
Committee of Adjustment

Date: July 11, 2024
Time: 1:00 PM
Location: Online Video Conference

Members

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

Contacts

Sara Ukaj, Committee of Adjustment Coordinator, Legislative Services
905-615-3200 ext.5507 or 3817
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905-615-3200 ext.5507 or 8928
nathan.tega@mississauga.ca

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

Send written submissions or request notification of future meetings to:

Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, Attn: Committee of Adjustment Coordinators – 2nd Floor 300 City Centre Drive, Mississauga, ON, L5B 3C1 or
Email: committee.adjustment@mississauga.ca. Written submissions must be received by the Friday prior to the hearing.

Requests to speak virtually:

Pre-registration is required to speak virtually (by computer or telephone) at a hearing. Requests can be made by email: committee.adjustment@mississauga.ca or by phone: 905-615-3200 ext.5507 and must be received by the Friday prior to the hearing. If you do not wish to speak, the hearing will be livestreamed here: www.mississauga.ca/portal/cityhall/council-and-committee-videos.

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1. CALL TO ORDER
 2. DECLARATION OF CONFLICT OF INTEREST
 3. DEFERRALS OR WITHDRAWALS
 4. MATTERS TO BE CONSIDERED
 - 4.1 A175.24
1032 Blueheron Blvd (Ward 6)
 - 4.2 A237.24
3035 Mcnaughton Ave (Ward 5)
 - 4.3 A239.24
6330 Ormindale Way (Ward 11)
 - 4.4 A256.24
880 Blyleven Blvd (Ward 11)
 - 4.5 A257.24
530 Driftcurrent Drive, Unit 23 (Ward 5)
 - 4.6 A265.24
77 Thomas Street (Ward 11)
 - 4.7 A268.24
110 Derry Road East (Ward 5)
 - 4.8 A273.24
1248 Minnewaska Trail (Ward 1)
 - 4.9 A276.24
6741 Columbus Road, Unit 2 (Ward 5)
 - 4.10 A277.24
8 Wanita Road (Ward 1)
 - 4.11 A281.24
2497 Barcella Cres (Ward 2)
 - 4.12 A26.24
7025 Pond Street (Ward 11)

- 4.13 A50.24
 2379 Erin Centre Blvd (Ward 11)
- 4.14 A95.24
 2360 Lucknow Drive (Ward 5)
- 4.15 A166.24
 6741 Historic Trail (Ward 11)
- 5. **OTHER BUSINESS**
- 6. **ADJOURNMENT**



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A175.24
Ward: 6

Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 1032 Blueheron Blvd, 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 below grade entrance proposing an interior side yard setback of 0.04m (approx. 0.13ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.21m (approx. 3.97ft) in this instance.

The Committee has set **Thursday, July 11, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

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

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

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Additional Information:

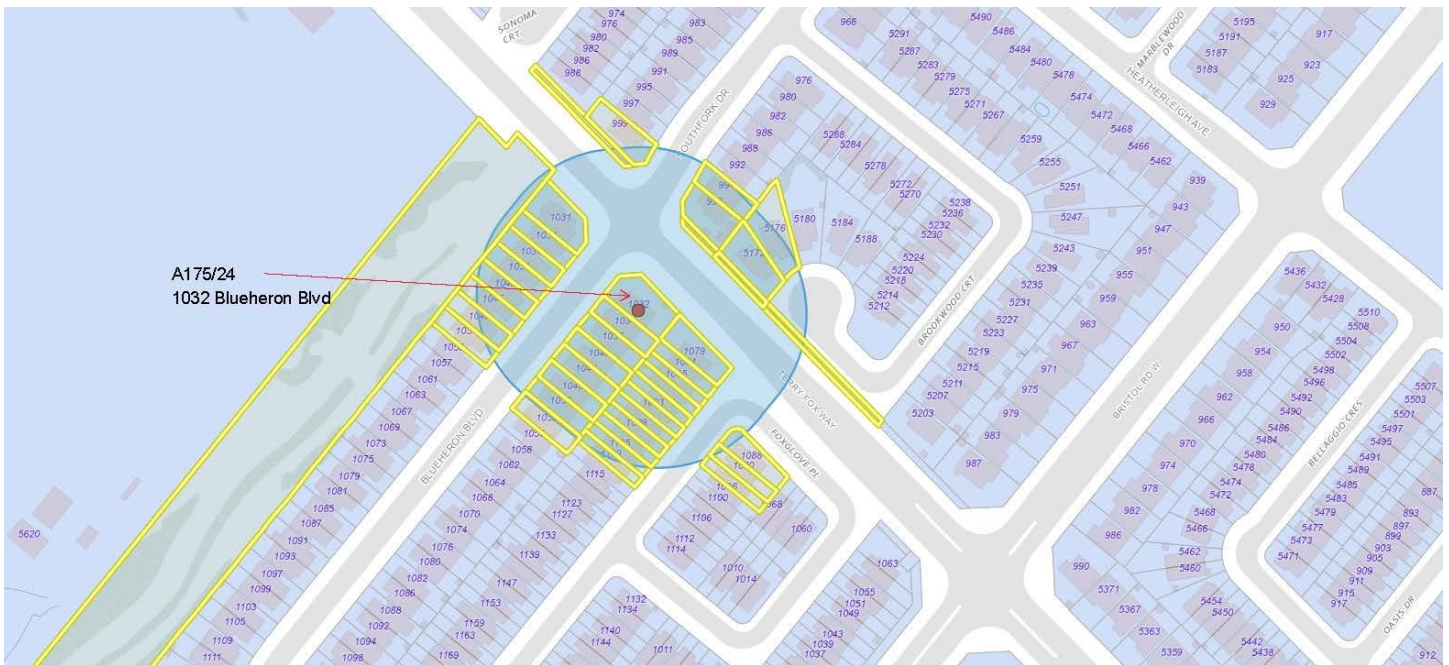
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City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Appointments can be booked using the “Book an appointment” button on the Committee’s webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

- You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>.
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Committee of Adjustment Appeal Process:

The Province of Ontario’s Bill 23, the More Homes Built Faster Act, 2022, limits who is allowed to appeal decisions made by the Committee of Adjustment. Going forward, only the applicant, the municipality, certain public bodies and the Minister can appeal a decision to the OLT. Individuals are no longer permitted to do so. For more information please see the “Appeal process” section on the Committee of Adjustment webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.



Legal notice:

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

City of Mississauga Department Comments

Date Finalized: 2024-07-03	File(s): A175.24
To: Committee of Adjustment	Ward: 6
From: Committee of Adjustment Coordinator	Meeting date:2024-07-11 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow a below grade entrance proposing an interior side yard setback of 0.04m (approx. 0.13ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.21m (approx. 3.97ft) in this instance.

Background

Property Address: 1032 Blueheron Blvd

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R5- Residential

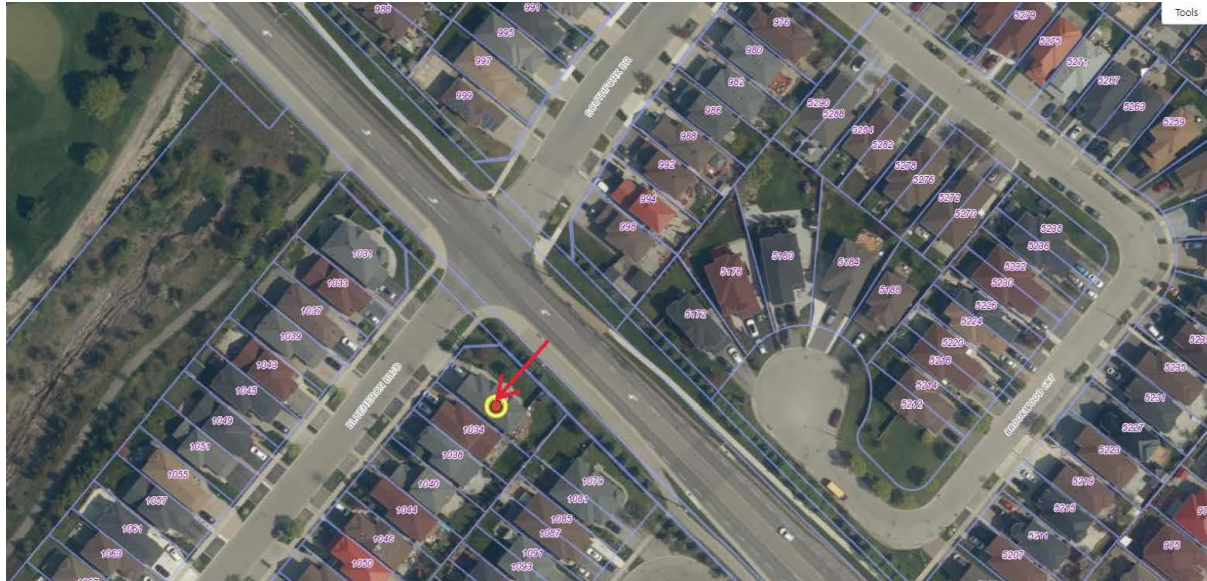
Other Applications: BP 9ALT 24-969

Site and Area Context

The subject property is located north-west of the Bristol Road West and Terry Fox Way intersection in the East Credit Neighbourhood Character Area. It is a corner lot containing a two-storey detached dwelling with an attached garage. Limited landscaping and vegetative elements

are present on the subject property. The surrounding context is predominantly residential, consisting of detached and semi-detached dwellings. Additionally, Braeburn Golf Course is located north of the subject property.

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



Comments

Planning

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

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

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

The sole variance requests a reduced side yard setback to the below grade stairwell. The intent of this provision is to ensure that an appropriate buffer is provided between the massing of structures on abutting properties, access to the rear yard remains unencumbered and that appropriate drainage patterns are maintained. Staff note there is an appropriate buffer between the adjoining properties, access to the rear yard remains unencumbered on the opposite side of the dwelling and Transportation and Works staff have raised no drainage concerns with the site.

City Department and Agency Comments	File:A175.24	2024/07/03	3
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Staff are therefore of the opinion that the application maintains the general intent and purpose of both the official plan and zoning by-law, is minor in nature and represents appropriate development of the subject property.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

From our site inspection we note that the abutting property has also constructed a below grade entrance located approximately opposite the applicant's proposal. Acknowledging that both the abutting neighbour and the subject property will be slightly impeding the drainage pattern in a similar way within their side yard setbacks, we are not concerned with any drainage impacts (if any).





Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application BP 9ALT 24-969. Based on review of the information available in this application, we advise that more information is required in order to verify the accuracy of the requested variance or determine whether additional variances will be required.

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

Comments Prepared by: Gary Gagnier, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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

1. No public trees shall be injured or removed. If public tree removal is required, a permit must be issued as per By-law 0020-2022.
2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Removal Permit, written consent must be obtained by both parties.

A Tree Removal Application to Permit the Injury or Destruction of Trees on Public and Private Property can be found at <https://www.mississauga.ca/publication/application-to-permit-the-injury-or-destruction-of-trees-on-public-and-private-property/>.

Should further information be required, please contact Rita Di Michele, By-law Inspector, Community Services Department at 905-615-3200 ext. 5872 or via email rita.dimichele@mississauga.ca.

Comments Prepared by: Rita Di Michele, By-law Inspector

Appendix 4 – Region of Peel Comments**Minor Variance: A-24-175M / 1032 Blueheron Blvd.**

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

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.

Comments Prepared by: Petrele Francois, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A237.24
Ward: 5

Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 3035 Mcnaughton Ave, zoned R4-1- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A gross floor area of 239.44sq m (approx. 2577.33sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 174.31sq m (approx. 1876.27sq ft) in this instance;
2. A peak height of 9.50m (approx. 31.17ft) whereas By-law 0225-2007, as amended, permits a maximum peak height of 9.00m (approx. 29.53ft) in this instance;
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4. A side yard setback to the eaves of 1.08m (approx. 3.54ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback to the eaves of 1.36m (approx. 4.46ft) in this instance;
5. A front side yard setback (for each additional storey) of 1.43m (approx. 4.69ft) whereas By-law 0225-2007, as amended, requires a minimum front side yard setback (for each additional storey) of 1.81m (approx. 5.94ft) in this instance; and,
6. An interior side yard setback (for each additional storey) of 1.43m (approx. 4.69ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback (for each additional storey) of 1.81m (approx. 5.94ft) in this instance.

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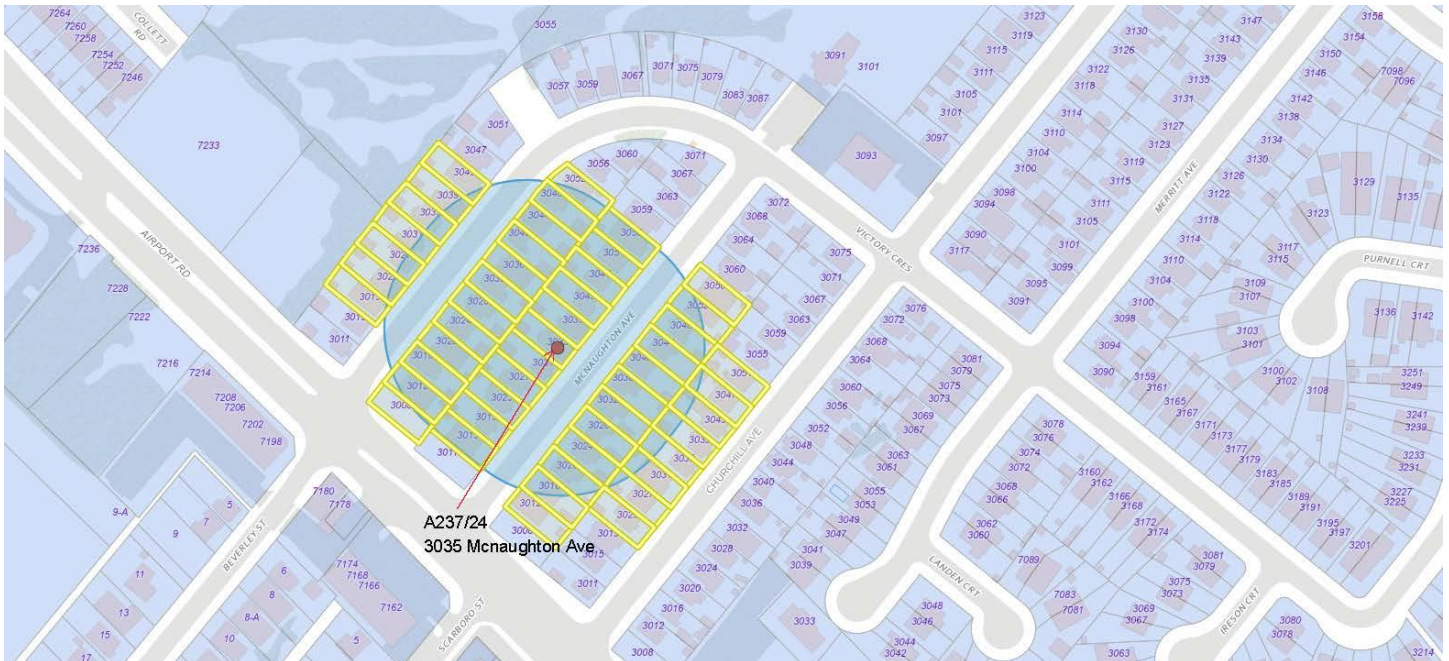
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City of Mississauga Department Comments

Date Finalized: 2024-07-03	File(s): A237.24 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-07-11 1:00:00 PM

Consolidated Recommendation

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

Application Details

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

1. A gross floor area of 239.44sq m (approx. 2577.33sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 174.31sq m (approx. 1876.27sq ft) in this instance;
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Background

Property Address: 3035 Mcnaughton Ave

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

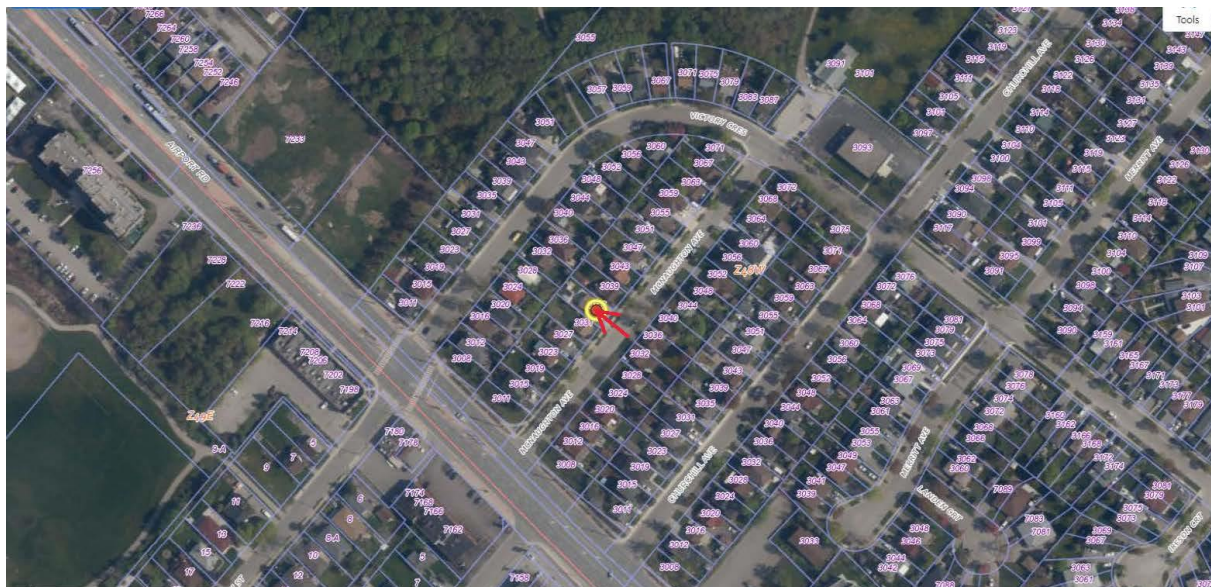
Zoning: R4-1- Residential

Other Applications: BP 23-10128

Site and Area Context

The subject property is located north-east of the Airport Road and Derry Road East intersection. It is an interior parcel, with a lot area of approximately +/- 371.55m² (3,999.33ft²) and a lot frontage of approximately +/- 12.19m (40ft). The property currently houses a single storey detached dwelling with minimal vegetation and landscaping elements within the front and rear yards. Contextually, the surrounding neighbourhood consists of a mix of newer, two-storey detached dwellings and post-war, single storey detached homes. Within the immediate area properties possess lot frontages of +/- 12.1m (39.7ft), with minimal vegetation scattered throughout and minimal landscape elements within the front yards.

The applicant is proposing a new two storey dwelling that requires variances for gross floor area, height, eave height and 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 note a previous application (A300.22) to construct a new dwelling was approved by the Committee of Adjustment on December 15th, 2022. While going through the building permit process, zoning staff identified that the proposed gross floor area was calculated incorrectly, as the proposal did not include the proposed attached garage gross floor area.

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

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

The subject property is located in the Malton Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan. The designation permits detached, semi-detached and duplex dwellings. Section 9 of the MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions, the surrounding context, and the landscape of the character area. The proposed dwelling represents a permitted use and possesses a built form that is in line with the planned character of the area. Staff are therefore satisfied that the general intent and purpose of the official plan are maintained.

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

Variance 1 requests an increase in the gross floor area. The intent in restricting gross floor area is to maintain compatibility between existing and new dwellings and ensuring that the existing and planned character of a neighbourhood is preserved. The gross floor area requests a moderate increase that is in line with new builds in the surrounding area and will not create a significant massing impact above the as of right permissions of the property. Staff further note the total gross floor area calculated by the applicant does not include the reduction of the open to below area on the second floor. The drawings submitted depict a total open to below area of 16.94m² (182.34ft²), thereby reducing the proposed gross floor area from 239.44m² (2,577.31ft²) to 222.50m² (2,394.97ft²). Staff are therefore satisfied that the gross floor area represents an appropriate balance between the existing and planned character of the area in this instance.

Variances 2 and 3 pertain to height and eave height. The intent of restricting height to the highest ridge and eaves is to lessen the visual massing of the dwelling by lowering the overall pitch of the roof and bringing the edge of the roof closer to the ground. This keeps the overall height of the dwelling within human scale. Staff are satisfied that the proposed increases in height are appropriate for the subject property. Furthermore, staff are of the opinion that the dwelling design incorporates architectural features that further mitigates any massing impacts.

Variances 4, 5 and 6 pertain to the side yard setback. Staff note variance 5 is not required, as only the interior side yard setback is a requirement in the zoning by-law and there is no such

regulation for a front side yard setback. The intent of the side yard regulations in the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties. Staff note the side yard setback variance is only for the second storey. The first storey meets the minimum side yard setback requirement of 1.2m (3.93ft), and the applicant is proposing to align the second storey with the first storey of the proposed dwelling. Staff are satisfied that the proposed setbacks are consistent with the setbacks found in the immediate area and provide an adequate buffer.

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

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

Planning staff are satisfied that the impacts of the variances, both individually and cumulatively, are minor in nature. Furthermore, staff are of the opinion that the application proposes appropriate development of the subject property.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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





Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Department is processing Building Permit 23-10128. Based on review of the information available in this application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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

Comments Prepared by: Sibila Lass Weldt, Zoning Examiner

Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A239.24
Ward: 11

Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 6330 Ormindale Way, zoned R4-7- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a below grade entrance proposing an interior side yard setback of 0.74m (approx. 2.43ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.22m (approx. 4.00ft) in this instance.

The Committee has set **Thursday, July 11, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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- **By telephone:** Advance registration is required to speak virtually at the hearing. To register, please call 905-615-3200 x2408 by 4:30 PM on the Friday prior to the hearing. You must provide your name, phone number, and the application file number. Committee staff will provide you with call in details prior to the start of the hearing.
- **Submit a written comment:** Written comments to the Committee must be received no later than 4:30 p.m. on the Friday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and the application file number or property address you are commenting on.

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Committee of Adjustment Appeal Process:

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City of Mississauga Department Comments

Date Finalized: 2024-07-03	File(s): A239.24 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-07-11 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a below grade entrance proposing an interior side yard setback of 0.74m (approx. 2.43ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.22m (approx. 4.00ft) in this instance.

Background

Property Address: 6330 Ormindale Way

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R4-7- Residential

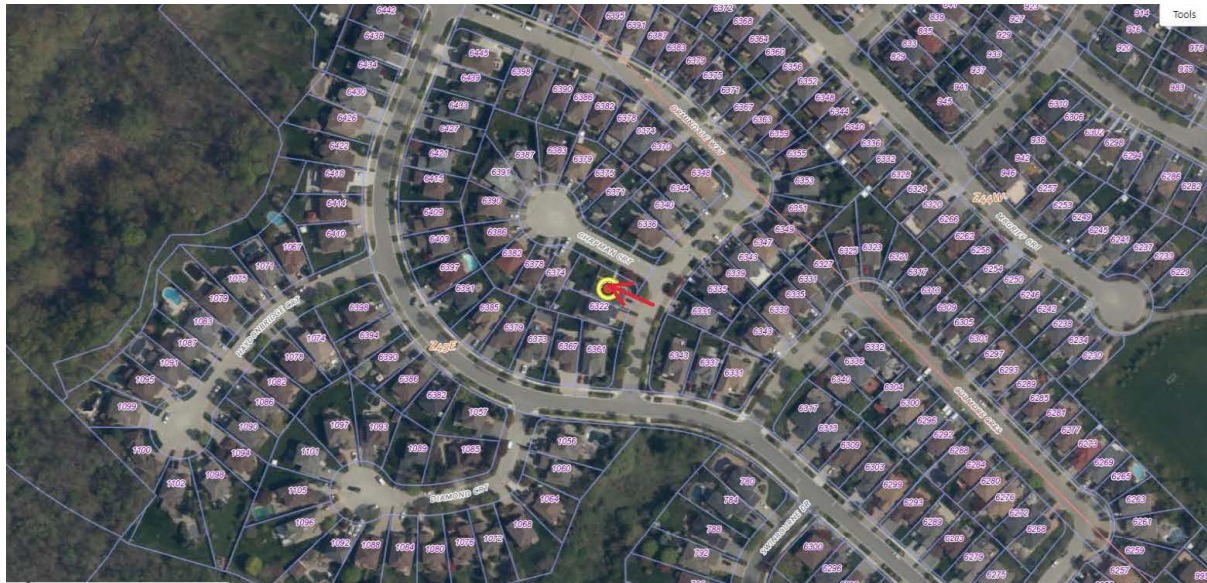
Other Applications: SEC UNIT 24-2049

Site and Area Context

The subject property is located north-west of the Britannia Road West and Mavis Road intersection in the East Credit Neighbourhood Character Area. It is a corner lot containing a two-

storey detached dwelling with an attached garage. Limited landscaping and vegetative elements are present on the subject property. The surrounding context is predominantly residential, consisting of detached dwellings.

The applicant is proposing to construct a below grade entrance to facilitate a second unit requiring a variance for side yard setback.



Comments

Planning

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

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

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

The sole variance requests a reduced side yard setback to the below grade stairwell. The intent of this provision is to ensure that an appropriate buffer is provided between the massing of structures on abutting properties, access to the rear yard remains unencumbered and that appropriate drainage patterns be maintained. Staff note there is an appropriate buffer between the adjoining properties, access to the rear yard remains unencumbered on the opposite side of the dwelling and Transportation and Works staff have raised no drainage concerns with the site.

City Department and Agency Comments	File:A239.24	2024/07/03	3
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Staff are therefore of the opinion that the application maintains the general intent and purpose of both the official plan and zoning by-law, is minor in nature and represents appropriate development of the subject property.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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







Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

BP RECEIVED, MORE INFO

The Building Department is currently processing a building permit application under file SEC UNIT 24-2049. Based on review of the information currently available for this building permit, we advise that more information is required to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Our comments are based on the plans received by Zoning staff on 05/23/24 for the above captioned building permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

City Department and Agency Comments	File:A239.24	2024/07/03	7
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Comments Prepared by: A. McCormack; Zoning

Appendix 3 – Region of Peel

Minor Variance: A-24-239M / 6630 Ormindale Way Development Engineering: Wendy Jawdek (905) 791-7800 x6019 **Comments:**

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing

Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.

Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.

Comments Prepared by: Petrele Francois, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A256.24
Ward: 11

Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 880 Blyleven Blvd, 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 the construction of a below grade entrance with an interior side yard setback of 0.16m (approx. 0.52ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.08m (approx. 3.54ft) in this instance.

The Committee has set **Thursday, July 11, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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City of Mississauga Department Comments

Date Finalized: 2024-07-03	File(s): A256.24
To: Committee of Adjustment	Ward: 11
From: Committee of Adjustment Coordinator	Meeting date:2024-07-11 1:00:00 PM

Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the Applicant and area residents when assessing if the application, as amended, meets the requirements of Section 45(1) of the Planning Act. The applicant may wish to defer the application to ensure the accuracy of the requested variances and that additional variances are not required.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a below grade entrance with an interior side yard setback of 0.16m (approx. 0.52ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.08m (approx. 3.54ft) in this instance.

Background

Property Address: 880 Blyleven Blvd

Mississauga Official Plan

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

Zoning By-law 0225-2007

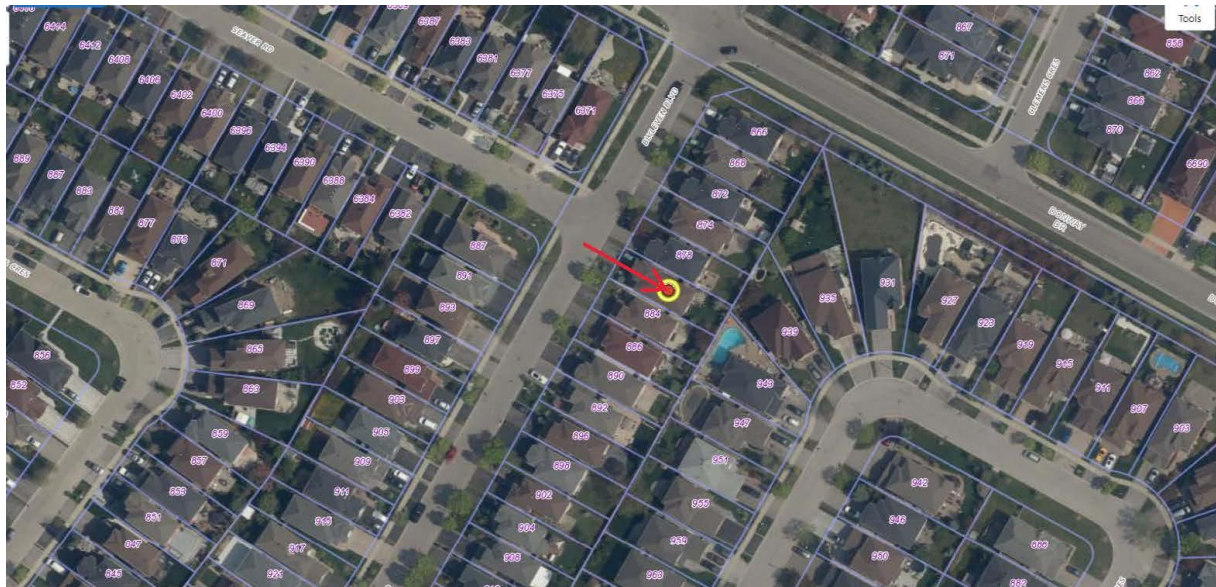
Zoning: R5-Residential

Other Applications: None

Site and Area Context

The subject property is located north-west of the Mavis Road and Britannia Road West intersection in the East Credit Neighbourhood. It contains a two-storey detached dwelling with an attached garage. Some landscaping and vegetative elements are present on the subject property. The surrounding context is predominantly residential, consisting of detached dwellings on similarly sized lots.

The applicant is proposing a below grade entrance requesting a variance for side yard setback.



Comments

Planning

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

Staff comments concerning the application are as follows:

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

The general intent of the side yard regulations in the by-law is to ensure that: an adequate buffer exists between the massing of primary structures on adjoining properties, appropriate drainage can be provided, and access to the rear yard remains unencumbered. Staff note that the stairs do not create any additional massing that could impact abutting properties as the structure is entirely below grade. Furthermore Transportation & Works staff have raised no drainage concerns. Staff are satisfied that the limited depth of the stairs (1 riser) will still allow for appropriate access to be maintained to the rear of the property.

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

Comments Prepared by: Shivani Chopra, Planning Associate

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed are photos depicting the constructed below grade entrance. Acknowledging the reduced side yard setback of 0.16 m, a small gravel area exists abutting the stairwell entrance to allow for any drainage.





Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Brooke Herczeg, Zoning Examiner

Appendix 3 – Region of Peel

Minor Variance: A-24-256M / 880 Blyleven Blvd.

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

Comments:

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing

Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.

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Comments Prepared by: Petrele Francois, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A257.24
Ward: 5

Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 530 Driftcurrent Drive, Unit 23, zoned R5-28- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a below grade entrance proposing a rear yard setback of 6.34m (approx. 20.80ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 7.50m (approx. 24.61ft) in this instance.

The Committee has set **Thursday, July 11, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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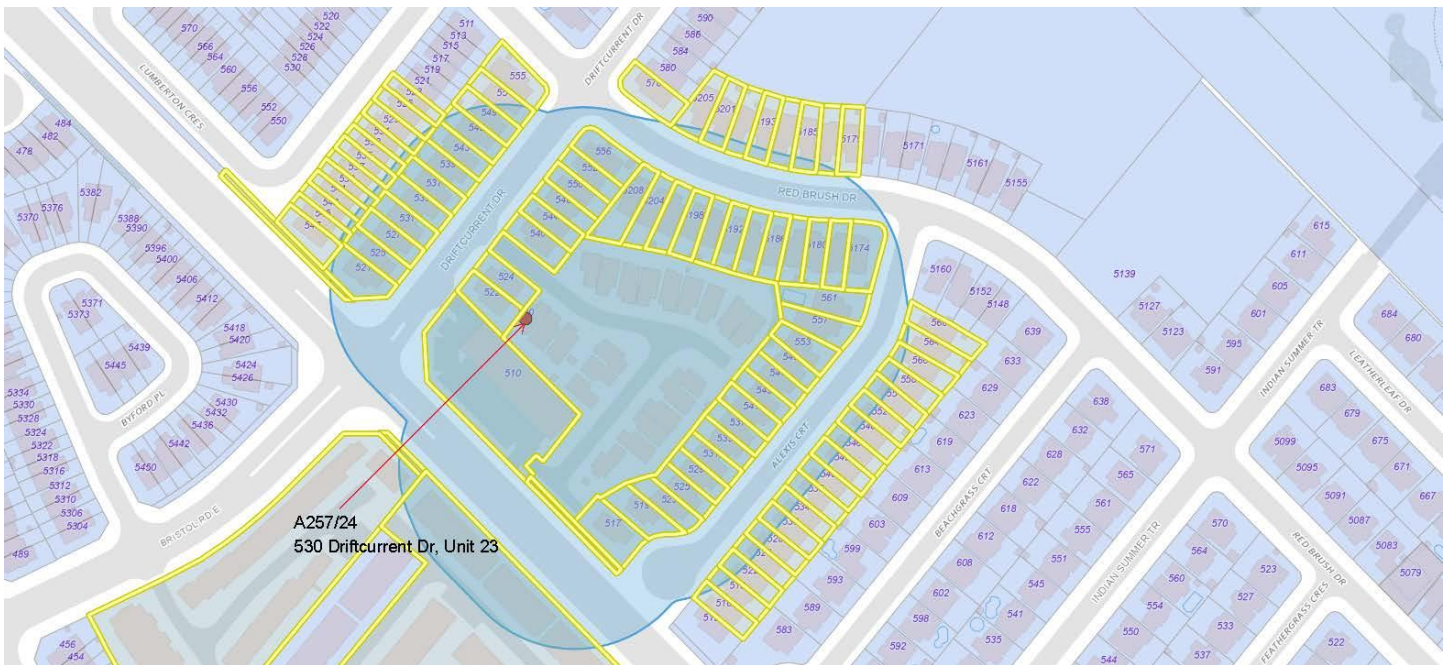
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City of Mississauga Department Comments

Date Finalized: 2024-07-03	File(s): A257.24
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2024-06-20 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

The applicant requests the Committee to approve a minor variance to allow a below grade entrance proposing a rear yard setback of 6.34m (approx. 20.80ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 7.50m (approx. 24.61ft) in this instance.

Background

Property Address: 530 Driftcurrent Drive, Unit 23

Mississauga Official Plan

Character Area: Hurontario Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R5-28- Residential

Other Applications: SEC UNIT 22-4908

Site and Area Context

The subject property is located south-east of the Kennedy Road and Bristol Road East intersection in the East Credit Neighbourhood Character Area. It is an interior lot containing a two-storey detached dwelling with an attached garage. Limited landscaping and vegetative

elements are present on the subject property. The surrounding context is predominantly residential, consisting of detached dwellings.

The applicant is proposing to construct a below grade entrance to facilitate a second unit requiring a variance for rear yard setback.



Comments

Planning

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

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

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

The subject property is located in the Hurontario Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). Section 9 of the MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context and the landscape of the character area. The proposal represents a below grade entrance in the rear yard that would not impact the streetscape or character of the area. Staff are satisfied that the general intent and purpose of the official plan is maintained.

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

The sole variance requests a reduced rear yard setback. The intent of the rear yard setback is to ensure that an appropriate buffer between the massing of structures on abutting properties is provided, adequate drainage patterns are accommodated and an appropriate rear yard amenity area is maintained. Staff note that the variance is technical in nature as the subject property incurs a site-specific zoning schedule and regulations stating that no encroachments are permitted outside of the buildable area. Staff are satisfied that the proposed below grade entrance in the rear yard will maintain an appropriate buffer between the massing of the structures and that appropriate drainage will be maintained. Additionally, the rear yard amenity area will remain relatively unaffected by the proposed development. The proposal therefore maintains the general intent and purpose of the zoning by-law.

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

Staff are satisfied that the proposal is minor in nature and represents appropriate development for the subject property.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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





Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file SEC UNIT 22-4908. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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

Comments Prepared by: Tage Crooks, Planner Zoning Examination

Appendix 3 - Region of Peel

Minor Variance: A-24-257M / 530 Driftcurrent Drive, Unit #23

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

Comments:

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing

Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.

- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.

Comments Prepared by: Petrele Francois, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A265.24
Ward: 11

Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 77 Thomas Street, zoned R3-69-Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an alteration proposing a gross floor area of 380.40sq m (approx. 4094.63sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 350.98sq m (approx. 3777.95sq ft) in this instance.

The Committee has set **Thursday, July 11, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

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- **In person:** This hearing is being held virtually. Please see the options below for electronic participation. If holding an electronic rather than an in person hearing is likely to cause a party significant prejudice, a written request may be made to have the Committee consider holding an in person 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 Monday prior to the hearing. The request can be emailed to committee.adjustment@mississauga.ca or mailed to the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. 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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<http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>

Additional Information:

- For more information about this matter, contact committee.adjustment@mississauga.ca or call 905-615-3200 x2408. Alternatively, information can be obtained in person by making an appointment with the Committee of Adjustment at 300

City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Appointments can be booked using the “Book an appointment” button on the Committee’s webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

- You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>.
- If you wish to be notified of the decision of the Committee, you must submit a written request to committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. This will also entitle you to be advised of any Ontario Land Tribunal (OLT) appeals.

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The Province of Ontario’s Bill 23, the More Homes Built Faster Act, 2022, limits who is allowed to appeal decisions made by the Committee of Adjustment. Going forward, only the applicant, the municipality, certain public bodies and the Minister can appeal a decision to the OLT. Individuals are no longer permitted to do so. For more information please see the “Appeal process” section on the Committee of Adjustment webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.



Legal notice:

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

City of Mississauga Department Comments

Date Finalized: 2024-07-03	File(s): A265.24
To: Committee of Adjustment	Ward: 11
From: Committee of Adjustment Coordinator	Meeting date:2024-07-11 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow an alteration proposing a gross floor area of 380.40sq m (approx. 4094.63sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 350.98sq m (approx. 3777.95sq ft) in this instance.

Background

Property Address: 77 Thomas Street

Mississauga Official Plan

Character Area: Streetsville Neighborhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

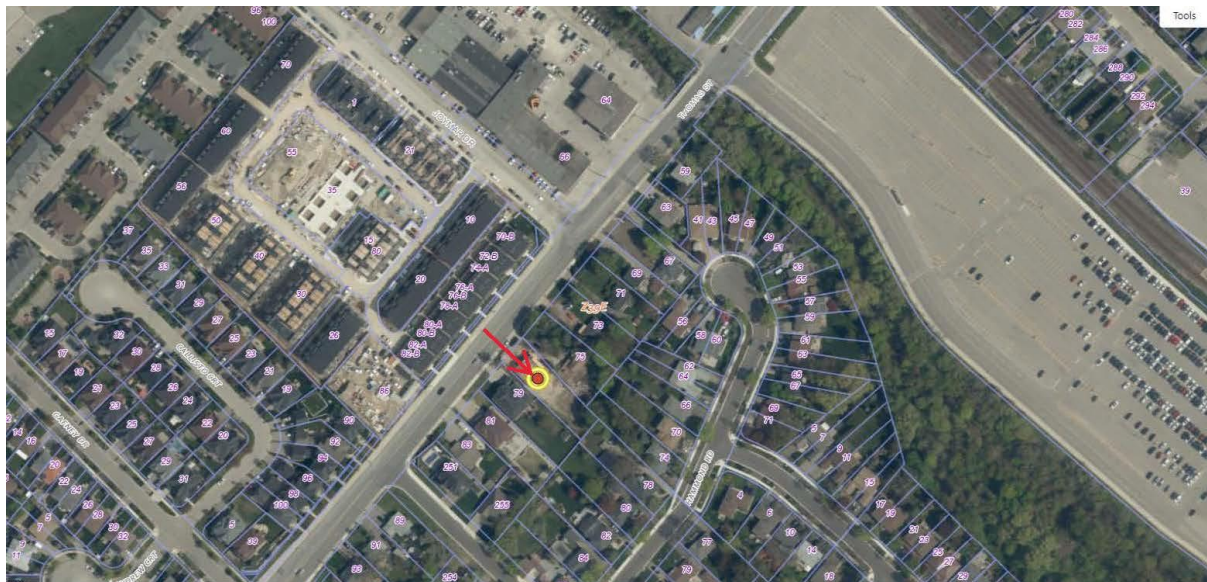
Zoning: R3-69-Residential

Other Applications: Building Permit BP 9ALT 24-1153

Site and Area Context

The subject property is located on the south side of Thomas Street, west of the intersection with Joymar Drive. It has a lot frontage of +/-18.12m (59.45ft) and a lot area of +/- 1,004.9m² (10,816.65ft²). The site contains a two-storey detached dwelling with limited landscaping and vegetation elements. The surrounding area context is primarily residential, consisting of detached, semi-detached, and townhouse dwellings, however an industrial site is also present to the east.

The applicant is proposing interior alterations to the dwelling requiring a variance for gross floor area (GFA).



Comments

Planning

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

Staff comments concerning the application are as follows:

The subject property is located in the Streetsville Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits only detached dwellings in this instance. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. Staff are satisfied that the proposed built form is compatible with existing site conditions and the surrounding context.

Staff note that this property was subject to a previous application (A50.23) which was approved by the Committee of Adjustment on April 20, 2023, for a variance pertaining to an increase in the gross floor area. The application requested a GFA increase from the permissible 350.98m² (approx. 3777.92ft²) to 360.82m² (approx. 3883.83 ft²). Planning staff had no objections to the application at the time.

The current application requires a sole variance seeking an increase in the GFA to 380.40m² (4094.63sq ft²), 19.58m² (210.76ft²) more than previously approved. The intent in restricting gross floor area is to maintain compatibility between existing and new dwellings and ensure the existing and planned character of a neighbourhood is preserved. Planning staff are of the opinion that the proposed increase is minor in nature and will not negatively impact the planned or existing character of the area. Further, the dwelling meets the zoning regulations for dwelling height and lot coverage. Staff are therefore satisfied that the dwelling maintains an appropriate scale and are of the opinion that the general intent and purpose of the zoning by-law are maintained.

Staff are of the opinion that the proposal represents appropriate development of the subject property and that the dwelling is in line with surrounding redevelopment with minimal impacts on abutting properties or the streetscape.

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

Comments Prepared by: Shivani Chopra, Planning Associate

Appendices

Appendix 1 – Transportation and Works Comments

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



Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Division is processing Building Permit BP 9ALT 24-1153. Based on the review of the information available in this application, the requested variance is correct.

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

Comments Prepared by: Gary Gagnier, Zoning Examiner

Appendix 3 – Metrolinx

Metrolinx is in receipt of the Minor Variance application for 77 Thomas Street to allow an alteration proposing a gross floor area of 380.40sq m whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 350.98sq m as circulated on June 11th, 2024, and to be heard at Public Hearing on July 11th, 2024, at 1:00 PM. Metrolinx's comments on the subject application are noted below:

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

GO/HEAVY-RAIL – ADVISORY COMMENTS

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

Should you have any questions or concerns, please contact Farah.Faroque@metrolinx.com.

Comments Prepared by: Farah Faroque, Project Analyst, Third Party Project Review

Appendix 4 – CVC

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

1. 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 (2020);
2. 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;
3. Source Protection Agency – providing advisory comments to assist with the implementation of the CTC Source Protection Plan under the *Clean Water Act*, as applicable.

CVC REGULATED AREA

Based on our mapping, the subject property is regulated due flood hazard associated with Mullet creek. As such, the property is regulated by CVC and is subject to the Prohibited Activities, Exemptions, and Permits Regulation (Ontario Regulation 41/24). 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 applicant is requesting the Committee to approve a minor variance to allow an alteration proposing a gross floor area of 380.40sq m (approx. 4094.63sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 350.98sq m (approx. 3777.95sq ft) in this instance.

COMMENTS:

Based on the review of the information provided, it is our understanding that the works proposed are limited to interior renovations and no new development is proposed in the exterior. As such, CVC has no concern with the approval of the minor variance at this time.

CVC has reviewed and approves the proposal as part of clearance SP24/Alam.

The applicant is to note that CVC has not received payment of the review fee of \$478 for this Minor Variance application. The applicant should forward this directly to CVC at the earliest convenience.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at stuti.bhatt@cvc.ca or 905-670-1615 (ext. 350) should you have any further questions. Please circulate CVC on any future correspondence or applications regarding this site.

Comments Prepared by: Stuti Bhatt, Junior Planner

Appendix 5 – Region of Peel

Minor Variance: A-24-265M / 77 Thomas Street Planning: Petrele Francois (905) 791-7800 x3356 **Comments:**

- The subject land is located within the regulated area of the Credit Valley Conservation Authority (CVC). We rely on the environmental expertise of the CVC for the review of development applications located within or adjacent to the regulated area in Peel and the impact of natural hazards on proposed development. We therefore request that City staff consider comments from the CVC and incorporate their requirements appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the CVC.

Comments Prepared by: Petrele Francois, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A268.24
Ward: 5

Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 110 Derry Road East, zoned O2- Office, 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 hotel proposing:

1. To permit a minimum of 48.5% of the exterior lot line to be occupied by a first storey streetwall of a street identified on schedule 5.2.1(2) whereas By-law 0225-2007, as amended, requires a minimum of 50% of the exterior lot line to be occupied by a street of a street identified on schedule 5.2.1(2).;
2. A setback of a first storey street wall of 2.04m (approx. 6.69ft) whereas By-law 0225-2007, as amended, requires a minimum setback of a first storey street wall of 3.00m (approx. 9.84ft) in this instance;
3. A setback to the exterior side yard of 2.04m (approx. 6.69ft) whereas By-law 0225-2007, as amended, requires a minimum setback to the exterior side yard of 4.50m (approx. 14.76ft) in this instance;
4. A first storey streetwall glazing of 20.75% whereas By-law 0225-2007, as amended, requires a minimum first storey streetwall glazing of 50.00% in this instance; and,
5. 1 loading space whereas By-law 0225-2007, as amended, requires a minimum of 2 parking spaces in this instance.

The Committee has set **Thursday, July 11, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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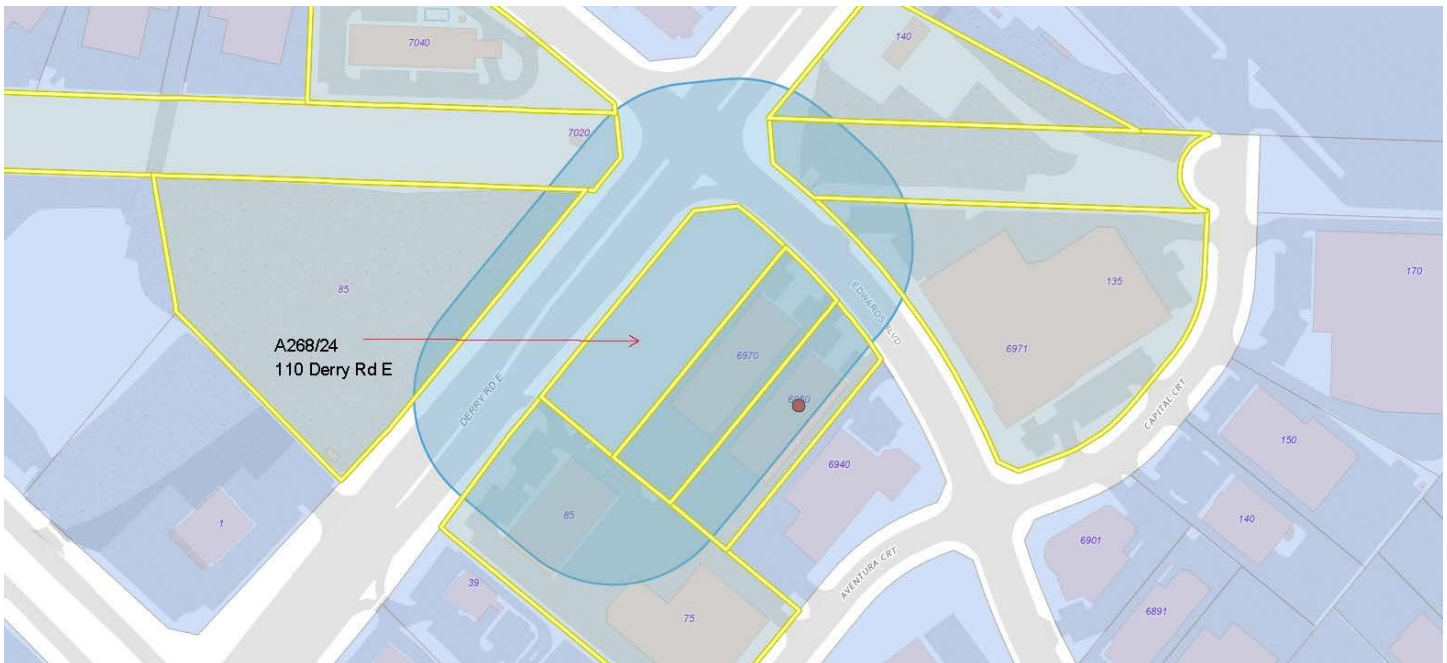
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City of Mississauga Department Comments

Date Finalized: 2024-07-03	File(s): A268.24
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2024-06-20 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

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

1. To permit a minimum of 48.5% of the exterior lot line to be occupied by a first storey streetwall of a street identified on schedule 5.2.1(2) whereas By-law 0225-2007, as amended, requires a minimum of 50% of the exterior lot line to be occupied by a street of a street identified on schedule 5.2.1(2).
2. A setback of a first storey street wall of 2.04m (approx. 6.69ft) whereas By-law 0225-2007, as amended, requires a minimum setback of a first storey street wall of 3.00m (approx. 9.84ft) in this instance;
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4. A first storey streetwall glazing of 20.75% whereas By-law 0225-2007, as amended, requires a minimum first storey streetwall glazing of 50.00% in this instance; and,
5. 1 loading space whereas By-law 0225-2007, as amended, requires a minimum of 2 parking spaces in this instance.

Background

Property Address: 110 Derry Road East

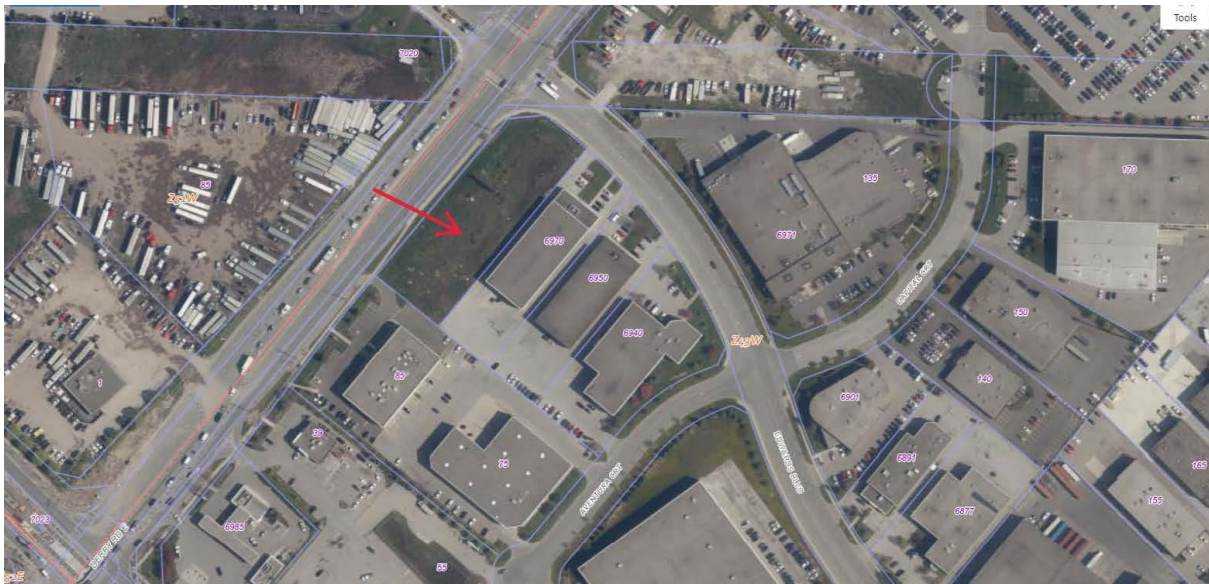
Mississauga Official Plan

Character Area: Gateway Corporate Centre
Designation: Office

Zoning By-law 0225-2007**Zoning: O2- Office****Other Applications: IZR SP 24-138****Site and Area Context**

The subject property is located on the south side of Derry Road East, east of the Hurontario Street and Derry Road East intersection in the Gateway Corporate Centre Character Area. The subject property is currently vacant. The surrounding context is predominantly industrial and office buildings.

The applicant is proposing to construct a hotel requiring variances for minimum length of the exterior side lot line to be occupied by a first storey streetwall, setback of a first storey streetwall, exterior side yard setback, first storey streetwall glazing and loading spaces.

**Comments****Planning**

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

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

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

The subject property is located in the Gateway Corporate Centre Character Area and is designated Office in Schedule 10 of the Mississauga Official Plan (MOP). The property forms part of Special Site 5 within the Gateway Corporate Centre Character Area policies, which is also known as the urban corridor of Derry Road East. Special Site 5 policies set out development and design guidelines to encourage an appropriate built form that frames the street and improves the pedestrian environment within the urban corridor area. Section 9 of the MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with existing site conditions, the surrounding context and the landscape of the character area. Staff are of the opinion the proposal maintains the general intent and purpose of the official plan.

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

Variances 1 and 4 request reduced ratios of the exterior lot line to be occupied by a first storey streetwall and first storey streetwall glazing. The intent of the minimum frontline percentage and glazing requirements is to avoid blank walls along key major streets within the Gateway Corporate Centre, and to promote a pedestrian-oriented environment. The site is located within a Major Transit Station Area with access to rapid transit, and the City's vision for this area is to transition towards a more pedestrian and transit-supportive built form. Development Planning staff are currently reviewing drawings from a pre-application meeting request for the subject property as part of the site plan approval process. Development Planning staff note the parking lot located west of the proposed hotel, abutting Derry Road East, will be screened appropriately with proposed landscaping and vegetation along the Derry Road East frontage. Additionally, the portion of the building fronting along Derry Road East includes meeting rooms, washrooms and hotel rooms, limiting the opportunities for glazing. Planning and Urban Design staff are satisfied that the proposed ratios for the exterior lot line to be occupied by a first storey streetwall and glazing on the façade is appropriate and will not negatively impact the planned function or character of the of the development and surrounding properties.

Variances 2 and 3 request a reduction to the exterior side yard setback. The general intent of exterior side yard regulations is to ensure that an adequate buffer exists between a structure's massing and the public realm. Staff note the setback is measured from a small portion of the first storey streetwall which protrudes forward an additional 0.3m (0.98ft) from the rest of the streetwall. Staff also note a required land dedication to the Region of Peel for the future widening of Derry Road East. This also impacts the exterior side yard setback provided Staff are of the opinion that the proposed exterior side yard setback will maintain an adequate buffer between the hotel and the public realm allowing for a substantial landscape space to be incorporate into the design of the proposed hotel.

Variance 5 relates to a reduction in loading spaces from 2 to 1. The intent of this regulation is to ensure there is adequate space reserved for the temporary parking of commercial motor vehicles while loading or unloading. Staff are of the opinion that the single loading space proposed is adequate for temporary commercial motor vehicles to service the subject property.

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

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

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

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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



Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan Application permit under file IZR SP 24-138. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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

Comments Prepared by: Tage Crooks, Planner Zoning Examination

Appendix 3 – Region of Peel

Minor Variance: A-24-268M / 110 Derry Road East

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

Comments:

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.
- Installation of and alterations to property line water valves and chambers and sanitary/storm sewer maintenance holes require inspection by Region of Peel inspectors to confirm if these works are completed in accordance with Region of Peel Design Criteria, standards, and specifications.
- The applicant shall verify the location of the existing service connections to the subject site and the contractor shall locate all existing utilities in the field. Requests for underground locates can be made at: <https://www.ontarioonecall.ca/portal/>
- For location of existing water and sanitary sewer infrastructure please contact Records by e-mail at PWServiceRequests@peelregion.ca
- All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel design specifications. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.

Planning: Petrele Francois (905) 791-7800 x3356

Comments:

- We acknowledge that the subject site is located within a Regional Employment Area, identified on Schedule E-4 of the Regional Official Plan (ROP), within a Provincially Significant Employment Zone (F-12) and the Derry MTSA - which is required to be planned to achieve a minimum density of 160 person and job per hectare, as per Table 5 of the RPOP. Regional staff encourage the applicant to work with the City to address the appropriate mix of land uses, land use compatibility with nearby employment lands, and appropriate consideration to municipally initiated studies and recommendations that support the requirements of Policy s.5.6.19.10 as well as s.5.8 of the RPOP.

Comments Prepared by: Francois Petrele, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A273.24
Ward: 1

Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 1248 Minnewaska Trail, zoned R3-1-Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. An eaves height of 7.07m (approx. 23.20ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance;
2. A building height of 9.53m (approx. 31.27ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.00m (approx. 29.53ft) in this instance; and,
3. A dwelling depth of 21.93m (approx. 71.95ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance.

The Committee has set **Thursday, July 11, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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

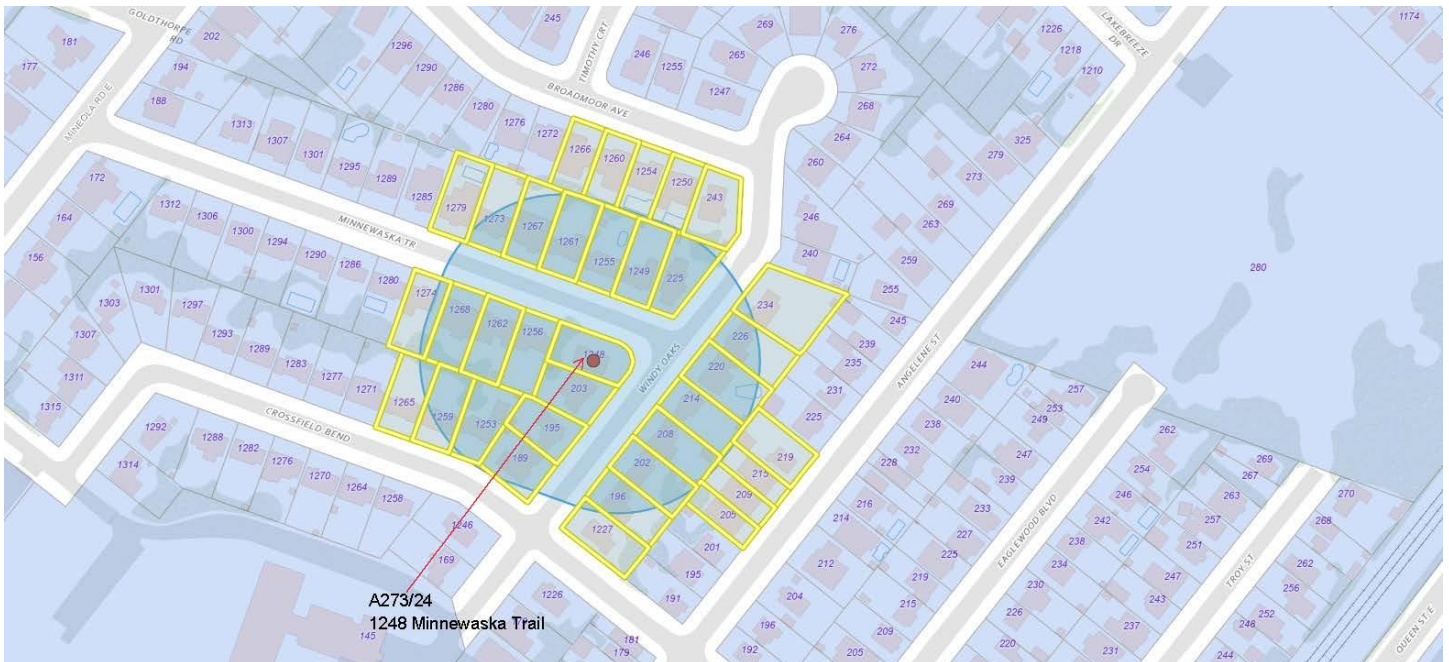
<http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>

Additional Information:

- For more information about this matter, contact committee.adjustment@mississauga.ca or call 905-615-3200 x2408. Alternatively, information can be obtained in person by making an appointment with the Committee of Adjustment at 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Appointments can be booked using the “Book an appointment” button on the Committee’s webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.
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**Legal notice:**

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

City of Mississauga Department Comments

Date Finalized: 2024-07-03	File(s): A273.24
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2024-07-11 1:00:00 PM

Consolidated Recommendation

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

Application Details

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

1. An eaves height of 7.07m (approx. 23.20ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance;
2. A building height of 9.53m (approx. 31.27ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.00m (approx. 29.53ft) in this instance; and,
3. A dwelling depth of 21.93m (approx. 71.95ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance.

Amendments

The applicant submitted a revised application and drawing package on June 21, 2024. Two additional variances are requested as follows:

4. A garage projection beyond the front wall of 0.41m (1.35ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0m (0ft) in this instance;
5. A gross floor area (infill) of 370.52m² (3988.24ft²) whereas By-law 0225-2007, as amended, permits a maximum gross floor area (infill) of 331.92m² (3572.76ft²) in this instance

Background

Property Address: 1248 Minnewaska Trail

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

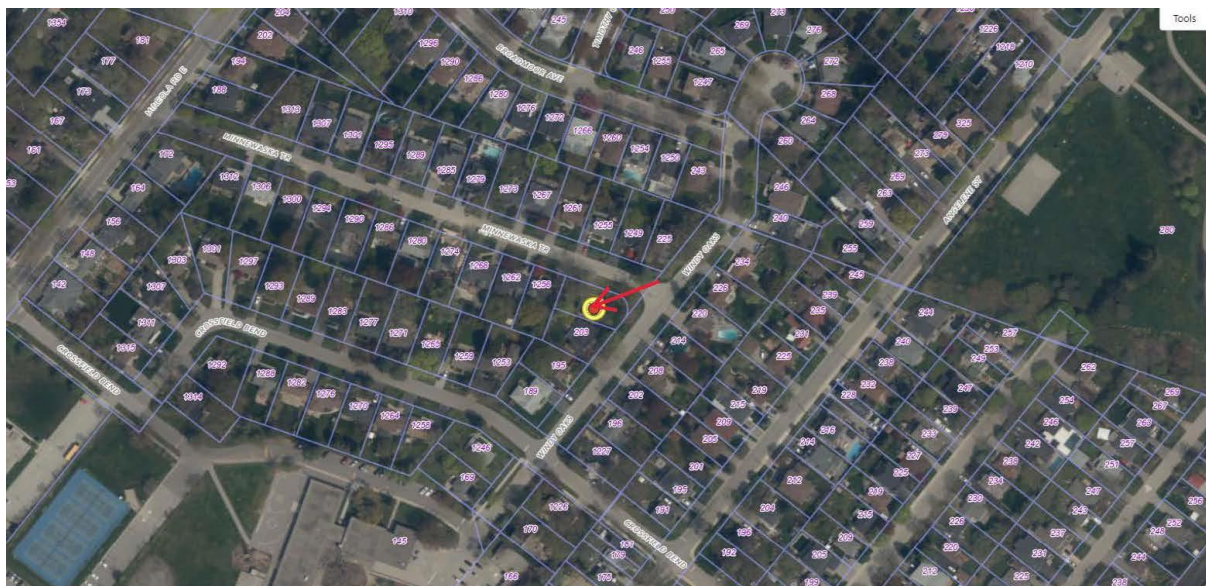
Zoning: R3-1-Residential

Other Applications:

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southeast of Hurontario Street and Mineola Road East intersection. The immediate neighbourhood is primarily residential, consisting of one and two storey-detached dwellings with mature vegetation and landscape elements in the front yards. The subject property contains an existing one-storey detached dwelling with mature vegetation in the exterior side yard.

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



Comments

Planning

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

Staff comments concerning the application are as follows:

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

Variance #1 and #2 pertain to eave height and building height. Planning staff have no concerns regarding this variance. The requested variances represent minor increases over the maximum height regulations. Furthermore, staff note that average grade sits approximately 0.42m to 0.62m (1.38ft to 2ft) lower than finished grade. Therefore, when standing on the front yard and viewing the dwelling, the height variances would appear 0.42m to 0.62m (1.38ft to 2ft) shorter than the value contained in the variances. The proposed dwelling also contains a variety of architectural materials and design features that visually breaks up the massing of the dwelling, such as staggered walls, multiple rooflines, decorative columns and varying window sizes. As such, the proposed dwelling maintains compatibility with the surrounding area and would not negatively impact the character of the streetscape.

Variance #3 pertains to dwelling depth. Planning staff are of the opinion that this variance is numerically minor and will have a negligible impact on the streetscape and adjacent properties. As noted above, the proposed dwelling also contains a variety of architectural materials and design features that visually breaks up the massing of the dwelling, such as staggered walls, multiple rooflines, decorative columns and varying window sizes.

Variance #4 is for garage projection. The intent of the zoning by-law is to maintain a consistent streetscape, while ensuring the garage is not the dominant feature of the dwelling. Staff note that the dwelling has been designed in a manor to project out the covered front porch to balance the garage projection. Staff are satisfied that this minimizes the impact of the garage projection, ensuring the garage is not the dominant feature of the dwelling.

Variance #5 is for gross floor area (infill). The proposed gross floor area represents a minor increase over the maximum gross floor area regulation. Furthermore, the proposed dwelling contains a variety of architectural materials and design features that visually breaks up the massing of the dwelling. As such, the proposed dwelling maintains compatibility with the surrounding area and would not negatively impact the character of the streetscape.

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

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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

Comments Prepared by: John Salvino, Development Engineering Technologist



Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Brooke Herczeg, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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

1. No public trees shall be injured or removed. If public tree removal is required, a permit must be issued as per By-law 0020-2022.
2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Removal Permit, written consent must be obtained by both parties.

A Tree Removal Application to Permit the Injury or Destruction of Trees on Public and Private Property can be found at <https://www.mississauga.ca/publication/application-to-permit-the-injury-or-destruction-of-trees-on-public-and-private-property/>.

Should further information be required, please contact Rita Di Michele, By-law Inspector, Community Services Department at 905-615-3200 ext. 5872 or via email rita.dimichele@mississauga.ca.

Comments Prepared by: Rita Di Michele, By-law Inspector

Appendix 4 – Region of Peel

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A276.24
Ward: 5

Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 6741 Columbus Road, Unit 2, zoned E3- Employment, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a change of use proposing:

1. 96 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 129 parking spaces in this instance;
2. An aisle width of 5.02m (approx. 16.47ft) whereas By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m (approx. 22.97ft) in this instance;
3. An Accessory Sales to the Auto Repair use- Restricted with no outdoor display whereas By-law 0225-2007, as amended, does not permit this use in this instance;
4. 1 accessible parking space whereas By-law 0225-2007, as amended, requires a minimum of 5 parking spaces in this instance.

The Committee has set **Thursday, July 11, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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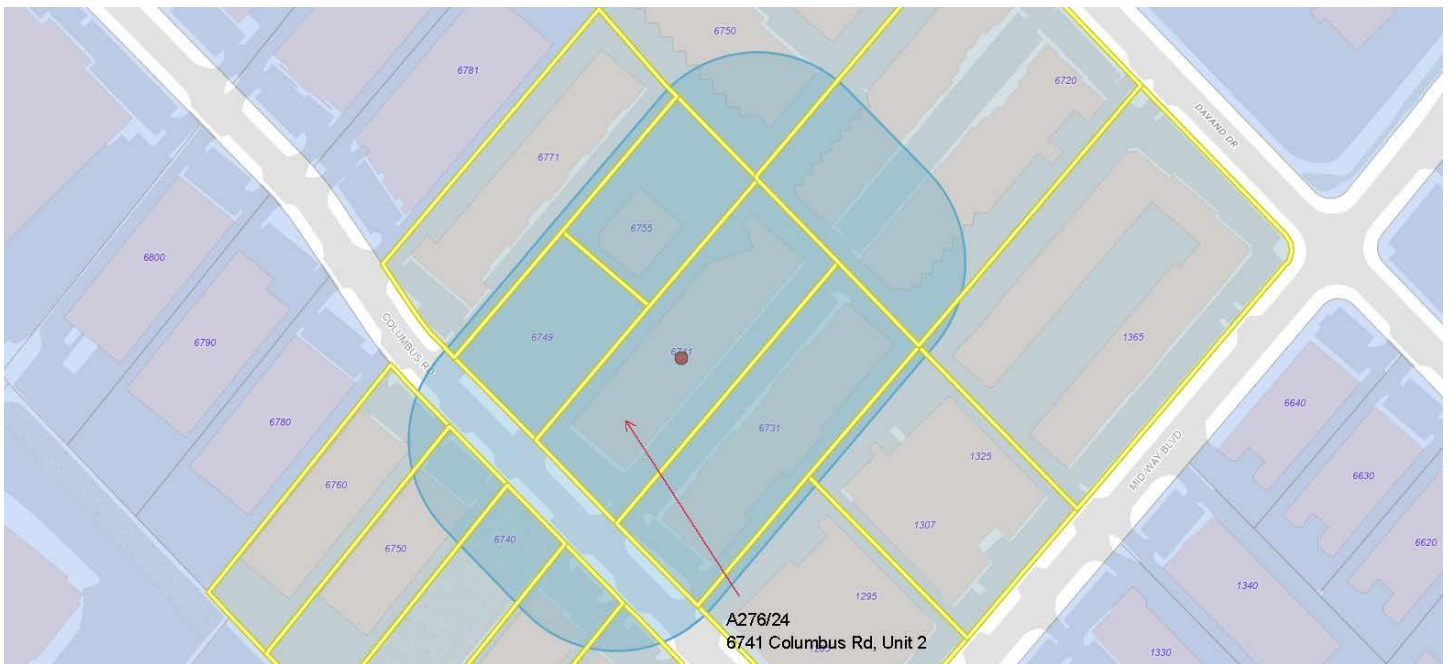
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City of Mississauga Department Comments

Date Finalized: 2024-07-03	File(s): A276.24
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2024-07-11 1:00:00 PM

Consolidated Recommendation

The City has no objection to the application, subject to the conditions.

Application Details

The applicant requests the Committee to approve a minor variance to allow a change of use proposing:

1. 96 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 129 parking spaces in this instance;
2. An aisle width of 5.02m (approx. 16.47ft) whereas By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m (approx. 22.97ft) in this instance;
3. An Accessory Sales to the Auto Repair use- Restricted with no outdoor display whereas By-law 0225-2007, as amended, does not permit this use in this instance;
4. 1 accessible parking space whereas By-law 0225-2007, as amended, requires a minimum of 5 parking spaces in this instance.

Recommended Conditions and Terms

Should the Committee see merit in the application, Planning staff request the below conditions:

1. No outside storage of motor vehicles shall occur on the premises.
2. No sales signage of motor vehicles.

Background

Property Address: 6741 Columbus Road, Unit 2

Mississauga Official Plan

Character Area: Northeast Employment Area
Designation: Industrial

Zoning By-law 0225-2007

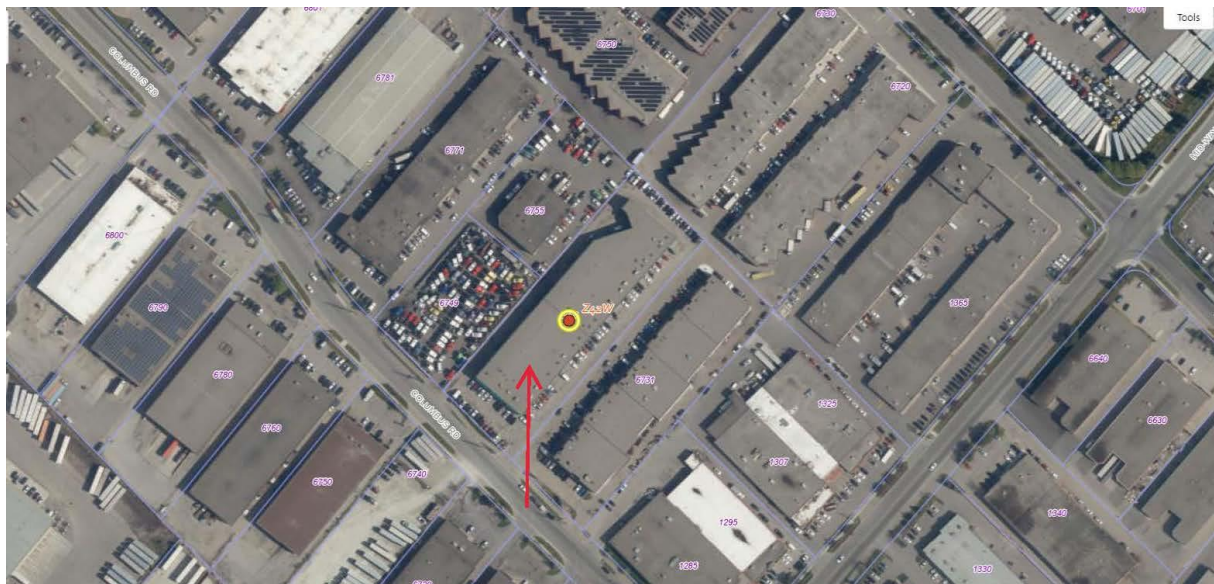
Zoning: E3- Employment

Other Applications: C24-182

Site and Area Context

The subject property is located south-west of the Dixie Road and Derry Road East intersection in the Northeast Employment Area. The property contains a two-storey industrial building containing multi-tenant industrial units with little vegetation and landscaping, which is mostly located along the property frontage. The context of the surrounding area consists of varied sizes of industrial buildings.

The applicant is proposing to change the use of the property, requiring variances for an accessory motor vehicle sales, leasing, rental facility – restricted use, parking deficiency and aisle width.



Comments

Planning

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

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

The subject property is located in the Northeast Employment Character Area and is designated Industrial in Schedule 10 of the Mississauga Official Plan (MOP).

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

With respect to Committee of Adjustment application 'A' 276.24, 6741 Columbus Road, Unit 2, the applicant requests the Committee to approve a minor variance to allow reduced parking for the subject property and proposes:

96 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 129 parking spaces in this instance.

Per the materials provided by the applicant, the subject site is currently utilized as a Multi-Unit Commercial Condominium Plaza with multiple uses including Office, Retail Store, Motor Vehicle Repair Facility, Warehouse/Distribution Facility, and Recreational Establishment. The requested variance is triggered by the proposed Motor Vehicle Repair Facility – Restricted use in Unit 2. The subject unit has a non-residential Gross Floor Area (GFA) of 311.19 square meters. The subject site is located within E3 Zoning Area, Parking Precinct 4.

Per Section 3.1.1.2 of Mississauga Zoning By-law, Motor Vehicle Repair Facility - Restricted uses located in Parking Precinct 4 require a minimum of 4.3 parking spaces per 100 square meters of non-residential GFA. Based on the Parking Allocation Report provided by the applicant, a minimum of 129 parking spaces are required for the entire property. The applicant proposes 96 parking spaces on site. As such, 129 parking spaces are required whereas 96 parking spaces can be accommodated, which generates a parking deficiency of 33 spaces or 25.6%.

As the proposed parking deficiency exceeds 10%, a satisfactory Parking Utilization Study (PUS) is required as per the City's Parking Terms of Reference provision.

The applicant submitted a Parking Utilization Study dated June 11th, 2024, prepared by Harper Dell & Associates. A five-day survey at the subject site was undertaken in April 2024. The results of the survey indicate that the peak parking demand at the subject site was observed on a Tuesday at 1 p.m. during the first week of survey, a total of 80 occupied parking spaces were observed on site, which represents a peak utilization rate

of 83.3% and a peak overall demand ratio of 1.81 spaces per 100 square meters. The study noted that some illegally parked vehicles had briefly caused congestion between aisles in the parking lot and may lead to potential circulation issues on site. The findings of the parking survey indicate that the existing parking spaces may be sufficient to accommodate parking demands for the existing uses, the overall demand rate appears to be lower than the average overall minimum parking requirement of 2.92 spaces per 100 square meters. Staff find that the results of the PUS might be supportive of the requested parking reduction.

Zoning staff have advised that the requested variance is correct.

Given the above, Municipal Parking staff can support 96 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 129 parking spaces in this instance.

Variances 2 and 4 request a reduction for aisle width and accessible parking spaces. Staff note both the aisle width and accessible parking spaces are existing conditions that have proven to be suitable in providing adequate vehicular movement and access to the site as well as accommodating individuals who require larger spaces for accessibility purposes. Staff are satisfied that appropriate site circulation can be maintained and one accessible parking space is sufficient for the proposed and existing uses of the multi-tenant building.

Variance 3 requests an accessory sales use to be added to the existing motor vehicle repair facility. Pursuant to Section 11.2.11 (aa) in the official plan, the Industrial designation shall permit accessory uses. Section 2.1.5 (Accessory Uses) in the zoning by-law states that lands being used for a permitted use shall also be permitted to include an accessory use, provided it occurs on the same property. The applicant's request to permit a motor vehicle sales use as an accessory to the existing motor vehicle repair facility – restricted use, as presented in this application, clearly remains subordinate and ancillary to the permitted primary land-use.

Staff are of the opinion that the requested variances maintain the general intent and purpose of the official plan and zoning by-law, in this instance. Staff are satisfied that the variances result in the appropriate development of the lands with any potential impacts being minor in nature.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference are photos depicting the subject property.







Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Division is processing Certificate of Occupancy application 24-182. Based on the review of the information available in this application, the requested variances are correct.

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

Comments Prepared by: Andrea Patsalides, Zoning Examiner

Appendix 3 – Region of Peel

Minor Variance: A-24-276M / 6741 Columbus Road, Unit #2

Planning: Petrele Francois (905) 791-7800 x3356

Comments:

- We acknowledge that the subject site is located within a Regional Employment Area, identified on Schedule E-4 of the Regional Official Plan (ROP) and within a Provincially Significant Employment Zone (F-12). Recognizing that this application is proposing a change of use, Regional staff encourage the applicant to work with the City to address the appropriate mix of land uses, land use compatibility with nearby employment lands, and appropriate consideration to municipally initiated studies and recommendations that support the requirements of Policy s.5.8 of the RPOP.

Comments Prepared by: Petrele Francois, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A277.24
Ward: 1

Virtual Public Hearing

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The property owner of 8 Wanita 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. An eave height of 7.62m (approx. 25.00ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance;
2. An accessory structure area of 17.18sq m (approx. 184.93sq ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 10.00sq m (approx. 107.64sq ft) in this instance;
3. 2 kitchens whereas By-law 0225-2007, as amended, permits a maximum of 1 kitchen in this instance; and,
4. A lot coverage of 41.36% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40.00% in this instance.

The Committee has set **Thursday, July 11, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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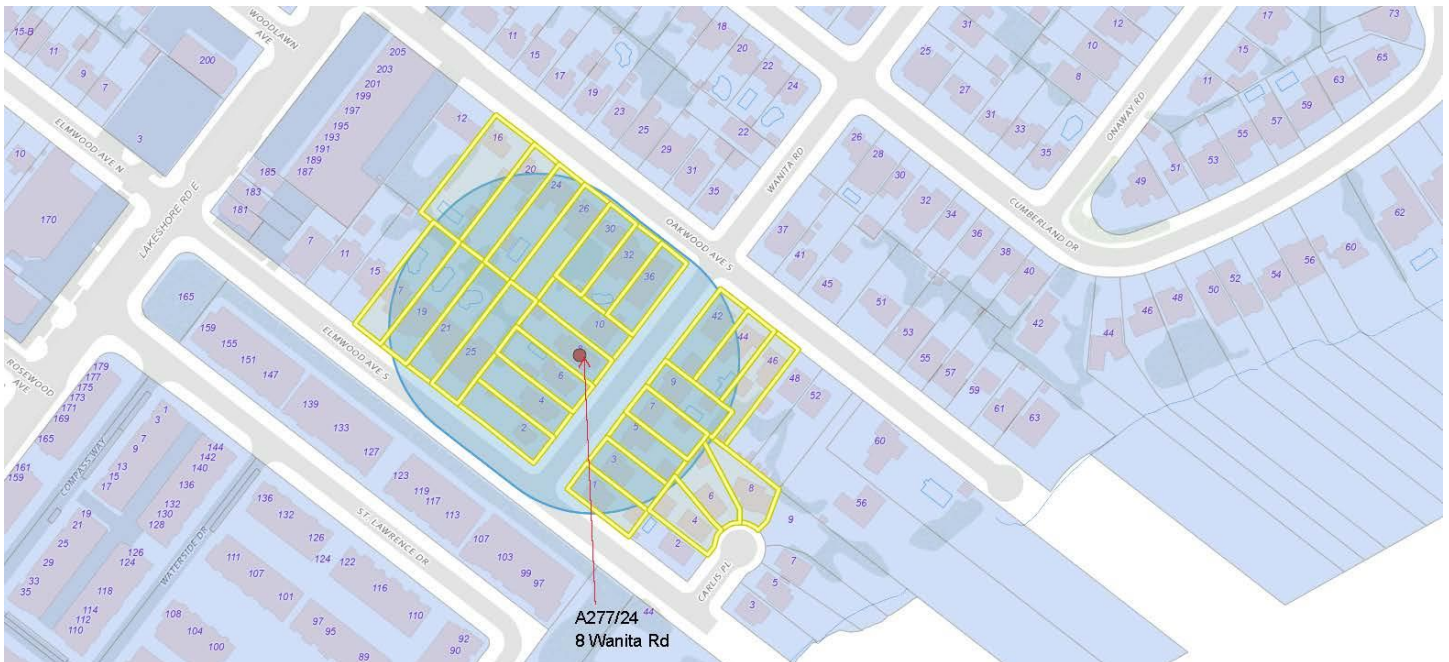
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Additional Information:

- For more information about this matter, contact committee.adjustment@mississauga.ca or call 905-615-3200 x2408. Alternatively, information can be obtained in person by making an appointment with the Committee of Adjustment at 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Appointments can be booked using the “Book an appointment” button on the Committee’s webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.
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City of Mississauga Department Comments

Date Finalized: 2024-07-03	File(s): A277.24
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2024-07-11 1:00:00 PM

Consolidated Recommendation

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

Application Details

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

1. An eave height of 7.62m (approx. 25.00ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance;
2. An accessory structure area of 17.18sq m (approx. 184.93sq ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 10.00sq m (approx. 107.64sq ft) in this instance;
3. 2 kitchens whereas By-law 0225-2007, as amended, permits a maximum of 1 kitchen in this instance; and,
4. A lot coverage of 41.36% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40.00% in this instance.

Background

Property Address: 8 Wanita Road

Mississauga Official Plan

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

Zoning By-law 0225-2007

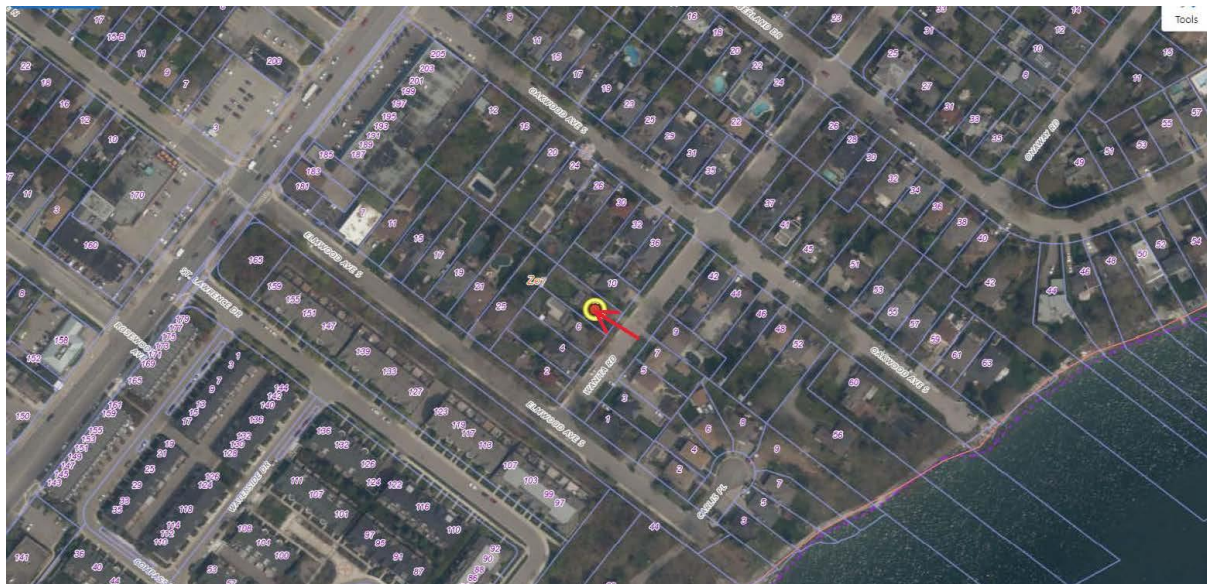
Zoning: R15-8-Residential

Other Applications: Building Permit application BP 9NEW 24-568 ARU

Site and Area Context

The subject property is located within the Port Credit Neighbourhood (East) Character Area, southwest of the Hiawatha Parkway and Lakeshore Road East intersection. The immediate neighbourhood is primarily residential. The residential uses consist of one and two-storey detached dwellings on lots with mature vegetation in the front yard. The subject property contains a one-storey detached dwelling with vegetation in the front yard.

The applicant is proposing a new two-storey detached dwelling requiring variances for eave height, accessory structure area, number of kitchens and lot coverage.



Comments

Planning

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

Staff comments concerning the application are as follows:

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

Variance #1 is for eave height. Staff note that no variance for overall height is required. Furthermore, staff are satisfied that the proposed increase in height is appropriate for the subject property and note that average grade is 0.22m to 0.25m (0.72ft to 0.82 ft) below the finished grade, reducing the appearance of the dwelling's overall height by 0.22m to 0.25m (0.72ft to 0.82 ft).

Variance #2 is for accessory structure area. Staff note that while the proposed area of 17.18m² (184.93ft²) exceeds by-law area regulations for an individual accessory structure, the proposed area is within the maximum permissible combined area of 30m² (322.91ft²) and no additional variances structures are proposed. Furthermore, the structure is primarily open, reducing its massing impact.

Variance #3 as requested to permit a second kitchen. The applicant is proposing a spice kitchen which is attached to the primary kitchen. The intent of limiting the number of kitchens is to regulate the number dwelling units within a dwelling. It is noted that current regulations permit up to three dwelling units on the property. Recognizing the current regulations and the fact that no additional units are being proposed, staff have no concerns with the additional kitchen. Staff are of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #7 is for a lot coverage of 41.36%, where a maximum lot coverage of 40% is permitted. Planning staff are of the opinion that this increase is minor and negligible. Furthermore, 34.38% of the total coverage is attributable to the dwelling's footprint where the remaining coverage is for a porches, eaves and a cabana with little to no massing impact.

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

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling will be addressed by our Development Construction Section through Building Permit BP 9NEW-24/568.

Comments Prepared by: John Salvino, Development Engineering Technologist



Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application BP 9NEW 24-568 ARU. Based on review of the information available in this application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

City Department and Agency Comments	File:A277.24	2024/07/03	5
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Please note that comments reflect those provided through the above application. These comments may no longer be valid should there be changes contained within this Committee of Adjustment application that have not been submitted and reviewed through the application noted above. The applicant must submit any changes and/or updates to information and/or drawings separately through the above application in order to receive updated comments.

Comments Prepared by: Andrew Wemekamp. Zoning Plans Examiner.

Appendix 3 – Parks, Forestry & Environment

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

1. No public trees shall be injured or removed. If public tree removal is required, a permit must be issued as per By-law 0020-2022.
2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Removal Permit, written consent must be obtained by both parties.

A Tree Removal Application to Permit the Injury or Destruction of Trees on Public and Private Property can be found at <https://www.mississauga.ca/publication/application-to-permit-the-injury-or-destruction-of-trees-on-public-and-private-property/>.

Should further information be required, please contact Rita Di Michele, By-law Inspector, Community Services Department at 905-615-3200 ext. 5872 or via email rita.dimichele@mississauga.ca.

Comments Prepared by: Rita Di Michele, By-law Inspector

Appendix 4 – Region of Peel

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A281.24
Ward: 2

Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 2497 Barcella Cres, zoned RM1- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an addition proposing:

1. A lot coverage of 39.30% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
2. A side yard setback to the below grade stair of 0.73m (approx. 2.40ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback to the below grade stair of 1.20m (approx. 3.94ft) in this instance; and,
3. A side yard setback to the existing shed of 0.51m (approx. 1.67ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback to the existing shed of 0.61m (approx. 2.00ft) in this instance.

The Committee has set **Thursday, July 11, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

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

- **In person:** This hearing is being held virtually. Please see the options below for electronic participation. If holding an electronic rather than an in person hearing is likely to cause a party significant prejudice, a written request may be made to have the Committee consider holding an in person 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 Monday prior to the hearing. The request can be emailed to committee.adjustment@mississauga.ca or mailed to the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. 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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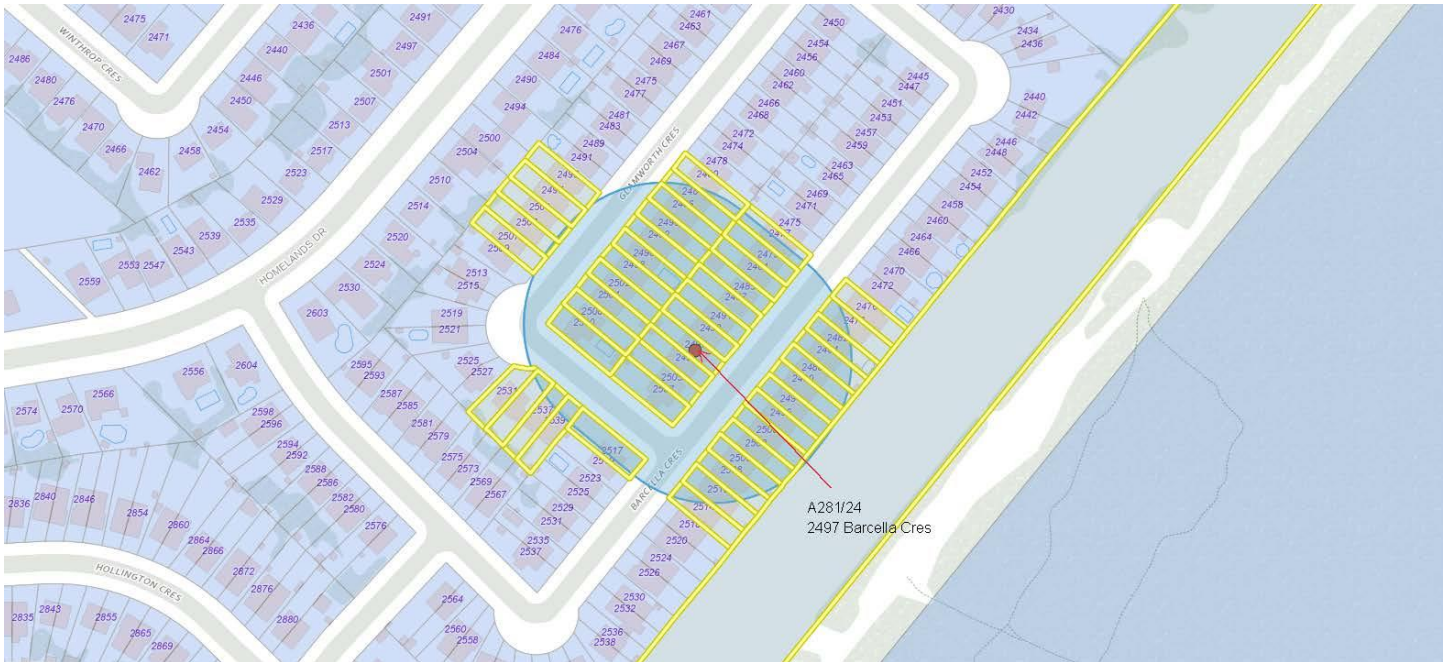
<http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>

Additional Information:

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City of Mississauga Department Comments

Date Finalized: 2024-07-03	File(s): A281.24
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2024-07-11 1:00:00 PM

Consolidated Recommendation

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

Application Details

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

1. A lot coverage of 39.30% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
2. A side yard setback to the below grade stair of 0.73m (approx. 2.40ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback to the below grade stair of 1.20m (approx. 3.94ft) in this instance; and,
3. A side yard setback to the existing shed of 0.51m (approx. 1.67ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback to the existing shed of 0.61m (approx. 2.00ft) in this instance.

Background

Property Address: 2497 Barcella Cres

Mississauga Official Plan

Character Area: Sheridan Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

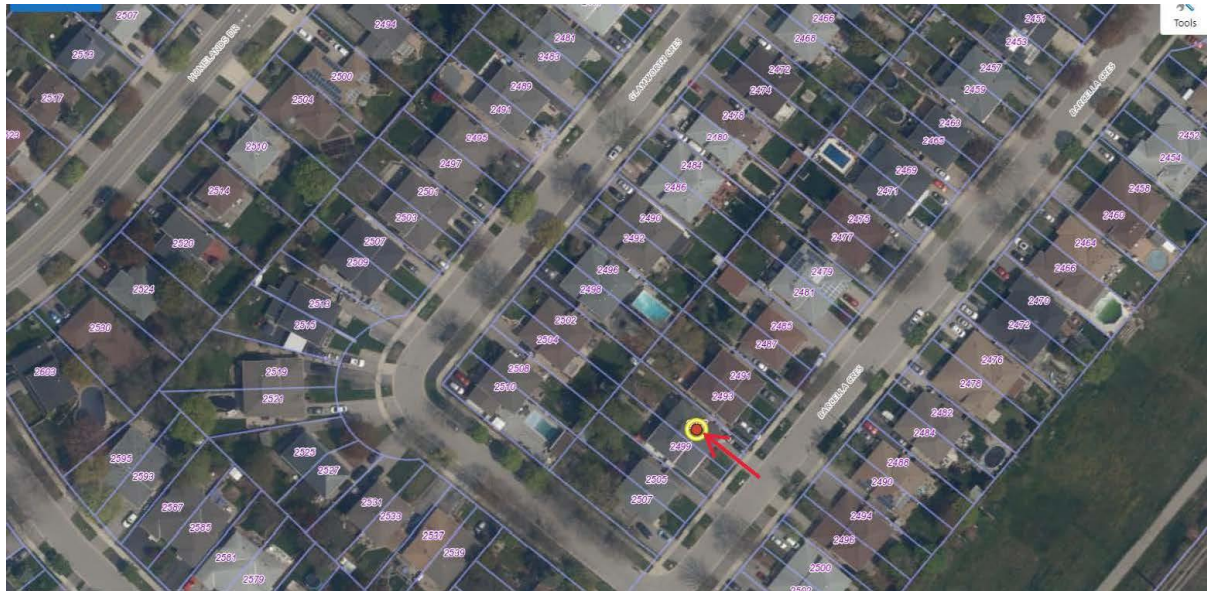
Zoning: RM1- Residential

Other Applications: Building Permit application BP 9ALT 23-10490

Site and Area Context

The subject site is situated within the Sheridan Neighbourhood Character Area, southeast of the Winston Churchill Boulevard and Homelands Drive intersection. The immediate vicinity encompasses a mix of residential, utility and greenlands uses. The residential uses primarily consist of one and two-storey detached and semi-detached dwellings. The subject site property contains a two-storey semi-detached dwelling and features minimal vegetation in the front yard.

The proposed application seeks to develop a new one-storey addition requiring variances for lot coverage and setbacks.



Comments

Planning

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

Staff comments concerning the application are as follows:

The subject property is designated Residential Low Density II on Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density II designation permits a variety of residential uses, including detached dwellings.

Variance #1 is for a lot coverage of 39.3%, where a maximum lot coverage of 35% is permitted. Planning staff are of the opinion that this increase is minor. The new footprint of the dwelling, inclusive of the one-storey addition, represents 31.3% of the total lot coverage, where the remaining coverage is for an existing open car port, shed and storage bin with little to no massing impact.

Variances #2 and 3 are for setbacks. Planning staff have no concerns regarding the proposed setbacks, as they do not pose drainage concerns and are large enough to ensure access to the rear yard is unencumbered and that the existing shed can be accessed for maintenance purposes.

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

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed addition will be addressed by our Development Construction Section through Building Permit BP 9ALT-23/10490.

Comments Prepared by: John Salvino, Development Engineering Technologist



Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application BP 9ALT 23-10490. Based on the review of the information available in this application, the requested variances are correct.

Our comments may no longer be valid should there be changes in the Committee of Adjustment application that have yet to be submitted and reviewed through the Building Division application.

To receive updated comments, the applicant must submit any changes to information or drawings separately through the above application.

Comments Prepared by: Gary Gagnier, Zoning Examiner

Appendix 3 – Region of Peel

Minor Variance: A-24-281M / 2497 Barcella Crescent

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

Comments:

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.
- Installation of and alterations to property line water valves and chambers and sanitary/storm sewer maintenance holes require inspection by Region of Peel inspectors to confirm if these works are completed in accordance with Region of Peel Design Criteria, Standards, and Specifications.
- Proposals to connect to an existing service lateral require approval from a Region of Peel inspector at construction stage.

Comments Prepared by: Petrele Francois, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A26.24
Ward: 11

Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 7025 Pond Street, zoned R1-32- 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 garage proposing:

1. A projection of the garage face of a detached garage beyond any portion of the first floor front wall or exterior side wall of 4.97m (approx. 16.31ft) whereas the By-law 0225-2007, as amended, permits a maximum garage projection of 0.00m in this instance;
2. A driveway width of 5.50m (approx. 18.04ft) whereas the By-law 0225-2007, as amended, permits a maximum driveway width of 3.00m (approx. 9.84ft) in this instance; and,
3. A sloped roof height of 5.84m (approx. 19.16ft) whereas By-law 0225-2007, as amended, permits a maximum sloped roof height of 4.60m (approx. 15.09ft) in this instance; and,
4. An eave height of 4.22m (approx. 13.85ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 3.00m (approx. 9.84ft) in this instance.

The Committee has set **Thursday, July 11, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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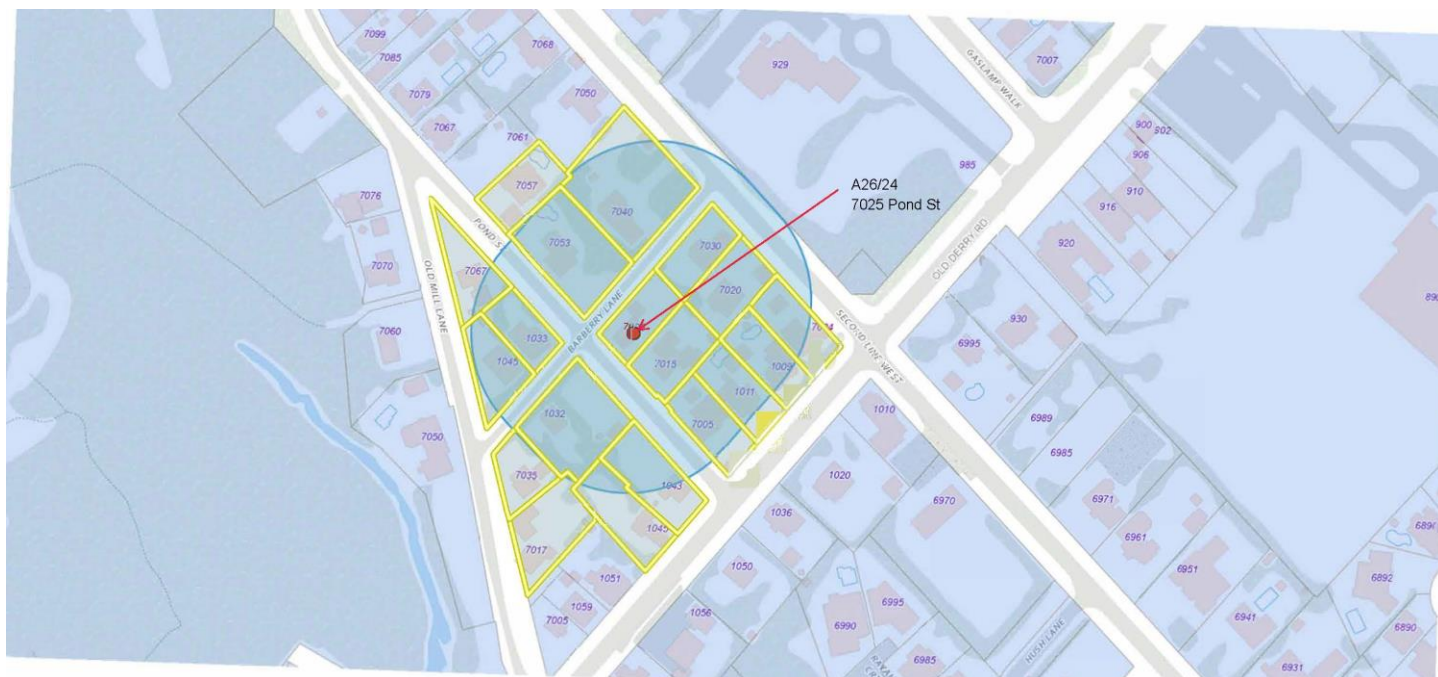
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City of Mississauga Department Comments

Date Finalized: 2024-07-03	File(s): A26.24 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-07-11 1:00:00 PM

Consolidated Recommendation

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

Application Details

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

1. A projection of the garage face of a detached garage beyond any portion of the first floor front wall or exterior side wall of 4.97m (approx. 16.31ft) whereas the By-law 0225-2007, as amended, permits a maximum garage projection of 0.00m in this instance;
2. A driveway width of 5.50m (approx. 18.04ft) whereas the By-law 0225-2007, as amended, permits a maximum driveway width of 3.00m (approx. 9.84ft) in this instance; and,
3. A sloped roof height of 5.84m (approx. 19.16ft) whereas By-law 0225-2007, as amended, permits a maximum sloped roof height of 4.60m (approx. 15.09ft) in this instance; and,
4. An eave height of 4.22m (approx. 13.85ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 3.00m (approx. 9.84ft) in this instance.

Background

Property Address: 7025 Pond Street

Mississauga Official Plan

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

Zoning By-law 0225-2007

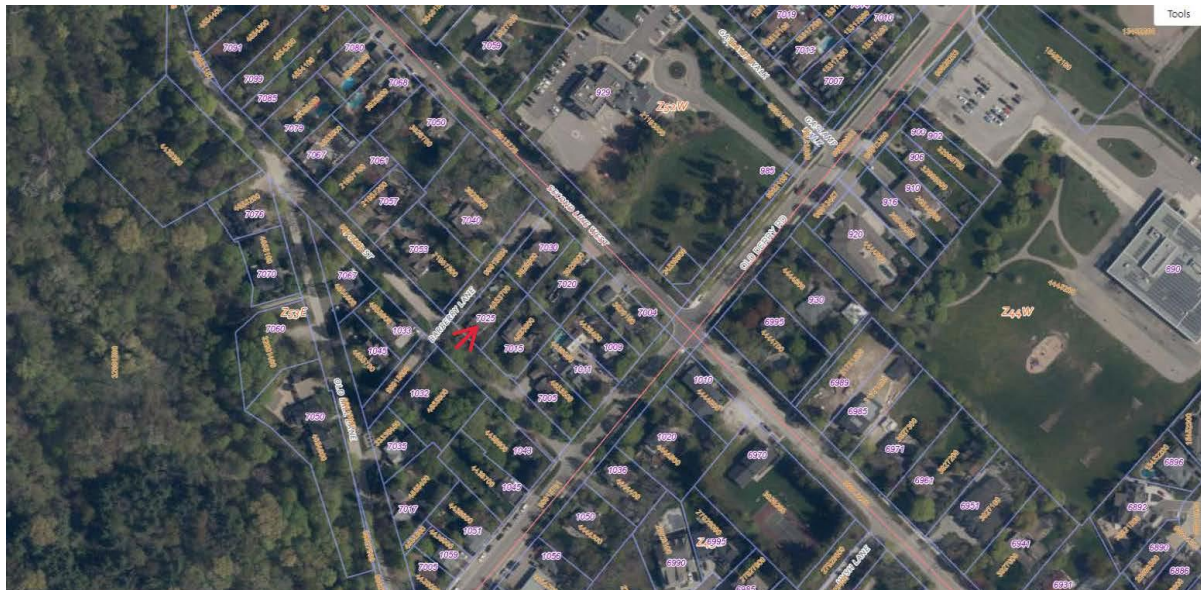
Zoning: R1-32- Residential

Other Applications: None

Site and Area Context

The subject property is located north-west of the Second Line West and Old Derry Road intersection in the Meadowvale Village Neighbourhood Character Area. It is a corner lot and currently contains a one and a half-storey detached dwelling with a one-storey detached garage in the rear yard. It has an approximate lot area of +/- 809.34m² (8,711.66ft²) and a lot frontage of 20.25m (66.43ft). Mature vegetation exists throughout the subject property and the grade slopes severely from rear of the lot to the front. The surrounding context is predominantly residential, consisting of detached dwellings on lots of varying sizes.

The applicant is proposing the construction of a two-storey detached garage in the exterior side yard requiring variances for a projection of the garage face, driveway width and garage 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 note the application was deferred at the January 18th, 2024 Committee of Adjustment hearing due to staff concerns regarding the proposed height of the detached garage and to identify if additional variances were required.

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

The subject property is designated Residential Low Density I on Schedule 10 of the Mississauga Official Plan (MOP). This designation permits only detached dwellings.

Section 16.17.2.9 of the MOP, (Meadowvale Village Neighbourhood policies), states the presence of garages should be minimized to create an attractive streetscape. Garages should not project substantially beyond the front face of any house. Variance 1 requests an increased garage projection. The intent of the zoning by-law regulation is to maintain a consistent streetscape while ensuring the garage does not become the dominant feature of the dwelling. Staff note the proposed detached garage faces the flanking street and is positioned on the subject property in an appropriate area which will not negatively impact the streetscape. Staff are satisfied that the design does not over-emphasize the garage and the impact of the projection in the exterior side yard is mitigated by the existing vegetation on the subject property and neighbouring properties.

Variance 2 requests an increase in driveway width. The intent of this portion of the By-law is to permit a driveway large enough to suitably accommodate the required number parking spaces for a dwelling, with the remainder of lands in the exterior side yard being soft landscaping. Staff note the increase in driveway width is to permit access to and from the proposed double car garage. Staff are of the opinion that the driveway width is not excessive and is large enough to suitably accommodate the required number of parking spaces for the dwelling. Additionally, the remainders of lands in the exterior side yard will maintain the required soft landscaping ratio.

Variances 3 and 4 request an increase in height and eave height. The intent of restricting height of accessory structures is to keep them in appropriate size and scale to the main dwelling. The applicant has worked with staff to revise the proposed detached garage to address height concerns raised during the first submission. Originally, the proposed detached garage appeared taller than the primary dwelling on the subject property due to the topography of the site which positioned the garage on a portion of the property with a higher elevation. Staff are satisfied that the proposed increase is minor in nature and will not create any additional undue impacts to the streetscape or abutting properties. The proposed detached garage height is in line with the primary dwelling which ensures the garage does not become the dominant feature of the dwelling.

Under a previous application (A327.14), the Committee approved an exterior side yard setback of 6.05m (19.85ft) for the existing detached garage. While planning staff are not in a position to interpret the zoning by-law, it appears that based on the drawings provided, the applicant will require an additional variance for an exterior side yard setback to the proposed detached garage of 2.86m (9.38ft). Staff have contacted the applicant to ensure they are aware of the missing

variance. The applicant has confirmed they will amend the application on the hearing date to include the exterior side yard variance. Staff have also suggested that the applicant contact zoning staff to confirm if any additional variances are required.

Staff are of the opinion that the proposed detached garage represents appropriate development of the subject lands and meets the general intent and purpose of the official plan and zoning by-law. The variances, both individually and cumulatively, are minor in nature and will not create any undue impacts to adjoining properties or the planned or existing character of the area.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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





Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Brooke Herczeg, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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

1. No public trees shall be injured or removed. If public tree removal is required, a permit must be issued as per By-law 0020-2022.

2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Removal Permit, written consent must be obtained by both parties.

A Tree Removal Application to Permit the Injury or Destruction of Trees on Public and Private Property can be found at <https://www.mississauga.ca/publication/application-to-permit-the-injury-or-destruction-of-trees-on-public-and-private-property/>.

Should further information be required, please contact Rita Di Michele, By-law Inspector, Community Services Department at 905-615-3200 ext. 5872 or via email rita.dimichele@mississauga.ca.

Comments Prepared by: Rita Di Michele, By-law Inspector

Appendix 4– Region of Peel

Please apply previous comments.

Comments Prepared by: Petrele Francois, Junior Planner

Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 2379 Erin Centre Blvd, zoned R2-9- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a driveway proposing:

1. A driveway width of 11.46 m (approx. 37.60 ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 10.50 m (approx. 34.45 ft) in this instance; and,
2. A driveway width beyond the first six meters of the garage face of 9.88m (approx. 32.42ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 8.50m (approx. 27.89ft) in this instance.

The Committee has set **Thursday, July 11, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

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

- **In person:** This hearing is being held virtually. Please see the options below for electronic participation. If holding an electronic rather than an in person hearing is likely to cause a party significant prejudice, a written request may be made to have the Committee consider holding an in person 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 Monday prior to the hearing. The request can be emailed to committee.adjustment@mississauga.ca or mailed to the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. 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.
- **Electronically (computer, tablet or smartphone):** Advance registration is required to speak virtually at the hearing. If you wish to make a presentation at the hearing you must send your request to speak and your presentation material (as an attachment) via email to committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. If you have connection issues on the hearing date, please email virtualmeeting.help@mississauga.ca.
- **By telephone:** Advance registration is required to speak virtually at the hearing. To register, please call 905-615-3200 x2408 by 4:30 PM on the Friday prior to the hearing. You must provide your name, phone number, and the application file number. Committee staff will provide you with call in details prior to the start of the hearing.
- **Submit a written comment:** Written comments to the Committee must be received no later than 4:30 p.m. on the Friday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and the application file number or property address you are commenting on.

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

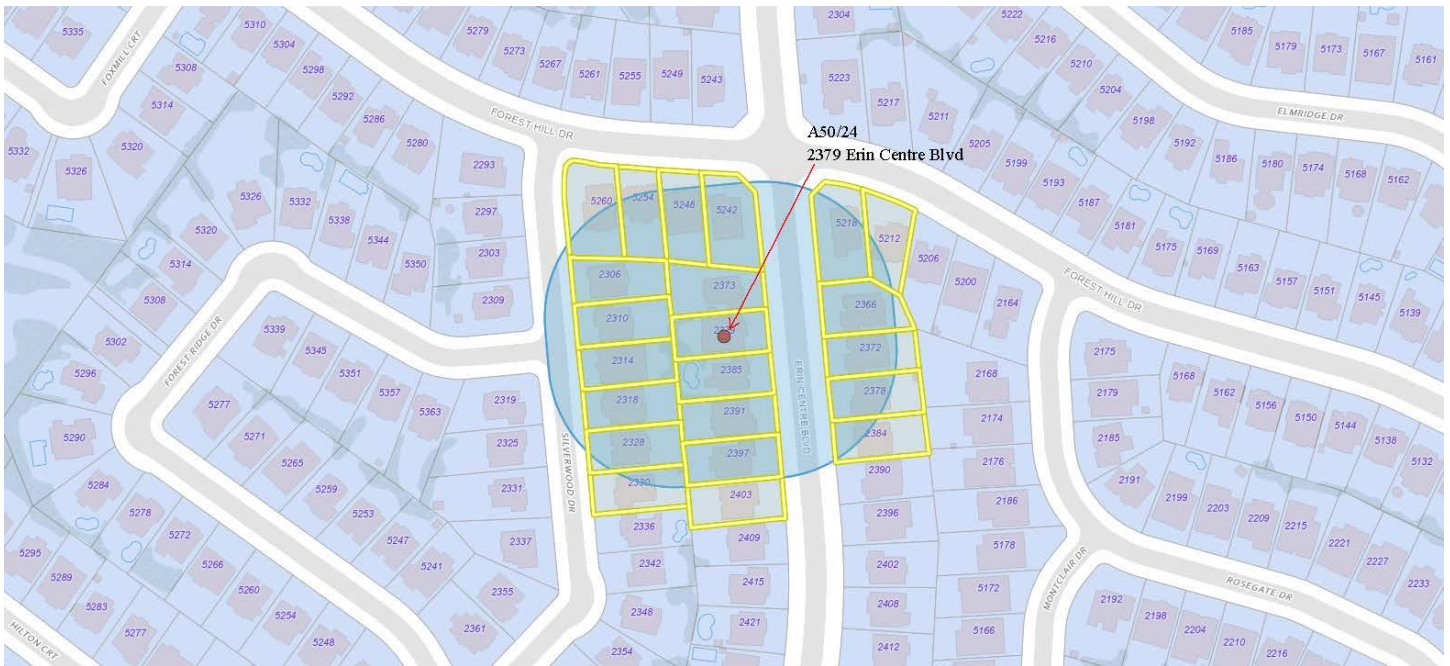
<http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>

Additional Information:

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Committee of Adjustment Appeal Process:

The Province of Ontario's Bill 23, the More Homes Built Faster Act, 2022, limits who is allowed to appeal decisions made by the Committee of Adjustment. Going forward, only the applicant, the municipality, certain public bodies and the Minister can appeal a decision to the OLT. Individuals are no longer permitted to do so. For more information please see the "Appeal process" section on the Committee of Adjustment webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.



Legal notice:

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

City of Mississauga Department Comments

Date Finalized: 2024-07-03	File(s): A50.24 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-07-11 1:00:00 PM

Consolidated Recommendation

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

Application Details

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

1. A driveway width of 11.46 m (approx. 37.60 ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 10.50 m (approx. 34.45 ft) in this instance; and,
2. A driveway width beyond the first six meters of the garage face of 9.88m (approx. 32.42ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 8.50m (approx. 27.89ft) in this instance.

Background

Property Address: 2379 Erin Centre Blvd

Mississauga Official Plan

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

Zoning By-law 0225-2007

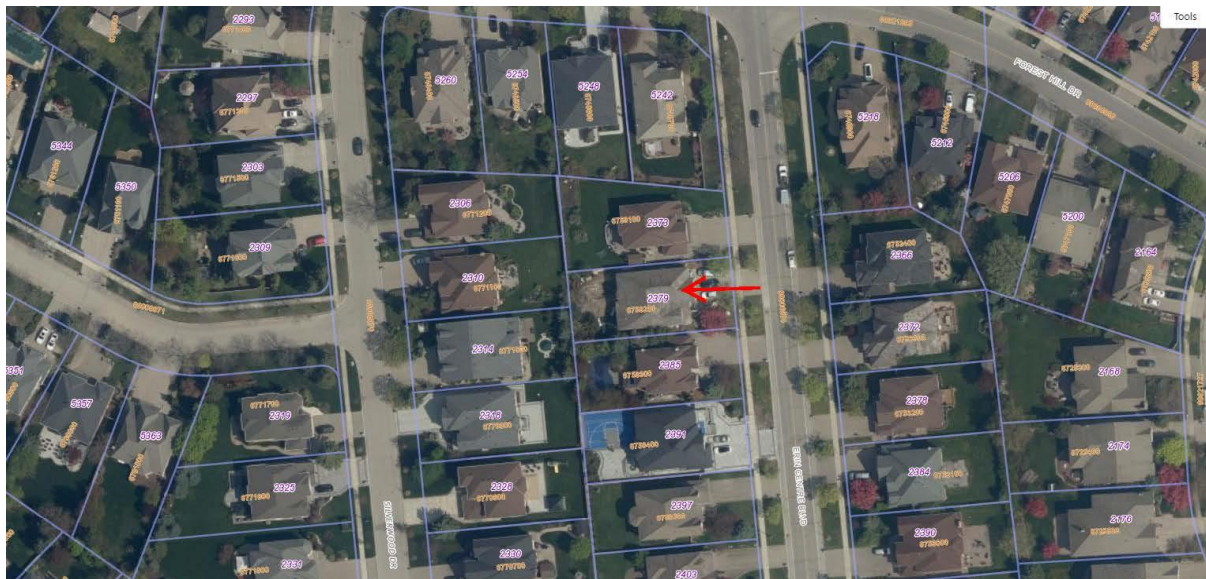
Zoning: R2-9- Residential

Other Applications: None

Site and Area Context

The subject property is located on the north side of Erin Centre Boulevard, east of the Erin Mills Parkway intersection. It is an interior lot containing a two-storey detached dwelling with an attached three car garage. Limited landscaping/vegetative elements are only present in the front yard. The property has an approximate lot frontage of 19.80m (64.96ft), characteristic of other lots in the area. The surrounding context is exclusively residential, consisting of detached dwellings on similarly sized lots.

The applicant is attempting to legalize an existing driveway requiring variances for driveway with.



Comments

Planning

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

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

The application was deferred at the April 11th, 2024 Committee of Adjustment hearing. Planning staff had no concerns with the proposed width of the driveway, however noted an additional variance pertaining to the permitted 8.5m (27.88ft) driveway width beyond 6m (19.68ft) of the garage face, was required. Staff note the revised application depicts the driveway width beyond 6m of the garage face.

City Department and Agency Comments	File:A50.24	2024/07/03	3
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The intent of the driveway regulations in the by-law is to permit a driveway large enough to suitably accommodate the required number of parking spaces for a dwelling, with the remainder of lands in the front yard being soft landscaping. Staff are of the opinion that the increase in driveway width is minor as it appropriately aligns with the garage and provides an appropriate walkway to the front door. Staff are satisfied that the proposed driveway width does not facilitate the parking of additional vehicles across the driveway, nor does it create excessive hardscaping on the property.

Staff are satisfied that the proposal meets the general intent and purpose of both the official plan and zoning by-law. Furthermore, staff note the proposal is minor in nature and represents appropriate development of the subject property.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed are some recent photos depicting the existing driveway.





Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Brooke Herczeg, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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

1. No public trees shall be injured or removed. If public tree removal is required, a permit must be issued as per By-law 0020-2022.
2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
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Comments Prepared by: Rita Di Michele, By-law Inspector

City Department and Agency Comments	File:A50.24	2024/07/03	7
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Appendix 4 – Region of Peel

Please apply previous comments.

Comments Prepared by: Petrele Francois, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A95.24
Ward: 5

Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 2360 Lucknow Drive, zoned E2- Employment, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow parking proposing:

1. 115 parking spaces whereas By-law 0225-2007, as amended requires a minimum of 152 parking spaces in this instance;
2. 30 off site parking spaces whereas By-law 0225-2007, as amended does not permit off site parking in this instance;
3. 30 tandem parking spaces whereas By-law 0225-2007, as amended does not permit tandem parking in this instance; and,
4. 4 accessible parking spaces whereas By-law 0225-2007, as amended requires a minimum of 6 accessible parking spaces in this instance.

The Committee has set **Thursday, July 11, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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

Additional Information:

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Committee of Adjustment Appeal Process:

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City of Mississauga Department Comments

Date Finalized: 2024-07-03	File(s): A95.24
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2024-07-11 1:00:00 PM

Consolidated Recommendation

The City has no objection to the application, subject to the condition. 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 parking proposing:

1. 115 parking spaces whereas By-law 0225-2007, as amended requires a minimum of 152 parking spaces in this instance;
2. 30 off site parking spaces whereas By-law 0225-2007, as amended does not permit off site parking in this instance;
3. 30 tandem parking spaces whereas By-law 0225-2007, as amended does not permit tandem parking in this instance; and,
4. 4 accessible parking spaces whereas By-law 0225-2007, as amended requires a minimum of 6 accessible parking spaces in this instance.

Recommended Conditions and Terms

Should the Committee see merit in the application, Planning staff request the below condition:

1. The applicant shall provide an Off-site Parking Agreement to the satisfaction of the City for the approval period of Minor Variance File A95.24.

Background

Property Address: 2360 Lucknow Drive

Mississauga Official Plan

Character Area: Northeast Employment Area

Designation: **Business Employment**

Zoning By-law 0225-2007

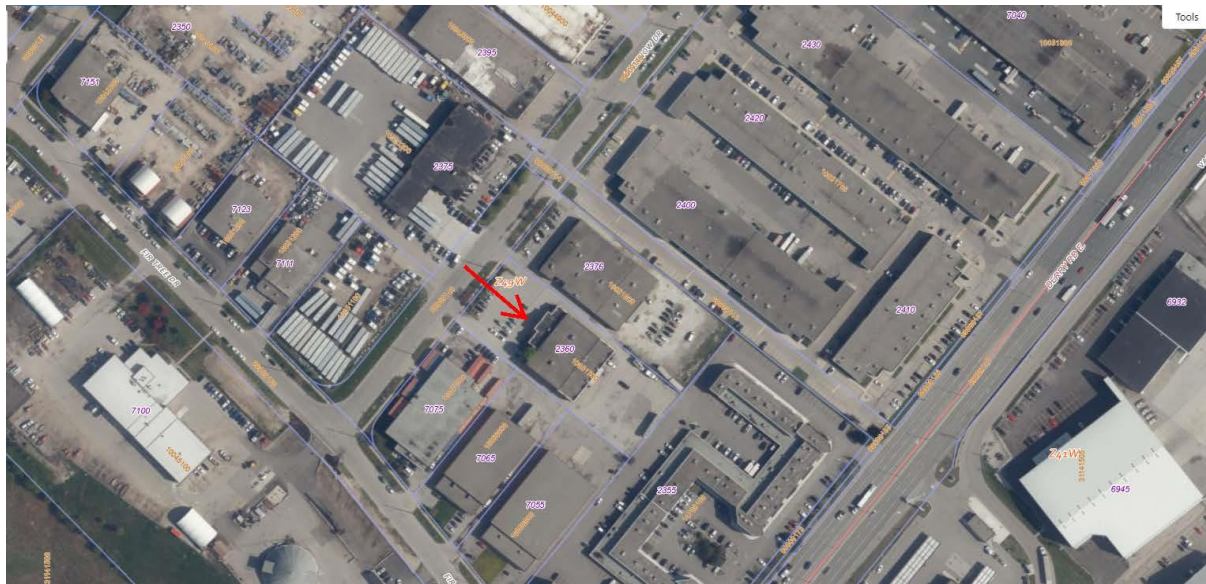
Zoning: **E2- Employment**

Other Applications: None

Site and Area Context

The subject property is located north-west of the Derry Road East and Torbram Road intersection. It currently contains a one-storey banquet hall with an associated surface parking lot. Limited landscaping and vegetative elements are present along the frontage of the subject property. The surrounding area consists of various sizes of industrial buildings.

The applicant is requesting variances pertaining to parking deficiencies, off-site parking and tandem parking.



Comments

Planning

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

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

The subject property is located in the Northeast Employment Character Area and is designated Business Employment in the Mississauga Official Plan (MOP).

Staff note that similar minor variance applications were approved by the Committee of Adjustment subject to conditions, for a temporary period of one year, as per application A093.16. The applicant reapplied for the same minor variance application, which was approved for a temporary period of five years, subject to no conditions, as per application A365.18. The decision for A365.18 expired on December 31st, 2023.

The proposal was deferred at the February 29th, 2024 Committee of Adjustment application to submit a parking utilization study and draft an Off-Site Parking Agreement using the standard template provided by the City.

The current application is requesting an extension of the previous approvals, requesting a reduction in the number of parking spaces and the location of parking on the subject property and the abutting property. The intent of the zoning by-law in quantifying the required number of parking spaces is to ensure that each lot is self-sufficient in providing adequate parking accommodations based upon its intended use. Section 8.4 of the official plan contemplates potential reductions in parking requirements and alternative parking arrangements in appropriate situations. Municipal Parking staff have reviewed the variance request and note as follows:

With respect to Committee of Adjustment application 'A' 95.24, 2360 Lucknow Drive, the applicant requests the Committee to approve a minor variance to allow reduced parking for the subject property and proposes:

115 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 152 parking spaces in this instance.

Per the materials provided by the applicant, the subject property currently functions as a Banquet Hall with a Gross Floor Area (GFA) of 1406.51 square meters. The variances are triggered by the applicant's request to renew the previous temporary approval of an off-site parking agreement. The subject property is located within E2 Zoning Area, Parking Precinct 4.

Per Section 3.1.1.2 of Mississauga Zoning By-law, Banquet Hall uses located in Parking Precinct 4 require a minimum of 10.8 spaces per 100 square meters of non-residential GFA. Therefore, with a proposed GFA of 1406.51 square meters, a minimum of 152 parking spaces are required. The applicant proposes a total of 115 parking spaces on-site and 30 spaces off-site. As such, 152 parking spaces are required whereas 115 parking spaces can be accommodated, which generates a parking deficiency of 37 spaces or 24%.

As the proposed parking deficiency exceeds 10%, a satisfactory Parking Utilization Study (PUS) is required as per the City's Parking Terms of Reference provision. A deferral was previously recommended for the application due to the lack of PUS on February 29, 2024.

The applicant has subsequently submitted a Parking Utilization Study dated June 11, 2024, prepared by Harper Dell & Associates. A three-day survey at the subject site was undertaken in March 2024. Out of the three events being surveyed, two were on a smaller scale at 50% and 65% capacity, while the one that took place on Saturday, March 30th was a full-capacity event, which also happened to fall on the Easter holiday weekend.

The results of the survey indicate that the peak parking demand at the subject site was observed on Saturday, March 30th, at 9 p.m. at the full-capacity event. During the time, a total of 51 occupied parking spaces were observed on site, which represents a peak utilization rate of 44% and a peak demand ratio of 3.63 spaces per 100 square meters. The findings appear to be lower than the minimum parking requirement of 10.8 spaces per 100 square meters for a Banquet Hall use as stipulated by the Zoning By-law. Staff find that the results of the PUS are supportive of the requested parking reduction. Nonetheless, it is important to note that the parking demand observed during the surveyed events may not necessarily reflect the actual parking demand for different types of events held at the site, as the nature of the event significantly influences parking demands.

Given the above, Municipal Parking staff can support 115 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 152 parking spaces in this instance.

Staff note the current application requests an extension of the previous approvals in principle. As per Municipal Parking staff, the applicant provided a Commercial Lease Agreement with the neighboring property at 2376 Lucknow Drive, which states that an additional 30 parking spaces can be accommodated. However, the agreement was not drafted using the standard Off-site Parking Agreement template provided by the City. The use of the City's Off-Site Parking Agreement template allows the City to be a signatory to the agreement and ensures that the dedicated parking is available, good neighbor relations between adjacent property owners are maintained, ensures the public's interests are accounted for, and confirms the agreement remains in place for the requested duration. Given the above, staff have no concerns with the application, subject to a satisfactory off-site parking agreement.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference are a number of recent photos depicting the subject property. With regards to Variance #2 we note that it may be difficult for visitors to identify/locate the proposed 30 off-site parking spaces as they are currently not delineated and located on the abutting property. Perhaps some signage should be installed to identify the off-site parking.







Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Department is processing a Preliminary Zoning Review application PREAPP 16-981. Based on review of the information available in this application, we advise that comments are no longer relevant and changes to the By-law have taken place.

Comments Prepared by: Brooke Herczeg, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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

1. No public trees shall be injured or removed. If public tree removal is required, a permit must be issued as per By-law 0020-2022.

City Department and Agency Comments	File:A95.24	2024/07/03	8
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2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Removal Permit, written consent must be obtained by both parties.

A Tree Removal Application to Permit the Injury or Destruction of Trees on Public and Private Property can be found at <https://www.mississauga.ca/publication/application-to-permit-the-injury-or-destruction-of-trees-on-public-and-private-property/>.

Should further information be required, please contact Rita Di Michele, By-law Inspector, Community Services Department at 905-615-3200 ext. 5872 or via email rita.dimichele@mississauga.ca.

Comments Prepared by: Rita Di Michele, By-law Inspector

Appendix 4 – Region of Peel

Please apply previous comments.

Comments Prepared by: Petrele Francois, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A166.24
Ward: 11

Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 6741 Historic Trail, zoned R10-1- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a below grade entrance with a side yard setback of 0.16m (approx. 0.52ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.20m (approx. 3.94ft) in this instance.

The Committee has set **Thursday, July 11, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

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

- **In person:** This hearing is being held virtually. Please see the options below for electronic participation. If holding an electronic rather than an in person hearing is likely to cause a party significant prejudice, a written request may be made to have the Committee consider holding an in person 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 Monday prior to the hearing. The request can be emailed to committee.adjustment@mississauga.ca or mailed to the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. 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.
- **Electronically (computer, tablet or smartphone):** Advance registration is required to speak virtually at the hearing. If you wish to make a presentation at the hearing you must send your request to speak and your presentation material (as an attachment) via email to committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. If you have connection issues on the hearing date, please email virtualmeeting.help@mississauga.ca.
- **By telephone:** Advance registration is required to speak virtually at the hearing. To register, please call 905-615-3200 x2408 by 4:30 PM on the Friday prior to the hearing. You must provide your name, phone number, and the application file number. Committee staff will provide you with call in details prior to the start of the hearing.
- **Submit a written comment:** Written comments to the Committee must be received no later than 4:30 p.m. on the Friday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and the application file number or property address you are commenting on.

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

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

Additional Information:

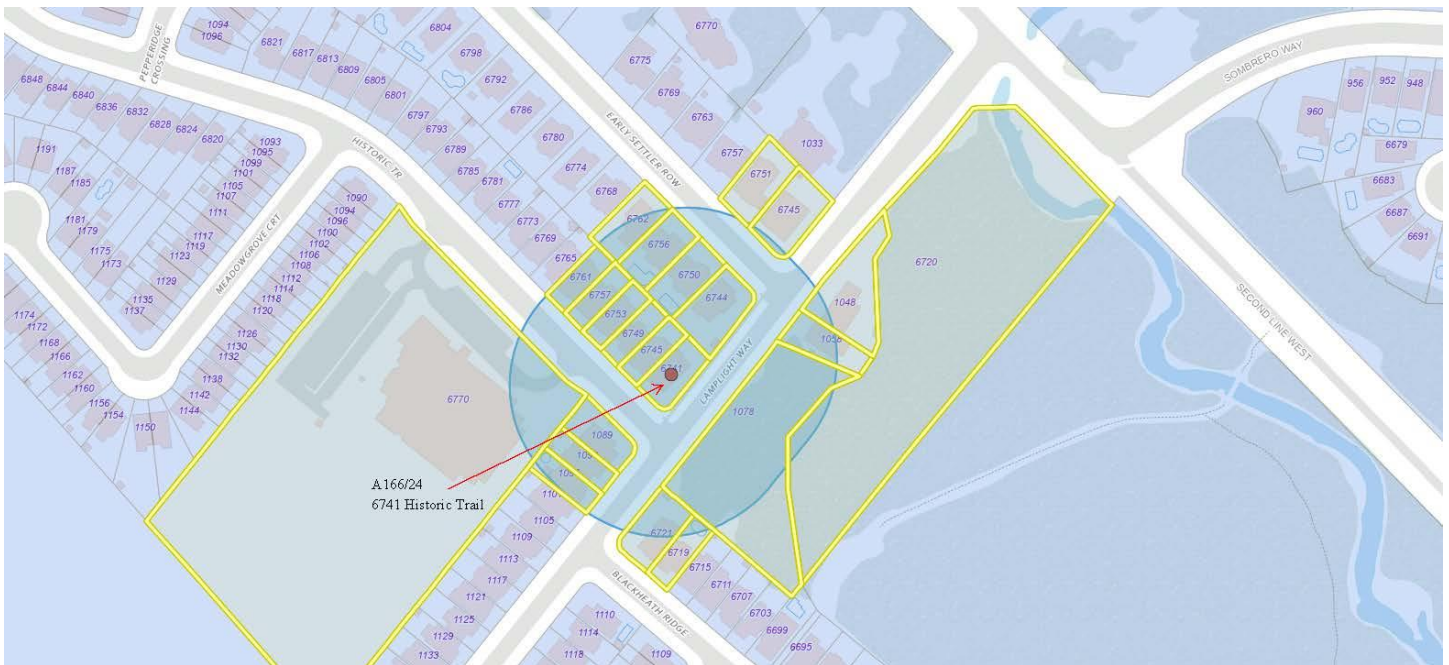
- For more information about this matter, contact committee.adjustment@mississauga.ca or call 905-615-3200 x2408. Alternatively, information can be obtained in person by making an appointment with the Committee of Adjustment at 300

City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Appointments can be booked using the “Book an appointment” button on the Committee’s webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

- You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>.
- If you wish to be notified of the decision of the Committee, you must submit a written request to committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. This will also entitle you to be advised of any Ontario Land Tribunal (OLT) appeals.

Committee of Adjustment Appeal Process:

The Province of Ontario’s Bill 23, the More Homes Built Faster Act, 2022, limits who is allowed to appeal decisions made by the Committee of Adjustment. Going forward, only the applicant, the municipality, certain public bodies and the Minister can appeal a decision to the OLT. Individuals are no longer permitted to do so. For more information please see the “Appeal process” section on the Committee of Adjustment webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.



City of Mississauga Department Comments

Date Finalized: 2024-07-03	File(s): A166.24
To: Committee of Adjustment	Ward: 11
From: Committee of Adjustment Coordinator	Meeting date:2024-07-11 1:00:00 PM

Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the Applicant and area residents when assessing if the application, as amended, meets the requirements of Section 45(1) of the Planning Act. The applicant may wish to defer the application to ensure the accuracy of the requested variances and that additional variances are not required.

Application Details

The applicant requests the Committee to approve a minor variance to allow a below grade entrance with a side yard setback of 0.16m (approx. 0.52ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.20m (approx. 3.94ft) in this instance.

Background

Property Address: 6741 Historic Trail

Mississauga Official Plan

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

Zoning By-law 0225-2007

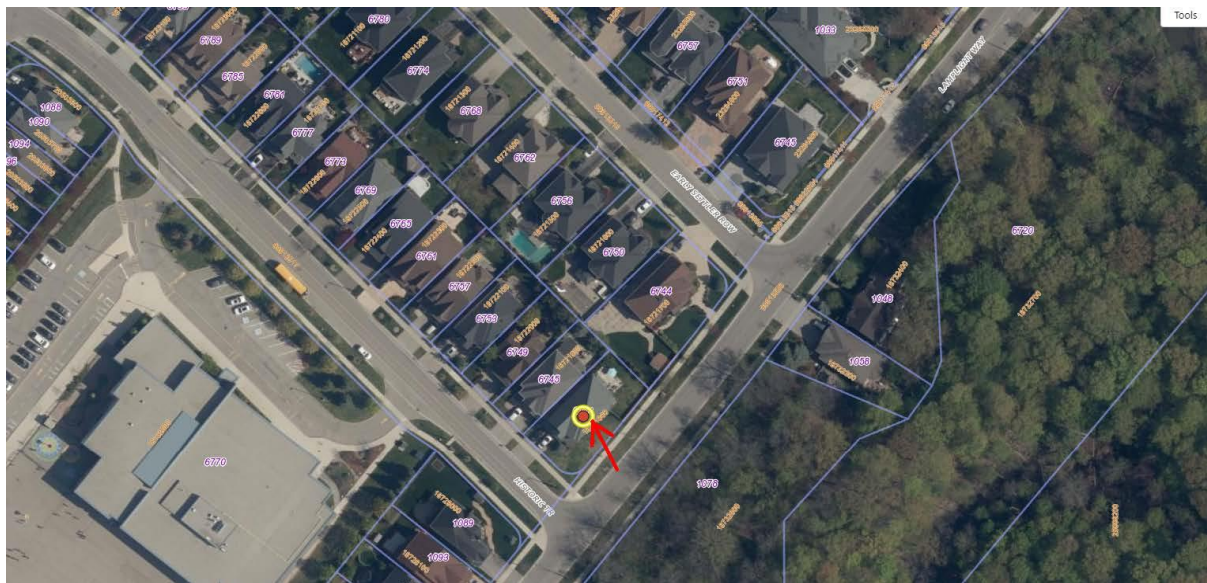
Zoning: R10-1- Residential

Other Applications: None

Site and Area Context

The subject property is located south-west of the Old Derry Road and Second Line West intersection in the Meadowvale Village Neighbourhood. It is a corner lot containing a two-storey detached dwelling with an attached garage. Limited landscaping and vegetative elements are present on the subject property. The surrounding context is predominantly residential, consisting of detached dwellings.

The applicant is proposing a below grade entrance requiring a variance for side yard setback.



Comments

Planning

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

Staff comments concerning the application are as follows:

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

Staff note that this application was previously deferred on April 18, 2024, for a similar side yard setback variance of 0.06m (1.96ft) measured to the below grade entrance. Transportation and works (T&W) staff noted drainage concerns at that time. T&W staff further recommended that

the foundation wall be offset a minimum of approximately 6 inches/0.15m from the property line to do ensure the existing drainage pattern is maintained.

The current application proposes a side yard setback of 0.16m (0.52ft) measured to a below grade entrance. The general intent of the side yard regulations in the by-law is to ensure that: an adequate buffer exists between the primary structures on adjoining properties, appropriate drainage can be provided, and that access to the rear yard remains unencumbered.

The revised setback addresses T&W staff concerns, and their comments indicate that they have no further concerns or requirements. Planning staff are satisfied that the proposal creates no impacts on neighbouring properties and access to the rear yard is maintained on the other side of the dwelling.

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

Comments Prepared by: Shivani Chopra, Planning Associate

Appendices

Appendix 1 – Transportation and Works Comments

In our previous comments we indicated that the Grading Plan (Plan C-43163) approved for this property under Registered Plan of Subdivision 43M-1395 depicted a rear to front drainage pattern meaning drainage from the rear yard was designed to be directed to the front via side yard swale.

As the requested reduction in the side yard setback would have significantly reduced the side yard setback, we had concerns that this would not have allowed for a fully functional drainage swale between the properties resulting in some drainage being directed onto the adjacent property. Through several conversations with the applicant, it was decided that a minimum of approximately 6 inches/0.15m from the property line should be adhered to.

The applicant has now requested a 0.16m (approx. 0.52ft) setback which we support. It should be noted from the revised drawings submitted, in particular Detail 'X' in the Site Plan that an 8-inch foundation wall is being proposed, however, there will be a 2 x 8-inch notch in the wall to achieve the required 6-inch setback which will be at grade level.

In view of the above we have no further concerns or requirements with regards to the applicant's request.



Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Brooke Herczeg, Zoning Examiner

Appendix 3 – Region of Peel

Please apply previous comments.

Comments Prepared by: Petrele Francois, Junior Planner