
Committee of Adjustment

Date: February 2, 2023
Time: 3:00 PM
Location: Online Video Conference

Members

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

Contacts

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

Taranjeet Uppal, Committee of Adjustment Coordinator, Legislative Services
905-615-3200 ext.3817
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

-
1. CALL TO ORDER
 2. DECLARATION OF CONFLICT OF INTEREST
 3. DEFERRALS OR WITHDRAWALS
 4. MATTERS TO BE CONSIDERED
 - 4.1 B88.22
22 Woodlawn Ave (Ward 1)
 - 4.2 A481.22
30 Harrow St (Ward 5)
 - 4.3 A719.22
3126 Jessica Crt (Ward 6)
 - 4.4 A720.22
1551 Hollywell Ave (Ward 11)
 - 4.5 A721.22
6008 Grossbeak Dr (Ward 10)
 - 4.6 A725.22
3164 Countess Crescent (Ward 10)
 - 4.7 A727.22
1083 Orchard Road (Ward 1)
 - 4.8 A728.22
535 Lynd Ave (Ward 1)
 - 4.9 A735.22
356 Nahani Way (Ward 5)
 - 4.10 A739.22
3423 Cedar Creek Dr (Ward 3)
 - 4.11 A740.22
734 Woburn Woods Lane (Ward 6)
 - 4.12 A398.22
222 Maplewood Rd (Ward 1)

- 4.13 A427.22
 4424 Guildwood Way (Ward 4)
- 4.14 A430.22
 1235 Whittington Road (Ward 2)
- 4.15 A555.22
 124 Vista Blvd (Ward 11)
- 5. **OTHER BUSINESS**
- 6. **ADJOURNMENT**



COMMITTEE OF ADJUSTMENT NOTICE OF APPLICATION

File: B88.22

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 22 Woodlawn Ave, zoned RM7-5 - Residential, has applied for Consent under Section 53 of the Planning Act. 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 7.62m (approx. 25.00ft) and an area of approximately 290.32sq m (approx. 3124.98sq ft).

The Committee has set **Thursday, February 2, 2023 at 3:00 PM** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. 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:

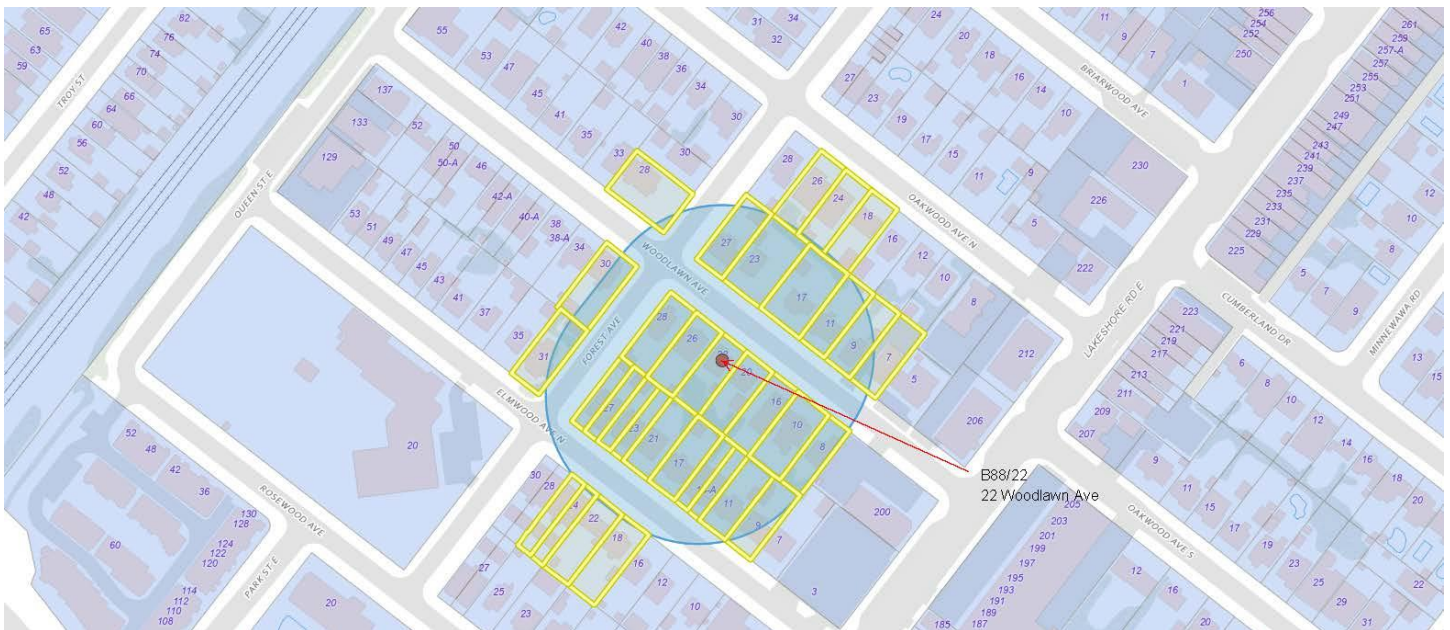
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Friday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services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

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



City of Mississauga Department Comments

Date Finalized: 2023-01-25	File(s): B88.22
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2023-02-02 3:00:00 PM

Consolidated Recommendation

The City has no objections to the requested consent application. The applicant may choose to defer the application to ensure variances are not required.

Application Details

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 7.62m (approx. 25.00ft) and an area of approximately 290.32sq m (approx. 3124.98sq ft).

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 22 Woodlawn Ave

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: RM7-5 - Residential

Other Applications: none

Site and Area Context

The subject property is located within the Port Credit Neighbourhood Character Area, northeast of Hurontario Street and Lakeshore Road East. The surrounding area primarily consists of semi-detached and detached dwellings with lot frontages ranging from approximately 6.80m (22.4ft) to 15m (49.21ft). There are commercial and employment uses north of the subject property fronting onto Queen Street East. The subject property contains an existing two-storey dwelling with mature vegetation in the front yard.

The applicant is proposing to sever the subject property for the purpose of developing semi-detached dwellings.



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 for consent are as follows:

The severance proposes lot frontages of 7.62m (25.00ft) and lot areas of approximately 290.32m² (3124.98ft²) for both the severed and retained lots. The zoning by-law requires lot frontages of 6.80m (73.19ft) and lot areas of 200m²(2152.78ft²).

Since 1961, the Village of Port Credit Zoning By-law No. 1227 has permitted a variety of housing types for the subject lands including detached, duplex, triplex, double duplex, double triplex, five-plex, converted dwelling and boarding or lodging house. In 1997, City Plan (the Official Plan) was adopted, permitting detached, semi-detached, duplex and other forms of dwellings with individual frontages on a public street. In 2007, the City undertook a zoning bylaw conformity and consolidation exercise including public consultation, which resulted in the current RM7 zone provisions.

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached, semi-detached, duplex, triplex and other forms of low rise dwellings with individual frontages. The subject property is located within the North Residential Neighbourhood Precinct (Credit Grove) of the Port Credit Local Area Plan. Section 16.1.2.1 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. Furthermore, Section 10.3 (Neighbourhood Character Area) of the Port Credit Local Area Plan intends to ensure development is sensitive to the existing low-rise context and to reinforce the planned character of the area. The official plan and zoning by-law envisions a mix of dwelling types and an eclectic lot fabric within the surrounding area. The proposed parcels would be consistent with semi-detached lots within the immediate area and does not negatively impact the lot fabric of the existing community.

Staff is of the opinion that the 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 semi-detached dwellings. As such, staff has no objections to the requested consent application.

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 Plan

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

2. Municipal Address Requirement

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

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

B. GENERAL INFORMATION

1. Lot Grading and Drainage

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

2. Servicing

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

3. Access

The applicant is advised to consider future driveway locations and minimize required curb cut widths to maximize on-street visitor parking. The applicant will be required to apply for Access Modification Permits prior to Building Permit Issuance. We advise the applicant that all costs incurred in providing any new driveway entrances to the subject lands or any modifications/reinstatement required (including the existing driveway), would be at cost to the owner. We are also noting that should any utilities need to be relocated, all costs incurred will also be to the owner. Driveway accesses shall maintain a 1.5m setback from aboveground features such as utilities and trees.

4. Storm Outlet

The applicant is advised that there is no storm sewer available in front of this site on Woodlawn Avenue therefore a sump pump will be required to discharge the weeping tile. The applicant is encouraged to design the basement elevation to be 1.0 metre above the storm sewer obvert on the street to eliminate the need for a sump pump.

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

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

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

City of Mississauga Department Comments

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:

- Red Oak (93 cm DBH) – Good Condition - \$15,600.00
- Red Maple (10 cm DBH) – Good Condition - \$644.00

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

1. The applicant shall provide tree protection securities in the amount of \$16,244.00 for the preservation of the municipal trees.

In addition, Community Services notes the following:

1. The applicant shall provide framed tree hoarding at the dripline of the above noted trees 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.
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. 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.

Comments Prepared by: Nicholas Rocchetti, Park Planning Assistant

Appendix 4 – Metrolinx

22 Woodlawn Ave

Metrolinx is in receipt of the consent application for 22 Woodlawn Ave to facilitate the severance of the land for the creation of a new lot and to facilitate the construction of a new two-storey semi-detached dwelling on the subject property being severed and on the subject property being retained. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300 meters of Metrolinx's Oakville Subdivision which carries Metrolinx's Lakeshore West GO Train service.
- As per section 3.9 of the Federation of Canadian Municipalities and Railway Association of Canada's Guidelines for New Development in Proximity to Railway Operations, the Owner shall grant Metrolinx an environmental easement for operational emissions. The environmental easement provides clear notification to those who may acquire an interest in the subject property and reduces the potential for future land use conflicts. The environmental easement shall be registered on title of the subject property. A copy of the form of easement is included for the Owner's information. The applicant may contact Leah.ChishimbaSimwanza@Metrolinx.com with questions and to initiate the registration process.
- The Proponent shall provide confirmation to Metrolinx, that the following warning clause has been inserted into all Development Agreements, Offers to Purchase, and Agreements of Purchase and Sale or Lease of each dwelling unit within 300 metres of the Railway Corridor
 - **Warning:** The Applicant is advised that the subject land is located within Metrolinx's 300 metres railway corridor zone of influence and as such is advised that Metrolinx and its assigns and successors in interest has or have a right-of-way within 300 metres from the subject land. The Applicant is further advised that there may be alterations to or expansions of the rail or other transit facilities on such right-of-way in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx to use the right-of-way or their assigns or successors as aforesaid may expand or alter their operations, which expansion or alteration 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 lots, blocks or units.

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

Appendix 5 – Region of Peel

Consent Application: B-88/22, 22 Woodlawn Avenue

Servicing: Camila Marczuk (905) 791-7800 x8230

Comments:

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Region of Peel Site Servicing connection approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at siteplanservicing@peelregion.ca

Comments Prepared by: Patrycia Menko – Junior Planner, Planning and Development Services

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.
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 January 25, 2023.
5. A letter shall be received from the City of Mississauga, Park Planning, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated January 25, 2023.
6. A letter shall be received from Metrolinx indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated January 20, 2023.



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A481.22
Ward: 5

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 30 Harrow St, zoned R3-69 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling proposing:

1. A gross floor area of 369.22sq.m. (approx. 3974.25sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 268.07sq.m (approx. 2885.48sq.ft) in this instance;
2. A lot coverage of 177.11sq.m. (approx. 1906.40sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot coverage of 185.92sq.m. (approx. 2001.23sq.ft) in this instance;
3. A building height of 9.26m (approx. 30.38ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.00m (approx. 29.53ft) in this instance;
4. A height of eaves from average grade of 6.87m (approx. 22.54ft) whereas By-law 0225-2007, as amended, permits a maximum height of eaves from average grade of 6.40m (approx. 21.00ft) in this instance; and,
5. A garage area of 5.84m x 5.38m (approx. 19.16ft x 17.65ft) whereas By-law 0225-2007, as amended, permits a maximum garage area of 2.75m x 6.0m (approx. 9.02ft x 19.69ft) in this instance.

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City of Mississauga Department Comments

Date Finalized: 2023-01-25	File(s): A481.22 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-02-02 3:00:00 PM

Consolidated Recommendation

The City recommends the application be deferred to allow the applicant 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 gross floor area of 369.22sq.m. (approx. 3974.25sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 268.07sq.m (approx. 2885.48sq.ft) in this instance;
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4. A height of eaves from average grade of 6.87m (approx. 22.54ft) whereas By-law 0225-2007, as amended, permits a maximum height of eaves from average grade of 6.40m (approx. 131.23ft) in this instance; and,
5. A garage area of 5.84m x 5.38m (approx. 19.16ft x 17.65ft) whereas By-law 0225-2007, as amended, permits a maximum garage area of 2.75m x 6.0m (approx. 9.02ft x 19.69ft) in this instance.

Background

Property Address: 30 Harrow St

Mississauga Official Plan

Character Area: Malton Neighbourhood

Designation: Residential Low Density I

Zoning By-law 0225-2007

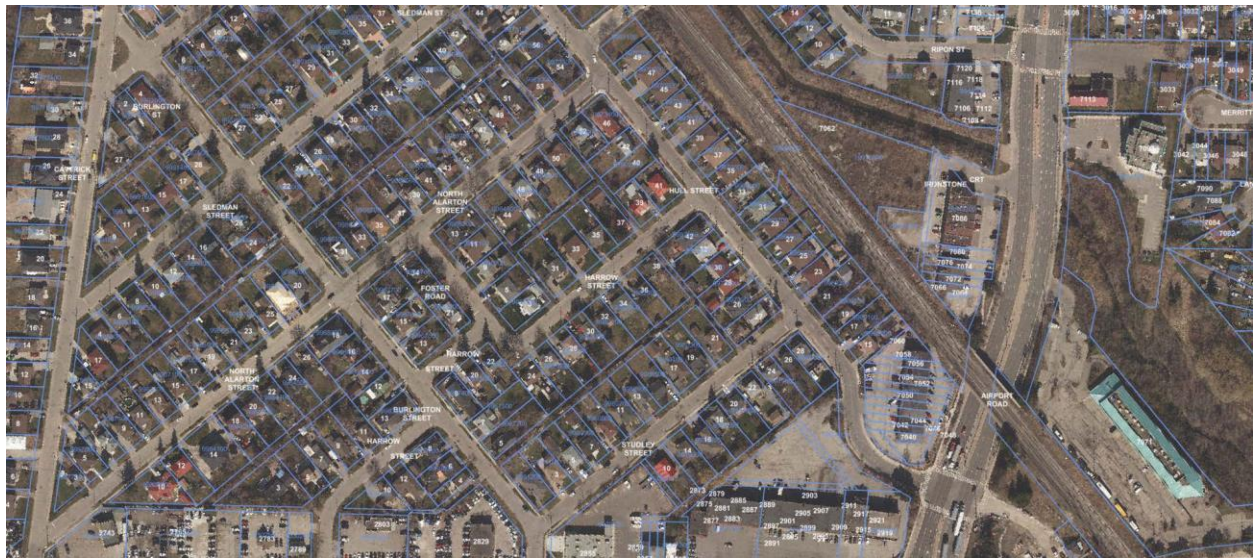
Zoning: R3-69 - Residential

Other Applications: None

Site and Area Context

The subject property is located north-west of the Derry Road East and Airport Road intersection in Old Malton Village. It currently contains a single storey detached dwelling with limited landscaping and vegetation in both the front and rear yards. The property has a lot frontage of +/- 15.18m (49.8ft) which is characteristic of lots in the area. The surrounding context is predominantly residential, consisting of detached dwellings on similarly sized lots. Commercial uses are present along Derry Road West and Airport Road.

The applicant is proposing a new dwelling requiring variances for gross floor area, lot coverage, overall height, eave height, and garage 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 Malton Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan. The designation permits detached, semi-detached and duplex dwellings. 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.

Arising from public input expressed through the 'My Malton' Community Visioning exercise undertaken in 2015, the City completed the Malton Infill Housing Study. This study resulted in Council's adoption of zoning regulations principally aimed at regulating the massing of dwellings in a manner that is sensitive to the surrounding context. The intent of the policies are to limit the overall massing of these dwellings and maintain compatibility between the existing and planned character of the neighbourhood. The application proposes increases in gross floor area and eave height that are not consistent with the neighbourhood for lots of similar size and do not maintain the intent of the infill 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.

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

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

Comments Prepared by: Brandon Eidner, Zoning Examiner

Appendix 3 – Metrolinx

30 Harrow St

Metrolinx is in receipt of the minor variance application for 30 Harrow St to facilitate the construction of a new two-storey dwelling. Metrolinx's comments on the subject application are noted below:

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

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

Appendix 4 – Region of Peel

Minor Variance Application: A-481/22, 30 Harrow Street

Servicing: Camila Marczuk (905) 791-7800 x8230

Comments:

- This site does not have frontage on existing municipal sanitary sewer.
- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Region of Peel Site Servicing connection approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at siteplanservicing@peelregion.ca

Comments Prepared by: Patrycia Menko – Junior Planner, Planning and Development Services



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A719.22
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 3126 Jessica Crt, zoned RM1- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an existing driveway with a width of 7.3m (approx. 23.95ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 5.2m (approx. 17.1ft) in this instance.

The Committee has set **Thursday, February 2, 2023 at 3:00 PM** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. 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 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 or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and application number or address of the property you are providing comments on.

Advance registration is required to participate in the electronic hearing:

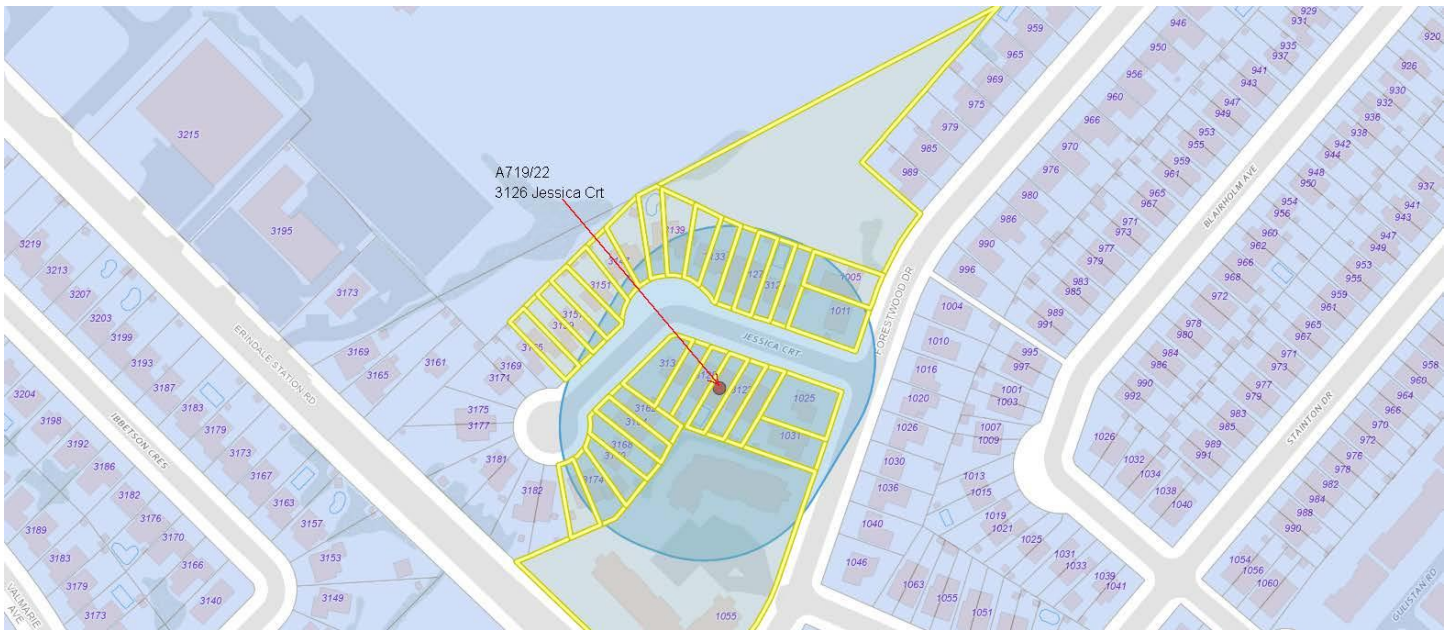
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Friday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services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

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Legal notice:

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



City of Mississauga Department Comments

Date Finalized: 2023-01-25	File(s): A719.22
To: Committee of Adjustment	Ward: 6
From: Committee of Adjustment Coordinator	Meeting date:2023-02-02 3:00:00 PM

Consolidated Recommendation

The City recommends that the application be refused.

Application Details

The applicant requests the Committee to approve a minor variance to allow an existing driveway with a width of 7.3m (approx. 23.95ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 5.2m (approx. 17.1ft) in this instance.

Background

Property Address: 3126 Jessica Crt

Mississauga Official Plan

Character Area: Erindale Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM1- Residential

Other Applications: None

Site and Area Context

The subject property is located north-east of the Dundas Street West and Erindale Station Road intersection in the Erindale neighbourhood. It currently contains a single storey semi-detached dwelling with limited landscaping and vegetative elements in the front yard. The property has a frontage of +/- 9m (29.5ft), which is characteristic of other lots along Jessica Court. The

surrounding area context is predominantly residential, consisting of a mix of detached, semi-detached, and apartment dwellings on lots of varying sizes.

The applicant is proposing to legalize the existing driveway, requiring a variance for driveway width.



Comments

Planning

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

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

The subject property is located in the Erindale Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). Section 9.1 of the MOP states that driveway widths and associated setbacks should respect the identity and character of the surrounding context.

The applicant is proposing a driveway width of 7.3m (24ft). The planned character of the area is that of residential dwellings serviced by appropriately sized driveways that can accommodate the parking required by the zoning by-law for each property. The intent of the driveway width regulations in the by-law is to permit a driveway that can accommodate two vehicles parked side by side, with the remainder of the front yard being soft landscaped area. The proposed driveway would represent significant hardscaping in the front yard and would result in a large

majority of the front yard being hardscaping, contrary to the intent of the zoning by-law. Furthermore the proposed driveway would be able to facilitate the parking of three vehicles across.

Staff are of the opinion that, as currently proposed, the driveway does not meet the general intent or purpose of the zoning by-law and is not minor in nature. Staff therefore recommend that the application be refused.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

In the absence of a Development 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.

For scope of work that does not require Site Plan Approval/Building Permit/Zoning Certificate of Occupancy Permit, the applicant may consider applying for a Preliminary Zoning Review application. A detailed site plan drawing and architectural plans are required for a detailed zoning review to be completed. A minimum of 6-8 weeks is required depending on the complexity of the proposal and the quality of information submitted.

Comments Prepared by: Amy Campbell, Planner-in-Training

City Department and Agency Comments	File:A719.22	2023/01/25	6
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Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Patrycia Menko – Junior Planner, Planning and Development Services



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A720.22
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 1551 Hollywell Ave, zoned R2-21- Residential and G2-3- Greenland, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an existing accessory structure proposing:

1. A shed located in a G2-3 Zone whereas By-law 0225-2007, as amended, does not permit a shed in a G2-3 Zone in this instance and,
2. A shed with a rear yard setback of 1.20m (approx. 3.94ft) whereas By-law 0225-2007, as amended, requires a rear yard setback of 15.00m (approx. 49.21ft) in this instance.

The Committee has set **Thursday, February 2, 2023 at 3:00 PM** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. 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 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 or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and application number or address of the property you are providing comments on.

Advance registration is required to participate in the electronic hearing:

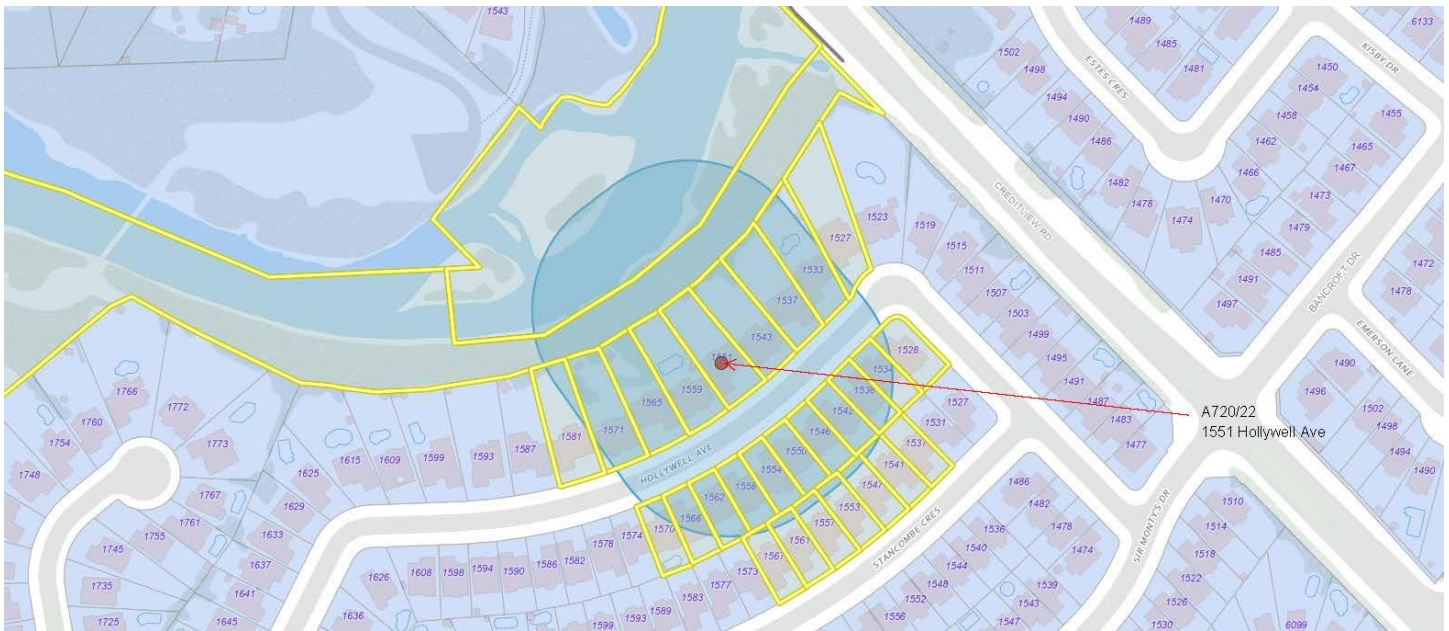
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Friday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services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

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

Legal notice:

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

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



City of Mississauga Department Comments

Date Finalized: 2023-01-25	File(s): A720.22 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-02-02 3:00:00 PM

Consolidated Recommendation

The City recommends that the application be refused.

Application Details

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

1. A shed located in a G2-3 Zone whereas By-law 0225-2007, as amended, does not permit a shed in a G2-3 Zone in this instance and,
2. A shed with a rear yard setback of 1.20m (approx. 3.94ft) whereas By-law 0225-2007, as amended, requires a rear yard setback of 15.00m (approx. 49.21ft) in this instance.

Background

Property Address: 1551 Hollywell Ave

Mississauga Official Plan

Character Area: East Credit Neighbourhood
Designation: Residential Low Density I, Greenlands

Zoning By-law 0225-2007

Zoning: R2-21- Residential and G2-3- Greenland

Other Applications: None

Site and Area Context

The subject property is located north-west of the Creditview Road and Hollywell Avenue intersection in the East Credit neighbourhood. It currently contains a two-storey detached dwelling with an attached garage. The site backs onto the Credit River, but the property contains limited landscaping and vegetative elements in both the front and rear yards. The surrounding area context is residential in nature, consisting exclusively of detached dwellings on lots generally smaller than the subject property.

The applicant is proposing to maintain the shed in the rear yard, requiring variances for a structure in a G zone and rear yard setback.



Comments

Planning

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

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

The subject property is located in the East Credit Neighbourhood Character Area and is designated Residential Low Density I and Greenlands in Schedule 10 of the Mississauga Official Plan (MOP). The shed currently under application is located on the portion of the property designated and zoned Greenlands. The Greenlands designation is restrictive in its permissions, generally limited to recreational and infrastructure uses. The G2-3 zoning is

designed to be a buffer to a natural heritage feature as well as to protect against and prevent erosion.

The subject property and associated hazard lands are regulated by the Credit Valley Conservation Authority, and on matters such as these Planning staff rely on the expertise of the CVC's review of the application. Credit Valley Conservation have reviewed the proposal and note objections to the proposal, calling for the shed to be removed from the hazard lands.

Given the position of CVC staff on the application, Planning staff are of the opinion that the proposal does not represent appropriate development of the subject property and does not maintain the intent of the zoning by-law. Staff therefore recommend that the application be refused.

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 existing accessory structure and we note that we have no drainage related concerns with the request.



Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

We note that a Building Permit is required. In the absence of a Building Permit 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

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:

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

The lands to the rear of the property are owned by the City of Mississauga, identified as Hyde's Mill Hollow (P-282) and classified as Significant Natural Area within the City's Natural Heritage System and zoned G1. 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. If future construction is required, access from the adjacent park/greenlands 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.

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.

Comments Prepared by: Nicholas Rocchetti, Park Planning Assistant

Appendix 4 – Credit Valley Conservation

Re: CVC File No. A 22/720
Municipality File No. A 720/22
Gaurav and Lisa Guleria, Gurcharan Guleria
1551 Hollywell Ave
City of Mississauga

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

1. 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);
2. 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;
3. 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 our mapping, the subject property is located partially within the floodplain and slope hazard associated with Credit River. It is the policy of CVC and the Province of Ontario to conserve and protect the significant physical, hydrological and biological features associated with the functions of the above noted characteristics and to recommend that no development be permitted which would adversely affect the natural features or ecological functions of these areas.

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).

The proposed works are located within CVC's Regulated Area. Please see the Comments section below for details regarding a CVC permit.

Proposal:

It is our understanding that the applicant requests the Committee to approve a minor variance to allow an existing accessory structure proposing:

1. A shed located in a G2-3 Zone whereas By-law 0225-2007, as amended, does not permit a shed in a G2-3 Zone in this instance and,
2. A shed with a rear yard setback of 1.20m (approx. 3.94ft) whereas By-law 0225-2007, as amended, requires a rear yard setback of 15.00m (approx. 49.21ft) in this instance.

Comments:

CVC staff have reviewed the provided information and have **concerns** with the requested variance. The existing shed is located in hazardous land regulated by CVC for floodplain and/or slope hazard. CVC recommends that the shed be moved out from these hazard lands. As such, CVC staff **object** to the approval of this minor variance by the Committee at this time.

As noted, the proposed works are located within CVC's Regulated Area; however, the CVC permit requirement will be waived to move the existing shed out from the hazardous lands.

Please circulate CVC any future correspondence regarding this application.

Comments Prepared by: Beata Pakulski – Junior Planner, Planning and Development Services

Appendix 5 – Region of Peel

We have no comments or objections.

Comments Prepared by: Patrycia Menko – Junior Planner, Planning and Development Services



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A721.22
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 6008 Grossbeak Dr, zoned R4 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an existing structure proposing a pergola between the front wall of the dwelling and the front lot line in an R4 Zone whereas By-law 0225-2007, does not permit a pergola between the front wall of the dwelling and the front lot line in an R4 Zone in this instance.

The Committee has set **Thursday, February 2, 2023 at 3:00 PM** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. 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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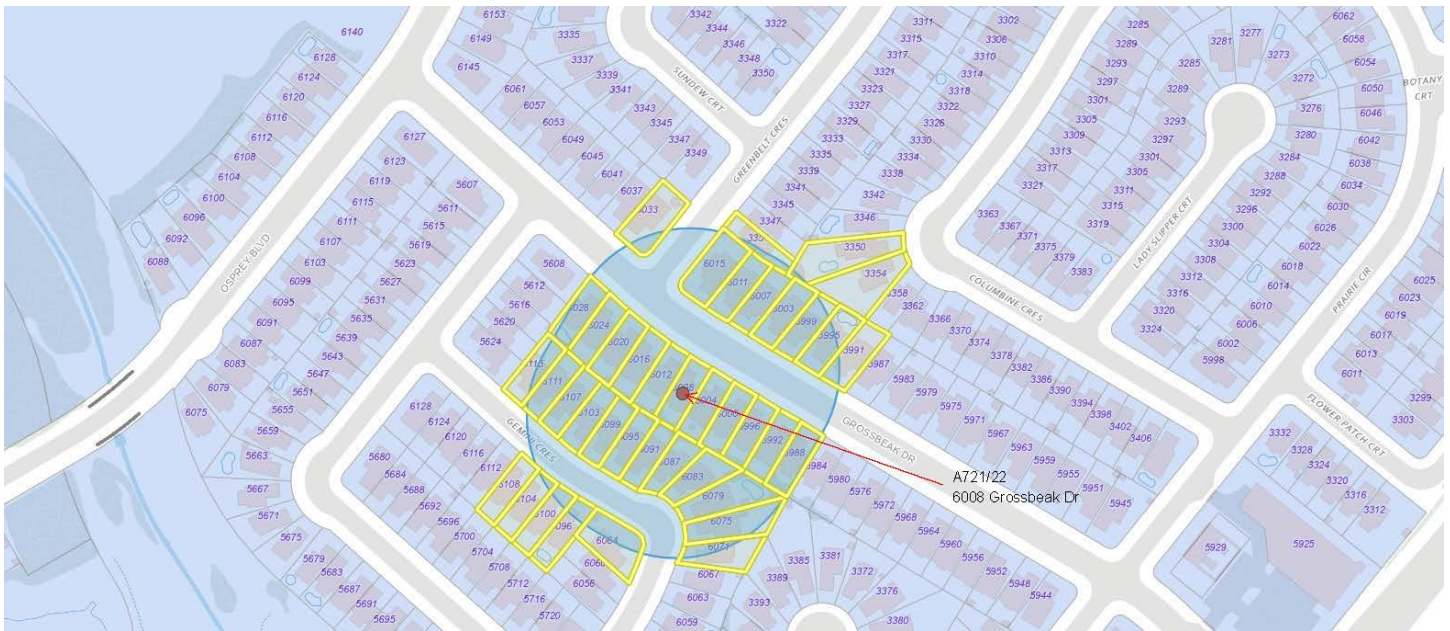
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City of Mississauga Department Comments

Date Finalized: 2023-01-25	File(s): A721.22 Ward: 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-02-02 3:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

The applicant requests the Committee to approve a minor variance to allow an existing structure proposing a pergola between the front wall of the dwelling and the front lot line in an R4 Zone whereas By-law 0225-2007, does not permit a pergola between the front wall of the dwelling and the front lot line in an R4 Zone in this instance.

Background

Property Address: 6008 Grossbeak Dr

Mississauga Official Plan

Character Area: Lisgar Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R4 - Residential

Other Applications: None

Site and Area Context

The subject property is located on the west side of Grossbeak Drive, north of the Britannia Road West intersection. It currently contains a two-storey detached dwelling with an attached garage. Some landscaping and limited vegetative elements are present in both the front and rear yards.



The applicant had previously received a Notice of Contravention for an accessory structure located in the front yard and filed the minor variance application to seek relief from the zoning by-law regulations for the structure. Through discussions with Zoning and Enforcement staff it has been determined that the proposed structure is more appropriately classified under the zoning by-law as a covered porch and not as a pergola. A variance for a pergola in the front yard is therefore not required. Staff recommend that the application be deferred in order to allow the applicant to submit a building permit for a covered porch and determine if any other variances will be required.

City Department and Agency Comments	File:A721.22	2023/01/25	3
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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 existing property, specifically the pergola and wood fence.

We note that the pergola creates no drainage related concerns; however, this department has concerns with the existing wood fence and concrete posts which are located within the front yard and municipal boulevard. We question whether these elements meet the requirements of the Fence By-law. Fencing in the front yard must meet the requirements of the fence by-law to alleviate possible sight visibility concerns for vehicles backing out of the driveway. Any encroachment of the fence and concrete posts into the municipal boulevard must be removed. Encroachments within the municipal boulevard are not supported in this instance. As previously noted, we have sight visibility concerns for any vehicle backing out of the driveway and ensuring that there is clear and unobstructed view of any pedestrians utilizing the sidewalk or for any vehicles on the roadway. In view of the above, we request that any wood fencing and concrete posts encroaching in to the municipal boulevard be removed and that any existing fence in the front yard meet the City's Fence By-law requirements.









Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

We note that a Building Permit is required. In the absence of a Building Permit 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: TAGE Crooks, Zoning Examiner

Appendix 3 – Conservation Halton

Please see below comments from Conservation Halton (CH) regarding the Pre-Con for **6008 Grossbeak Drive**.

- The subject property is not regulated by Conservation Halton (CH).

-
- Given the size of the site (approx. 0.02 ha.), CH defers the review of SWM to City of Mississauga Engineering staff.
 - **Given the above, CH staff will not be in attendance for this pre-consultation meeting, and do not need to be circulated on the associated application.**

Comments Prepared by: Braden Fleming – Environmental Planner

Appendix 4 – Region of Peel

We have no comments or objections.

Comments Prepared by: Patrycia Menko – Junior Planner, Planning and Development Services



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A725.22
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 3164 Countess Crescent, zoned R6-3-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 a wider driveway and walkway proposing:

1. A driveway setback of 0m whereas By-law 0225-2007, as amended, requires a driveway setback of 0.60m (approx. 1.96ft) in this instance;
2. A side yard setback of 0.30m (approx. 0.98ft) to the hardscaping whereas By-law 0225-2007, as amended, requires a side yard setback of 0.60m (approx. 1.96ft) to the hardscaping in this instance;
3. A walkway width of 4.50m (approx. 14.76ft) whereas By-law 0225-2007, as amended, permits a walkway width of 1.50m (approx. 4.92ft) in this instance; and,
4. A driveway width of 16.30m (approx. 53.47ft) whereas By-law 0225-2007, as amended, permits a driveway width of 6.10m (approx. 20.01ft) in this instance.

The Committee has set **Thursday, February 2, 2023 at 3:00 PM** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. 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 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 or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and application number or address of the property you are providing comments on.

Advance registration is required to participate in the electronic hearing:

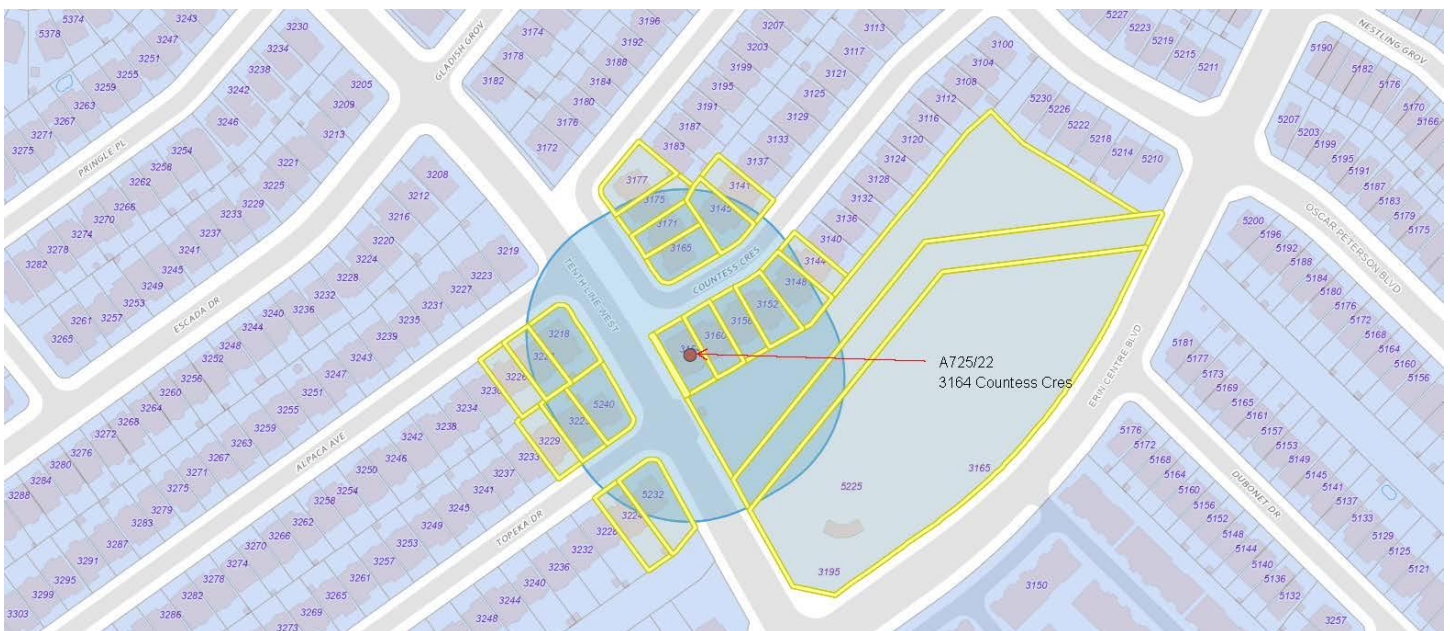
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Friday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services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

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

Legal notice:

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

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



City of Mississauga Department Comments

Date Finalized: 2023-01-25	File(s): A725.22 Ward: 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-02-02 3:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

The applicant requests the Committee to approve minor variances to allow a wider driveway and walkway proposing:

1. A driveway setback of 0m whereas By-law 0225-2007, as amended, requires a driveway setback of 0.60m (approx. 1.96ft) in this instance;
2. A side yard setback of 0.30m (approx. 0.98ft) to the hardscaping whereas By-law 0225-2007, as amended, requires a side yard setback of 0.60m (approx. 1.96ft) to the hardscaping in this instance;
3. A walkway width of 4.50m (approx. 14.76ft) whereas By-law 0225-2007, as amended, permits a walkway width of 1.50m (approx. 4.92ft) in this instance; and,
4. A driveway width of 16.30m (approx. 53.47ft) whereas By-law 0225-2007, as amended, permits a driveway width of 6.10m (approx. 20.01ft) in this instance.

Amendments

Based on review of the information currently available in the application, we advise that the variances should be amended as follows:

1. An easterly side setback to the driveway of 0.00m whereas By-law 0225-2007, as amended, requires a minimum setback to the driveway of 0.60m (approx. 1.96ft) in this instance;
2. An westerly side setback to the driveway of 0.30m (approx. 0.98ft) whereas By-law 0225-2007, as amended, requires a minimum setback to the driveway of 0.60m (approx. 1.96ft) in this instance;
3. A driveway walkway attachment width of 5.5m (approx. 18.04ft) whereas By-law 0225-2007, as amended, permits a maximum driveway walkway attachment width of 1.50m (approx. 4.92ft) in this instance; and,

4. A driveway width of 17.2m (approx. 56.43ft) whereas By-law 0225-2007, as amended, permits a driveway width of 6.10m (approx. 20.01ft) in this instance.

Background

Property Address: 3164 Countess Crescent

Mississauga Official Plan

Character Area: Churchill Meadows Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

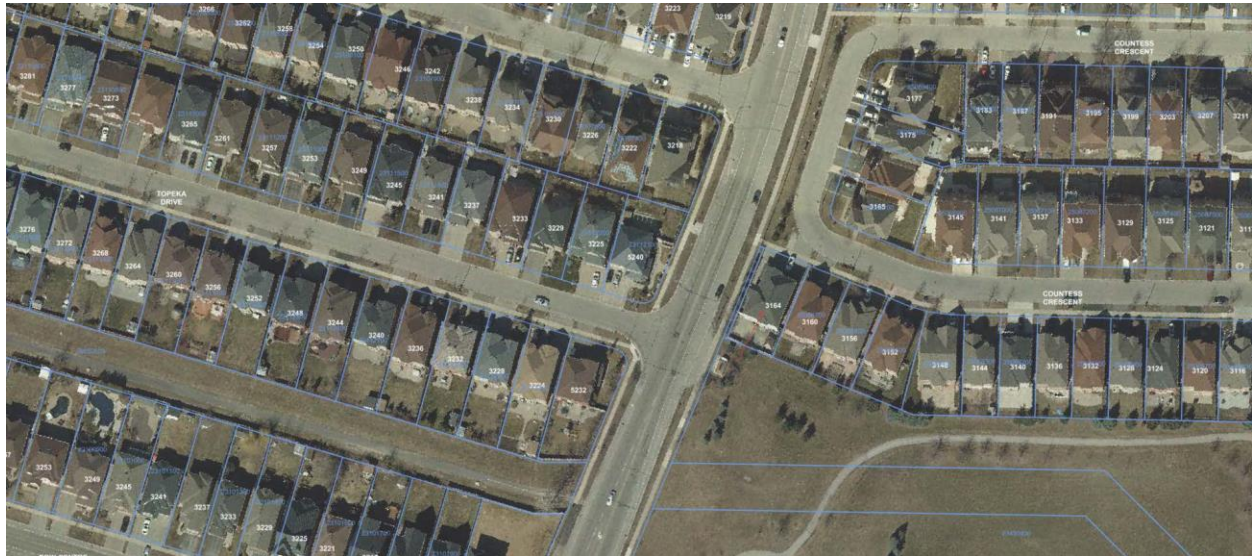
Zoning: R6-3-Residential

Other Applications: PREAPP 22-3097

Site and Area Context

The subject property is located north-east of the Tenth Line West and Erin Centre Boulevard intersection in the Churchill Meadows neighbourhood. It has a lot frontage of +/- 17.7m (58.1ft), which is slightly larger than other lots in the surrounding context as the property abuts Tenth Line West. The property also backs onto Jim Murray Park. No vegetative elements are present in the front yard. The surrounding area context is exclusively residential, consisting of detached dwellings on generally uniformly sized lots as well as townhouse dwellings.

The applicant is proposing a modified driveway requiring variances for driveway setbacks, walkway attachment, and driveway width.



Comments

Planning

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

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

The subject property is located in the Churchill Meadows Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). Section 9.1 of the MOP states that driveway widths and associated setbacks should respect the identity and character of the surrounding context.

Planning staff are unable to support the driveway as requested as it represents a significant amount of hardscaping in the front yard, contrary to the intent of the zoning by-law, and in the opinion of staff is not minor in nature. Staff have been in communication with the applicant about revising the proposal, however at the time of this report Planning staff are not in receipt of a formal resubmission and are therefore unable to provide comments on the discussed revisions.

Planning staff therefore recommend that the application be deferred in order to allow the applicant to complete a formal resubmission of the revised drawings.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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

We do note that the submitted Proposed Site Plan (DWG No A-002) is not acceptable to this Department and further modifications will be required.









Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department has processed a Preliminary Zoning Review application under file PREAPP 22-3097. Based on review of the information currently available in the application, we advise that the variances should be amended as follows:

1. An easterly side setback to the driveway of 0.00m whereas By-law 0225-2007, as amended, requires a minimum setback to the driveway of 0.60m (approx. 1.96ft) in this instance;
2. An westerly side setback to the driveway of 0.30m (approx. 0.98ft) whereas By-law 0225-2007, as amended, requires a minimum setback to the driveway of 0.60m (approx. 1.96ft) in this instance;
3. A driveway walkway attachment width of 5.5m (approx. 18.04ft) whereas By-law 0225-2007, as amended, permits a maximum driveway walkway attachment width of 1.50m (approx. 4.92ft) in this instance; and,
4. A driveway width of 17.2m (approx. 56.43ft) whereas By-law 0225-2007, as amended, permits a driveway width of 6.10m (approx. 20.01ft) 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: Andrea Patsalides, 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:

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

The lands to the rear of the property are owned by the City of Mississauga, identified as Jim Murray Community Park (P-447) and zoned OS1 – Open Space – Community Park.

1. Construction access from the adjacent park/greenlands 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.

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.

Comments Prepared by: Nicholas Rocchetti, Park Planning Assistant

Appendix 4 – Region of Peel

We have no comments or objections.

Comments Prepared by: Patrycia Menko – Junior Planner, Planning and Development Services



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A727.22
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 1083 Orchard Road, zoned R3-75-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 addition and an accessory structure proposing:

1. An eaves height of 6.55m (approx. 21.48ft) whereas By-law 0225-2007, as amended, permits an eaves height of 6.40m (approx. 20.99ft) in this instance;
2. An interior side yard setback of 1.10m (approx. 3.60ft) to the north whereas By-law 0225-2007, as amended, requires an interior side yard setback of 1.81m (approx. 5.93ft) to the north in this instance;
3. An interior side yard setback of 1.75m (approx. 5.74ft) to the south whereas By-law 0225-2007, as amended, requires an interior side yard setback of 1.81m (approx. 5.93ft) to the south in this instance;
4. An interior eaves setback of 0.89m (approx. 2.92ft) to the north whereas By-law 0225-2007, as amended, requires an eaves setback of 1.36m (approx. 4.46ft) to the north in this instance;
5. An accessory structure height of 4.50m (approx. 14.76ft) whereas By-law 0225-2007, as amended, permit an accessory structure height of 3.0m (approx. 9.84ft) in this instance;
6. A combined accessory structure area of 55.75sq.m (approx. 600.08sq.ft) whereas By-law 0225-2007, as amended, permits a combined accessory structure area of 30sq.m (approx. 322.91sq.ft) in this instance;
7. An accessory structure area of 55.75sq.m (approx. 600.08sq.ft) whereas By-law 0225-2007, as amended, permits an accessory structure area of 10 sq.m (approx. 107.63sq.ft) in this instance;
8. An interior south side yard setback of 0.30m (approx. 0.98ft) to the accessory structure whereas By-law 0225-2007, as amended, requires an interior south side yard setback of 0.61m (approx. 2.00ft) to the accessory structure in this instance; and,
9. An interior south side eaves setback of 0.09m (approx. 0.30ft) to the accessory structure whereas By-law 0225-2007, as amended, requires an interior south side eaves setback of 1.36m (approx. 4.46ft) to the accessory structure in this instance.

The Committee has set **Thursday, February 2, 2023 at 3:00 PM** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. 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:

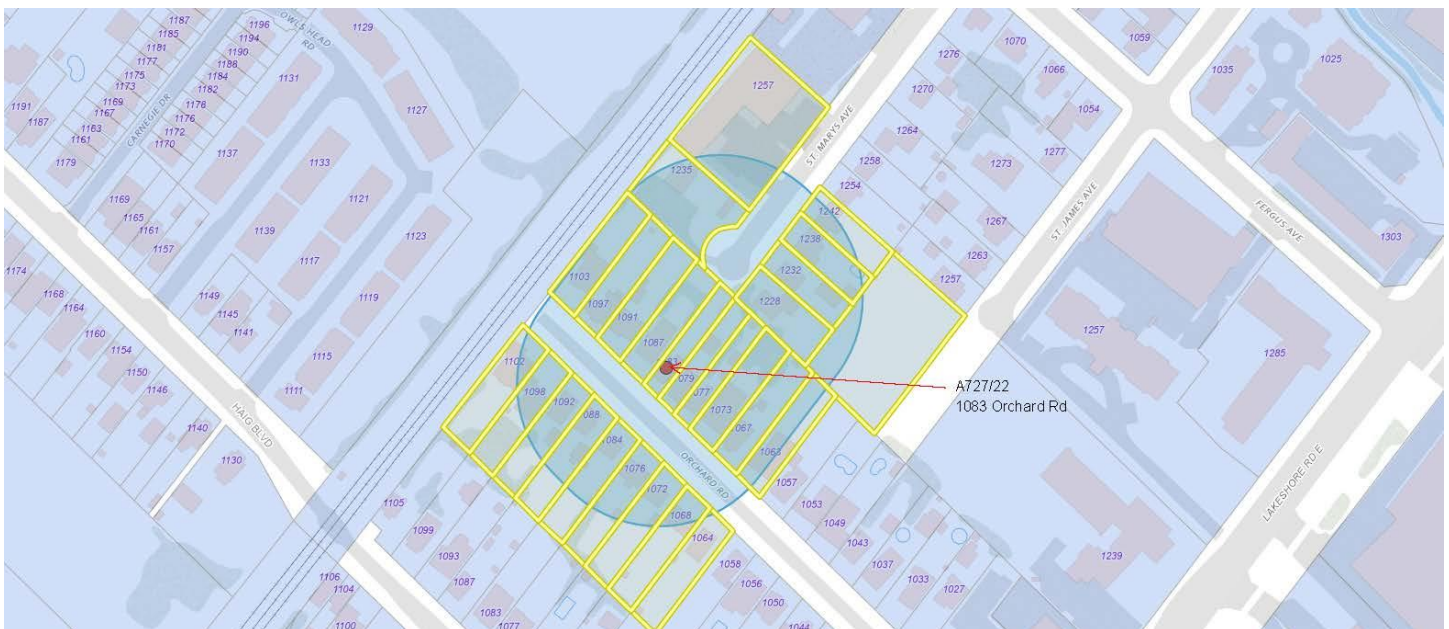
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Friday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services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

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Legal notice:

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



City of Mississauga Department Comments

Date Finalized: 2023-01-20	File(s): A727.22
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2023-02-02 3:00:00 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 addition and an accessory structure proposing:

1. An eaves height of 6.55m (approx. 21.48ft) whereas By-law 0225-2007, as amended, permits an eaves height of 6.40m (approx. 20.99ft) in this instance;
2. An interior side yard setback of 1.10m (approx. 3.60ft) to the north whereas By-law 0225-2007, as amended, requires an interior side yard setback of 1.81m (approx. 5.93ft) to the north in this instance;
3. An interior side yard setback of 1.75m (approx. 5.74ft) to the south whereas By-law 0225-2007, as amended, requires an interior side yard setback of 1.81m (approx. 5.93ft) to the south in this instance;
4. An interior eaves setback of 0.89m (approx. 2.92ft) to the north whereas By-law 0225-2007, as amended, requires an eaves setback of 1.36m (approx. 4.46ft) to the north in this instance;
5. An accessory structure height of 4.50m (approx. 14.76ft) whereas By-law 0225-2007, as amended, permit an accessory structure height of 3.0m (approx. 9.84ft) in this instance;
6. A combined accessory structure area of 55.75sq.m (approx. 600.08sq.ft) whereas By-law 0225-2007, as amended, permits a combined accessory structure area of 30sq.m (approx. 322.91sq.ft) in this instance;
7. An accessory structure area of 55.75sq.m (approx. 600.08sq.ft) whereas By-law 0225-2007, as amended, permits an accessory structure area of 10 sq.m (approx. 107.63sq.ft) in this instance;
8. An interior south side yard setback of 0.30m (approx. 0.98ft) to the accessory structure whereas By-law 0225-2007, as amended, requires an interior south side yard setback of 0.61m (approx. 2.00ft) to the accessory structure in this instance; and,
9. An interior south side eaves setback of 0.09m (approx. 0.30ft) to the accessory structure

City Department and Agency Comments	File:A727.22	Enter date.	2
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whereas By-law 0225-2007, as amended, requires an interior south side eaves setback of 1.36m (approx. 4.46ft) to the accessory structure in this instance.

Amendments

The Building Department is currently processing a Building Permit under file BP 9ALT 22-3958. Based on review of the information currently available in this permit application, variances # 1, 5, 6, 7, and 8, as requested are correct.

Should the Committee see merit in the application, Zoning staff advise that the following variance should be amended as follows:

9. An interior south side eaves setback of 0.09m (approx. 0.30ft) to the accessory structure whereas By-law 0225-2007, as amended, requires an interior south side eaves setback of 0.30m (approx. 4.46ft) to the accessory structure in this instance.

Recommended Conditions and Terms

Should the Committee see merit in the application, Transportation and Works staff request that the following condition be added:

The applicant make appropriate arrangements with the City to lift that portion of the 0.3m (0.98ft) reserve that is required for this access to function legally.

Background

Property Address: 1083 Orchard Road

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3-75-Residential

Other Applications: Building Permit under file BP 9ALT 22-3958.

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, northwest of the Lakeshore Road East and Dixie Road intersection. The immediate neighbourhood is primarily residential, consisting of old and new one and two-storey detached dwellings on lots with mature vegetation in the front yards. The subject property contains a one-storey detached dwelling with vegetation in the front yard.

The applicant is proposing an addition to the existing one-storey detached dwelling and a new accessory structure requiring variances for setbacks, heights and accessory structure 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 located in the Lakeview Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached dwellings.

Upon review of the application, staff has identified concerns with the design and location of the proposed accessory structure. Variances #8 and 9 propose inadequate setbacks to the eaves and southerly wall of the accessory structure. The proposed setbacks to the eaves may cause drainage issues for the abutting property to the south. While the installation of an eaves trough would address this concern, it may create legal implications, as it appears it would likely

encroach onto the abutting property to the south. Furthermore, staff are concerned that the proposed setbacks are insufficient and will impede access to the rear side of the structure for maintenance purposes. Lastly, staff are of the opinion that the applicant's request for variances to increase the proposed structure's area and height in combination with the reduced side yard setbacks will create massing concerns for the abutting neighbour to the south.

As such, staff recommends that the application be deferred to allow the applicant an opportunity to relocate the proposed structure to provide for an adequate buffer to all lot lines. Staff have no immediate concerns with the remaining variances requested.

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 and structure are being addressed by our Development Construction Section through the Building Permit process BP9 ALT-22/3958.

We also advise that the applicant is currently utilizing an illegal access point at the rear of the lands off of St. Mary's Avenue. There is an existing 0.3m reserve between the applicant's lot and St. Mary's Avenue right of way. The applicant is currently illegally crossing the City owned reserve lands. Considering that this access point is the only vehicular access point that the property currently has, we have no concern with the applicant keeping it provided that as a condition of approval, we ask that the applicant make appropriate arrangements with The City to lift that portion of the 0.3m reserve that is required for this access to function legally.















Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 9ALT 22-3958. Based on review of the information currently available in this permit application, variances # 1, 5, 6, 7, and 8, as requested are correct.

Furthermore, we advise that the following variance should be amended as follows:

9. An interior south side eaves setback of 0.09m (approx. 0.30ft) to the accessory structure whereas By-law 0225-2007, as amended, requires an interior south side eaves setback of 0.30m (approx. 4.46ft) to the accessory structure in this instance.

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

Please note that comments reflect those provided through the above permit application submitted on 09/22/2022 and should there be any changes contained within this Committee of

City Department and Agency Comments	File:A727.22	Enter date.	12
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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 – Credit Valley Conservation

A22/727 – 1083 Orchard Rd

Although the property appears to be regulated based on our mapping, I can confirm we have updated information and that it is outside of CVC's regulated area. CVC review/approval are not required. As such, CVC will not be providing comments on the application.

Comments Prepared by: Beata Pakulski – Junior Planner, Planning and Development Services

Appendix 4 – Metrolinx

1083 Orchard Road

Metrolinx is in receipt of the minor variance application for 1083 Orchard Rd to facilitate a second storey addition over the existing dwelling as well as a two storey addition at the rear of the existing dwelling. Additionally, to facilitate the construction of a one storey workshop in the rear yard. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300 meters of Metrolinx's Oakville Subdivision which carries Metrolinx's Lakeshore West GO Train service.
- As per section 3.9 of the Federation of Canadian Municipalities and Railway Association of Canada's Guidelines for New Development in Proximity to Railway Operations, the Owner shall grant Metrolinx an environmental easement for operational emissions. The environmental easement provides clear notification to those who may acquire an interest in the subject property and reduces the potential for future land use conflicts. The environmental easement shall be registered on title of the subject property. A copy of the form of easement is included for the Owner's information. The applicant may contact Leah.ChishimbaSimwanza@Metrolinx.com with questions and to initiate the registration process.
- The Proponent shall provide confirmation to Metrolinx, that the following warning clause has been inserted into all Development Agreements, Offers to Purchase, and Agreements of Purchase and Sale or Lease of each dwelling unit within 300 metres of the Railway Corridor
 - **Warning:** The Applicant is advised that the subject land is located within Metrolinx's 300 metres railway corridor zone of influence and as such is advised that Metrolinx and its assigns and successors in interest has or have a right-of-way within 300 metres from the subject land. The Applicant is further advised that

there may be alterations to or expansions of the rail or other transit facilities on such right-of-way in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx to use the right-of-way or their assigns or successors as aforesaid may expand or alter their operations, which expansion or alteration 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 lots, blocks or units.

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

Appendix 5 – Region of Peel

Minor Variance Application: A-727/22, 1083 Orchard Road

Servicing: Camila Marczuk (905) 791-7800 x8230

Comments:

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Region of Peel Site Servicing connection approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at siteplanservicing@peelregion.ca

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

Comments:

- The subject land is located in the regulated area of the Credit Valley Conservation (CVC) Authority. 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, Planning and Development Services



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A728.22
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 535 Lynd Ave, 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 an existing shed proposing:

1. An accessory structure area of 11.20sq m (approx. 120.56sq ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 10.00sq m (approx. 107.64sq ft) in this instance and,
2. An accessory structure height of 3.07m (approx. 10.07ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.00m (approx. 9.84ft) in this instance.

The Committee has set **Thursday, February 2, 2023 at 3:00 PM** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. 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 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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How to submit a written comment:

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Advance registration is required to participate in the electronic hearing:

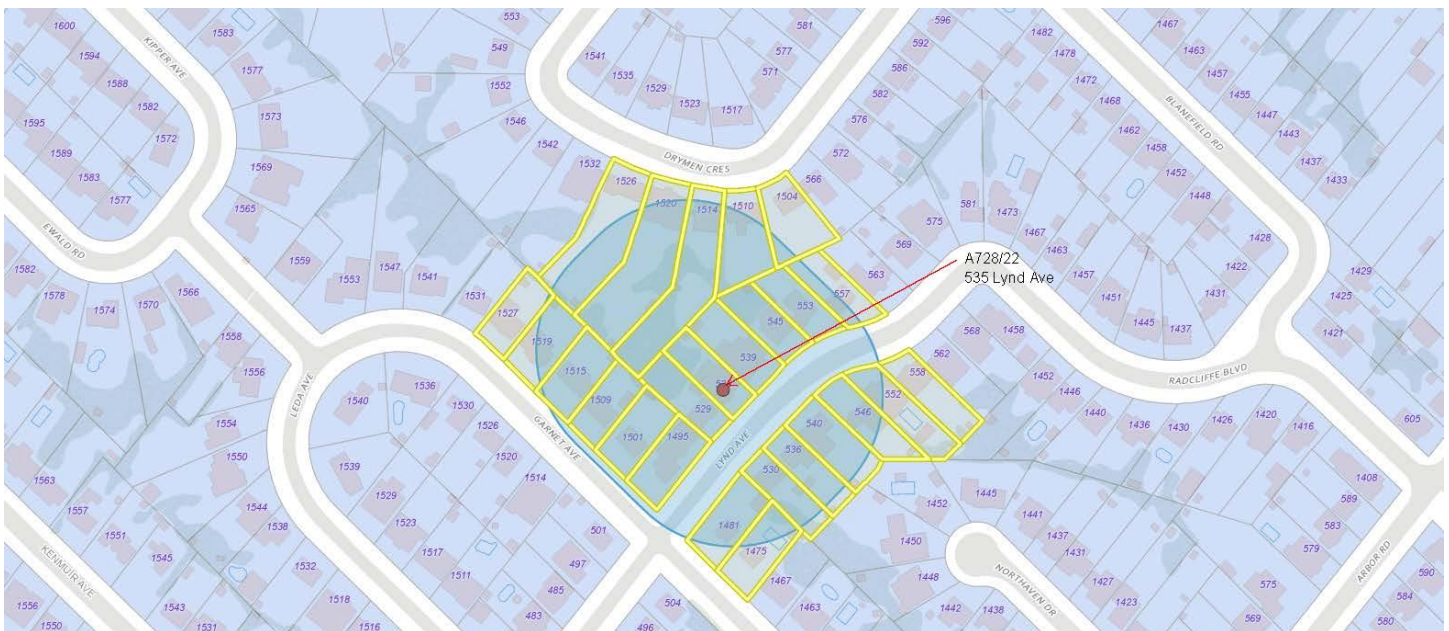
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Friday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services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

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

Legal notice:

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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: 2023-01-18	File(s): A728.22
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2023-02-02 3:00:00 PM

Consolidated Recommendation

The City has no objection to the minor variance application. The applicant may wish to defer the application to ensure the accuracy of the requested variances and to determine if additional variances are required.

Application Details

The applicant requests the Committee to approve a minor variance to allow an existing shed proposing:

1. An accessory structure area of 11.20sq m (approx. 120.56sq ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 10.00sq m (approx. 107.64sq ft) in this instance and,
2. An accessory structure height of 3.07m (approx. 10.07ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.00m (approx. 9.84ft) in this instance.

Background

Property Address: 535 Lynd Ave

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3-1 - Residential

Other Applications: none

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, northeast of the Cawthra Road and Arbor Road intersection. The neighbourhood is entirely residential, consisting of a mix of older and newer one and two-storey detached dwellings with significant mature vegetation in the front, rear and side yards. The subject property contains a newer two-storey single detached dwelling with mature vegetation in the front yard.

The application proposes an accessory structure requiring variances related to accessory structure area and height.



Comments

Planning

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

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

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

The subject property is located in the Mineola 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, triplex, street townhouse and other forms of low-rise dwellings with individual frontages. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the

existing site conditions, the surrounding context, and the landscape of the character area. Planning staff note that the proposal maintains the permitted detached dwelling use and that the development is appropriate given existing site conditions and the surrounding context. Staff are therefore of the opinion that the general intent and purpose of the official plan are maintained.

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

The intent of the zoning by-law provisions regarding accessory structures is to ensure that the structures are proportional to the lot, dwelling, and clearly accessory while not presenting any massing concerns to neighbouring lots. Staff are of the opinion that the variances requested represent minor deviations from the maximum regulations contained in the zoning by-law. Furthermore, no additional accessory structures exist on the subject property. The subject property is also permitted a combined accessory structure area of 60m² (645.84ft) and the height variance requested is for a peak roof. The massing impact of a peaked roof is less than a flat roof as the highest height for a peaked roof is only to one point. The roof then slopes downward. Furthermore, the structure's massing impacts will be negligible, as the proposed variances are minor and the accessory structure does not require variances for reduced setbacks or lot coverage.

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

Planning staff are of the opinion that the proposal represents appropriate development of the subject property. Furthermore, it is the opinion of staff that the proposal does not pose any significant negative impacts to the streetscape or neighbouring lots, and represents an appropriate use of the amenity space. Through a detailed review, staff are of the opinion that the application raises no concerns of a planning nature.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committees information are photos of the existing shed. We have no drainage related concerns.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

In the absence of a Development 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.

For scope of work that does not require Site Plan Approval/Building Permit/Zoning Certificate of Occupancy Permit, the applicant may consider applying for a Preliminary Zoning Review application. A detailed site plan drawing and architectural plans are required for a detailed zoning review to be completed. A minimum of 6-8 weeks is required depending on the complexity of the proposal and the quality of information submitted.

City Department and Agency Comments	File:A728.22	2023/01/18	6
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Comments Prepared by: Amy Campbell, Planner-in-Training

Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Patrycia Menko – Junior Planner, Planning and Development Services



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A735.22
Ward: 5

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 356 Nahani Way, zoned R4-17 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an existing driveway and landscaping proposing:

1. A driveway width of 15.00m (approx. 49.21ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance and,
2. A landscaped area of less than 40% whereas By-law 0225-2007, as amended, requires a minimum landscaped area of 40% in this instance.

The Committee has set **Thursday, February 2, 2023 at 3:00 PM** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. 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: 2023-01-25	File(s): A735.22
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2023-02-02 3:00:00 PM

Consolidated Recommendation

The City recommends that the application be refused.

Application Details

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

1. A driveway width of 15.00m (approx. 49.21ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance and,
2. A landscaped area of less than 40% whereas By-law 0225-2007, as amended, requires a minimum landscaped area of 40% in this instance.

Background

Property Address: 356 Nahani Way

Mississauga Official Plan

Character Area: Hurontario Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R4-17 - Residential

Other Applications: None

Site and Area Context

The subject property is located north-west of the Eglinton Avenue East and Kennedy Road intersection in the Hurontario neighbourhood. It currently contains a two-storey detached dwelling with limited landscaping and vegetative elements in both the front and exterior side yards. The property is a corner lot and has a slightly larger frontage than surrounding interior lots. The surrounding area context is predominantly residential, consisting of detached dwellings on lots of generally uniform sizes.

The applicant is proposing to legalize the existing driveway, requiring a variance for driveway width and soft landscaped 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 property is located within the Hurontario Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). As per Section 9.1 (Introduction), driveway widths should respect the identity and character of the surrounding context.

Variance 1 relates to the driveway width, and variance 2 requests a reduction in soft landscaped area in the front yard. The intent of these regulations in the by-law is to work together in managing the streetscape and neighbourhood character. The regulations permit a driveway that can accommodate the required parking, with the remainder of the front yard being soft landscaped area. The subject property's driveway represents a significant amount of hardscaping, which presents a significant impact to the streetscape and is out of character with the surrounding context. Furthermore staff note that artificial turf is considered hardscaping by Zoning, and therefore the applicant is providing no soft landscaping within the front yard of the subject property.

Staff are of the opinion that, as currently proposed, the driveway does not meet the general intent or purpose of the official plan or zoning by-law and is not minor in nature. Staff therefore recommend that the application be refused.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

From the enclosed photos and as described in the letter which the applicant submitted with the application, a significant area of artificial grass has been installed on this property, more problematic, a large amount located within the boulevard area which is the City's property. For the record, this department is not currently prepared to accept the turfed boulevard (artificial grass) without various other City Sections input.

It's our understanding that artificial grass is not listed or defined by the current Zoning By-law which we would interpret as simply not being permitted. Artificial turf is still considered hard landscaping as it does not promote the growth of vegetation.

In view of the above we cannot support the request and recommend that any artificial grass be removed from the City's municipal boulevard. At the same time the applicant should revise the proposal to reflect a driveway width which could be supported by staff.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

In the absence of a Development 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.

For scope of work that does not require Site Plan Approval/Building Permit/Zoning Certificate of Occupancy Permit, the applicant may consider applying for a Preliminary Zoning Review application. A detailed site plan drawing and architectural plans are required for a detailed zoning review to be completed. A minimum of 6-8 weeks is required depending on the complexity of the proposal and the quality of information submitted.

Comments Prepared by: Amy Campbell, Planner-in-Training

Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Patrycia Menko – Junior Planner, Planning and Development Services



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A739.22
Ward: 3

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 3423 Cedar Creek Dr, zoned R3- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an existing driveway with a width of 7.40m (approx. 24.28ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

The Committee has set **Thursday, February 2, 2023 at 3:00 PM** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. 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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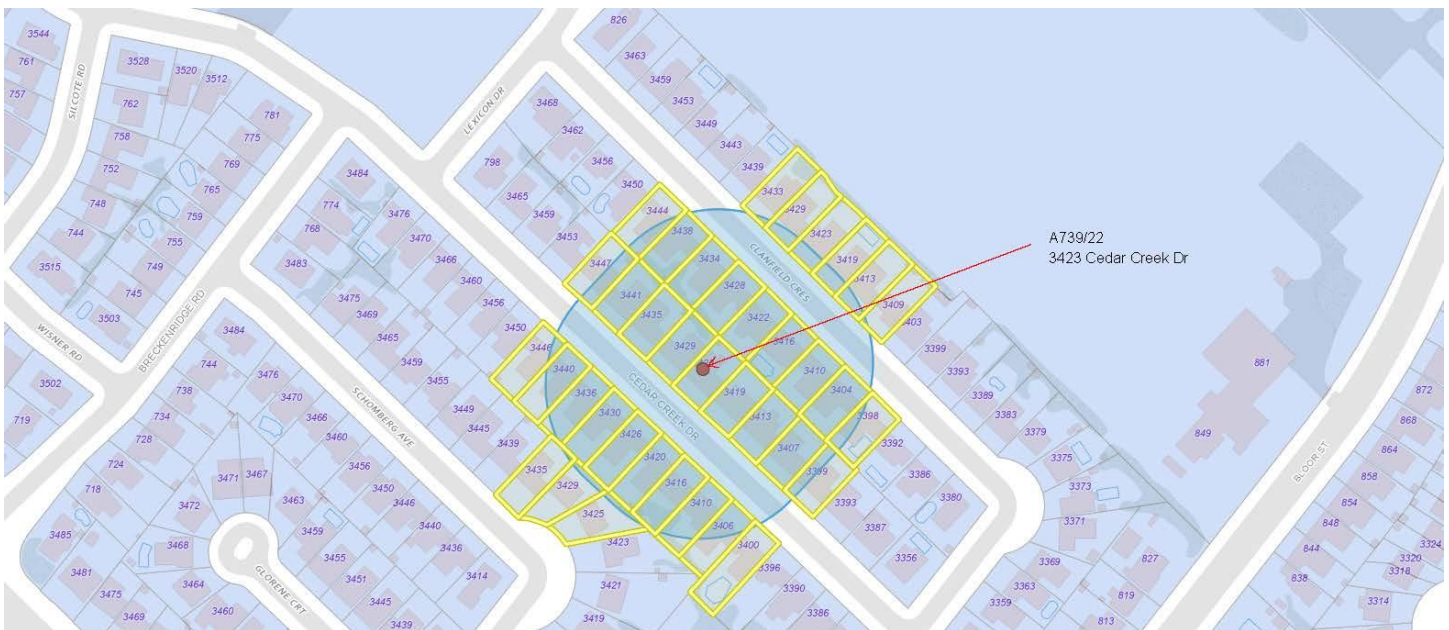
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Friday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services will not be accepted.

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City of Mississauga Department Comments

Date Finalized: 2023-01-25	File(s): A739.22
To: Committee of Adjustment	Ward: 3
From: Committee of Adjustment Coordinator	Meeting date:2023-02-02 3:00:00 PM

Consolidated Recommendation

The City recommends that the application be refused.

Application Details

The applicant requests the Committee to approve a minor variance to allow an existing driveway with a width of 7.40m (approx. 24.28ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

Background

Property Address: 3423 Cedar Creek Dr

Mississauga Official Plan

Character Area: Applewood Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3- Residential

Other Applications: None

Site and Area Context

The subject property is located north-east of the Cawthra Road and Bloor Street intersection in the Applewood neighbourhood. It currently contains a detached dwelling with some landscaping and vegetative elements in the front yard. The property has a frontage of +/- 17.9m (58.7ft),

which is characteristic of other lots in the area. The surrounding area context is predominantly residential, consisting of detached dwellings on lots of similar sizes.

The applicant is proposing to legalize the existing driveway, thereby requiring a variance for driveway width.



Comments

Planning

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

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

The subject property is located in the Applewood Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). Section 9.1 of the MOP states that driveway widths and associated setbacks should respect the identity and character of the surrounding context.

The applicant is proposing a driveway width of 7.4m (24.3ft). The planned character of the area is that of residential dwellings serviced by appropriately sized driveways that can accommodate the parking required by the zoning by-law for each property. The intent of the driveway width regulations in the by-law is to allow a driveway that can accommodate two vehicles parked side by side, with the remainder of the front yard being soft landscaped area. The proposed driveway would represent significant hardscaping in the front yard, contrary to the intent of the zoning by-

law and out of context for the surrounding area. Furthermore the proposed driveway would be able to facilitate the parking of three vehicles across.

Staff are of the opinion that, as currently proposed, the driveway does not meet the general intent or purpose of the zoning by-law and is not minor in nature. Staff therefore recommend that the application be refused.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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



Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

In the absence of a Development 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.

City Department and Agency Comments	File:A739.22	2023/01/25	5
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For scope of work that does not require Site Plan Approval/Building Permit/Zoning Certificate of Occupancy Permit, the applicant may consider applying for a Preliminary Zoning Review application. A detailed site plan drawing and architectural plans are required for a detailed zoning review to be completed. A minimum of 6-8 weeks is required depending on the complexity of the proposal and the quality of information submitted.

Comments Prepared by: Amy Campbell, Planner-in-Training

Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Patrycia Menko – Junior Planner, Planning and Development Services



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A740.22
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 734 Woburn Woods Lane, zoned RM2-2 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an existing driveway with a width of 10.60m (approx. 34.78ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 5.20m (approx. 17.06ft) in this instance.

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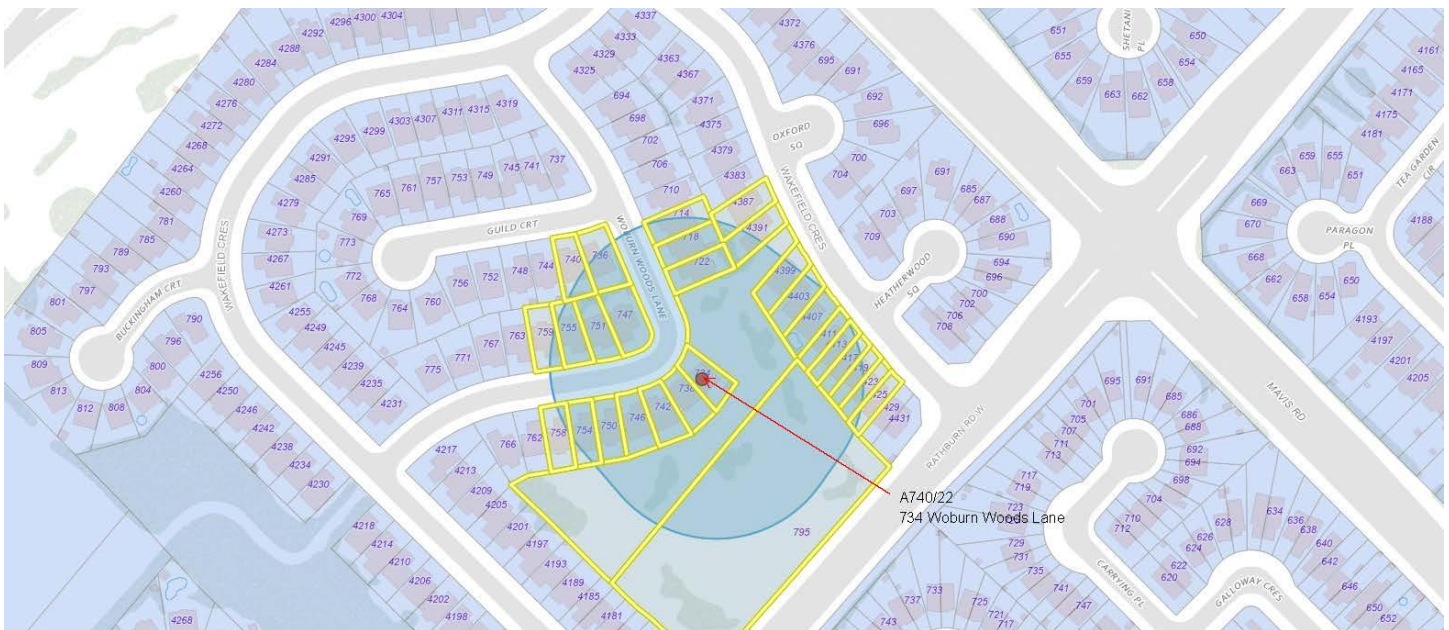
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City of Mississauga Department Comments

Date Finalized: 2023-01-25	File(s): A740.22
To: Committee of Adjustment	Ward: 6
From: Committee of Adjustment Coordinator	Meeting date:2023-02-02 3:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

The applicant requests the Committee to approve a minor variance to allow an existing driveway with a width of 10.60m (approx. 34.78ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 5.20m (approx. 17.06ft) in this instance.

Background

Property Address: 734 Woburn Woods Lane

Mississauga Official Plan

Character Area: Creditview Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM2-2 - Residential

Other Applications: None

Site and Area Context

The subject property is located north-west of the Rathburn Road West and Mavis Road intersection in the Creditview neighbourhood. It currently contains a two-storey detached dwelling with an attached garage and abuts Wakefield Common to the side and rear. Woburn Woods Lane consists exclusively of detached dwellings with lot frontages averaging +/- 12m to



Planning staff are unable to support the driveway as requested, as in the opinion of staff it represents a significant amount of hardscaping and would facilitate the parking of three vehicles across, contrary to the intent of the zoning by-law. Staff have been in communication with the applicant about revising the proposal, however at the time of this report Planning staff are not in receipt of a formal resubmission and are therefore unable to provide comments on the discussed revisions.

City Department and Agency Comments	File:A740.22	2023/01/25	3
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Planning staff therefore recommend that the application be deferred in order to allow the applicant to complete a formal resubmission of the revised drawings.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

In the absence of a Development 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.

For scope of work that does not require Site Plan Approval/Building Permit/Zoning Certificate of Occupancy Permit, the applicant may consider applying for a Preliminary Zoning Review application. A detailed site plan drawing and architectural plans are required for a detailed zoning review to be completed. A minimum of 6-8 weeks is required depending on the complexity of the proposal and the quality of information submitted.

Comments Prepared by: Amy Campbell, Planner-in-Training

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:

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

The lands to the rear of the property are owned by the City of Mississauga, identified as Wakefield Common (P-200) and zoned OS1 – Open Space – Community Park.

1. If future construction is required, access from the adjacent park/greenlands 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.

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.

Comments Prepared by: Nicholas Rocchetti, Park Planning Assistant

City Department and Agency Comments	File:A740.22	2023/01/25	7
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Appendix 4 – Region of Peel

We have no comments or objections.

Comments Prepared by: Patrycia Menko – Junior Planner, Planning and Development Services



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A398.22
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 222 Maplewood Rd, zoned R1-2, 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 gross floor area of 540.70sq m (approx. 5820.05sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 492.40sq m (approx. 5300.15sq ft) in this instance;
2. A building height of 9.96m (approx. 32.68ft) whereas By-law 0225-2007, as amended, permits a maximum height to the flat roof of 9.50m (approx. 31.17ft) in this instance and,
3. A height to the eave of 6.95m (approx. 22.80ft) whereas By-law 0225-2007, as amended, permits a maximum height to the eave of 6.40m (approx. 21.0ft) in this instance.

The Committee has set **Thursday, February 2, 2023 at 3:00 PM** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. 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:

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

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City of Mississauga Department Comments

Date Finalized: 2023-01-25	File(s): A398.22
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2023-02-02 3:00:00 PM

Consolidated Recommendation

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

Application Details

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

1. A gross floor area of 540.70sq m (approx. 5820.05sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 492.40sq m (approx. 5300.15sq ft) in this instance;
2. A building height of 9.96m (approx. 32.68ft) whereas By-law 0225-2007, as amended, permits a maximum height to the flat roof of 9.50m (approx. 31.17ft) in this instance and,
3. A height to the eave of 6.95m (approx. 22.80ft) whereas By-law 0225-2007, as amended, permits a maximum height to the eave of 6.40m (approx. 21.0ft) in this instance.

Background

Property Address: 222 Maplewood Rd

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

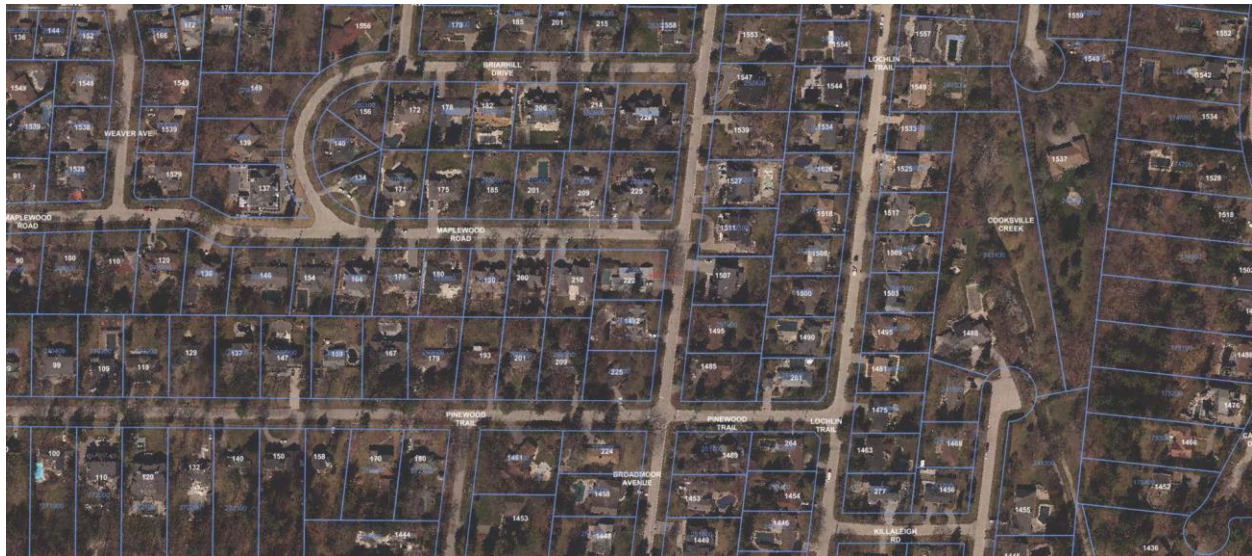
Zoning: R1-2

Other Applications: PAM 21-215, PAM 22-66, SPI 22-49

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southeast of Hurontario Street and the Queen Elizabeth Way. The immediate neighbourhood is entirely residential, consisting of one, one and a half and two-storey detached dwellings with mature vegetation and landscape elements in both the front and side yards. The subject property contains a one-storey dwelling on a corner lot with mature vegetation in the property's front and side yards.

The applicant is proposing a new two-storey dwelling requiring variances related to gross floor area, eave and building heights.



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*.

The Committee previously deferred the application on September 1, 2022. Staff noted concerns with the proposed gross floor area and overall massing being sought. The applicant has revised their proposal by reducing the gross floor area from 600.95m² (6468.57ft²) to 540.70m² (5820.05ft²), and eave height from 7.11m (24.61ft) to 6.95m (22.80ft). The applicant has also removed variances for lot coverage, side yard setbacks and a window well encroachment. The variance request for maximum height remains the same as was previously requested.

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

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

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached, and duplex dwellings. As per Section 16.18.1.1 (Infill Housing) of the Mineola Neighbourhood Character policies, 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 with respect to 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 and will not negatively impact the character of the streetscape. Staff are 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?

Variances #1, 2 and 3 relate to gross floor area, eave height and overall dwelling height. 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 a variety of architectural materials and design features that visually breaks up the massing of the dwelling, such as multiple gables and a staggered façade. The combination of these features help to minimize the overall massing impact in relation to the streetscape and neighbouring properties. Further, 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.

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

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

The proposed dwelling maintains the existing and planned context of the surrounding area and does not pose any negative impact to the neighbourhood. Furthermore, the dwelling's staggered façade and architectural features breaks up the overall massing of the dwelling stemming from the increased gross floor area, eave and building heights. As a result, the proposed dwelling maintains compatibility with newer two storey dwellings in the neighbourhood. Staff is of the opinion that the application represents appropriate development of the lands and is minor in nature.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan Infill application under file SPI 22-49. 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: Maria Fernandez, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A427.22
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 4424 Guildwood Way, zoned R4 - 20 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a below grade entrance proposing:

1. A reduced side yard setback of 0.97m (approx. 3.18ft) whereas By-law 0225-2007, as amended, requires a side yard setback of 1.2m (approx. 3.94ft) in this instance;
2. A reduced rear yard setback to a shed of 3.04m (approx. 9.97ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback to a shed of 7.5m (approx. 24.61ft) in this instance; and,
3. A gross floor area of 321.50sq m (approx. 3460.60sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 321.45sq m (approx. 3460.06sq ft) in this instance.

The Committee has set **Thursday, February 2, 2023 at 3:00 PM** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. 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: 2023-01-25	File(s): A427.22
To: Committee of Adjustment	Ward: 4
From: Committee of Adjustment Coordinator	Meeting date:2023-02-02 3:00:00 PM

Consolidated Recommendation

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

Application Details

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

1. A reduced side yard setback of 0.97m (approx. 3.18ft) whereas By-law 0225-2007, as amended, requires a side yard setback of 1.2m (approx. 3.94ft) in this instance;
2. A reduced rear yard setback to a shed of 3.04m (approx. 9.97ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback to a shed of 7.5m (approx. 24.61ft) in this instance; and,
3. A gross floor area of 321.50sq m (approx. 3460.60sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 321.45sq m (approx. 3460.06sq ft) in this instance.

Amendments

Based on review of the information currently available in this permit application, we advise that variance # 1 should be amended as follows:

1. An interior side yard setback of 0.97m (approx. 3.18ft) to a below grade stairwell, whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.2m (approx. 3.94ft) to a below grade stairwell, in this instance

It appears that a minor variance may be required for the driveway width.

Background

Property Address: 4424 Guildwood Way

Mississauga Official Plan

Character Area: Hurontario Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

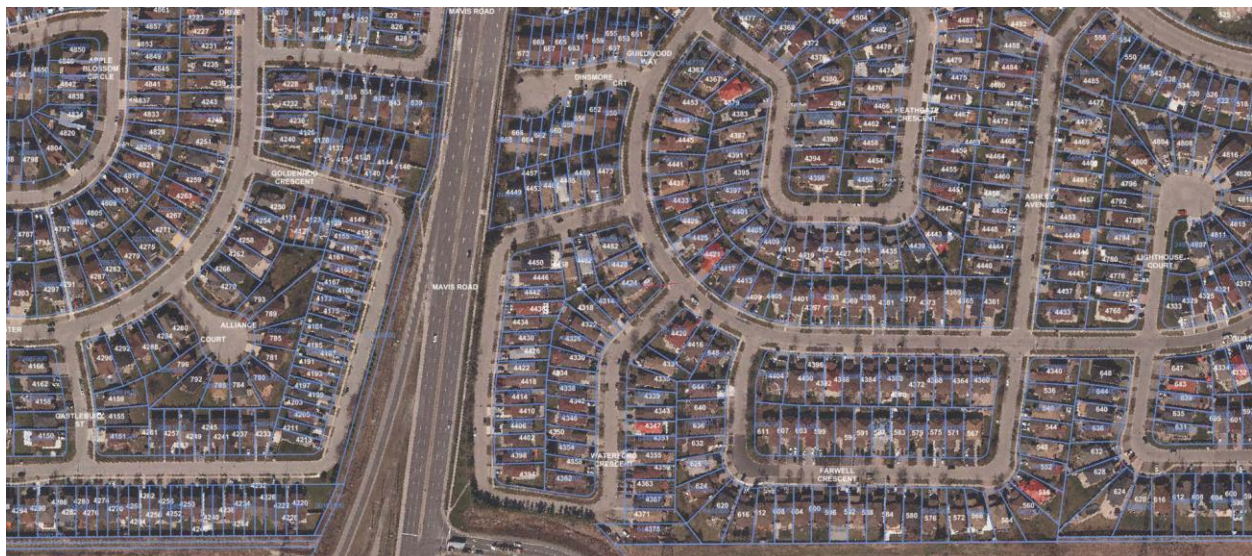
Zoning: R4 - 20 - Residential

Other Applications: SEC UNIT 21-7085

Site and Area Context

The subject property is located north-east of the Mavis Road and highway 403 interchange in the Hurontario neighbourhood. It currently contains a two-storey detached dwelling with an attached garage and has a lot area of +/- 714.35m² (7,689.20ft²). Limited landscaping and vegetative elements are present in both the front and exterior side yards. The surrounding area context is exclusively residential, consisting of detached and townhouse dwellings.

The applicant is proposing a below grade entrance and rear yard shed requiring variances for side yard setback, rear yard setback, 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 Hurontario Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area.

The subject application was previously before the Committee at the October 6, 2022 hearing. Staff understand, via an email from the agent, that the application remains unchanged from its original form. Planning staff's comments from the previous hearing therefore remain unchanged.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's information are some photos which depict the subject property. We note that the submitted Site Plan does not depict the existing structure which currently exists within the side yard in close proximity to the proposed below grade entrance . The existing structure has a very minimal setback to the property line.

Should the existing structure within the side yard be removed and replaced with the basement entrance with a reduced setback of 0.97M (approx. 3.18ft) setback, then the approved drainage pattern for this property can be maintained and would not be impacted. Should the existing structure remain then drainage would more than likely impact on the abutting property.

With regards to variance #2, we have no drainage related concerns as a 3.04M (approx. 9.97ft) setback would be more than adequate to provide for drainage.

As evident in the attached photos we also note that the existing driveway does not meet the maximum width permitted and question what is being proposed to address this. The driveway has been expanded significantly within the municipal boulevard area and a significant area must be re-instated with topsoil and sod.









Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file SEC UNIT 21-7085. Based on review of the information currently available in this permit application, we advise that variance # 1 should be amended as follows:

1. An interior side yard setback of 0.97m (approx. 3.18ft) to a below grade stairwell, whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.2m (approx. 3.94ft) to a below grade stairwell, in this instance

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

Lastly, it appears that a minor variance may be required for the driveway width.

Please note that comments reflect those provided through the above permit application and should there be any changes contained within this Committee of Adjustment application that

have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Brandon Eidner, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A430.22
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 1235 Whittington Road, 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 of 360.08 sq.m (approx. 3875.87 sq.ft) whereas By-law 0225-2007, as amended, permits a gross floor area of 340.76sq.m (approx. 3667 sq.ft) in this instance;
2. A combined side yard width of 4.86m (approx. 15.94ft) whereas By-law 0225-2007, as amended, requires a minimum side yard width of 5.35m (approx. 17.55ft) in this instance;
3. A flat roof height of 7.77m (approx. 25.49ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof height of 7.5m (approx. 24.60ft) in this instance; and,
4. A lot coverage of 34.4% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 33% in this instance.

The Committee has set **Thursday, February 2, 2023 at 3:00 PM** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. 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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Legal notice:

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City of Mississauga Department Comments

Date Finalized: 2023-01-25	File(s): A430.22
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2023-02-02 3:00:00 PM

Consolidated Recommendation

The City has no objections to the minor variance application, as amended. The applicant may wish to defer the application to ensure the requested variances are correct.

Application Details

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

1. A gross floor area of 360.08 sq.m (approx. 3875.87 sq.ft) whereas By-law 0225-2007, as amended, permits a gross floor area of 340.76sq.m (approx. 3667 sq.ft) in this instance;
2. A combined side yard width of 4.86m (approx. 15.94ft) whereas By-law 0225-2007, as amended, requires a minimum side yard width of 5.35m (approx. 17.55ft) in this instance;
3. A flat roof height of 7.77m (approx. 25.49ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof height of 7.5m (approx. 24.60ft) in this instance; and,
4. A lot coverage of 34.4% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 33% in this instance.

Amendments

While Planning Staff are not in a position to provide an interpretation of the Zoning By-law; staff would note variances #1 and 4 should be amended as follows:

1. A gross floor area – infill residential of 360.08 sq.m (approx. 3875.87 sq.ft) whereas By-law 0225-2007, as amended, permits a gross floor area – infill residential of 340.76sq.m (approx. 3667 sq.ft) in this instance;
4. A lot coverage of 34.42% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 33% in this instance.

Background

Property Address: 1235 Whittington Road

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: SPI 22-43, PAM 22-75

Site and Area Context

The subject property is located north-west of the Clarkson Road North and Balsam Avenue intersection in the Clarkson neighbourhood. It currently contains a single storey detached dwelling with an attached garage. The property has an approximate lot frontage of +/- 19.81m (64.99ft) and an approximate lot area of +/- 754.39m² (8,120.19ft²), which are characteristic of the lots in the surrounding context. Limited landscaping and vegetative elements are present in both the front and rear yards. The surrounding context is exclusively residential, consisting predominantly of single storey detached dwellings, however two-storey detached dwellings are also present.

The applicant is proposing to construct an addition to an existing residential detached dwelling requiring variances for gross floor area, lot coverage, combined side yard width and flat roof height



Comments

Planning

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

The Committee previously deferred the application on October 27, 2022. Staff noted concerns with the proposed gross floor area and side yard setback reductions. The applicant has revised their proposal by reducing the gross floor area from 375.50m² (4041.85ft²) to 360.08m² (3875.87ft²), lot coverage from 35% to 34.42%, and by increasing the combined side yard width from 4.56m (14.96ft) to 4.86m (15.94ft), respectively. The applicant has removed variances for interior side yard setbacks to the second storey and eave overhang from the proposal. The variance request for maximum height of a flat roof remains as previously requested.

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 II in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached, duplexes, triplexes, street townhouses and other forms of low-rise dwellings with individual frontages. The proposed detached dwelling respects the designated land use and has regard for the distribution of massing on the property as a whole and will not negatively impact the character of the streetscape. Staff are of the opinion that the general intent and purpose of the MOP is maintained.

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

Variances #1 and 3 propose an increased gross floor area (GFA) and overall dwelling height. The intent of the infill regulations regarding GFA and height is to maintain compatibility between existing and new dwellings, while also lessening the visual massing of the dwelling and bringing the edge of the roof closer to the ground. This gives the dwelling a more human scale. The proposed dwelling incorporates a variety of architectural materials and design features that visually breaks up the massing of the dwelling, such as multiple roofs with varying heights along with a staggered façade that incorporates a mix of material, such as stone, stucco, wood trim and ironwork. The combination of these features help to minimize the overall massing of the dwelling in relation to the streetscape and neighbouring properties.

Variance #2 relates to combined side yard width. The general intent of this portion of the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties, and that access to the rear yard ultimately remains unencumbered. Staff have no concerns with the variance as the proposed side yard setbacks provide an adequate buffer between the massing of the dwelling and adjacent properties, and maintain appropriate rear yard access.

Variance #4 relates to lot coverage. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot which would impact the streetscape as well as abutting properties. Staff note that the dwelling itself covers 26.83% of the lot with the remainder of the coverage being attributed to a front porch (1.07%), rear uncovered deck (5.21%) and gazebo (1.31%). The dwelling itself is below the maximum 33% permitted. The additional coverage is only related to the front porch, rear uncovered deck and gazebo which do not pose significant massing concerns. Staff are of the opinion that the proposal is appropriate for both the lot and surrounding context.

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

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

The proposed dwelling maintains the existing and planned context of the surrounding area and does not pose any negative impact to the neighbourhood. Furthermore, the dwelling's staggered façade and architectural features breaks up the overall massing of the dwelling as a result of the increased gross floor area and building height. The proposed detached dwelling respects the designated land use, and has regard for the distribution of massing over the property as a whole and will not negatively impact the character of the streetscape. Staff are of the opinion that the application represents appropriate development of the lands and is minor in 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 by our Development Construction Section through the future Building Permit process.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan Infill application under file SPI 22-43. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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

Comments Prepared by: Brandon Eidner, Zoning Examiner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A555.22
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 124 Vista Blvd, 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 gross floor area of 448.38sq m (approx. 4826.32sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 372.67sq m (approx. 4011.39sq ft) in this instance; and,
2. An eaves height of 7.83m (approx. 25.69ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance.

The Committee has set **Thursday, February 2, 2023 at 3:00 PM** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. 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 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 or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and application number or address of the property you are providing comments on.

Advance registration is required to participate in the electronic hearing:

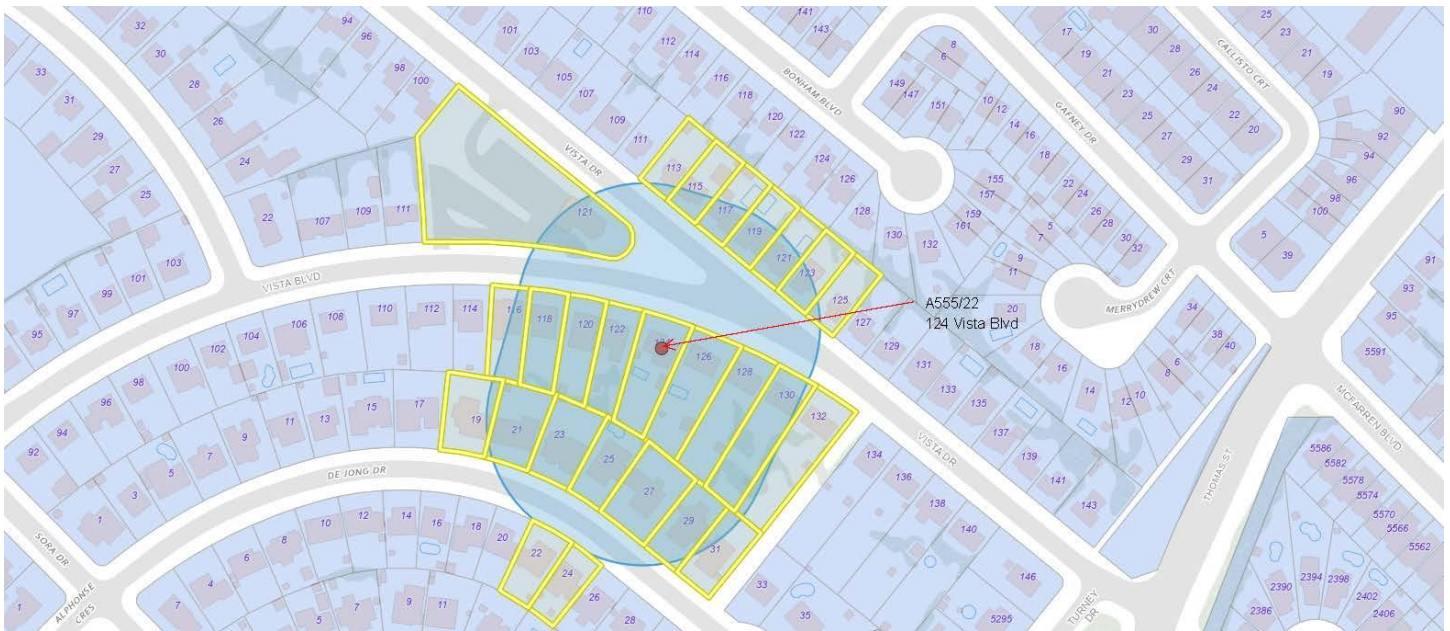
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Friday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services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

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

Legal notice:

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

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



City of Mississauga Department Comments

Date Finalized: 2023-01-25	File(s): A555.22 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-02-02 3:00:00 PM

Consolidated Recommendation

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

Application Details

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

1. A gross floor area of 448.38sq m (approx. 4826.32sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 372.67sq m (approx. 4011.39sq ft) in this instance; and,
2. An eaves height of 7.83m (approx. 25.69ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance.

Background

Property Address: 124 Vista Blvd

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 north-east of the Erin Mills Parkway and Thomas Street intersection in Streetsville. It currently contains a side split detached dwelling with limited landscaping and vegetation in both the front and rear yards. The property has a lot area of +/- 1,113.36m² (11,984ft²). The surrounding context is primarily residential, consisting of detached dwellings on lots generally smaller than the subject property. The Streetsville Baptist Church is located across the street from the property.

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



Comments

Planning

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

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

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

The subject property is located in the Streetsville Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan. 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. Planning staff are satisfied that the built form is appropriate for the subject property and will not negatively impact the streetscape. Staff are therefore of the opinion that the application maintains the general intent and purpose of the official plan.

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

Variance 1 requests an increase in gross floor area. The intent in restricting gross floor area is to maintain compatibility between existing and new dwellings and ensuring that the existing and planned character of a neighbourhood is preserved. Staff note that the subject property is one of the largest in the surrounding area and can accommodate a larger dwelling. Furthermore the dwelling appropriately aligns with the dwellings to both the north and the south and meets all required setbacks. Staff are satisfied that the footprint and massing of the dwelling are appropriate for the subject property and will not negatively impact the character of the surrounding area. Staff are therefore of the opinion that the gross floor area represents an appropriate balance between the existing and planned character of the area in this instance.

Variance 2 relates to the eave height of the structure. The intent of restricting height to the eaves is to lessen the visual massing of dwelling. By bringing the edge of the roof closer to the ground it will keep the dwelling within human scale. The property contains notable slopes towards both the north and the rear. As such, at the rear of the dwelling the "Average Grade" is located 1.85m below ground level at the dwelling, with a similar condition across the front of the dwelling. Given the grading of the subject property, staff are satisfied that the impacts of the increased eave height are limited and that the proposed height is appropriate in this instance.

Given the above, Planning staff are satisfied that the application maintains the general intent and purpose of the zoning by-law.

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

Planning staff are satisfied that the impacts of the variances, both individually and cumulatively, are minor in nature. Furthermore staff are of the opinion that the application proposes appropriate development of the subject property.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting 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