
Committee of Adjustment

Date: July 9, 2020
Time: 1:00 PM
Location: Online Video Conference

Members

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

Contacts

Umar Mahmood, Committee of Adjustment Coordinator, Legislative Services
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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 A102/20 (Ward 2)

1353 Aldo Drive

Michael Daoud

4.2 A113/20 (Ward 2)

1277 Birchview Drive

Larry & Heather McCormick

4.3 A114/20 (Ward 3)

4268 Greybrook Crescent

Goran & Gordana Tripic

4.4 A119/20 (Ward 4)

4220 Living Arts Drive

OMERS Realty Management Corporation & ARI SQ1 GP Inc

4.5 A120/20 (Ward 2)

1610 Indian Grove

Ioan Florin, Ioan & Cornelia Floria

4.6 A124/20 (Ward 10)

3338 Stoney Crescent

Rajesh Arulsakthi

4.7 A125/20 (Ward 4)

15 Fairview Road East

Regional Municipality of Peel

4.8 A80/20 (Ward 3)

4280 Greybrook Crescent

Bohdan & Anna Lesiw

5. OTHER BUSINESS

6. ADJOURNMENT



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 102/20
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 1353 Aldo Drive, zoned R2-5 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new driveway on the subject property proposing:

1. A driveway width (including interlock) of 10.63m (approx. 34.88ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 8.50m (approx. 27.88ft) in this instance;
2. A northerly driveway setback of 0.00m whereas By-law 0225-2007, as amended, requires a minimum driveway setback of 0.60m (approx. 1.96ft) in this instance; and
3. A walkway attachment width of 3.34m (approx. 10.96ft) whereas By-law 0225-2007, as amended, permits a maximum walkway attachment width of 1.50m (approx. 4.92ft) in this instance.

The Committee has set **Thursday July 9, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-06-30 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): A102/20 Ward: 2
	Meeting date: 2020-07-09

Consolidated Recommendation

The City does not object to variances #1 and 2, however, recommend that variance #3 be refused. The applicant may choose to defer the application to verify the accuracy of the proposed driveway width.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a new driveway on the subject property proposing:

1. A driveway width of 10.15m (approx. 33.30ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 8.50m (approx. 27.88ft) in this instance;
2. A northerly driveway setback of 0.00m whereas By-law 0225-2007, as amended, requires a minimum driveway setback of 0.60m (approx. 1.96ft) in this instance; and
3. A walkway attachment width of 3.34m (approx. 10.96ft) whereas By-law 0225-2007, as amended, permits a maximum walkway attachment width of 1.50m (approx. 4.92ft) in this instance.

Background

Property Address: 1353 Aldo Drive

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R2-5 (Residential)

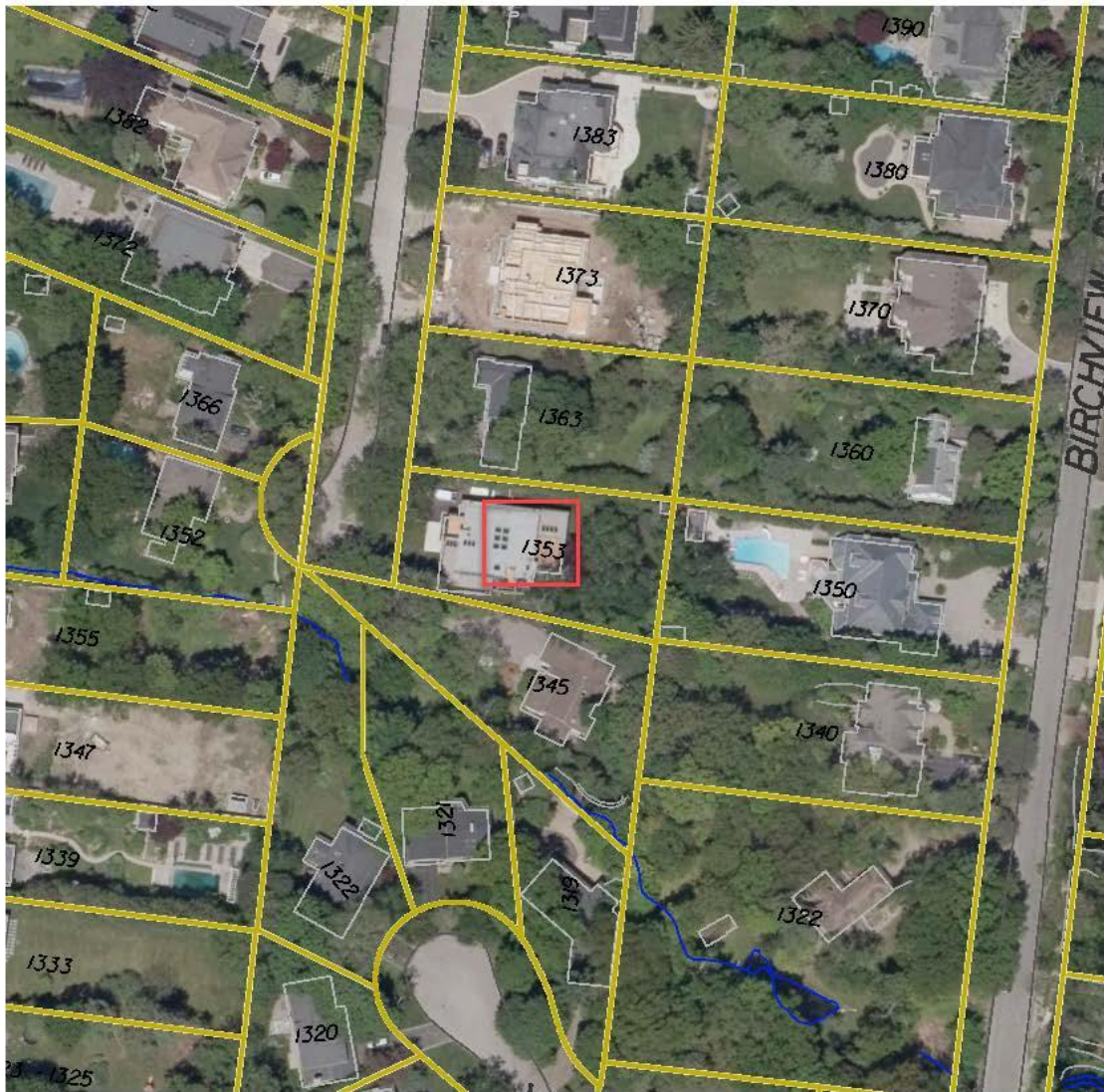
Other Applications

Pre-Zoning Application: 20-88

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southeast of Lorne Park Road and Indian Road. The neighbourhood is entirely residential consisting of large lots with one and two storey detached dwellings, containing mature vegetation. The neighbourhood mostly consists of lots with significant soft landscaping with little hard landscaping. The subject property contains a new two storey dwelling with mature vegetation in the front yard.

The application proposes variances related to a driveway and walkway attachment width increase and deficient driveway 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 designated "Residential Low Density I" in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached, semi-detached and duplex dwellings. As per Section 9 (Preamble) of MOP, sites will be developed to respect the experience, identity and character of the surrounding context. In this instance, the increased driveway width is contained to one portion of the driveway and does not continue throughout the entire length of the driveway, maintaining a sufficient soft landscaped area within the front yard. However, the proposed walkway attachment width can allow for additional vehicular access and increases the hard surfacing within the front yard. As such staff is of the opinion that variances #1 and 2 maintain the general intent and purpose of the official plan.

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

The application proposes a driveway width of 10.15 m whereas a maximum of 8.50 m is permitted. The intent of this portion of the by-law is to permit a driveway large enough to suitably accommodate the required number of parking spaces for a dwelling, with the remainder of the front yard being soft landscaped. A portion of the driveway measured from the widest point contains a width of 10.15 m. The design of the driveway narrows to widths less than the proposed variance. The increased width does not negatively impact the soft landscaped area as the zoning by-law requirement is being maintained. Staff is of the opinion that the application maintains the general intent and purpose of the zoning by-law.

Variance #2 proposes a driveway setback of 0 m whereas 0.60 m is permitted. The intent of this portion of the by-law is to ensure that an adequate visual buffer exists between properties and that it is large enough to mitigate any potential drainage concerns. Typically, staff requires a minimum setback of 0.30 m, however, in this instance, the reduced setback is due to the pinch point of the driveway and property line. One minor portion of the driveway directly abuts the property line; the remaining portion of the driveway is sufficiently setback from the property line, thereby mitigating any potential drainage concerns. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #3 proposes a walkway attachment of 3.34 m whereas a maximum of 1.50 m is permitted. The intent of this portion of the by-law is to allow a hard-surfaced pathway from the driveway to the front entrance and/or the rear yard, while ensuring that such an area cannot be utilized for parking purposes. In principle, staff cannot support the proposed variance as the increased width of the walkway attachment is wide enough to allow for additional vehicular parking supplementary to the driveway. Staff is of the opinion that the general intent and purpose of the zoning by-law is not maintained.

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

The increased driveway width is measured to the widest point and does not continue throughout the entire length of the driveway. The remaining portion of the driveway maintains a width less than what is being proposed, maintaining a sufficient amount of soft landscaping within the front yard. Regarding the driveway setback, the proposed 0 m setback is measured between a pinch point of the driveway and property line. The remaining portion of the driveway maintains a sufficient buffer to the property line, providing a visual buffer and mitigating any potential drainage concerns. The increased walkway attachment proposes a width large enough to accommodate additional vehicular parking accessory to the driveway, negatively impacting the character streetscape. Staff is of the opinion that variances #1 and 2 represent orderly development of the lands and are minor in nature.

Conclusion

The Planning and Building Department has no objections to variances #1 and 2, however, recommend variance #3 be refused. The applicant may choose to defer the application to verify the accuracy of the proposed driveway width.

Comments Prepared by: Lucas Petricca, 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' 102/20.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Planning and Building Department is currently processing a preliminary zoning review application under file 20-88. Based on review of the information currently available for this application, variances 2 & 3 are correct. We advise that more information is required to verify the accuracy of variance 1 or determine whether additional variances will be required.

Comments are based on the plans received by Zoning staff on 01/20/2020 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.

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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

- Requirements for Municipal Boulevard tree protection securities and protective hoarding will be addressed during the Site Plan Control Process (SP 17-60).

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

Development Planning: Tracy Tang (905) 791-7800 x7190

The subject land is located within the limits of the regulated area of the Credit Valley Conservation (CVC). The Region relies on the environmental expertise of the CVC for the review of development applications located within or adjacent to this regulated area in Peel and their potential impacts on the natural environment. Regional Planning staff

therefore, request that the Committee and city staff consider comments from the CVC and incorporate their conditions of approval appropriately.

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

Appendix 5 - Conservation Authority Comments

Credit Valley Conservation (CVC) staff have reviewed the subject application and offer comments based on the following roles and responsibilities:

1. Watershed Based Resource Management Agency and Public (commenting) Body under the Planning Act - providing comments based on CVC's Board approved policies;
2. Planning Advisory Services - providing environmental planning and technical advice/comments based on service agreements or memorandum of understanding;
3. Delegated Responsibilities – providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 3.1 of the Provincial Policy Statement (2014);
4. Regulatory Responsibilities – providing comments to ensure the coordination of requirements under the Conservation Authorities Act Section 28 regulation, to eliminate unnecessary delay or duplication in process;
5. Source Protection Agency – providing advisory comments to assist with the implementation of the CTC Source Protection Plan under the Clean Water Act, as applicable.

ONTARIO REGULATION 160/06:

The subject property appears to be partially regulated by CVC. As such, the property is subject to the Development, Interference with Wetlands, and Alterations to Shorelines & Watercourses Regulation (Ontario Regulation 160/06). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

PROPOSAL:

It is our understanding that the applicant requests the Committee to approve a minor variance to allow the construction of a new driveway on the subject property proposing:

1. A driveway width (including interlock) of 10.63m (approx. 34.88ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 8.50m (approx. 27.88ft) in this instance;
2. A northerly driveway setback of 0.00m whereas By-law 0225-2007, as amended, requires a minimum driveway setback of 0.60m (approx. 1.96ft) in this instance; and

3. A walkway attachment width of 3.34m (approx. 10.96ft) whereas By-law 0225-2007, as amended, permits a maximum walkway attachment width of 1.50m (approx. 4.92ft) in this instance.

COMMENTS:

Based on the review of the information, CVC staff have **no concerns** and **no objection** to the approval of this minor variance by the Committee at this time.

Please circulate CVC any future correspondence regarding this application.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at 905-670-1615 (ext. 296) should you have any further questions or concerns.

Comments Prepared by: Iftekhar Ahmad, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 113/20
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 owners of 1277 Birchview Drive, zoned R2-5 - 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 a circular driveway on the subject property proposing a combined width of access points of 9.89m (approx. 32.45ft) whereas By-law 0225-2007, as amended, permits a maximum combined width of access points of 8.50m (approx. 27.88ft) in this instance.

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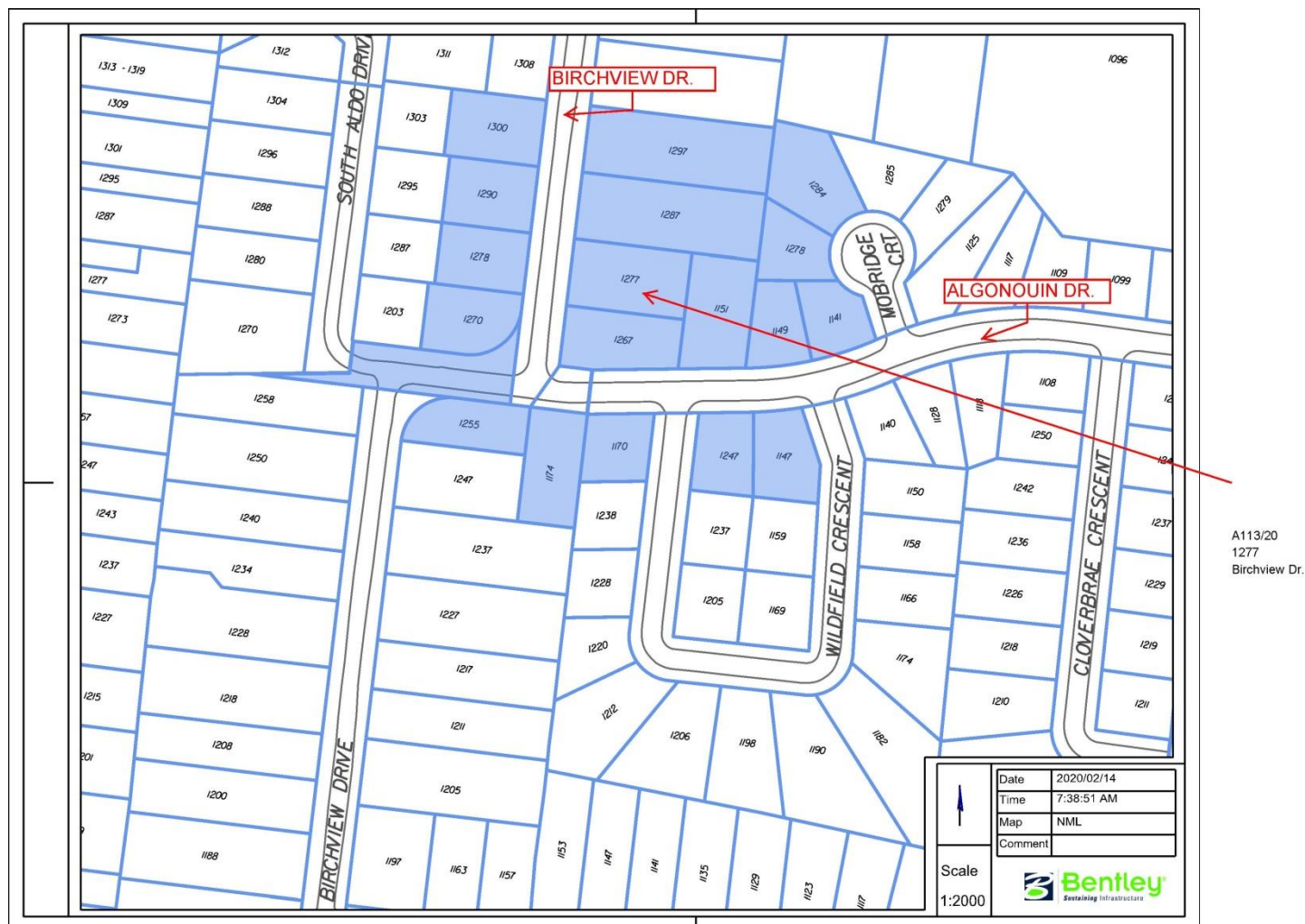
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-06-30	File(s): A113/20 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-07-09

Consolidated Recommendation

The City recommends that the application be deferred to capture all required variances.

Application Details

The applicants request the Committee to approve a minor variance to allow a circular driveway on the subject property proposing a combined width of access points of 9.89m (approx. 32.45ft) whereas By-law 0225-2007, as amended, permits a maximum combined width of access points of 8.50m (approx. 27.88ft) in this instance.

Background

Property Address: 1277 Birchview Drive

Mississauga Official Plan

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

Zoning By-law 0225-2007

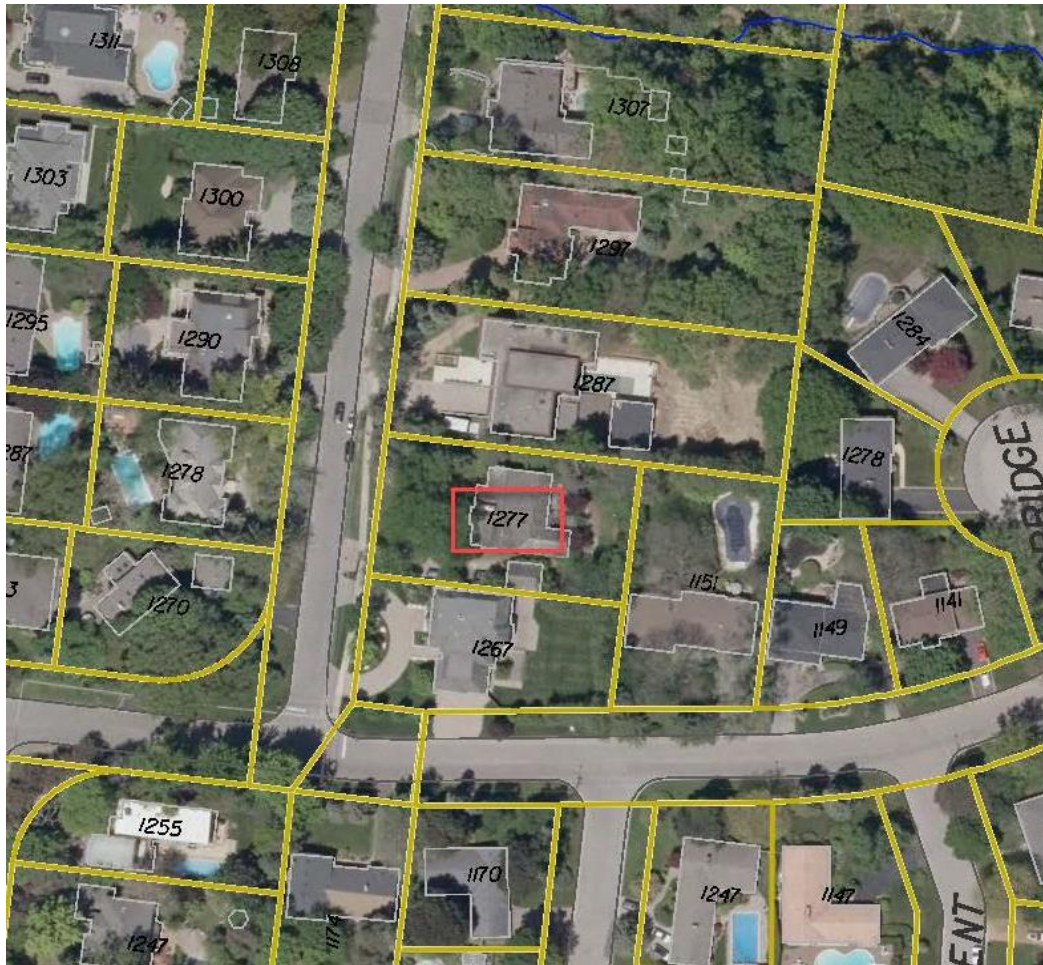
Zoning: R2-5 (Residential)

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, south of Indian Road and Birchview Drive. The neighbourhood is entirely residential consisting of large lots with significant mature vegetation, containing one and two storey detached

dwelling. The immediate area also contains numerous circular driveways. The subject property contains a one storey dwelling with mature vegetation within the front yard.

The application proposes a circular driveway with a combined access point of 9.89 m whereas a maximum of 8.50 is permitted.



Comments

Planning

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

Staff comments concerning the application 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.

However, through discussions with the Zoning Division, it appears additional variances are required for the number of walkway attachments and walkway attachment widths.

Conclusion

The Planning and Building Department recommends that the application be deferred to capture all required variances.

Comments Prepared by: Lucas Petricca, 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' 113/20.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

This Division notes that a building permit is not required in this instance. The applicant is advised that a full zoning review has not been completed; however, in reviewing the variance as outlined in this application, it was apparent that the following additional variances may be required for driveway setback, number of walkway attachments, walkway widths etc.

Notwithstanding the above we are unable to confirm the accuracy of the requested variance or determine whether further additional variances may be required.

Comments Prepared by: Sandra Morrison, 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" 114/20
Ward 3

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Details of the application and meeting information:

The property owners of 4268 Greybrook Crescent, zoned RM1 - 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 reconstruction of the rear yard deck and the existing shed to remain proposing:

1. A lot coverage of 36.5% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.0% of the lot area in this instance;
2. A rear yard measured to a shed of 0.28m (approx. 0.92ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 0.61m (approx. 2.00ft) in this instance; and
3. A side yard measured to a shed of 0.25m (approx. 0.82ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 0.61m (approx. 2.00ft) in this instance.

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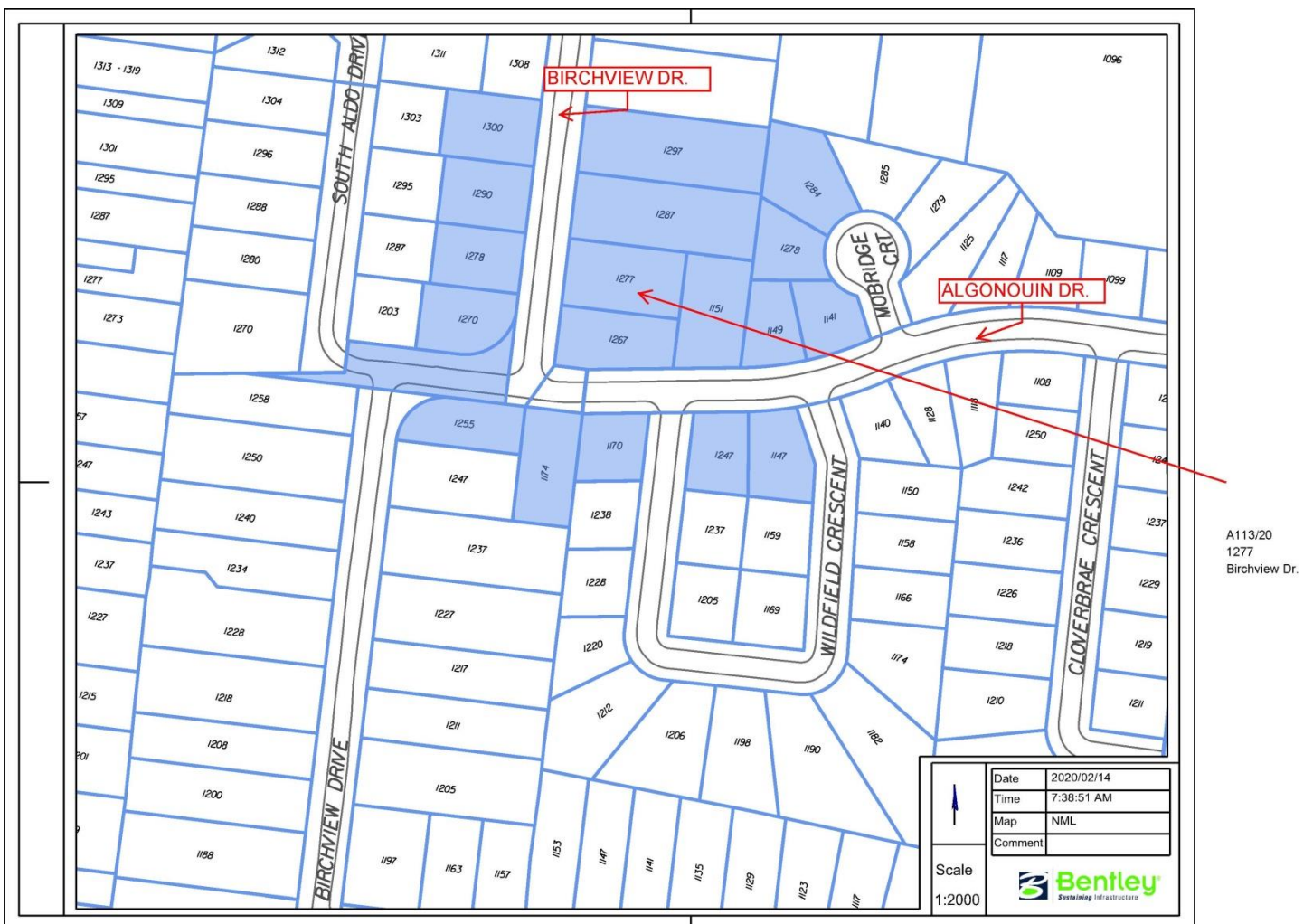
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-06-30	File(s): A114/20 Ward: 3
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-07-09

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. 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 reconstruction of the rear yard deck and the existing shed to remain, proposing:

1. A lot coverage of 36.5% of the lot area; whereas, By-law 0225-2007, as amended, permits a maximum lot coverage of 35.0% of the lot area, in this instance;
2. A rear yard measured to a shed of 0.28m (approx. 0.92ft); whereas, By-law 0225-2007, as amended, requires a minimum rear yard of 0.61m (approx. 2.00ft), in this instance; and,
3. A side yard measured to a shed of 0.25m (approx. 0.82ft); whereas, By-law 0225-2007, as amended, requires a minimum side yard of 0.61m (approx. 2.00ft), in this instance.

Background

Property Address: 4267 Greybrook Crescent

Mississauga Official Plan

Character Area: Rathwood Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

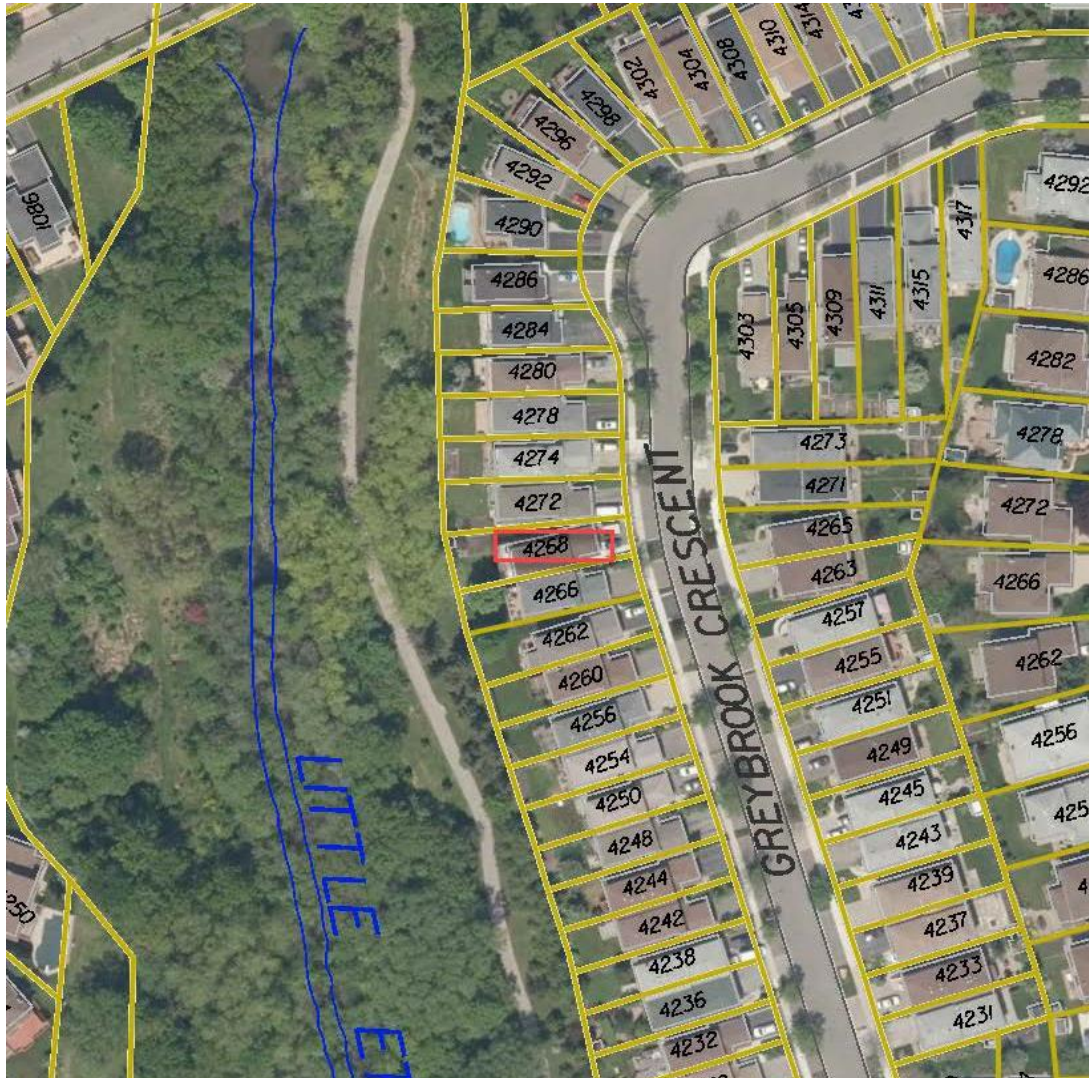
Zoning: RM1 (Residential)

Other Applications:

Building Permit: 19-8732

Site and Area Context

The property is located south-west of the Dixie Road and Eastgate Parkway intersection, and currently houses a two-storey detached dwelling with an attached two-car garage. The site is contiguous to an open space / landscaped trail to the rear. The immediate neighbourhood is primarily detached dwellings; however semi-detached structures are also present within the immediate area. The area shares a 1980's architectural style, with an absence of new construction or replacement dwellings being present. The properties within the immediate area possess lot frontages of +/-9.0m, with moderate vegetative / natural landscaped elements within the front yards. The subject property is an interior parcel, with a lot area of approximately 405m² and a frontage of 9.1m.



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

Planning Staff would note, Committee granted similar approval to the neighbouring property of 4278 Greybrook Crescent; permitting a lot coverage 45.0% for an elevated deck, through Minor Variance Application 'A' 411/19.

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. 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

This department has no objections to the deck as constructed. We are also noting from our site inspection of the property that the deck as constructed and existing shed have not altered the existing drainage pattern for this property.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit application under file 19-8732. Based upon review of this application, Staff notes that more information is required to verify the accuracy of the requested variances, as well as to determine whether additional variance(s) will be required.

Comments Prepared by: Jeanine Benitez-Bumanglag, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

The Park Planning Section of the Community Services Department has reviewed the minor variance application and has no objections.

Should the application be approved, Community Services notes the following:

1. Applewood Hills Park (Park #049) abuts the rear of the applicant's property.
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

Appendix 4 – Region of Peel Comments

Development Planning: Tracy Tang (905) 791-7800 x7190

The subject land is located within the limits of the regulated area of the Toronto and Region Conservation Authority (TRCA). The Region relies on the environmental expertise of the TRCA for the review of development applications located within or

adjacent to this regulated area in Peel and their potential impacts on the natural environment. Regional Planning staff therefore, request that the Committee and city staff consider comments from the TRCA and incorporate their conditions of approval appropriately.

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

Appendix 5 - Toronto and Region Conservation Authority Comments

This letter will acknowledge receipt of the above noted application, received on February 20, 2020. Toronto and Region Conservation Authority (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, 2014 (PPS)*; TRCA's Regulatory Authority under Ontario Regulation 166/06, *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses*; and our Memoranda of Understanding (MOU) with the City of Mississauga and the Region of Peel wherein we provide technical environmental advice.

Purpose of the Application

The purpose of this Minor Variance Application is to request the following variances:

1. a lot coverage of 36.5% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.0% of the lot area in this instance;
2. a rear yard measured to a shed of 0.28 m. (approx. 0.92 ft.) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 0.61 m. (approx. 2.00 ft) in this instance; and
3. a side yard measured to shed of 0.25 m. (approx. 0.82 ft.) whereas By-law 0225-2007, as amended, requires a minimum side yard of 0.61 m. (approx. 2.00 ft.) in this instance.

It is our understanding that the purpose of the above variances is to allow the existing deck and shed to remain.

Recommendation

On the basis of the comments noted below, TRCA staff have **no objection** to Minor Variance Application A 114/20.

Application Specific Comments

Ontario Regulation 166/06:

The subject property is located within TRCA's Regulated Area of the Etobicoke Creek Watershed, as it is adjacent to a valley corridor of Etobicoke Creek. A portion of the property is located within the associated Regional Flood Plain. In accordance with Ontario Regulation 166/06, as amended (Development, Interference with Wetlands and Alteration to Shorelines and Watercourses), a permit is required from the TRCA prior to any of the following works taking place:

- a) straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream or watercourse, or for changing or interfering in any way with a wetland;
- b) development, if in the opinion of the Authority, the control of flooding, erosion, dynamic beaches or pollution or the conservation of land may be affected by the development.

Development is defined as:

- i. the construction, reconstruction, erection or placing of a building or structure of any kind;
- ii. any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure;
- iii. site grading, including the temporary or permanent placing, dumping or removal of any material originating on the site or elsewhere.

Based on our review, it appears that the existing deck and shed are located within the Regional Flood Plain. It is our understanding that the applicant was granted a permit by TRCA to recognize the development of a 28.8 sq.m. (309.96 sq.ft.) deck located in the rear yard of an existing building on the subject property (Permit No. C-200032). We confirm the proposed deck in this application is consistent with the approved permit.

Additionally, TRCA staff has reviewed the existing shed as part of the above noted permit application. It is our understanding that the existing shed is prefabricated, and that it is not located on a concrete pad and/or secured to the ground. Accordingly, it is TRCA's staff opinion that the shed is not considered development under TRCA's definition. We note that the requested variances No. 2 and 3 address the existing shed. Given the minor scale of the shed, it is our opinion that it has minimal impact on the storage and conveyance of flood waters. As such, TRCA staff have no concerns about the associated reduced rear yard setbacks, as requested.

Accordingly, TRCA staff have no concerns with the requested variances, as submitted. However, TRCA staff has an interest in any future development on the subject property and future development may be subject to a TRCA permit.

Conclusion

We thank you for the opportunity to review the subject application and provide our comments as per our commenting and regulatory role. Should you have any additional questions or comments, please do not hesitate to contact the undersigned.

Comments Prepared by: Lina Alhabash, Planner I



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 119/20
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 owners of 4220 Living Arts Drive, zoned H-CC2(1) – City Centre, 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 condominium on the subject property proposing:

1. Two stories for a portion of the podium whereas By-law 0225-2007, as amended, requires a minimum height of three stories in this instance;
2. Two stories for a portion of the podium whereas By-law 0050-2013, as amended, requires a minimum height of three stories in this instance;
3. 0.85 resident parking spaces and 0.15 visitor parking spaces per unit whereas By-law 0225-2007, as amended, requires a minimum of 1.0 resident parking spaces and 0.15 visitor parking spaces per unit in this instance;
4. 45% first storey glazing abutting Rathburn Road whereas By-law 0050-2013, as amended, requires a minimum 75% first storey glazing abutting Rathburn Road in this instance;
5. The condo building entrance to project behind the first storey of the streetwall whereas By-law 0050-2013, as amended, does not permit a projection behind or beyond the first storey of the streetwall in this instance; and
6. The rental building entrance to project beyond the first storey of the streetwall whereas By-law 0050-2013, as amended, does not permit a projection behind or beyond the first storey of the streetwall in this instance.

The Committee has set **Thursday July 9, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

You can get more information on this matter by emailing committee.adjustment@mississauga.ca or calling 905-615-3200 x5422. 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 Tuesday 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 Tuesday prior to the hearing. Any

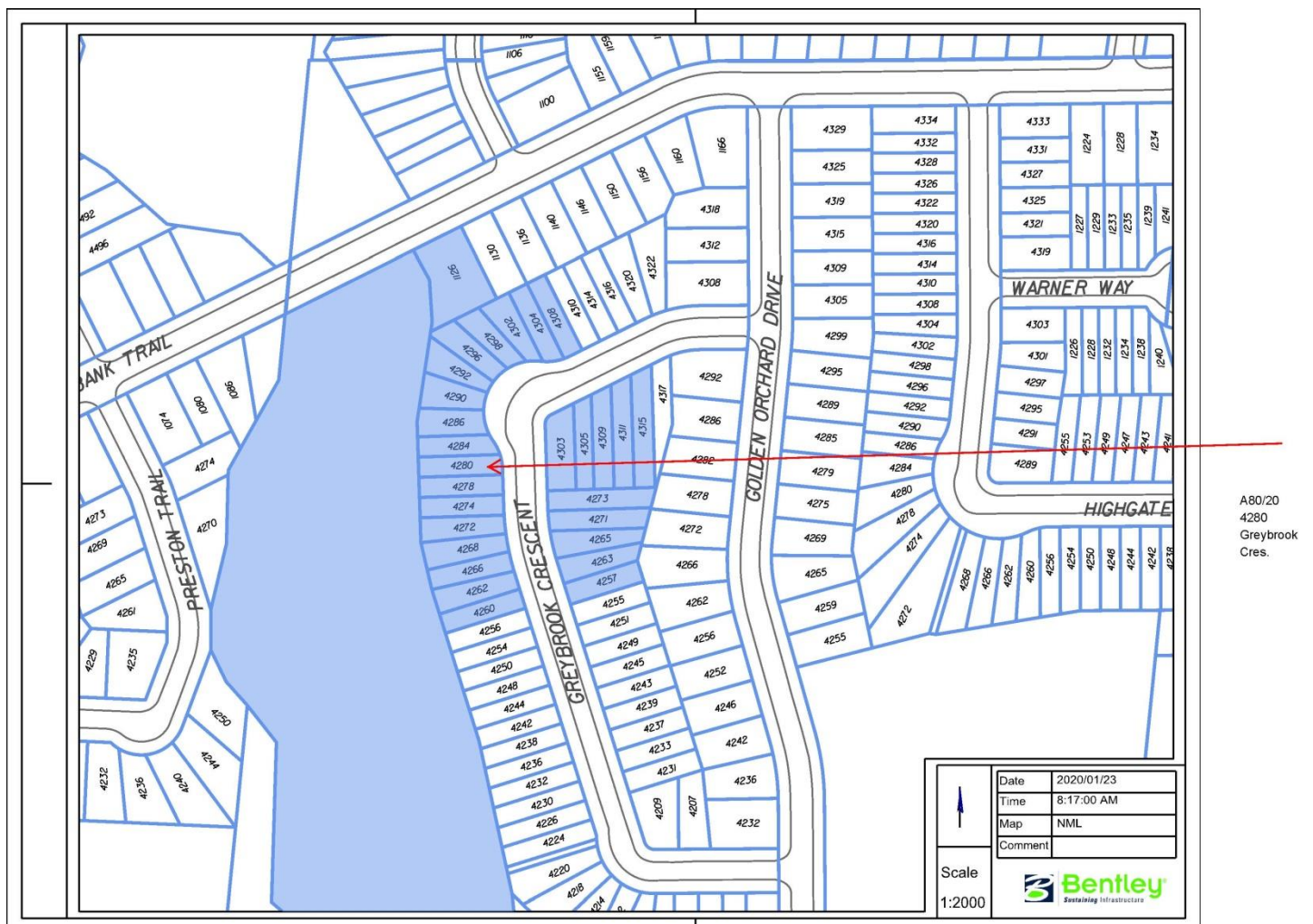
materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services will not be accepted.

To participate by telephone: To register, please call 905-615-3200 x5422 no later than 4:30pm the Tuesday 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 Tuesday 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 x5422.



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-06-30	File(s): A119/20 Ward: 4
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-07-09

Consolidated Recommendation

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

Application Details

The Applicants request the Committee to approve a minor variance to allow the construction of a condominium on the subject property, proposing:

1. Two stories for a portion of the podium; whereas, By-law 0225-2007, as amended, requires a minimum height of three stories, in this instance;
2. Two stories for a portion of the podium; whereas, By-law 0050-2013, as amended, requires a minimum height of three stories, in this instance;
3. 0.85 resident parking spaces and 0.15 visitor parking spaces per unit; whereas, By-law 0225-2007, as amended, requires a minimum of 1.0 resident parking spaces and 0.15 visitor parking spaces per unit, in this instance;
4. 45% first storey glazing abutting Rathburn Road; whereas, By-law 0050-2013, as amended, requires a minimum 75% first storey glazing abutting Rathburn Road, in this instance;
5. The condo building entrance to project behind the first storey of the streetwall; whereas, By-law 0050-2013, as amended, does not permit a projection behind or beyond the first storey of the streetwall, in this instance; and,
6. The rental building entrance to project beyond the first storey of the streetwall; whereas, By-law 0050-2013, as amended, does not permit a projection behind or beyond the first storey of the streetwall, in this instance.

Amendments

The site in-question is the subject of Zoning By-Law Amendment application OZ 19/05, which seeks to reduce the associated parking rates for properties within the downtown core. As such, City Planning Strategies recommends that the relief sought as part of this Minor Variance application be amended to better correspond to this supplementary process, proposing:

3. 0.7 resident parking spaces per studio unit, 0.8 resident parking spaces per 1-bedroom unit, 0.9 resident parking spaces per 2-bedroom unit, and 1.0 resident parking spaces per 3-bedroom unit; whereas, By-law 0225-2007, as amended requires 1.0 resident parking spaces per unit, in this instance.

Background

Property Address: 4220 Living Arts Drive

Mississauga Official Plan

Character Area: Downtown Core

Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: H-CC2(1) (City Centre)

Other Applications:

Site Plan Approval: 19-31

Site and Area Context

The subject lands are a vacant, through-lot property located upon the south-east corner of the Confederation Parkway and Rathburn Road West intersection. In general, this area provides a transitional buffer between the high-rise structures of the downtown core and the detached dwellings that dominate the lands north of Highway 401.

The Applicant is proposing to erect both a 36-storey rental building (430 units); and, a 48-storey condominium building (576 units), with 768m² of mixed retail.

As with most properties located within the Downtown Core, the site associated with Minor Variance Application 'A' 119/20 is subject to a Holding (H) Provision; ensuring that any proposed development will, amongst other things, maintain the overall streetscape integrity of the surrounding area, as well as serve to facilitate the provision of adequate pedestrian connectivity points and amenity areas to the satisfaction of the City.

To this end, the Applicant is pursuing both a Zoning By-law Amendment application (HOZ 19-02), to lift the aforementioned H provision, as well as a Site Plan Approval application (SP 19-31), to facilitate the above proposal; with both applications under review by the Development Planning and Urban Design teams.

Planning Staff note, the subject property, as a whole, is subject to a technical rezoning application (OZ 19-05), which aims to reduce parking rates for various residential and commercial uses within this portion of the downtown core.



Comments

Planning

Section 45 of the *Planning Act* provides the Committee of Adjustment the authority to grant relief from requirements of the municipal Zoning By-law; provided such applications meet the requirements set out under Section 45(1) and/or 45(2) (a) or (b) of the *Planning Act*.

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

Variances 1, 2, 4 - 6 (Structural Variances)

While the Applicant has proposed several amendments to the underlying zoning regulations; Planning Staff note, the inherent nature of Variances 1, 2, 4 – 6, are to address minor deficiencies to the base zone for a design which has conceptually been approved by both the

Urban Design and Development Planning team through their review of Site Plan Approval application SP 19-31. To this end, the requested variances represent prescribed functional changes, reviewed in consultation with Municipal Staff, that in no way fundamentally change, or undermine, the underlying zoning.

To this end, the Planning and Building Department is of the opinion that the application is appropriate to be handled through the minor variance process. Further, Variances 1, 2, 4 - 6, as amended, raise no concerns of a planning nature.

Planning Staff recommends that the Committee have regard for all comments and evidence provided by the Applicant and area residents when assessing if Variances 1, 2, 4 - 6, as amended, meet the requirements of Section 45(1) of the Planning Act.

Variance 3 (Parking)

In accordance with Table 3.1.2.1 (Required Number of Parking Spaces for Residential Uses), this zone regulates the required parking rates for various uses and dwelling types on this site. The intent in quantifying this amount is to ensure that each structure is self-sufficient in providing adequate parking accommodations based upon its intended use. As per the Parking Management Strategy (BA Group, Mar/2019) submitted in support of the Zoning By-Law Amendment application (OZ 19/05), the amended parking rates are suitable to adequately accommodate the peak parking demands for the whole of the subject lands. Variance 3, as amended, maintains the purpose and general intent of the Zoning By-law.

The subject property is both well serviced by the public transit system and has ample room to accommodate the required parking. The structure remains self-sufficient, with the majority of parking handled on-site, and with the amended variance serving to pose no significant negative impact to the surrounding neighbourhood, as a whole. Variance 3, 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: Roberto Vertolli, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting that any Transportation and Works Department concerns/requirements for the proposed development will be addressed through the Site Plan Application (SP19-31) and Building Permit Process. We also note that the city has processed Rezoning Application OZ-19/05 for this property and currently there is an existing 'H' Holding Zone Category on the property which will have to be lifted.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan Approval application under file 19-31. Based upon review of this application, Staff notes that more information is required to verify the accuracy of the requested variances, as well as to determine whether additional variance(s) will be required.

Comments Prepared by: Kevin Barry, Zoning Examiner

Appendix 3 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the April 2nd, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-011/20

Minor Variance Applications: A-118/20, A-119/20, A-121/20, A-122/20, A-123/20, A-124/20, A-125/20, A-126/20, A-127/20, A-128/20, A-129/20

Comments Prepared by: Tracy Tang, Junior Planner

Appendix 4 – Ministry of Transportation of Ontario

4220 Living Arts Dr., is currently under site plan review with the MTO and will be reflective in those comments when they are return to the City (Will require a MTO Building permit for any structural changes on the property).

Comments Prepared by: Corey Caple, Corridor Management Officer



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 120/20
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 owners of 1610 Indian Grove, zoned R2-1 - 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 garage projection of 0.48m (approx. 1.57ft) whereas By-law 0225-2007, as amended, does not permit a garage projection in this instance;
2. A northerly side yard to the first storey of 1.25m (approx. 4.10ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.80m (approx. 5.91ft) in this instance;
3. A northerly side yard to the second storey of 1.25m (approx. 4.10ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m (approx. 7.91ft) in this instance;
4. A southerly side yard to the first storey of 1.27m (approx. 4.17ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.80m (approx. 5.91ft) in this instance;
5. A southerly side yard to the second storey of 1.27m (approx. 4.17ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m (approx. 7.91ft) in this instance;
6. A southerly side yard to the south front balcony of 0.86m (approx. 2.82ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m (approx. 7.91ft) in this instance;
7. A northerly side yard to the north front balcony of 1.23m (approx. 4.04ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m (approx. 7.91ft) in this instance;
8. A northerly side yard to the porch of 1.25m (approx. 4.10ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.80m (approx. 5.91ft) in this instance; and
9. A hammerhead on a lot with a frontage of 11.05m (approx. 36.25ft) whereas By-law 0225-2007, as amended, does not permit a hammerhead on a lot with a frontage of less than 15.00m (approx. 49.21ft) in this instance.

The Committee has set **Thursday July 9, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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Advance registration is required to participate in the electronic hearing:

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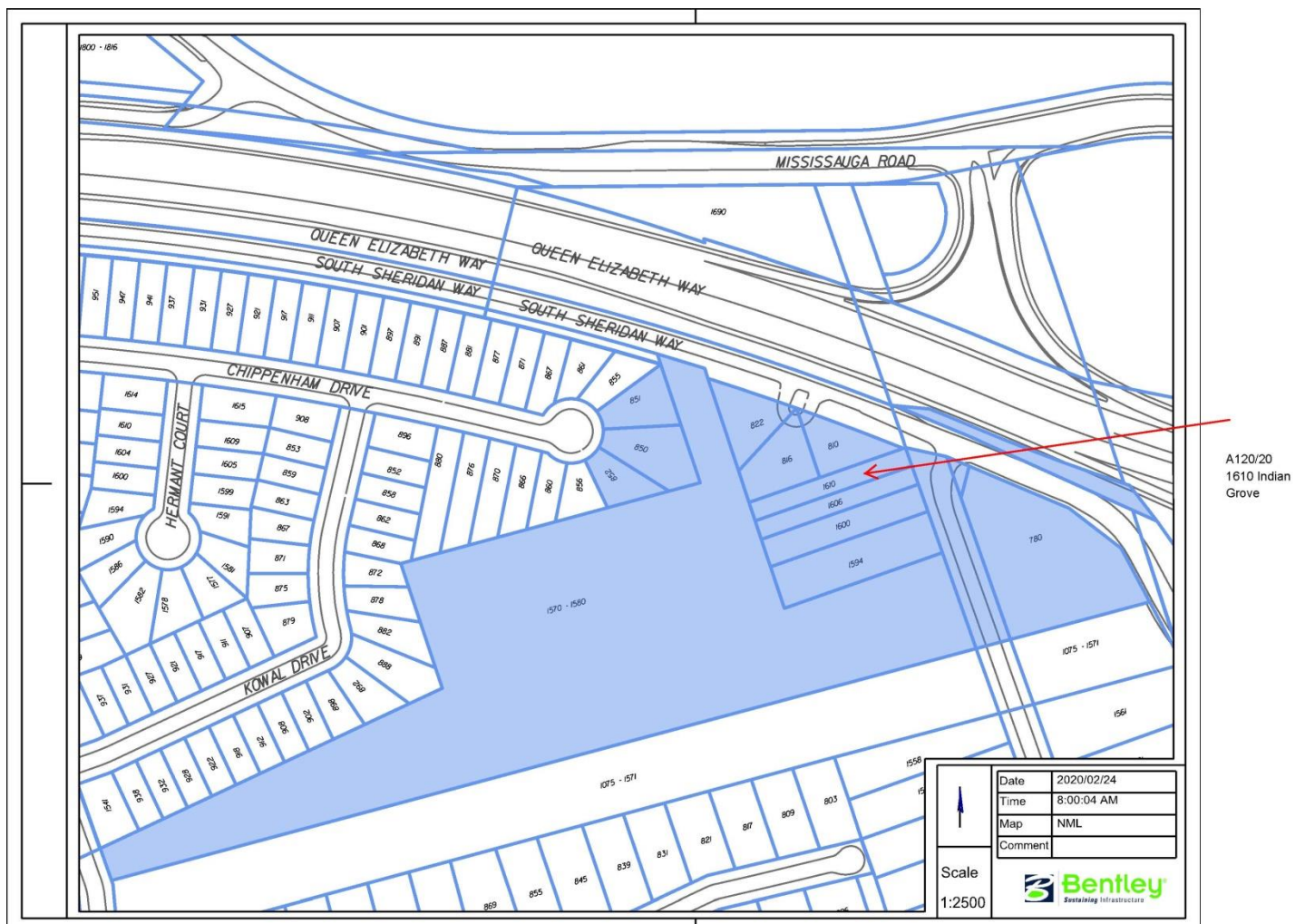
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Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process 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 x5422.



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-06-30	File(s): A120/20 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-07-09

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 a new home on the subject property proposing:

1. A garage projection of 0.48m (approx. 1.57ft) whereas By-law 0225-2007, as amended, does not permit a garage projection in this instance;
2. A northerly side yard to the first storey of 1.25m (approx. 4.10ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.80m (approx. 5.91ft) in this instance;
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7. A northerly side yard to the north front balcony of 1.23m (approx. 4.04ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m (approx. 7.91ft) in this instance;
8. A northerly side yard to the porch of 1.25m (approx. 4.10ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.80m (approx. 5.91ft) in this instance; and

9. A hammerhead on a lot with a frontage of 11.05m (approx. 36.25ft) whereas By-law 0225-2007, as amended, does not permit a hammerhead on a lot with a frontage of less than 15.00m (approx. 49.21ft) in this instance.

Amendments

4. A southerly side yard of 1.2m measured to the first storey of the dwelling; whereas By-law 0225-2007, as amended, requires a minimum of 1.8m measured to the first storey.

5. A southerly side yard of 1.2m measured to the second storey of the dwelling; whereas By-law 0225-2007, as amended, requires a minimum of 2.41m measured to the second storey.

8. A northerly side yard setback of 1.23m measured to the front porch; whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.8m.

An additional variance is required:

10. A dwelling unit depth of 20.4m; whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20m.

Background

Property Address: 1610 Indian Road

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R2-1 (Residential)

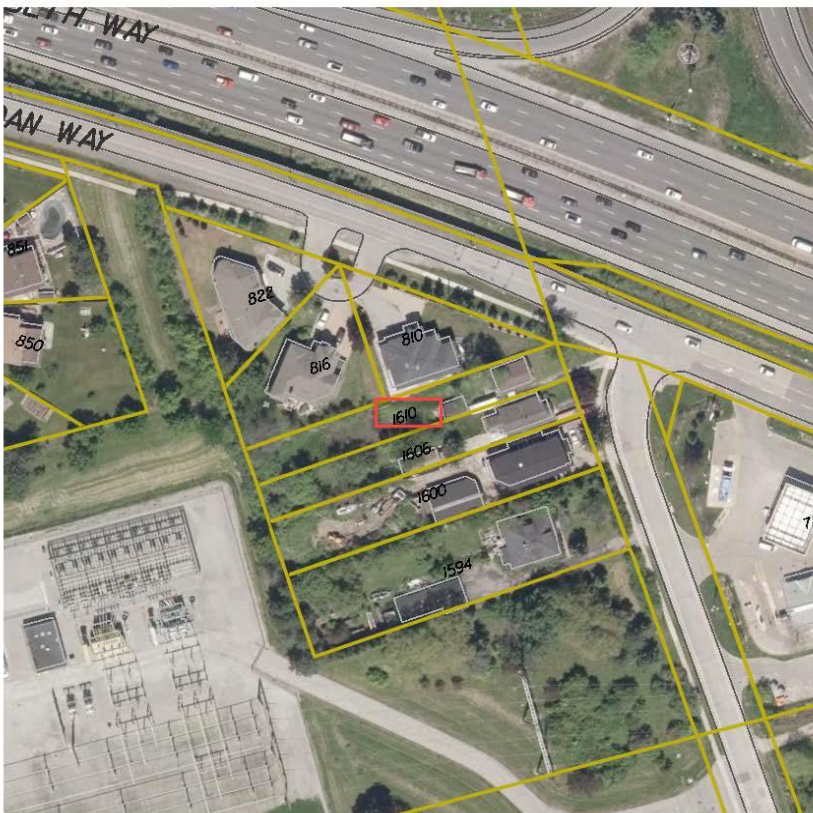
Other Applications

Site Plan Application: 19-38

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, on the south west corner of South Sheridan Way and Indian Grove. The immediate area on Indian Grove contains one and two storey detached dwellings with mature vegetation. The east side of Indian Grove, across the subject property contains a gas station with an accessory Tim Horton's. Abutting the subject property to the rear is the hydro corridor. The subject property contains an existing one storey dwelling with a detached garage in the rear yard.

The application proposes a new two storey dwelling, requiring variances related to garage projection, side yards and a hammerhead driveway.



Comments

Planning

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

Staff comments concerning the application 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 note for Committee's information that the City is currently processing a Site Plan Application for this property, Reference SPI-19/038. Transportation and Works Department concerns/requirements for this property will be addressed through the Site Plan Process.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Planning and Building Department is currently processing a site plan approval application under file 19-38. Based on review of the information currently available for this application, we advise that the following variances should be amended as follows:

4. A southerly side yard of 1.2m measured to the first storey of the dwelling; whereas By-law 0225-2007, as amended, requires a minimum of 1.8m measured to the first storey.
5. A southerly side yard of 1.2m measured to the second storey of the dwelling; whereas By-law 0225-2007, as amended, requires a minimum of 2.41m measured to the second storey.
8. A northerly side yard setback of 1.23m measured to the front porch; whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.8m.

An additional variance is required:

10. A dwelling unit depth of 20.4m; whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20m.

Our comments are based on the plans received by Zoning staff on 2020-01-04 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.

Comments Prepared by: Brian Bonner, 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

Appendix 4 – Ministry of Transportation of Ontario

1610 Indian Grove, will require a MTO Building permit for any structural changes on the property (change in size to the garage).

Comments Prepared by: Corey Caple, Corridor Management Officer



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 124/20
Ward 10

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 3338 Stoney Crescent, zoned RM5-48 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a driveway of 5.20m (approx. 17.06ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.30m (approx. 14.11ft) in this instance.

The Committee has set **Thursday July 9, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

You can get more information on this matter by emailing committee.adjustment@mississauga.ca or calling 905-615-3200 x5422. 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 Tuesday 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 Tuesday 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.

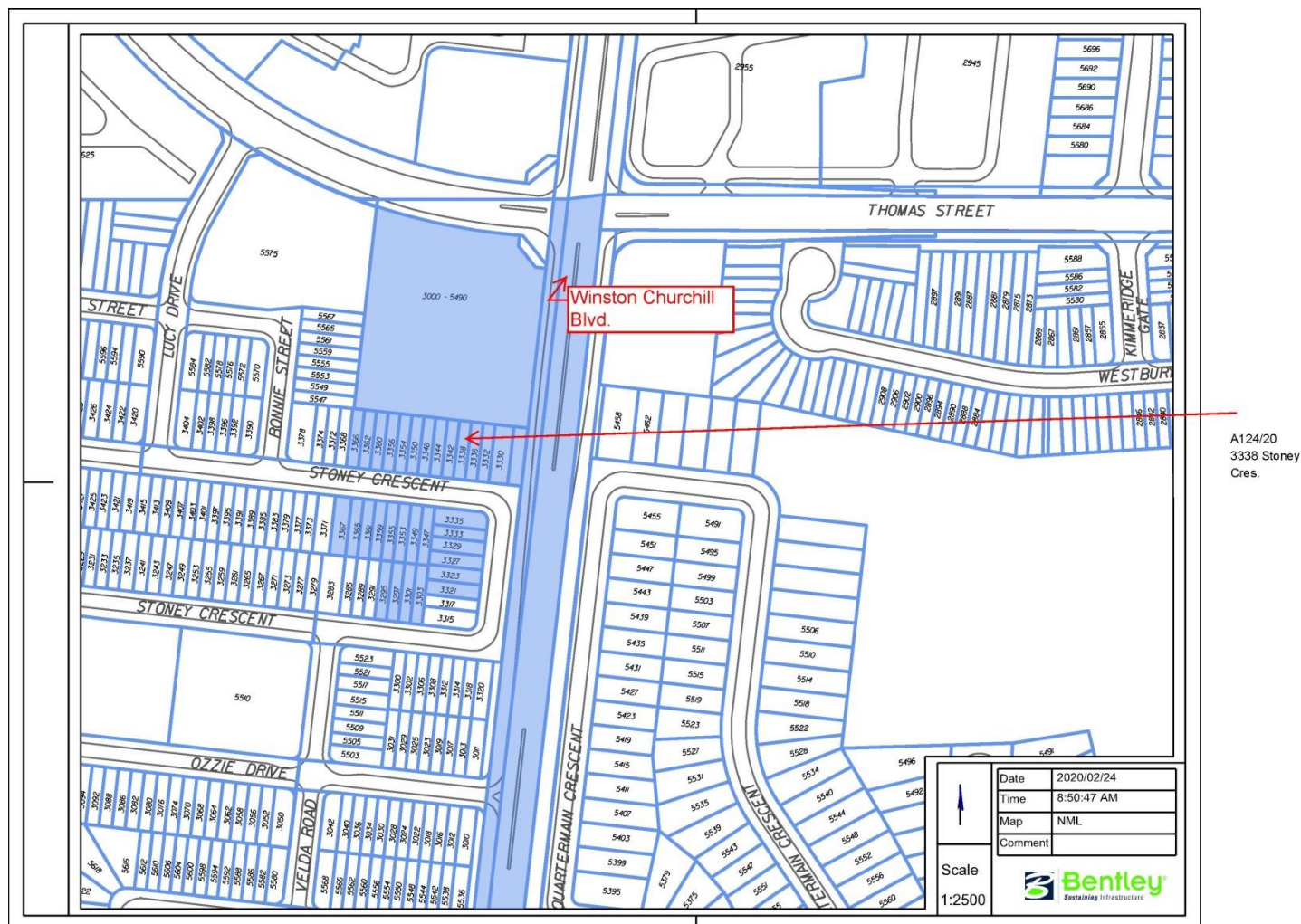
To participate by telephone: To register, please call 905-615-3200 x5422 no later than 4:30pm the Tuesday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.

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 Tuesday 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 x5422.



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-06-30	File(s): A124/20 Ward: 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-07-09

Consolidated Recommendation

The City recommends that the application be refused.

Application Details

The Applicant requests the Committee to approve a minor variance to allow a driveway width of 5.20m (approx. 17.06ft); whereas, By-law 0225-2007, as amended, permits a maximum driveway width of 4.30m (approx. 14.11ft), in this instance.

Background

Property Address: 3338 Stoney Crescent

Mississauga Official Plan

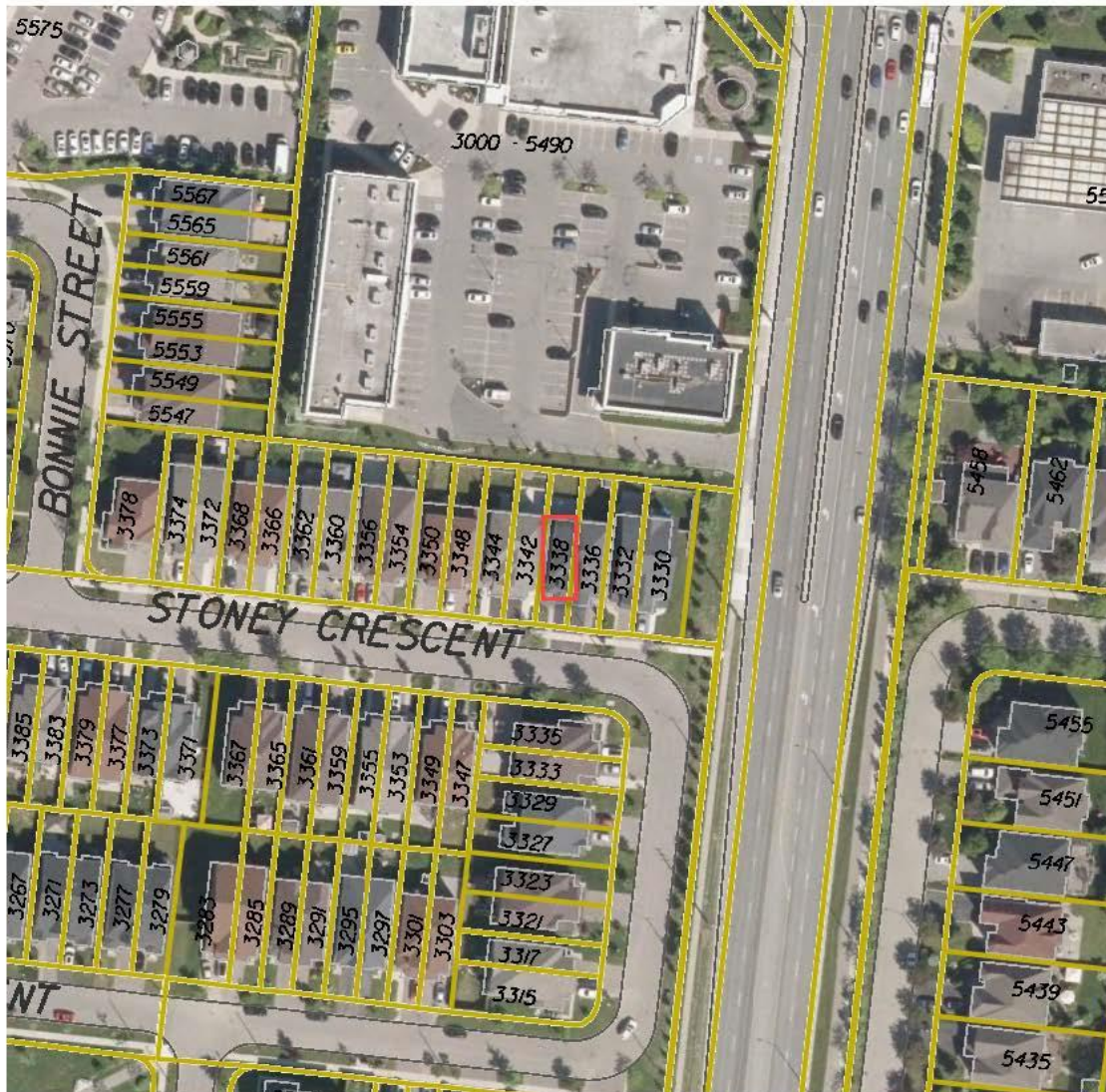
Character Area: Churchill Meadows Neighbourhood
Designation: Residential Medium Density

Zoning By-law 0225-2007

Zoning: RM5-48 (Residential)

Site and Area Context

The subject property is located south-west of the Britannia Road West and Winston Churchill Boulevard intersection and houses a semi-detached dwelling with a single-car garage. The immediate neighbourhood consists exclusively of semi-detached dwellings. The properties within the immediate area possess lot frontages of +/- 6.9m, with minimal vegetative elements located within their associative front yards. The subject property is an interior parcel, with a lot area of approximately 230m², and a lot frontage of 6.8m.



Comments

Planning

Section 45 of the *Planning Act* provides the Committee of Adjustment the authority to grant relief from requirements of the municipal Zoning By-law; provided such applications meet the requirements set out under Section 45(1) and/or 45(2) (a) or (b) of 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 situated within the Churchill Meadows Neighbourhood Character Area, and designated Residential Medium Density by the Mississauga Official Plan (MOP). As per Section 9.1 (Introduction), driveway widths should respect the identity and character of the surrounding context. The planned context of this neighbourhood, as evident by the existing curb-cuts, is that of a driveway matching the width of the existing single car garage (+/-3.5m), with the remainder of frontage set to serve as a soft-landscaped area. The proposal results in significantly reducing this soft-landscaped area in a manner not consistent with the original planned context of the subdivision. The proposal does not meet the purpose or general intent or 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 RM5-48 (Residential). Pursuant to Table 4.11.2.48.3 (RM5 Exception Zones), the maximum driveway width for a semi-detached dwelling is 4.3m; whereas, the Applicant is proposing 5.2m. 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 the planned dwelling, with the remainder of lands being a combination of soft-landscaping and front yard amenity area. Staff note, the subject lands can suitably accommodate two tandem parking spaces (one upon the driveway and one within the garage) without requiring a variance. Further, while the RM5-48 zone does not contemplate a specific soft-landscaped area within the By-law; this vegetative buffer is nevertheless inherent by regulating a specific maximum driveway width cap. At 5.2m, the resultant front yard has been significantly decreased, with minimal front yard amenity area present as a result. The variance, as requested, does not meet the purpose or general intent of the Zoning By-law.

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

The requested variance creates a significant amount of hardscaping on the property and results in the proposed driveway being the predominant feature of the front yard (76%). This matter is further exacerbated due to semi-detached structures not requiring driveways to be set back along the shared common lot line; essentially doubling a driveway's width from a streetscape

perspective. The variance, as requested, results in the undesirable development of the lands and whose impacts are not minor in nature.

Conclusion

Based upon the preceding information, it is the opinion of Staff that the requested variance does not meet criteria established by Section 45(1) of the *Planning Act*. To this end, the Planning and Building Department recommends that the application be refused.

Comments Prepared by: 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' 124/20.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit application under file 19-7533. 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 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the April 2nd, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-011/20

Minor Variance Applications: A-118/20, A-119/20, A-121/20, A-122/20, A-123/20, A-124/20, A-125/20, A-126/20, A-127/20, A-128/20, A-129/20

Comments Prepared by: Tracy Tang, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 125/20
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 15 Fairview Road East, zoned O – Office & RA3-8 - 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 installation of a generator on the subject property proposing:

1. 123 resident parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 129 resident parking spaces in this instance;
2. 142 total parking spaces including visitor spaces whereas By-law 0225-2007, as amended, requires a minimum of 148 total parking spaces in this instance; and
3. 2 accessible parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 6 accessible parking spaces in this instance.

The Committee has set **Thursday July 9, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

You can get more information on this matter by emailing committee.adjustment@mississauga.ca or calling 905-615-3200 x5422. 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 Tuesday 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:

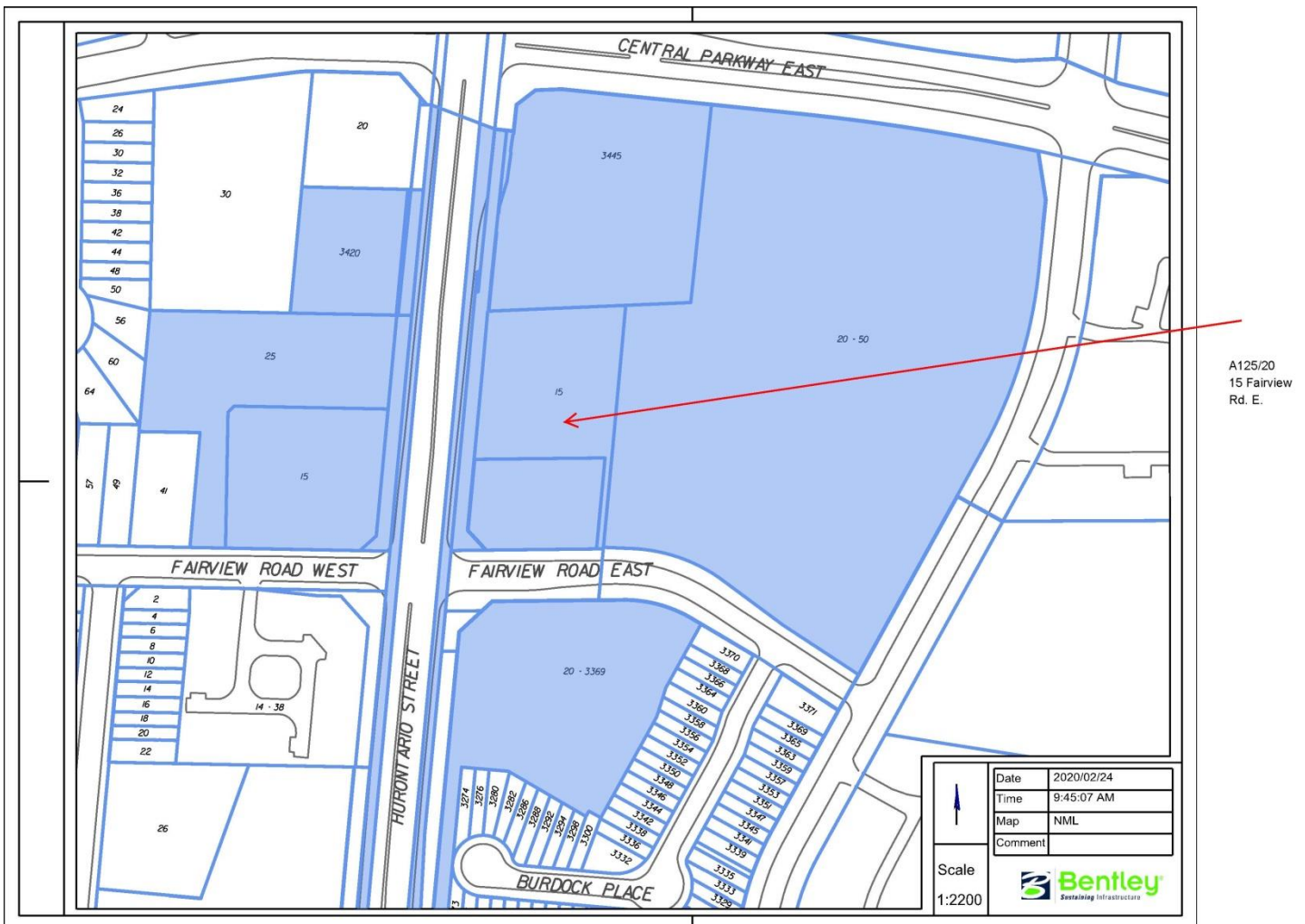
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Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process 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 x5422.



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-06-30 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): A125/20 Ward: 4
	Meeting date: 2020-07-09

Consolidated Recommendation

The City has no objection to the variance, as amended

Application Details

The Applicant requests the Committee to approve a minor variance to allow the installation of a generator on the subject property, proposing:

1. 123 resident parking spaces; whereas, By-law 0225-2007, as amended, requires a minimum of 129 resident parking spaces, in this instance;
2. 142 total parking spaces, including visitor spaces; whereasm By-law 0225-2007, as amended, requires a minimum of 148 total parking spaces, in this instance; and,
3. 2 accessible parking spaces; whereas, By-law 0225-2007, as amended, requires a minimum of 6 accessible parking spaces, in this instance.

Amendments

Based upon the proposal, the Zoning Department notes that Variances 2 and 3, as requested, are redundant in this instance and are therefore not required. As such, the application should be amended to include only Variance 1.

Background

Property Address: 15 Fairview Road East

Mississauga Official Plan

Character Area: Downtown Fairview
Designation: Residential High Density

Zoning By-law 0225-2007

Zoning: RA3-8 (Apartments), O (Open Space)

Other Applications:

Building Permit: 19-5516

Site and Area Context

The subject lands are located south-east of the Central Parkway West and Hurontario Road intersection, and currently house a 10-storey, apartment unit structure. The immediate neighbourhood consists of a mixture of higher density residential uses, ranging from townhome units and apartment dwellings; to various low density, commercial strip mall plazas. The subject lands are bounded by an open space / vegetated area to the south.



Comments

The Applicant is proposing to erect an external power generator upon a portion of the subject site. While the generator's location itself will not reduce overall parking; throughout the years, required parking spaces have been converted into surface storage area (garbage bin enclosures, etc.). As a result, the Applicant is required to seek the above-noted relief.

Planning

Section 45 of the *Planning Act* provides the Committee of Adjustment the authority to grant relief from requirements of the municipal Zoning By-law; provided such applications meet the requirements set out under Section 45(1) and/or 45(2) (a) or (b) of the *Planning Act*.

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

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

The site is located within the Downtown Fairview Character Area, and designated Residential High Density by the Mississauga Official Plan (MOP). Pursuant to Section 11.2.5.6 (a) (Residential), this designation shall permit apartment dwellings. The Applicant's proposal of an external power generator, to supplement the existing residential apartment, 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 RA3-8 (Apartments). In accordance with Table 3.1.2.1 (Required Number of Parking Spaces for Residential Uses), this zone regulates the required parking rates for various uses and dwelling types on this site. The intent in quantifying this amount is to ensure that each structure is self-sufficient in providing adequate parking accommodations based upon its intended use. As per the Parking Justification Letter (AR: Architects, Feb/2020) submitted by the Applicant, the proposed parking rates are suitable to adequately accommodate the peak parking demands of the subject lands. The variance, 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 well serviced by the public transit system and, as per the aforementioned Parking Justification Letter, has ample room to accommodate required parking based upon the intend use. The structure remains self-sufficient, with the majority of parking handled on-site, and with the amended variance serving to pose no significant negative impact to the surrounding neighbourhood, as a whole. The variance, 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 Planning Staff that the variance, as amended, meets the general intent and purpose of both the MOP and Zoning By-law; is minor in nature; and, is desirable for the orderly development of the lands. To this end, the Planning and Building Department has no objection to the variance, as amended.

Comments Prepared by: Roberto Vertolli, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This department has no grading and drainage concerns with respect to the location where the new generator is to be constructed.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit application under file 19-5516. Based upon review of this Application, Staff notes that the Minor Variance application should be amended as follows:

- Variances 2 and 3 should be removed.

Appendix 3 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the April 2nd, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-011/20

Minor Variance Applications: A-118/20, A-119/20, A-121/20, A-122/20, A-123/20, A-124/20, A-125/20, A-126/20, A-127/20, A-128/20, A-129/20

Comments Prepared by: Tracy Tang, Junior Planner

REVISED HEARING DATE AND AMENDED NOTICE



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 80/20
Ward 3

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 4280 Greybrook Crescent, zoned RM1 - 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 existing rear deck to remain proposing:

1. A lot coverage of 43% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35% of the lot area in this instance; and
2. A side yard setback measured to the stairs of 0.76m whereas By-law 0225-2007, as amended, requires a minimum side yard setback measured to the stairs of 1.20m in this instance.

The Committee has set **Thursday July 9, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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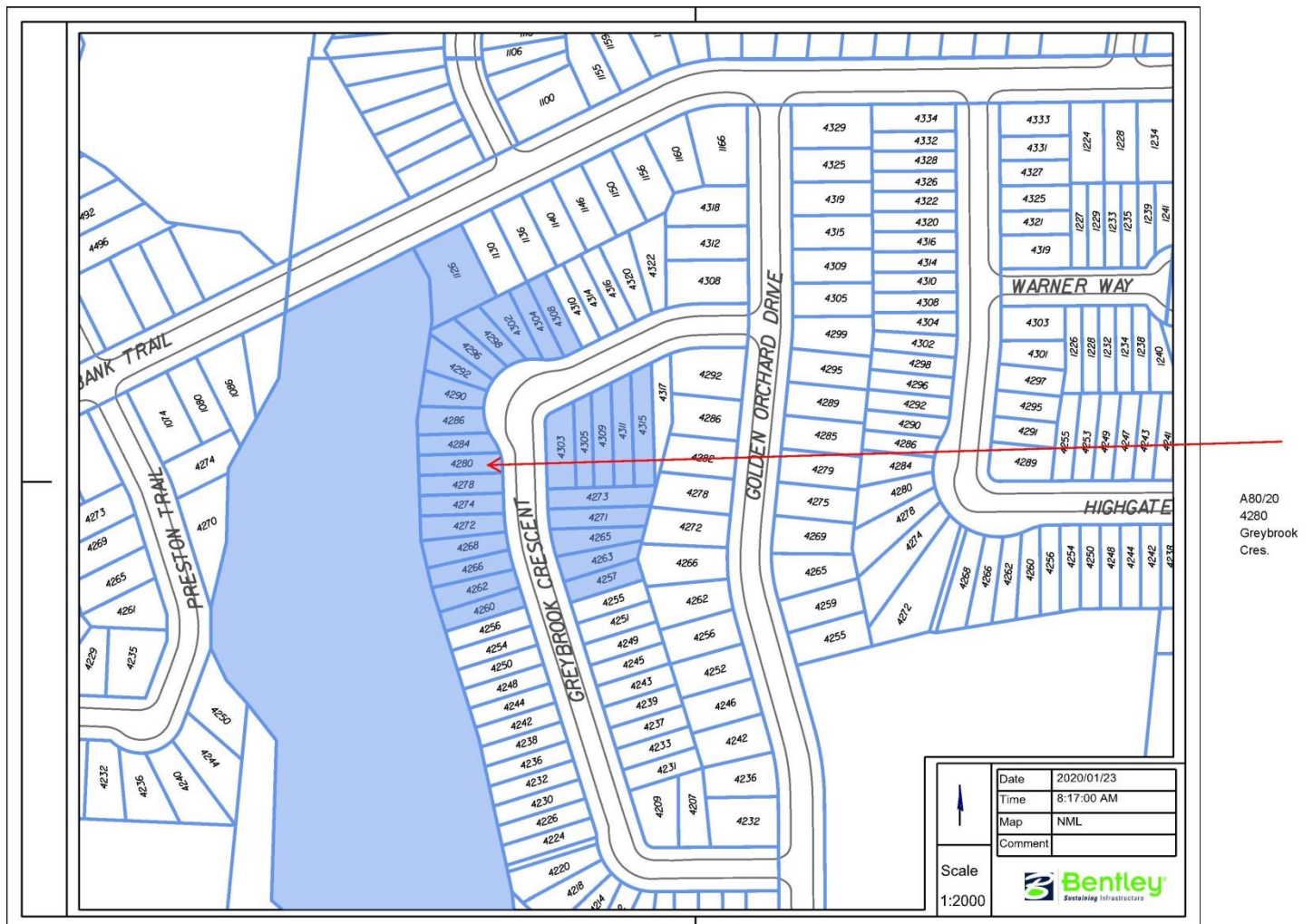
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud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

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Legal notice:

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-06-30 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): A80/20 Ward: 3
	Meeting date: 2020-07-09

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. 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 existing rear deck to remain proposing:

1. A lot coverage of 43% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35% of the lot area in this instance; and
2. A side yard setback measured to the stairs of 0.76m whereas By-law 0225-2007, as amended, requires a minimum side yard setback measured to the stairs of 1.20m in this instance.

Background

Property Address: 4280 Greybrook Crescent

Mississauga Official Plan

Character Area: Rathwood Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

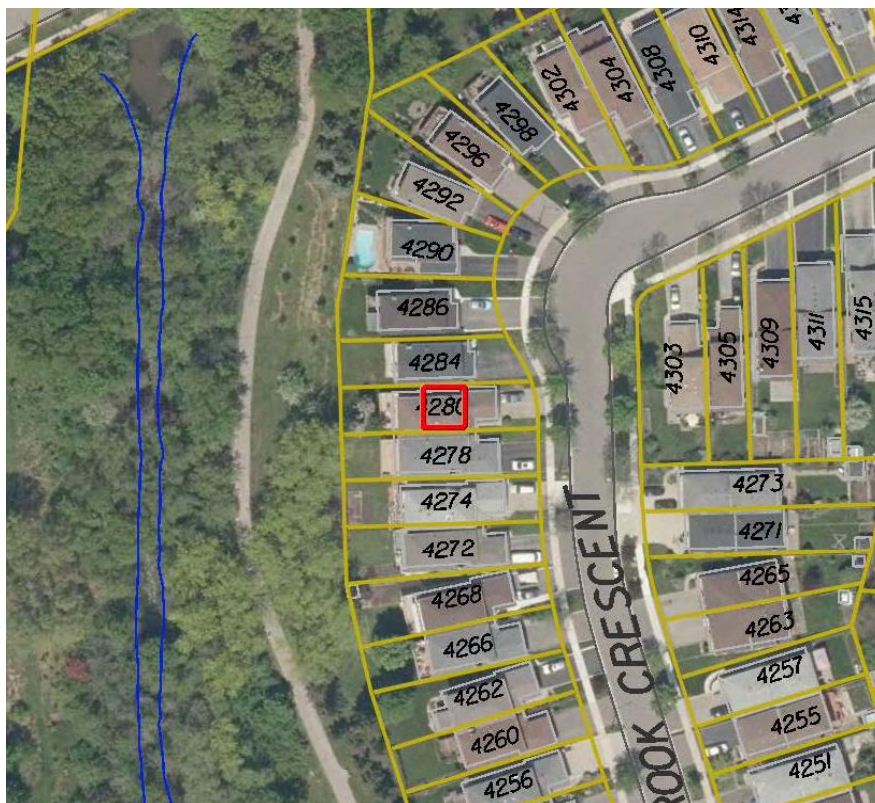
Zoning: RM1 (Residential)

Other Applications:

Building Permit: 18-4508

Site and Area Context

The property is located south-west of the Dixie Road and Eastgate Parkway intersection, and currently houses a two-storey detached dwelling with an attached two-car garage. The site is contiguous to an open space / landscaped trail to the rear. The immediate neighbourhood is primarily detached dwellings; however semi-detached structures are also present within the immediate area. The area shares a 1980's architectural style, with an absence of new construction or replacement dwellings being present. The properties within the immediate area possess lot frontages of +/-9.0m, with moderate vegetative / natural landscaped elements within the front yards. The subject property is an interior parcel, with a lot area of approximately 350m² and a frontage of 9.18m.



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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:

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.

Planning Staff would note, Committee granted similar approval to the neighbouring property of 4278 Greybrook Crescent; permitting a lot coverage 45.0% for an elevated deck, through Minor Variance Application 'A' 411/19.

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*. 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

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Appendices

Appendix 1 – Transportation and Works Comments

This department has no comments, objections or requirements for application 'A' 80/20.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit application under file 18-4508. Based upon review of this application, Staff notes that more information is required to verify the accuracy of the requested variances, as well as to determine whether additional variance(s) will be required.

Comments Prepared by: Jeanine Benitez-Bumanglag, Zoning Examiner