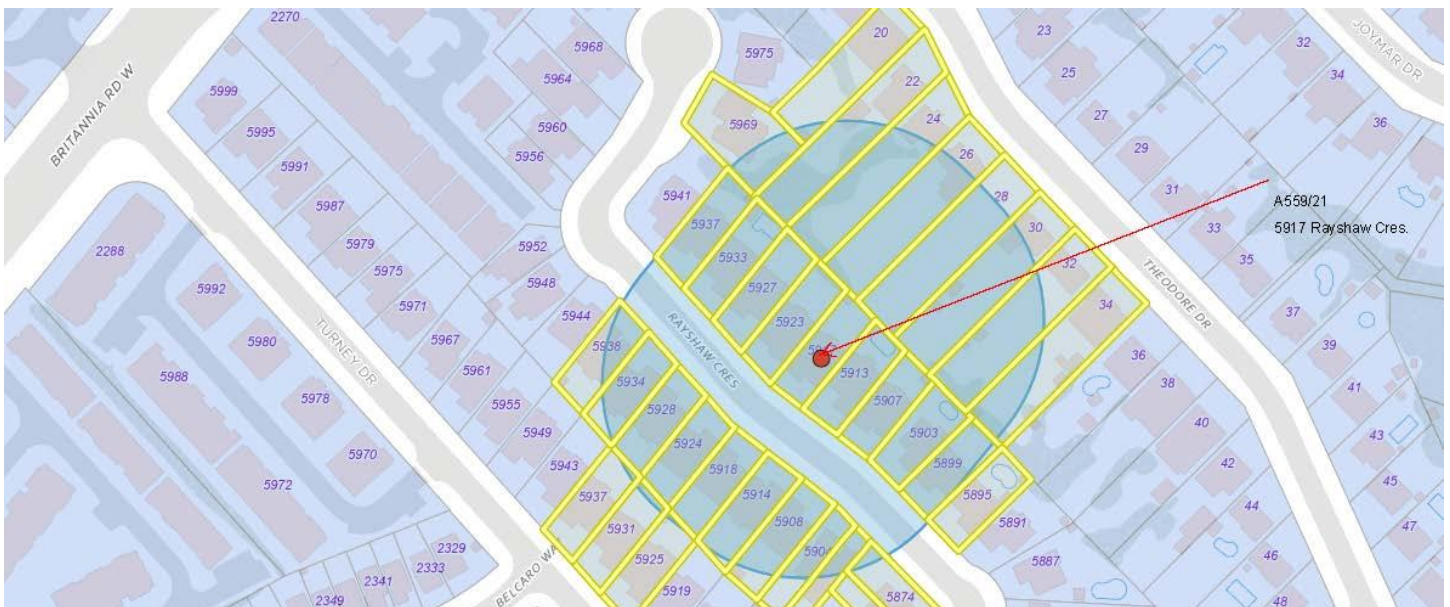
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Friday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services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

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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: 2022-01-12	File(s): A559.21 Ward 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-01-20 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a balcony proposing a lot coverage of 35.9% (approx. 225.86sq.m or 2,431.14sq.ft) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.0% (approx. 220.33sq.m or 2,371.61sq.ft) in this instance.

Background

Property Address: 5917 Rayshaw Crescent

Mississauga Official Plan

Character Area: Streetsville Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3 - Residential

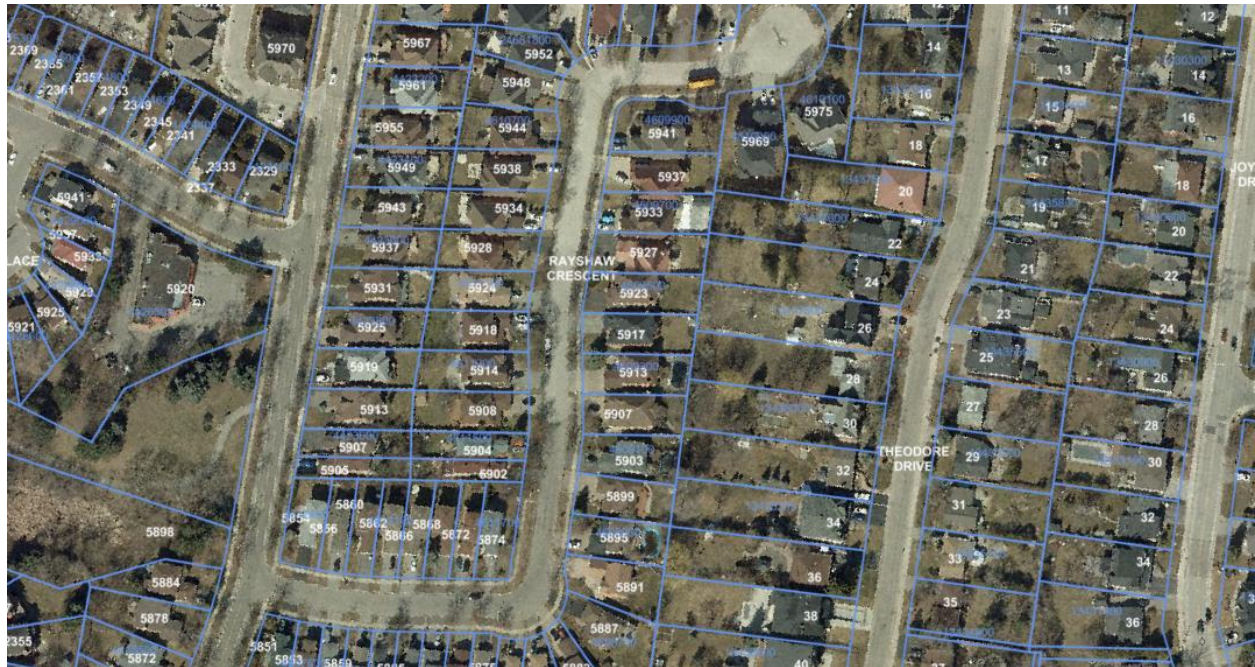
Other Applications: PREAPP 21-8248

Site and Area Context

The subject property is located south-east of the Britannia Road West and Turney Drive intersection in the Streetsville neighbourhood. It has a lot frontage of +/- 15m (49.2ft), a lot area of +/- 629.01m² (6,770.6ft²) and currently contains a detached dwelling with an attached garage.

Limited landscaping and vegetation elements are present in both the front and rear yards. The surrounding area is exclusively residential and is comprised predominantly of detached dwellings, however some townhouse and semi-detached dwellings are also present.

The applicant is proposing to reconstruct and expand the existing balcony requiring a variance for lot coverage.



Comments

Planning

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

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

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

The intent of the lot coverage regulations in the By-law is to prevent the overdevelopment of the lot and mitigate potential massing concerns on abutting properties. The applicant is requesting an increase to lot coverage of 0.9%, which represents approximately 5m² (54ft²) of additional coverage. Staff are satisfied that this request is minor in nature and does not represent overdevelopment of the lot. The proposal is for an open balcony, which does not create significant massing impacts. Furthermore staff are satisfied that the proposal does not create any additional loss in privacy to abutting properties when compared to as-of-right permissions for the property. Staff are therefore of the opinion that the proposal maintains the general intent and purpose of both the Official Plan and Zoning By-law, is minor in nature, and represents appropriate development of the subject property.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting that the proposed balcony will have no impact on the existing grading and drainage pattern for this property.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Preliminary Zoning Review application under file PREAPP 21-8248. Based on review of the information currently available, the variances, as requested are correct.

Our comments are based on the plans received by Zoning staff on 09/22/2021 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: A561.21
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 5150 Elmridge Drive, zoned R2-8 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an accessory structure with an interior side yard setback (westerly) of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) in this instance.

The Committee has set **Thursday, January 20, 2022 at 1:00pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

How to submit a written comment:

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Advance registration is required to participate in the electronic hearing:

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Legal notice:

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



City of Mississauga Department Comments

Date Finalized: 2022-01-12	File(s): A561.21 Ward 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-01-20 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 with an interior side yard setback (westerly) of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) in this instance.

Background

Property Address: 5150 Elmridge Drive

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R2-8 - Residential

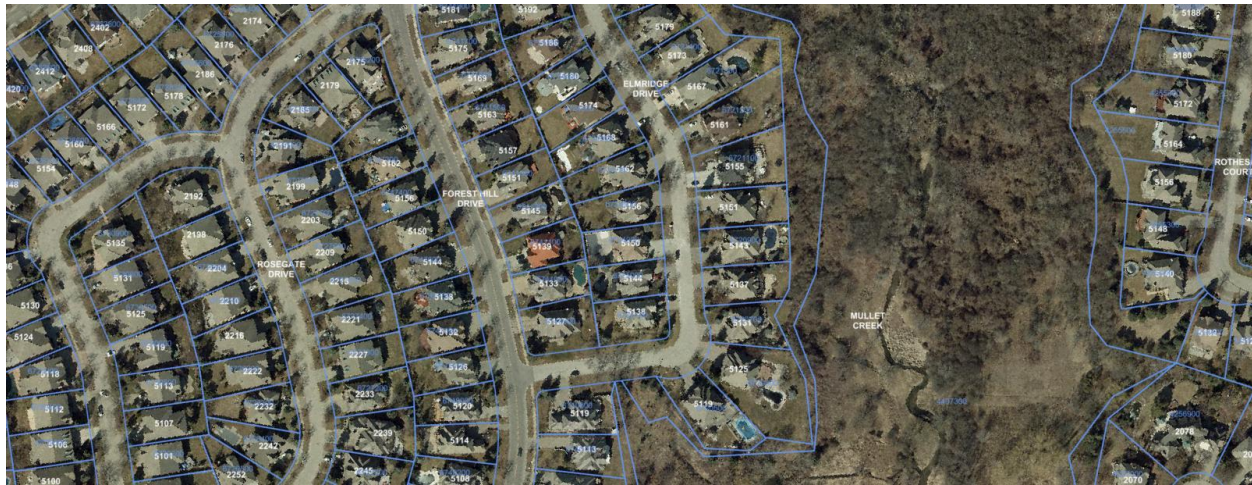
Other Applications: BP 9NEW 21-6457

Site and Area Context

The subject property is located north-west of the Eglinton Avenue West and Mississauga Road intersection. It has a lot frontage of +/- 20m (65.6ft), a lot area of +/- 874.25m² (9,410.3ft²) and

contains a detached dwelling with an attached garage. Some landscaping and vegetation elements are present in both the front and rear yards. The surrounding area context consists exclusively of detached dwellings on similarly sized lots.

The applicant is proposing a shed in the rear yard requiring a variance for the side yard setback.



Comments

Planning

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

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

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

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

The variance requested in this application proposes a reduction in the required side yard for the accessory structure. The general intent of this portion of the by-law is to ensure that an adequate buffer exists between the massing of structures on adjoining properties, that maintenance can be performed on the structures, and that appropriate drainage patterns can be maintained. Staff are satisfied that the proposed setback is appropriate in this instance and note that no additional variances for height or floor area are requested, which would create additional impacts. Furthermore Transportation & Works has not raised any drainage related concerns. Staff are therefore satisfied that the general intent and purpose of the Zoning By-law are maintained.

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

Staff are satisfied that the application is minor in nature and will not create undue impacts on abutting properties. The proposed structure represents appropriate development within the rear yard amenity area and, in the opinion of staff, meets the four tests of a minor variance.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting that we have no drainage related concerns with the existing accessory structure (shed).





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 9NEW 21-6457. 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: Alana Zheng, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A567.21
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 1123 Halliday Avenue, 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 an existing dwelling with a dwelling unit depth of 24.33m (approx. 79.82ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m (approx. 65.62ft) in this instance.

The Committee has set **Thursday, January 20, 2022 at 1:00pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act*, *Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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

How to submit a written comment:

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

Advance registration is required to participate in the electronic hearing:

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

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

Legal notice:

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



City of Mississauga Department Comments

Date Finalized: 2022-01-12	File(s): A567.21 Ward 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-01-20 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 an existing dwelling with a dwelling unit depth of 24.33m (approx. 79.82ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m (approx. 65.62ft) in this instance.

Background

Property Address: 1123 Halliday Avenue

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3-75 - Residential

Other Applications:

Building Permits: BP 9ALT 21 8791 and BP 9ALT 21 8790

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, on the northwestern corner of Applewood Road and Halliday Avenue. The immediate area consists of a mix of one and two storey-detached dwellings on lots with mature vegetation. The subject property contains an existing one-storey dwelling with mature vegetation in the front and side yards.

The applicant is seeking to enclose an existing carport and convert it into an attached garage. As such, the new development requires a variance for dwelling depth.



Comments

Planning

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

Staff comments concerning the application are as follows:

The subject property is located in the Lakeview Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits single, semi-detached and duplex dwellings.

The intent of the zoning provisions for dwelling depth are to minimize impacts of long walls on neighbouring lots as a direct result of the building massing. Staff have reviewed the applicant's variance request, and note that the dwelling requiring the variance is existing. The applicant is seeking to enclose an existing carport and convert it into an attached garage. As such, the new development requires a variance for dwelling depth. Staff are of the opinion that the variance will have a negligible impact on abutting properties, as a carport currently exists where the attached garage is proposed. Further, the attached garage will not add significant massing to the existing dwelling. Lastly, the dwelling is significantly setback from Halliday Avenue and Applewood Road and the front and side yards contain significant mature vegetation, which screens much of the dwelling to lessen any impacts to the streetscape.

Through a detailed review of the application, staff are of the opinion that the application is appropriate to be handled through the minor variance process and that the application raises no concerns of a planning nature.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposal are being addressed by our Development Construction Section through the Building Permit process, File BP 9ALT 21/8791.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 9ALT 21-8790. 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: Brandon Eidner, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A573.21
Ward: 4

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 161 Voltaire Crescent, zoned RM1 - 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 below grade entrance with an interior side yard setback of 1.16m (approx. 3.81ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) in this instance.

The Committee has set **Thursday, January 20, 2022 at 1:00pm** 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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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: 2022-01-12	File(s): A573.21 Ward 4
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-01-20 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 an existing below grade entrance with an interior side yard setback of 1.16m (approx. 3.81ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) in this instance.

Background

Property Address: 161 Voltaire Crescent

Mississauga Official Plan

Character Area: Downtown Fairview
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM1 - Residential

Other Applications: None

Site and Area Context

The subject property is located south-east of the Fairview Road East and Mississauga Valley Boulevard intersection. It has a lot frontage of +/- 10m (32.8ft), a lot area of +/- 348.78m²

(3,754.24ft²), and currently contains a semi-detached dwelling. Limited landscape and vegetation elements are present in both the front and rear yards. The surrounding area context consists of a mix of detached and semi-detached dwellings on lots of varying sizes.

The applicant is proposing a below grade entrance in the rear yard requiring a variance for side yard setback.



Comments

Planning

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

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

The subject property is located in the Downtown Fairview Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, duplex and triplex dwellings, as well as other low-rise dwellings with individual frontages. The general intent of side yard regulations in the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties, and that appropriate drainage can be provided. Staff note that the proposed variance represents a deficiency of 4cm, which is minor in nature, and that the stairs

do not create any additional massing that could impact abutting properties. Furthermore no drainage concerns have been raised by City staff. Staff are therefore of the opinion that the application maintains the general intent and purpose of both the Official Plan and Zoning By-law, is minor in nature, and represents appropriate development of the subject property.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

The Transportation and Works Department has no objections to the existing below grade entrance as it is located in an area which will not impact or alter the existing grading and drainage pattern for this property.





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: A575.21
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 3205 Anderson Crescent, zoned RM1-5 - 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 below grade entrance to facilitate a second unit proposing:

1. A pedestrian entrance facing a street whereas By-law 0225-2007, as amended, does not permit a pedestrian entrance facing a street, a private road or a CEC - road, to facilitate a second unit; and
2. A below grade entrance in the exterior side yard whereas By-law 0225-2007, as amended, does not permit stairs, stairwells or retaining walls to facilitate an entrance below grade at any point in an exterior side yard in this instance.

The Committee has set **Thursday, January 20, 2022 at 1:00pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

How to submit a written comment:

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

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City of Mississauga Department Comments

Date Finalized: 2022-01-12	File(s): A575.21 Ward 9
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-01-20 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 below grade entrance to facilitate a second unit proposing:

1. A pedestrian entrance facing a street whereas By-law 0225-2007, as amended, does not permit a pedestrian entrance facing a street, a private road or a CEC - road, to facilitate a second unit; and
2. A below grade entrance in the exterior side yard whereas By-law 0225-2007, as amended, does not permit stairs, stairwells or retaining walls to facilitate an entrance below grade at any point in an exterior side yard in this instance.

Background

Property Address: 3205 Anderson Crescent

Mississauga Official Plan

Character Area: Meadowvale Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM1-5 - Residential

Other Applications: None

Site and Area Context

The subject property is a corner property located north-east of the Britannia Road West and Tenth Line West intersection. It contains a detached dwelling with a lot frontage of +/- 18m (59ft) and a lot area of +/- 657.49m² (7,077ft²). Some landscaping elements are present in both the front and exterior side yards. The surrounding area context is residential, consisting exclusively of detached dwellings on similarly sized lots.

The applicant is proposing a below grade entrance for a second unit, requiring variances for its location in an exterior side yard.

"[Enter air photo]"

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 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. The intent of the by-law in prohibiting a below grade entrance in the exterior side yard is to prevent negative visual impact to the overall streetscape.

The proposed below grade entrance is clearly visible from the streetscape and has no screening whatsoever, in direct contradiction to the intent of the Zoning By-law. Furthermore it represents development that is inconsistent and not compatible with the surrounding area context. It is therefore the opinion of staff that the proposal does not meet the general intent or purpose of the Official Plan or Zoning By-law and is not minor or appropriate. Staff recommend that the application be deferred to allow the applicant to relocate the proposed entrance.

In addition to the above comments on the requested variance, a review of the property has revealed that the existing driveway appears different than the driveway shown on the drawings. Staff note that the width of the driveway appears to be larger than is permitted under the Zoning

By-law. Staff have concerns with the existing width of the driveway and its impact on the streetscape, however are unable to comment if the driveway meets the four tests of a minor variance without confirmation of the width and an appropriate Site Plan. As such the applicant may wish to resubmit the application with any additional necessary variances and an updated drawing for review.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed are some photos of the subject property. As the subject lot this is a corner lot, this department foresees no drainage related concerns with the location of the proposed pedestrian entrance.





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: A576.21
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 3429 Palgrave Road, zoned R3 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a widened driveway proposing:

1. A driveway width of 9.0m (approx. 29.5ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.0m (approx. 19.7ft) in this instance; and,
2. A side yard setback of 1.52m (approx. 4.99ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.81m (approx. 5.94ft) in this instance.

The Committee has set **Thursday, January 20, 2022 at 1:00pm** 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: 2022-01-12	File(s): A576.21 Ward 7
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-01-20 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a widened driveway proposing:

1. A driveway width of 9.0m (approx. 29.5ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.0m (approx. 19.7ft) in this instance; and,
2. A side yard setback of 1.52m (approx. 4.99ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.81m (approx. 5.94ft) in this instance.

Amendments

Planning staff note that, based upon a review of the application, variance 1 should be amended as follows:

1. A driveway width of 9.0 m beyond 6.0 m of the garage face, whereas Zoning By-law 0225-2007, as amended, permits for a maximum driveway width of 8.5 m beyond 6.0 m of the garage face for lots with a lot frontage of 18.0 m or greater, in this instance.

Background

Property Address: 3429 Palgrave Road

Mississauga Official Plan

Character Area: Fairview Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

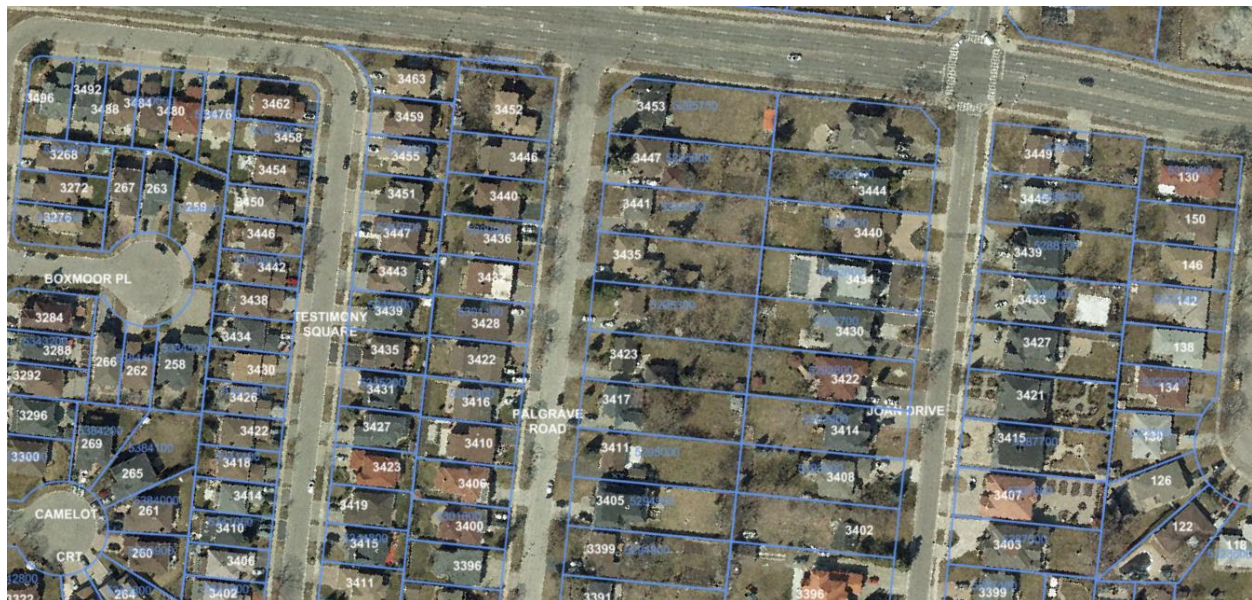
Zoning: R3 - Residential

Other Applications: PREAPP 21-8936

Site and Area Context

The subject property is located south-east of the Central Parkway West and Confederation Parkway intersection in the Fairview neighbourhood. It has a lot frontage of +/- 18.29m (60ft), a lot area of +/- 1,114.8m² (11,200ft²), and currently contains a detached dwelling. Mature vegetation is present in both the front and rear yards, however landscaping elements are limited. The surrounding area context consists exclusively of detached dwellings on lots of varying sizes. This portion of Palgrave Road is predominantly original dwellings, however some new builds are present.

The applicant is proposing to construct a new dwelling on the subject property requiring variances for driveway width and side yard setback.



Comments

Planning

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

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

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

The subject property is located in the Fariview Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, and duplex dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. Staff are of the opinion that the proposed dwelling strikes an appropriate balance between the existing and planned characters of the surrounding area and maintains the general intent and purpose of the Official Plan.

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

Variance 1 requests an increased driveway width on the subject property. The intent of this portion of the By-law is to permit a driveway large enough to suitably accommodate the required number parking spaces for a dwelling, with the remainder of lands remaining as soft landscaping and front yard amenity area. Staff note that due to the frontage of the property and the proposed 3 car garage, the applicant is permitted 10.5m (34.4ft) of width within 6m (19.7ft) of the garage face, and 8.5m (27.9ft) beyond that. The applicant's proposed driveway is 6m (19.7ft) at the street and quickly expands to 9m (29.5ft) once it crosses the front property line. The variance therefore is only required for the portion of the driveway from where it expands to 9m (29.5ft) up to 6m (19.7ft) from the garage face. Staff are of the opinion that the small area of increased width does not negatively impact the front yard amenity area and maintains appropriate soft landscaping in the front yard.

Variance 2 requests a reduced side yard on the northerly side of the dwelling. 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, access to the rear yard ultimately remains unencumbered, and that appropriate drainage can be accommodated. Staff are of the opinion that the reduced side yard maintains an appropriate buffer between dwellings and that appropriate drainage can be provided. Furthermore the proposed setback is sufficient to maintain access to the rear yard.

Given the above staff are of the opinion that the variances maintain the general intent and purpose of the Zoning By-law.

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

Staff are of the opinion that the requested variances are minor in nature and will not create undue impacts to abutting properties or the streetscape. The proposed dwelling is appropriate for the site and therefore represents appropriate development of the subject property.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We note from the Site Plan submitted that a new 2 storey dwelling with a 3 car garage is being proposed. The Site Plan also shows that the proposed 9.0M driveway width is within the private property. In this regard we would have no objections provided that the driveway will not impact on the proposed drainage swale being proposed abutting the driveway.



Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Preliminary Zoning Review application under file PREAPP 21-8936. 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: A4.22
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 134 Cumberland Drive, zoned R15-8 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant request the Committee to approve a minor variance to allow the construction of a new dwelling proposing:

1. An interior side yard setback of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) in this instance;
2. A dwelling unit depth of 28.6m (approx. 93.8ft), whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.0m (approx. 65.6ft) in this instance;
3. A dwelling height of 8.0m (approx. 26.2ft) measured from average grade to the lower edge of the eaves whereas By-law 225-2007, as amended, permits a maximum dwelling height of 6.4m (approx. 21.0ft) measured from average grade to the lower edge of eaves in this instance; and,
4. The projection of a garage beyond the front wall of the second storey in the R15-8 Exception Zone whereas By-law 0225-2007, as amended, does not permit a garage to project beyond the front wall of the second storey in the R15-8 Exception Zone in this instance.

The Committee has set **Thursday, January 20, 2022 at 1:00pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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

How to submit a written comment:

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

Advance registration is required to participate in the electronic hearing:

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

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

Legal notice:

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

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



City of Mississauga Department Comments

Date Finalized: 2022-01-12	File(s): A4.22
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2022-01-20 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

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

1. An interior side yard setback of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) in this instance;
2. A dwelling unit depth of 28.6m (approx. 93.8ft), whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.0m (approx. 65.6ft) in this instance;
3. A dwelling height of 8.0m (approx. 26.2ft) measured from average grade to the lower edge of the eaves whereas By-law 225-2007, as amended, permits a maximum dwelling height of 6.4m (approx. 21.0ft) measured from average grade to the lower edge of eaves in this instance; and,
4. The projection of a garage beyond the front wall of the second storey in the R15-8 Exception Zone whereas By-law 0225-2007, as amended, does not permit a garage to project beyond the front wall of the second storey in the R15-8 Exception Zone in this instance.

Background

Property Address: 134 Cumberland Drive

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R15-8 - Residential

Other Applications:

None

Site and Area Context

The subject property is located within the Port Credit Neighbourhood (East) Character Area, south of the Enola Avenue and Lakeshore Road East Intersection. Immediately abutting the property to the east is Adamson Estate. The surrounding neighbourhood consists of one and a half and two storey-detached dwellings with mature vegetation in both the front and rear yards. The subject property contains an existing two-storey dwelling with minimal vegetation in the front yard.

The applicant is proposing a new dwelling requiring variances related to eave height, interior side yard setbacks, dwelling unit depth and garage projection.

**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 (MOP), which permits detached, semi-detached and duplex dwellings.

Due to the unique and organic architectural design of the proposed dwelling, Staff is unable to determine the roof type of the proposed dwelling based off the drawings submitted. On January 7th, 2022, Planning Staff contacted the applicant's agent and requested additional drawings of the proposed roofs with slopes and calculations. Staff also inquired with the applicant as to whether any landscape plans or arborist reports have been prepared/completed to determine the extent of tree removal/injury on the subject property. Staff have not received a response from the applicant. At this time, staff are unable to determine the extent in which the application meets the criteria established by Section 45 of the Planning Act.

In the absence of additional information, Planning Staff are of the opinion that any variance in this regard is premature until such time that the requested information is provided.

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 required future Building Permit Application process.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Brandon Eidner, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A9.22

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 1091 Sawyer Avenue, 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 with a setback of 2.8m (approx. 9.2ft) to lands zoned G1 (Greenlands) whereas By-law 0225-2007, as amended, requires a minimum setback of 5.0m (approx. 16.4ft) for all buildings and structures to lands zoned G1 (Greenlands) in this instance.

The Committee has set **Thursday, January 20, 2022 at 1:00pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act*, *Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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How to submit a written comment:

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

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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: 2022-01-12	File(s): A9.22 Ward 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-01-20 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an addition with a setback of 2.8m (approx. 9.2ft) to lands zoned G1 (Greenlands) whereas By-law 0225-2007, as amended, requires a minimum setback of 5.0m (approx. 16.4ft) for all buildings and structures to lands zoned G1 (Greenlands) in this instance.

Background

Property Address: 1091 Sawyer Avenue

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3-75 - Residential
Other Applications:

Building Permit - BP 9ALT 21 8797

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, southeast of Atwater Avenue and Ogden Avenue. Serson Park abuts the subject property to the east. The immediate area consists of a mix of old and newer one and two storey dwellings with mature vegetation in the front yards. The subject property contains an existing one and one half storey dwelling with limited vegetation in the front yard.

The applicant is proposing construction of an addition to the residential dwelling requiring a variance for a building setback to a G1 zone.



Comments

Planning

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

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

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

The subject property is located in the Lakeview Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits single, semi-detached, duplex, triplex and townhouse dwellings.

Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. The proposed addition does not impact the property's permitted use as a detached dwelling and generally maintains the existing form of the building by only building out into the property's rear yard. Staff are satisfied that the general intent and purpose of the Official Plan are maintained.

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

The intent of setback regulations to G1 zones is to ensure an adequate buffer between development and the environmentally sensitive lands exists. The subject property and lands zoned G1 that are directly abutting the subject property to the east, are within the Credit Valley Conservation Authority's Regulatory Boundary. Credit Valley Conservation (CVC) staff note that there is existing development within this zone, and it has been determined that the proposed addition will not adversely impact any natural features contained within the G1 zone. Planning staff echo CVC staff's comments and note that the existing dwelling contained on the subject property has similar setbacks to the G1 zone.

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

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

Planning staff are of the opinion that any potential impacts of the reduced setback to the G1 Zone is minor in nature and no height variances are required. Furthermore, staff are of the opinion that the proposal represents appropriate development of the subject lands.

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 addition are being addressed by our Development Construction Section through the Building Permit process, File BP 9ALT 21/8797.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 9ALT 21-8797. Based on latest review of the information currently available in this permit application, we advise that a zoning review has not been completed and unable to confirm the accuracy of the requested variance or determine whether additional variances maybe required.

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

Comments Prepared by: Sherri Takaloo, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

The Park Planning Section of the Community Services Department has reviewed the above noted minor variance application and advises as follows:

1. The lands to the rear of the subject property are owned by the City of Mississauga, known as Serson Park (P-002).
2. Construction access from the park is not permitted.
3. Stockpiling of construction materials and encroachment 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

Comments Prepared by: Jim Greenfield, Park Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A15.22
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 5304 Champlain Trail, zoned R4-25 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a swimming pool in a Tree Preservation Area, whereas By-law 0225-2007, as amended, does not permit a swimming pool in a Tree Preservation Area in this instance.

The Committee has set **Thursday, January 20, 2022 at 1:00pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

How to submit a written comment:

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

Advance registration is required to participate in the electronic hearing:

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

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

Legal notice:

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

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



City of Mississauga Department Comments

Date Finalized: 2022-01-12	File(s): A15.22 Ward 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-01-20 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application, subject to the condition.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a swimming pool in a Tree Preservation Area, whereas By-law 0225-2007, as amended, does not permit a swimming pool in a Tree Preservation Area in this instance.

Recommended Conditions and Terms

The applicant shall submit a letter/report from an arborist to the satisfaction of the City of Mississauga addressing potential impacts on nearby trees and shall implement, as necessary, any recommendations included in the report to protect surrounding trees during construction.

Background

Property Address: 5304 Champlain Trail

Mississauga Official Plan

Character Area: Hurontario Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

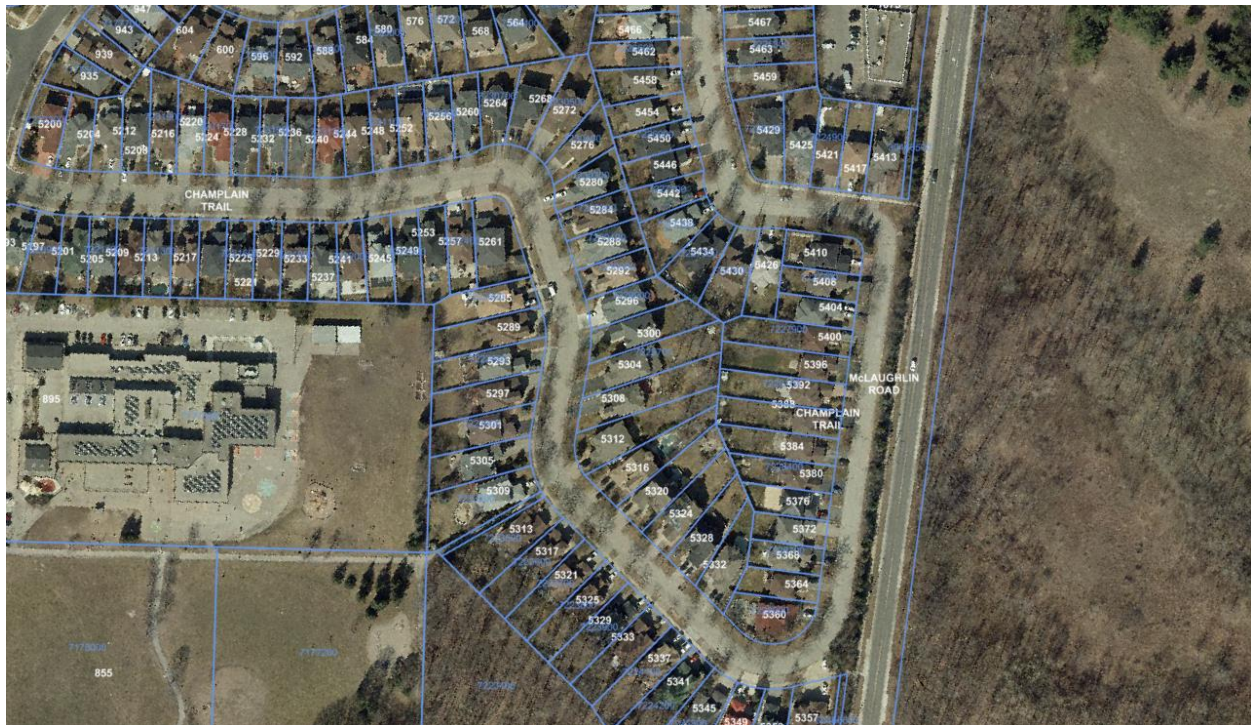
Zoning: R4-25 - Residential

Other Applications: POOL 21-278

Site and Area Context

The subject property is located north-west of the McLaughlin Road and Bristol Road West intersection in the Hurontario neighbourhood. It contains a detached dwelling with a lot area of +/- 875.6m² (9,424.9ft²). Limited landscaping elements are present in both the front and rear yards, including some mature vegetation located only in the rear yard. The surrounding area context is predominantly residential, consisting of detached dwellings, however the subject property represents one of the largest sizes in the area due to its depth.

The applicant is proposing to construct a pool requiring variances for the location of the pool.



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 Hurontario Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, duplex and triplex dwellings, as well as other low-rise dwellings with individual frontages. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area.

The requested variance is to permit a swimming pool in a Tree Preservation Area. The intent of restricting development in tree preservation areas is to protect clusters of mature trees within established subdivisions and developed areas. Staff note that while the proposed pool does not propose the removal of any trees, there are several trees in close proximity to the proposed pool both on the subject property and abutting property. Staff are satisfied that if the applicant can demonstrate that there will be no significant impacts to the nearby trees, through the submission of an arborist's report as requested in the proposed condition, that the application is minor in nature, appropriate development of the subject lands, and maintains the general intent and purpose of the Zoning By-law and Official Plan.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed are photos depicting the rear yard which shows a number of mature trees within the Tree Preservation Area. The submitted Site Plan does not accurately depict the location of the proposed in ground pool area in relation to any mature existing trees, including the closest mature tree on the abutting property. We are also noting that no justification has been provided to assess any impacts that the proposed pool would have on the root structure of the trees within the Tree Preservation Area. In view of the above, we would suggest that our Forestry Section be circulated to provide an opinion /assessment on the proposal.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Pool Enclosure Permit under file POOL 21-278. 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: Brandon Eidner, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A18.22
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 7630 Airport Road, zoned E2-38 - Employment, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing:

1. A front yard setback of 13.99m (approx. 45.90ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 30.00m (approx. 98.43ft) in this instance; and,
2. A 0.0m landscape buffer along Airport Road whereas By-law 0225-2007, as amended, requires a minimum landscape buffer of 4.5m (approx. 14.8ft) adjacent to a street in this instance.

The Committee has set **Thursday, January 20, 2022 at 1:00pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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

How to submit a written comment:

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

Advance registration is required to participate in the electronic hearing:

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

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

Legal notice:

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

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



City of Mississauga Department Comments

Date Finalized: 2022-01-12	File(s): A18.22 Ward 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-01-20 1:00:00 PM

Consolidated Recommendation

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

Application Details

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

1. A front yard setback of 13.99m (approx. 45.90ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 30.00m (approx. 98.43ft) in this instance; and,
2. A 0.0m landscape buffer along Airport Road whereas By-law 0225-2007, as amended, requires a minimum landscape buffer of 4.5m (approx. 14.8ft) adjacent to a street in this instance.

Amendments

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

3. A proposed Centre Line setback of 39.54m (129.7ft) whereas By-law 0225-2007, as amended, requires a minimum Centre Line Setback of 52.5m (172.2ft) in this instance;

Background

Property Address: 7630 Airport Road

Mississauga Official Plan

Character Area: Northeast Employment Area
Designation: Business Employment & Parkway Belt West

Zoning By-law 0225-2007

Zoning: E2-38 - Employment

Other Applications: SP 20-132

Site and Area Context

The subject property is located on the west side of Airport Road, north of the Thamesgate Drive intersection. It has a lot area of +/- 4.9 ha (12.11 acres) and currently contains a two storey, 18,216m² (196,075ft²) industrial building. Limited vegetation or landscaping elements are present on the subject property, which is characteristic of the area. On the west side of Airport Road the surrounding area context is exclusively industrial with one and two storey industrial buildings on lots of various sizes. Residential uses are present on the east side of Airport Road.

The applicant is proposing an addition to the existing industrial building requiring variances for front yard and centreline setbacks, as well as landscaped buffer.



Comments

Planning

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

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

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

The subject property is located in the Northeast Employment Area and is designated Business Employment and Parkway Belt West in Schedule 10 of the Mississauga Official Plan (MOP). The vast majority of the site is designated Business Employment, with only a small portion along the north property line being designated Parkway Belt West. The Business Employment designation permits a variety of commercial and industrial uses. Staff are satisfied that the proposed addition is appropriate for the site and maintains an appropriate built form for permitted uses on the site. Staff are therefore of the opinion that the general intent and purpose of the Official Plan are maintained.

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

Variance 1 requests a reduction in the front yard setback. Staff note that the front property line of the subject property is not parallel to the proposed structure and that the proposed setback is measured to a pinch point at the south-eastern corner of the property. The intent of the front yard setback provision is to ensure sufficient space in the front of the property for landscaping and an appropriate setback from the street. The proposal will not impact the landscaping in the front yard and maintains an appropriate setback from the street which increases from the pinch point. Staff note that an appropriate landscaped buffer is provided along the property line at the pinch point.

Variance 2 requests a reduced landscaped buffer abutting Airport Road. The intent of this portion of the by-law is to ensure that an appropriate buffer exists abutting all lot lines. The proposed 0m landscape buffer is measured to a pinch point at the corner of a single parking stall and increases in both directions. Furthermore the variance represents an existing condition which does not have any notable impact on the streetscape. Staff therefore have no concerns with the request given an appropriately sized landscaped buffer is provided for the majority of the front property line.

Zoning has identified a third required variance, being the setback to the centreline of Airport Road. The intent of this portion of the Zoning By-law is to ensure that any proposed construction will not come at the expense of a potential road widening. Staff note that Airport Road is currently 6 lanes wide in front of the subject property with a median, and that the drawings show a dedication to the Region at the location of the reduced setback. Staff are satisfied that the reduction in the centreline setback will not prohibit future potential widenings of Airport Road.

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

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

Staff are of the opinion that the proposed additions will maintain the intended use of the subject lands and represent appropriate development. The variances are minor in nature and will not create undue impacts to abutting properties or the streetscape.

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 Site Plan Application process, File SP-20/132.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan Approval application under file SP 20/132. Based on review of the information currently available for this application, we advise that the following variance(s) should be added as follows:

3. A proposed Centre Line setback of 39.54m whereas By-law 0225-2007, as amended, requires a minimum Centre Line Setback of 52.5m in this instance;

Our comments are based on the plans received by Zoning staff on 10/14/2021 for the above captioned site plan application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: Adam McCormack, Zoning Examiner

January 6, 2021

CFN 64188.16

BY EMAIL: sean.kenny@mississauga.ca

Mr. Sean Kenney
Committee of Adjustment
City of Mississauga
300 City Centre Drive, 2nd Floor
Mississauga, ON L5B 3C1

Dear Mr. Kenney:

**Re: Committee of Adjustment Minor Variance Application A 18/22
7630 Airport Road
City of Mississauga
Alpa Lumber Inc. (Agent: Baldassarra Architects Inc.)**

This letter acknowledges receipt of the above noted application circulated by the City of Mississauga. The materials were received by Toronto and Region Conservation Authority (TRCA) on December 8, 2021. TRCA staff has reviewed the above noted application, and as per the "Living City Policies for Planning and Development within the Watersheds of the TRCA" (LCP), provides the following comments as part of TRCA's commenting role under the *Planning Act*; the Authority's delegated responsibility of representing the provincial interest on natural hazards encompassed by Section 3.1 of the *Provincial Policy Statement, 2020*; TRCA's Regulatory Authority under Ontario Regulation 166/06, *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses*; and, our Memorandum of Understanding (MOU) with the Region of Peel, wherein we provide technical environmental advice related to provincial plans.

Purpose of the Application

The purpose of Minor Variance Application A 18/22 is to request the following variances:

1. A front yard setback of 13.99 m. (approx. 45.90 ft.) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 30.00 m. (approx. 98.43 ft.) in this instance; and,
2. A 0.0 m. landscape buffer along Airport Road whereas By-law 0225-2007, as amended, requires a minimum landscape buffer of 4.5 m. (approx. 14.8 ft.) adjacent to a street in this instance.

It is our understanding that the requested variance is required to facilitate the development of a 11,330.02 sqm (121.955 sq.ft.) 1-storey industrial addition and a 2,996.79 sq.m. (32,257 sq.ft.) 2-storey office addition to the existing building. The proposed works also include demolishing a portion of the existing building.

Background

It is our understanding that TRCA staff are currently reviewing a TRCA permit application (CFN 66141) for the proposed industrial and office addition at the subject property.

Ontario Regulation 166/06

The subject property is located within TRCA's Regulated Area of the Mimico Creek Watershed. Specifically, the subject land is located downstream of a flood spill area of the Regulatory Flood Plain associated with a tributary of the Mimico Creek. As such, a TRCA permit pursuant to Ontario Regulation 166/06 will be required for any development or site alteration within the Regulated Area on the property.

Application Specific Comments

Based on our preliminary 2D modeling results, it appears that the subject property, including the existing industrial building, is affected by the Regulatory Flood spill and is subject to flooding.

As per TRCA's Living City Policy 8.5.1., TRCA does not support an increase in the size and footprint of an addition to an existing building or structure within the flood hazards where the addition is more than 50% of the original ground floor area. Additionally, TRCA requires that the existing use is not intensified, and that the addition meets the floodproofing measures.

Based on our review of the proposed works in this application, it appears that the proposed addition is more than %50 of the original ground floor. Additionally, it is not clear whether the use is intensified or whether the proposed addition is appropriately floodproofed.

Considering the ongoing review of the above noted TRCA permit application, it is our expectations that revisions and additional information will be required prior to TRCA staff supporting the proposed addition. It is our expectation that the required revisions may affect the variances, as requested in this application.

Recommendation

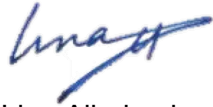
On the basis of the comments noted below, TRCA staff recommend **deferral** of Minor Variance Application A 18/22 in order to provide the applicant a chance to provide the required revisions and information in order to conform with TRCA's policies. Should the Committee not grant deferral of the application at the January 20, 2022 hearing, TRCA staff recommend denial of the application at this time.

Fees

By copy of this letter, the applicant is advised that the TRCA has implemented a fee schedule for our planning application review services. This application is subject to a fee of \$1,155 (Variance Industrial/Commercial/Subdivision/Institutional– Minor). The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible.

We trust these comments are of assistance. Should you have any questions, please contact me at 416-661-6600 extension 5657 or at Lina.alhabash@trca.ca.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Lina', with a stylized flourish extending from the end.

Lina Alhabash
Planner I

Development Planning and Permits | Development and Engineering Services
LA/as



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A19.22
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 3164 Harris Crescent, zoned RM1-5 - 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 an entrance to facilitate a second unit with an interior side yard setback (westerly) of 1.11m (approx. 3.64ft) whereas By-law 0225-2007, as amended, requires an interior side yard setback of 1.20m (approx. 3.94ft) in this instance.

The Committee has set **Thursday, January 20, 2022 at 1:00pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act*, *Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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How to submit a written comment:

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

Advance registration is required to participate in the electronic hearing:

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

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

Legal notice:

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



City of Mississauga Department Comments

Date Finalized: 2022-01-12	File(s): A19.22 Ward 9
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-01-20 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

The applicant requests the Committee to approve a minor variance to allow an entrance to facilitate a second unit with an interior side yard setback (westerly) of 1.11m (approx. 3.64ft) whereas By-law 0225-2007, as amended, requires an interior side yard setback of 1.20m (approx. 3.94ft) in this instance.

Background

Property Address: 3164 Harris Crescent

Mississauga Official Plan

Character Area: Meadowvale Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM1-5 - Residential

Other Applications: SU 21-6227

Site and Area Context

The subject property is located south-east of the Tenth Line West and Vanderbilt Road intersection in the Meadowvale neighbourhood. It has a lot frontage of +/- 9.15m (30.02ft), a lot area of +/- 348.51m² (3,751.33ft²), and currently contains a detached dwelling with an attached

garage. Limited landscaping and vegetation elements are present in both the front and rear yards. The surrounding area context is residential, consisting of detached dwellings on similarly sized lots. The property backs onto an elementary school.

The applicant is proposing a second unit entrance requiring a variance for side yard setback.



Comments

Planning

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

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

The subject property is located in the Meadowvale Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, and duplex dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. The general intent of side yard regulations in the by-law is to ensure that: an adequate buffer exists between the massing of primary structures on adjoining properties, access to the rear yard ultimately remains unencumbered, and appropriate drainage can be provided. Staff note that the proposed entrance is at grade and does not require a staircase. It creates no massing, does not impact access to the rear yard or drainage, and

presents itself as a side door to the existing dwelling. Staff are therefore satisfied that the application 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.

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 area where the entrance is being proposed. As the proposed entrance will not impact on the outside elevation we foresee no drainage related concerns.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file SU 21-6227. 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: Sherri Takaloo, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A20.22
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 6492 Valiant Heights, zoned R11-1 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a below grade entrance proposing:

1. A pedestrian entrance facing the street to facilitate a second unit whereas By-law 0225-2007, as amended, does not permit a pedestrian entrance facing a street to facilitate a second unit in this instance;
2. Stairs to facilitate an entrance below grade in the exterior side yard whereas By-law 0225-2007, as amended, does not permit stairs to facilitate an entrance below grade in an exterior side yard in this instance; and,
3. A setback measured from a concrete walkway to a side lot line of 0.0m whereas By-law 0225-2007, as amended, requires a minimum setback measured from a concrete walkway to a side lot line of 0.6m (approx. 2.0ft) in this instance.

The Committee has set **Thursday, January 20, 2022 at 1:00pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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How to submit a written comment:

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Advance registration is required to participate in the electronic hearing:

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

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

Legal notice:

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

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



City of Mississauga Department Comments

Date Finalized: 2022-01-12	File(s): A20.22 Ward 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-01-20 1:00:00 PM

Consolidated Recommendation

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

Application Details

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

1. A pedestrian entrance facing the street to facilitate a second unit whereas By-law 0225-2007, as amended, does not permit a pedestrian entrance facing a street to facilitate a second unit in this instance;
2. Stairs to facilitate an entrance below grade in the exterior side yard whereas By-law 0225-2007, as amended, does not permit stairs to facilitate an entrance below grade in an exterior side yard in this instance; and,
3. A setback measured from a concrete walkway to a side lot line of 0.0m whereas By-law 0225-2007, as amended, requires a minimum setback measured from a concrete walkway to a side lot line of 0.6m (approx. 2.0ft) in this instance.

Background

Property Address: 6492 Valiant Heights

Mississauga Official Plan

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

Zoning By-law 0225-2007

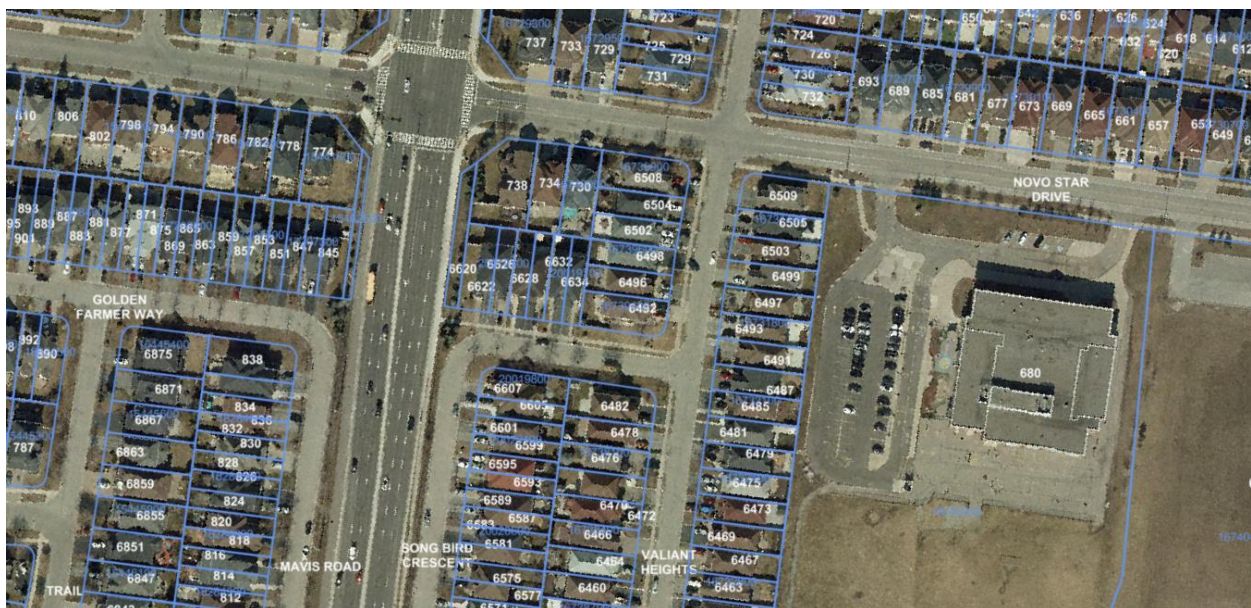
Zoning: R11-1 - Residential

Other Applications: None

Site and Area Context

The subject property is located south-east of the Mavis Road and Novo Star Drive intersection in Meadowvale Village. It is a corner property containing a detached dwelling with a lot frontage of +/- 13.67m (44.85ft) and a lot area of +/- 427m² (4,596ft²). Limited landscaping and vegetation elements are present in the front, rear, and exterior side yards. The surrounding area context is predominantly residential, consisting of detached dwellings on similarly sized lots and semi-detached dwellings on smaller lots.

The applicant is proposing a below grade entrance and hardscaping requiring variances for the location of the entrance and the setback to the hardscaping.



Comments

Planning

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

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

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

The subject property is located in the Meadowvale Village Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, duplex and triplex dwellings, as well as other low-rise dwellings with individual frontages. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. Staff are satisfied that the proposed development is compatible with the surrounding context and is appropriate for the subject property. There are no anticipated impacts to the streetscape or public realm. Staff are therefore of the opinion that the application maintains the general intent and purpose of the Official Plan.

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

Variances 1 and 2 relate to the proposed location of the below grade entrance. It is located in the property's exterior side yard and therefore faces Song Bird Crescent. The intent of the by-law in prohibiting a below grade entrance in the exterior side yard is to prevent negative visual impact to the overall streetscape. The proposed entrance is screened behind a fence and the entrance does not prohibit access to the rear yard and amenity area. Furthermore Planning staff note the absence of any true massing resulting from the proposal.

Variance 3 requests a reduced side yard measured to hardscaping. The intent of the regulation requiring a side yard for hardscaping is to ensure that appropriate drainage can be maintained on the subject property. Planning staff note that the proposed 0 setback is only for a portion of the lot line and that Transportation and Works have not raised any drainage related concerns.

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

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

Staff are of the opinion that the proposal represents appropriate development of the subject lands. Any impacts on abutting properties would not be significant and therefore staff are satisfied that the application is minor in nature.

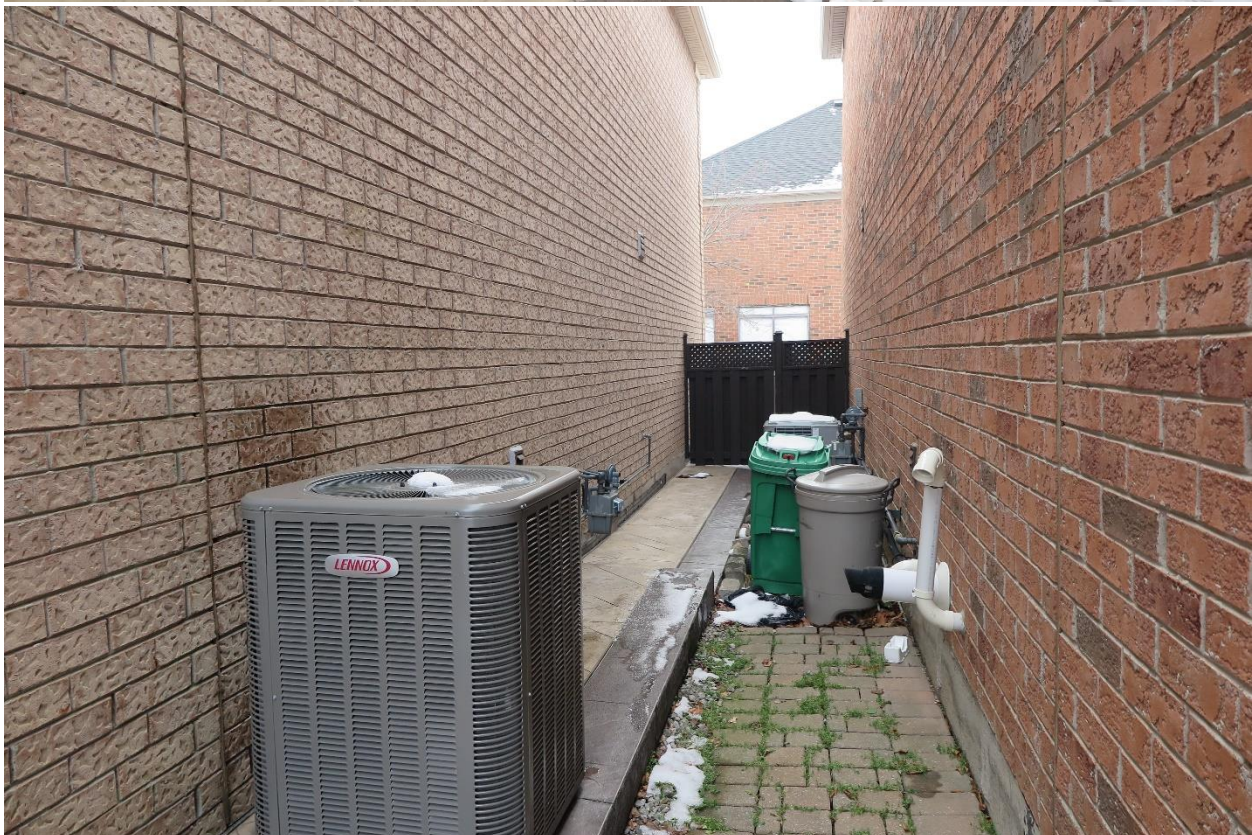
Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

As the subject lot this is a corner lot, this department foresees no drainage related concerns with the location of the proposed pedestrian entrance. With regards to Variance #3, we note that this property has a split drainage pattern and the drainage should not be impeded by the walkway.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Brandon Eidner, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A373.21
Ward: 11

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 6826 Second Line West, zoned R2-10 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an accessory structure proposing a lot coverage of 30% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25% in this instance.

The Committee has set **Thursday, January 20, 2022 at 1:00pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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

How to submit a written comment:

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

Advance registration is required to participate in the electronic hearing:

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

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

Legal notice:

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

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



City of Mississauga Department Comments

Date Finalized: 2022-01-12	File(s): A373.21 Ward 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-01-20 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an accessory structure proposing a lot coverage of 30% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25% in this instance.

Background

Property Address: 6826 Second Line West

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R2-10 - Residential

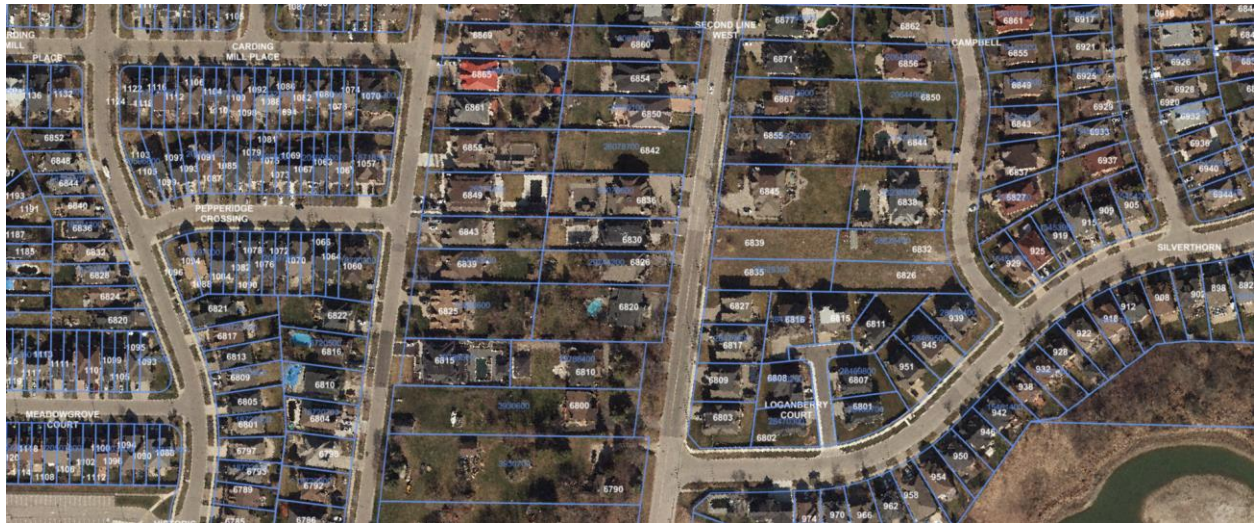
Other Applications: PREAPP 21-6730, POOL 21-160

Site and Area Context

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

frontages. There is limited vegetation on the property, which is characteristic of this area of Second Line West.

The applicant is proposing landscaping and accessory structures requiring a variance for lot coverage.



Comments

Planning

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

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

The subject property is located in the Meadowvale Village Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached dwellings with lot frontages of at least 18 metres (59.06ft). Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area.

The requested variance proposes an increase in lot coverage for the subject property. The intent of the lot coverage provision in the By-law is to prevent the overdevelopment of the lot which may cause massing concerns to abutting properties. While Planning staff have no objections to the lot coverage increase proposed by the three accessory structures in the centre of the rear yard, upon further review it appears that the proposed sports court concrete pad will

factor into the lot's total coverage due to the installed boards. Furthermore Transportation & Works staff have raised concerns regarding drainage on the property which should be addressed prior to approval.

Staff therefore recommend that the application be deferred in order to confirm the appropriate lot coverage variance with Zoning and address the drainage concerns raised by Transportation & Works.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed are some recent photos depicting the subject property. In our previous comments we requested a deferral of the application to allow for some drainage related issues to be addressed. The applicant has since undertaken some extensive works to install a water management system prior to any approvals or in depth review of the conceptual design. The submitted stormwater management brief is not complete and requires further information including, but not limited to, geotechnical information to determine the area soil type and information on the water table elevation in this area.

Our previous comments had indicated that a review of a Site Grading Plan prepared by a Professional Engineer may be required. As the subject site now includes storage/infiltration tanks underground, a Site Grading Plan prepared and stamped by a Professional Engineer for the subject property will be required.

In view of the above, specifically as it relates to the deficiencies in the submitted stormwater management brief the lack of a a Site Grading Plan prepared by a Professional Engineer, we are not in a position to indicate that our drainage related concerns pertaining to the significant amount of hard surface area on this property and resultant drainage has been resolved to our satisfaction yet. In this regard, we would suggest to the Committee that the application **be further deferred** to allow the applicant to provide the additional information for our review











Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Preliminary Zoning Review application under file PREAPP 21-6730. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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

Comments Prepared by: Brandon Eidner, Zoning Examiner