
Committee of Adjustment

Date: September 21, 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
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Taranjeet Uppal, Committee of Adjustment Coordinator, Legislative Services
905-615-3200 ext.3817
taranjeet.uppal@mississauga.ca

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

Send written submissions or request notification of future meetings to:

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

-
1. CALL TO ORDER
 2. DECLARATION OF CONFLICT OF INTEREST
 3. DEFERRALS OR WITHDRAWALS
 4. MATTERS TO BE CONSIDERED
 - 4.1 A351.23
3611 Southwick Street (Ward 8)
 - 4.2 A355.23
2150 Meadowvale Blvd, Unit 3 (Ward 9)
 - 4.3 A356.23
3071 Lavenham Place (Ward 10)
 - 4.4 A358.23
1824 Audubon Blvd (Ward 3)
 - 4.5 A359.23
1054 Cedarglen Gate (Ward 7)
 - 4.6 A360.23
3303 Candela Drive (Ward 4)
 - 4.7 A361.23
7118 Village Walk (Ward 11)
 - 4.8 A128.22
5211 Mississauga Rd (Ward 11)
 - 4.9 A129.22
5217 Mississauga Rd (Ward 11)
 - 4.10 A769.22
1228 Kane Road (Ward 2)
 - 4.11 A17.23
1546 Highbrook Ave (Ward 6)
 - 4.12 A84.23
1203 Saginaw Cres (Ward 2)

4.13 A193.23
2640 Widemarr Road (Ward 2)

4.14 A223.23
3070 Cabano Cres (Ward 10)

5. OTHER BUSINESS

6. ADJOURNMENT



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A351.23
Ward: 8

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 3611 Southwick Street, zoned RM5-21- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an addition proposing a deck with the rear yard setback of 5.64m (approx. 18.50ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 6.50m (approx. 21.33ft) in this instance.

The Committee has set **Thursday, September 21, 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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How to submit a written comment:

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Legal notice:

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New! Committee of Adjustment Appeal Process

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

What's Changed?

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

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City of Mississauga Department Comments

Date Finalized: 2023-09-13	File(s): A351.23
To: Committee of Adjustment	Ward: 8
From: Committee of Adjustment Coordinator	Meeting date:2023-09-21 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 addition proposing a deck with the rear yard setback of 5.64m (approx. 18.50ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 6.50m (approx. 21.33ft) in this instance.

Background

Property Address: 3611 Southwick Street

Mississauga Official Plan

Character Area: Churchill Meadows Neighbourhood
Designation: Residential Medium Density

Zoning By-law 0225-2007

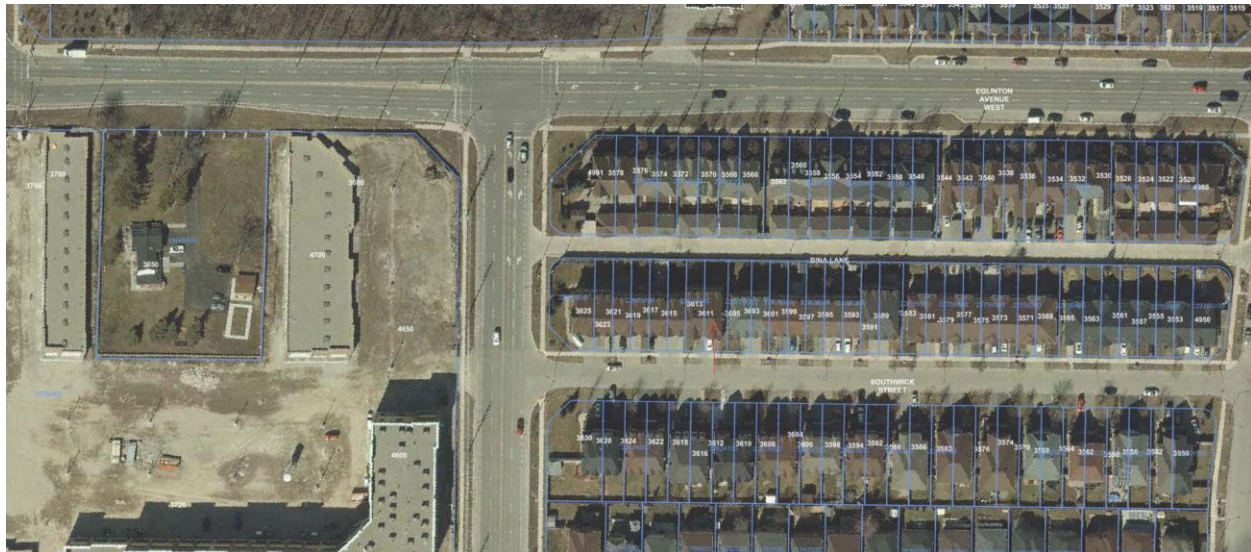
Zoning: RM5-21- Residential

Other Applications: BP23-7811

Site and Area Context

The subject property is located within the Churchill Meadows Neighbourhood Character Area, east of Eglinton Avenue West. The immediate area consists of two-storey townhouse dwellings with attached garage. The subject property contains an existing two-storey townhouse dwelling with an attached garage and limited vegetation in the front yard. The subject property is in close vicinity to commercial uses on the west side of the property.

The applicant is proposing a deck in the rear yard requiring a variance for rear yard setback.



Comments

Planning

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

Staff comments concerning the application are as follows:

The subject property is designated Residential Medium Density in Schedule 10 of the Mississauga Official Plan (MOP) which permits townhouse dwellings.

The intent of the rear yard setback is to ensure that both an adequate buffer exists between the massing of primary structures on adjoining properties, as well as create an appropriate amenity area within the rear yard.

The variance requested is to a deck projecting from the second storey of the dwelling.

Staff have no concerns regarding the applicant's proposal as the proposed deck does not require additional variances for side yard setbacks. Therefore, the deck will not pose privacy or overlook concerns to the adjacent neighbours. Furthermore, the deck is not covered posing

minimal massing impacts to adjacent properties. Lastly, the proposal maintains the existing amenity in the rear yard as the deck is located on the second storey of the dwelling.

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

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed addition are being addressed by our Development Construction Section through the Building Permit process BP9 ALT-23/7811.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit application under file BP23-7811. 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: Brooke Herczeg, Zoning Examiner

Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A355.23
Ward: 9

In Person and Virtual Public Hearing

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

Details of the application and meeting information:

The property owner of 2150 Meadowvale Blvd, Unit 3, zoned E2-1- 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 a change of use in Unit 3 of the subject lands proposing a service establishment use in an E2-1 Zone whereas By-law 0225-2007, as amended, does not permit the use in an E2-1 Zone in this instance.

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City of Mississauga Department Comments

Date Finalized: 2023-09-13	File(s): A355.23
To: Committee of Adjustment	Ward: 9
From: Committee of Adjustment Coordinator	Meeting date:2023-09-21 3:30:00 PM

Consolidated Recommendation

The City recommends the application be refused.

Application Details

The applicant requests the Committee to approve a minor variance to allow a change of use in Unit 3 of the subject lands proposing a service establishment use in an E2-1 Zone whereas By-law 0225-2007, as amended, does not permit the use in an E2-1 Zone in this instance.

Background

Property Address: 2150 Meadowvale Blvd, Unit 3

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: E2-1- Employment

Other Applications: C23-8046

Site and Area Context

The subject property is located within the Meadowvale Business Park Corporate centre, east of the Meadowvale Boulevard and Syntex Drive intersection. The subject property contains a one storey office building and some vegetation and landscaping elements along the property

boundary. The immediate area consists predominantly of office buildings and the Meadowvale Sports Park to the west.

The applicant proposes the operation of a Service Establishment Use within Unit 3 requiring a variance to permit 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 are as follows:

The subject property is located in the Meadowvale Business Park Corporate Centre Character Area and is designated Business Employment in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits a variety of uses, however, Service Establishments are not permitted under this designation.

The applicant is requesting a Service Establishment Use where it is not permitted. Planning staff are of the opinion that the intent and purpose of the zoning by-law is not maintained by permitting uses not contemplated by the zone category and in accordance with an entirely different zoning framework.

Given the above, staff are of the opinion that the application fails to maintain the general intent and purpose of both the official plan and zoning by-law. Staff therefore recommend that the application be refused.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference are photos depicting the subject property





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing an application under file C 23-8046. 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 application and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Andrea Patsalides, Zoning Examiner

Appendix 3 – Region of Peel

Minor Variance: A-23-355M / 2150 Meadowvale Blvd, Unit 3

Planning: Ayooluwa Ayoola (905) 791-7800 x8787

Comments:

- The subject land is in the regulated area of the Credit Valley Conservation Authority (CVC). We rely on the environmental expertise of the CVC for the review of development applications located within or adjacent to the regulated area in Peel and the impact of natural hazards on proposed development. We therefore request that the City staff consider comments from the CVC and incorporate their requirements appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the CVC.
- The subject site is located within a Regional Employment Area, identified on Schedule E-4 of the Regional Official Plan (ROP). The subject site is also located within a Provincially Significant Employment Zone, identified on Figure 12 of the ROP.
- Regional staff acknowledge the application is to permit change of use of existing property to allow service establishment. However, this application will not be supported as it does not keep with the general intent of the ROP and Mississauga Official Plan Business Employment policies.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A356.23
Ward: 10

In Person and Virtual Public Hearing

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

Details of the application and meeting information:

The property owner of 3071 Lavenham Place, zoned RM1-14- 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 pedestrian entrance facing a street to facilitate a second unit in the basement whereas By-law 0225-2007, as amended, does not permit a pedestrian entrance facing a street to facilitate a second unit in this instance.

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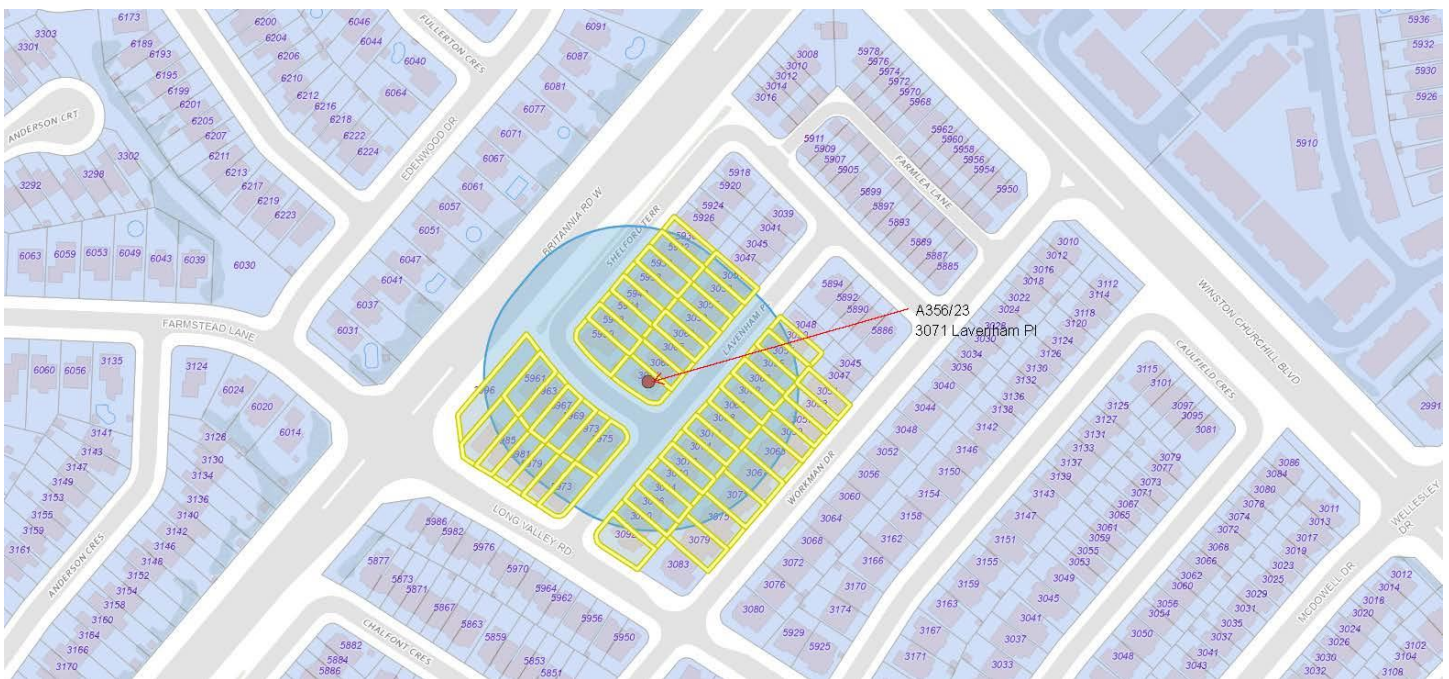
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City of Mississauga Department Comments

Date Finalized: 2023-09-13	File(s): A356.23 Ward: 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-09-21 3:30:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

The applicant requests the Committee to approve a minor variance to allow a pedestrian entrance facing a street to facilitate a second unit in the basement whereas By-law 0225-2007, as amended, does not permit a pedestrian entrance facing a street to facilitate a second unit in this instance.

Background

Property Address: 3071 Lavenham Place

Mississauga Official Plan

Character Area: Churchill Meadows Neighbourhood
Designation: Residential Medium Density

Zoning By-law 0225-2007

Zoning: RM1-14- Residential

Other Applications: SEC UNIT 23-6522

Site and Area Context

The subject property is a corner property on the north-east corner of Lavenham Place and Shelford Terrace in the Churchill Meadows neighbourhood. It has a lot area of 323.13m² (3478.14ft²) and currently contains a semi-detached dwelling with an attached garage. Limited

landscaping/vegetation elements are present in the front, rear and exterior side yard. The surrounding context consists of mostly semi-detached dwellings and detached dwellings.

The applicant is proposing a secondary unit on the subject property requiring a variance for a pedestrian entrance serving a secondary unit to be facing a street.



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 Churchill Meadows Neighbourhood Character area and is designated Residential Medium Density in Schedule 10 of the Mississauga Official Plan (MOP). Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. The proposed door does not impact the property's permitted use and staff are satisfied that the general intent and purpose of the official plan are maintained.

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

The intent of the by-law in prohibiting a pedestrian entrance facing a street to facilitate a second unit is to prevent negative visual impacts to the overall streetscape. Staff note that the proposed door faces the exterior side property line. The door is well set back from the exterior side yard property line and is located at grade, with no stairs on the exterior of the dwelling necessary to service the door. This gives the door the appearance of a permitted side entrance to the primary dwelling, which would be permitted as of right, as opposed to an entrance for a secondary unit. Staff are therefore satisfied that the proposal maintains the general intent and purpose of the Zoning By-law.

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

Staff are of the opinion that the proposal represents desirable development of the subject lands. The proposed door will not create a significant negative impact on the streetscape and can therefore be considered minor in nature.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

As the subject lot this is a corner lot and the below grade entrance is being proposed in an area which will not impact the existing drainage pattern or any of the adjacent properties, we have no drainage related concerns with the location of the below grade entrance.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing an application under file SEC UNIT 23-6522. 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: A-23-356M / 3071 Lavenham Place

Development Engineering: Brian Melnyk (905)-791-7800 x3602

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: Ayooluwa Ayoola, Junior Planner

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 1824 Audubon Blvd, zoned R3- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a sunroom proposing:

1. A rear yard setback of 4.90m (approx. 16.08ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 7.50m (approx. 24.61ft) in this instance; and,
2. A lot coverage of 36.03% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance.

The Committee has set **Thursday, September 21, 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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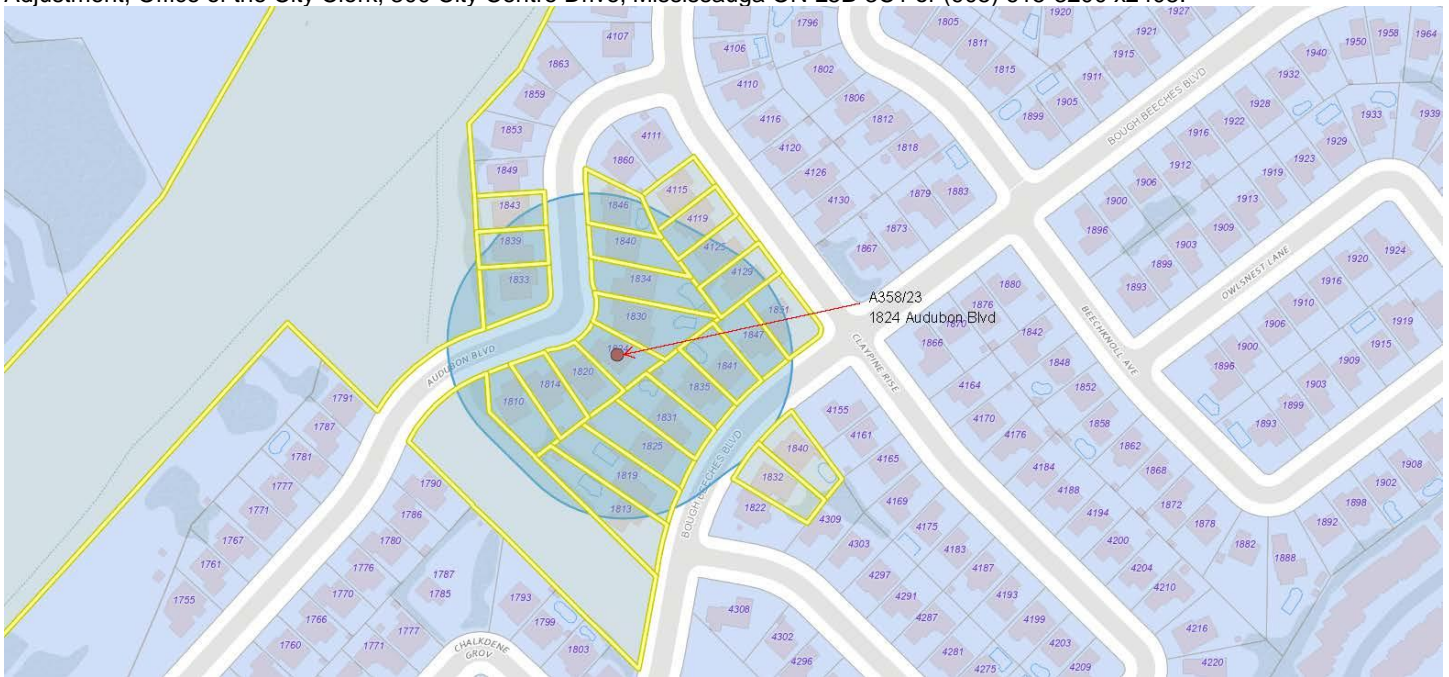
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What's Changed?

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

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

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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: 2023-09-13	File(s): A358.23
To: Committee of Adjustment	Ward: 3
From: Committee of Adjustment Coordinator	Meeting date:2023-09-21 3:30:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

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

1. A rear yard setback of 4.90m (approx. 16.08ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 7.50m (approx. 24.61ft) in this instance; and,
2. A lot coverage of 36.03% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance.

Background

Property Address: 1824 Audubon Blvd

Mississauga Official Plan

Character Area: Rathwood Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3- Residential

Other Applications: BP 9ALT 23-8236

Site and Area Context

The subject property is located north-east of the Fieldgate Drive and Bough Beeches Boulevard intersection in the Rathwood Neighbourhood Character Area. It has a lot area of 633.11m² (6814.73ft²) and currently contains a detached dwelling with an attached garage. Limited landscaping and vegetation elements are present in both the front and rear yards. The surrounding context consists of detached dwellings present across Audubon Boulevard.

The applicant is proposing a rear sunroom addition requiring variances for a rear yard setback and lot coverage.



Comments

Planning

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

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

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

The subject property is located in the Rathwood Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, duplex and triplex dwellings, as well as other low-rise dwellings with individual frontages. Section 9 of the MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context and the landscape of the character area. The proposal represents an addition to an existing detached dwelling that would not

impact the streetscape or character of the area. Staff are satisfied that the general intent and purpose of the official plan is maintained.

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

Variance 1 requests a reduced rear yard setback. The intent of the rear yard provisions in the by-law is to ensure that there is a sufficient buffer between primary structures on abutting lots as well as an appropriate rear yard amenity area for the dwelling. The proposal represents an addition that is one-storey in height that spans the entirety of the dwelling width. Staff are satisfied that an appropriate buffer is maintained and the rear yard amenity area is relatively unaffected by the proposed development.

Variance 2 requests an increase in lot coverage. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot which would impact the streetscape as well as abutting properties. Staff are satisfied that the proposal does not represent an overdevelopment of the subject property as the lot coverage represents a minor increase, and the sunroom does not negatively impact the building's massing.

Given the above, staff are therefore of the opinion that the rear yard setback and lot coverage represent an appropriate balance between the existing and planned character of the area. Furthermore that the general intent and purpose of the zoning by-law is maintained.

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

Staff are of the opinion that the proposal represents appropriate development of the subject property. The impacts of the variances will be minor in nature both on abutting properties and the streetscape.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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

Comments Prepared by: Joe Alava, T&W Development Engineering





Appendix 2 – Zoning Comments

The Building Department is currently processing an application under file 23-8236. 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: Sibila Lass Weldt, Zoning Examiner

Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A359.23
Ward: 7

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 1054 Cedarglen Gate, zoned R3- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a below grade stairwell in the exterior side yard with a setback of 5.21m (approx. 17.09ft) whereas By-law 0225-2007, as amended, does not permit a below grade entrance in the exterior side yard in this instance.

The Committee has set **Thursday, September 21, 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:

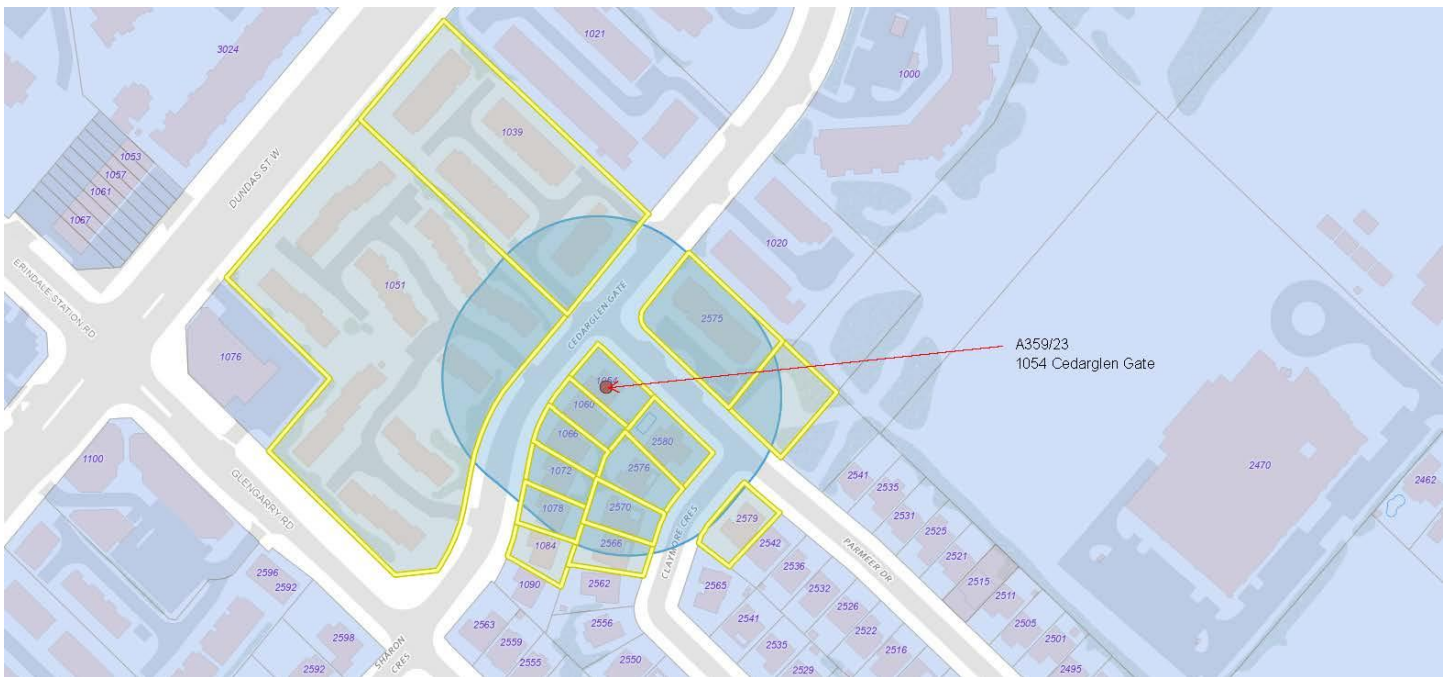
Written comments to the Committee must be received no later than 4:30 p.m. on the Friday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your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

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City of Mississauga Department Comments

Date Finalized: 2023-09-13	File(s): A359.23
To: Committee of Adjustment	Ward: 7
From: Committee of Adjustment Coordinator	Meeting date:2023-09-21 3:30:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

The applicant requests the Committee to approve a minor variance to allow a below grade stairwell in the exterior side yard with a setback of 5.21m (approx. 17.09ft) whereas By-law 0225-2007, as amended, does not permit a below grade entrance in the exterior side yard in this instance.

Background

Property Address: 1054 Cedarglen Gate

Mississauga Official Plan

Character Area: Erindale Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3- Residential

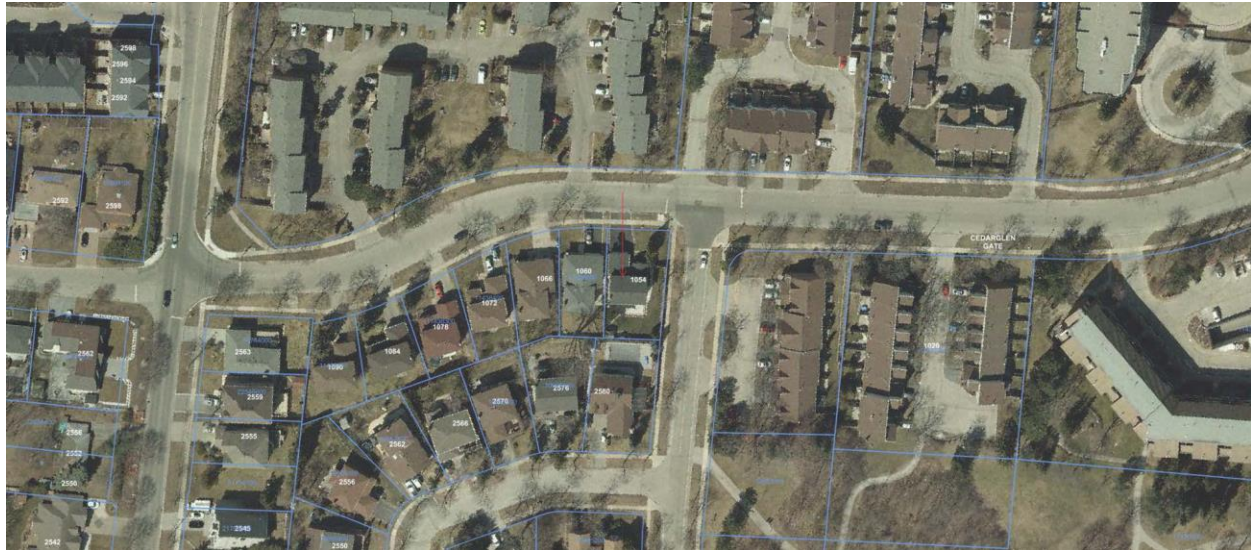
Other Applications: BP 9ALT 23 8307

Site and Area Context

The subject property is located south-east of the Dundas Street West and Glengarry Road intersection in the Erindale Neighbourhood Character Area. It is a corner property containing a detached dwelling with an attached garage and limited vegetation and landscape elements in

the front, rear and exterior side yard. The surrounding neighbourhood includes detached dwellings, semi-detached dwellings and townhouse dwellings. A low rise apartment is present in the larger area context.

The applicant is proposing to legalize a below grade entrance requiring a variance for the exterior side yard setback.



Comments

Planning

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

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

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

The subject property is located in the Lisgar Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. The applicant is proposing a secondary unit within a permitted dwelling. Staff note that the entrance is appropriately hidden behind an existing privacy fence and the entrance will have no impacts to the streetscape. Staff are satisfied that the general intent and purpose of the official plan are maintained.

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

The intent of the exterior side yard regulations surrounding second unit entrances are to ensure that an adequate buffer exists between a structure's massing and the public realm. In this instance the applicant has located the entrance behind an existing privacy fence which appropriately screens the stairwell from the streetscape. Staff are satisfied that any negative impact to the streetscape has been appropriately mitigated and that the general intent and purpose of the zoning by-law have been maintained.

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

Staff are satisfied that the application is minor in nature. The proposed entrance is well screened by the existing fence and will not have significant impacts on the streetscape. Furthermore, the proposal represents appropriate development of the subject property at an appropriate scale and intensity of use.

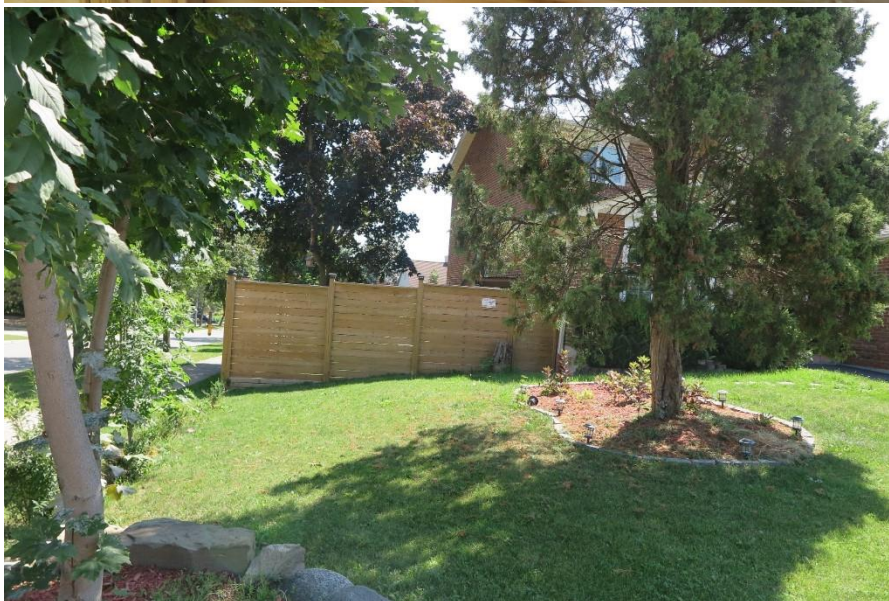
Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

As the subject lot this is a corner lot and the below grade entrance is located in an area which will not impact the existing drainage pattern or any of the adjacent properties, we have no drainage related concerns with the location of the below grade entrance.

Comments Prepared by: Joe Alava, T&W Development Engineering



Appendix 2 – Zoning Comments

The Building Department is currently processing an application under file 23-8307. 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: Candice Williams, Zoning Examiner

Appendix 3 – Region of Peel

Minor Variance: A-23-359M / 1054 Cedarglen Gate

Development Engineering: Brian Melnyk (905)-791-7800 x3602

Comments:

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Comments Prepared by: Ayooluwa Ayoola, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A360.23
Ward: 4

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 3303 Candela Drive, zoned RM1- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an addition proposing:

1. An interior side yard setback to the second floor of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback to the second floor of 1.80m (approx. 5.91ft) in this instance;
2. An interior side yard setback to the garage of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback to the garage of 1.20m (approx. 3.94ft) in this instance;
3. 2 kitchens whereas By-law 0225-2007, as amended, permits a maximum of 1 kitchen in this instance; and,
4. A lot coverage of 44% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35% in this instance.

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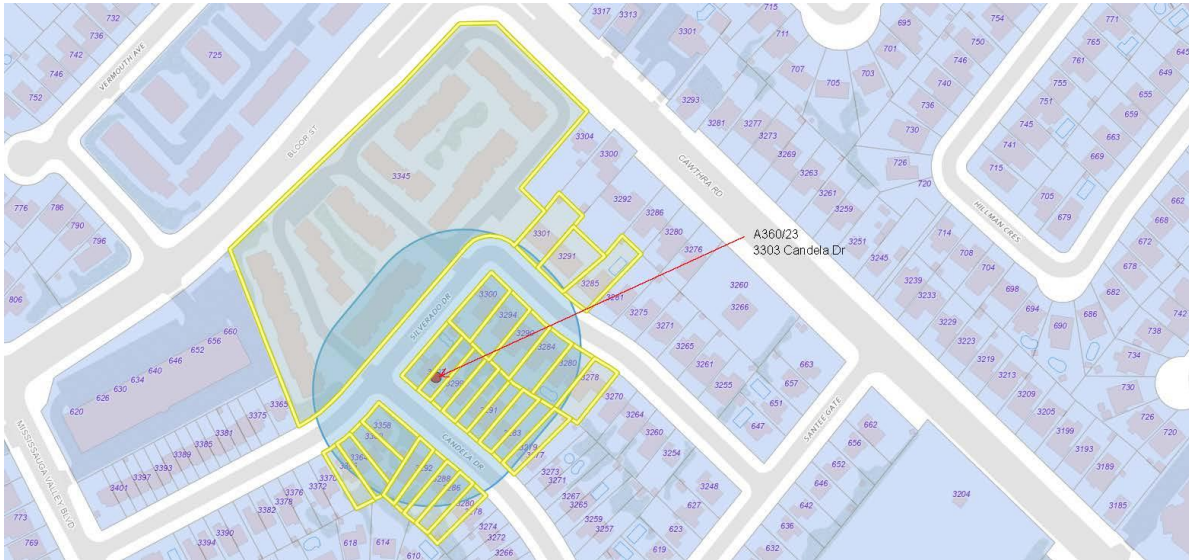
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More information about the Committee of Adjustment is available on the City's website:

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

City of Mississauga Department Comments

Date Finalized: 2023-09-13	File(s): A360.23
To: Committee of Adjustment	Ward: 4
From: Committee of Adjustment Coordinator	Meeting date:2023-09-21 3:30:00 PM

Consolidated Recommendation

The City recommends that the application be deferred for redesign.

Application Details

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

1. An interior side yard setback to the second floor of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback to the second floor of 1.80m (approx. 5.91ft) in this instance;
2. An interior side yard setback to the garage of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback to the garage of 1.20m (approx. 3.94ft) in this instance;
3. 2 kitchens whereas By-law 0225-2007, as amended, permits a maximum of 1 kitchen in this instance; and,
4. A lot coverage of 44% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35% in this instance.

Background

Property Address: 3303 Candela Drive

Mississauga Official Plan

Character Area: Mississauga Valleys Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM1- Residential

Other Applications: BP 9ALT 23-6902

Site and Area Context

The subject property is located south-west of the Bloor Street and Cawthra Road intersection and currently houses a semi-detached dwelling with a detached garage. Contextually, the surrounding neighbourhood consists of detached dwellings, semi-detached dwellings and townhouse dwellings. The subject property is an interior lot with a lot frontage of +/- 9.10m (29.85ft) and a lot area of approximately +/- 490.63m² (5,281.10ft²). It contains limited vegetative and landscaping elements in the front and rear yards.

The applicant is proposing an addition requiring variances for side yard setbacks, number of kitchens and lot coverage.



Comments

Planning

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

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

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

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

The applicant is proposing a variances to the maximum permitted lot coverage and side yard setbacks. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot, to limit any massing impacts to the streetscape and abutting properties, to maintain compatibility between existing and new dwellings and lessen the visual massing of the dwelling.

The proposed lot coverage represents a notable increase from the existing permissions. When combined with the setback variances, the impacts to the streetscape and abutting properties is not minor in nature in the opinion of staff.

Given the above, staff recommend that the application be deferred in order to allow the applicant to redesign the proposed dwelling.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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

Comments Prepared by: Joe Alava, T&W Development Engineering









Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 9ALT 23-6902. 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: Gary Gagnier; Zoning Examiner

Appendix 3 – Region of Peel

Minor Variance: A-23-360M / 3303 Candela Drive

Development Engineering: Brian Melnyk (905)-791-7800 x3602**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: Ayooluwa Ayoola, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A361.23
Ward: 11

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 7118 Village Walk, zoned RM5-27- 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 below grade stairwell to facilitate an entrance below grade in the exterior side yard whereas By-law 0225-2007, as amended, does not permit a below grade entrance in the exterior side yard in this instance.

The Committee has set **Thursday, September 21, 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: 2023-09-13	File(s): A361.23
To: Committee of Adjustment	Ward: 11
From: Committee of Adjustment Coordinator	Meeting date:2023-09-21 3:30:00 PM

Consolidated Recommendation

The City recommends the application be deferred.

Application Details

The applicant requests the Committee to approve a minor variance to allow a below grade stairwell to facilitate an entrance below grade in the exterior side yard whereas By-law 0225-2007, as amended, does not permit a below grade entrance in the exterior side yard in this instance.

Amendments

Based on review of the information currently available in this permit application, the variances, as requested, should be amended to add the following variance:

To permit a new pedestrian entrance facing a street to facilitate a second unit; whereas By-law 0225-2007, as amended, does not permit a new pedestrian entrance facing a street to facilitate a second unit in this instance.

Background

Property Address: 7118 Village Walk

Mississauga Official Plan

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

Zoning By-law 0225-2007

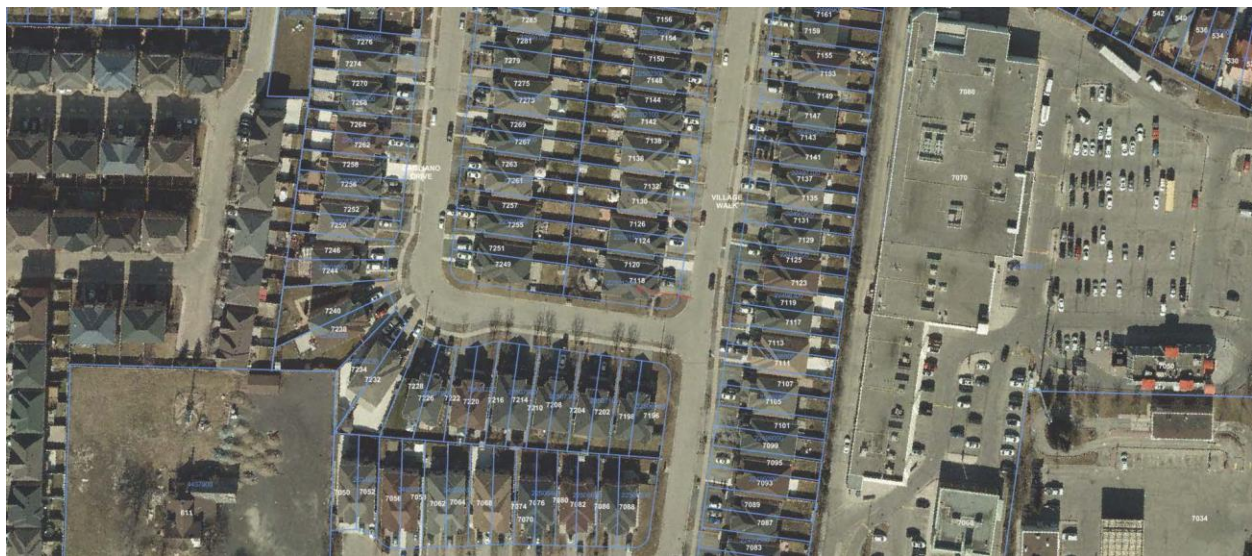
Zoning: RM5-27- Residential

Other Applications: SEC UNIT 23-8226

Site and Area Context

The subject property is located north-west of the Derry Road West & McLaughlin Road intersection in the Meadowvale Village Neighbourhood. It currently contains a semi-detached dwelling with an attached garage. The property is a corner lot and has some vegetation and landscaping elements in the front and exterior side yard. The surrounding area consists of detached dwellings, semi-detached dwellings and townhomes. Further, a commercial plaza is located to the east.

The applicant is proposing a below grade entrance requiring a variance for the location of the below grade entrance in the exterior side yard.



Comments

Planning

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

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

The subject property is located in the Churchill Meadows Neighbourhood Character Area and is designated Residential Medium Density 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.

While staff have no concerns with the location of the proposed below grade stairwell, staff note the proposed stairs are not screened from the streetscape view in any way. This creates impact to the streetscape that staff cannot support and does not maintain the character of the surrounding context.

Staff therefore recommends that the application be deferred in order to allow the applicant to confirm the required variances and either appropriately screen or relocate the proposed entrance.

Further, while Planning staff are not in a position to interpret the zoning by-law, staff note a variance appears to be required for driveway width of 6m or greater, whereas 5.2m is required.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

As the subject lot this is a corner lot and the below grade entrance is being proposed in an area which will not impact the existing drainage pattern or any of the adjacent properties, we have no drainage related concerns with the location of the below grade entrance.

Acknowledging that the existing widened driveway was constructed several years ago, we do note that the existing curb cut does not reflect a curb cut which would have been done by an approved City of Mississauga application process.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file SEC UNIT 23-8226. Based on review of the information currently available in this permit application, the variances, as requested, should be amended to add the following variance:

To permit a new pedestrian entrance facing a street to facilitate a second unit; whereas By-law 0225-2007, as amended, does not permit a new pedestrian entrance facing a street to facilitate a second unit 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: Sibila Lass Weldt, Zoning Examiner

Appendix 3 – Region of Peel

Minor Variance: A-23-361M / 7118 Village Walk

Development Engineering: Brian Melnyk (905)-791-7800 x3602

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: Ayooluwa Ayoola, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A128.22
Ward: 11

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 5211 Mississauga Rd, zoned R3 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a driveway proposing:

1. A driveway including the hammerhead portion that covers 51.82% of the front yard, whereas By-law 0225-2007, as amended, permits a maximum driveway coverage of 50.00 % of the front yard, in this instance;
2. A driveway walkway attachment width of 2.00 m (approx. 6.56 ft), whereas By-law 0225-2007, as amended, permits a maximum driveway walkway attachment width of 1.50 m (approx. 4.92ft), in this instance; and,
3. A hammerhead measuring 5.00 m by 5.00 m (approx. 16.40ft by 16.40ft), whereas By-law 0225-2007, as amended, permits a maximum hammerhead measuring 2.6 m by 3.00 m (approx. 8.53 by 9.84 ft), in this instance.

The Committee has set **Thursday, September 21, 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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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.

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City of Mississauga Department Comments

Date Finalized: 2023-09-13	File(s): A128.22 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-09-21 3:30:00 PM

Consolidated Recommendation

The City has no objections to variance 2, however recommends that variances 1 and 3 be refused.

Application Details

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

1. A driveway including the hammerhead portion that covers 51.82% of the front yard, whereas By-law 0225-2007, as amended, permits a maximum driveway coverage of 50.00 % of the front yard, in this instance;
2. A driveway walkway attachment width of 2.00 m (approx. 6.56 ft), whereas By-law 0225-2007, as amended, permits a maximum driveway walkway attachment width of 1.50 m (approx. 4.92ft), in this instance; and,
3. A hammerhead measuring 5.00 m by 5.00 m (approx. 16.40ft by 16.40ft), whereas By-law 0225-2007, as amended, permits a maximum hammerhead measuring 2.6 m by 3.00 m (approx. 8.53 by 9.84 ft), in this instance.

Background

Property Address: 5211 Mississauga Rd

Mississauga Official Plan

Character Area: Central Erin Mills Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3 - Residential

Other Applications: PREAPP 23-6998**Site and Area Context**

The subject property is located on the east side of Mississauga Road, north of the Barbertown Road intersection in the Central Erin Mills Neighbourhood. The property contains a two-storey detached dwelling with an attached garage and has a lot frontage of +/- 19.81m (65ft). There is minimal vegetation on the subject property, which is consistent with the more recently constructed properties on the east side of Mississauga Road. Older surrounding properties contain more mature vegetation in both the front and rear yards.

The applicant is proposing a widened driveway requiring variances for driveway coverage area, walkway attachment and hammerhead size.

**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 property is located within the Central Erin Mills Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached dwellings, semi-detached dwellings

and duplex dwellings. As per Section 9.1 (Introduction), driveway widths should respect the identity and character of the surrounding context. The driveway, as existing, represents significant hardscaping when compared to driveways in the surrounding area. While staff note that the driveways fronting onto the west side of Mississauga Road are shared and significant in width, staff note that the shared driveways are reduced to an appropriate width at the street line with the wider portions being screened by soft landscaping abutting the street line. Staff also note that those properties are larger in size than the subject property and are able to accommodate increased hardscaping. It is the opinion of staff that the proposal does not maintain the general intent and purpose of the official plan.

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

Variances 1 and 3 relates to an increased percentage of the front yard to be driveway and an increase to the dimensions of the hammerhead design. The intent of this provision is to ensure that hardscaping does not dominate the lot frontage and that the character of the area is maintained. In this instance, the hardscaping represents the majority of the front yard which is detrimental to the existing streetscape and is out of character with the surrounding area. While staff note that wide shared driveways are present across Mississauga Road, the driveways on the west side of the street are appropriately screened by landscaping and reduce to a smaller width at the street line, creating a form of courtyard for the properties. The intent of the hammerhead provisions are to permit a hammerhead large enough to allow for vehicles to turn around on the subject property, but not accommodate vehicular parking on the hammerhead. Staff note the proposed dimensions of the hammerhead feature are greater than the by-law minimum parking space dimensions (2.6m x 5.2m). Staff are of the opinion that the existing hammerhead will facilitate the parking of motor vehicles parallel to and within view of the street, contrary to the intent of the hammerhead provisions in the zoning by-law. Staff are of the opinion that the increased hardscaping presents a significant impact to the streetscape.

Variance 2 relates to an increased walkway attachment. The intent of this portion of the bylaw is 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 note the walkway has been relocated to a suitable area in the front yard from the previous design, thereby minimizing the size and/or dimensions of the hammerhead design. 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, staff are of the opinion that variance 2 maintains the general intent and purpose of the zoning by-law, however variances 1 and 3 do not.

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

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

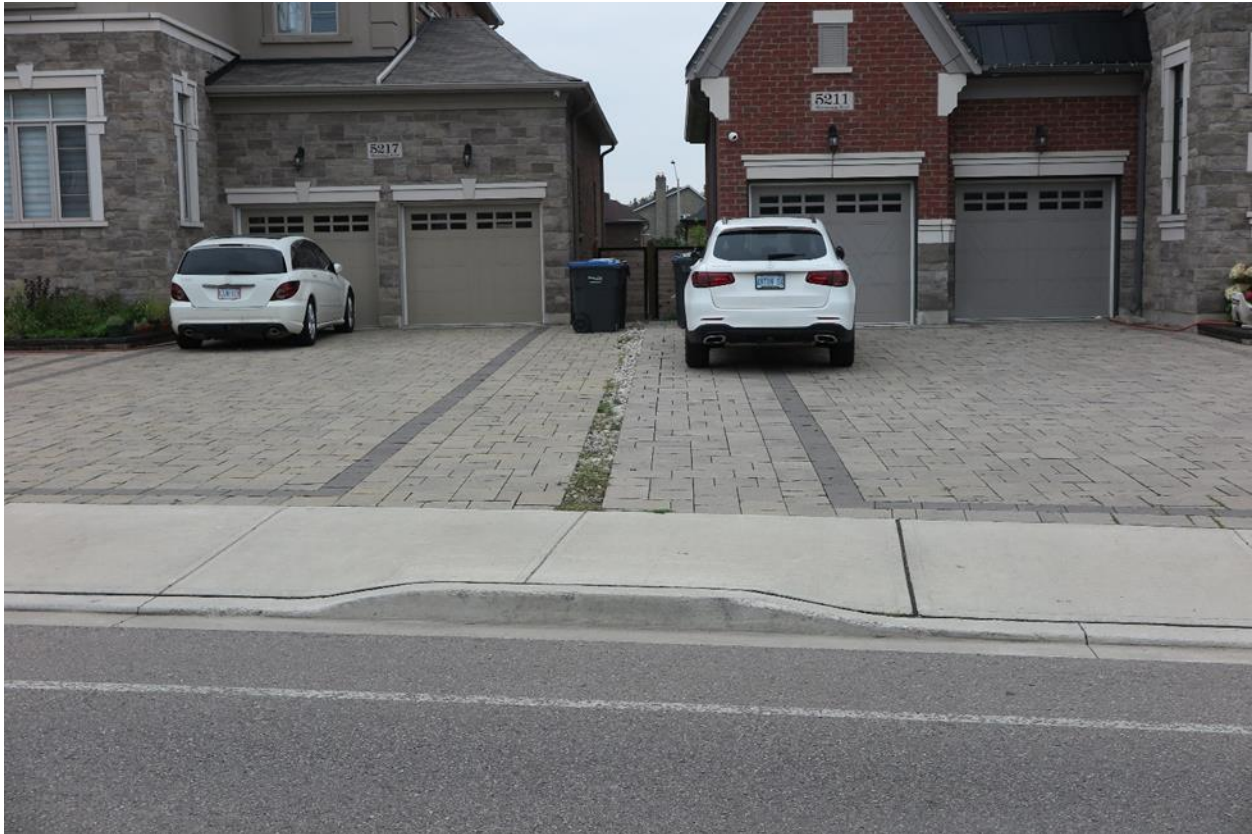
Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

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

The Building Department has processed a Preliminary Zoning Review application under file PREAPP 23-6998. 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: Brandon Eidner, Zoning Examiner

Appendix 3 – Region of Peel

Please apply previous comments.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner

Appendix 4- Metrolinx

5211 Mississauga Rd - A 128.22 - DEFERRED & 5217 Mississauga Rd - A 129.22 - DEFERRED

Metrolinx is in receipt of the minor variance applications for 5211 Mississauga Rd and 5217 Mississauga Rd to allow a hammerhead driveway on the existing property. Metrolinx's comments on the subject application are noted below:

- The subject properties are located within 300m of Canadian Pacific Railway's (CP Rail) Galt Subdivision which carries Metrolinx's Milton GO Train service.
- As the requested variance has no implication on Metrolinx property (i.e., Milton Corridor) Metrolinx has no objections to the specified variances should the committee grant approval.
- The Proponent is advised the following:

Warning: Metrolinx and its assigns and successors in interest operate commuter transit service within 300 metres from the subject land. In addition to the current use of these lands, there may be alterations to or expansions of the rail and other facilities on such lands in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx

or any railway assigns or successors as aforesaid may expand their operations, which expansion may affect the environment of the occupants in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual units. Metrolinx will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under these lands.

Comments Prepared by: Farah Faroque, Project Analyst



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A129.22
Ward: 11

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 5217 Mississauga Rd, zoned R3 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a driveway proposing:

1. A driveway including the hammerhead portion that covers 51.82% of the front yard, whereas By-law 0225-2007, as amended, permits a maximum driveway coverage of 50.00 % of the front yard, in this instance;
2. A driveway walkway attachment width of 2.00 m (approx. 6.56 ft), whereas By-law 0225-2007, as amended, permits a maximum driveway walkway attachment width of 1.50 m (approx. 4.92ft), in this instance; and,
3. A hammerhead measuring 5.00 m by 5.00 m (approx. 16.40ft by 16.40ft), whereas By-law 0225-2007, as amended, permits a maximum hammerhead measuring 2.6 m by 3.00 m (approx. 8.53 by 9.84 ft), in this instance.

The Committee has set **Thursday, September 21, 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.
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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>.
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Legal notice:

Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual (including being posted on the internet) upon request in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x2408.



City of Mississauga Department Comments

Date Finalized: 2023-09-13	File(s): A129.22 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-09-21 3:30:00 PM

Consolidated Recommendation

The City has no objections to variance 2, however recommends that variances 1 and 3 be refused.

Application Details

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

1. A driveway including the hammerhead portion that covers 51.82% of the front yard, whereas By-law 0225-2007, as amended, permits a maximum driveway coverage of 50.00 % of the front yard, in this instance;
2. A driveway walkway attachment width of 2.00 m (approx. 6.56 ft), whereas By-law 0225-2007, as amended, permits a maximum driveway walkway attachment width of 1.50 m (approx. 4.92ft), in this instance; and,
3. A hammerhead measuring 5.00 m by 5.00 m (approx. 16.40ft by 16.40ft), whereas By-law 0225-2007, as amended, permits a maximum hammerhead measuring 2.6 m by 3.00 m (approx. 8.53 by 9.84 ft), in this instance.

Amendments

The Building Department has processed a Preliminary Zoning Review application under file PREAPP 23-6999 Based on review of the information currently available in this application, variance # 2 and 3, as requested are correct.

The following variance should be amended as follows:

1. A driveway including the hammerhead portion that covers 54.37% of the front yard, whereas By-law 0225-2007, as amended, permits a maximum driveway coverage of 50.00 % of the front yard, in this instance;

Background

Property Address: 5217 Mississauga Rd

Mississauga Official Plan

Character Area: Central Erin Mills Neighbourhood

Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3 - Residential

Other Applications: PREAPP 23-6999

Site and Area Context

The subject property is located on the east side of Mississauga Road, north of the Barbertown Road intersection in the Central Erin Mills Neighbourhood. The property contains a two-storey detached dwelling with an attached garage and has a lot frontage of +/- 19.94m (65.4ft). There is minimal vegetation on the subject property, which is consistent with the more recently constructed properties on the east side of Mississauga Road. Older surrounding properties contain more mature vegetation in both the front and rear yards.

The applicant is proposing a widened driveway requiring variances for driveway coverage area, walkway attachment and hammerhead size.



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 property is located within the Central Erin Mills Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached dwellings, semi-detached dwellings and duplex dwellings. As per Section 9.1 (Introduction), driveway widths should respect the identity and character of the surrounding context. The driveway, as existing, represents significant hardscaping when compared to driveways in the surrounding area. While staff note that the driveways fronting onto the west side of Mississauga Road are shared and significant in width, staff note that the shared driveways are reduced to an appropriate width at the street line with the wider portions being screened by soft landscaping abutting the street line. Staff also note that those properties are larger in size than the subject property and are able to accommodate increased hardscaping. It is the opinion of staff that the proposal does not maintain the general intent and purpose of the official plan.

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

Variances 1 and 3 relates to an increased percentage of the front yard to be driveway and an increase to the dimensions of the hammerhead design. The intent of this provision is to ensure that hardscaping does not dominate the lot frontage and that the character of the area is maintained. In this instance, the hardscaping represents the majority of the front yard which is detrimental to the existing streetscape and is out of character with the surrounding area. While staff note that wide shared driveways are present across Mississauga Road, the driveways on the west side of the street are appropriately screened by landscaping and reduce to a smaller width at the street line, creating a form of courtyard for the properties. The intent of the hammerhead provisions are to permit a hammerhead large enough to allow for vehicles to turn around on the subject property, but not accommodate vehicular parking on the hammerhead. Staff note the proposed dimensions of the hammerhead feature are greater than the by-law minimum parking space dimensions (2.6m x 5.2m). Staff are of the opinion that the existing hammerhead will facilitate the parking of motor vehicles parallel to and within view of the street, contrary to the intent of the hammerhead provisions in the zoning by-law. Staff are of the opinion that the increased hardscaping presents a significant impact to the streetscape.

Variance 2 relates to an increased walkway attachment. The intent of this portion of the bylaw is 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 note the walkway has been relocated to a suitable area in the front yard from the previous design, thereby minimizing the size and/or dimensions of the hammerhead design. 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, staff are of the opinion that variance 2 maintains the general intent and purpose of the zoning by-law, however variances 1 and 3 do not.

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

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

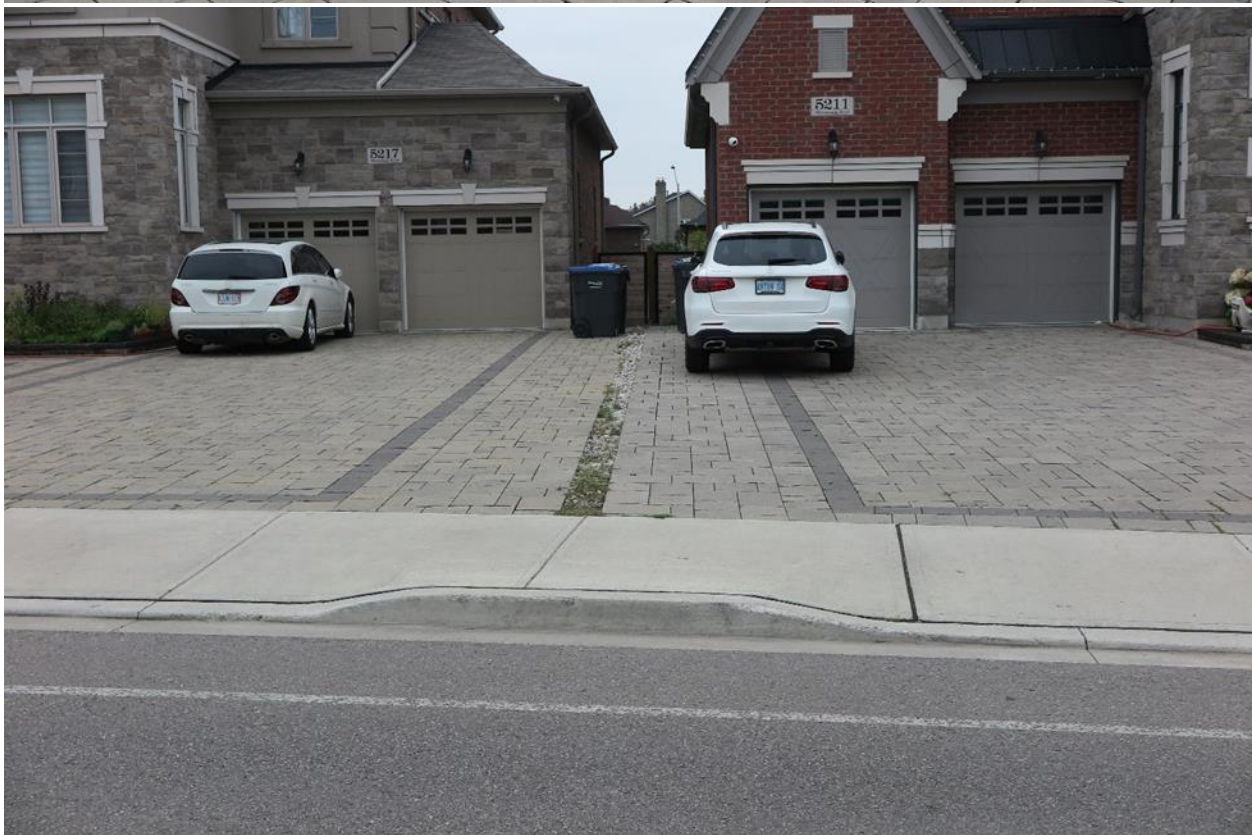
Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

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

The Building Department has processed a Preliminary Zoning Review application under file PREAPP 23-6999 Based on review of the information currently available in this application, variance # 2 and 3, as requested are correct.

The following variance should be amended as follows:

1. A driveway including the hammerhead portion that covers 54.37% of the front yard, whereas By-law 0225-2007, as amended, permits a maximum driveway coverage of 50.00 % of the front yard, 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: Brandon Eidner, Zoning Examiner

Appendix 3 – Region of Peel

Please apply previous comments.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner

Appendix 4- Metrolinx

5211 Mississauga Rd - A 128.22 - DEFERRED & 5217 Mississauga Rd - A 129.22 - DEFERRED

Metrolinx is in receipt of the minor variance applications for 5211 Mississauga Rd and 5217 Mississauga Rd to allow a hammerhead driveway on the existing property. Metrolinx's comments on the subject application are noted below:

- The subject properties are located within 300m of Canadian Pacific Railway's (CP Rail) Galt Subdivision which carries Metrolinx's Milton GO Train service.
- As the requested variance has no implication on Metrolinx property (i.e., Milton Corridor) Metrolinx has no objections to the specified variances should the committee grant approval.

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

Comments Prepared by: Farah Faroque, Project Analyst



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A769.22
Ward: 2

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 1228 Kane Road, zoned R1-3-Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve minor variances to allow the construction of an addition proposing:

1. A dwelling unit depth of 27.77m (approx. 91.10ft) whereas By-law 0225-2007, as amended, permits a dwelling unit depth of 20.00m (approx. 65.61ft) in this instance;
2. A maximum accessory structure (cabana) height of 4.29m (approx. 14.07ft) whereas By-law 0225-2007, as amended, permits an accessory structure height of 3.5m (approx. 11.48ft) in this instance;
3. A maximum area of 32.5 sq.m (approx. 349.82sq.ft) occupied per accessory structure (cabana) whereas By-law 0225-2007, as amended, permits a maximum area of 20.00 sq.m (approx. 215.27sq.ft) occupied per accessory structure in this instance;
4. A minimum combined width of 6.57m (approx. 21.55ft) of the side yards whereas By-law 0225-2007, as amended, requires a combined width of 7.38m (approx. 24.21ft) of the side yards in this instance; and,
5. A gross floor area of 682.96 sq.m (approx. 7351.32ft) whereas By-law 0225-2007, as amended, permits a gross floor area of 667.92 sq.m (approx. 7189.43ft) in this instance.

The Committee has set **Thursday, September 21, 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:

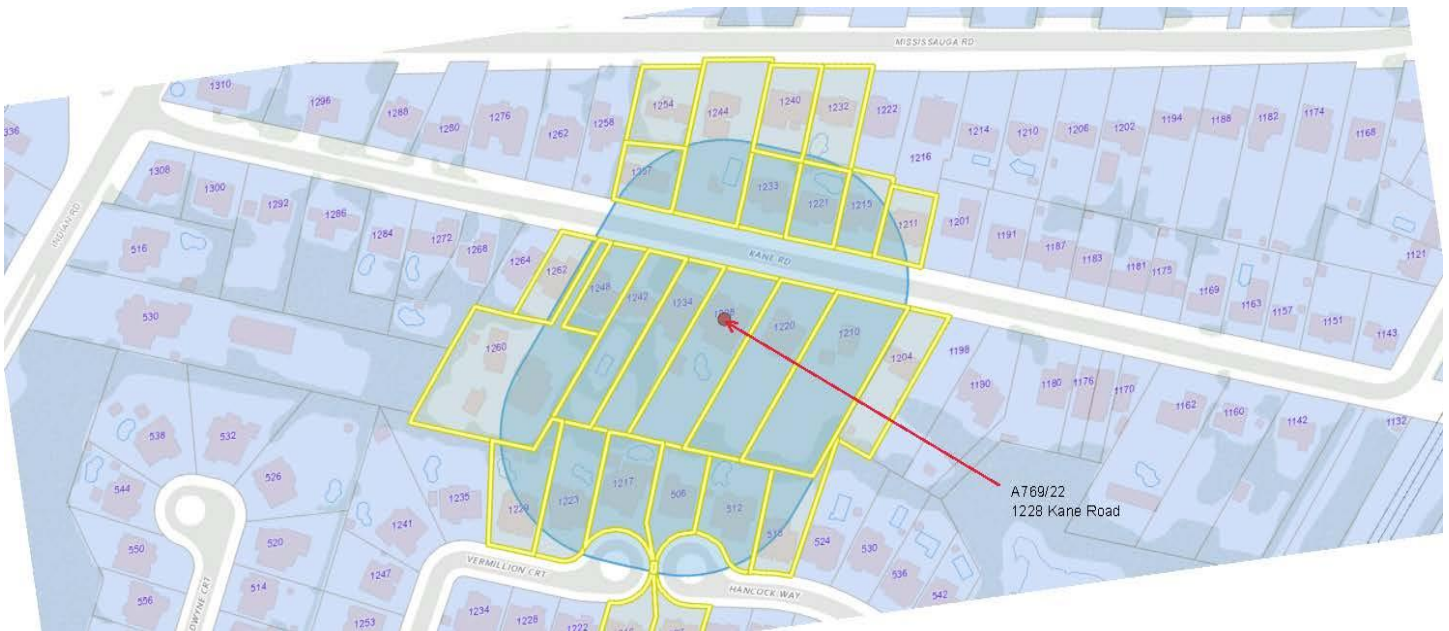
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1. Making written or oral submissions to the Committee of Adjustment before it makes a decision. Your feedback helps ensure that the Committee of Adjustment is making its decisions in the public interest according to good planning principles.
2. If 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: 2023-09-13	File(s): A769.22
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2023-09-21 3:30:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

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

1. A dwelling unit depth of 27.77m (approx. 91.10ft) whereas By-law 0225-2007, as amended, permits a dwelling unit depth of 20.00m (approx. 65.61ft) in this instance;
2. A maximum accessory structure (cabana) height of 4.29m (approx. 14.07ft) whereas By-law 0225-2007, as amended, permits an accessory structure height of 3.5m (approx. 11.48ft) in this instance;
3. A maximum area of 32.5 sq.m(approx. 349.82sq.ft) occupied per accessory structure(cabana) whereas By-law 0225-2007, as amended, permits a maximum area of 20.00 sq.m(approx. 215.27sq.ft) occupied per accessory structure in this instance;
4. A minimum combined width of 6.57m (approx. 21.55ft) of the side yards whereas By-law 0225-2007, as amended, requires a combined width of 7.38m (approx. 24.21ft) of the side yards in this instance; and,
5. A gross floor area of 682.96 sq.m (approx. 7351.32ft) whereas By-law 0225-2007, as amended, permits a gross floor area of 667.92 sq.m (approx. 7189.43ft) in this instance.

Background

Property Address: 1228 Kane Road

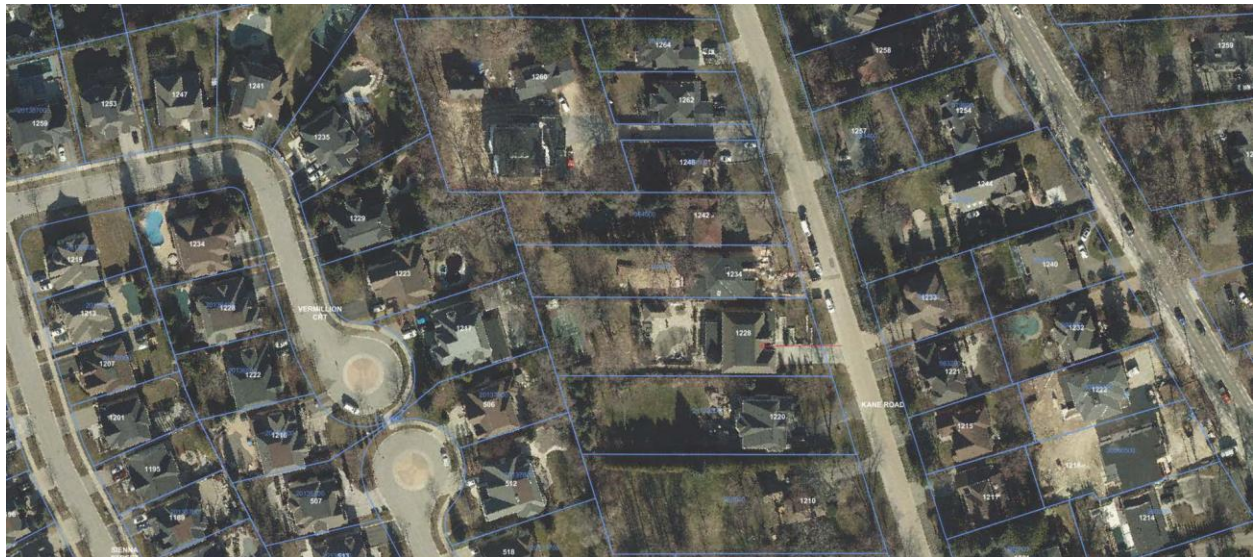
Mississauga Official Plan

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

Zoning By-law 0225-2007**Zoning: R1-3-Residential****Other Applications: BP 22-2450****Site and Area Context**

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

The application proposes an addition requiring variances related to dwelling unit depth, accessory structure height, maximum area occupied per accessory structure, combined side yard width and gross floor area.

**Comments****Planning**

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

Staff comments concerning the application are as follows:

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

Variance #1 is regarding dwelling depth. Staff are of the opinion that the proposed dwelling will present significant massing concerns to neighbouring properties due to its overall depth. Furthermore, the proposed dwelling depth does not represent a minor deviation from the maximum depth permitted. Staff have no immediate concerns regarding the remaining variances. As such, staff recommends that the application be deferred to allow the applicant an opportunity to redesign the dwelling to reduce its depth.

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 cabana are being addressed by our Development Construction Section through the Building Permit process, File BP 9ALT-22/2450.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit under file BP 22-2450. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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

Comments Prepared by: Brooke Herczeg, Zoning Examiner

Appendix 3 – Region of Peel

Please apply previous comments.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner

Appendix 4- Metrolinx

1228 Kane Rd - A 769.22 - DEFERRED

Metrolinx is in receipt of the minor variance application for 1228 Kane Rd to facilitate the construction of a new addition and an accessory structure (cabana) in the rear yard. Metrolinx's comments on the subject application are noted below:

- The subject property is located partially 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, Project Analyst



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A17.23
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 1546 Highbrook Ave, 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 driveway with a width of 7.00m (approx. 22.96ft) 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, September 21, 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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Legal notice:

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New! Committee of Adjustment Appeal Process

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

What's Changed?

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

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

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

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

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City of Mississauga Department Comments

Date Finalized: 2023-09-13	File(s): A17.23
To: Committee of Adjustment	Ward: 6
From: Committee of Adjustment Coordinator	Meeting date:2023-09-21 3:30:00 PM

Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure additional variances are not required.

Application Details

The applicant requests the Committee to approve a minor variance to allow an existing driveway with a width of 7.00m (approx. 22.96ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

Background

Property Address: 1546 Highbrook Ave

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R4-20 - Residential

Other Applications:

Site and Area Context

The subject property is located south-west of the Creditview Road and Britannia Road West intersection in the East Credit Neighbourhood Character Area. It currently contains a single storey detached dwelling on a corner lot with limited landscaping and vegetative elements in the

front yard. The property has a frontage of +/- 16.14m (52.95ft). The surrounding area context is predominantly residential, consisting of detached dwellings on lots of varying sizes.

The applicant is proposing a widened driveway requiring a variance for driveway width.



Comments

Planning

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

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

The subject property is located in the East Credit Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions, the surrounding context and the landscape of the character area.

The planned character of the area is that of residential dwellings serviced by appropriately sized driveways that can accommodate the parking required by the zoning by-law for each property. The intent of the driveway width regulations in the by-law is to allow a driveway that can accommodate two vehicles parked side by side, with the remainder of the front yard being soft landscaped area. Staff note the applicant has revised their drawings to address planning staff's concerns with the original proposal. Staff are satisfied that the width will restrict the parking to no more than two vehicles across and maintains sufficient soft landscaping area to maintain the character of the surrounding area.

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

Comments Prepared by: Daniel Grdasic, 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: Joe Alava, T&W Development Engineering



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: Candice Williams, Zoning Examiner

Appendix 3 – Region of Peel

Please apply previous comments.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A84.23
Ward: 2

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

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

The Committee has set **Thursday, September 21, 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.
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New! Committee of Adjustment Appeal Process

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

What's Changed?

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

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

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

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

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

City of Mississauga Department Comments

Date Finalized: 2023-09-13	File(s): A84.23
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2023-09-21 3:30:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

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

Background

Property Address: 1203 Saginaw Cres

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R2-1 - Residential

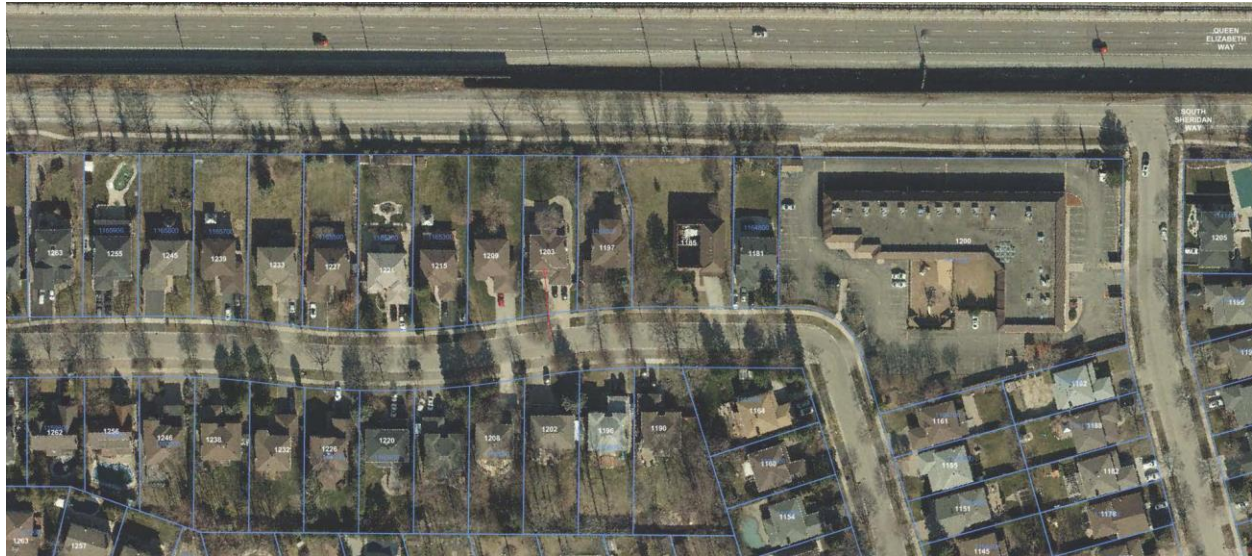
Other Applications: PREAPP 22-5225

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, east of the South Sheridan Way and Indian Road intersection. The immediate neighbourhood is entirely residential consisting of one and two-storey detached dwellings, on large lots with

mature vegetation in the front yards. The subject property contains a two-storey detached dwelling with mature vegetation in both of the front and rear yards.

The applicant is requesting to permit the existing hardscaping requiring a variance for a side yard setback.



Comments

Planning

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

Staff comments concerning the application are as follows:

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

The above noted application was deferred by the Committee on June 1, 2023. The Committee directed Transportation and Works staff to conduct a site inspection to determine if concerns raised with respect to flooding of the adjacent property to the west were a direct result of the as-built hard surface landscaping.

Transportation and Works staff have requested deferral of this application, as they have discovered ponding issues during their site inspection that are impacting the adjacent property to the west.

Transportation and Works staff have determined that drawings submitted through a previous building permit for a replacement porch do not match drawings submitted with this application or what was built by the applicant.

If the drawings provided through this application were the same as what was included in the original building permit, the Building Department would not have issued the previous permit.

Planning staff supported the applicant's original proposal in absence of the information above. Staff now echo Transportation and Works staffs comments and recommend that the application be deferred to allow the Building Department additional time to further investigate onsite conditions.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Transportation and Works has now revisited the subject site as per the direction of the previous Committee of Adjustment decision.

Enclosed are pictures of the subject patio in the rear yard. We understand that the neighbour to the west (1209 Saginaw Crescent) is experiencing ponding problems along the common side yard. These issues were not present prior to the construction of the patio area.

We have also reviewed information related to the 2021 Building Permit for the subject site (BP 9ALT 21 9071), which was for a “replacement porch at the rear”. As seen in the attached pictures, the newly constructed structure does not appear to match the drawings submitted in support of an “open porch with canopy”. Further, the Development Construction Section reviewed the plans associated with that Building Permit, and they did not show any hard surface patio abutting the fence.

Development Construction is still holding Lot Grading securities associated with that permit, which could not be released under the current condition, as it is not what was reviewed/approved. It should also be noted that through the review of a grading plan associated with an addition to a house (as opposed to a porch), Development Construction would not allow a 0.0m setback along the side property limit, as it exists today.

The Building Department is currently investigating the on site conditions and will determine what action to take. We recommend deferral until such time that the Building Department has been on site to review the situation. Our comments heavily rely on the outcome of that inspection.

Should Committee decide to move forward at the time of the hearing, then Transportation and Works recommends refusal to the 0.0m hard surface setback along the side property limit.







The following are pictures of the neighbouring lot (common property line) which is experiencing the ponding issues:



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Tage Crooks, Zoning Examiner

Appendix 3 – Region of Peel

Please apply previous comments.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A193.23
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 2640 Widemarr Road, zoned RM1- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an accessory structure proposing:

1. A lot coverage of 41.35% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35% in this instance;
2. An accessory structure height of 3.66m (approx. 12.00ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.00m (approx. 9.84ft) in this instance; and,
3. An accessory structure area of 25.66sq m (approx. 276.20sq ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 10.00sq m (approx. 107.64sq ft) in this instance.

The Committee has set **Thursday, September 21, 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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Legal notice:

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City of Mississauga Department Comments

Date Finalized: 2023-09-13	File(s): A193.23
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2023-09-21 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 accessory structure proposing:

1. A lot coverage of 41.35% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35% in this instance;
2. An accessory structure height of 3.66m (approx. 12.00ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.00m (approx. 9.84ft) in this instance; and,
3. An accessory structure area of 25.66sq m (approx. 276.20sq ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 10.00sq m (approx. 107.64sq ft) in this instance.

Background

Property Address: 2640 Widemarr Road

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: RM1- Residential

Other Applications: BP 9NEW 22-3635

Site and Area Context

The subject property is located in the Clarkson-Lorne Park Neighbourhood Character Area, northeast of the Winston Churchill Boulevard and Royal Windsor Drive intersection. The immediate neighbourhood is primarily residential, consisting of one and two-storey detached, semi-detached and townhouse dwellings with mature vegetation in the front yards. The subject property contains a one-storey semi-detached dwelling with mature vegetation in the front yard.

The applicant is proposing a new accessory structure requiring variances for lot coverage, accessory structure height and area.



Comments

Planning

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

Staff comments concerning the application are as follows:

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached, duplex and triplex dwellings.

The application was deferred on July 13, 2023, to allow the applicant an opportunity to provide staff with a breakdown of the proposed lot coverage. The applicant has provided a revised drawing with design statistics that breakdown the lot coverage. Furthermore, the applicant has

reduced the proposed lot coverage from 43.61% to 41.35%. Variances #2 and 3 remain the same.

Variance #1 relates to lot coverage. Staff have evaluated the lot coverage breakdown provided and are of the opinion that the proposal does not represent an overdevelopment of the property. The existing detached dwelling accounts for approximately 34.37% of the total lot coverage. The remaining 6.98% is attributable to the proposed accessory structure. Staff are of the opinion that the proposed structure is both accessory and proportional to the existing lot and dwelling.

Furthermore, staff have no concerns regarding variances #2 and 3 relating to accessory structure height and area. The requested height variance represents a minor increase over the maximum height permitted. With respect to the accessory structure area, while the proposed area is more than double what is permitted for an individual structure, a combined area of 30m² (322.92m²) is permitted for accessory structures. With no additional accessory structures on the property, either existing or proposed, the proposed accessory structure area is within the overall intent of the total accessory area permitted.

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

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed structure are being addressed by our Development Construction Section through the Building Permit process, File BP 9NEW-22/3635. We advise that the left side of the shed be equipped with an eaves trough and down spout directed in such a manner to not impact the adjacent neighbour.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing an application under file BP 9NEW 22-3635. Based on review of the information currently available in this application, the variances, as requested are correct.

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

Comments Prepared by: Gary Gagnier; Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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

The lands to the rear of the property are owned by the City of Mississauga, identified as Clarkson Park (P-073) and zoned OS1 – Open Space – Community Park.

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

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

4. 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

Please apply previous comments.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner

Appendix 5 - Metrolinx

2640 Widemarr Rd - A 193.22 - DEFERRED

Metrolinx is in receipt of the minor variance application for 2640 Widemarr Rd to facilitate the construction of a new accessory structure (shed) in the rear yard. 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, Project Analyst



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A223.23
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 3070 Cabano Cres, zoned RM2-18 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an existing driveway proposing:

1. A driveway width of 5.13m (approx. 16.83 ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.30m (approx. 14.11ft) in this instance; and,
2. A walkway length of 2.00m (approx. 6.56ft) whereas By-law 0225-2007, as amended, permits a walkway length of 1.5m (approx. 4.92ft) in this instance.

The Committee has set **Thursday, September 21, 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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How to submit a written comment:

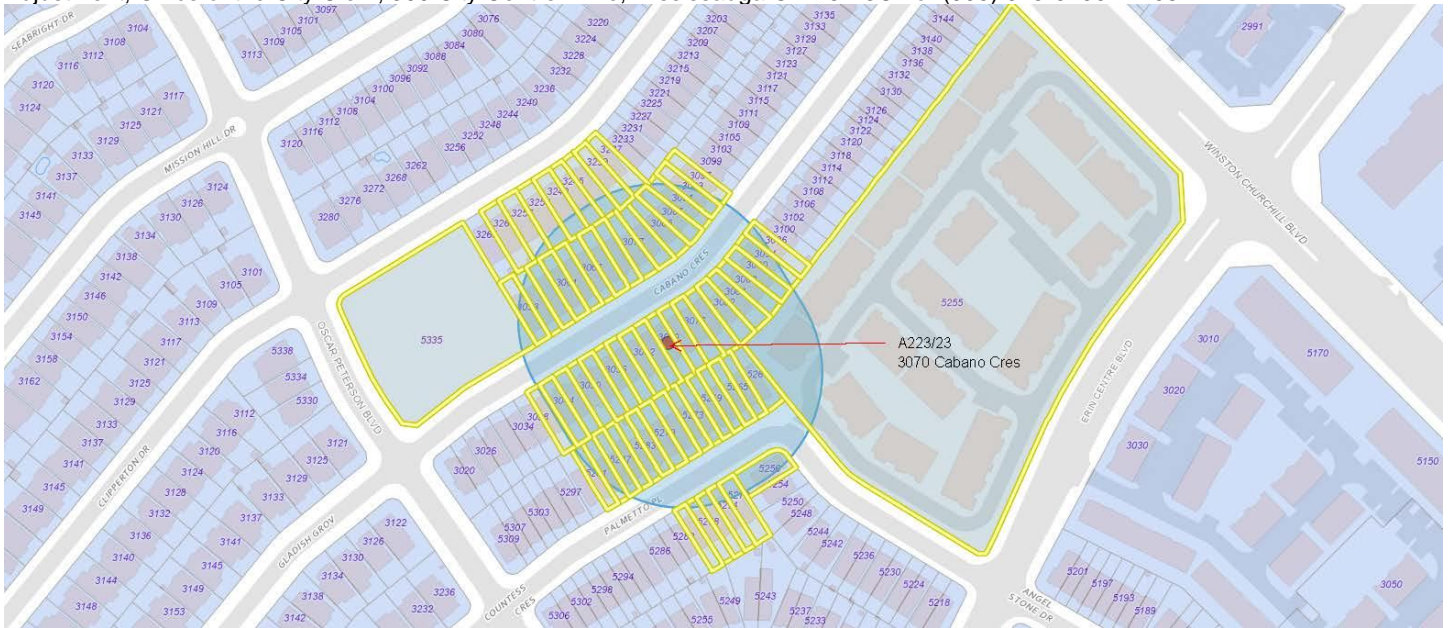
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What's Changed?

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

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: 2023-09-13	File(s): A223.23 Ward: 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-09-21 3:30:00 PM

Consolidated Recommendation

The City has no objections to the application. The applicant may wish to defer the application to ensure additional variances are not required.

Application Details

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

1. A driveway width of 5.13m (approx. 16.83 ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.30m (approx. 14.11ft) in this instance; and,
2. A walkway length of 2.00m (approx. 6.56ft) whereas By-law 0225-2007, as amended, permits a walkway length of 1.5m (approx. 4.92ft) in this instance.

Background

Property Address: 3070 Cabano Cres

Mississauga Official Plan

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

Zoning By-law 0225-2007

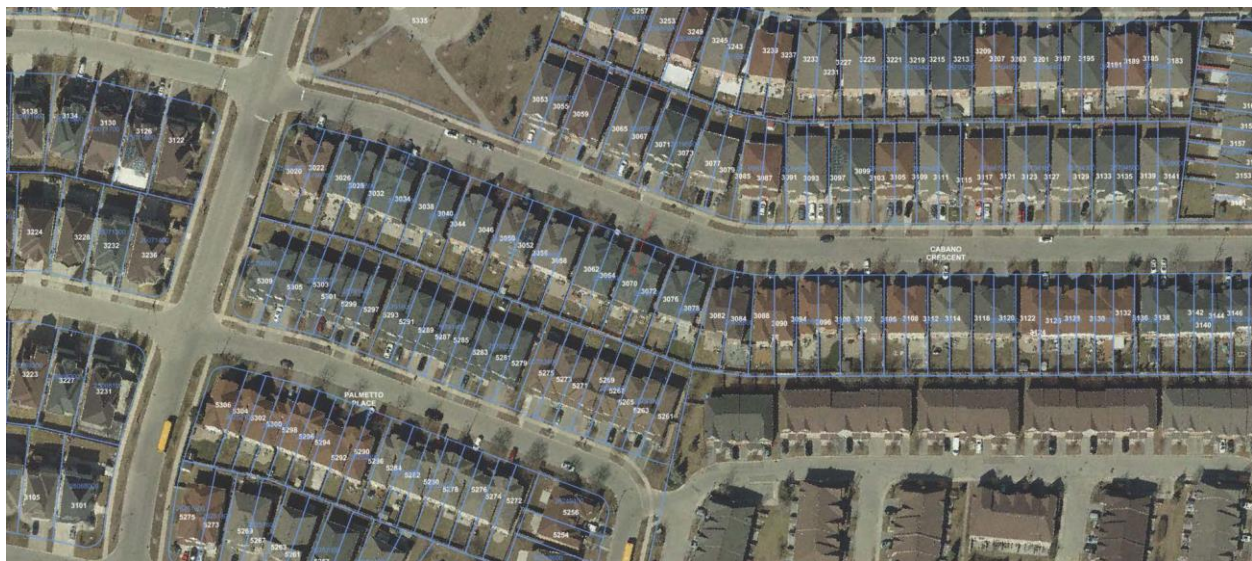
Zoning: RM2-18 - Residential

Other Applications: None

Site and Area Context

The subject property is located south-east of the Oscar Peterson Boulevard and Cabano Crescent intersection. The property is an interior parcel with a lot area of +/- 237.25m² (+/- 2553.73 ft²) and a lot frontage of +/- 7.3m (+/- 23.95ft). Currently, the property houses a two storey, semi-detached dwelling with limited vegetation and landscape elements in both the front and rear yards. Contextually, the area is predominantly comprised of two-storey, semi-detached and detached dwellings. The property is in close proximity to the Cabano Hill Park on the north side.

The applicant is proposing a variance for the 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*.

The subject property is located in the Churchill Meadows Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). Section 9 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 planned character of the area is that of residential dwellings serviced by appropriately sized driveways that can accommodate the parking required by the zoning by-law for each property. The intent of the driveway width regulations in the by-law is to allow a driveway that can accommodate the required parking under the zoning by-law, with remainder of the front yard being

soft landscaped area. Staff note the applicant has revised their drawings to address planning staff's concerns with the original proposal. The proposal represents a nominal increase in width and maintains an acceptable front yard amenity area.

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

Comments Prepared by: Daniel Grdasic, 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: Candice Williams, Zoning Examiner

Appendix 3 – Region of Peel

Please apply previous comments.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner