
Committee of Adjustment

Date: October 22, 2020
Time: 1:00 PM
Location: Online Video Conference

Members

Sebastian Patrizio (Chair)
David George
John Page
David Kennedy
Wajeeha Shahrukh
David Cook
John Kwast

Contacts

Umar Mahmood, Committee of Adjustment Coordinator, Legislative Services
905-615-3200 ext.5209
umar.mahmood@mississauga.ca

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Legislative Services
905-615-3200 ext.5422
alexander.davies@mississauga.ca

PUBLIC MEETING STATEMENT: While some planning matters, such as consent or minor variance applications, do not specifically require that you participate in the process in order to appeal, the LPAT has the power to dismiss an appeal without holding a hearing if the person or public body that in circumstances such as appeal is not based on any apparent land use planning grounds and appeal 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. A-315/20
95 THOMAS ST (WARD 11)
MINA KHALIL & MIRNA FAHMI
 - 4.2. A-316/20
3 QUEEN ST S (WARD 11)
OGI CAPITAL INC
 - 4.3. A-317/20
42 MINNEWAWA RD (WARD 1)
NICOLAS PAPAGEORGIOU & SUSAN PIA BANISTER
 - 4.4. A-318/20
1393 BUNSDEN AVE (WARD 8)
SUASAN TRABERT
 - 4.5. A-319/20
6920 RAYAH CRT (WARD 11)
NAV & DEVI BHULLAR
 - 4.6. A-320/20
1060 WALDEN CIR (WARD 2)
LINDA ZARDO & ALISTAIR MACFARLANE
 - 4.7. A-321/20
650 BROUGHAM PL (WARD 4)
RAMEEZ MALIK & LARAIB KHAN
 - 4.8. A-322/20
1200 DERRY RD E (WARD 5)
SANJAY MAHAJAN

- 4.9. A-323/20
5481 WILDERNESS TR (WARD 5)
FAIK ALTIMIMI, SANA RUMDAN
- 4.10. A-324/20
1381 HAIG BLVD (WARD 1)
ENDRITA HYKA
- 4.11. A-325/20
1325 AMBLESIDE DR (WARD 2)
JANET FRANCIS
- 4.12. A-326/20
96 CUMBERLAND DR (WARD 2)
THOMAS & BRIDGET CLARKE
- 4.13. A-327/20
846 CHAUCER AVE (WARD 2)
RAYMOND & STACEY LIM
- 4.14. A-328/20
6517 MISSISSAUGA RD (WARD 11)
EUROPRO (GTAW) LP
- 4.15. A-329/20
495 ARROWHEAD RD (WARD 2)
GIANCARLO NALLI
- 4.16. A-356/20
3351 KINGS MASTING CRES (WARD 8)
PEEL DISTRICT SCHOOL BOARD
- 4.17. A-296/20
11 ARDSLEY ST (WARD 11)
HUMA AHMED

5. **OTHER BUSINESS**

6. **ADJOURNMENT**



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 315/20
Ward 11

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 owners of 95 Thomas Street, zoned R3-69 - Residential, have applied for a minor variance under Section 45 of the Planning Act. The applicants request the Committee to approve a minor variance to allow the construction of a new house on the subject property proposing:

1. A gross floor area - infill residential of 323.64sq.m (approx. 3,483.63sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area - infill residential of 292.12sq.m (approx. 3,144.35sq.ft) in this instance;
2. A height measured to the eaves of 6.85m (approx. 22.47ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m (approx. 21.00ft) in this instance; and
3. A side yard measured to the second storey on both sides of 1.22m (approx. 4.00ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the second storey of 1.81m (approx. 5.93ft) in this instance.

The Committee has set **Thursday October 22, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act*, *Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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Advance registration is required to participate in the electronic hearing:

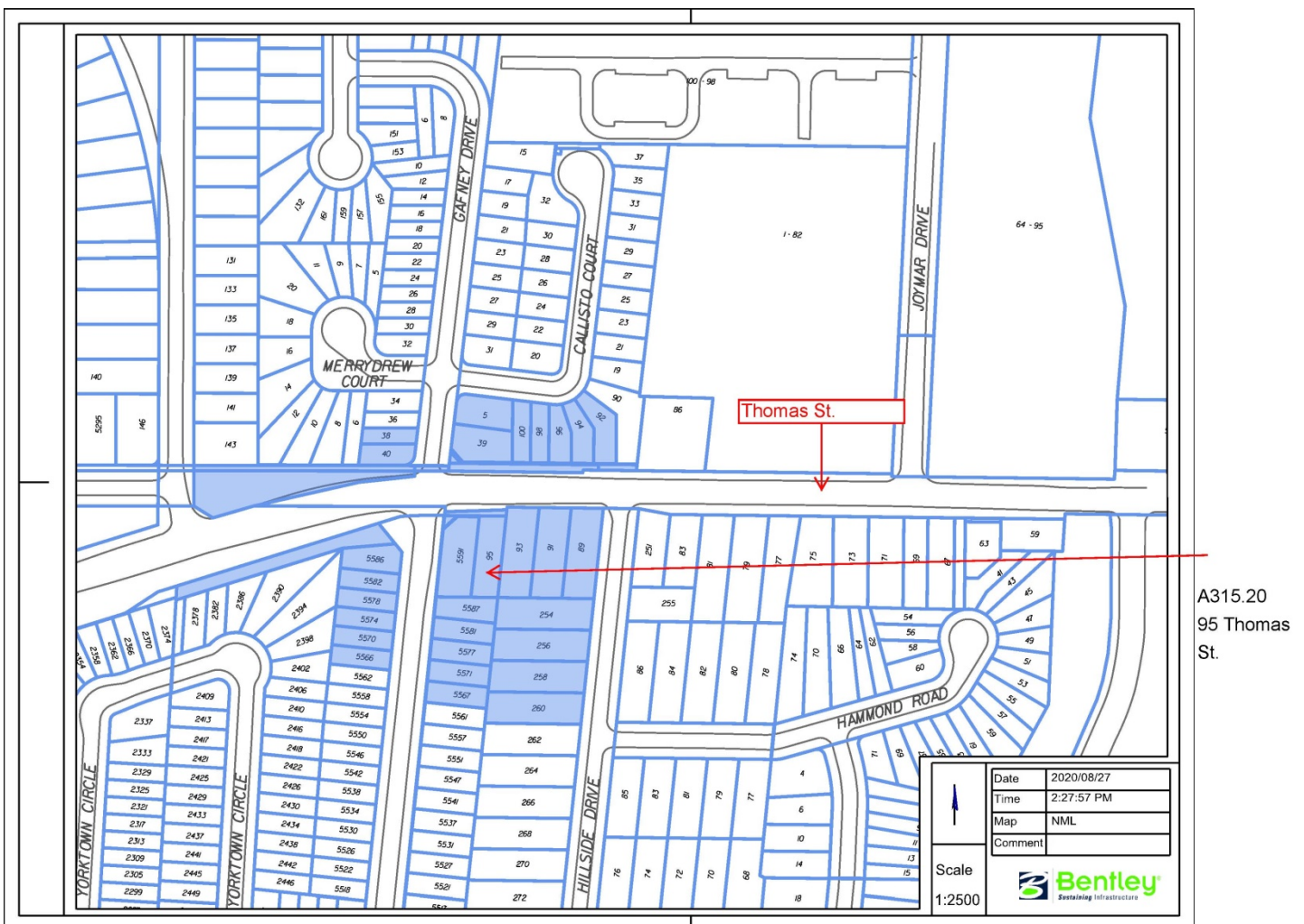
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-10-14	File(s): A315/20 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-10-22

Consolidated Recommendation

The City has no objection to the variances, as requested. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

The Applicants request the Committee to approve a minor variance to allow the construction of a new house on the subject property, proposing:

1. A gross floor area - infill residential of 323.64m² (approx. 3,483.63sq.ft); whereas, By-law 0225-2007, as amended, permits a maximum gross floor area - infill residential of 292.12m² (approx. 3,144.35sq.ft), in this instance;
2. A height measured to the eaves of 6.85m (approx. 22.47ft); whereas, By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m (approx. 21.00ft), in this instance; and,
3. A side yard measured to the second storey on both sides of 1.22m (approx. 4.00ft); whereas, By-law 0225-2007, as amended, requires a minimum side yard measured to the second storey of 1.81m (approx. 5.93ft), in this instance.

Background

Property Address: 95 Thomas Street

Mississauga Official Plan

Character Area: Streetsville Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

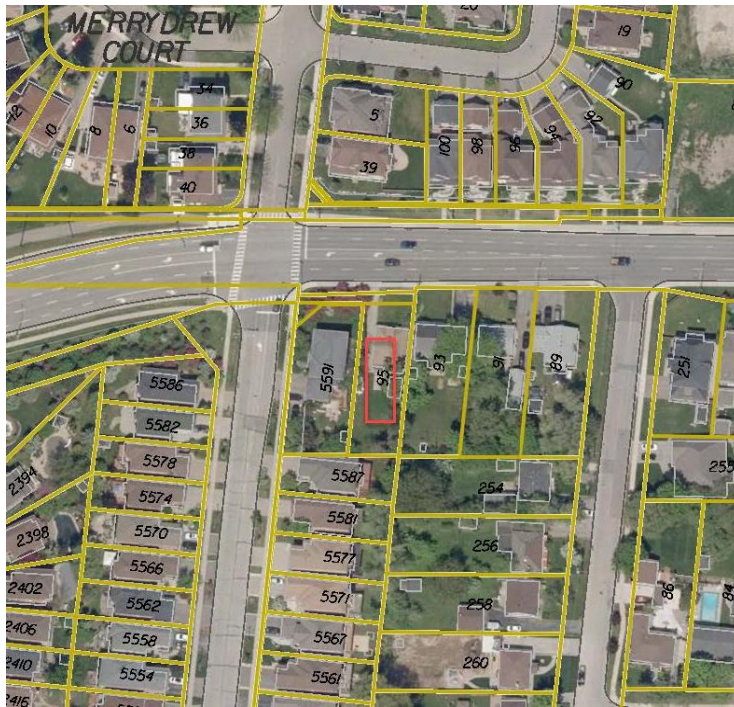
Zoning: R3-69 (Residential)

Other Applications:

None

Site and Area Context

The subject property is located south-east of the Erin Mills Parkway and Thomas Street intersection, and currently houses a single-storey, detached dwelling. Contextually, the surrounding neighbourhood is comprised exclusively of residential uses, with dwelling types ranging from single-storey detached dwellings to townhome units. The properties within the immediate area possess lot frontages of +/- 18.0m, with minimal vegetative elements located within their front yards. The subject property is an interior parcel, with a lot area of 710.6m², and a lot frontage of 15.24m.



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 site is located within the Streetsville Neighbourhood Character Area, and designated Residential Low Density I by the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached dwellings; semi-detached dwellings; and, duplex dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions; the surrounding context; and, the landscape of the character area. The subject lands are to be used for residential purposes. The proposed dwelling respects the designated residential land use, and, despite the variances, has regard for the distribution of massing on the property as a whole. The application meets the purpose and general intent of the Official Plan.

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

Variance 1 (Gross Floor Area)

As per Zoning By-law 0225-2007, the subject property is zoned R3-69 (Residential). Pursuant to Table 4.2.4.69(2) (R3 Exception Zones), this zone regulates a detached dwelling's maximum gross floor area. The general intent of this portion of the Zoning By-law, as it pertains to infill development, is to ensure that individual properties are not overly developed and that additional massing resultant of such construction will not negatively impact the character of the surrounding neighbourhood.

Despite requiring relief to permit the proposed increase in gross floor area; the detached dwelling remains appropriate in size and whose massing is well-hidden by several incorporated design features: primarily the suitably pitched roof-slope, as well as the undulating front façade (projecting garage and bay windows contrasted against the recessed front entrance) – all of which result in an unobtrusive design from a streetscape perspective. Further, Planning Staff are unable to determine any undue impact resulting from the requested relief. Variance 1, as requested, maintains the purpose and general intent of the Zoning By-law.

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

The proposed dwelling is in scale with the overall property as a whole, and, does not result in the over-massing of the site. Staff further note that while infill zoning regulations were enacted to restrict incompatible dwellings from being constructed within this community; the presence of larger replacement structures within the immediate contextual area, especially as it pertains to neighbouring properties, support the proposal of a larger structure, in this instance. The application results in both the orderly development of the lands, and whose impacts are minor in nature.

Variances 2 & 3

Through a detailed review, Staff is of the opinion that Variances 2 and 3, as requested, are appropriate to be handled through the minor variance process. Further, the aforementioned variances raise no concerns of a planning nature.

Conclusion

Based upon the preceding information, it is the opinion of Staff that the variances, as requested, meet the general intent and purpose of both the MOP and Zoning By-law; are minor in nature; and, are desirable for the orderly development of the lands. To this end, the Planning and Building Department has no objection to the variances, as requested; however, the Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Comments Prepared by: Roberto Vertolli, 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: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Building Department is not in receipt of any permit applications at this time. In the absence of any permit application, this Department is unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a full zoning review has not been completed.

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 5 – Region of Peel Comments

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

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 call our Site Servicing Technicians at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 316/20
Ward 11

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 3 Queen Street South, zoned C4-38 - Commercial, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a restaurant on the subject property proposing:

1. A setback to a residential zone of 0.00m whereas By-law 0225-2007, as amended, requires a minimum setback to a residential zone of 60m (approx. 197ft) in this instance;
2. A parking space width of 2.55m (approx. 8.37ft) whereas By-law 0225-2007, as amended, requires a minimum parking space width of 2.60m (approx. 8.53ft) in this instance;
3. A aisle width of 5.40m (approx. 17.72ft) whereas By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m (approx. 22.96ft) in this instance; and
4. A landscape buffer of 2.20m (approx. 7.22ft) whereas By-law 0225-2007, as amended, requires a minimum landscape buffer of 4.50m (approx. 14.76ft) in this instance.

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: Enter/choose date. To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): A316/20 Ward: 11
	Meeting date: 2020-10-22

Consolidated Recommendation

The City has no objection to the variances, as requested. 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 restaurant on the subject property, proposing:

1. A setback to a residential zone of 0.00m; whereas, By-law 0225-2007, as amended, requires a minimum setback to a residential zone of 60m (approx. 197ft), in this instance;
2. A parking space width of 2.55m (approx. 8.37ft); whereas, By-law 0225-2007, as amended, requires a minimum parking space width of 2.60m (approx. 8.53ft), in this instance;
3. A aisle width of 5.40m (approx. 17.72ft); whereas, By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m (approx. 22.96ft), in this instance; and,
4. A landscape buffer of 2.20m (approx. 7.22ft); whereas, By-law 0225-2007, as amended, requires a minimum landscape buffer of 4.50m (approx. 14.76ft), in this instance.

Amendments

"[Enter amendments to variances]"

Recommended Conditions and Terms

"[Enter terms and conditions here]"

Background

Property Address: 3 Queen Street South

Mississauga Official Plan

Character Area: Streetsville Community Node

Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C4-38 (Commercial)

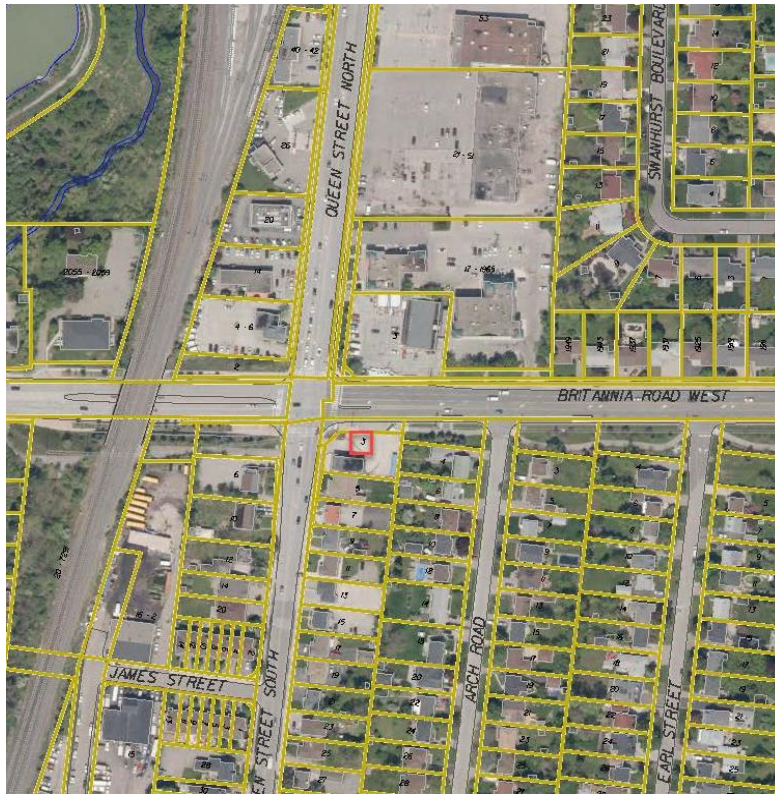
Other Applications:

None

Site and Area Context

The subject property is located upon the south-east corner of the Britannia Road West and Queen Street South intersection, and currently houses a two-storey commercial structure. From a land-use perspective, the immediate neighbourhood along this portion of Queen Street South is comprised of a mixture of post-war, one and two storey detached residential structures; many of which operating as personal service establishments. Planning Staff note, the subject property provides a minor transitional area between the aforementioned smaller-scale commercial uses and the more intense commercial lands, located north of Britannia Road West.

The properties within the immediate area possess lot frontages of +/-15.0m, with minimal vegetative / natural landscaped elements within their front yards.



Comments

Planning

Section 45 of the *Planning Act* provides the Committee of Adjustment the authority to grant relief from requirements of the municipal Zoning By-law; provided such applications meet the requirements set out under Section 45(1) and/or 45(2) (a) or (b) of the *Planning Act*.

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

Planning Staff note, an associative minor variance application for the above-noted property was brought before Committee as part of the March 8th, 2018, agenda (Application 'A' 98/18) proposing the same use. This application received full support from Staff, and subsequent conditional approval from Committee.

Conditions of this approval were as follows:

- A temporary period of 5 (five) years (approval lapsing on April 30th, 2023);
- The hours of operation shall be 7:00am to 11:00pm, 7 days per week; and,
- A 1.8 metre tall wood privacy fence shall be installed along the southerly and easterly lot lines.

Planning Staff notes, notwithstanding the inclusion of Variance 4 which represents an existing on-site condition (landscape buffer), the application is identical to that which has previously been approved. This Department therefore has no objection to the Applicant's request.

For the sake of completeness, Planning Staff have included their original comments (Schedule 2) attached to this Report.

Planning Staff would echo the Zoning Department's concern regarding the absence of any formal permit applications at this time and would reiterate that a comprehensive zoning review has yet to be completed in this regard. The Applicant is to be made aware that, in the absence of a finalized review by the Zoning Department, they are to be self-satisfied that the correct variances have been both accurately identified and applied for.

Conclusion

Based upon the preceding information, it is the opinion of Staff that the variances, as requested, meet the general intent and purpose of both the MOP and Zoning By-law; are minor in nature; and, are desirable for the orderly development of the lands. To this end, the Planning and Building Department has no objection to the variances, as requested.

Comments Prepared by: Roberto Vertolli, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections; comments or requirements with respect to C.A. 'A' 316/20.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Building Department is not in receipt of any permit applications at this time. In the absence of any permit application, this Department is unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a full zoning review has not been completed.

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

"[Enter Community Services staff comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 4 – Heritage

"[Enter Community Services staff comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the October 22nd, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Minor Variance Applications: A-316/20, A-318/20, A-319/20, A-320/20, A-321/20, A-322/20, A-323/20, A-324/20, A-325/20, A-328/20, A-356/20.

I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 8243 or by email at diana.guida@peelregion.ca.

Comments Prepared by: Diana Guida, Junior Planner

Appendix 6- Conservation Authority Comments

"[Entert CA comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 7 – "[Enter other agency name]"

"[Enter other agency comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Schedule 1

Conditions

- None



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 317/20
Ward 1

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

Details of the application and meeting information:

The property owner of 42 Minnewawa Road, zoned R15-8 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A sideyard (easterly) measured to the eaves of 0.60m (approx. 1.97ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback measured to the eaves of 0.75m (approx. 2.46ft) in this instance;
2. A sideyard (westerly) measured to the eaves of 0.64m (approx. 2.10ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback measured to the eaves of 0.75m (approx. 2.46ft) in this instance; and
3. A garage projection of 2.10m (approx. 6.89ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0.00m in this instance.

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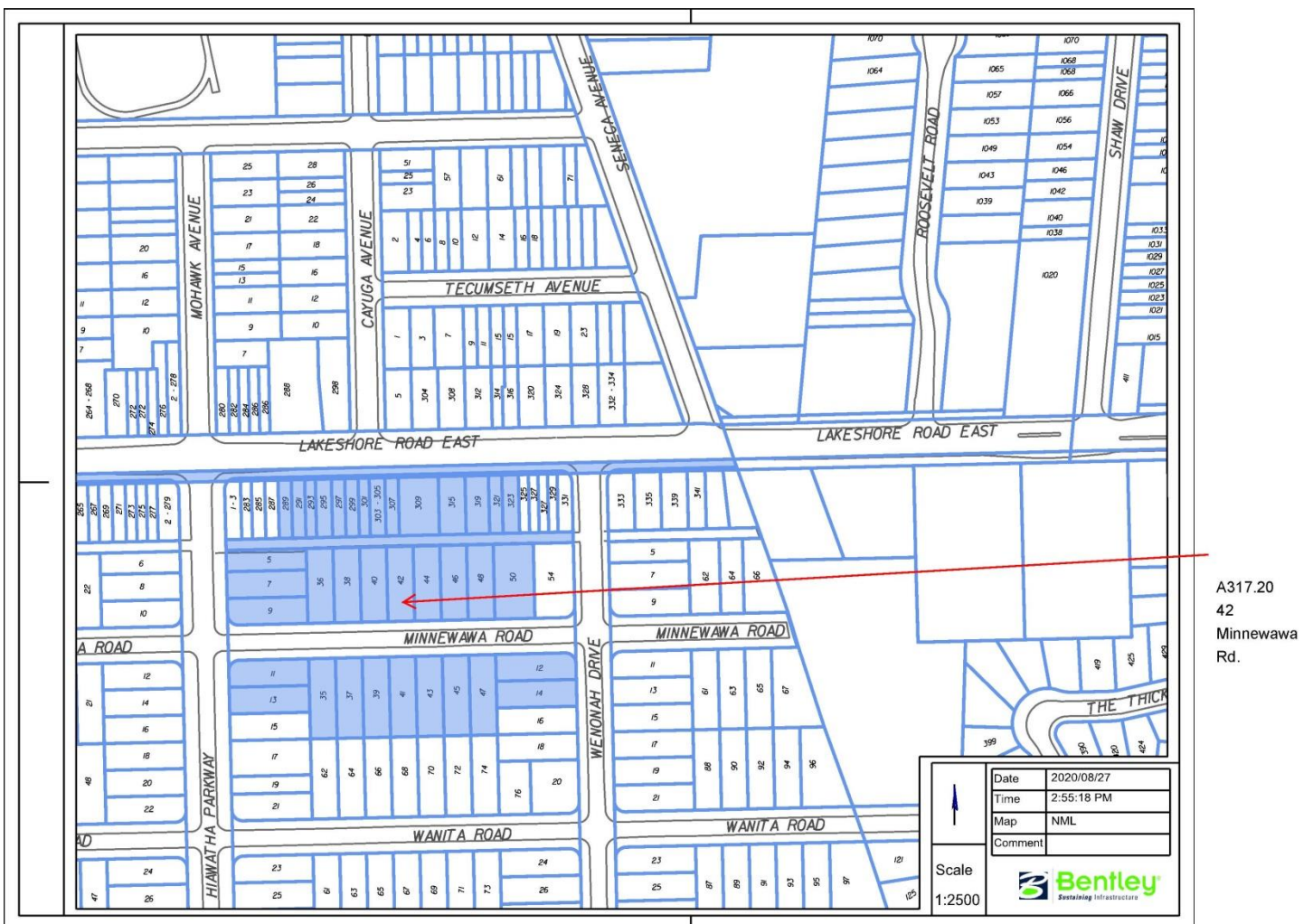
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Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, 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.M56, 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 x5209.



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-10-14	File(s): A317/20 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-10-22

Consolidated Recommendation

The City does not object to the requested variances. However, the applicant may choose to defer the application to verify the requested variances and ensure additional variances are not required.

Application Details

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

1. A sideyard (easterly) measured to the eaves of 0.60m (approx. 1.97ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback measured to the eaves of 0.75m (approx. 2.46ft) in this instance;
2. A sideyard (westerly) measured to the eaves of 0.64m (approx. 2.10ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback measured to the eaves of 0.75m (approx. 2.46ft) in this instance; and
3. A garage projection of 2.10m (approx. 6.89ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0.00m in this instance.

Background

Property Address: 42 Minnewawa Road

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (East)

Designation: Residential Low Density I

Zoning By-law 0225-2007

City Department and Agency Comments	File:A317/20	2020/10/14	2
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Zoning: R15-8 (Residential)

Other Applications

Building Permit: 20-2163

Site and Area Context

The subject property is located within the Port Credit Neighbourhood Character Area, southeast of Lakeshore Road East and Cumberland Drive. The neighbourhood consists of one and two storey detached dwellings with mature vegetation. The subject property is located on the north side of Minnewawa Road and contains a one storey detached dwelling with vegetation in the front and rear yard.

The application proposes a new two storey dwelling, requiring variances for eave setback and garage projection.



Comments

Planning

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

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

Through a detailed review of the application, staff is of the opinion that variances #1 and 2 is appropriate to be handled through the minor variance process and do not raise any concerns of a planning nature as the proposed eave setbacks represent a minor deviation from the zoning by-law and do not add significant massing to neighbouring properties.

Variance #3 proposes a garage projection of 2.10 m whereas a maximum of 0 m is permitted. The intent of the zoning by-law is to maintain a consistent streetscape while minimizing the impact of long walls on neighbouring lots and ensure the garage is not the dominant feature of the dwelling. In this instance, the proposed dwelling contains a front covered porch which maintains a similar projection to the garage, minimizing the overall garage projection. As such, the garage projection combined with the covered porch maintains the existing character of the streetscape. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

The proposed dwelling maintains the context of the existing neighbourhood as the front covered porch is in line with the proposed garage projection, preserving a consistent streetscape and mitigating the impact of the garage projection. Furthermore, the application proposes a single car garage, which lessens the visual massing of the garage in relation to the dwelling and its principle use. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

Conclusion

The Planning and Building Department has no objections to the requested variances. However, the applicant may choose to defer the application to verify the requested variances and ensure additional variances are not required.

Comments Prepared by: Lucas Petricca, 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 through the Building Permit process, BP 9NEW-20/2163.



Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Planning and Building Department is currently processing a building permit application under file 20-2163. Based on review of the information currently available for this building

permit, we advise that more information is required to verify the accuracy of the requested variances or determine whether additional variances will be required.

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 5 – Region of Peel Comments

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

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 call our Site Servicing Technicians at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 318/20
Ward 8

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 1393 Bunsden Avenue, zoned R1 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an accessory structures proposing:

1. A area of an accessory structure of 57.43sq.m (approx. 618.17sq.ft) whereas By-law 0225-2007, as amended, permits a maximum area of an accessory structure of 20.00sq.m (approx 215.28ft.) in this instance;
2. An combined area of all accessory structures and building of 71.92sq.m (approx. 774.14sq.ft) whereas By-law 0225-2007, as amended, a combined area of all accessory structures and buildings of 60.00sq.m (approx. 645.84sq.ft) in this instance; and
3. A lot coverage for all accessory structures of 6.70% (71.92sq.m) whereas By-law 0225-2007, as amended, permits a maximum of 5.00% (53.44sq.m) in this instance.

The Committee has set **Thursday October 22, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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If you wish to be notified of the decision of the Committee you must submit a written request to the Secretary-Treasurer via email or mail. This will also entitle you to be advised of appeal to the Local Planning Appeal Tribunal.

How to submit a written comment:

Written comments to the Committee must be received no later than 4:30pm the Tuesday 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 application number or address of the property you are providing comments on.

Advance registration is required to participate in the electronic hearing:

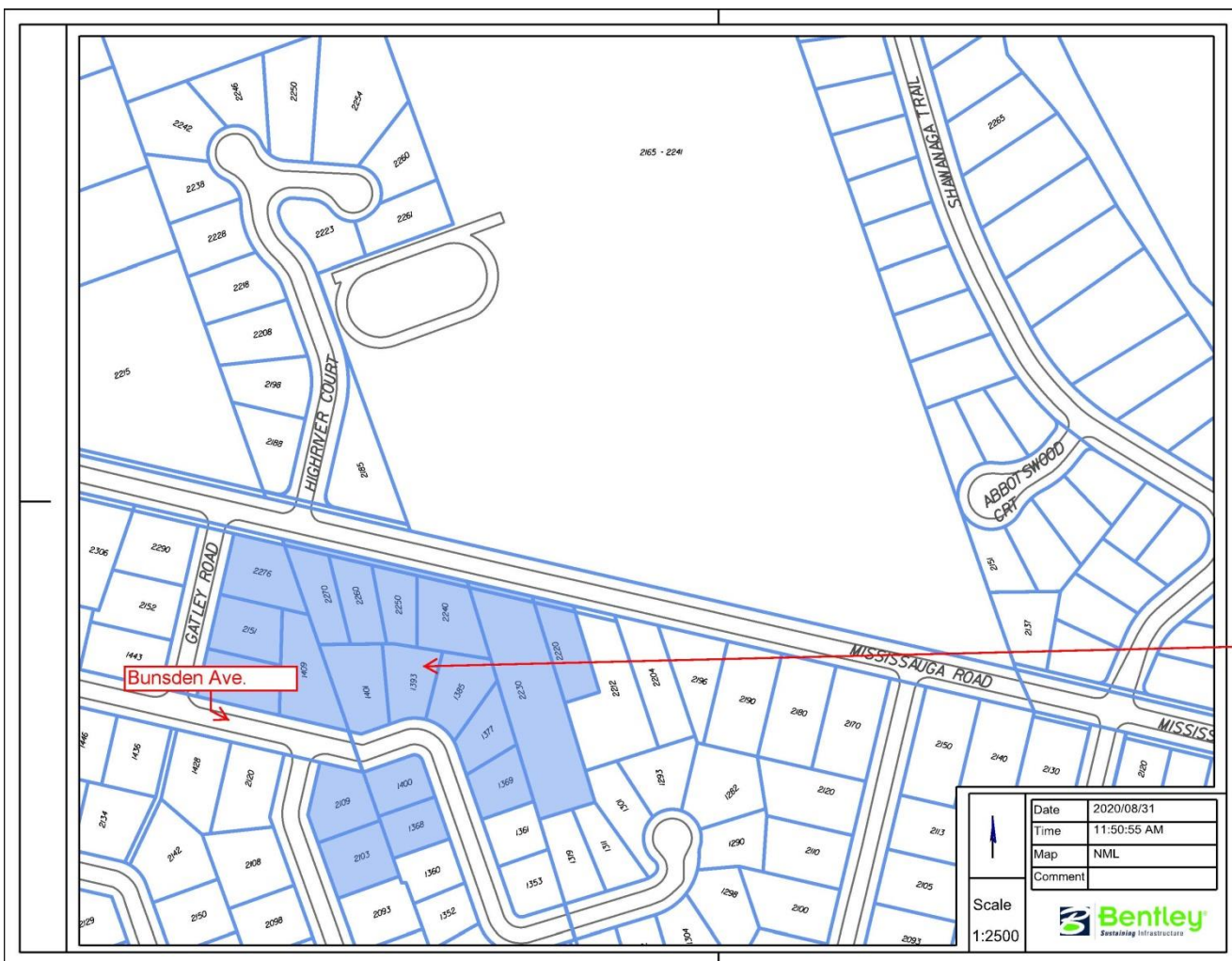
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services will not be accepted.

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A318.20
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Bunsden
Ave.

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-10-14	File(s): A318/20 Ward: 8
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-10-22

Consolidated Recommendation

The City does not object to the requested variances. However, the applicant may choose to defer the application to submit a permit application and verify the requested variances and ensure additional variances are not required.

Application Details

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

1. A area of an accessory structure of 57.43sq.m (approx. 618.17sq.ft) whereas By-law 0225-2007, as amended, permits a maximum area of an accessory structure of 20.00sq.m (approx 215.28ft.) in this instance;
2. An combined area of all accessory structures and building of 71.92sq.m (approx. 774.14sq.ft) whereas By-law 0225-2007, as amended, a combined area of all accessory structures and buildings of 60.00sq.m (approx. 645.84sq.ft) in this instance; and
3. A lot coverage for all accessory structures of 6.70% (71.92sq.m) whereas By-law 0225-2007, as amended, permits a maximum of 5.00% (53.44sq.m) in this instance.

Background

Property Address: 13 Bunsden Avenue

Mississauga Official Plan

Character Area: Sheridan Neighbourhood
Designation: Residential Low Density I

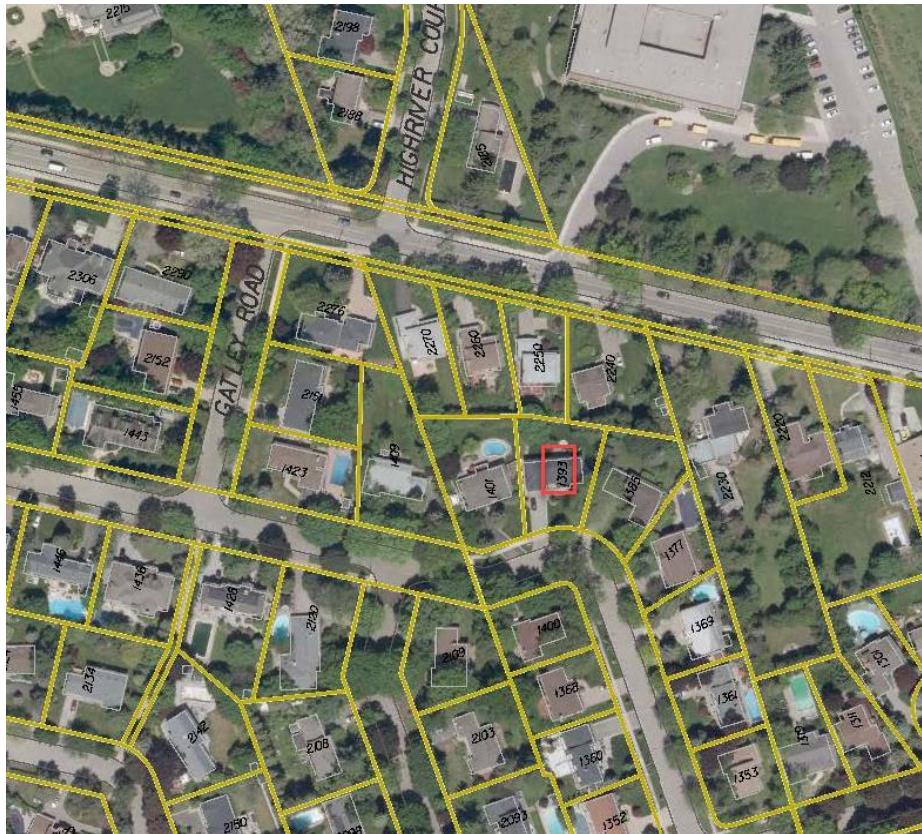
Zoning By-law 0225-2007

Zoning: R1 (Residential)

Site and Area Context

The subject property is located within the Sheridan Neighbourhood Character Area, northwest of Mississauga Road and North Sheridan Way. The neighbourhood is primarily residential consisting of one and two storey detached dwellings with significant mature vegetation. The subject property is a pie shaped lot containing an existing two storey dwelling with mature vegetation in the rear yard.

The application proposes two accessory structures in the rear yard, requiring variances related to increased area and lot coverage.



Comments

Planning

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

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

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

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached, semi-detached and duplex dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions; the surrounding context; and, the landscape of the character area. The proposed structures are accessory to the primary residential use and are compatible with the surrounding context as the structures are sufficiently setback from neighbouring properties and do not pose any unacceptable adverse impacts. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

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

Variance #1 and 3 relate to the increased lot coverage and occupied area of Structure 1 labelled on the submitted site plan, while variance #2 relates to the area of all structures on-site. The intent of the zoning by-law provisions regarding accessory structures is to ensure that the structures are proportional to the lot and clearly accessory to the dwelling while not presenting any massing concerns to neighbouring lots. The accessory structure labelled as Structure 1 is setback 4.59 m from the rear lot line and 6.49 m from the interior side lot line, significantly greater than the permitted 1.20 m setback within the by-law, thereby reducing the impact of the size of the structure. Additionally, all structures on-site are open on all sides and contain mature vegetation surrounding them, further mitigating any potential massing impacts to neighbouring properties. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

The proposed accessory structures are sufficiently setback to neighbouring properties, thereby, minimizing any impact the structures may have. The proposed structures are open on all sides and maintain a height less than what the zoning by-law permits, reducing the massing of the structures. Finally, the rear yard contains mature vegetation, screening the structures to abutting properties and mitigating the overall impact of the structures. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

Conclusion

The Planning and Building Department has no objections to the requested variances. However, the applicant may choose to defer the application to submit a permit application and verify the requested variances and ensure additional variances are not required.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference are photos depicting the existing structure and the area where the other is proposed.





Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Planning and Building Department is not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to confirm the accuracy of the requested variances or determine whether additional variances may be required.

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the October 22nd, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Minor Variance Applications: A-316/20, A-318/20, A-319/20, A-320/20, A-321/20, A-322/20, A-323/20, A-324/20, A-325/20, A-328/20, A-356/20.

I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 8243 or by email at diana.guida@peelregion.ca.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 319/20
Ward 11

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 owners of 6920 Rayah Court, zoned R16-4 - Residential, have applied for a minor variance under Section 45 of the Planning Act. The applicants request the Committee to approve a minor variance to allow the construction of a roof over a deck on the subject property proposing a lot coverage of 39.7% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.0% of the lot area in this instance.

The Committee has set **Thursday October 22, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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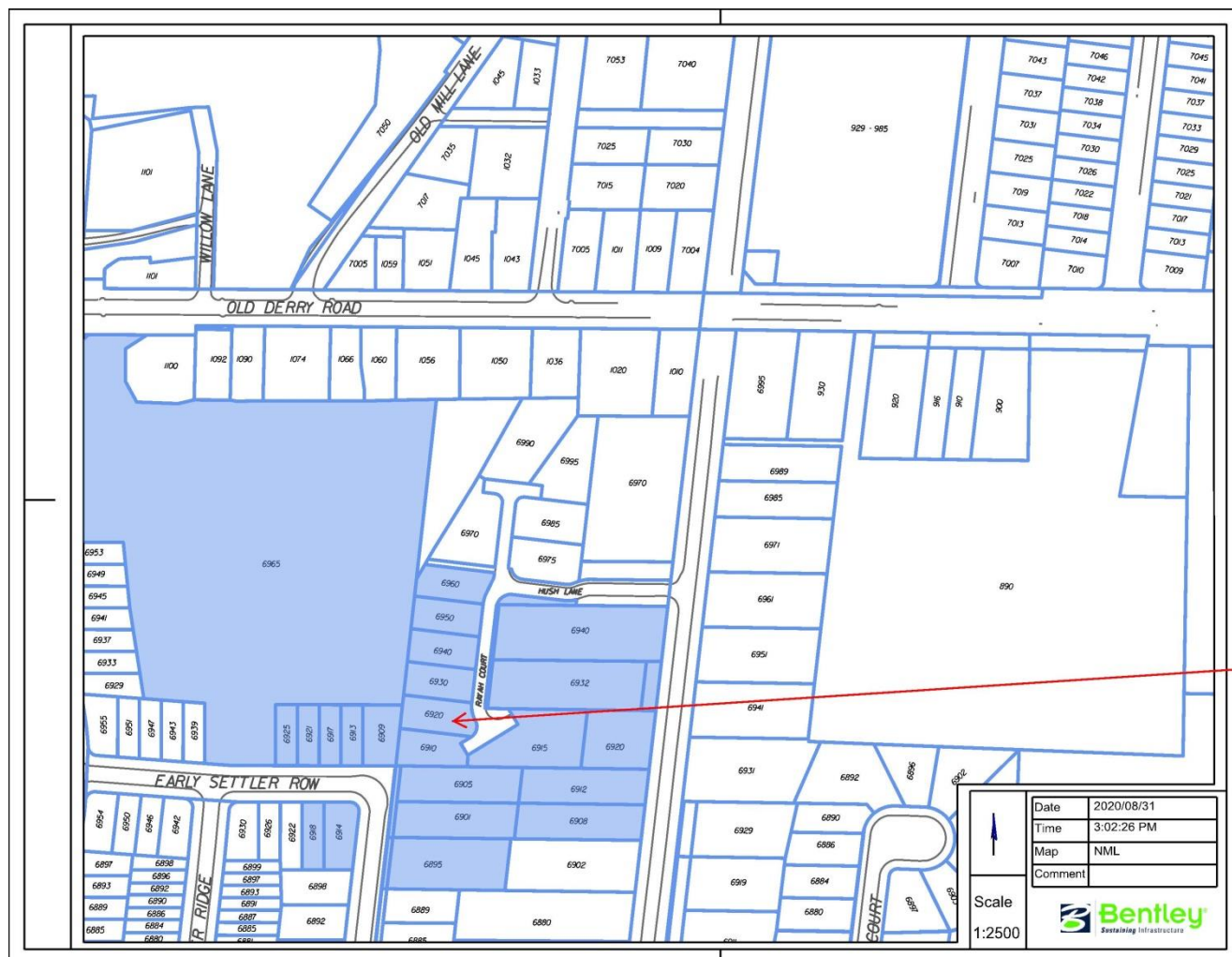
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Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, 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.M56, 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 x5209.



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Rayah
Crt.

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-10-14	File(s): A319/20 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-10-22

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 Applicants request the Committee to approve a minor variance to allow the construction of a roof over a deck on the subject property, proposing a lot coverage of 39.7% of the lot area; whereas, By-law 0225-2007, as amended, permits a maximum lot coverage of 35.0% of the lot area, in this instance.

Amendments:

Staff notes that the Minor Variance application should be amended as follows, permitting:

1. A lot coverage of 39.7% (294.61m²) of the lot area; whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.0% (359.74m²) of the lot area, in this instance.

Background

Property Address: 6920 Rayah Court

Mississauga Official Plan

Character Area: Meadowvale Village
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R16-4 (Residential)

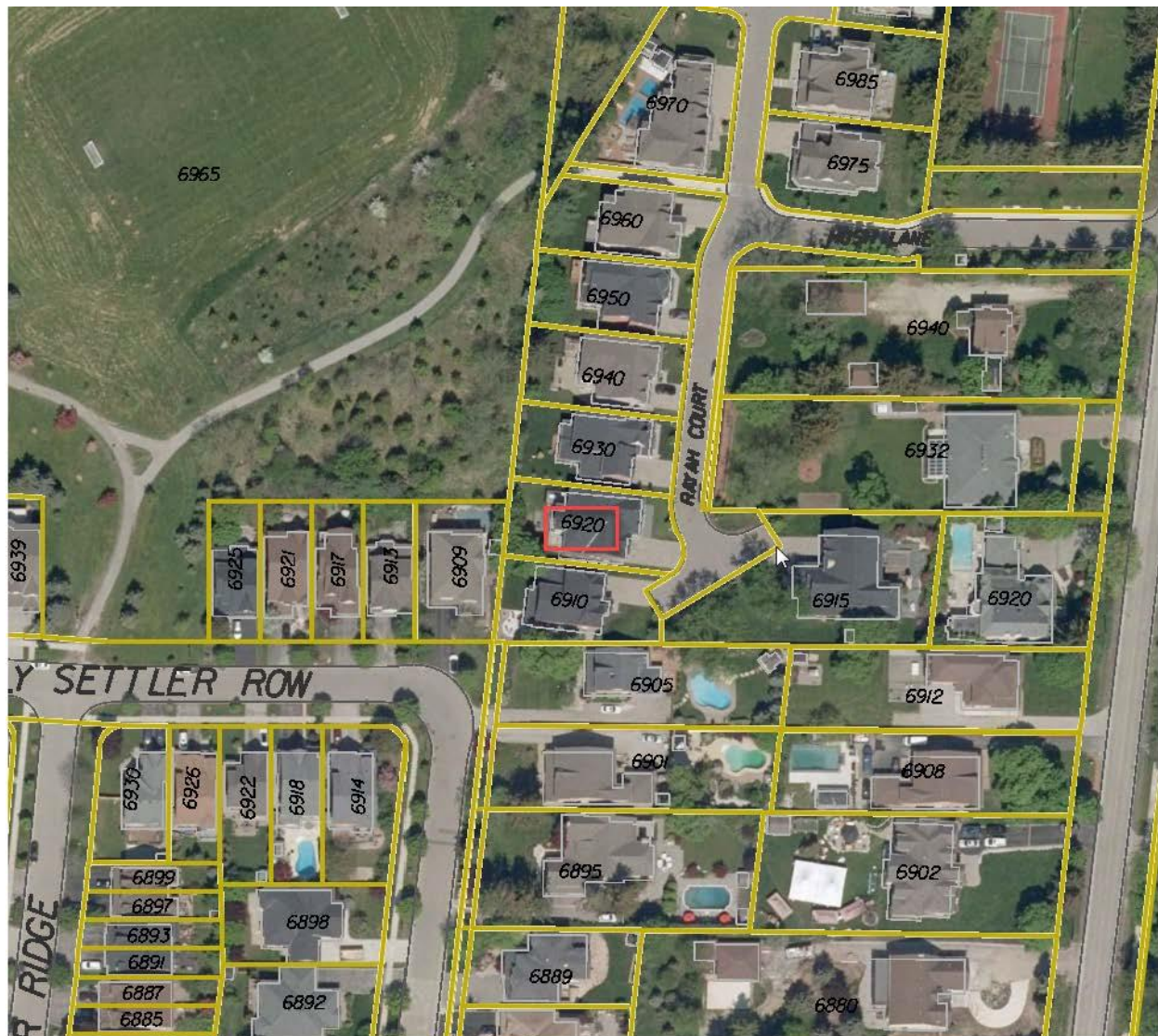
Other Applications:

Building Permit: 20-401

Site and Area Context

The subject property is located south-west of the Old Derry Road and Second Line West intersection, and currently houses a two-storey, detached dwelling. Contextually, the surrounding neighbourhood is comprised exclusively of detached residential structures, all of which sharing a contemporary architectural design. The properties within the immediate area possess lot frontages of +/-18.0m, and exhibit generous mature vegetative / natural landscaped elements within their front yards.

The subject property is an interior parcel, with a lot area of 741.5m² and a lot frontage of +/- 18.6m.



Comments

Planning

Section 45 of the *Planning Act* provides the Committee of Adjustment the authority to grant relief from requirements of the municipal Zoning By-law; provided such applications meet the requirements set out under Section 45(1) and/or 45(2) (a) or (b) of the *Planning Act*.

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

As is the case with the majority of covered-porch constructions, Planning Staff note the absence of any substantive massing resulting of the proposal.

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

Conclusion

The Planning and Building Department 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*.

Comments Prepared by: Roberto Vertolli, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

From our site inspection of this property we note that we have no drainage related concerns with the roof constructed over the deck.





Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit application under file 20-401. Based upon review of this Application, Staff notes that the Minor Variance application should be amended as follows, permitting:

1. A lot coverage of 39.7% (294.61m²) of the lot area; whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.0% (359.74m²) of the lot area, in this instance.

Comments Prepared by: Adam McCormack, Zoning Examiner

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the October 22nd, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Minor Variance Applications: A-316/20, A-318/20, A-319/20, A-320/20, A-321/20, A-322/20, A-323/20, A-324/20, A-325/20, A-328/20, A-356/20.

I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 8243 or by email at diana.guida@peelregion.ca.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 320/20
Ward 2

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 owners of 1060 Walden Circle Unit 22, zoned RM4 - Residential, have applied for a minor variance under Section 45 of the Planning Act. The applicants request the Committee to approve a minor variance to allow the construction of a balcony on the subject property proposing:

1. A balcony projection of 4.06m (approx. 13.32ft) whereas By-law 0225-2007, as amended, permits a maximum balcony projection of 1.00m (approx. 3.28ft) in this instance; and
2. The area below the balcony to be included in the landscaped area calculation whereas By-law 0225-2007, as amended, does not permit the area below a balcony to be included in the landscaped area in this instance.

The Committee has set **Thursday October 22, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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How to submit a written comment:

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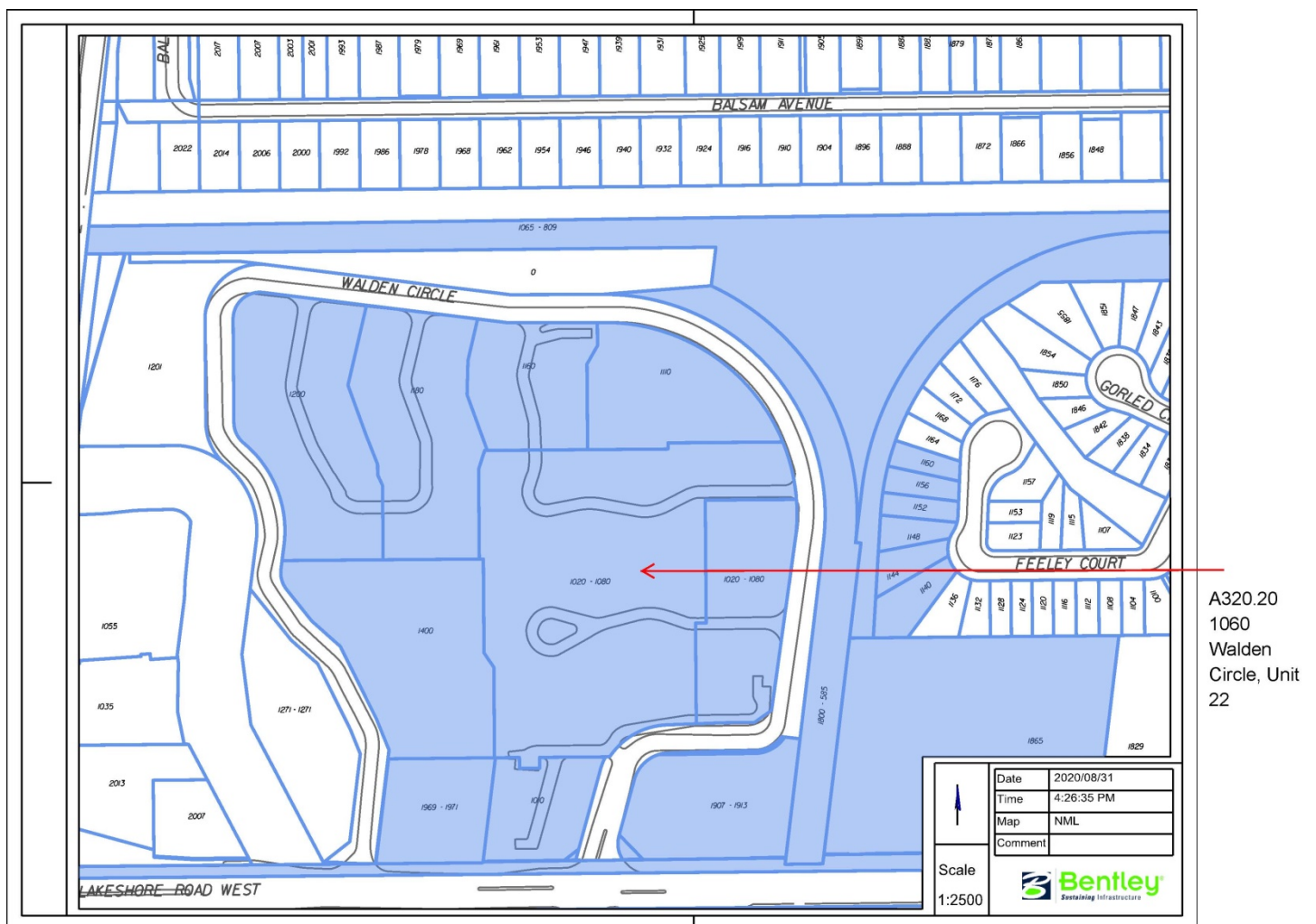
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: Enter/choose date. To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): A320/20 Ward: 1
	Meeting date: 2020-10-22

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 meets the requirements of Section 45 (1) of the Planning Act.

Application Details

The applicants request the Committee to approve a minor variance to allow the construction of a balcony on the subject property proposing:

1. A balcony projection of 4.06m (approx. 13.32ft) whereas By-law 0225-2007, as amended, permits a maximum balcony projection of 1.00m (approx. 3.28ft) in this instance; and
2. The area below the balcony to be included in the landscaped area calculation whereas By-law 0225-2007, as amended, does not permit the area below a balcony to be included in the landscaped area in this instance.

Amendments

"[Enter amendments to variances]"

Recommended Conditions and Terms

"[Enter terms and conditions here]"

Background

Property Address: 1060 Walden Circle – Unit 22

Mississauga Official Plan

Character Area: Clarkson Village Community Node
Designation: Residential Medium Density

Zoning By-law 0225-2007

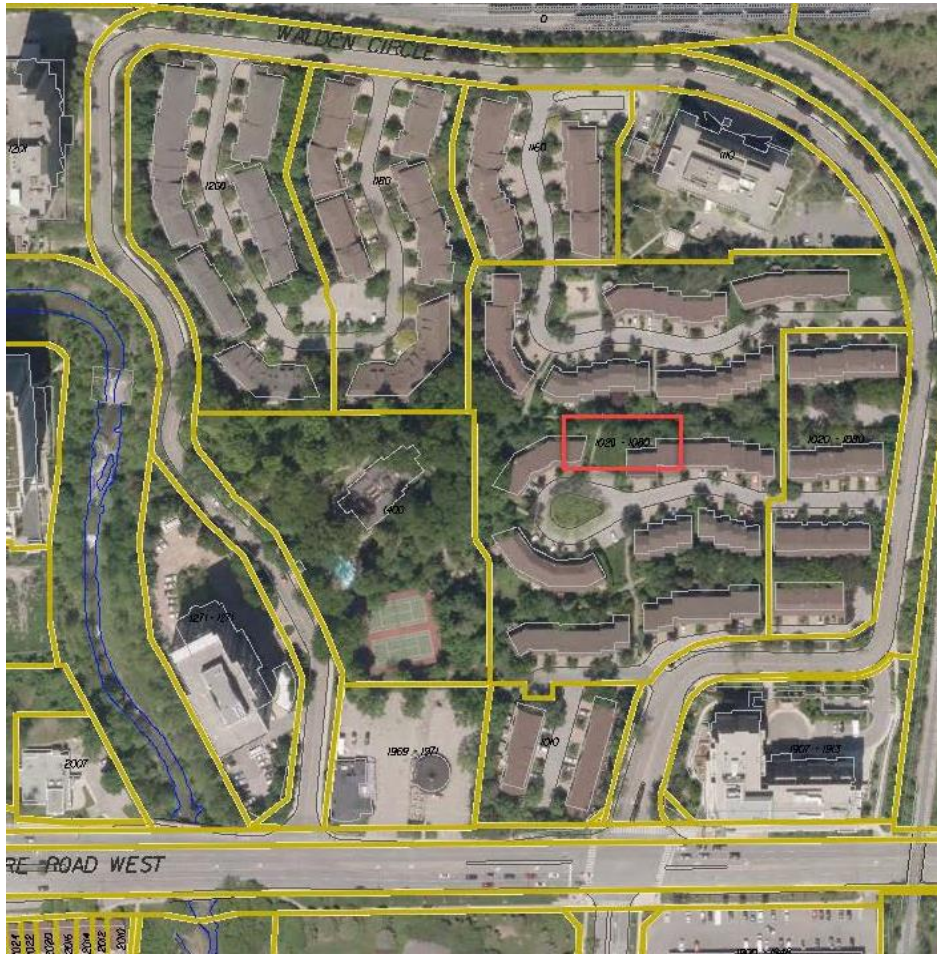
Zoning: RM4 (Residential)

Other Applications

Building Permit: 20-2912

Site and Area Context

The subject property is located within the Clarkson Village Community Node Character Area, northwest of Clarkson Road North and Lakeshore Road West. The subject site is located within a townhouse complex which also contains high-rise apartment buildings. The area is comprised of mature vegetation and includes Sheridan Creek Trail which is a Significant Natural Area. The application proposes a balcony in the rear yard requiring a variance for balcony projection.



Comments

Planning

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

Staff comments concerning the application are as follows:

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.

Conclusion

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

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections; comments or requirements with respect to C.A. 'A' 320/20.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Planning and Building Department is currently processing a building permit application under file 20-2912. Based on review of the information currently available for this building permit, the variances, as requested are correct.

Comments Prepared by: Adam McCormack, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

"[Enter Community Services staff comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 4 – Heritage

"[Enter Community Services staff comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the October 22nd, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Minor Variance Applications: A-316/20, A-318/20, A-319/20, A-320/20, A-321/20, A-322/20, A-323/20, A-324/20, A-325/20, A-328/20, A-356/20.

I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 8243 or by email at diana.guida@peelregion.ca.

Comments Prepared by: Diana Guida, Junior Planner

City of Mississauga

Memorandum:

City Department and Agency Comments

Appendix 6- Conservation Authority Comments

"[Entert CA comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Appendix 7 – "[Enter other agency name]"

"[Enter other agency comments]"

Comments Prepared by: [Click here to insert name, title...](#)

Schedule 1

Conditions

- None



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 321/20
Ward 4

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 owners of 650 Brougham Place, zoned R5-8 - Residential, have applied for a minor variance under Section 45 of the Planning Act. The applicants request the Committee to approve a minor variance to allow a widened driveway on the subject property proposing a driveway width of 8.81m (approx. 28.90ft) at the top and 6.98m (approx. 22.90ft) at the bottom whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.68ft) in this instance.

The Committee has set **Thursday October 22, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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How to submit a written comment:

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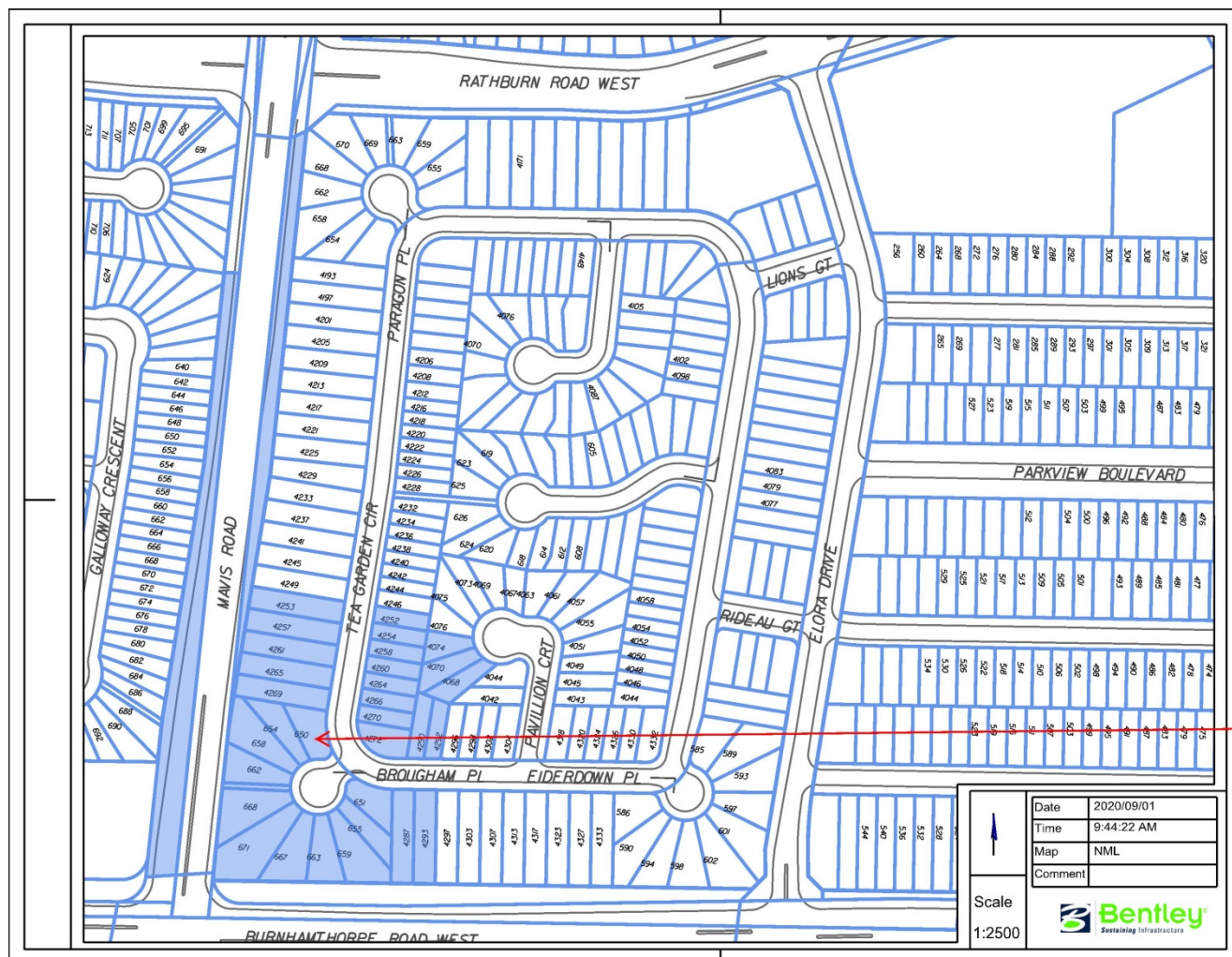
To participate by telephone: To register, please call 905-615-3200 x5209 no later than 4:30pm the Tuesday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.

Legal notice:

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address, contact information, and the reasons for prejudice and must be received no later than 4:30pm the Tuesday prior to the hearing to committee.adjustment@mississauga.ca. If a party does not submit a request and does not participate in the hearing the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

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.M56, 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.M56, 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 x5209.



A321.20
650
Brougham Place

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-10-14	File(s): A321/20 Ward: 4
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-10-22

Consolidated Recommendation

The City recommends that the application be refused.

Application Details

The Applicants request the Committee to approve a minor variance to allow a widened driveway on the subject property, proposing a driveway width of 8.81m (approx. 28.90ft) at the top and 6.98m (approx. 22.90ft) at the bottom; whereas, By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.68ft), in this instance.

Background

Property Address: 650 Brougham Place

Mississauga Official Plan

Character Area: Creditview Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

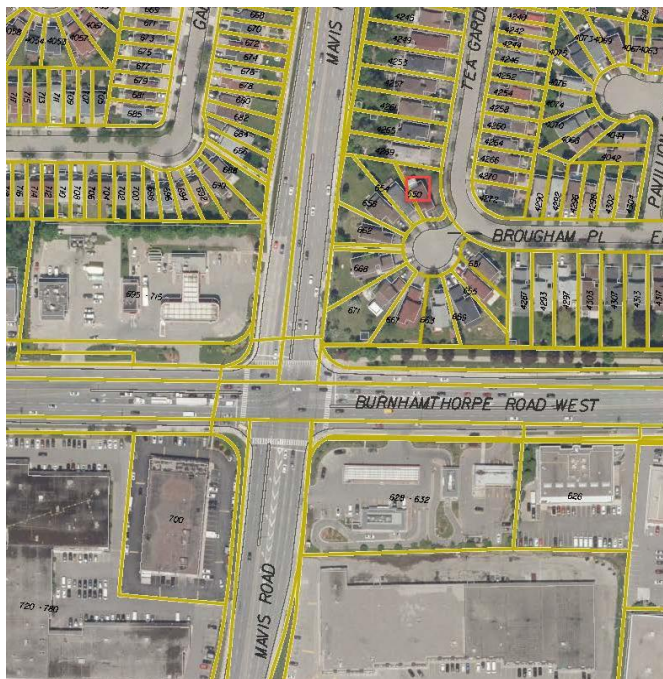
Zoning: R5-8 (Residential)

Other Applications:

None

Site and Area Context

The subject property is located north-east of the Burnhamthorpe Road West and Mavis Road intersection, and currently houses a two-storey detached dwelling with an attached single-car garage. Contextually, the surrounding neighbourhood is comprised exclusively of detached dwellings exhibiting a shared 1980's subdivision architectural style. The properties within the immediate area possess lot frontages of +/-10.75m, with minimal vegetative / natural landscaped elements within the front yards. The subject property is an exterior parcel, with a lot area of +/- 485.0m² and a lot frontage of +/- 14.0m.



Comments

Planning

Section 45 of the *Planning Act* provides the Committee of Adjustment the authority to grant relief from requirements of the municipal Zoning By-law; provided such applications meet the requirements set out under Section 45(1) and/or 45(2) (a) or (b) of 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 site is situated within the Creditview Neighbourhood Character Area, and designated Residential Low Density II by the Mississauga Official Plan (MOP). As per Section 9.1 (Introduction), driveway widths should respect the identity and character of the surrounding

context. The planned context of this neighbourhood is that of detached dwellings serviced by appropriately sized driveways, with the remainder of the property's frontage serving to form a soft-landscaped area. From a streetscape perspective, the proposed driveway, and its associate hard-surfaced area, represents a significant portion of the property's front yard. This is visibly different from the unaltered lots within this neighbourhood which define the area's planned context. The proposal does not meet the purpose or general intent of the Official Plan

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

As per Zoning By-law 0225-2007, the subject property is zoned R5-8 (Residential). Pursuant to Table 4.2.1.12.3 (R1 to R5 Permitted Uses and Zone Regulations), the maximum driveway width for a detached dwelling is 6.0m; whereas, the Applicant is proposing 8.81m. The general intent of this portion of the Zoning By-law is to permit a driveway width large enough to provide the necessary space for two vehicles parked side-by-side, with the remainder of lands being soft landscaping (front yard). The Applicant's proposal results in a driveway large enough to accommodate three vehicles parked side-by-side at its widest point. The variance, as requested, does not meet the purpose or general intent of the Zoning By-law.

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

The variances, as requested, creates a significant amount hardscaping and results in the driveway being the prominent feature of the front yard (63% at its widest point). This is an undesirable development of the land, and one whose effects are not minor in nature.

Conclusion

Based upon the preceding information, it is the opinion of Staff that the variance, as requested, does not meet the criteria established by Section 45(1) of the *Planning Act*. To this end, the Planning and Building Department recommends that the application be refused.

Comments Prepared by: Roberto Vertolli, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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





Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Building Department is not in receipt of any permit applications at this time. In the absence of any permit application, this Department is unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a full zoning review has not been completed.

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the October 22nd, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Minor Variance Applications: A-316/20, A-318/20, A-319/20, A-320/20, A-321/20, A-322/20, A-323/20, A-324/20, A-325/20, A-328/20, A-356/20.

I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 8243 or by email at diana.guida@peelregion.ca.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 322/20
Ward 5

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 1200 Derry Road East Unit 8, zoned E2 - Employment, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an office use proposing 190 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 212 parking spaces in this instance.

The Committee has set **Thursday October 22, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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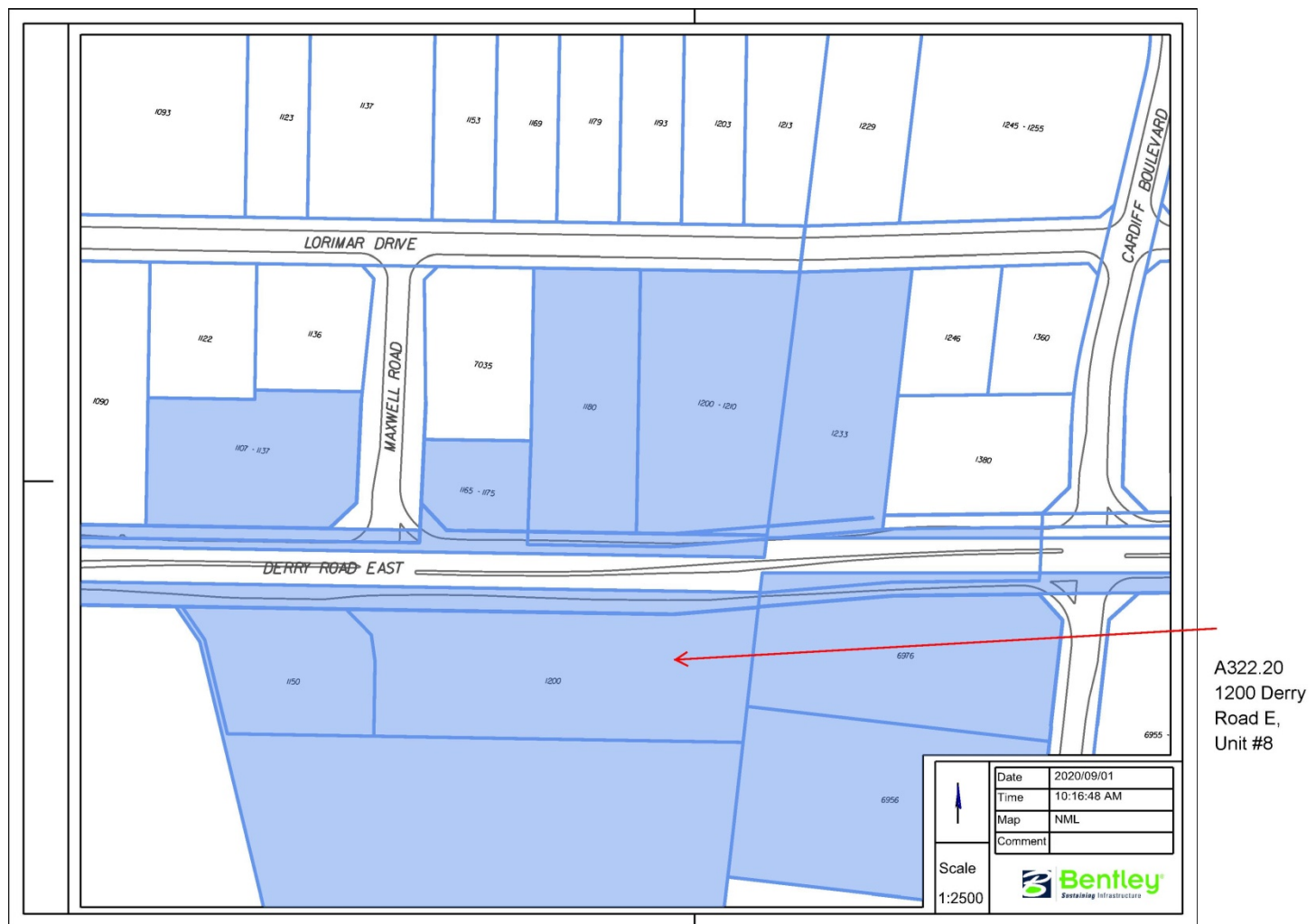
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to the hearing to committee.adjustment@mississauga.ca. If a party does not submit a request and does not participate in the hearing the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

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.M56, 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.M56, 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 x5209.



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-10-14	File(s): A322/20 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-10-22

Consolidated Recommendation

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

Application Details

The Applicant requests the Committee to approve a minor variance to allow an office use, proposing 190 parking spaces; whereas, By-law 0225-2007, as amended, requires a minimum of 212 parking spaces, in this instance.

Amendments

Staff notes that the Minor Variance application should be amended as follows, permitting:

- 190 parking spaces; whereas, By-law 0225-2007, as amended, requires a minimum of 219 parking spaces, in this instance.

Background

Property Address: 1200 Derry Road East, Unit 8

Mississauga Official Plan

Character Area: Northeast Employment Area
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2 (Employment)

Other Applications:

Building Permit: 20-1535

Site and Area Context

The subject property is located south-west of the Derry Road East and Dixie Road intersection and currently houses a two storey, multi-tenant office/retail structure. The southern portion of the site is bounded by the Catholic Assumption Cemetery, which runs contiguously to the rear lot line. From a land use perspective, the immediate neighbourhood is comprised primarily of either office or retail uses. The properties along this portion of Derry Road East are situated upon large parcels, with lot frontages ranging from +/- 60m to +/-120m.

The subject property is an interior parcel, with a lot area of +/- 16,370.0m² and a lot frontage of +/- 230.0m.



Comments

Planning

Section 45 of the *Planning Act* provides the Committee of Adjustment the authority to grant relief from requirements of the municipal Zoning By-law; provided such applications meet the requirements set out under Section 45(1) and/or 45(2) (a) or (b) of 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 site is located within the Northeast Employment Character Area, and is designated Business Employment by the Mississauga Official Plan (MOP). Pursuant to Section 17.1.8 (Business Employment), this designation permits office uses. The Applicant's proposal meets the purpose and general intent of the Official Plan.

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

As per Zoning By-law 0225-2007, the subject property is zoned E2 (Employment). In accordance with Table 3.1.2.2 (Required Number of Parking Spaces for Non-Residential Uses), this zone regulates the required parking rates for various uses on this site. The intent in quantifying this amount is to ensure that each structure is self-sufficient in providing adequate parking accommodations based upon its intended use. As per the Parking Utilization Study (Traffic+Engineering Ltd., Jun/2020) submitted by the Applicant, and reviewed to the satisfaction of City Planning Strategies Staff, the proposed parking rates are suitable in meeting the peak parking demands of the subject property for all uses. The variance, as amended, maintains the purpose and general intent of the Zoning By-law.

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

The subject property is well serviced by the public transit system and, as per the aforementioned Parking Utilization Study, has ample room to accommodate required parking based upon the intend uses. The structure remains self-sufficient, with the majority of parking handled on-site, and with the requested variances serving to pose no significant negative impact to the surrounding neighbourhood, as a whole. The variance, as amended, results in both the orderly development of the lands, and whose impacts are minor in nature.

Conclusion

Based upon the preceding information, it is the opinion of Staff that the variance, as amended, meets the general intent and purpose of both the MOP and Zoning By-law; is minor in nature;

and, is desirable for the orderly development of the lands. To this end, the Planning and Building Department has no objection to the variance, as amended.

Comments Prepared by: Roberto Vertolli, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections, comments or requirements with respect to C.A. 'A' 322/20.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit application under file 20-1535. Based upon review of this Application, Staff notes that the Minor Variance application should be amended as follows, permitting:

- 190 parking spaces; whereas, By-law 0225-2007, as amended, requires a minimum of 219 parking spaces, in this instance.

Comments Prepared by: Sandra Morrison, Zoning Examiner

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the October 22nd, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Minor Variance Applications: A-316/20, A-318/20, A-319/20, A-320/20, A-321/20, A-322/20, A-323/20, A-324/20, A-325/20, A-328/20, A-356/20.

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Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 323/20
Ward 5

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 5481 Wilderness Trail, zoned R5 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a driveway widening proposing a width of 7.50m (approx. 24.61ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

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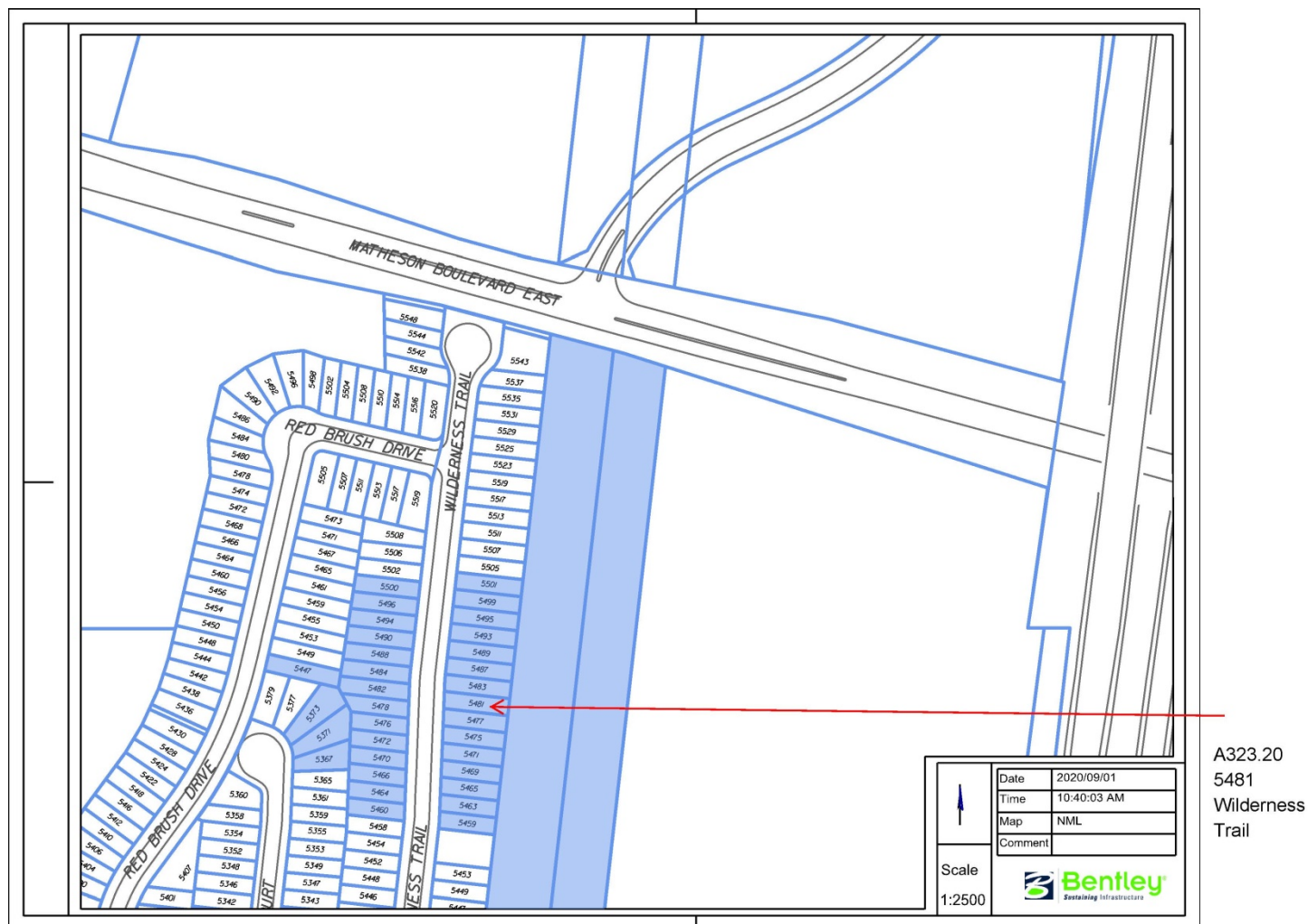
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to the hearing to committee.adjustment@mississauga.ca. If a party does not submit a request and does not participate in the hearing the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-10-14	File(s): A323/20 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-10-22

Consolidated Recommendation

The City recommends that the application be refused.

Application Details

The Applicant requests the Committee to approve a minor variance to allow a driveway widening, proposing a width of 7.50m (approx. 24.61ft); whereas, By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft), in this instance.

Background

Property Address: 5481 Wilderness Trail

Mississauga Official Plan

Character Area: Hurontario Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R5 (Residential)
Other Applications:

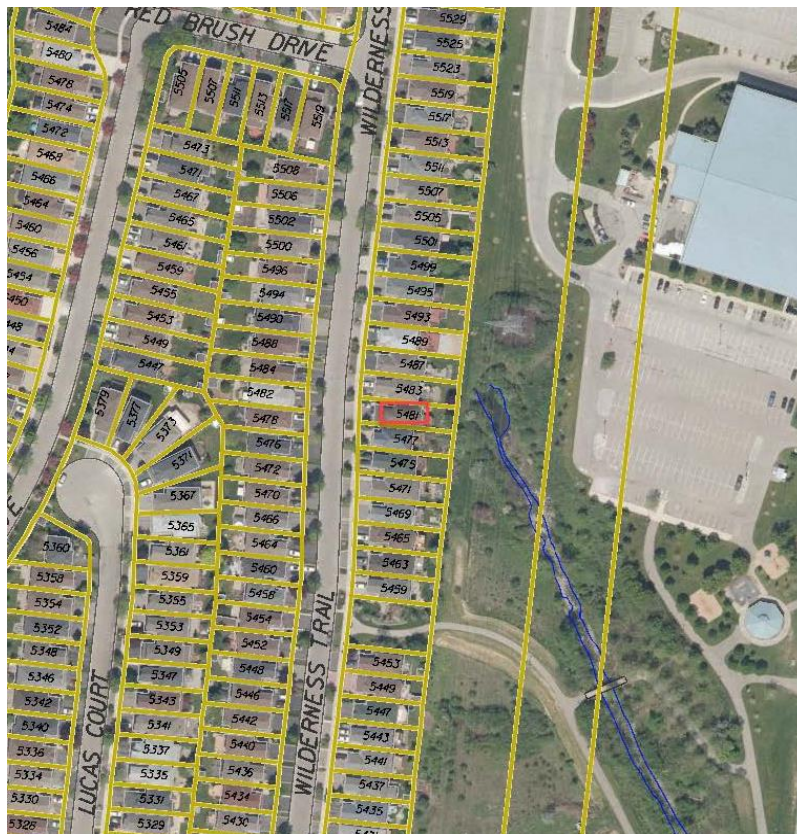
Building Permit: 19-7626

Site and Area Context

The subject property is located south-east of the Kennedy Road South and Matheson Boulevard East intersection, and currently houses a two-storey detached dwelling with an attached double-

car garage. The site is contiguous to an open space / landscaped trail to the rear. Contextually, the surrounding neighbourhood is comprised exclusively of detached dwellings exhibiting a shared 1990's subdivision architectural style. The properties within the immediate area possess lot frontages of +/-9.9m, with minimal vegetative / natural landscaped elements within the front yards.

The subject property is an interior parcel, with a lot area of +/- 365.0m² and a lot frontage of 9.75m.



Comments

Planning

Section 45 of the *Planning Act* provides the Committee of Adjustment the authority to grant relief from requirements of the municipal Zoning By-law; provided such applications meet the requirements set out under Section 45(1) and/or 45(2) (a) or (b) of the *Planning Act*.

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

Planning Staff would echo the Zoning Department's concern regarding the absence of any formal permit applications at this time and would reiterate that a comprehensive zoning review has yet to be completed in this regard.

While Planning Staff are not in a position to provide an interpretation of the Zoning By-law; Staff would note, based upon the provided drawings submitted in support of this Minor Variance Application (House 5481 Wilderness Trail, n.d.), as the hard-surfaced area adjacent to the garage is wide enough to accommodate a motor-vehicle, the variance should be amended to permit a width of 8.16m; whereas, By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m, in this instance.

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

The site is situated within the Hurontario Neighbourhood Character Area, and designated Residential Low Density II by the Mississauga Official Plan (MOP). As per Section 9.1 (Introduction), driveway widths should respect the identity and character of the surrounding context. The planned context of this neighbourhood is that of detached dwellings serviced by appropriately sized driveways, with the remainder of the property's frontage serving to form a soft-landscaped area. From a streetscape perspective, the proposed driveway, and its associate hard-surfaced area, represents a significant portion of the property's front yard. This is visibly different from the unaltered lots within this neighbourhood which are used to define the area's planned context. The proposal does not meet the purpose or general intent of the Official Plan

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

As per Zoning By-law 0225-2007, the subject property is zoned R5 (Residential). Pursuant to Table 4.2.1.12.3 (R1 to R5 Permitted Uses and Zone Regulations), the maximum driveway width for a detached dwelling is 6.0m; whereas, the Applicant is proposing 8.16m, as amended. The general intent of this portion of the Zoning By-law is to permit a driveway width large enough to provide the necessary space for two vehicles parked side-by-side, with the remainder of lands being soft landscaping (front yard). The Applicant's proposal results in a driveway large enough to accommodate three vehicles parked side-by-side at its widest point. The variance, as amended, does not meet the purpose or general intent of the Zoning By-law.

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

The variance, as amended, creates a significant amount hardscaping and results in the driveway being the prominent feature of the front yard (84% at its widest point). This is an undesirable development of the land, and one whose effects are not minor in nature.

Conclusion

Based upon the preceding information, it is the opinion of Staff that the variance, as amended, does not meet the criteria established by Section 45(1) of the *Planning Act*. To this end, the Planning and Building Department recommends that the application be refused.

Comments Prepared by: Roberto Vertolli, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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





Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Building Department is not in receipt of any permit applications at this time. In the absence of any permit application, this Department is unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a full zoning review has not been completed.

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the October 22nd, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Minor Variance Applications: A-316/20, A-318/20, A-319/20, A-320/20, A-321/20, A-322/20, A-323/20, A-324/20, A-325/20, A-328/20, A-356/20.

I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 8243 or by email at diana.guida@peelregion.ca.

Comments Prepared by: Diana Guida, Junior Planner

Appendix 6- Conservation Authority Comments

This letter will acknowledge receipt of the above noted application, received on September 25, 2020. Toronto and Region Conservation Authority (TRCA) staff has reviewed the above noted application, and as per the "Living City Policies for Planning and Development within the Watersheds of the TRCA" (LCP), provides the following comments as part of TRCA's commenting role under the *Planning Act*, the Authority's delegated responsibility of representing the provincial interest on natural hazards encompassed by Section 3.1 of the *Provincial Policy Statement, 2014 (PPS)*; TRCA's Regulatory Authority under Ontario Regulation 166/06, *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses*; and our Memoranda of Understanding (MOU) with the City of Mississauga and the Region of Peel wherein we provide technical environmental advice.

Purpose of the Application

We understand that the purpose of Minor Variance Application A 323/20 is to allow a driveway widening proposing a width of 7.50 m (approx. 25.61 ft.) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00 m. (approx. 19.69 ft.) in this instance.

Recommendation

On the basis of the comments noted below, TRCA staff supports conditional approval of Minor Variance Application A 323/20, subject to the following condition:

1. The applicant submits the variance application review fee of \$580 made payable to the TRCA.

Application Specific Comments

Ontario Regulation 166/06:

A portion of the subject property is located within TRCA's Regulated Area of the Etobicoke Creek Watershed, as it is adjacent to a tributary of Etobicoke Creek. In accordance with Ontario Regulation 166/06, as amended (*Development, Interference with Wetlands and Alteration to Shorelines and Watercourses*), a permit is required from the TRCA prior to any of the following works taking place:

- a) straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream or watercourse, or for changing or interfering in any way with a wetland;
- b) development, if in the opinion of the Authority, the control of flooding, erosion, dynamic beaches or pollution or the conservation of land may be affected by the development.

Development is defined as:

- i. the construction, reconstruction, erection or placing of a building or structure of any kind;
- ii. any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure;
- iii. site grading, including the temporary or permanent placing, dumping or removal of any material originating on the site or elsewhere.

It is our understanding that the requested variance is required in order to facilitate the widening of the existing driveway. Based on our review, it appears that the proposed works are located outside of TRCA's Regulated Area. As such, TRCA staff have no concerns with the proposed works, as submitted, and a TRCA permit will not be required at this time.

Please note that all future development proposals on the property should be circulated to TRCA for our review and approval prior to any works taking place.

Fees

In addition to regulatory responsibilities, TRCA has a role as a commenting agency for Planning Act applications circulated by member municipalities to assess whether a proposed development may be impacted by the TRCA.

1. By copy of this letter, the applicant is advised that the TRCA has implemented a fee scheduled for our planning application review services. This application is subject to a \$580 (Variance – Residential – Minor) review fee. The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible.

Conclusion

We thank you for the opportunity to review the subject application and provide our comments as per our commenting and regulatory role. Should you have any additional questions or comments, please do not hesitate to contact the undersigned.

Comments Prepared by: Lina Alhabash, Planner I



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 324/20
Ward 1

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 1381 Haig Boulevard, 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 proposing:

1. A building height measured to the underside of the eaves of 7.14m (approx. 23.42ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the underside of the eaves of 6.40m (approx. 21.00ft) in this instance; and
2. A side yard of 1.33m (approx. 4.36ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.80m (approx. 5.91ft) in this instance.

The Committee has set **Thursday October 22, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

You can get more information on this matter by emailing committee.adjustment@mississauga.ca or calling 905-615-3200 x5209. You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>. Hearings will be streamed online for the public to view at the following link: <http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>.

If you wish to be notified of the decision of the Committee you must submit a written request to the Secretary-Treasurer via email or mail. This will also entitle you to be advised of appeal to the Local Planning Appeal Tribunal.

How to submit a written comment:

Written comments to the Committee must be received no later than 4:30pm the Tuesday 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 application number or address of the property you are providing comments on.

Advance registration is required to participate in the electronic hearing:

To participate electronically (computer, tablet or smartphone):

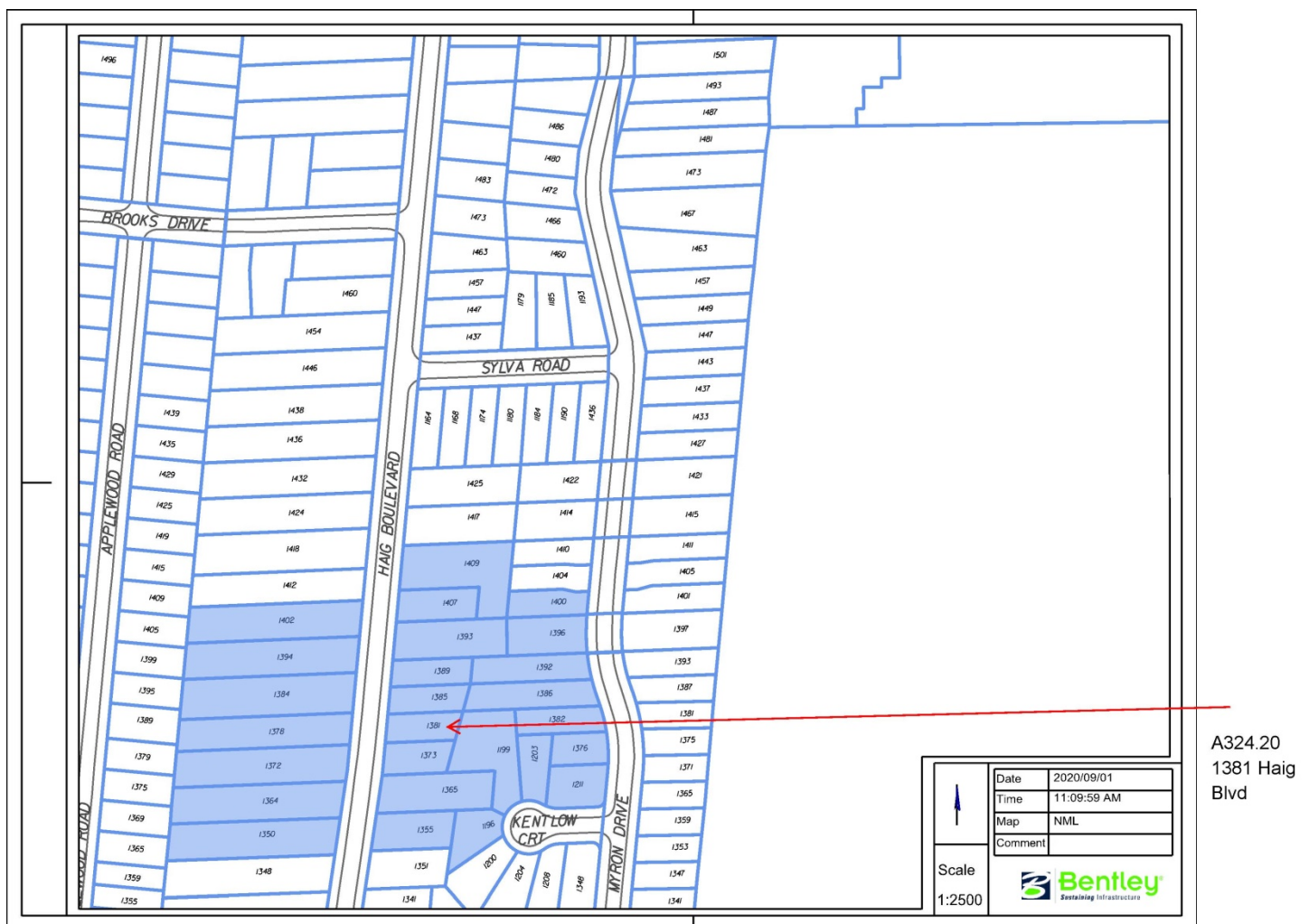
Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services will not be accepted.

To participate by telephone: To register, please call 905-615-3200 x5209 no later than 4:30pm the Tuesday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.

Legal notice:

If holding an electronic rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30pm the Tuesday prior to the hearing to committee.adjustment@mississauga.ca. If a party does not submit a request and does not participate in the hearing the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

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.M56, 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.M56, 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 x5209.



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-10-14	File(s): A324/20 Ward 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-10-22

Consolidated Recommendation

The City does not object to the requested variances, as amended

Application Details

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

1. A building height measured to the underside of the eaves of 7.14m (approx. 23.42ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the underside of the eaves of 6.40m (approx. 21.00ft) in this instance; and
2. A side yard of 1.33m (approx. 4.36ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.80m (approx. 5.91ft) in this instance.

Amendments

Variance #2 should be amended as follows:

A northerly side yard of 1.33m measured to the second storey of the dwelling; whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m measured to the second storey in this instance.

Background

Property Address: 1381 Haig Boulevard

Mississauga Official Plan

Character Area: Lakeview Neighbourhood

Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3-75 (Residential)

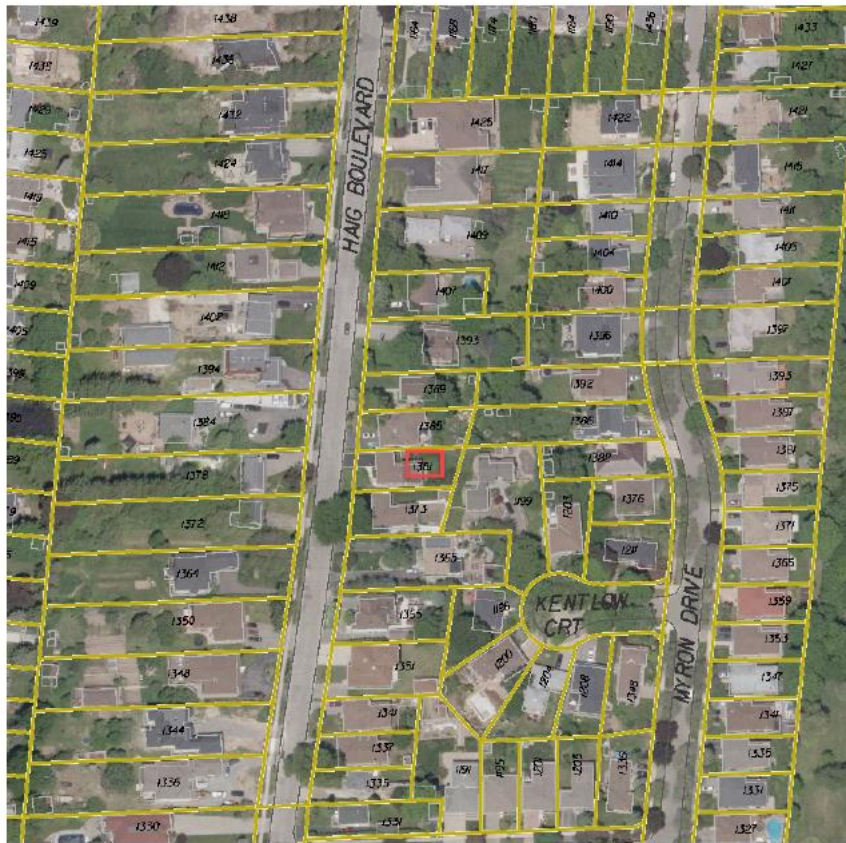
Other Applications

Building Permit: 20-2247

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, southwest of Dixie Road and South Service Road. The neighbourhood is predominately residential, consisting of one and two storey detached dwellings with little mature vegetation. The immediate area contains existing deficiencies related to interior side yards. Northeast of the subject property is Dixie Outlet mall and further east is Lakeview Golf Course. The subject property contains an existing one storey dwelling.

The application proposes a second storey addition requiring variances related to a deficient side yard and increased eave height.



Comments

Planning

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

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

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

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached and duplex dwellings. The official plan policies for lands within the Lakeview Neighbourhood Character Area are contained within the Lakeview Local Area Plan and are within the Serson Terrace boundary of the Central Residential Neighbourhood Precinct. As per Section 10.3 (Built Form Types) of the Lakeview Local Area Plan, new housing within Lakeview should maintain the existing character of the area. The proposed addition is not out of context with other two storey dwellings within the

immediate neighbourhood and will not negatively impact abutting properties as the proposed variances are compatible with the established streetscape character. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

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

Variance #1 proposes an eave height of 7.14 m whereas a maximum of 6.40 m is permitted. The intent of restricting height to the eaves is to lessen the visual massing of dwelling by bringing the edge of the roofline closer to the ground thereby lowering the overall pitch of the roof and keeping the dwelling within a human scale. The dwelling maintains an overall height of 8.68 m, less than the permitted height of 9 m thereby, mitigating any impact from the increased eave height. Furthermore, the dwelling is measured from average grade which is approximately 0.32 m below established grade. Measured from established grade, the proposed dwelling has an eave height of 6.82 m which does not add significant massing to the dwelling from what is currently permitted. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #2 proposes a deficient side yard width of 1.33 m whereas a minimum of 1.81 m is required. The general intent of this portion of the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties, and that access to the rear yard ultimately remains unencumbered. In this instance, the proposed addition maintains the existing building foundation and does not encroach further into the side yard. The deficient side yard is located on the northerly side of the dwelling while the southerly side yard exceeds by-law requirements. The immediate neighbourhood has similar existing deficiencies resulting in the proposal maintaining the existing context of the area. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

The subject property maintains the context of the surrounding neighbourhood and preserves the existing character of the streetscape as the proposed addition is not out of context with newer two storey dwellings already constructed. The increased eave height is partially due to the difference between average and established grade. From a streetscape perspective, the increased eave height will have minimal impact from what the by-law permits. Regarding the deficient interior side yard, the dwelling maintains the existing building footprint which has an existing deficiency. The proposed addition does not encroach further into the northerly side yard, minimizing the overall massing of the second storey. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

Conclusion

The Planning and Building Department has no objections to the requested variances, as amended

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed addition will be addressed by the Development Construction Section through the current Building Permit application process, BP 9ALT-20/2247.



Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Planning and Building Department is currently processing a building permit application under file 20-2247. Based on review of the information currently available for this building permit, we advise that the following variances should be amended as follows:

A northerly side yard of 1.33m measured to the second storey of the dwelling; whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m measured to the second storey in this instance.

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the October 22nd, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Minor Variance Applications: A-316/20, A-318/20, A-319/20, A-320/20, A-321/20, A-322/20, A-323/20, A-324/20, A-325/20, A-328/20, A-356/20.

I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 8243 or by email at diana.guida@peelregion.ca.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 325/20
Ward 2

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 1325 Ambleside 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 additions and renovations on the subject property proposing:

1. A garage projection of 2.74m (approx. 8.99ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0.00m in this instance;
2. An interior side yard of 1.36m (approx. 4.46ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 3.00m (approx. 9.84ft) in this instance;
3. A front yard measured to the garage of 6.60m (approx. 21.65ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m (approx. 24.61ft) in this instance;
4. An exterior side yard measured to a window well of 2.54m (approx. 8.33ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to a window well of 6.89m (approx. 22.60ft) in this instance; and
5. An exterior side yard of 3.05m (approx. 10.01ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 7.50m (approx. 24.61ft) in this instance.

The Committee has set **Thursday October 22, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

You can get more information on this matter by emailing committee.adjustment@mississauga.ca or calling 905-615-3200 x5209. You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>. Hearings will be streamed online for the public to view at the following link: <http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>.

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Advance registration is required to participate in the electronic hearing:

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materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services will not be accepted.

To participate by telephone: To register, please call 905-615-3200 x5209 no later than 4:30pm the Tuesday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.

Legal notice:

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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.M56, 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.M56, 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 x5209.



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-10-14	File(s): A325/20 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-10-22

Consolidated Recommendation

The City does not object to the requested variances.

Application Details

The applicant requests the Committee to approve a minor variance to allow additions and renovations on the subject property proposing:

1. A garage projection of 2.74m (approx. 8.99ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0.00m in this instance;
2. An interior side yard of 1.36m (approx. 4.46ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 3.00m (approx. 9.84ft) in this instance;
3. A front yard measured to the garage of 6.60m (approx. 21.65ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m (approx. 24.61ft) in this instance;
4. An exterior side yard measured to a window well of 2.54m (approx. 8.33ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to a window well of 6.89m (approx. 22.60ft) in this instance; and
5. An exterior side yard of 3.05m (approx. 10.01ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 7.50m (approx. 24.61ft) in this instance.

Background

Property Address: 1325 Ambleside 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

Preliminary Zoning Review: 20-1563

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southeast of Lorne Park Road and Truscott Drive. The neighbourhood is entirely residential consisting of one and two storey detached dwellings with mature vegetation. The subject property contains an existing one storey dwelling with vegetation in the front and exterior side yard.

The application proposes a new attached garage and additions, requiring variances related to garage projection, front yard setbacks and interior and exterior side yard setbacks.



Comments

Planning

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

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

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

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached and duplex dwellings. As per Section 16.5.1.4 (Infill Housing), infill housing is encouraged to fit the scale and character of the surrounding area and to ensure that new development has minimal impact on its adjacent neighbours. The proposed garage projection and additions respect the designated land use,

and has regard for the distribution of massing on the property as a whole, maintaining the existing context of the surrounding neighbourhood. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

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

Variances #1 and 3 propose a garage projection and deficient front yard setback. 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. The immediate area contains examples of dwellings that are situated closer to the front lot line, maintaining a similar setback as the proposed variance. The front yard setback is measured to the garage and does not continue throughout the entire front façade of the dwelling. The remaining portion of the dwelling maintains the required front yard setback. Furthermore, the application proposes a single car garage lessening the visual massing of the dwelling and does appear to be a dominant feature of the dwelling. Finally, the front covered porch is in line with the garage projection minimizing any further impact from the projection. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #2 proposes an interior side yard setback of 1.36 m whereas a minimum of 3 m is required. The general intent of this portion of the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties, and that access to the rear yard ultimately remains unencumbered. The neighbourhood is characterized by similar existing deficiencies. The proposed variance maintains the existing context of the neighbourhood and contains a sufficient buffer to the neighbouring property. Furthermore, the dwelling is one storey, minimizing potential massing impacts from the reduced side yard. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

The remaining variances proposes deficient exterior side yard setbacks measured to the addition and window well. The window well and addition do not add any significant massing to the dwelling and maintains similar existing setbacks of the dwelling. As such, staff is of the opinion that the variances raise no concerns of a planning nature and is appropriate to be handled through the minor variance process.

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

The proposed dwelling maintains the context of the existing neighbourhood as the immediate area contains dwellings with similar front yard setbacks. The front covered porch is in line with the proposed garage projection, lessening the visual impact of the projection. Furthermore, the application proposes a single car garage reducing the visual massing of the garage which does not appear to be the main feature of the dwelling. Regarding the deficient side yard, the immediate area has similar deficiencies. As such, the proposed variance will not be out of context with the planned and existing character of the neighbourhood. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

Conclusion

The Planning and Building Department has no objections to the requested variances.

Comments Prepared by: Lucas Petricca, 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 additions will be addressed through the future Site Plan/Building Permit Application process.





Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Planning and Building Department is currently processing a preliminary zoning review application under file 20-1563. Based on review of the information currently available for this building permit, the variances, as requested are correct.

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the October 22nd, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Minor Variance Applications: A-316/20, A-318/20, A-319/20, A-320/20, A-321/20, A-322/20, A-323/20, A-324/20, A-325/20, A-328/20, A-356/20.

I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 8243 or by email at diana.guida@peelregion.ca.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 326/20
Ward 1

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 owners of 96 Cumberland Drive, zoned R15-9 - Residential, have applied for a minor variance under Section 45 of the Planning Act. The applicants request the Committee to approve a minor variance to allow the construction of a new house on the subject property proposing:

1. A lot coverage of 31.51% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% of the lot area in this instance;
2. A dwelling depth of 34.47m (approx. 113.09ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
3. A height of 10.07m (approx. 33.04ft) whereas By-law 0225-2007, as amended, permits a maximum height of 10.00m (approx. 32.81ft) in this instance;
4. A height measured to the eaves of 6.95m (approx. 22.80ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m (approx. 21.00ft) in this instance;
5. A front yard of 6.71m (approx. 22.01ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 12.00m (approx. 39.37ft) in this instance;
6. A garage area of 131.47sq.m (approx. 1,415.13sq.ft) whereas By-law 0225-2007, as amended, permits a maximum garage area of 75.00sq.m (approx. 807.29sq.ft) in this instance; and
7. A garage projection of 8.22m (approx. 26.97ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0.00m in this instance.

The Committee has set **Thursday October 22, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

You can get more information on this matter by emailing committee.adjustment@mississauga.ca or calling 905-615-3200 x5209. You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>. Hearings will be streamed online for the public to view at the following link: <http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>.

If you wish to be notified of the decision of the Committee you must submit a written request to the Secretary-Treasurer via email or mail. This will also entitle you to be advised of appeal to the Local Planning Appeal Tribunal.

How to submit a written comment:

Written comments to the Committee must be received no later than 4:30pm the Tuesday 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 application number or address of the property you are providing comments on.

Advance registration is required to participate in the electronic hearing:

To participate electronically (computer, tablet or smartphone):

Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services will not be accepted.

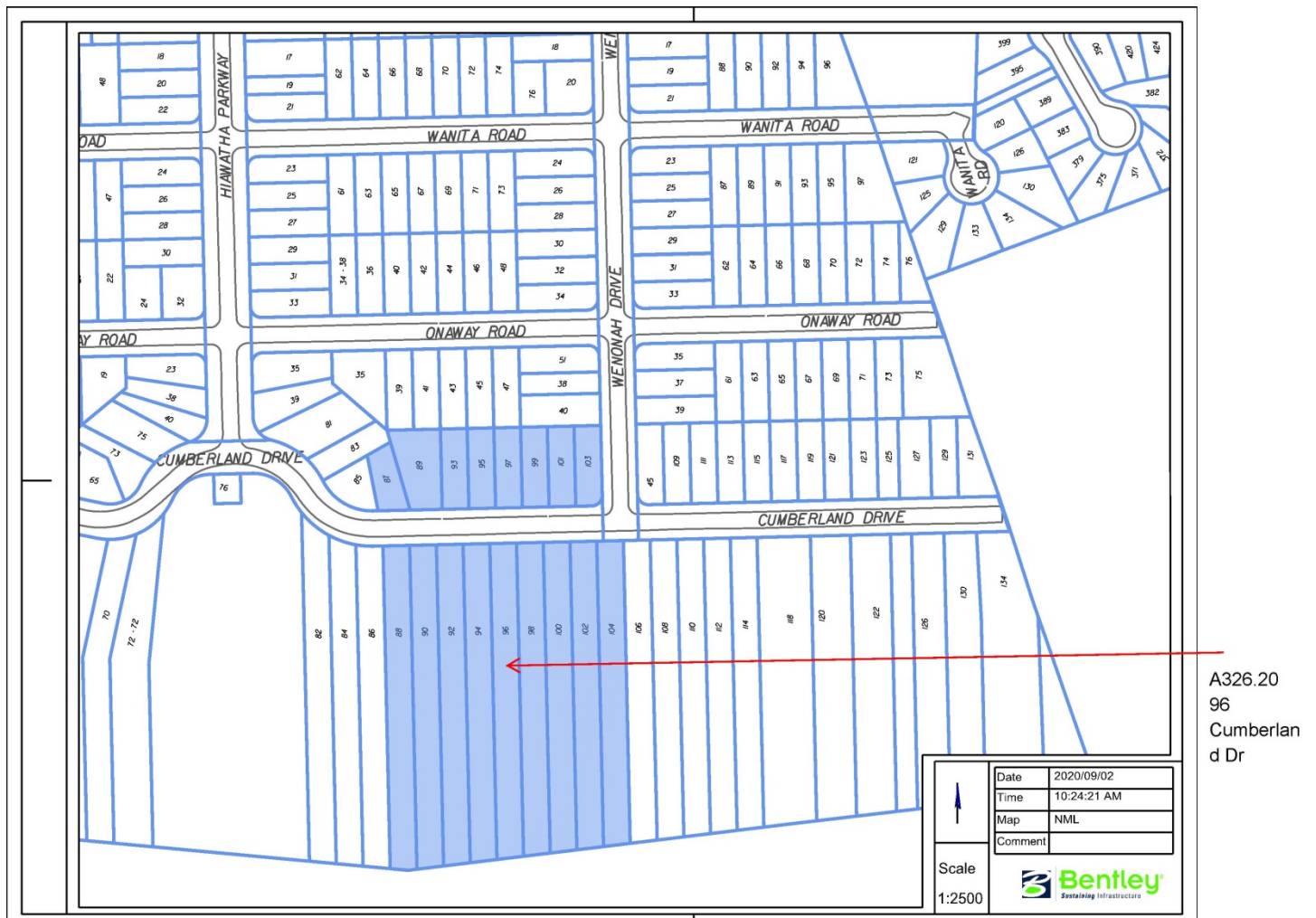
To participate by telephone:

To register, please call 905-615-3200 x5209 no later than 4:30pm the Tuesday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.

Legal notice:

If holding an electronic rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30pm the Tuesday prior to the hearing to committee.adjustment@mississauga.ca. If a party does not submit a request and does not participate in the hearing the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

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.M56, 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.M56, 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 x5209.



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-10-14	File(s): A326/20 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-10-22

Consolidated Recommendation

The City does not object to the requested variances. However, the applicant may choose to defer the application to verify the requested variances and ensure additional variances are not required.

Application Details

The applicants request the Committee to approve a minor variance to allow the construction of a new house on the subject property proposing:

1. A lot coverage of 31.51% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% of the lot area in this instance;
2. A dwelling depth of 34.47m (approx. 113.09ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
3. A height of 10.07m (approx. 33.04ft) whereas By-law 0225-2007, as amended, permits a maximum height of 10.00m (approx. 32.81ft) in this instance;
4. A height measured to the eaves of 6.95m (approx. 22.80ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m (approx. 21.00ft) in this instance;
5. A front yard of 6.71m (approx. 22.01ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 12.00m (approx. 39.37ft) in this instance;
6. A garage area of 131.47sq.m (approx. 1,415.13sq.ft) whereas By-law 0225-2007, as amended, permits a maximum garage area of 75.00sq.m (approx. 807.29sq.ft) in this instance; and
7. A garage projection of 8.22m (approx. 26.97ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0.00m in this instance.

Background

Property Address: 96 Cumberland Drive

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R15-9 (Residential)

Other Applications

Pre-Application: 20-1616

Site and Area Context

The subject property is located within the Port Credit Neighbourhood Character Area, southeast of Hurontario Street and Lakeshore Road East. The immediate neighbourhood is entirely residential, consisting of one and two storey detached dwellings with mature vegetation. Further north of the subject property are commercial uses along Lakeshore Road East. The subject property is a water lot and contains an existing one storey dwelling with little mature vegetation.

The application proposes a new two storey dwelling, requiring variances related to lot coverage, height, dwelling depth, garage area and projection.



Comments

Planning

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

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

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

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached, semi-detached and duplex dwellings. The official plan policies for lands within the Port Credit Neighbourhood Character Area are contained within the Port Credit Local Area Plan and are within the South Residential (Hiawatha) precinct. As per Section 10.3 of the Port Credit Local Area Plan, development is to be sensitive to the existing low rise context and to reinforce the planned character of the area. The proposed dwelling maintains the existing and planned neighbourhood context as a majority of the increased dwelling depth and the entirety of the garage projection is below grade. As such, the dwelling would not have any significant massing impacts to neighbouring properties and is similar to newer two storey dwellings. It should be noted that the neighbouring properties contain dwellings with depths similar to the proposed dwelling above grade, lessening the massing

impact of the proposed dwelling. Staff is of the opinion that the application maintains the general intent and purpose of the official plan.

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

Variance #1 proposes a lot coverage of 31.51% whereas a maximum of 30% is permitted. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot. In this instance, the excessive lot coverage is due to the proposed covered porches which make up approximately 4.90% of the total lot coverage. The dwelling itself has a lot coverage of 25.69%, maintaining by-law provisions. The front and rear covered porches are mostly open on all three sides, reducing the massing impact to neighbouring properties. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #2 proposes a dwelling depth of 34.47 m whereas a maximum of 20 m is permitted. The intent of the zoning provisions for dwelling depth is to minimize impacts of long walls on neighbouring lots as a direct result of the building massing. In this instance, a majority of the increased dwelling depth is due to the garage projection of 8.22 m which is below grade and does not create any additional massing concerns to neighbouring properties. The ground floor of the dwelling maintains a depth of 24.29 m with the second storey maintaining a similar depth. The abutting properties contain an existing dwelling depth of approximately 26 m – 29 m, minimizing the impact of a long continuous wall of the proposed dwelling. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #3 and 4 propose an increased sloped roof height of 10.07 and eave height of 6.95 m. The variance states that a sloped roof height of 10 m is permitted; however, the zoning by-law permits a sloped roof height of 9.50 m. The maximum eave height of 6.40 m is correctly stated on the application. The intent of restricting height to the highest ridge and eaves is to lessen the visual massing of the dwelling while lowering the overall pitch of the roof and bringing the edge of the roof closer to the ground, thereby keeping the dwelling within a human scale. The dwelling is measured from average grade which is approximately 0.32 m below the established the grade. If the dwelling was measured from established grade, there would be a sloped roof height of 9.75 m and eave height of 6.63 m which represents minor deviations from the zoning by-law and do not present significant massing concerns to the streetscape character. As such, staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

The remaining variances propose a deficient front yard setback, increased garage area and projection. The intent of the zoning by-law is to maintain a consistent streetscape and also ensure the garage is not the dominant feature of the dwelling. In this instance the garage contains a car lift which would bring a vehicle to the below grade garage which accounts for 116.57 m² of the overall garage area. Furthermore, the front yard setback is measured to the garage projection which is below grade. Above grade, the dwelling maintains a front yard setback of 14.93 m, exceeding by-law requirements. As the garage projection is completely below grade, it does not represent a dominant visible feature of the dwelling nor does it create

any massing impacts to the character of the surrounding neighbourhood. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

The variances related to the garage and front yard setback do not pose any negative impacts to the character of the established streetscape as the projection and majority of the garage area are completely below grade which results in no additional massing impacts. The proposed dwelling depth is partly due to the garage projection which makes up the majority of the increased depth, however, the dwelling depth above grade is similar to abutting properties, minimizing the impact of the increased dwelling depth. The roofline of the dwelling contains a staggered front façade and varying eave heights, thereby mitigating the overall massing of the dwelling. Finally, measured from established grade, the increased dwelling height would not have any additional undue impact from what the by-law currently permits, and is reflective of the surrounding neighbourhood. As such, staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

Conclusion

The Planning and Building Department has no objections to the requested variances. However, the applicant may choose to defer the application to verify the requested variances and ensure additional variances are not required.

Comments Prepared by: Lucas Petricca, 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 additions will be addressed through the future Building Permit Application process.



Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Planning and Building Department is currently processing a building permit application under file 20-1616. Based on review of the information currently available for this building permit, we advise that more information is required to verify the accuracy of the requested variances or determine whether additional variances will be required.

Our comments are based on the plans received by Zoning staff on 2020/07/20 for the above captioned building permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the building permit application process, these comments may no longer be valid.

Comments Prepared by: Jeanine Benitez-Bumanglag, Zoning Examiner

Appendix 5 – Region of Peel Comments

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

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 call our Site Servicing Technicians at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca

Development Planning: Diana Guida (905) 791-7800 x8243

Please be advised that the eastern portion of the subject property is located within the limits of the regulated area of the Credit Valley Conservation (CVC).

The Region relies on the environmental expertise of the CVC for the review of development applications located within or adjacent to this regulated area in Peel and their potential impacts on the natural environment. Regional Planning staff therefore, request that the Committee and city staff consider comments from the CVC and incorporate their conditions of approval appropriately.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 327/20
Ward 2

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 owners of 846 Chaucer Avenue, zoned R2-5 - Residential, have applied for a minor variance under Section 45 of the Planning Act. The applicants request the Committee to approve a minor variance to allow the construction of a new house on the subject property proposing:

1. A lot coverage of 32.27% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% of the lot area in this instance; and
2. A front yard of 4.00m (approx. 13.12ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 9.00m (approx. 29.52ft) in this instance.

The Committee has set **Thursday October 22, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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How to submit a written comment:

Written comments to the Committee must be received no later than 4:30pm the Tuesday 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 application number or address of the property you are providing comments on.

Advance registration is required to participate in the electronic hearing:

To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services will not be accepted.

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Legal notice:

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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.M56, 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.M56, 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 x5209.



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-10-14	File(s): A327/20 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-10-22

Consolidated Recommendation

The City does not object to the requested variances. However, the applicant may choose to defer the application to submit a site plan application and verify the accuracy of the variances and ensure additional variances are not required.

Application Details

The applicants request the Committee to approve a minor variance to allow the construction of a new house on the subject property proposing:

1. A lot coverage of 32.27% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% of the lot area in this instance; and
2. A front yard of 4.00m (approx. 13.12ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 9.00m (approx. 29.52ft) in this instance.

Background

Property Address: 846 Chaucer Avenue

Mississauga Official Plan

Character Area: Clarkson-Lorne Park Neighbourhood
Designation: Greenlands

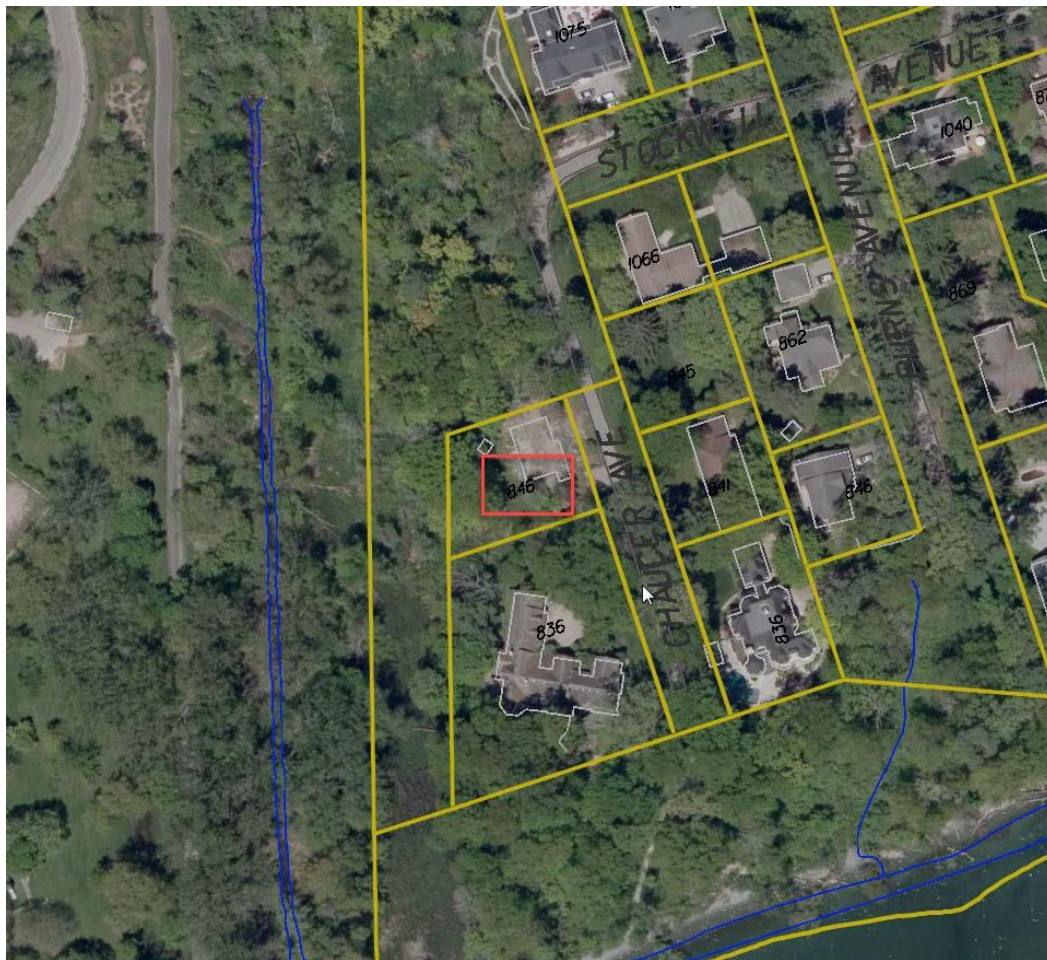
Zoning By-law 0225-2007

Zoning: R2-5 (Residential)

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southwest of Lakeshore Road West and Lorne Park Road. The immediate neighbourhood is entirely residential, consisting of one and large two storey detached dwellings with significant mature vegetation. Further west is Jack Darling Memorial Park. The subject property is within a Significant Natural Area and is currently vacant.

The application proposes a new one storey dwelling requiring variances related to front yard setback and lot coverage.



Comments

Planning

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

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

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

The subject property is designated Greenlands in Schedule 10 of the Mississauga Official Plan. The Greenlands designation only permits development for existing lots of record. The intent of the Greenlands designation is to protect any natural feature and hazards on a site. The City relies on the Credit Valley Conservation (CVC) Authority's expertise in these matters. In this instance, CVC has indicated they have no objections to the application. As such, the intent of the Greenlands designation is maintained and the dwelling will not negatively impact the streetscape character of the immediate neighbourhood. Staff is of the opinion that the application maintains the general intent and purpose of the official plan.

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

Variance #1 proposes a lot coverage of 32.27% whereas a maximum lot coverage of 30% is permitted. In this instance, the excessive lot coverage is due to the rear deck which has an area of 94.88 m². Excluding the rear deck, the dwelling would have a lot coverage of approximately 23.82%, maintaining by-law provisions. The proposed deck is open on all sides and combined with the mature vegetation on the lot, does not present any massing concerns to the neighbouring property. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #2 proposes a front yard setback of 4 m whereas a minimum of 9 m is required. It should be noted that the previous dwelling maintained a similar setback. The intent of a front yard setback is to ensure that a consistent character is maintained along the streetscape and that a sufficient front yard space is incorporated into the design of neighbourhoods. In this instance, the dwelling cannot be located further in the rear yard due to the flood plain and protection of the tree canopy. The front yard setback is measured to the garage which is the narrowest point; however at the widest point, the dwelling maintains a setback of 7.41 m. Through a review of the surrounding area, there are examples of dwellings that have similar existing setbacks, creating an irregular streetscape. As such, the proposal will not undermine the character of the streetscape and proposes sufficient front yard space. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

The proposal maintains the existing context of the surrounding neighbourhood and contributes to the eclectic streetscape. The increased lot coverage is due to the proposed rear deck which makes up approximately 8.46% of the total coverage. The front yard setback maintains a similar condition of the previous dwelling. The surrounding neighbourhood includes a mix of dwellings that are situated closer to and further from the front lot line, representing an irregular

streetscape. As such, staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

Conclusion

The Planning and Building Department has no objections to the requested variances. However, the applicant may choose to defer the application to submit a site plan application and verify the accuracy of the variances and ensure additional variances are not required.

Comments Prepared by: Lucas Petricca, 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 through the future Site Plan/Building Permit Application process.



Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Planning and Building Department is not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to

confirm the accuracy of the requested variances or determine whether additional variances may be required.

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 5 – Region of Peel Comments

Development Planning: Diana Guida (905) 791-7800 x8243

Please be advised that a southern portion of the subject property is located within an area the Regional Official Plan (ROP) designates as a Core Woodland of the Greenlands System in Peel, under Policy 2.3.2. Please be advised that a southern portion of the subject property is also located within the limits of the regulated area of the Credit Valley Conservation (CVC). Within these designations, ROP policies seek to protect environmental resources.

The Region relies on the environmental expertise of the Credit Valley Conservation (CVC) for the review of applications located within or adjacent to Core Areas of the Greenlands Systems in Peel and their potential impacts on the natural environment. Regional Planning staff therefore, request that the Committee and city staff consider comments from the CVC and incorporate their conditions of approval appropriately.

Comments Prepared by: Diana Guida, Junior Planner

Appendix 6- Conservation Authority Comments

Credit Valley Conservation (CVC) staff have reviewed the subject application and offer comments based on the following roles and responsibilities:

1. Watershed Based Resource Management Agency and Public (commenting) Body under the Planning Act - providing comments based on CVC's Board approved policies;
2. Planning Advisory Services - providing environmental planning and technical advice/comments based on service agreements or memorandum of understanding;
3. Delegated Responsibilities – providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 3.1 of the Provincial Policy Statement (2014);
4. Regulatory Responsibilities – providing comments to ensure the coordination of requirements under the Conservation Authorities Act Section 28 regulation, to eliminate unnecessary delay or duplication in process;
5. Source Protection Agency – providing advisory comments to assist with the implementation of the CTC Source Protection Plan under the Clean Water Act, as applicable.

SITE CHARACTERISTICS:

The subject property is located partially within the floodplain associated with Birchwood Creek and adjacent to a wetland at the rear. In addition, the property appears to be located within the Residential Woodland (CL17) of the City's Natural Heritage System, Region of Peel's Core Greenland, candidate significant woodland, and candidate Significant Wildlife Habitat.

It is the policy of CVC and the Province of Ontario to conserve and protect the significant physical, hydrological and biological features associated with the functions of the above noted characteristics and to recommend that no development be permitted which would adversely affect the natural features or ecological functions of these areas.

ONTARIO REGULATION 160/06:

The property is subject to the Development, Interference with Wetlands, and Alterations to Shorelines & Watercourses Regulation (Ontario Regulation 160/06). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

PROPOSAL:

It is our understanding that the applicants request the Committee to approve a minor variance to allow the construction of a new house on the subject property proposing:

1. A lot coverage of 32.27% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% of the lot area in this instance; and
2. A front yard of 4.00m (approx. 13.12ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 9.00m (approx. 29.52ft) in this instance.

COMMENTS:

Based on the review of the information, CVC staff have **no concerns** and **no objection** to the approval of the minor variances by the Committee at this time.

Any outstanding concerns related to the proposed development will be addressed during the site plan approval process.

It should be noted that a CVC permit is required for the proposed development.

Please circulate CVC any future correspondence regarding this application.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at 905-670-1615 (ext. 236) should you have any further questions or concerns.

Comments Prepared by: Elizabeth Paudel, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 328/20
Ward 11

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 6517 Mississauga Road, zoned E2-1 - Employment, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a day care use on the subject property whereas By-law 0225-2007, as amended, does not permit such a use in this instance.

The Committee has set **Thursday October 22, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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How to submit a written comment:

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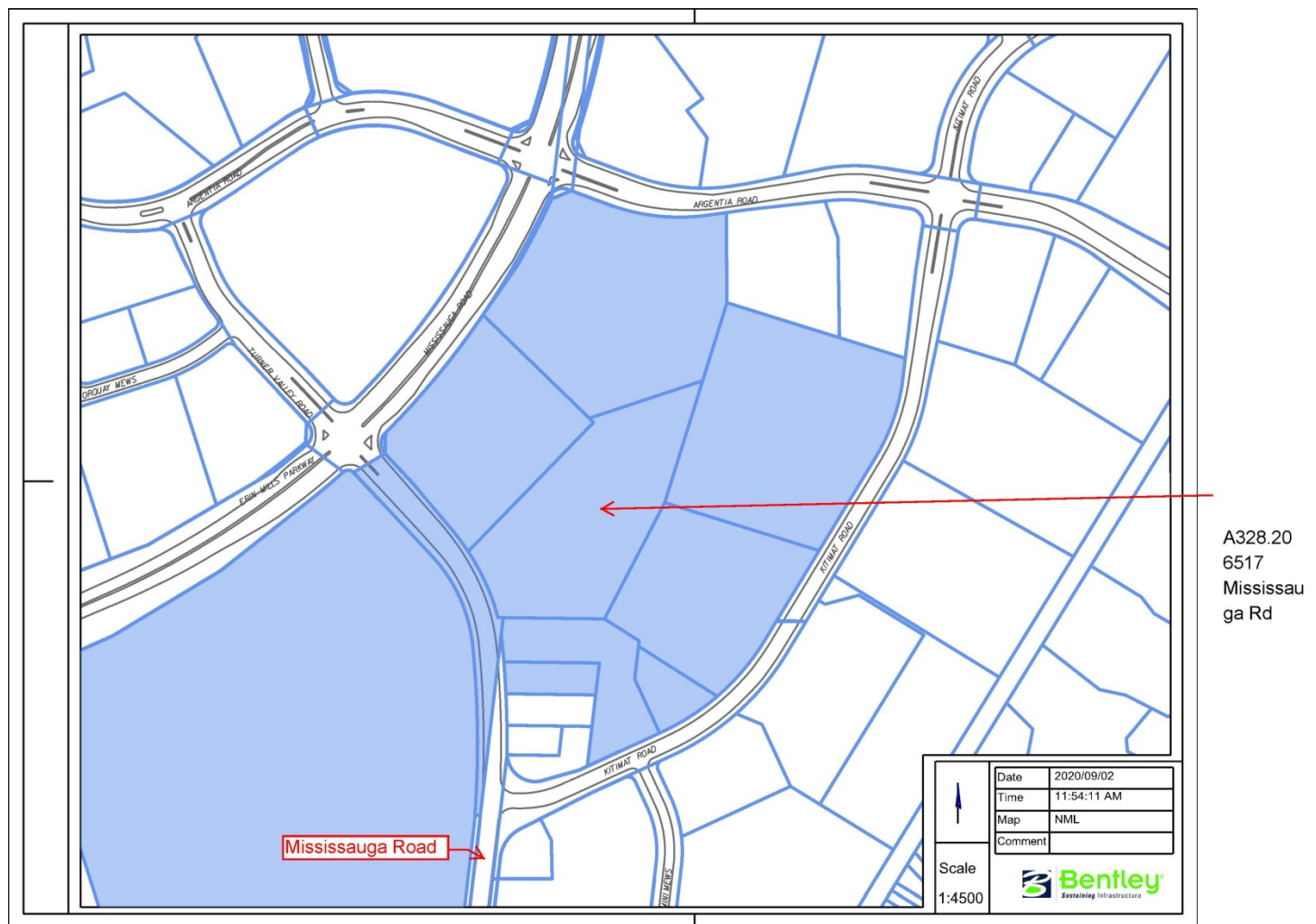
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to the hearing to committee.adjustment@mississauga.ca. If a party does not submit a request and does not participate in the hearing the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-10-14 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): A328/20 Ward: 11
	Meeting date: 2020-10-22

Consolidated Recommendation

The City has no objection to the variance, as requested, permitting a day care use on the subject property; however, should the Applicant wish to precede with the Zoning Department's amendment, permitting an outdoor play area on the subject lands, the application should be deferred to have the proposal reviewed through the appropriate Site Plan Approval process.

Application Details

The Applicant requests the Committee to approve a minor variance to allow a day care use on the subject property; whereas, By-law 0225-2007, as amended, does not permit such a use, in this instance.

Amendments

The Building Department is currently processing an Occupancy Permit application under file 20-2485. Based upon review of this application, Staff notes that more information is required to verify the accuracy of the requested variances, as well as to determine whether additional variance(s) will be required.

Notwithstanding the above, it was apparent that the following additional variance(s) may be required:

2. To permit an outdoor play area; whereas, By-law 0225-2007, as amended, does not permit outdoor uses in this zone, in this instance.

Background

Property Address: 6517 Mississauga Road

Mississauga Official Plan

Character Area: Meadowvale Business Corporate Centre
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2-1 (Employment)

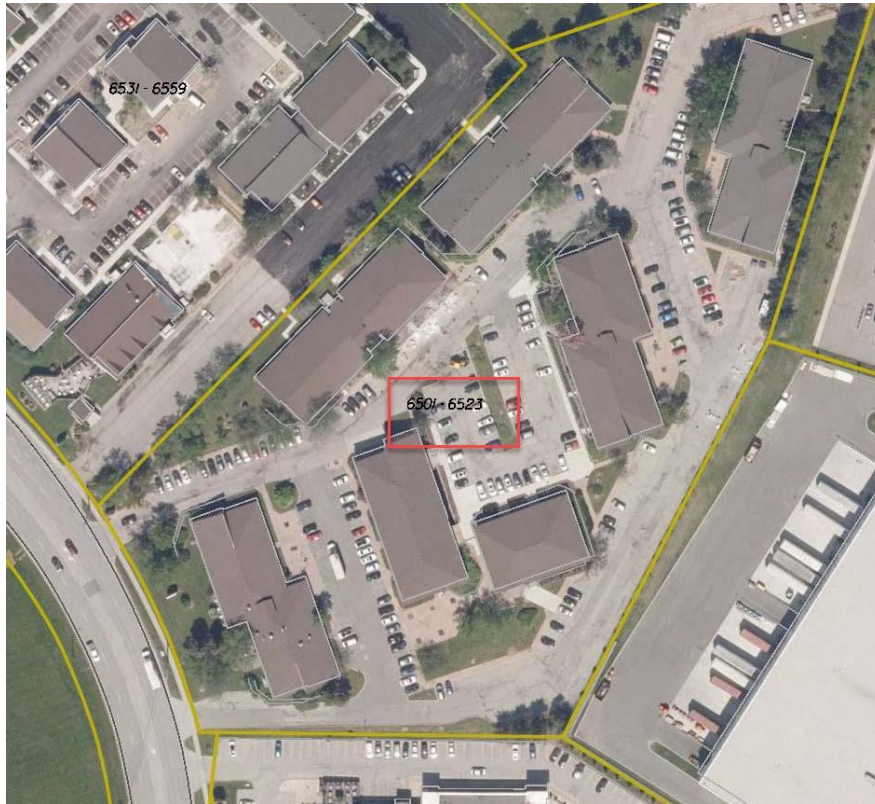
Other Applications:

Occupancy Permit: 20-2485

Site and Area Context

The subject property is located south-east of the Argentia Road and Mississauga Road intersection, and currently houses several one-storey, multi-tenant office buildings, all with shared surface parking. Contextually, the surrounding neighbourhood is comprised predominately of employment and industrial land-uses.

Planning Staff note, an associative minor variance application for a neighbouring structure on this property was brought before Committee as part of the July 11th, 2019 agenda (Application 'A' 265/19), proposing a similar use. This application received full support from Staff, and subsequent approval from Committee.



Comments

Planning

Section 45 of the *Planning Act* provides the Committee of Adjustment the authority to grant relief from requirements of the municipal Zoning By-law; provided such applications meet the requirements set out under Section 45(1) and/or 45(2) (a) or (b) of 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 site is located within the Meadowvale Business Park Corporate Centre Character Area, and designated Business Employment by the Mississauga Official Plan (MOP). Pursuant to Section 11.2.1(a) (Uses Permitted in all Designations), a daycare / day program is a permitted use within this designation. The Applicant's proposal meets the general intent and purpose of the Official Plan.

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

As per Zoning By-law 0225-2007, the subject property is zoned E2-1 (Employment). In accordance with Table 8.1.2.1.3 (Uses to be Located within a Building), a daycare use is

permitted as-of-right within this zone, provided such a use represents less than 20% of the total gross floor area of an office building.

Planning Staff note, due to the one-storey nature of the existing building, the Zoning Department has taken the stance that the structure in-question cannot be considered an “office building”, from their perspective.

Pursuant to Section 1.2 (Definitions), an office building is defined as a structure used for the practice of a profession, business, or public administration. Planning Staff note, despite the identified absence of multiple storeys typically associated with a traditional office building from a zoning perspective; the subject lands house several businesses and service establishments across the site as a whole that fall within the above definition. As such, Planning Staff are of the opinion that, while the individual structure may not constitute an “office building” from a technical standpoint, the site displays a distinct office-nature as a result of both the aforementioned business / services provided, as well as the distinct absence of industrial land-uses.

It is the opinion of Planning Staff that the proposed day-care use will not fundamentally change the existing nature of the subject property and that the variance, as requested, can be viewed as maintaining the purpose and general intent of the Zoning By-law.

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

Considering the preceding information, the Planning and Building Department is of the opinion that, based on the surrounding area and the current uses on the subject property, the proposed daycare is appropriate and does not create a situation of conflicting land uses. The variance, as requested, results in both the orderly development of the lands, and whose impacts are minor in nature.

Outdoor Play Area

Planning Staff note, the Applicant has provided updated drawings through their Occupancy Permit Application (20-2485), which seemingly identify an outdoor play, and which do not correspond to the submitted Minor Variance application. As this is not a permitted use, the Zoning Department has amended the Minor Variance application accordingly. Planning Staff note the inclusion of an outdoor play area significantly changes this proposal and necessitates further planning review, specifically in the form of Site Plan Approval.

Should the Applicant wish to proceed with the outdoor play area, this application should be deferred to allow the Urban Design and Development Planning teams the opportunity to review the appropriateness of this proposal.

Conclusion

Based upon the preceding information, it is the opinion of Staff that the variance, as requested, meets the general intent and purpose of both the MOP and Zoning By-law; is minor in nature; and, is desirable for the orderly development of the lands. To this end, the Planning and

Building Department has no objection to the variance, as requested; however, should the Applicant wish to proceed with the Zoning Department's amendment to permit an outdoor play area, the application should be deferred to have the proposal reviewed through the appropriate Site Plan Approval process.

Comments Prepared by: Roberto Vertolli, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections, comments or requirements with respect to C.A. 'A' 328/20.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Building Department is currently processing an Occupancy Permit application under file 20-2485. Based upon review of this application, Staff notes that more information is required to verify the accuracy of the requested variances, as well as to determine whether additional variance(s) will be required.

Notwithstanding the above, it was apparent that the following additional variance(s) may be required:

2. To permit an outdoor play area; whereas, By-law 0225-2007, as amended, does not permit outdoor uses in this zone, in this instance.

Comments Prepared by: Kevin Barry, Zoning Examiner

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the October 22nd, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Minor Variance Applications: A-316/20, A-318/20, A-319/20, A-320/20, A-321/20, A-322/20, A-323/20, A-324/20, A-325/20, A-328/20, A-356/20.

I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 8243 or by email at diana.guida@peelregion.ca.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 329/20
Ward 2

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 495 Arrowhead Road, 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 the construction of a new house on the subject property proposing:

1. A front yard of 11.74m (approx. 38.52ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 12.00m (approx. 39.37ft) in this instance;
2. A height of 9.66m (approx. 31.69ft) whereas By-law 0225-2007, as amended, permits a maximum height of 9.50m (approx. 31.16ft) in this instance; and
3. A height measured to the eaves of 6.91m (approx. 22.67ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

The Committee has set **Thursday October 22, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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If you wish to be notified of the decision of the Committee you must submit a written request to the Secretary-Treasurer via email or mail. This will also entitle you to be advised of appeal to the Local Planning Appeal Tribunal.

How to submit a written comment:

Written comments to the Committee must be received no later than 4:30pm the Tuesday 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 application number or address of the property you are providing comments on.

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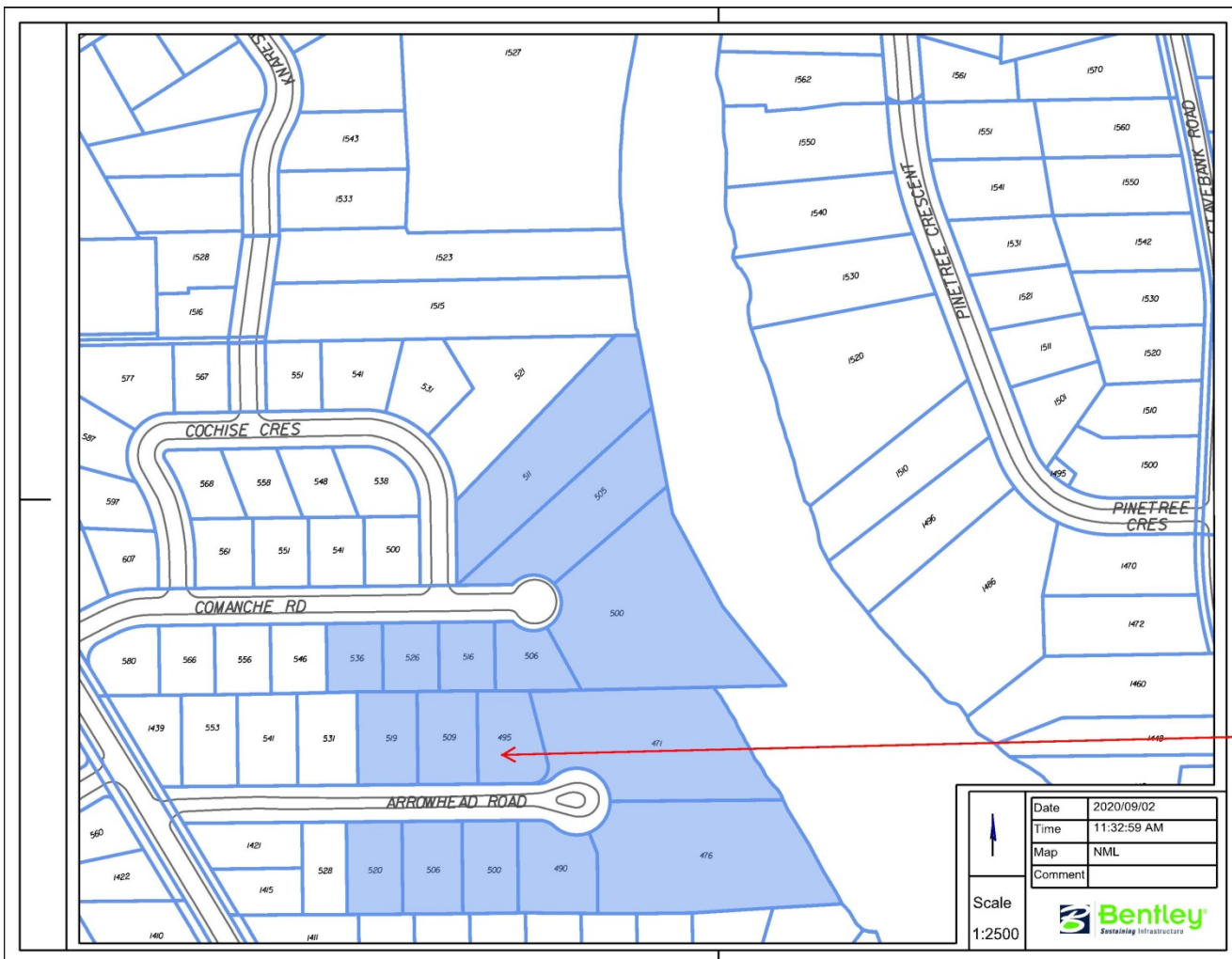
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A329.20
495
Arrowhead
Rd

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-10-14 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): A329/20 Ward: 2
	Meeting date: 2020-10-22

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 meets the requirements of Section 45 (1) of the Planning Act.

Application Details

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

1. A front yard of 11.74m (approx. 38.52ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 12.00m (approx. 39.37ft) in this instance;
2. A height of 9.66m (approx. 31.69ft) whereas By-law 0225-2007, as amended, permits a maximum height of 9.50m (approx. 31.16ft) in this instance; and
3. A height measured to the eaves of 6.91m (approx. 22.67ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

Amendments

Variance #1 should be amended as follows:

A front yard of 11.74m (approx. 38.52ft) measured to the planters with foundations; whereas By-law 0225-2007, as amended, requires a minimum front yard of 12.00m (approx. 39.37ft) in this instance;

Background

Property Address: 495 Arrowhead Road

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R1-2 (Residential)

Other Applications

Site Plan Application: 20-77

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southeast of Mississauga Road and the Queen Elizabeth Way (QEW). The neighbourhood is entirely residential, consisting of one and newer two storey detached dwellings with significant mature vegetation. The subject property contains an existing one and half storey dwelling with mature vegetation throughout the lot.

The application proposes a new two storey dwelling requiring variances related to front yard setback and height measured to the top of the roof and eaves.



Comments

Planning

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

Staff comments concerning the application are as follows:

Through a detailed review of the application, the proposed front yard setback is measured to a built in planter which projects slightly further into the front yard than the dwelling. The main wall of the dwelling maintains a setback of 12.35 m, maintaining by-law requirements. Regarding the increased heights, the average grade from the front elevation is approximately 1 m below the established grade which results in the proposed variances. The dwelling contains a staggered front façade with multiple rooflines that includes the second storey built within the roofline. As such, staff is of the opinion that the application raises no concerns of a planning nature and is appropriate to be handled through the minor variance process.

Conclusion

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

Comments Prepared by: Lucas Petricca, 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 through the Site Plan Application process, File SPI-20/077.



Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Planning and Building Department is currently processing a site plan approval application under file 20-77. Based on review of the information currently available for this application, we advise that the following variance should be amended as follows:

1. A front yard of 11.74m (approx. 38.52ft) measured to the planters with foundations; whereas By-law 0225-2007, as amended, requires a minimum front yard of 12.00m (approx. 39.37ft) in this instance;

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 5 – Region of Peel Comments

Development Planning: Diana Guida (905) 791-7800 x8243

Please be advised that the eastern portion of the subject property is located within the limits of the regulated area of the Credit Valley Conservation (CVC).

The Region relies on the environmental expertise of the CVC for the review of development applications located within or adjacent to this regulated area in Peel and their potential impacts on the natural environment. Regional Planning staff therefore, request that the Committee and city staff consider comments from the CVC and incorporate their conditions of approval appropriately.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 356/20
Ward 8

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 3351 Kings Masting Crescent, zoned R3 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a warehouse & distribution use on the subject property whereas By-law 0225-2007, as amended, does not permit such a use in this instance.

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How to submit a written comment:

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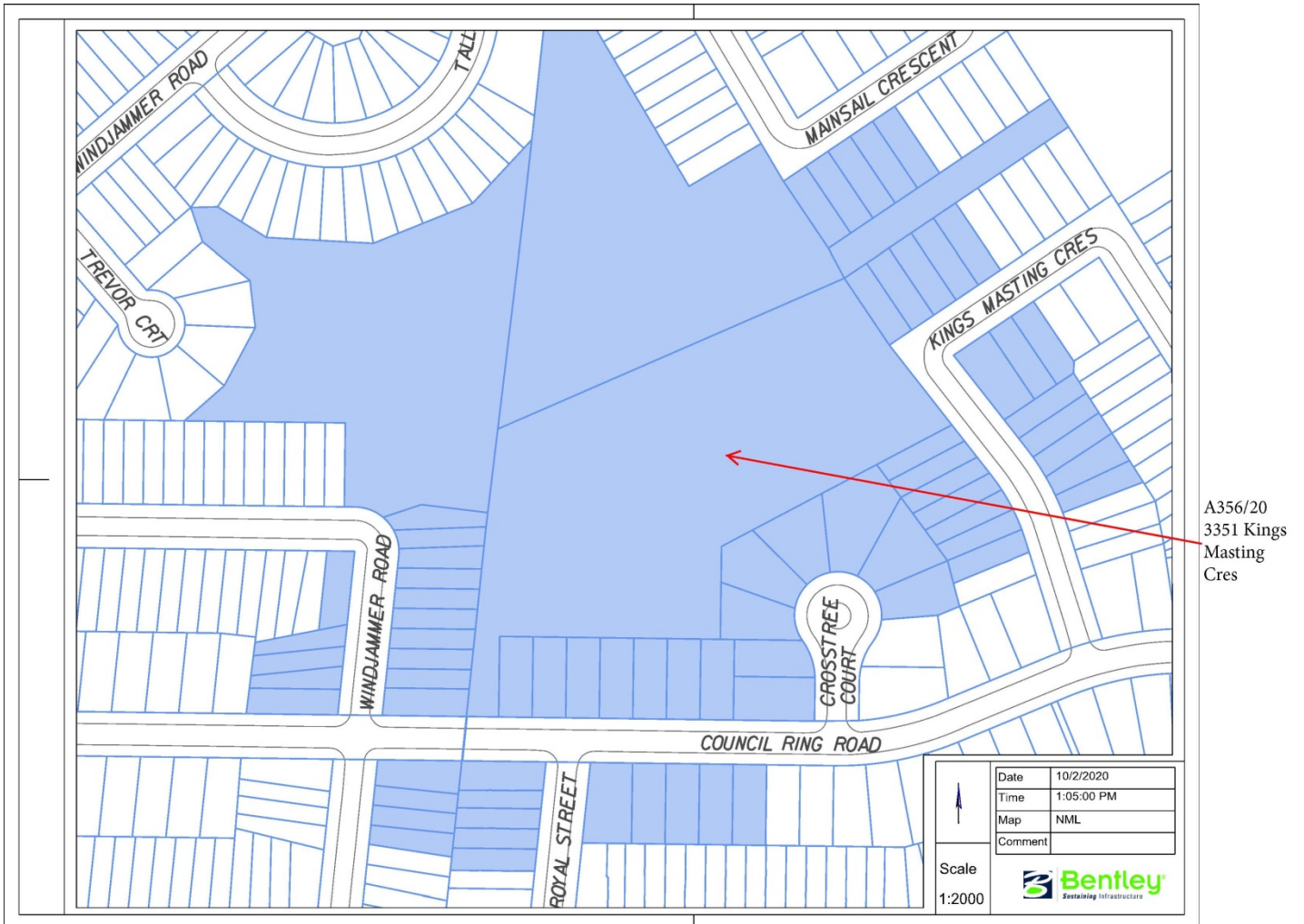
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COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 296/20
Ward 11

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 11 Ardsley Street, zoned R2-50 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an addition on the subject property proposing:

1. A lot coverage of 25.92% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% of the lot area in this instance;
2. An interior side yard of 1.53m (approx. 5.02ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 3.00m (approx. 9.84ft) in this instance;
3. Two garages whereas By-law 0225-2007, as amended, permits a maximum of 1 garage in this instance;
and
4. Two driveways whereas By-law 0225-2007, as amended, permits a maximum of 1 driveway in this instance.

The Committee has set **Thursday October 22, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act*, *Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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How to submit a written comment:

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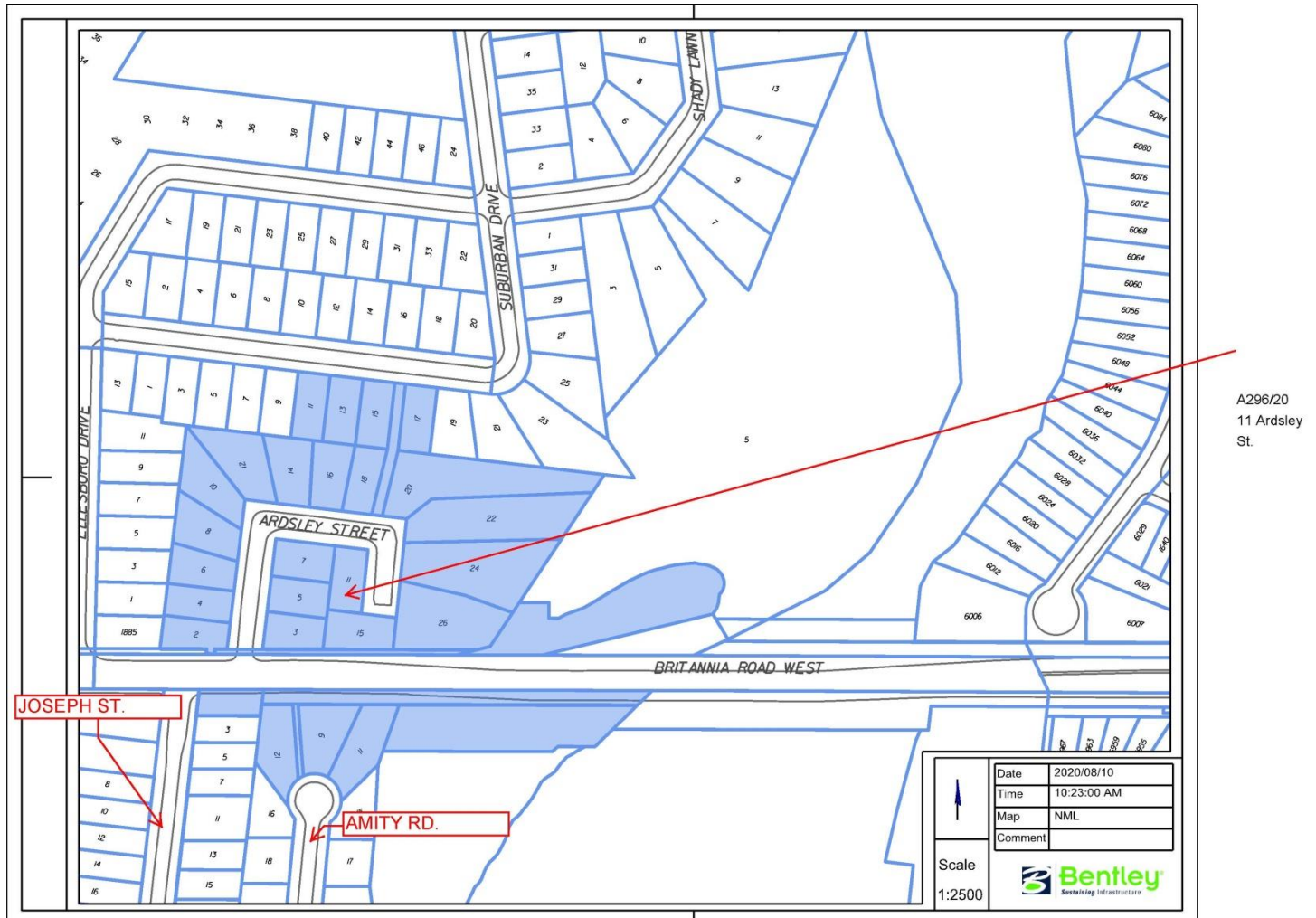
REVISED HEARING DATE & AMENDED NOTICE

To participate by telephone: To register, please call 905-615-3200 x5209 no later than 4:30pm the Tuesday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-09-24 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): A296/20 Ward: 11
	Meeting date: 2020-10-22

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 meets the requirements of Section 45(1) of the Planning Act.

Application Details

The Applicant requests the Committee to approve a minor variance to allow the construction of an addition on the subject property, proposing:

1. A lot coverage of 25.92% of the lot area; whereas, Zoning By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% of the lot area in this instance; and,
2. An interior side yard of 1.53m (approx. 5.02ft); whereas Zoning By-law 0225-2007, as amended, requires a minimum interior side yard of 3.00m (approx. 9.84ft), in this instance.

Amendments

Based upon review of this application, this Department notes that the application should be amended as follows, proposing:

3. Two garages; whereas, Zoning By-law 0225-2007, as amended, permits a maximum of 1 garage, in this instance; and,
4. Two driveways; whereas, Zoning By-law 0225-2007, as amended, permits a maximum of 1 driveway, in this instance.

Background

Property Address: 11 Ardsley Street

Mississauga Official Plan

Character Area: Streetsville Neighbourhood
Designation: Residential Low Density 1

Zoning By-law 0225-2007

Zoning: R2-50 (Residential)

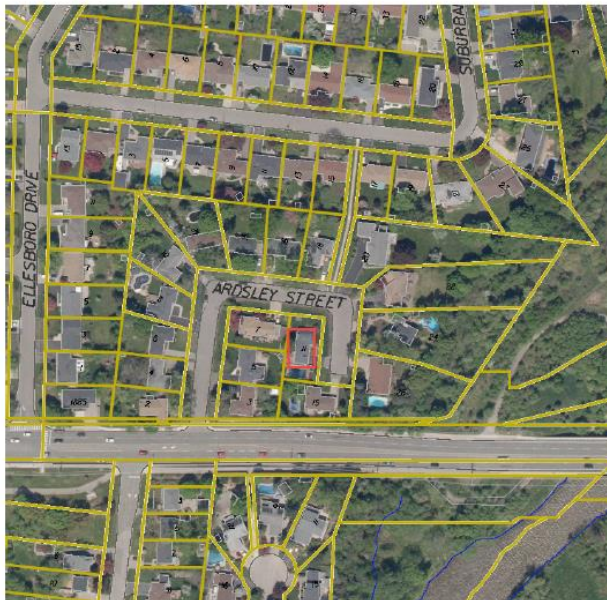
Other Applications:

Pre-Zoning Review: 20-1891

Site and Area Context

The subject property is located north-west of the Britannia Road West and Creditview Road intersection, and currently houses a one-storey detached dwelling with an attached single-car garage. Contextually, the surrounding neighbourhood is comprised exclusively of detached dwellings, all of which share a 1950's architectural bungalow design. The properties within the immediate area possess lot frontages of +/- 21.2m, and exhibit generous mature vegetative elements within their front yards.

The subject property is an exterior parcel located upon the elbow of Ardsley Street, with a lot area of 697.4m² and a lot frontage of +/- 18.5m. Planning Staff note, the existing detached dwelling, and its associated driveway, are configured in such a way that they face / exit onto the exterior side yard.



Comments

Planning

Section 45 of the *Planning Act* provides the Committee of Adjustment the authority to grant relief from the requirements stipulated by the municipal Zoning By-law, provided that such applications meet the requirements set out under Section 45(1) and/or 45(2) (a) or (b) of the *Planning Act*.

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

The Applicant is proposing to construct an attached, single-car garage within their “front yard”.

Planning Staff note, as a result of the existing configuration of the lands, constructing a traditional double-car garage (addition) would most likely result in creating undue hardship to the westerly-side neighbour, in this instance. The proposed construction to the northerly side will be entirely behind the existing privacy fencing and, as such, would have nominal impact from a streetscape perspective. Planning Staff further note the absence of Transportation and Works’ concern in facilitating this proposal.

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

Conclusion

The Planning and Building Department 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*.

Comments Prepared by: Roberto Vertolli, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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

As the applicant is proposing a new second access to Ardsley Street we note that an additional variance may be required which will have to be approved by the Committee. The owner is advised that they will be responsible for any costs related to a new access and that access approval from the Traffic Section through the Access Modification Permit Application will also be required.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Building Department is currently processing a Pre-Zoning Review application under file 20-1891. Based upon review of this application, this Department notes that the application should be amended as follows, proposing:

3. Two garages; whereas, Zoning By-law 0225-2007, as amended, permits a maximum of 1 garage, in this instance; and,
4. Two driveways; whereas, Zoning By-law 0225-2007, as amended, permits a maximum of 1 driveway, in this instance.

Comments Prepared by: Adam McCormack, Zoning Examiner

Appendix 3 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the October 1st, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Minor Variance Applications: DEF-A-45/20, DEF-A-68/20, DEF-A-69/20, DEF-A-70/20, DEF-A-121/20, DEF-A-122/20, A-287/20, A-294/20, A-296/20, A-298/20, A-301/20, A-303/20

Comments Prepared by: Tracy Tang, Junior Planner