
Committee of Adjustment

Date: July 7, 2020
Time: 1:30 PM
Location: Online Video Conference

Members

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

Contacts

Umar Mahmood, Committee of Adjustment Coordinator, Legislative Services
905-615-3200 ext.5209
umar.mahmood@mississauga.ca

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905-615-3200 ext.5422
alexander.davies@mississauga.ca

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

Send written submissions or request notification of future meetings to:

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

-
1. CALL TO ORDER
 2. DECLARATION OF CONFLICT OF INTEREST
 3. DEFERRALS OR WITHDRAWALS
 4. MATTERS TO BE CONSIDERED
 - 4.1 A-108/20 (WARD 1)
ROCKY & IDA JACKELINE IERACI
1473 KALLIGAN COURT
 - 4.2 A-112/20 (WARD 8)
JESSICA & BARRIE NAYLOR
2076 SHAWANAGA TRAIL
 - 4.3 A346/19 (WARD 11)
JOEL PHILP
257 QUEEN STREET SOUTH
 - 4.4 A-8/20 (WARD 5)
VEERPAL GILL & SHINDER BRAR
7661 REDSTONE ROAD
 - 4.5 A-14/20 (WARD 9)
BRAD COMRIE & AMANDA MCMURDO
6181 STARFIELD CRESCENT
 5. OTHER BUSINESS
 6. ADJOURNMENT



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 108/20
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 owners of 1473 Kalligan Court, zoned R3-75 - Residential, have applied for a minor variance under Section 45 of the Planning Act. The applicants request the Committee to approve a minor variance to allow the construction of an addition on the subject property proposing:

1. An easterly side yard measured to the second storey of 1.69m (approx. 5.54ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the second storey of 1.81m (approx. 5.93ft) in this instance; and
2. A westerly side yard measured to the second storey of 1.65m (approx. 5.41ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the second storey of 1.81m (approx. 5.93ft) in this instance.

The Committee has set **Tuesday July 7, 2020 at 1:30 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:30 pm and will be heard in the order shown on the agenda.

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Advance registration is required to participate in the electronic hearing:

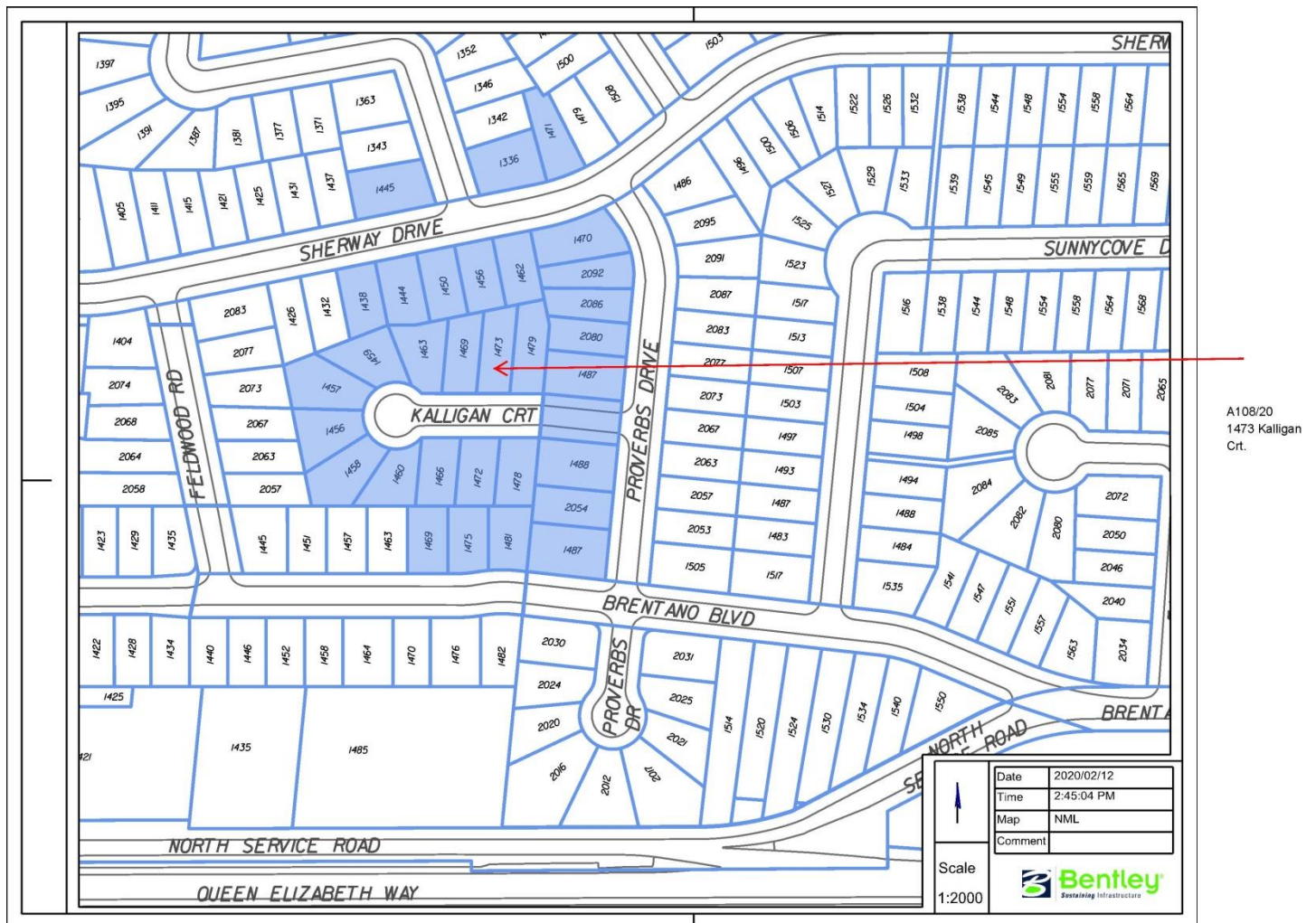
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Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual (including being posted on the internet) upon request in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x5209.



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-06-19	File(s): A108/20 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-07-07

Consolidated Recommendation

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

Application Details

The applicants request the Committee to approve a minor variance to allow the construction of an addition on the subject property proposing:

1. An easterly side yard measured to the second storey of 1.69m (approx. 5.54ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the second storey of 1.81m (approx. 5.93ft) in this instance; and
2. A westerly side yard measured to the second storey of 1.65m (approx. 5.41ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the second storey of 1.81m (approx. 5.93ft) in this instance.

Background

Property Address: 1473 Kalligan Court

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3-75 (Residential)

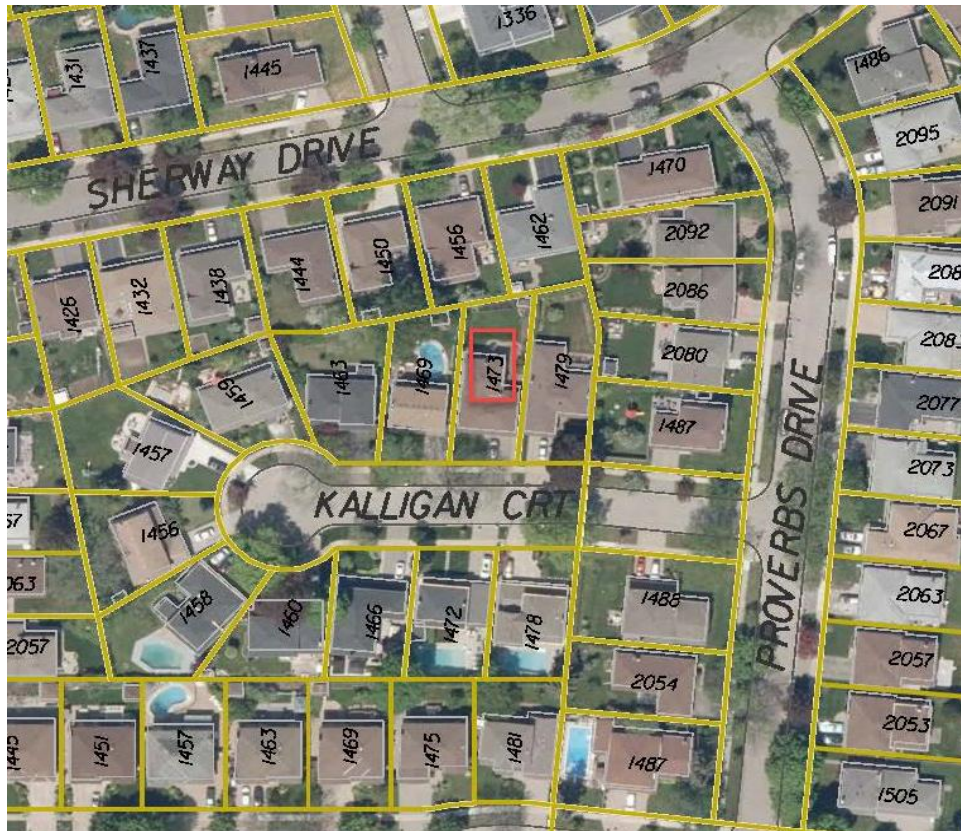
Other Applications

Building Permit: 19-6202

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, northeast of Dixie Road and North Service Road. The immediate neighbourhood is entirely residential consisting of one and two storey detached dwellings with some mature vegetation. The subject property contains an existing one storey dwelling with vegetation within the City boulevard.

The application proposes a second storey addition, requiring variances related to deficient side yard setbacks measured to the second storey.



Staff comments concerning the application are as follows:

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

Conclusion

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

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Planning and Building Department is currently processing a building permit application under file 19-6202. Based on review of the information currently available for this building permit, we advise that more information is required to verify the accuracy of the requested variances or determine whether additional variances will be required.

Comments Prepared by: Jeanine Benitez-Bumanglag, Zoning Examiner

Appendix 3 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the March 26th, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-346/19, DEF-A-014/20, DEF-A-075/20, DEF-A-076/20

Consent Applications: B-019/20, B-020/20, B-021/20, B-022/20, B-023/20, B-024/20

Minor Variance Applications: A-099/20, A-100/20, A-101/20, A-103/20, A-104/20, A-105/20, A-107/20, A-108/20, A-109/20, A-110/20, A-111/20, A-113/20, A-117/20

Comments Prepared by: Tracy Tang, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 112/20
Ward 8

Why you received this letter:

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

Details of the application and meeting information:

The property owners of 2076 Shawanaga Trail, zoned R1 - Residential, have applied for a minor variance under Section 45 of the Planning Act. The applicants request the Committee to approve a minor variance to allow the construction of a new house on the subject property proposing:

1. A lot coverage of 25.41% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% of the lot area in this instance; and
2. A southeasterly side yard of 1.20m (approx. 3.93ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 4.20m (approx. 13.78ft) in this instance.

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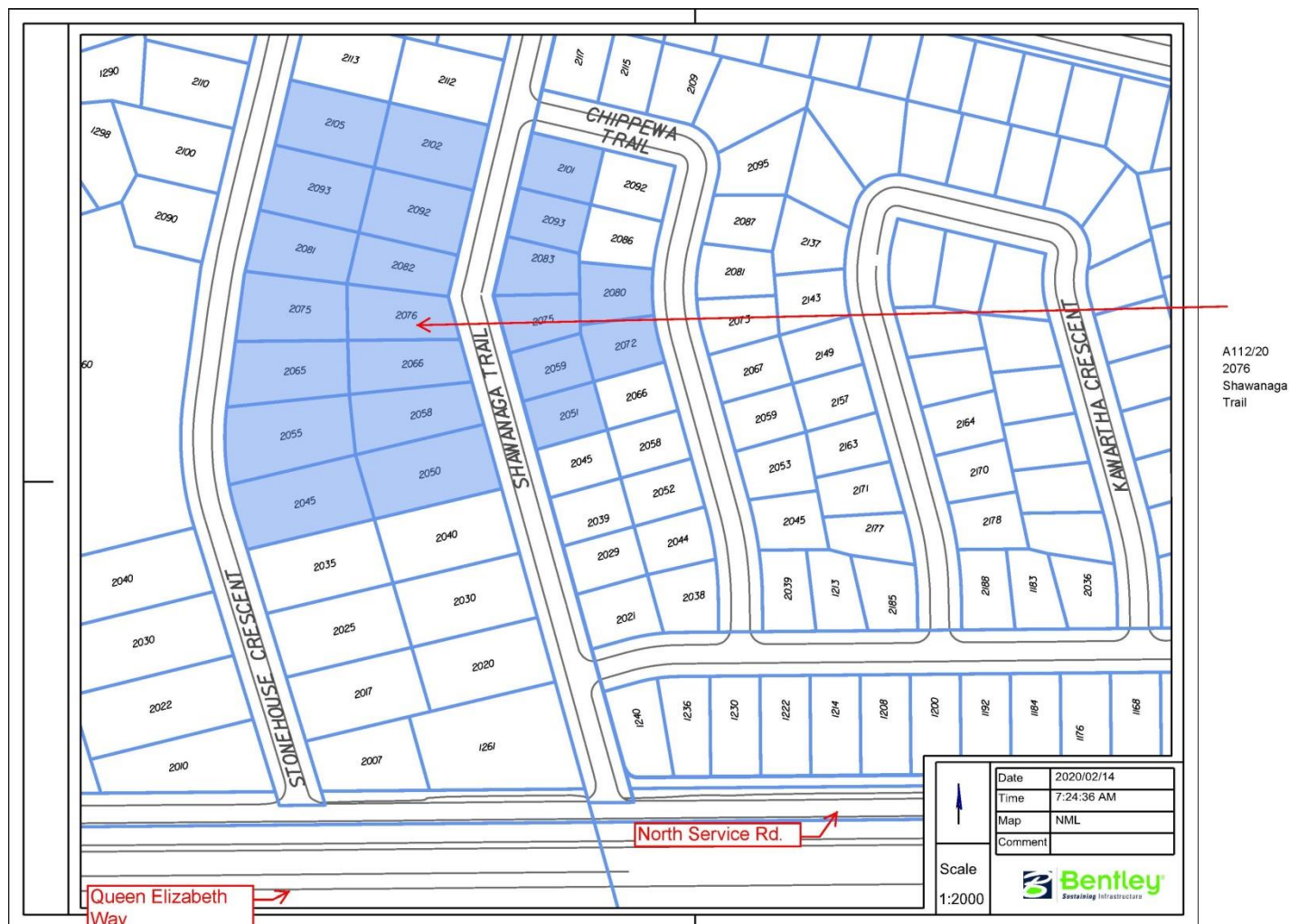
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-06-19	File(s): A112/20 Ward: 8
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-07-07

Consolidated Recommendation

The City does not object to the requested variances, as amended.

Application Details

The applicants request the Committee to approve a minor variance to allow the construction of a new house on the subject property proposing:

1. A lot coverage of 25.41% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% of the lot area in this instance; and
2. A southeasterly side yard of 1.20m (approx. 3.93ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 4.20m (approx. 13.78ft) in this instance.

Amendments

Variance #1 should be amended as follows:

A lot coverage of 25.43% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% of the lot area in this instance;

Background

Property Address: 2076 Shawanaga Trail

Mississauga Official Plan

Character Area: Sheridan Neighbourhood

Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R1 (Residential)

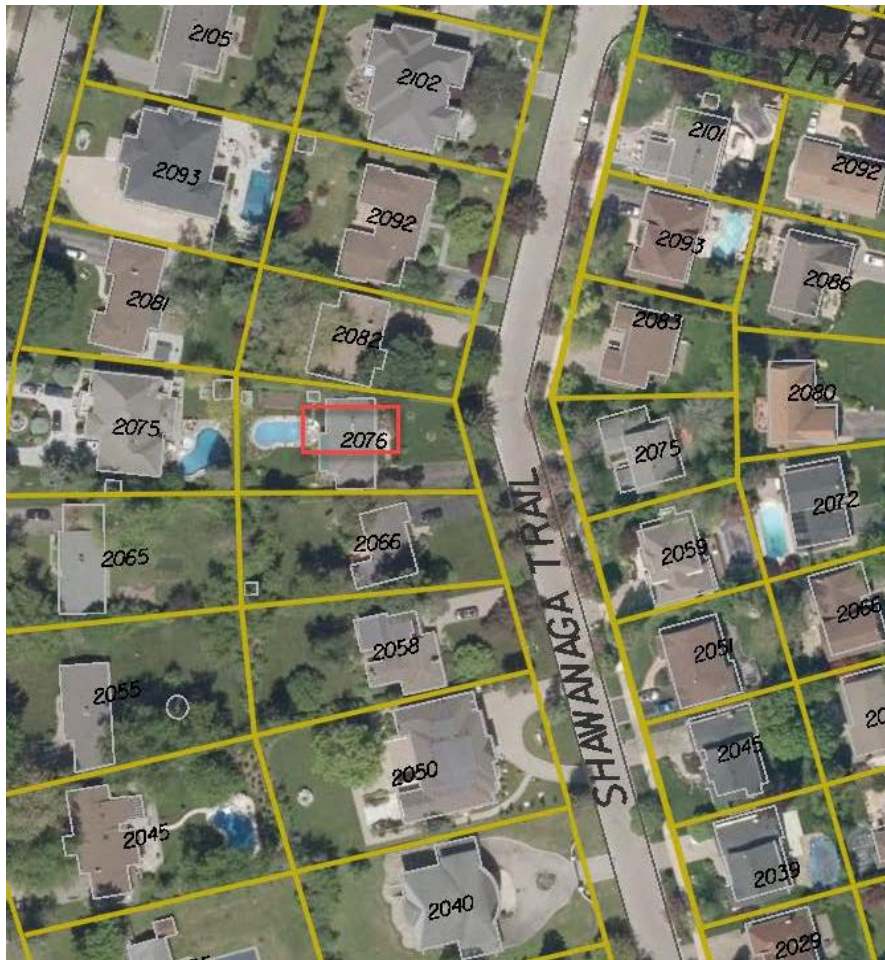
Other Applications

Pre-Zoning Application: 19-8985

Site and Area Context

The subject property is located within the Sheridan Neighbourhood Character Area, northwest of Mississauga Road and North Sheridan Way. The neighbourhood is entirely residential consisting of large lots with mature vegetation containing one and two storey detached dwellings. The subject property contains an existing one storey dwelling and mature vegetation within the front yard.

The application proposes a new two storey dwelling requiring variances related to lot coverage and interior side yard.



Comments

Planning

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

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

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

The subject property is designated "Residential Low Density I" in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached, semi-detached and duplex dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions; the surrounding context; and, the landscape of the character area. The proposed dwelling is sensitively designed to respect neighbouring properties and the overall character of the immediate neighbourhood. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

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

The application proposes a lot coverage of 25.43% whereas 25% is permitted. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot. In this instance, the lot coverage includes the front porch and feature wall. The increased lot coverage is a minor deviation from the zoning by-law and will not result in overdevelopment of the lot, minimizing the overall massing of the dwelling to adjacent properties. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #2 proposes a side yard of 1.20 m whereas a minimum side yard of 4.20 m is required. The R1 (Residential) zone requires a side yard of 1.80 m on one side of the dwelling and 4.20 m on the other. The intent of the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties, and that access to the rear yard ultimately remains unencumbered. In this instance, the side yard is measured to the feature wall of the dwelling which is approximately 4.35 m in height. The feature wall is a support post that extends further out from the front corner of the dwelling. The majority of the southerly side maintains a setback of 3.36 m, providing a sufficient buffer to the neighbouring property. The second storey is also setback from the feature wall, mitigating the overall massing impact of the reduced side yard. Furthermore, access to the rear yard will be preserved on both side yards of the dwelling. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

The proposed detached dwelling respects the designated land use, and has regard for the distribution of massing on the property as a whole. The proposed second storey is setback from the feature wall and will not negatively impact the abutting property from a massing perspective. The increased lot coverage includes the feature wall and front porch. The additional 0.43% in lot coverage is a minor deviation from the zoning by-law and will not have any additional undue impact to the character streetscape. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

Conclusion

The Planning and Building Department has no objections to the requested variances, as amended.

Comments Prepared by: Lucas Petricca, 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 Building Permit process.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Planning and Building Department is currently processing a building permit application under file 19-8985. Based on review of the information currently available for this building permit, we advise that the following variance should be amended as follows:

1. A lot coverage of 25.43% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% of the lot area in this instance;

Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the building permit process, these comments may no longer be valid.

Comments Prepared by: Adam McCormack, Zoning Examiner

City of Mississauga

Memorandum:

City Department and Agency Comments

Appendix 3 – Region of Peel Comments

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

Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please call our Site Servicing Technicians at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca

I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 7190 or by email at tracy.tang@peelregion.ca

Comments Prepared by: Tracy Tang, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 346/19
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 257-261 Queen Street South, zoned C4 - Commercial, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the operation of a karate studio proposing:

1. An aisle width of 2.30m (approx. 7.55ft) whereas By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m (approx. 23.00ft) in this instance;
2. 15 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 45 parking spaces in this instance; and
3. 1 accessible parking space whereas By-law 0225-2007, as amended, requires a minimum of 2 accessible parking spaces in this instance.

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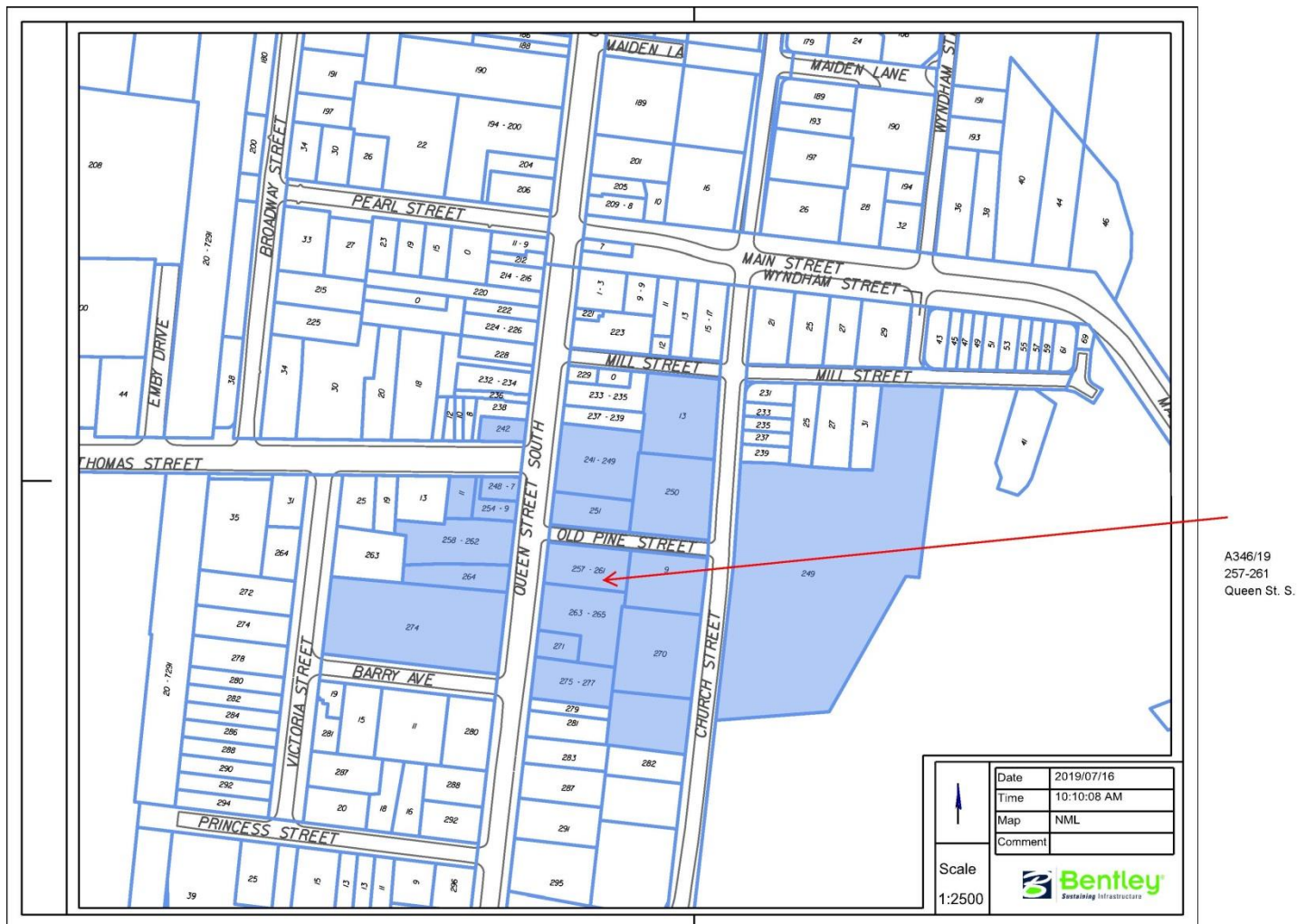
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-06-19 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): A346/19 Ward: 11
	Meeting date: 2020-07-07

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow the operation of a karate studio proposing:

1. An aisle width of 2.30m (approx. 7.55ft) whereas By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m (approx. 23.00ft) in this instance;
2. 15 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 45 parking spaces in this instance; and
3. 1 accessible parking space whereas By-law 0225-2007, as amended, requires a minimum of 2 accessible parking spaces in this instance.

Amendments

1. An aisle width of 2.30m for 4 parking spaces; whereas, By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m, in this instance;
2. To permit a recreational establishment on the subject property proposing 20 parking spaces (15 parking spaces on site for all uses and 5 parking spaces through the Payment-in-Lieu (PIL) program); whereas By-law 0225-2007, as amended requires a minimum of 45 parking spaces for all uses on site in this instance; and,
3. 0 accessible parking spaces; whereas, By-law 0225-2007, as amended, requires a minimum of 2 accessible parking spaces, in this instance.

As it pertains to Variance 2, City Planning Strategies Staff has amended the Zoning Department's comments to incorporate Payment-in-Lieu clarification.

Background

Property Address: 257 – 261 Queen Street South

Mississauga Official Plan

Character Area: Streetsville Community Node

Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C4 (Commercial)

Other Applications:

Occupancy Permit: 19-6097

Site and Area Context

The subject property is located south-east of the Queen Street South and Thomas Street intersection, and houses an existing commercial retail use (Salvation Army Thrift Store). The site is adjacent to low density commercial units that serve to form the entirety of this portion of Queen Street South. The Applicant is proposing to repurpose the existing commercial retail use to a recreational establishment (martial arts facility). No additions or alterations have been proposed to the building's footprint.



Comments

Planning

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

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

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

The site is located within Special Site 5 of the Streetsville Community Node Character Area, and designated Mixed Use by the Mississauga Official Plan (MOP). Special Site 5 enacts developmental polices not applicable to this application. Pursuant to Section 11.2.6.1(h) (Mixed Use), this designation shall permit personal service establishments, which serves to include both martial arts facilities, as well as fitness centres, within the context of the Official Plan. This application meets the general intent and purpose of the Official Plan.

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

As per Zoning By-law 0225-2007, the subject property is zoned C4 (Commercial), which permits Recreational Establishments, as-of-right. In accordance with Table 3.1.2.2 (Required Number of Parking Spaces for Non-Residential Uses), this zone regulates the required number of parking spaces. The intent in quantifying this regulation is to ensure that each structure is self-sufficient in providing adequate parking accommodations based upon a units intended use. As per Zoning By-law 0225-2007, 45 parking spaces are required; whereas, the Applicant is providing 20. As per the Parking Utilization Study (Nextrans, Feb/2020) provided by the Applicant, and reviewed to the satisfaction of City Planning Strategies Staff, the proposed parking rates are suitable to adequately accommodate peak parking demands for the intended use. The application, as amended, maintains the purpose and general intent of the Zoning By-law.

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

The subject property is both well serviced by the public transit system and has ample room to accommodate required parking. The structure remains self-sufficient, with the majority of parking handled on-site, and with the requested variance serving to pose no significant negative impact to the surrounding neighbourhood, as a whole. The application, as amended, results in both the orderly development of the lands, and whose impacts are minor in nature.

Conclusion

Based upon the preceding information, it is the opinion of Staff that the variances, as amended, meet the general intent and purpose of both the MOP and Zoning By-law; are minor in nature; and, are desirable for the orderly development of the lands. To this end, the Planning and Building Department has no objection to the variances, as amended.

Comments Prepared by: [Click here to insert name, title...](#)Roberto Vertolli, 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' 346/19

Comments Prepared by: David Martin, Supervisor Development Engineering [Click here to insert name, title...](#)

Appendix 2 – Zoning Comments

The Building Department is currently processing an Occupancy Permit application under file 19-6097. Based upon review of this application, Staff advises that the Application should be amended as follows, permitting:

The applicant requests the Committee to approve a minor variance to allow the operation of a Recreational Establishment proposing:

1. An aisle width of 2.30m for 4 parking spaces; whereas, By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m, in this instance;
2. 15 parking spaces; whereas, By-law 0225-2007, as amended, requires a minimum of 44 parking spaces, in this instance; and,
3. 0 accessible parking spaces; whereas, By-law 0225-2007, as amended, requires a minimum of 2 accessible parking spaces, in this instance.

Comments Prepared by: [Click here to insert name, title...](#) Ramsen Hedoo, Zoning Examiner

Appendix 3 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the March 26th, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-346/19, DEF-A-014/20, DEF-A-075/20, DEF-A-076/20

Consent Applications: B-019/20, B-020/20, B-021/20, B-022/20, B-023/20, B-024/20

Minor Variance Applications: A-099/20, A-100/20, A-101/20, A-103/20, A-104/20, A-105/20, A-107/20, A-108/20, A-109/20, A-110/20, A-111/20, A-113/20, A-117/20

Comments Prepared by: Tracy Tang, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 8/20
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 owners of 7661 Redstone Road, zoned R3-69 - Residential, have applied for a minor variance under Section 45 of the Planning Act. The applicants request the Committee to approve a minor variance to allow the construction of a new home on the subject property proposing:

1. A lot coverage of 30.82% (188.48sq.m) of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% (183.47sq.m) of the lot area in this instance; and
2. A gross floor area of 336.18sq.m (approx. 3,618.61sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 272.31sq.m (approx. 2,931.12sq.ft) in this instance.

The Committee has set **Tuesday July 7, 2020 at 1:30 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:30 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 Noon 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 Noon 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.

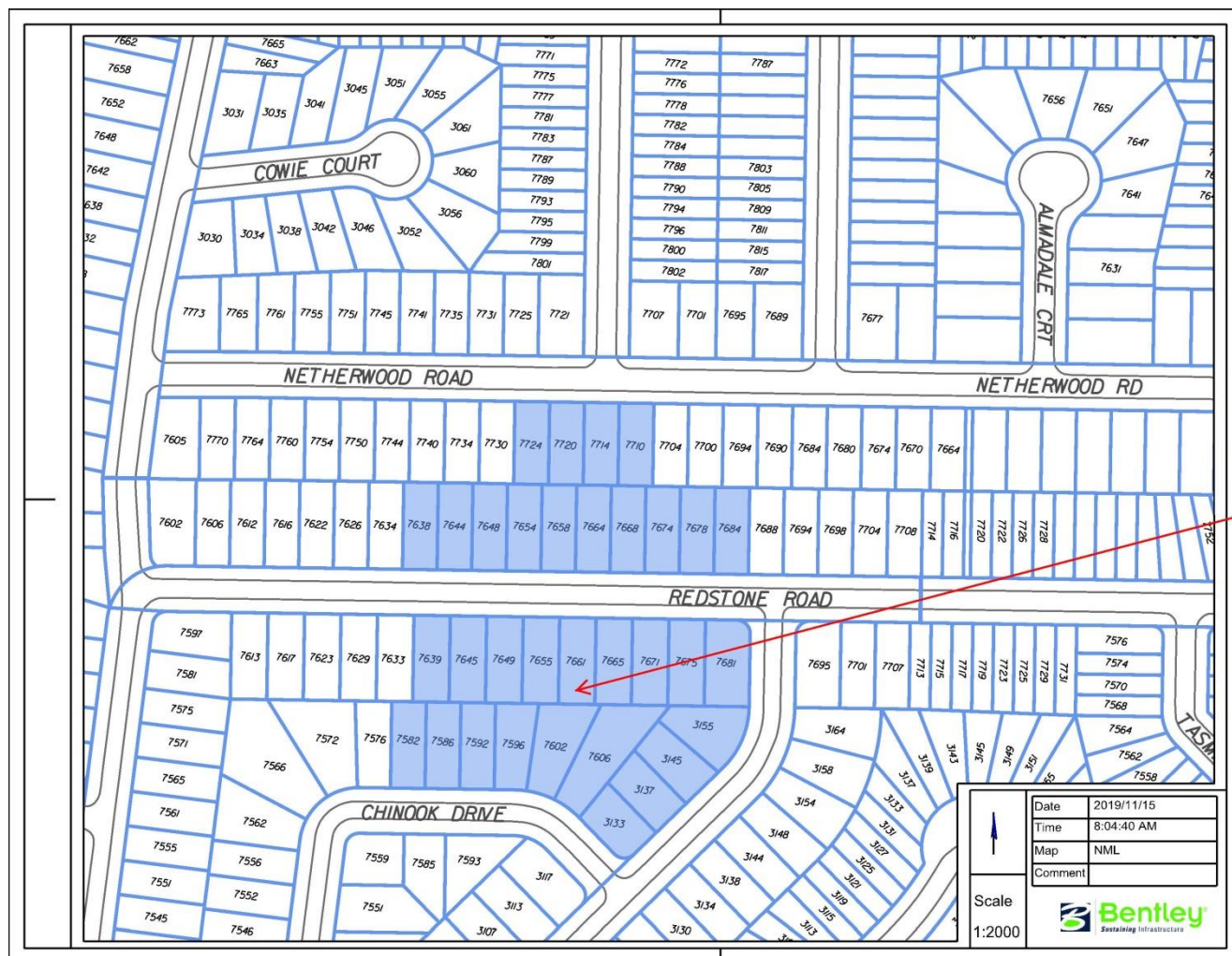
To participate by telephone: To register, please call 905-615-3200 x5209 no later than Noon the Friday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.

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 Noon 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 x5209.



A8.20
7661
Redstone Rd.

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-06-19	File(s): A8/20 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-07-07

Consolidated Recommendation

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

Application Details

The applicants request the Committee to approve a minor variance to allow the construction of a new home on the subject property proposing:

1. A lot coverage of 30.82% of the lot area; whereas, By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% of the lot area, in this instance; and,
2. A gross floor area of 336.18m² (approx. 3,618.61sq.ft); whereas, By-law 0225-2007, as amended, permits a maximum gross floor area of 272.31 m² (approx. 2,931.12sq.ft), in this instance.

Background

Property Address: 7661 Redstone Road

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3-69 (Residential)

Other Applications:

Building Permit: 19-8342

Site and Area Context

The property is located north-east of the Airport Road and Thamesgate Drive intersection. The immediate neighbourhood is primarily detached dwellings; however, semi-detached dwellings are also present. Architecturally, the area is comprised primarily of post-war, 1 and 1.5 storey bungalows; however, this area of Malton has seen recent residential development, with new construction being prevalent on both Redstone Road, as well as within the surrounding neighbourhood as a whole.

The Applicant is proposing to demolish the existing structure and replace it with a larger detached dwelling.



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:

A proposal for this property was previously brought before Committee on January 16th, 2020, under Application 'A' 8/20. At this time, the application was deferred to permit the Applicant the opportunity to redesign the dwelling. Planning Staff note, as per the provided revisions, the Applicant has removed the more egregious aspects of this previous proposal and has resubmitted a more modest design.

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

The site is located within the Malton Neighbourhood Character Area, and designated Residential Low Density I by the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached dwellings; semi-detached dwellings; and, duplex dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions; the surrounding context; and, the landscape of the character area. The subject lands are to be used for residential purposes. The proposed dwelling respects the designated residential land use, and, despite the variances, has regard for the distribution of massing on the property as a whole. The variances, as requested, meet the purpose and general intent of the Official Plan.

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

As per Zoning By-law 0225-2007, the subject property is zoned R3-69 (Residential). Pursuant to Table 4.2.4.69(1) (R3 Exception Zones), the Zoning By-law permits a maximum lot coverage of 30.0%; whereas, the Applicant has proposed 30.82%. The general intent of this portion of the By-law is to ensure that individual lots are not visibly or disproportionately developed as it pertains to the overall size of a property. Staff note, no subsequent variances have been requested as it pertains to either the associative setback or height regulations, thereby mitigating the impacts of this requested increase. Further, a portion of this increased lot coverage is associated with an open-faced deck at the rear of the dwelling; a structural feature that does not lend itself to "true massing", but is required to be included in this calculation. It is the opinion of Planning Staff that no additional undue impact is created as a result of the requested variance. Variance 1, as requested, maintains the purpose and general intent of the Zoning By-law.

Pursuant to Table 4.2.4.69(2) (R3 Exception Zones), this zone regulates a detached dwelling's maximum gross floor area. The general intent of this portion of the By-law, as it pertains to infill development, is to ensure that individual properties are not overdeveloped, and that additional massing resultant of construction will not negatively impact the character of the neighbourhood. Despite requiring relief to permit the proposed increase in gross floor area; the detached dwelling remains appropriate in size and whose massing is well-hidden by multiple defined sections – the projecting bay windows and garage areas; the multiple roof sections, etc. – resulting in an unobtrusive design from a streetscape perspective. Variance 2, as requested, maintains the purpose and general intent of the Zoning By-law.

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

While the residential design of this neighbourhood has historically been single storey, or storey and a half structures, the proposed dwelling is in scale with the overall property as a whole, and, does not result in the over massing of the site. Staff further note, while infill zoning regulations were enacted to restrict over-massing of dwellings within this community, the presence of larger developments within the immediate contextual area, especially as it pertains neighbouring properties, predate these regulations and support the proposal of a larger structure in this instance. The variances, as requested, result in both the orderly development of the lands, and whose impacts are minor in nature.

Conclusion

Based upon the preceding information, it is the opinion of Staff that the variances, as requested, meet the general intent and purpose of both MOP and Zoning By-law; are minor in nature; and, are desirable for the orderly development of the lands. To this end, the Planning and Building Department has no objection to the variances, as requested; however the Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Comments Prepared by: Roberto Vertolli, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting that any Transportation and Works Department requirements for the proposed new dwelling will be addressed through the Building Permit Process.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit application under file 19-8342. Based upon review of this application, Staff advises that more information is needed to determine the validity of Variance 1, as well as to determine whether additional variance(s) may be required.

Comments Prepared by: Jeanine Benitez-Bumanglag, Zoning Examiner

Appendix 3 – Region of Peel Comments

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

Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please call our Site Servicing Technicians at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca

I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 7190 or by email at tracy.tang@peelregion.ca

Comments Prepared by: Tracy Tang, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 14/20
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 6181 Starfield 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 permit an inground swimming pool, proposing a rear yard set back to a G1 Zone of 1.54m (approx. 5.05ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard set back to a G1 Zone of 5.00m (approx. 16.40ft) in this instance.

The Committee has set **Tuesday July 7, 2020 at 1:30 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:30 pm and will be heard in the order shown on the agenda.

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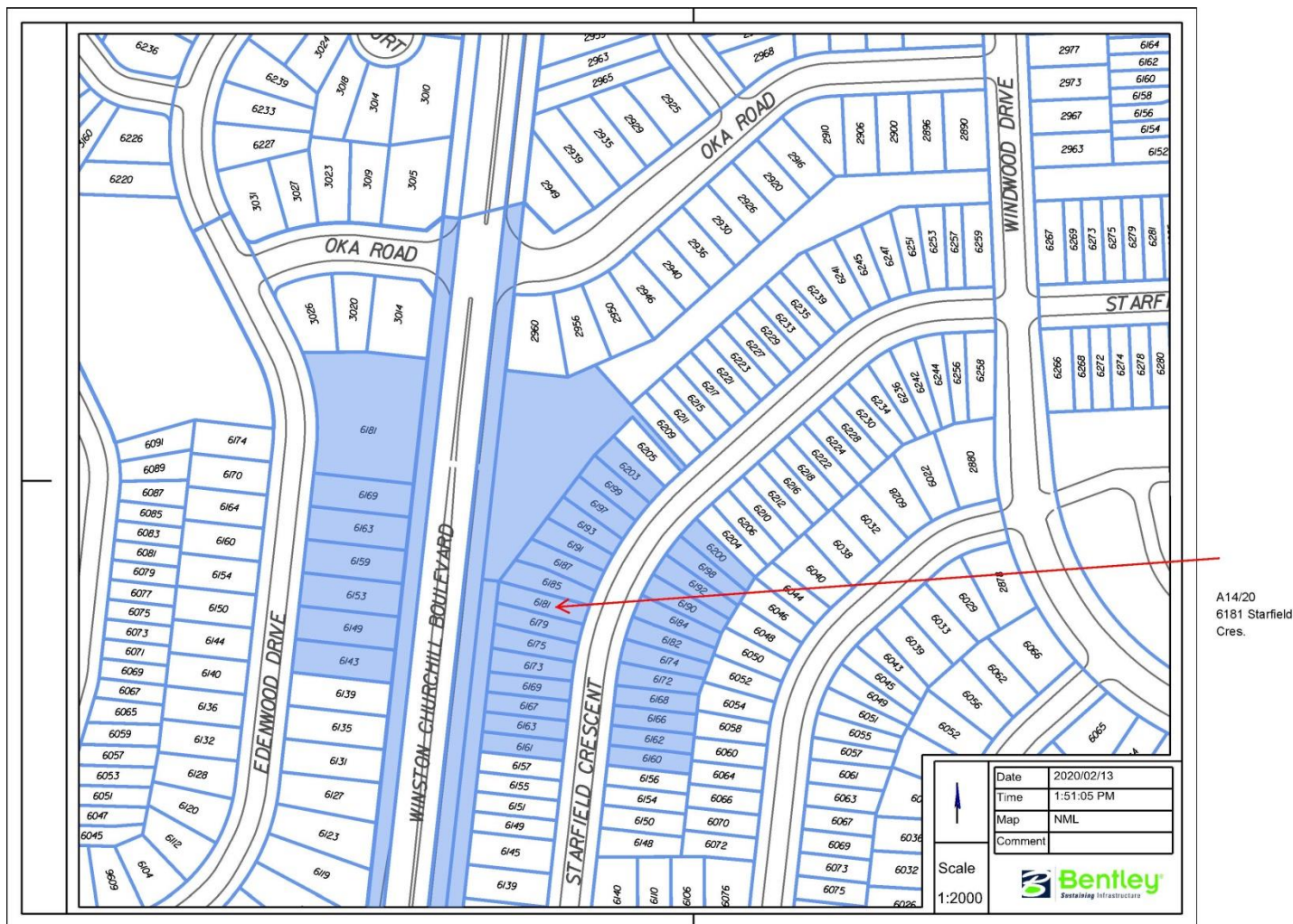
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Legal notice:

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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 x5209.



City Department and Agency Comments	File:A14/20	2020/06/19	1
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Date Finalized: 2020-06-19 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): A14/20 Ward: 9
	Meeting date: 2020-07-07

Consolidated Recommendation

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

Application Details

The Applicant requests the Committee to approve a minor variance to permit an inground swimming pool, proposing a rear yard set back to a G1 Zone of 1.54m (approx. 5.05ft); whereas, By-law 0225-2007, as amended, requires a minimum rear yard set back to a G1 Zone of 5.00m (approx. 16.40ft), in this instance.

Background

Property Address: 6181 Starfield Crescent

Mississauga Official Plan

Character Area: Meadowvale Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

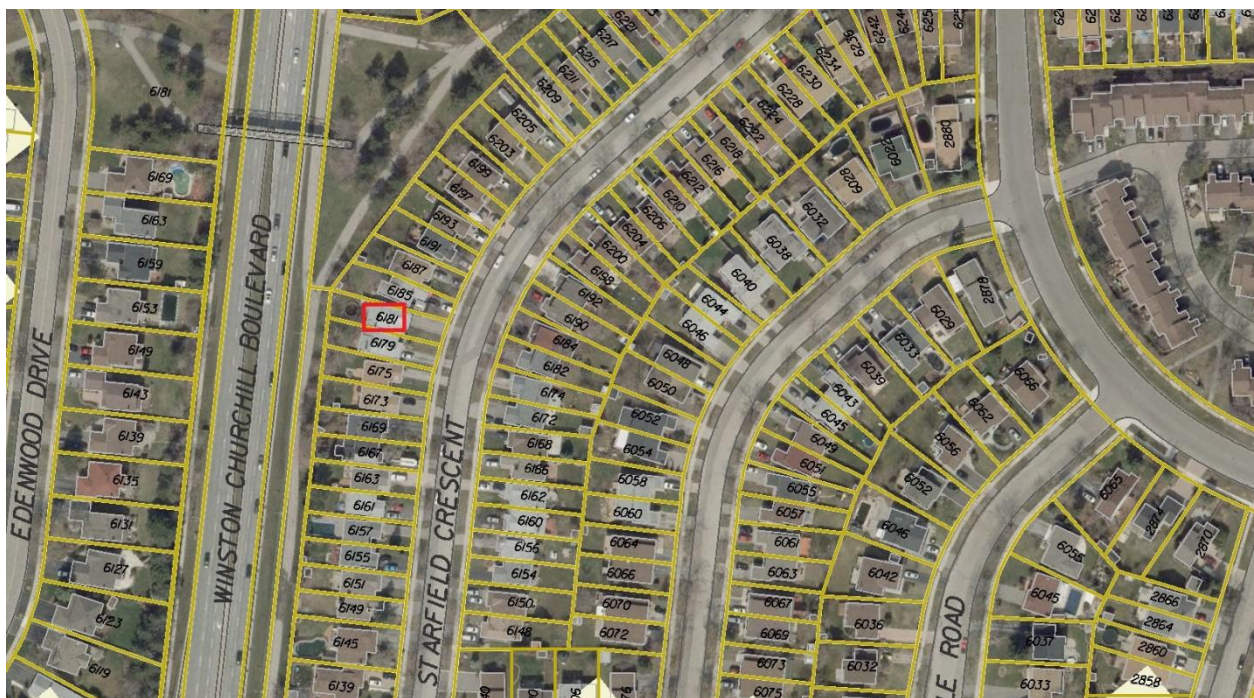
Zoning: RM1 (Residential)

Site and Area Context

The property is located north-east of the Britannia Road West and Winston Churchill Boulevard intersection, and houses a two-storey detached dwelling, with an attached two-car garage. The

subject lands are adjacent to a minor pathway / landscaped area to the rear. Planning Staff note the absence of a rear-yard neighbour, in this instance.

Contextually, the immediate area is comprised exclusively of detached dwellings of a shared architectural style. Planning Staff note the presence of townhome units further to the south; however, their lot configuration and orientation, coupled with intervening six-lane roadway (Britannia Road West), results in their presence not directly influencing the area context. The property in-question is an interior parcel, with a lot area of +/- 395m² and a lot frontage of +/- 9.6m.



Comments

Planning

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

The Applicant is proposing to install an in-ground swimming pool within the rear yard of their property. As a result of both the proposed location of the pool, as well as the adjacent neighbouring G1 Zone, the Applicant is required to seek the above-noted relief from By-law 0225-2007, as amended. Generally, the intent in providing setbacks to Greenland Zones is to ensure that proposed development will not have any significant or lasting negative impacts on

any neighbouring environmentally sensitive features. Planning Staff note the absence of any environmentally sensitive features in this instance, with no Conservation Authority jurisdiction extending upon this site.

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

Conclusion

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

Comments Prepared by: Roberto Vertolli, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections to the applicant's request for the reduction in a rear yard setback to a G1 Zone (abutting Lake Wabukayne Trail).

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Building Department is currently processing a Pool Permit application under file 19-121. Based upon review of this application, this Department notes that the variance, as requested, is correct.

Comments Prepared by: Jeanine Benitez-Bumanglag, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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

1. The lands to the rear of the property are City owned lands, identified as Windwood Park Trail and zoned G-1. 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,..., grading, landscaping...;

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

1. The applicant will be required to submit a pool permit for review by City Staff.
2. Stockpiling, construction access and encroachment of construction materials in the adjacent park is not permitted.

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

Comments Prepared by: Jim Greenfield, Park Planner

Appendix 4 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the March 26th, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-346/19, DEF-A-014/20, DEF-A-075/20, DEF-A-076/20

Consent Applications: B-019/20, B-020/20, B-021/20, B-022/20, B-023/20, B-024/20

Minor Variance Applications: A-099/20, A-100/20, A-101/20, A-103/20, A-104/20, A-105/20, A-107/20, A-108/20, A-109/20, A-110/20, A-111/20, A-113/20, A-117/20

Comments Prepared by: Tracy Tang, Junior Planner