
Committee of Adjustment

Date: June 1, 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
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Taranjeet Uppal, Committee of Adjustment Coordinator, Legislative Services
905-615-3200 ext.3817
taranjeet.uppal@mississauga.ca

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

Send written submissions or request notification of future meetings to:

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

-
1. CALL TO ORDER
 2. DECLARATION OF CONFLICT OF INTEREST
 3. DEFERRALS OR WITHDRAWALS
 4. MATTERS TO BE CONSIDERED
 - 4.1 A514.22
2491 Edenhurst Dr (Ward 7)
 - 4.2 A534.22
386 Chantenay Drive (Ward 7)
 - 4.3 A736.22
26 Earl Street (Ward 11)
 - 4.4 A84.23
1203 Saginaw Cres (Ward 2)
 - 4.5 A89.23
4344 Shelby Cres (Ward 3)
 - 4.6 A94.23
140 Pinewood Trail (Ward 1)
 - 4.7 A107.23
286 Willa Rd (Ward 1)
 - 4.8 A137.23
992 Fredonia Dr (Ward 7)
 - 4.9 A140.23
291 Chantenay Drive (Ward 7)
 - 4.10 A143.23
1769 Coram Crescent (Ward 1)
 - 4.11 A150.23
85 Derry Road E (Ward 5)
 - 4.12 A155.23
482 Turnbridge Road (Ward 4)

- 4.13 A156.23
70 Veronica Dr (Ward 1)
- 4.14 A157.23
5085 Hurontario Street and 35 Armdale Road (Ward 5)
- 4.15 A158.23
3281 Loyalist Drive (Ward 8)
- 5. **OTHER BUSINESS**
- 6. **ADJOURNMENT**



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A514.22
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 2491 Edenhurst Dr, zoned R3- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an existing driveway proposing a driveway width of 7.31m (approx. 23.98ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.45m (approx. 14.60ft) in this instance.

The Committee has set **Thursday, June 1, 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:

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Virtual Hearing:

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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.M.56, 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.M.56, 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.



New! Committee of Adjustment Appeal Process

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City of Mississauga Department Comments

Date Finalized: 2023-05-24	File(s): A514.22
To: Committee of Adjustment	Ward: 7
From: Committee of Adjustment Coordinator	Meeting date:2023-06-01 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

The applicant requests the Committee to approve a minor variance to allow an existing driveway proposing a driveway width of 7.31m (approx. 23.98ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.45m (approx. 14.60ft) in this instance.

Background

Property Address: 2491 Edenhurst Dr

Mississauga Official Plan

Character Area: Cooksville Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3- Residential

Other Applications: None

Site and Area Context

The subject property is located south-east of the King Street East and Camilla Road intersection in the Cooksville neighbourhood. It currently contains a detached bungalow with some vegetative elements in the front yard. The property has a lot frontage of +/- 19.2m (63ft), characteristic of other lots containing detached dwellings in the area. The surrounding area

context is predominantly residential, consisting of detached dwellings on lots of varying sizes. The property backs onto Red Oaks Park.

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

The applicant is proposing a driveway width of 7.31m (23.98ft). The planned character of the area is that of residential dwellings serviced by appropriately sized driveways that can accommodate the parking required by the zoning by-law for each property. The intent of the driveway width regulations in the by-law is to allow a driveway that can accommodate the required parking under the zoning by-law, with the remainder of the front yard being soft landscaped area. While two car wide driveways are present in the surrounding context, the proposal represents excessive width to facilitate the parking of two vehicles across.

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

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

Appendix 3 – Parks, Forestry & Environment

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

The lands adjacent to the property are owned by the City of Mississauga, identified as Red Oaks Park (P-103) and zoned OS1 – Open Space – Community Park.

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

1. If future construction is required, access from the adjacent park/greenlands is not permitted.
2. If access is required to City owned lands, a Consent to Enter Agreement/Park Access Permit will be required.
3. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.

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

Comments Prepared by: Nicholas Rocchetti, Park Planning Assistant

Appendix 4 – Region of Peel

We have no comments or objections.

Comments Prepared by: Patrycia Menko, Junior Planner



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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.

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The property owner of 386 Chantenay Drive, zoned R3- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow for the construction of a below grade entrance proposing:

1. An interior side yard setback to the below grade stairwell of 1.071m (approx. 3.51ft) whereas By-law 0225-2007, as amended, requires an interior side yard setback to the below grade stairwell of 1.20m (approx. 3.94ft) in this instance; and,
2. A driveway width of 6.50m (approx. 21.33ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

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City of Mississauga Department Comments

Date Finalized: 2023-05-24	File(s): A534.22
To: Committee of Adjustment	Ward: 7
From: Committee of Adjustment Coordinator	Meeting date:2023-06-01 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

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

1. An interior side yard setback to the below grade stairwell of 1.071m (approx. 3.51ft) whereas By-law 0225-2007, as amended, requires an interior side yard setback to the below grade stairwell of 1.20m (approx. 3.94ft) in this instance; and,
2. A driveway width of 6.50m (approx. 21.33ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

Background

Property Address: 386 Chantenay Drive

Mississauga Official Plan

Character Area: Cooksville Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3- Residential

Other Applications: SEC UNIT 22-3386

Site and Area Context

The subject property is located on the north-east of the Cliff Road and North Service Road intersection in the Cooksville neighbourhood. It currently contains a side-split detached dwelling with an attached garage and limited landscaping elements with some mature vegetation. The property has a lot area of +/- 691.81m² (7,447ft²), which is characteristic of the area. The surrounding area context is exclusively residential, consisting of detached homes in the immediate vicinity and townhouses in the larger context.

The applicant is proposing a below grade entrance and to legalize the existing driveway requiring variances for setback and driveway width.



Comments

Planning

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

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

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

The subject property is located in the Cooksville Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, duplex and triplex dwellings, as well as other low-rise dwellings with individual frontages. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. The

proposed development maintains the residential use of the dwelling and character of the surrounding area. Staff are satisfied 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 proposes a reduced side yard measured to a below grade entrance. The intent of the side yard regulations in the by-law is to ensure that an appropriate buffer between structures on abutting properties is maintained as well as ensuring access to the rear yard and drainage patterns are preserved. The proposed steps and side entrance create no massing impacts or separation issues between structures while preserving access to the rear yard. Staff note that the proposed setback is measured to a pinch point due to the angled lot line and that the setback increases along the length of the stairs. Furthermore Transportation & Works staff have raised no significant drainage concerns regarding the proposal.

Variance 2 proposes an increased driveway width. The intent of limiting the driveway width is to permit a 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 proposed driveway is an appropriate width to accommodate two vehicles across while maintaining an appropriate soft landscaped area in the front yard. Furthermore the proposal does not request excessive hard surface area above the requirement for two vehicles side by side.

Given the above Planning staff are 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 of the opinion that the requested variances, both cumulatively and individually, are minor in nature and will not create undue impacts to the streetscape or abutting properties. Staff are satisfied that the proposal represents appropriate development of the subject property.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We note that variance #1 is requesting an interior side yard setback to the proposed below grade stairwell which in accordance with the Site Plan submitted will have a slight encroachment into an existing easement 5 ft in width. It is our understanding that this existing easement is in favour of the Region of Peel and in this regard we would suggest that satisfactory arrangements would have to be made with the Region of Peel for any encroachment.

With regards to variance #2 we have no objections to the driveway width variance.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing an application under file SEC UNIT 22-3386. Based on review of the information currently available in this application, the variances, as requested are correct.

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

Comments Prepared by: Gary Gagnier; Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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

The lands adjacent to the property are owned by Hydro One Networks, leased by the City of Mississauga, identified as Nine Creeks Trail (P-534) and zoned U – Utility.

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

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. No public trees shall be injured or removed. If public tree removal is required, a permit must be issued as per By-law 0020-2022.
5. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
6. 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-law.

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

Comments Prepared by: Nicholas Rocchetti, Park Planning Assistant

Appendix 4- Region of Peel

Minor Variance Application: A-22-534M – 386 Chantenay Drive

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

Comments:

- There is a Region of Peel easement on the subject property. Please be advised that unauthorized encroachments on easements will not be permitted. Certain restrictions apply with respect to Regional easements as per the documents registered on title.

Comments Prepared by: Patrycia Menko, Junior Planner

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Details of the application and meeting information:

The property owner of 26 Earl Street, zoned R3-69-Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling proposing:

1. A front yard setback to the eaves overhang of 6.93m (approx. 22.74ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.05m (approx. 23.13ft) in this instance;
2. A height to the eaves overhang of 6.96m (approx. 22.83ft) whereas By-law 0225-2007, as amended, permits a maximum height of 6.40m (approx. 21.00ft) in this instance;
3. A lot coverage of 32.86% (243.72sq m (approx. 2623.38sq ft)) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30% (222.53sq m (approx. 2395.30sq ft)) in this instance;
4. A southern interior side yard setback to the second storey eaves overhang of 0.80m (approx. 2.63ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.36m (approx. 4.46ft) in this instance;
5. A gross floor area of 45.7% (338.98sq m (approx. 3648.75sq ft)) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 40.2% (298.35sq m (approx. 3211.41sq ft)) in this instance; and,
6. A driveway width of 7.49m (approx. 24.57ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.67ft) in this instance.

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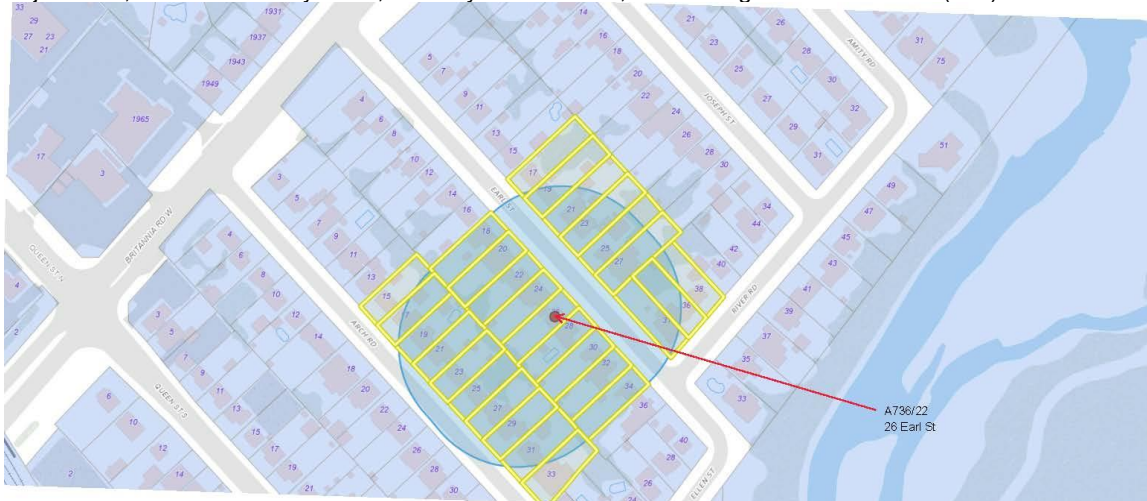
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New! Committee of Adjustment Appeal Process

The Province of Ontario recently passed a major housing bill – Bill 23, the More Homes Built Faster Act, 2022 – which has implications for how planning works in the City of Mississauga. One of the changes limits who is allowed to appeal decisions made by the Committee of Adjustment.

What's Changed?

The new legislation limits who is permitted to appeal decisions of the Committee of Adjustment to the Ontario Land Tribunal (OLT). Going forward, only the applicant, the municipality, certain public bodies and the Minister can appeal a decision to the OLT. Individuals are no longer permitted to do so.

That being said, individuals still have an opportunity to participate in the decision-making process by:

1. Making written or oral submissions to the Committee of Adjustment before it makes a decision. Your feedback helps ensure that the Committee of Adjustment is making its decisions in the public interest according to good planning principles.
2. If a Committee of Adjustment decision is appealed to the OLT, you can request participant status and make written submission to the OLT for consideration as part of the decision-making process. The OLT Citizen Liaison can help you better understand the rules, practices and procedures of the OLT and can be reached at OLT.CLO@ontario.ca.

More information about the Committee of Adjustment is available on the City's website:

<https://www.mississauga.ca/council/committees/committee-of-adjustment/>

City of Mississauga Department Comments

Date Finalized: 2023-05-24	File(s): A736.22
To: Committee of Adjustment	Ward: 11
From: Committee of Adjustment Coordinator	Meeting date:2023-06-01 1:00:00 PM

Consolidated Recommendation

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

Application Details

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

1. A front yard setback to the eaves overhang of 6.93m (approx. 22.74ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.05m (approx. 23.13ft) in this instance;
2. A height to the eaves overhang of 6.96m (approx. 22.83ft) whereas By-law 0225-2007, as amended, permits a maximum height of 6.40m (approx. 21.00ft) in this instance;
3. A lot coverage of 32.86% (243.72sq m (approx. 2623.38sq ft)) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30% (222.53sq m (approx. 2395.30sq ft)) in this instance;
4. A southern interior side yard setback to the second storey eaves overhang of 0.80m (approx. 2.63ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.36m (approx. 4.46ft) in this instance;
5. A gross floor area of 45.7% (338.98sq m (approx. 3648.75sq ft)) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 40.2% (298.35sq m (approx. 3211.41sq ft)) in this instance; and,
6. A driveway width of 7.49m (approx. 24.57ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.67ft) in this instance.

Amendments

Based on review of the information currently available in this application, variances # 2, 4 and 6, as requested are correct.

In addition, we advise that the following variances should be amended:

1. A front yard setback to the **second storey eaves overhang** of 6.93 m (approx. 22.74ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback to the eaves overhang of 7.05 m (approx. 23.13ft), in this instance.

Furthermore, the **lot coverage calculation appears to be slightly greater** than proposed after including the portions of the rear porch (covered patio below) that are located under and project past the rear deck on either side.

Lastly, the **GFA – Infill Residential calculation appears to be slightly lower** after the void area (e.g. stairs) is excluded from the entire calculation.

Background

Property Address: 26 Earl Street

Mississauga Official Plan

Character Area: Streetsville 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 Britannia Road West and Queen Street South intersection in the Streetsville neighbourhood. It currently contains a one and a half-storey detached dwelling with a detached garage. Some landscaping and vegetative elements are present in both the front and rear yards, including a mature tree in the front yard. The property has a lot frontage of +/- 15.24m (50ft) and a lot area of +/- 742.9m² (7,996.5ft²), characteristic of the surrounding area. The surrounding area context is predominantly residential, consisting mostly of detached dwellings, however commercial and industrial uses are present along both Britannia Road West and Queen Street South.

The applicant is proposing to construct a new dwelling requiring variances for front yard setback to the eaves, side yard setback to the eaves, lot coverage, gross floor area, driveway width and eave height.



Comments

Planning

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

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

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

The subject property is located in the Streetsville Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits only detached dwellings in this instance. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. The applicant is proposing a detached dwelling, and staff are satisfied that the overall proposal maintains the general intent and purpose of the official plan.

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

Variance 1 requests a reduced front yard measured to the eaves. Staff note that no variance is required for the front wall of the dwelling. The intent of a front yard setback is to ensure that a consistent character is maintained along the streetscape and that a sufficient front yard space is incorporated into the design of neighbourhoods. Planning staff are of the opinion that the proposed reduction is minor in nature and will not have significant impacts to the streetscape. Furthermore the proposed setback generally aligns with the abutting dwellings.

Variance 2 requests an increase to eave height. The intent of restricting height to the highest ridge and eaves is to lessen the visual massing of dwelling, while lowering the overall pitch of the roof and bringing the edge of the roof closer to the ground. This results in the dwelling having a more human scale. The proposed eave height does not pose any massing concerns in this instance, and staff note that the slope of the property places the "Average Grade" below the finished grade at the front of the dwelling. Furthermore staff note that no overall height variance has been requested, limiting the impacts of the massing of the structure.

Variance 3 requests 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. In this instance the proposed dwelling represents less than 30% of the lot coverage, with the front and rear decks as well as oversized eaves pushing the development over the maximum permitted lot coverage. It is the opinion of staff that these porches and additional overhangs do not create the same massing impact as the dwelling itself and staff are satisfied that the proposal does not represent an overdevelopment of the subject property.

Variance 4 requests a reduction in the side yard setback measured to the eaves on the southerly side. The intent of this regulation is to ensure an appropriate buffer between structures on abutting properties. Staff note that the setback is only for a small portion of the side wall, near the front of the dwelling, after which the building steps back and the setback increases. In this instance an appropriate buffer is maintained, and staff note that the main walls of the dwelling maintain the required setbacks.

Variance 5 pertains to an increase in Gross Floor Area (GFA). The intent in restricting gross floor area is to maintain compatibility between existing and new dwellings and ensure the existing and planned character of a neighbourhood is preserved. While the proposal represents an increase to the permissions of the by-law, staff are satisfied that the proposal appropriately balances both the existing and planned built form and character of the neighbourhood. Furthermore the dwelling is designed with broken up main walls, limiting the impacts of the massing.

Variance 6 proposes an increased driveway width. The intent of limiting the driveway width is to permit a 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 proposed driveway is an appropriate width to accommodate two vehicles across while maintaining an appropriate soft landscaped area in the front yard. Furthermore the proposal does not request excessive hard surface area above the requirement for two vehicles side by side. The width is measured at the widest point of the driveway and the proposed design will not be able to facilitate the parking of 3 vehicles across.

Given the above, staff are satisfied that the requested variances maintain 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?

The requested variances represent appropriate development of the lands. The request is minor and is compatible with the surrounding context. Staff are of the opinion that the impacts of the requested variances are minor and will not cause undue impacts on adjacent properties.

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 22-3938. Based on review of the information currently available in this application, variances # 2, 4 and 6, as requested are correct.

In addition, we advise that the following variances should be amended:

1. A front yard setback to the **second storey eaves overhang** of 6.93 m (approx.. 22.74ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback to the eaves overhang of 7.05 m (approx. 23.13ft), in this instance.

Furthermore, the **lot coverage calculation appears to be slightly greater** than proposed after including the portions of the rear porch (covered patio below) that are located under and project past the rear deck on either side.

Lastly, the **GFA – Infill Residential calculation appears to be slightly lower** after the void area (e.g. stairs) is excluded from the entire calculation.

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-22-736M – 26 Earl Street

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.
- 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 at 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.

Comments Prepared by: Patrycia Menko, Junior Planner

Appendix 4- Metrolinx

26 Earl Street

Metrolinx is in receipt of the minor variance application for 26 Earl St to facilitate the construction of a new dwelling. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300m of Canadian Pacific Railway's (CP Galt) Subdivision which carries Metrolinx's Milton GO Train service.
- We note that the proposed works on the subject property are beyond 300m of Metrolinx's adjacent development review zone and as such, Metrolinx has no objections to the proposed variances should the committee grant approval.
- The Proponent is advised the following:

- **Warning:** Metrolinx and its assigns and successors in interest operate commuter transit service within 300 metres from the subject land. In addition to the current use of these lands, there may be alterations to or expansions of the rail and other facilities on such lands in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx or any railway assigns or successors as aforesaid may expand their operations, which expansion may affect the environment of the occupants in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual units. Metrolinx will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under these lands.

Comments Prepared by: Farah Faroque, Intern



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A84.23
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 1203 Saginaw Cres, zoned R2-1 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests to Committee to approve a minor variance to allow hard landscaping in the rear yard proposing a hard surface landscaping setback of 0.00m whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (approx. 2.00ft) in this instance.

The Committee has set **Thursday, June 1, 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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How to submit a written comment:

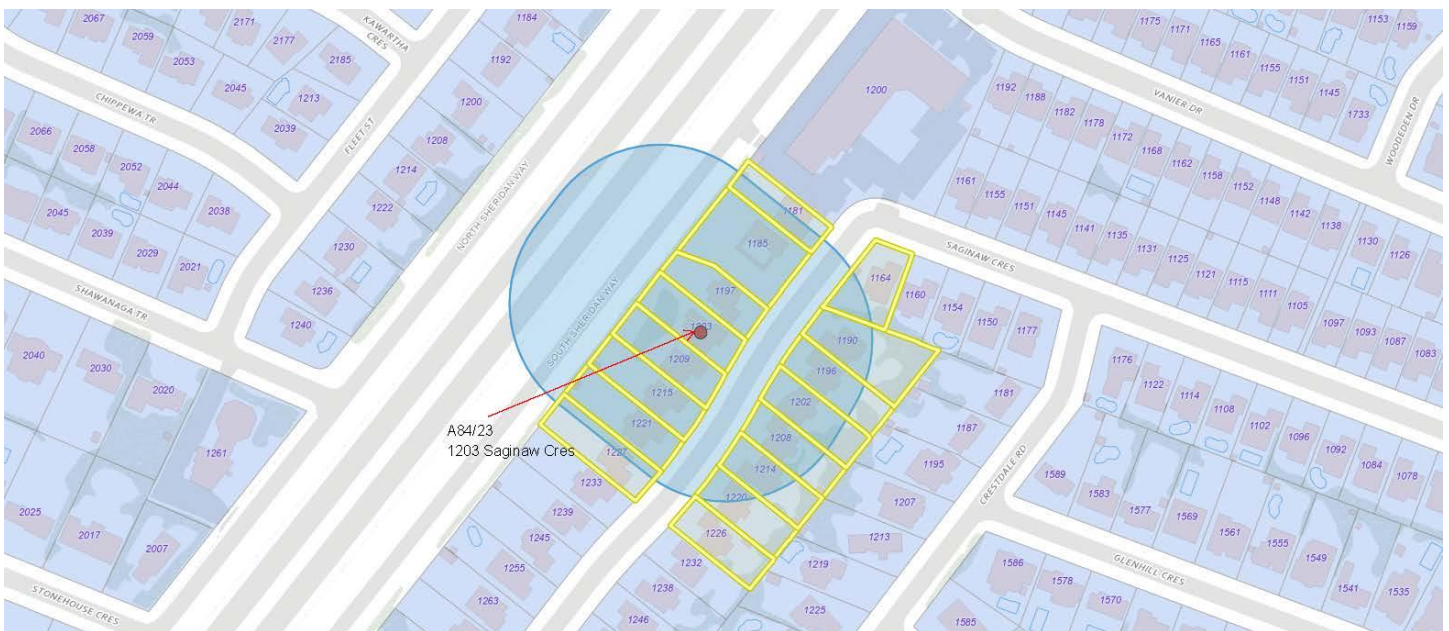
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City of Mississauga Department Comments

Date Finalized: 2023-05-24	File(s): A84.23
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2023-06-01 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests to Committee to approve a minor variance to allow hard landscaping in the rear yard proposing a hard surface landscaping setback of 0.00m whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (approx. 2.00ft) in this instance.

Background

Property Address: 1203 Saginaw Cres

Mississauga Official Plan

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

Zoning By-law 0225-2007

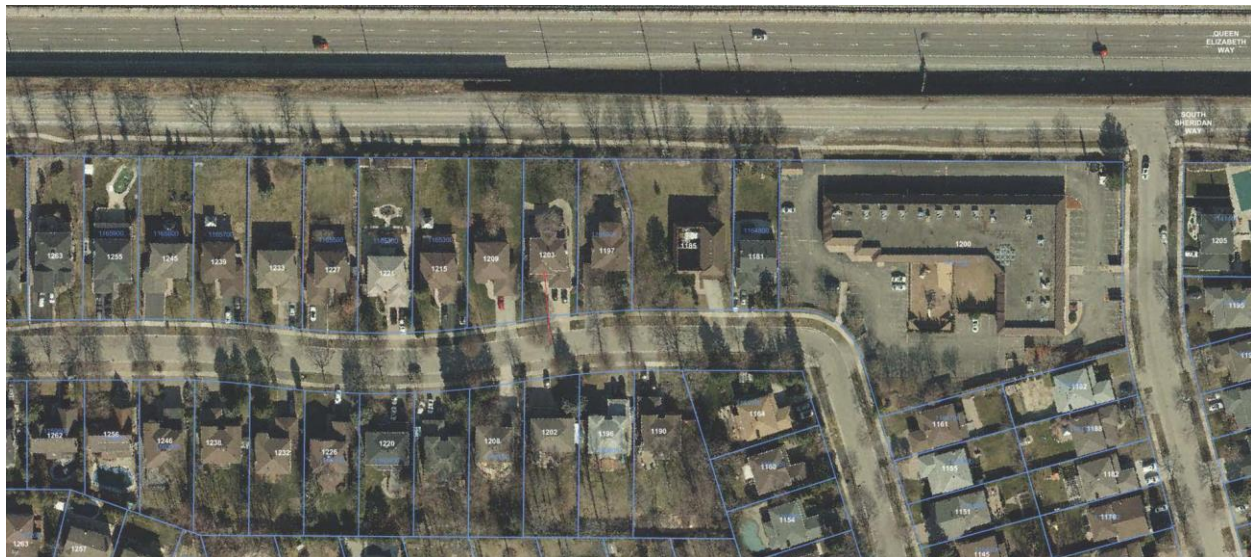
Zoning: R2-1 - Residential

Other Applications: PREAPP 22-5225

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, east of the South Sheridan Way and Indian Road intersection. The immediate neighbourhood is entirely residential consisting of one and two-storey detached dwellings, on large lots with mature vegetation in the front yards. The subject property contains a two-storey detached dwelling with mature vegetation in both of the front and rear yards.

The applicant is requesting to permit the existing hardscaping requiring a variance for a 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 request are as follows:

The subject property is located in the Clarkson-Lorne Park Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached dwellings.

The general intent of this portion of the by-law is to ensure that an adequate buffer exists between the abutting properties and to accommodate an adequate swale for drainage purposes. Staff have no massing concerns with the proposed surface. Furthermore, Transportation and Works staff have not raised any drainage related concerns at this time, as an existing retaining wall will ensure runoff is contained on the subject property. Through a detailed review of the application, staff are of the opinion that the application is appropriate to be

handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee easy reference are photos of the patio in the rear yard. We advise that patio has been constructed in such a manor to not impact the surrounding neighbouring lands with regards to the surface drainage. We have no objection to the proposed setback for the patio.









Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department processed a permit under file PREAPP 22-5225. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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

Comments Prepared by: Tage Crooks, Zoning Examiner

Appendix 3 –Region of Peel

We have no comments or objections.

Comments Prepared by: Patrycia Menko, Junior Planner

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 4344 Shelby Cres, zoned RM1 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an existing commercial vehicle on the subject property proposing:

1. A commercial motor vehicle with a length of 5.70m (approx. 18.70ft) whereas By-law 0225-2007, as amended, permits a maximum length 5.60m (approx. 18.37ft) in this instance; and,
2. A commercial vehicle with a height of 2.40m (approx. 7.87ft) whereas By-law 0225-2007, as amended, permits a maximum height of 2.00m (approx. 6.56ft) in this instance.

The Committee has set **Thursday, June 1, 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: 2023-05-24	File(s): A89.23
To: Committee of Adjustment	Ward: 3
From: Committee of Adjustment Coordinator	Meeting date:2023-06-01 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow an existing commercial vehicle on the subject property proposing:

1. A commercial motor vehicle with a length of 5.70m (approx. 18.70ft) whereas By-law 0225-2007, as amended, permits a maximum length 5.60m (approx. 18.37ft) in this instance; and,
2. A commercial vehicle with a height of 2.40m (approx. 7.87ft) whereas By-law 0225-2007, as amended, permits a maximum height of 2.00m (approx. 6.56ft) in this instance.

Background

Property Address: 4344 Shelby Cres

Mississauga Official Plan

Character Area: Rathwood Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: RM1 - Residential

Other Applications: None

Site and Area Context

The subject property is located south-west of the Eastgate Parkway and Tomken Road intersection in the Rathwood neighbourhood. It is an interior lot containing a two-storey detached dwelling with an attached garage. Limited landscaping/vegetative elements are present in the front yard. The property is a pie lot on the curve of Shelby Crescent, with a slightly narrower frontage and wider rear. The surrounding context is exclusively residential, consisting of two-storey detached dwellings with attached garages on similarly sized lots.

The applicant is proposing to park a commercial vehicle requiring variances for length and height.



Comments

Planning

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

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

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

Staff consider the proposed vehicle length and height to be a small deviation from the intent of the zoning by-law regulations in effect. Staff are of the opinion that the commercial vehicle size

is consistent with other vehicles parked in the vicinity of the subject property and will have a minimal impact on the streetscape.

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

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed is a photo of the subject property but at the time of our site inspection the commercial motor vehicle was not present.



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

Appendix 3 –Region of Peel

We have no comments or objections.

Comments Prepared by: Patrycia Menko, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A94.23
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 140 Pinewood Trail, zoned R1-2- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow construction of a new dwelling proposing:

1. A combined side yard width of 7.10m (approx. 23.29ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard width of 8.23m (approx. 27.00ft) in this instance;
2. 2 garages whereas By-law 0225-2007, as amended, permits a maximum of 1 garage in this instance;
3. A garage area of 85.47sq m (approx. 919.99sq ft) whereas By-law 0225-2007, as amended, permits a maximum garage area of 75.00sq m (approx. 807.29sq ft) in this instance;
4. A garage projection of 12.18m (approx. 39.96ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0.00m in this instance;
5. A dwelling depth of 28.85m (approx. 94.65ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
6. A sloped roof height of 9.86m (approx. 32.35ft) whereas By-law 0225-2007, as amended, permits a maximum sloped roof height of 9.00m (approx. 29.53ft) in this instance;
7. An eave height of 7.29m (approx. 23.92ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance; and,
8. A gross floor area of 1005.41sq m (approx. 10822.14sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 872.63sq m (approx. 9392.91sq ft) in this instance.

The Committee has set **Thursday, June 1, 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 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 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

speaking and your presentation material (as an attachment) via email to 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:

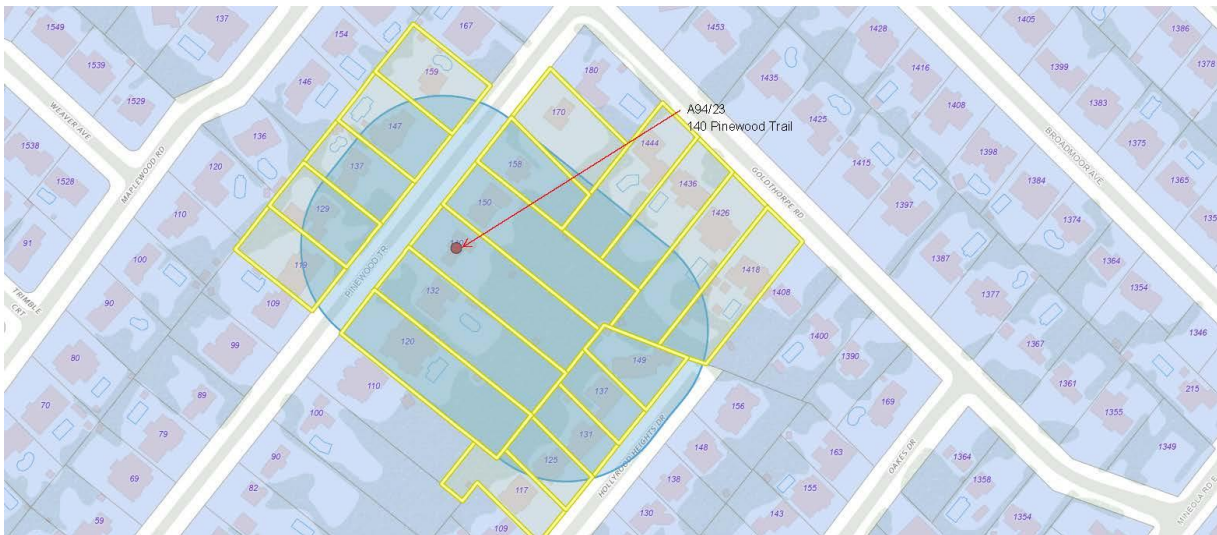
Written comments to the Committee must be received no later than 4:30 p.m. on the Friday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your 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 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. 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.M.56, 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.M.56, 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.



New! Committee of Adjustment Appeal Process

The Province of Ontario recently passed a major housing bill – Bill 23, the More Homes Built Faster Act, 2022 – which has implications for how planning works in the City of Mississauga. One of the changes limits who is allowed to appeal decisions made by the Committee of Adjustment.

What's Changed?

The new legislation limits who is permitted to appeal decisions of the Committee of Adjustment to the Ontario Land Tribunal (OLT). Going forward, only the applicant, the municipality, certain public bodies and the Minister can appeal a decision to the OLT. Individuals are no longer permitted to do so.

That being said, individuals still have an opportunity to participate in the decision-making process by:

1. Making written or oral submissions to the Committee of Adjustment before it makes a decision. Your feedback helps ensure that the Committee of Adjustment is making its decisions in the public interest according to good planning principles.
2. If a Committee of Adjustment decision is appealed to the OLT, you can request participant status and make written submission to the OLT for consideration as part of the decision-making process. The OLT Citizen Liaison can help you better understand the rules, practices and procedures of the OLT and can be reached at OLT.CLO@ontario.ca.

More information about the Committee of Adjustment is available on the City's website:

<https://www.mississauga.ca/council/committees/committee-of-adjustment/>

City of Mississauga Department Comments

Date Finalized: 2023-05-24	File(s): A94.23
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2023-06-01 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

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

1. A combined side yard width of 7.10m (approx. 23.29ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard width of 8.23m (approx. 27.00ft) in this instance;
2. 2 garages whereas By-law 0225-2007, as amended, permits a maximum of 1 garage in this instance;
3. A garage area of 85.47sq m (approx. 919.99sq ft) whereas By-law 0225-2007, as amended, permits a maximum garage area of 75.00sq m (approx. 807.29sq ft) in this instance;
4. A garage projection of 12.18m (approx. 39.96ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0.00m in this instance;
5. A dwelling depth of 28.85m (approx. 94.65ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
6. A sloped roof height of 9.86m (approx. 32.35ft) whereas By-law 0225-2007, as amended, permits a maximum sloped roof height of 9.00m (approx. 29.53ft) in this instance;
7. An eave height of 7.29m (approx. 23.92ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance; and,
8. A gross floor area of 1005.41sq m (approx. 10822.14sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 872.63sq m (approx. 9392.91sq ft) in this instance.

Amendments

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

3. A garage area of 85.48sq m (approx. 920.10sq ft) whereas By-law 0225-2007, as amended, permits a maximum garage area of 75.00sq m (approx. 807.29sq ft) in this instance;

Background

Property Address: 140 Pinewood Trail

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

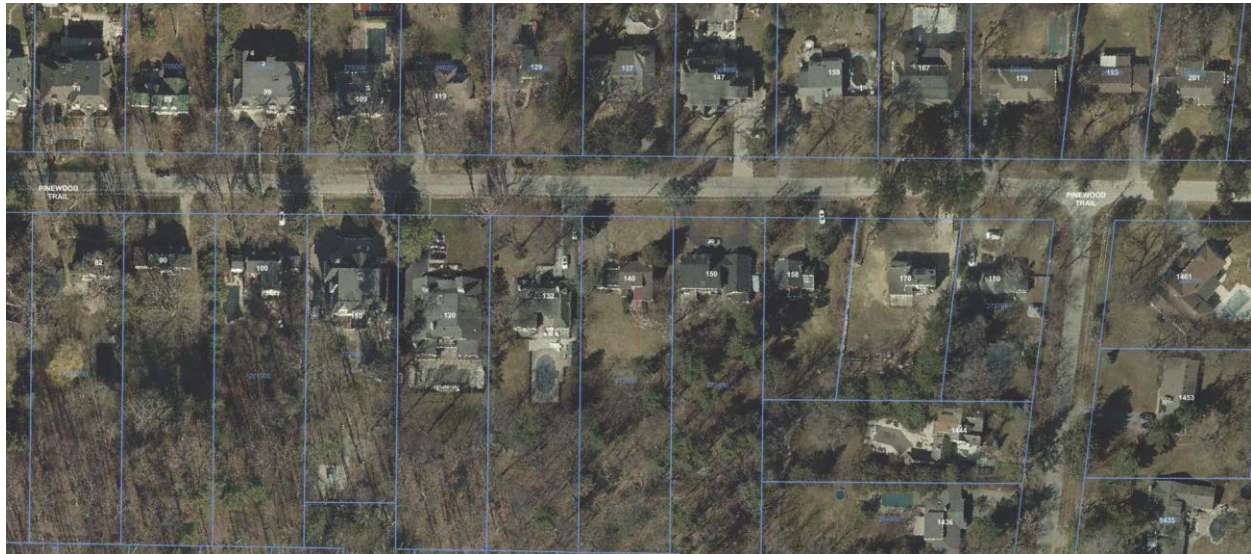
Zoning: R1-2- Residential

Other Applications SPI 22-125

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, east of the Hurontario Street and Pinewood Trail intersection. The immediate neighbourhood is entirely residential consisting of one and two-storey detached dwellings, on large lots with mature vegetation in the front yards. The subject property contains a two-storey detached dwelling with mature vegetation in both of the front and rear yards.

The applicant is requesting permission to construct a new two-storey detached dwelling requiring variances related to side yard width, garages, dwelling depth, area and height.



Comments

Planning

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

Staff comments concerning the application are as follows:

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

Staff have identified concerns with variances 2, 3, 4, 5, 6, 7 and 8. The requested variances do not meet the intent of the infill regulations and present significant massing concerns that will directly affect abutting properties and the streetscape. While larger dwellings are not out of character within the surrounding area, staff are of the opinion that the proposed dwelling does not maintain compatibility with the existing dwellings in the neighbourhood, and does not preserve the neighbourhood's character. Furthermore, the variances requested are excessive in nature.

Planning staff also note that the requested variances may be inaccurate and additional variances may be required.

Based on the preceding information, staff recommend that the application be deferred to allow the applicant an opportunity to discuss the proposal with Planning staff and to redesign the dwelling to address the concerns raised above. Planning staff also recommend that the applicant meet with Zoning staff to ensure the accuracy of the requested variances.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing an application under file SPI 22-125. Based on review of the information currently available in this application, the following variances, as requested are correct.

1. A combined side yard width of 7.10m (approx. 23.29ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard width of 8.23m (approx. 27.00ft) in this instance;
2. 2 garages whereas By-law 0225-2007, as amended, permits a maximum of 1 garage in this instance;
4. A garage projection of 12.18m (approx. 39.96ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0.00m in this instance;
5. A dwelling depth of 28.85m (approx. 94.65ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
6. A sloped roof height of 9.86m (approx. 32.35ft) whereas By-law 0225-2007, as amended, permits a maximum sloped roof height of 9.00m (approx. 29.53ft) in this instance;
7. An eave height of 7.29m (approx. 23.92ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance; and,

We advise that the following variances should be amended as follows:

3. A garage area of 85.48sq m (approx. 920.10sq ft) whereas By-law 0225-2007, as amended, permits a maximum garage area of 75.00sq m (approx. 807.29sq ft) in this instance;

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

Please note that comments reflect those provided through the above permit application submitted on 09/01/2022 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-23-094M – 140 Pinewood Trail

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.
- 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 at 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.

Comments Prepared by: Patrycia Menko, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A107.23
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 286 Willa Rd, zoned R2-4 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling proposing:

1. A lot coverage of 33.5% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.0% in this instance and,
2. A gross floor area of 477.7sq m (approx. 5141.9sq. ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 382.94sq m (approx. 4121.93sq ft) in this instance.

The Committee has set **Thursday, June 1, 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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- If you wish to be notified of the decision of the Committee, you must submit a written request to 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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What's Changed?

The new legislation limits who is permitted to appeal decisions of the Committee of Adjustment to the Ontario Land Tribunal (OLT). Going forward, only the applicant, the municipality, certain public bodies and the Minister can appeal a decision to the OLT. Individuals are no longer permitted to do so.

That being said, individuals still have an opportunity to participate in the decision-making process by:

1. Making written or oral submissions to the Committee of Adjustment before it makes a decision. Your feedback helps ensure that the Committee of Adjustment is making its decisions in the public interest according to good planning principles.
2. If a Committee of Adjustment decision is appealed to the OLT, you can request participant status and make written submission to the OLT for consideration as part of the decision-making process. The OLT Citizen Liaison can help you better understand the rules, practices and procedures of the OLT and can be reached at OLT.CLO@ontario.ca.

More information about the Committee of Adjustment is available on the City's website:

<https://www.mississauga.ca/council/committees/committee-of-adjustment/>

City of Mississauga Department Comments

Date Finalized: 2023-05-24	File(s): A107.23
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2023-06-01 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

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

1. A lot coverage of 33.5% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.0% in this instance and,
2. A gross floor area of 477.7sq m (approx. 5141.9sq. ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 382.94sq m (approx. 4121.93sq ft) in this instance.

Background

Property Address: 286 Willa Rd

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

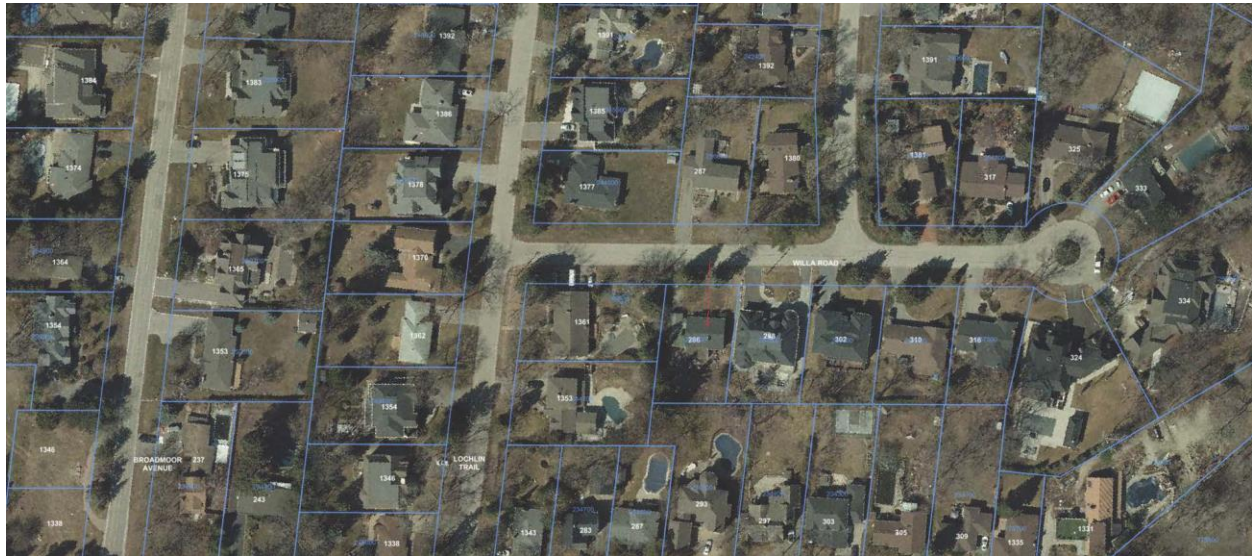
Zoning: R2-4 - Residential

Other Applications: none

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southeast of the Broadmoor Avenue and Pinewood Trail intersection. The immediate neighbourhood is entirely residential, consisting of one and two-storey detached dwellings with mature vegetation and landscape elements in the front yard. The subject property contains a one-storey dwelling with vegetation in the property's front yard.

The applicant is proposing a new two-storey dwelling requiring variances related to lot coverage and gross floor area.



Comments

Planning

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

Staff comments concerning the application are as follows:

While larger dwellings are not out of character within the surrounding area, staff are of the opinion that the variances for gross floor area (GFA) and garage projection are excessive. Furthermore, the proposed GFA does not maintain compatibility with the existing dwellings in the neighbourhood, does not preserve the neighbourhood's character and will cause significant massing issues that will directly impact abutting properties and the streetscape.

Staff are also concerned that increasing lot coverage will exacerbate massing concerns. Staff recommend that the application be deferred to allow the applicant an opportunity to redesign the dwelling to address concerns raised.

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

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.

City Department and Agency Comments	File:A107.23	2023/05/11	4
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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-23-107M – 286 Willa 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.
- 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 at 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.

Comments Prepared by: Patrycia Menko, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A137.23
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 992 Fredonia Dr, zoned R2- 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 accessory structure proposing a lot coverage of 34.00sq m (approx. 365.97sq ft) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00sq m (approx. 322.92ft) in this instance.

The Committee has set **Thursday, June 1, 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 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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What's Changed?

The new legislation limits who is permitted to appeal decisions of the Committee of Adjustment to the Ontario Land Tribunal (OLT). Going forward, only the applicant, the municipality, certain public bodies and the Minister can appeal a decision to the OLT. Individuals are no longer permitted to do so.

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City of Mississauga Department Comments

Date Finalized: 2023-05-24	File(s): A137.23
To: Committee of Adjustment	Ward: 7
From: Committee of Adjustment Coordinator	Meeting date:2023-06-01 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application, as amended.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an accessory structure proposing a lot coverage of 34.00sq m (approx. 365.97sq ft) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00sq m (approx. 322.92ft) in this instance.

Amendments

Based on review of the information currently available in this permit application, the variance as requested is misworded. The lot coverage should be defined in terms of percentage of lot area and not a whole integer. The variance must be worded as such:

The applicant requests the Committee to approve a minor variance to allow the construction of an accessory structure proposing a lot coverage of 34% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30% of the lot area in this instance.

Background

Property Address: 992 Fredonia Dr

Mississauga Official Plan

Character Area: Erindale Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

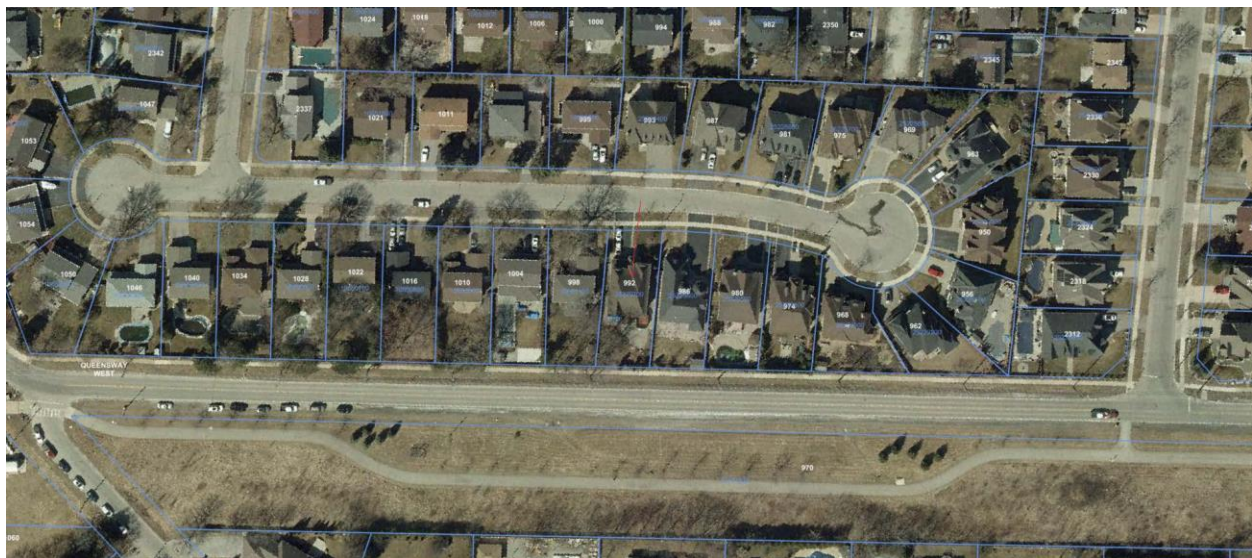
Zoning: R2- Residential

Other Applications: BP 9ALT 23-5863

Site and Area Context

The subject property is located north-east of the Queensway West and Glengarry Road intersection. It currently contains a two-storey detached dwelling with an attached garage. Limited landscaping and vegetative elements are present in both the front and rear yards. The rear yard of the property abuts Queensway West. The surrounding area context is exclusively residential, consisting of two-storey detached dwellings on lots of varying sizes.

The applicant is proposing an accessory structure 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 Erindale Neighbourhood Character Area and is

designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. Planning staff are satisfied that the proposal is appropriate given the existing site conditions and will not impact the residential character of the property. Staff are therefore of the opinion that the application maintains the general intent and purpose of the official plan.

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

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, while not presenting any massing concerns to neighbouring lots. Planning staff are satisfied that the structure will not pose significant massing impacts to the abutting properties and maintains an appropriate outdoor amenity area in the rear yard. Furthermore no variances have been requested for height or setbacks, limiting the impacts to abutting properties. Given the above planning staff are satisfied that the application maintains the general intent and purpose of the zoning by-law.

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

Planning staff are of the opinion that the impact of the requested variance will be minor in nature. Furthermore staff are satisfied that the proposal represents appropriate development of the subject property.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed accessory structure (proposed covered gazebo) will be addressed through the Building Permit Process. From our site inspection of the property we note that we do not foresee any drainage related concerns provided that the existing drainage pattern be maintained.





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 23-5863. Based on review of the information currently available in this permit application, the variance as requested is misworded. The lot coverage should be defined in terms of percentage of lot area and not a whole integer. The variance must be worded as such:

The applicant requests the Committee to approve a minor variance to allow the construction of an accessory structure proposing a lot coverage of 34% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30% of the lot 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: Tague Crooks, Zoning Examiner

Appendix 3 – Region of Peel

Minor Variance Application: A-23-137M – 992 Fredonia Drive

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

Comments:

- There is a Region of Peel 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.

Comments Prepared by: Patrycia Menko, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A140.23
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 291 Chantenay Drive, zoned R3- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an addition proposing an interior side yard setback to the second floor of 1.28m (approx. 4.20ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback to the second floor of 1.81m (approx. 5.94ft) in this instance.

The Committee has set **Thursday, June 1, 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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What's Changed?

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City of Mississauga Department Comments

Date Finalized: 2023-05-24	File(s): A140.23
To: Committee of Adjustment	Ward: 7
From: Committee of Adjustment Coordinator	Meeting date:2023-06-01 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application, as amended.

Application Details

The applicant requests the Committee to approve a minor variance to allow an addition proposing an interior side yard setback to the second floor of 1.28m (approx. 4.20ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback to the second floor of 1.81m (approx. 5.94ft) in this instance.

Amendments

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

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

1. An interior side yard setback to the second floor of 1.28m (approx. 4.20ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback to the second floor of 1.81m (approx. 5.94ft) in this instance
2. An interior side yard setback to the eaves overhang of the dwelling of 0.85m (approx. 2.79ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.36m (approx. 4.46ft) in this instance

Background

Property Address: 291 Chantenay Drive

Mississauga Official Plan

Character Area: Cooksville Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3- Residential

Other Applications: BP 9ALT 22-3468

Site and Area Context

The subject property is located south-east of the Queensway East and Cliff Road intersection. It is a corner property currently containing a two-storey detached dwelling with an attached garage. Limited landscaping and vegetative elements are present in the front, exterior side, and rear yards. The surrounding area context is predominantly residential consisting of detached dwellings on lots of generally similar sizes.

The applicant is proposing a second storey addition requiring variances for setbacks to the second storey and the eaves.



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 within the Cooksville Neighbourhood Character Area and is designated Residential Low Density I. This designation permits detached dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context and, the landscape of the character area. Staff are of the opinion that the proposed built form is compatible with the surrounding context and maintains the general intent and purpose of the official plan.

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

Variances 1 and 2 request reduced side yards measured to both the main wall and the eaves. The intent of the side yard regulations are to ensure that: an adequate buffer exists between the massing of structures on abutting properties, appropriate drainage can be maintained, and to ensure access to the rear yard remains unencumbered. The applicant is proposing to build on top of the existing first storey and will not be encroaching farther into the side yard than the existing structure already does. Staff are satisfied that maintaining the existing side yards provides an adequate buffer, maintains existing drainage patterns and permits continued access to the rear yard. Building directly on top of the existing wall would not create any significant additional impacts when compared to as of right permissions. Furthermore no height or eave height variances are requested.

Given the above Planning staff are of the opinion 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?

Staff are satisfied that the proposal represents appropriate development of the subject property and will not have significant impacts on abutting properties or the streetscape when compared to an as of right condition. The variances, in the opinion of staff, are minor in 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 the proposed addition will be addressed through the Building Permit Process. From our site inspection of the property we note that we do not foresee any drainage related concerns with the addition provided that the existing drainage pattern be maintained.





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 22-3468. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

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

1. An interior side yard setback to the second floor of 1.28m (approx. 4.20ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback to the second floor of 1.81m (approx. 5.94ft) in this instance
2. An interior side yard setback to the eaves overhang of the dwelling of 0.85m (approx. 2.79ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.36m (approx. 4.46ft) in this instance

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Comments Prepared by: Gary Gagnier; Zoning Examiner

Appendix 3 –Region of Peel

We have no comments or objections.

Comments Prepared by: Patrycia Menko, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A143.23
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 1769 Coram Crescent, zoned R3-75 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling proposing:

1. A sloped roof height 9.75m (approx. 31.99ft) whereas By-law 0225-2007, as amended, permits a maximum sloped roof height of 9.50m (approx. 31.17ft) in this instance;
2. An eave height of 7.62m (approx. 25.00ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance; and,
3. A driveway width of 8.50m (approx. 27.87ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

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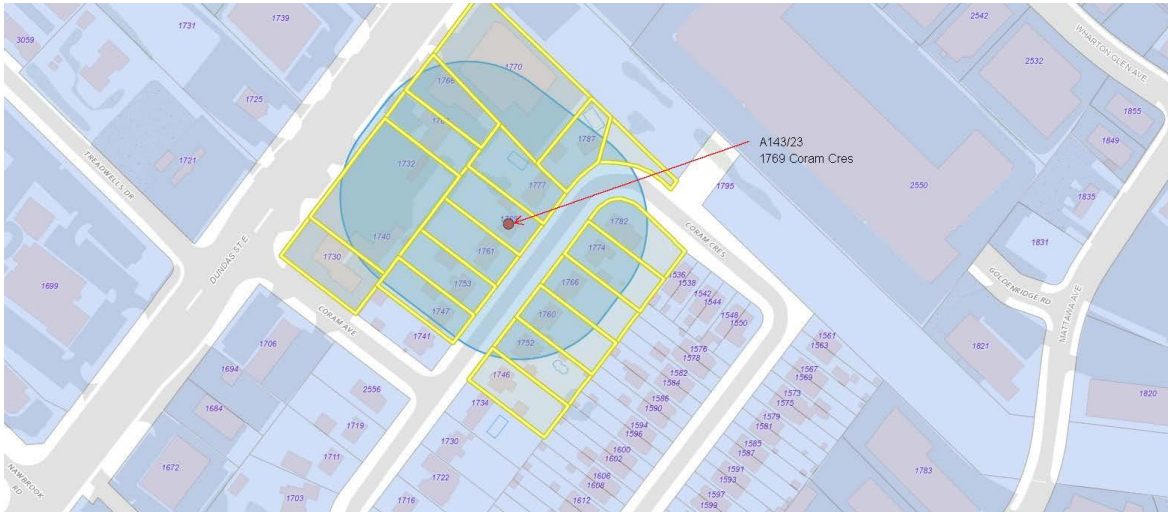
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City of Mississauga Department Comments

Date Finalized: 2023-05-24	File(s): A143.23
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2023-06-01 1:00:00 PM

Consolidated Recommendation

The City has no objection to the application. The applicant may wish to defer the application to ensure the accuracy of the requested variance 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 sloped roof height 9.75m (approx. 31.99ft) whereas By-law 0225-2007, as amended, permits a maximum sloped roof height of 9.50m (approx. 31.17ft) in this instance;
2. An eave height of 7.62m (approx. 25.00ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance; and,
3. A driveway width of 8.50m (approx. 27.87ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

Amendments

While Planning staff is not in a position to provide an interpretation of the zoning by-law, staff recommend that variance #3 be removed.

Background

Property Address: 1769 Coram Crescent

Mississauga Official Plan

Character Area: **Dixie Employment Area**
Designation: **Residential Low Density I**

Zoning By-law 0225-2007**Zoning: R3-75 - Residential****Other Applications: none****Site and Area Context**

The subject property is located within the Dixie Employment Character Area, southeast of the Dundas Street East and Dixie Road. The surrounding neighbourhood consists of commercial, institutional and residential uses. The residential housing consists of older and newer one and two-storey detached dwellings, and one-storey semi-detached dwellings on lots with mature vegetation in both the front and rear yards. The subject property contains an existing one-storey detached dwelling with mature vegetation in the front yard.

The application proposes the construction of a new two-storey detached dwelling and requires variances for setbacks, building depth, an attachment width and eave height.

**Comments****Planning**

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

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

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

The subject property is located in the Dixie Employment Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached and duplex dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. The proposal conforms to the designation and staff are of the opinion that the proposed built form is compatible with detached dwellings in the immediate area. 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?

Variances #1 and 2 relate to dwelling height. The intent of restricting height to the highest ridge and eaves is to lessen the visual massing of dwelling while lowering the overall pitch of the roof and bringing the edge of the roof closer to the ground, thus keeping the dwelling within a human scale. Staff note that variance #1 numerically represents a minor deviation from the regulation. Furthermore, the grade of the subject property also influences the values contained in the variances. The difference between average grade and the grade at where the dwelling sits is 0.27m (0.89ft) therefore, when viewing the dwelling from the front lawn it would appear to be 0.27m (0.89ft) shorter. While the value of variance #2 appears excessive, the proposed dwelling incorporates a variety of architectural materials and design features that visually breaks up the massing of the dwelling, such as large windows, moulding dividing the first and second storey and a staggered façade. The combination of these features help to minimize the overall massing impact in relation to the streetscape and neighbouring properties. Lastly, the proposal is consistent with newer two-storey dwellings in the immediate area and does not pose a negative impact to the established neighbourhood character.

Variance #3 relates to driveway width. Planning staff are of the opinion that this variance is not required. The maximum driveway width permitted on a property of this size, is 10.5 metres (34.45 ft) within 6 metres (19.69 ft) of the garage face, if it provides direct access to the garage and 8.5 metres (27.89 ft) for the remainder of the driveway. The applicant is proposing an 8.5m (27.89ft) wide driveway that tapers to 6m at the street. Therefore, no variance is required.

As such, staff are satisfied 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?

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

Comments Prepared by: 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

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.

City Department and Agency Comments	File:A143.23	2023/05/24	5
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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-23-143M – 1769 Coram Crescent

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.
- 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 at 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.

Comments Prepared by: Patrycia Menko, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A150.23
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 85 Derry Road E, zoned O2-Commercial, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to permit a temporary transportation facility use with Employment (E3) zone standards for a period of 18 months, whereas By-law 0225-2007, as amended, does not permit a transportation facility in an Office(O2) zoning use in this instance.

The Committee has set **Thursday, June 1, 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 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 by 4:30 on the Friday prior to the meeting **OR**
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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 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:

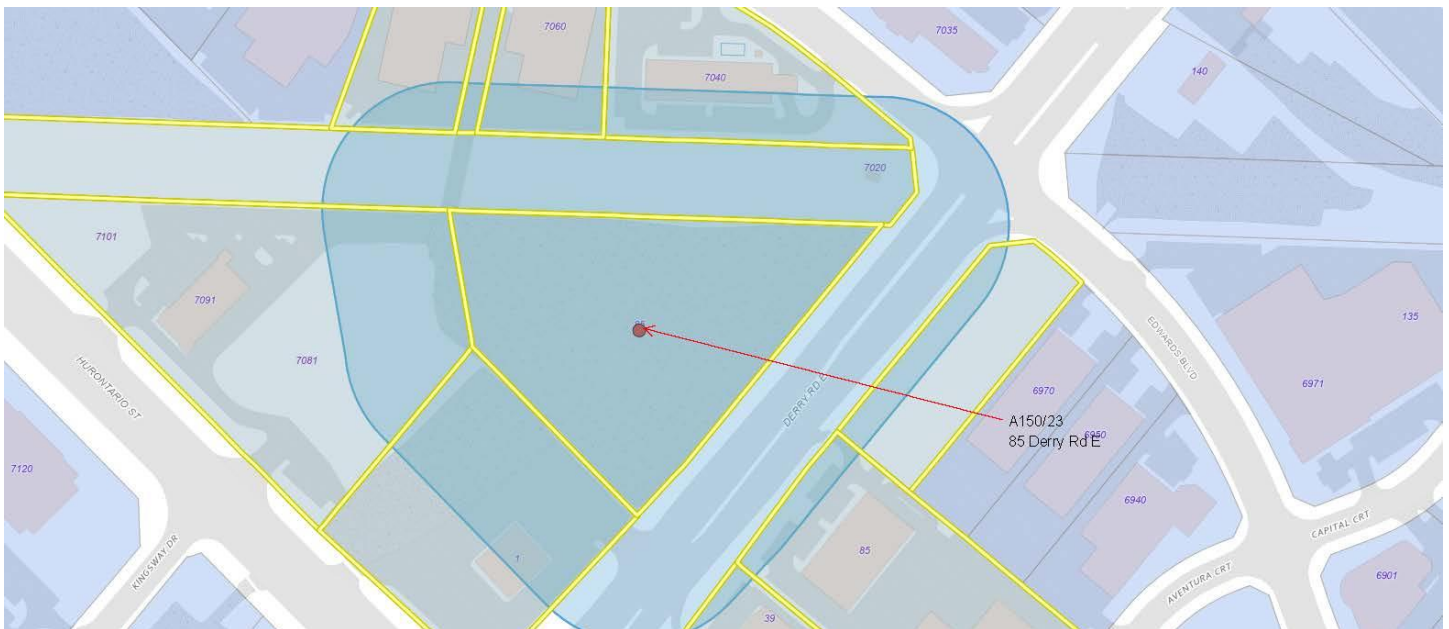
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Legal notice:

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.M.56, 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.M.56, 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.



New! Committee of Adjustment Appeal Process

The Province of Ontario recently passed a major housing bill – Bill 23, the More Homes Built Faster Act, 2022 – which has implications for how planning works in the City of Mississauga. One of the changes limits who is allowed to appeal decisions made by the Committee of Adjustment.

What's Changed?

The new legislation limits who is permitted to appeal decisions of the Committee of Adjustment to the Ontario Land Tribunal (OLT). Going forward, only the applicant, the municipality, certain public bodies and the Minister can appeal a decision to the OLT. Individuals are no longer permitted to do so.

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1. Making written or oral submissions to the Committee of Adjustment before it makes a decision. Your feedback helps ensure that the Committee of Adjustment is making its decisions in the public interest according to good planning principles.
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More information about the Committee of Adjustment is available on the City's website:

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City of Mississauga Department Comments

Date Finalized: 2023-05-24	File(s): A150.23
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2023-06-01 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 a temporary transportation facility use with Employment (E3) zone standards for a period of 18 months, whereas By-law 0225-2007, as amended, does not permit a transportation facility in an Office(O2) zoning use in this instance.

Background

Property Address: 85 Derry Road E

Mississauga Official Plan

Character Area: Gateway Corporate Centre
Designation: Office

Zoning By-law 0225-2007

Zoning: O2-Commercial

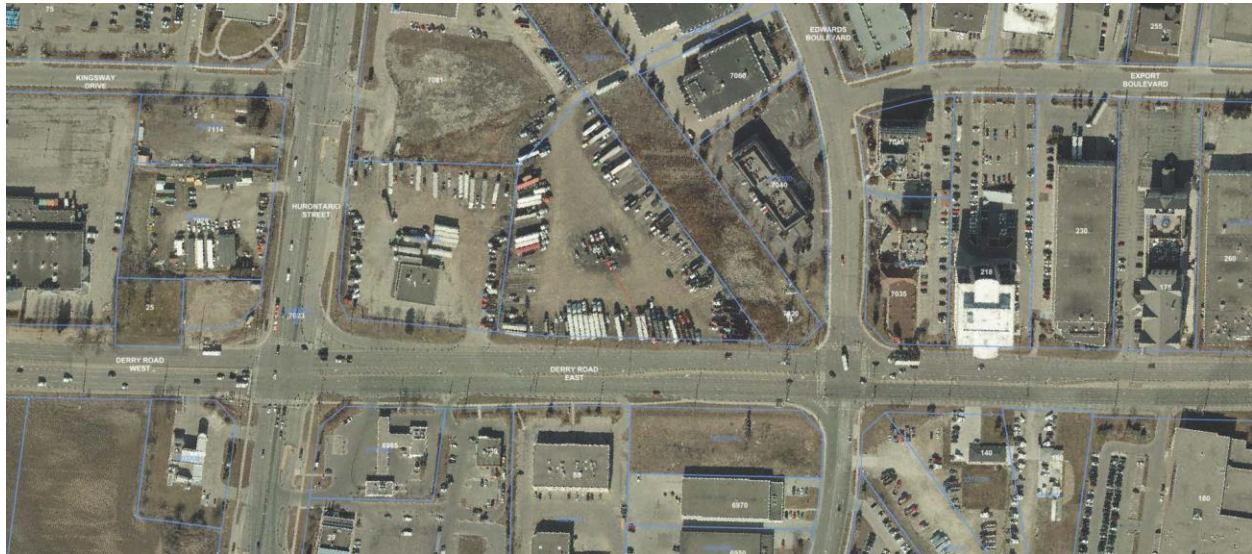
Other Applications: None

Site and Area Context

The subject property is located on the north side of Derry Road East, east of the Hurontario Street intersection. No buildings are present on the property which has a lot area of +/- 1.65ha (4.09ac). No landscaping or vegetative elements are present on the subject property. The

surrounding context contains a mix of office and employment uses, as well as vacant lands, with varying built forms on lots of varying sizes.

The applicant is proposing a transportation facility use requiring a variance for the use.



Comments

Planning

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

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

The subject property is located in the Gateway Corporate Centre Character Area and is designated Office in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits offices as well as uses accessory thereto. Within the Gateway Corporate Centre, post-secondary educational facilities are also permitted. The property forms part of Special Site 5 within the Gateway Corporate Centre Character Area policies, which set out development and design guidelines to encourage an appropriate built form that addresses the street and improves the pedestrian environment.

Staff note that the proposed use is not permitted in the O2 zone and is only permitted in Employment zones. Furthermore, per Chapter 11 of the MOP, Transportation Facilities are only permitted in Business Employment and Industrial designations. Section 15.1 of the MOP, relating to Corporate Centres, does not permit the Industrial designation in a Corporate Centre

and specifically removes Transportation Facilities from the list of permitted uses on lands designated Business Employment.

Planning staff are of the opinion that the MOP has clear policies to discourage this type of use in this area. The proposal is not appropriate for a site designated Office in the MOP or within proximity to the Hurontario Street intensification corridor and therefore does not maintain the general intent or purpose of the official plan. Furthermore Planning staff are of the opinion that the intent and purpose of the zoning by-law are not maintained by permitting uses not contemplated by the zone category and in accordance with an entirely different zoning framework. Staff find that the application is not minor in nature and does not represent appropriate development of the subject property.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's easy reference are a number of photos which depict the subject property.









Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

We note that a Zoning Certificate of Occupancy Permit is required. In the absence of a Zoning Certificate of Occupancy 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-23-150M – 85 Derry Road East

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.
- 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:
 - Region of Peel IDF curves shall be used for the peak flow analysis;
 - Post development peak flow for each storm (from 2 year to 100 year) shall be equal to or less than pre-development;
 - For orifice diameters of 100mm or greater, an orifice tube shall be used;
 - 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 right-of-ways to support adjacent developments.

Comments Prepared by: Patrycia Menko, Junior Planner

Appendix 4- Metrolinx**85 Derry Road E**

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: A155.23
Ward: 4

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 482 Turnbridge Road, zoned R5-4 - 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 below grade entrance proposing an interior side yard setback of 0.93m (approx. 3.05ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.20m (approx. 3.94ft) in this instance.

The Committee has set **Thursday, June 1, 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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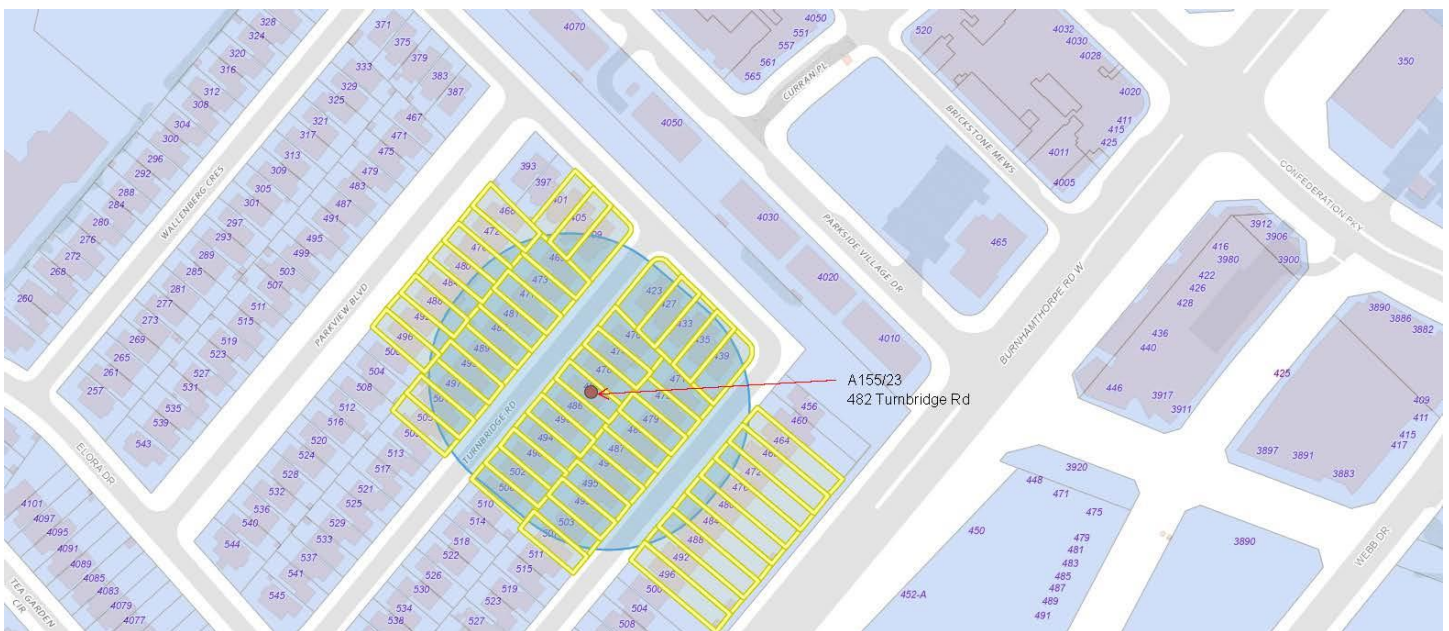
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Additional Information:

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New! Committee of Adjustment Appeal Process

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What's Changed?

The new legislation limits who is permitted to appeal decisions of the Committee of Adjustment to the Ontario Land Tribunal (OLT). Going forward, only the applicant, the municipality, certain public bodies and the Minister can appeal a decision to the OLT. Individuals are no longer permitted to do so.

That being said, individuals still have an opportunity to participate in the decision-making process by:

1. Making written or oral submissions to the Committee of Adjustment before it makes a decision. Your feedback helps ensure that the Committee of Adjustment is making its decisions in the public interest according to good planning principles.
2. If a Committee of Adjustment decision is appealed to the OLT, you can request participant status and make written submission to the OLT for consideration as part of the decision-making process. The OLT Citizen Liaison can help you better understand the rules, practices and procedures of the OLT and can be reached at OLT.CLO@ontario.ca.

More information about the Committee of Adjustment is available on the City's website:

<https://www.mississauga.ca/council/committees/committee-of-adjustment/>

City of Mississauga Department Comments

Date Finalized: 2023-05-24	File(s): A155.23
To: Committee of Adjustment	Ward: 4
From: Committee of Adjustment Coordinator	Meeting date:2023-06-01 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application, as amended.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a below grade entrance proposing an interior side yard setback of 0.93m (approx. 3.05ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.20m (approx. 3.94ft) in this instance.

Amendments

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

The applicant requests the Committee to approve a minor variance to allow the construction of a below grade entrance proposing an interior side yard setback of 0.83m (approx. 2.74ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.20m (approx. 3.94ft), in this instance.

Background

Property Address: 482 Turnbridge Road

Mississauga Official Plan

Character Area: Creditview Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R5-4 - Residential

Other Applications: SEC UNIT 23-6400

Site and Area Context

The subject property is located north-east of the Burnhamthorpe Road West and Elora Drive intersection. It currently contains a two-storey detached dwelling with an attached garage. No notable landscaping or vegetative elements are present in either the front or rear yards. The property has a lot area of +/- 336.84m² (3,625.72ft²), characteristic of other lots in the area containing detached dwellings. The surrounding area context is predominantly residential, consisting of detached dwellings on similarly sized lots. The larger area context includes townhouse dwellings and mixed use buildings.

The applicant is proposing a below grade entrance, requiring a variance for setback.



Comments

Planning

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

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

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

The subject property is located in the Cooksville Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, duplex and triplex dwellings, as well as other low-rise dwellings with individual frontages. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. The proposed development maintains the residential use of the dwelling and character of the surrounding area. Staff are satisfied 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?

The requested variance proposes a reduced side yard measured to a below grade entrance. The intent of the side yard regulations in the by-law is to ensure that an appropriate buffer between structures on abutting properties is maintained as well as ensuring access to the rear yard and drainage patterns are preserved. The proposed steps and side entrance create no massing impacts or separation issues between structures while preserving access to the rear yard. Furthermore Transportation & Works staff have raised no significant drainage concerns regarding the proposal. Given the above Planning staff are 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 of the opinion that the requested variance is minor in nature and will not create undue impacts to the streetscape or abutting properties. Staff are satisfied that the proposal represents appropriate development of the subject property.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We note that the Transportation and Works Department has no objections to the proposed below grade entrance as it will not impact or alter the existing grading and drainage pattern for this property.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file SEC UNIT 23-6400. Based on review of the information currently available in this permit application, we advise that the variance should be amended as follows:

The applicant requests the Committee to approve a minor variance to allow the construction of a below grade entrance proposing an interior side yard setback of 0.83m (approx. 2.74ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.20m (approx. 3.94ft), in this instance.

The setback was reduced after the rigid insulation was depicted on the updated site plan in the Building Permit application.

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

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

Comments Prepared by: Brandon Eidner, Zoning Examiner

Appendix 3- Region of Peel

Minor Variance Application: A-23-155M – 482 Turnbridge 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.
- 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 at 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.

Comments Prepared by: Patrycia Menko, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A156.23
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 70 Veronica Dr, zoned R3- 1 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an accessory structure proposing:

1. An accessory structure area of 50.54sq m (approx. 544.01sq ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 10.00sq m (approx. 107.64sq ft) in this instance; and,
2. An aggregate accessory structure area of 50.54sq m (approx. 544.01sq ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 30.00sq m (approx. 322.92sq ft) in this instance.

The Committee has set **Thursday, June 1, 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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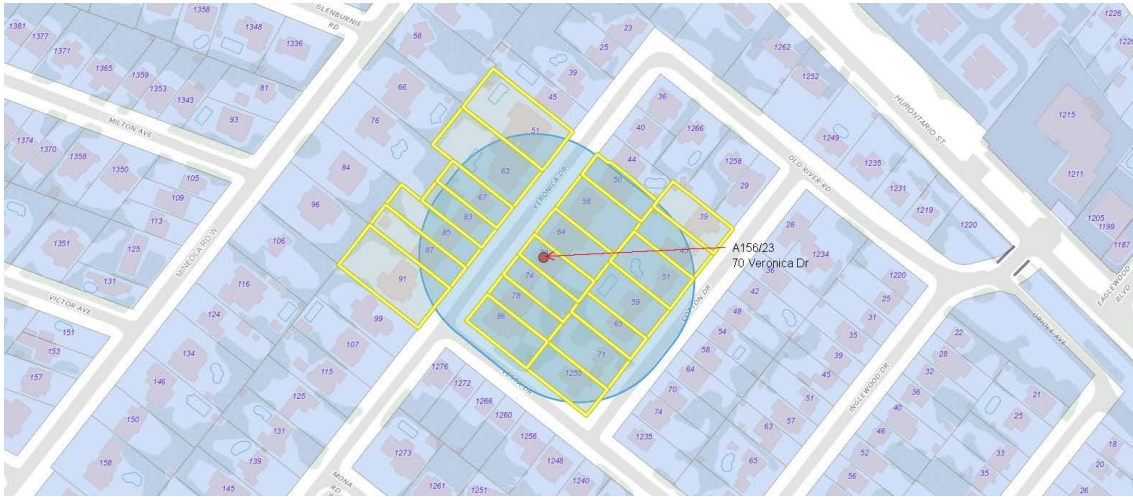
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Additional Information:

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What's Changed?

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City of Mississauga Department Comments

Date Finalized: 2023-05-24	File(s): A156.23
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2023-06-01 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

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

1. An accessory structure area of 50.54sq m (approx. 544.01sq ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 10.00sq m (approx. 107.64sq ft) in this instance; and,
2. An aggregate accessory structure area of 50.54sq m (approx. 544.01sq ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 30.00sq m (approx. 322.92sq ft) in this instance.

Background

Property Address: 70 Veronica Dr

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

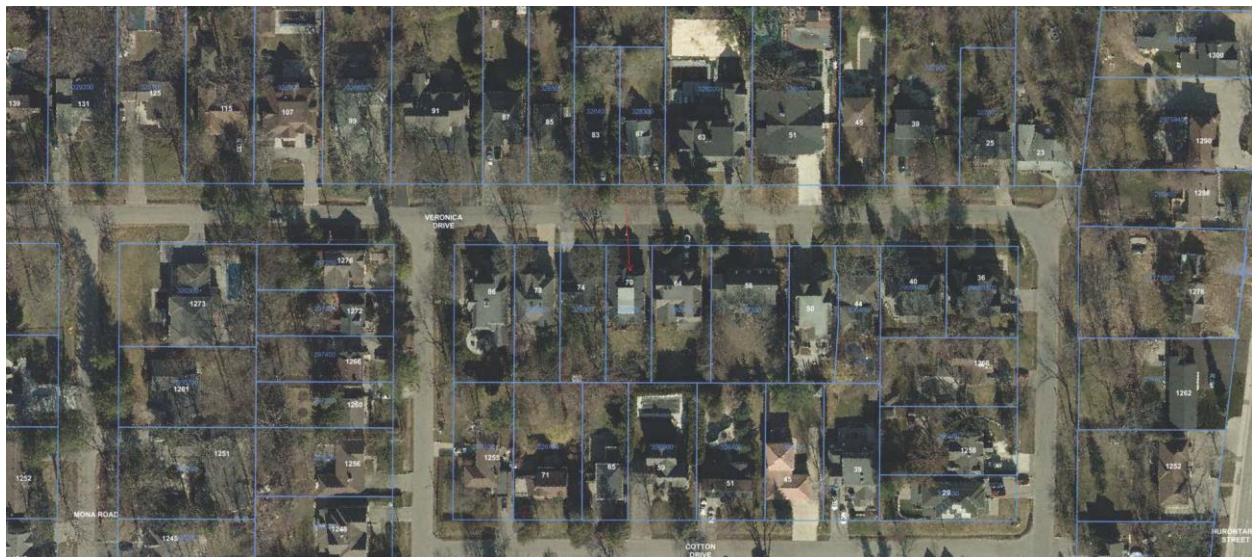
Zoning: R3- 1 - Residential

Other Applications: none

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southwest of Hurontario Street and Mineola Road West. The immediate area consists of older and newer one and two storey-detached dwellings with mature vegetation in the front yards. The subject property contains an existing two-storey detached dwelling with no vegetation in the front yard.

The applicant is proposing an accessory structure requiring variances related to 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 designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached dwellings.

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 clearly accessory while not presenting any massing concerns to neighbouring lots. The proposed variances raise concerns with respect to the intent of the accessory structure regulations. Staff are of the opinion that the proposed structure's area is excessive, as it exceeds both the individual and combined area requirements for accessory structures. Furthermore, staff are concerned regarding the

structure's massing and its impact on adjacent properties. As such, staff recommends that the application be deferred to allow the applicant an opportunity to redesign the proposed structure.

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 structure will be addressed by our Development Construction Section through the future Building Permit process. We advise that the structure is to be equipped with an eaves trough and down spout directed in such a manor to not impact the adjacent properties.





Comments Prepared by: John Salvino, 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: Andrea Patsalides, Zoning Examiner

Appendix 3 –Region of Peel

We have no comments or objections.

Comments Prepared by: Patrycia Menko, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A157.23
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 5085 Hurontario Street and 35 Armdale Road, zoned H-RA5-44- 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 walkway proposing a walkway along Hurontario Street, Belbin Street and Armdale Road to be within the landscape buffer whereas By-law 0225-2007, as amended, only permits a traverse walkway within a landscape buffer in this instance.

The Committee has set **Thursday, June 1, 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 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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Adjustment, 300 City Centre Drive 2nd 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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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.M.56, 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.M.56, 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.



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City of Mississauga Department Comments

Date Finalized: 2023-05-24	File(s): A157.23
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2023-06-01 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

The applicant requests the Committee to approve a minor variance to allow a walkway proposing a walkway along Hurontario Street, Belbin Street and Armdale Road to be within the landscape buffer whereas By-law 0225-2007, as amended, only permits a traverse walkway within a landscape buffer in this instance.

Background

Property Address: 5085 Hurontario Street and 35 Armdale Road

Mississauga Official Plan

Character Area: Uptown Major Node
Designation: Residential High Density

Zoning By-law 0225-2007

Zoning: H-RA5-44- Residential

Other Applications: SP 22-135

Site and Area Context

The subject property is located on the north-east corner of Hurontario Street and Armdale Road. Construction is currently underway on the property for a condominium. Currently there are no

landscaping elements present on the subject property. The surrounding area consists of a mix of uses, including commercial, open space, and various residential built forms.

The applicant is proposing a hardscaping within the landscaped buffer requiring a variance for a walkway within a landscaped buffer.



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 Uptown Major Node Character Area and is designated Residential High Density in Schedule 10 of the Mississauga Official Plan (MOP). The Residential High Density designation permits the proposed built form and uses. The site also forms part of Special Site 2A, however the policies mostly relate to built form and are not applicable in this instance.

The sole requested variance proposes to permit a walkway within the landscaped buffer along Hurontario Street, Belbin Street, and Armdale Road. Planning staff are currently reviewing the proposal under file SP 22-135 and are seeking to create an urban public realm that is primarily hard surface in order to allow a continuous pedestrian connection between the various entrances along the frontages. The proposed variance will facilitate this vision and create a more urban pedestrian environment.

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

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting that any Transportation and Works Department concerns/requirements for the proposed development are being addressed through the Site Plan Application SP 22-135 and Rezoning Application OZ-20/020 for this development.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan approval application under file SP 22-135. Based on review of the information currently available for this application, the variances, as requested are correct.

Our comments are based on the plans received by Zoning staff on 03/25/23 for the above captioned site plan application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: Adam McCormack, Zoning Examiner

Appendix 3 –Region of Peel

We have no comments or objections.

Comments Prepared by: Patrycia Menko, Junior Planner

Appendix 4- Metrolinx

5085 Hurontario Street and 35 Armdale Road

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.

Please note that Metrolinx is a stakeholder that has provided comments on the comprehensive application including Site Plan Application for this site. Please continue to engage Metrolinx as the application progresses.

Comments Prepared by: Farah Faroque, Intern



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A158.23
Ward: 8

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 3281 Loyalist Drive, zoned R4- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an existing driveway proposing a driveway width of 8.70m (approx. 28.54ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

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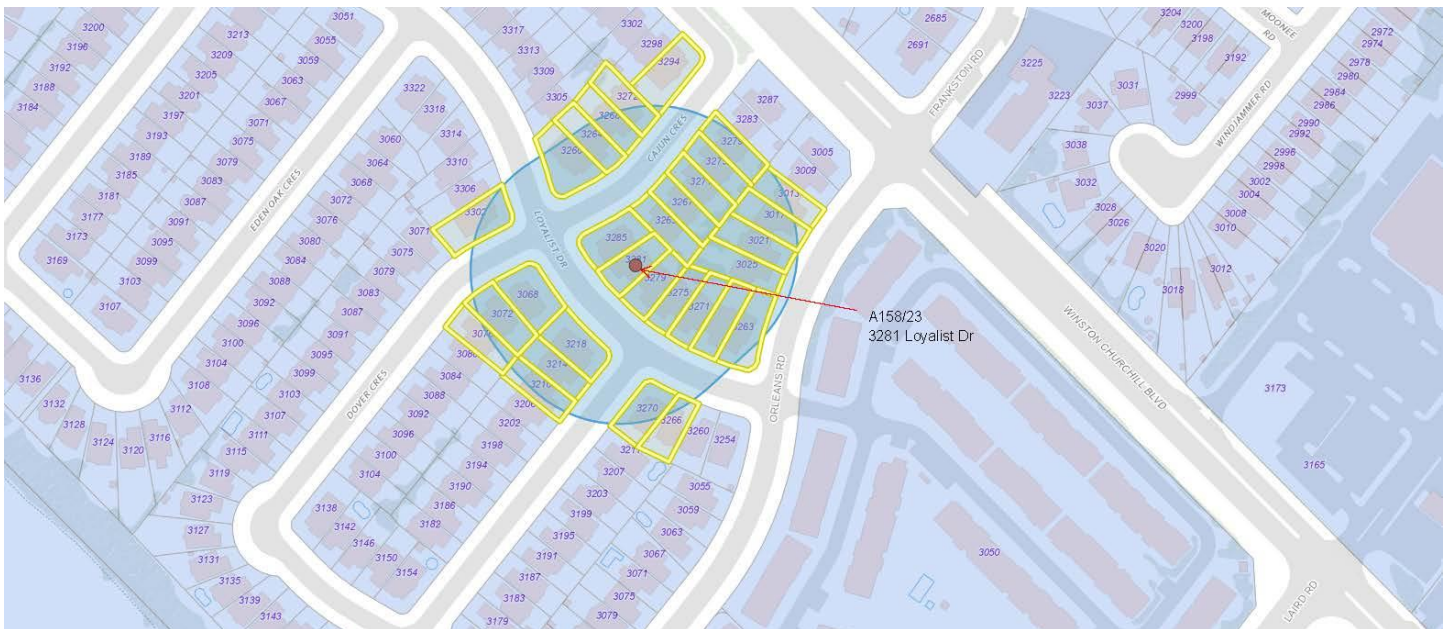
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City of Mississauga Department Comments

Date Finalized: 2023-05-24	File(s): A158.23
To: Committee of Adjustment	Ward: 8
From: Committee of Adjustment Coordinator	Meeting date:2023-06-01 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 allow an existing driveway proposing a driveway width of 8.70m (approx. 28.54ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

Background

Property Address: 3281 Loyalist Drive

Mississauga Official Plan

Character Area: Erin Mills Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R4- Residential

Other Applications: none

Site and Area Context

The subject property is located in the Erin Mills Neighbourhood Character Area, southeast of the Collegeway and Winston Churchill Boulevard. The immediate neighbourhood is primarily residential and contains a mix of two-storey detached, semi-detached and townhouse dwellings

with mature vegetation in the front yards. The subject property contains a two-storey detached dwelling with vegetation in the front yard.

The applicant is seeking variances related to an existing driveway.



Comments

Planning

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

Staff comments concerning the application are as follows:

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

The applicant is proposing a driveway width of 8.70m (28.54ft). The planned character of the area is that of residential dwellings serviced by appropriately sized driveways that can accommodate the parking required by the zoning by-law for each property. The intent of the driveway width regulations in the by-law is to allow a driveway that can accommodate two vehicles parked side by side, with the remainder of the front yard being soft landscaped area. The proposed driveway would represent significant hardscaping in the front yard and would be able to facilitate 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: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference are photos of the existing driveway. We have a concern with a vehicle safely entering and existing the widened portion in front of the doorway without destroying the sodded area between the sidewalk and the Municipal curb. The applicant has paved over the Municipal boulevard area. We ask that the Municipal property between the sidewalk and the property limit be reinstated with topsoil and sod.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

In the absence of a Development application we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed. The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

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

Comments Prepared by: Brooke Herczeg, Zoning Examiner

Appendix 3 –Region of Peel

We have no comments or objections.

Comments Prepared by: Patrycia Menko, Junior Planner