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## Committee of Adjustment

**Date:** March 23, 2023  
**Time:** 1:00 PM  
**Location:** Council Chambers, Civic Centre, 2nd Floor  
300 City Centre Drive, Mississauga, Ontario, L5B 3C1  
And Online Video Conference

### Members

Sebastian Patrizio (Chair)  
John Page  
Wajeeha Shahrukh  
George Carlson  
Timothy Rowan  
Ken Ellis  
Janice Robinson

### Contacts

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

Taranjeet Uppal, Committee of Adjustment Coordinator, Legislative Services  
905-615-3200 ext.3817  
[taranjeet.uppal@mississauga.ca](mailto:taranjeet.uppal@mississauga.ca)

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

### ***Send written submissions or request notification of future meetings to:***

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

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1. CALL TO ORDER
  2. DECLARATION OF CONFLICT OF INTEREST
  3. DEFERRALS OR WITHDRAWALS
  4. MATTERS TO BE CONSIDERED
    - 4.1 B92.22, A36.22, A37.22  
7550 and 7570 Torbram Rd (Ward 5)
    - 4.2 B2.23, A13.23, A14.23  
681 Sir Richard's Rd (Ward 7)
    - 4.3 A332.22  
3211 Etude Dr (Ward 5)
    - 4.4 A626.22  
30 Central Parkway W (Ward 7)
    - 4.5 A758.22  
5145 Dixie Road (Ward 5)
    - 4.6 A768.22  
7526 Redstone Road (Ward 5)
    - 4.7 A769.22  
1228 Kane Road (Ward 2)
    - 4.8 A774.22  
11 Oakwood Ave S (Ward 1)
    - 4.9 A20.23  
5285 Naskapi Crt (Ward 5)
    - 4.10 A28.23  
1460 Spring Road (Ward 2)
    - 4.11 A35.23  
5459 Bullrush Drive (Ward 6)
    - 4.12 A38.23  
3692 Morning Star Dr (Ward 5)

- 4.13        A44.23  
             8 Wareham Drive (Ward 11)
- 4.14        A53.23  
             265 Courtneypark Dr E (Ward 5)
- 4.15        A480.22  
             1262 Canvey Cres (Ward 2)
- 5.         **OTHER BUSINESS**
- 6.         **ADJOURNMENT**



## COMMITTEE OF ADJUSTMENT NOTICE OF APPLICATION

File: B92.22, A36.22 & A37.22

Ward: 5

### In Person and Virtual Public Hearing

#### 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 7550 and 7570 Torbram Rd, zoned E3 - Employment, 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 approximately 165.14m (approx. 541.80ft) and an area of approximately 15,959.48sq m (171,786.41sq ft).

The applicant requests a minor variance for the severed lands of B92/22 proposing:

1. An interior side yard setback of 6.71m (approx. 22.01ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 7.50m (approx. 24.61ft) in this instance; and,
2. 2 accessible parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 3 accessible parking spaces in this instance.

The applicant requests a minor variance for the retained lands of B92/22 proposing:

1. An interior side yard setback of 6.77m (approx. 22.21ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 7.50m (approx. 24.61ft) in this instance;
2. 62 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 94 parking spaces in this instance;
3. A southern landscape buffer of 0.46m (approx. 1.51ft) whereas By-law 0225-2007, as amended, requires a landscape buffer of 4.50m (approx. 14.76ft) in this instance;
4. A western landscape buffer of 3.04m (approx. 9.97ft) whereas By-law 0225-2007, as amended, requires a landscape buffer of 4.50m (approx. 14.76ft) in this instance;
5. A southern landscape buffer of 3.10m (approx. 10.17ft) whereas By-law 0225-2007, as amended, requires a landscape buffer of 4.50m (approx. 14.76ft) in this instance; and,
6. A southern landscape buffer of 3.50m (approx. 11.48ft) whereas By-law 0225-2007, as amended, requires a landscape buffer of 4.50m (approx. 14.76ft) in this instance.

The Committee has set **Thursday, March 23, 2023 at 1:00 PM** for the public hearing on this matter. The hearing will begin promptly at the noted start time and all items on the agenda will be heard in the order shown.

#### In Person Hearing:

This hearing will be held in person at Mississauga Civic Centre, Council Chambers, 300 City Centre Drive, 2nd Floor. If you wish to speak at the hearing regarding this matter, please note the following:

- Advance registration is preferred to speak at the hearing in person. Please email [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) by 4:30 p.m. on the Friday prior to the meeting.
- If you intend to make a presentation you must choose one of the following options:
  1. Provide a copy of your electronic presentation in .pdf or PowerPoint format to [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) by 4:30 on the Friday prior to the meeting **OR**
  2. Bring your presentation material in paper copy or on your laptop or tablet so it can be projected using our Document Camera.



## Virtual Hearing:

- **To participate electronically (computer, tablet or smartphone):** Advance registration is required to speak at the virtual hearing. If you intend to make a presentation at the virtual hearing you must send your request to speak and your presentation material (as an attachment) via email to [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) no later than 4:30 p.m. on the Friday prior to the hearing.
- **To participate by telephone:** Advance registration is required to speak in the virtual hearing. To register, please call 905-615-3200 x2408 no later than 4:30 p.m. on the Friday prior to the hearing. You must provide your name, phone number, and the application file number. Committee staff will provide you with further details prior to the start of the hearing.
- **If you wish to view the public hearing online please use the following link:**  
<http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>

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

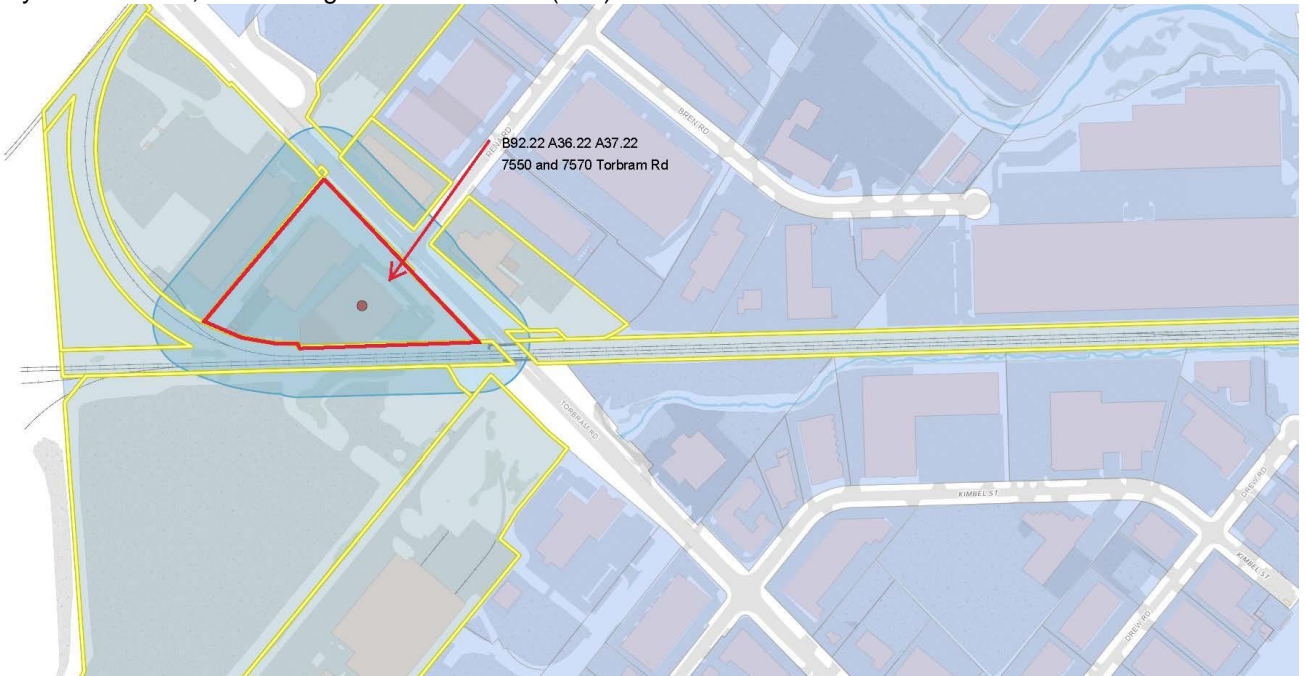
Written comments to the Committee must be received no later than 4:30 p.m. on the Friday prior to the hearing. Submissions are accepted by email at [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) or by mailing the Committee of Adjustment, 300 City Centre Drive 2<sup>nd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

**Additional Information:**

- You can get more information on this matter by emailing [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) or calling 905-615-3200 x2408.
- You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>.
- If you wish to be notified of the decision of the Committee, you must submit a written request to [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca). This will also entitle you to be advised of an appeal to the Ontario Land Tribunal.

### Legal notice:

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: 2023-03-15	File(s): B92.22, A36.22 & A37.22
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date: 2023-03-23 1:00:00 PM

## Consolidated Recommendation

The City recommends that the application be deferred.

## 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 approximately 165.14m (approx. 541.80ft) and an area of approximately 15,959.48sq m (171,786.41sq ft).

The applicant requests a minor variance for the severed lands of B92/22 proposing:

1. An interior side yard setback of 6.77m (approx. 22.21ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 7.50m (approx. 24.61ft) in this instance;
2. 62 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 94 parking spaces in this instance;
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4. A western landscape buffer of 3.04m (approx. 9.97ft) whereas By-law 0225-2007, as amended, requires a landscape buffer of 4.50m (approx. 14.76ft) in this instance;
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6. A southern landscape buffer of 3.50m (approx. 11.48ft) whereas By-law 0225-2007, as amended, requires a landscape buffer of 4.50m (approx. 14.76ft) in this instance.

The applicant requests a minor variance for the retained lands of B92/22 proposing:

1. An interior side yard setback of 6.71m (approx. 22.01ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 7.50m (approx. 24.61ft) in this instance; and,
2. 2 accessible parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 3 accessible parking spaces in this instance.

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

- Appendix A – Conditions of Provisional Consent
- The variance application approved under File(s) A36/23 & A37/23 must be finalized

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

- Variance(s) approved under file(s) A36/23 & A37/23 shall lapse if the consent application under file B92/22 is not finalized within the time prescribed by legislation.

**Background**

**Property Address:** 7550 and 7570 Torbram Rd

**Mississauga Official Plan**

Character Area: Northeast Employment Area  
Designation: Industrial

**Zoning By-law 0225-2007**

**Zoning:** E3 - Employment

**Other Applications:** PREAPP 22-4880

**Site and Area Context**

The subject property is located on the west side of the Torbram Road and Rena Road intersection. It currently contains two single storey industrial buildings with an associated surface parking lot. Limited landscaping and vegetative elements are present on the subject property, adjacent to a small creek that runs adjacent to the northerly and easterly property lines. The property is bordered to the south and west by train tracks. The surrounding area context is exclusively industrial, consisting of low rise industrial buildings with surface parking lots on lots of varying sizes.

The applicant is proposing to sever the existing lot into two requiring variances for side yard setbacks, landscaped buffers, and parking.



## Comments

### Planning

#### 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.

#### 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*.

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

The applicant is proposing to sever the existing lot into two properties, with lot areas of 1.60ha (3.95ac) and 1.77ha (4.37ac) and lot frontages of 165.14m (542ft) and 96.74m (317ft).

The subject property is located in the Northeast Employment Area and is designated Industrial in Schedule 10 of the Mississauga Official Plan. This designation permits a variety of

employment and commercial uses. Staff are satisfied that the proposed lots are appropriate to facilitate uses envisioned in the official plan and are of the opinion that the severance meets the requirements of Section 51(24) of the Planning Act.

In addition to the proposed consent, the applicant is proposing variances for both the proposed severed and retained parcels, including a variance for parking on the severed lands. The intent of the zoning by-law in quantifying the required number of parking spaces is to ensure that each lot is self-sufficient in providing adequate parking accommodations based upon its intended use. Section 8.4 of the official plan contemplates potential reductions in parking requirements and alternative parking arrangements in appropriate situations. Municipal Parking staff have reviewed the variance request and note as follows:

With respect to Committee of Adjustment application 'B' 92/22, 'A' 36/22, 'A' 37/22 located at address 7550 and 7570 Torbram Rd., the applicant is requesting to allow on the severed lands of 'B' 92/22:

- 62 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 94 parking spaces in this instance.

The proposed parking is at a 34% deficiency from the City's requirements as stipulated within Zoning By-law 0225-2007. As per the City's parking Terms of Reference, the City requires the submission of a Parking Utilization Study (PUS) to justify reductions more than 10% from current Zoning By-law standards. A PUS was not submitted, and without proper justification, staff have concerns with the large proposed reduction.

#### Staff Comments

Staff recommend the application be deferred, pending the submission of a satisfactory Parking Utilization Study (PUS).

- Staff advise that a satisfactory Parking Utilization Study is required to be submitted.
  - Please refer to the City's Parking Terms of Reference for parking justification requirements to be included with a formal submission.
  - The consultant should confirm the survey methodology with staff prior to conducting parking surveys. Details can also be found in the above hyperlink, under the City's Parking Terms of Reference.

Planning staff are in agreement with the comments provided by Municipal Parking and are therefore unable to support the proposed consent at this time. Planning staff therefore recommend that the application be deferred until the requested information can be submitted to and reviewed by Municipal Parking.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

This department has no objections to the applicant's request to create a new lot. We note from our review and site inspection of this property that servicing and ingress/egress access easements will be required.

The applicant has provided no information with regards to the required easements with the exception of some notes referring to "Proposed Servicing Easement" and "Proposed Vehicular & Servicing Easement" which have been depicted on the Surveyor's Sketch submitted with the application.

In view of the above and should Committee see merit in the applicant's request, we are providing the following conditions/requirements to be imposed as conditions of approval:

#### A. Items Required Prior to the Issuance of Final Consent

##### 1. Servicing Plan

A Servicing Plan is to be submitted for our review/approval which would clearly identify the location of any existing underground services to both the existing industrial buildings located on this property. Upon the review of the Servicing Plan the location and width of any required easements can be addressed.

##### 2. Draft 43R-Plan Requirement

A Draft 43R-Plan will be required for our review/approval in order that the location and width of any proposed servicing and access right-of-way easements to be established can accurately be described as parts on the Draft 43R-Plan.

##### 3. Required Easement(s)

Upon the review of Item's A1 and A2, and the confirmation of the required easement(s), the applicant/owner will be required to provide a letter/schedule prepared by the applicant's Solicitor which would specifically describe the new private easement(s) to be established. It should also be noted that any documentation received will be forwarded as an attachment with our clearance memo to the Committee of Adjustment Office in order that any new proposed private easement(s) can be identified and also be incorporated into the Certificate of Secretary-Treasurer.



#### 4. 0.3m Reserve Requirement on Torbram Road

The applicant will be required to make the appropriate arrangements to establish a 0.3m Reserve along the Torbram Road frontage of these lands. The applicant's surveyor is to prepare and submit the Draft 43R-Plan illustrating the required dedication. Following this approval, the applicant's surveyor is to deposit the accepted 43R-Plan and forward a copy of the registered plan to the City's Legal Services Section to finalize the process.

Should additional clarification or information be required with regard to the 0.3m Reserve, please contact Michael Turco at 905 615-3200 ext. 3597 or [michael.turco@mississauga.ca](mailto:michael.turco@mississauga.ca).

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

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

### **B. General Information**

#### 1. Site Plan Approval

Any re-development of the subject lands will require the owner obtaining Site Plan Approval where any site specific conditions/requirements relating to detailed lot grading and drainage, servicing, access, etc. can be addressed.

#### 2. Storm Sewer Outlet

The applicant is advised that the storm sewer outlet for the subject lands is the existing 825mm diameter storm sewer on Torbram Road.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

### **Appendix 2 – Zoning Comments**

The Building Department is currently processing a Preliminary Zoning Review Application under file PREAPP 22-4880. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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

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

Comments Prepared by: Alana Zheng, Zoning Examiner

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

The Park Planning Section of the Community Services Department has reviewed the consent application and wishes to impose the following condition(s):

1. The applicant shall provide a cash contribution of \$16,102.25 for the planting of twenty-five (25) street trees on Torbam Road. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.

In addition, Community Services notes the following:

1. 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 payment process.
2. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, c.P. 13, as amended) and in accordance with the City's policies and by-laws.

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

Comments Prepared by: Nicholas Rocchetti, Park Planning Assistant

### **Appendix 4 – Region of Peel**

#### **Consent and Minor Variance Applications: B-92/22, A-36/22, A-37/22 – 7550 & 7570 Torbram Road**

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

#### **Comments:**

- There is a Regional easement on the subject property. Please be advised that unauthorized encroachments on Regional easements will not be permitted. Certain restrictions apply with respect to Regional easements as per the documents registered on title.
- Please note that severing the lands may adversely affect the existing location of the water and sanitary sewer services, if any exist. The result of this may require the applicant to install new water / sanitary servicing connections to either the severed or retained lands in



compliance with the Ontario Building Code. The applicant may require the creation of private water / sanitary sewer servicing easements.

**Condition:**

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

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

**Comment:**

- Please be advised that the subject property is located within the limits of the regulated area of the Toronto and Region Conservation Authority (TRCA). Regional Planning staff therefore, request that the Committee and City staff consider comments from the TRCA and incorporate their conditions of approval appropriately.

Comments Prepared by: Patrycia Menko, Junior Planner

**Appendix 5- Metrolinx**7550 and 7570 Torbram Rd

Metrolinx is in receipt of the consent application for 7550 and 7570 Torbram Rd to facilitate the severance of the land for the creation of a new lot with existing industrial buildings to remain. Metrolinx's comments on the subject application are noted below:

- The subject property is located immediately adjacent to 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](mailto:Derek.Brunelle@Metrolinx.com) with questions and to initiate the registration process. (It should be noted that the registration process can take up to 6 weeks).
- The Proponent shall provide confirmation to Metrolinx, that the following warning clause has been inserted into all Development Agreements, Offers to Purchase, and Agreements of Purchase and Sale or Lease of each dwelling unit within 300 metres of the Railway Corridor
  - **Warning:** Metrolinx and its assigns and successors in interest has or have a right-of-way within 300 metres from the subject land. 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.

- In accordance with the Railway Safety Act and Transport Canada Guidelines, storage of certain hazardous materials near railway corridors is subject to setback regulations. Metrolinx will require the proponent to acknowledge if the storage of hazardous material is being proposed and, if so, that proper Transport Canada regulations are being applied. The below links are provided as reference:
  - [Anhydrous Ammonia Bulk Storage Regulations \(No. 0-33\)](#)
  - [Ammonium Nitrate Storage Facilities Regulations \(No. 0-36\)](#)
  - [Flammable Liquids Bulk Storage Regulations \(No. 0-32\)](#)
  - [Liquefied Petroleum Gases Bulk Storage Regulations \(No. 0-31\)](#)
- Please be advised that should the subject property undergo any future re-development, Metrolinx will need to be circulated any future development applications/plans for review and the development will be subject to Metrolinx guidelines for Adjacent Developments in Proximity of Principal Main Line Tracks. Please refer to the Adjacent Development Guidelines for more information:  
[https://assets.metrolinx.com/image/upload/v1678378450/Images/Metrolinx/Adjacent\\_Development\\_Guidelines\\_EN\\_Version\\_5\\_0\\_February\\_2023.pdf](https://assets.metrolinx.com/image/upload/v1678378450/Images/Metrolinx/Adjacent_Development_Guidelines_EN_Version_5_0_February_2023.pdf) . Future development may be subject to, but not limited to, the requirements for a drainage report, noise and vibration report (should there be high occupancy uses), and a rail safety report prepared by a qualified consultant and shall be submitted for review and satisfaction of Metrolinx and our Technical Advisor. The Owner may be required to enter into an “Adjacent Development Agreement” with Metrolinx stipulating how applicable concerns will be addressed as it relates to rail safety requirements.
- Please ensure that Metrolinx is circulated on any future development proposal at this subject site.

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

## Appendix A – CONDITIONS OF PROVISIONAL CONSENT

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

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

any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.

3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding. ("A" 36/22 and A36/22)
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated March 15, 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 March 15, 2023.
6. A letter shall be received from the Region of Peel, Development Services/Public Works, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated March 10, 2023.
7. A letter shall be received from Metrolinx indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated March 10, 2023.



## COMMITTEE OF ADJUSTMENT NOTICE OF APPLICATION

File: B2.23 A13.23 A14.23

Ward: 7

### In Person and Virtual Public Hearing

#### 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 681 Sir Richard's Rd, zoned R1-8 - Residential, has applied for Consent under Section 53 of the Planning Act. B2/23

The applicant requests the Consent of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 13.40m (approx. 43.96ft) and an area of approximately 908.275sq m (9776.59sq ft).

A13/23

The applicant requests a minor variance for the severed lands of B2/23 proposing:

1. A lot frontage of 13.40m (approx. 43.96ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 30.00m (approx. 98.43ft) in this instance and,
2. A lot area of 908.275sq m (9776.59sq ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 1400.00sq m (approx. 15069.47sq ft) in this instance.

A14/23

The applicant requests a minor variance for the retained lands of B2/23 proposing:

1. A lot frontage of 13.06m (approx. 42.85ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 30.00m (approx. 98.43ft) in this instance and,
2. A lot area of 908.275sq m (9776.59sq ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 1400.00sq m (approx. 15069.47sq ft) in this instance.

The Committee has set **Thursday, March 23, 2023 at 1:00 PM** for the public hearing on this matter. The hearing will begin promptly at the noted start time and all items on the agenda will be heard in the order shown.

#### In Person Hearing:

This meeting will be held in person at Mississauga Civic Centre, Council Chambers, 300 City Centre Drive, 2nd Floor. If you wish to speak at the hearing regarding this matter, please note the following:

- Advance registration is preferred to speak at the hearing in person. Please email [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) by 4:30 p.m. on the Friday prior to the meeting.
- If you intend to make a presentation you must choose one of the following options:
  1. Provide a copy of your electronic presentation in .pdf or PowerPoint format to [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) by 4:30 on the Friday prior to the meeting **OR**
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- **To participate electronically (computer, tablet or smartphone):** Advance registration is required to speak at the virtual hearing. If you intend to make a presentation at the virtual hearing you must send your request to speak and your presentation material (as an attachment) via email to [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) no later than 4:30 p.m. on the Friday prior to the hearing.
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provide your name, phone number, and the application file number. Committee staff will provide you with further details prior to the start of the hearing.

- **If you wish to view the public hearing online please use the following link:**

<http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>

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

### **Additional Information:**

- You can get more information on this matter by emailing [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) or calling 905-615-3200 x2408.
- You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>.
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### **Legal notice:**

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: 2023-03-15 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): B2.23 A13.23 A14.23 Ward: 7
	Meeting date:2023-03-23 1:00:00 PM

## Consolidated Recommendation

The City recommends that the application be refused.

## Application Details

### B2/23

The applicant requests the Consent of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 13.40m (approx. 43.96ft) and an area of approximately 908.275sq m (9776.59sq ft).

### A13/23

The applicant requests a minor variance for the severed lands of B2/23 proposing:

1. A lot frontage of 13.40m (approx. 43.96ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 30.00m (approx. 98.43ft) in this instance and,
2. A lot area of 908.275sq m (9776.59sq ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 1400.00sq m (approx. 15069.47sq ft) in this instance.

### A14/23

The applicant requests a minor variance for the retained lands of B2/23 proposing:

1. A lot frontage of 13.06m (approx. 42.85ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 30.00m (approx. 98.43ft) in this instance and,
2. A lot area of 908.275sq m (9776.59sq ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 1400.00sq m (approx. 15069.47sq ft) in this instance.

## Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent
- The variance application approved under File(s) A13/23 & A14/23 must be finalized

## Recommended Conditions and/or Terms of minor variance



- Variance(s) approved under file(s) A13/23 & A14/23 shall lapse if the consent application under file B2/23 is not finalized within the time prescribed by legislation.

## Background

**Property Address:** 681 Sir Richard's Rd

### Mississauga Official Plan

Character Area: Erindale Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

**Zoning:** R1-8 - Residential

**Other Applications:** PREAPP 22-3421

### Site and Area Context

The subject property is located south-west of the Queensway West and Stavebank Road intersection in the Erindale neighbourhood. It currently contains a two-storey detached dwelling with an attached garage. Mature vegetation is present in both the front and rear yards of the subject property. The surrounding context is exclusively residential, consisting of detached dwellings on large lots with mature vegetation.

The applicant is proposing to sever the existing lot into two lots, requiring variances for lot area and lot frontage.



## Comments

### Planning

#### 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.

#### 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*.

The applicant is proposing to sever two properties from the existing lot, with lot areas of 908.275m<sup>2</sup> (9,776.59ft<sup>2</sup>) and lot frontages of 13.40m (43.96ft) and 13.06m (42.85ft).

The subject property is located in the Erindale Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan. This designation only permits detached dwellings.

While Planning staff note that the proposed consent has regard for most of Section 51(24) of the Planning Act as it is appropriately serviced and is a suitable size for a residential use in general, staff are of the opinion that the proposed severances do not meet the criteria of 51(24)(c) of the Planning Act.

51(24)(c) states that the proposal shall have regard for conformity to the official plan and adjacent plans of subdivision. MOP Policies 9.2.2.3(a) & (f) state in part that while new development does not need to mirror existing development, new development should respect existing lotting patterns and preserve mature, high quality trees. Furthermore the subject property forms part of Special Site 2 within the Erindale Neighbourhood policies of the MOP, under Section 16.9.2.2. Section 16.9.2.2.2 lays out additional policies for this area, including preserving generous setbacks and reducing hard surface areas in front yards. Planning staff are concerned that the proposal would impact multiple mature trees on the property, contrary to the policies of the official plan. The proposal would also bring additional hardscaping to the area with the requirement for two driveways and would significantly reduce the existing side yard setbacks. Staff further note that the lots would be amongst the smallest in the immediate neighbourhood, which does not respect existing lotting patterns.



Planning staff are therefore of the opinion that the severance does not meet the requirements of 51(24)(c) of the Planning Act.

Variances 1 & 2 in both applications request reductions in lot area and lot frontage for both proposed lots. The intent of these provisions in the zoning by-law are to ensure that new lots are appropriately sized and fit within the context of the surrounding area. Planning staff are of the opinion that the lots do not fit appropriately into the character of the surrounding area and are not complementary to the existing lot fabric. The proposed variances would facilitate the creation of two of the smallest lots in the area which would impact the streetscape and the character of the larger area.

Given the above Planning staff are of the opinion that the minor variance applications do not maintain the general intent and purpose of either the official plan or zoning by-law, are not minor in nature, and do not represent appropriate development of the subject property.

Comments Prepared by: Alexander Davies, 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.

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

##### 2. Municipal Address Requirement

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

##### 3. Conceptual Site Plan Depicting Proposed Access Locations

A conceptual Site Plan depicting the proposed driveway locations for the proposed lots is to be provided for our review/approval. The Plan is to demonstrate that two access locations can adequately be provided on this property and still ensuring that adequate sight visibility and vehicle manoeuvrability for any vehicles entering and exiting the driveway(s) can be provided.

Our concern is with regards to any new proposed westerly access location. This property has a pie shaped lot which has a narrower frontage which creates a limited area to provide for two access locations. From our site inspection we note that there is a hydro pole at the westerly limits of the property which may have to be relocated. The hydro pole may not conflict with any future access, however there are existing guy wires which may require relocation (if possible without relocating the hydro pole). In this regard and upon the submission of a Conceptual Site Plan depicting the proposed access locations, it can be determined if any modifications will be

required and if so then the applicant will be required to provide confirmation that arrangements have been made the appropriate utility with regards to same.

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

## **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 will be required to apply for Access Modification Permits prior to Site Plan Approval and/or Building Permit Issuance. We advise the applicant that all costs incurred in providing any new driveway entrance(s) to the subject lands or any modifications/reinstatement required, would be at cost to the owner. Driveway accesses shall maintain a 1.5m setback from aboveground features such as utilities and trees. We are also noting that should any utilities need to be relocated, all costs incurred will also be to the owner.

### **4. Storm Sewer Outlet**

The storm sewer outlet for this site is the existing 375mm storm sewer on Sir Richard's Road. The applicant is encouraged to design the basement elevation 1 metre above the obvert of the storm sewer on the street to eliminate the need for a sump pump.

Please note that in cases of a high groundwater table where a sump pump could run continuously if a sump pump was implemented, the applicants should consider raising the basement elevation to be at least 1.0 meter 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.

For further information please contact Walter Copping at (905) 615-3200 ext. 5831.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

The Building Department processed a preliminary zoning review application under file PREAPP 22-3421. 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 submitted on 09/19/2022 and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Please note that prior to land division zoning clearance being issued the severed and retained lands must 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. Information on how to obtain a land division clearance letter can be found [here](#).

Comments Prepared by: Jeanine Benitez, Zoning Examiner

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

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

The lands adjacent to the property are owned by the Province of Ontario, leased by the City of Mississauga, identified as Not Yet Named (P-361) \*(Queensway Trail) and zoned U – Utility.

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

1. The applicant shall provide a cash contribution of \$644.09 for the planting of one (1) street tree on Sir Richard's Road. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.

In addition, Community Services notes the following:

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.
4. 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 payment process.
5. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, c.P. 13, as amended) and in accordance with the City's policies and by-laws.

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

Comments Prepared by: Nicholas Rocchetti, Park Planning Assistant

#### **Appendix 4 – Region of Peel**

##### **Consent and Minor Variance Applications: B-2/23, A-13/23, A-14/23 – 681 Sir Richard's Road**

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

##### **Comments:**

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

- All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel design specifications. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email [atsiteplanservicing@peelregion.ca](mailto:atsiteplanservicing@peelregion.ca).
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca).

**Condition:**

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

Comments Prepared by: Patrycia Menko, Junior Planner

**Appendix 5 – Hydro One**

Please be advised that Hydro One Networks Inc. (“HONI”) has completed a preliminary review of the above noted consent to sever application. As the subject property is abutting and/or bisected by a HONI high voltage transmission corridor (the “transmission corridor”), HONI has no objection in principle to the proposed severance, provided HONI’s easement rights are protected and maintained.

Please be advised that any placement of permanent structures, facilities or landscaping within the transmission corridor is prohibited without the prior written approval of HONI.

If in the future the owner proceeds with a site plan, plan of subdivision and/or plan of condominium application, the owner must make arrangements satisfactory to HONI for lot grading and drainage, and any proposed uses on the transmission corridor. The costs of any relocations or revisions to HONI facilities which are necessary to accommodate this proposal will become the responsibility of the developer.

Our preliminary review only considers issues affecting HONI’s transmission facilities and transmission corridor lands. For any proposals affecting distribution facilities (low voltage), the developer should consult the local distribution supplier.

If you have any questions, please contact me at [dennis.derango@hydroone.com](mailto:dennis.derango@hydroone.com) or at 905-946-6237.

Comments Prepared by: Dennis De Rango, Specialized Services Team Lead

**Appendix A – CONDITIONS OF PROVISIONAL CONSENT**

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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding. ("A" 13-14/23)
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 March 15, 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 March 15, 2023.
6. A letter shall be received from the Region of Peel, Development Services/Public Works, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated March 10, 2023.



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A332.22  
Ward: 5

### In Person and Virtual Public Hearing

#### 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 3211 Etude Dr, zoned R3-69 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing a lot coverage of 34.63% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance.

The Committee has set **Thursday, March 23, 2023 at 1:00 PM** for the public hearing on this matter. The hearing will begin promptly at the noted start time and all items on the agenda will be heard in the order shown.

#### In Person Hearing:

This hearing will be held in person at Mississauga Civic Centre, Council Chambers, 300 City Centre Drive, 2nd Floor. If you wish to speak at the hearing regarding this matter, please note the following:

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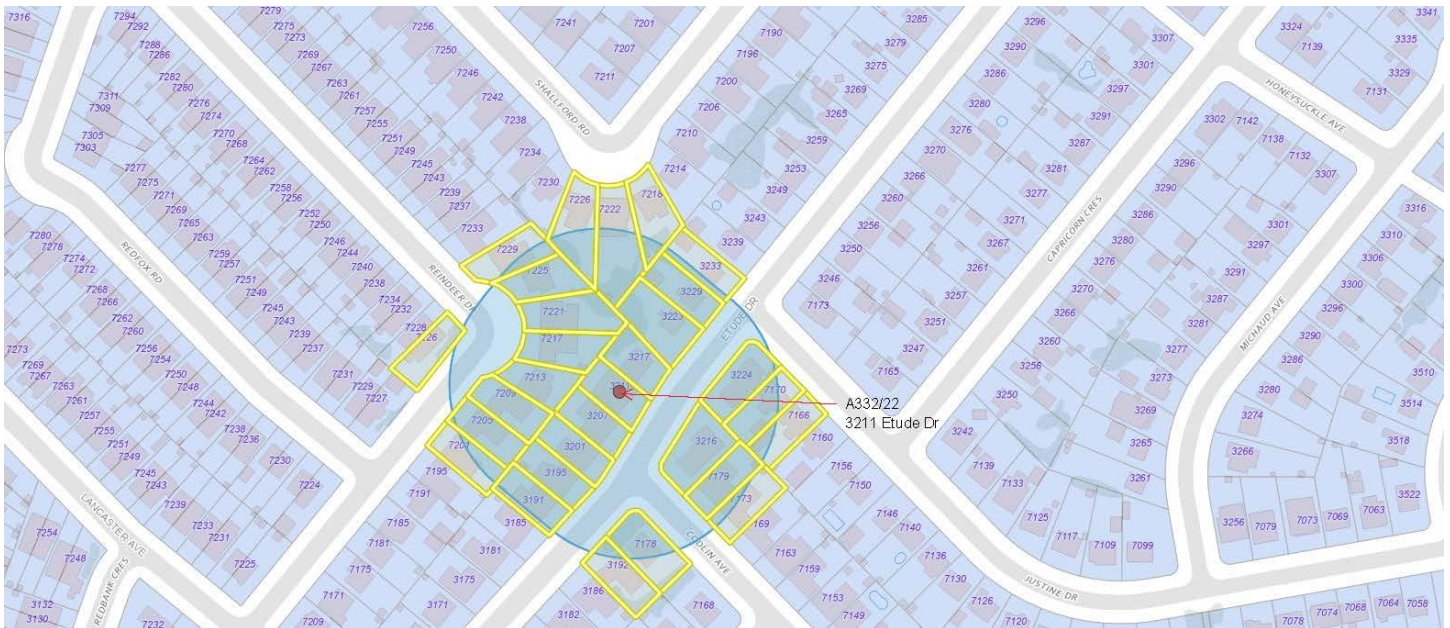


### **Additional Information:**

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# City of Mississauga Department Comments

Date Finalized: 2023-03-15	File(s): A332.22
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2023-03-23 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the application.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing a lot coverage of 34.63% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance.

## Background

**Property Address:** 3211 Etude Dr

### Mississauga Official Plan

Character Area: Malton Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

**Zoning:** R3-69 - Residential

**Other Applications:** BP 21-7682

### Site and Area Context

The subject property is located south-east of the Airport Road and Morning Star Drive intersection in Malton. It currently contains a detached back-split dwelling with limited landscaping/vegetative elements in both the front and rear yards. The property has a lot area of

+/-561.43m<sup>2</sup> (6,043.18ft<sup>2</sup>). The surrounding area context is exclusively residential, consisting of detached dwellings on similarly sized lots and semi-detached dwellings on smaller lots.

The applicant is proposing an addition to the existing dwelling requiring a variance for lot coverage.



## 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 Malton Neighbourhood Character Area and is designated Residential Low Density II 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. The proposed dwelling conforms to the designation and staff are of the opinion that the proposed addition appropriately balances the planned character of the area and the existing built form of the surrounding context. Furthermore the addition will not be visible from the streetscape. Staff are satisfied 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 requested variance proposes an increase in 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 are satisfied that the proposal does not represent an overdevelopment of the subject property and is in line with both original and newer dwellings in the surrounding context. Furthermore the addition will not be visible from the streetscape and does not significantly extend beyond the rear wall of the abutting dwelling. Given this, 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?**

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

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner



## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference are photos depicting the addition. From our site inspection we note that the addition has been equipped with an eavetrough and downspout located such that drainage is directed to the applicant's rear yard.









Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## **Appendix 2 – Zoning Comments**

The Building Department is currently processing a Building Permit under file BP 21-7682 based on review of the information currently available in this permit application, the variance, as requested is correct.

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

Comments Prepared by: Sherri Takaloo, Zoning examiner

City Department and Agency Comments	File:A332.22	2023/03/15	7
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### **Appendix 3 – Region of Peel**

We have no comments or objections to this application.

Comments Prepared by:      Patrycia Menko, Junior Planner





## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A626.22  
Ward: 7

### In Person and Virtual Public Hearing

#### 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 Central Parkway W, zoned RA2-4 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to authorize a minor variance to allow an existing building with 151 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 173 parking spaces in this instance.

The Committee has set **Thursday, March 23, 2023 at 1:00 PM** for the public hearing on this matter. The hearing will begin promptly at the noted start time and all items on the agenda will be heard in the order shown.

#### In Person Hearing:

This hearing will be held in person at Mississauga Civic Centre, Council Chambers, 300 City Centre Drive, 2nd Floor. If you wish to speak at the hearing regarding this matter, please note the following:

- Advance registration is preferred to speak at the hearing in person. Please email [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) by 4:30 p.m. on the Friday prior to the meeting.
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#### How to submit a written comment:

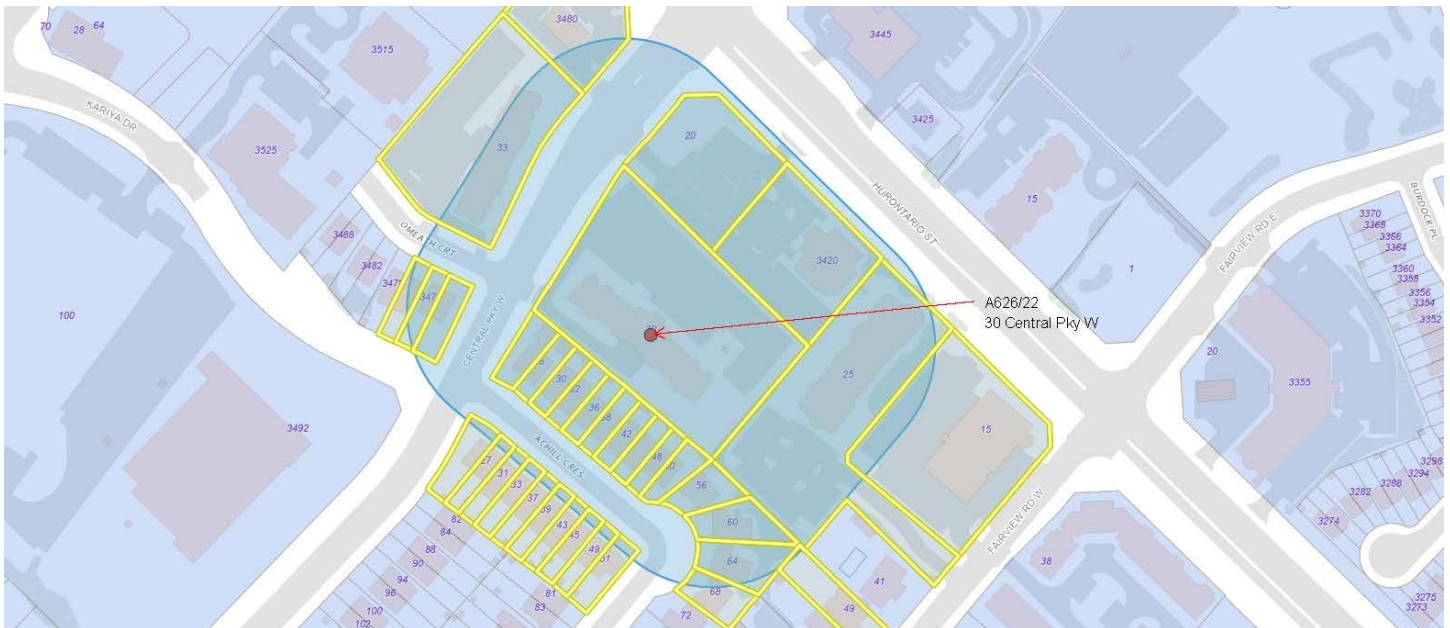
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# City of Mississauga Department Comments

Date Finalized: 2023-03-15	File(s): A626.22
To: Committee of Adjustment	Ward: 7
From: Committee of Adjustment Coordinator	Meeting date:2023-03-23 1:00:00 PM

## Consolidated Recommendation

The City recommends that the application be deferred.

## Application Details

The applicant requests the Committee to authorize a minor variance to allow an existing building with 151 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 173 parking spaces in this instance.

## Background

**Property Address:** 30 Central Parkway W

### Mississauga Official Plan

Character Area: Downtown Fairview  
Designation: Residential High Density

### Zoning By-law 0225-2007

**Zoning:** RA2-4 - Residential

### Other Applications:

### Site and Area Context

The subject property is located on the south side of Central Parkway West, west of the Hurontario Street intersection. It currently contains an 8-storey residential apartment building with associated surface and underground parking lots. Limited landscaping/vegetative elements are present on the subject property. The surrounding context includes a variety of uses and built

forms on lots of varying sizes, ranging from detached dwellings to high rise residential to office and commercial buildings.

The applicant is proposing additional units within the existing building requiring a variance for parking.



## Comments

### Planning

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

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

The subject property is located in the Downtown Fairview Character Area and is designated Residential High Density in Schedule 10 of the Mississauga Official Plan (MOP). The Residential High Density designation permits the existing apartment building.

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

With respect to Committee of Adjustment application 'A' 626/22 located at address 30 Central Parkway W, the applicant is requesting to allow an existing building with the following minor variance being requested:

- 151 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 173 parking spaces in this instance.

The proposed parking is at a 13% deficiency from the City's requirements as stipulated within Zoning By-law 0225-2007. As per the City's parking Terms of Reference, the City requires the submission of a Parking Utilization Study (PUS) to justify reductions more than 10% from current Zoning By-law standards. A PUS was not submitted, and without proper justification, staff have concerns with the large proposed reduction.

Additionally, Zoning was unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required.

#### Staff Comments

Staff recommend the application be deferred:

- In the absence of a Building Permit Zoning is 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.
  - Verification of the accuracy of the requested variance(s) and whether additional variance(s) will be required has yet to be completed.
- Pending the submission of a satisfactory Parking Utilization Study (PUS).
  - Staff advise that a satisfactory Parking Utilization Study is required to be submitted.
    - Please refer to the City's Parking Terms of Reference for parking justification requirements to be included with a formal submission.
    - The consultant should confirm the survey methodology with staff prior to conducting parking surveys. Details can also be found in the above hyperlink, under the City's Parking Terms of Reference.

Staff therefore recommend that the application be deferred to allow the applicant to submit the requested information.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner



## Appendices

### Appendix 1 – Transportation and Works Comments

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









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: Brooke Herczeg, Zoning Examiner

## **Appendix 3 – Region of Peel**

We have no comments or objections to this application.

Comments Prepared by: Patrycia Menko, Junior Planner

**Appendix 4- Metrolinx**30 Central Parkway W

Metrolinx is in receipt of the minor variance application for 30 Central Parkway W to allow an existing building with reduced parking spaces. Metrolinx's comments on the subject application are noted below:

- At this stage Metrolinx does not have any major comments but any works within the Metrolinx ROW or within 60 m of the Hurontario LRT will require approval and coordination with Metrolinx.

Comments Prepared by: Farah Faroque, Intern



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A758.22  
Ward: 5

### In Person and Virtual Public Hearing

#### 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 5145 Dixie Road, zoned C3-1-Commercial, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve minor variances to legalize the current site conditions proposing:

1. A lot frontage of 38.74m (approx. 127.09ft) whereas By-law 0225-2007, as amended, requires a lot frontage of 48.00m (approx. 157.48ft) in this instance; and,
2. A side yard setback of 4.34m (approx. 14.23ft) to the north lot line whereas By-law 0225-2007, as amended, requires a side yard setback of 4.50m (approx. 14.76ft) to the north lot line in this instance.

The Committee has set **Thursday, March 23, 2023 at 1:00 PM** for the public hearing on this matter. The hearing will begin promptly at the noted start time and all items on the agenda will be heard in the order shown.

#### In Person Hearing:

This hearing will be held in person at Mississauga Civic Centre, Council Chambers, 300 City Centre Drive, 2nd Floor. If you wish to speak at the hearing regarding this matter, please note the following:

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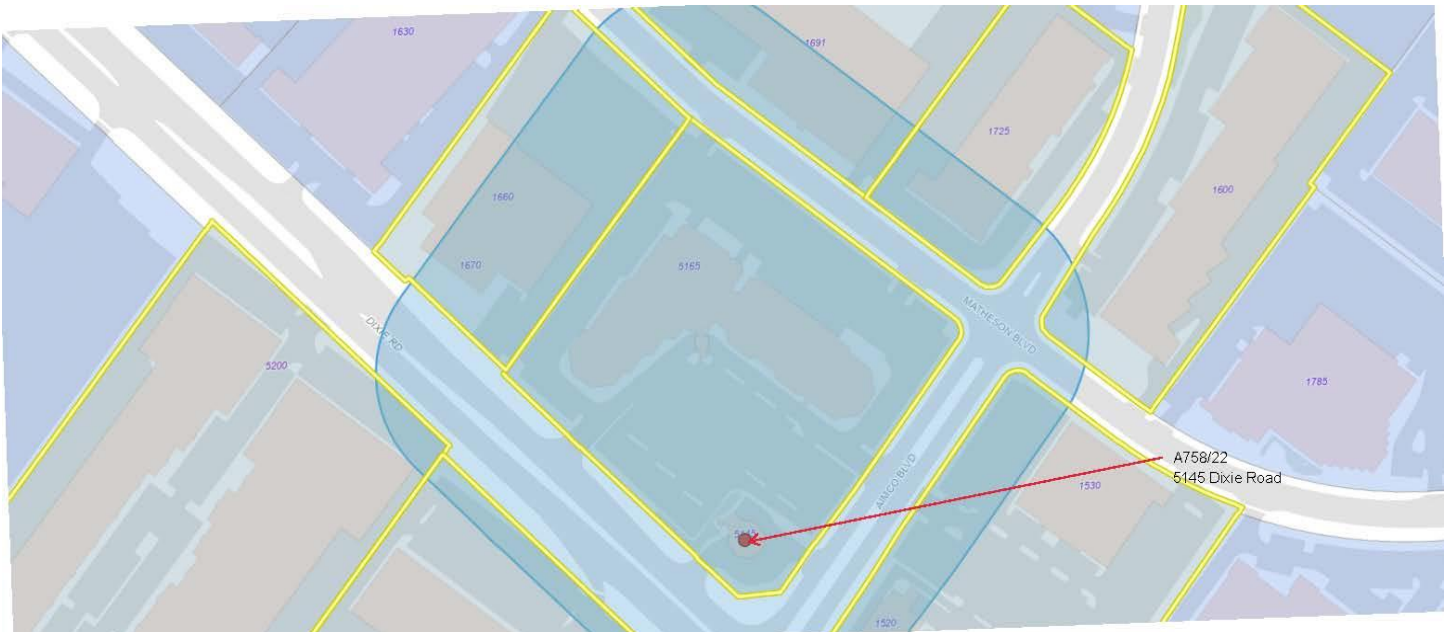
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# City of Mississauga Department Comments

Date Finalized: 2023-03-15 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): A758.22 Ward: 5
	Meeting date:2023-03-23 1:00:00 PM

## Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application meets the requirements of Section 45 (1) of the Planning Act. The applicant may wish to defer the application to ensure the accuracy of the requested variances and that additional variances are not required.

## Application Details

The applicant requests the Committee to approve minor variances to legalize the current site conditions proposing:

1. A lot frontage of 38.74m (approx. 127.09ft) whereas By-law 0225-2007, as amended, requires a lot frontage of 48.00m (approx. 157.48ft) in this instance; and,
2. A side yard setback of 4.34m (approx. 14.23ft) to the north lot line whereas By-law 0225-2007, as amended, requires a side yard setback of 4.50m (approx. 14.76ft) to the north lot line in this instance.

## Amendments

Based on review of the information currently available for this building permit, we advise that the following variance(s) should be amended as follows:

Variance 1. is not required

Variance 2. is to be revised as follows:

A rear yard setback of 4.34m (approx. 14.23ft) whereas By-law 0225-2007, as amended, requires a rear yard setback of 4.50m (approx. 14.76ft) in this instance;

## Background



**Property Address:** 5145 Dixie Road

### **Mississauga Official Plan**

Character Area: Northeast Employment Area  
Designation: Mixed Use

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

**Zoning:** C3-1-Commercial

**Other Applications:** PREAPP 21-9839

### **Site and Area Context**

The subject property is located on the north-east corner of the Dixie Road and Aimco Boulevard intersection. It currently contains a gas station with an associated retail building. Vegetative elements are limited to locations abutting property lines, characteristic of the surrounding area. The surrounding context contains a mix of commercial and employment uses in low rise buildings.

The applicant is proposing to maintain the existing conditions requiring variances for lot frontage and side 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 Northeast Employment Area and is designated Mixed Use in Schedule 10 of the Mississauga Official Plan (MOP). The Mixed Use designation permits a variety of commercial and employment uses. 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.

A consent application relating to the subject property was approved by the Committee at the November 17, 2022 hearing, with the subject property representing the severed lands. While a certificate has not yet been issued for the property, staff are of the opinion that it is appropriate for the subject application to proceed as the legalization of these conditions would be required prior to the issuance of a certificate.

While the subject property is still legally a part of the larger property including 5165 Dixie Road, the two sites have functioned entirely independent of each other and no changes are proposed to the built form or the streetscape. Zoning staff have noted that the lot frontage variance is not required, and the proposed setback is only measured to a pinch point with the building. Staff are of the opinion that the application is appropriate to be handled through the minor variance process and that the application raises no concerns of a planning nature.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner



## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for this property have been addressed through Consent Application 'B' 63/22.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit application under file PREAPP 21-9839. Based on review of the information currently available for this building permit, we advise that the following variance(s) should be amended as follows:

Variance 1. is not required

Variance 2. is to be revised as follows:

A rear yard setback of 4.34m (approx. 14.23ft) whereas By-law 0225-2007, as amended, requires a rear yard setback of 4.50m (approx. 14.76ft) in this instance;

Our comments are based on the plans received by Zoning staff on PREAPP 21-9839 for the above captioned building permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: Adam McCormack, Zoning Examiner

### Appendix 3 – Region of Peel

#### Minor Variance Application: A-758/22 – 5145 Dixie Road

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

#### Comments:

- The Region of Peel has a Consolidated Linear Infrastructure Environmental Compliance Approval (CLI ECA # 009-S701), for the Regional Municipality of Peel Stormwater Management System. Therefore, it is the Region's mandate that no additional flows are permitted and no new connections are made to Regional Roads.
- Any Development flows are to be directed to the Local Municipality's storm sewer system or watercourses to the satisfaction of the Region of Peel, the local Conservation Authority and

all concerned departments and agencies. Alternatively, flows can be mitigated using Low Impact Development Technologies. Developers are required to demonstrate how this will be achieved through a Stormwater Management Report.

- As per the Region's Public Works Stormwater Design Criteria and Procedural Manual:
  - i. Region of Peel IDF curves shall be used for the peak flow analysis.
  - ii. Post development peak flow for each storm (from 2 year to 100 year) shall be equal to or less than pre-development.
  - iii. For orifice diameters of 100mm or greater, an orifice tube shall be use Quantity Control shall be designed to control the 24-h Chicago or 24-h SCS Type II distribution.
- In accordance with the Region's CLI ECA and provincial standards, control of the runoff from 90th percentile storm event (28mm) shall be achieved for quality control.
- For erosion control, 5mm retention at full build out is required and runoff is to be detained from a 25mm storm event over 24 to 48 hours.
- No grading will be permitted within any Region of Peel ROW to support adjacent developments.

Comments Prepared by: Patrycia Menko, Junior Planner



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A768.22  
Ward: 5

### In Person and Virtual Public Hearing

#### 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 7526 Redstone Road, zoned R3-69-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 the construction of a new dwelling proposing:

1. A maximum height of 10.84m (approx. 35.56ft) to the sloped roof whereas By-law 0225-2007, as amended, permits a maximum height of 9.00m (approx. 29.52ft) to the sloped roof in this instance;
2. A maximum height of 6.98m (approx. 22.90ft) to the eaves whereas By-law 0225-2007, as amended, permits a maximum height of 6.40m (approx. 20.99ft) to the eaves in this instance;
3. A dwelling unit depth of 29.30m (approx. 96.12ft) whereas By-law 0225-2007 as amended permits a dwelling unit depth of 20.00m (approx. 65.61ft) in this instance;
4. An interior side yard setback of 1.53m (approx. 5.01ft) whereas By-law 0225-2007, as amended, requires a side yard setback of 1.82m (approx. 5.97ft) in this instance;
5. A gross floor area of 519.43 sq.m (approx. 5591.09sq.ft) whereas By-law 0225-2007, as amended, permits a gross floor area of 381.45 sq.m (approx. 4105.89sq.ft) in this instance;
6. A garage projection of 12.39m (approx. 40.64ft) whereas By-law 0225-2007, as amended, permits a garage projection of 2.0m (approx. 6.56ft) in this instance;
7. A parking stall dimension of 5.2m length (approx. 17.06ft) whereas By-law 0225-2007, as amended, requires a parking stall dimension of 6.0m length (approx. 19.68ft) in this instance;
8. A driveway width of 8.02m (approx. 26.31ft) whereas By-law 0225-2007, as amended, permits a driveway width of 6.0m (approx. 19.68ft) in this instance; and,
9. A front yard with 40% softscape whereas By-law 0225-2007, as amended, permits 39% softscape in this instance.

The Committee has set **Thursday, March 23, 2023 at 1:00 PM** for the public hearing on this matter. 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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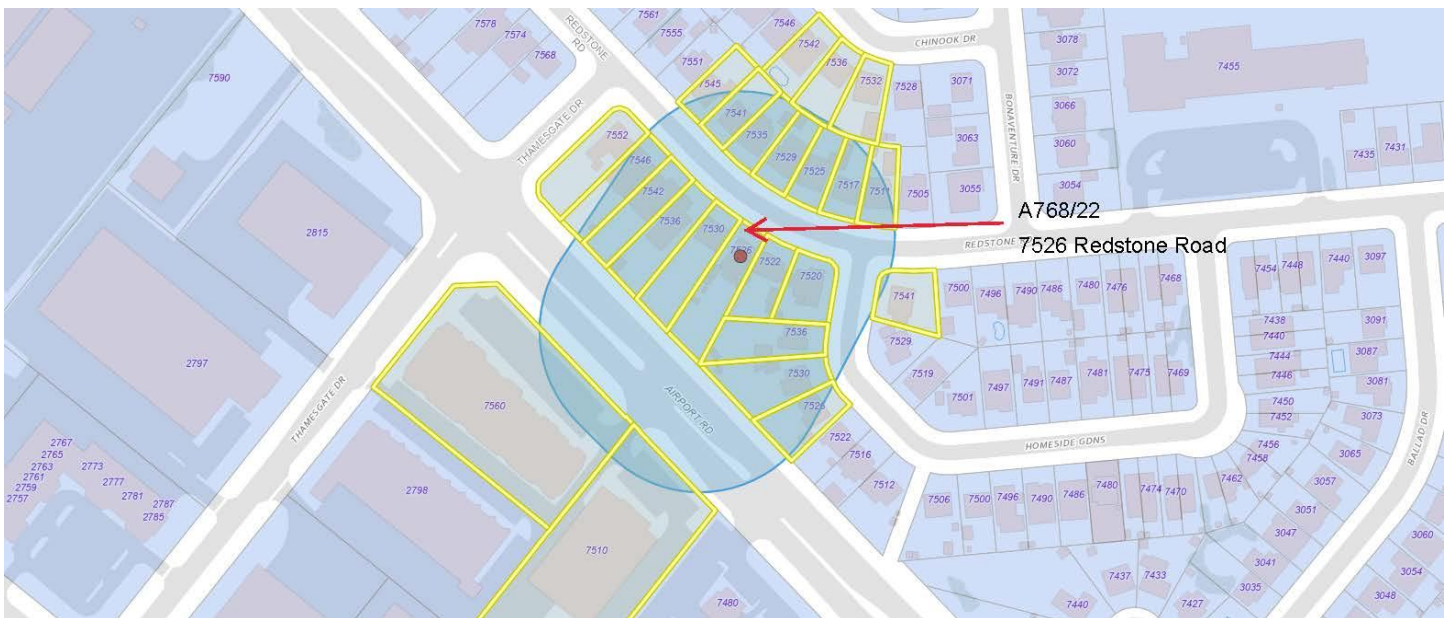
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# City of Mississauga Department Comments

Date Finalized: 2023-03-15	File(s): A768.22
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2023-03-23 1:00:00 PM

## Consolidated Recommendation

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## Application Details

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4. An interior side yard setback of 1.53m (approx. 5.01ft) whereas By-law 0225-2007, as amended, requires a side yard setback of 1.82m (approx. 5.97ft) in this instance;
5. A gross floor area of 519.43 sq.m (approx. 5591.09sq.ft) whereas By-law 0225-2007, as amended, permits a gross floor area of 381.45 sq.m (approx. 4105.89sq.ft) in this instance;
6. A garage projection of 12.39m (approx. 40.64ft) whereas By-law 0225-2007, as amended, permits a garage projection of 2.0m (approx. 6.56ft) in this instance;
7. A parking stall dimension of 5.2m length (approx. 17.06ft) whereas By-law 0225-2007, as amended, requires a parking stall dimension of 6.0m length (approx. 19.68ft) in this instance;
8. A driveway width of 8.02m (approx. 26.31ft) whereas By-law 0225-2007, as amended, permits a driveway width of 6.0m (approx. 19.68ft) in this instance; and,
9. A front yard with 40% softscape whereas By-law 0225-2007, as amended, permits 39% softscape in this instance.

## Amendments

Based on review of the information currently available in this permit application, all variances are correct save variance number 9. The variance must be reworded as follows:

9. That a minimum softscaped area of 39.23% for the front yard be permitted, whereas By-law 0225-2007, as amended, requires 40% of the front yard to be softscaped area in this instance.

## Background

**Property Address:** 7526 Redstone Road

### Mississauga Official Plan

Character Area: Malton Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

**Zoning:** R3-69-Residential

### Other Applications:

### Site and Area Context

The subject property is located south-east of the Airport Road and Thamesgate Drive intersection in Malton. It has a lot area of 1,160.44m<sup>2</sup> (12,490.9ft<sup>2</sup>), larger than the average residential lot size in the surrounding area. Currently it contains a single storey detached dwelling with some mature vegetative elements on the property. The surrounding area context is predominantly residential, consisting of a mix of detached and semi-detached dwelling. Employment and commercial uses are present across Airport Road, which abuts the property to the rear.

The applicant is proposing to construct a new dwelling requiring variances for height, eave height, dwelling unit depth, side yard setback, gross floor area, garage projection, parking space size, driveway width and front yard 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 subject property is located in the Malton Neighbourhood Character Area and is designated Residential Low Density II 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 height, depth, gross floor area and driveway width, all of which are not consistent with the neighbourhood 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.



City Department and Agency Comments	File:A768.22	2023/03/15	4
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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 dwelling will be addressed by our Development Construction Section through the Building Permit Process.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

## Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file BP 9NEW 22-4106. Based on review of the information currently available in this permit application, all variances are correct save variance number 9. The variance must be reworded as follows:

10. That a minimum softscaped area of 39.23% for the front yard be permitted, whereas By-law 0225-2007, as amended, requires 40% of the front yard to be softscaped area 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: Zoning Examiner, Tage Crooks

### Appendix 3 – Region of Peel

**Minor Variance Application: A-768/22 – 7526 Redstone Drive**

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

**Comments:**

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

Comments Prepared by: Patrycia Menko, Junior Planner

### Appendix 4- Toronto and Region Conservation Authority

**Re: Minor Variance Application and City File No. A768.22**

**7526 Redstone Road**

**City of Mississauga, Region of Peel Lot 13, Concession 7**

**Owner: Harjinder Rishi**

**Agent: Lasonne Engineering Ltd. c/o Daniel Falzon**

This letter acknowledges receipt of the subject application, received on February 14, 2023. Toronto and Region Conservation Authority (TRCA) staff have reviewed the application and the circulated materials to this letter in accordance with Ontario Regulation 686/21 and Ontario Regulation 166/06.

The following comments are issued in accordance with Section 21.1(1) of the *Conservation Authorities Act*, which requires TRCA to provide programs and services related to natural hazards within its jurisdiction. The standards and requirements of such mandatory programs and services are listed under Ontario Regulation 686/21. Specifically, the regulation requires that TRCA must, acting on behalf of the Ministry of Natural Resources and Forestry (MNRF) or in its capacity as a public body under the *Planning Act*, ensure that decisions under the *Planning Act* are consistent with the natural hazard policies of the Provincial Policy Statement (PPS). In accordance with Ontario Regulation 686/21 and Ontario Regulation 596/22, TRCA's review does not include non-mandatory comments pertaining to natural heritage matters, for example, outside of our core planning mandate and regulatory authority.

In addition, TRCA must also ensure that where development and/or site alteration is proposed within an area regulated by the Authority under Ontario Regulation 166/06, that it conforms to

the applicable tests and associated policies (Section 8 of TRCA's The Living City Policies) for implementation of the regulation.

### **Purpose of the Application**

The purpose of Minor Variance Application assigned City File No. A768.22 is to allow the construction of a replacement dwelling proposing:

1. A maximum height of 10.84m (approx. 35.56ft) to the sloped roof whereas By-law 0225-2007, as amended, permits a maximum height of 9.00m (approx. 29.52ft) to the sloped roof in this instance;
2. A maximum height of 6.98m (approx. 22.90ft) to the eaves whereas By-law 0225-2007, as amended, permits a maximum height of 6.40m (approx. 20.99ft) to the eaves in this instance;
3. A dwelling unit depth of 29.30m (approx. 96.12ft) whereas By-law 0225-2007 as amended permits a dwelling unit depth of 20.00m (approx. 65.61ft) in this instance;
4. An interior side yard setback of 1.53m (approx. 5.01ft) whereas By-law 0225-2007, as amended, requires a side yard setback of 1.82m (approx. 5.97ft) in this instance;
5. A gross floor area of 519.43 sq.m (approx. 5591.09sq.ft) whereas By-law 0225-2007, as amended, permits a gross floor area of 381.45 sq.m (approx. 4105.89sq.ft) in this instance;
6. A garage projection of 12.39m (approx. 40.64ft) whereas By-law 0225-2007, as amended, permits a garage projection of 2.0m (approx. 6.56ft) in this instance;
7. A parking stall dimension of 5.2m length (approx. 17.06ft) whereas By-law 0225-2007, as amended, requires a parking stall dimension of 6.0m length (approx. 19.68ft) in this instance;
8. A driveway width of 8.02m (approx. 26.31ft) whereas By-law 0225-2007, as amended, permits a driveway width of 6.0m (approx. 19.68ft) in this instance; and,
9. A front yard with 40% softscape whereas By-law 0225-2007, as amended, permits 39% softscape in this instance.

It is our understanding that the requested variances are required to facilitate the replacement of an existing one-story house with a gross floor area of 119.20 sq.m., with a two-story house with a gross floor area of 519.43 sq.m. which has a below grade entrance to the rear yard in the basement, as well as, direct access from the basement to the side yard door on the ground level. The proposed works also include the development of driveway paving and a covered rear yard deck.

### **Recommendation**

TRCA staff recommend **deferral** of Minor Variance Application assigned City File no. A768.22 in order to provide an opportunity for the applicant to revise the proposed works and address TRCA's staff concerns. Should the Committee not grant deferral of the application at the March 23, 2023 hearing, TRCA staff recommend denial of the application at this time.

### **Site Context**

#### **Ontario Regulation 166/06**

The subject property is located within TRCA's Regulated Area of the Mimico Creek Watershed. Specifically, the subject land is located within the Regulatory Flood Plain associated with a tributary of the Mimico Creek. As such, a TRCA permit pursuant to Ontario Regulation 166/06

will be required for any development or site alteration within the Regulated Area on the property. Please advise the applicant to submit a TRCA Permit Application Form for the proposed works and the associated permit review fee of \$995.00 (Works on Private Residential Property – Standard).

### **Application Specific Comments**

Based on our latest preliminary 2D modeling results, it appears that the entire subject property is located within the Regulatory Flood Plain. The Water Surface Elevation and velocity are 172.13m and 0.64 m/s at the subject property respectively.

Based on our review, it appears that both the existing house and the proposed replacement dwelling are located within the Regulatory Flood Plain. Additionally, it appears that the proposed replacement dwelling also includes a basement with two separate entrances. However, the existing habitable ground floor area and the proposed habitable ground floor area (excluding attached garage, front entrance porch, rear yard deck) is unclear.

In accordance with Section 8.5.1 Valley and Stream Corridors of the TRCA's The Living City Policies, TRCA does not support an increase in the size and footprint of a replacement or reconstruction of an existing building or structure within the flood hazards where the addition is more than 50% of the original *habitable* ground floor area. Additionally, TRCA requires that the addition does not include a basement, if one did not previously, and that replacements of an existing basement be no larger than the original. At this time, it has not been demonstrated that an existing basement is present through the submitted documents. Therefore, it is premature to comment on the appropriateness of a basement as part of this development. Please note that increasing the number of dwelling units in a building (or proposed works such as a separate entrance which support a second unit dwelling) within the flood hazard is not permitted.

Additionally, please note that TRCA requires that the proposed replacement dwelling be properly dry flood proofed to the flood elevation of 172.13 (plus 0.3 freeboard). To do this, the finished floor elevation needs to be at 172.13 or higher. No openings/windows are permitted below this elevation. Furnace, electrical panel, and other major equipment (water heating) must be located above the flood elevation. Topographic elevations of the finished floor and all firstfloor openings must be shown on site plan and elevation drawings.

Finally, A qualified engineer must provide a letter confirming the proposed replacement dwelling can withstand the Regulatory flood water depth and velocity, 172.02 masl, and 0.94 m/s respectively, as well as, stamp the drawings. Given the above, TRCA has concerns with the size of the replacement dwelling, below grade entrance and floodproofing of the proposed works in this minor variance application, as submitted. TRCA requests that the applicant contacts the undersigned in order to initiate discussions regarding TRCA's concerns.

Should the applicant disagree with this preliminary flood plain analysis, the applicant may hire a consultant to determine the flooding extent of the spill using two-dimensional hydraulic model,



otherwise the applicant is required to apply the preliminary result of TRCA's flood modelling.

**Fee**

By copy of this letter, the applicant is advised that the TRCA has implemented a fee scheduled for our planning application review services. This application is subject to a \$660.00 (Variance – Residential – Minor) review fee. The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible.

**Conclusion**

Note that the above comments are being provided based on current policy and legislation which are subject to change from time to time. Future applications will be reviewed in accordance with the policies in effect at the time of review.

We thank you for the opportunity to comment. Should you have any additional questions or comments, please do not hesitate to contact the undersigned.

Comments Prepared by: Marina Jenakovic, Planner 1



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A769.22  
Ward: 2

### In Person and Virtual Public Hearing

#### 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 1228 Kane Road, zoned R1-3-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 the construction of an addition proposing:

1. A dwelling height of 9.76m (approx. 32.02ft) whereas By-law 0225-2007, as amended, permits a dwelling height of 9.0m (approx. 29.52ft) in this instance;
2. A dwelling unit depth of 29.70m (approx. 97.44ft) whereas By-law 0225-2007, as amended, permits a dwelling unit depth of 20.00m (approx. 65.61ft) in this instance;
3. A maximum accessory structure(cabana) height of 4.29m (approx. 14.07ft) whereas By-law 0225-2007, as amended, permits an accessory structure height of 3.5m (approx. 11.48ft) in this instance;
4. A maximum area of 32.5 sq.m(approx. 349.82sq.ft) occupied per accessory structure(cabana) whereas By-law 0225-2007, as amended, permits a maximum area of 20.00 sq.m(approx. 215.27sq.ft) occupied per accessory structure in this instance;
5. A minimum combined width of 6.57m (approx. 21.55ft) of the side yards whereas By-law 0225-2007, as amended, requires a combined width of 7.38m (approx. 24.21ft) of the side yards in this instance;
6. A maximum area of 25.2 sq.m(approx. 271.25sq.ft) occupied per accessory structure(pergola) whereas By-law 0225-2007, as amended, permits a maximum area of 20.00 sq.m(approx. 215.27sq.ft) occupied per accessory structure in this instance; and,
7. A maximum combined area of 65.17 sq.m(approx. 701.48sq.ft) for all accessory buildings or structures whereas By-law 0225-2007, as amended, permits a combined area of 60.00 sq.m (approx. 645.83sq.ft) for all accessory structures in this instance.

The Committee has set **Thursday, March 23, 2023 at 1:00 PM** for the public hearing on this matter. The hearing will begin promptly at the noted start time and all items on the agenda will be heard in the order shown.

#### In Person Hearing:

This hearing will be held in person at Mississauga Civic Centre, Council Chambers, 300 City Centre Drive, 2nd Floor. If you wish to speak at the hearing regarding this matter, please note the following:

- Advance registration is preferred to speak at the hearing in person. Please email [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) by 4:30 p.m. on the Friday prior to the meeting.
- If you intend to make a presentation you must choose one of the following options:
  1. Provide a copy of your electronic presentation in .pdf or PowerPoint format to [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) by 4:30 on the Friday prior to the meeting **OR**
  2. Bring your presentation material in paper copy or on your laptop or tablet so it can be projected using our Document Camera.

#### Virtual Hearing:

- **To participate electronically (computer, tablet or smartphone):** Advance registration is required to speak at the virtual hearing. If you intend to make a presentation at the virtual hearing you must send your request to speak and your presentation material (as an attachment) via email to [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) no later than 4:30 p.m. on the Friday prior to the hearing.

- **To participate by telephone:** Advance registration is required to speak in the virtual hearing. To register, please call 905-615-3200 x2408 no later than 4:30 p.m. on the Friday prior to the hearing. You must provide your name, phone number, and the application file number. Committee staff will provide you with further details prior to the start of the hearing.
- **If you wish to view the public hearing online please use the following link:**  
<http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>

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

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

### **Additional Information:**

- You can get more information on this matter by emailing [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) or calling 905-615-3200 x2408.
- You can review city staff and agency comments one week before the hearing at the following link:  
<http://www.mississauga.ca/portal/cityhall/calendar>.
- If you wish to be notified of the decision of the Committee, you must submit a written request to [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca). This will also entitle you to be advised of an appeal to the Ontario Land Tribunal.

### **Legal notice:**

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: 2023-03-15	File(s): A769.22
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2023-03-23 1:00:00 PM

## Consolidated Recommendation

The City recommends that the application be deferred

## Application Details

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

1. A dwelling height of 9.76m (approx. 32.02ft) whereas By-law 0225-2007, as amended, permits a dwelling height of 9.0m (approx. 29.52ft) in this instance;
2. A dwelling unit depth of 29.70m (approx. 97.44ft) whereas By-law 0225-2007, as amended, permits a dwelling unit depth of 20.00m (approx. 65.61ft) in this instance;
3. A maximum accessory structure(cabana) height of 4.29m (approx. 14.07ft) whereas By-law 0225-2007, as amended, permits an accessory structure height of 3.5m (approx. 11.48ft) in this instance;
4. A maximum area of 32.5 sq.m(approx. 349.82sq.ft) occupied per accessory structure(cabana) whereas By-law 0225-2007, as amended, permits a maximum area of 20.00 sq.m(approx. 215.27sq.ft) occupied per accessory structure in this instance;
5. A minimum combined width of 6.57m (approx. 21.55ft) of the side yards whereas By-law 0225-2007, as amended, requires a combined width of 7.38m (approx. 24.21ft) of the side yards in this instance;
6. A maximum area of 25.2 sq.m(approx. 271.25sq.ft) occupied per accessory structure(pergola) whereas By-law 0225-2007, as amended, permits a maximum area of 20.00 sq.m(approx. 215.27sq.ft) occupied per accessory structure in this instance; and,
7. A maximum combined area of 65.17 sq.m(approx. 701.48sq.ft) for all accessory buildings or structures whereas By-law 0225-2007, as amended, permits a combined area of 60.00 sq.m (approx. 645.83sq.ft) for all accessory structures in this instance.

## Background

**Property Address:** 1228 Kane Road

### Mississauga Official Plan

Character Area: Clarkson-Lorne Park Neighbourhood

Designation: Residential Low Density I

### Zoning By-law 0225-2007

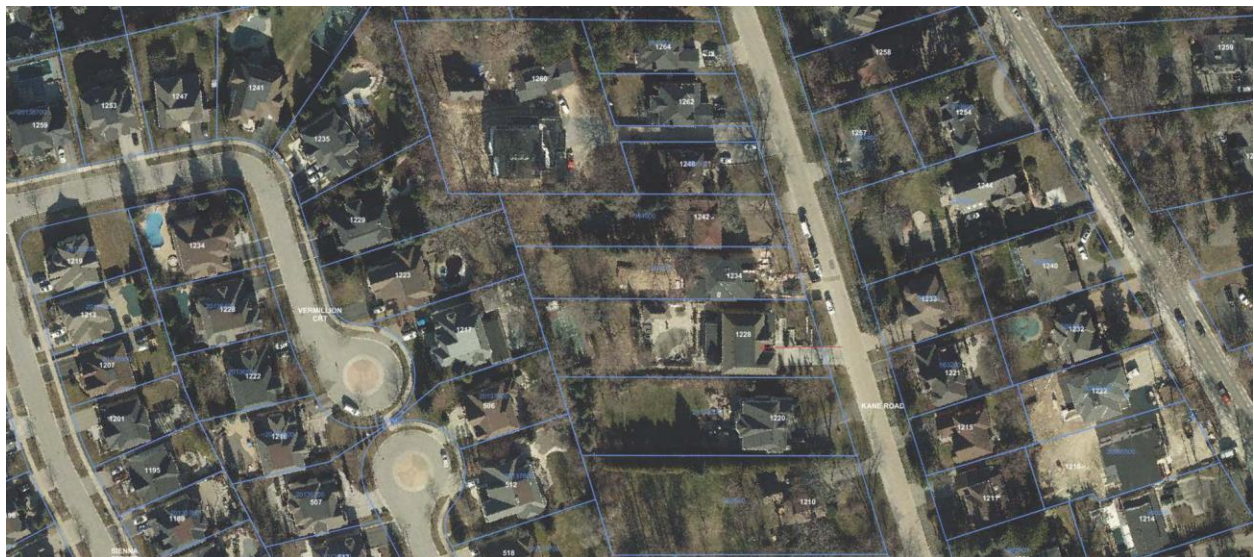
**Zoning:** R1-3-Residential

**Other Applications:** Building Permit under file 22-2450

### Site and Area Context

The subject site is located within the Clarkson-Lorne Park Neighbourhood Character Area, southwest of Indian Road and Kane Road. The immediate neighbourhood is entirely residential consisting of older one-storey and newer two-storey detached dwellings on lots with significant mature vegetation in both the front and rear yards. The subject property contains a two-storey detached dwelling with mature vegetation in the rear yard.

The applicant requests the Committee to permit a residential addition requiring variances related to dwelling height, accessory structure height, areas and combined side yard 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 are as follows:

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.

Planning staff note that the requested variances may be inaccurate and additional variances, including a variance for gross floor area, may be required. Zoning staff have also requested additional information in order to verify the accuracy of the requested variances and to determine if additional variances are required.

Furthermore, Planning staff note concerns with variances #2, 3, 4, 6 and 7. The intent of the zoning provisions for dwelling depth are to minimize impacts of long walls on neighbouring lots as a direct result of the building massing. The intent of the zoning by-law provisions regarding accessory structures is to ensure that the structures are proportional to the lot and dwelling and are clearly accessory to the principle use. Furthermore, that there are no massing concerns to neighbouring lots. Planning staff are of the opinion that the proposed dwelling depth (variance #2) is excessive and will create significant massing concerns. Staff are also of the opinion that the proposed accessory structures are not accessory, proportional to the lot or dwelling and will pose massing concerns to adjacent properties. The applicant is seeking relief from both the individual and combined area requirements for accessory structures, while proposing a height of 4.29m (14.07ft, which is 0.79m (2.59m) over the permitted 3.5m (11.48ft) maximum for one of the structures.

As such, Planning staff recommend the application be deferred to give the applicant an opportunity to meet with staff to discuss the concerns identified above and to redesign the dwelling and accessory structures in an effort to address those concerns to address concerns. Furthermore, Planning staff recommend that the applicant meet with Zoning staff to ensure the accuracy of the requested variances and to determine if additional variances are required.

Staff recommend that the application be deferred to address the concerns raised above.

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 cabana are being addressed by our Development Construction Section through the Building Permit process BP9 ALT-22/2450.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a building Permit under file 22-2450. 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: Sherri Takaloo, Zoning Examiner

### Appendix 3 – Region of Peel

#### Minor Variance Application: A-769/22 – 1228 Kane Road

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

#### Comments:

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

Comments Prepared by:      Patrycia Menko, Junior Planner



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A774.22

Ward: 1

### In Person and Virtual Public Hearing

#### 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 11 Oakwood Ave S, zoned R15-8 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a detached garage proposing:

1. A driveway width of 2.25m (approx. 7.38ft) whereas By-law 0225-2007, as amended, requires a minimum driveway width of 2.60m (approx. 8.53ft) in this instance;
2. An interior side yard setback to the driveway of 0.00m whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 0.60m (approx. 1.97ft) in this instance;
3. An accessory structure height to the highest ridge of 4.00m (approx. 13.12ft) whereas By-law 0225-2007, as amended, permits a maximum height of 3.00m (approx. 9.84ft) in this instance; and,
4. An accessory structure area of 13.37sq m (approx. 143.91sq 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.

The Committee has set **Thursday, March 23, 2023 at 1:00 PM** for the public hearing on this matter. The hearing will begin promptly at the noted start time and all items on the agenda will be heard in the order shown.

#### In Person Hearing:

This hearing will be held in person at Mississauga Civic Centre, Council Chambers, 300 City Centre Drive, 2nd Floor. If you wish to speak at the hearing regarding this matter, please note the following:

- Advance registration is preferred to speak at the hearing in person. Please email [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) by 4:30 p.m. on the Friday prior to the meeting.
- If you intend to make a presentation you must choose one of the following options:
  1. Provide a copy of your electronic presentation in .pdf or PowerPoint format to [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) by 4:30 on the Friday prior to the meeting **OR**
  2. Bring your presentation material in paper copy or on your laptop or tablet so it can be projected using our Document Camera.

#### Virtual Hearing:

- **To participate electronically (computer, tablet or smartphone):** Advance registration is required to speak at the virtual hearing. If you intend to make a presentation at the virtual hearing you must send your request to speak and your presentation material (as an attachment) via email to [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) no later than 4:30 p.m. on the Friday prior to the hearing.
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<http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>

#### How to submit a written comment:

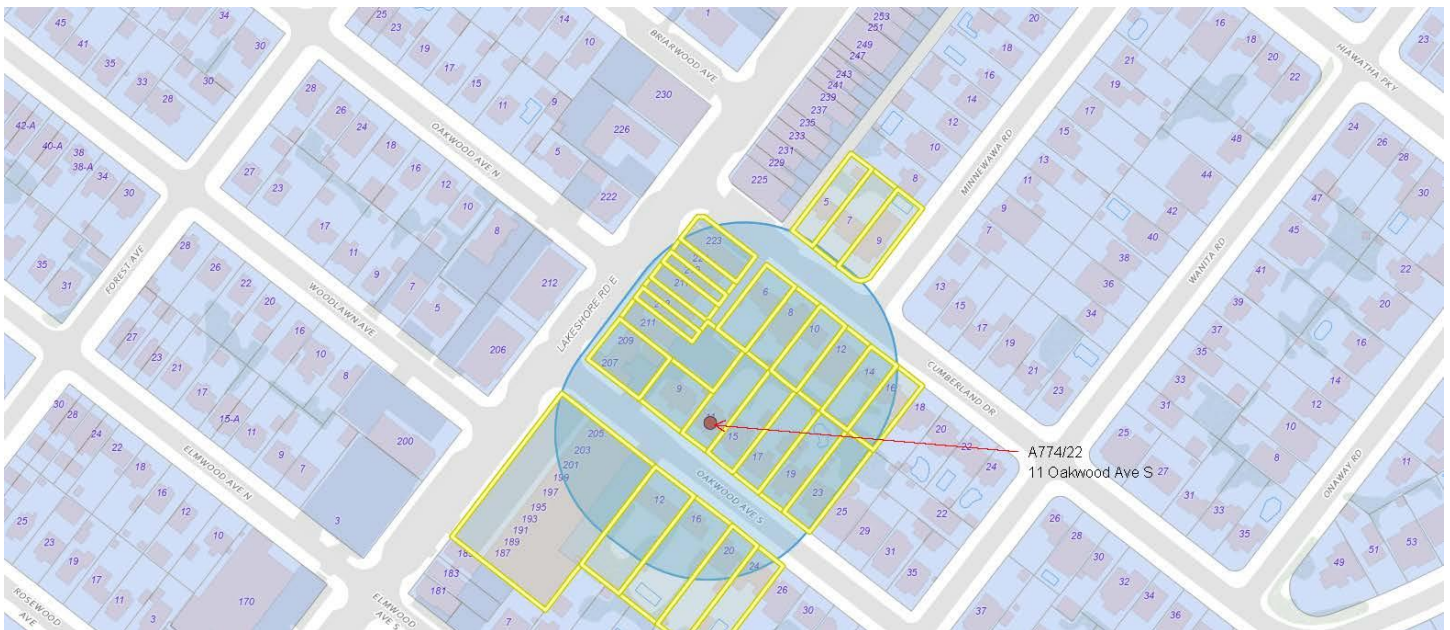
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# City of Mississauga Department Comments

Date Finalized: 2023-03-15	File(s): A774.22 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-03-23 1:00:00 PM

## Consolidated Recommendation

The City recommends that the application be deferred.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a detached garage proposing:

1. A driveway width of 2.25m (approx. 7.38ft) whereas By-law 0225-2007, as amended, requires a minimum driveway width of 2.60m (approx. 8.53ft) in this instance;
2. An interior side yard setback to the driveway of 0.00m whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 0.60m (approx. 1.97ft) in this instance;
3. An accessory structure height to the highest ridge of 4.00m (approx. 13.12ft) whereas By-law 0225-2007, as amended, permits a maximum height of 3.00m (approx. 9.84ft) in this instance; and,
4. An accessory structure area of 13.37sq m (approx. 143.91sq 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.

## Background

**Property Address:** 11 Oakwood Ave S

### Mississauga Official Plan

Character Area: Port Credit Neighbourhood (East)  
Designation: Residential Low density I

### Zoning By-law 0225-2007



**Zoning:** R15-8 - Residential

**Other Applications:** BP 9NEW 22-4161, BP 9ALT 22-846

### Site and Area Context

The subject property is located southwest of the Lakeshore Road East and Cumberland Drive intersection in Port Credit. The surrounding area context is exclusively residential, consisting of a mix of one and two-storey detached dwellings on lots of varying sizes. The subject property currently contains a two-storey detached dwelling with mature vegetation in the front and side yards.

The applicant is proposing a detached garage requiring variances related to driveway width, interior side yard setback to driveway, accessory structure height and area.



## Comments

### Planning

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

Staff comments concerning the application are as follows:

The subject property is designated Residential Low Density Schedule I on Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached and duplex dwellings.



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Planning staff are unable to evaluate the applicant's request for variances #1 and 2 as the dimensions shown on the drawings submitted are inconsistent with the variances requested. Staff has no immediate concerns regarding variances #3 and 4 at this time.

Planning staff recommend that the application be deferred to allow the applicant an opportunity to provide revised drawings and/or variances. Furthermore, the location and dimensions of the proposed driveway are unclear and the shaded areas shown on the site plan do not contain labels. Additional variances for walkway width and setbacks to existing interlock hard surfaces may also be required. Lastly, staff recommend that the applicant discuss the proposal with Zoning staff through the existing building permit in order to confirm the accuracy of the requested variances and identify if additional variances are required.

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 garage are being addressed by our Development Construction Section through the Building Permit process BP9 NEW-22/4161. We also mention that the right side of the garage is to be equipped with an eaves trough and down spout so that the roof drainage does not impact the neighbouring lot.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 9NEW 22-4161. Based on review of the information currently available in this permit application, the variances # 1, 2 and 4, as requested are correct.

We advise that more information is required in order to verify the accuracy of the requested variance # 3 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

### Appendix 3 – Metrolinx

#### 11 Oakwood Ave S

Metrolinx is in receipt of the minor variance applications for 11 Oakwood Ave S to facilitate the construction of a detached garage and accessory building. Metrolinx's comments on the subject applications are noted below:

- The subject property is located within 300 meters of Metrolinx's Oakville Subdivision which carries Metrolinx's Lakeshore West GO Train service.
- The Proponent is advised the following:

**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



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A20.23  
Ward: 5

### In Person and Virtual Public Hearing

#### 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 5285 Naskapi Crt, zoned R4-22 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to permit an existing driveway proposing a driveway width of 8.10m (approx. 26.57ft) 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, March 23, 2023 at 1:00 PM** for the public hearing on this matter. The hearing will begin promptly at the noted start time and all items on the agenda will be heard in the order shown.

#### In Person Hearing:

This hearing will be held in person at Mississauga Civic Centre, Council Chambers, 300 City Centre Drive, 2nd Floor. If you wish to speak at the hearing regarding this matter, please note the following:

- Advance registration is preferred to speak at the hearing in person. Please email [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) by 4:30 p.m. on the Friday prior to the meeting.
- If you intend to make a presentation you must choose one of the following options:
  1. Provide a copy of your electronic presentation in .pdf or PowerPoint format to [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) by 4:30 on the Friday prior to the meeting **OR**
  2. Bring your presentation material in paper copy or on your laptop or tablet so it can be projected using our Document Camera.

#### Virtual Hearing:

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#### How to submit a written comment:

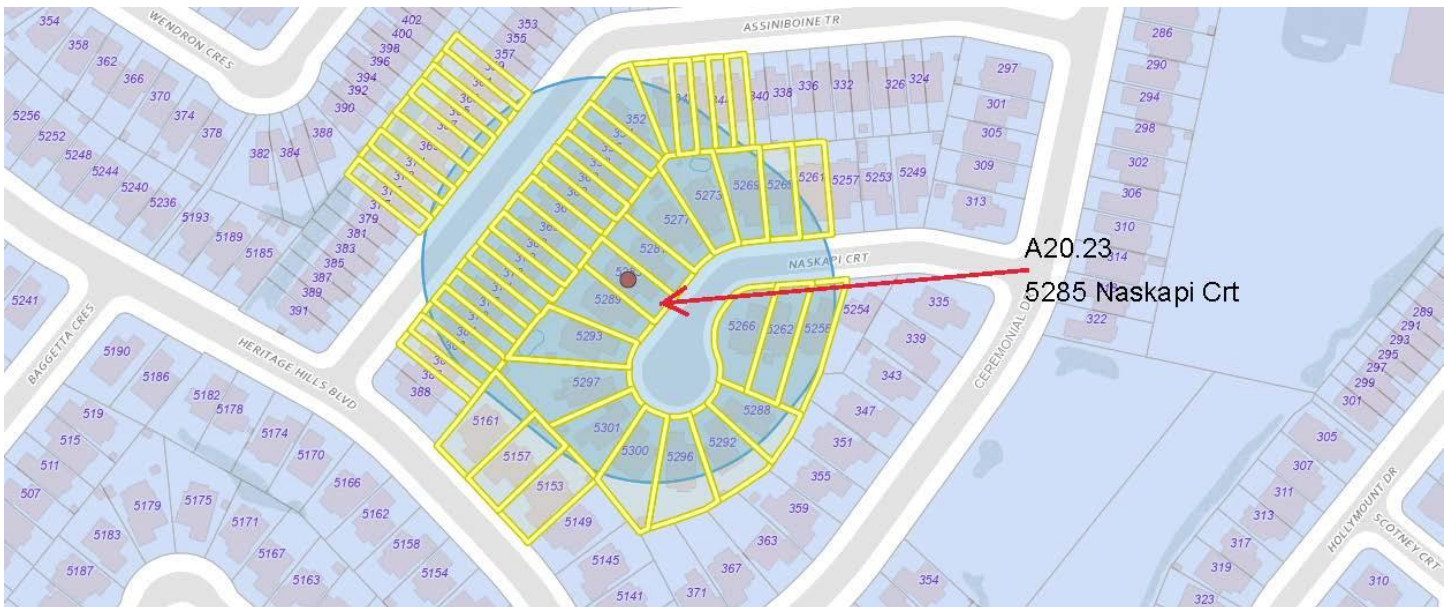
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# City of Mississauga Department Comments

Date Finalized: 2023-03-15	File(s): A20.23
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2023-03-23 1:00:00 PM

## Consolidated Recommendation

The City recommends that the application be refused.

## Application Details

The applicant requests the Committee to approve a minor variance to permit an existing driveway proposing a driveway width of 8.10m (approx. 26.57ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

## Background

**Property Address:** 5285 Naskapi Crt

### Mississauga Official Plan

Character Area: Hurontario Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

**Zoning:** R4-22 - Residential

**Other Applications:** None

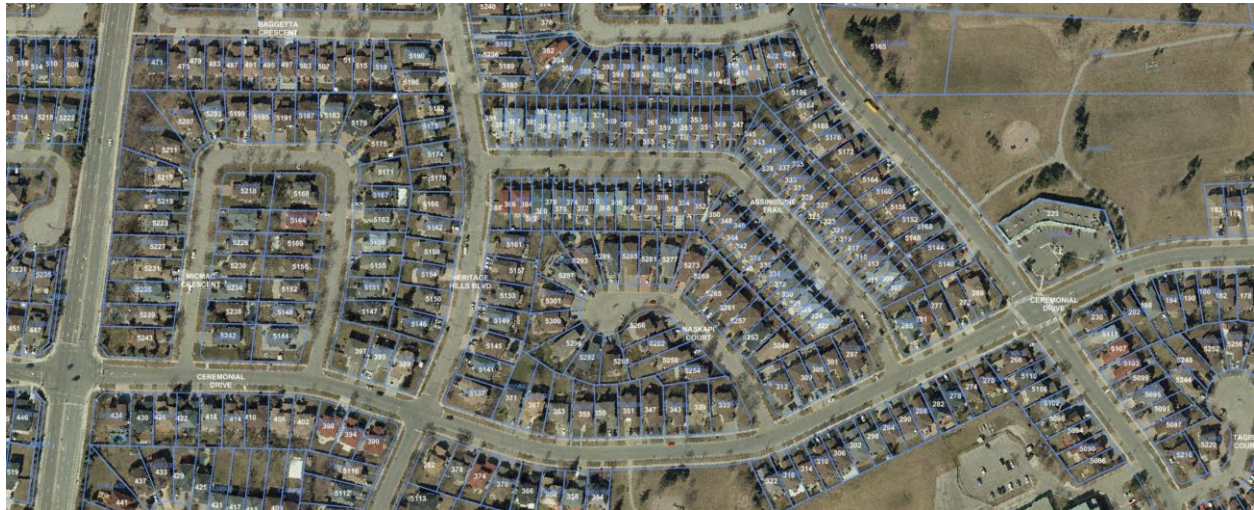
### Site and Area Context

The subject property is located north-east of the Eglinton Avenue West and McLaughlin Road intersection. It currently contains a two-storey detached dwelling with an attached garage. Limited vegetative/landscaping elements are present in the front yard. The property has a lot frontage of +/- 12.2m (40ft), characteristic of detached dwellings on Naskapi Court. The



surrounding context is exclusively residential, consisting of a mix of detached and semi-detached/link dwellings.

The applicant is proposing a widened 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 Hurontario 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 intent of limiting driveway widths is to only permit a driveway large enough to suitably accommodate the required number parking spaces for a dwelling and allow the parking of two vehicles across, with the remainder of lands in the front yard being soft landscaping.

The subject property has a frontage of +/- 12.2m (40ft), and the proposed driveway would represent over 66% of the front yard area. Furthermore the driveway width can accommodate the parking of three vehicles across, contrary to the intent of the zoning by-law.

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: Brooke Herczeg, Zoning Examiner



# City of Mississauga Department Comments

## **Appendix 3 – Region of Peel**

We have no comments or objections to this application.

Comments Prepared by:      Patrycia Menko, Junior Planner



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A28.23

Ward: 2

### In Person and Virtual Public Hearing

#### 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 1460 Spring Road, zoned R2-4 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling proposing:

1. A flat roof height of 8.018m (approx. 26.31ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof height of 7.50m (approx. 24.61ft) in this instance; and,
2. A gross floor area of 494.27sq m (approx. 5320.28sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 445.20sq m (approx. 4792.09sq ft) in this instance.

The Committee has set **Thursday, March 23, 2023 at 1:00 PM** for the public hearing on this matter. 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: 2023-03-15	File(s): A28.23
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2023-03-23 1:00:00 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 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 flat roof height of 8.018m (approx. 26.31ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof height of 7.50m (approx. 24.61ft) in this instance; and,
2. A gross floor area of 494.27sq m (approx. 5320.28sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 445.20sq m (approx. 4792.09sq ft) in this instance.

## Background

**Property Address:** 1460 Spring Road

### Mississauga Official Plan

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

### Zoning By-law 0225-2007

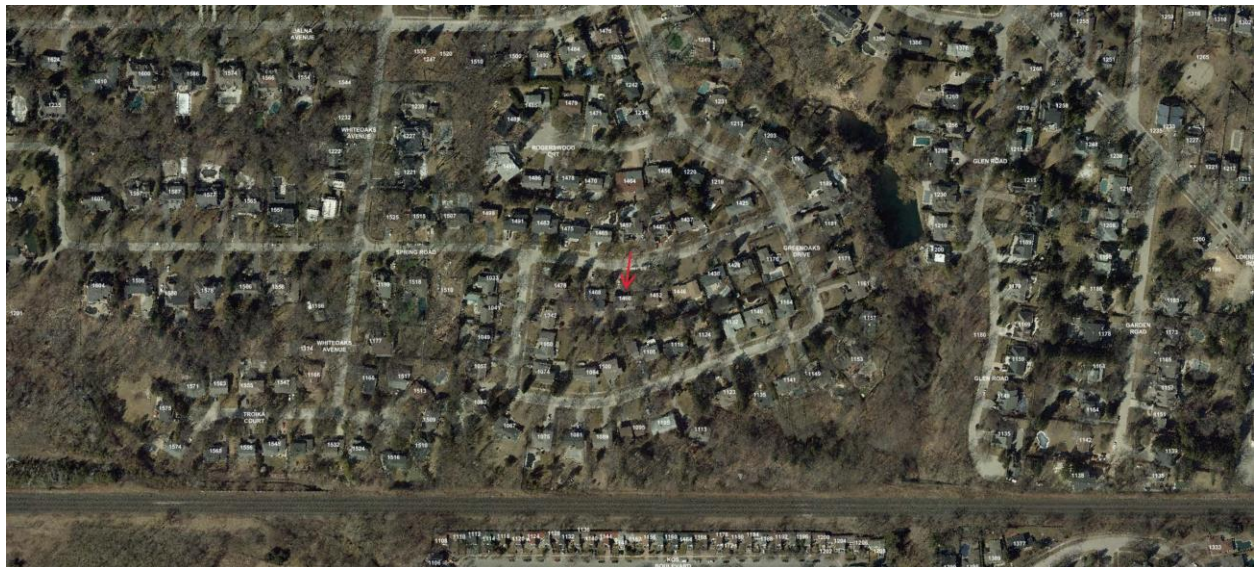
**Zoning:** R2-4 - Residential

**Other Applications:** PAM 22-199, SPI 22- 92

## Site and Area Context

The subject property is located in the Clarkson-Lorne Park Neighbourhood Character Area, southeast of the Birchwood Drive and White Oaks Avenue intersection. The immediate neighbourhood contains a mix of older and newer one and two-storey detached dwellings with mature vegetation in the front yards. The subject property contains a two-storey dwelling with vegetation in the front yard.

The applicant is proposing a new dwelling requiring variances related to flat roof height and gross floor area.



## Comments

### Planning

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

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

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

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



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

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

Variance #1 pertains to flat roof height. The intent in restricting height to the flat roof is to reduce the overall massing of a flat roof dwelling compared to a sloped roof dwelling and to minimize its negative impacts on the streetscape and neighbouring properties. Staff note a 0.59m (1.94ft) height discrepancy between average grade and the top of the foundation wall where a majority of the dwelling sits. Therefore, when standing perpendicular to the dwellings façade from the street, the dwelling would appear to be 7.43m (24.38ft) tall, which would not require a flat roof height variance.

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

As such, Planning staff have no concerns with the proposed variances and 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?**

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

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner



## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed 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 processed a Site Plan application under file SPI 22-92 W2 and is waiting for a building permit submission to continue the review. 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 submitted on 10/12/2022 and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Jeanine Benitez, Zoning Examiner

### **Appendix 3 – Region of Peel**

#### **Minor Variance Application: A-28/23 – 1460 Spring Road**

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

##### **Comments:**

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

Comments Prepared by: Patrycia Menko, Junior Planner

### **Appendix 4 – Metrolinx**

#### 1460 Spring Road

Metrolinx is in receipt of the minor variance application for 1460 Spring Road to facilitate the construction of a new single-detached dwelling. Metrolinx's comments on the subject application are noted below:

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

in the subject property and reduces the potential for future land use conflicts. The environmental easement shall be registered on title of the subject property. A copy of the form of easement is included for the Owner's information. The applicant may contact [Leah.ChishimbaSimwanza@Metrolinx.com](mailto:Leah.ChishimbaSimwanza@Metrolinx.com) with questions and to initiate the registration process. (It should be noted that the registration process can take up to 6 weeks)

Comments Prepared by: Farah Faroque, Intern



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A35.23  
Ward: 6

### In Person and Virtual Public Hearing

#### 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 5459 Bullrush Drive, zoned RM5-12-Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a reduced garage length of 5.21m (approx. 17.09ft) whereas By-law 0225-2007, as amended, requires a garage length of 6.00m (approx. 19.68ft) in this instance.

The Committee has set **Thursday, March 23, 2023 at 1:00 PM** for the public hearing on this matter. The hearing will begin promptly at the noted start time and all items on the agenda will be heard in the order shown.

#### In Person Hearing:

This hearing will be held in person at Mississauga Civic Centre, Council Chambers, 300 City Centre Drive, 2nd Floor. If you wish to speak at the hearing regarding this matter, please note the following:

- Advance registration is preferred to speak at the hearing in person. Please email [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) by 4:30 p.m. on the Friday prior to the meeting.
- If you intend to make a presentation you must choose one of the following options:
  1. Provide a copy of your electronic presentation in .pdf or PowerPoint format to [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) by 4:30 on the Friday prior to the meeting **OR**
  2. Bring your presentation material in paper copy or on your laptop or tablet so it can be projected using our Document Camera.

#### Virtual Hearing:

- **To participate electronically (computer, tablet or smartphone):** Advance registration is required to speak at the virtual hearing. If you intend to make a presentation at the virtual hearing you must send your request to speak and your presentation material (as an attachment) via email to [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) no later than 4:30 p.m. on the Friday prior to the hearing.
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#### How to submit a written comment:

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### **Additional Information:**

- You can get more information on this matter by emailing [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) or calling 905-615-3200 x2408.
- You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>.
- If you wish to be notified of the decision of the Committee, you must submit a written request to [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca). This will also entitle you to be advised of an appeal to the Ontario Land Tribunal.

### **Legal notice:**

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: 2023-03-15	File(s): A35.23
To: Committee of Adjustment	Ward: 6
From: Committee of Adjustment Coordinator	Meeting date:2023-03-23 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the application.

## Application Details

The applicant requests the Committee to approve a minor variance to allow a reduced garage length of 5.21m (approx. 17.09ft) whereas By-law 0225-2007, as amended, requires a garage length of 6.00m (approx. 19.68ft) in this instance.

## Background

**Property Address:** 5459 Bullrush Drive

### Mississauga Official Plan

Character Area: East Credit Neighbourhood  
Designation: Residential Medium Density

### Zoning By-law 0225-2007

**Zoning:** RM5-12-Residential

**Other Applications:** BP 9ALT 22-4625

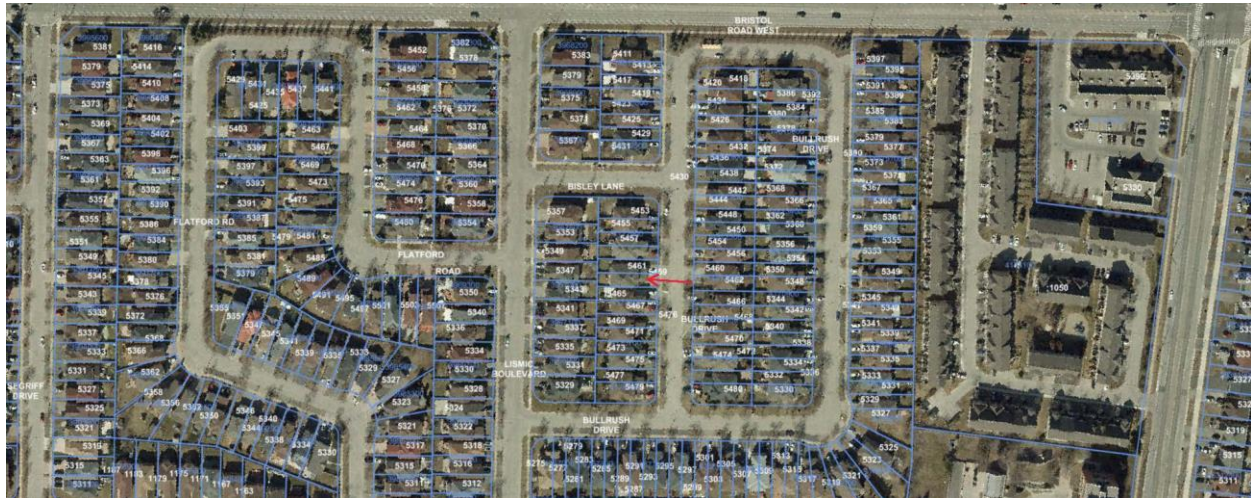
### Site and Area Context

The subject property is located south-west of the Bristol Road West and Terry Fox Way intersection. It currently contains a two-storey semi-detached dwelling with an attached garage. Limited landscaping/vegetative elements are present in both the front and rear yards. The



surrounding context is exclusively residential, consisting of a mix of detached and semi-detached dwellings on generally uniformly sized lots.

The applicant is proposing renovations requiring a variance for a reduced garage length.



## 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 East Credit Neighbourhood Character Area and is designated Residential Medium Density in Schedule 10 of the Mississauga Official Plan. 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. The proposal will not result in any changes to the streetscape or the massing on the subject property. Staff are satisfied 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 sole requested variance relates to the interior parking space size within the garage. The intent of this provision is to ensure that the garage can accommodate the parking of atypical vehicles entirely within the garage area. Staff note that the requested depth of the garage is

approximately the same as a legal parking space in the City and that, despite the proposed reduced area, the garage will maintain the ability to provide parking for vehicles of average length. Staff are therefore satisfied that the general intent and purpose of the zoning by-law are maintained.

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

Planning staff are satisfied that the proposed variance is minor in nature. The proposal will have no impacts to the streetscape or the abutting property and represents appropriate development of the subject property.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference is a photo of the subject property.



Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

### Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 9ALT 22-4625. Based on review of the information currently available in this permit application, the variance, as requested is correct.

Please note that comments reflect those provided through the above permit application and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these



comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Brandon Eidner, Zoning Examiner

### **Appendix 3 – Region of Peel**

#### **Minor Variance Application: A-35/23 – 5459 Bullrush Drive**

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

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

Comments Prepared by: Partycia Menko, Junior Planner



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A38.23  
Ward: 5

### In Person and Virtual Public Hearing

#### 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 3692 Morning Star Dr, zoned RM1- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to permit an existing driveway proposing a driveway width of 6.20m (approx. 20.34ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 5.20m (approx. 17.06ft) in this instance.

The Committee has set **Thursday, March 23, 2023 at 1:00 PM** for the public hearing on this matter. The hearing will begin promptly at the noted start time and all items on the agenda will be heard in the order shown.

#### In Person Hearing:

This hearing will be held in person at Mississauga Civic Centre, Council Chambers, 300 City Centre Drive, 2nd Floor. If you wish to speak at the hearing regarding this matter, please note the following:

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#### Virtual Hearing:

- **To participate electronically (computer, tablet or smartphone):** Advance registration is required to speak at the virtual hearing. If you intend to make a presentation at the virtual hearing you must send your request to speak and your presentation material (as an attachment) via email to [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) no later than 4:30 p.m. on the Friday prior to the hearing.
- **To participate by telephone:** Advance registration is required to speak in the virtual hearing. To register, please call 905-615-3200 x2408 no later than 4:30 p.m. on the Friday prior to the hearing. You must provide your name, phone number, and the application file number. Committee staff will provide you with further details prior to the start of the hearing.
- **If you wish to view the public hearing online please use the following link:**  
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#### How to submit a written comment:

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

### **Additional Information:**

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- You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>.
- If you wish to be notified of the decision of the Committee, you must submit a written request to [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca). This will also entitle you to be advised of an appeal to the Ontario Land Tribunal.

### **Legal notice:**

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# City of Mississauga Department Comments

Date Finalized: 2023-03-15	File(s): A38.23
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2023-03-23 1:00:00 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 permit an existing driveway proposing a driveway width of 6.20m (approx. 20.34ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 5.20m (approx. 17.06ft) in this instance.

## Background

**Property Address:** 3692 Morning Star Dr

### Mississauga Official Plan

Character Area: Malton Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

**Zoning:** RM1- Residential

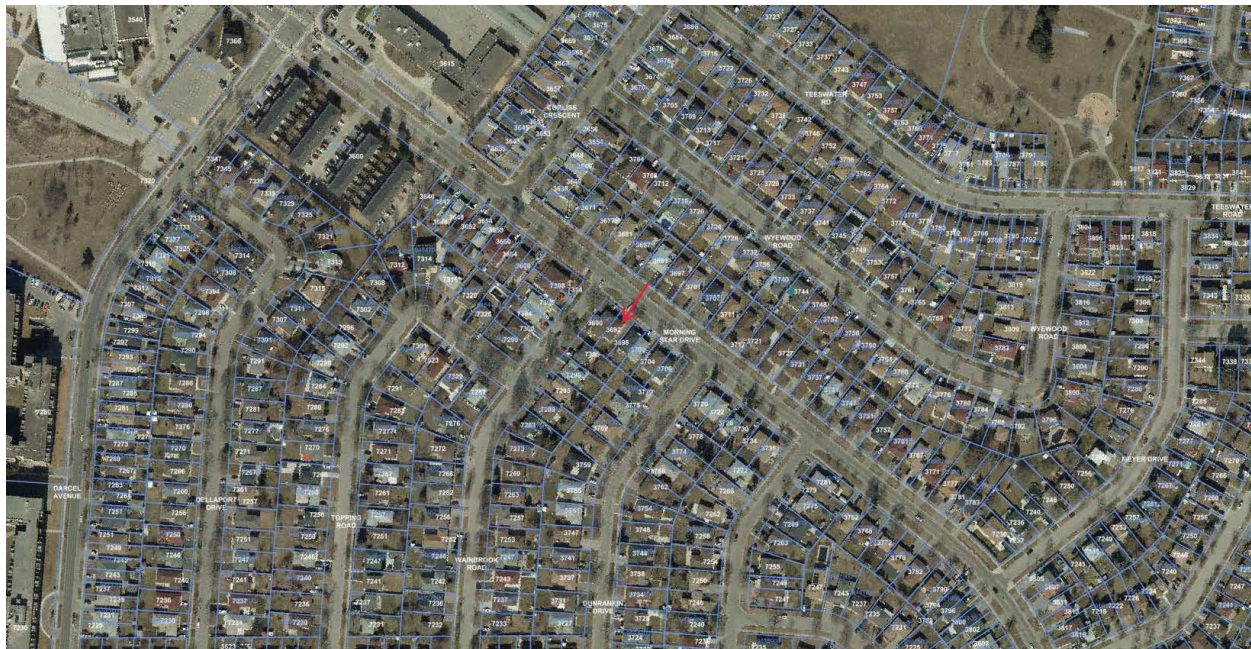
**Other Applications:**

### Site and Area Context

The subject property is located on the south side of Morning Star Drive, east of the Darcel Avenue intersection. It currently contains a semi-detached dwelling with a reverse grade driveway. Limited landscaping/vegetative elements are present in the front yard. The property

has a frontage of +/- 12.1m (39.7ft), which is characteristic of semi-detached dwellings along this portion of Morning Star Drive but larger than other semi-detached dwellings in the surrounding area. The surrounding are context is predominantly residential, consisting of a mix of detached, semi-detached, and townhouse dwellings.

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 Malton 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 intent of limiting the driveway width is to permit a

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driveway large enough to suitably accommodate the required number parking spaces for a dwelling, with the remainder of lands in the front yard being soft landscaping.

The subject property has a wider frontage than average for a semi-detached dwelling and is therefore able to accommodate a wider driveway than permitted under the by-law without the hardscaping becoming overbearing to the streetscape. Staff are satisfied that the width will restrict the parking of more than two vehicles across and maintain a sufficient soft landscaping area reflective of the surrounding area character.

Planning staff are satisfied that the proposed driveway width variance is minor in nature, represents appropriate development of the subject property, and maintains the intent of both the official plan and zoning by-law.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

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.

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: Sherri Takaloo, Zoning Examiner

## **Appendix 3 – Region of Peel**

We have no comments or objections to this application.

Comments Prepared by:     Patrycia Menko, Junior Planner



## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A44.23

Ward: 11

### In Person and Virtual Public Hearing

#### 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 8 Wareham Drive, 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. An eaves height of 6.76m (approx. 22.17ft) whereas By-law 0225-2007, as amended, permits an eaves height of 6.40m (approx. 20.99ft) in this instance;
2. A gross floor area (infill residential) of 316.31sq.m (approx. 3,404.73sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area (infill residential) of 274.98sq.m (approx. 2959.86sq.ft) in this instance;
3. A lot coverage of 31.26% (approx. 195.36sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% (approx. 156.23sq.m) in this instance;
4. A front yard setback of 7.25m (approx. 23.78ft) whereas By-law 0225-2007, as amended, requires a front yard setback of 7.50m (approx. 24.60ft) in this instance;
5. An East side yard setback of 1.61m (approx. 5.28ft) from the second storey whereas By-law 0225-2007, as amended, requires an East side yard setback of 1.81m (approx. 5.93ft) from the second storey in this instance; and,
6. An East side yard setback of 1.61m (approx. 5.28ft) from the second storey whereas By-law 0225-2007, as amended, requires an East side yard setback of 1.81m (approx. 5.93ft) from the second storey in this instance.

The Committee has set **Thursday, March 23, 2023 at 1:00 PM** for the public hearing on this matter. The hearing will begin promptly at the noted start time and all items on the agenda will be heard in the order shown.

#### In Person Hearing:

This meeting will be held in person at Mississauga Civic Centre, Council Chambers, 300 City Centre Drive, 2nd Floor. If you wish to speak at the hearing regarding this matter, please note the following:

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- **If you wish to view the public hearing online please use the following link:**

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

**Additional Information:**

- ### Legal notice:



# City of Mississauga Department Comments

Date Finalized: 2023-03-15	File(s): A44.23 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-03-23 1:00:00 PM

## Consolidated Recommendation

The City recommends that the application be deferred.

## Application Details

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

1. An eaves height of 6.76m (approx. 22.17ft) whereas By-law 0225-2007, as amended, permits an eaves height of 6.40m (approx. 20.99ft) in this instance;
2. A gross floor area (infill residential) of 316.31sq.m (approx. 3,404.73sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area (infill residential) of 274.98sq.m (approx. 2959.86sq.ft) in this instance;
3. A lot coverage of 31.26% (approx. 195.36sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% (approx. 156.23sq.m) in this instance;
4. A front yard setback of 7.25m (approx. 23.78ft) whereas By-law 0225-2007, as amended, requires a front yard setback of 7.50m (approx. 24.60ft) in this instance;
5. An East side yard setback of 1.61m (approx. 5.28ft) from the second storey whereas By-law 0225-2007, as amended, requires an East side yard setback of 1.81m (approx. 5.93ft) from the second storey in this instance; and,
6. An East side yard setback of 1.61m (approx. 5.28ft) from the second storey whereas By-law 0225-2007, as amended, requires an East side yard setback of 1.81m (approx. 5.93ft) from the second storey in this instance.

## Background

**Property Address:** 8 Wareham Drive

### Mississauga Official Plan

**Character Area:** Streetsville Neighbourhood



Designation: Residential Low Density I

### Zoning By-law 0225-2007

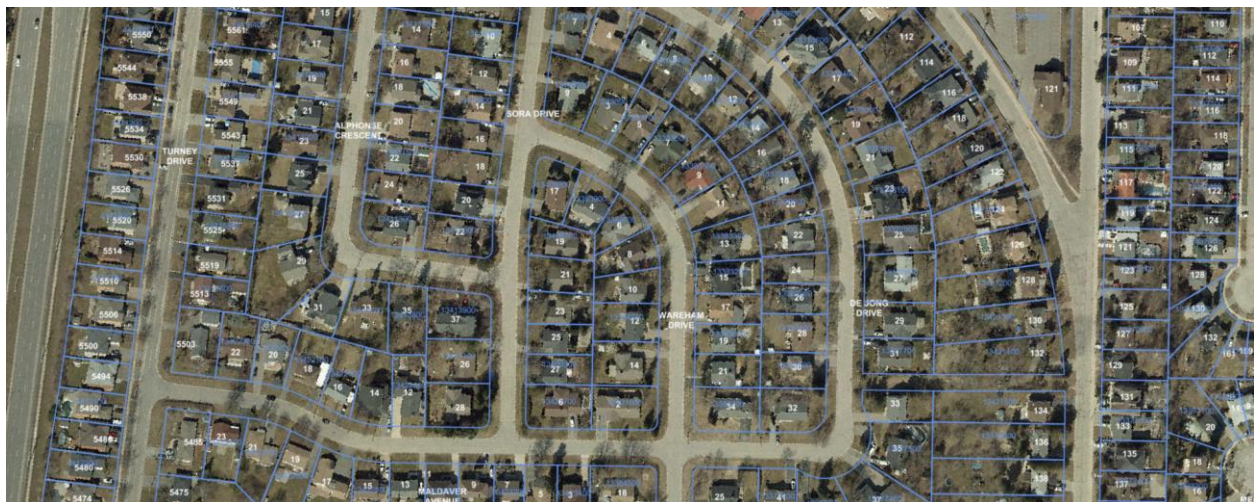
Zoning: R2-50-Residential

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 single storey detached dwelling and has a lot area of +/- 626.2m<sup>2</sup> (6,740.4ft<sup>2</sup>). The property is located on the inside of the curve of Wareham Drive and is a reverse pie lot with a wider frontage and a narrower rear. Some mature vegetation is present on the subject property. The surrounding area context is exclusively residential, consisting of detached dwellings on similarly sized lots. The majority of dwellings are original to the neighbourhood, however some redevelopment is present.

The applicant is proposing a new dwelling requiring variances for eave height, gross floor area, lot coverage, and front and side yard setbacks.



## Comments

### Planning

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

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

**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.

In 2009 the City passed Zoning By-law 0380-2009, amending the zoning of the subject property and surrounding area to R2-50 from the previous R2-7 zone. One of the effects of this by-law was reducing the maximum lot coverage provision in the zone from 30% to 25%. The intent of the newer by-law is to limit the overall massing of dwellings and maintain compatibility between the existing and planned character of the neighbourhood. The application proposes an increase in lot coverage for the enclosed dwelling itself that is more representative of the previous by-law and does not maintain the intent of the new regulations. 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 dwelling will be addressed by our Development Construction Section 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: Brooke Herczeg, Zoning Examiner

## **Appendix 3 – Region of Peel**

### **Minor Variance Application: A-44/23 – 8 Wareham Drive**

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

### **Comments:**

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

Comments Prepared by: Partycia Menko, Junior Planner





## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A53.23  
Ward: 5

### In Person and Virtual Public Hearing

#### 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 265 Courtneypark Dr E, zoned E2- Employment, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing:

1. A side yard setback of 0.0m whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 7.00m (approx. 22.97ft) in this instance; and,
2. 52 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 76 parking spaces in this instance.

The Committee has set **Thursday, March 23, 2023 at 1:00 PM** for the public hearing on this matter. The hearing will begin promptly at the noted start time and all items on the agenda will be heard in the order shown.

#### In Person Hearing:

This meeting will be held in person at Mississauga Civic Centre, Council Chambers, 300 City Centre Drive, 2nd Floor. If you wish to speak at the hearing regarding this matter, please note the following:

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  2. Bring your presentation material in paper copy or on your laptop or tablet so it can be projected using our Document Camera.

#### Virtual Hearing:

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- **If you wish to view the public hearing online please use the following link:**  
<http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>

#### How to submit a written comment:

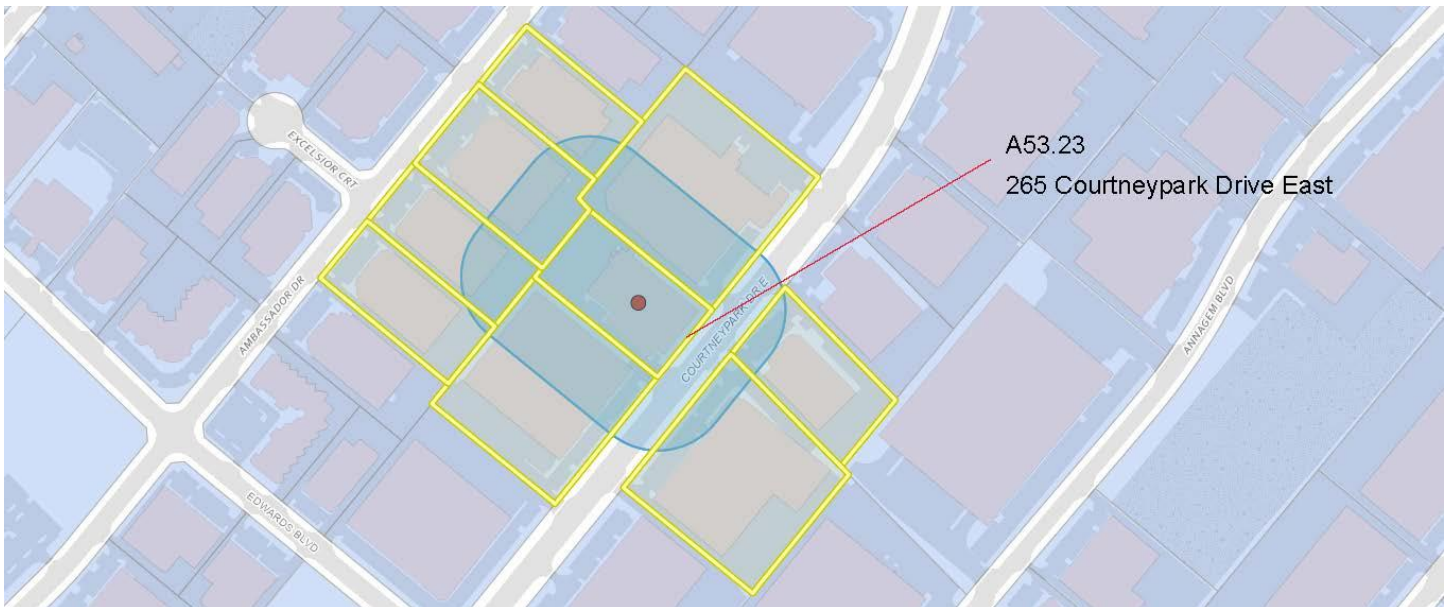
Written comments to the Committee must be received no later than 4:30 p.m. on the Friday prior to the hearing. Submissions are accepted by email at [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) or by mailing the Committee of Adjustment, 300 City Centre Drive 2<sup>nd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

**Additional Information:**

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# City of Mississauga Department Comments

Date Finalized: 2023-03-15	File(s): A53.23
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2023-03-23 1:00:00 PM

## Consolidated Recommendation

The City recommends that the application be deferred.

## Application Details

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

1. A side yard setback of 0.0m whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 7.00m (approx. 22.97ft) in this instance; and,
2. 52 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 76 parking spaces in this instance.

## Background

**Property Address:** 265 Courtneypark Dr E

### Mississauga Official Plan

Character Area: Gateway Employment Area  
Designation: Business Employment

### Zoning By-law 0225-2007

**Zoning:** E2- Employment

**Other Applications:** None

### Site and Area Context

The subject property is located on the north side of Courtneypark Drive East, east of the Edwards Boulevard intersection. It currently contains a single storey industrial building with an associated surface parking lot. A conveyor belt connects the existing building to the building at 299 Courtneypark Drive East. Limited landscaping and vegetative elements are present on the subject property, located along the front property line. The surrounding area context is exclusively industrial, consisting of low rise buildings with surface parking lots on lots of varying sizes.

The applicant is proposing an addition requiring variances for side yard setback and parking.



## Comments

### Planning

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

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

The subject property is located in the Gateway Employment Area and is designated Business Employment in Schedule 10 of the Mississauga Official Plan. This designation permits a variety of employment uses.

The applicant has proposed an addition to the property at 265 Courtneypark Drive East and has requested a parking variance. Municipal Parking staff have reviewed the request and note as follows:

With respect to Committee of Adjustment application 'A' 53/23 located at address 265 Courtneypark Drive E., the applicant is requesting to allow the construction of an addition proposing:

- 52 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 76 parking spaces in this instance.

The proposed parking is at a 32% deficiency from the City's requirements as stipulated within Zoning By-law 0225-2007. As per the City's parking Terms of Reference, the City requires the submission of a Parking Utilization Study (PUS) to justify reductions more than 10% from current Zoning By-law standards. A PUS was not submitted, and without proper justification, staff have concerns with the large proposed reduction.

Zoning was also unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required.

Additionally, the applicant had mentioned altering the proposed plans, which would also require Zoning's review and confirmation of accuracy of the information provided.

Lastly, on March 5<sup>th</sup>, the applicant had advised City staff that they will be deferring at the hearing in order to rectify the issues with their application at hand.

#### Staff Comments

Staff recommend the application be deferred:

- In the absence of a Building Permit Zoning is 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.
  - Verification of the accuracy of the requested variance(s) and whether additional variance(s) will be required has yet to be completed.
- Pending the submission of a satisfactory Parking Utilization Study (PUS).
  - Staff advise that a satisfactory Parking Utilization Study is required to be submitted.
    - Please refer to the City's Parking Terms of Reference for parking justification requirements to be included with a formal submission.
    - The consultant should confirm the survey methodology with staff prior to conducting parking surveys. Details can also be found in the above hyperlink, under the City's Parking Terms of Reference.

On March 1 Planning staff received new drawings appearing to show the property merged with 299 Courtneypark Drive East. It is the understanding of staff that the applicant intends to merge the two properties into one, however at the time of this report a full zoning review in order to verify



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the new variances has not been completed. The merger of the properties would remove the requirement for the side yard setback variance and will likely impact the parking variance. Staff therefore recommend the application be deferred in order to allow the applicant to determine what variances are required, if any, and to allow Municipal Parking to review the correct parking variance should one be required.

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 addition will be addressed through the Site Plan Approval (SPM 18-08) and 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: Brooke Herczeg, Zoning Examiner

## **Appendix 3 – Region of Peel**

We have no comments or objections to this application.

Comments Prepared by: Patrycia Menko, Junior Planner





## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A480.22  
Ward: 2

### In Person and Virtual Public Hearing

#### 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 1262 Canvey Cres, 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 for an existing shed on the subject property proposing:

1. An accessory structure with an area of 46.77sq m (approx. 502.67sq ft) whereas By-law 0225-2007, as amended, permits an accessory structure with a maximum area of 20.00sq m (approx. 215.28sq ft) in this instance; and,
2. A rear yard setback to a shed of 0.91m (approx. 2.99ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard shed setback to a shed of 1.20m (approx. 3.94ft) in this instance.

The Committee has set **Thursday, March 23, 2023 at 1:00 PM** for the public hearing on this matter. The hearing will begin promptly at the noted start time and all items on the agenda will be heard in the order shown.

#### In Person Hearing:

This hearing will be held in person at Mississauga Civic Centre, Council Chambers, 300 City Centre Drive, 2nd Floor. If you wish to speak at the hearing regarding this matter, please note the following:

- Advance registration is preferred to speak at the hearing in person. Please email [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) by 4:30 p.m. on the Friday prior to the meeting.
- If you intend to make a presentation you must choose one of the following options:
  1. Provide a copy of your electronic presentation in .pdf or PowerPoint format to [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) by 4:30 on the Friday prior to the meeting **OR**
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# City of Mississauga Department Comments

Date Finalized: 2023-03-15	File(s): A480.22
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2023-03-23 1:00:00 PM

## Consolidated Recommendation

The City recommends that the application be refused.

## Application Details

The applicant requests the Committee to approve a minor variance for an existing shed on the subject property proposing:

1. An accessory structure with an area of 46.77sq m (approx. 502.67sq ft) whereas By-law 0225-2007, as amended, permits an accessory structure with a maximum area of 20.00sq m (approx. 215.28sq ft) in this instance; and,
2. A rear yard setback to a shed of 0.91m (approx. 2.99ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard shed setback to a shed of 1.20m (approx. 3.94ft) in this instance.

## Recommended Conditions and Terms

Should the Committee see merit in application A480.22, Transportation and Works request that eaves troughs be installed on the existing sheds. The smaller shed would require an eaves trough along the rear side of the structure. The larger shed would require an eaves trough at the right side where the single man door is located. All down spouts are to be directed in such a manor to not impact adjacent lands.

## Background

**Property Address:** 1262 Canvey Cres

### Mississauga Official Plan

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

## Zoning By-law 0225-2007

**Zoning:** R3 - Residential

**Other Applications:** BP 9NEW 22-2393

### Site and Area Context

The subject property is located within the Clarkson – Lorne Park Neighbourhood Character Area, southwest of the Southdown Road and Truscott Drive intersection. The immediate area consists of a mix of older and newer one-storey detached dwellings on lots with limited vegetation in the front yards. Further south of the subject property, semi-detached and townhouse dwellings can be found. The subject property contains an existing one-storey detached dwelling with limited vegetation in the front yard.

The applicant is requesting approval for an existing shed that requires variances related to accessory structure area 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 are as follows:



City Department and Agency Comments	File:A480.22	2023/03/10	3
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The Committee deferred the above noted application on November 17<sup>th</sup>, 2022 to allow the applicant an opportunity to confirm the accuracy of the requested variances with Zoning staff and to provide revised drawings indicating the area, setbacks and dimensions of both accessory structures. The Committee and staff were unable to evaluate the applicant's request to legalize the existing accessory structures in absence of this information.

On January 18<sup>th</sup>, 2023, the applicant's agent provided staff with a revised set of drawings referencing the area, setbacks and dimensions of both accessory structures.

Upon review of the requested information, staff note that variance #1 is incorrect, variance #2 is not required and that an additional variance for an accessory structure height of 3.89m (12.76ft) is required.

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

The site is located within the Clarkson-Lorne Park Neighbourhood Character Area, and is designated Residential Low Density II on Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density II designation permits detached, semi-detached and duplex, triplex, street townhouse and other forms of low-rise dwellings with individual frontages. 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. Staff note there are two accessory structures on the subject property. Staff are of the opinion that the existing accessory structures are inappropriate, not accessory to the detached dwelling, and represent an overdevelopment of the subject property. Therefore, staff is of the opinion that the general intent and purpose of the official plan is not maintained.

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

Variance #1 requests an increase in the maximum floor area for an accessory structure. The intent of the zoning by-law provisions regarding accessory structures is to ensure that the structures are proportional to the lot and dwelling and are clearly accessory to the principle use. Furthermore, that there are no massing concerns to neighbouring lots. Staff note that this variance is incorrect, as a lot of this size is permitted a maximum accessory structure area of 10m<sup>2</sup> (107.64m<sup>2</sup>), not 20m<sup>2</sup> (215.28ft<sup>2</sup>) in this instance. Under the current zoning provisions regulating accessory structures, the maximum total combined floor area permitted for accessory structures on lots of this size is 30m<sup>2</sup> (322.917ft<sup>2</sup>). Therefore, the applicant also requires an additional variance to allow for a combined floor area of 55.68m<sup>2</sup> (599.33ft<sup>2</sup>). Staff are unable to support this additional variance as the combined floor area of the two existing accessory structures represents more than half of the size of the footprint of the existing dwelling on the subject property. Staff lastly note that Zoning staff have identified an additional variance for an accessory structure height of 3.89m (12.76ft), where a maximum height of 3.0 m (9.84ft) is permitted. Planning staff are of the opinion that this variance is excessive and will impose massing impacts upon adjacent properties.



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As such, staff are of the opinion that the existing structures are not accessory nor proportional to the lot or dwelling and will pose massing concerns to adjacent properties. Therefore, the general intent and purpose of the zoning by-law is not maintained.

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

Planning staff are of the opinion that this application is inappropriate, represents overdevelopment of the lands, and is not minor in nature. The accessory structures are not accessory and impose massing concerns upon the neighbouring properties.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference are photos of the existing 2 sheds on the property. We advise that both structures are to be equipped with eaves trough and down spout directed in such a manner to not impact adjacent lands. The smaller shed would require an eaves along the rear side. The larger shed would require an eaves at the right side where the single man door is located. All down spouts are to be directed in such a manner to not impact the adjacent lands.











# City of Mississauga Department Comments

## Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 9NEW 22-2393. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

1. An accessory structure with an area of 46.77sq m (approx. 502.67sq ft) whereas By-law 0225-2007, as amended, permits an accessory structure with a maximum area of 10.00sq m (approx. 107.63sq ft) in this instance;

Variance # 2 is not required.

Please add the following variances:

3. An accessory structure with a height of 3.89 m (approx. 12.76 ft) from established grade whereas By-law 0225-2007, as amended, permits an accessory structure with a maximum height of 3.0 m (approx. 9.84 ft) in this instance;

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

## Appendix 3 – Region of Peel

Please apply previous comments.

Comments Prepared by: Patryca Menko, Junior Planner