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## Committee of Adjustment

**Date:** December 1, 2022  
**Time:** 1:00 PM  
**Location:** Online Video Conference

### Members

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

### Contacts

Tamoor Chaudhary, Committee of Adjustment Coordinator, Legislative Services  
905-615-3200 ext.3662  
[tamoor.chaudhary@mississauga.ca](mailto:tamoor.chaudhary@mississauga.ca)

Taranjeet Uppal, Committee of Adjustment Coordinator, Legislative Services  
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[taranjeet.uppal@mississauga.ca](mailto:taranjeet.uppal@mississauga.ca)

**PUBLIC MEETING STATEMENT:** While some planning matters, such as consent or minor variance applications, do not specifically require that you participate in the process in order to appeal, the 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](mailto:committee.adjustment@mississauga.ca)

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1. CALL TO ORDER
  2. DECLARATION OF CONFLICT OF INTEREST
  3. DEFERRALS OR WITHDRAWALS
  4. MATTERS TO BE CONSIDERED
    - 4.1. B69.22-B76.22, A563.22, A564.22  
2494 & 2510 Cliff Rd and 306 King St E (Ward 7)
    - 4.2. B77.22  
94-100 Lakeshore Rd E (Ward 1)
    - 4.3. B36.22, A269.22, A270.22  
1242 Alexandra Ave (Ward 1)
    - 4.4. A507.22  
3450 Wolfedale Rd (Ward 6)
    - 4.5. A525.22  
636 Sequin Cres (Ward 2)
    - 4.6. A541.22  
1373 Saginaw Crescent (Ward 2)
    - 4.7. A546.22  
6970 Lisgar Drive Unit #A3 (Ward 10)
    - 4.8. A554.22  
6680 Campobello Rd (Ward 11)
    - 4.9. A571.22  
60 Theodore Dr (Ward 11)
    - 4.10. A576.22  
6675 Blackheath Ridge (Ward 11)
    - 4.11. A616.22  
55 Coveside Dr and 251 Masonry Way (Ward 1)
    - 4.12. A618.22  
100 City Centre Dr, Unit 2-469 (Ward 4)

- 4.13. A619.22  
70 Lakeshore Rd E (Ward 1)
- 4.14. A336.22  
1878 Mattawa Ave (Ward 1)
- 4.15. A374.22  
1949 Barsuda Drive (Ward 2)
- 5. **OTHER BUSINESS**
- 6. **ADJOURNMENT**



## COMMITTEE OF ADJUSTMENT NOTICE OF APPLICATION

File: B69.22 B70.22 B71.22 B72.22 B73.22 B74.22  
B75.22 B76.22 A563.22 A564.22

Ward: 7

### Why you received this letter:

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

### Details of the application and meeting information:

The property owner of 2494 & 2510 Cliff Rd and 306 King St E, zoned R3- Residential, has applied for Consent under Section 53 of the Planning Act. B69/22

The applicant requests the Consent of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 15.00m (approx. 49.21ft) and an area of approximately 660.00sq m (approx. 7,104.18sq. ft).

B70/22

The applicant requests the Consent of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 15.00m (approx. 49.21ft) and an area of approximately 660.00sq m (approx. 7,104.18sq. ft).

B71/22

The applicant requests the Consent of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 15.00m (approx. 49.21ft) and an area of approximately 660.00sq m (approx. 7,104.18sq. ft).

B72/22

The applicant requests the Consent of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 15.00m (approx. 49.21ft) and an area of approximately 660.00sq m (approx. 7,104.18sq. ft).

B73/22

The applicant requests the Consent of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 15.00m (approx. 49.21ft) and an area of approximately 660.00sq m (approx. 7,104.18sq. ft).

B74/22

The applicant requests the Consent of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 15.00m (approx. 49.21ft) and an area of approximately 660.00sq m (approx. 7,104.18sq. ft).

B75/22

The applicant requests the Consent of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 16.33m (approx. 53.58ft) and an area of approximately 687.00sq m (approx. 7,394.81sq. ft).

A563/22

The applicant requests the Committee to approve a minor variance for the severed lands of B75/22 proposing:

3. A lot frontage of 16.33m (approx. 53.58ft) for a corner lot whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 19.50m (approx. 63.98ft) for a corner lot in this instance; and,

4. A lot area of 687.00sq m (approx. 7,394.87sq ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 720.00sq m (approx. 7,750.02sq ft) for a corner lot in this instance.



B76/22

The applicant requests the Consent of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 15.06m (approx. 49.41ft) and an area of approximately 696.00sq m (approx. 7,491.68sq. ft).

A564/22

The applicant requests the Committee to approve a minor variance for the retained lands of B76/22 proposing:

3. A side yard setback to the existing dwelling of 1.03m (approx. 3.38ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.20m (approx. 3.94ft) in this instance; and,
4. A side yard setback to an existing accessory structure of less than 0.5m (approx. less than 1.64ft) whereas By-law 0225-2007, as amended, requires a side yard setback to an existing accessory structure of 1.20m (approx. 3.94ft) in this instance.

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

You can get more information on this matter by emailing [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) or calling 905-615-3200 x2408. You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>. Hearings will be streamed online for the public to view at the following link: <http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>.

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

#### **How to submit a written comment:**

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

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

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

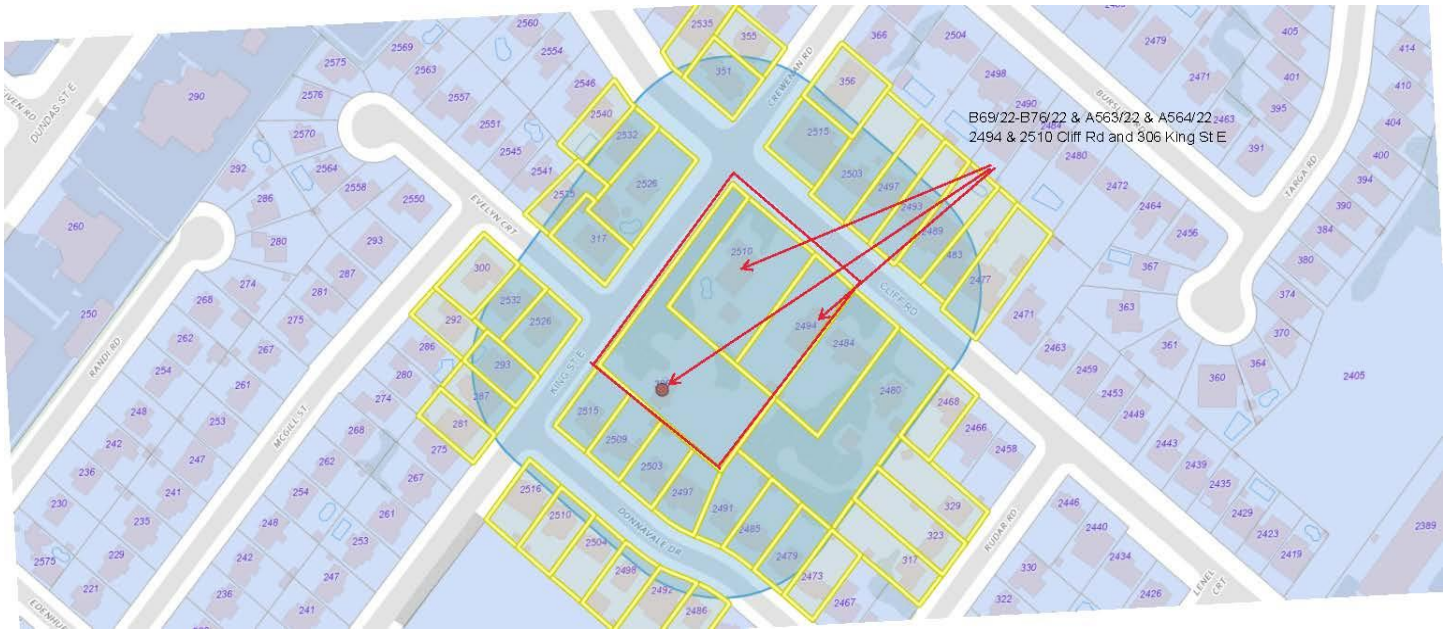
**To participate by telephone:** To register, please call 905-615-3200 x 2408 no later than 4:30pm the Friday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.

#### **Legal notice:**

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

Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public

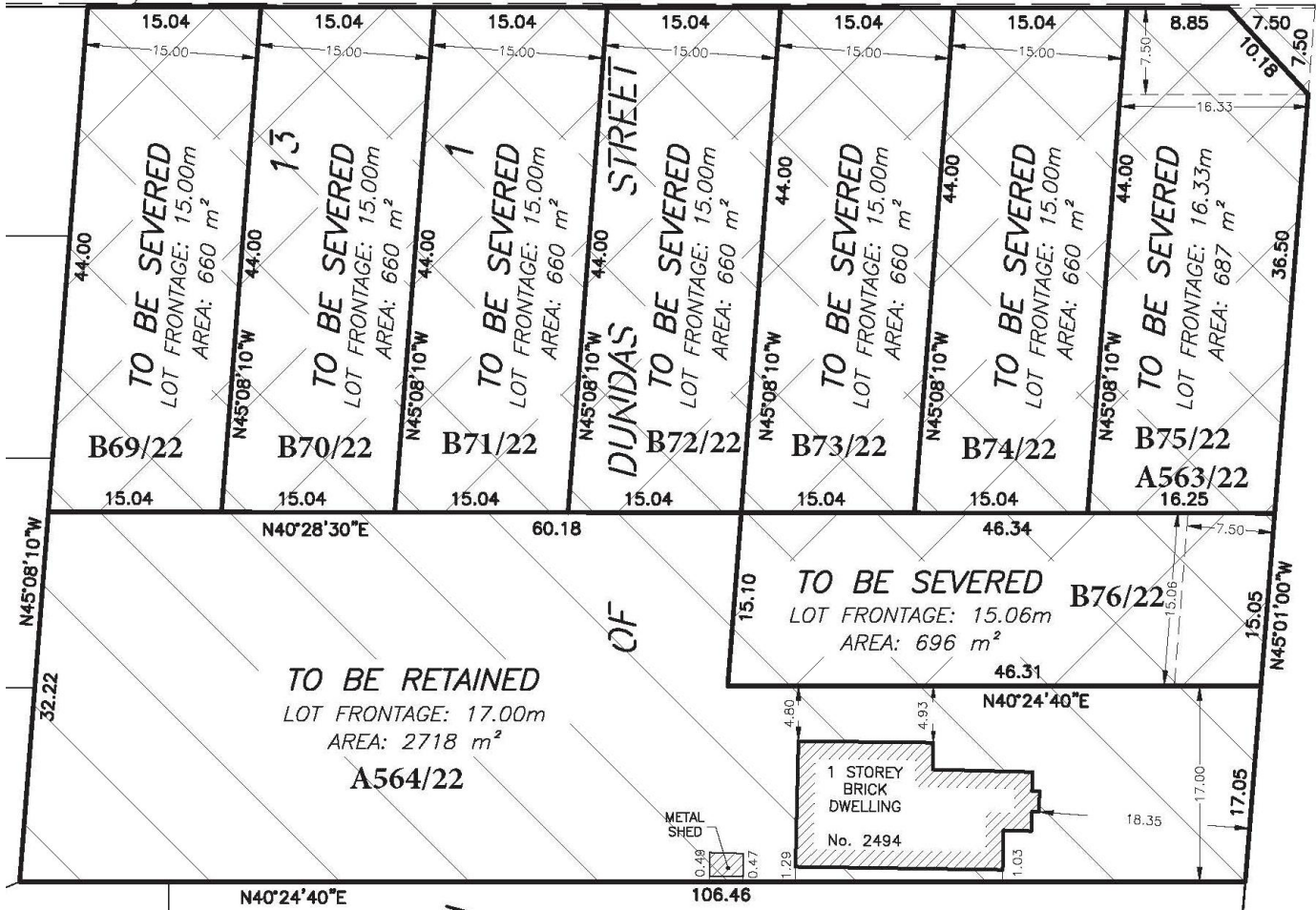
record and will be disclosed to any individual (including being posted on the internet) upon request in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x2408.



BLOCK C  
(0.30 RESERVE)

# KING STREET EAST

N40°29'00"E



CLIFF ROAD

# City of Mississauga Department Comments

<p>Date Finalized: 2022-11-23</p> <p>To: Committee of Adjustment</p> <p>From: Committee of Adjustment Coordinator</p>	<p>File(s): B69.22 B70.22 B71.22 B72.22 B73.22 B74.22 B75.22 B76.22 A563.22 A564.22 Ward: 7</p>
	<p>Meeting date:2022-12-01 1:00:00 PM</p>

## Consolidated Recommendation

The City has no objections to the applications. 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

### B69/22

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3. A lot frontage of 16.33m (approx. 53.58ft) for a corner lot whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 19.50m (approx. 63.98ft) for a corner lot in this instance; and,
4. A lot area of 687.00sq m (approx. 7,394.87sq ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 720.00sq m (approx. 7,750.02sq ft) for a corner lot in this instance.

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4. A side yard setback to an existing accessory structure of less than 0.5m (approx. less than 1.64ft) whereas By-law 0225-2007, as amended, requires a side yard setback to an existing accessory structure of 1.20m (approx. 3.94ft) in this instance.

## Amendments

While Planning staff are not in a position to interpret the zoning by-law, staff recommend that variance 2 of application A564/22 be amended as follows:

2. A side yard setback to an existing accessory structure of 0.47m whereas By-law 0225-2007, as amended, requires a side yard setback to an accessory structure of 1.20m in this instance.

## Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent
- The variance application approved under File(s) A563/22 & A564/22 must be finalized

City Department and Agency Comments	File: B69.22 B70.22 B71.22	2022/11/23	3
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### **Recommended Conditions and/or Terms of minor variance**

- Variance(s) approved under file(s) A563/22 & A564/22 shall lapse if the consent application under files B69/22, B70/22, B71/22, B72/22, B73/22, B74/22, B75/22 & B76/22 are not finalized within the time prescribed by legislation.

## **Background**

**Property Address:** 2494 & 2510 Cliff Rd and 306 King St E

### **Mississauga Official Plan**

Character Area: Cooksville Neighbourhood  
Designation: Residential Low Density I

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

**Zoning:** R3- Residential

**Other Applications:** None

### **Site and Area Context**

The subject site is currently 3 properties on the south-west corner of King Street East and Cliff Road, which have merged on title due to common ownership. The sites currently contain a total of 3 detached dwellings and have a combined area of +/- 0.8ha (1.98ac). Mature vegetation is scattered throughout the site. The surrounding area context is exclusively residential, consisting of detached homes on lots generally smaller than the existing properties.

The applicant is proposing to sever the lands into 9 lots, requiring variances for lot frontage and lot area on one lot and setbacks on a second lot.





designation permits detached, semi-detached and duplex 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.

The 3 properties at 306 King Street East, 2494 Cliff Road and 2510 Cliff Road have merged on title as they are under common ownership. The applicant is proposing to sever the consolidated 3 properties into 9 lots. Staff are satisfied that the application is consistent with the official plan as the severed lots and retained lands will provide for adequately sized lots for residential dwellings. The proposed lot frontages are generally in line with other residential properties along King Street East and Cliff Road and will not negatively impact the character of the street or the area's lot fabric. Furthermore staff have no concerns with the severances regarding the criteria set out in Section 51(24) of the Planning Act as the site is appropriately serviced and is suitable for the planned use of the property. Staff are therefore of the opinion that the application conforms to Section 51(24) of the Planning Act.

In addition to the consent applications the applicant has submitted two minor variance applications, under files A563/22 and A564/22.

File A563/22 requests two variances for the proposed corner lot for lot frontage and lot area. The intents of these provisions in the zoning by-law are to ensure that new lots are appropriately sized and fit within the context of the surrounding area. Planning staff are satisfied that the sole substandard lot in the proposal fits appropriately into the character of the surrounding area and is complementary to the existing and proposed lot fabric.

File A564/22 requests two variances for side yard setbacks to the existing dwelling and accessory structure at 2494 Cliff Road that are proposed to be maintained. The intent of side yard provisions in the zoning by-law are to ensure appropriate drainage can be maintained, a separation of structures on adjacent lots, and to maintain appropriate access. Both side yards represent existing conditions that are proposed to be regularized through the variance process. Staff are satisfied that the requested setbacks will maintain existing access, drainage, and separation from structures on the adjacent property.

Given the above, Planning staff are satisfied that the requested variances maintain the general intent and purpose of both the official plan and zoning by-law, are minor in nature, and represent appropriate development of the subject property.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner



## Appendices

### Appendix 1 – Transportation and Works Comments

This department has no objections to the applicant's request which will merge the subject properties and create 9 lots, one of which will be the retained lot containing the existing dwelling at 2494 Cliff Road.

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 rear lot catch basin(s) may be required and satisfactory arrangements will have to be made for the construction of same.

##### 2. Functional Servicing Proposal/Servicing Plan

We request that the applicant submit a Functional Servicing Proposal and Servicing Plan prepared by a Consulting Engineer for this department's review/approval to confirm that all the necessary municipal services can be provided for the proposed lots. Upon the review of the Functional Servicing Proposal it will be determined if any new municipal infrastructure will be required or if any servicing easements will have to be established in order to support this severance proposal.

Based on the information available, the retained and severed parcels fronting onto Cliff Road drain to the existing 600mm storm sewer on Cliff Road, and the severed parcels fronting onto King Street East drain to the existing 600mm diameter storm sewer on King Street East. It should also be noted that in cases of a high groundwater table where a sump pump could run continuously if a sump pump was implemented, the applicant should consider raising the basement elevations to be at least 1.0 meter above the groundwater level. It is the owner's responsibility to satisfy themselves with these conditions the City has no obligation to address any concerns with the operating conditions of private sump pump systems.

It should be noted that from a review of our records, and specifically Plan and Profile Drawing C-13957 for King Street East, there is no indication that there is a sanitary sewer service from Evelyn Court to Cliff Road and this will likely require the construction of a new sanitary sewer.

The Region of Peel will be commenting on any particulars pertaining to Sanitary and Watermain service requirements as these are under their jurisdiction, however, any new services to be constructed within the municipal right of way will require a Development Agreement including Schedules for Municipal Infrastructure to be entered into with both the City of Mississauga and the Region of Peel to address any servicing requirements.

3. Development Agreement including Schedules for Municipal Infrastructure to address the Construction of any Municipal Services and Road Reinstatement Works

Depending on the findings of a Functional Servicing Proposal in item A2 and should it be determined that new municipal services (i.e. storm, sanitary) would have to be constructed within the municipal roadway, satisfactory arrangements would have to be made with regards to the owner entering into a Development Agreement with the City of Mississauga. This Development Agreement would include Municipal Infrastructure Schedules to address the construction of any municipal services and road modification/reinstatement works required. In this regard the owner will be required to submit an engineering submission for the proposed infrastructure works.

The applicant/owner should also acknowledge that the Transportation and Works Department will not issue its clearance for this Consent Application until such time that the Development Agreement including Schedules for Municipal Infrastructure has been finalized, a By-Law to authorize the execution of the agreement has been passed by Council and the agreement fully executed by the City.

4. Conceptual Site Plan Depicting Driveway Locations/Modifications Required

The applicant will be required to provide for our review/approval a Conceptual Site Plan which is to accurately depict all proposed driveway locations, specifically along the King Street East frontage. The plan must include the location of all existing utilities, in particular the significant number of bell pedestals which currently exist. We have attempted to find Plan and Profile Drawings which would depict these significant sized utilities which will have an impact on any access locations but were not able to find any, however we did observe a utility cover which did identify it belonging to Bell.

We also note that there are a number of mature trees across the frontages of the site and any Conceptual Site Plan depicting driveway locations will have to be in conformity with any tree preservation efforts by our Forestry Section.

In this regard satisfactory arrangements will have to be made for the relocation of any utilities if required or alternatively provide a satisfactory Conceptual Site Plan depicting driveway locations. It should also be noted that there is to be a minimum setback of 1.5M from the

driveway to the utility. In addition, any costs associated with any utility relocations will be the responsibility of the owner.

5. Road Widening on Cliff Road and Sight Triangle Requirements

Satisfactory arrangement will have to be made for the gratuitous dedication to the City of Mississauga a right of way widening towards the ultimate 26 metre right-of-way of Cliff Road as identified in the Official Plan.

In addition a 10 x 10 metre Sight Triangle at the south-west corner of King Street East and Cliff Road will be required.

The applicant's surveyor is to prepare and submit a draft reference plan to this department for review and approval. We are advising that any particulars with regards to land dedications will have to be to the satisfaction of our traffic section, [Kate.Vassilyev@mississauga.ca](mailto:Kate.Vassilyev@mississauga.ca) and also verified by the City's Ontario Land Surveyor which can be contacted at [Al.Jeraj@mississauga.ca](mailto:Al.Jeraj@mississauga.ca)

6. Environmental Site Assessment (ESA) for Road Widening

As a road widening across the frontage of Cliff Road is being requested, in accordance with Corporate Policy 09-08-02, a Phase 1 Environmental Site Assessment (ESA) will be required. The report should be prepared in accordance with O. Reg 153/04 (as amended), signed and dated by a Qualified Person as defined in O. Reg 153/04 (as amended) and include a clause or be accompanied by a letter signed by the author of the report or a Principal of the Consulting Firm, which allows the City of Mississauga to make reliance on the findings and conclusions presented in the report.

If the Phase One ESA indicates potential for contamination, a Phase Two Environmental Site Assessment will be required. If contamination is confirmed, a Remedial Action Plan that appropriately addresses the contamination will be required. Recommendations contained within the plan will be implemented by way of conditions to the development approval.

Should additional clarification be required with regard to the Environmental Site Assessment (ESA), please contact Jessica Yong, Environmental Coordinator at 905 615-3200 ext. 3174 or [Jessica.Yong@mississauga.ca](mailto:Jessica.Yong@mississauga.ca) should you require further information.

7. 0.3M Reserve Across King Street East

Satisfactory arrangement are to be made with our Traffic Planning Section with regards to the lifting of the existing 0.3M Reserve across the frontage of King Street East frontage.

In view of the above we would request that the applicant contact a representative of our Traffic Planning Section, [Kate.Vassilyev@mississauga.ca](mailto:Kate.Vassilyev@mississauga.ca) to discuss and make arrangements with regards to satisfying the requirement to lift the existing 0.3M reserve.

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

As per the City of Mississauga's Fees and Charges By-law there will be a fee required to be paid to the Legal Services Department for their services, in particular for the preparation of documents required for items pertaining a Development Agreement and the processing of any road widening. The fee amount payable will be in accordance with the current Fees and Charges Bylaw and be submitted to the Transportation and Works Department in the form of a certified cheque.

9. Municipal Address Requirement

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

**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

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

In addition we advise that the applicant will be required to apply for Access Modification Permits prior to Site Plan Approval and/or Building Permit Issuance.

We are noting that any Transportation and Works Department concerns/requirements for this property will be addressed under Consent Application 'B' 69 to 76/22.

For further information regarding the above noted comments, please contact Tony Iacobucci at (905) 615-3200 ext. 5129 or [tony.iacobucci@mississauga.ca](mailto:tony.iacobucci@mississauga.ca)























Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## Appendix 2 – Zoning Comments

Zoning has 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: Amy Campbell, Planner-in-Training

### Appendix 3 – Parks, Forestry & Environment

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

City of Mississauga Forestry Staff have attended the site and identified the following City owned trees within the municipal boulevard:

- Scotch Pine (36 dbh) – Good Condition - \$1,600.00
- Scotch Pine (32 dbh) – Good Condition - \$1,300.00
- Scotch Pine (41 dbh) – Good Condition - \$2,100.00
- Scotch Pine (47 dbh) – Good Condition - \$2,700.00
- Scotch Pine (30 dbh) – Good Condition - \$1,200.00
- Red Pine (21 dbh) – Good Condition - \$800.00
- Red Pine (21 dbh) – Good Condition - \$800.00
- Red Pine (22 dbh) – Good Condition - \$900.00
- Red Pine (28 dbh) – Good Condition - \$1,400.00
- Bur Oak (17 dbh) – Good Condition - \$700.00
- Horse Chestnut (14 dbh) – Good Condition - \$400.00
- Red Oak (22 dbh) – Good Condition - \$1,100.00
- Red Oak (25 dbh) – Good Condition - \$1,300.00
- Red Oak (21 dbh) – Good Condition - \$1,000.00

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

1. The applicant shall provide tree protection securities in the amount of \$17,300.00 for the preservation of the municipal trees.

In addition, Community Services notes the following:

1. The applicant shall ensure that future driveways do not impact or require the removal of the above noted trees.
2. Payment for street tree fees and charges can be made at the Parks and Forestry customer service counter located at 950 Burnhamthorpe Road West in the form of a certified cheque, bank draft, or money order payable to the City of Mississauga. Please contact Nicholas Rocchetti regarding the Covid-19 interim payment process.
3. The applicant shall provide frame tree hoarding at the dripline of the above noted tree prior to any construction to the satisfaction of City of Mississauga Forestry Staff. Please call Ryan Cormier at 905-615-3200 ext. 4580 to arrange a hoarding inspection.
4. 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 Nicholas Rocchetti, Park Planning Assistant, Community Services Department at 905-615-3200 ext. 4659 or via email [Nicholas.Rocchetti@mississauga.ca](mailto:Nicholas.Rocchetti@mississauga.ca).

Comments Prepared by: Nicholas Rocchetti, Park Planning Assistant

#### **Appendix 4 – Region of Peel**

Servicing: Camila Marczuk (905) 791-7800 x8230

**Comments:**

- Please note that severing the lands may adversely affect the existing location of the water and sanitary sewer services, if any exist. The result of this may require the applicant to install new water / sanitary servicing connections to either the severed or retained lands in compliance with the Ontario Building Code. The applicant may require the creation of private water / sanitary sewer servicing easements
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 X7973 or by email: [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca).

**Conditions:**

- Arrangements satisfactory to the Region of Peel, Public Works shall be made with respect to the location of existing and installation of new services and/or possible required private service easements.

Comments Prepared by: Patrycia Menko, Junior Planner

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

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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.

- 
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding. ("A" 563-564/22)
  4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated November 23, 2022.
  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 November 23, 2022.
  6. A letter shall be received from the Region of Peel, Development Services/Public Works, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated November 18, 2022.



## COMMITTEE OF ADJUSTMENT NOTICE OF APPLICATION

File: B77.22

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 94-100 Lakeshore Rd E, zoned C4-55, has applied for Consent under Section 53 of the Planning Act. The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of 11.31m (approx. 37.11ft) and an area of 575.60sq m (approx. 6195.71sq ft).

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

You can get more information on this matter by emailing [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) or calling 905-615-3200 x2408. You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>. Hearings will be streamed online for the public to view at the following link: <http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>.

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

### How to submit a written comment:

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

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

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

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



**Legal notice:**

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

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



# City of Mississauga Department Comments

Date Finalized: 2022-11-23	File(s): B77.22
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2022-12-01 1:00:00 PM

## Consolidated Recommendation

The City recommends the application be deferred.

## Application Details

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of 11.31m (approx. 37.11ft) and an area of 575.60sq m (approx. 6195.71sq ft).

### Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent

## Background

**Property Address:** 94-100 Lakeshore Rd E

### Mississauga Official Plan

Character Area: Port Credit Community Node  
Designation: Mixed Use

### Zoning By-law 0225-2007

**Zoning:** C4-55

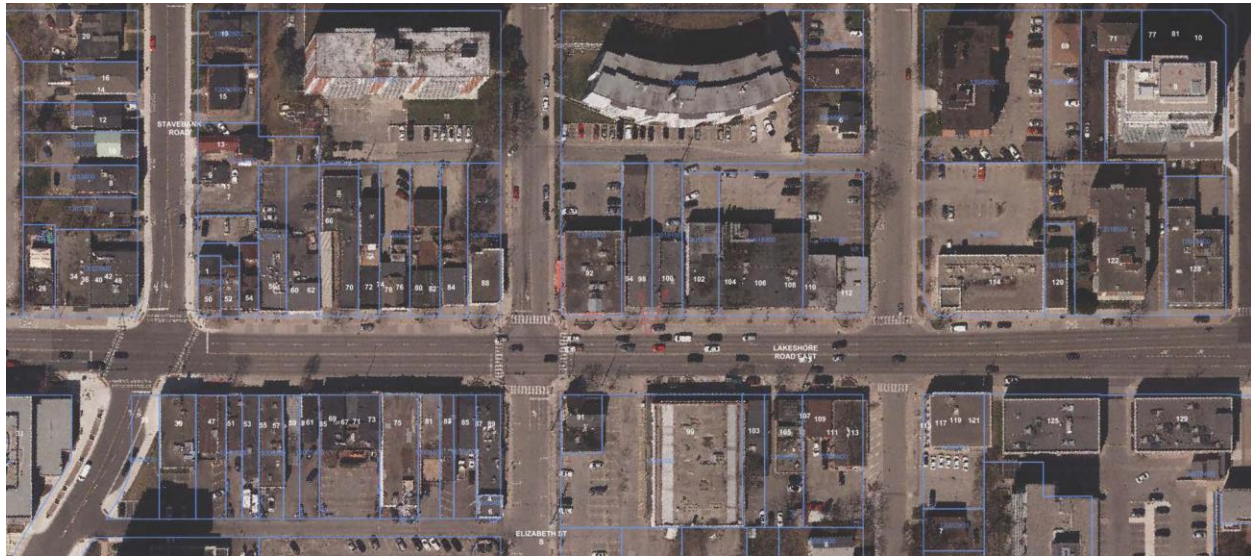
**Other Applications:** None

### Site and Area Context



The subject property is located within the Port Credit Community Node, west of the Hurontario Street and Lakeshore Road East intersection. The subject site contains two commercial buildings with commercial uses. Minimal vegetation in the form of street trees align Lakeshore Road East. The broader area consists of a mix of commercial, high, and low-density residential uses with minimal vegetation throughout the properties.

The application proposes to sever a parcel of land for the creation of a new 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 comments concerning the application are as follows:

The subject property is designated Mixed Use in Schedule 10 of the Mississauga Official Plan (MOP), which permits many uses, including commercial uses.

According to the applicant, the proposed severed and retained lands were once individual properties. Staff note that municipal mapping software (iMaps) continues to show these properties are separate however; they share the same property identification number (PIN). The application proposes to sever the subject property to reinstate the previous lots. While Planning staff have no immediate concerns with the proposed severance, Staff are concerned that the proposal will result in parking deficiencies. On November 17<sup>th</sup>, 2022, staff requested additional information from the applicant (via email) to confirm if additional variances would be required and to determine if alternative parking arrangements are required to accommodate additional parking. Staff is continuing to work with the applicant to obtain this information.

As such, staff is of the opinion that the application is premature and cannot provide an accurate review of the proposal. Staff recommends that the application be deferred to allow the applicant more time to review the proposal with staff and to submit the requested information.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

This Department has no objections to the applicant's request to create a new lot fronting Lakeshore Road East. We understand that each of the existing buildings on the lands currently has its own Municipal address and from the plans submitted with the application, it appears that there are no changes proposed on site. All parcels have vehicular access via an existing access easement from Elizabeth Street.

We would recommend that the owner of the subject lands review their records and be satisfied that any underground services to either the severed or retained lands are located such that the services are confined within the limits of their own property. Should it be determined that there are any services which will conflict with the new property limits, the owner would have the option of abandoning that service(s) and arranging for the construction of a new service(s) in the proper location, or alternatively protect it by means of a private easement.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

Zoning has 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 that 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.

In addition, Community Services notes the following:

1. 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 Nicholas Rocchetti, Park Planning Assistant, Community Services Department at 905-615-3200 ext. 4659 or via email [Nicholas.Rocchetti@mississauga.ca](mailto:Nicholas.Rocchetti@mississauga.ca).

Comments Prepared by: Nicholas Rocchetti, Park Planning Assistant

#### **Appendix 4 – Heritage**

Heritage planning has no concerns with the severance, however as this property is listed on the City's Heritage Registry any major alterations or demolition in the future would require the property owner to submit a heritage application. The application form is available here: <https://www7.mississauga.ca/documents/culture/heritage/2248.pdf>. It would have to be accompanied by an accepted Heritage Impact Assessment.

Comments Prepared by: Andrew Douglas, Heritage Analyst

#### **Appendix 5 – Region of Peel**

Servicing: Camila Marczuk (905) 791-7800 x8230

##### **Comments:**

- Please note that severing the lands may adversely affect the existing location of the water and sanitary sewer services, if any exist. The result of this may require the applicant to install new water / sanitary servicing connections to either the severed or retained lands in compliance with the Ontario Building Code. The applicant may require the creation of private water / sanitary sewer servicing easements
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 X7973 or by email: [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca).

Comments Prepared by: Patrycia Menko, Junior Planner

**Appendix A – CONDITIONS OF PROVISIONAL CONSENT**

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

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

**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 1242 Alexandra Ave, zoned RM1-26 - Residential, has applied for Consent under Section 53 of the Planning Act. The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 13.14m (43.11ft) and an area of approximately 338.21sq.m (3,640.46sq.ft).

**A269/22:**

The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling on the subject property, being the retained lands of application B36/22, proposing:

1. A lot area of 310.25sq.m (approx. 3,339.50sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 365.00sq.m (approx. 3,928.83sq.ft) in this instance;
2. A height to eaves of 6.83m (approx. 22.41ft) whereas By-law 0225-2007, as amended, permits a maximum height to eaves of 6.40m (approx. 21.00ft) in this instance;
3. A lot frontage of 10.2m (approx. 33.5ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 12.0m (approx. 39.4ft) in this instance;
4. A lot coverage of 48.5% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40.0% of the lot area in this instance;

**A270/22:**

The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling on the subject property, being the severed lands of application B36/22, proposing:

1. A lot area of 338.21sq.m (approx. 3640.46sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 500sq.m (approx. 5,381.96ft) in this instance;
2. A height to eaves of 6.83m (approx. 22.41ft) whereas By-law 0225-2007, as amended, permits a maximum height to eaves of 6.40m (approx. 21.00ft) in this instance;
3. A lot frontage of 13.14m (approx. 43.11ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 16.50m (approx. 54.14ft) in this instance;
4. A lot coverage of 44.7% whereas By-law 0225-2007, as amended, permits a lot coverage of 40% of the lot area in this instance;
5. A front yard setback of 3.56m (approx. 11.67ft) to the dwelling whereas By-law 0225-2007, as amended, requires a front yard setback of 6.00m (approx. 19.68ft) to the dwelling in this instance;
6. A front yard setback of 1.68m (approx. 5.51ft) to the porch whereas By-law 0225-2007, as amended, requires a front yard setback of 4.40m (approx. 14.43ft) to the porch in this instance;
7. An exterior side yard setback of 0.84m (approx. 2.75ft) to the roof overhang whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 4.05m (approx. 13.29ft) to a roof overhang in this instance;

8. An exterior side yard setback of 2.39m (approx. 7.84ft) to the building projection-bay window whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 3.89m (approx. 12.76ft) to a building projection-bay window in this instance;
9. An exterior side yard setback of 1.48m (approx. 4.85ft) to the dwelling whereas By-law 0225-2007, as amended, requires an exterior side yard setback of 4.5m (approx. 14.76ft) to the dwelling in this instance;
10. An exterior side yard setback of 1.94m (approx. 6.36ft) to the building projection-roof overhang whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 3.44m (approx. 11.29ft) to a building projection-roof overhang in this instance;
11. An exterior side yard setback of 3.00m (approx. 9.84ft) to the below grade entrance whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 4.50m (approx. 14.76ft) to a below grade entrance in this instance;
12. An exterior side yard setback of 1.68m (approx. 5.51ft) to the window well whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 3.89m (approx. 12.76ft) to a window well in this instance; and,
13. An exterior side yard setback of 0.74m (approx. 2.42ft) to the porch whereas By-law 0225-2007, as amended, requires an exterior side yard setback of 2.90m (approx. 9.51ft) to the porch in this instance.

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

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# City of Mississauga Department Comments

Date Finalized: 2022-11-23	File(s): B36.22 A269.22
To: Committee of Adjustment	A270.22
From: Committee of Adjustment Coordinator	Ward: 1
	Meeting date:2022-12-01 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the requested consent and variances.

## Application Details

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 13.14m (43.11ft) and an area of approximately 338.21sq.m (3,640.46sq.ft).

A269/22:

The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling on the subject property, being the retained lands of application B36/22, proposing:

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2. A height to eaves of 6.83m (approx. 22.41ft) whereas By-law 0225-2007, as amended, permits a maximum height to eaves of 6.40m (approx. 21.00ft) in this instance;
3. A lot frontage of 10.2m (approx. 33.5ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 12.0m (approx. 39.4ft) in this instance;
4. A lot coverage of 48.5% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40.0% of the lot area in this instance;

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1. A lot area of 338.21sq.m (approx. 3640.46sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 500sq.m (approx. 5,381.96ft) in this instance;
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requires a minimum lot frontage of 16.50m (approx. 54.14ft) in this instance;

4. A lot coverage of 44.7% whereas By-law 0225-2007, as amended, permits a lot coverage of 40% of the lot area in this instance;

5. A front yard setback of 3.56m (approx. 11.67ft) to the dwelling whereas By-law 0225-2007, as amended, requires a front yard setback of 6.00m (approx. 19.68ft) to the dwelling in this instance;

6. A front yard setback of 1.68m (approx. 5.51ft) to the porch whereas By-law 0225-2007, as amended, requires a front yard setback of 4.40m (approx. 14.43ft) to the porch in this instance;

7. An exterior side yard setback of 0.84m (approx. 2.75ft) to the roof overhang whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 4.05m (approx. 13.29ft) to a roof overhang in this instance;

8. An exterior side yard setback of 2.39m (approx. 7.84ft) to the building projection-bay window whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 3.89m (approx. 12.76ft) to a building projection-bay window in this instance;

9. An exterior side yard setback of 1.48m (approx. 4.85ft) to the dwelling whereas By-law 0225-2007, as amended, requires an exterior side yard setback of 4.5m (approx. 14.76ft) to the dwelling in this instance;

10. An exterior side yard setback of 1.94m (approx. 6.36ft) to the building projection-roof overhang whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 3.44m (approx. 11.29ft) to a building projection-roof overhang in this instance;

11. An exterior side yard setback of 3.00m (approx. 9.84ft) to the below grade entrance whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 4.50m (approx. 14.76ft) to a below grade entrance in this instance;

12. An exterior side yard setback of 1.68m (approx. 5.51ft) to the window well whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 3.89m (approx. 12.76ft) to a window well in this instance; and,

13. An exterior side yard setback of 0.74m (approx. 2.42ft) to the porch whereas By-law 0225-2007, as amended, requires an exterior side yard setback of 2.90m (approx. 9.51ft) to the porch in this instance.

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

- Appendix A – Conditions of Provisional Consent
- The variance application approved under Files A269.22 and A270.22 must be finalized

### **Recommended Conditions and/or Terms of minor variance**

- Variances approved under files A269.22 and A270.22 shall lapse if the consent application under file B36.22 is not finalized within the time prescribed by legislation

## **Background**

**Property Address: 1242 Alexandra Ave**

**Mississauga Official Plan**

Character Area: Lakeview Neighbourhood  
Designation: Residential Low Density II

**Zoning By-law 0225-2007**

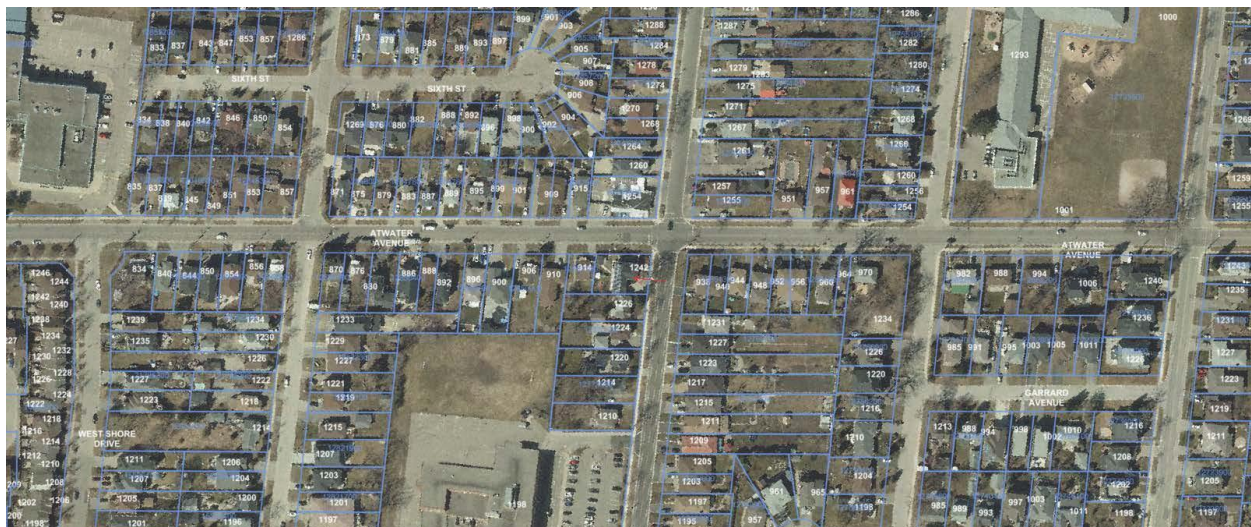
**Zoning: RM1-26 - Residential**

**Other Applications: PREAPP 21-9438**

**Site and Area Context**

The subject property is located within the Lakeview Neighbourhood, north of the Alexandra Avenue and Lakeshore Road East intersection. The immediate neighbourhood is primarily residential consisting of one and two storey-detached dwellings on lots with vegetation in the front yards. Frontages in the immediate area range from approximately 8.72m (28.61ft) to 32.82m (107.68ft). The subject property contains a one-storey detached dwelling with a frontage of approximately 22.3m (73.16ft) with mature vegetation in the front yard. The subject property has an existing lot area of 676.74m<sup>2</sup> (approx. 7284ft<sup>2</sup>) and a frontage of 22.39m (approx. 73.5ft).

The applicant is proposing to sever the subject property for the purposes of constructing a new detached dwelling on both the proposed severed and retained lands requiring variances for lot frontages, coverages, areas, height, and setbacks.





## Comments

### Planning

#### Planning Act

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

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

#### Provincial Matters

The Provincial Policy Statement 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.

#### Background

The Committee of Adjustment deferred the above noted application on June 16th, 2022. Staff raised concerns with the number of variances sought by the applicant and the appropriateness of the property for the development of detached dwellings. Staff were of the opinion that the proposed setbacks and lot coverage proposed for the retained lands would result in an overdevelopment of the property and that the proposed lots would be more suitable for the development of semi-detached dwellings.

The applicant has revised the proposal for the retained and severed lands as follows:

#### Retained lands (A269.22)

The applicant has increased setbacks to the proposed dwelling on the retained lands, which has reduced the amount of variances requested from nine to four. The applicant has also decreased the proposed lot coverage on the retained lands from 53.9% to 48.5%.

#### Severed lands (A270.22)

The applicant has increased the interior side yard and rear yard setbacks on the severed lands, which has reduced the total amount of variances requested from 15 to 13. Staff note that eight of the requested variances (#3, 5, 6, 7 and 13), are required either solely or in part to staff's request for a dedication of a site triangle as a condition of approval.

## Staff Comments

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached 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 official plan and zoning by-law envisions a mix of dwelling types with an eclectic lot fabric in the surrounding area. The proposed parcels are generally consistent with detached lots found within the immediate area and contribute to the eclectic nature of the existing and planned community.

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 a sensitive intensification that is compatible with the area and does not negatively impact the established lot fabric of the neighbourhood. Staff is of the opinion that the consent application conforms to Section 51(24) of the Planning Act, more specifically that the application conforms to the official plan and the proposed parcels are suitable to accommodate detached dwellings.

Variance #2 is regarding eave heights. The intent of the infill regulations is to maintain compatibility between existing and new dwellings, while also lessening the visual massing of the dwelling by keeping the edge of the roof closer to the ground. This results in the dwelling maintaining a more human scale. The proposed dwelling incorporates various materials and architectural features that break up the first and second storey, thereby minimizing the overall massing in relation to the streetscape and neighbouring properties. Additionally, the dwellings contain a staggered front façade, further mitigating the overall visual massing of the dwelling. Lastly, the proposal is consistent with newer two storey dwellings in the immediate area and does not pose a negative impact to the establish neighbourhood character.

Variance #4 pertains to lot coverage. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lots. Staff is of the opinion that the dwellings proposed are not an overdevelopment of the lots, are consistent with dwellings found in the immediate area and do not present any planning concerns.

Variances #3, 5, 6, 7 and 13 for the severed lands are required either solely or in part to staff's request for a dedication of a site triangle as a condition of approval. Furthermore, these variances will not change the appearance of the dwelling or lot from a street view. While the City will retain ownership over the site triangle, the land within the sight triangle will visually appear as though it forms part of the lot

Variances #8, 9, 10, 11 and 12 for the severed lands pertain to exterior side yard setbacks. Through a review of the immediate neighbourhood, similar deficiencies are common for detached dwellings. Therefore, the proposed setbacks are not out of character within the immediate neighbourhood. Additionally, the proposed setbacks maintain a sufficient buffer to

the municipal right-of-way and are large enough to ensure access to the rear yard remains unencumbered.

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

It is staff's opinion that the proposed development is sympathetic to the surrounding area and is capable of reasonably accommodating new detached 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 represents a sensitive form of intensification that is minor in nature.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner



## Appendices

### Appendix 1 – Transportation and Works Comments

Should Committee see merit in the 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/Servicing Plan

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

##### 2. Municipal Address Requirement

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

##### 3. Dedication of Site Triangle

The Owner will be required to gratuitously dedicate a 7.5m x 7.5m site triangle at the intersection of Atwater Ave. and Alexandra Ave. to the City of Mississauga. 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 the site triangle are to be verified by the City's O.L.S., Al Jeraj at 905-615-3200 ext. 5789.

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 Vasilyev from our Traffic Section at 905 615-3200 ext. 8171 or [kate.vasilyev@mississauga.ca](mailto:kate.vasilyev@mississauga.ca).

#### 4. Environmental Site Screening Questionnaire

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.

#### 5. Fee Requirements as Per Fees and Charges By-Law

As per the City of Mississauga's Fees and Charges By-law there will be a fee required to be paid to the Legal Services Department for their services, in particular for the preparation of documents required for items pertaining to the required land dedication. The fee amount payable will be in accordance with the current Fees and Charges Bylaw and be submitted to the Transportation and Works Department in the form of a certified cheque.

### **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

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

#### 4. Storm Sewer Outlet

The storm sewer outlet for this property is the existing 675mm Dia. Storm sewer located on Alexandra Avenue. Please note that a rear lot catch basin may be required. Where existing sewer capacity exists, applicants are encouraged to design the basement elevation to be at least 1.0 meter above the elevation of the on-street storm sewer obvert to eliminate the need for a sump pump. In situations where a sump pump is required and where a high groundwater table may exist, the sump pump may run continuously. The applicants are encouraged to design the weeping tile elevation to be at least 1.0 meter above the seasonal groundwater elevation. The owner is advised that the City has no obligations to address any concerns related to the operation of private sump pump systems.

Comments Prepared by: John Salvino, Development Engineering Technologist

### **Appendix 2 – Zoning Comments**

The Building Department has processed a Preliminary Zoning Review application under file PREAPP 22-3518. Based on review of the information currently available in this permit application, the following variances, as requested are correct:

#### B36.22:

The parcel of land has a frontage of approximately 13.14m (43.11ft) and an area of approximately 338.21sq.m (3,640.46sq.ft)

#### A269/22:

1. A lot area of 310.25sq.m (approx. 3,339.50sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 365.00sq.m (approx. 3,928.83sq.ft) in this instance;

#### A269/22:

3. A lot frontage of 10.2m (approx. 33.5ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 12.0m (approx. 39.4ft) in this instance;

We also 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 submitted on 08/19/2022 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 – Parks, Forestry & Environment**

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

City of Mississauga Forestry Staff have attended the site and identified the following City owned tree within the municipal boulevard:

- White Elm – Good Condition

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

1. The applicant shall provide a cash contribution of \$1,250.66 for planting of two (2) street trees on Atwater Avenue. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.
2. The applicant shall provide tree protection securities in the amount of \$6,900.00 for the preservation of the municipal tree.

In addition, Community Services notes the following:

1. The applicant shall ensure that future driveways do not impact or require the removal of the above noted tree.
2. Payment for street tree fees and charges can be made at the Parks and Forestry customer service counter located at 950 Burnhamthorpe Road West in the form of a certified cheque, bank draft, or money order payable to the City of Mississauga. Please contact Nicholas Rocchetti regarding the Covid-19 interim payment process.
3. The applicant shall provide frame tree hoarding at the dripline of the above noted tree prior to any construction to the satisfaction of City of Mississauga Forestry Staff. Please call Ryan Cormier at 905-615-3200 ext. 4580 to arrange a hoarding inspection.
4. 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 Nicholas Rocchetti, Park Planning Assistant, Community Services Department at 905-615-3200 ext. 4659 or via email [Nicholas.Rocchetti@mississauga.ca](mailto:Nicholas.Rocchetti@mississauga.ca).



Comments Prepared by: Nicholas Rocchetti, Park Planning Assistant

### Appendix 3 – Region of Peel

**Condition:** Arrangements satisfactory to the Region of Peel, Public Works shall be made with respect to the location of existing and installation of new services and/or possible required private service easements.

**Comments:** As per Peel Water Design Criteria Standard 4.3, “Hydrants near driveways shall be located a minimum of 1.25 m clear from the projected garage (or edge of driveway, whichever is greater) in residential applications...”

Please note that severing the lands may adversely affect the existing location of the water and sanitary sewer services, if any exist. The result of this may require the applicant to install new water / sanitary servicing connections to either the severed or retained lands in compliance with the Ontario Building Code. The applicant may require the creation of private water / sanitary sewer servicing easements. 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](mailto: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](mailto:siteplanservicing@peelregion.ca)

Comments Prepared by: Patrycia Menko, Junior Planner

### Appendix A – CONDITIONS OF PROVISIONAL CONSENT

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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter

shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.

3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding. ("A" 269-270/22)
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated November 23, 2022.
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 November 23, 2022.
6. A letter shall be received from the Region of Peel, Development Services/Public Works, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated November 18, 2022.



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A507.22  
Ward: 6

### Why you received this letter:

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

### Details of the application and meeting information:

The property owner of 3450 Wolfedale Rd, zoned E2-19 - 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 place of worship proposing:

1. 105 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 204 parking spaces in this instance;
2. 5 accessible parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 7 accessible parking spaces in this instance;
3. An interior side yard setback of 5.09m (approx. 16.70ft) in this instance whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 5.28m (approx. 17.32ft) in this instance;
4. An exterior side yard setback of 7.31m (approx. 23.98ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 7.50m (approx. 24.61ft) in this instance; and,
5. A rear yard setback of 7.41m (approx. 24.31ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 7.50m (approx. 24.61ft) in this instance.

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

You can get more information on this matter by emailing [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) or calling 905-615-3200 x2408. You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>. Hearings will be streamed online for the public to view at the following link: <http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>.

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

### How to submit a written comment:

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

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

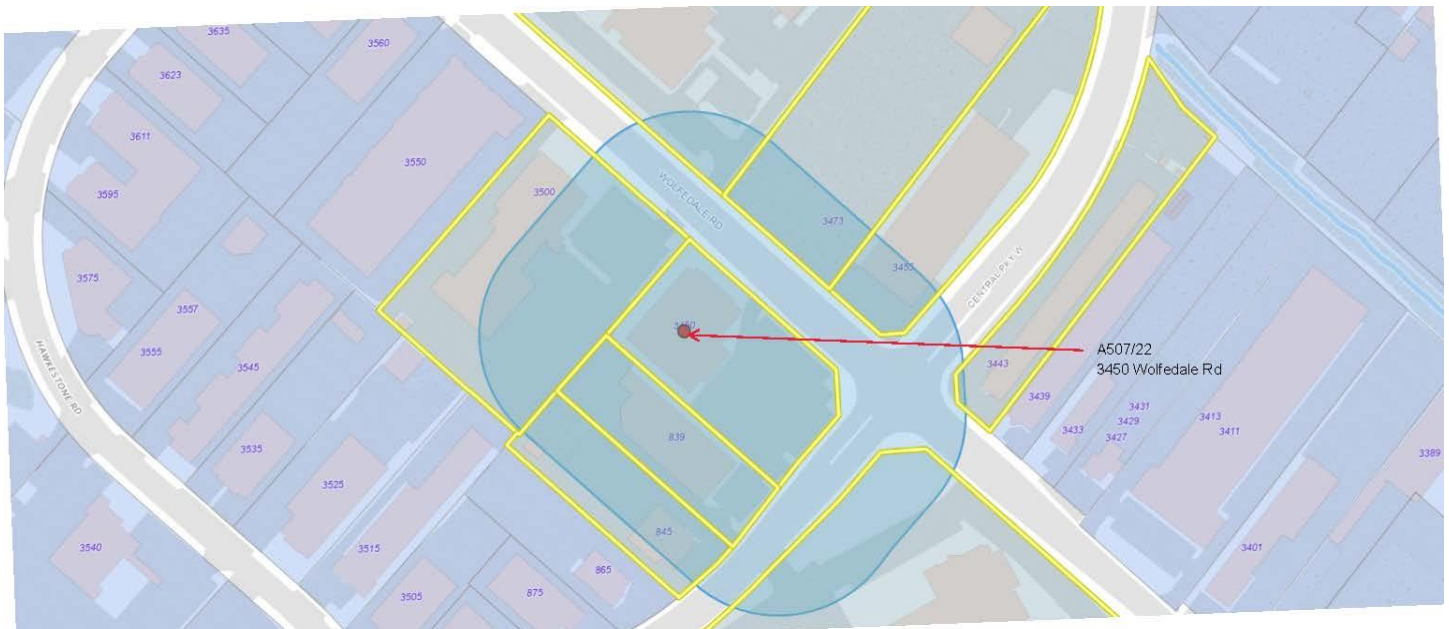
**To participate electronically (computer, tablet or smartphone):** Please email [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) no later than 4:30pm the Friday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided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

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

### Legal notice:

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

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





# City of Mississauga Department Comments

Date Finalized: 2022-11-23	File(s): A507.22
To: Committee of Adjustment	Ward: 6
From: Committee of Adjustment Coordinator	Meeting date:2022-12-01 1:00:00 PM

## Consolidated Recommendation

The City recommends that the application be deferred.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a place of worship proposing:

1. 105 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 204 parking spaces in this instance;
2. 5 accessible parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 7 accessible parking spaces in this instance;
3. An interior side yard setback of 5.09m (approx. 16.70ft) in this instance whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 5.28m (approx. 17.32ft) in this instance;
4. An exterior side yard setback of 7.31m (approx. 23.98ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 7.50m (approx. 24.61ft) in this instance; and,
5. A rear yard setback of 7.41m (approx. 24.31ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 7.50m (approx. 24.61ft) in this instance.

## Background

**Property Address:** 3450 Wolfedale Rd

### Mississauga Official Plan

Character Area: Mavis-Erindale Employment Area  
Designation: Business Employment

### Zoning By-law 0225-2007

**Zoning:** E2-19 - Employment

**Other Applications:** C 21-6419

### Site and Area Context

The subject property is located on the north-west corner of the Wolfedale Road and Central Parkway West intersection. It currently contains a single storey industrial building with an associated surface parking lot. Limited landscaping and vegetative elements are present on the subject property, generally located along property lines. The subject property has a lot area of approximately 6,331.75m<sup>2</sup> (68,154ft<sup>2</sup>). The surrounding area context consists of employment/industrial uses with varying lot sizes and built forms.

The applicant is proposing a place of religious assembly requiring variances for parking 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 of the four tests to this minor variance request are as follows:

The subject property is located in the Mavis-Erindale Employment Area and is designated Business Employment in Schedule 10 of the Mississauga Official Plan.

Variances 1 & 2 request a reduction in parking. Section 8.4 of the official plan contemplates potential reductions in parking requirements and alternative parking arrangements in appropriate situations. The intent of the zoning by-law in quantifying the required number of parking spaces is to ensure that each lot is self-sufficient in providing adequate parking accommodations based upon its intended use. Municipal Parking staff have reviewed the variance request and provide the following comments:

A Parking Utilization Study (PUS) was submitted by Trans-Plan Transportation Engineering, dated October 2022 in support of the proposed change in land use for the existing building. The proposal consists of an addition and interior alteration to the existing two-storey building so that it may be converted into a Place of Religious Assembly, which will feature 246-seats for the assembly of religious celebrations, as well as a multi-purpose hall and other ancillary uses for attendees on-site.

The City's zoning by-law requires the site to provide 204 parking spaces, while the proposed site plan plans to provide 105 parking spaces. This results in a parking deficiency of 99 spaces, or otherwise as 49% parking space shortfall.

The Study confirmed that public parking and on-street parking is not an option within the area; the main roads adjacent to the site do not permit parking at any time. Additionally, there are no local public buildings or parking lots that would service this site and as such parking for the building would need to be contained on-site.

Parking surveys were completed at two proxy sites, the Westside Presbyterian Church at 3637 Grand Park Drive and the City Church at 2700 Argentia Road. Surveying parameters and methodology was not approved by Municipal Parking staff. The survey was completed on one day: Sunday, May 22<sup>nd</sup>, 2022. The City's Parking Terms of Reference requires between 5-6 days of surveying over 2 consecutive weeks. As such, the data presented within this PUS is not satisfactory.

Additionally, within the PUS, it is mentioned that all non-Religious Assembly area uses are not in use during liturgical services. Therefore, the parking demands for these uses are not being accounted for within the survey data that was submitted. Staff also do not have an understanding in regards to the type of multi-purpose hall and other ancillary uses that are being proposed on-site and request for more information (an explanation of these uses, what dates/times/the duration that they are operational...etc).

Overall, the PUS states that the proxy sites chosen are comparable for the following reasons: both sites are located in Mississauga, the sites were selected for their similar operating characteristics to the proposed place of Religious Assembly. Unfortunately, staff are unable to validate whether the proxy sites chosen are in fact similar considering there is limited detail in regards to the times and duration of operation, whether there are other uses on-site, GFA, number of existing parking spaces on their sites...etc.

Staff recommend the application be deferred, pending the submission of a satisfactory Parking Utilization Study (PUS). The PUS that has been submitted alongside this application, dated October 2022, is not satisfactory and does not provide adequate parking justification nor an adequate parking survey. The applicant and/or agent are required to confirm the survey parameters and methodology with staff prior to conducting parking surveys. Details can also be found in the City's Parking [Terms of Reference](#).

Planning staff are in agreement with the comments from Municipal Parking and recommend that the application be deferred in order to allow the applicant to submit the requested information.

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 subject property will be addressed through the Site Plan Approval and Building Permit process.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

The Building Department is currently processing a Zoning Certificate of Occupancy Permit under file C 21-6419. Based on review of the information currently available for this building permit, variances # 1 and 2, as requested are correct.

In addition, we advise that variances # 3, 4 and 5 cannot be verified without a Building Permit application and review.

Furthermore, we also advise that more information is required to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

- A general acknowledgment; and
- Confirmation of accessory uses.

Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: Ramsen Hedoo, Zoning Examiner

### **Appendix 3 – Region of Peel**

We have no comments or objections.

Comments Prepared by: Patrycia Menko, Junior Planner

### **Appendix 4 - Metrolinx**

Metrolinx is in receipt of the minor variance application for 3450 Wolfedale Rd to allow the construction of a place of worship. Metrolinx's comments on the subject application are noted below:

- The subject property is located in proximity of 300 meters to Canadian Pacific Railway's (CP Rail) Galt Subdivision which carries Metrolinx's Milton GO Train service.
- The subject property is located adjacent to Metrolinx Owned property (GO Transit West Region).
- The proponent is advised that Metrolinx and its assigns and successors in interest operate commuter transit service in proximity of 300 metres from the subject land. In addition to the current use of these lands, there may be alterations to or expansions of the rail and other facilities on such lands in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx or any railway assigns or successors as aforesaid may expand their operations, which expansion may affect the environment of the occupants in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual units. Metrolinx will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under these lands.

Comments Prepared by: Farah Faroque, Intern, Third Party Projects Review



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A525.22  
Ward: 2

### Why you received this letter:

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

### Details of the application and meeting information:

The property owner of 636 Sequin Cres, zoned R2-4 - 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 31.16% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30% in this instance;
2. A gross floor area of 421.40sq m (approx. 4535.91sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 385.07sq m (approx. 4144.86sq ft) in this instance; and,
3. An underside eave height of 6.96m (approx. 22.83ft) whereas By-law 0225-2007, as amended, permits a maximum underside eave height of 6.40m (approx. 21.00ft) in this instance.

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

You can get more information on this matter by emailing [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) or calling 905-615-3200 x2408. You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>. Hearings will be streamed online for the public to view at the following link: <http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>.

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# City of Mississauga Department Comments

Date Finalized: 2022-11-23	File(s): A525.22
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2022-12-01 1:00:00 PM

## Consolidated Recommendation

The City has no objection to the variances.

## 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 31.16% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30% in this instance;
2. A gross floor area of 421.40sq m (approx. 4535.91sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 385.07sq m (approx. 4144.86sq ft) in this instance; and,
3. An underside eave height of 6.96m (approx. 22.83ft) whereas By-law 0225-2007, as amended, permits a maximum underside eave height of 6.40m (approx. 21.00ft) in this instance.

## Background

**Property Address:** 636 Sequin Cres

### Mississauga Official Plan

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

### Zoning By-law 0225-2007

**Zoning:** R2-4 - Residential

**Other Applications:** Site Plan Infill application under file SPI 22-93 W2

## Site and Area Context

The subject property is located in the Clarkson-Lorne Park Neighbourhood Character Area, northeast of the Indian Grove and Indian Road Truscott Drive intersection. The immediate neighbourhood primarily consists of a mix of one and two-storey detached dwellings with mature vegetation in the front yards. The subject property contains a one-storey detached dwelling with mature vegetation in the front yard.

The applicant proposes a new detached dwelling requiring variances related to lot coverage, eave height and gross floor area.



## Comments

### Planning

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

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

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

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached dwellings. New housing is encouraged to fit the scale and character of the surrounding area to ensure that new development has minimal impact on adjacent neighbours regarding overshadowing and overlook. The proposed detached dwelling respects the designated land use and has regard for the distribution of massing on the

property as a whole. The new development will not negatively impact the character streetscape. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

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

Variance #1 pertains to lot coverage. The intent of the zoning by-law is to ensure there is not an overdevelopment of the lot. In this instance, the applicant is proposing a lot coverage of 31.16% where a maximum lot coverage of 30% is permitted. Staff note that the request represents a minor deviation from the zoning by-law's requirement. Furthermore, the proposed dwelling only represents 27% of the total lot coverage. The remaining lot coverage is attributable to covered entries and a rear patio, which results in minimal massing to the dwelling.

Variance #2 pertains to gross floor area. The intent of the zoning by-law is to maintain compatibility between existing and newer dwellings to ensure the existing and planned character of the neighbourhood is preserved. The proposed dwelling contains architectural features that break up the first and second storey, minimizing the overall massing in relation to the streetscape and neighbouring properties. The proposal is consistent with newer two-storey dwellings in the immediate area and does not pose a negative impact to the established neighbourhood character.

Variance #3 pertains to eave height. The intent of restricting height to the highest ridge and eaves is to lessen the visual massing of dwelling, while lowering the overall pitch of the roof and bringing the edge of the roof closer to the ground. This will keep the dwelling within human scale. Planning staff note that no overall height variance is being requested. Staff have no concerns with the proposed eave height, as the proposed dwelling contains a variety of architectural materials and design features that visually breaks up the massing of the dwelling, such as roofline gables and a staggered façade. Furthermore, staff note a 0.96m (2.46ft) discrepancy between average grade and the grade where the dwelling sits. From the façade, the dwelling would appear 0.96m (2.46ft) shorter in height than the value of the variances. As such, the proposed dwelling maintains compatibility with the surrounding area and would not negatively impact the character streetscape.

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

Planning staff are of the opinion that the impacts created by the proposed variances are minor in nature. The proposal respects the property's designated land use and is compatible with the surrounding area context. Staff are satisfied that the proposal represents appropriate development of the subject property.

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 new dwelling will be addressed through the current Site Plan application SP-22/093.



Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan Infill application under file SPI 22-93 W2. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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

Comments Prepared by: Maria Fernandez, Zoning Examiner

### **Appendix 3 – Region of Peel**

We have no comments or objections.

Comments Prepared by: Patrycia Menko, Junior Planner



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A541.22  
Ward: 2

REVISED 2

### Why you received this letter:

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

### Details of the application and meeting information:

The property owner of 1373 Saginaw Crescent, zoned R2-4-Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve minor variances to allow an existing shed and landscaping proposing:

1. A driveway width of 13.43m (approx. 44.06ft) including the walkway whereas by-law 0225-2007, as amended, permits a maximum driveway width of 6.0m (approx. 19.68ft) including the walkway in this instance;
2. A rear setback of 0m to the paved deck whereas by-law 0225-2007, as amended, requires a minimum rear setback of 0.61m (approx. 2ft) to the paved deck in this instance;
3. A side setback of 0m to the paved deck whereas by-law 0225-2007, as amended, requires a minimum side setback of 0.61m (approx. 2ft) to the paved deck in this instance;
4. A rear setback of 0.91m (approx. 2.98ft) to the shed whereas by-law 0225-2007, as amended, requires a rear setback of 1.20m (approx. 3.93ft) to the shed in this instance;
5. A side setback of 0.92m (approx. 3.01ft) to the shed whereas by-law 0225-2007, as amended, requires a side setback of 1.20m (approx. 3.93ft) to the shed in this instance; and,
6. A hard landscaped area setback of 0m to all the lot lines whereas by-law 0225-2007, as amended, requires a minimum 0.61m (approx. 2ft) hard landscaped area setback to all the lot lines in this instance.

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

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### How to submit a written comment:

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

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





# City of Mississauga Department Comments

Date Finalized: 2022-11-23	File(s): A541.22
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2022-12-01 1:00:00 PM

## Consolidated Recommendation

The City recommends that the application be deferred.

## Application Details

The applicant requests the Committee to approve minor variances to allow an existing shed and landscaping proposing:

1. A driveway width of 13.43m (approx. 44.06ft) including the walkway whereas by-law 0225-2007, as amended, permits a maximum driveway width of 6.0m (approx. 19.68ft) including the walkway in this instance;
2. A rear setback of 0m to the paved deck whereas by-law 0225-2007, as amended, requires a minimum rear setback of 0.61m (approx. 2ft) to the paved deck in this instance;
3. A side setback of 0m to the paved deck whereas by-law 0225-2007, as amended, requires a minimum side setback of 0.61m (approx. 2ft) to the paved deck in this instance;
4. A rear setback of 0.91m (approx. 2.98ft) to the shed whereas by-law 0225-2007, as amended, requires a rear setback of 1.20m(approx. 3.93ft) to the shed in this instance;
5. A side setback of 0.92m (approx. 3.01ft) to the shed whereas by-law 0225-2007, as amended, requires a side setback of 1.20m(approx. 3.93ft) to the shed in this instance; and,
6. A hard landscaped area setback of 0m to all the lot lines whereas by-law 0225-2007, as amended, requires a minimum 0.61m (approx. 2ft) hard landscaped area setback to all the lot lines in this instance.

## Amendments

The Building Department has processed a Preliminary Zoning Review application under file PREAPP 22-418. 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.

Furthermore, we advise that the following variances should be added:

7. A minimum side setback of 0.75m (approx. 2.46ft) to the eaves of the shed is required in this instance; and,

8. A minimum rear setback of 0.75m (approx. 2.46ft) to the eaves of the shed is required in this instance;

## Background

**Property Address:** 1373 Saginaw Crescent

### Mississauga Official Plan

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

### Zoning By-law 0225-2007

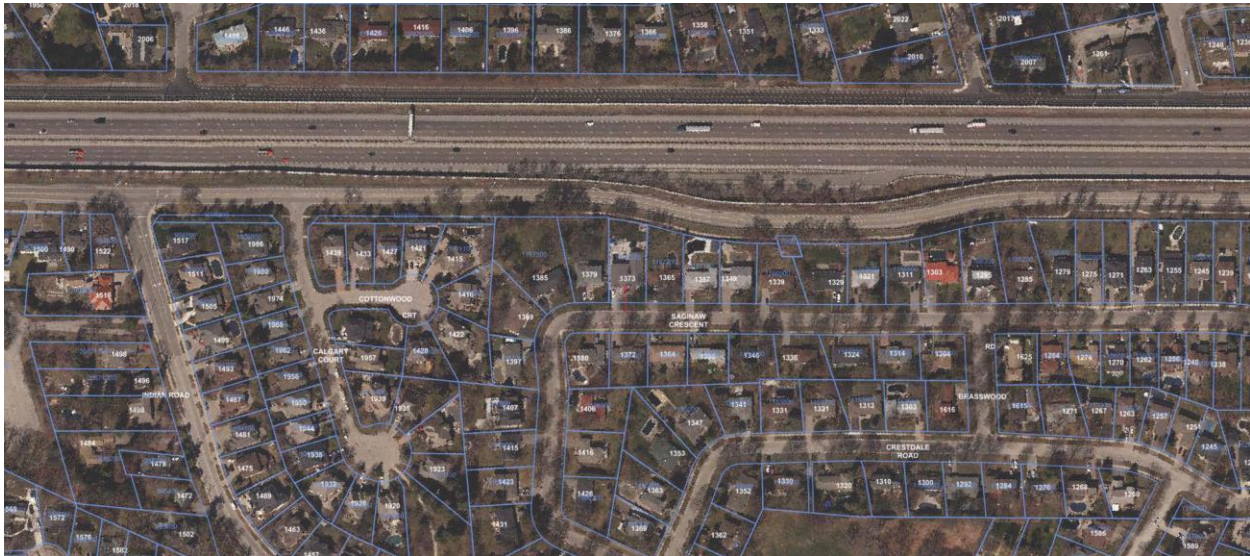
**Zoning:** R2-4-Residential

**Other Applications:** Preliminary Zoning Review application under file PREAPP 22-418

### Site and Area Context

The subject property is located in the Clarkson-Lorne Park Neighbourhood Character Area, southeast of the Indian Road and South Sheridan Way intersection. The immediate neighbourhood primarily consists of a mix of one and two-storey detached dwellings with mature vegetation in the front yards. The subject property contains a one-storey detached dwelling with mature vegetation in the front yard.

The applicant proposes a new detached dwelling requiring variances related to driveway width 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 subject property is designated Residential Low Density I on Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached dwellings.

Variance #1 pertains to driveway width. The intent of this portion of the By-law is to permit a driveway large enough to suitably accommodate the required number parking spaces for a dwelling, with the remainder of lands being soft landscaping (front yard). The applicant is proposing a driveway width of 13.43m (44.06ft) where a maximum driveway width of 6.0m (19.68ft) is permitted. Staff note that the proposed driveway is required to accommodate an existing “walkway” that exceeds the maximum dimensions permitted for a hammerhead. The applicant has informed staff that the “walkway” is being utilized for additional parking. Staff is of the opinion that the amount of hardscaping proposed is excessive and that the proposed driveway accommodate more than the required 2 spaces (side by side) for a detached dwelling. Lastly, staff is concerned that additional variances may be required for soft landscape area, which may not be supported. Staff has no immediate concerns with the remaining variances.

As such, staff recommends that the application be deferred to allow the applicant an opportunity to address staff’s concerns and meet with Zoning staff to confirm the accuracy of the requested variances and determine if additional variances are required.

City Department and Agency Comments	File:A541.22	2022/11/23	4
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Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner



## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed are photos of the existing structures and driveway on the property. We understand that our Development Construction Section has been on site and has no concerns with the existing conditions. Therefore, we have no objections.

Also, the survey plan submitted clearly shows an existing Bell Canada/Hydro easement along the westerly side limit and the rear limit of the property. We advise the applicant to obtain written confirmation from Bell Canada and from Alectra stating that they have no objection to the construction of the 2 sheds and the patio hard surface within the limits of their easement.



















Comments Prepared by: John Salvino, Development Engineering Technologist

## Appendix 2 – Zoning Comments

The Building Department has processed a Preliminary Zoning Review application under file PREAPP 22-418. 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.

Furthermore, we advise that the following variances should be added:

7. A minimum side setback of 0.75m (approx. 2.46ft) to the eaves of the shed is required in this instance; and,
8. A minimum rear setback of 0.75m (approx. 2.46ft) to the eaves of the shed is required in this instance;

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

Comments Prepared by: Sherri Takaloo, Zoning Examiner

### **Appendix 3 – Region of Peel**

We have no comments or objections.

Comments Prepared by: Patrycia Menko, Junior Planner



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A546.22

Ward: 10

### Why you received this letter:

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

### Details of the application and meeting information:

The property owner of 6970 Lisgar Drive Unit# A3, zoned C1-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 restaurant with a separation distance less than 60m between the restaurant and the residential zone, whereas by-law 0225-2007, as amended, requires a minimum separation distance of 60m (approx. 196.9ft) between a restaurant and residential zone in this instance.

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

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# City of Mississauga Department Comments

Date Finalized: 2022-11-23	File(s): A546.22
To: Committee of Adjustment	Ward: 10
From: Committee of Adjustment Coordinator	Meeting date:2022-12-01 1:00:00 PM

## Consolidated Recommendation

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

## Application Details

The applicant requests the Committee to approve a minor variance to allow a restaurant with a separation distance less than 60m between the restaurant and the residential zone, whereas by-law 0225-2007, as amended, requires a minimum separation distance of 60m (approx. 196.9ft) between a restaurant and residential zone in this instance.

## Background

**Property Address:** 6970 Lisgar Drive Unit# A3

### Mississauga Official Plan

Character Area: Lisgar Neighbourhood  
Designation: Convenience Commercial

### Zoning By-law 0225-2007

**Zoning:** C1-Commercial

**Other Applications:** BP 3ALT 22-3566

## Site and Area Context

The subject property is an L shaped lot located south-west of the Derry Road West and Lisgar Road intersection, with frontage on both streets. It currently contains a multi-tenant commercial plaza building and an associated parking lot. Landscaping and vegetative elements are located nearly exclusively along the property lines. The surrounding area context includes a mix of residential and commercial uses and built forms on lots of varying sizes.

The applicant is requesting to permit a restaurant within the plaza requiring a variance for separation distance to a residential zone.



## Comments

### Planning

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

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

The subject property is located in the Lisgar Neighbourhood Character Area and is designated Convenience Commercial in Schedule 10 of the Mississauga Official Plan (MOP). The Convenience Commercial designation permits a variety of uses including restaurants.

The intent of this portion of the by-law is to ensure that proposed restaurant uses are compatible with adjacent land uses. Where they are not, a 60m buffer is imposed. The applicant is not proposing a drive-through, outdoor patio, or a large seating area within the restaurant, thereby

limiting any potential impacts on the adjacent residential properties. Based on a detailed review of the proposal and the nature of the restaurant proposed, staff are of the opinion that impacts to the residential zone will be negligible. Staff are of the opinion that the application is appropriate to be handled through the minor variance process and that the application raises no concerns of a planning nature.

Comments Prepared by: Alexander Davies, 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' 546/22.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 3ALT 22-3566. 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: Alana Zheng, Zoning Examiner

### Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Patrycia Menko, Junior Planner



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A554.22  
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 6680 Campobello Rd, zoned E2-1, 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 place of worship proposing:

1. A funeral establishment as an accessory use to an existing place of religious assembly whereas By-law 0225-2007, as amended, does not permit a funeral establishment as an accessory use on the property in this instance; and,
2. A drive aisle width of 6.22m (approx. 20.41ft) whereas By-law 0225-2007, as amended, requires a minimum drive aisle width of 7.00m (approx. 22.97ft) in this instance.

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

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### How to submit a written comment:

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

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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: 2022-11-23	File(s): A554.22 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-12-01 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the application.

## Application Details

The applicant requests the Committee to approve a minor variance to allow an existing place of worship proposing:

1. A funeral establishment as an accessory use to an existing place of religious assembly whereas By-law 0225-2007, as amended, does not permit a funeral establishment as an accessory use on the property in this instance; and,
2. A drive aisle width of 6.22m (approx. 20.41ft) whereas By-law 0225-2007, as amended, requires a minimum drive aisle width of 7.00m (approx. 22.97ft) in this instance.

## Background

**Property Address:** 6680 Campobello Rd

### Mississauga Official Plan

Character Area: Meadowvale Business Park Corporate Centre  
Designation: Business Employment

### Zoning By-law 0225-2007

**Zoning:** E2-1

**Other Applications:** C 21-7572

### Site and Area Context



The subject property is located north-west of the Creditview Road and Argentia Road intersection in the Meadowvale Business Park Corporate Centre. It currently contains a place of religious assembly with an associated parking lot and some vacant warehouse space. Limited landscaping and vegetative elements are present on the subject property. The surrounding area context is primarily industrial, consisting of generally low rise built forms on a mix of property sizes.

The applicant is proposing a funeral establishment as an accessory use to the existing place of religious assembly requiring variances for the use and aisle width.



## Comments

### Planning

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

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

The subject property is located in the Meadowvale Business Park Corporate Centre Character Area and is designated Business Employment in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits funeral establishments. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. Staff note that no exterior changes are proposed as part of the application.

Variance 1 requests a funeral establishment use. The subject property is zoned E2-1, which permits a Funeral Establishment use as of right, however Campobello Road is not one of the streets listed as permitting a Funeral Establishment on Schedules 2.1.2.2(1) or (2) of the by-law. Upon a thorough review of the applicant's proposal, staff are satisfied that the proposed accessory use is appropriate as it is permitted as a stand alone use as of right within the zone, and that the location is appropriate in this instance. Furthermore staff note that the scale of the use will not be as intense as a standalone Funeral Establishment due to its limited size.

Variance 2 requests a reduced aisle width on site. The intent of aisle width regulations is to ensure appropriate circulation can be maintained around the site. Staff note that the proposed aisle width variance is only in one small part of the parking lot where the tandem parking spaces start and represents an existing condition on the site. Staff are satisfied that the overall site circulation is not impacted by the reduction.

Given the above, Planning staff are satisfied that the application is minor in nature, represents appropriate development of the subject property, and maintains the general intent and purpose of both the official plan and zoning by-law.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference are photos depicting the subject property.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

The Building Department is currently processing a Zoning Certificate of Occupancy Permit under file C 21-7572. Based on review of the information currently available for this building permit, the variances, as requested are correct.

Our comments are based on the plans received by Zoning staff on 07/05/2022 for the above captioned building permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: Adam McCormack, Zoning Examiner



**Appendix 3 – Region of Peel**

We have no comments or objections.

Comments Prepared by:     Patrycia Menko, Junior Planner



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A571.22  
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 60 Theodore Dr, zoned R2-50 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling proposing:

1. A lot coverage of 32.67% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25% in this instance;
2. A gross floor area of 383.90sq m (approx. 4,132.27sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 291.68sq m (approx. 3,139.62sq ft) in this instance;
3. A sloped roof height of 9.10m (approx. 29.86ft) whereas By-law 0225-2007, as amended, permits a maximum sloped roof height of 9.00m (approx. 29.53ft) in this instance; and,
4. An eaves height of 6.89m (approx. 22.60ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance.

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

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### How to submit a written comment:

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

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# City of Mississauga Department Comments

Date Finalized: 2022-11-23	File(s): A571.22 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2022-12-01 1:00:00 PM

## Consolidated Recommendation

The City recommends that the application be deferred in order to allow the applicant the opportunity to redesign the proposed 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 32.67% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25% in this instance;
2. A gross floor area of 383.90sq m (approx. 4,132.27sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 291.68sq m (approx. 3,139.62sq ft) in this instance;
3. A sloped roof height of 9.10m (approx. 29.86ft) whereas By-law 0225-2007, as amended, permits a maximum sloped roof height of 9.00m (approx. 29.53ft) in this instance; and,
4. An eaves height of 6.89m (approx. 22.60ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance.

## Background

**Property Address:** 60 Theodore Dr

### Mississauga Official Plan

Character Area: Streetsville Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007



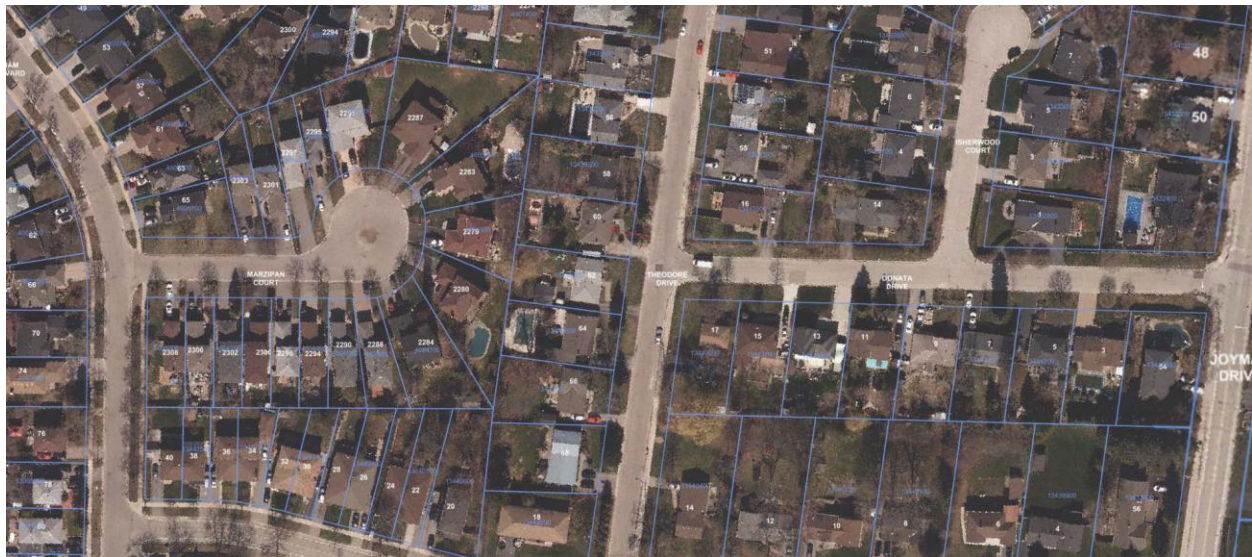
**Zoning:** R2-50 - Residential

**Other Applications:** None

### Site and Area Context

The subject property is located south-west of the Britannia Road West and Queen Street intersection in the Streetsville neighbourhood. It currently contains a single storey detached dwelling and has a lot area of +/- 708.19m<sup>2</sup> (7,622.89ft<sup>2</sup>), characteristic of lots along this portion of Theodore Drive. Some mature vegetation is present in both the front and rear yards of the subject property. The surrounding area context is predominantly residential consisting exclusively of detached dwellings on lots of varying sizes.

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



## Comments

### Planning

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

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

The 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. This designation permits only detached dwellings in this instance. Section 9 of the 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.

In 2009 the City passed Zoning By-law 0380-2009, amending the zoning of the subject property and surrounding area to R2-50 from the previous R2-7 zone. This by-law amendment had the effect of reducing the maximum permitted lot coverage from 30% to 25% and introduced a maximum gross floor area provision. The intent of the newer by-law was to limit the overall massing of dwellings and maintain compatibility between the existing and planned character of the neighbourhood. The application proposes increases in gross floor area and lot coverage that are not consistent with the neighbourhood and do not maintain the intent of the regulations. These variances will create a dwelling with significant massing and impacts that will negatively influence the neighbourhood's character. As such, staff are of the opinion that the design is not compatible with the existing and planned development of the neighbourhood and recommend that the application be deferred for redesign.

In addition to the above comments, staff note that recent change to the zoning by-law impacting the calculation of gross floor area as it relates to open to below areas may impact the requested gross floor area. The applicant may wish to defer the application to ensure the accuracy of the requested variances.

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: Amy Campbell, Planner-in-Training





## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A576.22

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 6675 Blackheath Ridge, zoned R10-1 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a pool with a reduced rear yard setback to a G2 Zone of 2.219m (approx. 7.28ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback to a G2 zone of 5.00m (approx. 16.40ft) in this instance.

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

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### How to submit a written comment:

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# City of Mississauga Department Comments

Date Finalized: 2022-11-23	File(s): A576.22
To: Committee of Adjustment	Ward: 11
From: Committee of Adjustment Coordinator	Meeting date:2022-12-01 1:00:00 PM

## Consolidated Recommendation

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

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a pool with a reduced rear yard setback to a G2 Zone of 2.219m (approx. 7.28ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback to a G2 zone of 5.00m (approx. 16.40ft) in this instance.

## Background

**Property Address:** 6675 Blackheath Ridge

### Mississauga Official Plan

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

### Zoning By-law 0225-2007

**Zoning:** R10-1 - Residential

**Other Applications:** POOL 22-139

### Site and Area Context

The subject property is located north-west of the Mavis Road and Highway 401 interchange. It currently contains a two-storey detached dwelling with an attached garage. Limited landscaping and vegetative elements are present in both the front and rear yards, however the property backs onto a heavily forested area. The surrounding area context is residential, consisting of detached dwellings on similarly sized lots with limited vegetation.

The applicant is proposing a pool in the rear yard requiring a variance for setback to a G2 zone.



## Comments

### Planning

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

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

The subject property is located in the Meadowvale Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, duplex and triplex dwellings, as well as other low-rise dwellings with individual frontages. The subject property backs onto a G2 zone, which encompasses heavily forested City owned lands.

Staff note that the property is regulated by Credit Valley Conservation and that Planning staff rely on the expertise of Credit Valley Conservation staff surrounding matters in regulated areas. Credit



Valley Conservation has provided a comment of no objection to the application regarding the proposed pool.

Through a review of the application there were no significant concerns identified regarding the location of the proposed pool. Staff are of the opinion that the application is appropriate to be handled through the minor variance process and presents no concerns of a planning nature.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

From our site inspection of the property we note that we do not foresee any drainage related concerns with the proposal.









Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

The Building Department is currently processing a Pool Enclosure Permit under file POOL 22-139. Based on review of the information currently available in this permit application, the variance, as requested is correct.

We advise that Pool Enclosure Permits are only reviewed within the context of the swimming pool, pool equipment, and pool decking less 0.3 metres off the ground. Any other proposed structures (if they are proposed) have not been reviewed as part of this application.

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: Tage Crooks, Zoning Examiner

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

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

The lands to the rear of the property are owned by the City of Mississauga, identified as Not Yet Named (P-388) and classified as Significant Natural Area within the City's Natural Heritage System and zoned G2. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:

- a) ensuring that development in or adjacent to the Natural Heritage System protects and maintains the natural heritage features and their ecological functions through such means as tree preservation, appropriate location of building envelopes, grading, landscaping...;
  - b) placing those areas identified for protection, enhancement, restoration and expansion in public ownership, where feasible.
1. Construction access from the adjacent City owned lands is not permitted.
  2. If access is required to City owned lands, a Consent to Enter Agreement/Park Access Permit will be required.



3. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.
4. The existing gate at the rear of the property is not permitted in the black vinyl chain-link fence and shall be removed to meet City of Mississauga standards.
5. If the Committee sees merit to the application, a pool permit will be required prior to the construction of the pool.

Should further information be required, please contact Nicholas Rocchetti, Park Planning Assistant, Community Services Department at 905-615-3200 ext. 4659 or via email [Nicholas.Rocchetti@mississauga.ca](mailto:Nicholas.Rocchetti@mississauga.ca).

Comments Prepared by: Nicholas Rocchetti, Park Planning Assistant

#### **Appendix 4 – Region of Peel**

Development Planning: Patrycia Menko (905) 791-7800 x3114

##### **Comments:**

- The subject land is located in the regulated area of the Credit Valley Conservation Authority (CVC) and within a Core Area of the Greenlands System in Peel as identified under policy 2.3.2 of the Regional Official Plan. We rely on the environmental expertise of the CVC Authority for the review of development applications located within or adjacent to the regulated area in Peel and their potential impacts on the natural environment.
- We therefore request that the City of Mississauga Committee of Adjustment and staff consider comments from the CVC Authority and incorporate their requirements appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the CVC Authority.

Comments Prepared by: Patrycia Menko, Junior Planner

#### **Appendix 5 - CVC**

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

1. Watershed Based Resource Management Agency and Public (commenting) Body under the *Planning Act* - providing comments based on CVC's Board approved policies;
2. Planning Advisory Services - providing environmental planning and technical advice/comments based on service agreements or memorandum of understanding;
3. Delegated Responsibilities – providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 3.1 of the *Provincial Policy Statement (2020)*;

4. Regulatory Responsibilities – providing comments to ensure the coordination of requirements under the *Conservation Authorities Act Section 28 regulation*, to eliminate unnecessary delay or duplication in process;

5. Source Protection Agency – providing advisory comments to assist with the implementation of the *CTC Source Protection Plan* under the *Clean Water Act*, as applicable.

**SITE CHARACTERISTICS:**

Based on CVC mapping, the subject property is traversed by a valley slope associated with Fletcher's Creek. Additionally, the property is located within Peel Core Greenlands, and the Credit River Watershed NHS. As such, the property is subject to CVC Ontario Regulation 160/06: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses. A CVC permit is required for any proposed development prior to getting the building permit from the City.

**ONTARIO REGULATION 160/06:**

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

**Proposal:**

It is our understanding that the applicant requests the Committee to approve a minor variance to allow the construction of a pool with a reduced rear yard setback to a G2 Zone of 2.219m (approx. 7.28ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback to a G2 zone of 5.00m (approx. 16.40ft) in this instance.

**Comments:**

CVC staff have reviewed the provided information and have **no concerns** with the requested variance. CVC staff have reviewed the proposed development and a CVC Clearance has been issued (SP 22/Kardasz). As such, CVC staff have **no objection** to the approval of this minor variance by the Committee at this time.

Because a Clearance has been issued, a CVC permit is not required for the development as proposed.

Please circulate CVC any future correspondence regarding this application.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at 905-670-1615 (ext. 268) should you have any further questions or concerns.

Comments Prepared by: Beata Pakulski, Junior Planner



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A616.22  
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 55 Covese Dr and 251 Masonry Way, zoned RA3-36, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to permit a new development proposing:

1. A porch (inclusive of stairs) to project 2.50m (approx. ft) into the exterior side yard whereas By-law 0225-2007, as amended, permits a porch to project a maximum of 1.80m (approx. ft) into the exterior side yard in this instance;
2. A porch (inclusive of stairs) to project 0.50m (approx. ft) into the landscape buffer whereas By-law 0225-2007, as amended, permits a porch to project 0.00m into the landscaped buffer in this instance;
3. A structure to facilitate a planter to encroach 2.00m (approx. ft) into the landscaped buffer whereas By-law 0225-2007, as amended, permits a structure to facilitate a planter to encroach 0.00m into the landscaped buffer in this instance;
4. Architectural elements to project 0.20m (approx. ft) into the exterior side yard along The Brightwater Boulevard whereas By-law 0225-2007, as amended, permits architectural elements to project a maximum of 0.00m into the exterior side yard along The Brightwater Boulevard in this instance; and,
5. A parking rate of 1 parking space per Townhouse Dwelling Unit whereas By-law 0225-2007, as amended, requires a minimum parking rate of 2 parking spaces per Townhouse Dwelling Unit in this instance.

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

You can get more information on this matter by emailing [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) or calling 905-615-3200 x2408. You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>. Hearings will be streamed online for the public to view at the following link: <http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>.

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

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

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# City of Mississauga Department Comments

Date Finalized: 2022-11-23	File(s): A616.22
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2022-12-01 1:00:00 PM

## Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application 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 permit a new development proposing:

1. A porch (inclusive of stairs) to project 2.50m (approx. ft) into the exterior side yard whereas By-law 0225-2007, as amended, permits a porch to project a maximum of 1.80m (approx. ft) into the exterior side yard in this instance;
2. A porch (inclusive of stairs) to project 0.50m (approx. ft) into the landscape buffer whereas By-law 0225-2007, as amended, permits a porch to project 0.00m into the landscaped buffer in this instance;
3. A structure to facilitate a planter to encroach 2.00m (approx. ft) into the landscaped buffer whereas By-law 0225-2007, as amended, permits a structure to facilitate a planter to encroach 0.00m into the landscaped buffer in this instance;
4. Architectural elements to project 0.20m (approx. ft) into the exterior side yard along The Brightwater Boulevard whereas By-law 0225-2007, as amended, permits architectural elements to project a maximum of 0.00m into the exterior side yard along The Brightwater Boulevard in this instance; and,
5. A parking rate of 1 parking space per Townhouse Dwelling Unit whereas By-law 0225-2007, as amended, requires a minimum parking rate of 2 parking spaces per Townhouse Dwelling Unit in this instance.

## Background

City Department and Agency Comments	File:A616.22	2022/11/23	2
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**Property Address:** 55 Covese Dr and 251 Masonry Way

### **Mississauga Official Plan**

Character Area: Port Credit Neighbourhood (West)  
Designation: High Density Residential

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

**Zoning:** RA3-36

**Other Applications:** Site Plan application under file SP 21-21

### **Site and Area Context**

The subject site is located within the Port Credit Neighbourhood (West) Character Area and forms part of the 29 hectare (72 acre) “Brightwater” development, located south-west of the Mississauga Road and Lakeshore Road West intersection. The immediate area consists of a range of residential, commercial and recreational uses. The Local Planning Appeal Tribunal (LPAT) (now Ontario Land Tribunal) through a settlement agreement between the applicant and the City approved official plan and zoning amendments (OZ/OPA 17 12) to permit a variety of uses including townhouses, mid and high-rise condominiums, retail, parkland and institutional uses on the 29 hectare (72-acre) site. A block plan accompanied the official plan and zoning by-law amendments. The subject site is referred to as Block G.

On June 2<sup>nd</sup>, 2022, the Committee of Adjustment approved minor variance application A265.22 to permit back-to-back townhouses and reduced parking rates on the subject property.

The applicant has submitted a new application (A616.22) proposing projections, encroachments and reduced parking.



## 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 High Density in Schedule 10 of the Mississauga Official Plan (MOP), which permits apartment dwellings; uses permitted in the Residential Medium Density designation, accessory to apartment dwellings on the same property; and uses permitted in the Convenience Commercial designation at grade in apartment dwellings, except for commercial parking facilities, gas bars, and drive-through facilities.

Variances #1-4 are required as a result of amendments to the applicant's proposal following discussions with Planning staff in the site plan application review phase. Staff has discussed these variances with the Planner reviewing the associated site plan application and have no planning concerns with these variances. The requested variances will result in an improved streetscape, privacy, and accessibility to the townhouse units.

Variances #5 pertains to reduced parking rates. According to the Planner reviewing the associated site plan application, the applicant's proposal was modified to propose four townhouse units where eight back-to-back townhouses were proposed previously. The applicant's request for parking rate of 1.0 was approved in June for the stacked townhouse use; however, it was not approved for the proposed townhouse use. Variance #5 is required to permit the townhouse use to have the same parking rate as the back-to-back townhouse use.

Municipal Parking staff in Transportation and Works provides comments on parking related matters.

With respect to Committee of Adjustment application 'A' 616/22, 55 Coveside Drive and 251 Masonry Way, the applicant requests the Committee to approve a minor variance to permit townhouses and reduced parking rates proposing:

A parking rate of 1.0 parking space per Townhouse Dwelling Unit; whereas By-law 0225.2007, as amended, requires a minimum rate of 2 parking spaces per Townhouse Dwelling Unit in this instance.

An application for a minor variance for Block G of the Brightwater site was approved in June of 2022. BA Group prepared a report dated April 6, 2022 that accompanied this application. The April 6, 2022 BA Group report provided a rationale for the transportation-related elements of the Minor Variance application; to permit off-site commercial parking supply for Block G, reduced residential apartment parking, a loading space reduction, and to permit the proposed townhouse land use on the block.

A technical modification following the June 2022 approval for the Block G variance, has changed eight of the proposed sixteen townhouse units from back-to-back units to four through townhouse units instead.

Block G is proposed to contain approximately 466m<sup>2</sup> (5015ft<sup>2</sup>) of commercial space; 318m<sup>2</sup> (3423ft<sup>2</sup>) of retail floor area and approximately 148m<sup>2</sup> (1593ft<sup>2</sup>) of restaurant space, along with 146 units within the proposed 9-storey condominium apartment building, 8 back-to-back townhouses, and 4 through townhouses. The proposal includes two levels of below grade parking; which will be a shared underground parking facility.

Based on the City's updated parking provisions, within By-law 0117-2022, the site is 6% deficient in parking spaces, or 13 parking spaces in total. Staff note that the apartment units on site have all been sold, with a surplus of 15 parking spaces. Within the parking justification, the applicant advised if greater demand for parking is experienced for the townhouses on Block G, the surplus of parking could be used to accommodate increased townhouse parking demands.

The TDM provisions for the entirety of this site, as outlined in section 4.3 have remained the same, such as the shuttle bus service to the Port Credit GO station, car-share services, active transportation network and a future transit route within the site, are planned to further support in providing alternative means of transportation connections for the residents in the development.

Staff note that the proposed development will be a part of a master planned community development providing access to various amenities, uses, and facilities located within the community.



Based on the above, staff have considered the information presented and the already approved parking rates at namely Blocks C, G, and H that were approved in 2021 and earlier this year in 2022, as the applicant's primary basis of justification for the review of this application.

Additionally, this variance is technical as the Committee of Adjustment approved minor variance application 'A' 265/22 in June 2022, which should have included townhouse use, alongside the back-to-back townhouse use, in the request for a parking rate of 1.0. As such, Staff can support the following requested variance, a parking rate of 1.0 parking space per Townhouse Dwelling Unit; whereas By-law 0225-2007, as amended, requires a minimum rate of 2 parking spaces per Townhouse Dwelling Unit in this instance.

Planning staff echo Municipal Parking staff's comments. 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 had discussions with both our Traffic and Legal Sections regarding the proposed architectural elements encroaching in to the required exterior side yard along Brightwater Boulevard. We cannot support Minor Variance #4 for the encroachment of the architectural element if the proposed encroachment is within the Brightwater Boulevard Municipal right of way and is not fully contained within the applicant site. We have no concerns with the remaining variances requested as part of the application.

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 21-21. Based on review of the information currently available for this application, the variances, as requested are correct.

Our comments are based on the plans received by Zoning staff on 08/17/2022 for the above captioned site plan application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: Adam McCormack, Zoning Examiner

### Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Patrycia Menko, Junior Planner



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A618.22  
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 100 City Centre Dr, Unit 2-469, zoned CC1, H-CCOS-1, H-CC1, 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 change of use proposing: to permit a motor vehicle sales and display facility to be located within Unit 2-469 whereas By-law 0225-2007, as amended, does not permit a motor vehicle and sales facility in a CC1-2 zone in this instance.

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

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### How to submit a written comment:

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

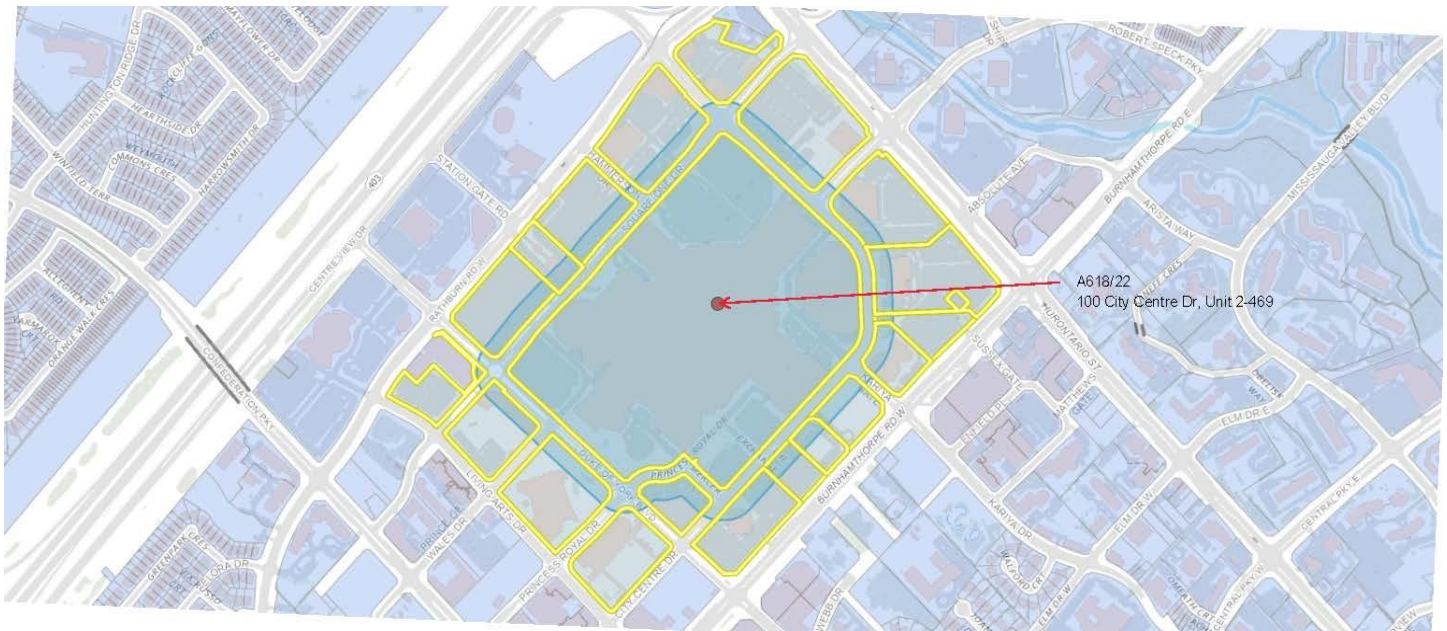
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Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process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





# City of Mississauga Department Comments

Date Finalized: 2022-11-23	File(s): A618.22
To: Committee of Adjustment	Ward: 4
From: Committee of Adjustment Coordinator	Meeting date:2022-12-01 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the application, subject to the conditions. 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 a change of use proposing: to permit a motor vehicle sales and display facility to be located within Unit 2-469 whereas By-law 0225-2007, as amended, does not permit a motor vehicle and sales facility in a CC1-2 zone in this instance.

## Recommended Conditions and Terms

1. A maximum of four vehicles will be on display in the showroom.
2. A maximum of six test vehicles will be stored on site.
3. Test vehicles will be restricted within a designated area on the P4 Garage-Level B.
4. No motor vehicle repair will be permitted.

## Background

**Property Address:** 100 City Centre Dr, Unit 2-469

## Mississauga Official Plan

Character Area: Downtown Core  
Designation: Downtown Core Mixed Use, Open Space

## Zoning By-law 0225-2007

**Zoning:** CC1, H-CCOS-1, H-CC1

**Other Applications:** BP 3ALT 22-1876

### Site and Area Context

The subject property is located north-west of the Hurontario Street and Burnhamthorpe Road West intersection in the downtown core. It contains Square One Shopping Centre and associated parking lots. Limited landscaping and vegetative elements are present on the subject property. The surrounding area consists of a mix of built forms and lot sizes containing commercial, office, and residential uses.

The applicant is proposing to utilize existing parking areas for outdoor events requiring variances for the use and parking.



## Comments

### Planning

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

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

The subject property is located in the Downtown Core Character Area, and the portion of the property under consideration for this application is designated Downtown Core Mixed Use in

Schedule 10 of the Mississauga Official Plan. This designation permits a variety of uses, including residential, retail, and office, however specifically excludes motor vehicle sales. The proposed motor vehicle sales and display facility is not the same type of sales facility envisioned by the official plan as the proposal aligns more with a retail store type use. The applicant is not proposing large repair or outdoor storage areas typical of motor vehicle sales facilities.

Square One is split zoned, with the majority of the shopping centre being zoned CC1-3. The specific corner of the mall where the unit is located is zoned CC1-2. The CC1-3 zone permits motor vehicle sales as of right, and if the unit had been located elsewhere in the mall the use would be permitted. Given that the unit is interior to the mall, staff do not anticipate any impacts to the streetscape.

It is the opinion of staff that the proposed use is similar to the permitted retail use, will not negatively impact the streetscape or use of the subject lands and is an appropriate use for the subject unit. Staff are therefore satisfied that the application maintains the general intent of both the official plan and zoning by-law, is minor in nature, and represents appropriate development of the subject property.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

This Department has no objections, comments or requirements with respect to C.A. 'A' 618/22.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 3ALT 22-1876. Based on review of the information currently available for this building permit, we advise that more information is required to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Our comments are based on the plans received by Zoning staff on BP 3ALT 22-1876 for the above captioned building permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: Adam McCormack, Zoning Examiner

### Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Patrycia Menko, Junior Planner





## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A619.22

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 70 Lakeshore Rd E, zoned 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 to allow a Restaurant proposing a separation distance between the Restaurant and a Residential Zone of 0.00m whereas By-law 0225-2007, as amended, requires a minimum separation distance between a Restaurant and a Residential Zone of 60.00m (approx. 196.9ft) in this instance.

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

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### How to submit a written comment:

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

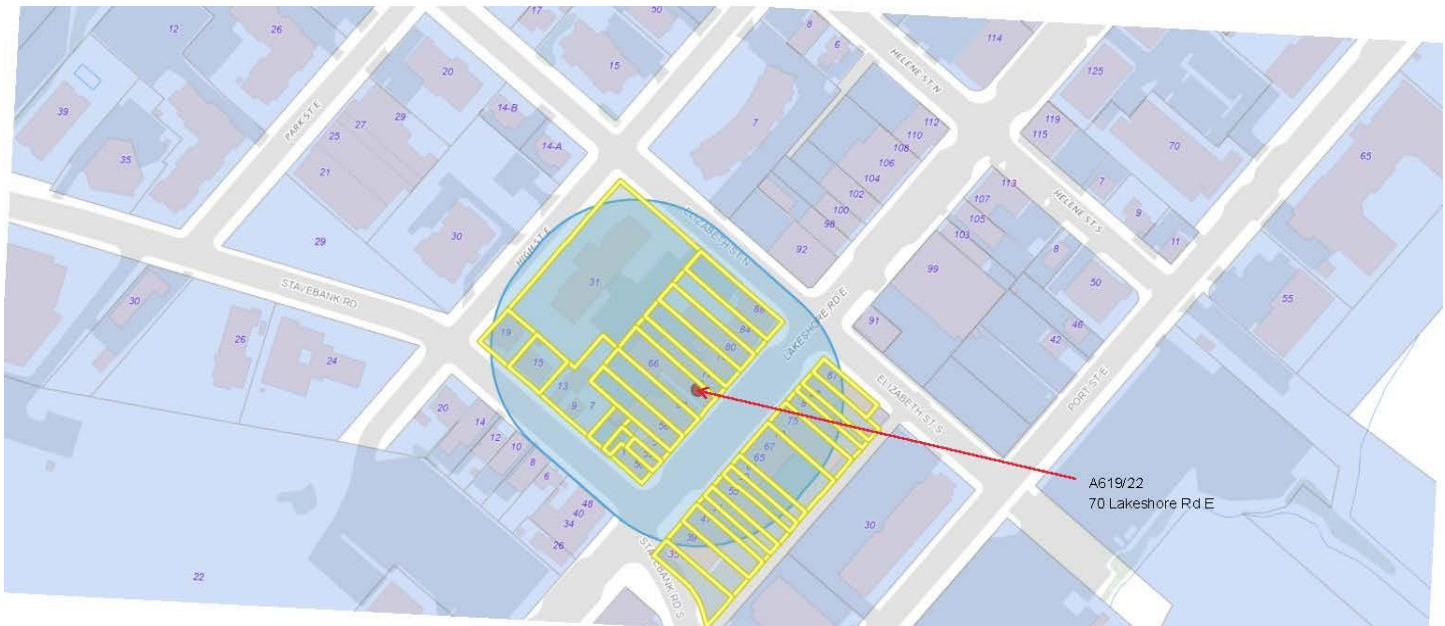
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# City of Mississauga Department Comments

Date Finalized: 2022-11-23	File(s): A619.22
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2022-12-01 1:00:00 PM

## Consolidated Recommendation

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

## Application Details

The applicant requests the Committee to approve a minor variance to allow a Restaurant proposing a separation distance between the Restaurant and a Residential Zone of 0.00m whereas By-law 0225-2007, as amended, requires a minimum separation distance between a Restaurant and a Residential Zone of 60.00m (approx. 196.9ft) in this instance.

### Amendments

The Building Department is currently processing a Zoning Certificate of Occupancy Permit under file C 22-2708. Based on review of the information currently available in this permit application, we advise that the variance should be amended as follows:

The applicant requests the Committee to approve a minor variance to allow a restaurant within the required separation distance to a Residential zone; whereas By-law 0225-2007, as amended, requires a minimum separation distance of 60.00 m (196.9ft) between a restaurant and a Residential zone in this instance.

## Background

**Property Address:** 70 Lakeshore Rd E

### Mississauga Official Plan

**Character Area:** Port Credit Community Node

Designation: Mixed Use

### Zoning By-law 0225-2007

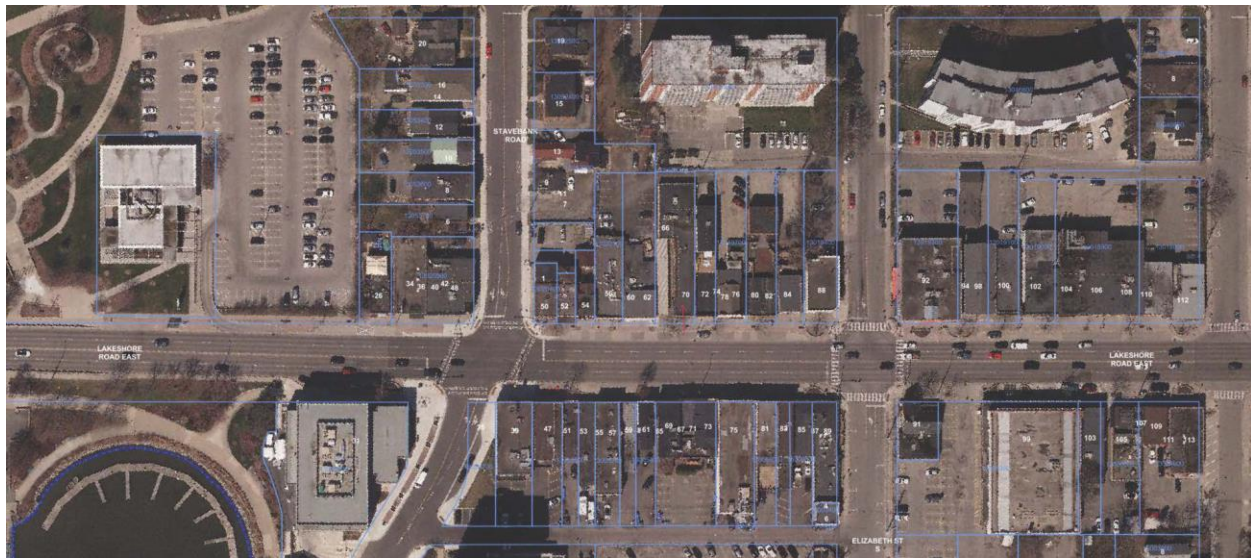
Zoning: C4-66 - Commercial

Other Applications: C 22-2708, BP3ALT 22-2685, C 21-5805

### Site and Area Context

The subject unit is located within the Port Credit Community Node, in a commercial unit west of the Hurontario Street and Lakeshore Road East intersection. The subject site contains multiple commercial buildings with units containing a mix of retail and commercial uses. The subject site also contains minimal vegetation in the form of street trees facing Lakeshore Road East. The broader area consists of a mix of uses including commercial uses (including retail stores), and high and low-density residential uses with minimal vegetation.

The application proposes a restaurant requiring a variance for separation distance to a residential zone.



## Comments

### Planning

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



City Department and Agency Comments	File:A619.22	2022/11/23	3
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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 permits restaurants. The applicant is proposing a restaurant use within 60m (196.9ft) of a Residential zone. The intent of this portion of the by-law is to ensure that proposed restaurant uses are compatible with the adjacent land uses and where they cannot; a 60.0m (196.9ft) buffer is created. Existing residential uses located within the 60m (196.9ft) buffer are located north and northwest of the subject property. Multiple commercial uses exist on the subject property, as well as on neighbouring properties with frontage on Lakeshore Road East. Therefore, staff is of the opinion that the proposed use is compatible with uses found in the immediate area. Furthermore, the rear wall of the proposed restaurant abuts the residential zone and the applicant is not proposing an outdoor patio or drive-thru facility; therefore, it is unlikely that the proposed use will to create any additional noise and odour disturbances to the adjacent residential uses.

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' 619/22.

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 22-2708. Based on review of the information currently available in this permit application, we advise that the variance should be amended as follows:

The applicant requests the Committee to approve a minor variance to allow a restaurant within the required separation distance to a Residential zone; whereas By-law 0225-2007, as amended, requires a minimum separation distance of 60.00 m (196.9ft) between a restaurant and a Residential zone in this instance.

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

Comments Prepared by: Alana Zheng, Zoning Examiner

### Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Patrycia Menko, Junior Planner



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A336.22

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 1878 Mattawa Ave, zoned E2-131 - Employment, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to allow a passageway for waste pickup and emergency vehicle access proposing to permit a fence, shed, garbage compactor and area for vehicles to use in a G1 Zone (Greenlands); whereas By-law 0225-2007, as amended, does not permit a fence, shed, garbage compactor and area for vehicles to use in a G1 Zone (Greenlands) in this instance.

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

You can get more information on this matter by emailing [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) or calling 905-615-3200 x2408. You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>. Hearings will be streamed online for the public to view at the following link: <http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>.

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

### How to submit a written comment:

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

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

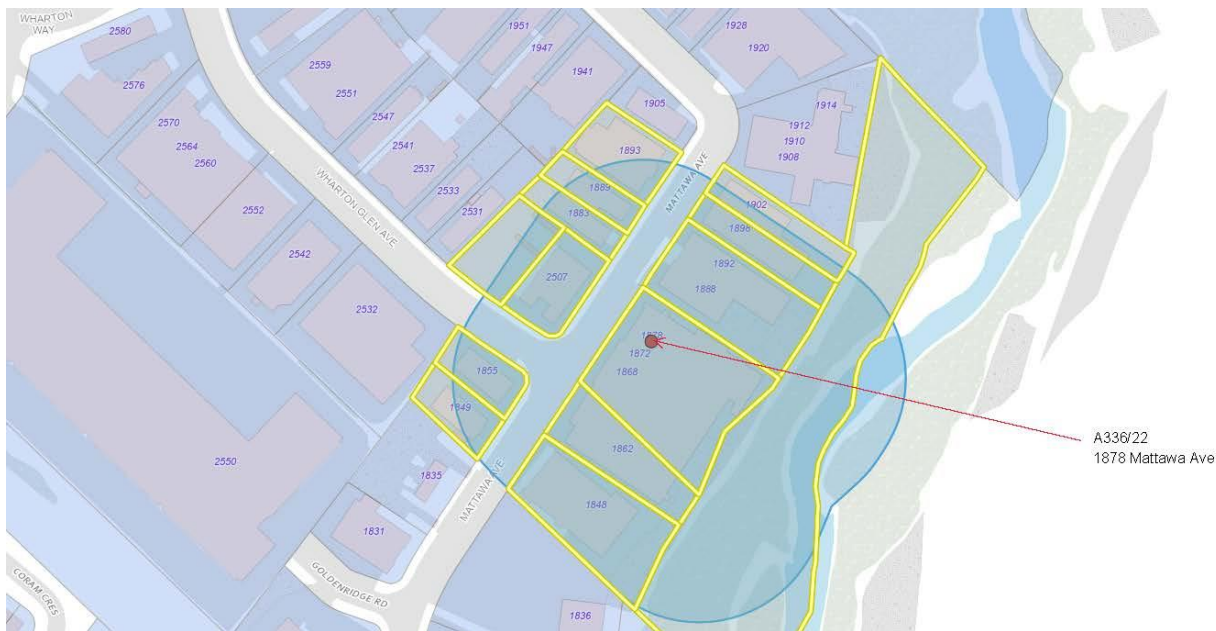
**To participate electronically (computer, tablet or smartphone):** Please email [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) no later than 4:30pm the Friday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided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

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

**Legal notice:**

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

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





# City of Mississauga Department Comments

Date Finalized: 2022-11-23	File(s): A336.22
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2022-12-01 1:00:00 PM

## Consolidated Recommendation

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

## Application Details

The applicant requests the Committee to allow a passageway for waste pickup and emergency vehicle access proposing to permit a fence, shed, garbage compactor and area for vehicles to use in a G1 Zone (Greenlands); whereas By-law 0225-2007, as amended, does not permit a fence, shed, garbage compactor and area for vehicles to use in a G1 Zone (Greenlands) in this instance.

## Recommended Conditions

Should Committee see merit in the applicant's request, Staff recommends that the approval be subject to the applicant obtaining an appropriate Encroachment and/or Licence Agreement from the City and/or TRCA for lands owned by the TRCA being utilized.

## Background

**Property Address:** 1878 Mattawa Ave

### Mississauga Official Plan

Character Area: Dixie Employment Area  
Designation: Business Employment

**Zoning By-law 0225-2007**

**Zoning: E2-131 - Employment**

**Other Applications: none**

### Site and Area Context

The subject property is located within the Dixie Employment Area, located south of the Dundas Street East and Wharton Way intersection. The subject property contains a 2-storey industrial building that includes a mix of employment and commercial uses. The subject property contains minimal vegetation. The broader area consists of commercial, employment, and open space/greenlands uses.

The application proposes a passageway for waste pickup and emergency vehicle access, requiring variances to permit a fence, shed, garbage compactor and area for vehicles to use in a G1 Zone (Greenlands).



## Comments

### Planning

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

Staff comments concerning the application are as follows:

The subject property is located in the Dixie Employment Character Area and is designated Business Employment in Schedule 10 of the Mississauga Official Plan (MOP). The Business

Employment designation permits a variety of uses, including commercial, entertainment, industrial and motor vehicle uses.

This application was deferred on September 1<sup>st</sup>, 2022, to allow the applicant an opportunity to submit a revised site plan that identifies the locations of the proposed passageway, emergency vehicular access, fence, shed, garbage compactor and area for vehicles to use in a G1 Zone. The applicant has submitted a new site plan drawing identifying the locations of the items noted above. Planning staff have no planning concerns with the proposal, however, the applicant is proposing to utilize lands managed by the City and owned by the Toronto Region Conservation Authority. As such, staff is of the opinion that the application is appropriate to be handled through the minor variance process, subject to the applicant obtaining the appropriate Encroachment and/or Licence Agreement from the City and/or TRCA for the lands.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

We have spoken to our Realty Section and they have confirmed that the applicant has initiated the process for the required License Agreement. Should Committee see merit in the request, it should be subject to the applicant finalizing the Licence Agreement from the City for the lands being utilized for these uses.

Comments Prepared by: John Salvino, 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: Gary Gagnier, Zoning Examiner

### Appendix 3 – Parks, Forestry & Environment

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

The lands to the rear of the property are lands managed by the City and owned by the Toronto Region Conservation Authority, identified as Etobicoke Valley (P-238) and within Significant Natural Area, zoned G-1 that are also classified as a naturally significant area within the City's Natural Heritage System. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:

- a) ensuring that development in or adjacent to the Natural Heritage System protects and maintains the natural heritage features and their ecological functions through such means as tree preservation, appropriate location of building envelopes, grading, landscaping...;
- b) placing those areas identified for protection, enhancement, restoration and expansion in public ownership, where feasible.

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



1. Should Committee see merit in the application, it should be subject to the applicant obtaining the appropriate Encroachment and/or Licence Agreement from the City and the TRCA for lands being utilized for these uses.

Community Services also provides the following notes:

1. Construction access from the adjacent park/greenlands is not permitted.
2. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.

Should further information be required, please contact Nicholas Rocchetti, Park Planning Assistant, Community Services Department at 905-615-3200 ext. 4659 or via email [Nicholas.Rocchetti@mississauga.ca](mailto:Nicholas.Rocchetti@mississauga.ca).

Comments Prepared by: Nicholas Rocchetti, Park Planning Assistant

### **Appendix 3 – Region of Peel**

Please apply previous comments.

Comments Prepared by: Patrycia Menko, Junior Planner

### **Appendix 4 - Metrolinx**

Metrolinx is in receipt of the minor variance application for 1878 Mattawa Ave to allow a passageway for waste pickup and emergency vehicle access. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300 meters of Canadian Pacific Railway's (CP Rail) Galt Subdivision which carries Metrolinx's Milton GO Train service
- As the requested variance does not have implication on Metrolinx Property (i.e. Milton Corridor), Metrolinx does not have objection to the minor variance should the committee grant approval.

Comments Prepared by: Farah Faroque, Intern, Third Party Projects Review



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A374.22  
Ward: 2

### Why you received this letter:

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

### Details of the application and meeting information:

The property owner of 1949 Barsuda Drive, zoned R3-1-Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing:

1. A gross floor area – infill residential of 368.8sq.m (approx. 3969.73sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area – infill residential of 335.8sq.m (approx. 3614.52sq.ft) in this instance;
2. An eaves height of 6.67m (approx. 21.88ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21ft) in this instance;
3. A height of 9.12m (approx. 29.92ft) to the highest ridge, whereas By-law 0225-2007, as amended, permits a maximum height of 9.00m (approx. 29.52ft) to the highest ridge, in this instance;
4. An interior yard setback of 1.32m (approx. 4.3ft) whereas By-law 0225-2007, as amended, requires a minimum interior yard setback of 1.81m (approx. 5.9ft) in this instance; and,
5. A porch setback of 4.13m (approx. 13.55ft) from the exterior lot line to the porch stairs whereas By-law 0225-2007, as amended, requires a minimum porch setback of 4.4m (approx. 14.43ft) from the exterior lot line to the porch stairs in this instance.

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

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

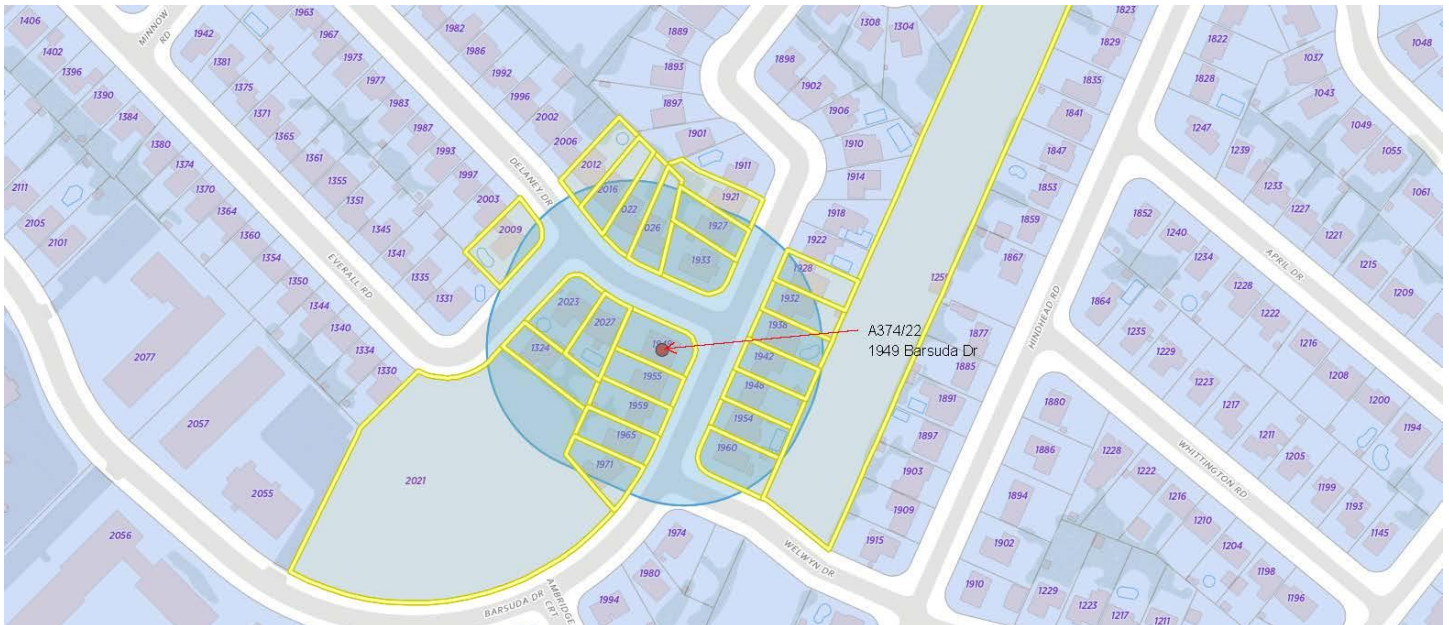
**To participate electronically (computer, tablet or smartphone):** Please email [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) no later than 4:30pm the Friday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided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

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# City of Mississauga Department Comments

Date Finalized: 2022-11-23	File(s): A374.22
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2022-12-01 1:00:00 PM

## Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application 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 an addition proposing:

1. A gross floor area – infill residential of 368.8sq.m (approx. 3969.73sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area – infill residential of 335.8sq.m (approx. 3614.52sq.ft) in this instance;
2. An eaves height of 6.67m (approx. 21.88ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21ft) in this instance;
3. A height of 9.12m (approx. 29.92ft) to the highest ridge, whereas By-law 0225-2007, as amended, permits a maximum height of 9.00m (approx. 29.52ft) to the highest ridge, in this instance;
4. An interior yard setback of 1.32m (approx. 4.3ft) whereas By-law 0225-2007, as amended, requires a minimum interior yard setback of 1.81m (approx. 5.9ft) in this instance; and,
5. A porch setback of 4.13m (approx. 13.55ft) from the exterior lot line to the porch stairs whereas By-law 0225-2007, as amended, requires a minimum porch setback of 4.4m (approx. 14.43ft) from the exterior lot line to the porch stairs in this instance.

## Background

**Property Address:** 1949 Barsuda Drive

**Mississauga Official Plan**



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

### Zoning By-law 0225-2007

**Zoning:** R3-1-Residential

**Other Applications:** Site Plan Infill application under file SPI 22-48

### Site and Area Context

The subject property is located in the Clarkson-Lorne Park Neighbourhood Character Area, southeast of the Truscott Drive and Southdown Road intersection. The immediate neighbourhood primarily consists of a mix of older one and two-storey detached dwellings with mature vegetation in the front yards. The subject property contains a one-storey detached dwelling with mature vegetation in the front yard.

The applicant proposes a new detached dwelling requiring variances related to dwelling height, eave height, setbacks and gross floor area.



## Comments

### Planning

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

Staff comments concerning the application are as follows:

The subject property is designated Residential Low Density II on Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached, duplex, triplex, street townhouse and other forms of low-rise dwellings with individual frontages.

The Committee of Adjustment deferred the above noted application on August 24<sup>th</sup>, 2022, to allow the applicant an opportunity to redesign the proposal to reduce the gross floor area proposed. Residents and staff also identified concerns with the proposed gross floor area. Staff had no concerns with the remaining variances.

The applicant has revised their proposal and reduced the proposed gross floor area from 390.28m<sup>2</sup> (4200.94ft<sup>2</sup>) to 368.8m<sup>2</sup> (3969.73ft<sup>2</sup>). The remaining variances are unchanged. The intent in restricting gross floor area is to maintain compatibility between existing and new dwellings thereby ensuring the existing and planned character of a neighbourhood is preserved. Staff is of the opinion that the applicant has appropriately revised their proposal to address concerns raised by residents and the Committee of Adjustment. The proposed gross floor area is consistent with new detached dwellings in the immediate area and is generally compatible with older detached dwellings in the immediate area.

It is staff's opinion that the proposed dwelling is generally sympathetic to the surrounding area and will pose a minimal impact on 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 addition will be addressed through the current Site Plan application SP-22/048.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan Infill application under file SPI 22-48. 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

### Appendix 3 – Region of Peel

Please apply previous comments.

Comments Prepared by: Patrycia Menko, Junior Planner