
Committee of Adjustment

Date: September 21, 2023
Time: 1:00 PM
Location: Council Chambers, Civic Centre, 2nd Floor
300 City Centre Drive, Mississauga, Ontario, L5B 3C1
and Online Video Conference

Members

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

Contacts

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

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 B39.23, A330.23, A331.23
876 Atwater Ave (Ward 1)
 - 4.2 A176.23
7174 Lancaster Ave (Ward 5)
 - 4.3 A255.23
1918 Barsuda Drive (Ward 2)
 - 4.4 A314.23
2065 Stonehouse Cres (Ward 8)
 - 4.5 A316.23
640 Kedleston Way (Ward 2)
 - 4.6 A323.23
395 Square One Drive, 4225 and 4235 Confederation Parkway (Ward 4)
 - 4.7 A325.23
1618 Birchwood Drive (Ward 2)
 - 4.8 A326.23
2154 Oneida Crescent (Ward 7)
 - 4.9 A335.23
3471 Drummond Road (Ward 8)
 - 4.10 A336.23
1746 Alstep Drive (Ward 5)
 - 4.11 A338.23
1060 Eglinton Ave E (Ward 3)
 - 4.12 A339.23
1086 Eglinton Ave E (Ward 3)

- 4.13 A345.23
 0 Slate Drive (Ward 5)
- 4.14 A349.23
 6633 Eastridge Rd (Ward 9)
- 4.15 A352.23
 52 Maple Ave S (Ward 1)
- 5. **OTHER BUSINESS**
- 6. **ADJOURNMENT**



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: B39.23 A330.23 A331.23
Ward: 1

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 876 Atwater Ave, zoned RM1-26 - Residential, has applied for Consent under Section 53 of the Planning Act. The applicant requests the Consent of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 7.62m (approx. 25.00ft) and an area of approximately 252.06sq.m (approx. 2,713.15sq.ft).

A330/23

The applicant requests the Committee to approve a minor variance to allow the creation of a new lot, being the severed lands of application B39/23, proposing:

1. A lot area of 252.06sq.m (approx. 2,713.15sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 340.00sq.m (approx. 3,659.73sq.ft) in this instance; and
2. A lot frontage of 7.62m (approx. 25.00ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 9.00m (approx. 29.53ft) in this instance.

A331/23

The applicant requests the Committee to approve a minor variance to allow the creation of a new lot, being the retained lands of application B39/23, proposing:

1. A lot area of 251.91sq.m (approx. 2,711.54sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 340.00sq.m (approx. 3,659.73sq.ft) in this instance; and
2. A lot frontage of 7.62m (approx. 25.00ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 9.00m (approx. 29.53ft) in this instance.

The Committee has set **Thursday, September 21, 2023 at 1:00 PM** for the public hearing on this matter. The hearing will begin promptly at the noted start time and all items on the agenda will be heard in the order shown.

In Person Hearing:

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

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

Virtual Hearing:

- **To participate electronically (computer, tablet or smartphone):** Advance registration is required to speak at the virtual hearing. If you intend to make a presentation at the virtual hearing you must send your request to 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:

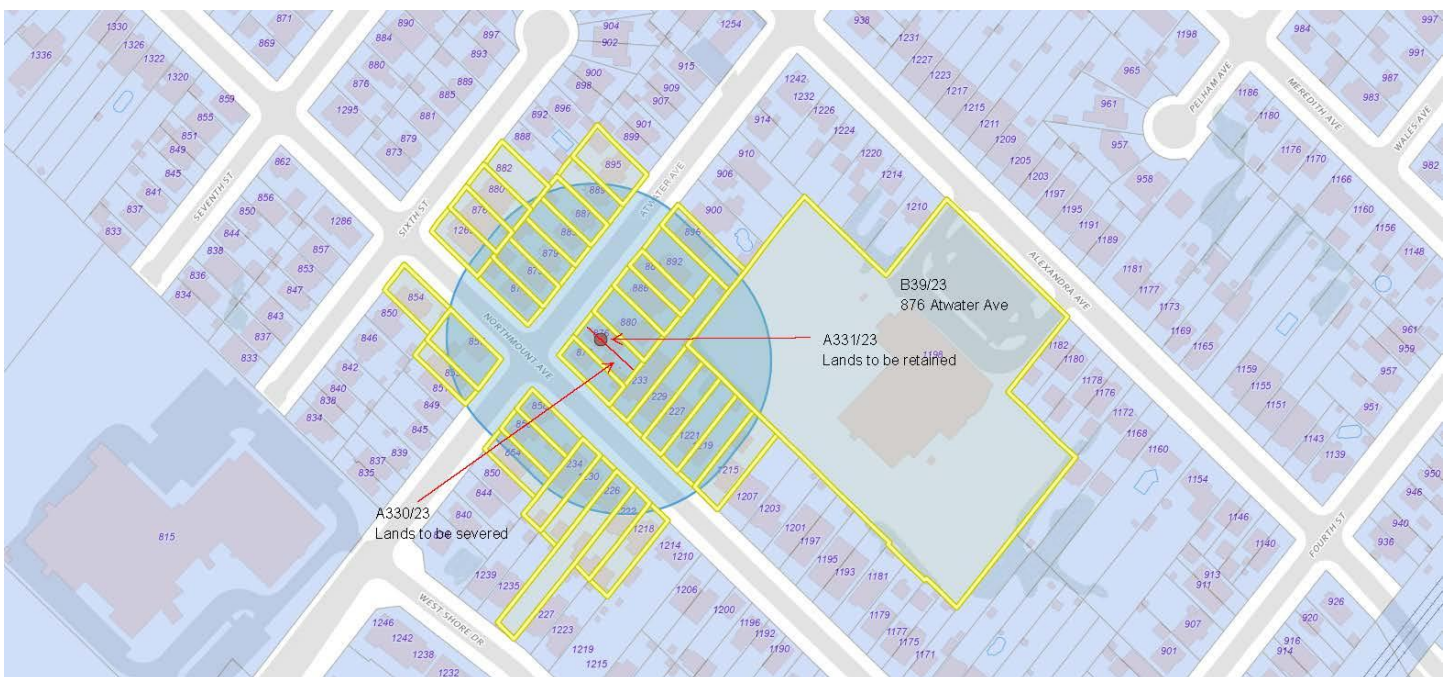
Written comments to the Committee must be received no later than 4:30 p.m. on the Friday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your 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): B39.23 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2023-09-21 1:00:00 PM

Consolidated Recommendation

The City recommends that the consent and associated minor variance applications be refused.

Application Details

The applicant requests the Consent of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 7.62m (approx. 25.00ft) and an area of approximately 252.06sq.m (approx. 2,713.15sq.ft).

A330/23

The applicant requests the Committee to approve a minor variance to allow the creation of a new lot, being the severed lands of application B39/23, proposing:

1. A lot area of 252.06sq.m (approx. 2,713.15sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 340.00sq.m (approx. 3,659.73sq.ft) in this instance; and
2. A lot frontage of 7.62m (approx. 25.00ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 9.00m (approx. 29.53ft) in this instance.

A331/23

The applicant requests the Committee to approve a minor variance to allow the creation of a new lot, being the retained lands of application B39/23, proposing:

1. A lot area of 251.91sq.m (approx. 2,711.54sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 340.00sq.m (approx. 3,659.73sq.ft) in this instance; and
2. A lot frontage of 7.62m (approx. 25.00ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 9.00m (approx. 29.53ft) in this instance.

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent
- The variance application approved under File(s) A330.23 and A331.23 must be finalized

Recommended Conditions and/or Terms of minor variance

- Variance(s) approved under file(s) A330.23 and A331.23 shall lapse if the consent application under file B39.23 is not finalized within the time prescribed by legislation.

Background

Property Address: 876 Atwater Ave

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM1-26 - Residential

Other Applications: none

Site and Area Context

The subject properties are located within the Lakeview Neighbourhood Character Area, southeast of Cawthra Road and Atwater Avenue. The immediate neighbourhood is primarily residential, consisting of one and two-storey detached dwellings on lots with frontages ranging from approximately 9m (29.53ft) to 22m (72.17ft). The subject property contains a one-storey detached dwelling.

The applications propose a severance to create two new residential lots, requiring variances for lot area and frontage.



Comments

Planning

Planning Act

Section 51 (24) of the *Planning Act* sets out the criteria for land division in the Province of Ontario. In evaluating such requests, the Committee needs to be satisfied that the proposal meets not only the criteria set out under Section 51(24), but also municipal requirements identify in local legislation.

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

Provincial Matters

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

Staff comments concerning the applications are as follows:

The application proposes lot frontages of 7.62m (25ft) for both parcels and areas of 252.06 (2,713.15ft²) for the severed lands and 251.91m² (2,711.54ft²) for the retained lands.

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached, duplex, triplex, street townhouse

and other forms of low-rise dwellings with individual frontages. The subject property is also located within the Central Residential Neighbourhood Precinct, in the Cawthra Village Sub-Area in the Lakeview Local Area Plan (Map 1 – Lakeview Local Area Plan Precincts and Sub Areas).

Section 5.3.5 (Neighbourhoods) of the MOP states that neighbourhoods are not meant to remain static, however, when new development occurs it should be sensitive to the neighbourhoods existing and planned character. Through a review of lots within the immediate area, staff note that the proposed lot areas and frontages are uncharacteristic for semi-detached dwellings in the neighbourhood.

Section 9.2.2.3 of the MOP states that while new development need not mirror existing development; new development in Neighbourhoods will respect the existing lotting pattern.

The proposal does not respect the existing lotting pattern. Staff are unable to locate any lots in the immediate area containing semi-detached dwellings with similar lot areas and frontages. Furthermore, a majority of lots containing semi-detached dwellings comply with the minimum required frontage and area requirements. The smallest lots containing semi-detached dwellings appear to have areas greater than 303m² (3261.46m²) and frontages greater than 9m (29.53ft), which is much larger than the proposed lots.

Based on the preceding information, staff is of the opinion that the application does not conform to Section 51(24) of the Planning Act, more specifically that the application does not conform to the official plan.

As staff is not supportive of the consent application, the minor variance applications should also be refused

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting that any Transportation and Works Department concerns/requirements for this property will be addressed under Consent Application 'B' 39/23.

Should Committee see merit in the applicant's request we are providing the following conditions/requirements for Committee's consideration:

Items Required Prior to the Issuance of Final Consent

1. Overall Grading and Drainage Plan

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

2. Municipal Address Requirement

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

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

B. GENERAL INFORMATION

Lot Grading and Drainage

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

Servicing

All costs incurred in providing any service laterals will be the responsibility of the owner. The owner will also be responsible for all costs incurred for the required road reinstatement (if

required). If the service connections are to be installed by a private contractor retained by the owner, issuance of an open cut permit will be subject to the owner depositing adequate securities with the City to guarantee proper road reinstatement.

Access

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

Storm Sewer Outlet

The storm sewer outlet for this site is the existing 600mm storm sewer on Atwater Ave. The applicant is encouraged to design the basement elevation 1 metre above the obvert of the storm sewer on the street to eliminate the need for a sump pump.

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

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

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

Zoning has no objection to the Consent application provided that the severed and retained lands comply with the provisions of Zoning By-law 0225-2007, as amended, with respect to, among other things, minimum lot frontage, minimum lot area, setbacks to the existing building(s), on site parking, etc., or alternatively, that any minor variance(s) is approved, final and binding and/or the demolition of any existing building(s) is complete.

We further advise that the proposed lot frontage is to be calculated in accordance with the following definition:

- The applicant is advised that Lot Frontage means the horizontal distance between the side

lot lines and where these lines are not parallel means the distance between the side lot lines measured on a line parallel to and 7.5 m back from the front lot line.

Comments Prepared by: Brooke Herczeg, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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

1. 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

Minor Variance: A-23-330M / A-23-331M / B-23-39M / 876 Atwater Ave

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

Comments:

- Please note that severing the lands may adversely affect the existing location of the water and sanitary sewer services, if any exist. The result of this may require the applicant to install new water / sanitary servicing connections to either the severed or retained lands in compliance with the Ontario Building Code. The applicant may require the creation of private water / sanitary sewer servicing easements. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. 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.

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.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner

Appendix 5 - Bell

***Subject: Application for Consent – Severance
876 Atwater Ave
CofA File: B39.23 Bell File: 905-23-317***

Subsequent to review of the Severance Application by our local Engineering Department, it has been identified that Bell Canada will require a transfer of easement over these lands to protect existing aerial facilities, supply service to the properties, and to maintain service in the area. According to our records, Bell's aerial cable runs parallel to the rear property boundary as identified in the sketch provided.

Bell Canada would like to confirm that a blanket easement over the lands or a 3.0m wide corridor to be measured 1.5m on either side of the aerial cable, then to extend from the pole to a minimum of 1.0m past any anchor installation to be measured 0.5m on either side of the guy, as can be accommodated, would satisfy our needs.

Since the easement is necessary in order to provide and maintain service to this area, all costs associated with this transaction is the responsibility of the landowner. Compensation should be set to the nominal amount of \$2.00 for the acquisition of these rights. Additionally, Bell Canada requires separate, registered postponements for any mortgages and certification of title.

We hope this proposal meets with your approval and request a copy of the Committee of Adjustments decision. We look forward to the owners' Solicitor contacting us with a draft reference plan and accompanying draft easement and LTTS documents for our approval prior to registration, along with an acknowledgement and direction for our execution.

If you have any questions or concerns, please feel free to contact me.

Comments Prepared by: Carrie Gordon, Right of Way Associate



Appendix A – CONDITIONS OF PROVISIONAL CONSENT

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

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

City Department and Agency Comments	File:B39.23	2023/09/13	10
-------------------------------------	-------------	------------	----

shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.

3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding. ("A" 330-331/23)
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated September 13, 2023.
5. A letter shall be received from Bell indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated August 17, 2023.



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A176.23
Ward: 5

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 7174 Lancaster Ave, zoned R4-1 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to permit the construction of a new dwelling proposing:

1. A lot coverage of 38.54% (143.23sq m (approx. 1541.71sq ft)) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30% (111.49sq m (approx. 1200.07sq ft)) in this instance;
2. A gross floor area of 269.58sq m (approx. 2901.73sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 174.33sq m (approx. 1876.47sq ft) in this instance;
3. An eaves height of 6.41m (approx. 21.03ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance;
4. A southern side yard setback to the first storey of 0.69m (approx. 2.26ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.20m (approx. 3.94ft) in this instance; and,
5. A southern side yard setback to the second storey of 1.39m (approx. 4.56ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.80m (approx. 5.91ft) in this instance.

The Committee has set **Thursday, September 21, 2023 at 1:00 PM** for the public hearing on this matter. The hearing will begin promptly at the noted start time and all items on the agenda will be heard in the order shown.

In Person Hearing:

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

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

Virtual Hearing:

- **To participate electronically (computer, tablet or smartphone):** Advance registration is required to speak at the virtual hearing. If you intend to make a presentation at the virtual hearing you must send your request to 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): A176.23
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2023-09-21 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred in order to allow the applicant to redesign the proposed dwelling.

Application Details

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

1. A lot coverage of 38.54% (143.23sq m (approx. 1541.71sq ft)) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30% (111.49sq m (approx. 1200.07sq ft)) in this instance;
2. A gross floor area of 269.58sq m (approx. 2901.73sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 174.33sq m (approx. 1876.47sq ft) in this instance;
3. An eaves height of 6.41m (approx. 21.03ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance;
4. A southern side yard setback to the first storey of 0.69m (approx. 2.26ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.20m (approx. 3.94ft) in this instance; and,
5. A southern side yard setback to the second storey of 1.39m (approx. 4.56ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.80m (approx. 5.91ft) in this instance.

Background

Property Address: 7174 Lancaster Ave

Mississauga Official Plan

Character Area: Malton Neighbourhood

Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R4-1 - Residential

Other Applications: None

Site and Area Context

The subject property is located north-east of the Derry Road East and Airport Road intersection in the Malton neighbourhood. The property currently contains a single detached dwelling with limited landscaping and vegetative elements in both of the front yard and rear yard. The front yard has the younger vegetation, the rear yard contains mature vegetation. The subject property has a lot area of +/- 371.53m² (3,999.11ft²). The built form of the surrounding neighbourhood consists of detached and semi-detached dwellings on similarly sized lots. Victory Park abuts the property to the west.

The applicant is proposing a new dwelling requiring variances for lot coverage, gross floor area, height of the eaves and side yard setback.



Comments

Planning

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

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

The subject property is located in the Malton Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan. The designation permits detached, semi-detached and duplex dwellings. Section 9 of the MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions, the surrounding context, and the landscape of the character area.

Arising from public input expressed through the 'My Malton' Community Visioning exercise undertaken in 2015, the City completed the Malton Infill Housing Study. This study resulted in Council's adoption of zoning regulations principally aimed at regulating the massing of dwellings in a manner that is sensitive to the surrounding context. The intent of the policies are to limit the overall massing of these dwellings and maintain compatibility between the existing and planned character of the neighbourhood. The application proposes increases in gross floor area and eave height that are not consistent with the neighbourhood and do not maintain the intent of the infill regulations. These variances will create a dwelling with significant massing and cumulative impacts that will negatively influence the neighbourhood's character. As such, staff are of the opinion that the design is not compatible with the existing and planned development of the neighbourhood and recommend that the application be deferred for redesign.

Comments Prepared by: 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 new dwelling will be addressed through the Building Permit Process.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Candice Williams, 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 Victoria Park (P-001) 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

Minor Variance: A-23-176M / 7174 Lancaster Ave

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.

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.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner

Appendix 5 - TRCA Comments

Re: Minor Variance Application and City File No. A176.23

7174 Lancaster Avenue

City of Mississauga, Region of Peel

Owner: Nancy Nancy and Rajan Mittal

Agent: Aum Drafting & Consulting Inc. c/o Kaushik Suthar

This letter acknowledges receipt of the subject application, received on August 16, 2023. Toronto and Region Conservation Authority (TRCA) staff have reviewed the application and the circulated materials listed in Appendix A to this letter in accordance with Ontario Regulation 686/21 and Ontario Regulation 166/06.

TRCA staff have reviewed the submission in accordance with Section 21.1(1) of the *Conservation Authorities Act*, which requires TRCA to provide programs and services related to the risk of natural hazards within its jurisdiction. The standards and requirements of such mandatory programs and services are listed under Ontario Regulation 686/21. Specifically, the regulation requires that TRCA must, acting on behalf of the Ministry of Natural Resources and Forestry (MNRF) or in its capacity as a public body under the *Planning Act*, ensure that decisions under the *Planning Act* are consistent with the natural hazard policies of the Provincial Policy Statement (PPS) and conform to any natural hazard policies in a provincial plan.

We have also reviewed the application in accordance with Ontario Regulation 166/06. TRCA must ensure that where development and/or site alteration is proposed within an area regulated by the Authority under Ontario Regulation 166/06, that it conforms to the applicable tests and associated policies (Section 8 of TRCA's The Living City Policies) for implementation of the regulation.

Please also note that updates to the *Conservation Authorities Act* and Ontario Regulation 596/22, which came into effect on January 1, 2023, prevent TRCA from providing municipal programs and services related to reviewing and commenting on a proposal under the *Planning Act*, such as those services previously provided under plan review Memorandum of Understanding (MOU) with an upper or lower tier municipality. In conformity with Ontario Regulation 686/21 and Ontario Regulation 596/22, TRCA's review does not include comments pertaining to matters (e.g. natural heritage) outside of our core planning mandate and regulatory authority.

Purpose of the Application

The purpose of Minor Variance Application assigned City File No **A176.23** is to permit the construction of a new dwelling proposing:

1. A lot coverage of 38.54% (143.23sq m (approx. 1541.71sq ft)) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30% (111.49sq m (approx. 1200.07sq ft)) in this instance;
2. A gross floor area of 269.58sq m (approx. 2901.73sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 174.33sq m (approx. 1876.47sq ft) in this instance;
3. An eaves height of 6.41m (approx. 21.03ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance;
4. A southern side yard setback to the first storey of 0.69m (approx. 2.26ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.20m (approx. 3.94ft) in this instance; and,
5. A southern side yard setback to the second storey of 1.39m (approx. 4.56ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.80m (approx. 5.91ft) in this instance.

It is our understanding that the requested variances are required to facilitate the replacement of a (59.78 sq.m.) one storey single family dwelling with a (269.58 sq.m.) two storey house with a covered front porch, front yard driveway and walkway paving and a rear yard deck.

The proposed works also include a proposed second unit dwelling in the basement of the proposed two storey house.

Recommendation

TRCA staff recommend **A176.23** to provide an opportunity for the applicant to revise the proposed works and address TRCA's staff concerns. Should the Committee not grant deferral of the application at the September 21, 2023 hearing, TRCA staff recommend denial of the application at this time. deferral of Minor Variance Application assigned City File no.

A TRCA permit pursuant to Ontario Regulation 166/06 may be required for any future works on the subject property. Given the comments below, TRCA staff would not support the approval of the development proposed with this application as currently submitted.

Site Context

Ontario Regulation 166/06: Under the provisions of Section 28 of the Conservation Authorities Act, TRCA administers a Development, Interference with Wetlands and Alterations to Shorelines and Watercourses regulation (Ontario Regulation 166/06). The subject property is located within TRCA's Regulated Area of the Mimico Creek Watershed. Specifically, the subject land is located entirely within the Regulatory Flood Plain associated with a tributary of Mimico Creek. As such, a TRCA permit pursuant to Ontario Regulation 166/06 is required from this Authority prior to the proposed development, site alteration or other development taking place on the property.

Based on our review, the proposed development is located entirely within TRCA's regulated area and will require prior permission from the TRCA. TRCA staff do not support the development proposal associated with this application as currently submitted. There are several comments below that must be addressed prior to TRCA providing staff support to both this application and the required TRCA permit application.

Application Specific Comments

Based on current TRCA flood modelling, it appears that the entire property is located within the Regulatory Floodplain. The Floodplain elevation and water velocity expected during a regulatory event (i.e., greater of the 100-year design storm or Hurricane Hazel storm) are 168.33 m (Back of the property) and 0.13 m/s (Front) at the subject property respectively. As such, the existing house and the proposed replacement dwelling are located within the Regulatory Floodplain.

The drawings submitted with this application appear to propose a replacement dwelling that includes a basement with one bedroom and an at grade separate entrance. It also appears that openings are proposed below the floodplain elevation of 168.33m. The drawings do not demonstrate that the existing dwelling contains a basement. Also, the existing dwelling's habitable ground floor area and the proposed habitable ground floor area (excluding garage, porch, rear yard deck) in the replacement dwelling is unclear.

In accordance with TRCA's Living City Policies (LCP) utilized to implement Ontario Regulation 166/06, TRCA does not support an increase in the size and footprint of a replacement or reconstruction of an existing building or structure within the flood hazards where the addition is more than 50% of the original habitable ground floor area, plus an additional storey. Additionally, TRCA's LCP does not support new basements if the existing dwelling does not contain a basement and if one exists, the basement can be replaced but no larger than the original.

At this time, it has not been demonstrated that an existing basement is present through the submitted documents. Therefore, it is premature to comment on the appropriateness of a basement as part of this development. Any replacement dwelling with an addition that meets the above criteria must also meet the dry-passive floodproofing requirements of TRCA, including having no openings below the floodplain elevation. Please also note that increasing the number of dwelling units in a building within the flood hazard is not permitted.

At this time, it has not been demonstrated that TRCA's policies concerning replacement dwellings have been achieved. In order to demonstrate that the proposal could meet TRCA's permitting policies, the drawings must be revised to show the following:

1. Drawings showing the existing habitable ground floor areas and statistics.
2. Drawings showing the existing basement and statistics.
3. Drawings and statistics for the basement, proposed habitable ground floor area, and proposed additional storey that demonstrate that the proposed basement is no larger than the

existing and that the proposed ground floor area is no larger than 50% of the original ground floor area.

4. Drawings that show that there are no openings below the regulatory floodplain elevation of 172.54. Note that a structural engineer will need to certify that the replacement dwelling can withstand flood velocities and depths during a regulatory storm event, which may involve reinforcement to basement foundations or other changes to the proposal.

Given the above, TRCA has concerns with the size of the replacement dwelling and floodproofing of the proposed works as currently submitted. TRCA requests that the applicant contacts the undersigned to resolve TRCA's concerns.

Please advise the applicant to submit a TRCA permit application for the proposed replacement dwelling (Application for Development, Interference with Wetlands & Alterations to Shorelines and Watercourses – Ontario Regulation 166/06) and the associated review fee of \$995.00 (Works on Private Residential Property – Standard).

Should the applicant disagree with this preliminary flood plain analysis, the applicant may hire a consultant to determine the flooding extent of the spill using two-dimensional hydraulic model, otherwise the applicant is required to apply the preliminary result of TRCA's flood modelling.

Fee

TRCA staff thank the applicant for their prompt payment of the required planning review fee of \$660.00 received on April 24, 2023.

Comments Prepared by: Marina Janakovic, Planner I



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A255.23
Ward: 2

REVISED

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 1918 Barsuda Drive, zoned R3-1-Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve minor variances to allow the construction of a new dwelling proposing:

1. A front yard setback of 7.21m (approx. 23.65ft) to the dwelling whereas By-law 0225-2007, as amended, requires a front yard setback of 7.50m (approx. 24.60ft) in this instance;
2. A front yard setback of 5.00m (approx. 16.40ft) to the front porch whereas By-law 0225-2007, as amended, requires a front yard setback of 5.90m (approx. 19.35ft) in this instance;
3. An interior side yard setback of 1.17m (approx. 3.83ft) to the west whereas By-law 0225-2007, as amended, requires an interior side yard setback of 1.81m (approx. 5.93ft) to the west in this instance;
4. An interior side yard setback of 0.76m (approx. 2.49ft) to the west eaves whereas By-law 0225-2007, as amended, requires an interior side yard setback of 1.36m (approx. 4.46ft) to the west eaves in this instance;
5. A combined side yard setback of 3.53m (approx. 11.58ft) whereas By-law 0225-2007, as amended, requires a combined side yard setback of 3.60m (approx. 11.81ft) in this instance;
6. A height of 7.10m (approx. 23.29ft) to the underside of the eaves whereas By-law 0225-2007, as amended, permits a height of 6.40m (approx. 20.99ft) to the underside of the eaves in this instance;
7. A gross floor area of 374.52sq m (approx. 4031.29sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 325.56sq m (approx. 3504.29sq ft) in this instance;
8. A garage projection of 0.99m (approx. 3.24ft) whereas By-law 0225-2007, as amended, permits a garage projection of 0m in this instance;
9. A front yard setback of 5.56m (approx. 18.24ft) to the pilaster whereas By-law 0225-2007, as amended, requires a front yard setback of 7.50m (approx. 24.60ft) to the pilaster in this instance;
10. A front yard setback of 5.15m (approx. 16.89ft) to the eaves whereas By-law 0225-2007, as amended, requires a front yard setback of 7.05m (approx. 23.12ft) to the eaves in this instance.

The Committee has set **Thursday, September 21, 2023 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

Public participation at hearings helps the Committee make informed decisions. There are several methods to participate:

- **In person:** The hearing will be held in person at Mississauga Civic Centre, Council Chambers, 300 City Centre Drive, 2nd Floor. Advance registration is preferred if you wish to speak at the hearing in person. If you wish to make a presentation you must send your request to speak and your presentation (as an attachment) via email to

committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. A document projector will also be available, if preferred.

- **Electronically (computer, tablet or smartphone):** Advance registration is required to speak virtually at the hearing. If you wish to make a presentation at the hearing you must send your request to speak and your presentation material (as an attachment) via email to committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. If you have connection issues on the hearing date, please email virtualmeeting.help@mississauga.ca.
- **By telephone:** Advance registration is required to speak virtually at the hearing. To register, please call 905-615-3200 x2408 by 4:30 PM 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 call in details prior to the start of the hearing.
- **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.

If you wish to view the public hearing online and do not wish to speak, the hearing will be streamed at the following link:

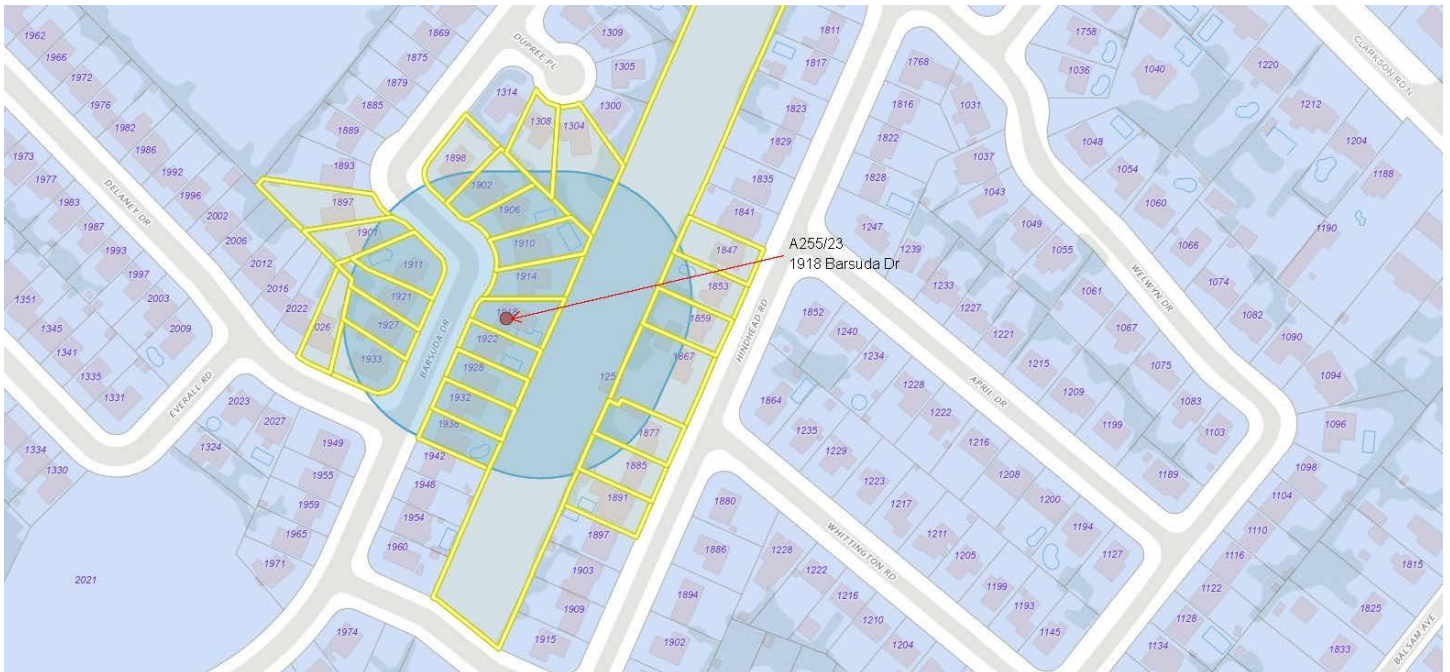
<http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>

Additional Information:

- For more information about this matter, contact committee.adjustment@mississauga.ca or call 905-615-3200 x2408. Alternatively, information can be obtained in person by making an appointment with the Committee of Adjustment at 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Appointments can be booked using the “Book an appointment” button on the Committee’s webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.
- 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 or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. This will also entitle you to be advised of any Ontario Land Tribunal (OLT) appeals.

Committee of Adjustment Appeal Process:

The Province of Ontario’s Bill 23, the More Homes Built Faster Act, 2022, limits who is allowed to appeal decisions made by the Committee of Adjustment. 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. For more information please see the “Appeal process” section on the Committee of Adjustment webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.



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): A255.23
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2023-09-21 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

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

1. A front yard setback of 7.21m (approx. 23.65ft) to the dwelling whereas By-law 0225-2007, as amended, requires a front yard setback of 7.50m (approx. 24.60ft) in this instance;
2. A front yard setback of 5.00m (approx. 16.40ft) to the front porch whereas By-law 0225-2007, as amended, requires a front yard setback of 5.90m (approx. 19.35ft) in this instance;
3. An interior side yard setback of 1.17m(approx. 3.83ft) to the west whereas By-law 0225-2007, as amended, requires an interior side yard setback of 1.81m (approx. 5.93ft) to the west in this instance;
4. An interior side yard setback of 0.76m(approx. 2.49ft) to the west eaves whereas By-law 0225-2007, as amended, requires an interior side yard setback of 1.36m (approx. 4.46ft) to the west eaves in this instance;
5. A combined side yard setback of 3.53m (approx. 11.58ft) whereas By-law 0225-2007, as amended, requires a combined side yard setback of 3.60m (approx. 11.81ft) in this instance;
6. A height of 7.10m (approx. 23.29ft) to the underside of the eaves whereas By-law 0225-2007, as amended, permits a height of 6.40m (approx. 20.99ft) to the underside of the eaves in this instance;
7. A gross floor area of 374.52sq m (approx. 4031.29sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 325.56sq m (approx. 3504.29sq ft) in this instance;
8. A garage projection of 0.99m (approx. 3.24ft) whereas By-law 0225-2007, as amended, permits a garage projection of 0m in this instance;
9. A front yard setback of 5.56m (approx. 18.24ft) to the pilaster whereas By-law 0225-2007, as amended, requires a front yard setback of 7.50m (approx. 24.60ft) to the pilaster in this instance;
10. A front yard setback of 5.15m (approx. 16.89ft) to the eaves whereas By-law 0225-2007,

as amended, requires a front yard setback of 7.05m (approx. 23.12ft) to the eaves in this instance.

Background

Property Address: 1918 Barsuda Drive

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R3-1-Residential

Other Applications: none

Site and Area Context

The subject property is located in the Clarkson-Lorne Park Neighbourhood Character Area, southeast of the Truscott Drive and Southdown Road intersection. The immediate neighbourhood primarily consists of a mix of older one and two-storey detached dwellings with mature vegetation in the front yards. The subject property contains a one-storey detached dwelling with mature vegetation in the front yard.

The applicant proposes a new detached dwelling requiring variances related to setbacks, side yard width, height, gross floor area and garage projection.



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 on Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached, duplex, triplex, street townhouse and other forms of low-rise dwellings with individual frontages.

Planning staff have identified concerns with variances #6 and 7, with respect to eave height and gross floor area.

While larger dwellings are not out of character within the surrounding area, staff are of the opinion that the gross floor area proposed is excessive, does not maintain compatibility with the existing dwellings in the neighbourhood, and does not preserve the neighbourhood's character.

Staff are also concerned that increasing the dwelling's gross floor area in combination with the increase in the dwelling's eave height will cause significant massing issues that will directly impact neighbouring properties.

Staff recommend that the proposal be deferred for redesigned in order to address the concerns raised above.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Candice Williams, 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 Hydro One and leased by the City of Mississauga, identified as Nine Creeks Trail (P-534) and zoned U – Utility.

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

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

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

Comments Prepared by: Nicholas Rocchetti, Park Planning Assistant

Appendix 4 – Region of Peel

Minor Variance: A-23-255M / 918 Barsuda 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: A314.23
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 2065 Stonehouse Cres, zoned R1- 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 dwelling proposing:

1. An interior side yard setback of 2.00m (approx. 6.56ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 4.20m (approx. 13.78ft) in this instance;
2. A combined circular driveway width of 9.50m (approx. 31.17ft) whereas By-law 0225-2007, as amended, permits a maximum width of 8.50m (approx. 27.89ft) in this instance;
3. A lot coverage of 32.59% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% in this instance; and,
4. An eaves overhang encroachment of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, permits a maximum eaves overhang encroachment of 0.45m (approx. 1.48ft) in this instance.

The Committee has set **Thursday, September 21, 2023 at 1:00 PM** for the public hearing on this matter. The hearing will begin promptly at the noted start time and all items on the agenda will be heard in the order shown.

In Person Hearing:

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

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

Virtual Hearing:

- **To participate electronically (computer, tablet or smartphone):** Advance registration is required to speak at the virtual hearing. If you intend to make a presentation at the virtual hearing you must send your request to 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): A314.23
To: Committee of Adjustment	Ward: 8
From: Committee of Adjustment Coordinator	Meeting date:2023-09-21 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

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

1. An interior side yard setback of 2.00m (approx. 6.56ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 4.20m (approx. 13.78ft) in this instance;
2. A combined circular driveway width of 9.50m (approx. 31.17ft) whereas By-law 0225-2007, as amended, permits a maximum width of 8.50m (approx. 27.89ft) in this instance;
3. A lot coverage of 32.59% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% in this instance; and,
4. An eaves overhang encroachment of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, permits a maximum eaves overhang encroachment of 0.45m (approx. 1.48ft) in this instance.

Background

Property Address: 2065 Stonehouse Cres

Mississauga Official Plan

Character Area: Sheridan Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R1- Residential

Other Applications: BP9 NEW-23/7066.**Site and Area Context**

The subject property is located in the Sheridan Neighbourhood, west of North Sheridan Way. The immediate area consists mostly of older one storey and newer two storey detached dwellings on lots with mature vegetation in both the front and side yards. The subject property contains an existing one storey dwelling with mature vegetation within the front yard. Oakridge Public School lies to the south of the property.

The application proposes to construct a new two storey dwelling requiring variances related to interior side yard, circular driveway, lot coverage and eaves overhang encroachment.

**Comments****Planning**

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

Staff comments concerning the application are as follows:

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

Planning staff echo Transportation and Works staff's comments with respect to variance #2 and are of the opinion that an additional variance, which may not be supported, may be required to permit a circular driveway on the subject property.

Planning staff have also identified concerns regarding the proposed lot coverage. The proposed dwelling's footprint alone represents 30% of the total lot coverage. Planning staff are of the opinion that this represents an overdevelopment of the property.

As such, Planning staff recommend that the application be deferred to allow the applicant an opportunity to redesign the proposed garage and dwelling. Furthermore, Planning staff recommend that the applicant confirm the accuracy of the requested variances with Zoning staff.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling are being addressed by our Development Construction Section through the Building Permit process BP9 NEW-23/7066.

Our Traffic Section has the following comment for the proposed circular driveway:

"Traffic Planning does not support a circular driveway / secondary access for the subject site. As per the TAC Geometric Design Guide for Canadian Roads, "Single family residential properties [are] normally restricted to one driveway, irrespective of frontage." Consistent with Traffic Engineering best practices, the number of accesses to the municipal road network are to be minimized to optimize roadway safety and efficiency, minimize vehicular and pedestrian conflict points, ensure sufficient space is available between driveways for signage/utilities/trees/other street appurtenances, maintain on-street parking spaces, clearly identify which property each driveway serves, etc. In addition, in this particular instance we cannot see the rationale for having a circular driveway on this property."



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file BP 9NEW 23-7066. Based on review of the information currently available in this application, the applicant has made substantial changes to the drawings that have been submitted. Staff are not in a position to confirm that the variances are correct, as the new drawings were not submitted for review prior to coming before the committee.

Comments Prepared by: Tage Crooks, Zoning Examiner

Appendix 3 – Region of Peel

Minor Variance: A-23-314M / 2065 Stonehouse Crescent

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: A316.23
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 640 Kedleston Way, zoned R1-2- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a detached garage proposing a detached garage flat roof height of 4.20m (approx. 13.78ft) whereas By-law 0225-2007, as amended, permits a maximum detached garage flat roof height of 3.00m (approx. 9.84ft) in this instance.

The Committee has set **Thursday, September 21, 2023 at 1:00 PM** for the public hearing on this matter. The hearing will begin promptly at the noted start time and all items on the agenda will be heard in the order shown.

In Person Hearing:

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

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

Virtual Hearing:

- **To participate electronically (computer, tablet or smartphone):** Advance registration is required to speak at the virtual hearing. If you intend to make a presentation at the virtual hearing you must send your request to 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:

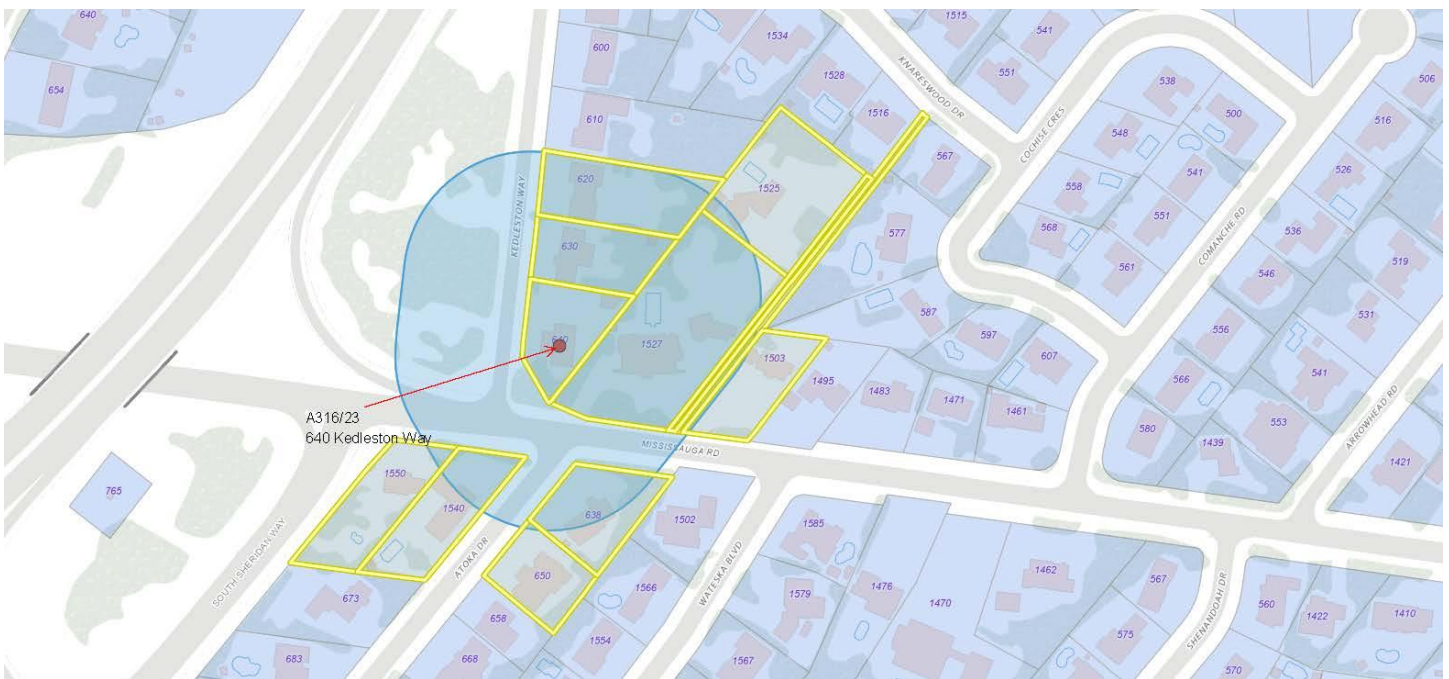
Written comments to the Committee must be received no later than 4:30 p.m. on the Friday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your 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): A316.23
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2023-09-21 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

The applicant requests the Committee to approve a minor variance to allow a detached garage proposing a detached garage flat roof height of 4.20m (approx. 13.78ft) whereas By-law 0225-2007, as amended, permits a maximum detached garage flat roof height of 3.00m (approx. 9.84ft) in this instance.

Background

Property Address: 640 Kedleston Way

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R1-2- Residential

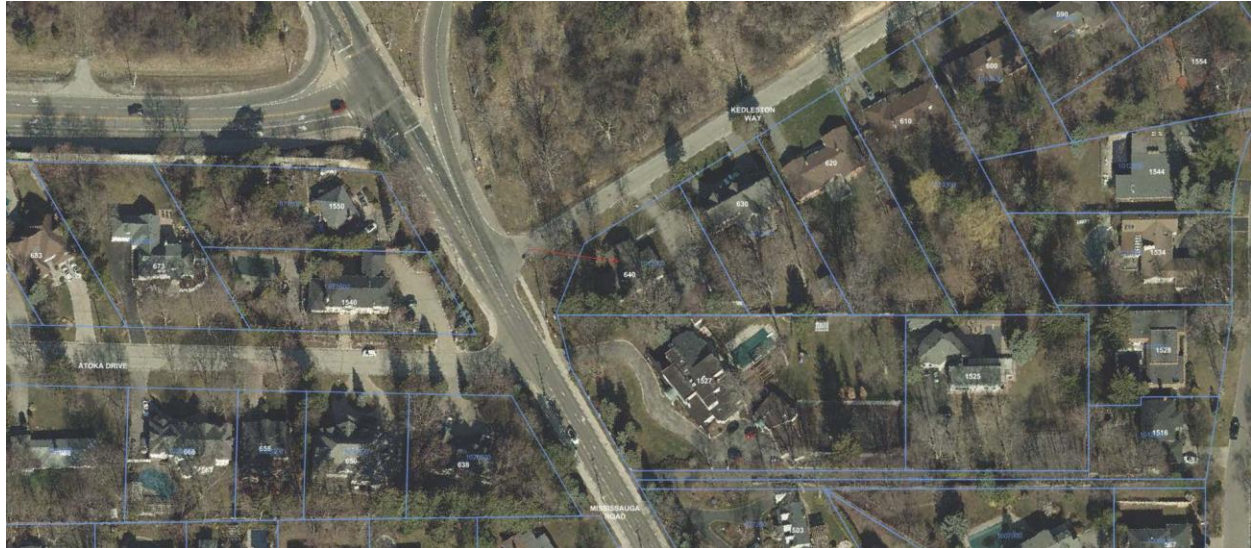
Other Applications: BP 9ALT 23-7587

Site and Area Context

The subject property is located in the Clarkson-Lorne Park Neighbourhood Character Area, north of Mississauga Road. The immediate neighbourhood is primarily residential, consisting of one

and two-storey detached dwellings with mature vegetation in the front yards. The subject property is a corner lot with a proposed 2-storey detached dwelling with some vegetation in the front yard.\

The applicant is proposing a detached garage requesting a variance for flat roof height.



Comments

Planning

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

Staff comments concerning the application are as follows:

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

Upon review of the applicant's drawings and Transportation and Works staff's site photos, Planning staff note that the proposal is under construction and is not being constructed to match the drawings submitted by the applicant.

Staff have no concerns regarding the applicant's proposal per the drawings submitted. While the height proposed appears excessive, it is to only one point. The remaining portion of the roof slopes downward to a height of 3m (9.84ft), which complies with the regulation. Lastly, where the detached garage faces the street, its height is 3m (9.84ft). Therefore there would be no impact to the streetscape. However, the under construction proposal does not match what is currently being constructed. Therefore Planning staff are unable to evaluate the applicant's proposal at this time and recommend that the application be deferred.

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 detached garage are being addressed by our Development Construction Section through the Building Permit process, File BP 9ALT-23/7587.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing an application under file BP 9ALT 23-7587. 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

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner

Appendix 4- Trans-Northern Pipeline

RE: File/application No.: A316.23

Proposed Development location: 640 Kedleston Way, Mississauga

Thank you for providing Trans-Northern Pipeline Inc. (TNPI) with Committee of Adjustment Notice of Public Hearing for the proposed development to allow for a minor variance under to allow for a detached garage. TNPI currently operates a high-pressure petroleum products transmission pipeline within a 50 foot right of way (RoW) on the adjacent property traveling North to South to the proposed development relating to 640 Kedleston Way, Mississauga.

Please note the following in relation to the proposed development:

Paving is not allowed within the right-of-way and is requested to be setback 10 m from the RoW. Permanent above ground structures, including garages, must be outside of the RoW and are requested to be setback 10 m from the RoW.

Fencing (not shown on the drawing) must remain out of the RoW, is requested to be setback 10 m from the RoW and must allow for unrestricted access to the RoW. Chain link style is required for any bordering fences.

Please submit an updated plan, incorporating the above comments prior to permit request. Please note, any development plans within the right-of-way will require a permit which can be requested by following the steps described near the end of this response.

Please note that, Trans-Northern is regulated by the Canada Energy Regulator. Section 335 (1) and (2) of the Canadian Energy Regulator Act, provides that:

It is prohibited for any person to construct a facility across, on, along or under a pipeline or engage in an activity that causes a ground disturbance within the prescribed area unless the construction or activity is authorized or required by the orders made under subsection (3) or (4) or regulations made under subsections (5) or (6) and done in accordance with them.

Prohibition — vehicles and mobile equipment

It is prohibited for any person to operate a vehicle or mobile equipment across a pipeline unless (a) that operation is authorized or required by orders made under subsection (3) or (4) or regulations made under subsections (5) or (6) and done in accordance with them; or (b) the vehicle or equipment is operated within the travelled portion of a highway or public road.

Additionally, should the applicant propose to cross the pipeline and Right-of-Way with a vehicle or construct a facility across, on, along or under the pipeline, the applicant would be required to contact TNPI prior to commencement of their work to receive the required authorization. This process can be initiated through Ontario One Call (1-800-400-2255). A representative from TNPI will attend on site mark the pipeline location, confirm safe work practices, and advise of any permit requirements.

Should the applicant require further information on the technical requirements related to ground disturbance or crossing of the pipeline, they may contact Sandrine Exibard-Edgar, Team Lead, Property Administrator via email at :crossingrequestseast@tnpi.ca.

Comments Prepared by: Michelle Gruszecki, Property and Right of Way Administrator



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A323.23
Ward: 4

REVISED

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 395 Square One Drive, 4225 and 4235 Confederation Parkway; and 4220 Living Arts Drive, zoned CC2 and H-CC2- Downtown Core, 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 parking proposing:

1. All properties shown as Area 'A' on the submitted Schedule to be considered one lot for the purpose of calculating required parking whereas By-law 0225-2007, as amended, does not permit this in this instance;
2. An aggregate parking rate of 0.65 resident spaces per apartment unit for all properties shown as Area 'A' on the submitted Schedule whereas By-law 0225-2007, as amended, requires a parking rate of 0.80 resident spaces per apartment unit in this instance.

The Committee has set **Thursday, September 21, 2023 at 1:00 PM** for the public hearing on this matter. The hearing will begin promptly at the noted start time and all items on the agenda will be heard in the order shown. To view the submitted Schedule 'A' referenced in the variance, please email committee.adjustment@mississauga.ca.

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:

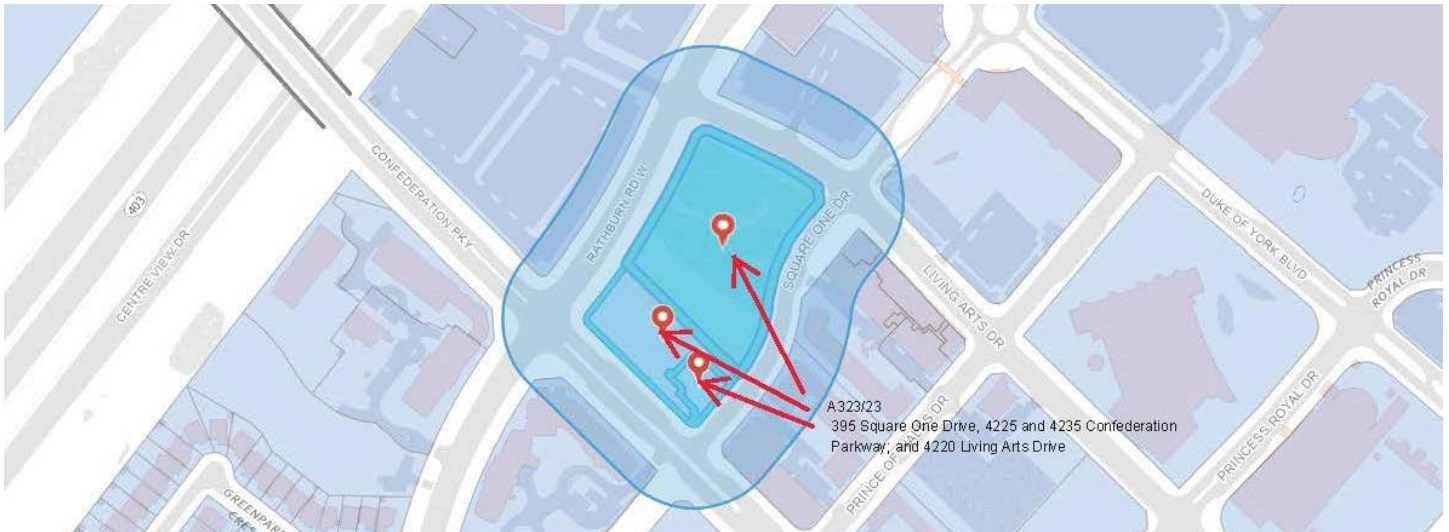
Written comments to the Committee must be received no later than 4:30 p.m. on the Friday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your 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): A323.23
To: Committee of Adjustment	Ward: 4
From: Committee of Adjustment Coordinator	Meeting date:2023-09-21 1:00:00 PM

Consolidated Recommendation

The City recommends the application be deferred. The applicant may wish to defer the application to ensure the accuracy of the requested variances and that additional variances are not required.

Application Details

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

1. All properties shown as Area 'A' on the submitted Schedule to be considered one lot for the purpose of calculating required parking whereas By-law 0225-2007, as amended, does not permit this in this instance;
2. An aggregate parking rate of 0.65 resident spaces per apartment unit for all properties shown as Area 'A' on the submitted Schedule whereas By-law 0225-2007, as amended, requires a parking rate of 0.80 resident spaces per apartment unit in this instance.

Background

Property Address: 395 Square One Drive, 4225 and 4235 Confederation Parkway; and 4220 Living Arts Drive

Mississauga Official Plan

Character Area: Downtown Core
Designation: Downtown Mixed Use

Zoning By-law 0225-2007

Zoning: CC2 and H-CC2- Downtown Core

Other Applications: SP-19-31, BP 3NEW 20-3001

Site and Area Context

The subject lands are located on the north-east corner of the Confederation Parkway & Square One Drive intersection in the Downtown core. It is currently vacant with no landscaping or vegetation elements on the property. The surrounding area includes a mix of uses, including commercial, residential and office uses, as well as a mix of built forms such as townhouse dwellings and apartment dwellings. Sheridan College Hazel McCallion campus abuts the property to the east.

The applicant is proposing modifications to the resident parking rate, requiring variance for the number of parking spaces and the calculation methodology.



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

With respect to Committee of Adjustment application 'A' 323.23, 395 Square One Drive, 4225 and 4235 Confederation Parkway; and 4220 Living Arts Drive, the Applicant is requesting the Committee to approve a minor variance to allow reduced parking for the subject property and proposing:

An aggregate parking rate of 0.65 resident spaces per apartment unit for all properties shown as Area 'A' on the submitted Schedule whereas By-law 0225-2007, as amended, requires a parking rate of 0.80 resident spaces per apartment unit in this instance.

Per the materials provided by the Applicant, the entire development includes two phases. Phase One consists of two residential buildings, including a 37-storey building with 428 units of rental apartment units and a 48-storey building with 574 condominium apartment units. Phase Two consists of three residential buildings, including a 55-storey building with 577 rental apartment units, a 36-storey building with 411 condominium apartment units, and a 44-storey building with 520 condominium apartment units. The total number proposed residential units is 2,510. In addition to residential uses, the Applicant also proposed on-site non-residential uses including Retail uses with a Gross Floor Area (GFA) of 1,356 m², College/University uses with a GFA of 1,470 m², and Community Center uses with a GFA of 2,292 m². The subject site is located within CC2 zoning area, Parking Precinct 1.

Per Section 3.1.1.2 of Mississauga Zoning By-law, Apartment uses located in CC2 zoning area require a minimum of 0.8 resident spaces per unit and 0.15 visitor spaces per unit. Per Section 3.1.2.1.3 of Zoning By-law, a shared parking arrangement may be used for the calculation of required residential visitor/non-residential parking for the proposed non-residential uses. As a result, the minimum required parking space for the subject site would be 2,008 resident spaces and 377 visitor spaces. The Applicant proposes no changes to the visitor parking rate. As such, 2,008 parking spaces are required whereas 1,632 parking spaces can be accommodated. The proposed parking deficiency is 376 parking spaces, or 18.7%.

The Applicant provided a Parking Utilization Study (PUS) dated June 2023, completed by BA Group. Parking surveys were conducted for six and nine days over a three-week period at two proxy sites in April and May 2023, with parking supply rates of 0.96 and 1.03 spaces per unit. The survey results indicate that the observed peak parking demand at the first proxy site (360 City Center Drive, Mississauga) was 0.69 spaces per unit; the observed peak parking demand at the second proxy site (4065 & 4099 Brickstone Mews & 4070 Confederation Parkway, Mississauga) was 0.67 spaces per unit. The peak parking utilization percentages of both sites were 71% and 69%, respectively. Staff note that the observed parking demands were not categorized as resident or visitor, which deviates from the provisions as outlined in the parking Terms of Reference. The parking assessment also reviewed the policy and transit context of the downtown core area, as well as proposed travel demand management measures. Based on the survey results, the parking demand ratios of both proxy sites appear to be higher than the parking rate proposed by the Applicant for apartment uses in CC zoning districts.

Staff advise that the recently updated parking requirements for off-street parking, Zoning By-Law 0117-2022, that came into effect June 8, 2022, is supportive of provincial and municipal land use and transportation policies. The updated rates were derived from the Parking Regulations Study (PRS) which undertook a review of off-street parking rates throughout the City, including the Downtown Core area. These developed rates were

carefully tailored to Mississauga's context as well as current needs and are intended to support developments that are well served by existing or future planned higher-order transit, such as the Hurontario Light Rail Transit line which is currently under construction.

Although the Applicant submitted a parking assessment, the survey results for the parking demand ratio are higher than the proposed rate, Staff advise the survey findings are not supportive of the requested parking reduction.

Zoning staff have suggested that a zoning review has not been completed for the subject site, and the accuracy of the proposed variance could not be confirmed.

Given the above, Municipal Parking staff recommend the application be deferred pending the submission of a parking rate that aligns or exceeds the observed parking demand ratios at the proxy sites surveyed in the parking study.

Staff therefore recommend that the application be deferred.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting that any Transportation and Works Department concerns/requirements for the proposed development are being addressed through the Site Plan Application SP-19-31 and SP 19-144 and BP 3NEW 20-3001.

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

Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan Application under file SP 19-144. 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: Candice Williams, 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: A325.23
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 1618 Birchwood Drive, zoned R2-5- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a driveway proposing:

1. A driveway width (measured from northwest to southeast) of 14.02m (approx. 46.00ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 8.50m (approx. 27.89ft) in this instance;
2. A walkway attachment width of 2.33m (approx. 7.64ft) whereas By-law 0225-2007, as amended, permits a maximum walkway attachment width of 1.50m (approx. 4.92ft) in this instance;
3. A driveway width within six meters of the garage face of 13.50m (approx. 44.29ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width within six meters of the garage face of 10.50m (approx. 34.45ft) in this instance;
4. Two walkways whereas By-law 0225-2007, as amended, permits a maximum of one walkway in this instance; and,
5. A driveway width (measured from south to north) of 15.80m (approx. 51.84ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 8.50m (approx. 27.89ft) in this instance.

The Committee has set **Thursday, September 21, 2023 at 1:00 PM** for the public hearing on this matter. The hearing will begin promptly at the noted start time and all items on the agenda will be heard in the order shown.

In Person Hearing:

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

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

Virtual Hearing:

- **To participate electronically (computer, tablet or smartphone):** Advance registration is required to speak at the virtual hearing. If you intend to make a presentation at the virtual hearing you must send your request to 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): A325.23
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2023-09-21 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

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

1. A driveway width (measured from northwest to southeast) of 14.02m (approx. 46.00ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 8.50m (approx. 27.89ft) in this instance;
2. A walkway attachment width of 2.33m (approx. 7.64ft) whereas By-law 0225-2007, as amended, permits a maximum walkway attachment width of 1.50m (approx. 4.92ft) in this instance;
3. A driveway width within six meters of the garage face of 13.50m (approx. 44.29ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width within six meters of the garage face of 10.50m (approx. 34.45ft) in this instance;
4. Two walkways whereas By-law 0225-2007, as amended, permits a maximum of one walkway in this instance; and,
5. A driveway width (measured from south to north) of 15.80m (approx. 51.84ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 8.50m (approx. 27.89ft) in this instance.

Background

Property Address: 1618 Birchwood Drive

Mississauga Official Plan

Character Area: Clarkson-Lorne Park Neighbourhood

Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R2-5- Residential

Other Applications: The Building Department is currently processing an application under file 22-4063.

Site and Area Context

The subject property is located within the Clarkson – Lorne Park Neighbourhood Character Area, southeast of Lorne Park Road. The immediate area consists of a mix of older and newer one and two-storey detached dwellings with mature vegetation throughout the properties. The subject property contains an existing 1storey dwelling with vegetation in the front yard.

The applicant is proposing a driveway requiring variances for driveway and walkway widths and number of walkways.



The subject property is located within the Clarkson-Lorne Park Neighbourhood, and is designated Residential Low Density I by the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached, semi-detached and duplex dwellings.

Planning staff note that the application is for an existing driveway. Planning and Transportation and Works staff have reviewed the drawings submitted and note that these do not match existing on-site conditions.

As such, Planning staff are unable to evaluate the applicant's request and recommend that the application be deferred to allow the applicant an opportunity to submit updated drawings.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed are pictures of the existing driveway and walkway. We note that the drawing submitted does not accurately depict the existing driveway on site.

We have no drainage related concerns.







Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing an application under file 22-4063. 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

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A326.23
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 2154 Oneida Crescent, zoned R1-8- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a new dwelling proposing:

1. A garage with an unobstructed parking length of 5.66m (approx. 18.57ft) whereas By-law 0225-2007, as amended, requires a minimum length of 6.00m (approx. 19.69ft) in this instance;
2. A below grade entrance in the front yard whereas By-law 0225-2007, as amended, does not permit a below grade entrance in a front yard in this instance; and,
3. 2 garages whereas By-law 0225-2007, as amended, permits a maximum of 1 garage in this instance.

The Committee has set **Thursday, September 21, 2023 at 1:00 PM** for the public hearing on this matter. The hearing will begin promptly at the noted start time and all items on the agenda will be heard in the order shown.

In Person Hearing:

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

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

Virtual Hearing:

- **To participate electronically (computer, tablet or smartphone):** Advance registration is required to speak at the virtual hearing. If you intend to make a presentation at the virtual hearing you must send your request to 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.



City of Mississauga Department Comments

Date Finalized: 2023-09-13	File(s): A326.23
To: Committee of Adjustment	Ward: 7
From: Committee of Adjustment Coordinator	Meeting date:2023-09-21 1:00:00 PM

Consolidated Recommendation

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

Application Details

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

1. A garage with an unobstructed parking length of 5.66m (approx. 18.57ft) whereas By-law 0225-2007, as amended, requires a minimum length of 6.00m (approx. 19.69ft) in this instance;
2. A below grade entrance in the front yard whereas By-law 0225-2007, as amended, does not permit a below grade entrance in a front yard in this instance; and,
3. 2 garages whereas By-law 0225-2007, as amended, permits a maximum of 1 garage in this instance.

Background

Property Address: 2154 Oneida Crescent

Mississauga Official Plan

Character Area: Erindale Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

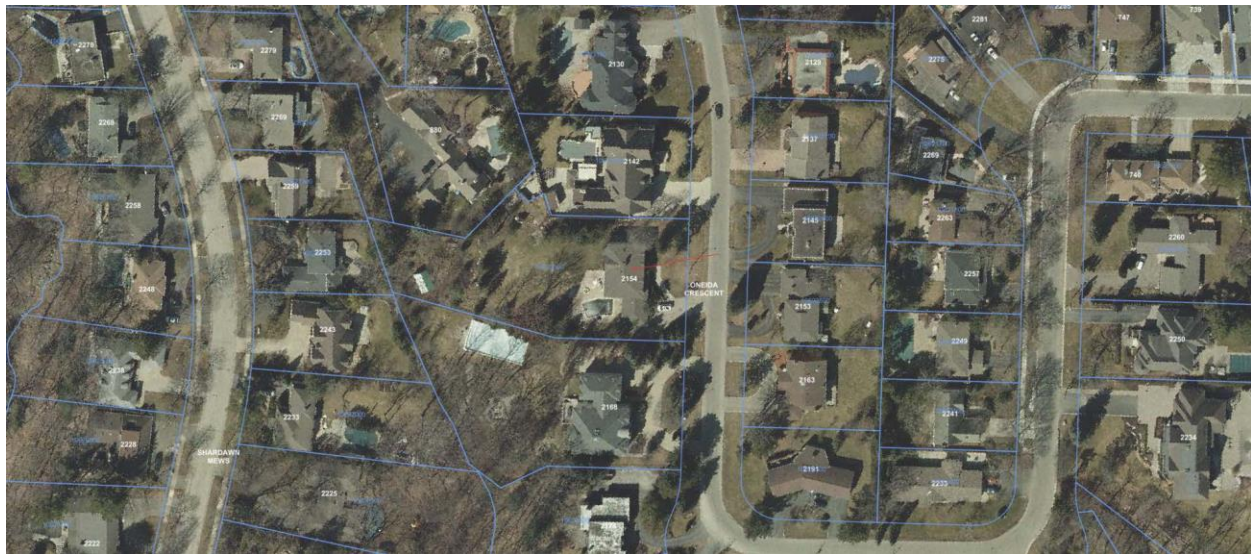
Zoning: R1-8- Residential

Other Applications: BP 9NEW 23-7316

Site and Area Context

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

The applicant is proposing a new dwelling requiring variances for garage parking length, below grade entrance in the front yard and number of garages.



Comments

Planning

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

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

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

The subject property is located within the Erindale 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. 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 dwelling conforms to the designation and staff are of the opinion that the proposed built form appropriately balances the planned character of the area and the existing built form of the surrounding context. Staff are satisfied that the general intent and purpose of the official plan are maintained.

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

Variance 1 relates to the interior parking space size within the carport. The intent of this provision is to ensure the carport can accommodate the parking of atypical vehicles entirely within the carport. Staff note that the requested depth of the carport is larger than a legal parking space in the City and that, despite the proposed reduced area, the garage will maintain the ability to provide parking for vehicles of average length.

Variance 2 relates to a below grade entrance in the front yard. The intent of the zoning by-law in limiting stairwells in the front yard is to ensure the visual integrity of the streetscape is maintained. The applicant is proposing the stairwell in the front yard, which is sufficiently screened and incorporated into the design of the dwelling, mitigating its impact on the streetscape. Staff note the below grade entrance is appropriate and compatible with the surrounding context.

Variance 3 relates to the two garages (one garage, one carport) in the proposal, which exceeds the permissions provided in the by-law. The intent in restricting the overall number and individual size of an attached garage is to ensure that the detached dwelling remains residential in nature, keeping the majority of the structure's ground floor area attributed to livable space. Additionally, this portion of the by-law serves to minimize the visual impact resulting from multiple or excessive garage faces from a streetscape perspective. The visual impact is minimized as the exterior façade of the attached garage door blends in with the dwelling's exterior façade, masking the appearance of the garage door. Further, the combined width of the attached garage and carport gives the appearance of a three car garage, which is permitted and appropriate for a lot this size. Staff has no concerns with the garage and carport proposed.

Given the above, staff are 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?

The request as proposed represents appropriate development of the lands with a dwelling that is well designed for the lot. It is the opinion of staff that the proposal presents no significant impacts to surrounding properties and is appropriate in the context of the neighbourhood. The variances are minor in nature.

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 new dwelling will be addressed through the Building Permit Process.

It should be acknowledged that there is an existing 15 ft. (4.57M) storm sewer easement (By-law No. 4635, Instrument No. BL 868) which contains a 1500mm storm pipe across the southerly limits of the proposed dwelling. The owner is advised that there is to be no encroachment into this existing easement. In this regard we note that the Site Plan Drawing submitted indicates that a future sports court is being proposed at the front of this dwelling which traverses and encroaches into the limits of the existing easement and are advising that and no encroachment into the easement would be permitted.

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 9NEW 23-7316. Based on review of the information currently available in this permit application, the variances, as requested are correct. Staff note that the garage does not show an EV ready parking space. As of June 8, 2023, all new detached dwellings require an EV parking space. The applicant either will need a variance or will need to provide a letter, signed and sealed by an electrical engineer confirming the design of the energized outlet meets, at a minimum, Level 2 electric vehicle charging criteria as defined by SAE International's J1772 standard.

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

Minor Variance: A-23-326M / 2154 Oneida Crescent

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

Minor Variance: A-23-326M / 2154 Oneida Crescent

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.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A335.23
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 3471 Drummond Road, zoned R4-520 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 proposing a setback from the side lot line of 0.76m (approx. 2.49ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.20m (approx. 3.94ft) in this instance.

The Committee has set **Thursday, September 21, 2023 at 1:00 PM** for the public hearing on this matter. The hearing will begin promptly at the noted start time and all items on the agenda will be heard in the order shown.

In Person Hearing:

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

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

Virtual Hearing:

- **To participate electronically (computer, tablet or smartphone):** Advance registration is required to speak at the virtual hearing. If you intend to make a presentation at the virtual hearing you must send your request to 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:

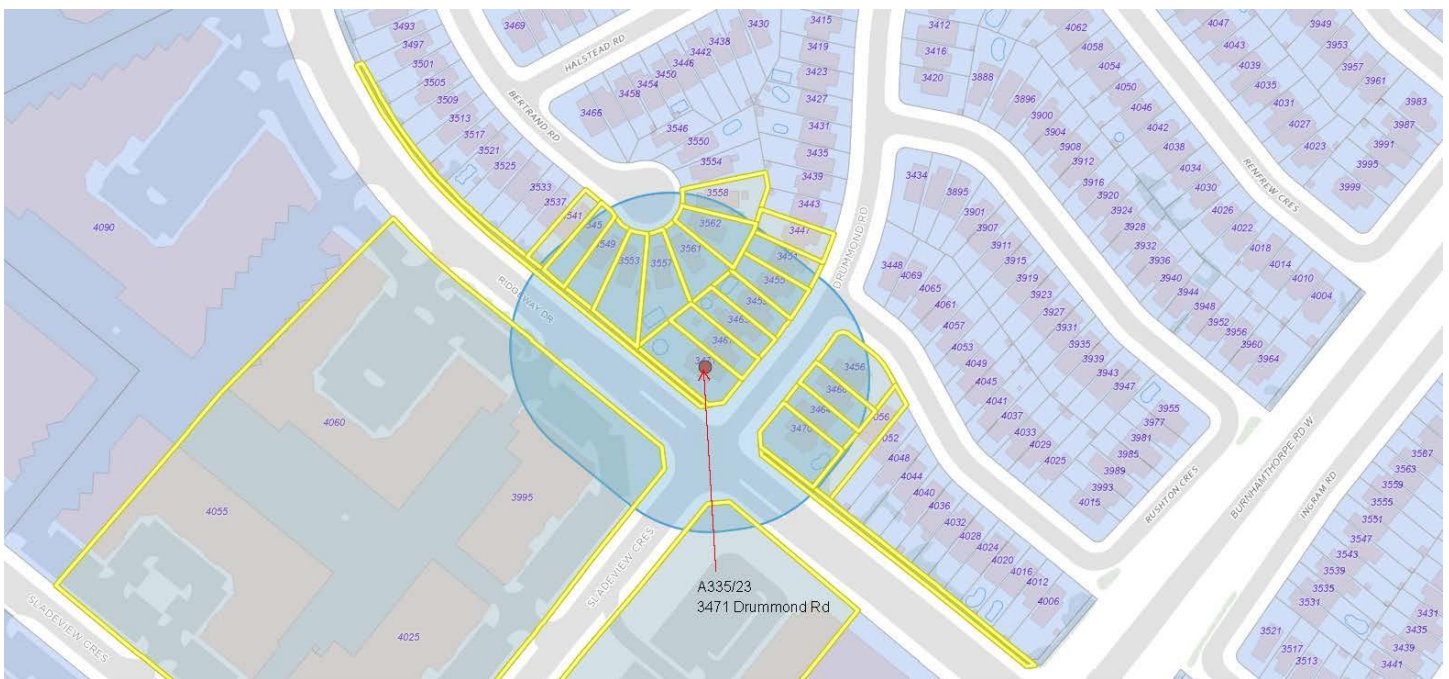
Written comments to the Committee must be received no later than 4:30 p.m. on the Friday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your 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): A335.23
To: Committee of Adjustment	Ward: 8
From: Committee of Adjustment Coordinator	Meeting date:2023-09-21 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow a below grade stairwell proposing a setback from the side lot line of 0.76m (approx. 2.49ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.20m (approx. 3.94ft) in this instance.

Background

Property Address: 3471 Drummond Road

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R4-520 Residential

Other Applications: None

Site and Area Context

The subject property is located in the Erin Mills Neighbourhood Character Area, northwest of the Ridgeway Drive and Burnhamthorpe Road West intersection. The immediate neighbourhood is

primarily residential, consisting of one and two-storey detached dwellings. The area south of Ridgeway Drive, to the west of the subject property consists of Employment uses. The subject property is a corner lot containing a two-storey detached dwelling with mature vegetation in the front yard.

The applicant is proposing a below grade stairwell requiring a variance for 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 Erin Mills Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, and duplex dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area.

The requested variance pertains to side yard setbacks. The general intent of this portion of the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties, and that access to the rear yard ultimately remains unencumbered. The entrance does not inhibit access to the rear yard and amenity area, as appropriate access is maintained via the westerly side yard. Furthermore, planning staff note the absence of any true

City Department and Agency Comments	File:A335.23	2023/09/13	3
-------------------------------------	--------------	------------	---

massing resulting from the below grade entrance, therefore resulting in negligible impacts to the neighbouring property.

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 below grade entrance were addressed by our Development Construction Section through the previous Building Permit process BP9 ALT-22/4600.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Candice Williams, Zoning Examiner

Appendix 3 – Region of Peel

Minor Variance: A-23-335M / 3471 Drummond Road

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: A336.23
Ward: 5

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 1746 Alstep Drive, zoned E2-Employment, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a change of use proposing a motor vehicle repair (commercial motor) in an E2 Zone whereas By-law 0225-2007, as amended, does not permit this use in an E2 Zone in this instance.

The Committee has set **Thursday, September 21, 2023 at 1:00 PM** for the public hearing on this matter. The hearing will begin promptly at the noted start time and all items on the agenda will be heard in the order shown.

In Person Hearing:

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

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

Virtual Hearing:

- **To participate electronically (computer, tablet or smartphone):** Advance registration is required to speak at the virtual hearing. If you intend to make a presentation at the virtual hearing you must send your request to 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): A336.23
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2023-09-21 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be refused.

Application Details

The applicant requests the Committee to approve a minor variance to allow a change of use proposing a motor vehicle repair (commercial motor) in an E2 Zone whereas By-law 0225-2007, as amended, does not permit this use in an E2 Zone in this instance.

Amendments

The applicant requests the Committee to approve a minor variance to permit a Motor Vehicle Repair Facility - Commercial Motor Vehicle use within ***Unit XYZ*** on the subject property zoned E2 – Employment; whereas By-law 0225-2007, as amended, does not permit a Motor Vehicle Repair Facility - Commercial Motor Vehicle use in an E2 – Employment zone in this instance.

Background

Property Address: 1746 Alstep Drive

Mississauga Official Plan

Character Area: Northeast Employment Area (West)
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2-Employment

Other Applications: C23-6754**Site and Area Context**

The subject property is located south-east of the Dixie Road and Derry Road East intersection in the City's Northeast Employment Character Area. The property has a frontage of +/- 57.83 (189.73ft). It contains a single storey industrial building with limited vegetation in the front yard. The surrounding area predominantly consist of one and two-storey industrial buildings with limited vegetation and significant hardscaping. The area is located in close proximity to Pearson International Airport.

The applicant is proposing a new Motor Vehicle Repair Facility – Commercial Motor Vehicle use on the subject property 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 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 Northeast Employment Area Character Area and is designated Business Employment in Schedule 10 of the Mississauga Official Plan (MOP). This

designation permits many different uses, including Motor Vehicle Commercial uses which includes motor vehicle repair. As the use is permitted under the MOP the proposal maintains the general intent and purpose of the official plan.

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

The subject property is zoned E2 (Employment) in zoning by-law 0225-2007, which does not permit the proposed use. When the by-law came into effect Motor Vehicle Repair Facilities were permitted only in E2 and E3 zones, however a by-law was later passed to further distinguish between facilities for personal vehicles and facilities for commercial vehicles. With this distinction made, Council passed by-law 0379-2009 which had the effect of limiting Motor Vehicle Repair Facility – Commercial Motor Vehicle uses to only E3 zones due to the intensity and noxiousness of the use. Given the City's active decision to remove the proposed use from the permissions of the E2 zone staff are of the opinion that the request does not meet the general intent and purpose of the zoning by-law.

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

Planning staff have concerns regarding the potential impacts of the proposed use on the abutting properties given its intentional removal from the property's zone. While an E3 zone does exist approximately 380 metres north of the subject property, on the north side of Derry Road, the property is centrally located within the E2 zone and away from the more noxious uses located in the E3 zone. The vehicles that would be repaired on site are materially different from those being repaired on properties in an E2 zone. Staff are of the opinion that the application does not represent an appropriate use of the subject lands and is not minor in nature.

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 Certificate of Occupancy application under file C23-6754. 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: A338.23
Ward: 3

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 1060 Eglinton Ave E, zoned E2-66 - 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 off site parking, located at 1086 Eglinton Avenue East, whereas By-law 0225-2007, as amended, requires all parking to be accommodated on site in this instance.

The Committee has set **Thursday, September 21, 2023 at 1:00 PM** for the public hearing on this matter. The hearing will begin promptly at the noted start time and all items on the agenda will be heard in the order shown.

In Person Hearing:

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

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

Virtual Hearing:

- **To participate electronically (computer, tablet or smartphone):** Advance registration is required to speak at the virtual hearing. If you intend to make a presentation at the virtual hearing you must send your request to 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:

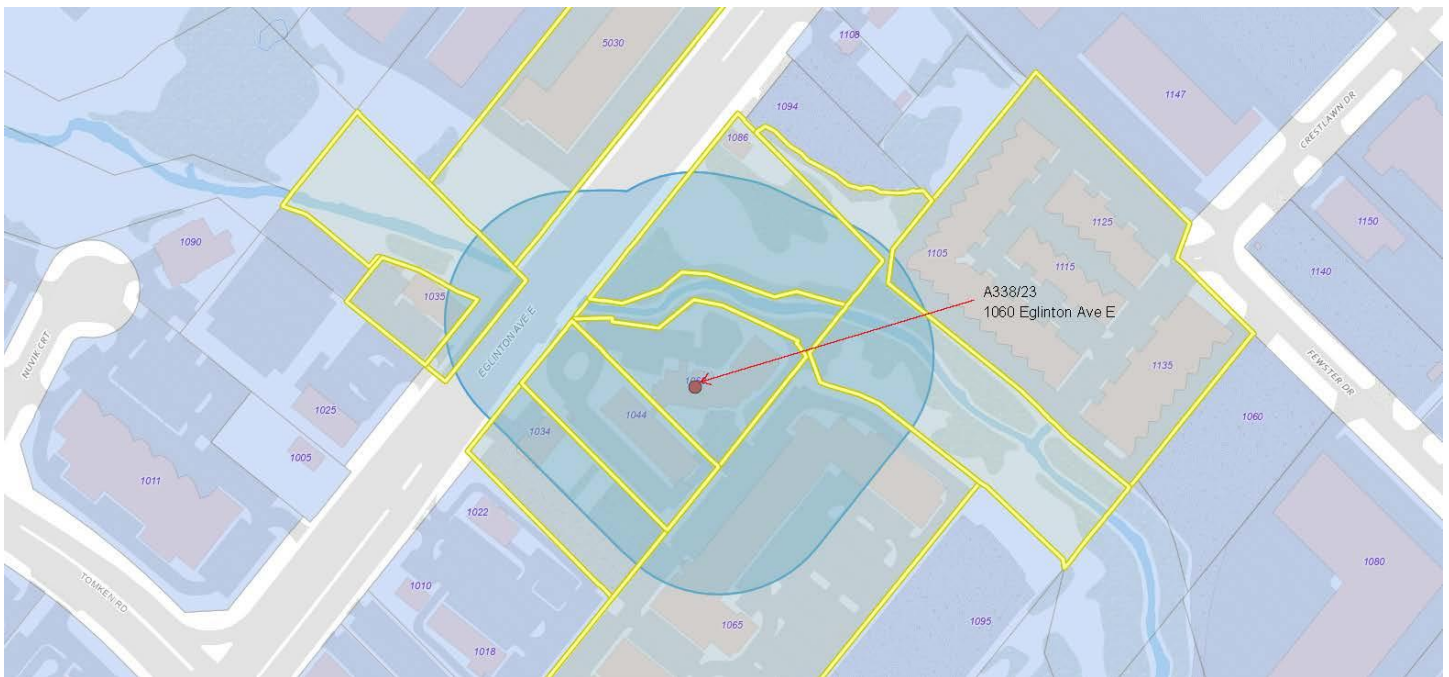
Written comments to the Committee must be received no later than 4:30 p.m. on the Friday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your 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): A338.23
To: Committee of Adjustment	Ward: 3
From: Committee of Adjustment Coordinator	Meeting date:2023-09-21 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow off site parking, located at 1086 Eglinton Avenue East, whereas By-law 0225-2007, as amended, requires all parking to be accommodated on site in this instance.

Recommended Conditions and Terms

This decision is valid for a temporary period of three (3) years, shall expire and terminate on or before September 21st, 2026.

Background

Property Address: 1060 Eglinton Ave E

Mississauga Official Plan

Character Area: Northeast Employment Area (West)
Designation: Business Employment, Greenlands

Zoning By-law 0225-2007

Zoning: E2-66 - Employment

Other Applications: SP 22-59

Site and Area Context

The subject property is located on the south side of Eglinton Avenue East, east of the Tomken Road intersection. It currently contains a multi-storey retirement and nursing home with an associated surface parking lot. Limited mature vegetation is present on the subject property, and greenspace abuts the property to the east. The surrounding area consists of a mix of employment and commercial uses within varying built forms and lot sizes.

The applicant is requesting a variance to permit additional parking off-site.



Comments

Planning

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

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

The subject property is located in the Northeast Employment Area and is designated both Business Employment and Greenlands in Schedule 10 of the Mississauga Official Plan (MOP). The property is further designated Exempt Site 2 within the Northeast Employment Area policies of the MOP. The Exempt Site 2 policies permit housing for the elderly as a permitted use. The site is zoned E2-66, which permits Long-Term Care Buildings and Retirement Buildings.

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

With respect to Committee of Adjustment application 'A' 338.23, 1060 Eglinton Ave E, The applicant requests the Committee to approve a minor variance to allow off-site parking, located at 1086 Eglinton Avenue East, whereas By-law 0225-2007, as amended, requires all parking to be accommodated on site in this instance.

Per the materials provided by the Applicant, there is an existing Long-Term Care building with 224 beds on site. The Applicant contemplates building a new Long-Term Care building next to the existing one on the subject site, as a result of the proposed new development, only 9 parking spaces can be accommodated during construction of the new building, therefore the Applicant proposes 48 temporary parking spaces on a neighboring parcel at 1086 Eglinton Avenue East, which is located next to the subject property. The subject site is located within E2 Zoning Area, Parking Precinct 3; the proposed temporary parking lot is located within Development (D) zoning area, Parking Precinct 4.

Per Section 3.1.1.2 of Mississauga Zoning By-law, Long-Term Care buildings located in Parking Precinct 3 require a minimum of 0.33 parking spaces per bed. Therefore, the minimum required number of parking spaces for the subject site would be 74. Based on a Site Plan provided by the Applicant, the current parking supply on the subject property is 77 spaces. The Applicant proposes 9 parking spaces on the subject site and 48 spaces on the temporary parking lot. As such, 77 parking spaces are required whereas 57 parking spaces can be accommodated. The proposed parking deficiency is 20 parking spaces, or 25.9%.

Staff reached out to the Applicant and property owner on August 30, 2023 to request additional information regarding the construction timeline, current ownership and situation of proposed temporary parking lot to evaluate the application more accurately. No responses have been received as of the preparation of this report.

Due to the lack of necessary ownership information, Staff are unable to determine if an Off-Site Parking Agreement would be required for this particular application. In the event that an agreement is required, the City's Off-Site Parking Agreement template should be used. The use of the City's Off-Site Parking Agreement template allows the City to ensure that the dedicated parking is available, maintains good neighbor relations between adjacent property owners, ensures the public's interests are accounted for, and confirms the agreement remains in place for the requested duration. Should the agreement be terminated prior to the duration as requested, it is the applicant's due diligence to then resolve the variance/parking deficiency, therefore keeping the applicant accountable to the City's parking standards.

Zoning staff have confirmed that the requested variance is correct.

Given the above, Staff recommend the application be deferred pending the submission of satisfactory information.

While planning staff notes Municipal Parking staff's comments, planning staff have confirmed with the applicant that 1060 & 1086 Eglinton Avenue East are under the same ownership.

Given the above, staff are satisfied the proposal meets the general intent and purpose of the official plan and zoning by-law, is appropriate for the subject property and is minor in nature.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Information submitted with this application indicates that the owner of this property is building a new Long Term Care next to the existing LTC on this site, the City is processing a Site Plan Application for this development under SP 22-59 W3 where our requirements are being addressed. Acknowledging that during the construction of the new LTC Home, the existing LTC will remain in operation and there would be a parking shortfall, to address this parking shortfall temporary parking is being proposed at 1086 Eglington Ave E to serve the staff of the existing LTC during construction.

From our site inspection we note that there is an existing access with a curb cut for 1086 Eglington Ave E which is the subject to 'A' 339/23 W3 being approved and will likely require some access modifications. In this regard the applicant is advised that they will be responsible for any costs related to any access modifications and that access approval from the Traffic Section through the Access Modification Permit Application will also be required. In this regard we would suggest that the applicant contact our City's Traffic Planning Section at Trans.Projects@mississauga.ca for review prior to commencing any internal works.

Acknowledging the above and that the TRCA are supportive of the request with the understanding that the site will be restored once construction is complete, we have no objections to the request.

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







Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit application under file SP 22-59. Based on review of the information currently available for this building permit, we advise that more information is required to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

While we can confirm the variance(s) as requested are correct, additional information is required to determine whether additional variance(s) will be required for (among other things) the electric vehicle parking and unobstructed landscape buffer.

Our comments are based on the plans received by Zoning staff on 08/08/23 for the above captioned building permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: Adam McCormack; Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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

The lands adjacent to the property are owned by the Toronto and Region Conservation Authority, leased by the City of Mississauga, identified as Not To Be Named (P-259) *(NE of Tomken and Eglinton), classified as a Significant Natural Area within the City's Natural Heritage System, and zoned G1. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:

- a) ensuring that development in or adjacent to the Natural Heritage System protects and maintains the natural heritage features and their ecological functions through such means as tree preservation, appropriate location of building envelopes, grading, landscaping...;

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

1. The Community Services Department – Park Planning Section, has reviewed and provided comments under development application SP 22-59.
2. Vehicle parking within the adjacent park/greenlands is not permitted.
3. Construction access from the adjacent park/greenlands is not permitted.
4. If access is required to City owned lands, a Consent to Enter Agreement/Park Access Permit will be required.
5. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.

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

Comments Prepared by: Nicholas Rocchetti, Park Planning Assistant

Appendix 4 – TRCA

Re: Minor Variance Application and City File No. A338.23

1060 Eglinton Avenue East

City of Mississauga, Region of Peel

Owner: Tyndall Seniors Village Inc.

Agent: Cornerstone Architecture Inc. c/o Richard Hammond and Mallory Blaine

This letter acknowledges receipt of the subject application, received on August 16, 2023. Toronto and Region Conservation Authority (TRCA) staff have reviewed the application and the circulated materials listed in Appendix A to this letter in accordance with Ontario Regulation 686/21 and Ontario Regulation 166/06.

TRCA staff have reviewed the submission in accordance with Section 21.1(1) of the *Conservation Authorities Act*, which requires TRCA to provide programs and services related to the risk of natural hazards within its jurisdiction. The standards and requirements of such mandatory programs and services are listed under Ontario Regulation 686/21. Specifically, the regulation requires that TRCA must, acting on behalf of the Ministry of Natural Resources and Forestry (MNRF) or in its capacity as a public body under the *Planning Act*, ensure that decisions under the *Planning Act* are consistent with the natural hazard policies of the Provincial Policy Statement (PPS) and conform to any natural hazard policies in a provincial plan.

We have also reviewed the application in accordance with Ontario Regulation 166/06. TRCA must ensure that where development and/or site alteration is proposed within an area regulated by the Authority under Ontario Regulation 166/06, that it conforms to the applicable tests and associated policies (Section 8 of TRCA's The Living City Policies) for implementation of the regulation.

Please also note that updates to the *Conservation Authorities Act* and Ontario Regulation 596/22, which came into effect on January 1, 2023, prevent TRCA from providing municipal programs and services related to reviewing and commenting on a proposal under the *Planning Act*, such as those services previously provided under plan review Memorandum of Understanding (MOU) with an upper or lower tier municipality. In conformity with Ontario Regulation 686/21 and Ontario Regulation 596/22, TRCA's review does not include comments pertaining to matters (e.g. natural heritage) outside of our core planning mandate and regulatory authority.

Purpose of the Application

The purpose of Minor Variance Application assigned City File No. A338.23 is to allow off site parking, located at 1086 Eglinton Avenue East, whereas By-law 0225-2007, as amended, requires all parking to be accommodated on site in this instance.

It is our understanding that the requested variances are required to facilitate the development of the (1749 sq.m.) long term care home (LTC Home) next to the existing (974 sq.m.) LTC Home on the site.

Recommendation

TRCA's staff have **A338.23**, subject to the following condition:

- 1) That the applicant provides the required \$1250.00 planning review fee – no objection to support the approval of Minor Variance Application assigned City File No. Industrial/Commercial/Subdivision/Institutional - Minor

- 2) A TRCA permit pursuant to Ontario Regulation 166/06 may be required for any future works on the subject property. As such, TRCA should be contacted prior to start of any future works.

Site Context

Ontario Regulation 166/06: Under the provisions of Section 28 of the Conservation Authorities Act, TRCA administers a Development, Interference with Wetlands and Alterations to Shorelines and Watercourses regulation (Ontario Regulation 166/06). The subject property is located within TRCA's Regulated Area of the Etobicoke Creek Watershed. Specifically, the subject land is located almost entirely within the Regulatory Flood Plain associated with a tributary of Etobicoke Creek. As such, a TRCA permit pursuant to Ontario Regulation 166/06 is required for the development or site alteration within the Regulated Areas on the property. Based on our review, the proposed development is located entirely within TRCA's regulated area and will require prior permission from the TRCA.

Application Background

On June 29, 2022, TRCA provided planning comments to the second circulation of Site Plan application assigned City File No. SP 22-59 W3 (TRCA File No. CFN 66421.19) received by TRCA on April 26, 2022, in order to facilitate the construction of a new 8 storey Long Term Care home in addition to a temporary parking lot on 1086 Eglinton Avenue East to facilitate continuation of operations on the remaining portions of the property. Full TRCA technical comments will continue to be provided through the Site Plan Application review.

On February 24, 2023, TRCA provided planning comments to the minor variance application assigned **City File No. A767.22 (TRCA file no. CFN 68439.02)**, received by TRCA on February 1, 2023, in order to allow an existing 3 storey (974 sq.m.) long term care building proposing:

1. A setback from parking to a Greenbelt Zone of 0.50m (approx. 1.64ft) whereas By-law 0225-2007, as amended, requires a setback of 5.00m (approx. 16.40ft) in this instance and,
2. A front yard setback of 3.20m (approx. 10.50ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.50m (approx. 24.61ft) in this instance.

Here, TRCA staff understood that the existing setback from parking to a Greenbelt Zone of 0.50m (approx. 1.64ft) is being sought to maintain the use of the existing parking lot. As such, the application was not proposing a further encroachment into the G1 Zone-Greenbelt Zone buffer than what exists currently. As such, TRCA had no concerns related to setback of the existing parking lot in this minor variance application, as submitted. TRCA will continue it's detailed review through the Site Plan process.

Fee

The fee of \$1,250.00 (Industrial/Commercial/Subdivision/Institutional – Minor) invoiced for city file no. **A338.23** will be applied to City file no. **A339.23** once paid.

We thank you for the opportunity to comment. Should you have any additional questions or comments, please contact the undersigned.

Comments Prepared by: Marina Janakovic, Planner I

Appendix 5 – Region of Peel

Minor Variance: A-23-338M / 1060 Eglinton Ave E

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.
- Please also be advised that the subject land is located within a Core Valley Corridor Area and Core Woodland of the Greenlands System in Peel as identified under policy 2.14.5 of the Regional Official Plan (ROP). Development and site alteration are prohibited in Core Areas of the Greenlands System, with the exceptions of listed in 2.14.15, which are subject to policy 2.14.16. The applicant must ensure Core Areas are not damaged or destroyed. If the Core Area is intentionally damaged or destroyed, the Region or City will require replacement or restoration of the ecological features, functions and/or landforms as a condition of development approval (ROP 2.14.17).

Comments Prepared by: Ayooluwa Ayoola, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A339.23
Ward: 3

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 1086 Eglinton Ave E, zoned D - Development, 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 off site parking use within a D - Development zone whereas By-law 0225-2007, as amended, does not permit such a use in this instance.

The Committee has set **Thursday, September 21, 2023 at 1:00 PM** for the public hearing on this matter. The hearing will begin promptly at the noted start time and all items on the agenda will be heard in the order shown.

In Person Hearing:

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

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

Virtual Hearing:

- **To participate electronically (computer, tablet or smartphone):** Advance registration is required to speak at the virtual hearing. If you intend to make a presentation at the virtual hearing you must send your request to 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): A339.23
To: Committee of Adjustment	Ward: 3
From: Committee of Adjustment Coordinator	Meeting date:2023-09-21 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow an off site parking use within a D - Development zone whereas By-law 0225-2007, as amended, does not permit such a use in this instance.

Recommended Conditions and Terms

This decision is valid for a temporary period of three (3) years, shall expire and terminate on or before September 21st, 2026, and is subject to the following condition:

1. The restoration of the subject property to its original standing at the expiration of the approved temporary use.
2. The applicant shall enter into an agreement pursuant to Section 45(9.1) of the Planning Act to provide for the performance of condition 1, together with any required securities.

Background

Property Address: 1086 Eglinton Ave E

Mississauga Official Plan

Character Area: Northeast Employment Area (West)
Designation: Mixed Use, Greenlands

Zoning By-law 0225-2007**Zoning: D - Development****Other Applications:****Site and Area Context**

The subject property is located on the south side of Eglinton Avenue East, east of Tomken Road intersection. It currently contains a vacant parcel of land with limited mature vegetation along the frontage of the subject property. Greenspace abuts the property to the west and the surrounding with the remaining of surrounding area consisting of a mix of employment and commercial uses with varying built forms and lot sizes.

The applicant is requesting a variance to permit an off-site parking use within a Development zone.

**Comments****Planning**

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

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

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

The subject property is located within the Northeast Employment area and is designated both Mixed Use and Greenlands in Schedule 10 of the Mississauga Official Plan (MOP). The intent of the official plan is clear that the City vision for the area is to transition to a mixed use development as it redevelops. While the subject property has yet to redevelop, the proposed temporary parking lot is to facilitate the continuation of operations from 1060 Eglinton Avenue East.

Section 19.11.2 of the MOP, implemented by Mississauga Official Plan Amendment (MOPA) 126, allows for minor changes to be made on lands zoned “D” (Development). The proposed amendments will allow the addition of temporary uses without jeopardizing the future vision for the neighbourhood. It further states the lands can be considered for a minor variance if the proposed use meets the following criteria:

- a. Where a new use is proposed, the proposed use is temporary/seasonal;
- b. The proposed use is compatible with the planned function and character of the Character Area and will not have an adverse effect on the surrounding properties;
- c. Any proposed building additions and/or alterations are limited in scope; and
- d. The site is not on lands designated Greenlands and/or any proposed development will not impact any environmental feature that has been identified on the lands by the City or Conservation Authority

Staff note the proposed parking lot is temporary and is compatible for the vacant parcel as it will only function as a parking lot during the reconstruction period of 1060 Eglinton Avenue East. Further, it does not negatively impact the planned function of the property. The subject property is designated Greenlands, however the Toronto and Region Conservation Authority (TRCA) has confirmed there is no further encroachment into the G1 zone – Greenbelt Zone buffer than what exists currently. The TRCA has reviewed the application and notes no objections to the request.

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

The subject property is zoned Development which permits only the existing uses on the subject property on the day of the passing of the by-law. The intent of the Development zone is to allow existing land uses to continue until such time as the property goes through a development application to facilitate an appropriate redevelopment of the property. Staff note that the off-site parking is being proposed to address the parking shortfall on 1060 Eglinton Avenue East for staff of the existing Long Term Care centre during the period of construction. Staff are satisfied that the proposal represents a minor alteration and will not negatively impact the long term development of the site in line with official plan policies.

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

The requested use is temporary and proposes a surface parking lot. The variance to permit off-site parking is appropriate for the subject property and the resulted impact is minor in nature.

Appendices

Appendix 1 – Transportation and Works Comments

Please refer to our comments submitted for 'A' 338/23 W3 for this request.

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: Brooke Herczeg, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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

The lands adjacent to the property are owned by the Toronto and Region Conservation Authority, leased by the City of Mississauga, identified as Not To Be Named (P-259) *(NE of Tomken and Eglinton), classified as a Significant Natural Area within the City's Natural Heritage System, and zoned G1. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:

- a) ensuring that development in or adjacent to the Natural Heritage System protects and maintains the natural heritage features and their ecological functions through such means as tree preservation, appropriate location of building envelopes, grading, landscaping...;

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

1. Vehicle parking within the adjacent park/greenlands is not permitted.

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

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

Comments Prepared by: Nicholas Rocchetti, Park Planning Assistant

Appendix 4 – TRCA

Re: Minor Variance Application and City File No. A339.23

1086 Eglinton Avenue East

City of Mississauga, Region of Peel

Owner: Tyndall Seniors Village Inc.

Agent: Cornerstone Architecture Inc. c/o Richard Hammond and Mallory Blaine

This letter acknowledges receipt of the subject application, received on August 16, 2023. Toronto and Region Conservation Authority (TRCA) staff have reviewed the application and the circulated materials listed in Appendix A to this letter in accordance with Ontario Regulation 686/21 and Ontario Regulation 166/06.

TRCA staff have reviewed the submission in accordance with Section 21.1(1) of the *Conservation Authorities Act*, which requires TRCA to provide programs and services related to the risk of natural hazards within its jurisdiction. The standards and requirements of such mandatory programs and services are listed under Ontario Regulation 686/21. Specifically, the regulation requires that TRCA must, acting on behalf of the Ministry of Natural Resources and Forestry (MNRF) or in its capacity as a public body under the *Planning Act*, ensure that decisions under the *Planning Act* are consistent with the natural hazard policies of the Provincial Policy Statement (PPS) and conform to any natural hazard policies in a provincial plan.

We have also reviewed the application in accordance with Ontario Regulation 166/06. TRCA must ensure that where development and/or site alteration is proposed within an area regulated by the Authority under Ontario Regulation 166/06, that it conforms to the applicable tests and associated policies (Section 8 of TRCA's The Living City Policies) for implementation of the regulation.

Please also note that updates to the *Conservation Authorities Act* and Ontario Regulation 596/22, which came into effect on January 1, 2023, prevent TRCA from providing municipal programs and services related to reviewing and commenting on a proposal under the *Planning Act*, such as those services previously provided under plan review Memorandum of Understanding (MOU) with an upper or lower tier municipality. In conformity with Ontario Regulation 686/21 and Ontario Regulation 596/22, TRCA's review does not include comments pertaining to matters (e.g. natural heritage) outside of our core planning mandate and regulatory authority.

Purpose of the Application

The purpose of Minor Variance Application assigned City File No. **A339.23** is to allow off site parking, located at 1086 Eglinton Avenue East, whereas By-law 0225-2007, as amended, requires all parking to be accommodated on site in this instance.

It is our understanding that the requested variances are required to facilitate the development of the (1749 sq.m.) long term care home (LTC Home) next to the existing (974 sq.m.) LTC Home on 1060 Eglinton Avenue East.

Recommendation

TRCA's staff have no objection to support the approval of Minor Variance Application assigned City File No. **A339.23**, subject to the following condition:

1) That the applicant provides the required \$1250.00 planning review fee – Industrial/Commercial/Subdivision/Institutional - Minor

A TRCA permit pursuant to Ontario Regulation 166/06 may be required for any future works on the subject property. As such, TRCA should be contacted prior to start of any future works.

Site Context

Ontario Regulation 166/06: Under the provisions of Section 28 of the Conservation Authorities Act, TRCA administers a Development, Interference with Wetlands and Alterations to Shorelines and Watercourses regulation (Ontario Regulation 166/06). The subject property is located within TRCA's Regulated Area of the Etobicoke Creek Watershed. Specifically, the subject land is located almost entirely within the Regulatory Flood Plain associated with a tributary of Etobicoke Creek. As such, a TRCA permit pursuant to Ontario Regulation 166/06 is required for the development or site alteration within the Regulated Areas on the property. Based on our review, the proposed development is located entirely within TRCA's regulated area and will require prior permission from the TRCA.

Application Background

On June 29, 2022, TRCA provided planning comments to the second circulation of Site Plan application assigned City File No. SP 22-59 W3 (TRCA File No. CFN 66421.19) received by TRCA on April 26, 2022, in order to facilitate the construction of a new 8 storey Long Term Care home in addition to a temporary parking lot on 1086 Eglinton Avenue East to facilitate

continuation of operations on the remaining portions of the property. Full TRCA technical comments will continue to be provided through the Site Plan Application review.

On February 24, 2023, TRCA provided planning comments to the minor variance application assigned **City File No. A767.22 (TRCA file no. CFN 68439.02)**, received by TRCA on February 1, 2023, in order to allow an existing 3 storey (974 sq.m.) long term care building proposing:

1. A setback from parking to a Greenbelt Zone of 0.50m (approx. 1.64ft) whereas By-law 0225-2007, as amended, requires a setback of 5.00m (approx. 16.40ft) in this instance and,
2. A front yard setback of 3.20m (approx. 10.50ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.50m (approx. 24.61ft) in this instance.

Here, TRCA staff understood that the existing setback from parking to a Greenbelt Zone of 0.50m (approx. 1.64ft) is being sought to maintain the use of the existing parking lot. As such, the application was not proposing a further encroachment into the G1 Zone-Greenbelt Zone buffer than what exists currently. As such, TRCA had no concerns related to setback of the existing parking lot in this minor variance application, as submitted. TRCA will continue its detailed review through the Site Plan process.

Application Specific Comments

All outstanding comments are being addressed under the Site Plan Application assigned City file no. SP 22-59 W3 (TRCA File No. CFN 66421.19).

Fee

The required Review Fee of \$1,250.00 for City file no. A339.23 is combined under related concurrent application A338.23 which deals with combined planning matters. As such, the review fee for application A339.23 will be considered paid upon receipt of relevant fees for A338.23.

We thank you for the opportunity to comment. Should you have any additional questions or comments, please contact the undersigned.

Comments Prepared by: Marina Janakovic, Planner I

Appendix 5 – Region of Peel

Minor Variance: A-23-339M / 1086 Eglinton Ave E

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.

- Please also be advised that the subject land is located within a Core Valley Corridor Area and Core Woodland of the Greenlands System in Peel as identified under policy 2.14.5 of the Regional Official Plan (ROP). Development and site alteration are prohibited in Core Areas of the Greenlands System, with the exceptions of listed in 2.14.15, which are subject to policy 2.14.16. The applicant must ensure Core Areas are not damaged or destroyed. If the Core Area is intentionally damaged or destroyed, the Region or City will require replacement or restoration of the ecological features, functions and/or landforms as a condition of development approval (ROP 2.14.17).

Comments Prepared by: Ayooluwa Ayoola, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A345.23
Ward: 5

REVISED

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 0 Slate Drive, zoned E3- Employment, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance proposing:

1. To permit the portion of the subject property zoned E2 - Employment to be developed in accordance with the E3 - Industrial zone regulations whereas By-law 0225-2007, as amended, requires that when a lot is divided into more than one zone, each portion of the lot shall comply with the applicable provisions of the zone in which it is situated in this instance; and
2. 314 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 332 parking spaces in this instance.

The Committee has set **Thursday, September 21, 2023 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

Public participation at hearings helps the Committee make informed decisions. There are several methods to participate:

- **In person:** The hearing will be held in person at Mississauga Civic Centre, Council Chambers, 300 City Centre Drive, 2nd Floor. Advance registration is preferred if you wish to speak at the hearing in person. If you wish to make a presentation you must send your request to speak and your presentation (as an attachment) via email to committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. A document projector will also be available, if preferred.
- **Electronically (computer, tablet or smartphone):** Advance registration is required to speak virtually at the hearing. If you wish to make a presentation at the hearing you must send your request to speak and your presentation material (as an attachment) via email to committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. If you have connection issues on the hearing date, please email virtualmeeting.help@mississauga.ca.
- **By telephone:** Advance registration is required to speak virtually at the hearing. To register, please call 905-615-3200 x2408 by 4:30 PM 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 call in details prior to the start of the hearing.
- **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.

If you wish to view the public hearing online and do not wish to speak, the hearing will be streamed at the following link:

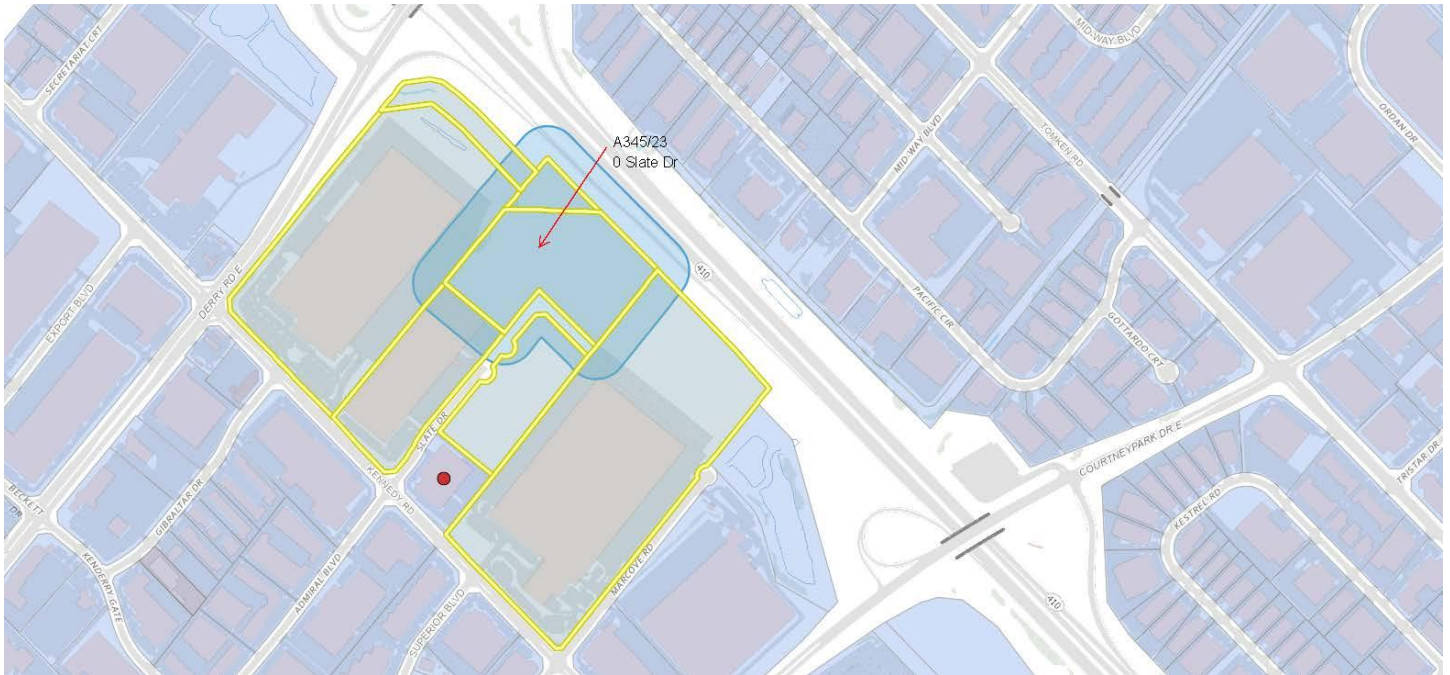
<http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>

Additional Information:

- For more information about this matter, contact committee.adjustment@mississauga.ca or call 905-615-3200 x2408. Alternatively, information can be obtained in person by making an appointment with the Committee of Adjustment at 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Appointments can be booked using the “Book an appointment” button on the Committee’s webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.
- 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 or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. This will also entitle you to be advised of any Ontario Land Tribunal (OLT) appeals.

Committee of Adjustment Appeal Process:

The Province of Ontario’s Bill 23, the More Homes Built Faster Act, 2022, limits who is allowed to appeal decisions made by the Committee of Adjustment. 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. For more information please see the “Appeal process” section on the Committee of Adjustment webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

**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): A345.23
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2023-09-21 1:00:00 PM

Consolidated Recommendation

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

Application Details

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

1. To permit the portion of the subject property zoned E2 - Employment to be developed in accordance with the E3 - Industrial zone regulations whereas By-law 0225-2007, as amended, requires that when a lot is divided into more than one zone, each portion of the lot shall comply with the applicable provisions of the zone in which it is situated in this instance; and
2. 314 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 332 parking spaces in this instance.

Background

Property Address: 0 Slate Drive

Mississauga Official Plan

Character Area: Gateway Employment Area (East)
Designation: Business Employment, Industrial & Greenlands

Zoning By-law 0225-2007

Zoning: E3- Employment

Other Applications: SP 22-45

Site and Area Context

The subject property is located on the east side of Kennedy Road, north of Courtney Park Drive East. It is currently vacant with the exception of a stormwater channel traversing the centre of the parcel in an east-west direction. Vegetative elements are present on the subject property due to its derelict state. The surrounding area consists of one and two-storey industrial buildings with limited vegetation and significant hardscaping.

The applicant is proposing a new warehouse facility requiring variances for the subject property to be developed as one zone and a parking deficiency.



Comments

Planning

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

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

The subject property is designated Business Employment, Industrial and Greenlands on Schedule 10 of the Mississauga Official Plan (MOP). While the majority of the site is evenly split as Business Employment and Industrial, there is a small portion at the rear of the subject property that is designated Greenlands. The Business Employment and Industrial designation both permit manufacturing, warehouse, distribution and wholesaling facilities.

The subject property is zoned E2 (Employment) and E3 (Industrial) with a small portion at the rear of the site zoned G1 (Greenlands). Both employment zones permit industrial related uses, including a manufacturing, warehouse, distribution and wholesaling facility.

Staff note variance 1 is technical in nature. The purpose of the variance is to permit the portion of the subject property zoned E2 to be developed in accordance with the E3 zone regulations. This would allow a consistent E3 zone to cover the entire proposed development. The approach to apply for a minor variance concerning the subject property being developed as one contiguous zone was advised by planning staff reviewing the Site Plan application (SP 22-45). They suggested the minor variance process because the base zones that apply to the developable portions (E2, E3 zones) of the property allow for what the applicant is proposing, and a rezoning could not be justified. Further, the development of the subject lands is in keeping with the surrounding context, as the subject lands the surrounding context are designated and zoned for employment related uses. Staff have discussed the variance with the Planner reviewing the associated Site Plan application and have no concerns with the variance.

Variance 2 proposes a reduction in the required parking rate. The intent of the zoning by-law in quantifying the required number of parking spaces is to ensure that each lot is self-sufficient in providing adequate parking accommodations based on its intended use. Section 8.4 of the official plan contemplates potential reductions in parking requirements and alternative parking arrangements in appropriate situations. Municipal Parking staff have reviewed the variance request and note as follows

With respect to Committee of Adjustment application 'A' 345.23, 0 Slate Drive, the Applicant is requesting the Committee to approve a minor variance to allow reduced parking for the subject property and proposing:

A total of 314 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 332 parking spaces in this instance.

Per materials provided by the Applicant, the proposal contemplates developing the vacant property with two one-storey industrial buildings, the Gross Floor Area (GFA) of Building One is 14,808 m² and the GFA of Building Two is 28,775 m². The subject site is located within E3 zoning area, Parking Precinct 4.

Per Section 3.1.1.2 of Mississauga Zoning By-law, the minimum parking requirements for Warehouse/Distribution Facility are 1.1 spaces per m² GFA - non-residential up to 6,975 m² and 0.6 spaces per 100 m² GFA for non-residential areas over 6,975 m². Therefore, the minimum required number of parking spaces for Building One would be 124 and 208 for Building Two, which comes to a total of 332 spaces. The Applicant proposes 312 parking spaces on site. As such, 332 parking spaces are required whereas 312 parking spaces can be accommodated. The proposed parking deficiency is 20 parking spaces, or 6%.

As the parking deficiency is less than 10%, a Letter of Justification based on the nature of the operation and its land use circumstances may be acceptable. The Applicant provided a Letter of Justification, dated August 29, 2023, completed by Sajecki Planning. The letter reviewed relevant planning policies and contexts for the subject site. Further communication with the Applicant confirmed proposed operational details of expected tenants. Based on the information provided, it is Staff's opinion that the requested variance is minor in nature.

Given the above, Municipal Parking staff can support the proposed parking reduction to permit a total of 314 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 332 parking spaces in this instance

Please note that the above comments are based on the details submitted along with the applications and are subject to change should Zoning identify any additional variances or any changes to the variances with regards to the above applications.

Given the above, staff are therefore of the opinion that the proposed variances maintain the general intent and purpose of the official plan and zoning by-law, represent appropriate development of the lands and are minor in nature.

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 a Site Plan application under file SP 22-45 W5. 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 site plan application submitted on 05/18/2023 and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Jeanine Benitez, Zoning Examiner

Appendix 3 – Region of Peel

Minor Variance: A-23-345M / 0 Slate Dr

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.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner

Appendix 4- TRCA

Re: Minor Variance Application and City File No. A345.23

0 Slate Drive

City of Mississauga, Region of Peel

Owner: Slate Drive Holdings Inc.

Agent: Sajecki Planning Inc. c/o Morgan Dundas

This letter acknowledges receipt of the subject application, received on August 16, 2023.

Toronto and Region Conservation Authority (TRCA) staff have reviewed the application and the circulated materials listed in Appendix A to this letter in accordance with Ontario Regulation 686/21 and Ontario Regulation 166/06.

TRCA staff have reviewed the submission in accordance with Section 21.1(1) of the *Conservation Authorities Act*, which requires TRCA to provide programs and services related to the risk of natural hazards within its jurisdiction. The standards and requirements of such mandatory programs and services are listed under Ontario Regulation 686/21. Specifically, the regulation requires that TRCA must, acting on behalf of the Ministry of Natural Resources and Forestry (MNRF) or in its capacity as a public body under the *Planning Act*, ensure that decisions under the *Planning Act* are consistent with the natural hazard policies of the Provincial Policy Statement (PPS) and conform to any natural hazard policies in a provincial plan.

We have also reviewed the application in accordance with Ontario Regulation 166/06. TRCA must ensure that where development and/or site alteration is proposed within an area regulated by the Authority under Ontario Regulation 166/06, that it conforms to the applicable tests and associated policies (Section 8 of TRCA's The Living City Policies) for implementation of the regulation.

Please also note that updates to the *Conservation Authorities Act* and Ontario Regulation 596/22, which came into effect on January 1, 2023, prevent TRCA from providing municipal programs and services related to reviewing and commenting on a proposal under the *Planning Act*, such as those services previously provided under plan review Memorandum of

Understanding (MOU) with an upper or lower tier municipality. In conformity with Ontario Regulation 686/21 and Ontario Regulation 596/22, TRCA's review does not include comments pertaining to matters (e.g. natural heritage) outside of our core planning mandate and regulatory authority.

Purpose of the Application

The purpose of Minor Variance Application assigned City File No. **A345.23** is to:

1. To permit the portion of the subject property zoned E2 - Employment to be developed in accordance with the E3 - Industrial zone regulations whereas By-law 0225-2007, as amended, requires that when a lot is divided into more than one zone, each portion of the lot shall comply with the applicable provisions of the zone in which it is situated in this instance; and
2. 314 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 332 parking spaces in this instance.

It is our understanding that the requested variances are required to facilitate the development of two one-storey industrial buildings with a total gross floor area of 43,583 m² (469,123.50 sq.ft.). The total proposed GFA of Building 1 at 560 Slate Drive is 14,808 m² (159,392 ft²). The total proposed GFA for Building 2 at 600 Slate Drive is 28,775 m² (309,732 ft²). The Site is currently vacant. It should be noted that no built portion of the proposal will be constructed in the Greenlands designation other than the redirected stormwater channel.

As part of the proposal and associated SPA application (SP 22-45 W5), the existing stormwater channel will be redirected to traverse down the west portion of the site. This would enhance the existing stormwater channel and relocate the channel so that it is not in the centre of the site.

Recommendation

TRCA's staff have no objection to supporting the approval of Minor Variance Application assigned City File No. **A345.23**.

A TRCA permit pursuant to Ontario Regulation 166/06 may be required for any future works on the subject property. As such, TRCA should be contacted prior to start of any future works.

Site Context

Ontario Regulation 166/06: Under the provisions of Section 28 of the Conservation Authorities Act, TRCA administers a Development, Interference with Wetlands and Alterations to Shorelines and Watercourses regulation (Ontario Regulation 166/06). The subject property is located within TRCA's Regulated Area of the Etobicoke Creek Watershed. Specifically, the subject property contains a Regulated conveyance channel associated with a tributary of the Etobicoke Creek. As such, a TRCA permit pursuant to Ontario Regulation 166/06 is required from this Authority prior to the proposed development, site alteration or other development taking place on the property. Based on our review, the proposed development will be located within TRCA's regulated portion of the site.

Application Background

All outstanding comments were addressed as part of the most recent resubmission that was made on August 23, 2023 under TRCA file no. CFN 66421.13 or, city file no. SP 22-45 W5.

Application Specific Comments

Please advise the applicant to submit a TRCA permit application for the proposed two one-storey industrial buildings (Application for Development, Interference with Wetlands & Alterations to Shorelines and Watercourses – Ontario Regulation 166/06) and the associated review fee of \$11,355 (Works on Projects on Subdivision Lands, Commercial, Industrial and Institutional Properties, Recreation and Other Projects – Standard).

Fee

TRCA staff thank the applicant for their prompt payment of the required planning review fee of \$1,250.00 received on August 9, 2023.

Comments Prepared by: Marina Janakovic, Planner I



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A349.23
Ward: 9

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 6633 Eastridge Rd, zoned R4-12-Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve minor variances to allow an accessory structure proposing:

1. An accessory structure size of 32.64 sq.m (approx. 351.11 sq.ft) whereas By-law 0225-2007, as amended, permits an accessory structure size of 10 sq.m (approx. 107.63 sq.ft) in this instance;
2. A combined accessory area of 32.64 sq.m (approx. 351.11 sq.ft) whereas By-law 0225-2007, as amended, permits a combined accessory area of 30 sq.m (approx. 322.91 sq.ft) in this instance;
3. A combined coverage of 5.6% whereas By-law 0225-2007, as amended, permits a combined coverage of 5% in this instance; and,
4. An accessory structure height of 3.66m (approx. 12ft) whereas By-law 0225-2007, as amended, permits an accessory structure height of 3.0m (approx. 9.84ft) in this instance.

The Committee has set **Thursday, September 21, 2023 at 1:00 PM** for the public hearing on this matter. The hearing will begin promptly at the noted start time and all items on the agenda will be heard in the order shown.

In Person Hearing:

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

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

Virtual Hearing:

- **To participate electronically (computer, tablet or smartphone):** Advance registration is required to speak at the virtual hearing. If you intend to make a presentation at the virtual hearing you must send your request to 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:

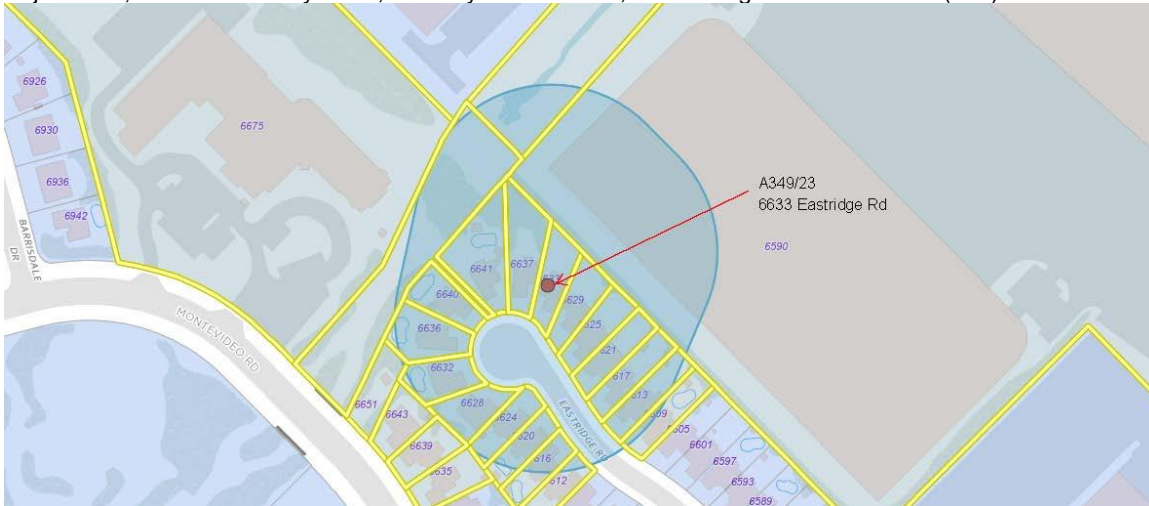
Written comments to the Committee must be received no later than 4:30 p.m. on the Friday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your 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): A349.23
To: Committee of Adjustment	Ward: 9
From: Committee of Adjustment Coordinator	Meeting date:2023-09-21 1:00:00 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 minor variances to allow an accessory structure proposing:

1. An accessory structure size of 32.64 sq.m (approx. 351.11 sq.ft) whereas By-law 0225-2007, as amended, permits an accessory structure size of 10 sq.m (approx. 107.63 sq.ft) in this instance;
2. A combined accessory area of 32.64 sq.m (approx. 351.11 sq.ft) whereas By-law 0225-2007, as amended, permits a combined accessory area of 30 sq.m (approx. 322.91 sq.ft) in this instance;
3. A combined coverage of 5.6% whereas By-law 0225-2007, as amended, permits a combined coverage of 5% in this instance; and,
4. An accessory structure height of 3.66m (approx. 12ft) whereas By-law 0225-2007, as amended, permits an accessory structure height of 3.0m (approx. 9.84ft) in this instance.

Amendments

Variance 3 does not apply as this provision relates to lots with a lot area greater than or equal to 750 m sq where the subject lot is 573.0 m sq.

Background

Property Address: 6633 Eastridge Rd

Mississauga Official Plan

Character Area: Meadowvale Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R4-12-Residential

Other Applications: BP 9NEW 23-7544

Site and Area Context

The subject property is a pie shaped lot located within the Meadowvale Neighbourhood Character Area, north-west of the Erin Mills Parkway and Battleford Road intersection. The property is an interior lot on the edge of the subdivision, backing on to industrial buildings that front onto Millcreek Drive. This portion of Eastridge Road is a cul-de-sac containing two storey detached dwellings. The lot has an area of +/- 567.04m² (6,103.56ft²) and a frontage of +/- 12.29m (40.32ft).

The applicant is proposing an accessory structure in the rear requiring variances for floor area, coverage and height.



Comments

Planning

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

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

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

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP), in the Meadowvale Neighbourhood Character Area, which permits detached, semi-detached, and duplex dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions, the surrounding context, and the landscape of the character area. The proposed accessory structures are in the rear of the property, separated from the public realm. The structures are compatible with the surrounding area and do not pose any significant impact to the abutting properties. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

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

The proposed accessory structure requires variances for floor area, accessory structure lot coverage and height. The intent of the accessory structure regulations is to ensure that the structures are proportional to the lot and dwelling and are clearly accessory to the primary use of the lot while not present any massing concerns to neighbouring properties.

Variance 1 and 2 relate to the floor area of the accessory structure. The combined floor area of the accessory structure exceeds the maximum permitted by the by-law by 2.64m² (28.41ft²). Staff are of the opinion that this will have no significant impact on the surrounding properties. While the proposed accessory structure is notably larger than a single accessory structure permitted on this property, the lack of walls surrounding the structure reduces its massing impact. No additional variances for setbacks have been requested which further mitigates any potential impact. Staff are of the opinion that the proposed structure remains accessory to the principle use on the lands. Staff are also satisfied that any massing impacts on abutting properties or the streetscape are minor in nature.

Variance 4 relates to the height of the accessory structure. The intent of the height provision is to ensure that the structures are proportional to the lot and dwelling and are clearly accessory while not presenting any massing concerns to the neighbouring lots. Due to the grading of the subject property, the "Established Grade", which is the level from where height is measured, is below finished grade around the entire accessory structure. This further mitigates any potential impacts from the increased height. If the structure was measured at finished grade, it would stand at 3.05m, which represents a small deviation from what is currently permitted as of right in the zoning by-law.

Given the above, staff are of the opinion that the variances maintain the general intent and purpose of the zoning by-law.

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

Staff are of the opinion that the proposed accessory structure will not have any significant impacts on neighbouring properties and represent appropriate development of the subject lands. As such, the variances are minor in nature and result in orderly development of the subject property.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

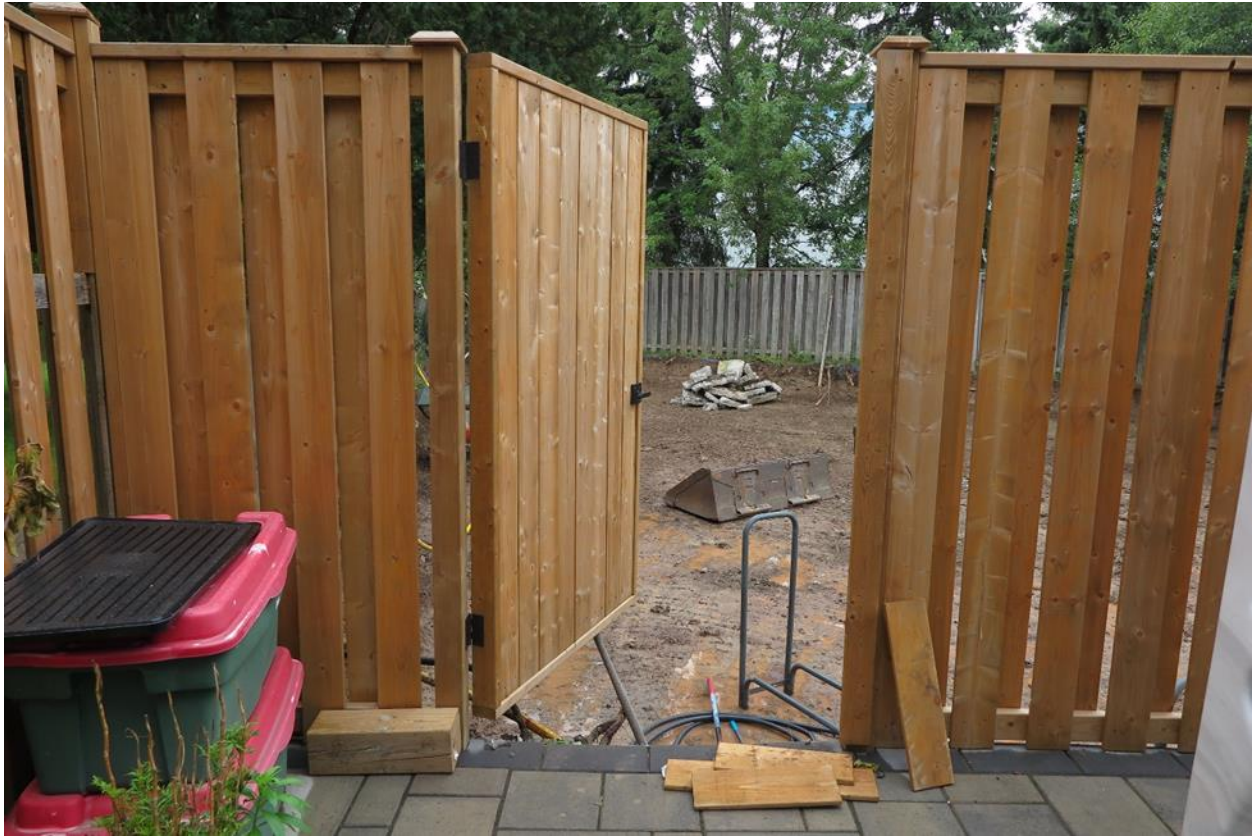
Appendix 1 – Transportation and Works Comments

Enclosed for Committee's information are a number of photos which depict the area where the accessory structure is being proposed. As clearly evident from the photos the applicant has excavated the entire rear yard, approximately 1 metre in depth and removed the topsoil from the property. We note that there is an existing easement (Instrument No: RO67290) across the rear property line which we believe is a utility easement and cannot confirm if this easement has been impacted by the excavation.

The Grading Plan approved for this property under the Registered Plan of Subdivision, DWG C-20590 (DWG No: 5305-2-5 prepared for Markborough Properties Ltd) indicates that drainage from the rear yard area was designed to drain in a southerly direction via a drainage swale towards the existing catch basin located on the abutting property to the south (Lot#47). From the Grading Plan reviewed we note that the rear yard for the property to the north (Lot# 49) was designed to drain to the north and has not been impacted by the extensive excavation which has occurred on the subject property.

In view of the above special attention should be given to ensure that drainage pattern for this property be maintained in light of the proposed cabana, pool and extensive hard surface being proposed. Acknowledging that this proposal will be subject to the typical Building Permit review where our Development Construction Section will be commenting, we do have a suggestion which should be taken into consideration. Noting the extensive hard surface area being proposed in the rear yard, it would be suggested that a portion of the hard surface area (interlock stones) be replaced with a sodded area towards the southerly portion in the area where the surface drainage is proposed to be directed across to the abutting lot to the south. In so doing this would help alleviate any concentrated flows into the neighbour's property at times of heavy rainfall.









Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit application under file BP 9NEW 23-7544. Based on review of the information currently available for this building permit, we advise that more information is required to determine whether additional variance(s) will be required.

Variance 3. does not apply as this provision relates to lots with a lot area greater than or equal to 750 m sq where the subject lot is 573.0 m sq.

Further, while we can confirm the variances as requested are correct, additional information is required to determine whether additional variance(s) will be required with respect to (among other things) the rear yard decorative paving, as well as all site surface treatment,

Our comments are based on the plans received by Zoning staff on 05/17/23 for the above captioned building permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission

City Department and Agency Comments	File:A349.23	2023/09/13	10
-------------------------------------	--------------	------------	----

procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: Adam McCormack; Zoning Examiner

Appendix 3 – Region of Peel

Minor Variance: A-23-349M / 6633 Eastridge Road

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: A352.23
Ward: 1

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 52 Maple Ave S, zoned R15-2- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an dwelling proposing a lot coverage of 41.29% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40.00% in this instance.

The Committee has set **Thursday, September 21, 2023 at 1:00 PM** for the public hearing on this matter. The hearing will begin promptly at the noted start time and all items on the agenda will be heard in the order shown.

In Person Hearing:

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

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

Virtual Hearing:

- **To participate electronically (computer, tablet or smartphone):** Advance registration is required to speak at the virtual hearing. If you intend to make a presentation at the virtual hearing you must send your request to 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): A352.23
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2023-09-21 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

The applicant requests the Committee to approve a minor variance to allow an dwelling proposing a lot coverage of 41.29% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40.00% in this instance.

Background

Property Address: 52 Maple Ave S

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R15-2- Residential

Other Applications: BP 9ALT-22/4729.

Site and Area Context

The subject property is located within the Port Credit Neighbourhood Character Area, southwest of Mississauga Road and Lakeshore Road West. The neighbourhood is entirely residential consisting of one and two storey detached dwellings with mature vegetation. The subject

property is currently under construction and contains limited vegetation within the front portion of the lot.

The applicant is proposing a new two-storey dwelling requiring variance for lot coverage.



Comments

Planning

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

Staff comments concerning the application are as follows:

Planning staff are of the opinion that the above noted application is premature. Through discussions with Zoning and Transportation and Works staff, Planning staff have determined that a building permit (BP 9NEW 21-6953) was issued in 2021 for a new two-storey detached dwelling. An additional building permit (BP 9ALT 22-4729) was issued earlier this year for a revision to the plans approved under the original permit.

Staff note a new building permit application must be submitted for any revisions to the proposal that are not consistent with plans approved through the above noted building permits. As such, Planning staff are of the opinion that the proposal is premature and recommend that the application be deferred to allow the applicant an opportunity to submit a building permit to confirm the accuracy of the requested variance and to determine if additional variances are required.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Brooke Herczeg, Zoning Examiner

Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner