
Committee of Adjustment

Date: June 1, 2023
Time: 3:30 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
George Carlson
Wajeeha Shahrukh
Timothy Rowan
Janice Robinson
Ken Ellis

Contacts

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

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

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

Send written submissions or request notification of future meetings to:

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

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1. CALL TO ORDER
 2. DECLARATION OF CONFLICT OF INTEREST
 3. DEFERRALS OR WITHDRAWALS
 4. MATTERS TO BE CONSIDERED

- 4.1 B11.23
175, 181 & 215 Lakeshore Road W and 220 Missinihe Way (Ward 1)
- 4.2 B12.23
200 Missinnihe Way (Ward 1)
- 4.3 A160.23
2408 Haines Road (Ward 1)
- 4.4 A162.23
1598 Ewald Road (Ward 1)
- 4.5 A163.23
1721 Village View Place (Ward 6)
- 4.6 A164.23
479 Meadow Wood Road (Ward 2)
- 4.7 A166.23
3156 Lenworth Drive (Ward 3)
- 4.8 A170.23
6950 Kennedy Road (Ward 5)
- 4.9 A360.21
1617 Bristol Road West (Ward 6)
- 4.10 A490.22
6510 Saratoga Way (Ward 10)
- 4.11 A527.22
2530 Brasilia Circle (Ward 9)
- 4.12 A666.22
2666 Lindholm Cres (Ward 8)

- 4.13 A759.22
 1362 Lochlin Trail (Ward 1)
- 4.14 A42.23
 1417 Wateska Blvd (Ward 2)
- 4.15 A54.23
 1220 Wildfield Cres (Ward 2)
- 5. **OTHER BUSINESS**
- 6. **ADJOURNMENT**



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: B11.23

Ward: 1

REVISED

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 175, 181 & 215 Lakeshore Road W and 220 Missinihe Way, zoned C4-75 - Commercial, has applied for Consent under Section 53 of the Planning Act. The applicant requests the Consent of the Committee to sever a stratified portion of land for the purposes of a lot addition to accommodate a below-grade parking garage on the subject property. The severed land will be subject to easements to allow pedestrian and vehicular access and egress and servicing and maintenance of building systems. The severed parcel of land has an area of approximately 1,062.04 sq.m (11,432.08 sq.ft.)

The Committee has set **Thursday, June 1, 2023 at 3:30 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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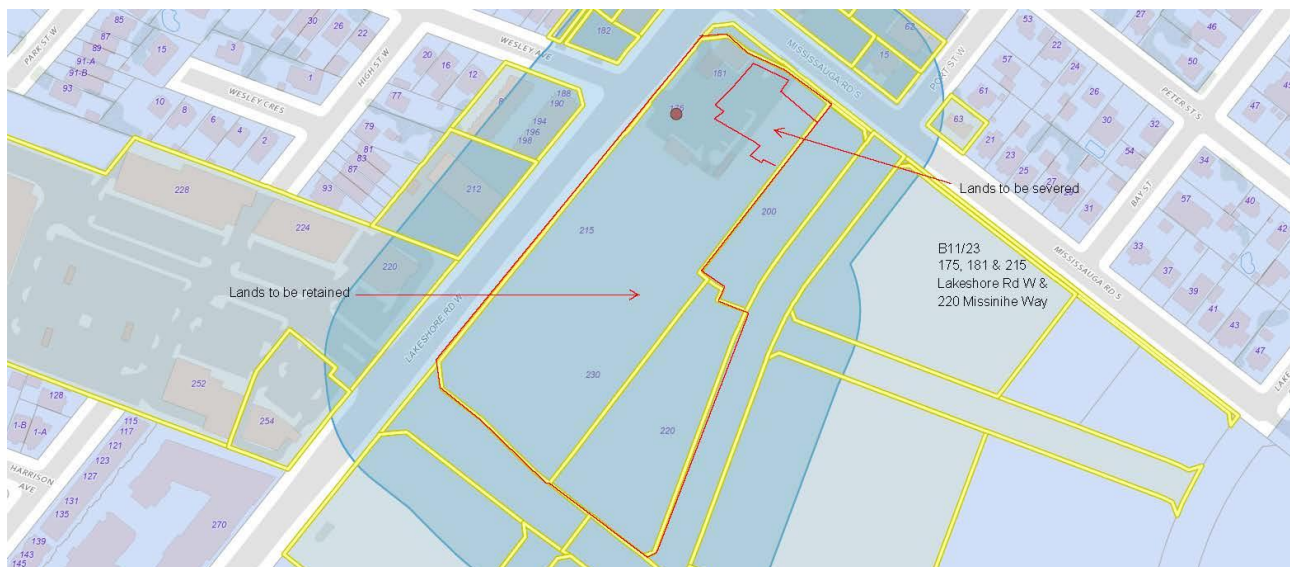
Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and the application file number or property address you are commenting on.

Additional Information:

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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.

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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.

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City of Mississauga Department Comments

Date Finalized: 2023-05-25	File(s): B11.23
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2023-06-01 3:30:00 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 criteria of Section 51(24) of the Planning Act.

Application Details

The applicant requests the Consent of the Committee to sever a stratified portion of land for the purposes of a lot addition to accommodate a below-grade parking garage on the subject property. The severed land will be subject to easements to allow pedestrian and vehicular access and egress and servicing and maintenance of building systems. The severed parcel of land has an area of approximately 1,062.04 sq.m (11,432.08 sq.ft.)

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 175, 181 & 215 Lakeshore Road W and 220 Missinihe Way

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: C4-75 - Commercial

Other Applications: SP 21-130

Site and Area Context

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

The City is currently processing a site plan application for three mid-rise mixed-use buildings with 24 adjacent back-to-back townhomes on the subject property. Abutting the subject property to the south is 200 Mississauga Way. The Region of Peel has secured 200 Mississauga Way for the development and construction of a 7-storey affordable housing building.

The applicant is requesting approval of a consent application to permit a stratified severance of a portion of a below-grade garage, which will contain approximately 27 parking spaces serving the Region of Peel’s affordable housing building, and various easements.



Comments

Planning

Planning Act

Section 51 (24) of the *Planning Act* sets out the criteria for land division in the Province of Ontario. In evaluating such requests, the Committee needs to be satisfied that the proposal

City Department and Agency Comments	File:B11.23	2023/05/25	3
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meets not only the criteria set out under Section 51(24), but also municipal requirements identify in local legislation.

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

Provincial Matters

The Provincial Policy Statement 2020 (PPS 2020) and Growth Plan for the Greater Golden Horseshoe promote efficient development and land use, directing the focus towards intensification and redevelopment. The proposal is consistent with the general directive in provincial policy.

Staff comments concerning the application for consent are as follows:

This application will be considered together with application B12.23 for 200 Missinnihe Way.

The subject application was filed on behalf of the Brightwater Phase I (CDH) LP, the owner of the subject property (the “Block CH Owner”), by its General Partner Brightwater Phase 1 (CDH) GP (“Brightwater”), which is the owner of the lands within the Brightwater development known as Blocks 4 and 5 on Plan 43M-2118 (the “Block CH Lands”), or Blocks C and H on the approved master plan.

Brightwater is also acting as agent on behalf of FS BW Block D GP Inc. (the “Block D Owner”), which is the owner of the lands within the Brightwater development known as Block 6 on Plan 43M-2118 (the “Block D Lands”), or Block D on the approved master plan. The Block D Owner has achieved site plan approval and has filed for building permits to construct a 7-storey affordable housing building on behalf of the Region of Peel, ownership of which shall be transferred to the Region of Peel upon completion.

Application B11.23 would permit a stratified severance of a portion of the below-grade garage within the Block CH Lands. The severed lands will be conveyed to the Block D Owner subject to easements for purposes of pedestrian egress, servicing, maintenance of building systems and other easements in favour of the Block CH Owner. The portion of the below-grade garage that is the subject of this application contains approximately 27 parking spaces, serving the Region of Peel’s affordable housing building.

Application B12.23 would permit a stratified severance of a portion of the below-grade garage within the Block D Lands, which will contain a portion of a shared drive aisle that shall be conveyed to the Block CH Owner subject to access and egress easements in favour of the Block D Lands.

Planning staff have discussed the proposal with the planner assigned to the above noted site plan application and have no concerns with the applicant’s proposal. Stratified ownership of the below-grade garage has been envisioned under previous applications and is required to facilitate parking and access.

City Department and Agency Comments	File:B11.23	2023/05/25	4
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As such, staff are satisfied that the proposal meets the criteria set out under Section 51(24), as the applications will assist in the provision of adequate vehicular access. Furthermore, the applications conforms to the official plan.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This department has no objections to severe stratified portions of land for the purposes of lot additions to accommodate a shared drive aisle within the below grade garage including the required easements for pedestrian and vehicular access and egress and the servicing and maintenance of building systems. We note for Committee's information that The City of Mississauga has processed a Site Plan Application (SP 19/138) for the lands where Transportation and Works requirements pertaining to the construction of a commercial building were given. Through the Site Plan application, this Department has also finalized a Site Plan Agreement with the applicant.

In view of the above we have no objections to the applicant's request and are providing the following conditions/requirements for Committee's consideration:

A. Items Required Prior to the Issuance of Final Consent

1. Draft Reference Plan/Schedule

The applicant/owner is to provide a Draft Reference Plan that shows the new easements as parts along with a letter prepared by their Solicitor which describes any new private easement(s) to be established. It should be acknowledged that any documentation received will be forwarded as an attachment to our clearance memo to the Committee of Adjustment so that any new proposed private easement can be identified and also be incorporated into the Certificate of Secretary-Treasurer.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Zoning section has no concern or comment related to the requested severance.

Comments Prepared by: Adam McCormack, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

The Park Planning Section of the Community Services Department has no objections to the above noted consent application and notes:

1. Given that the property is subject to a development application, SP 21-130, all of Community Services' comments and/or requirements are being addressed through the development application.

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

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

Comments Prepared by: Nicholas Rocchetti, Park Planning Assistant

Appendix 4 – Region of Peel

Consent Application: B-23-011M – 175,181 & 215 Lakeshore Road West & 220 Missinnihe Way

Development Engineering: Bernadette Sniatenchuk (905) 791-7800 x8589

Condition:

- Arrangements satisfactory to the Region of Peel, Public Works shall be made with respect to required private service easements.

Comments Prepared by: Patrycia Menko, Junior Planner

Appendix A – CONDITIONS OF PROVISIONAL CONSENT

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

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

provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding.

4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated May 24, 2023.
5. A letter shall be received from the Region of Peel, Development Services/Public Works, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated May 19, 2023.



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: B12.23
Ward: 1

REVISED

In Person and Virtual Public Hearing

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The property owner of 200 Missinnihe Way, zoned RA3-36 - Residential, has applied for Consent under Section 53 of the Planning Act. The applicant requests the Consent of the Committee to sever stratified portions of land for the purpose of lot additions to accommodate a shared drive aisle within the below-grade garage on the subject property. This land will be subject to easements to allow pedestrian and vehicular access and egress, and servicing and maintenance of building systems. The parcels of land have areas of approximately 566.65sq m (approx. 6099.57sq ft) and 48.64sq m (approx. 523.57sq ft).

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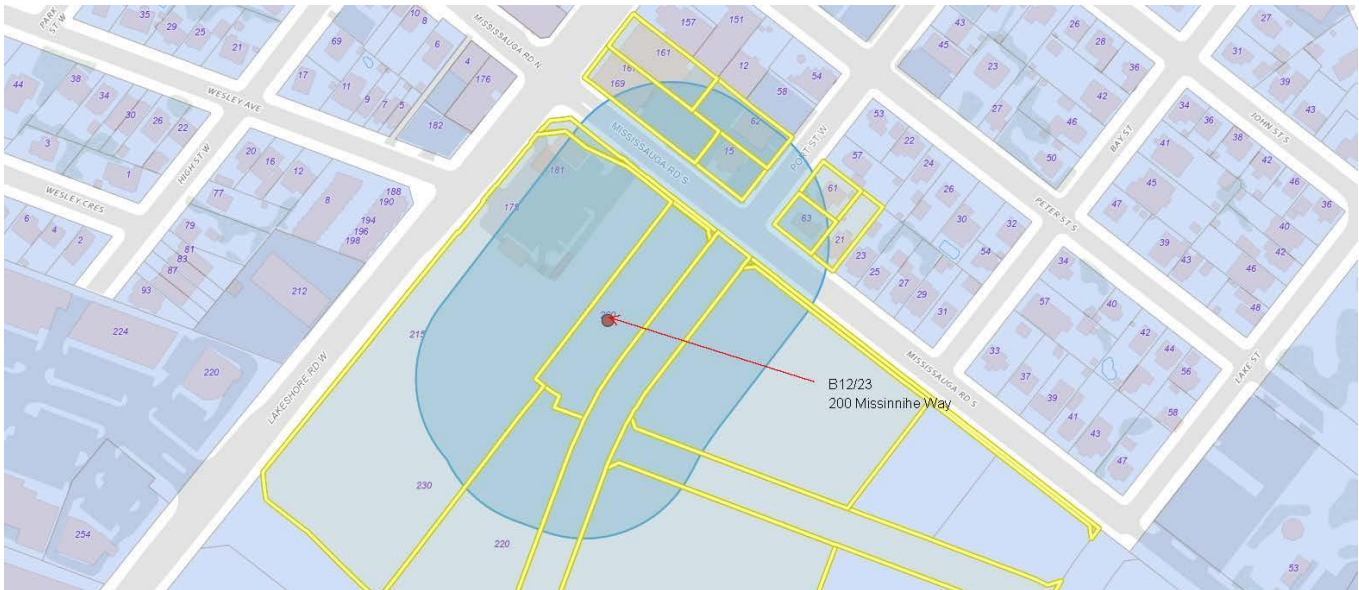
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To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2023-06-01 3:30:00 PM

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Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 200 Missinnihe Way

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: RA3-36 - Residential

Other Applications: Site Plan Approval application under file SP 22-103, Building Permit application under BP 3New 22-276, Minor Variance under file A443.22

Site and Area Context

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

As a part of these approvals, the Region of Peel secured a land dedication (the subject site) for the development and construction of a 7-storey affordable rental apartment building with below grade parking. Abutting the subject property to the north is 175, 181 and 215 Lakeshore Road West & 220 Missinihe Way. The development of these properties are for three-mixed use buildings with 24 adjacent back-to-back townhomes.

The applicant is requesting approval of a consent application to permit a stratified severance of a portion of a below-grade garage within the subject property. The application will permit the conveyance of a portion of a shared drive aisle to the owner of the property directly abutting to the north (175, 181 and 215 Lakeshore Road West & 220 Missinihe Way), and various easements.



Comments

Planning

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Application B12.23, would permit a stratified severance of a portion of the below-grade garage within the Block D Lands. The severance will contain a portion of a shared drive aisle that shall be conveyed to the Block CH Owner (who???) subject to access and egress easements in favour of the Block D Lands.

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garage that is the subject of this application contains approximately 27 parking spaces, serving the Region of Peel's affordable housing building.

Planning staff have discussed the proposal with the planner assigned to the above noted site plan application and have no concerns with the applicant's proposal. Stratified ownership of the below-grade garage has been envisioned under previous applications and is required to facilitate parking and access.

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A. Items Required Prior to the Issuance of Final Consent

1. Draft Reference Plan/Schedule

The applicant/owner is to provide a Draft Reference Plan that shows the new easements as parts along with a letter prepared by their Solicitor which describes any new private easement(s) to be established. It should be acknowledged that any documentation received will be forwarded as an attachment to our clearance memo to the Committee of Adjustment so that any new proposed private easement can be identified and also be incorporated into the Certificate of Secretary-Treasurer.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Zoning section has no concern or comment related to the requested severance. It is, however, to be noted that additional information has been requested under SP 22-103 to allow staff to confirm compliance with multiple By-law provisions, or confirm required variances for the proposed development on the subject lot.

Comments Prepared by: Adam McCormack, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

The Park Planning Section of the Community Services Department has no objections to the above noted consent application and notes:

1. Given that the property is subject to a development application, SP 22-103, all of Community Services' comments and/or requirements are being addressed through the development application.
2. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, c.P. 13, as amended) and in accordance with the City's policies and by-laws.

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

Comments Prepared by: Nicholas Rocchetti, Park Planning Assistant

Appendix 4 – Region of Peel

Consent Application: B-23-012M – 220 Missinnihe Way

Development Engineering: Bernadette Sniatenchuk (905) 791-7800 x8589

Condition:

- Arrangements satisfactory to the Region of Peel, Public Works shall be made with respect to required private service easements.

Comments Prepared by: Patrycia Menko, Junior Planner

Appendix A – CONDITIONS OF PROVISIONAL CONSENT

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

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

provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding.

4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated May 24, 2023.
5. A letter shall be received from the Region of Peel, Development Services/Public Works, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated May 19, 2023.



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A160.23
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 2408 Haines Road, zoned E2-131 - Employment, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the expansion of a funeral establishment proposing to expand the existing funeral establishment within Units #2 and #3 into Units #1 and #4 of the subject building which is not an a municipal road whereas By-law 0225-2007, as amended, only permits a funeral establishment on a municipal street in this instance.

The Committee has set **Thursday, June 1, 2023 at 3:30 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:

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- **If you wish to view the pubic 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

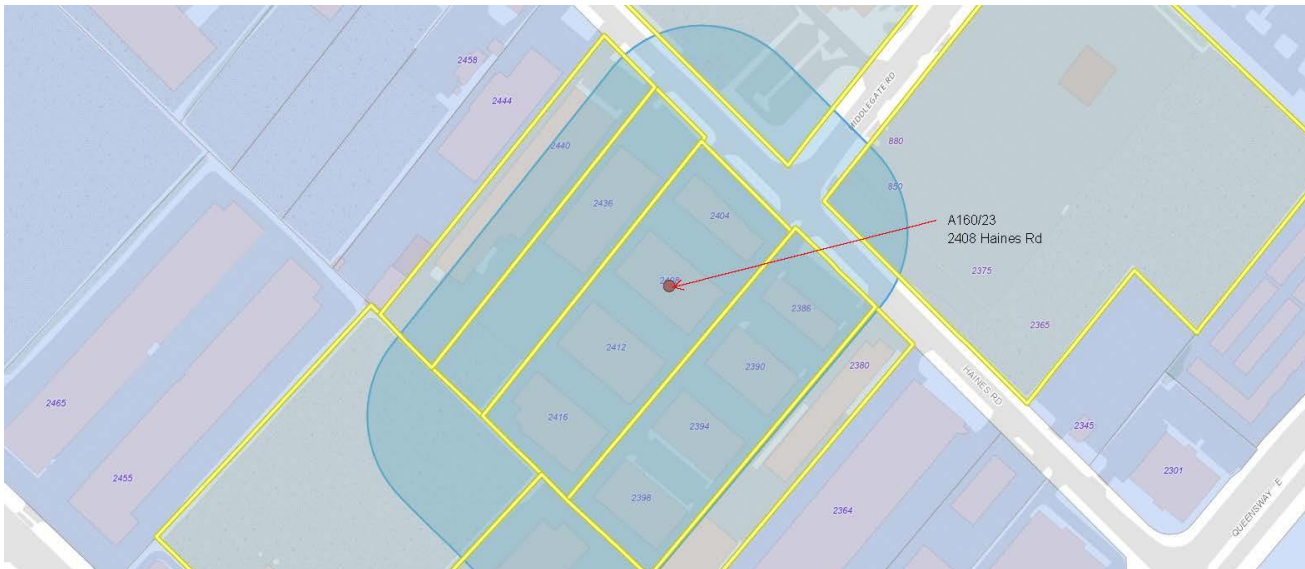
Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and the application file number or property address you are commenting on.

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): A160.23
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2023-06-01 3:30:00 PM

Consolidated Recommendation

The City has no objections to the application, as amended and subject to the conditions identified below.

Application Details

The applicant requests the Committee to approve a minor variance to allow the expansion of a funeral establishment proposing to expand the existing funeral establishment within Units #2 and #3 into Units #1 and #4 of the subject building which is not an a municipal road whereas By-law 0225-2007, as amended, only permits a funeral establishment on a municipal street in this instance.

Amendments

The Building Department is currently processing a Certificate of Occupancy under file C23-6442. Based on a review of the information available in this permit application, we advise the following amendment:

The applicant requests the Committee to approve a minor variance to permit the expansion of the existing funeral establishment within Units 2 and 3 into Units 1 and 4 of the subject building located on a lot that does not have frontage on a street identified on Schedules 2.1.2.2(1) or (2); whereas By-law 0225-2007, as amended, requires a lot containing a funeral home shall have frontage on a street identified on Schedules 2.1.2.2(1) or (2) in this instance.

Conditions

Should the Committee see merit in the applicant's request; staff recommend that the following conditions be added:

1. There shall be no visitations or cremations on the subject property.
2. All business operations shall be conducted wholly within the subject building.

Background

Property Address: 2408 Haines Road

Mississauga Official Plan

Character Area: Dixie Employment Area

Designation: Business Employment

Zoning By-law 0225-2007

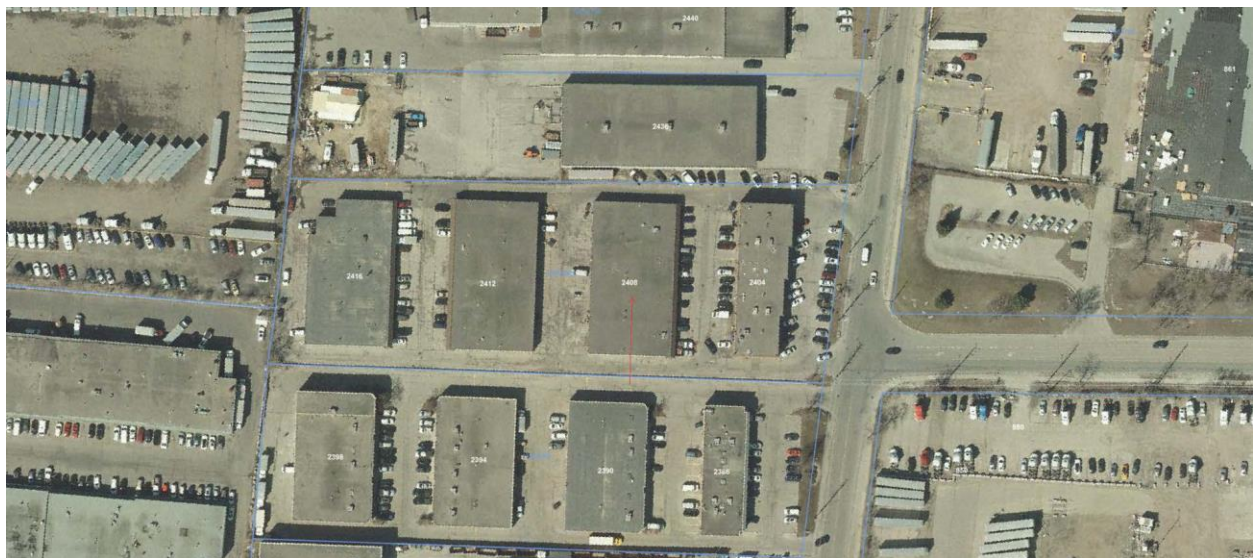
Zoning: E2-131 - Employment

Other Applications: Certificate of Occupancy under file C23-6442.

Site and Area Context

The subject property is located north of the Queensway and Haines Road intersection in the Dixie Employment Area. The subject property contains 4 buildings with mixed uses and multiple tenants. Limited landscaping and vegetative elements are present on the subject property. The surrounding area context is primarily industrial.

The applicant is proposing the expansion of funeral services 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 Dixie Employment Character Area and is designated Business Employment in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits funeral establishments. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area.

The subject property is zoned E2-131, which permits a Funeral Establishment use as of right, however Haines Road is not one of the streets listed as permitting a Funeral Establishment on Schedules 2.1.2.2(1) or (2) of the by-law. Upon a thorough review of the applicant's proposal, staff are satisfied that the proposed activities to take place on the subject property do not represent the same intensity of use as a full Funeral Establishment and are satisfied that the location is appropriate.

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

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections, comments or requirements with respect to C.A. 'A' 160.23.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Certificate of Occupancy under file C23-6442. Based on a review of the information available in this permit application, we advise the following amendment:

The applicant requests the Committee to approve a minor variance to permit the expansion of the existing funeral establishment within Units 2 and 3 into Units 1 and 4 of the subject building located on a lot that does not have frontage on a street identified on Schedules 2.1.2.2(1) or (2); whereas By-law 0225-2007, as amended, requires a lot containing a funeral home shall have frontage on a street identified on Schedules 2.1.2.2(1) or (2) in this instance.

A building permit will be required to legalize any existing construction.

Please note that comments reflect those provided through the above permit application. These comments may no longer be valid should any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application noted above. Any changes and/or updates to information and/or drawings must be submitted separately through the Certificate of Occupancy application process to receive updated comments.

Comments Prepared by: Brian Bonner, Supervisor (Commercial, Industrial & Institutional)

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: A162.23
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 1598 Ewald Road, zoned R3-1 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling and cabana proposing:

1. A flat roof height for the dwelling of 7.85m (approx. 25.75ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof height of 7.50m (approx. 24.61ft) in this instance;
2. An eastern side yard setback to the dwelling of 2.09m (approx. 6.86ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 2.41m (approx. 7.91ft) in this instance;
3. A lot coverage for the cabana of 5.15% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 5% in this instance;
4. A height of the cabana of 3.76m (approx. 12.34ft) whereas By-law 0225-2007, as amended, permits a maximum height of 3.50m (approx. 11.48ft) in this instance;
5. An area of the cabana of 46.45sq m (approx. 499.98sq ft) whereas By-law 0225-2007, as amended, permits a maximum area of 20.00sq m (approx. 215.28sq ft) in this instance;
6. An eastern side yard setback to the eaves overhang of the dwelling of 1.65m (approx. 5.41ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 2.41m (approx. 7.91ft) in this instance;
7. A western side yard setback to the eaves overhang of the dwelling of 1.99m (approx. 6.53ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 2.41m (approx. 7.91ft) in this instance; and,
8. A combined side yard setback of 3.64m (approx. 11.94ft) whereas By-law 0225-2007, as amended requires a minimum combined side yard setback of 4.93m (approx. 16.17ft) in this instance.

The Committee has set **Thursday, June 1, 2023 at 3:30 PM** for the public hearing on this matter. The hearing will begin promptly at the noted start time and all items on the agenda will be heard in the order shown.

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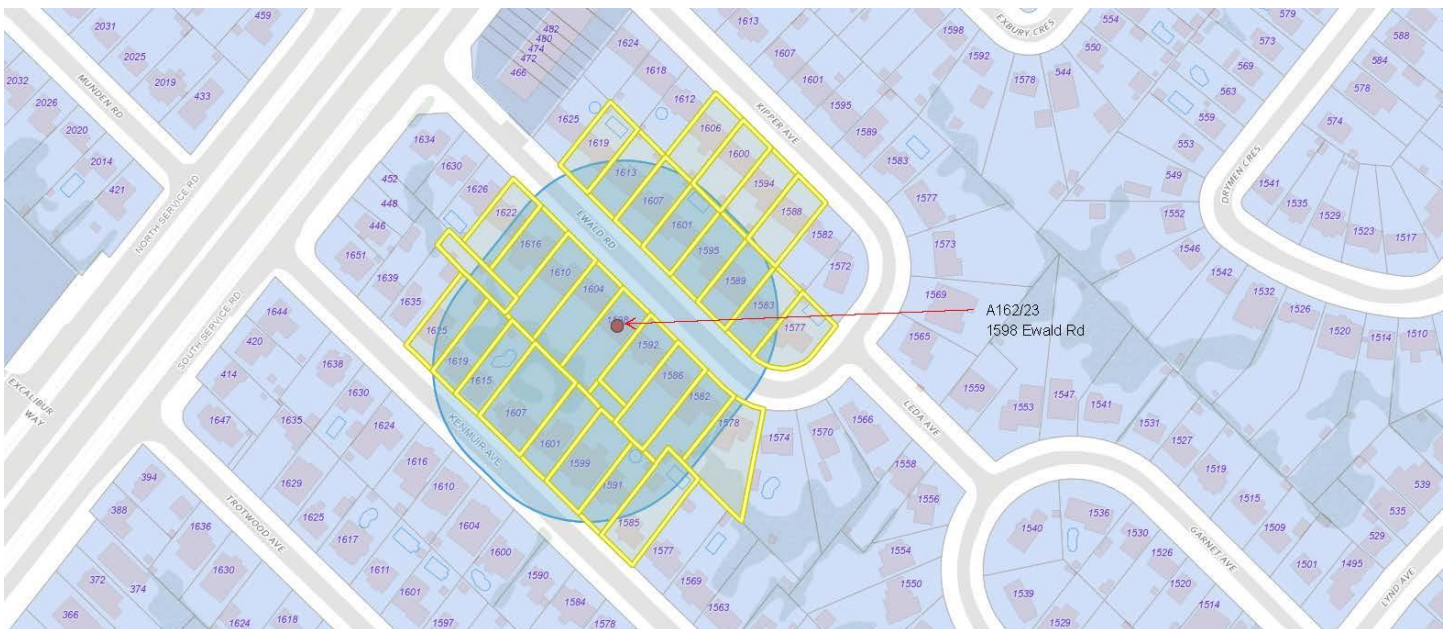
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That being said, individuals still have an opportunity to participate in the decision-making process by:

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City of Mississauga Department Comments

Date Finalized: 2023-05-24	File(s): A162.23
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2023-06-01 3:30:00 PM

Consolidated Recommendation

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

Application Details

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

1. A flat roof height for the dwelling of 7.85m (approx. 25.75ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof height of 7.50m (approx. 24.61ft) in this instance;
2. An eastern side yard setback to the dwelling of 2.09m (approx. 6.86ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 2.41m (approx. 7.91ft) in this instance;
3. A lot coverage for the cabana of 5.15% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 5% in this instance;
4. A height of the cabana of 3.76m (approx. 12.34ft) whereas By-law 0225-2007, as amended, permits a maximum height of 3.50m (approx. 11.48ft) in this instance;
5. An area of the cabana of 46.45sq m (approx. 499.98sq ft) whereas By-law 0225-2007, as amended, permits a maximum area of 20.00sq m (approx. 215.28sq ft) in this instance;
6. An eastern side yard setback to the eaves overhang of the dwelling of 1.65m (approx. 5.41ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 2.41m (approx. 7.91ft) in this instance;
7. A western side yard setback to the eaves overhang of the dwelling of 1.99m (approx. 6.53ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 2.41m (approx. 7.91ft) in this instance; and,
8. A combined side yard setback of 3.64m (approx. 11.94ft) whereas By-law 0225-2007, as amended requires a minimum combined side yard setback of 4.93m (approx. 16.17ft) in this instance.

Amendments

The Building Department is currently processing a Building Permit under file BP 9NEW 23-6166. 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 the construction of a new dwelling and cabana proposing:

1. A flat roof height for the dwelling of 7.95m (approx. 28.08ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof height of 7.50m (approx. 24.61ft) in this instance;
2. An eastern side yard setback to the dwelling of 2.09m (approx. 6.86ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 2.41m (approx. 7.91ft) in this instance;
3. A lot coverage for the cabana of 5.15% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 5% in this instance;
4. A height of the cabana of 3.76m (approx. 12.34ft) whereas By-law 0225-2007, as amended, permits a maximum height of 3.50m (approx. 11.48ft) in this instance;
5. An area of the cabana of 46.45sq m (approx. 499.98sq ft) whereas By-law 0225-2007, as amended, permits a maximum area of 20.00sq m (approx. 215.28sq ft) in this instance;
6. An eastern side yard setback to the eaves overhang of the dwelling of 1.65m (approx. 5.41ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 2.41m (approx. 7.91ft) in this instance;
7. A western side yard setback to the eaves overhang of the dwelling of 1.975m (approx. 6.48ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 2.41m (approx. 7.91ft) in this instance; and,
8. A combined side yard setback of 3.62m (approx. 11.87ft) whereas By-law 0225-2007, as amended requires a minimum combined side yard setback of 4.93m (approx. 16.17ft) in this instance

Background

Property Address: 1598 Ewald Road

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3-1 - Residential

Other Applications: Building Permit under file BP 9NEW 23-6166.

Site and Area Context

The subject property is located in the Mineola Neighbourhood Character Area, southeast of the Kenmuir Avenue and South Service Road intersection. The subject property contains a two-storey detached dwelling with mature vegetation in the front yard. The surrounding area consists of one and two-storey detached dwellings with mature vegetation in the front yards.

The applicant is proposing to construct a new two-storey detached dwelling and cabana requiring variances for side yards, setbacks, dwelling height and cabana height.



Comments

Planning

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

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

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

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

surrounding context, and the landscape of the character area. 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?

Variance #1 is for flat roof height. The intent in restricting height to the flat roof is to reduce the overall massing of a flat roof dwelling to bring it more in-line with a sloped roof dwelling, and to minimize negative impacts on the streetscape and neighbouring properties. Furthermore, it was intended to restrict large flat roof dwellings to two storeys and less than 10.70m (35.15ft) in height. Staff note that variance #1 numerically represents a minor deviation from the regulation and is to facilitate the development of a two-storey dwelling. Furthermore, the grade of the subject property also influences the value contained in the variance. The difference between average grade and the grade at where the dwelling sits is 0.35m (1.15ft) therefore, when viewing the dwelling from the front lawn it would appear to be 0.35m (1.15ft) shorter.

Variances #2, 6, 7 and 8 relate to side yards and setbacks. Through a review of the immediate neighbourhood, similar deficiencies are common for detached dwellings. Therefore, the proposed setbacks and side yards are also not out of character within the immediate neighbourhood.

Variances #3, 4 and 5 are for an accessory structure. The intent of the zoning by-law provisions regarding accessory structures is to ensure that the structures are proportional to the lot and dwelling and are clearly accessory while not presenting any massing concerns to neighbouring lots. Variances #3 and 4 numerically represent minor deviations from the regulations. With respect to variance #5, staff have no concerns regarding the structure's massing, as the subject property is permitted a combined accessory structure area of 60m² (645ft²) as of right and no additional structures exist or are proposed. Lastly, the existing dwelling covers more than 4 times the lot area than the proposed structure. As such, it is clearly proportional and accessory to the dwelling.

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 and cabana are being addressed by our Development Construction Section through the Building Permit process BP9 NEW-23/6166.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 9NEW 23-6166. 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 the construction of a new dwelling and cabana proposing:

9. A flat roof height for the dwelling of 7.95m (approx. 28.08ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof height of 7.50m (approx. 24.61ft) in this instance;
10. An eastern side yard setback to the dwelling of 2.09m (approx. 6.86ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 2.41m (approx. 7.91ft) in this instance;
11. A lot coverage for the cabana of 5.15% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 5% in this instance;
12. A height of the cabana of 3.76m (approx. 12.34ft) whereas By-law 0225-2007, as amended, permits a maximum height of 3.50m (approx. 11.48ft) in this instance;
13. An area of the cabana of 46.45sq m (approx. 499.98sq ft) whereas By-law 0225-2007, as amended, permits a maximum area of 20.00sq m (approx. 215.28sq ft) in this instance;
14. An eastern side yard setback to the eaves overhang of the dwelling of 1.65m (approx. 5.41ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 2.41m (approx. 7.91ft) in this instance;
15. A western side yard setback to the eaves overhang of the dwelling of 1.975m (approx. 6.48ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 2.41m (approx. 7.91ft) in this instance; and,
16. A combined side yard setback of 3.62m (approx. 11.87ft) whereas By-law 0225-2007, as amended requires a minimum combined side yard setback of 4.93m (approx. 16.17ft) 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: Gary Gagnier, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

Minor Variance Application: A-23-162M – 1598 Ewald 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: A163.23
Ward: 6

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 1721 Village View Place, zoned R4-20 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an existing below grade entrance proposing:

1. A below grade entrance in an exterior side yard for a second unit whereas By-law 0225-2007, as amended, does not permit a below grade entrance in an exterior side yard in this instance; and,
2. An exterior side yard setback to the below grade entrance of 3.83m (approx. 12.57ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 4.50m (approx. 14.76ft) in this instance.

The Committee has set **Thursday, June 1, 2023 at 3:30 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 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:**
<http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>

How to submit a written comment:

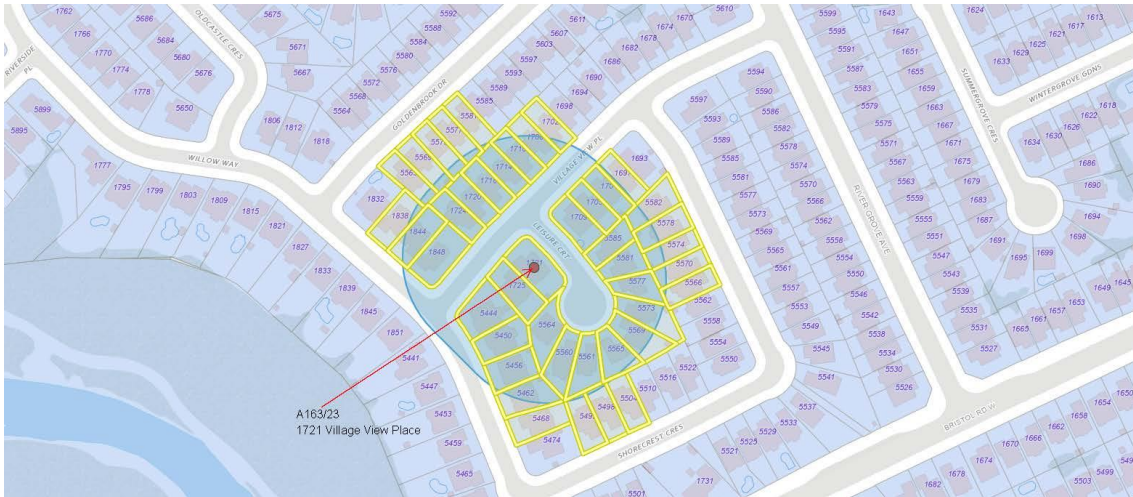
Written comments to the Committee must be received no later than 4:30 p.m. on the Friday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your 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): A163.23
To: Committee of Adjustment	Ward: 6
From: Committee of Adjustment Coordinator	Meeting date:2023-06-01 3:30:00 PM

Consolidated Recommendation

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

Application Details

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

1. A below grade entrance in an exterior side yard for a second unit whereas By-law 0225-2007, as amended, does not permit a below grade entrance in an exterior side yard in this instance; and,
2. An exterior side yard setback to the below grade entrance of 3.83m (approx. 12.57ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 4.50m (approx. 14.76ft) in this instance.

Background

Property Address: 1721 Village View Place

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R4-20 - Residential

Other Applications: SEC UNIT 22-3583

Site and Area Context

The subject property is located north-west of the Bristol Road West and River Grove Avenue intersection in the East Credit neighbourhood. It currently contains a two-storey detached dwelling with an attached garage. It is a corner property, with limited landscaping and vegetative elements in both the front and exterior side yards. The surrounding context is predominantly residential, consisting of detached dwellings on lots of generally similar sizes.

The applicant is proposing a second unit on the subject property requiring variances for the below grade entrance.



Comments

Planning

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

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

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

The existing below grade entrance was previously applied for under file A216/07 and was refused by the Committee due to concerns that the entrance may be used to facilitate a secondary unit in the basement. Upon appeal to the OMB the entrance was approved under file

City Department and Agency Comments	File:A163.23	2023/05/24	3
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PL070612, with a condition that no secondary suite shall be created in the dwelling. Secondary suites are now permitted in Mississauga, and staff are satisfied that the use of the entrance for a secondary unit will not create any additional impacts over its present use.

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

We note that the Transportation and Works Department has no objections to the below grade entrance as it does 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 an application under file SEC UNIT 22-3583. 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: Maria Fernandez, Zoning Examiner

Appendix 3 – Region of Peel

Minor Variance Application: A-23-163M – 1721 Village View Place

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.
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Comments Prepared by: Patrycia Menko, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A164.23
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 479 Meadow Wood Road, zoned R2-5 - 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 driveway width of 11.25m (approx. 36.91ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 10.50m (approx. 34.45ft) in this instance;
2. A walkway width of 2.44m (approx. 8.00ft) whereas By-law 0225-2007, as amended, permits a maximum walkway width of 1.50m (approx. 4.92ft) in this instance;
3. 3 walkways whereas By-law 0225-2007, as amended, permits a maximum of 2 walkways in this instance;
4. A combined side yard width of 21.8% (7.18m (approx. 23.56ft)) whereas By-law 0225-2007, as amended, requires a minimum combined side yard width of 27% (8.89m (approx. 29.17ft)) in this instance;
5. A dwelling unit depth of 24.57m (approx. 80.61ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m (approx. 65.62ft) in this instance;
6. A garage area of 79.23sq m (approx. 852.82sq ft) whereas By-law 0225-2007, as amended, permits a maximum garage area of 75.00sq m (approx. 807.29sq ft) in this instance;
7. An accessory structure height of 3.98m (approx. 13.06ft) whereas By-law 0225-2007, as amended, permits a maximum height of 3.50m (approx. 11.48ft) in this instance; and,
8. A gross floor area of 677.10sq m (approx. 7288.24sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 642.67sq m (approx. 6917.64sq ft) in this instance.

The Committee has set **Thursday, June 1, 2023 at 3:30 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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How to submit a written comment:

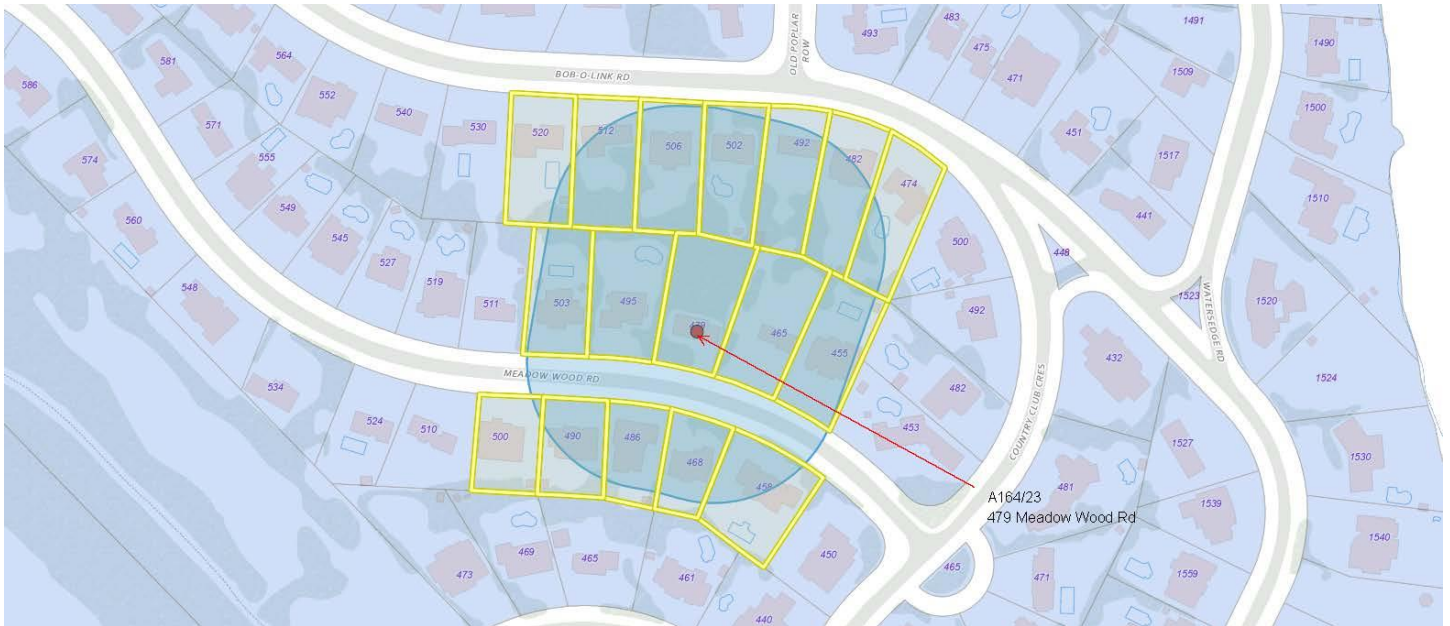
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New! Committee of Adjustment Appeal Process

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?

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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.

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

City of Mississauga Department Comments

Date Finalized: 2023-05-24	File(s): A164.23
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2023-06-01 3:30:00 PM

Consolidated Recommendation

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

Application Details

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

1. A driveway width of 11.25m (approx. 36.91ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 10.50m (approx. 34.45ft) in this instance;
2. A walkway width of 2.44m (approx. 8.00ft) whereas By-law 0225-2007, as amended, permits a maximum walkway width of 1.50m (approx. 4.92ft) in this instance;
3. 3 walkways whereas By-law 0225-2007, as amended, permits a maximum of 2 walkways in this instance;
4. A combined side yard width of 21.8% (7.18m (approx. 23.56ft)) whereas By-law 0225-2007, as amended, requires a minimum combined side yard width of 27% (8.89m (approx. 29.17ft)) in this instance;
5. A dwelling unit depth of 24.57m (approx. 80.61ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m (approx. 65.62ft) in this instance;
6. A garage area of 79.23sq m (approx. 852.82sq ft) whereas By-law 0225-2007, as amended, permits a maximum garage area of 75.00sq m (approx. 807.29sq ft) in this instance;
7. An accessory structure height of 3.98m (approx. 13.06ft) whereas By-law 0225-2007, as amended, permits a maximum height of 3.50m (approx. 11.48ft) in this instance; and,
8. A gross floor area of 677.10sq m (approx. 7288.24sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 642.67sq m (approx. 6917.64sq ft) in this instance.

Background

Property Address: 479 Meadow Wood Road

Mississauga Official Plan

Character Area: Clarkson-Lorne Park Neighbourhood

Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R2-5 - Residential

Other Applications: BP 9NEW 23-5459.

Site and Area Context

The subject property is located in the Clarkson-Lorne Park Neighbourhood Character Area, southeast of the Clarkson Road South and Lakeshore Road West intersection. The subject property contains a one-storey detached dwelling with mature vegetation in the front yard. The surrounding area consists of one and two-storey detached dwellings with mature vegetation in the front yards.

The applicant is proposing to construct a new two-storey detached dwelling requiring variances for a driveway, walkways, dwelling depth, side yard width, garage area, accessory structure height and gross floor area.



Comments

Planning

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

Staff comments concerning the application are as follows:

Variance #1 pertains to driveway width. Staff have no immediate concerns with this variance, as only a portion of the driveway, which facilitates access to the proposed garage, is 11.25m (36.91ft). Furthermore, a majority of the driveway maintains a width of 4m (13.12ft), which is well below the regulation.

Variances #2 and 3 relate to walkway attachments. Staff have no concerns with these variances as the proposed walkways are not wide enough to accommodate a parking space and no variances for reduced soft landscaping are requested.

Variance #4 relates to combined width of side yards. Through a review of the immediate neighbourhood, similar deficiencies are common for detached dwellings in the area. Therefore, the proposed side yards are also not out of character within the immediate neighbourhood.

Variance #5 pertains to dwelling depth. Numerically, the value of the requested variance appears excessive, however, staff note that the proposed dwelling's second storey is primarily concealed within the roofline. Therefore, the proposed dwelling appears as a one-storey dwelling. Furthermore, the dwellings sidewalls are staggered and no height variances are requested. As such, staff have no massing concerns resulting from the requested variance.

Variances #6 and 7 are for garage area and accessory structure height. Staff have no concerns with these variances as they represent minor deviations from the regulations.

Variance #8 relates to gross floor area. Staff are of the opinion that the proposed gross floor area would be consistent with newer and older dwellings found in the immediate area.

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

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling and accessory structure are being addressed by our Development Construction Section through the Building Permit process BP9 NEW-23/5459.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing an application under file BP 9NEW 23-5459. 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 – Region of Peel

Minor Variance Application: A-23-164M – 479 Meadow Wood

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: A166.23
Ward: 3

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 3156 Lenworth Drive, zoned E2-132 - Employment, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the existing parking proposing 9 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 10 parking spaces in this instance.

The Committee has set **Thursday, June 1, 2023 at 3:30 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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 2. Bring your presentation material in paper copy or on your laptop or tablet so it can be projected using our Document Camera.

Virtual Hearing:

- **To participate electronically (computer, tablet or smartphone):** Advance registration is required to speak at the virtual hearing. If you intend to make a presentation at the virtual hearing you must send your request to speak and your presentation material (as an attachment) via email to committee.adjustment@mississauga.ca no later than 4:30 p.m. on the Friday prior to the hearing.
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- **If you wish to view the public hearing online please use the following link:**
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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): A166.23
To: Committee of Adjustment	Ward: 3
From: Committee of Adjustment Coordinator	Meeting date:2023-06-01 3:30:00 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 existing parking proposing 9 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 10 parking spaces in this instance.

Background

Property Address: 3156 Lenworth Drive

Mississauga Official Plan

Character Area: Dixie Employment Area
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2-132 - Employment

Other Applications: C 23-5640

Site and Area Context

The subject property is located north-east of the Dundas Street East and Wharton Way intersection. It currently contains a single-storey industrial building with associated surface parking. No notable landscaping or vegetative elements are present on the subject property.

The surrounding context consists primarily of employment uses with low rise built forms on lots of varying sizes.

The applicant is proposing to allow the existing parking on the site to remain, requiring a variance for the number of parking spaces.



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 Dixie Employment Area and is designated Business Employment in Schedule 10 of the Mississauga Official Plan (MOP).

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

The proposal is requesting a 10% parking reduction; which as per the City's parking Terms of Reference (TofR) requires a Parking Justification Letter (PJL)

submission. However, satisfactory parking justification was not submitted in order to demonstrate that the rate of parking deficiency is not compromising access and circulation onsite nor creating spillover problems for adjacent properties.

Staff recommend the application be deferred, pending the submission of a satisfactory Parking Justification Letter (PJL). Staff advise that a satisfactory Parking Justification Letter (PJL) is required to be submitted. Please refer to the City's Parking [Terms of Reference](#) for parking justification requirements to be included with a formal submission.

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

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Information submitted with this application indicates that the applicant is requesting a variance for a shortfall in required parking spaces. From our site inspection and from the Site Plan submitted with this application we note that 6 of the parking spaces depicted on the Site Plan are located within the municipal boulevard.

In view of the above, we would request that this application be deferred until such time that it has been determined that the City would first permit the encroachment of the parking spaces located within the Lenworth Drive municipal right-of-way by way of a Licence Agreement.

Should the applicant need a contact, they can proceed with contacting realtyservices@mississauga.ca to make the satisfactory arrangements.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Certificate of Occupancy permit under file C 23-5640. 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



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A170.23
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 6950 Kennedy Road, zoned E5-52 - Employment, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing:

1. An interior side yard setback for a patio and patio canopy of 1.80m (approx. 5.91ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 7.50m (approx. 24.61ft) in this instance; and,
2. To permit an outdoor patio on the subject property accessory to the existing hotel whereas By-law 0225-2007, as amended, does not permit an outdoor patio in this instance.

The Committee has set **Thursday, June 1, 2023 at 3:30 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:

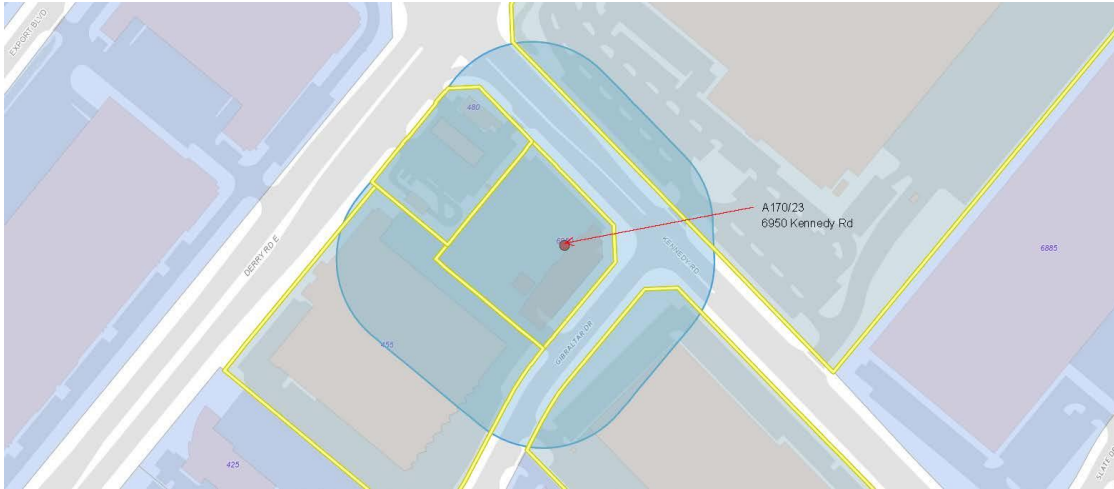
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City of Mississauga Department Comments

Date Finalized: 2023-05-24	File(s): A170.23
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2023-06-01 3:30:00 PM

Consolidated Recommendation

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

Application Details

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

1. An interior side yard setback for a patio and patio canopy of 1.80m (approx. 5.91ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 7.50m (approx. 24.61ft) in this instance; and,
2. To permit an outdoor patio on the subject property accessory to the existing hotel whereas By-law 0225-2007, as amended, does not permit an outdoor patio in this instance.

Background

Property Address: 6950 Kennedy Road

Mississauga Official Plan

Character Area: Gateway Employment Area
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E5-52 - Employment

Other Applications: None

Site and Area Context

The subject property is located on the north-west corner of the Kennedy Road and Gibraltar Drive intersection. It currently contains a six-storey hotel with an associated surface parking lot. Limited landscaping and vegetative elements are present on the subject property. The surrounding context is predominantly employment and retail uses with varying lot sizes and built forms.

The applicant is proposing an outdoor patio requiring variances for the use and 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 Gateway Employment Character Area and is designated Business Employment in Schedule 10 of the Mississauga Official Plan (MOP). The site forms part of Special Site 1, however the policies in this section are aimed at larger employment developments and are not relevant in this instance.

The Business Employment designation permits a variety of employment and some commercial uses, including hotels. 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 a patio as an accessory use to a permitted hotel use is appropriate and will not have any impacts to the broader character area.

Given the above, Planning staff are of the opinion that the general intent and purpose of the official plan are maintained.

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

Variance 1 requests a reduced side yard measured to a patio and patio canopy. 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 and drainage patterns are preserved. The proposed patio cover is not excessively tall and will create no massing impacts or separation issues between structures. Furthermore Transportation & Works staff have raised no significant drainage concerns regarding the proposal.

Variance 2 requests an outdoor patio use. The intent of the zoning by-law excluding accessory patios is to ensure that there are no negative impacts to nearby residential zones and sensitive employment uses as it pertains to either noise and/or hours of operation. The applicant is proposing a patio as an accessory use to the existing hotel. Staff note that there do not appear to be any residential units within close proximity to the site. Staff are satisfied that the patio will have limited impacts to abutting employment units, no impacts to the surrounding area, and will not negatively impact the functionality of the site or larger area.

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?

Planning staff are of the opinion that the proposal is minor in nature. Furthermore staff are satisfied that the patio represents appropriate development of the subject property.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections to the applicant's request.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: 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: A360.21
Ward: 6

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 1617 Bristol Road West, zoned R4-20 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a widened driveway proposing:

1. A driveway width of 7.50m (approx. 24.60ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.68ft) in this instance; and,
2. A walkway width of 2.00m (approx. 6.56ft) whereas By-law 0225-2007, as amended, permits a walkway width of 1.5m (approx. 4.92ft) in this instance.

The Committee has set **Thursday, June 1, 2023 at 3:30 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): A360.21
To: Committee of Adjustment	Ward: 6
From: Committee of Adjustment Coordinator	Meeting date:2023-06-01 3:30:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a widened driveway proposing:

1. A driveway width of 7.50m (approx. 24.60ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.68ft) in this instance; and,
2. A walkway width of 2.00m (approx. 6.56ft) whereas By-law 0225-2007, as amended, permits a walkway width of 1.5m (approx. 4.92ft) in this instance.

Background

Property Address: 1617 Bristol Road West

Mississauga Official Plan

Character Area: East Credit Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

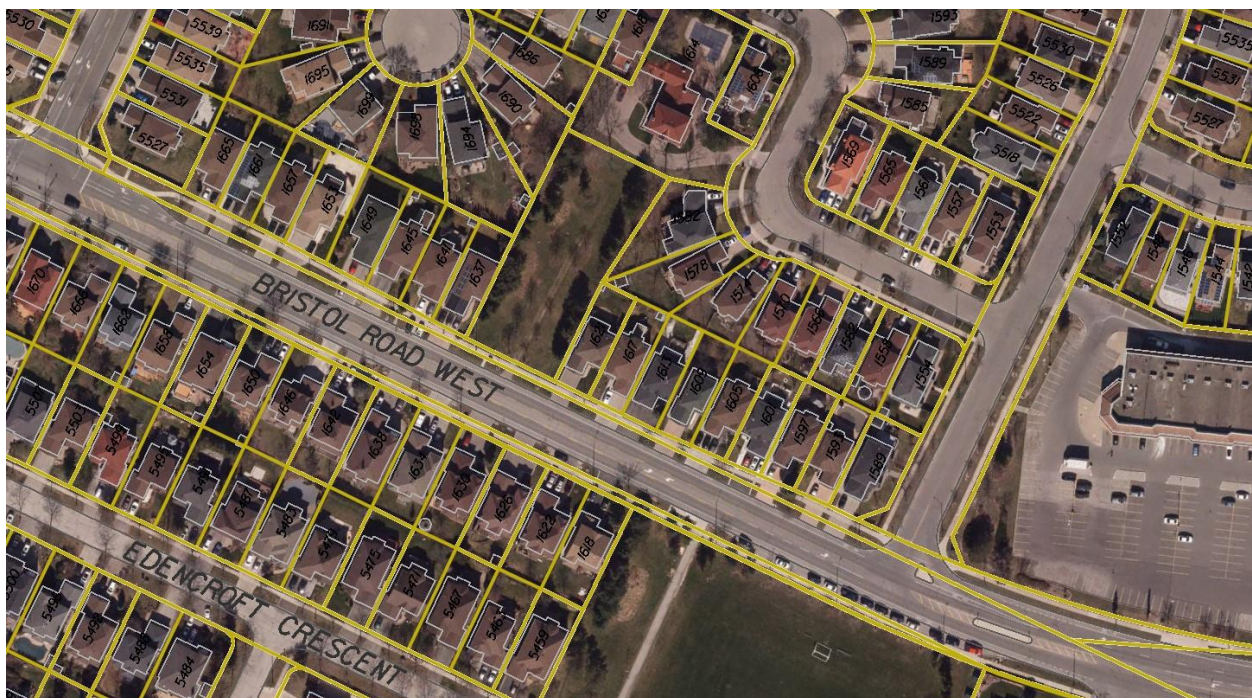
Zoning: R4-20 - Residential

Other Applications: None

Site and Area Context

The subject property is located on the north side of Bristol Road West, west of the Creditview Road intersection. It currently contains a two-storey detached dwelling with an attached garage. The property has a lot frontage of +/- 12.2m (40ft), characteristic of other detached dwellings along the north side of Bristol Road West. Limited landscaping and vegetative elements are present in the front yard. The surrounding area context is predominantly residential, containing detached dwellings on lots of generally similar sizes.

The applicant is proposing to modify 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 East Credit Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). Section 9.1 of the MOP states that driveway widths and associated setbacks should respect the identity and character of the surrounding context. The intent of limiting the driveway width is to

permit a 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 intent of the walkway attachment regulations are to provide a convenient and dedicated pathway to accommodate pedestrians as well as define an entryway to the dwelling, while ensuring the walkway cannot be utilized for parking purposes.

The subject property is on Bristol Road West, which is characterized by wider driveways. This is in part due to the width of the road and the traffic it carries. While the proposal represents a driveway wider than staff would normally support, staff are of the opinion that in this instance the proposed width is characteristic of the area. In regards to the proposed walkway attachments staff are of the opinion that they are appropriately sized for the property and will not permit parking on the walkway.

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

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

In the absence of a Development application we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. 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

Please apply previous comments.

Comments Prepared by: Patrycia Menko, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A490.22
Ward: 10

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 6510 Saratoga Way, zoned R5 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an existing accessory structure proposing:

1. A below grade stairwell with a side yard setback of 0.20m (approx. 0.66ft), whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.20m (approx. 3.93ft) in this instance;
2. An existing pergola and screen proposing a side yard setback of 0.20 m (approx. 0.66ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 0.61m (approx. 2.00 ft) in this instance; and,
3. An existing roof over the side entrance with an exiting side yard setback of 0.20m (approx. 0.66ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 0.61m (approx. 2.00 ft) in this instance.

The Committee has set **Thursday, June 1, 2023 at 3:30 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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New! Committee of Adjustment Appeal Process

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City of Mississauga Department Comments

Date Finalized: 2023-05-24	File(s): A490.22 Ward: 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-06-01 3:30:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

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

1. A below grade stairwell with a side yard setback of 0.20m (approx. 0.66ft), whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.20m (approx. 3.93ft) in this instance;
2. An existing pergola and screen proposing a side yard setback of 0.20 m (approx. 0.66ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 0.61m (approx. 2.00 ft) in this instance; and,
3. An existing roof over the side entrance with an exiting side yard setback of 0.20m (approx. 0.66ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 0.61m (approx. 2.00 ft) in this instance.

Background

Property Address: 6510 Saratoga Way

Mississauga Official Plan

Character Area: Lisgar Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

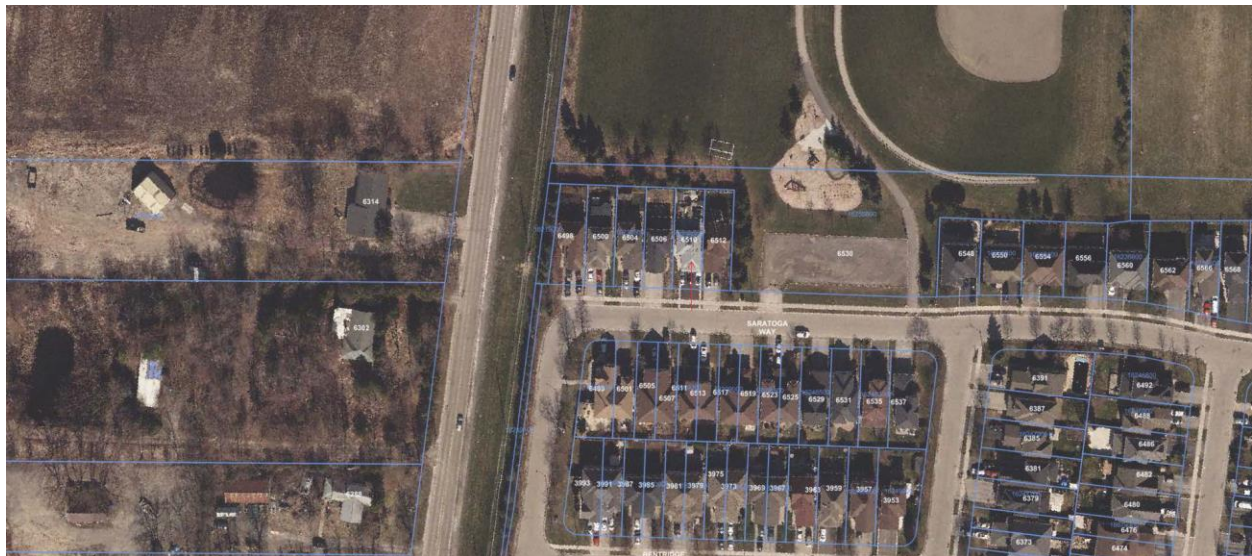
Zoning: R5 - Residential

Other Applications:

Site and Area Context

The subject property is located south-east of the Doug Leavens Boulevard and Ninth Line intersection in the Lisgar neighbourhood. It is an interior lot and currently contains a detached dwelling with an attached garage. The property has a lot frontage of +/- 10.6m (34.8ft), consistent with the abutting detached properties. The area context includes a mix of detached and semi-detached dwellings on varying sized lots, as well as vacant lands across Ninth Line. Limited vegetation and landscaping elements are present in both the front and rear yards.

The applicant is proposing to legalize a below grade entrance and accessory structure requiring variances for side yard setbacks.



Comments

Planning

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

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

The subject property is located in the Lisgar Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such

development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area.

All of the requested variances proposed reduced side yard setbacks to various features of the subject property. The intent of the side yard setback regulations in the by-law is to ensure that: an adequate buffer exists between the massing of primary structures on adjoining properties, appropriate drainage can be provided, and access to the rear yard remains unencumbered.

At the last hearing staff raised concerns relating to a discrepancy surrounding the location of the side lot line. Given that the location of the side lot line would impact the requested variance, staff requested that the application be deferred. At this time staff are unable to properly review the variances as the City is not in receipt of any additional information and continue to recommend that the application be deferred.

Comments Prepared by: Alexander Davies, Committee of Adjustment Planner

Appendices

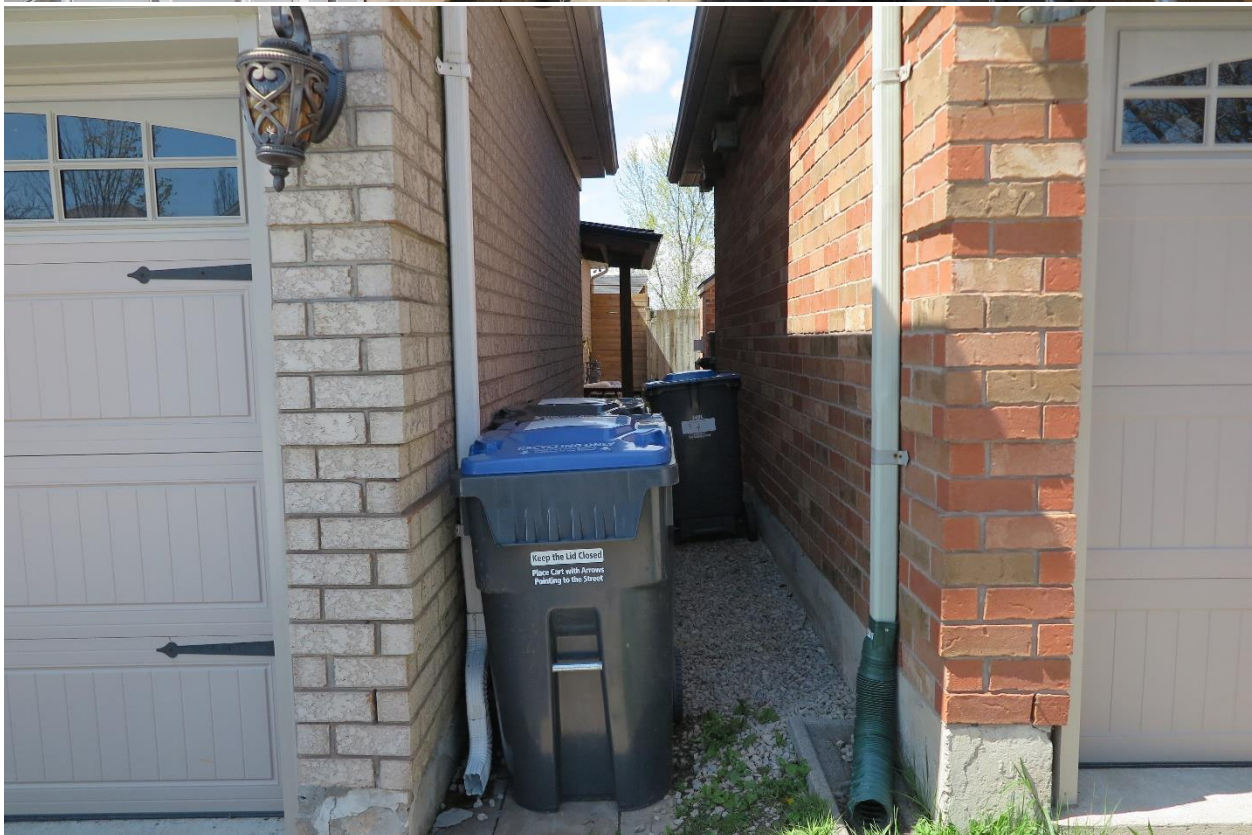
Appendix 1 – Transportation and Works Comments

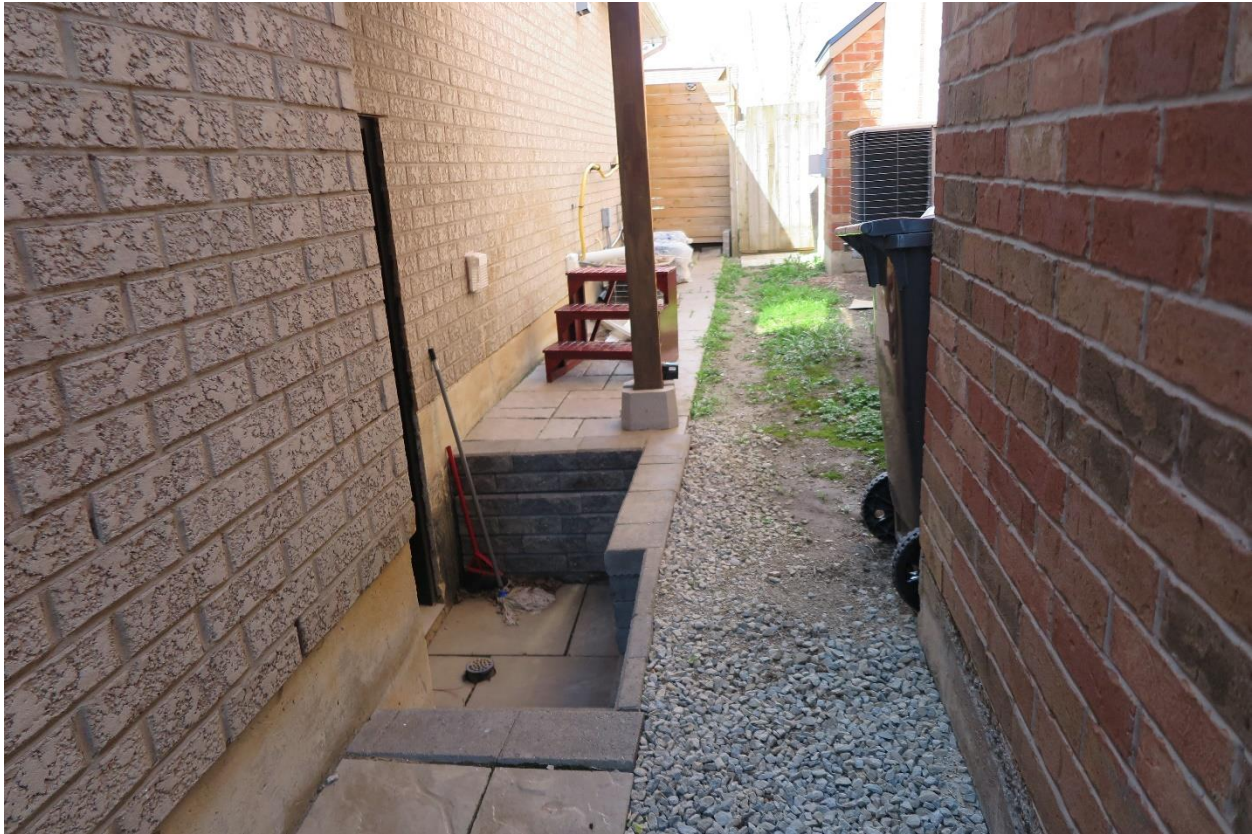
This department questions the accuracy of the Site Plan Drawing A01 submitted as it depicts a 0.91M setback from the edge of the garage to the property line whereas the information and survey plan provided by the abutting neighbour depicts a 0.68M setback from the edge of the garage to the property line.

We have also re-attached some recent photos.

In view of the above we would request that this application be deferred until the accuracy of the information provided is deemed to be correct and can be properly be evaluated.









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 21-10001. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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

Comments Prepared by: Alana Zheng, Planner Zoning Examination

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 Cordingley Park (P-364) 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

Please apply previous comments.

Comments Prepared by: Patrycia Menko, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A527.22
Ward: 9

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 2530 Brasilia Circle, zoned R3-Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve an existing driveway width proposing:

1. A driveway width of 7.62m (approx. 25ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.0m (approx. 19.68ft) in this instance;
2. A minimum setback of 0.48m (approx. 1.57ft) from a driveway to a lot line whereas By-law 0225-2007, as amended, requires a minimum setback of 0.60m (approx. 1.96ft) from a driveway to a lot line in this instance; and,
3. A walkway width of 1.8m (approx. 5.90ft) attached to a driveway whereas By-law 0225-2007, as amended, permits a walkway width of 1.5m (approx. 4.92ft) attached to a driveway in this instance.

The Committee has set **Thursday, June 1, 2023 at 3:30 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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City of Mississauga Department Comments

Date Finalized: 2023-05-24	File(s): A527.22
To: Committee of Adjustment	Ward: 9
From: Committee of Adjustment Coordinator	Meeting date:2023-06-01 3:30:00 PM

Consolidated Recommendation

The City has no objections to variances 2 & 3, however recommends variance 1 be refused. 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 an existing driveway width proposing:

1. A driveway width of 7.62m (approx. 25ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.0m (approx. 19.68ft) in this instance;
2. A minimum setback of 0.48m (approx. 1.57ft) from a driveway to a lot line whereas By-law 0225-2007, as amended, requires a minimum setback of 0.60m (approx. 1.96ft) from a driveway to a lot line in this instance; and,
3. A walkway width of 1.8m (approx. 5.90ft) attached to a driveway whereas By-law 0225-2007, as amended, permits a walkway width of 1.5m (approx. 4.92ft) attached to a driveway in this instance.

Background

Property Address: 2530 Brasilia Circle

Mississauga Official Plan

Character Area: Meadowvale Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

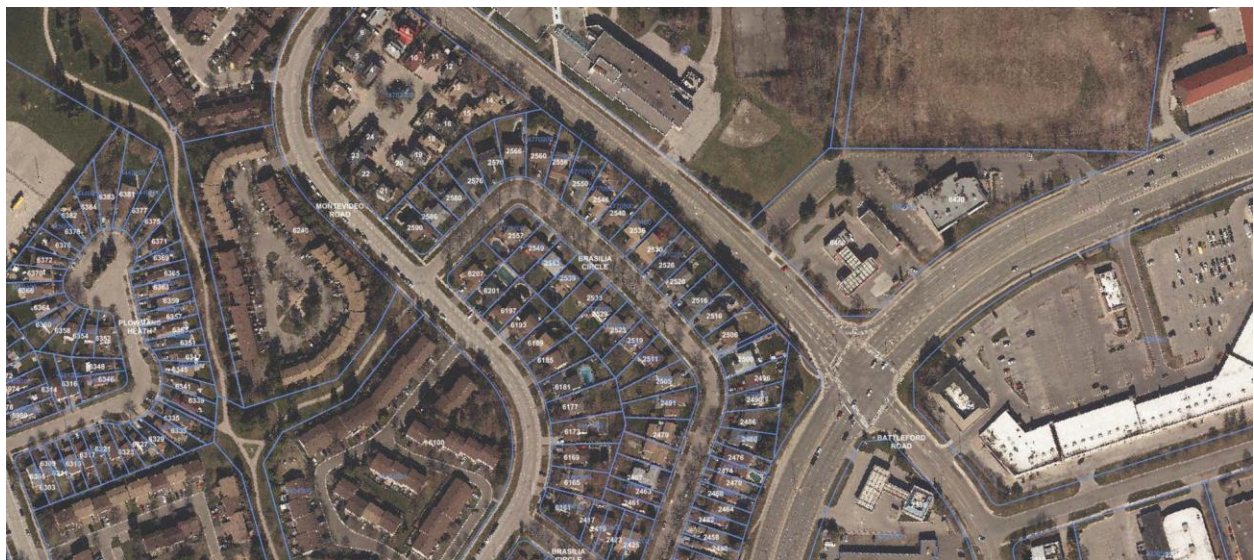
Zoning: R3-Residential

Other Applications: None

Site and Area Context

The subject property is located south-west of the Erin Mills Parkway and Battleford Road intersection in the Meadowvale neighbourhood. It is an interior lot containing a detached dwelling with an attached garage. Some landscaping/vegetative elements are present in the front yard. The property has an approximate lot frontage of 15.2m (49.9ft), which is characteristic of lots containing detached dwellings in the area. The surrounding context is predominantly residential, consisting of a mix of detached, semi-detached and townhouse dwellings on lots of varying sizes.

The applicant is proposing a widened driveway requiring variances for driveway width, driveway setback, and walkway attachment.



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 Central Erin Mills 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. While some modified driveways are present in the surrounding context Planning staff are of the opinion that the proposed width is uncharacteristic of the area. Staff are therefore of the opinion that while variances 2 & 3 maintain the general intent and purpose of the official plan, variance 1 does not.

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

Variance 1 requests an increase in driveway width. The intent of the driveway width regulations in the by-law is to allow a driveway that can accommodate the parking of two vehicles side-by-side, with the remainder of the front yard being soft landscaped area. The proposed increase represents excessive hard surface for the parking of two vehicles across, contrary to the intent of the zoning by-law.

Variance 2 proposes a reduced setback to the driveway. The intent of the driveway setback regulation is to ensure a visual separation between properties, and to allow for appropriate drainage patterns. The proposed reduction is minor in nature and would maintain a visual separation between properties. Furthermore Transportation and Works staff have not raised any drainage related concerns.

Variance 3 requests an increased walkway attachment. The intent of the walkway attachment regulations are to provide a convenient and dedicated pathway to accommodate pedestrians as well as define an entryway to the dwelling, while ensuring the walkway cannot be utilized for parking purposes. Staff are satisfied that the walkway is appropriately sized and will not be able to facilitate the movement or parking of vehicles.

Given the above Planning staff are satisfied that variances 2 & 3 maintain the general intent and purpose of the zoning by-law, however variance 1 does not.

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

Planning staff are of the opinion that variances 2 & 3 represent appropriate development of the subject property. Variances 2 & 3 are minor in nature and will not have significant impacts to the streetscape. Staff are of the opinion, however, that variance 1 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

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.

From the enclosed photos we note that the driveway width in the area of the municipal curb reflects a driveway width which is compatible with the existing curb cut. We do however note that there is an existing streetlight pole in very close proximity to the existing driveway width and are uncertain as to why the streetlight was initially installed at its current location, perhaps a smaller garage width was planned for this lot. In view of the above, and only in this unique instance we are not advising the applicant that a minimum of 1.5M setback is required to the streetlight pole is required.

We have also re-attached some recent photos for Committee's reference.







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

Please apply previous comments.

Comments Prepared by: Patrycia Menko, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A666.22
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 2666 Lindholm Cres, zoned RM5- 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 driveway with a width of 6.10m (approx. 20.01ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 5.2m (approx. 17.06ft) in this instance.

The Committee has set **Thursday, June 1, 2023 at 3:30 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): A666.22
To: Committee of Adjustment	Ward: 8
From: Committee of Adjustment Coordinator	Meeting date:2023-06-01 3:30:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow a driveway with a width of 6.10m (approx. 20.01ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 5.2m (approx. 17.06ft) in this instance.

Background

Property Address: 2666 Lindholm Cres

Mississauga Official Plan

Character Area: Central Erin Mills Neighbourhood
Designation: Residential Medium Density

Zoning By-law 0225-2007

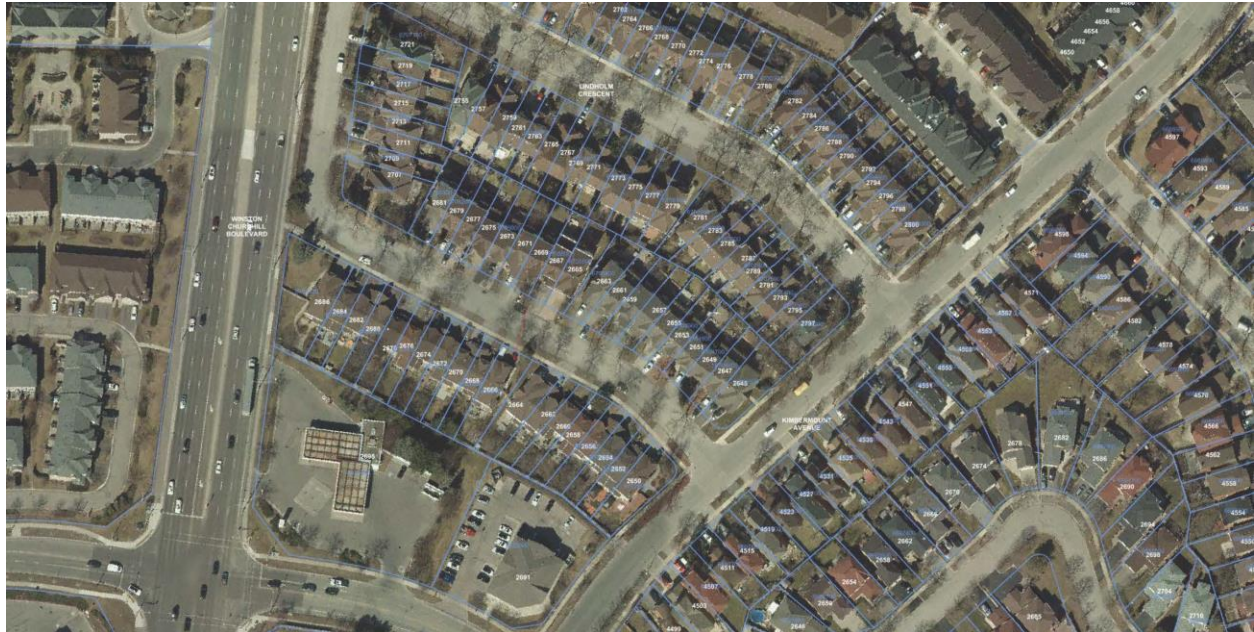
Zoning: RM5- Residential

Other Applications: Pre Application under file PREAPP 22-3877.

Site and Area Context

The subject property is located in the Central Erin Mills Neighbourhood Character Area, southeast of the Eglinton Avenue West and Winston Churchill Boulevard. The subject property is located within a townhouse complex. The immediate neighbourhood contains a mix of two-storey detached and semi-detached dwellings with mature vegetation in the front yards. The subject property contains a two-storey townhouse dwelling with vegetation in the front yard.

The applicant is seeking a variance related to 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 are as follows:

The Committee deferred the above noted application on January 19th, 2023, to allow the applicant an opportunity to address staffs concerns with respect to driveway width.

The applicant's previous proposal was for a driveway width of 8.02m (26.31ft). The applicant has reduced the driveway's width to 6.10m (20.01ft). The planned character of the area is that of residential dwellings serviced by appropriately sized driveways that can accommodate the parking required by the zoning by-law for each property. The intent of the driveway width regulations in the by-law is to permit a driveway that can accommodate two vehicles parked side by side, with the remainder of the front yard being soft landscaped area. The proposed driveway accommodates the required amount of parking spaces and does not represent

significant hardscaping in the front yard as no variance is required for reduced soft landscaped area.

As such, the applicant has satisfied concerns related to driveway width. Staff's opinion that the applicant's proposal is sympathetic to the surrounding area and does not impact the neighbouring properties. Through a detailed review of the application, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has reviewed the revised drawings submitted. We have no further comments provided that the existing driveway is modified to match the revised plans.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department processed a Pre Application under file PREAPP 22-3877. Based on review of the information currently available in this permit application the proposed increase in the driveway width is 6.80 metres wide whereas the applicant is applying for an increase to 6.10 metres.

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

Please apply previous comments.

Comments Prepared by: Patrycia Menko, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A759.22
Ward: 1

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 1362 Lochlin Trail, zoned R2-Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve minor variances to allow the construction of a new dwelling proposing:

1. A lot coverage of 31.09% of the lot area whereas By-law 0225-2007, as amended, permits a lot coverage of 30.00% of the lot area in this instance;
2. A combined side yard setback of 17.86% (4.33m) whereas By-law 0225-2007, as amended, requires a combined side yard setback of 27% (6.55m) in this instance;
3. An eaves height of 6.95m (approx. 22.80ft) whereas By-law 0225-2007, as amended, permits an eaves height of 6.40m (approx. 20.99ft) in this instance;
4. A gross floor area of 465.31 sq.m (approx. 5008.55sq.ft) whereas By-law 0225-2007, as amended, permits a gross floor area of 414.66 sq.m (approx. 4463.36sq.ft) in this instance; and,
5. A driveway width of 7.24m (approx. 23.75ft) whereas By-law 0225-2007, as amended, permits a driveway width of 6.00m (approx. 19.68ft) in this instance.

The Committee has set **Thursday, June 1, 2023 at 3:30 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 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,

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

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.

- 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.

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.



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.

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.

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): A759.22 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-06-01 3:30:00 PM

Consolidated Recommendation

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

Application Details

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

1. A lot coverage of 31.09% of the lot area whereas By-law 0225-2007, as amended, permits a lot coverage of 30.00% of the lot area in this instance;
2. A combined side yard setback of 17.86% (4.33m) whereas By-law 0225-2007, as amended, requires a combined side yard setback of 27% (6.55m) in this instance;
3. An eaves height of 6.95m (approx. 22.80ft) whereas By-law 0225-2007, as amended, permits an eaves height of 6.40m (approx. 20.99ft) in this instance;
4. A gross floor area of 465.31 sq.m(approx. 5008.55sq.ft) whereas By-law 0225-2007, as amended, permits a gross floor area of 414.66 sq.m (approx. 4463.36sq.ft) in this instance; and,
5. A driveway width of 7.24m (approx. 23.75ft) whereas By-law 0225-2007, as amended, permits a driveway width of 6.00m (approx. 19.68ft) in this instance.

Background

Property Address: 1362 Lochlin Trail

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

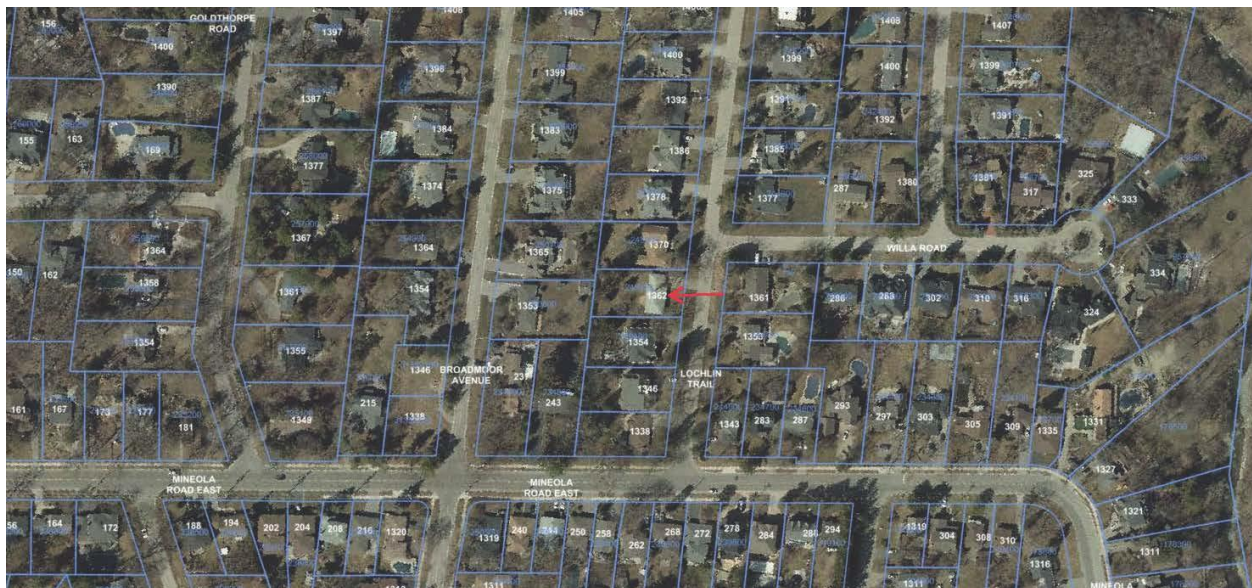
Zoning: R2-Residential

Other Applications: none

Site and Area Context

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

The application proposes a new two-storey detached dwelling requiring variances for lot coverage, combined side yard setback, eave height and gross floor area.



Comments

Planning

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

Staff comments concerning the application are as follows:

The Committee deferred the above noted application on February 23rd, 2023, to allow the applicant an opportunity to address staffs concerns with respect to gross floor area and eave height.

The applicant has submitted a revised proposal that reduced the gross floor area from 501.84m² (5401.76ft²) to 465.31m² (5008.55ft²), and eave height from 7.26m (23.81ft) to 6.95m (22.80ft). Although Planning staff had no immediate concerns with the previous variances for lot coverage and combined side yard setbacks, staff note that these have also improved in the applicant's latest submission. A lot coverage of 31.09%, and combined side yard setback of 17.86% (4.33m) are proposed, where a lot coverage of 33.79% and combined side yard setback of 15.75% (3.82m) were proposed previously. Staff also note that an additional variance for a driveway width of 7.24m has been added to the application.

With respect to variance #1, staff note that the dwelling's footprint (including garage) covers approximately 24% of the subject property. The remaining coverage is attributable to a front covered porch, second floor roof overhang, covered rear patio, and covered cabana, which do not pose significant massing concerns. The proposed dwelling also contains staggered walls and clearly defined architectural features that will break up the first and second storeys. The combination of these factors minimises the massing impact of the dwelling.

Variance #2 relates to combined width of side yards. Through a review of the immediate neighbourhood, similar deficiencies are common for detached dwellings in the area. Therefore, the proposed setbacks and side yards are also not out of character within the immediate neighbourhood.

Variance #3 relates to eave height. Staff are of the opinion that the eave height represents a minor deviation from the regulation. Furthermore, no overall height variance is required.

Variance #4 relates to gross floor area. Staff are of the opinion that the proposed gross floor area would be consistent with newer and older dwellings found in the immediate area.

Variance #5 pertains to driveway width. Staff has no immediate concerns with this variance, as only a portion of the driveway is 7.24m (23.75ft). The rest of the driveway tapers to a width of 5.63m (18.47ft) along the street frontage. Furthermore, the proposed width is not capable of accommodating more than two legal parking spaces parked side by side.

As such, the applicant has satisfied concerns related to gross floor area and eave height. Staff's opinion that the applicant's revised proposal is sympathetic to the surrounding area and does not impact the neighbouring properties. Through a detailed review of the application, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Brooke Herczeg, Zoning Examiner

Appendix 3 –Region of Peel

Please apply previous comments.

Comments Prepared by: Patrycia Menko, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A42.23
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 1417 Wateska Blvd, 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 permit the construction of a new dwelling proposing:

1. A west interior side yard setback to the second storey of 1.96m (approx. 6.43ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 2.41m (approx. 7.91ft) in this instance;
2. A second storey eave west interior side yard setback of 1.55m (approx. 5.08ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.96m (approx. 6.43ft) in this instance;
3. A combined eaves side yard setback of 3.03m or 14.68% (approx. 9.94ft) measured to the eaves whereas By-law 0225-2007, as amended, requires a minimum combined side yard setback of 7.17m or 27% (approx. 23.52ft) measured to the eaves in this instance;
4. An eaves height of 6.98m (approx. 22.90ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance;
5. A garage projection beyond the front wall of 0.81m (approx. 2.66ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0.00m in this instance;
6. A gross floor area of 422.51sq m (approx. 4547.86sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 376.94sq m (approx. 4057.35sq ft) in this instance; and,
7. A driveway width of 6.29m (approx. 20.64ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

The Committee has set **Thursday, June 1, 2023 at 3:30 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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 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.
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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:

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): A42.23
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2023-06-01 3:30:00 PM

Consolidated Recommendation

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

Application Details

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

1. A west interior side yard setback to the second storey of 1.96m (approx. 6.43ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 2.41m (approx. 7.91ft) in this instance;
2. A second storey eave west interior side yard setback of 1.55m (approx. 5.08ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.96m (approx. 6.43ft) in this instance;
3. A combined eaves side yard setback of 3.03m or 14.68% (approx. 9.94ft) measured to the eaves whereas By-law 0225-2007, as amended, requires a minimum combined side yard setback of 7.17m or 27% (approx. 23.52ft) measured to the eaves in this instance;
4. An eaves height of 6.98m (approx. 22.90ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance;
5. A garage projection beyond the front wall of 0.81m (approx. 2.66ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0.00m in this instance;
6. A gross floor area of 422.51sq m (approx. 4547.86sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 376.94sq m (approx. 4057.35sq ft) in this instance; and,
7. A driveway width of 6.29m (approx. 20.64ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

Amendments

Zoning staff advise that the following variance should be amended:

2. A second storey eave west interior side yard setback of 1.55m (approx. 5.12ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.96m (approx. 6.43ft) in this instance.

Background

Property Address: 1417 Wateska Blvd

Mississauga Official Plan

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

Zoning By-law 0225-2007

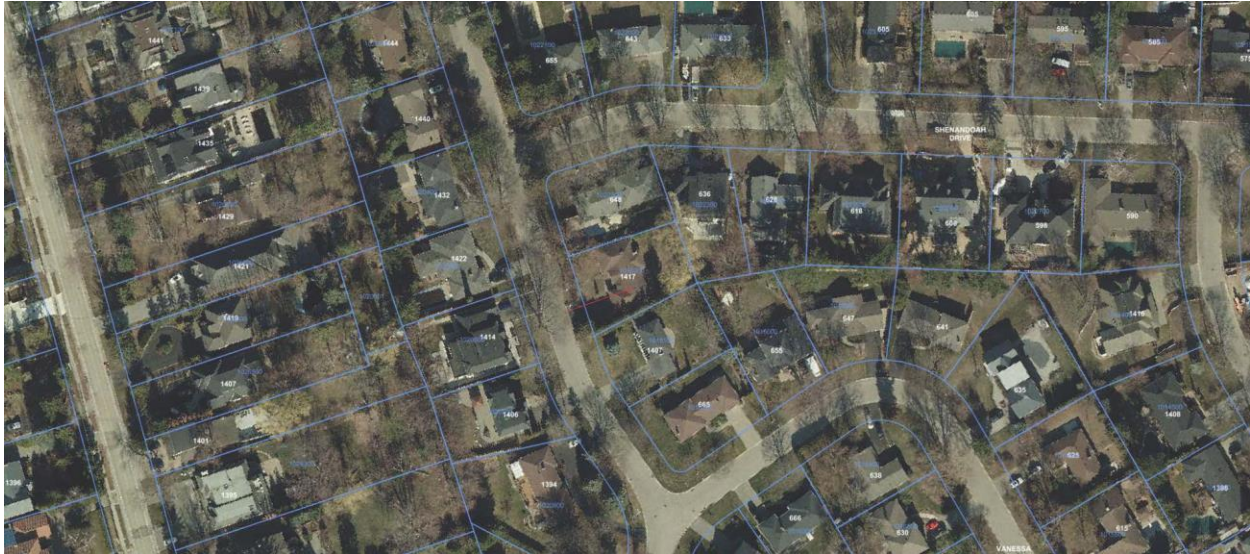
Zoning: R2-4 - Residential

Other Applications:

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, northwest of the Indian Road and Mississauga Road intersection. The immediate neighbourhood is entirely residential, consisting of one and two-storey detached dwellings with mature vegetation and landscape elements in both the front and side yards. The subject property contains a one-storey dwelling with mature vegetation in the property's front yard.

The applicant is proposing a new two-storey dwelling requiring variances related to side yards, eave height, garage projection, gross floor area and driveway width.



Comments

Planning

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

Staff comments concerning the application are as follows:

The Committee deferred application A42.23 on March 30th, 2023.

During the hearing, the owner of the abutting property to the north noted concerns with the dwelling's massing and its impact to their property. The Committee deferred the application to allow the applicant an opportunity to reposition the dwelling to mitigate massing concerns noted by the neighbouring property owner.

Materials contained in the applicant's resubmission appear to remain the same as the applicant's first submission. As such, it appears that the dwelling has not been repositioned to satisfy the Committee's request. Staff had no concerns with the applicant's first submission. As such, staff continue to have no objections with the application.

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 has reviewed and is no longer reviewing a Site Plan Infill application under file SPI 22-117. Based on review of the information currently available in this permit application, variances # 1, 4, 5, and 6, as requested is correct.

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

2. An interior westerly side yard setback to the second storey eaves overhang of 1.55m (approx. 5.12ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback to the second storey eaves overhang of 1.96m (approx. 6.43ft) in this instance;
3. A combined width of side yards of 14.68% (approx. 9.94ft), whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 27.00% (approx. 23.52ft), in this instance;

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

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

Comments Prepared by: Brandon Eidner, Zoning Examiner

Appendix 3 –Region of Peel

Please apply previous comments.

Comments Prepared by: Patrycia Menko, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A54.23
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 1220 Wildfield Cres, zoned R2-4 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing:

1. A side yard setback to the second storey of 2.08m (approx. 6.82ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 2.41m (approx. 7.91ft) in this instance;
2. A combined side yard width to the second storey of 5.21m (approx. 17.10ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard width of 6.57m (approx. 21.56ft) in this instance; and,
3. A gross floor area – infill of 484.35sq m (approx. 5213.50sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 380.38sq m (approx. 4094.38sq ft) in this instance.

The Committee has set **Thursday, June 1, 2023 at 3:30 PM** for the public hearing on this matter. The hearing will begin promptly at the noted start time and all items on the agenda will be heard in the order shown.

In Person Hearing:

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

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Virtual Hearing:

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<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): A54.23
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2023-06-01 3:30:00 PM

Consolidated Recommendation

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

Application Details

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

1. A side yard setback to the second storey of 2.08m (approx. 6.82ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 2.41m (approx. 7.91ft) in this instance;
2. A combined side yard width to the second storey of 5.21m (approx. 17.10ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard width of 6.57m (approx. 21.56ft) in this instance; and,
3. A gross floor area – infill of 484.35sq m (approx. 5213.50sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 380.38sq m (approx. 4094.38sq ft) in this instance.

Background

Property Address: 1220 Wildfield Cres

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R2-4 - Residential

Other Applications: Building Permit under file BP 9ALT 22-4507.

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, northeast of the Birchview Drive and Lorne Park Road intersection. The immediate neighbourhood is entirely residential, consisting of one, one and a half and two-storey detached dwellings with mature vegetation and landscape elements in both the front and side yards. The subject property contains a one-storey dwelling with vegetation in the property's front yard.

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



Comments

Planning

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

Staff comments concerning the application are as follows:

The Committee deferred the above noted application on March 30th, 2023, to allow the applicant an opportunity to address staffs concerns with respect to gross floor area.

Staff discussed the proposal with the applicant's agent and no longer has concerns with the proposed gross floor area. Numerically the proposed gross floor area appears excessive; however, this variance is technical in nature. The applicant is proposing front and rear additions

to the existing one-storey dwelling. Since the ceiling height of the dwelling exceeds 3.6m (12 ft), the dwelling is considered two-storeys and therefore the area of the ground floor is doubled in the calculation of GFA. If the ceiling height of the dwelling was at or below 3.6m (11.81ft), the GFA would be 254.92m² (2743.94ft²), which is significantly below the maximum GFA permitted.

Staff note that no variances are required for height and the dwelling appears as one-storey from its façade. Therefore, the proposed increase in GFA will have no impact on the streetscape or adjacent neighbours.

Variances #2 and 3 pertain to side yards. Through a review of the immediate neighbourhood, similar deficiencies are common for detached dwellings. Therefore, the proposed setbacks and side yards are also not out of character within the immediate neighbourhood.

As such, the applicant has satisfied concerns related to gross floor area. Staff's opinion that the applicant's proposal is sympathetic to the surrounding area and does not impact the neighbouring properties. Through a detailed review of the application, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling are being addressed by our Development Construction Section through the Building Permit process BP9 NEW-23/5509.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing an application under file BP 9ALT 22-4507. 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 submitted on 01/26/2023 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

Please apply previous comments.

Comments Prepared by: Patrycia Menko, Junior Planner

Appendix 4- Metrolinx

1220 Wildfield Cres

Metrolinx is in receipt of the minor variance application for 1220 Wildfield Cres to facilitate the construction of a 1-storey addition in the front and rear yard to an existing 1 -storey dwelling. Metrolinx's comments on the subject application are noted below:

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

Warning: The Applicant is advised that the subject land is located within Metrolinx's 300 metres railway corridor zone of influence and as such is advised that Metrolinx and its assigns and successors in interest has or have a right-of-way within 300 metres from the subject land. The Applicant is further advised that there may be alterations to or expansions of the rail or other transit facilities on such right-of-way in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx to use the right-of-way or their assigns or successors as aforesaid may expand or alter their operations, which expansion or alteration may affect the environment of the occupants in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual lots, blocks or units.

Comments Prepared by: Farah Faroque, Intern