
Committee of Adjustment

Date: August 18, 2022
Time: 3:00 PM
Location: Online Video Conference

Members

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

Contacts

Tamoor Chaudhary, Committee of Adjustment Coordinator, Legislative Services
905-615-3200 ext.3662
tamoor.chaudhary@mississauga.ca

Taranjeet Uppal, Committee of Adjustment Coordinator,
Legislative Services
905-615-3200 ext.3817
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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 OLT has the power to dismiss an appeal without holding a hearing if the appeal is not based on any apparent land use planning grounds and 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. B33.22, A207.22, A208.22
224 Pinewood Tr (Ward 1)
 - 4.2. A372.22
1106 Westmount Avenue (Ward 1)
 - 4.3. A376.22
270 Lakeshore Road West (Ward 1)
 - 4.4. A379.22
3539, 3541 and 3545 Platinum Drive (Ward 8)
 - 4.5. A392.22
310 Lakeshore Road West (Ward 1)
 - 4.6. A194.21
580 Rideau Gate (Ward 4)
 - 4.7. A572.21
5 Scarboro Street (Ward 5)
 - 4.8. A63.22
900 Atwater Avenue (Ward 1)
 - 4.9. A168.22
260 Hillside Dr (Ward 11)
 - 4.10. A272.22
115-145 High St W (Ward 1)
 - 4.11. A284.22
3064 Churchill Ave (Ward 5)
 5. OTHER BUSINESS
 6. ADJOURNMENT

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 224 Pinewood Tr, zoned R1-2 - Residential, has applied for Consent under Section 53 of the Planning Act. B33/22:

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 26.36m (approx. 86.48ft) and an area of approximately 750.6sq.m (approx. 8,079.7sq.ft).

A207/22:

The applicant requests the Committee to approve a minor variance on the subject property, being the retained lands of application B32/22, proposing a lot frontage of 28.48m (approx. 93.44ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 30.00m (approx. 98.43ft) and a proposed area of 813.4 sq.m (approx. 8755.7 sqft) whereas By-law 0225-2007, as amended, requires a lot area of 835.0 sq.m. (approx. 8988 sqft) in this instance.

A208/22:

The applicant requests the Committee to approve a minor variance on the subject property, being the severed lands of application B32/22, proposing a lot frontage of 26.36m (approx. 86.48ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 30.00m (approx. 98.43ft) in this instance.

The Committee has set **Thursday, August 18, 2022 at 3:00 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 3:00 pm and will be heard in the order shown on the agenda.

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How to submit a written comment:

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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 x2408.



City of Mississauga Department Comments

<p>Date Finalized: 2022-08-10</p> <p>To: Committee of Adjustment</p> <p>From: Committee of Adjustment Coordinator</p>	<p>File(s): B33.22 A207.22 A208.22 Ward: 1</p>
	<p>Meeting date:2022-08-18 3:00:00 PM</p>

Consolidated Recommendation

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

Application Details

B33/22:

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 26.36m (approx. 86.48ft) and an area of approximately 750.6sq.m (approx. 8,079.7sq.ft).

A207/22:

The applicant requests the Committee to approve a minor variance on the subject property, being the retained lands of application B33/22, proposing a lot frontage of 28.48m (approx. 93.44ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 30.00m (approx. 98.43ft) and a proposed area of 813.4 sq.m (approx. 8755.7 sqft) whereas By-law 0225-2007, as amended, requires a lot area of 835.0 sq.m. (approx. 8988 sqft) in this instance.

A208/22:

The applicant requests the Committee to approve a minor variance on the subject property, being the severed lands of application B33/22, proposing a lot frontage of 26.36m (approx. 86.48ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 30.00m (approx. 98.43ft) in this instance.

Amendments

Staff note that the applicant has provided new information as such, variance #2 should be amended as follows:

A207/22:

The applicant requests the Committee to approve a minor variance on the subject property, being the retained lands of application B33/22, proposing a lot frontage of 29.03m (approx. 95.24ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 30.00m (approx. 98.43ft) and a proposed area of 813.4 sq.m (approx. 8755.7 sqft) whereas By-law 0225-2007, as amended, requires a lot area of 835.0 sq.m. (approx. 8988 sqft) in this instance.

A208/22:

The applicant requests the Committee to approve a minor variance on the subject property, being the severed lands of application B33/22, proposing a lot frontage of 26.36m (approx. 86.48ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 30.00m (approx. 98.43ft) in this instance.

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent
- The variance application approved under Files A207.22 and A208.22 must be finalized

Recommended Conditions and/or Terms of minor variance

- Variances approved under files A207.22 and A208.22 shall lapse if the consent application under file B33.22 is not finalized within the time prescribed by legislation.

Background

Property Address: 224 Pinewood Tr

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

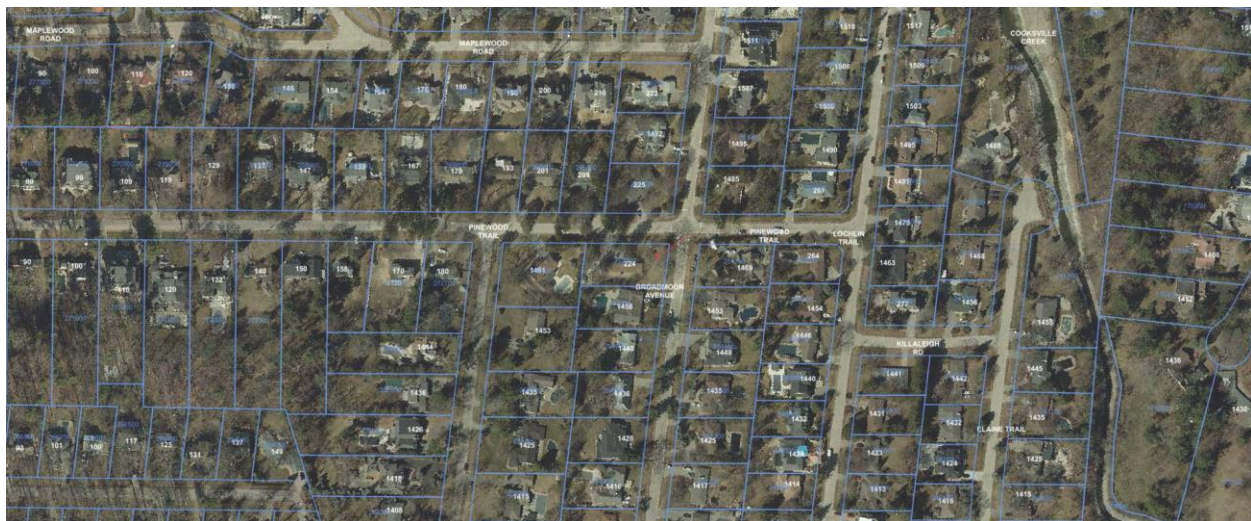
Zoning: R1-2 - Residential

Other Applications: none

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, on the southeast quadrant of Pinewood Trail and Broadmoor Avenue. The immediate neighbourhood is entirely residential and consists primarily of one and two storey-detached dwellings on large lots with significant mature vegetation in the front yards. Lot frontages for single detached dwellings in the area generally range between approximately 24m (79ft) and 43m (141ft). The subject property contains an existing one and a half storey dwelling with mature vegetation in the front yard.

The applicant is proposing to sever the subject property into two residential lots requiring variances related to lot frontage and area (retained lot).



Comments

Planning

Planning Act

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

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

Provincial Matters

The Provincial Policy Statement 2020 (PPS 2020) and Growth Plan for the Greater Golden Horseshoe promote efficient development and land use, directing the focus towards

intensification and redevelopment. The proposal is consistent with the general directive in provincial policy.

Staff note that the applicant submitted revised drawings and a variance for lot frontage for the retained lot on August 9th, 2022. Staff note this submission was late; however, this was a direct result of staffs request for the applicant to provide updated calculations for the frontage of the retained lot. Staff note the revised frontage is greater than the proposed frontage contained in the Notice, as such; staff have no concerns with the revision.

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

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

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

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

The proposed variances pertain to lot frontage and lot area for the retained lot. The intent of the zoning by-law is to ensure that new lots are appropriately sized and fit within the context of the surrounding area. Staff have no concerns with the proposed variances, as the proposed lots appear to be capable of reasonably accommodating new dwellings. Furthermore, the immediate area contains a mix of lot sizes and frontages and the proposed lot sizes and frontages are generally consistent with existing properties located in the immediate area.

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

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

Appendices

Appendix 1 – Transportation and Works Comments

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

A. Items Required Prior to the Issuance of Final Consent

1. Overall Grading and Drainage Plan

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

Upon the review of an Overall Grading and Drainage Plan it may be determined that a catch basin may be required and satisfactory arrangements will have to be made for the construction of any required catch basin.

2. Overall Site Plan

We request that the applicant submit a Site Plan showing the proposed access points to ensure that sufficient corner clearance and sight lines are not obstructed at the intersection.

For further clarification on this matter please contact Kate Vassilyev at ext. 8171.

3. Municipal Address Requirement

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

4. Dedication of Sight Triangle

The Owner will be required to gratuitously dedicate a 7.5m by 7.5m sight triangle at the corner of Pinewood Trail and Broadmoor Avenue to the City of Mississauga as identified in the Official Plan. The applicant's surveyor is to prepare and submit two draft reference plans (detailing the required lands) to this section for review and approval. Following this approval, the applicant's surveyor should deposit the accepted draft reference plan and forward a copy of the registered plan to the City's Legal Services Section to finalize the process. This condition will be cleared

upon receipt of confirmation from Legal Services identifying that the transfer has taken place and associated fees have been paid.

The dimensions related to right-of-way widths and required lands are to be verified by the City's O.L.S., Al Jeraj at 905-615-3200 ext. 8171.

This condition will be cleared upon receipt of confirmation from Legal Services identifying that the transfer has taken place and associated fees have been paid.

Should the applicant require more information with regards to the above, please contact Kate Vassilyev from our Traffic Section at 905 615-3200 ext. 8171 or kate.vassilyev@mississauga.ca.

5. Environmental Site Screening Questionnaire

In regards to Condition A.4., the applicant will be required to deed gratuitously to the City a sight triangle. As per the land dedication requirement, a completed Environmental Site Screening Questionnaire and Declaration (ESSQD) form (Rev. 2020 02), signed by a Commissioner of Oaths and the owner, must be submitted to the Transportation and Works Department for review.

For any clarification or questions regarding this requirement please contact Jessica Yong at x3174.

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

B. GENERAL INFORMATION

1. Lot Grading and Drainage

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

2. Servicing

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

3. Access

The Applicant shall ensure the proposed access provides sufficient corner clearance and sight lines such that views are not obstructed at the intersection.

The Applicant will be required to apply for Access Modification Permits prior to Site Plan Approval and/or Building Permit Issuance.

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

4. Storm Sewer Outlet

The storm sewer outlet for this site is the existing 300mm storm sewer on Pinewood Trail. The applicant is encouraged to design the basement elevation 1 metre above the obvert of the storm sewer on the street to eliminate the need for a sump pump.

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

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

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

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

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

Comments Prepared by: Brandon Eidner, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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

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

1. Tree preservation hoarding and securities may be required as part of the site plan control process.
2. Payment for street tree fees and charges may be required as part of the site plan control process.
3. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, C.P. 13, as amended) and in accordance with the City's policies and by-laws.

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

Comments Prepared by: Jim Greenfield, Park Planner

Appendix 4 – Heritage

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

Comments Prepared by: Andrew Douglas, Heritage Analyst

Appendix A – CONDITIONS OF PROVISIONAL CONSENT

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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding. ("A" /21)
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated 2022-08-18 3:00:00 PM.
5. A letter shall be received from the City of Mississauga, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated 2022-08-18 3:00:00 PM.
6. A letter shall be received from the City of Mississauga, Culture Division, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated 2022-08-18 3:00:00 PM.
7. A letter shall be received from the Region of Peel, Development Services/Public Works, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated _____, 2020.
8. A letter shall be received from the Credit Valley Conservation indicating that satisfactory arrangements have been made with respect to payment of the "Review Fee", and their comments dated _____, 2020.



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A372.22
Ward: 1

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 1106 Westmount Avenue, zoned R3-75 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling proposing:

1. An interior side yard setback of 1.23m (approx. 4ft) to the second floor(north) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.81m (approx. 5.9ft) in this instance;
2. An interior side yard setback of 1.20m (approx. 3.9ft) to the second floor(south) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.81m (approx. 5.9ft) in this instance;
3. A setback of 11.25m (approx. 36ft) to the railway right-of-way, whereas By-law 0225-2007, as amended, requires a setback of 30m (approx. 98ft) to the railway right-of-way in this instance; and
4. An interior side yard setback of 1.62m (approx. 5.3ft) to the third floor (south) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 2.42m (approx. 7.9ft) in this instance.

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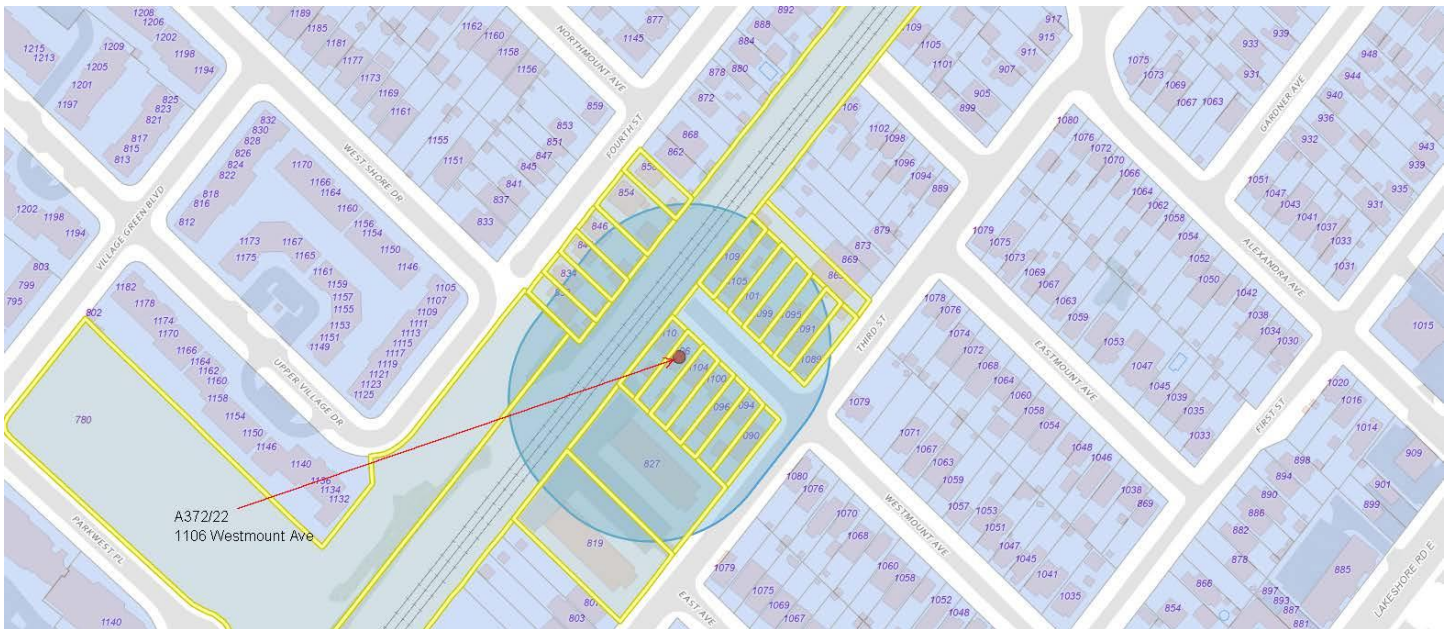
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City of Mississauga Department Comments

Date Finalized: 2022-08-10	File(s): A372.22 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-08-18 3:00:00 PM

Consolidated Recommendation

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

Application Details

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

1. An interior side yard setback of 1.23m (approx. 4ft) to the second floor(north) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.81m (approx. 5.9ft) in this instance;
2. An interior side yard setback of 1.20m (approx. 3.9ft) to the second floor(south) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.81m (approx. 5.9ft) in this instance;
3. A setback of 11.25m (approx. 36ft) to the railway right-of-way, whereas By-law 0225-2007, as amended, requires a setback of 30m (approx. 98ft) to the railway right-of-way in this instance; and
4. An interior side yard setback of 1.62m (approx. 5.3ft) to the third floor (south) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 2.42m (approx. 7.9ft) in this instance.

Background

Property Address: 1106 Westmount Avenue

Mississauga Official Plan

Character Area: Clarkson-Lorne Park Neighbourhood

Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3-75 - Residential

Other Applications: Preliminary Zoning Review application under file PREAPP 22-2042.

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southeast of the Cawthra Avenue and Atwater Avenue intersection. The immediate neighbourhood is primarily residential, consisting of a mix of one and two storey-detached dwellings with vegetation in the front yards. The subject property contains an existing one-storey detached dwelling with minimal vegetation in the front yard.

The applicant is proposing a new three-storey detached dwelling requiring variances related to setbacks.



Comments

Planning

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

Staff comments concerning the application are as follows:

The subject property is designated Residential Low Density I on Schedule 10 of the Mississauga Official Plan (MOP), which permits detached dwellings.

The applicant is seeking four variances for setbacks to facilitate the development of a new three-storey detached dwelling. Variances #1, 2 and 4 pertain to interior side yard setbacks. Variances #1 and 2 propose the same setbacks to the second storey as the first storey. Staff note many detached dwellings in the immediate area contain the same setback to the first storey as the second storey. Therefore, the proposed setbacks are not out of character. Variance #4 is required for a reduced setback to the third storey of the dwelling. Staff note this is measured to a projecting dormer window. The rest of the third storey of the dwelling exceeds the minimum required setback.

Variance #3 pertains to a setback to a railway right-of-way. Staff note that the subject property does not directly abut the railway right-of-way. Furthermore, the existing dwelling has a lesser setback to the railway right-of-way than what is proposed. Therefore, staff is of the opinion that the impact of this variance is negligible.

It is staff's opinion that the proposed dwelling is sympathetic to the surrounding area and does not impact the neighbouring properties. Through a detailed review of the application, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Preliminary Zoning Review application under file PREAPP 22-2042. Based on review of the information currently available in this permit application, variances # 1 and 2, as requested are correct.

City Department and Agency Comments	File:A372.22	2022/08/10	5
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We also advise that more information is required in order to verify the accuracy of the requested remaining variances or to determine whether additional variances will be required.

Please note that comments reflect those provided through the above permit application submitted on 05/20/2022 and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Jeanine Benitez, Zoning Examiner

Appendix 3 – Region of Peel

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

Comments: 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 contact Servicing Connections at siteplanservicing@peelregion.ca

Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Region of Peel Site Servicing connection approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at siteplanservicing@peelregion.ca

Comments Prepared by: Joseph Filice, Junior Planner

Appendix 4 – Metrolinx

Metrolinx is in receipt of the minor variance application for 1106 Westmount Ave to allow the construction of a new detached single-family dwelling. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300 meters of Metrolinx's Oakville Subdivision which carries Metrolinx's Lakeshore West GO Train service.
- As per section 3.9 of the Federation of Canadian Municipalities and Railway Association of Canada's Guidelines for New Development in Proximity to Railway Operations, the Owner shall grant Metrolinx an environmental easement for operational emissions. The environmental easement provides clear notification to those who may acquire an interest in the subject property and reduces the potential for future land use conflicts. The

environmental easement shall be registered on title of the subject property. A copy of the form of easement is included for the Owner's information. The applicant may contact Harrison.Rong@Metrolinx.com with questions and to initiate the registration process.

Comments Prepared by: Harrison Rong, Project Coordinator



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A376.22
Ward: 1

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 270 Lakeshore Road West, zoned C4-59 - 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 a Commercial School Occupancy whereas By-law 0225-2007, as amended, does not permit a Commercial School Occupancy in this instance.

The Committee has set **Thursday, August 18, 2022 at 3:00 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 3:00 pm and will be heard in the order shown on the agenda.

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

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

How to submit a written comment:

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

Advance registration is required to participate in the electronic hearing:

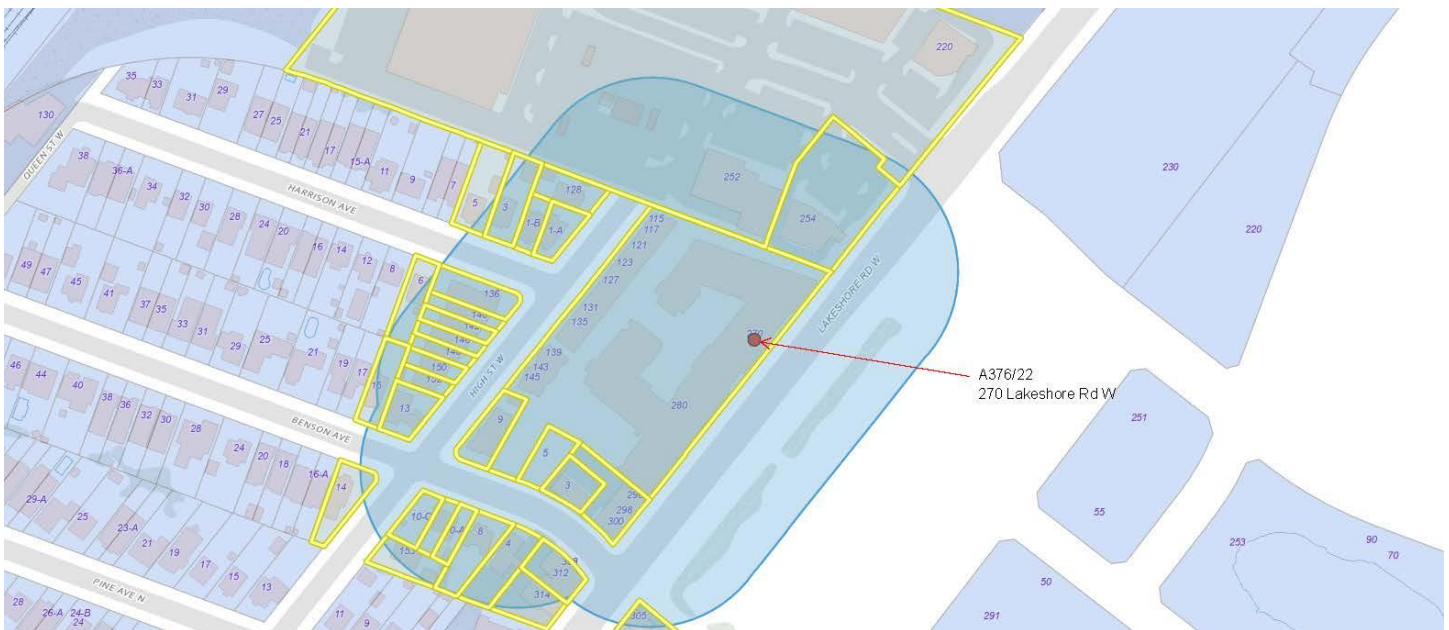
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Friday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services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

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

Legal notice:

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

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



City of Mississauga Department Comments

Date Finalized: 2022-08-10	File(s): A376.22
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2022-08-18 3:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow a Commercial School Occupancy whereas By-law 0225-2007, as amended, does not permit a Commercial School Occupancy in this instance.

Recommended Conditions and Terms

Should the Committee see merit in this application; staff recommend that the proposed Commercial School use be limited to tutoring.

Background

Property Address: 270 Lakeshore Road West

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (West)
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C4-59 - Commercial

Other Applications: Zoning Certificate of Occupancy Permit under file C 22-2015.

Site and Area Context

The subject property is located within the Port Credit Neighbourhood Character Area, west of Lakeshore Road West and Mississauga Road North. The City approved an official plan and zoning by-law amendment (OZ/OPA 13/16) and a site plan application (SP 15/75) permitting 139 apartment units and 170 rental retirement units, retail uses and 16 townhouses. The surrounding area contains a mix of detached and semi-detached dwellings north of High Street West and commercial uses abutting the subject property to the west and east.

The applicant is seeking a variance to permit a Commercial School use.



Comments

Planning

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

Staff comments concerning the application are as follows:

The subject property is designated Mixed Use in Schedule 10 of the Mississauga Official Plan (MOP), which does not permit the Commercial School use. Furthermore the MOP limits the Commercial School use to Industrial and Business Employment designations.

The intent of limiting the Commercial School use to these designations is to ensure the protection of sensitive land uses, such as residential uses, from the Commercial School use which are

generally less compatible. The definition of a Commercial School encompasses uses that range in terms of their compatibility with sensitive land uses, such as a trade school or a tutoring use. Staff is of the opinion that the proposed Commercial School for a tutoring use is appropriate and desirable. Furthermore, the proposed use is compatible with existing and planned uses in the immediate area and will not adversely impact neighbouring properties. Through a detailed review of the application, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections, comments or requirements with respect to C.A. 'A' 376/22

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Zoning Certificate of Occupancy Permit under file C 22-2015. Based on review of the information currently available in this permit application, the variance, as requested is correct.

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

Comments Prepared by: Ramsen Hedoo, Zoning Examiner

Appendix 3 – Metrolinx

Metrolinx is in receipt of the minor variance application for 270 Lakeshore Road West to facilitate the allowance of a Commercial School occupancy. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300 meters of Metrolinx's Oakville Subdivision which carries Metrolinx's Lakeshore West GO Train service.
- The Proponent is advised that the development lands, 270 Lakeshore Road West are located within Metrolinx's 300 metres railway corridor zone of influence and as such is advised that Metrolinx and its assigns and successors in interest has or have a right-of-way within 300 metres from the development lands. The Applicant is further advised that there may be alterations to or expansions of the rail facilities on such right-of-way in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx to use the right-of-way or their assigns or successors as aforesaid may expand their operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual

dwelling(s). Metrolinx will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way.

Comments Prepared by: Harrison Rong, Project Coordinator



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A379.22
Ward: 8

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 3539, 3541 and 3545 Platinum Drive, zoned C3/E2 - Commercial and Employment, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new building proposing:

1. Relief from provisions of Section 1.1.4 which requires yards, setbacks and buffers to the E2/C3 zone boundary; whereas Section 1.1.4 requires minimum zone yards, setbacks and buffers to a zone boundary where a lot contains more than one zone and a building is not constructed across the zone line whereas By-law 0225-2007, as amended, requires these provisions in this instance;
2. 29 parking spaces whereas By-law 0225-2007, as amended, requires a minimum number of 66 parking spaces in this instance;
3. 2 accessible parking spaces whereas By-law 0225-2007, as amended, requires a minimum number of 3 parking spaces in this instance;
4. A self storage facility in a General Commercial Zone whereas By-law 0225-2007, as amended, does not permit a self storage facility in a General Commercial Zone in this instance; and,
5. A reduced interior side yard setback of 4.9 m (approximately 16.1 ft) to a transformer whereas By-law 0225-2007, as amended, requires a side yard setback of 7.5 m (approximately 24.6 ft) to a transformer in this instance.

The Committee has set **Thursday, August 18, 2022 at 3:00 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 3:00 pm and will be heard in the order shown on the agenda.

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How to submit a written comment:

Written comments to the Committee must be received no later than 4:30pm the Friday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of

Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and application number or address of the property you are providing comments on.

Advance registration is required to participate in the electronic hearing:

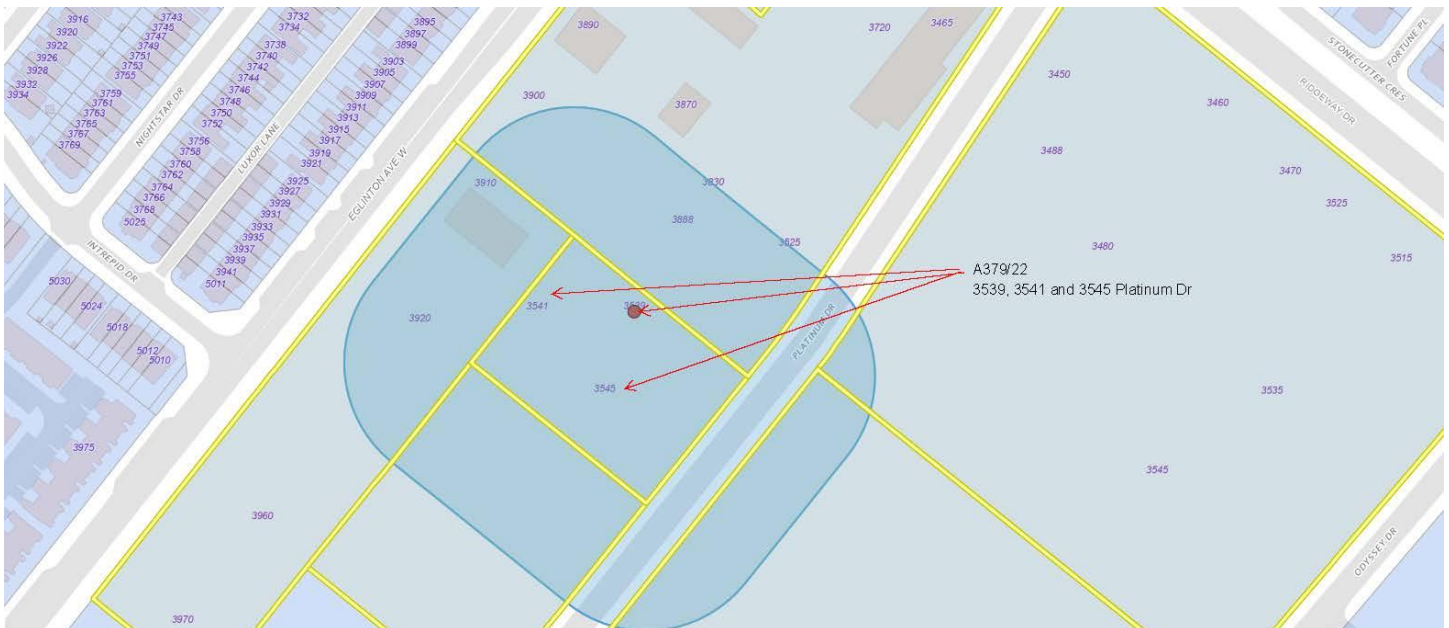
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Friday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services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

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City of Mississauga Department Comments

Date Finalized: 2022-08-10	File(s): A379.22
To: Committee of Adjustment	Ward: 8
From: Committee of Adjustment Coordinator	Meeting date:2022-08-18 3:00:00 PM

Consolidated Recommendation

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

Application Details

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

1. Relief from provisions of Section 1.1.4 which requires yards, setbacks and buffers to the E2/C3 zone boundary; whereas Section 1.1.4 requires minimum zone yards, setbacks and buffers to a zone boundary where a lot contains more than one zone and a building is not constructed across the zone line whereas By-law 0225-2007, as amended, requires these provisions in this instance;
2. 29 parking spaces whereas By-law 0225-2007, as amended, requires a minimum number of 66 parking spaces in this instance;
3. 2 accessible parking spaces whereas By-law 0225-2007, as amended, requires a minimum number of 3 parking spaces in this instance;
4. A self storage facility in a General Commercial Zone whereas By-law 0225-2007, as amended, does not permit a self storage facility in a General Commercial Zone in this instance; and,
5. A reduced interior side yard setback of 4.9 m (approximately 16.1 ft) to a transformer whereas By-law 0225-2007, as amended, requires a side yard setback of 7.5 m (approximately 24.6 ft) to a transformer in this instance.

Amendments

Zoning staff advise that the following variances should be deleted (due to Zoning By-law amendment 0117-2022):

2. 29 parking spaces whereas By-law 0225-2007, as amended, requires a minimum number of 66 parking spaces in this instance;
3. 2 accessible parking spaces whereas By-law 0225-2007, as amended, requires a minimum number of 3 parking spaces in this instance;

Background

Property Address: 3539, 3541 and 3545 Platinum Drive

Mississauga Official Plan

Character Area: Churchill Meadows Employment Area
Designation: Business Employment & Mixed Use

Zoning By-law 0225-2007

Zoning: C3/E2 - Commercial and Employment

Other Applications: Site Plan application under file SP 2-11

Site and Area Context

The subject property is located within the Churchill Meadows Employment Area, south east of the Ninth Line and Eglinton Avenue West intersection. The subject property is currently vacant with no vegetation. The surrounding area contains employment and commercial uses along with vacant lands.

The application proposes a new building requiring variances for relief from provisions of Section 1.1.4, a self-storage facility use and a reduced interior side yard setback in the zoning by-law.



Comments

Planning

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

Staff comments concerning the application are as follows:

The subject property is designated Business Employment and Mixed Use on Schedule 10 of the Mississauga Official Plan (MOP). While the majority of the subject property is designated Business Employment, there is a small portion at the rear of the subject property that is designated Mixed Use. The lands designated as Mixed Use was added to the original lands designated Employment by way of Part Block 1 on Plan 43M1977.

The subject property is zoned both Employment (E2) and General Commercial (C3). The E2 Zone permits industrial related uses, including the proposed self storage facility use. However, the self storage facility use is not permitted in the C3 Zone.

Staff note variances #1 and 4 are technical in nature. Through the registration of Plan 43M1977, while new parcel boundaries were created, the zoning boundaries were not updated to reflect the new property lines of the subdivision. As result, many properties with frontage along Platinum drive are split-zoned E2 and C3. The applicant is seeking relief from the provisions under Section 1.1.4, as this section considers the zone boundary of the C3 zone as a property line, thereby requiring development standards, such as yards, setbacks, buffers, etc. to be measured from the zone boundary and not the property line. Staff note that a majority of the property is zoned E2 and that the split zoning is a technical nuance. Furthermore, the redevelopment of the subject lands for a self-storage use is in keeping with the surrounding context, as the subject lands and the surrounding context are designated and zoned for commercial and employment related uses.

Variance #5 pertains to a reduced interior side yard setback to a transformer. Staff has discussed this variance with the Planner reviewing the associated Site Plan application and have no concerns with this variance. Furthermore, staff is of the opinion that the transformer does not create significant massing concerns and will not interfere with the function of the proposed self-storage facility or surrounding uses.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed building are being addressed through the Site Plan approval process, SPI-22/011.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan application under file SP 2-11 W8. Based on review of the information currently available in this permit application, variances # 1, 4, and 5, as requested are correct.

Furthermore, we also advise that the following variances should be deleted (due to Zoning By-law amendment 0117-2022):

2. 29 parking spaces whereas By-law 0225-2007, as amended, requires a minimum number of 66 parking spaces in this instance;
3. 2 accessible parking spaces whereas By-law 0225-2007, as amended, requires a minimum number of 3 parking spaces in this instance;

Please note that comments reflect those provided through the above permit application submitted on 07/06/2022 and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Jeanine Benitez, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A392.22
Ward: 1

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 310 Lakeshore Road West, 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 application for an existing building proposing 1 parking space whereas By-law 0225-2007, as amended, requires 6 parking spaces in this instance.

The Committee has set **Thursday, August 18, 2022 at 3:00 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 3:00 pm and will be heard in the order shown on the agenda.

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



City of Mississauga Department Comments

Date Finalized: 2022-08-10	File(s): A392.22 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-08-18 3:00:00 PM

Consolidated Recommendation

The City recommends the application be deferred.

Application Details

The applicant requests the Committee to approve a minor variance application for an existing building proposing 1 parking space whereas By-law 0225-2007, as amended, requires 6 parking spaces in this instance.

Background

Property Address: 310 Lakeshore Road West

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (West)
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C4 - Commercial

Other Applications: C 22-2068

Site and Area Context

The subject unit is located within the Port Credit Neighbourhood (West), on the northwest corner of the Benson Avenue and Lakeshore Road West intersection. The subject site contains a commercial building with a mix of retail and commercial uses. The subject site also contains no

vegetation. The broader area consists of a mix of uses including commercial uses (including retail stores), and low to medium-density residential uses with minimal vegetation.

The application proposes a change of use from a food bank to retail and commercial school, requiring a variance for parking requirements.



Comments

Planning

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

Staff comments concerning the application are as follows:

The subject property is designated Mixed Use in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits retail store uses, however, it does not permit commercial school uses.

The requested variance pertains to a parking reduction. Municipal Parking staff provide comments on requests for parking reductions. Their comments are as follows:

A Parking Utilization Study (PUS) was not submitted alongside the application, despite the parking deficiency being over the 10% threshold. Staff requires proxy site survey data to justify parking deficiencies greater than 10%.

The Building Department is currently processing a Zoning Certificate of Occupancy application. Based on Zoning's review of the information provided for the permit

application, they advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Furthermore, the submitted Site Plan drawing, was hand drawn and the gross floor area (GFA) was not identified per use (retail and commercial school). As such, Staff are unable to confirm the accuracy of the parking variance.

Staff recommend the application be deferred. The applicant is advised to apply for a Preliminary Zoning Review to ensure the proposed use is properly identified, the GFA becomes known, and that the parking requirements are calculated correctly. Zoning staff has advised that the Building Department requires more information to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Upon obtaining information regarding the proposed GFA, should the parking variance identified be determined by Staff as accurate, a satisfactory Parking Utilization Study (PUS) will be required to be submitted.

Planning staff echo Municipal Parking staff's concerns and recommend that the application be deferred to allow the applicant an opportunity to apply for a preliminary zoning review and submit the requested information.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's information are photos of the existing property and rear parking areas.









Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Zoning Certificate of Occupancy application under file C 22-2068. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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

Comments Prepared by: Alana Zheng, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A194.21
Ward: 4

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 580 Rideau Gate, zoned RM1-3 - 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 widened driveway and decorative paving proposing:

1. A setback to decorative paving in the rear yard of 0.00m whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (approx. 2.00ft) in this instance;
2. A driveway width of 8.51m (approx. 27.92ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance; and
3. A soft landscaped area in the front yard of 36.96% whereas By-law 0225-2007, as amended, permits a soft landscaped area in the front yard of 40.00%.

The Committee has set **Thursday August 18, 2021 at 3:00 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 3:00pm and will be heard in the order shown on the agenda.

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How to submit a written comment:

Written comments to the Committee must be received no later than 4:30pm the 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:

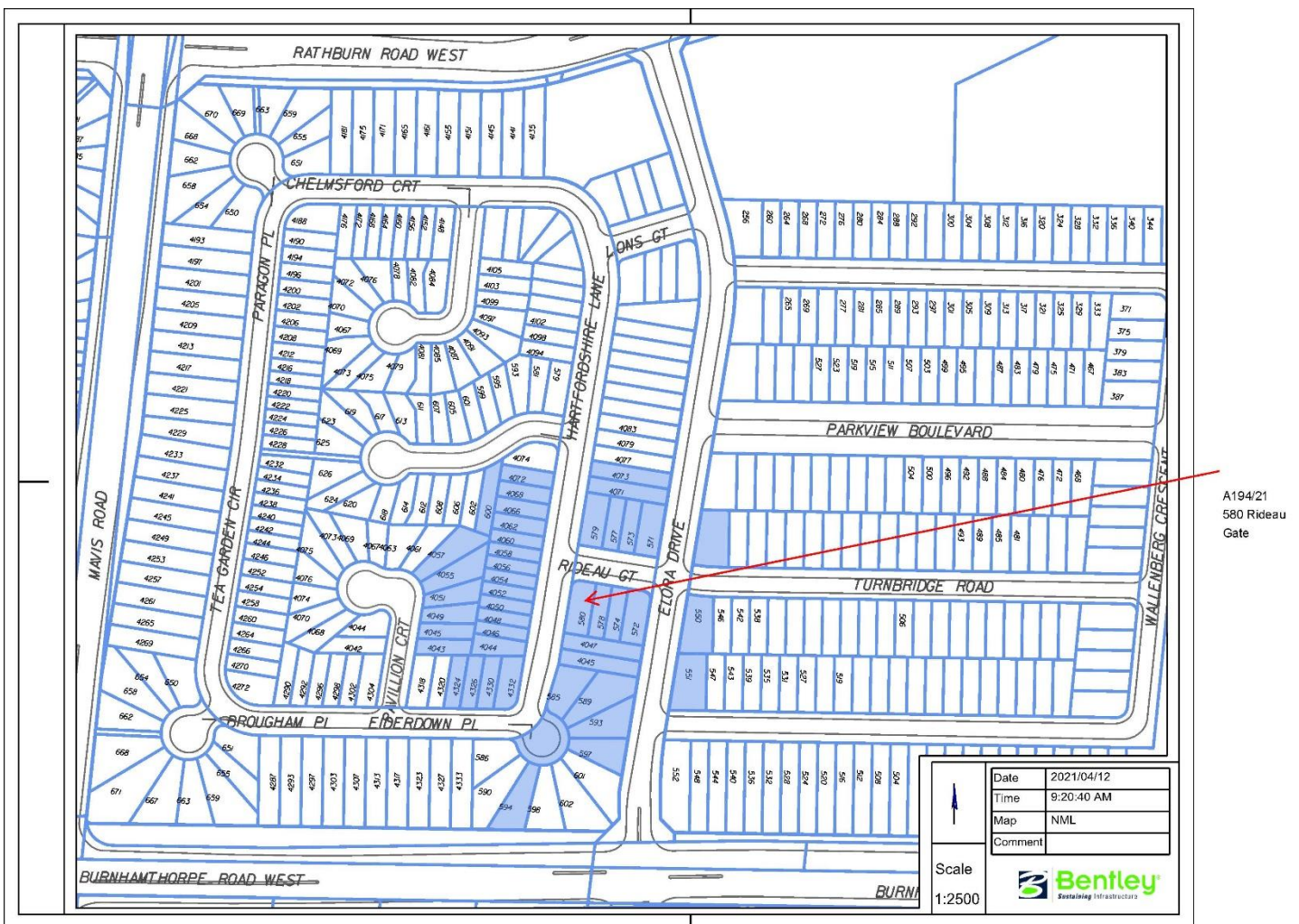
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud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

To participate by telephone: To register, please call 905-615-3200 x5209 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:

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City of Mississauga Department Comments

Date Finalized: 2022-08-10	File(s): A194.21
To: Committee of Adjustment	Ward: 4
From: Committee of Adjustment Coordinator	Meeting date:2022-08-18 3:00:00 PM

Consolidated Recommendation

The City has no objections to variance 1, however recommends variances 2 & 3 be refused.

Application Details

The applicant requests the Committee to approve a minor variance to allow a widened driveway and landscaping proposing:

1. A setback to decorative paving in the rear yard of 0.00m whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (approx. 2.00ft) in this instance;
2. A driveway width of 8.51m (approx. 27.92ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance; and
3. A soft landscaped area in the front yard of 36.96% whereas By-law 0225-2007, as amended, permits a soft landscaped area in the front yard of 40.00%.

Background

Property Address: 580 Rideau Gate

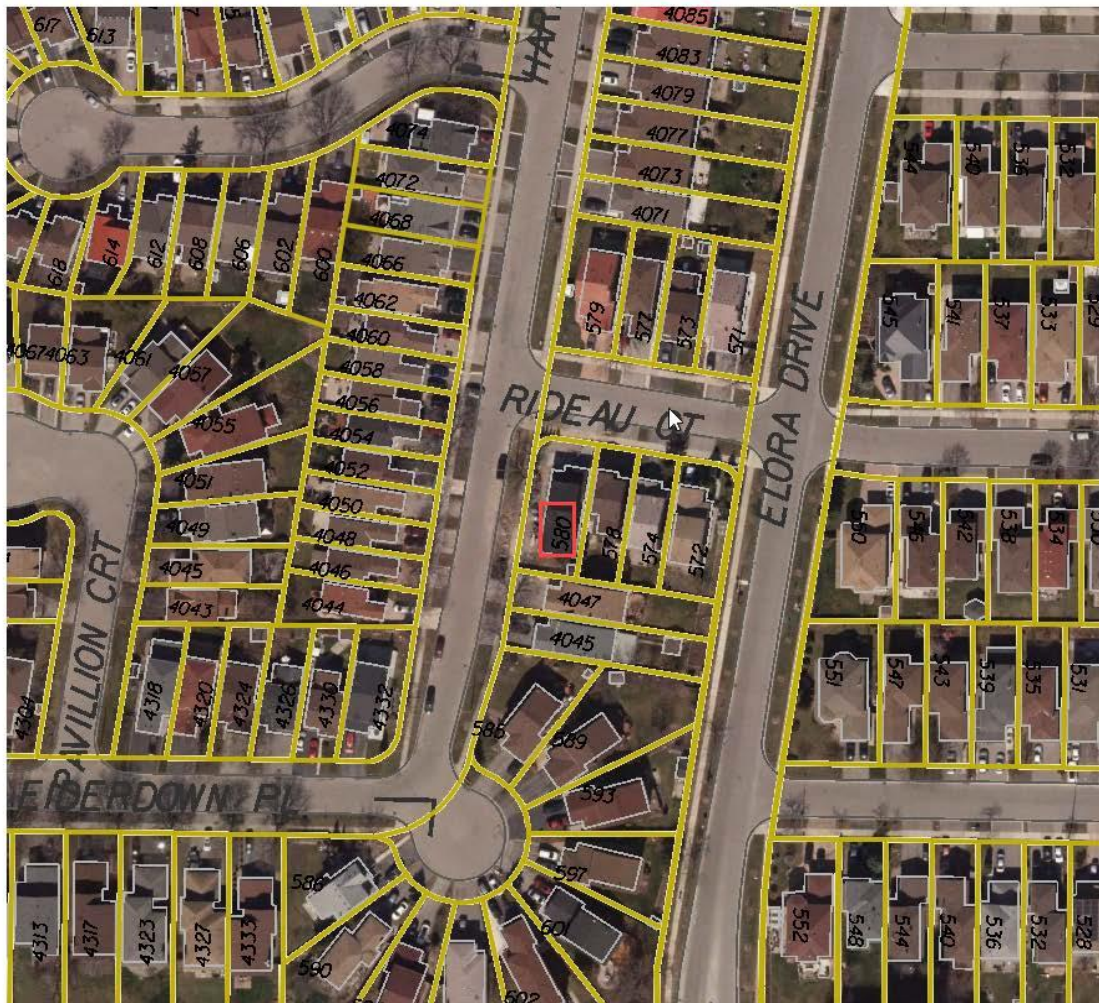
Mississauga Official Plan

Character Area: Creditview Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM1-3 - Residential

Other Applications: PREAPP 20-3587



Comments

Planning

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

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

The subject property is located within the Creditview Neighbourhood Character Area and is designated Residential Low Density II. This designation permits detached, semi-detached, and duplex dwellings. Section 9 of MOP promotes development (including its features such as driveways and landscaping) with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions, the surrounding context, and the landscape of the character area.

Variance 1 relates to hardscaping in the rear yard. The intent of this regulation is to ensure appropriate drainage patterns can be maintained. Transportation and Works staff have noted that the drainage would be directed away from the abutting property.

Variances 2 & 3 are to allow a widened driveway on the subject property, which triggers a deficiency in soft landscaped area. The intent of the by-law regarding driveway widths is to permit a driveway large enough to suitably accommodate two vehicles parked side by side, with the remainder of the yard being soft landscaping. The proposed driveway would be able to facilitate the parking of three cars across, which does not maintain the intent of the zoning by-law. Furthermore the proposed driveway represents a significant increase over the permitted driveway width and is not minor in nature.

Given the above, Planning staff have no objections to variance 1, however recommend that variances 2 & 3 be refused.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

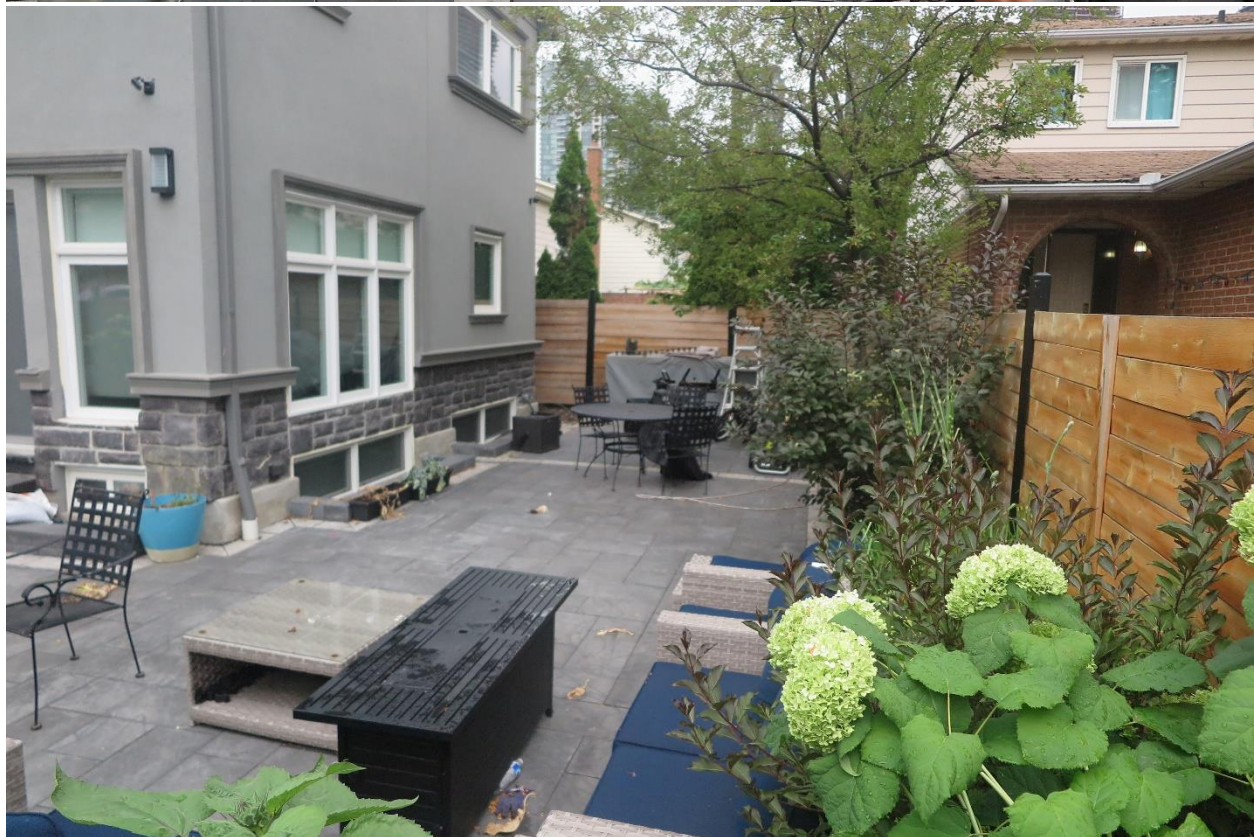
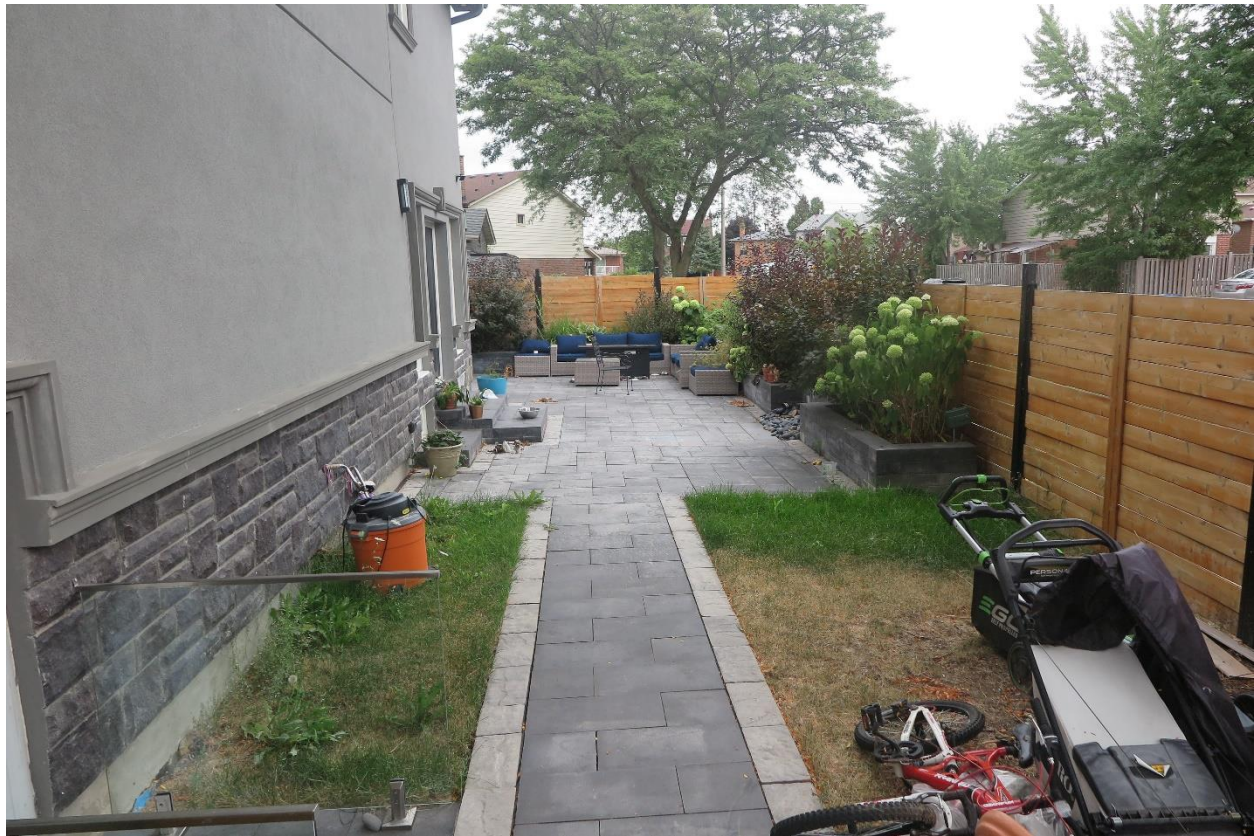
We have recently revisited the property on August 4, 2022 and are providing recent photos which are similar to the previous photos provided.

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

With regards to the setback to the decorative paving in the rear yard we note that this is a corner lot and the drainage from the rear yard is directed towards the roadway (Tea Garden Circle). We also observed from our site inspection that if there was any drainage being directed to the abutting property, this drainage is redirected to Tea Garden Circle as the abutting neighbour has widened their driveway to the common property line. A photo depicting the neighbour's driveway has also been provided.

The file also contains a letter from 571 Rideau Gate indicating concerns with the water pooling on the sidewalk on Tea Garden Circle. We have also attached a photo of the sidewalk which may be in question and do note that it is broken and been marked with yellow spray paint. We are not sure if a request has been made to re-instate the broken sidewalk, however, if anyone did have a concern with this they should call 311 and register their concerns with the City to address the issue.









Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department has processed a Preliminary Zoning Review application under file PREAPP 20-3587. Based on review of the information currently available in this permit application, variance # 1, as requested is correct.

Furthermore, we advise that more information is required to determine the accuracy of the remaining variances.

Please note that comments reflect those provided through the above permit application and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings

must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Brandon Eidner, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A572.21
Ward: 5

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 5 Scarboro Street, zoned R3-69 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling proposing:

1. A lot coverage of 36.14% (approx. 196.72sq.m or 2117.48sq.ft) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.0% (approx. 163.32sq.m or 1757.96sq.ft) in this instance;
2. A gross floor area of 370.18sq.m (approx. 3984.58sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 258.88sq.m (approx. 2786.56sq.ft) in this instance;
3. An eave height of 7.21m (approx. 23.65ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.4m (approx. 21.0ft) in this instance;
4. A height of 9.38m (approx. 30.77ft) whereas By-law 0225-2007, as amended, permits a maximum height of 9m (approx. 30ft) in this instance.

The Committee has set **Thursday, August 18, 2022 at 3:00 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 3:00 pm and will be heard in the order shown on the agenda.

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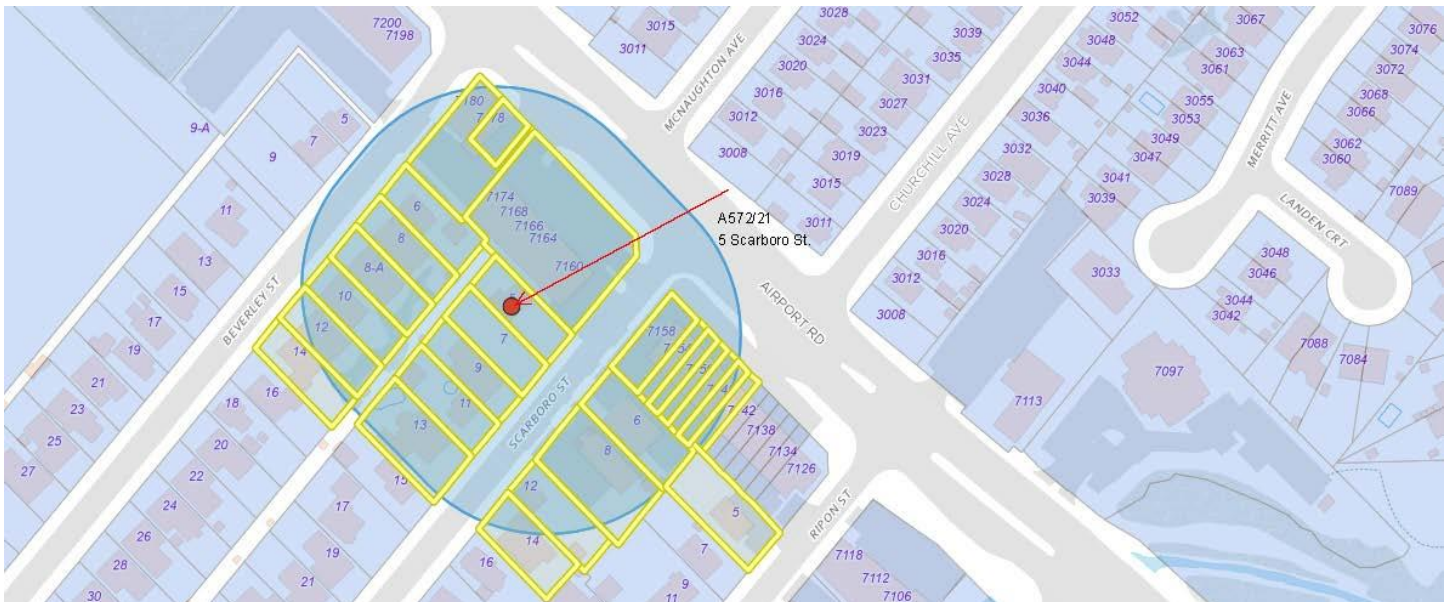
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City of Mississauga Department Comments

Date Finalized: 2022-08-10	File(s): A572.21
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2022-08-18 3:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred to allow the applicant to redesign the dwelling.

Application Details

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

1. A lot coverage of 36.14% (approx. 196.72sq.m or 2117.48sq.ft) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.0% (approx. 163.32sq.m or 1757.96sq.ft) in this instance;
2. A gross floor area of 370.18sq.m (approx. 3984.58sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 258.88sq.m (approx. 2786.56sq.ft) in this instance;
3. An eave height of 7.21m (approx. 23.65ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.4m (approx. 21.0ft) in this instance;
4. A height of 9.38m (approx. 30.77ft) whereas By-law 0225-2007, as amended, permits a maximum height of 9m (approx. 30ft) in this instance.

Background

Property Address: 5 Scarboro Street

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3-69 - Residential

Other Applications: None

Site and Area Context

The subject property is located north-west of the Derry Road East and Airport Road intersection in Old Malton Village. It currently contains a single storey detached dwelling with limited landscaping and vegetation in both the front and rear yards. The property has a frontage of +/- 14.03m (46.03ft) and a lot area of 544.4m² (5,859.9ft²). The surrounding context consists of a mix of uses including detached dwellings to the west, commercial uses along Airport Road to the east, and low rise apartments across the street.

The applicant is proposing to construct a new dwelling on the subject property requiring variances for lot coverage and gross floor area.



Comments

Planning

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

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

City Department and Agency Comments	File:A572.21	2022/08/10	3
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The subject application was previously before the Committee at the December 16 hearing. At that time Planning staff had concerns with the application in that, in the opinion of staff, it did not meet the intent of the infill regulations in the Malton Infill Housing Study and did not meet the four tests of a minor variance. The applicant has since reduced the proposed gross floor area by 76.28m² (approximately 821.07ft²) and the proposed lot coverage by 4.96%, as well as introduced new variances for dwelling height and eave height.

Staff continue to express the same concerns as laid out in the staff report dated December 8, 2021. The proposed gross floor area and lot coverage continue to represent increases that are not consistent with the neighbourhood, negatively influence its character, and are not compatible with the existing and planned development of the neighbourhood. Furthermore staff note that the proposed lot coverage is almost entirely dwelling footprint. When combined with the newly proposed height variances this exacerbates the massing of the dwelling.

Given the above, staff recommend that the application be deferred for further redesign.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

We note that a building permit application is required. In the absence of a building permit application we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed.

The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

Comments Prepared by: Brandon Eidner, Zoning Examiner

Appendix 3 – Metrolinx

Metrolinx is in receipt of the minor variance application for 5 Scarboro Street to facilitate the construction of a new two-storey dwelling. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300 meters of Metrolinx's Weston Subdivision which carries Metrolinx's Kitchener GO Train service.
- As per section 3.9 of the Federation of Canadian Municipalities and Railway Association of Canada's Guidelines for New Development in Proximity to Railway Operations, the Owner shall grant Metrolinx an environmental easement for operational emissions. The environmental easement provides clear notification to those who may acquire an interest in the subject property and reduces the potential for future land use conflicts. The environmental easement shall be registered on title of the subject property. A copy of the form of easement is included for the Owner's information. The applicant may contact Harrison.Rong@Metrolinx.com with questions and to initiate the registration process.

Comments Prepared by: Harrison Rong, Project Coordinator

Appendix 4 – Region of Peel

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 contact Servicing Connections at siteplanservicing@peelregion.ca

Any changes to the underground servicing will require review by Region of Peel Servicing Connections. Region of Peel Site Servicing connection approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at siteplanservicing@peelregion.ca

Development Planning: Joseph Filice (905) 791-7800 x3182

Comment: Please be advised that the subject property 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.

Comments Prepared by: Joseph Filice, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A63.22

Ward: 1

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 900 Atwater Avenue, zoned RM1-26 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an existing accessory structure with:

1. The maximum area occupied combined for all accessory structures of 36.92sq.m (approx. 397.42 sq.ft) whereas By-law 0225-2007, as amended, permits a maximum area occupied for all accessory structures of 30.0sq.m (approx. 322.9sq.ft) in this instance;
2. A rear yard setback of 0.30m (approx. 0.98ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 0.61m (approx. 2.00ft) in this instance;
4. An accessory structure area of 17.12sq.m (approx. 184.28sq.ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 10sq.m (approx. 107.64sq.ft) in this instance; and
5. An accessory structure area of 19.80sq.m. (approx. 213.13sq.ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 10sq.m (approx. 107.64sq.ft) in this instance;

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Advance registration is required to participate in the electronic hearing:

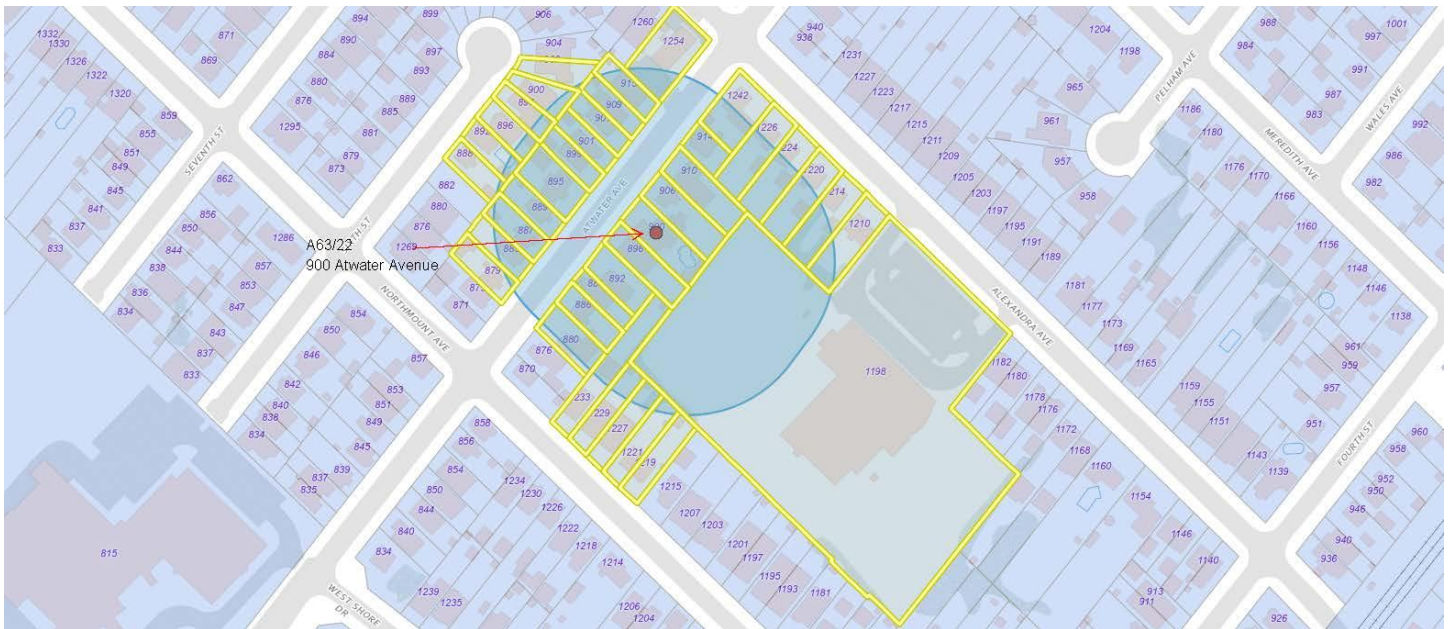
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City of Mississauga Department Comments

Date Finalized: 2022-08-10	File(s): A63.22
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2022-08-18 3:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

The applicant requests the Committee to approve a minor variance to allow an existing accessory structure with:

1. The maximum area occupied combined for all accessory structures of 36.92sq.m (approx. 397.42 sq.ft) whereas By-law 0225-2007, as amended, permits a maximum area occupied for all accessory structures of 30.0sq.m (approx. 322.9sq.ft) in this instance;
2. A rear yard setback of 0.30m (approx. 0.98ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 0.61m (approx. 2.00ft) in this instance;
4. An accessory structure area of 17.12sq.m (approx. 184.28sq.ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 10sq.m (approx. 107.64sq.ft) in this instance; and
5. An accessory structure area of 19.80sq.m. (approx. 213.13sq.ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 10sq.m (approx. 107.64sq.ft) in this instance;

Amendments

While Planning staff are not in a position to provide an interpretation of the zoning by-law; staff would note variance #1 should be amended and variance #6 should be added as follows:

1. The combined area for all accessory structures of 36.92sq.m (approx. 397.42sq.ft) whereas By-law 0225-2007, as amended, permits a maximum area occupied combined for all accessory structures of 30.0sq.m (approx. 322.9sq.ft) in this instance;
6. A rear yard setback of 0.10m (approx. 0.33ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 0.61m (approx. 2.00ft) in this instance; and

Background

Property Address: 900 Atwater Avenue

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM1-26 - Residential

Other Applications: Building Permit – BP 9NEW 20-3296

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, east of the Atwater Avenue and Cawthra Road intersection. Directly abutting the subject property to the north is Queen of Heaven Separate School. The residential portion of the neighbourhood consists of one and two storey-detached dwellings, on lots with mature vegetation in the front yards. The subject property contains a two-storey detached dwelling with no vegetation in the front yard.

The applicant is requesting to permit an existing accessory structure remain requiring variances for accessory structure area & height, lot coverage and setbacks.



Comments

Planning

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

Staff comments concerning the application are as follows:

The Committee of Adjustment previously deferred this application on February 17th, 2022 and on June 16th, 2022. Planning, Zoning and Transportation and Works staff identified concerns with the applicant's proposal related to drainage, excessive gross floor area (GFA) and an incorrect established grade calculation. The applicant has redesigned their proposal and staff is no longer concerned with the proposed GFA of the accessory structures. However, Zoning staff maintains concerned with respect to the calculation of height of the structures and are of the opinion that additional variances may be required. Furthermore, Transportation and Works staff request that downspout locations be provided on the applicant's drawings. Lastly, Planning staff note that the elevation drawings are inconsistent with the site plan drawing submitted.

Staff recommends deferral of the application to allow the applicant an opportunity to address staff's concerns and to submit a building permit to allow Transportation and Works and Zoning staff to review the revised proposal.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

The applicant has now provided a revised plan. Our Development Construction Section had previously approved the plan that was supplied. The current plan is to be revised to include the previously asked for information showing the proposed down spout locations and grading information. All neighbouring properties must not be affected by the locations of the down spouts.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building permit under file BP 9NEW 20-3296. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

1. The combined area for all accessory structures of 36.92sq.m (approx. 397.42sq.ft) whereas By-law 0225-2007, as amended, permits a maximum area occupied combined for all accessory structures of 30.0sq.m (approx. 322.9sq.ft) in this instance;
2. An accessory structure area of 36.92sq.m. (approx. 397.42sq.ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 10sq.m (approx. 107.64sq.ft) in this instance;
3. A rear yard setback of 0.10m (approx. 0.33ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 0.61m (approx. 2.00ft) in this instance; and
4. An interior side yard setback of 0.0m (approx. 0.0ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 0.61m (approx. 2.00ft) in this instance.

We advise that more information is required in order to determine whether additional variance(s) will be required for the height of accessory structure.

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

City Department and Agency Comments	File:A63.22	2022/08/10	5
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Comments Prepared by: Alana Zheng, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A168.22

Ward: 11

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 260 Hillside Dr, zoned R3-69 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing:

1. A gross floor area of 408.36sq.m (approx. 4,395.55sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 346.47sq.m (approx. 3,729.37ft) in this instance;
2. An eaves height of 6.53m (approx. 21.42ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance; and,
3. A roof ridge height of 9.65m (approx. 31.66ft) whereas By-law 0225-2007, as amended, permits a maximum roof ridge height of 9.0m (approx. 29.53ft) in this instance.

The Committee has set **Thursday, August 18, 2022 at 3:00 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 3:00 pm and will be heard in the order shown on the agenda.

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

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

How to submit a written comment:

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

Advance registration is required to participate in the electronic hearing:

To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Friday prior to the hearing. Any materials

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

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

Legal notice:

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



City of Mississauga Department Comments

Date Finalized: 2022-08-10	File(s): A168.22 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-08-18 3:00:00 PM

Consolidated Recommendation

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

Application Details

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

1. A gross floor area of 408.36sq.m (approx. 4,395.55sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 346.47sq.m (approx. 3,729.37ft) in this instance;
2. An eaves height of 6.53m (approx. 21.42ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance; and,
3. A roof ridge height of 9.65m (approx. 31.66ft) whereas By-law 0225-2007, as amended, permits a maximum roof ridge height of 9.0m (approx. 29.53ft) in this instance.

Background

Property Address: 260 Hillside Dr

Mississauga Official Plan

Character Area: Streetsville Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3-69 - Residential

Other Applications: PREAPP 21-10041

Site and Area Context

The subject property is located south-east of the Thomas Street and McFarren Boulevard intersection in the Streetsville neighbourhood. It currently contains a detached dwelling with a lot frontage of +/- 17.9m (58.7ft) and a lot area of +/- 981.23m² (10,562ft²). There are limited landscaping and vegetation elements in both the front and rear yards. The surrounding area context is exclusively residential, consisting of a mix of detached, semi-detached, and townhouse dwellings.

The applicant is proposing to construct a new detached dwelling requiring variances for gross floor area, eave height, and overall height.



Comments

Planning

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

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

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

The subject property is located in the Streetsville Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits only detached dwellings in this instance. 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. Planning staff have worked with the applicant to reduce the scale of the dwelling, which now more appropriately fits into the surrounding context. It is the opinion of staff that the revised application maintains the general intent and purpose of the official plan.

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

Variance 1 requests an increase in gross floor area. The intent in restricting gross floor area is to maintain compatibility between existing and new dwellings in order to ensure the existing and planned character of a neighbourhood is preserved. While the revised proposal represents an increase to the permissions of the by-law, staff are satisfied that the revised proposal appropriately balances the existing built form and character of the neighbourhood with the planned character envisioned by the by-law.

Variances 2 & 3 relate to the height of the structure. Variance 2 requests an increase in height to the eaves, and variance 3 is to permit an increase in height to the highest ridge. The intent of restricting height to the highest ridge and eaves is to lessen the visual massing of dwelling, while lowering the overall pitch of the roof and bringing the edge of the roof closer to the ground. This keeps the overall height of the dwelling within human scale. The subject property slopes from a higher elevation on the southern side to a lower elevation on the northern side, presenting challenges due to the Average Grade calculation methodology. The applicant has designed the dwelling with varying roof heights in order to minimize impacts and complement the change in grade on the property. When considering the grades of the property staff are satisfied that the proposed increases in height are appropriate in this instance.

Given the above it is the opinion of Planning staff that the application maintains the general intent and purpose of the zoning by-law.

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

Upon review of the application staff are satisfied that the proposal represents appropriate development of the subject lands. The variances, both individually and cumulatively, are minor in nature and will not create any undue impacts to adjoining properties or the planned or existing character of the area.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

It is our understanding that the abutting neighbour (262 Hillside Drive) has expressed some concerns with regards to “What water/flood management features will be put in place”. We note that at the time of the Building Permit Review, a Grading Plan will be reviewed by our Development Construction Section which would address drainage related concerns.

We recently re-inspected the property and from our observations we noted that the existing downpipe at the rear of the dwelling is buried and then outlets in the rear yard in a relatively low area and also in close proximity to the abutting property which may be experiencing drainage concerns. Should this be the drainage concern, a simple remedy would be to relocate and extend this existing downpipe in a manner which redirects any drainage further away from the abutting property.

From the enclosed photos it is very evident that this property has a very large and sodded rear yard which can adequately accommodate drainage from the proposal, provided that the drainage is directed in the proper direction.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Preliminary Zoning Review application under file PREAPP 21-10041. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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

Comments Prepared by: Alana Zheng, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A272.22
Ward: 1

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 115-145 High St W, zoned C4-59, C4-66 - Commercial, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance for the development of a 16 unit condominium townhome project proposing:

1. A minimum side yard setbacks of 2.75m (approx. 9.02ft) whereas By-law 0225-2007, as amended, requires minimum side yard setbacks of 3.00m (approx. 9.84ft) in this instance; and
2. A front yard setback of 4.00m (approx. 13.12ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 4.06m (approx. 13.32ft) in this instance.

The Committee has set **Thursday, August 18, 2022 at 3:00 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 3:00 pm and will be heard in the order shown on the agenda.

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How to submit a written comment:

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Legal notice:

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City of Mississauga Department Comments

Date Finalized: 2022-08-10	File(s): A272.22
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2022-08-18 3:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance for the development of a 16 unit condominium townhome project proposing:

1. A minimum side yard setbacks of 2.75m (approx. 9.02ft) whereas By-law 0225-2007, as amended, requires minimum side yard setbacks of 3.00m (approx. 9.84ft) in this instance; and
2. A front yard setback of 4.00m (approx. 13.12ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 4.06m (approx. 13.32ft) in this instance.

Background

Property Address: 115-145 High St W

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (West)
Designation: Mixed Use

Zoning By-law 0225-2007

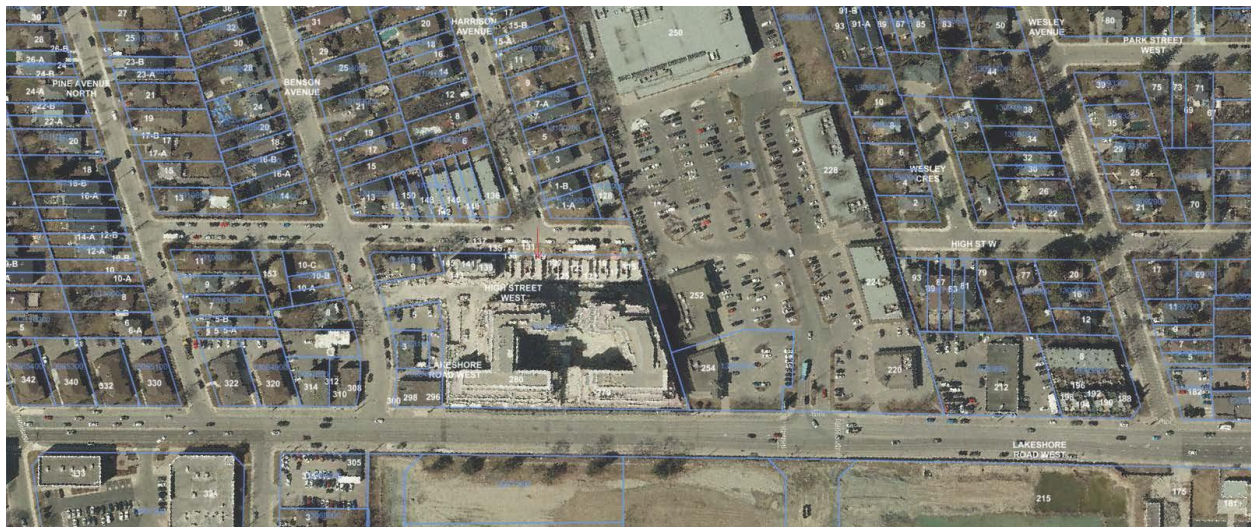
Zoning: C4-59, C4-66 - Commercial

Other Applications: Condominium application under file CDM 19-10.

Site and Area Context

The subject property is located within the Port Credit Neighbourhood Character Area, west of Lakeshore Road West and Mississauga Road North. The subject property received approval for official plan and zoning amendment (OZ/OPA 13/16) and a site plan application (SP 15/75) to permit 139 apartment units and 170 rental retirement units, retail uses and 16 townhouses. The townhouse dwellings are the subject of this application. The surrounding area contains a mix of detached and semi-detached dwellings north of High Street West and commercial uses abutting the subject property to the west and east.

The applicant is seeking a variance for reduced setbacks.



Comments

Planning

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

Staff comments concerning the application are as follows:

The Committee of Adjustment deferred the above noted application on June 23rd, 2022, to allow a new notice of the application to be circulated as Variance #2 was added during the hearing.

Staff continue to have no concerns with Variance #1, as this variance remains unchanged. Variance #2 pertains to a front yard setback. The applicant is requesting a reduction of 6cm (2.36 inches) from the minimum front yard setback required. Staff is of the opinion that this variance is minor and negligible. Through a detailed review of the application, staff is of the

City Department and Agency Comments	File:A272.22	2022/08/10	3
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opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for this property have been addressed through HOZ-16/002 and currently through Draft Plan of Condominium, CDM-19/010. We have no concerns with the proposed reduced side yard setback for the west limit of Block 1 and the east limit of Block 4.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Condominium application under file CDM 19-10. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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

Comments Prepared by: Brandon Eidner, Zoning Examiner

Appendix 3 – Metrolinx

Metrolinx is in receipt of the minor variance application for 115-145 High Street West to facilitate the development of a 16 unit condominium townhouse. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300 meters of Metrolinx's Oakville Subdivision which carries Metrolinx's Lakeshore West GO Train service.
- As per section 3.9 of the Federation of Canadian Municipalities and Railway Association of Canada's Guidelines for New Development in Proximity to Railway Operations, the Owner shall grant Metrolinx an environmental easement for operational emissions. The environmental easement provides clear notification to those who may acquire an interest in the subject property and reduces the potential for future land use conflicts. The environmental easement shall be registered on title of the subject property. A copy of the

form of easement is included for the Owner's information. The applicant may contact Harrison.Rong@Metrolinx.com with questions and to initiate the registration process.

- The Proponent shall provide confirmation to Metrolinx, that the following warning clause has been inserted into all Development Agreements, Offers to Purchase, and Agreements of Purchase and Sale or Lease of each dwelling unit within 300 metres of the Railway Corridor
 - **Warning:** Metrolinx and its assigns and successors in interest has or have a right-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the rail facilities on such right-of-way in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx to use the right-of-way or their assigns or successors as aforesaid may expand their operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). Metrolinx will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way.

Comments Prepared by: Harrison Rong, Project Coordinator



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A284.22
Ward: 5

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 3064 Churchill Ave, zoned R4-1 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an existing house and driveway with:

1. A gross floor area of 208.1sq.m (approx. 2,239.97sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 174.318sq.m (approx. 1,876.34sq.ft) in this instance; and,
2. A driveway width of 5.5m (approx. 16.40ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.74m (approx. 15.55ft) in this instance.

The Committee has set **Thursday, August 18, 2022 at 3:00 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 3:00 pm and will be heard in the order shown on the agenda.

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How to submit a written comment:

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Legal notice:

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City of Mississauga Department Comments

Date Finalized: 2022-08-10	File(s): A284.22
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2022-08-18 3:00:00 PM

Consolidated Recommendation

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

Application Details

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

1. A gross floor area of 208.1sq.m (approx. 2,239.97sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 174.318sq.m (approx. 1,876.34sq.ft) in this instance; and,
2. A driveway width of 5.5m (approx. 16.40ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.74m (approx. 15.55ft) in this instance.

Background

Property Address: 3064 Churchill Ave

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

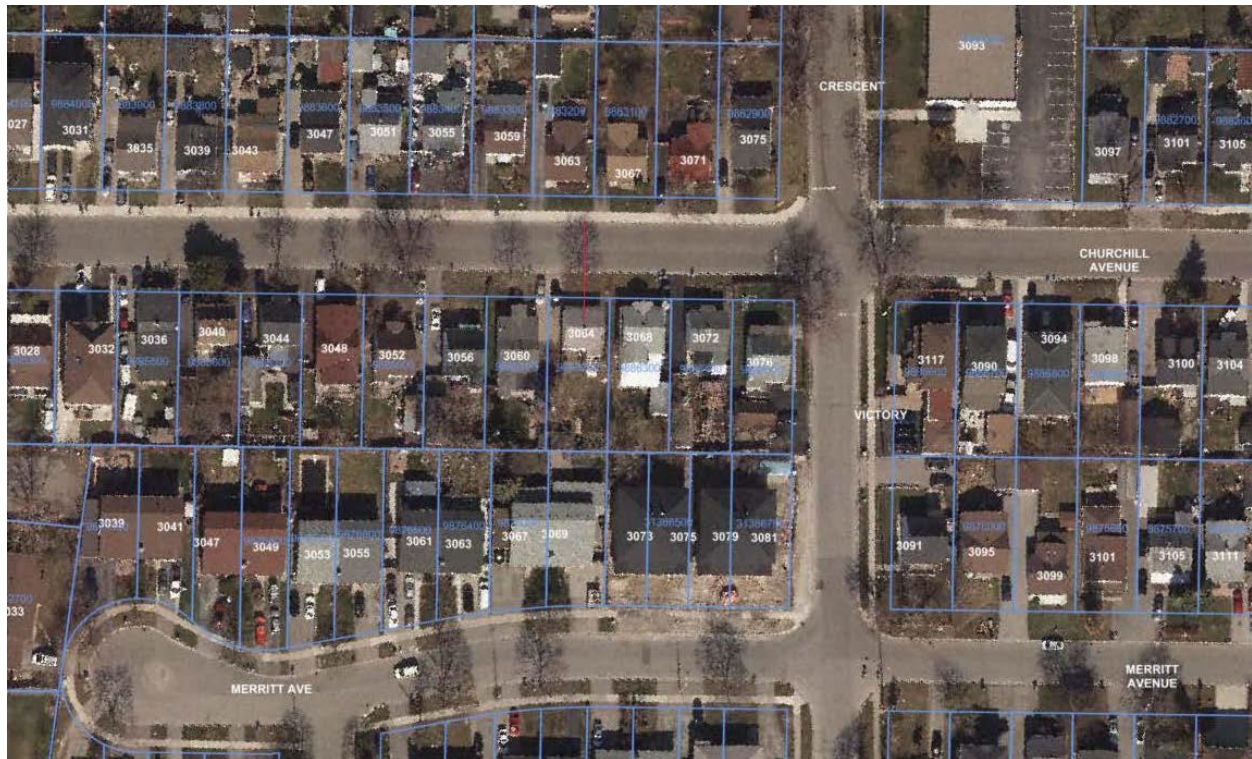
Zoning: R4-1 - Residential

Other Applications: BP 9NEW 22-1166

Site and Area Context

The subject property is located north-east of the Airport Road and Derry Road East intersection, in the Malton Neighbourhood Character Area. This portion of Churchill Avenue contains only detached dwellings, however semi-detached dwellings are present in the neighbourhood and commercial uses are also present along Airport Road. The vast majority of dwellings along this portion of Churchill Avenue are the original one and two storey detached dwellings that were built when the area was originally developed. Limited mature vegetation exists on the subject and surrounding properties.

The applicant is proposing to construct a new dwelling on the property requiring variances for gross floor area and driveway width.



Comments

Planning

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

City Department and Agency Comments	File:A284.22	2022/08/10	3
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Staff comments concerning the application of the four tests to this minor variance request are as follows:

The subject application was previously before the Committee at the June 16 hearing. The applicant requested to defer the application as the notice sign required by the Planning Act had not been posted on the property the required amount of time prior to the hearing.

Staff note that there are no changes to the application and maintain the position of the previous report dated June 8.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 9NEW 22-1166. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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

Comments Prepared by: Brandon Eidner, Zoning Examiner