
Committee of Adjustment

Date: April 4, 2024
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
George Carlson
Wajeeha Shahrukh
Timothy Rowan
Janice Robinson
Ken Ellis

Contacts

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905-615-3200 ext.3817
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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 B13.24
325 Burnhamthorpe Road West (Ward 4)
 - 4.2 A64.24
3333 Beau Rivage Cres (Ward 8)
 - 4.3 A138.24
1311 Lewisham Drive (Ward 2)
 - 4.4 A142.24
0/575 Byngmount Ave (Ward 1)
 - 4.5 A144.24
935 Eglinton Ave W (Ward 6)
 - 4.6 A145.24
1456 Chriseden Drive (Ward 2)
 - 4.7 A146.24
3076 Bayberry Drive (Ward 9)
 - 4.8 A148.24
4348 Lee Drive (Ward 3)
 - 4.9 A481.22
30 Harrow St (Ward 5)
 - 4.10 A521.22
1215 Queensway East - Unit 47 (Ward 1)
 - 4.11 A239.23
1324 Tecumseh Park Dr (Ward 2)
 - 4.12 A267.23
1384 Haig Blvd (Ward 1)

4.13 A469.23
751 Millworks Crescent (Ward 6)

5. OTHER BUSINESS

6. ADJOURNMENT



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: B13.24
Ward: 4

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 325 Burnhamthorpe Road West, zoned H-CC2(1), 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 72.75m (approx. 238.68ft) and an area of approximately 9166sq m (98662.00sq ft).

The Committee has set **Thursday, April 4, 2024 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.

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.
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- **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 of Adjustment in respect of the proposed consent, you must make a written request to the Committee of Adjustment via email at 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. If a person or public body has the ability to appeal the decision of the Committee of Adjustment in respect of the proposed consent to the Ontario Land Tribunal but does not make written submissions to the Committee of Adjustment before it gives or refuses to give a provisional consent, the Tribunal may dismiss the appeal. 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: 2024-03-28	File(s): B13.24
To: Committee of Adjustment	Ward: 4
From: Committee of Adjustment Coordinator	Meeting date:2024-04-04 1:00:00 PM

Consolidated Recommendation

The City has no objections to the consent application.

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 72.75m (approx. 238.68ft) and an area of approximately 9166sq m (98662.00sq ft).

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 325 Burnhamthorpe Road West

Mississauga Official Plan

Character Area: **Downtown Core**
Designation: **Downtown Mixed Use**

Zoning By-law 0225-2007

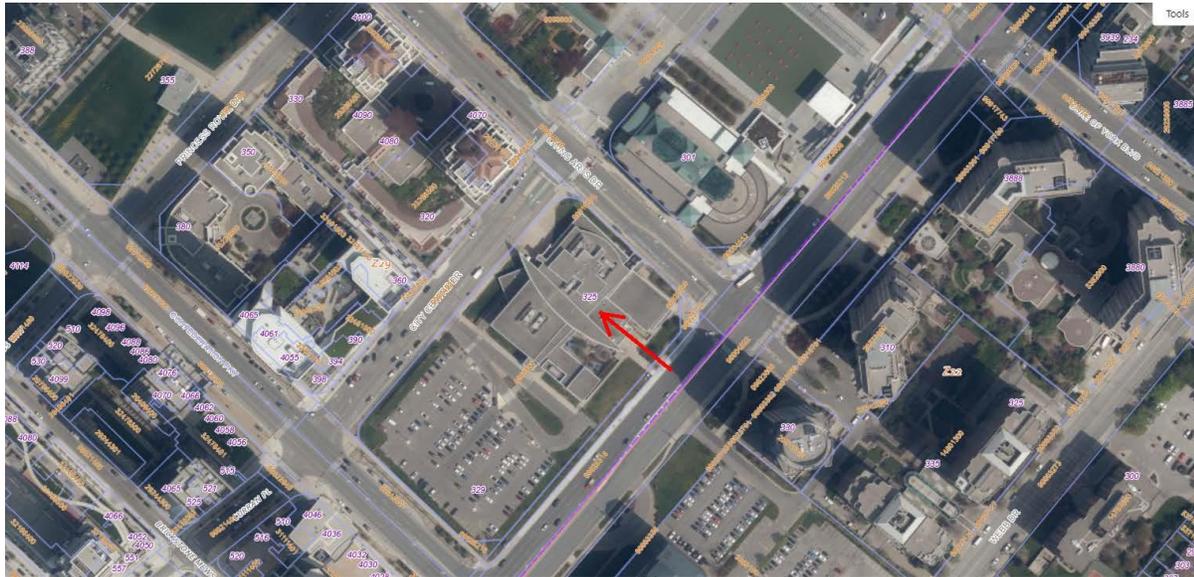
Zoning: H-CC2(1)

Other Applications: SP 22-139

Site and Area Context

The subject property is located at the north-east corner of the Burnhamthorpe Road West and Confederation Parkway intersection. It currently contains the Mississauga YMCA, a three-storey recreation centre on a lot with an area of 1.82ha (4.51ac). The immediate neighbourhood is comprised primarily of multi-storey mixed use buildings, however Planning staff note the presence of stand-alone commercial uses, such as Square One Shopping Centre.

The applicant is proposing to sever the existing property into two lots.



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.

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 for consent and the four tests to the minor variance request are as follows:

The applicant is proposing to sever the property into two lots. The retained lands on the west side of the subject property will have a lot area of 0.91ha (2.24ac). The severed lands on the east side of the subject property will have a lot area of approximately 0.92ha (2.27ac).

The subject property is located in the Downtown Core Character Area and is designated Downtown Mixed Use in Schedule 10 of the Mississauga Official Plan (MOP).

Staff note the consent application originally came to the Committee of Adjustment on January 25th, 2023. Staff recommended a deferral of the consent application as there were initial concerns with the proposed severance and its impact on the future operation of the site. Planning staff amended the recommendation on the Committee floor to no objection, as the applicant provided sufficient information to suffice the City's Development Planning team's concerns. This was based on the minutes of settlement from the Ontario Land Tribunal (OLT) Case No. OLT-22-004373. The OLT settlement set out the location and size of the parkland space along with the width and location of the pedestrian mews. As the Committee members were voting to approve the consent application, the applicant requested to remove conditions 2 and 3 from the Transportation and Works Department's items required prior to the issuance of final consent. Condition 2 required a site servicing and grading plan and condition 3 required a concept plan illustrating the pedestrian mews. The Committee members were not comfortable with removing the conditions without consulting Transportation and Work's staff, and the application was deferred to do so.

Since the January 25th Committee of Adjustment meeting, the applicant engaged in numerous discussions with Planning and Transportation and Work's staff. The applicant provided the necessary materials and correspondence to suffice Transportation and Work's requirements to remove the requested conditions. Development Planning staff are currently reviewing a site plan application on the subject property and have indicated no additional concerns.

Staff are satisfied that the proposed lots are appropriate to facilitate the uses envisioned in the official plan and are adequately sized. Furthermore, staff are satisfied that the proposal will not negatively impact the area's lot fabric. Staff have no concerns with the severance regarding the criteria set out in Section 51(24) of the Planning Act, as it appropriately serviced and is suitable for the planned use of the property. Staff are therefore of the opinion that the application conforms to Section 51(24) of the Planning Act.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Further to our comments provided for the January 25, 2024 Hearing we have had further discussions with the applicant and as a result are amending our previously submitted comments. We are satisfied that our concerns pertaining to a Site Servicing/Grading and Concept Plan illustrating the location of the Pedestrian Mews have been satisfied with regards to the intent of this application. Our condition requesting a Solicitor Letter to address the establishment of any private easements has also been removed as the applicant has confirmed that no private easements are being requested through this application.

Information submitted with this application indicates that the intent is to sever the subject lands currently occupied by the Mississauga YMCA Facility into two parcels in order to facilitate the flexibility in future ownership/sale and phasing of this property. This consent application will be a technical component of the overall proposed development which will consist of a two-phase, mixed-use development which proposes 5 residential high-rise towers, ground floor retail uses and 4 levels of underground parking.

The first phase proposed on the western half of the subject lands (replacing the existing surface parking lot) will consist of three towers (55, 58 and 68 storeys in height). The second phase on the eastern portion (Mississauga YMCA Facility building) will consist of two 45-storey towers together with a 0.24 hectare stratified public park. **It should also be noted that a 14 meter Pedestrian Mews is proposed which will connect Burnhamthorpe Road West and City Centre Drive located approximately midblock on the subject lands.**

RGF (Mississauga) Developments Inc, owner of the lands has obtained the approval of an Official Plan Amendment application (File No. OPA 21-21 W4) which permits the replacement of a planned road with the Pedestrian Mews. The Ontario Land Tribunal under Case No: OLT-22-004373 issued its Order on September 12, 2023 which approved the replacement of a planned local road with a pedestrian easement (Mews) bisecting the subject property which will separate the two halves of the development. **The proposed Pedestrian Mews is proposed to be constructed in the second phase of the development and will be publicly accessible and be subject to an easement agreement registered on Title.**

It should also be acknowledged that the City is currently reviewing a Site Plan Application, File SP 22-139 for the subject lands which depict the proposed five residential towers with retail at grade. Through the Site Plan Application, any Transportation and Works Department site specific conditions/requirements will be addressed.

In view of the above, and should Committee see merit in the subject applications we provide the following comments for the Committee's consideration:

A. Items Required Prior to the Issuance of Final Consent

1. 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 any new municipal addresses required for the subject lands. For further information, please contact Susie Tasca at (905) 615-3200 ext. 3088 or susie.tasca@mississauga.ca

B. General Information

1. Removal of “H” Holding Symbol

Any re-development will require an application to Remove the “H” Holding Symbol from the Zoning. One of the conditions of the “H” removal is entering into a Development Agreement and provision of any easements and dedications, along with the designing and securing for the construction of upgraded streetscapes along each frontage.

2. Site Plan Approval

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

For further information regarding the above noted comments, please contact Tony Iacobucci

Comments Prepared by: Tony Iacobucci, T&W Development Engineering

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: Minan Song, Planner in Training

Appendix 3 – Parks, Forestry & Environment Comments

The Parks and Culture Planning Section of the Community Services Department has reviewed the consent application and note these lands are subject to OLT Decision (OLT-22-004373) for file OPA 21-21.

Furthermore, the site is also subject to SP 22-139. Staff recommend deferral of proposed consent application until a revised site plan is submitted to the City reflecting the OLT decision.

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

Comments Prepared by: Nicholas Rocchetti, Planner in Training

Appendix 4 – Region of Peel

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: Ayooluwa Ayoola, Planner

Appendix A – CONDITIONS OF PROVISIONAL CONSENT

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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding.
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated Mar 28, 2024.

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 3333 Beau Rivage Cres, zoned R5- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to permit the parking of a commercial vehicle in the driveway proposing:

1. A commercial vehicle height of 2.72m (approx. 8.92ft) whereas By-law 0225-2007, as amended, permits a maximum commercial vehicle height of 2.00m (approx. 6.56ft) in this instance; and,
2. A commercial vehicle length of 5.75m (approx. 18.86ft) whereas By-law 0225-2007, as amended, permits a maximum commercial vehicle length of 5.60m (approx. 18.37ft) in this instance.

The Committee has set **Thursday, April 4, 2024 at 3:30 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/>.

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City of Mississauga Department Comments

Date Finalized: 2024-03-28	File(s): A64.24
To: Committee of Adjustment	Ward: 8
From: Committee of Adjustment Coordinator	Meeting date:2024-04-04 3:30:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to permit the parking of a commercial vehicle in the driveway proposing:

1. A commercial vehicle height of 2.72m (approx. 8.92ft) whereas By-law 0225-2007, as amended, permits a maximum commercial vehicle height of 2.00m (approx. 6.56ft) in this instance; and,
2. A commercial vehicle length of 5.75m (approx. 18.86ft) whereas By-law 0225-2007, as amended, permits a maximum commercial vehicle length of 5.60m (approx. 18.37ft) in this instance.

Background

Property Address: 3333 Beau Rivage Cres

Mississauga Official Plan

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

Zoning By-law 0225-2007

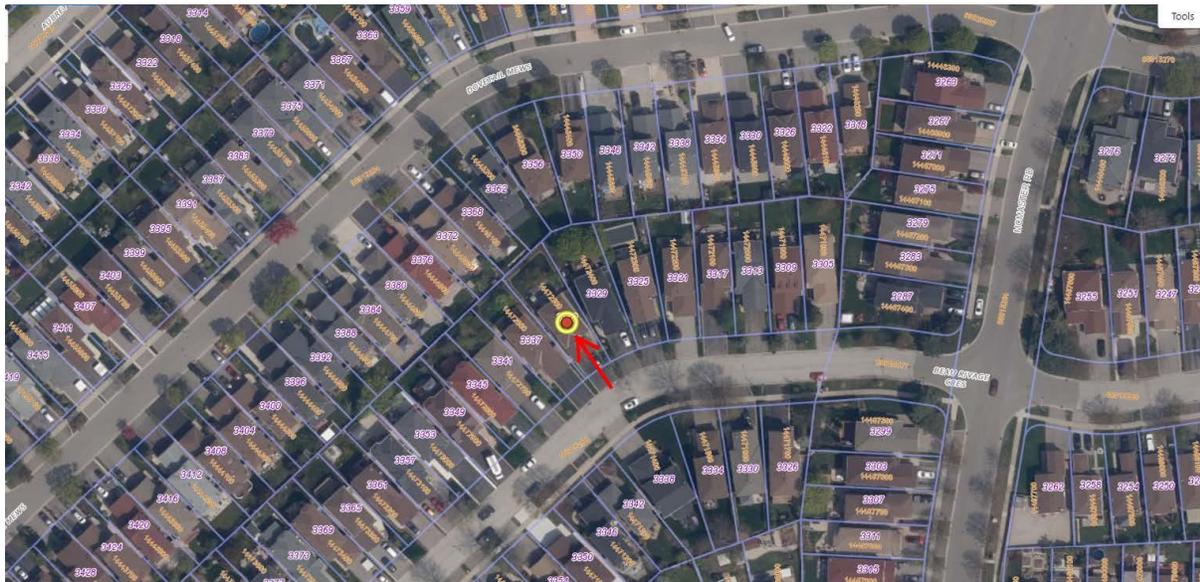
Zoning: R5- Residential

Other Applications: NONE

Site and Area Context

The subject property is located within the Erin Mills Neighbourhood Area, northeast of the Dundas Street West and Highway 403 overpass. The immediate neighbourhood is residential consisting primarily of two-storey detached dwellings on lots with mature vegetation in both the front and rear yards. The subject property contains a two-storey detached dwelling with vegetation in the front yard.

The applicant is requesting a minor variance to allow a commercial vehicle to be parked on the driveway of subject property requiring variances for its dimensions.



Comments

Planning

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

Staff comments concerning the application are as follows:

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached, duplex, triplex and other forms of low-rise dwellings with individual frontages.

The applicant is requesting a minor variance to allow a commercial vehicle to be parked on the driveway of subject property requiring variances for its height and length.

Planning staff have no concerns regarding the requested variances. The commercial vehicle does not create any parking deficiencies and its dimensions represent minor increases beyond the maximum requirements. Additionally, staff are of the opinion that the vehicle will not negatively impact adjacent properties or the streetscape, as its dimensions will not impact sight line visibilities.

Through a detailed review of the application, staff are of the opinion that the proposed use is desirable and is appropriate to be handled through the minor variance process and that 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

No comment

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Minan Song, Planner in Training

Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Planner

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 1311 Lewisham Drive, zoned R3- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the addition of a second storey proposing:

1. An eastern side yard setback at the rear to the second storey of 1.37m (approx. 4.49ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.81m (approx. 5.94ft) in this instance;
2. An eastern side yard setback at the rear to the second storey eaves of 0.92m (approx. 3.02ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.36m (approx. 4.46ft) in this instance;
3. An eastern second level landing setback of 0.54m (approx. 1.77ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.81m (approx. 5.94ft) in this instance;
4. An eastern second storey setback at the front of 1.70m (approx. 5.58ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.81m (approx. 5.94ft) in this instance;
5. An eastern eaves setback at the front of 1.25m (approx. 4.10ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.36m (approx. 4.46ft) in this instance;
6. An eastern stair setback at the front of 0.70m (approx. 2.30ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.81m (approx. 5.94ft) in this instance; and,
7. A setback for hardscaping along the rear property line of 0m whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (approx. 2.00ft) in this instance.

The Committee has set **Thursday, April 4, 2024 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/>.

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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:

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Legal notice:

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

City of Mississauga Department Comments

Date Finalized: 2024-03-28	File(s): A138.24
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2024-04-04 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 amended, meets the requirements of Section 45(1) of the Planning Act.

Application Details

The applicant requests the Committee to approve a minor variance to allow the addition of a second storey proposing:

1. An eastern side yard setback at the rear to the second storey of 1.37m (approx. 4.49ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.81m (approx. 5.94ft) in this instance;
2. An eastern side yard setback at the rear to the second storey eaves of 0.92m (approx. 3.02ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.36m (approx. 4.46ft) in this instance;
3. An eastern second level landing setback of 0.54m (approx. 1.77ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.81m (approx. 5.94ft) in this instance;
4. An eastern second storey setback at the front of 1.70m (approx. 5.58ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.81m (approx. 5.94ft) in this instance;
5. An eastern eaves setback at the front of 1.25m (approx. 4.10ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.36m (approx. 4.46ft) in this instance;
6. An eastern stair setback at the front of 0.70m (approx. 2.30ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.81m (approx. 5.94ft) in this instance; and,
7. A setback for hardscaping along the rear property line of 0m whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (approx. 2.00ft) in this instance.

Amendments

The Building Department is processing Building Permit application SEC UNIT 23-7479. Based on review of the information available in this application, Zoning staff advise that following amendments are required:

1. An interior side yard setback to the second storey of 1.37m (approx. 4.49ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.81m (approx. 5.94ft) in this instance;
2. An interior side yard setback to the second storey eaves of 0.92m (approx. 3.02ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.36m (approx. 4.46ft) in this instance;
3. An interior side yard setback to the second storey deck of 0.54m (approx. 1.77ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.81m (approx. 5.94ft) in this instance;
4. A setback for the hard landscaping to the interior side yard of 0.0m whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (approx. 2.00ft) in this instance and,
5. A setback for the hard landscaping to the rear yard of 0.0m whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (approx. 2.00ft) in this instance

Variances #5 and #6 are not required.

Background

Property Address: 1311 Lewisham Drive

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R3- Residential

Other Applications: Building Permit application SEC UNIT 23-7479

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, south-west of Truscott Drive and Southdown Road intersection. The immediate neighbourhood is entirely residential consisting of one and two-storey detached dwellings, on large lots with mature vegetation in the front yards. The subject property contains a one-storey detached dwelling with mature vegetation in both of the front and rear yards. The property backs onto a municipal park.

The applicant is proposing to construct a second storey addition for a second unit requesting variances related to setbacks.



Comments

Planning

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

Staff comments concerning the application are as follows:

The subject property is designated Residential Low Density II on Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, duplex, triplex, street townhouse and other forms of low-rise dwellings with individual frontages.

Variances #1-5, as amended, all pertain to reductions in setbacks. Variances #1-3 request a reduction in the side yard setbacks measured to the second storey, eaves and deck. Variances #4 and #5 relate to setbacks for existing hardscaping in both the side and rear yards. The general intent of side yard regulations in the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties. The intent of the hardscaping setback regulations is to ensure that appropriate drainage patterns can be maintained. Staff note that Transportation and Works staff have raised no drainage concerns surrounding Variances #4 and #5, as amended.

Regarding variances #1-3, as amended, staff note the reduction in the side yard setbacks is measured to the second storey, eaves and deck. The first storey meets the minimum side yard setback requirement, and variance #1-3 are required to align the second storey setbacks with the existing setbacks to the first storey. Further, staff note the lot is pie shaped. The setbacks

represent a minor deviation from the minimum requirements and are measured only to a pinch point, which increases as you move from the rear of the dwelling towards the front.

Staff have no concerns with the requested variances, as they are consistent with setbacks found within the immediate area. Staff are satisfied that the proposal maintains an appropriate buffer between adjoining properties. Through a detailed review of the application, staff are of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Comments Prepared by: Shivani Chopra, Planning Associate

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 second storey are being addressed by our Development Construction Section through the Building Permit process for the Secondary Unit, File SEC UNIT 23/7479.

Considering that the lot abuts a Municipal Park at the rear, we do not have an issue with the rear hard surface setbacks requested.

Comments Prepared by: John Salvino, Development Engineering Technologist



Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application SEC UNIT 23-7479. Based on review of the information available in this application, we advise that following amendments are required:

1. An interior side yard setback to the second storey of 1.37m (approx. 4.49ft) whereas By-

law 0225-2007, as amended, requires a minimum setback of 1.81m (approx. 5.94ft) in this instance;

2. An interior side yard setback to the second storey eaves of 0.92m (approx. 3.02ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.36m (approx. 4.46ft) in this instance;

3. An interior side yard setback to the second storey deck of 0.54m (approx. 1.77ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.81m (approx. 5.94ft) in this instance;

4. A setback for the hard landscaping to the interior side yard of 0.0m whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (approx. 2.00ft) in this instance and,

5. A setback for the hard landscaping to the rear yard of 0.0m whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (approx. 2.00ft) in this instance

Our comments may no longer be valid should there be changes in the Committee of Adjustment application that have yet to be submitted and reviewed through the Building Division application. To receive updated comments, the applicant must submit any changes to information or drawings separately through the above application.

Comments Prepared by: Gary Gagnier, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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

The lands adjacent to the property are owned by the City of Mississauga, identified as Willow Glen (P-531), and zoned OS1 – Open Space – Community Park.

Hardscaping along the rear of the property line appears to be encroaching onto City owned lands identified as Willow Glen (P-531). Should the application be approved, Community Services wishes to impose the following condition(s):

1. An Encroachment Agreement will be required between the City of Mississauga and the proponent to allow hardscaping through which all City requirements will be reviewed for approval.

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

1. Construction access from the adjacent park/greenlands is not permitted.
2. If access is required to City owned lands, a Consent to Enter Agreement/Park Access Permit will be required.

3. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.
4. No public trees shall be injured or removed. If public tree removal is required, a permit must be issued as per By-law 0020-2022.
5. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.

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

Comments Prepared by: Nicholas Rocchetti, Planner in Training

Appendix 4 – Region of Peel

Minor Variance: A-24-138M / 1311 Lewisham Drive

Development Engineering: Wendy Jawdek (905)-791-7800 x6019

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, Planner

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 0/575 Byngmount Ave, zoned R3-75-Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A lot frontage of 7.62m (approx. 25.00ft) whereas By-law 0225-2007, as amended requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;
2. A lot area of 291.50sq m (approx. 3137.68sq ft) whereas By-law 0225-2007, as amended requires a minimum lot area of 550.00sq m (approx. 5920.15sq ft) in this instance;
3. An interior side yard setback on both sides for all stories above grade of 0.77m (approx. 2.53ft) whereas By-law 0225-2007, as amended requires a minimum setback of 1.20m (approx. 3.94ft) in this instance; and,
4. An eaves height of 8.03m (approx. 26.35ft) whereas By-law 0225-2007, as amended permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance.

The Committee has set **Thursday, April 4, 2024 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/>.

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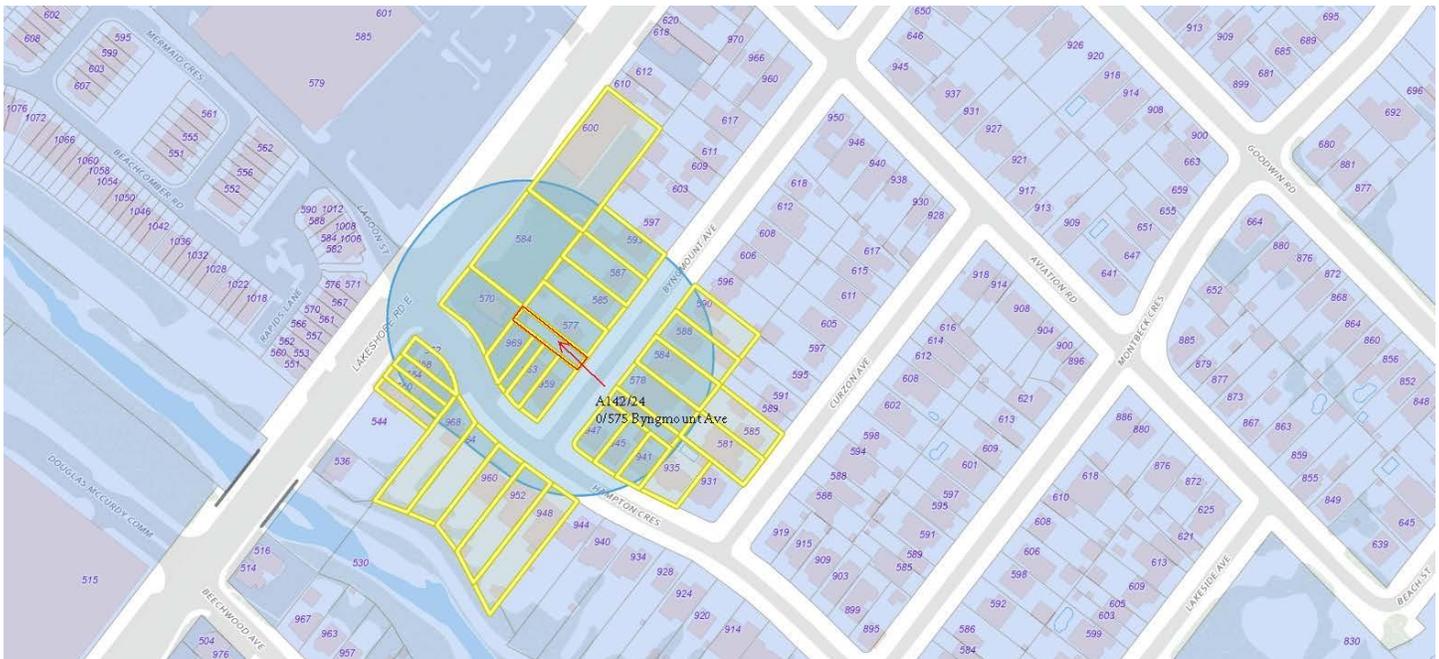
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City of Mississauga Department Comments

Date Finalized: 2024-03-28	File(s): A142.24 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-04-04 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 amended, meets the requirements of Section 45(1) of the Planning Act. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

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

1. A lot frontage of 7.62m (approx. 25.00ft) whereas By-law 0225-2007, as amended requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;
2. A lot area of 291.50sq m (approx. 3137.68sq ft) whereas By-law 0225-2007, as amended requires a minimum lot area of 550.00sq m (approx. 5920.15sq ft) in this instance;
3. An interior side yard setback on both sides for all stories above grade of 0.77m (approx. 2.53ft) whereas By-law 0225-2007, as amended requires a minimum setback of 1.20m (approx. 3.94ft) in this instance; and,
4. An eaves height of 8.03m (approx. 26.35ft) whereas By-law 0225-2007, as amended permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance.

Amendments

Planning note that the lot is a legally existing. As such, variances #1 and 2 are not required and should be removed from the application.

Planning staff are unable to determine if the wording of variance #3 will be acceptable to Zoning staff through the building permit process. As such, the applicant may wish to add individual variances to the application for each side of the dwelling and to the first and second storeys, separately.

Background

Property Address: 0/575 Byngmount Ave

Mississauga Official Plan

Character Area: Lakeview Neighbourhood

Designation: Residential Low Density II

Zoning By-law 0225-2007

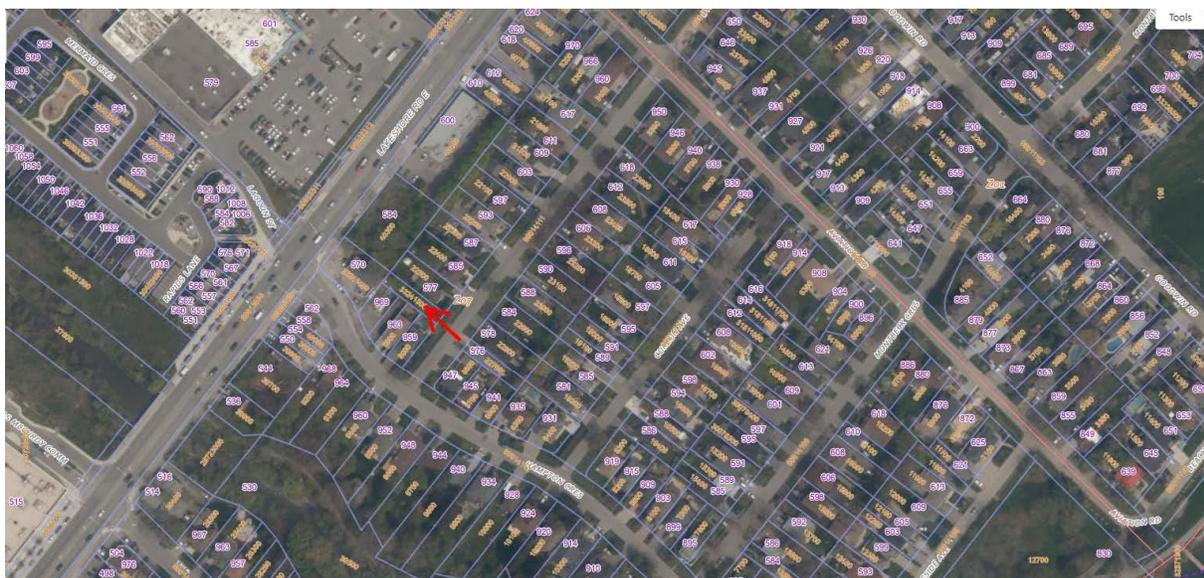
Zoning: R3-75-Residential

Other Applications: none

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Area, southwest of the Lakeshore Road East and Aviation Road intersection. The immediate neighbourhood is primarily residential consisting of older and newer one to three-storey detached dwellings on lots with mature vegetation in both the front and rear yards. The subject property is currently vacant with mature vegetation.

The applicant is proposing a new two-storey dwelling requesting variances for side yard setbacks, lot area, lot frontage and eave height.



Comments

Planning

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

Staff comments concerning the application are as follows:

The subject property is located in the Lakeview Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density II designation permits detached, semi-detached, duplex, triplex, street townhouses and other forms of low-rise dwellings with individual frontages.

Variances #1 and 2 are for lot frontage and area. Staff note that the lot is legally existing and therefore the proposal does not require these variances.

Variance #3 is for side yard setbacks. Staff note that the requested setbacks appear insufficient, however, the legally existing lot falls short of the by-laws minimum frontage and area requirements, therefore it is understood that lesser setbacks are required. The proposed setbacks are also consistent with setbacks found to detached dwellings on lots with similar frontages and areas.

Variance #4 is for eave height. Planning staff typically do not support eave height increases of this magnitude. However, the proposal does not require a height variance to accommodate the highest ridge of the dwelling and the applicant is not seeking variances for lot coverage or gross floor area which can exacerbate the massing of a building. Therefore, the request for additional eave height is reasonable.

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

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee’s information that any Transportation and Works Department concerns/requirements for the proposed 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: Minan Song, Planner in Training

Appendix 3 – Region of Peel

Minor Variance: A-24-142M - 0/575 Byngmount Ave

Development Engineering: Wendy Jawdek (905)-791-7800 x6019

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.
- 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.
- For location of existing water and sanitary sewer Infrastructure please contact Records by e-mail at PWServiceRequests@peelregion.ca

Comments Prepared by: Ayooluwa Ayoola, Planner

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 935 Eglinton Ave W, zoned RM4-30- 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 rear yard setback to the stairs of 0.80m (approx. 2.62ft) whereas By-law 0225-2007, as amended requires a minimum setback of 4.50m (approx. 14.76ft) in this instance.

The Committee has set **Thursday, April 4, 2024 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/>.

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City of Mississauga Department Comments

Date Finalized: 2024-03-28 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): A144.24 Ward: 6
	Meeting date:2024-04-04 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow a rear yard setback to the stairs of 0.80m (approx. 2.62ft) whereas By-law 0225-2007, as amended requires a minimum setback of 4.50m (approx. 14.76ft) in this instance.

Background

Property Address: 935 Eglinton Ave W

Mississauga Official Plan

Character Area: **East Credit Neighbourhood**
Designation: **Residential Medium Density**

Zoning By-law 0225-2007

Zoning: **RM4-30- Residential**

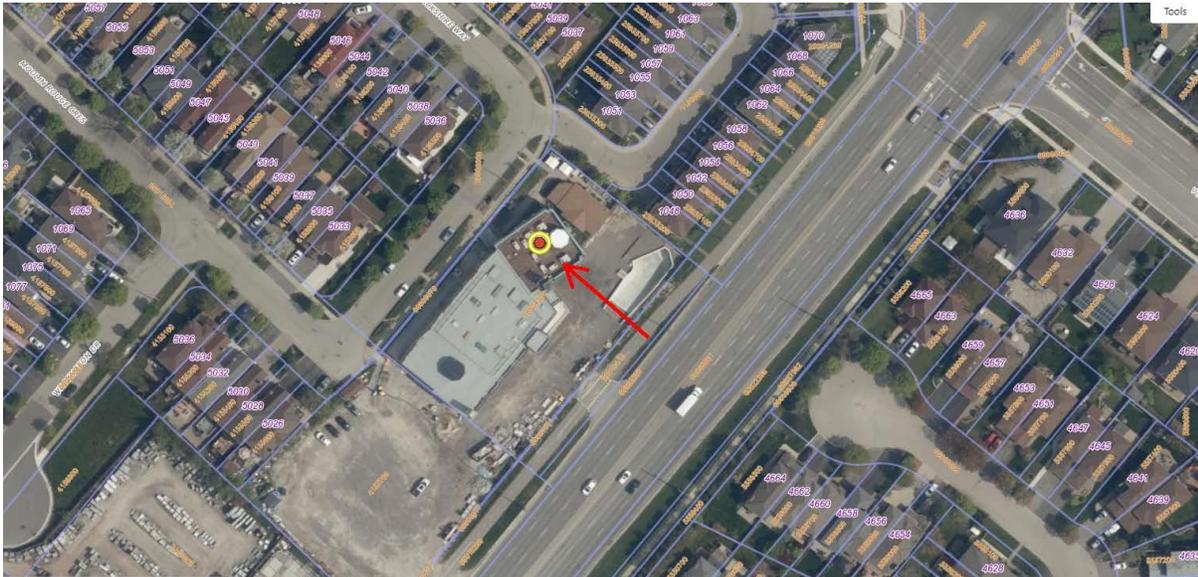
Other Applications: None

Site and Area Context

The subject property is located on the north side of Eglinton Avenue West, west of the Eglinton Avenue West and Mavis Road intersection in the East Credit Neighbourhood Character Area. The subject property contains a two-storey place of religious assembly and an adjacent private

elementary school that is currently under construction. Limited landscaping and vegetative elements are present on the subject property. The immediate area consists of detached, semi-detached and townhome dwellings on various lot sizes. Additionally, Toemar Landscape and Garden Supplies abuts the property to the west.

The applicant proposes the construction of an exterior enclosed stairwell for the private elementary school requiring a variance for rear yard setback.



Comments

Planning

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

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

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

The subject property is located in the East Credit Neighbourhood and is designated Residential Medium Density in Schedule 10 of the Mississauga Official Plan (MOP). Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. Staff are satisfied that the proposed stairwell is compatible with both existing site conditions and the surrounding context. Staff are satisfied that 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 sole variance requests a reduced rear yard setback from the proposed staircase to the property line. The intent of the rear yard provisions is to ensure an appropriate buffer between the massing of structures on abutting properties is maintained. Staff note the reduced setback is only required for the portion of the site where the proposed stairwell is to be constructed, as the remainder of the building maintains by-law setback requirements of 4.5m (14.76ft). Staff are satisfied that the proposal is designed to maintain an appropriate buffer between the abutting properties. As such, 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?

Staff are satisfied that the impacts of the variance is minor in nature and staff are of the opinion that the application proposes appropriate development of the subject property.

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 area where the stairs are being proposed and note that we have no drainage related concerns.

Comments Prepared by: Tony Iacobucci, T&W Development Engineering





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: Minan Song, Planner in Training

Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Planner

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 1456 Chriseden Drive, zoned R2-4- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing a garage projection beyond the front wall or exterior sidewall of the first storey of 3.68m (approx. 12.07ft) whereas By-law 0225-2007, as amended permits a maximum garage projection of 0m in this instance.

The Committee has set **Thursday, April 4, 2024 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:

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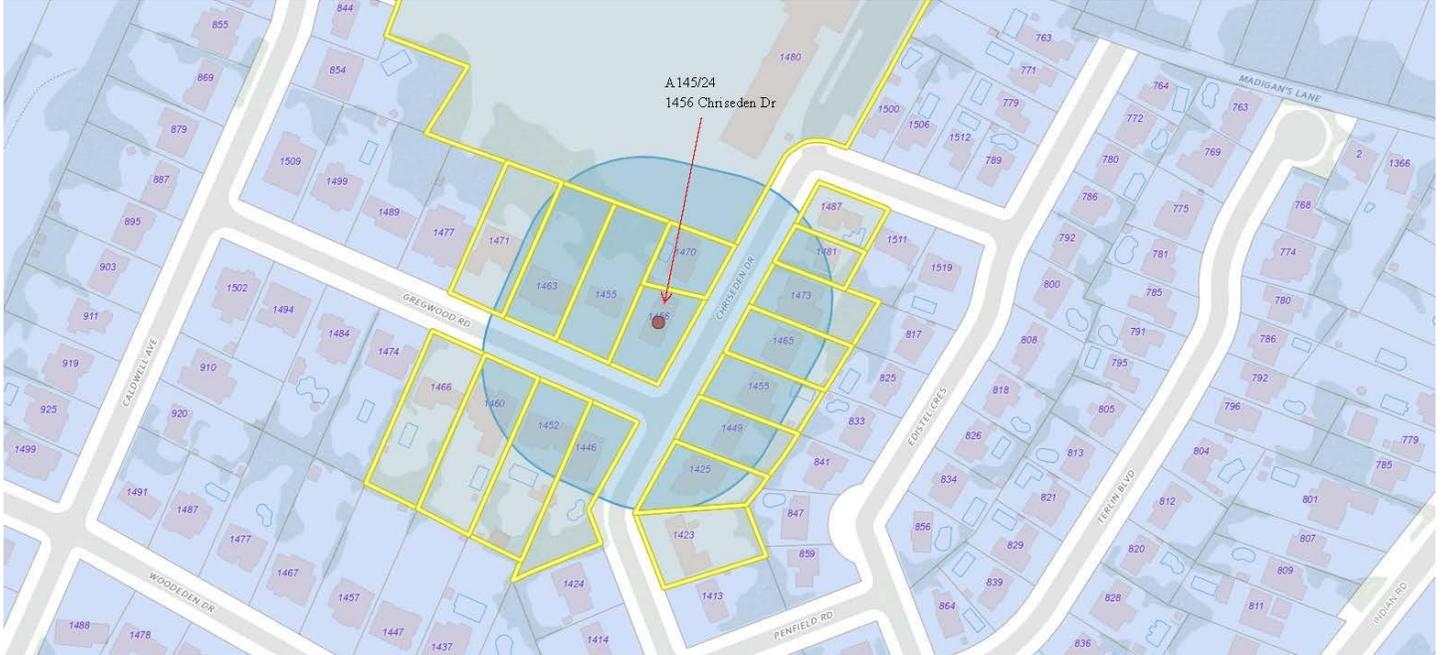
Additional Information:

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City of Mississauga Department Comments

Date Finalized: 2024-03-28	File(s): A145.24 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-04-04 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing a garage projection beyond the front wall or exterior sidewall of the first storey of 3.68m (approx. 12.07ft) whereas By-law 0225-2007, as amended permits a maximum garage projection of 0m in this instance.

Amendments

The Building Department is processing Building Permit application 24-382. Based on review of the information available in this application, we advise that following amendments are required:

Add the following variances:

- To allow a dwelling unit depth of 21.49m, whereas a dwelling unit depth of maximum 20.0m is permitted.
- To allow a height of eaves of 6.87m, whereas a maximum height of eaves of 6.4m is permitted.

Background

Property Address: 1456 Chriseden Drive

Mississauga Official Plan

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

Zoning By-law 0225-2007

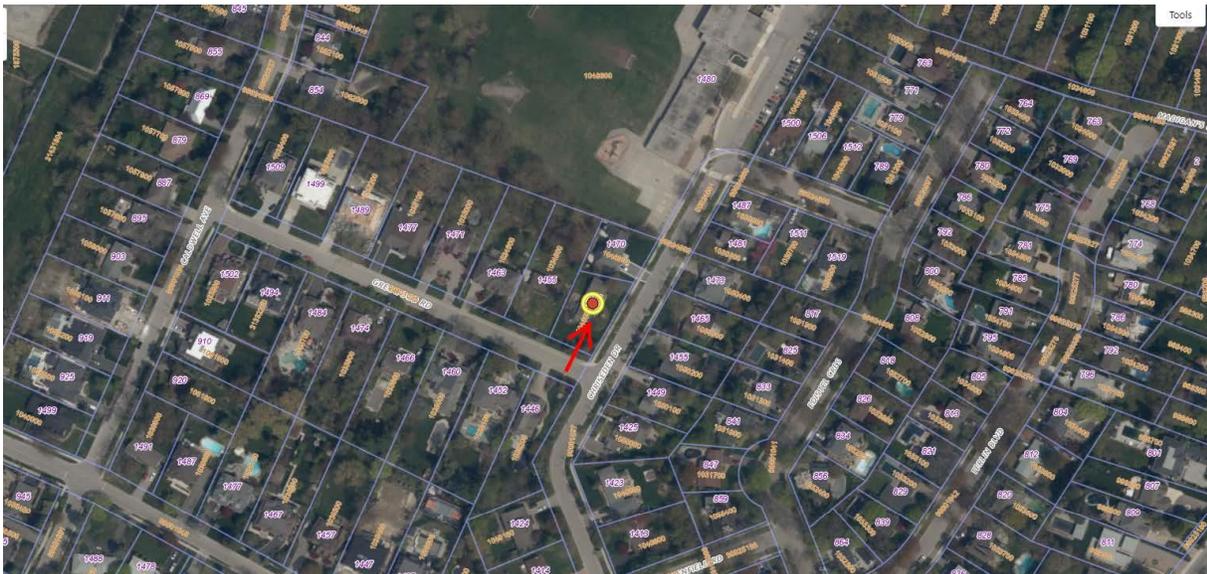
Zoning: R2-4- Residential

Other Applications: None

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southwest of the Queen Elizabeth Way and Indian Grove. The neighbourhood is entirely residential consisting of older one storey and newer two storey detached dwellings on lots with significant mature vegetation in both the front and rear yards. Abutting the subject property to the east is Tecumseh Public School. The subject property is a corner lot containing an existing two-storey detached dwelling with mature vegetation in both the front and rear yards.

The applicant is proposing to construct a new two-storey detached dwelling requiring variances for garage projection, eaves height and dwelling depth.



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 site 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

The requested variance pertains to a garage projection. The intent of the zoning by-law is to maintain a consistent streetscape, while ensuring the garage is not the dominant feature of the dwelling. Staff note that the property is a corner lot. For corner lots the yard facing a street with lesser frontage is considered the front yard. In this instance the front yard functions as the exterior side yard and contains the garage projection. The dwelling's façade and entry way to the dwelling is located in the property's exterior side yard. As such, the garage's projection does not dominate the appearance of the dwelling.

Zoning staff have also identified two additional variances required for eave height and dwelling depth.

The proposal requires a variance for an increase in height to the eaves. The intent of restricting height to the eaves is to lessen the visual massing of dwelling by bringing the edge of the roof closer to the ground. This lowers the overall pitch of the roof and keeps the dwelling within a human scale. Staff are satisfied that the proposed increase in height is appropriate for the subject property. While the exact figure for finished grade is not provided on the plans, staff note that the average grade is below the finished grade, further mitigating any potential impacts from the increased height.

The proposal requires a variance for dwelling depth. The intent of the by-law is to minimize any impact of long walls on neighbouring lots as a direct result of the building massing. Dwelling depth is calculated from the outside of the front wall to the outside of the rear wall. In this instance the front yard technically functions as an exterior side yard with the exterior side yard. Staff are of the opinion that this variance is technical in nature as the depth from the façade of the dwelling to the back wall is actually 16.43m (+/- 21ft) and has a minimal impact on neighbouring lots.

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

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling are being addressed by our Development Construction Section through the Building Permit process, File BP 9NEW 24/382.

Comments Prepared by: John Salvino, Development Engineering Technologist



Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application 24-382. Based on review of the information available in this application, we advise that following amendments are required:

Add the following variances:

- To allow a dwelling unit depth of 21.49m, whereas a dwelling unit depth of maximum 20.0m is permitted.
- To allow a height of eaves of 6.87m, whereas a maximum height of eaves of 6.4m is permitted.

Our comments may no longer be valid should there be changes in the Committee of Adjustment application that have yet to be submitted and reviewed through the Building Division application. To receive updated comments, the applicant must submit any changes to information or drawings separately through the above application.

Comments Prepared by: Sibila Lass Weldt, Zoning Examiner

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 3076 Bayberry Drive, zoned R4- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a below grade entrance proposing an interior side yard setback of 0.50m (approx. 1.64ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) in this instance.

The Committee has set **Thursday, April 4, 2024 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/>.

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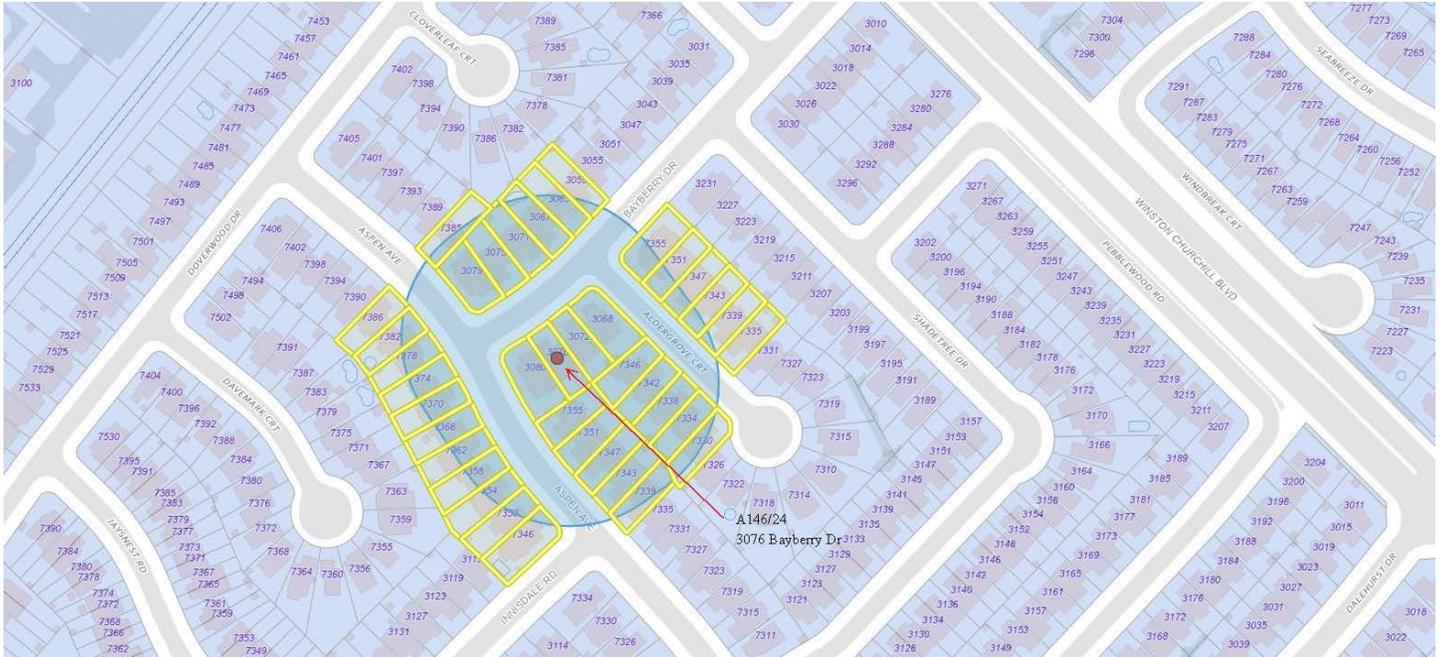
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City of Mississauga Department Comments

Date Finalized: 2024-03-28	File(s): A146.24
To: Committee of Adjustment	Ward: 9
From: Committee of Adjustment Coordinator	Meeting date:2024-04-04 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a below grade entrance proposing an interior side yard setback of 0.50m (approx. 1.64ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.20m (approx. 3.94ft) in this instance.

Background

Property Address: 3076 Bayberry Drive

Mississauga Official Plan

Character Area: **Meadowvale Neighbourhood**

Designation: **Residential Low Density II**

Zoning By-law 0225-2007

Zoning: R4- Residential

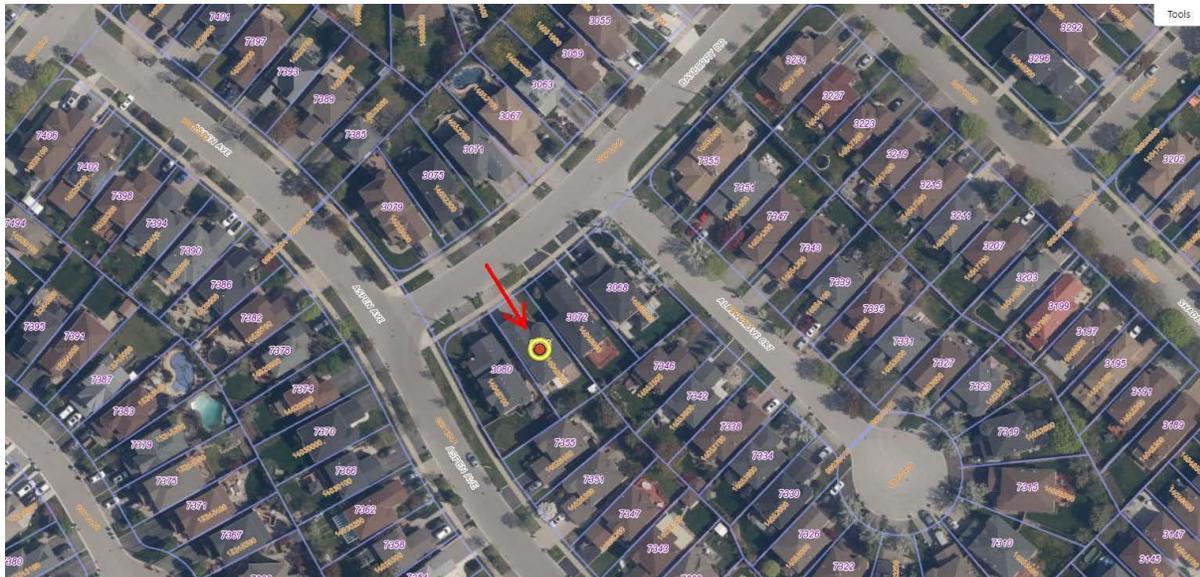
Other Applications: SEC UNIT 24-83 ARU

Site and Area Context

The subject property is located north-east of the Derry Road West and Tenth Line West intersection in the Meadowvale Neighbourhood Character Area. It is an interior lot containing a two-storey detached dwelling with an attached garage. Limited landscaping and vegetative

elements are present on the subject property. The property has an approximate frontage of +/- 11.86m (38.91ft), characteristic of lots in the area. The surrounding context is predominantly residential, consisting of detached and semi-detached dwellings.

The applicant is proposing a below grade entrance to facilitate a second unit 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 of the four tests to this minor variance request are as follows:

The subject property is located in the Meadowvale Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP).

The general intent of the side yard regulations in the by-law is to ensure that an adequate buffer exists between primary structures on adjoining properties, appropriate drainage can be provided and that access to the rear yard remains unencumbered. Staff note the proposed below grade stairwell is appropriately situated on the subject property. Furthermore, Transportation and Works staff have raised no drainage related concerns and access to the rear yard is maintained.

Staff are of the opinion that the application maintains the general intent and purpose of both the official plan and zoning by-law, is minor in nature, and represents appropriate development of the subject property

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Should Committee see merit in the applicant's request we would recommend that the existing drainage pattern in the area of the proposed side stairwell be maintained. We note that the stairwell is being proposed in an area of the property where there will still be an adequate area to maintain a drainage swale and not alter the existing drainage pattern.







Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application SEC UNIT 24-83 ARU. Based on the review of the information available in this application, the requested variance is correct.

Our comments may no longer be valid should there be changes in the Committee of Adjustment application that have yet to be submitted and reviewed through the Building Division application. To receive updated comments, the applicant must submit any changes to information or drawings separately through the above application

Comments Prepared by: Minan Song, Planner in Training

Appendix 3 – Region of Peel

Minor Variance: A-24-146M / 3076 Bayberry Drive

Development Engineering: Wendy Jawdek (905)-791-7800 x6019

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, Planner

Appendix 4 – Metrolinx

3076 Bayberry Drive - A146.24

Metrolinx is in receipt of the Minor Variance application for 3076 Bayberry Dr to allow the construction of a below grade entrance to support a secondary dwelling unit in the basement. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300m of the CP Galt Subdivision which carries Metrolinx's Milton GO Train service.

Advisory Comments:

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

Comments Prepared by: Farah Faroque, Project Analyst – Third Pary Projects Review



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A148.24
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 4348 Lee Drive, zoned RM2-36- 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 pool proposing:

1. A pool equipment pad setback of 0m whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (approx. 2.00ft) in this instance; and,
2. A setback from the inside of the pool wall to the lot line of 1.22m (approx. 4.00ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.52m (approx. 4.99ft) in this instance.

The Committee has set **Thursday, April 4, 2024 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/>.

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City of Mississauga Department Comments

Date Finalized: 2024-03-28	File(s): A148.24 Ward: 3
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-04-04 1:00:00 PM

Consolidated Recommendation

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

Application Details

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

1. A pool equipment pad setback of 0m whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (approx. 2.00ft) in this instance; and,
2. A setback from the inside of the pool wall to the lot line of 1.22m (approx. 4.00ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.52m (approx. 4.99ft) in this instance.

Background

Property Address: 4348 Lee Drive

Mississauga Official Plan

Character Area: Rathwood Neighbourhood

Designation: Residential Low Density I

Zoning By-law 0225-2007

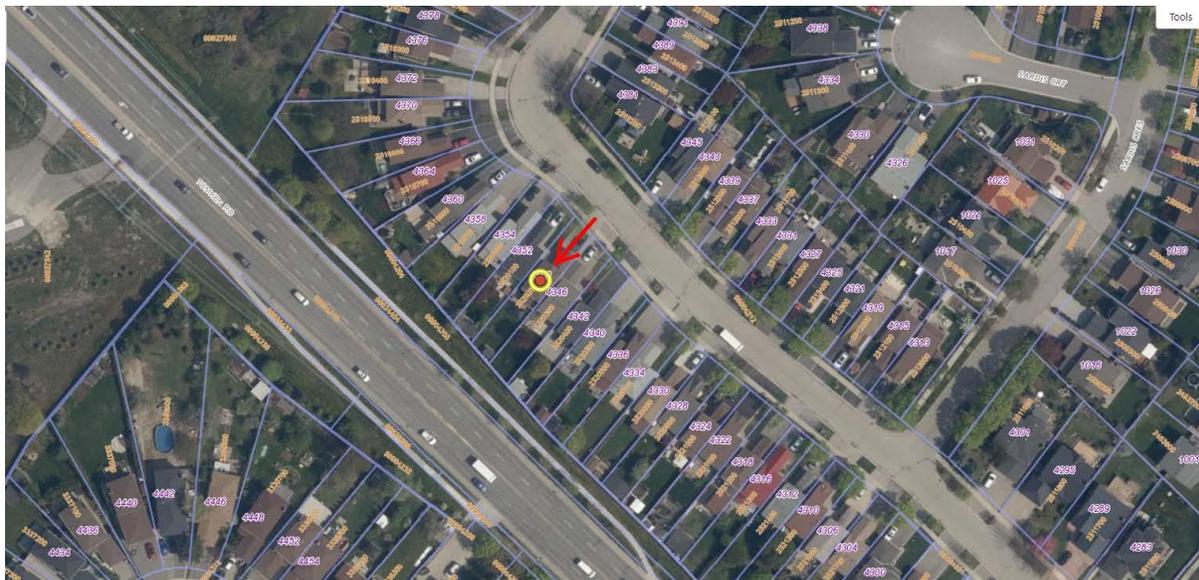
Zoning: RM2-36- Residential

Other Applications: Pool Application 23-109

Site and Area Context

The subject property is located south-east of the Tomken Road and Eastgate Parkway intersection in the Rathwood neighbourhood. It is an interior lot containing a two-storey detached dwelling with attached garage. Limited landscaping and vegetative elements are present in both the front and rear yards. The property has an approximate area of +/- 342.08m² (3,682.11ft²), characteristic of lots in the area. The surrounding context is predominantly residential, consisting of two-storey detached and semi-detached dwellings.

The applicant is proposing the construction of a pool requiring variances for pool and pool equipment 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:

Staff note that revised drawings have been submitted to accurately depict the variances being sought.

The subject property is located within the Rathwood Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP).

Variance 1 is required to accommodate a reduced side yard setback to the pool and variance 2 is required to accommodate a reduced rear yard setback to the pool equipment. The general intent of this portion of the by-law is to ensure they are appropriately located on the property, do not impact streetscape or neighbouring properties while also providing adequate drainage. Staff note the 0m setback is only required for the portion of the subject property where the proposed pool equipment is to be installed and not for the balance of the rear yard property line. Staff are satisfied that the proposal is designed to maintain an appropriate buffer between the abutting properties. Further, Transportation and Works staff note no drainage concerns.

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: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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

Comments Prepared by: Tony Iacobucci, T&W Development Engineering





Appendix 2 – Zoning Comments

The Building Department is processing Pool Application 23-109. Based on review of the information available in this application, we advise that following amendment for Variance 2 is required:

“A setback from the inside of the pool wall to the lot line of 1.22m (approx. 4.00ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.5m (approx. 4.92ft) in this instance.”

Our comments may no longer be valid should there be changes in the Committee of Adjustment application that have yet to be submitted and reviewed through the Building Division application. To receive updated comments, the applicant must submit any changes to information or drawings separately through the above application.

Comments Prepared by: Minan Song, Planner in Training

Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Planner

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 30 Harrow St, zoned R3-69 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling proposing:

1. A gross floor area of 342.02 sq m (approx. 3681.50 sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 266.07 sq m (approx. 2863.98 sq ft) in this instance;
2. A building height of 9.05 m (approx. 29.69 ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.00 m (approx. 29.53 ft) in this instance;
3. A height of eaves from average grade of 6.67m (approx. 21.88 ft) whereas By-law 0225-2007, as amended, permits a maximum height of eaves from average grade of 6.40m (approx. 21.00 ft) in this instance; and,
4. A garage area of 5.84m x 5.38m (approx. 19.16ft x 17.65ft) whereas By-law 0225-2007, as amended, permits a maximum garage area of 2.75m x 6.0m (approx. 9.02ft x 19.69ft) in this instance.

The Committee has set **Thursday, April 4, 2024 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/>.

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City of Mississauga Department Comments

Date Finalized: 2024-03-28	File(s): A481.22
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2024-04-04 1:00:00 PM

Consolidated Recommendation

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

Application Details

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

1. A gross floor area of 342.02 sq m (approx. 3681.50 sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 266.07 sq m (approx. 2863.98 sq ft) in this instance;
2. A building height of 9.05 m (approx. 29.69 ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.00 m (approx. 29.53 ft) in this instance;
3. A height of eaves from average grade of 6.67m (approx. 21.88 ft) whereas By-law 0225-2007, as amended, permits a maximum height of eaves from average grade of 6.40m (approx. 21.31 ft) in this instance; and,
4. A garage area of 5.84m x 5.38m (approx. 19.16ft x 17.65ft) whereas By-law 0225-2007, as amended, permits a maximum garage area of 2.75m x 6.0m (approx. 9.02ft x 19.69ft) in this instance.

Amendments

Planning staff note the following amendment is required:

1. A gross floor area of 324.02 sq m (approx. 3,487.72 sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 266.07 sq m (approx. 2863.98 sq ft) in this instance.

Background

Property Address: 30 Harrow St

Mississauga Official Plan

Character Area: **Malton Neighbourhood**
Designation: **Residential Low Density I**

Zoning By-law 0225-2007

Zoning: R3-69 - Residential

Other Applications:

Site and Area Context

The subject property is located north-west of the Derry Road East and Airport Road intersection in Old Malton Village. It currently contains a single storey detached dwelling with limited landscaping and vegetation in both the front and rear yards. The property has a lot frontage of +/- 15.18m (49.8ft) which is characteristic of lots in the area. The surrounding context is predominantly residential, consisting of detached dwellings on similarly sized lots. Commercial uses are present along Derry Road West and Airport Road.

The applicant is proposing a new dwelling requiring variances for gross floor area, overall height, eave height, and garage area.



Comments

Planning

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

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

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

The subject property is located in the Malton Neighbourhood Character Area and is designated Residential Low Density I 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.

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

Variance 1 pertains to gross floor area. Staff note an error on the notice, as the proposed gross floor area should read 324.02m² (3,487.72ft²) as per the application form and drawings submitted. Arising from public input expressed through the 'My Malton' Community Visioning exercise undertaken in 2015, the City completed the Malton Infill Housing Study in 2016. This study resulted in Council's adoption of new zoning regulations principally aimed at regulating the massing of dwellings in a manner that is sensitive to the surrounding context. Although the surrounding area contains a lot of newer two storey dwellings, the intent of the regulations are to limit the overall massing of these dwellings, in order to maintain compatibility between the existing and planned character of the neighbourhood. The application originally came to the Committee of Adjustment on February 2nd, 2023 with a larger proposal. Committee members were concerned with the size of the dwelling and deferred the application for redesign. The subsequent design has reduced the gross floor area by 45.2m² (484.37ft²). Staff are of the opinion that the new design is in line with the Malton Infill Housing Study of 2016; and is compatible with both the existing and infill development of the neighbourhood. As such, the applicant meets the general intent and purpose of the by-law.

Variance 2 requests an increase in overall dwelling height, and variance 3 requests an increase in height to the eaves. The intent of restricting dwelling and eaves height is to lessen the visual massing of the dwelling, by lowering the overall pitch of the roof and bringing the edge of the roof closer to the ground. This keeps the overall height of the dwelling within human scale. The proposed dwelling height is 9.06m, whereas 9m is permitted and the proposed eaves height is 6.67m, whereas 6.40m is permitted. Staff are satisfied that the dwelling and eave height impacts are negligible and is a minor deviation from what the by-law envisions. The proposal maintains a human scale and does not exacerbate the visual massing of the dwelling.

Variance 4 relates to the interior parking space size within the garage. The intent of this provision is to ensure that the garage can accommodate the parking of atypical vehicles entirely

within the garage area. Staff note that the requested length of the garage is slightly less 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.

Given the above, staff are therefore satisfied that the general intent and purpose of the zoning by-law are maintained.

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

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

Comments Prepared by: 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: Minan Song, Planner in Training

Appendix 3 – Region of Peel

Please apply previous comments.

Comments Prepared by: Ayooluwa Ayoola, Planner

Appendix 4 – Metrolinx

30 Harrow St - A481.22 - Deferred

Metrolinx is in receipt of the Minor Variance application for 30 Harrow St to facilitate the construction of a new 2-storey dwelling. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300m of the Metrolinx Weston Subdivision which carries Metrolinx's Kitchener GO Train service.

Conditions of Approval:

- As per section 3.9 of the Federation of Canadian Municipalities and Railway Association of Canada's Guidelines for New Development in Proximity to Railway Operations, the Owner shall grant Metrolinx an environmental easement for operational emissions. The environmental easement provides clear notification to those who may acquire an interest in the subject property and reduces the potential for future land use conflicts. The environmental easement shall be registered on title of the subject property. A copy of the form of easement is included for the Owner's information. The applicant may contact Farah.Faroque@metrolinx.com with questions and to initiate the registration process. (It should be noted that the registration process can take up to 6 weeks).
- The Proponent shall provide confirmation to Metrolinx, that the following warning clause has been inserted into all Development Agreements, Offers to Purchase, and Agreements of Purchase and Sale or Lease of each dwelling unit within 300 metres of the Railway Corridor:
 - **Warning:** The Applicant is advised that the subject land is located within Metrolinx's 300 metres railway corridor zone of influence and as such is advised that Metrolinx and its assigns and successors in interest has or have a right-of-way within 300 metres from the subject land. The Applicant is further advised that there may be alterations to or expansions of the rail or other transit facilities on such right-of-way in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx to use the right-of-way or their assigns or successors as aforesaid may expand or alter their operations, which expansion or alteration may affect the environment of the occupants in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual lots, blocks or units.



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A521.22
Ward: 1

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 1215 Queensway East - Unit 47, zoned 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 an existing building with 386 parking spots whereas By-law 0225-2007, as amended, requires a minimum of 430 parking spots in this instance.

The Committee has set **Thursday, April 4, 2024 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/>.

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City of Mississauga Department Comments

Date Finalized: 2024-03-28	File(s): A521.22
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2024-04-04 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

The applicant requests the Committee to approve a minor variance to allow an existing building with 386 parking spots whereas By-law 0225-2007, as amended, requires a minimum of 430 parking spots in this instance.

Amendments

The Building Department is processing Building Permit application BP 3ALT 21-4620. Based on review of the information available in this application, we advise that following amendment is required:

- To allow the expansion of existing mezzanine within Unit 47 proposing a total of 386 parking spaces for all uses on site, whereas Bylaw 0225-2007, as amended, requires a minimum of 470 parking spaces for all uses on site in this instance.

Background

Property Address: 1215 Queensway East - Unit 47

Mississauga Official Plan

Character Area: **Dixie Employment Area**
Designation: **Business Employment**

Zoning By-law 0225-2007

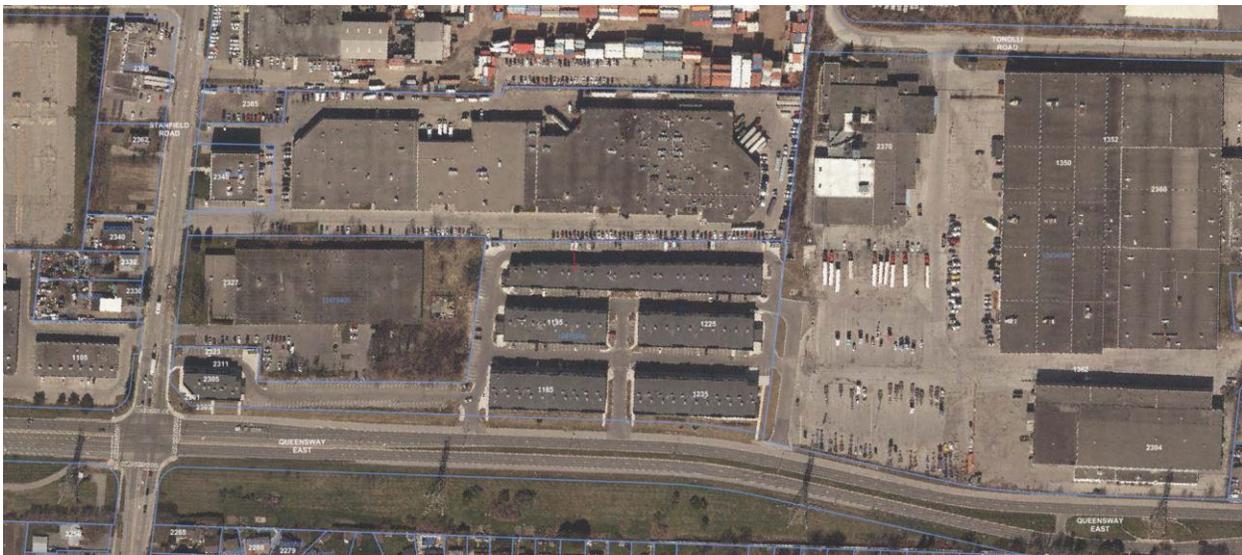
Zoning: **Employment**

Other Applications: Building Permit application under file BP 3ALT 21-4620

Site and Area Context

The subject property is located within the Dixie Employment Character Area, west of Queensway East and Dixie Road. The surrounding area north of Queensway East is comprised of a mix of commercial, employment and industrial type uses. The subject property contains a similar mix of land uses found in the broader area, including both commercial and employment uses. The area south of Queensway East consists of detached residential dwellings.

The applicant is proposing a mezzanine in a unit containing office and warehouse uses requiring a variance for reduced parking.



Comments

Planning

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

Staff comments concerning the application are as follows:

The subject property is designated Business Employment in Schedule 10 of the Mississauga Official Plan (MOP) which permits warehousing and secondary office uses. A secondary office use means business, professional or administrative offices having an area less than 10,000 m² (107,639 ft²) or accommodating less than 500 jobs.

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

With respect to Committee of Adjustment application 'A' 521.22, 1215 Queensway East, Unit 47, the applicant requests the Committee to approve a minor variance to allow reduced parking for the subject property and proposes:

386 parking spots whereas By-law 0225-2007, as amended, requires a minimum of 430 parking spots in this instance.

Per the information obtained from Zoning Department, an Office use with a Gross Floor Area (GFA) of 168.9 square meters is being proposed in Unit 47 inside Building E at the subject property. The subject property is located within E2-131 Zoning Area, Parking Precinct 4.

Per Section 3.1.2.2 of Mississauga Zoning By-law, Office uses located in Parking Precinct 4 require a minimum of 3 spaces per 100 square meters of non-residential GFA. Therefore, with a proposed non-residential GFA of 168.9 square meters, a minimum of 5 parking spaces are required for the subject unit. Zoning staff have suggested that the minimum required number of parking spaces for the entire property should be 470 based on the most up-to-date calculation with all current uses on site. As such, 470 parking spaces are required whereas 386 parking spaces can be accommodated, which generates a parking deficiency of 84 spaces or 17.9%.

As the proposed parking deficiency exceeds 10%, a satisfactory Parking Utilization Study (PUS) is required per the City's Parking Study Terms of Reference provisions. The application was deferred on December 15, 2022, at the Committee of Adjustment hearing due to the excessive rate of parking deficiency and the lack of a PUS.

The applicant has subsequently submitted a Parking Utilization Study dated October 4, 2023, prepared by CGH Transportation Inc. A three-day survey at the subject sites was undertaken in September 2023, including 2 weekdays and 1 weekend day, from 7 am to 7 pm. As per requirements stipulated in Parking Study Terms of Reference, on-site survey should occur two to three days per week for two consecutive weeks, the three-day survey does not meet this requirement. In addition, while the parking utilization rates of each individual section were included, the overall utilization rates for the entire site, particularly the peak demand rates for the duration of survey, were not provided. Furthermore, the Terms of Reference requires parking demand ratios per 100 square meters of the entire property to be provided, however such data were also not included in the parking study. Staff advise that a precise assessment of the parking demand and situation at the subject site can not be made due to the lack of necessary data and

sufficient duration of survey, the submitted parking justification is therefore not satisfactory. Staff also note that with the growing occupancy rate of existing units with various types of land uses, the requirements for parking spaces may keep increasing at the subject site.

The applicant should refer to the City's Parking Study Terms of Reference for parking justification requirements to be included with a formal submission.

Zoning staff have advised that the variance should be amended as follows:

To allow the expansion of existing mezzanine within Unit 47 proposing a total of 386 parking spaces for all uses on site, whereas Bylaw 0225-2007, as amended, requires a minimum of 470 parking spaces for all uses on site in this instance.

Given the above, Municipal Parking staff recommend the application be deferred pending the submission of a satisfactory Parking Utilization Study (PUS).

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.

Should you have any questions, please contact extension 4705.

Evan Pu, Transportation Planner
Traffic Management and Municipal Parking Division, Municipal Parking Section
Transportation and Works Department

Planning staff echo comments from Municipal Parking staff and recommend that the application be deferred. Should the Committee see merit in the application; Planning staff recommend that the variance be amended.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

N/C

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application BP 3ALT 21-4620. Based on review of the information available in this application, we advise that following amendment is required:

- To allow the expansion of existing mezzanine within Unit 47 proposing a total of 386 parking spaces for all uses on site, whereas Bylaw 0225-2007, as amended, requires a minimum of 470 parking spaces for all uses on site in this instance.

Our comments may no longer be valid should there be changes in the Committee of Adjustment application that have yet to be submitted and reviewed through the Building Division application. To receive updated comments, the applicant must submit any changes to information or drawings separately through the above application.

Comments Prepared by: Alana Zheng, Planner Zoning Examination

Appendix 3 – Region of Peel

Please apply previous comments.

Comments Prepared by: Ayooluwa Ayoola, Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A239.23
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 1324 Tecumseh Park Dr, 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 accessory structures and a driveway proposing:

1. An accessory building/structure area of 126.10 sq m (approx. 1357.34 sq ft) whereas By-law 0225-2007, as amended, permits a maximum accessory building/structure area of 20.00 sq m (approx. 215.28 sq ft) in this instance;
2. A combined area occupied by all accessory buildings/structures area of 126.10 sq m (approx. 1357.34 sq ft) whereas By-law 0225-2007, as amended, permits a maximum combined area occupied by all accessory buildings/structures area of 60.00 sq m (approx. 645.84 sq ft) in this instance;
3. An accessory structure height of 6.09m (approx. 19.98ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.50m (approx. 11.48ft) in this instance;
4. A width of a walkway attached to a driveway of 3.16m (approx. 10.37ft) whereas By-law 0225-2007, as amended, permits a maximum walkway width of 1.50m (approx. 4.92ft) in this instance;
5. 2 garages whereas By-law 0225-2007, as amended, permits a maximum of 1 garage in this instance.
6. An accessory structure height of 6.09 m (approx. 19.98 ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 4.60 m (approx. 15.09 ft) in this instance;
7. A height of 3.23 m to the eaves of the detached garage (approx. 10.60 ft) whereas By-law 0225-2007, as amended, permits a height of 3.00 m (approx. 9.84 ft) to the eaves of the detached garage in this instance; and,
8. A width of point of access for the circular driveway of 10.37 m (approx. 34.02 ft) whereas By-law 0225-2007, as amended, permits a maximum width of point of access for the circular driveway of 8.50 m (approx. 27.89 ft) in this instance.

The Committee has set **Thursday, April 4, 2024 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.
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- **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.

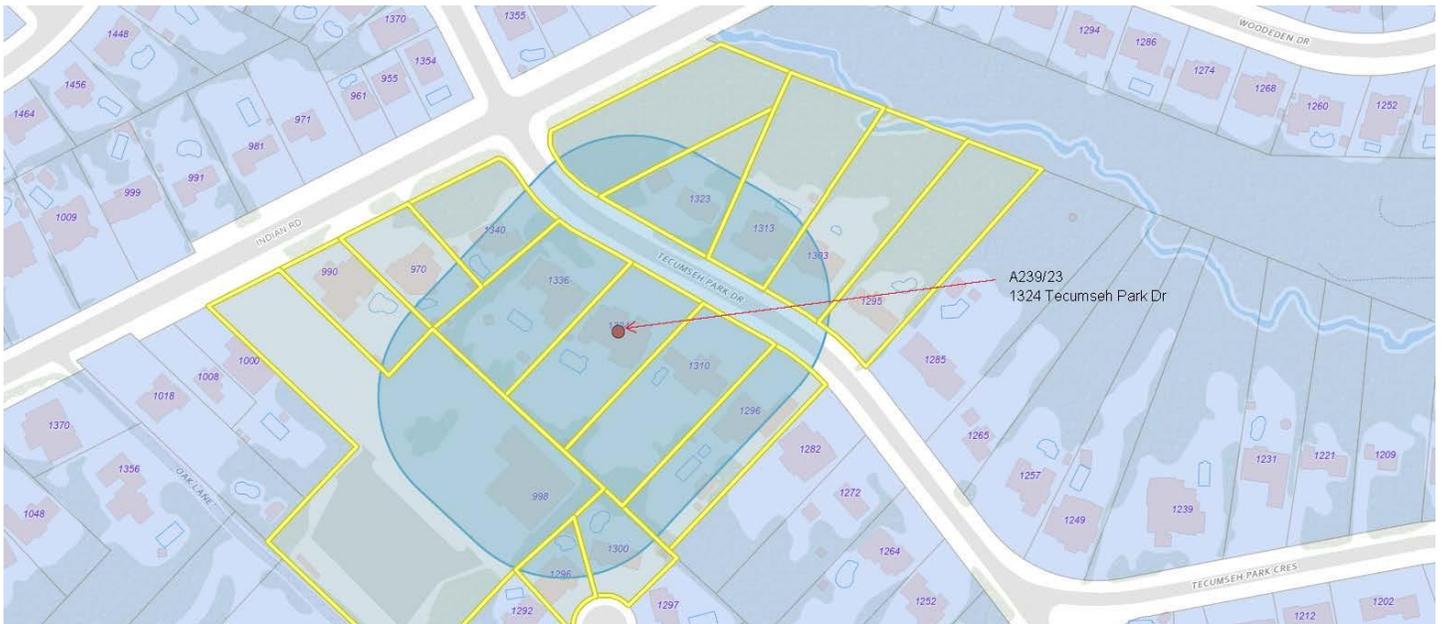
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- You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>.
- If you wish to be notified of the decision of the Committee, you must submit a written request to committee.adjustment@mississauga.ca 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:

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Legal notice:

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

City of Mississauga Department Comments

Date Finalized: 2024-03-28	File(s): A239.23 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-04-04 1:00:00 PM

Consolidated Recommendation

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

Application Details

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

1. An accessory building/structure area of 126.10 sq m (approx. 1357.34 sq ft) whereas By-law 0225-2007, as amended, permits a maximum accessory building/structure area of 20.00 sq m (approx. 215.28 sq ft) in this instance;
2. A combined area occupied by all accessory buildings/structures area of 126.10 sq m (approx. 1357.34 sq ft) whereas By-law 0225-2007, as amended, permits a maximum combined area occupied by all accessory buildings/structures area of 60.00 sq m (approx. 645.84 sq ft) in this instance;
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6. An accessory structure height of 6.09 m (approx. 19.98 ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 4.60 m (approx. 15.09 ft) in this instance;
7. A height of 3.23 m to the eaves of the detached garage (approx. 10.60 ft) whereas By-law 0225-2007, as amended, permits a height of 3.00 m (approx. 9.84 ft) to the eaves of the detached garage in this instance; and,
8. A width of point of access for the circular driveway of 10.37 m (approx. 34.02 ft) whereas By-law 0225-2007, as amended, permits a maximum width of point of access for the circular driveway of 8.50 m (approx. 27.89 ft) in this instance.

Amendments

The Building Department is processing Building Permit application BP 9ALT 23-5368. Zoning staff advise that following amendment(s) is required:

6. A Detached Garage height of 6.09 m (approx. 19.98 ft) whereas By-law 0225-2007, as amended, permits a maximum detached garage height of 4.60 m (approx. 15.09 ft) in this instance;

Background

Property Address: 1324 Tecumseh Park Dr

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R1-2 - Residential

Other Applications: Building Permit application BP 9ALT 23-5368

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, south of the Tecumseh Park Drive and Indian Road intersection. The immediate neighbourhood is residential, consisting primarily of one and two-storey detached dwellings on large lots with mature vegetation in the front yards. The subject property contains a one-storey detached dwelling with mature vegetation in the front yard.

The application is proposing an accessory structure, driveway and detached garage requiring variances related to accessory structure area, combined area, height, eaves height, driveway width, walkway attachment width and number of garages.

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

Variances #1, #2, #3, #5, #6 and #7 all pertain to the proposed accessory structures and a detached garage. The application proposes a one-storey building containing a garage, cabana and a covered porch (accessory structures). The zoning by-law separately regulates garages and accessory structures although the garage, cabana and covered porch form one building in this instance.

While the proposed area and height appear excessive numerically, staff note a portion of the structure is a covered patio with an area of 47.30 m² (509.13 ft²), which is open on 3 sides. The covered patio represents 37.5% of the area associated with the accessory structure area in the application. Staff are of the opinion that the covered patio does not have significant massing impacts. The proposed structures are clearly accessory to the primary structure on the property as the existing detached dwelling's footprint covers approximately 4 times the amount of area as the proposed structure and the proposed structures represent 3.5% of the total lot area. Further, the subject property has a deep rear yard, and the proposed structure is located in a manner which exceeds all required setbacks, mitigating potential impacts to neighbouring lots. In this instance the second garage is well hidden behind the dwelling's façade in the rear yard and will not be visible from the streetscape, limiting its impact. The proposed detached garage meets the area regulation and does not require any variances for setbacks. Staff are satisfied that the detached garage is designed in a manner that is compatible with the detached dwelling and the accessory structure and as such, does not pose massing concerns and will not negatively impact the streetscape.

Variances #4 and #8 pertain to an increase in the walkway width attachment and a width of point of access for the circular driveway. The intent of the walkway attachment provision is to help define the entryway and to permit safe movement of pedestrians to the dwelling while prohibiting vehicle accommodation. The requested walkway is located in such a way that staff are satisfied that it will be unable to facilitate vehicular movements. The zoning by-law permits circular driveways on lots that have a minimum frontage of 22.50m (73.81ft). Staff note that the subject property meets the required lot frontage for a circular driveway and that larger driveways are not out of character for the neighbourhood. Furthermore, the proposed driveway does not require additional variances for setbacks or soft landscaping.

Given the above Planning 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?

Planning staff are of the opinion that the accessory building represents appropriate development of the subject property. It is appropriately located on the site and appropriately sized for the lot. Staff are satisfied that the proposal is compatible with the existing scale and character of the surrounding community. The variance is minor in nature and will not create any additional impacts to abutting properties when compared to as of right permissions.

Comments Prepared by: Shivani Chopra, Planning Associate

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements with regards to drainage for the proposed accessory structures are being addressed by our Development Construction Section through the Building Permit process, File BP 9ALT 23/5368.

Our Traffic Planning Section 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 instance we cannot see the rationale for having a circular driveway on this property.

For any questions regarding this comment please contact Bo Yu at ext. 4784.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application BP 9ALT 23-5368. Based on the review of the information available in this application, the requested variance(s) are correct. However, we advise that following amendment(s) is required:

6. A Detached Garage height of 6.09 m (approx. 19.98 ft) whereas By-law 0225-2007, as amended, permits a maximum detached garage height of 4.60 m (approx. 15.09 ft) in this instance;

Our comments may no longer be valid should there be changes in the Committee of Adjustment application that have yet to be submitted and reviewed through the Building Division application. To receive updated comments, the applicant must submit any changes to information or drawings separately through the above application.

Comments Prepared by: Maria Fernandez, Zoning Examiner

Appendix 3 – Region of Peel

Please apply previous comments.

Comments Prepared by: Ayooluwa Ayoola, Planner

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 1384 Haig Blvd, zoned R3-75- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an addition to the existing dwelling proposing:

1. A driveway width of 11.49 m (approx. 37.70 ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 8.50 m (approx. 27.89 ft) in this instance;
2. A garage projection of 19.15 m (approx. 62.83 ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0.00 m in this instance; and,
3. A dwelling depth of 40.36 m (approx. 132.42 ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00 m (approx. 65.62 ft) in this instance.

The Committee has set **Thursday, April 4, 2024 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/>.

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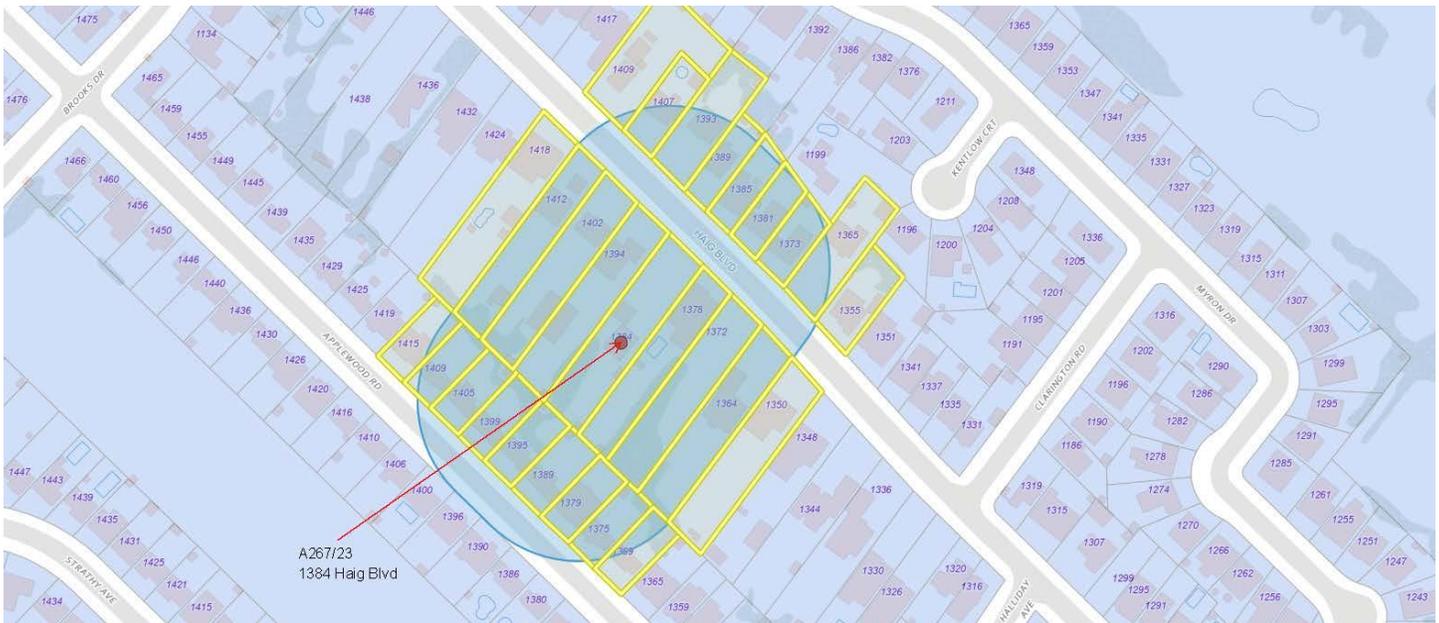
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City of Mississauga Department Comments

Date Finalized: 2024-03-28	File(s): A267.23 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-04-04 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 addition to the existing dwelling proposing:

1. A driveway width of 11.49 m (approx. 37.70 ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 8.50 m (approx. 27.89 ft) in this instance;
2. A garage projection of 19.15 m (approx. 62.83 ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0.00 m in this instance; and,
3. A dwelling depth of 40.36 m (approx. 132.42 ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00 m (approx. 65.62 ft) in this instance.

Background

Property Address: 1384 Haig Blvd

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3-75- Residential

Other Applications: None

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, south of the Haig Boulevard and South Service Road intersection. The immediate area consists entirely of one and two storey detached dwellings with mature vegetation in the front yard. The subject property contains an existing one-storey dwelling with minimal vegetation in the front yard.

The applicant is proposing an addition to the dwelling requiring a variance for driveway width, garage projection and dwelling depth.



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 Lakeview Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP).

Staff note that this application was deferred by the Committee of Adjustment on October 12th, 2023, and December 14th, 2023. Staff recommended refusal for excessive driveway width both times. The application was deferred on December 14th, 2023, to allow the applicant an opportunity to identify the variances accurately, to work with staff on a redesign of the driveway and to provide updated drawings.

The amended proposal is for a new one-storey attached garage in the front yard along with a one-storey addition to the dwelling and a reconfigured driveway. The current proposal requires variances pertaining to garage projection, dwelling depth and driveway width.

The intent in restricting garage projection is to ensure that the detached dwelling remains residential in nature and minimizes the visual impact resulting from excessive garage projection on the streetscape. The applicant is proposing a garage projection of 19.15 m (approx. 62.83 ft) where no garage projections are permitted. The proposed garage projection results in an additional variance for dwelling depth. The intent of zoning provisions for dwelling depth are to minimize impacts of the building massing on neighbouring lots as a result of the long walls.

Staff are of the opinion that the residential nature of the proposed dwelling is de-emphasized by the proposed garage projection along with focus of the garage in the dwelling design. Planning staff are also of the opinion that the requested dwelling depth is excessive poses significant massing concerns for adjacent properties.

Planning staff still require building floor plans and elevation drawings to accurately assess whether the application meets the four tests.

The revised proposal does not address drainage concerns previously raised by Transportation and Works staff. Through discussions with Transportation and Works staff, the applicant was informed that a grading plan is required to fully assess the revised driveway width, which has not been submitted.

Lastly, while Planning staff are not in a position to provide interpretations of the zoning by-law, it appears that the driveway width may not be identified correctly.

Staff recommend that the application be deferred to allow the applicant an opportunity to submit the requested information, discuss the proposal with Planning staff and to redesign the dwelling to address the concerns raised above. Planning staff strongly recommend that the applicant confirm the accuracy of the requested variances with Zoning staff prior to resubmission.

Comments Prepared by: Shivani Chopra, Planning Associate

Appendices

Appendix 1 – Transportation and Works Comments

We have supplied pictures of the existing driveway and area with our previous comments.

The revised plans still show a considerable amount of hard surface driveway area. The existing drainage conditions on site will not allow for the driveway surface drainage to get out to the Municipal boulevard area. There is a substantial low area along the south side of the lot adjacent to 1378 Haig Boulevard next to a tree where some sort of drain has been installed. We have no records or knowledge of any drain in this area. The surface drainage will collect in this location and not have a proper outlet. Should the applicant achieve approval for the Minor Variances, we feel that our Development Construction Section will have drainage issues at the time of Building Permit application for the newly proposed double car garage.

Should the applicant wish to proceed, and if Committee sees merit in the application, we suggest that the applicant supply this Department with a detailed grading plan prepared by a P. Eng. which includes the proposed garage and all necessary grading information to better determine how the surface drainage will be accommodated.

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: Minan Song, Planner in Training

Appendix 3 – Region of Peel

Please apply previous comments.

Comments Prepared by: Ayooluwa Ayoola, Planner

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 751 Millworks Crescent, zoned RM2-49- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a secondary unit entrance proposing to allow a stairwell, located at and accessible from the first storey or below the first storey of the dwelling in an interior side yard (provided that the interior side yard setback is a minimum of 1.20 m) with an encroachment of 0.87 m (approx. 2.85 ft) whereas By-law 0225-2007, permits a maximum stairwell encroachment of 0.60 m (approx. 1.97 ft) in this instance.

The Committee has set **Thursday, April 4, 2024 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: 2024-03-28	File(s): A469.23 Ward: 6
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-04-04 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a secondary unit entrance proposing to allow a stairwell, located at and accessible from the first storey or below the first storey of the dwelling in an interior side yard (provided that the interior side yard setback is a minimum of 1.20 m) with a encroachment of 0.87 m (approx. 2.85 ft) whereas By-law 0225-2007, permits a maximum stairwell encroachment of 0.60 m (approx. 1.97 ft) in this instance.

Background

Property Address: 751 Millworks Crescent

Mississauga Official Plan

Character Area: **East Credit Neighbourhood**
Designation: **Residential Medium Density**

Zoning By-law 0225-2007

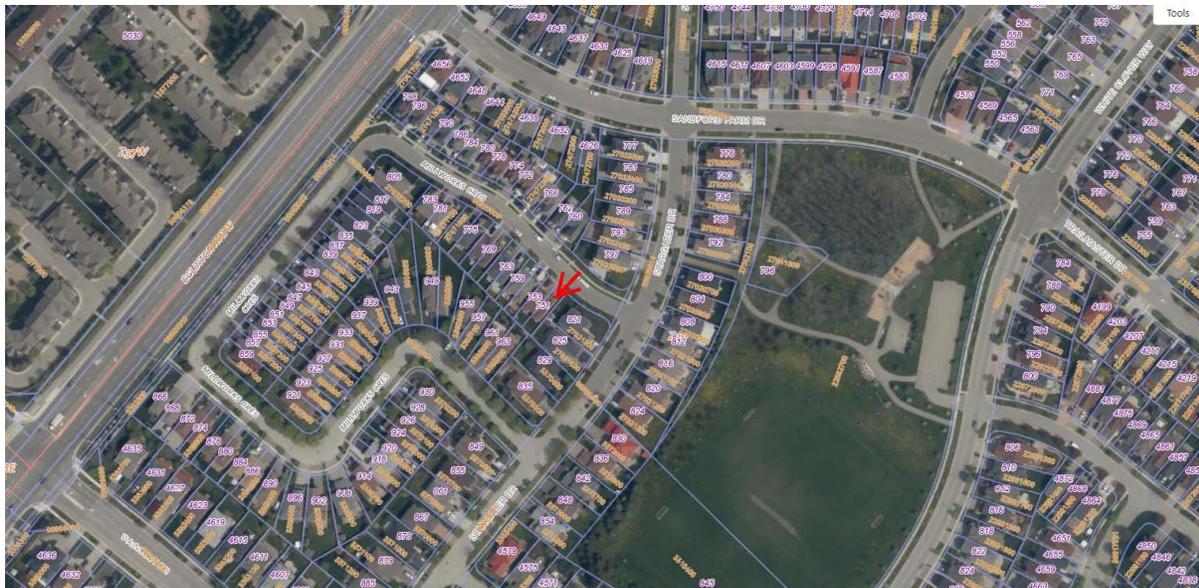
Zoning: RM2-49- Residential

Other Applications: BP 9ALT 24-540

Site and Area Context

The subject property is located south-west of the Eglinton Avenue West and Mavis Road intersection in the East Credit neighbourhood. It is an interior lot containing a two-storey semi-detached dwelling with attached garage. Limited landscaping and vegetative elements are present on the subject property. The property has an approximate frontage of +/- 7.16m (23.49ft) and an area of +/- 221.06m² (2,379,47ft²), characteristic of lots in the area. The surrounding context is predominantly residential, consisting of two-storey detached and semi-detached dwellings.

The applicant is proposing an above grade staircase to facilitate a secondary unit requiring a variance for a stairwell 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 of the four tests to this minor variance request are as follows:

Staff note the application was deferred at the December 7th Committee of Adjustment Hearing to identify the correct variances. The subject property is located in the East Credit Neighbourhood Character Area and is designated Residential Medium Density in Schedule 10 of the Mississauga Official Plan (MOP).

The general intent of the encroachment regulation is to ensure that stairwells are not situated too close to property lines, an adequate buffer exists between primary structures on adjoining properties, appropriate drainage can be provided and that access to the rear yard remains unencumbered. The applicant has agreed to relocate the air conditioning unit to the rear yard to ensure access to the rear yard remains unencumbered. Staff note that the stairs are appropriately situated on the subject property. Furthermore, Transportation and Works staff have raised no drainage concerns with the site.

Staff are satisfied that the impacts of the variance are minor in nature and meet the general intent and purpose of the official plan and zoning by-law. Additionally, the proposal contributes to orderly development of the subject property.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Should Committee see merit in the applicant's request we would recommend that the existing drainage pattern in the area of the proposed side stairwell be maintained. We note that the stairwell is being proposed in an area of the property where there will still be an adequate area to maintain a drainage swale and not alter the existing drainage pattern.

Comments Prepared by: Tony Iacobucci, T&W Development Engineering





Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application BP 9ALT 24-540. Based on review of the information available in this application, we advise that more information is required in order to verify the accuracy of the requested variance or determine whether additional variance(s) will be required.

Please note that comments reflect those provided through the above application submitted on 02/08/2024. These comments may no longer be valid should there be changes contained within this Committee of Adjustment application that have not been submitted and reviewed through the application noted above. The applicant must submit any changes and/or updates to information and/or drawings separately through the above application in order to receive updated comments.

Comments Prepared by: Jeanine Benitez, Zoning Examiner

Appendix 3 – Region of Peel

Please apply previous comments.

Comments Prepared by: Ayooluwa Ayoola, Planner