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## Committee of Adjustment

**Date:** July 18, 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  
[sara.ukaj2@mississauga.ca](mailto:sara.ukaj2@mississauga.ca)

Nathan Tega, Committee of Adjustment Co-op, Legislative Services  
905-615-3200 ext.5507 or 8928  
[nathan.tega@mississauga.ca](mailto: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](mailto: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](mailto: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](http://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 B40.24, A300.24, A301.24

1039 Roosevelt Road (Ward 1)

4.2 A344.23

3613 Ellengale Drive (Ward 6)

4.3 A202.24

3091 Bonaventure Drive (Ward 5)

4.4 A282.24

5886 Shelford Terrace (Ward 10)

4.5 A283.24

2519 Dinning Crt (Ward 9)

4.6 A295.24

826 Calder Rd (Ward 2)

4.7 A298.24

3559 Burningelm Crescent (Ward 3)

4.8 A302.24

48 Oakwood Ave S (Ward 1)

4.9 A304.24

1255 Myron Drive (Ward 1)

4.10 A309.24

1509 Daniel Creek Rd (Ward 6)

4.11 A310.24

2630, 2650 & 2666 Royal Windsor Drive, Unit 7 (Ward 2)

4.12 A311.24

4566 Tomken Rd (Ward 3)

- 4.13        A314.24  
             30-110 Courtnepark Dr E & 75 Annagem Blvd (Ward 5)
- 4.14        A489.23  
             3151 Merritt Ave (Ward 5)
- 4.15        A212.24  
             1331 Crestlawn Dr, Unit C (Ward 3)
- 5.           **OTHER BUSINESS**
- 6.           **ADJOURNMENT**



# COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: B40.24 A300.24 A301.24  
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 1039 Roosevelt Road, zoned RM2-42-Residential, has applied for Consent under Section 53 of the Planning Act. B40/24

The applicant requests the Consent of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 7.62m (approx. 25.00ft) and an area of approximately 350.49sq m (3772.64sq ft). A300/24

The applicant requests a minor variance for the severed lands of B40/24 proposing a building height of 10.00m (approx. 32.81ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.50m (approx. 31.17ft) in this instance.

A301/24

The applicant requests a minor variance for the retained lands of B40/24 proposing a building height of 10.00m (approx. 32.81ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.50m (approx. 31.17ft) in this instance.

The Committee has set **Thursday, July 18, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown.

### How to participate:

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

- **In person:** 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](mailto:committee.adjustment@mississauga.ca) or mailed to the Committee of Adjustment, 300 City Centre Drive 2<sup>nd</sup> 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](mailto: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](mailto: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](mailto:committee.adjustment@mississauga.ca) or by



mailing the Committee of Adjustment, 300 City Centre Drive 2<sup>nd</sup> 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>

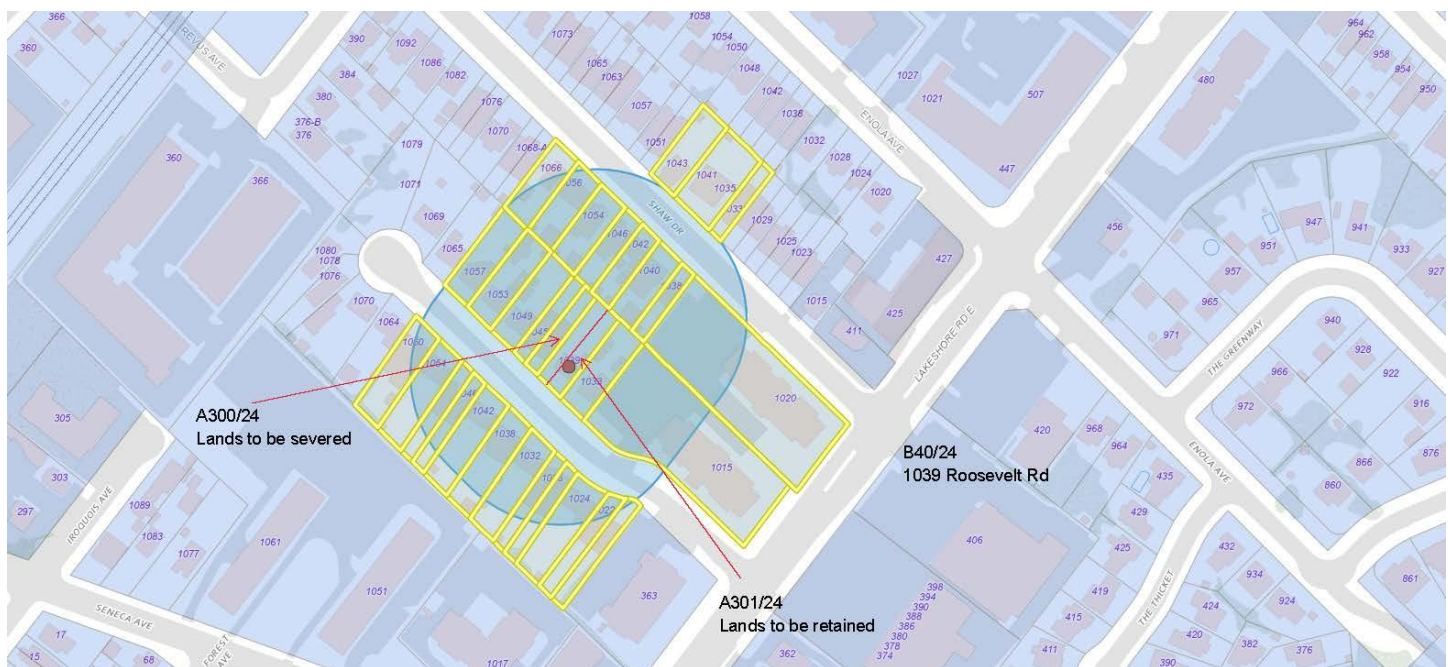
#### Additional Information:

- For more information about this matter, contact [committee.adjustment@mississauga.ca](mailto: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 2<sup>nd</sup> Floor, Mississauga, ON L5B 3C1. Appointments can be booked using the "Book an appointment" button on the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.
- You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>.

If you wish to be notified of the decision of the Committee of Adjustment in respect of the proposed consent, you must make a written request to the Committee of Adjustment via email at [committee.adjustment@mississauga.ca](mailto:committee.adjustment@mississauga.ca) or by mailing the Committee of Adjustment, 300 City Centre Drive 2<sup>nd</sup> Floor, Mississauga, ON L5B 3C1. This will also entitle you to be advised of any Ontario Land Tribunal (OLT) appeals.

#### Committee of Adjustment Appeal Process:

The Province of Ontario's Bill 23, the More Homes Built Faster Act, 2022, limits who is allowed to appeal decisions made by the Committee of Adjustment. Going forward, only the applicant, the municipality, certain public bodies and the Minister can appeal a decision to the OLT. Individuals are no longer permitted to do so. If a person or public body has the ability to appeal the decision of the Committee of Adjustment in respect of the proposed consent to the Ontario Land Tribunal but does not make written submissions to the Committee of Adjustment before it gives or refuses to give a provisional consent, the Tribunal may dismiss the appeal. For more information please see the "Appeal process" section on the Committee of Adjustment webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.



#### Legal notice:

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

# City of Mississauga Department Comments

Date Finalized: 2024-07-10	File(s): B40.24 A300.24 A301.24 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-07-18 1:00:00 PM

## Consolidated Recommendation

The City has no objections to the requested consent and associated minor variance applications. The applicant may choose to defer the application and verify the accuracy of the variances and ensure additional variances are not required.

## Application Details

### B40/24

The applicant requests the Consent of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 7.62m (approx. 25.00ft) and an area of approximately 350.49sq m (3772.64sq ft).

### A300/24

The applicant requests a minor variance for the severed lands of B40/24 proposing a building height of 10.00m (approx. 32.81ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.50m (approx. 31.17ft) in this instance.

### A301/24

The applicant requests a minor variance for the retained lands of B40/24 proposing a building height of 10.00m (approx. 32.81ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.50m (approx. 31.17ft) in this instance.

## Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent
- The variance application approved under File(s) A300.24 and A301.24 must be finalized

## Recommended Conditions and/or Terms of minor variance

- Variance(s) approved under file(s) A300.24 and A301.24 shall lapse if the consent application under file B40.24 is not finalized within the time prescribed by legislation.

## Background

**Property Address:** 1039 Roosevelt Road

### Mississauga Official Plan

Character Area: Lakeview Neighbourhood

Designation: Residential Low Density II

### Zoning By-law 0225-2007

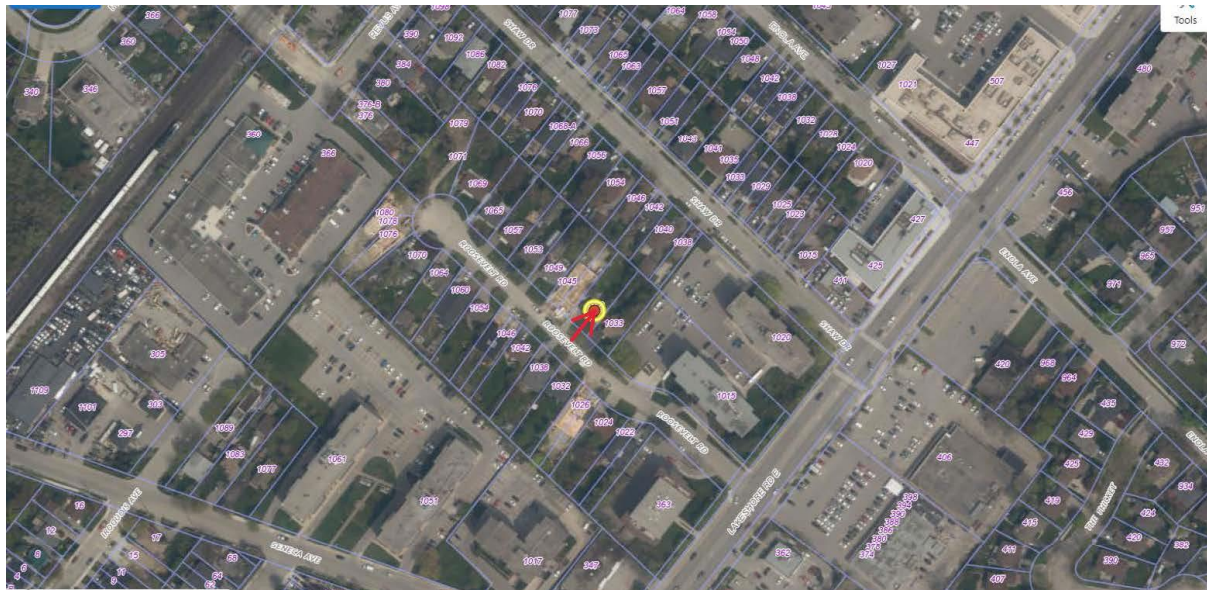
**Zoning:** RM2-42-Residential

**Other Applications:** None

### Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, northeast of Seneca Avenue and Lakeshore Road East. The immediate area consists of a mix of detached and semi-detached dwellings, a 7 and 8 storey apartment building and a commercial plaza. The low-density dwellings in the immediate area contain lot frontages ranging from approximately 7m (23ft) to 20m (65.6ft). The subject property contains an existing one-storey dwelling with mature vegetation in the front yard. The applicant is proposing to sever the existing lot to create two new parcels for the development of two new semi-detached dwellings.

The proposed development requires variances related to dwelling height.



## Comments

### Planning

#### Planning Act

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

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

#### Provincial Matters

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

The application proposes to sever the existing lot to create two new parcels for the purpose of developing semi-detached dwellings. Both the severed and retained parcels propose lot frontages of approximately 7.62m (approx. 25.00ft) and an area of approximately 350.49m<sup>2</sup> (3772.64ft<sup>2</sup>), which do not require variances for lot area and frontages.

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached, duplex, triplex and other forms of low-rise dwellings with individual frontages. Section 16.1.2.1 of the MOP states, to preserve the character of lands designated Residential Low Density I and Residential Low Density II, the minimum frontage and area of new lots will be evaluated in the context of the existing lot pattern in the surrounding area. Additionally, Section 5.3.5 (Neighbourhoods) states that neighbourhoods are not meant to remain static, however, when new development occurs, it should be sensitive to the neighbourhoods existing and planned character. The neighbourhood consists of lots that range from approximately 7m (23ft) to 20m (65.6ft) in frontage. A majority of the lots in the neighbourhood contain semi-detached dwellings that have a frontage of approximately 7.5m (24.6ft), similar to the proposed severance. The consent application represents sensitive intensification that is compatible with the existing and planned lot fabric of the neighbourhood. The proposed parcels represent the lot size envisioned within the zoning by-law and will not result in adverse impacts to the existing community.

Based on the preceding information, staff are of the opinion that the application conforms to Section 51(24) of the Planning Act, more specifically, the application conforms to the official plan.

Applications A300.24 and A301.24 request variances for the proposed dwelling height for both the retained and severed lands.

The intent of restricting height to the highest ridge is to lessen the visual massing of the dwelling and keep the dwelling within human scale. The variances request an increase in height by 0.50m (1.64ft), which is exceedingly minor in staff's opinion. Staff are satisfied that the proposed increases in height are appropriate for the subject property. Further, staff are of the opinion that incorporation of architectural features in the dwelling design mitigate any massing impacts.

It is staff's opinion that the proposed development is sympathetic to the surrounding area and the proposed lots are capable of accommodating new semi-detached dwellings. As such, it is staff's opinion that the proposed development is appropriate and represents a sensitive form of intensification that is minor in nature.

Comments Prepared by: Shivani Chopra, Planning Associate

## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting that any Transportation and Works Department concerns/requirements for A300.24 and A301.24 for this property will be addressed below under Consent Application 'B' 40/24.

Should the Committee see merit in the applicant's request and the application move forward, the following conditions will be required:

A. Items Required Prior to the Issuance of Final Consent

1. Overall Grading and Drainage Plan/Servicing Plan

The applicant's consulting engineer will be required to prepare an Overall Grading and Drainage Plan which contains sufficient details to ensure grading compatibility with the adjacent lands and submit the grading and drainage proposal to this department for review/approval. The Site Servicing information is to confirm that all the necessary municipal services can be provided for the dwellings to be constructed on the subject lands.

2. Municipal Address Requirement

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

3. Acoustical Report and Vibration Study

Due to the proximity and noise emanating from the nearby Metrolinx tracks, the owner will be required to retain the services of an Acoustical Consultant to prepare a detailed Acoustical Report and Vibration Study for the subject lands and make comments/recommendations in support of this severance application. This report is to determine the need for the implementation of any noise attenuation measures that are to be incorporated into the construction of the site works to achieve the City's and the M.O.E.'s current noise level objectives. The scope of this report is to define the minimum noise attenuation requirements for the control of outdoor and indoor environmental sound levels.

4. Development Agreement



Upon the review of the Acoustical Report which would contain the appropriate Warning Clauses, the owner may be required to enter into a Development Agreement which is to be registered against title of the subject lands. The said agreement is to advise any prospective purchasers that, despite the inclusion of noise control features, noise levels emanating from the Metrolinx tracks may continue to be of concern, occasionally interfering with some of the activities of the dwelling occupants as the noise exposure level may exceed the noise criteria of the municipality and the Ministry of the Environment and Climate Change.

In view of the above, the applicant should contact this Department with regard to the process of initiating the Development Agreement preparation and processing.

#### 5. Fee Requirements as Per Fees and Charges By-Law

As per the City of Mississauga's Fees and Charges By-law there will be fees required to be paid to the Legal Services Department for their services, in particular for the preparation of documents required for items pertaining to a Development Agreement and/or road widening. The fee amounts payable will be in accordance with the current fees and charges bylaw.

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

### B. GENERAL INFORMATION

#### 1. Lot Grading and Drainage

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

#### 2. Servicing

All costs incurred in providing any service laterals will be the responsibility of the owner. The owner will also be responsible for all costs incurred for the required road reinstatement (if required). If the service connections are to be installed by a private contractor retained by the owner, issuance of an open cut permit will be subject to the owner depositing adequate securities with the City to guarantee proper road reinstatement.

#### 3. Access

The applicant will be required to apply for Access Modification Permits prior to Building Permit Issuance.

We advise the applicant that all costs incurred in providing any new driveway entrances to the subject lands or any modifications/reinstatement required (including the existing driveways), would be at cost to the owner. We are also noting that should any utilities need to be relocated, all costs incurred will also be to the owner. Driveway accesses shall maintain a 1.5m setback from aboveground features such as utilities and trees.

#### 4. Storm Sewer Outlet

The applicant is advised that there is no storm sewer system available in front of the proposed lots on Roosevelt Road. In this regard, we advise that all dwellings to be constructed on the both the severed and retained lands will require a sump pump to discharge the weeping tile to grade. It is the full responsibility of the applicant to advise any prospective purchasers of the properties of this requirement.

G. Russell,  
Supervisor, Development Engineering South  
905-615-3200, ext. 5833

Comments Prepared by: Geoff Russell, Supervisor, Development Engineering - South

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









## Appendix 2 – Zoning Comments

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

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

- The applicant is advised that Lot Frontage means the horizontal distance between the side lot lines and where these lines are not parallel means the distance between the side lot lines measured on a line parallel to and 7.5 m back from the front lot line.

Comments Prepared by: Minan Song, Zoning Examiner

## Appendix 3 – Parks, Forestry & Environment

### Park Planning

The Parks and Culture Planning Section of the Community Services Department has reviewed the consent application and advises as follows:

1. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, c.P. 13, as amended) and in accordance with the City's policies and by-laws.

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

Comments Prepared by: Nicholas Rocchetti, Planner in Training

### Forestry

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 Jamie Meston, Landscape Architect Assistant, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email [jamie.meston@mississauga.ca](mailto:jamie.meston@mississauga.ca).

Comments Prepared by: Jamie Meston, Landscape Architect Assistant

## Appendix 4 – Region of Peel

**Applications: B-24-040M, A-24-300M, A-24-301M / 1039 Roosevelt Road**

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

**Comments:**

- We have no objection with the adjustment of the lots provided water services curb stops and boxes are in grass areas and minimum 1.0m from the edge of the driveway. Water services and appurtenances must have horizontal separation of minimum 1.2m from all utilities and structures.
- 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 at 905-791-7800 extension 7882 or by e-mail at [PWServiceRequests@peelregion.ca](mailto:PWServiceRequests@peelregion.ca).
- 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](mailto:siteplanservicing@peelregion.ca).
- All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel design specifications. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at [siteplanservicing@peelregion.ca](mailto: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](mailto:siteplanservicing@peelregion.ca).

Comments Prepared by: Petrele Francois, Junior Planner

**Appendix 5 – Bell**

Bell Canada has no concerns.

Comments Prepared by: Laurie-Ann Lee, Associate, External Liaison

**Appendix 6 – Metrolinx**

Metrolinx is in receipt of the Consent and Minor Variance applications for 1039 Roosevelt Road to facilitate the severance of the lands for the creation of a new lot and to facilitate the construction of a new semi-detached single family unit with a secondary basement suite on both the lots severed and retained, as circulated on June 16th, 2024 and to be heard at Public Hearing on July 18th 2024 at 1:00 PM. Metrolinx's comments on the subject application are noted below:

- The subject properties are located within 300m, adjacent to the Metrolinx Oakville Subdivision which carries Metrolinx's Lakeshore West GO Train service.

**GO/HEAVY-RAIL – CONDITIONS OF APPROVAL**

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

Should you have any questions or concerns, please contact [farah.faroque@metrolinx.com](mailto:farah.faroque@metrolinx.com).

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

**Appendix A – CONDITIONS OF PROVISIONAL CONSENT**

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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.

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2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
  3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding. ("A" 300-301/24)
  4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated July 10, 2024.



# COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A344.23  
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 3613 Ellengale Drive, zoned RM1- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a concrete patio proposing a hard surface landscape material setback in the rear yard of 0.13m (approx. 0.43ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (approx. 2.00ft) in this instance.

The Committee has set **Thursday, July 18, 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:

- For more information about this matter, contact [committee.adjustment@mississauga.ca](mailto: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

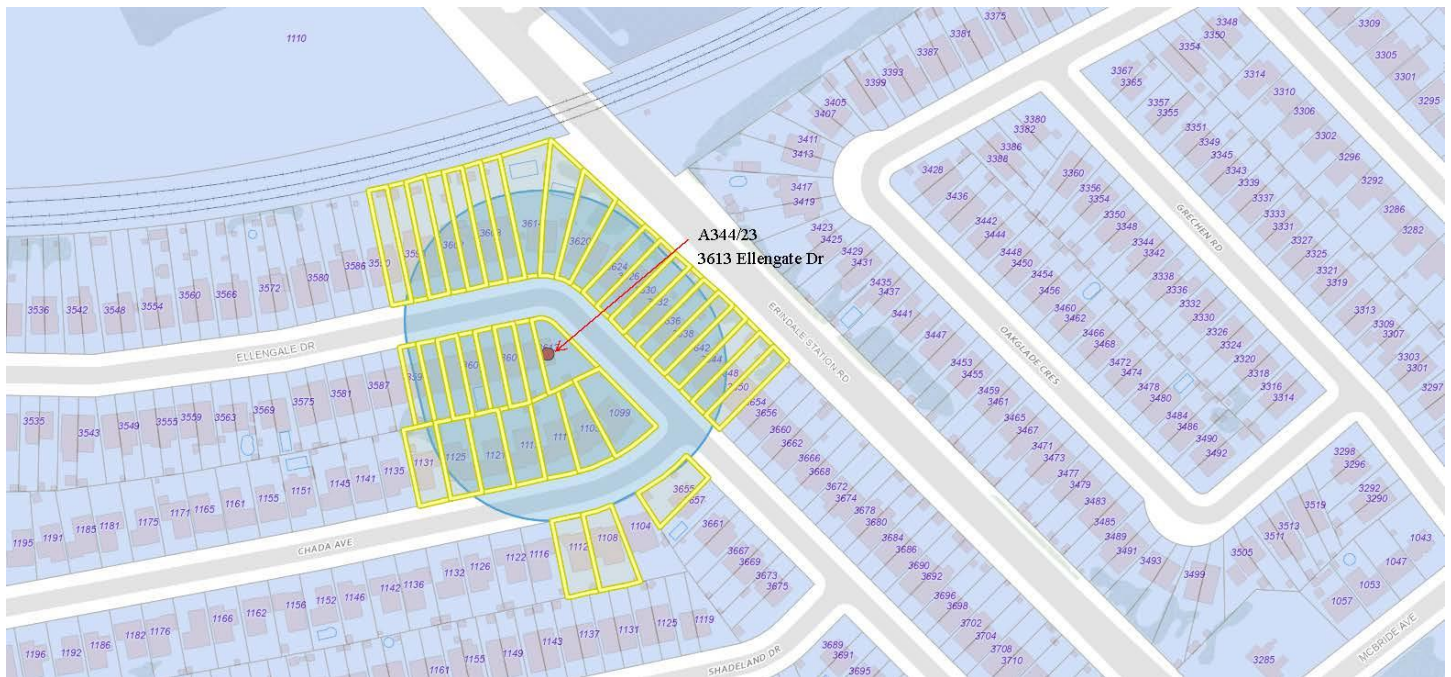


City Centre Drive 2<sup>nd</sup> Floor, Mississauga, ON L5B 3C1. Appointments can be booked using the “Book an appointment” button on the Committee’s webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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### Committee of Adjustment Appeal Process:

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Date Finalized: 2024-07-10 To: Committee of Adjustment	File(s): A344.23 Ward: 6
From: Committee of Adjustment Coordinator	Meeting date:2024-07-18 1:00:00 PM

## Consolidated Recommendation

The City recommends the application be deferred to identify the correct variances and submit the required materials.

## Application Details

The applicant requests the Committee to approve a minor variance to allow a concrete patio proposing a hard surface landscape material setback in the rear yard of 0.13m (approx. 0.43ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (approx. 2.00ft) in this instance.

## Background

**Property Address:** 3613 Ellengale Drive

### Mississauga Official Plan

Character Area: Erindale Neighbourhood  
Designation: Residential Low Density II

### Zoning By-law 0225-2007

**Zoning:** RM1- Residential

**Other Applications:** None

### Site and Area Context

The subject property is located south-west of the Central Parkway West and Erindale Station Road intersection in the Erindale Neighbourhood Character Area. It is a corner lot containing a

two-storey semi-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.

The applicant is proposing to legalize the existing concrete pad in the rear yard requiring a variance for rear yard setback.



## Comments

### Planning

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

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

The subject property is located in the Erindale Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits varying built forms, including detached dwellings, semi-detached dwellings, duplex dwellings, triplexes, street townhouses, and other forms of low-rise dwellings with individual frontages. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area.

The sole variance requested is for a reduced rear yard measured to the existing concrete pad. The intent of the rear yard setback is to ensure that both an adequate buffer exists between the

massing of primary structures on adjoining properties, as well as ensuring that drainage patterns are preserved. While the existing concrete pad has no massing impacts and is able to maintain an adequate buffer, Transportation & Works staff have raised drainage pattern concerns that could affect the neighbouring properties to the rear. Transportation & Works staff require the applicant to construct a swale between the rear yard property line and concrete pad to avoid any drainage issues. Additionally, Transportation & Works staff require the applicant provide a proper grading plan prepared by a Consulting Engineer for review.

Finally, while Planning staff are not in a position to interpret the zoning by-law, staff note an additional variance for rear yard setback to the accessory structure located on the existing concrete pad is required.

Given the above, staff recommend the application be deferred to identify the correct variances and submit the required materials.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

This Department has a concern with the proposed setback of 0.13m to the rear lot line behind the shed. We feel that the surface drainage emanating from the patio area that has been constructed may cause issues with the neighbouring properties at the rear.

As you will see from the attached pictures, the applicant has constructed a hard surface concrete patio. The surface drainage from the patio is directed towards the rear property line. Currently there is no mechanism in place to keep the drainage from entering the neighbouring property at the rear.

We ask that the applicant construct a swale along the rear property limit between the concrete pad and the fence. The swale should carry water eastward towards Ellengale Drive.

The applicant would need to supply this Department with a proper grading plan prepared by a Consulting Engineer for our review.

Considering the above, we ask that the application be deferred until such time that the applicant has provided the requested grading plan and Transportation and Works Staff have had time to review.

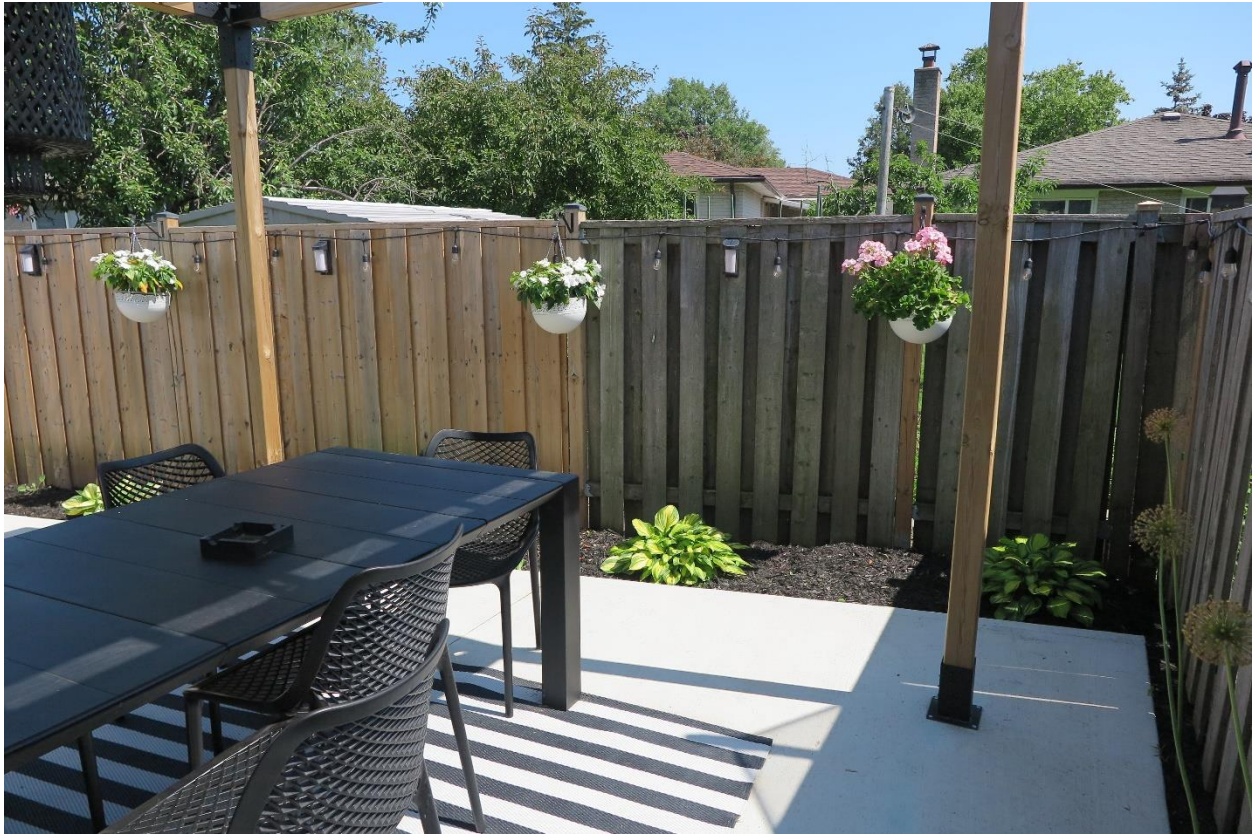
















Comments Prepared by: Michael Russo, Development Engineering



## 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: Minan Song, Zoning Examiner

## Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner

## Appendix 4 – Metrolinx

Metrolinx is in receipt of the Minor Variance application for 3613 Ellengale Drive to allow a concrete patio, as circulated on June 16th, 2024, and to be heard at Public Hearing on July 18th, 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](mailto:farah.faroque@metrolinx.com).

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





# COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A202.24  
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 3091 Bonaventure Drive, zoned R3-69-Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A lot coverage of 30.69% (192.50sq m) whereas By-law 0225-2007, as amended permits a maximum lot coverage of 30% (188.12sq m) in this instance; and,
2. A gross floor area of 327.30sq m (approx. 3523.03sq ft) whereas By-law 0225-2007, as amended permits a maximum gross floor area of 275.41sq m (approx. 2964.49sq ft) in this instance.

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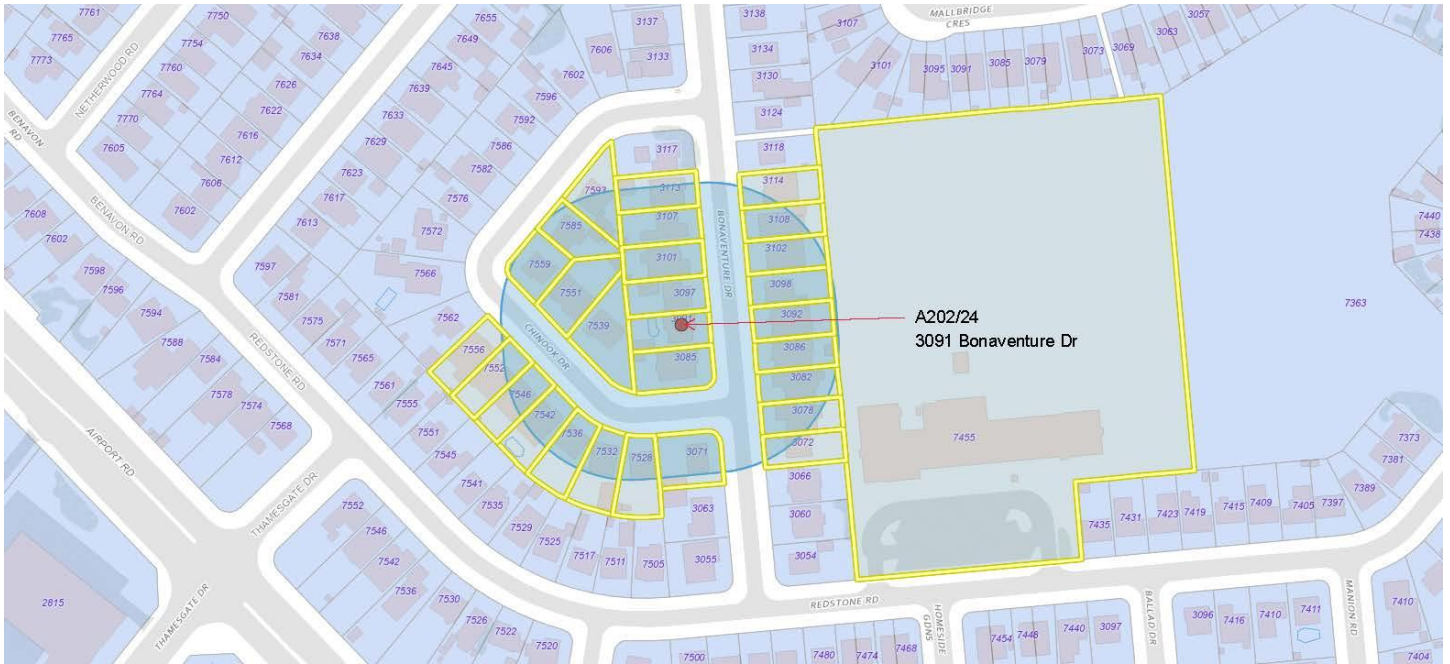
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# City of Mississauga Department Comments

Date Finalized: 2024-07-10	File(s): A202.24 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-07-18 1:00:00 PM

## Consolidated Recommendation

The City recommends the application be deferred to address TRCA concerns.

## Application Details

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

1. A lot coverage of 30.69% (192.50sq m) whereas By-law 0225-2007, as amended permits a maximum lot coverage of 30% (188.12sq m) in this instance; and,
2. A gross floor area of 327.30sq m (approx. 3523.03sq ft) whereas By-law 0225-2007, as amended permits a maximum gross floor area of 275.41sq m (approx. 2964.49sq ft) in this instance.

## Background

**Property Address:** 3091 Bonaventure Drive

### Mississauga Official Plan

Character Area: Malton Neighbourhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

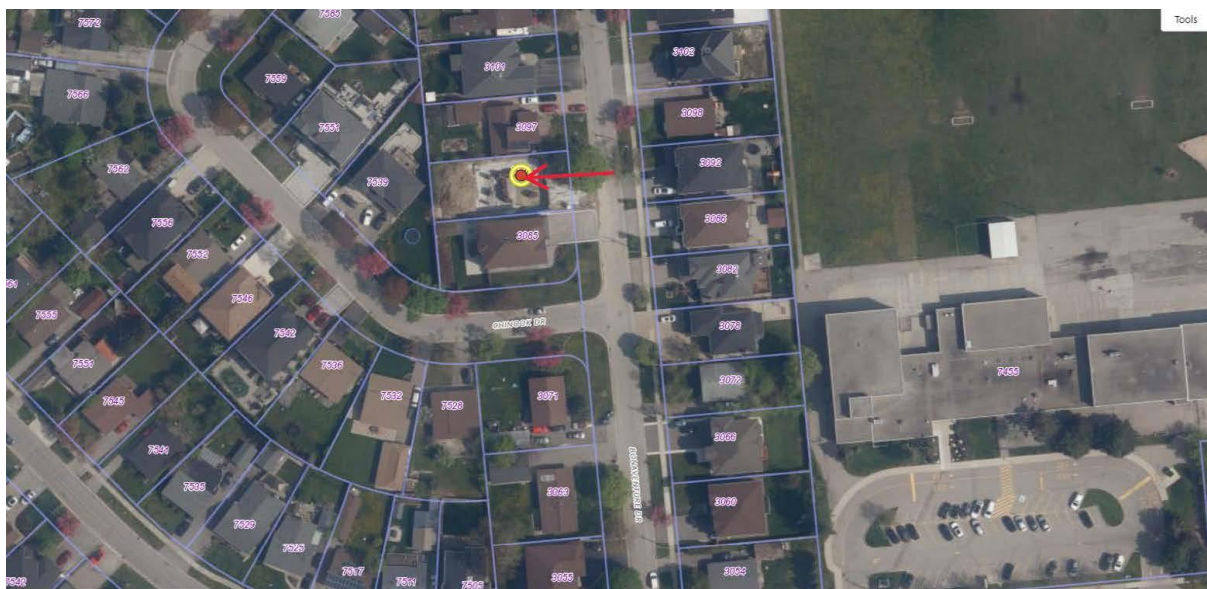
**Zoning:** R3-69-Residential

**Other Applications:** BP 9ALT 23-9789

### Site and Area Context

The subject property is located north-east of the Airport Road and Thamesgate Drive intersection in the Malton Neighbourhood. It has a lot area of +/- 627.08m<sup>2</sup> (6,749.83ft<sup>2</sup>), a lot frontage of +/- 16.46m (54ft), and currently contains a single storey detached dwelling with minimal vegetation and landscaping elements in the front and rear yards. The surrounding neighbourhood consists of older single storey detached homes, as well as newer two storey detached dwellings on similarly sized lots.

The applicant is proposing to construct a new two-storey dwelling requiring variances for lot coverage and gross floor area.



## Comments

### Planning

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

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

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

The application proposes increases in the lot coverage and gross floor area. Staff note a previous application (A188.21) for the construction of a new dwelling was approved by the Committee of Adjustment on September 9<sup>th</sup>, 2021. Included within the approval was a gross floor area variance of 332.20m<sup>2</sup> (3,575.89ft<sup>2</sup>), which is a larger area than what the applicant is



seeking for this application. Staff note that the requested gross floor area variance of 327.30m<sup>2</sup> (3,523.03m<sup>2</sup>) is not required due to the previous approval for the subject property.

While staff do not have any concerns with the proposed lot coverage variance, staff note that the Toronto and Region Conservation Authority has raised concerns about portions of the subject property being located within the Regulatory Floodplain. TRCA staff advise the application be deferred to allow the applicant the opportunity to work with staff to address their concerns. Planning staff relies on the TRCA for their expertise on such matters, and therefore recommend that the application be deferred at this time.

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 Division is processing a Building Permit application BP 9ALT 23-9789. 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: Maria Fernandez, 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 Jamie Meston, Landscape Architect Assistant, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email [jamie.meston@mississauga.ca](mailto:jamie.meston@mississauga.ca).

Comments Prepared by: Jamie Meston, Landscape Architect Assistant

## Appendix 4 – Region of Peel

### Minor Variance: A-24-202M / 3091 Bonaventure Drive

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

#### Comments:

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca).
- All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel design specifications. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at [siteplanservicing@peelregion.ca](mailto: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](mailto:siteplanservicing@peelregion.ca).

Planning: Petrele Francois (905) 791-7800 x3356

#### Comments:

- The subject land is located in the regulated and floodplain area of the Toronto & Region Conservation Authority (TRCA). The Regional Official Plan (ROP) designates floodplains as a natural hazard under Policy 2.16.11. Within this designation, ROP policies seek to ensure that development and site alterations do not create new or aggravate existing flood

plain management problems along flood susceptible riverine environments. We rely on the environmental expertise of the TRCA for the review of development applications located within or adjacent the regulated area in Peel. We, therefore, request that City staff consider comments from the TRCA and incorporate their conditions of approval appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the TRCA.

Comments Prepared by:     Petrele Francois, Junior Planner

## Appendix 5- CN Rail

Thank you for consulting CN on the application mentioned in subject. It is noted that the subject site is within 1000 meters of CN railyard operations . CN has concerns of developing/densifying residential uses in proximity to railway operations. Development of sensitive uses in proximity to railway operations cultivates an environment in which land use incompatibility issues are exacerbated. The [Guidelines for New Development in Proximity to Railway Operations](#) reinforce the safety and well-being of any existing and future occupants of the area. Please refer to these guidelines for the development of sensitive uses in proximity to railway operations. These policies have been developed by the Railway Association of Canada and the Federation of Canadian Municipalities.

CN encourages the municipality to pursue the implementation of the following criteria as conditions of an eventual project approval:

- The following clause should be inserted in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of each dwelling unit within 1000m of the railway right-of-way:

*“Warning: Canadian National Railway Company or its assigns or successors in interest has or have a right-of-way within 1000 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.”*

- The Owner shall be required to grant CN an environmental easement for operational noise and vibration emissions, registered against the subject property in favour of CN.

Thank you and do not hesitate to contact me with any questions.

Comments Prepared by:     Alexandre Thibault, Urban Planner Associate

## Appendix 6 – TRCA

This letter acknowledges receipt of the subject minor variance application, received on June 18, 2024. Toronto and Region Conservation Authority (TRCA) staff have reviewed this application and the circulated materials listed in Appendix A to this letter in accordance with the Conservation Authorities Act, which requires TRCA to provide programs and services related to the risk of natural hazards within its jurisdiction. With respect to Planning Act matters, conservation authorities have a role to ensure that decisions under the Planning Act are consistent with the natural hazard policies of the Provincial Policy Statement (PPS) and conform to any natural hazard policies in a provincial plan.

In addition, TRCA staff have also reviewed this application in accordance with Ontario Regulation 41/24. Where development activity is proposed, within a regulated area, a permit is required to ensure that it conforms to the applicable tests for implementation of the regulation.

The subject property is located within TRCA's Regulated Area of the Mimico Creek Watershed. Specifically, the subject land is located downstream of a flood spill area of the Regulatory Flood Plain associated with a tributary of the Mimico Creek. As such, a TRCA permit pursuant to Ontario Regulation 41/24 is required from this Authority prior to any development and/or site alteration taking place on the property.

### **Purpose of the Application**

TRCA staff understand that the purpose of Minor Variance Application is to allow the construction of a new house proposing:

1. A lot coverage of 30.69% (192.50sq m) whereas By-law 0225-2007, as amended permits a maximum lot coverage of 30% (188.12sq m) in this instance; and,
2. A gross floor area of 327.30sq m (approx. 3523.03sq ft) whereas By-law 0225-2007, as amended permits a maximum gross floor area of 275.41sq m (approx. 2964.49sq ft) in this instance.

TRCA staff understand there is an existing Single Family Detached Dwelling on site. It is our understanding that the requested variances are required to facilitate the replacement of a one-story dwelling with a gross floor area of 148.30 sq.m. with a two-story dwelling with a gross floor area of 327.30 sq.m. The proposed works also include the development of a below-grade entrance, front covered porch, basement elevator, rear yard deck, front yard patio paving, driveway paving, and attached garage.

### **Background**

In August 2021, TRCA provided comments on the Minor Variance Application A188/21 to allow the development of a replacement dwelling. Here, TRCA provided conditional approval based on the policy and legislation at that time, which are subject to change. The application is being reviewed by the policies currently in effect.

**Application Specific Comments**

Based on our latest preliminary 2D modeling results, a small portion of the front yard and a large portion of the rear yard of the subject property is located within the Regulatory Flood Plain. The Water Surface Elevation at the rear is 172.095 masl and the WSE at the front is 172.079masl. Based on our review, it is unclear whether the existing house is within the Flood Plain.

The site plan submitted proposes the 2-storey single-family dwelling within the Regulatory Flood Plain. According to TRCA's Living City Policy, specifically Section 8.4.8, new development within TRCA's Regulated Area shall be setback 10 metres from the Regulatory Flood Plain or no closer than what is existing.

- a) A site plan drawing must be provided identifying the Regulatory Flood Plain elevations across the lot to determine if the existing house is within or outside of the Regulatory Flood Plain.
- b) If TRCA staff determine that the existing house is outside of the flood plain, then a 10m setback from the Regulatory floodplain elevation of 172.095masl (rear yard) and 172.079masl (front yard) or, the replacement dwelling cannot go any further than the existing house footprint from the flood hazard.

To purchase our flood modelling for use in your plans, please contact Jody Scott with TRCA's Water Resources Engineering Department who can help you further: [jody.scott@trca.ca](mailto:jody.scott@trca.ca) Please note that TRCA requires that the proposed replacement dwelling be properly flood proofed according to TRCA policies and standards, including any potential basement windows and doors opening to habitable space. Given the above, TRCA has concerns with the size and location of the replacement dwelling and floodproofing of the proposed works in this minor variance application, as submitted. TRCA requests that the applicant contacts the undersigned to initiate discussions regarding TRCA's concerns.

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

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

**Recommendation**

TRCA staff recommend **deferral** of Minor Variance Application assigned City File no. **A202.24** in order to provide an opportunity for the applicant to revise the proposed works and address TRCA's staff concerns. Should the Committee not grant deferral of the application at the July 18, 2024 Committee of Adjustment meeting, TRCA staff recommend denial of the application at this time.



A TRCA permit pursuant to Ontario Regulation 41/24 is required for any future works on the subject property.

**Fees**

By copy of this letter, the applicant is advised that the TRCA has implemented a fee schedule for our planning application review services. This application is subject to a fee of \$660 (Variance Residential– Minor). The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible. In addition, a minor variance application review fee of \$610.00 (file no. CFN 64118.07/ A 188/21) from 2021 remains outstanding. This is required before TRCA permit issuance.

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

Comments Prepared by: Marina Janakovic, Planner I



# COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A282.24  
Ward: 10

## 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 5886 Shelford Terrace, zoned RM5-21- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a below grade entrance proposing:

1. A below grade stairwell entrance (to access the second dwelling basement unit) in the exterior side yard whereas By-law 0225-2007 as amended does not permit a below grade stairwell entrance in the exterior side yard in this instance;
2. A driveway width of 4.60m (approx. 15.09ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 3.80m (approx. 12.47ft) in this instance;
3. A pedestrian entrance facing a street for an accessory dwelling unit whereas By-law 0225-2007 as amended does not permit a pedestrian entrance facing a street for an accessory dwelling unit in this instance.

The Committee has set **Thursday, July 18, 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](mailto:committee.adjustment@mississauga.ca) or mailed to the Committee of Adjustment, 300 City Centre Drive 2<sup>nd</sup> 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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- **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](mailto:committee.adjustment@mississauga.ca) or by mailing the Committee of Adjustment, 300 City Centre Drive 2<sup>nd</sup> 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:

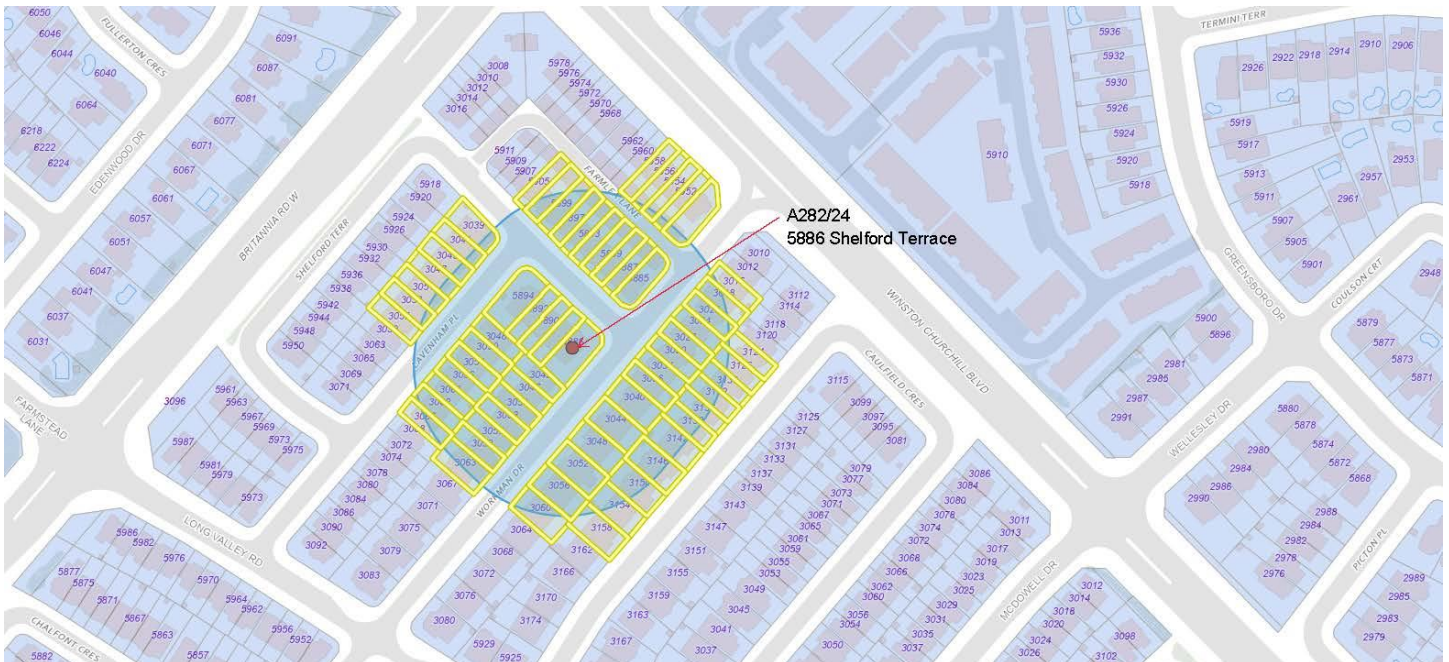
<http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>

**Additional Information:**

- For more information about this matter, contact [committee.adjustment@mississauga.ca](mailto: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 2<sup>nd</sup> 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](mailto:committee.adjustment@mississauga.ca) or by mailing the Committee of Adjustment, 300 City Centre Drive 2<sup>nd</sup> Floor, Mississauga, ON L5B 3C1. This will also entitle you to be advised of any Ontario Land Tribunal (OLT) appeals.

**Committee of Adjustment Appeal Process:**

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

**Legal notice:**

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

# City of Mississauga Department Comments

Date Finalized: 2024-07-10	File(s): A282.24 Ward: 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-07-18 1:00:00 PM

## Consolidated Recommendation

The City has no objection to variance 1, however recommends variance 2 be refused.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a below grade entrance proposing:

1. A below grade stairwell entrance (to access the second dwelling basement unit) in the exterior side yard whereas By-law 0225-2007 as amended does not permit a below grade stairwell entrance in the exterior side yard in this instance;
2. A driveway width of 4.60m (approx. 15.09ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 3.80m (approx. 12.47ft) in this instance;
3. A pedestrian entrance facing a street for an accessory dwelling unit whereas By-law 0225-2007 as amended does not permit a pedestrian entrance facing a street for an accessory dwelling unit in this instance.

## Amendments

The Building Department is processing Building Permit/Certificate of Occupancy/ Preliminary Zoning Review/Independent Zoning Review application SEC UNIT 24-1347. Based on review of the information available in this application, we advise that following amendment(s) is/are required:

Remove Variance 3: A pedestrian entrance facing a street for an accessory dwelling unit whereas By-law 0225-2007 as amended does not permit a pedestrian entrance facing a street for an accessory dwelling unit in this instance.

## Recommended Conditions and Terms

Should the Committee see merit in the applicant's request, Forestry staff recommend:

City Department and Agency Comments	File:A282.24	2024/07/10	2
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1. As a condition of approval, the resident obtain a tree permit application (Permit the Injury or Destruction of Trees on Public or Private Property Application). If public tree injury or removal is required, a permit must be issued as per By-law 0020-2022.

## Background

**Property Address:** 5886 Shelford Terrace

### Mississauga Official Plan

Character Area: Churchill Meadows Neighbourhood  
Designation: Medium Density

### Zoning By-law 0225-2007

**Zoning:** RM5-21- Residential

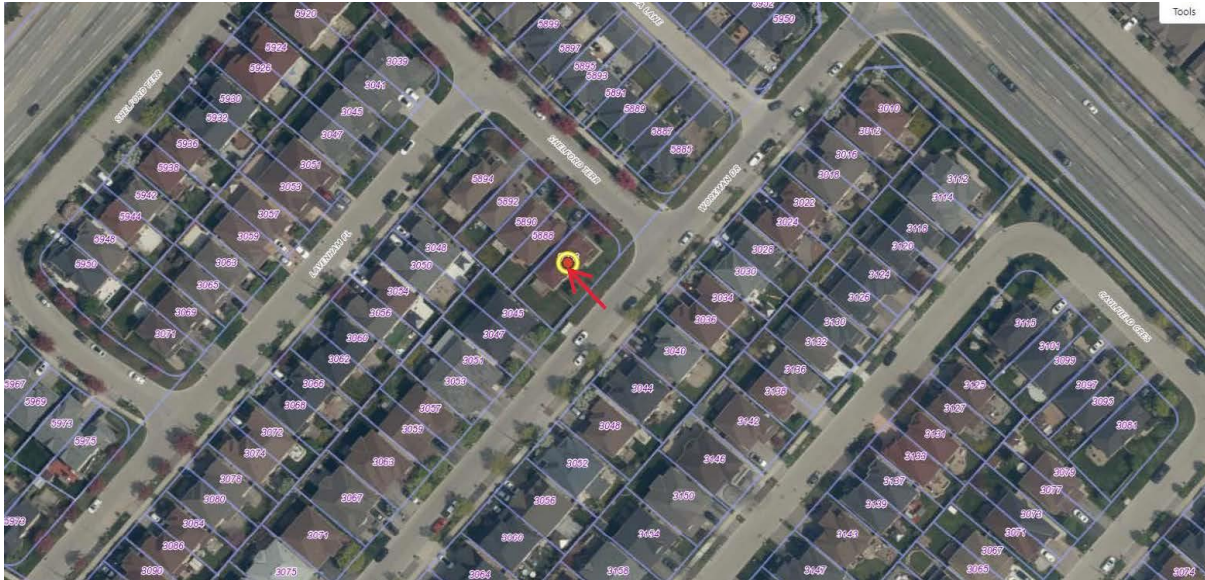
**Other Applications:** SEC UNIT 24-1347

### Site and Area Context

The subject property is located south-west of the Britannia Road West and Winston Churchill Boulevard intersection in the Churchill Meadows Neighbourhood Character Area. It is a corner lot containing a two-storey townhouse 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, semi-detached and townhouse dwellings.

The applicant is proposing to construct a below grade entrance to facilitate an accessory residential unit and widen the existing driveway requiring variances for location of the below grade entrance and driveway width.





## Comments

### Planning

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

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

The subject property is located in the Churchill Meadows Neighbourhood Character Area and is designated Medium Density in Schedule 10 of the Mississauga Official Plan (MOP). Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. The applicant is proposing a secondary unit within a permitted dwelling. Staff note that the entrance will be appropriately screened from the streetscape by the proposed privacy fence and that the driveway will be compatible with the surrounding context.

Variance 1 requests a below grade stairwell to be located in the exterior side yard. The intent of the exterior side yard regulation surrounding a second unit entrance is to ensure that an adequate buffer exists between a structure's massing and the public realm, and to ensure the entrance does not negatively impact the overall streetscape. In this instance, the applicant will locate the entrance behind a proposed privacy fence which will appropriately screen the stairwell from view. Staff are satisfied that any negative impact to the streetscape will be appropriately mitigated and that the proposal meets the general intent and purpose of the official plan and zoning by-law. Furthermore, it contributes to orderly development of the subject property whose impacts to the streetscape and abutting properties will be minor in nature.

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 while also allowing space for other components of the site including landscaping and the opportunity for vegetation. Staff note the presence of a City tree located in the front yard which was not depicted on the site plan provided. Based on this, the City's Forestry Department has determined that the proposed driveway extension will encroach into the existing root system of this tree. As a result, the public tree will be injured or may need to be removed. The MOP identifies public and private trees as part of the Urban Forest. The following policy is applicable:

6.3.42 Mississauga will protect, enhance, restore and expand the Urban Forest. This will be achieved by the following:

- e. ensuring development and site alteration will not have negative impacts on the Urban Forest.

While Planning staff typically support driveway width variances of this nature, based on the comments provided from the City's Forestry Department, staff cannot support the requested variance and are of the opinion it does not meet the four tests of a minor variance.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

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









City Department and Agency Comments	File:A282.24	2024/07/10	7
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Comments Prepared by: Tony Iacobucci, Development Engineering

## **Appendix 2 – Zoning Comments**

The Building Department is processing Building Permit/Certificate of Occupancy/ Preliminary Zoning Review/Independent Zoning Review application SEC UNIT 24-1347. Based on review of the information available in this application, we advise that following amendment(s) is/are required:

Remove Variance 3: A pedestrian entrance facing a street for an accessory dwelling unit whereas By-law 0225-2007 as amended does not permit a pedestrian entrance facing a street for an accessory dwelling unit in this instance.

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

Comments Prepared by: Minan Song, Zoning Examiner

## **Appendix 3 – Parks, Forestry & Environment**

The Forestry Section of the Community Services Department does not support the 1m expansion of the driveway on Shelford Terrace as currently outlined in Prop. Site Plan A 0.2, since it will negatively impact a City tree (possible injury or destruction), and advises as follows:

1. If the committee is to move forward with approval of the application, Forestry staff suggests as a condition of approval, the resident obtain a tree permit application (Permit the Injury or Destruction of Trees on Public or Private Property Application). If public tree injury or 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 Jamie Meston, Landscape Architect Assistant, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email [jamie.meston@mississauga.ca](mailto:jamie.meston@mississauga.ca).

Comments Prepared by: Jamie Meston, Landscape Architect Assistant,

#### **Appendix 4 – Region of Peel**

##### **Minor Variance: A-24-282M / 5886 Shelford Terrace**

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

##### **Comments:**

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca).
- All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel design specifications. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at [siteplanservicing@peelregion.ca](mailto: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](mailto:siteplanservicing@peelregion.ca).

Comments Prepared by: Petrele Francois, Junior Planner



# COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A283.24  
Ward: 9

## 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 2519 Dinning Crt, 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 an accessory structure proposing a lot coverage of 43.00% whereas By-law 0225-2007, as amended, permits a maximum Lot Coverage of 40.00% in this instance.

The Committee has set **Thursday, July 18, 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:

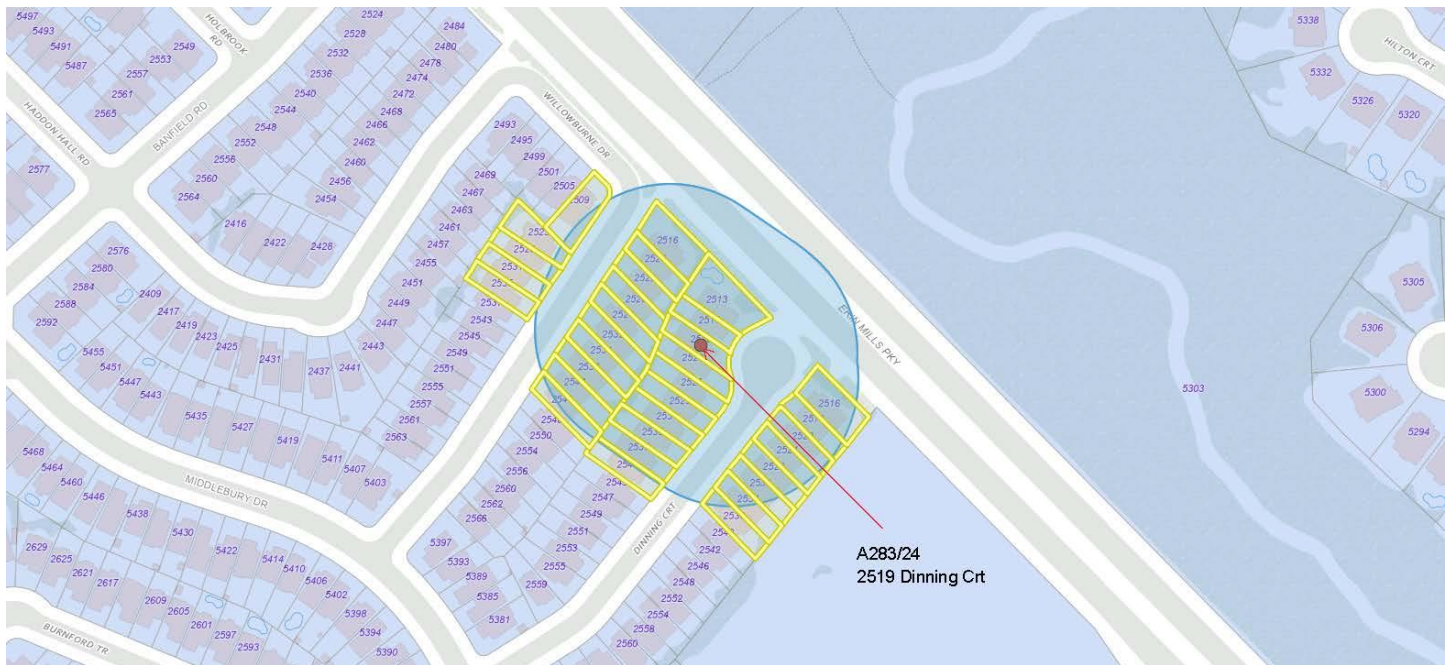
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City Centre Drive 2<sup>nd</sup> Floor, Mississauga, ON L5B 3C1. Appointments can be booked using the “Book an appointment” button on the Committee’s webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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# City of Mississauga Department Comments

Date Finalized: 2024-07-10	File(s): A283.24
To: Committee of Adjustment	Ward: 9
From: Committee of Adjustment Coordinator	Meeting date:2024-07-18 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 an accessory structure proposing a lot coverage of 43.00% whereas By-law 0225-2007, as amended, permits a maximum Lot Coverage of 40.00% in this instance.

## Background

**Property Address:** 2519 Dinning Crt

### Mississauga Official Plan

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

### Zoning By-law 0225-2007

**Zoning:** R5-Residential

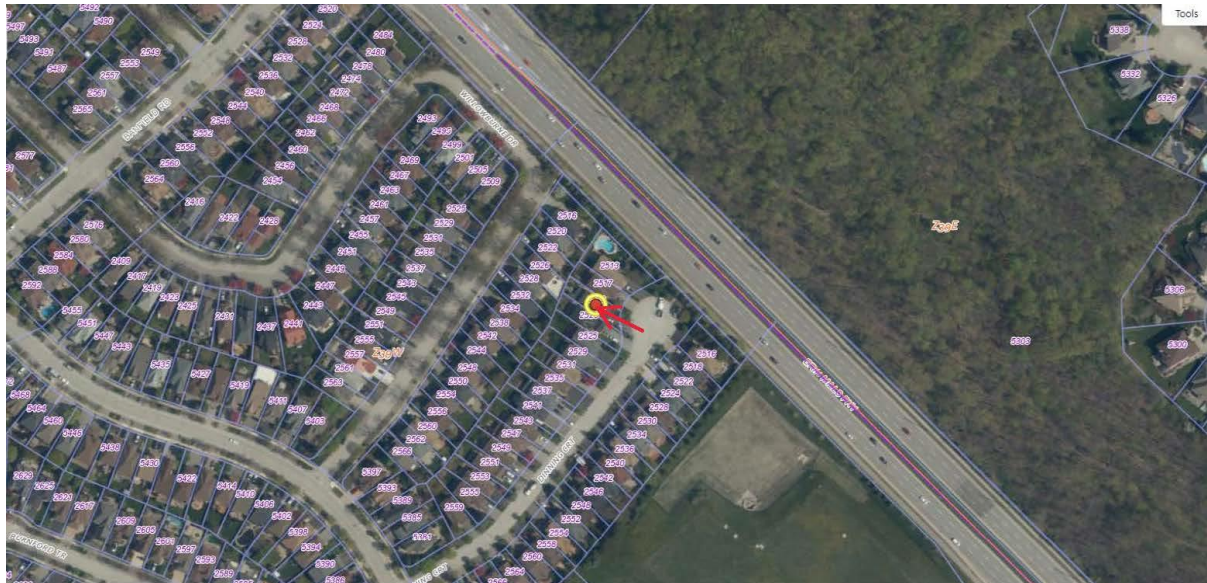
**Other Applications:** BP 23-9417

### Site and Area Context

The subject property is located north-west of the Erin Centre Boulevard and Erin Mills Parkway intersection in the Central Erin Mills 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 legalize a covered porch and below grade stairwell in the rear yard requiring a variance for lot coverage.



## Comments

### Planning

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

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

The subject property is located in the Central Erin Mills Neighbourhood and is designated Residential Low Density II by the Mississauga Official Plan (MOP). Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions; the surrounding context; and, the landscape of the character area. Staff are of the opinion that the proposal represents compatible development that is in line with the planned character of the area and meets the general intent and purpose of the official plan.

The sole variance requests an increase in lot coverage. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot and to limit massing impacts on abutting properties. Staff note the main dwelling, existing front porch and existing accessory structures

located in the rear yard account for 36% of the total lot coverage on the subject property. The remaining 7% is attributed to the covered patio. Staff are of the opinion that this additional lot coverage will have no significant impact on the surrounding properties as the lack of walls surrounding the structure reduces any potential massing impacts. No additional variances for setbacks have been requested with further mitigates any potential impact. Staff are satisfied that proposal does not contribute to overdevelopment of the lot and any massing impacts on abutting properties or the streetscape are minor in nature.

Given the above, staff are satisfied the proposal maintains the general intent and purpose of the official plan and zoning by-law, is minor in nature and contributes to orderly development for the subject property.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

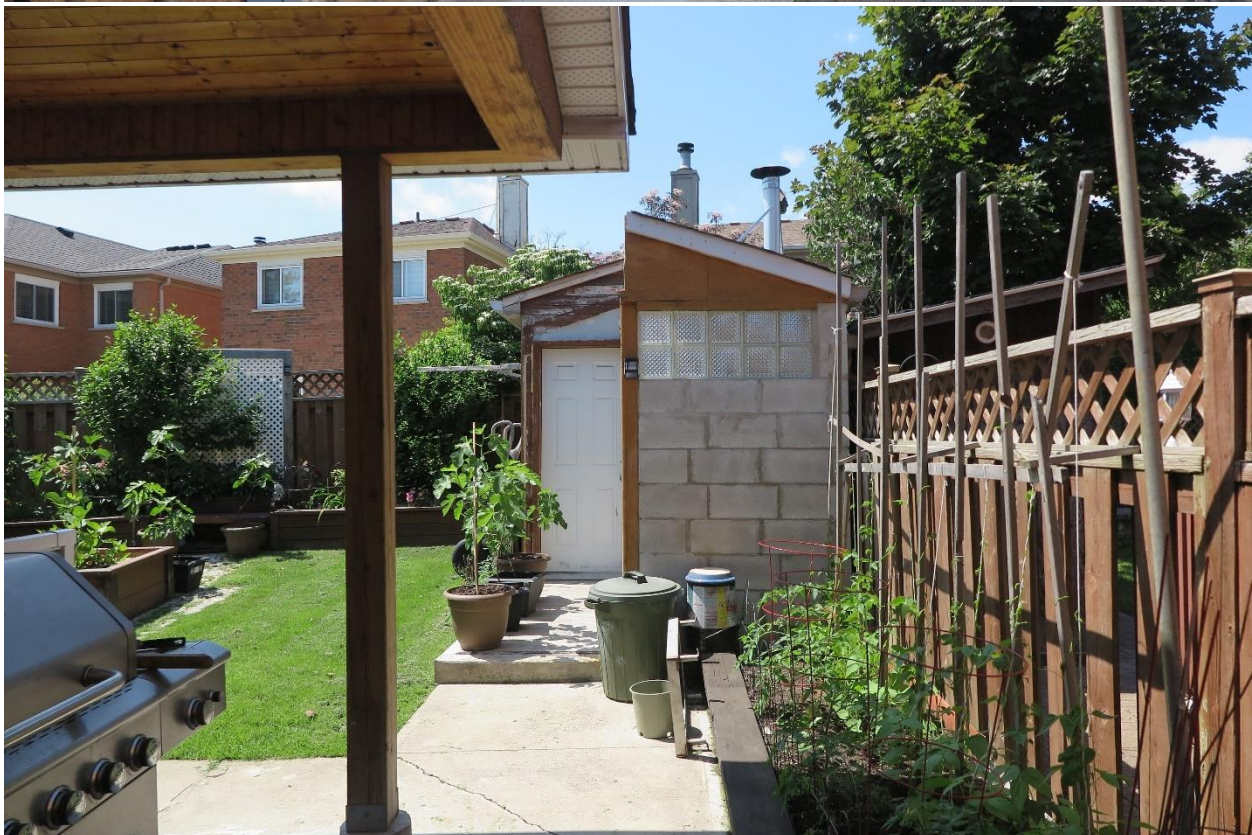
## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed are photos of the accessory structure. From our site inspection we note that both the subject and abutting properties both have structures within their side yard setbacks and in this regard we are not concerned with any drainage impacts (if any). This property does have a rear to front drainage pattern where any drainage will be directed towards the front of the property.











Comments Prepared by: Tony Iacobucci

### **Appendix 2 – Zoning Comments**

The Building Division is processing Building Permit 23-9417. 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: Candice Williams, 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: A295.24  
Ward: 2

REVISED

## 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 826 Calder Rd, zoned R2-4 Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a cabana proposing:

1. An exterior side yard setback of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 1.20m (approx. 3.94ft) in this instance;
2. An accessory structure area of 30.00sq m (approx. 322.92sq ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 20.00sq m (approx. 215.28sq ft) in this instance;
3. A lot coverage of 30.30% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance.

The Committee has set **Thursday, July 18, 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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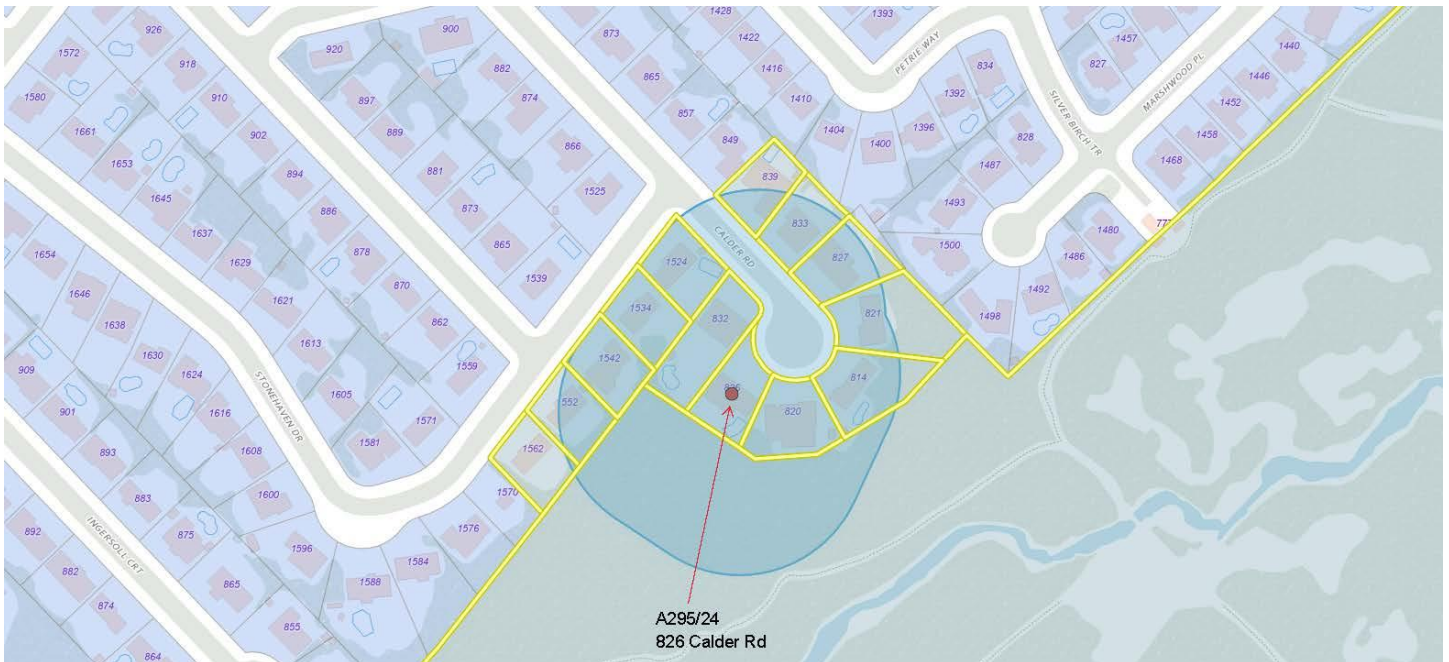


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# City of Mississauga Department Comments

Date Finalized: 2024-07-10	File(s): A295.24
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2024-07-18 1:00:00 PM

## Consolidated Recommendation

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

## Application Details

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

1. An exterior side yard setback of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 1.20m (approx. 3.94ft) in this instance;
2. An accessory structure area of 30.00sq m (approx. 322.92sq ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 20.00sq m (approx. 215.28sq ft) in this instance;
3. A lot coverage of 30.30% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance.

## Background

**Property Address:** 826 Calder Rd

### Mississauga Official Plan

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

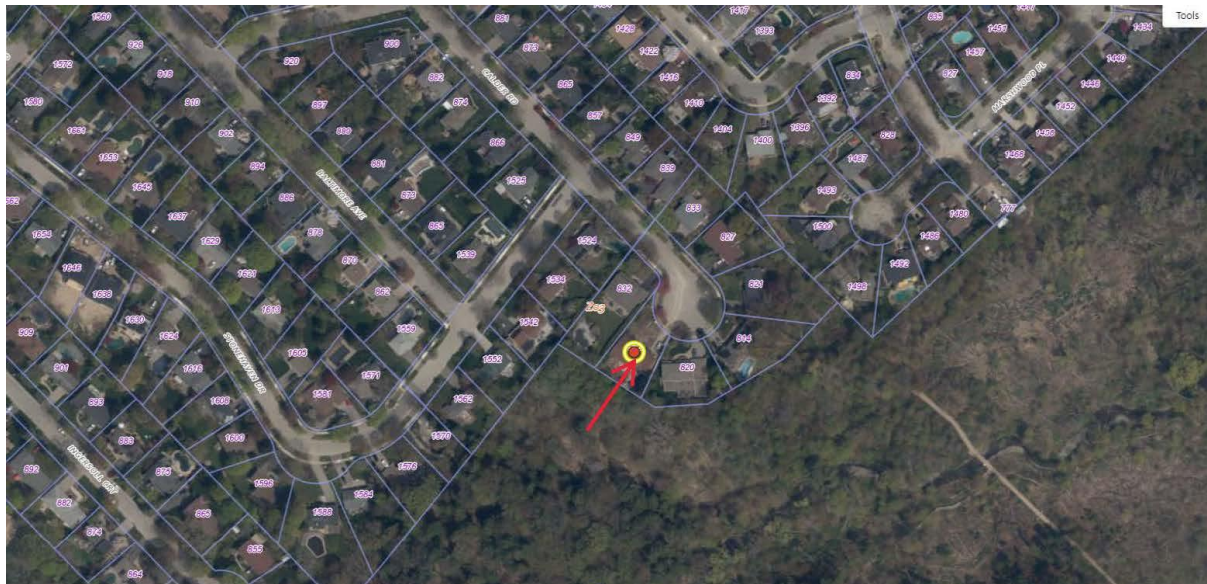
### Zoning By-law 0225-2007

**Zoning:** R2-4 Residential

**Other Applications: None****Site and Area Context**

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southeast of the Lakeshore Road West and Meadow Wood Road intersection. The immediate area consists of one and two-storey single detached dwellings on large lots with significant mature vegetation in both the front and rear yards. The subject property is under construction for a detached dwelling with mature vegetation in the front yard.

The application proposes the construction of an accessory structure (cabana) requiring variances for side yard setback, accessory structure area and lot coverage.

**Comments****Planning**

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

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

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

The subject property is located within the Clarkson-Lorne Park Neighbourhood Area and is designated Residential Low Density I. This designation permits detached, semi-detached and duplex dwellings. Section 9 of MOP promotes development with appropriate urban form and site

design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. The proposal respects the designated and surrounding land uses. The accessory structure is located at the rear of the property and staff are satisfied it will not negatively impact neighbouring properties. Furthermore, staff are of the opinion that the built form is compatible with the surrounding context and meets the general intent and purpose of the official plan.

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

Variance #1 requests relief in the side yard setback measured to the cabana. While Planning staff are not in a position to interpret the zoning by-law, it appears that the variance may be worded incorrectly to indicate an exterior side yard setback instead of an interior side yard setback. The general intent of this portion of the by-law is to ensure that an adequate buffer exists between the massing of structures on adjoining properties, that maintenance can be performed on the structures, and that appropriate drainage patterns can be maintained. Staff are of the opinion that the proposed reduced setback will not impact the ability to perform any required maintenance on the structure or provide appropriate drainage patterns. No variance is requested for accessory structure height or combined total accessory structure area, mitigating any massing concerns.

Variance #2 relates to the area of the proposed accessory structure on the property. The intent of the zoning by-law provisions regarding accessory structures is to ensure that the structures are proportional to the lot and dwelling and are clearly accessory, while not presenting any massing concerns to neighbouring lots. Staff note that the structure represents 2.1% of the total lot coverage, which is under the permissible lot coverage of 5% of the total lot area for accessory structures. The proposed floor area of the accessory structure is also below the maximum combined area requirement for accessory structures. The proposed structure is clearly accessory to the primary structure on the property as the detached dwelling's footprint covers approximately 7 times the amount of area as the proposed structure. Staff are of the opinion that the proposal does not represent overdevelopment of the lot. Furthermore, staff are satisfied the structure will not have any negative impacts to the neighbouring dwellings.

Variance #3 pertains to lot coverage. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot which would impact the streetscape as well as abutting properties. Staff note that the dwelling's footprint represents 21.44% of the total lot coverage in this instance, which is well below the maximum permissible lot coverage of 30%. The front and rear porches, the rear deck and the cabana add an additional 8.86% to the proposed lot coverage. Staff are of the opinion that these elements present negligible massing concerns and the coverage increase is negligible (0.30%). Staff are satisfied that the requested increase in the overall lot coverage represents a minor deviation from the zoning by-law requirements.

Given the above staff are of the opinion that the variances maintain the general intent and purpose of the Zoning By-law.

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

Staff are of the opinion that the 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. Staff are satisfied that the application is minor in nature.

Notwithstanding the above comments, staff note through the Parks and Culture Planning, Community Services Department's comments that the proposed swimming pool does not meet sufficient setbacks to a G1 Zone.

Community Services Staff recommend that the applicant apply for a minor variance to allow for the swimming pool with insufficient setbacks to a G1 Zone or propose a new location of the swimming pool to establish a larger setback (5.0 m or greater) to City lands adjacent to the subject property. Further, Planning staff rely on the environmental expertise of the Credit Valley Conservation Authority (CVC) for the review of applications located within or adjacent to the regulated area. Staff note final approval addressing all environmental concerns to the satisfaction of the CVC and Community Services shall be required.

Comments Prepared by: Shivani Chopra, Planning Associate



## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed are pictures of the area where the cabana will be located. We have no concerns with the proposal. The applicant is advised that the cabana is to be equipped with an eaves trough and down spout directed in such a manor to not impact the adjacent lands.

Comments Prepared by: John Salvino, Development Engineering Technologist



### Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Minan Song, Zoning Examiner

### **Appendix 3 – Parks, Forestry & Environment**

#### **Park Planning**

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

The lands to the rear of the property are owned by Credit Valley Conservation Authority and leased by the City of Mississauga, identified as Rattray Marsh (P-126), classified as a Significant Natural Area within the City's Natural Heritage System, and zoned G1. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:

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

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

1. Construction access from the adjacent park/greenlands is not permitted.
2. If access is required to City owned lands, a Consent to Enter Agreement/Park Access Permit will be required.
3. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.
4. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, c.P. 13, as amended) and in accordance with the City's policies and by-laws.

The Parks and Culture Planning Section would also like to note that the proposed swimming pool does not meet sufficient setbacks to a G1 Zone, which may result in the harmfulness and/or removal of mature high-quality trees. Section 11.2.3.1 of the Mississauga Official Plan states that lands designated Greenlands are generally associated with natural hazards and/or natural areas where development is restricted to protect people and property from damage and to provide for the protection, enhancement and restoration of the Natural Heritage System.

The Parks and Culture Planning Section recommends that the applicant shall apply for a minor variance to allow for the swimming pool with insufficient setbacks to a G1 Zone or propose a new location of the swimming pool to establish a larger setback (5.0 m or greater) to City lands

adjacent to the subject property. This is to ensure the protection and preservation of the Significant Natural Area, this including (but not limited to) the mature high-quality trees found within the site.

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

Comments Prepared by: Nicholas Rocchetti, Planner in Training

### Forestry

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 Jamie Meston, Landscape Architect Assistant, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email [jamie.meston@mississauga.ca](mailto:jamie.meston@mississauga.ca).

Comments Prepared by: Jamie Meston, Landscape Architect Assistant

### Appendix 4 – Region of Peel

#### Minor Variance: A-24-295M / 826 Calder Road

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

## **Appendix 5- Credit Valley Conservation**

**Re: CVC File No. A24/295**

**Municipality File No. A295.24**

**Przemyslaw and Aneta Poznanski**

**826 Calder Road**

**Lot 27 Con 3 SDS**

**City of Mississauga**

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 to slope hazard associated with Sheridan creek. As such, the property 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 cabana proposing:

1. An exterior side yard setback of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 1.20m (approx.3.94ft) in this instance;
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3. A lot coverage of 30.30% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance.

**COMMENTS:**

Based on the review of the information provided, CVC has no concern with the approval of the proposed minor variances at this time.

The applicant is advised that the subject property is regulated by CVC and that a CVC permit is required for the proposed development.

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](mailto: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



# COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A298.24  
Ward: 3

## 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 3559 Burningham Crescent, zoned R3 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a second driveway whereas By-law 0225-2007, as amended, permits a maximum of 1 driveway in this instance.

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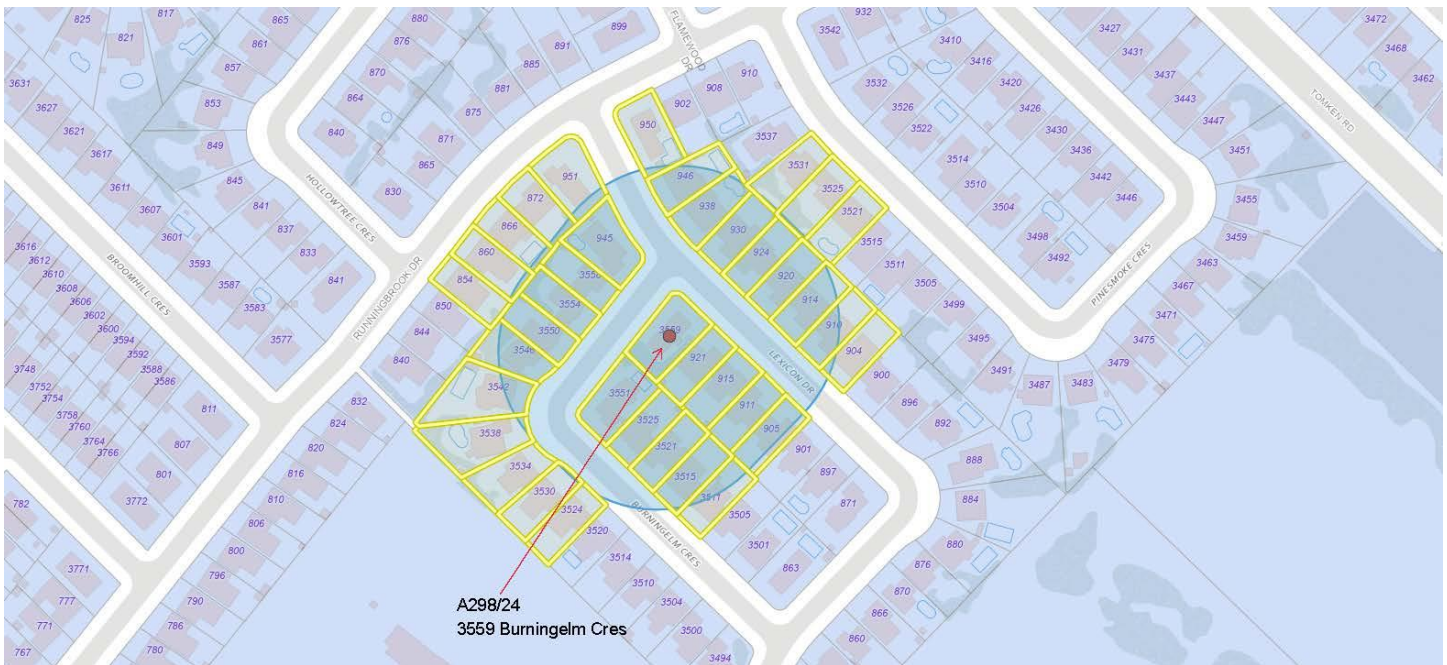
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# City of Mississauga Department Comments

Date Finalized: 2024-07-10	File(s): A298.24 Ward: 3
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-07-18 1:00:00 PM

## Consolidated Recommendation

The City recommends the application be deferred for redesign.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a second driveway whereas By-law 0225-2007, as amended, permits a maximum of 1 driveway in this instance.

### Amendments

The Building Department is processing Preliminary Zoning Review application PREAPP- 24-1293. Based on review of the information available in this application, we advise that following amendments is/are required: Two Minor Variances needed.

1. To permit a second driveway whereas; by-law 0225-2007, as amended permits a lot with an attached ARU(s) and/or a detached ARU to have one and not more than one driveway.
2. To permit a second driveway whereas; by-law 0225-2007, as amended permits a maximum of one driveway permitted per lot in R1 to R16, RM1 to RM3 and RM6 zones.

## Background

**Property Address:** 3559 Burningham Crescent

### Mississauga Official Plan

Character Area: Applewood Neighbourhood  
Designation: Residential Low Density I



## Zoning By-law 0225-2007

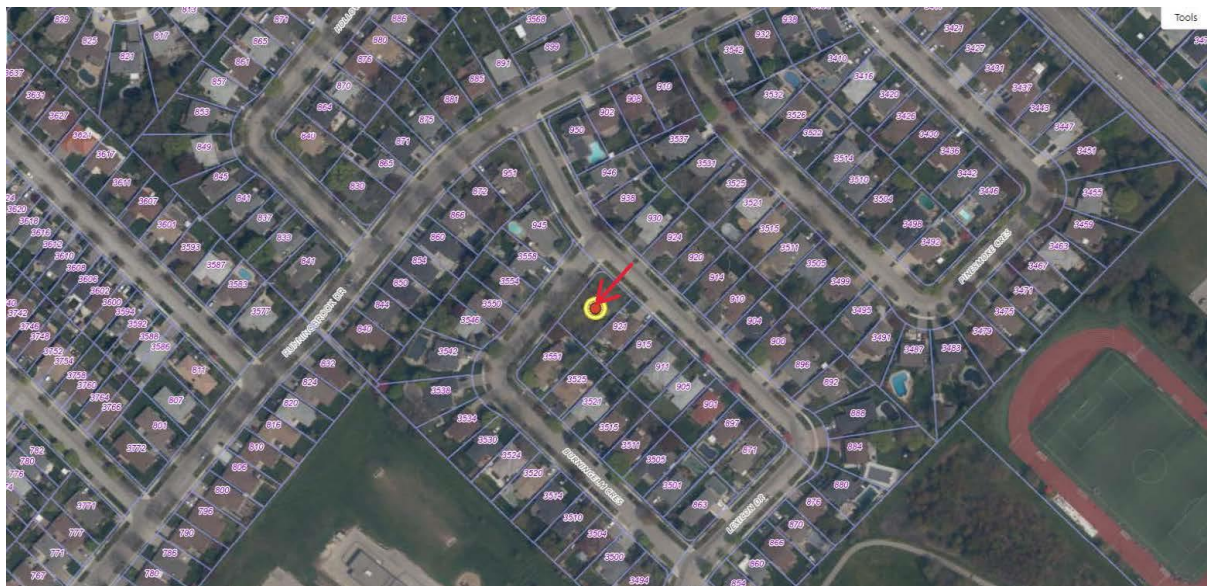
**Zoning:** R3 - Residential

**Other Applications:** PREAPP- 24-1293

## Site and Area Context

The subject property is located south-west of the Tomken Road and Runningbrook Drive intersection in the Applewood Neighbourhood Character Area. It is a corner lot containing a two-storey detached dwelling with an attached garage. The subject property has an approximate frontage of +/- 21.91m (71.88ft). Limited landscaping elements and mature trees are present across the subject property. The surrounding context is predominantly residential, consisting of detached dwellings.

The applicant is proposing to construct a second driveway on the subject property requiring a variance for number of driveways.



## 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 Applewood Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). Section 9.1 of the MOP states that sites being developed, including their driveways, should respect the identity and character of the surrounding context. No other property in the immediate area appears to contain 2 distinct and separate driveways. Staff are of the opinion that a second driveway would be out of character for the surrounding area.

The intent of limiting the number of driveways is to limit the impacts of driveways and hardscaping on the streetscape. While staff note an additional residential unit has been legally approved for the dwelling, staff are of the opinion that the existing driveway accessed from Burngelm Crescent could be modified to accommodate the additional vehicles on the subject property rather than the implementation of a second driveway. Staff also note the subject property is permitted a driveway width of 8.5m (27.88ft) due to the subject property's frontage being over 18m (59.05ft). This would allow the proposal to remain consistent with the character of the neighbourhood. Additionally, the Traffic Planning Department has noted concerns with the subject property having two access points.

Given the above, staff recommend the application be deferred for redesign.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

Our Traffic Planning Section does not support a secondary access for the subject site and cannot see the rationale for having two access points. As per the TAC Geometric Design Guide for Canadian Roads, "Single family residential properties [are] normally restricted to one driveway, irrespective of frontage." Consistent with Traffic Engineering best practices, the number of accesses to the municipal road network are to be minimized to optimize roadway safety and efficiency, minimize vehicular and pedestrian conflict points, ensure sufficient space is available between driveways for signage/utilities/trees/other street appurtenances, maintain on-street parking spaces, clearly identify which property each driveway serves, etc. If you have any questions on this matter, please call the Traffic Planning Technologist (Yousef Hereich) directly at ext. 8363











Comments Prepared by: Tony Iacobucci, Development Engineering

## Appendix 2 – Zoning Comments

The Building Department is processing Preliminary Zoning Review application PREAPP- 24-1293. Based on review of the information available in this application, we advise that following amendments is/are required: Two Minor Variances needed.

1. To permit a second driveway whereas; by-law 0225-2007, as amended permits a lot with an attached ARU(s) and/or a detached ARU to have one and not more than one driveway.
2. To permit a second driveway whereas; by-law 0225-2007, as amended permits a maximum of one driveway permitted per lot in R1 to R16, RM1 to RM3 and RM6 zones.

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: Andrew Wemekamp, Zoning Plans Examiner

City Department and Agency Comments	File:A298.24	2024/07/10	7
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### 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 Jamie Meston, Landscape Architect Assistant, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email [jamie.meston@mississauga.ca](mailto:jamie.meston@mississauga.ca).

Comments Prepared by: Jamie Meston, Landscape Architect Assistant

### Appendix 4 – Region of Peel

#### Minor Variance: A-24-298M / 3559 Burningham Crescent

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

#### Comments:

- The applicant is required to adhere to Region of Peel Watermain Design Criteria Standard 6.6, “all residential service boxes (curb stops) shall be installed in grass areas with a minimum distance of 1.0 meter from the edge of the driveway.”
- 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 at 905-791-7800 extension 7882 or by e-mail at [PWServiceRequests@peelregion.ca](mailto:PWServiceRequests@peelregion.ca).

Comments Prepared by: Petrele Francois, Junior Planner



# COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A302.24  
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 48 Oakwood Ave S, zoned R15-8 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A lot coverage of 41.02% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40.00% in this instance;
2. An eave height of 6.44m (approx. 21.13ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance;
3. A dwelling depth of 22.00m (approx. 72.18ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
4. An accessory structure area of 57.50sq m (approx. 618.93sq ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 20.00sq m (approx. 215.28sq ft) in this instance;
5. An accessory structure height of highest ridge of 4.48m (approx. 14.70ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of highest ridge of 3.50m (approx. 11.48ft) in this instance;
6. An accessory structure lot coverage of 6.99% whereas By-law 0225-2007, as amended, permits a maximum accessory structure lot coverage of 5.00% in this instance.

The Committee has set **Thursday, July 18, 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](mailto:committee.adjustment@mississauga.ca) or mailed to the Committee of Adjustment, 300 City Centre Drive 2<sup>nd</sup> 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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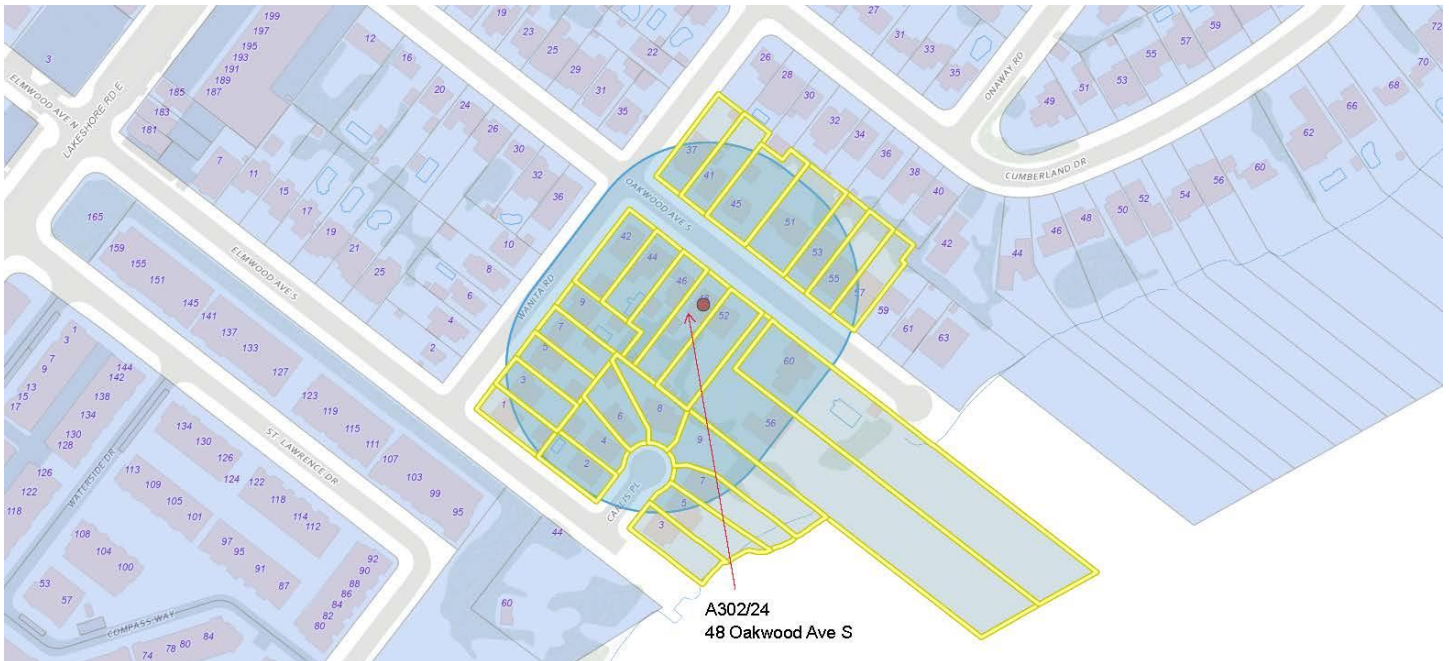
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# City of Mississauga Department Comments

Date Finalized: 2024-07-10	File(s): A302.24 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-07-18 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 lot coverage of 41.02% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40.00% in this instance;
2. An eave height of 6.44m (approx. 21.13ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance;
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6. An accessory structure lot coverage of 6.99% whereas By-law 0225-2007, as amended, permits a maximum accessory structure lot coverage of 5.00% in this instance.

## Background

**Property Address:** 48 Oakwood Ave S

**Mississauga Official Plan**

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

### Zoning By-law 0225-2007

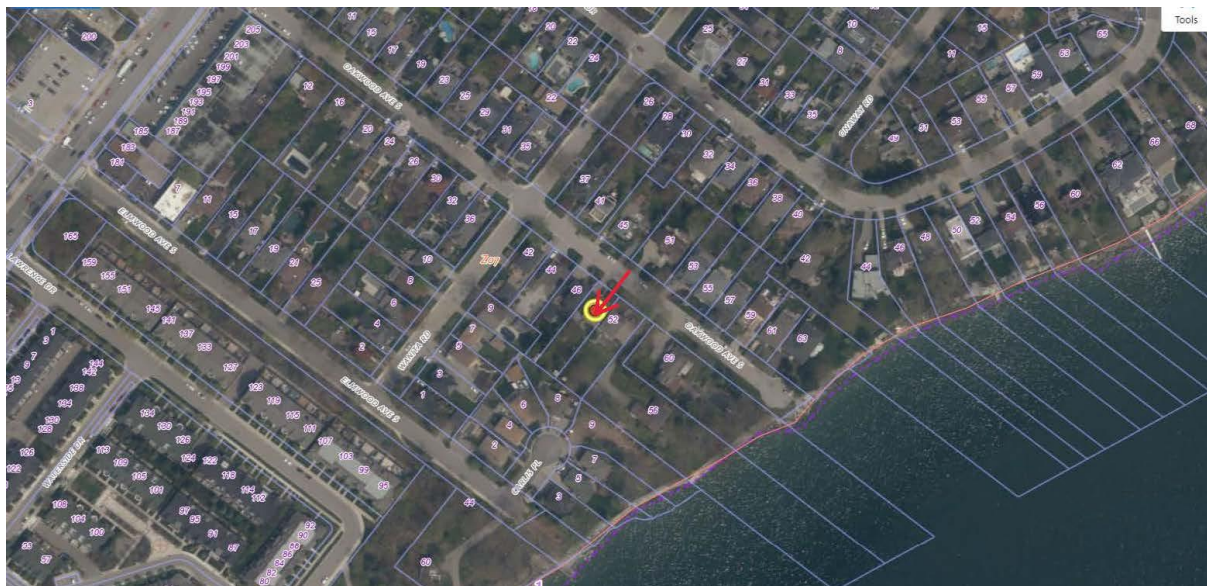
**Zoning: R15-8 - Residential**

**Other Applications: None**

### Site and Area Context

The subject property is located southwest of the Lakeshore Road East and Cumberland Drive intersection in Port Credit. The surrounding area context is exclusively residential, consisting of a mix of one and two-storey detached dwellings on lots of varying sizes. The subject property currently contains a two-storey detached dwelling with mature vegetation in the front yard.

The applicant is proposing a new detached dwelling and an accessory structure requesting variances for lot coverage, eave height, dwelling depth and accessory structure area, height and lot coverage.



## Comments

**Planning**

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

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

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

The subject property is located in the 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, duplex and triplex dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. Planning staff note that the proposal maintains the permitted detached dwelling use and that the development is appropriate given existing site conditions and the surrounding context. Staff are therefore of the opinion 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 total lot coverage. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot which would impact the streetscape as well as abutting properties. The dwelling itself represents a lot coverage of approximately 27.85% which is under the maximum permissible lot coverage of 40%. Staff note that the application requests an overall increase of 1.02% from the permissible regulation, which can be entirely attributed to elements like covered front and side entry, covered rear patio, and the pool cabana. Staff are of the opinion that these elements do not pose the same massing impacts as an enclosed structure. Staff are satisfied that the requested increase in the overall lot coverage represents a minor deviation from the zoning by-law requirements.

Variance #2 pertains to eave height. The intent in restricting height to the eaves is to lessen the visual massing of 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 increase of 0.04m (0.13ft) is exceedingly minor numerically and will be mitigated by the difference in average and finished grade. Staff are satisfied the increase will be unperceivable and that incorporation of architectural features like varying materials and windows in the dwelling design further mitigates any massing impacts.

Variance #3 requests an increase in the dwelling depth. The intent of the by-law is to minimize any impact of long walls on neighbouring lots as a direct result of the building massing. Staff are of the opinion that the increase can be attributed to a portion of the dwelling to incorporate the dining space. Further the portion of the dwelling that exceeds the dwelling depth regulation is one-storey in height and incorporates an uncovered balcony on the second storey, thereby breaking up the overall massing of the dwelling. Staff also note that the dwelling's side walls are broken up through the use of differing architectural features and materials. Staff are of the opinion that the request will not create any negative impacts on adjoining properties.

Variances #4, #5 and #6 all propose an increase in lot coverage, area and height related to the accessory structure. The intent of the zoning by-law provisions regarding accessory structures is to ensure that the structures are proportional to the lot and are clearly accessory, while not presenting any massing concerns to neighbouring lots. While the proposed accessory structure is notably larger than a single accessory structure permitted on this property, staff note that three legally sized accessory structures placed side by side at the same location on the property would have a similar massing impact as the proposal. Staff are of the opinion that the proposed structure remains accessory to the principle use on the lands and are satisfied that any massing impacts on abutting properties are minor in nature.

Staff note the proposed structure is single storey in height, and when combined with the design of the structure and its location in the rear yard, results in limited massing impacts to the abutting residential properties. The floor area of the proposed structure represents approximately 6.88% of the total lot area, approximately four times less than the size of the existing dwelling on the subject property (approx. 27.8% coverage).

Additionally, the variance for the height is requested to accommodate the design of the roof for a portion of the sloped roof facing the subject property. The portion facing the neighbour is lower in height and as such, staff are satisfied the structures will not present to their full height to the neighbouring properties. Further, no additional variances for setbacks have been requested further mitigating any potential impact.

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

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

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 orderly development of the subject property.

Comments Prepared by: Shivani Chopra, Planning Associate



## Appendices

### Appendix 1 – Transportation and Works Comments

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

Comments Prepared by: John Salvino, Development Engineering Technologist





## **Appendix 2 – Zoning Comments**

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

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

Comments Prepared by: Minan Song, 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:



City Department and Agency Comments	File:A302.24	2024/07/10	7
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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.
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Should further information be required, please contact Jamie Meston, Landscape Architect Assistant, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email [jamie.meston@mississauga.ca](mailto:jamie.meston@mississauga.ca).

Comments Prepared by: Jamie Meston, Landscape Architect Assistant

## Appendix 4 – Region of Peel

### Minor Variance: A-24-302M / 48 Oakwood Avenue South

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

#### Comments:

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca).
- All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel design specifications. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at [siteplanservicing@peelregion.ca](mailto: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](mailto:siteplanservicing@peelregion.ca).

Comments Prepared by: Petrele Francois, Junior Planner



# COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A304.24  
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 1255 Myron Drive, zoned R3-75 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the basement walkout proposing a side yard setback of 0.35m (approx. 1.15ft) 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 18, 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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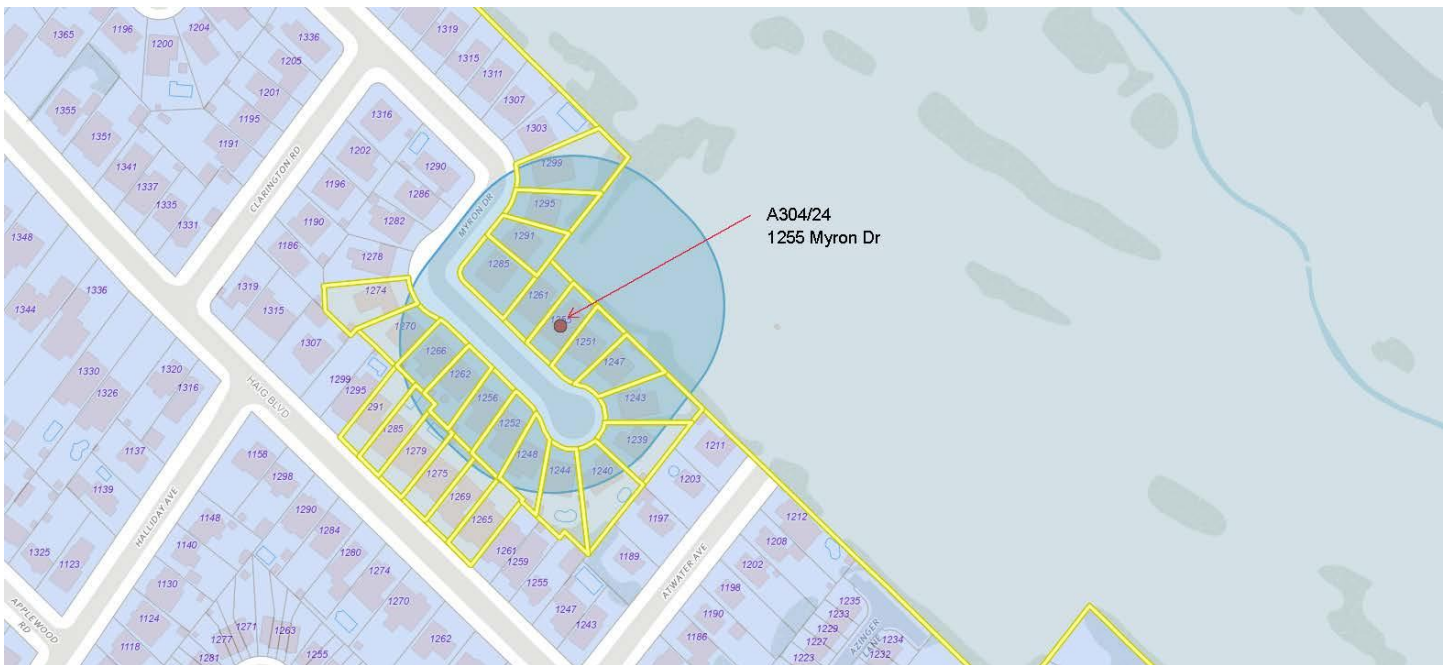


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# City of Mississauga Department Comments

Date Finalized: 2024-07-10	File(s): A304.24
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2024-07-18 1:00:00 PM

## Consolidated Recommendation

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

## Application Details

The applicant requests the Committee to approve a minor variance to allow the basement walkout proposing a side yard setback of 0.35m (approx. 1.15ft) 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:** 1255 Myron Drive

### Mississauga Official Plan

Character Area: Lakeview Neighborhood  
Designation: Residential Low Density I

### Zoning By-law 0225-2007

**Zoning:** R3-75 - Residential

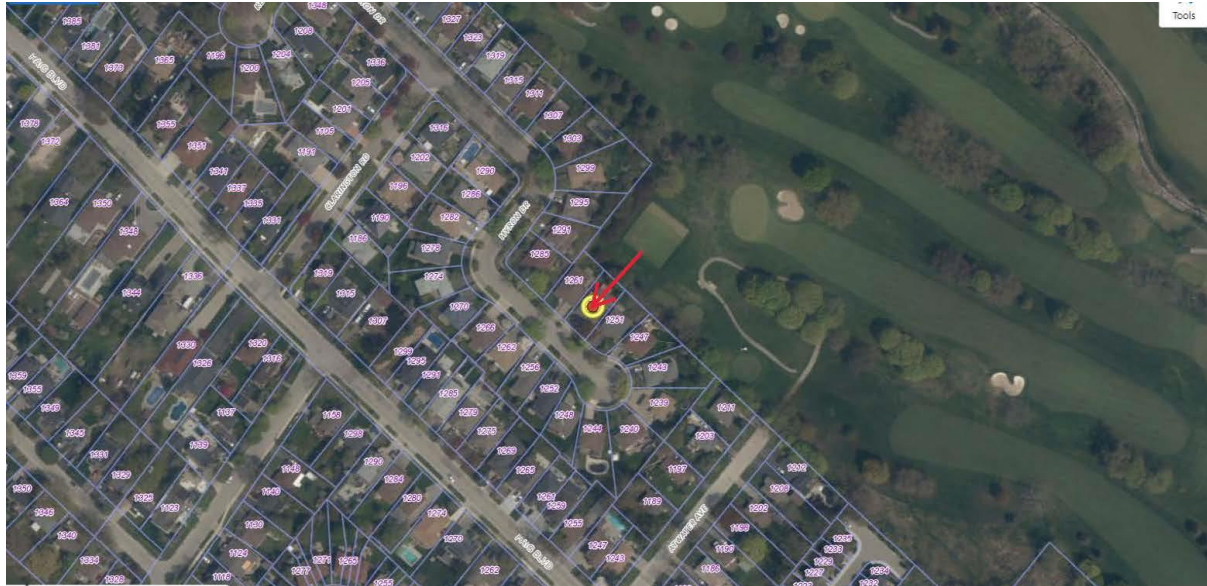
**Other Applications:** Building Permit application 24-1631

### Site and Area Context

The subject property is located north-west of the Dixie Road and Lakeshore Road East intersection in the Lakeview Neighbourhood. It contains a one-storey back split 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 subject property abuts the Lakeview Golf Course to the rear.

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 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 appropriate drainage can be provided, and access to the rear yard remains unencumbered. The proposal is for a below grade staircase to access a side entrance into the basement secondary unit. This proposal creates no impacts on massing or separation between structures and preserves access to the rear yard on the other side of the dwelling. Furthermore Transportation & Works staff have raised no drainage concerns regarding the proposal.

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

Comments Prepared by: Shivani Chopra, Planning Associate



## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed basement entrance will be addressed by our Development Construction Section through SEC UNIT-24/1631 permit process.

Comments Prepared by: John Salvino, Development Engineering Technologist





## Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application 24-1631. 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: Andrea Patsalides, Zoning Examiner

## Appendix 3 – Parks, Forestry & Environment

### Park Planning

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



The lands adjacent to the property are owned by the City of Mississauga, identified as Lakeview Golf Course (P-173), zoned OS2-1 – City Park – Golf Course.

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

1. Construction access from the adjacent park/greenlands is not permitted.
2. If access is required to City owned lands, a Consent to Enter Agreement/Park Access Permit will be required.
3. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.
4. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, c.P. 13, as amended) and in accordance with the City's policies and by-laws.

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

Comments Prepared by: Nicholas Rocchetti, Planner in Training

### **Forestry**

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 Jamie Meston, Landscape Architect Assistant, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email [jamie.meston@mississauga.ca](mailto:jamie.meston@mississauga.ca).

Comments Prepared by: Jamie Meston, Landscape Architect Assistant

#### **Appendix 4 – Region of Peel**

##### **Minor Variance: A-24-304M / 1255 Myron Drive**

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

##### **Comments:**

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at [siteplanservicing@peelregion.ca](mailto:siteplanservicing@peelregion.ca).
- All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel design specifications. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at [siteplanservicing@peelregion.ca](mailto: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](mailto:siteplanservicing@peelregion.ca).

Comments Prepared by: Petrele Francois, Junior Planner





## COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A309.24  
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 1509 Daniel Creek Rd, zoned R4 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a driveway proposing:

1. A driveway width of 7.00m (approx. 22.97ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance;
2. A walkway width of 2.00m (approx. 6.56ft) whereas By-law 0225-2007, as amended, permits a maximum walkway width of 1.50m (approx. 4.92ft) in this instance.

The Committee has set **Thursday, July 18, 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](mailto:committee.adjustment@mississauga.ca) or mailed to the Committee of Adjustment, 300 City Centre Drive 2<sup>nd</sup> 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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- **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](mailto:committee.adjustment@mississauga.ca) or by mailing the Committee of Adjustment, 300 City Centre Drive 2<sup>nd</sup> 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:

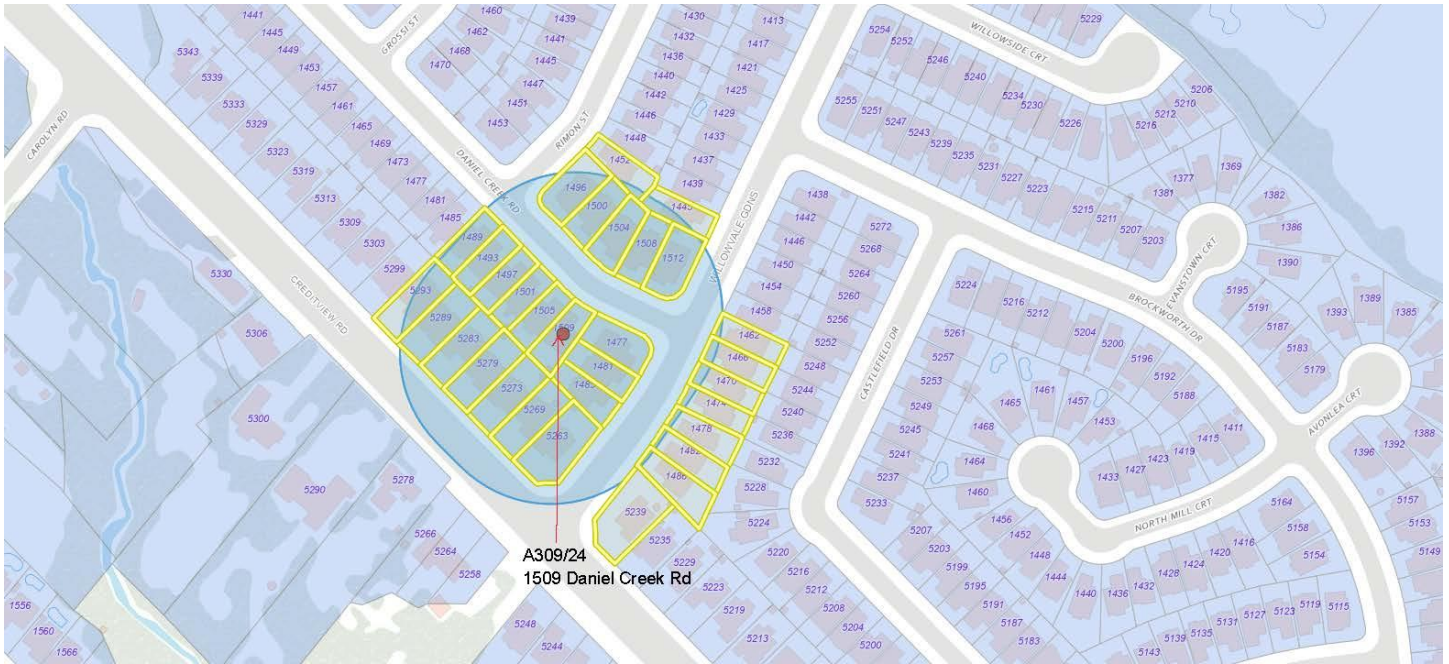
<http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>

**Additional Information:**

- For more information about this matter, contact [committee.adjustment@mississauga.ca](mailto: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 2<sup>nd</sup> 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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**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/>.

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Date Finalized: 2024-07-10 To: Committee of Adjustment	File(s): A309.24 Ward: 6
From: Committee of Adjustment Coordinator	Meeting date:2024-07-18 1:00:00 PM

## Consolidated Recommendation

The City has no objection 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 7.00m (approx. 22.97ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance;
2. A walkway width of 2.00m (approx. 6.56ft) whereas By-law 0225-2007, as amended, permits a maximum walkway width of 1.50m (approx. 4.92ft) in this instance.

## Background

**Property Address:** 1509 Daniel Creek Rd

### Mississauga Official Plan

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

### Zoning By-law 0225-2007

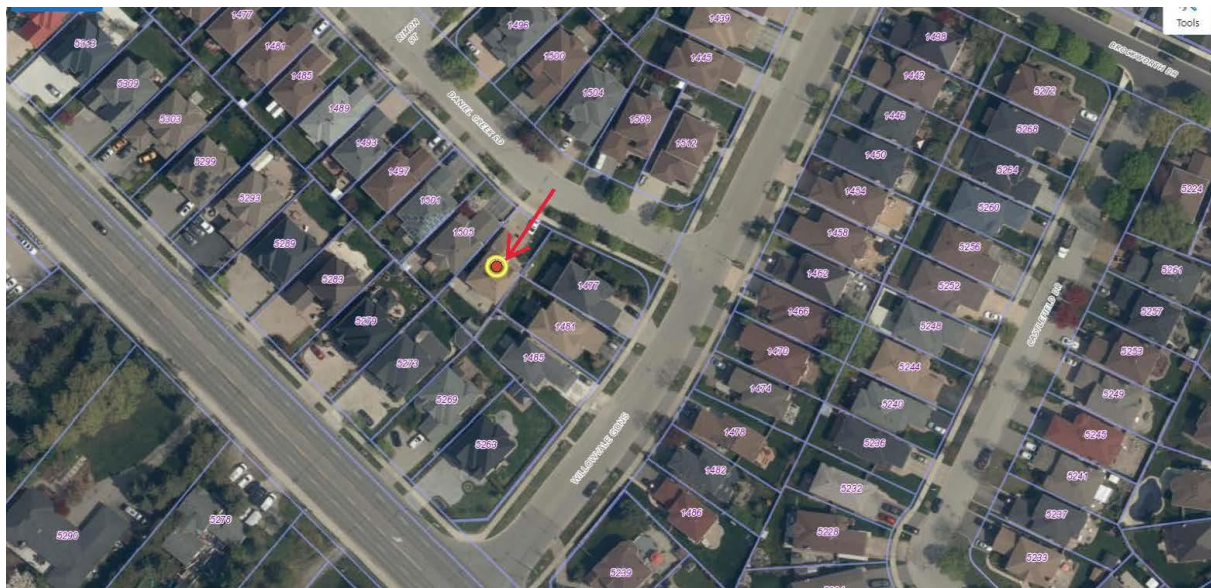
**Zoning:** R4 - Residential

**Other Applications:** None

### Site and Area Context

The subject property is located south-east of the Creditview Road and Bristol Road West 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 widen the driveway on the subject property, requiring a variance for driveway width and a walkway attachment.



## Comments

### Planning

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

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

The subject property is located in the East Credit Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). Section 9.1 of the MOP states that sites being developed, including their driveways, should respect the identity and character of the surrounding context.

The proposed variance relates to a widened driveway on the subject property. The applicant has worked with staff to reduce the existing driveway width from 11m (36.08ft) to 7m (22.96ft). The planned character of the area are dwellings serviced by appropriately sized driveways that can accommodate the parking required by the zoning by-law for each property. The intent of the



driveway width regulations in the by-law is to permit a driveway that can accommodate two vehicles parked side by side, with the remainder of the front yard being soft landscaped area. Staff are of the opinion that the increase in driveway width is minor. Further, 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.

The proposal also requests a variance for an increase of the walkway attachment. Staff note the applicant has submitted a revised site plan which removes the walkway attachment. While Planning staff are not in a position to interpret the zoning by-law, Planning staff are of the opinion the variance for a walkway attachment is no longer required.

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

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

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







Comments Prepared by: Tony Iacobucci

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**Appendix 2 – Zoning Comments**

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

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

Comments Prepared by: Minan Song, 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: A310.24  
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 2630, 2650 & 2666 Royal Windsor Drive, Unit 7, zoned E3-1 - Employment, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a change of use and parking proposing:

1. A Motor Vehicle Sales use in Unit 7 of 2630 Royal Windsor Drive whereas By-law 0225-2007, as amended, does not permit a Motor Vehicle Sales use in this instance;
2. 264 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 271 parking spaces in this instance;
3. A landscape buffer width of 1.10m (approx. 3.61ft) whereas By-law 0225-2007, as amended, requires a minimum landscape buffer width of 4.50m (approx. 14.76ft) in this instance.

The Committee has set **Thursday, July 18, 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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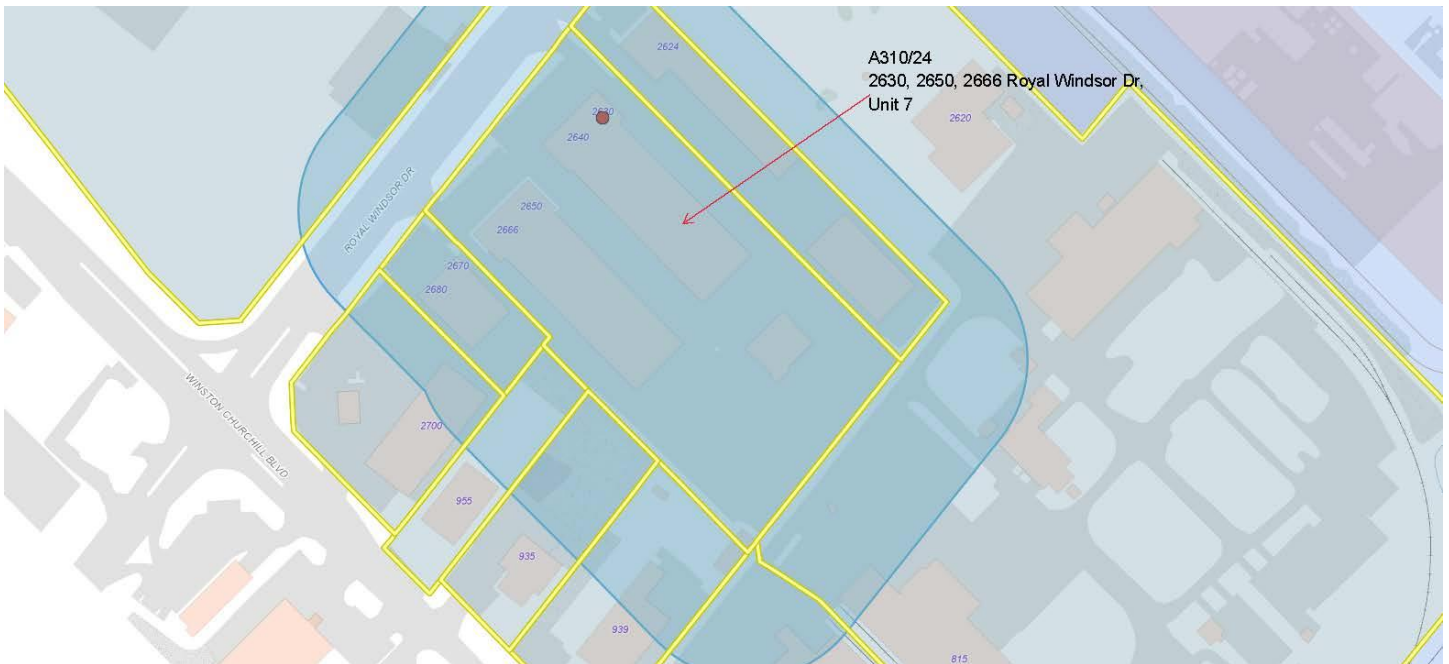
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Date Finalized: 2024-07-10 To: Committee of Adjustment	File(s): A310.24 Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2024-07-18 1:00:00 PM

## Consolidated Recommendation

The City has no objection to Variance #3 and recommend Variance #1 be refused. Further, the City recommends Variance #2 is no longer required. 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 change of use and parking proposing :

1. A Motor Vehicle Sales use in Unit 7 of 2630 Royal Windsor Drive whereas By-law 0225-2007, as amended, does not permit a Motor Vehicle Sales use in this instance;
2. 264 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 271 parking spaces in this instance;
3. A landscape buffer width of 1.10m (approx. 3.61ft) whereas By-law 0225-2007, as amended, requires a minimum landscape buffer width of 4.50m (approx. 14.76ft) in this instance.

### Amendments

While Planning staff are not in a position to provide a Zoning review, staff advise that Variance #2 is not required due to a previous approval for reduced parking under file A255.21.

## Background

**Property Address:** 2630, 2650 & 2666 Royal Windsor Drive, Unit 7

### Mississauga Official Plan

Character Area: Southdown Employment Area  
Designation: Industrial

**Zoning By-law 0225-2007**

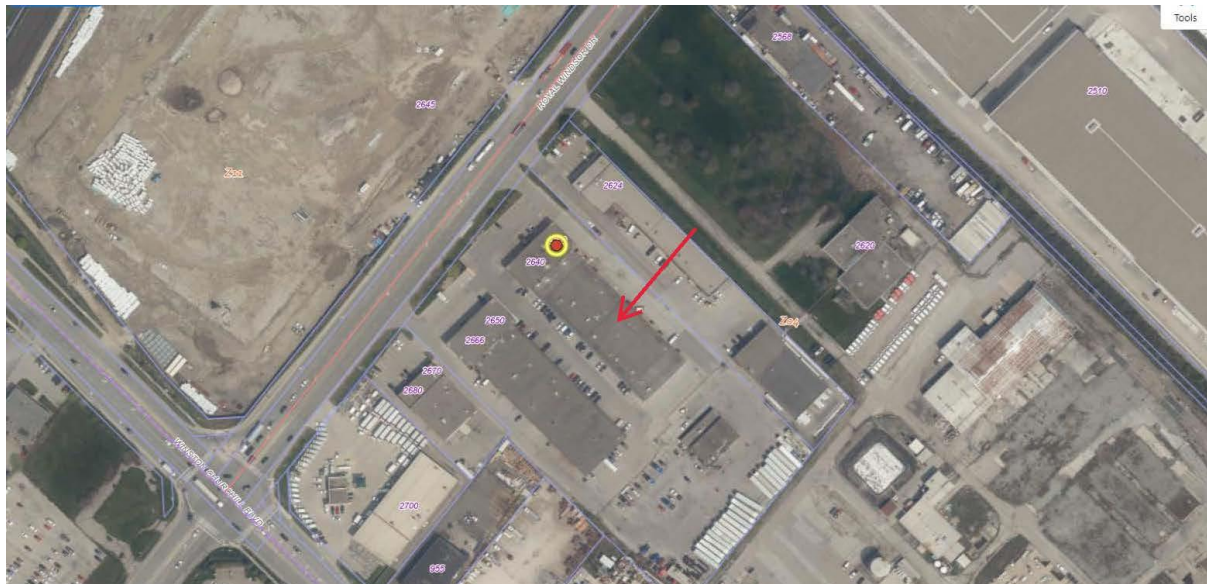
**Zoning:** E3-1 - Employment

**Other Applications:** Certificate of Occupancy C 23-9120 (October 27, 2023) and Condominium Conversion 21CDM-M 23-8 W2 (June 13, 2023).

**Site and Area Context**

The subject unit is located within a plaza located south-east of the Winston Churchill Boulevard and Royal Windsor Drive intersection. The property contains 3 two-storey buildings with employment uses. The subject property is an interior parcel possessing minimal vegetation and landscape elements along the front lot line. The existing buildings and site configuration reflect the industrial employment character of the broader surrounding area. Properties within the immediate vicinity possess minimal vegetation and landscaping which is kept to the periphery of each parcel. The surrounding use is primarily industrial. There are auto sales uses present in the greater vicinity of the area, to the west of Winston Churchill Boulevard.

The applicant is proposing a Motor Vehicle Sales use in Unit 7 of the subject property requesting variances for the use, reduced landscape buffer and 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:

Variance #2 pertains to reduced parking spaces. Staff note that the subject property was previously before the Committee of Adjustment under file A255.21 on October 7, 2021, wherein a minor variance was approved for a reduced parking of 184 spaces whereas 329 are required. Through discussion with Zoning staff, Planning staff are satisfied that Variance #2 is no longer required as the number of proposed parking spaces are within the previously approved parking numbers.

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

The subject site is designated "Industrial" in Schedule 10 of the Mississauga Official Plan which limits motor vehicle uses on the property to motor vehicle repair facility, motor vehicle commercial and motor vehicle rental facility. The official plan only allows motor vehicle sales in a 'Mixed Use' designation. The intent of the official plan is to permit motor vehicle retail uses in commercial zones with other retail uses and to not create a precedence in establishing retail car dealerships in other designations as of right. Therefore, staff are of the opinion that variance #1 does not maintain the general intent and purpose of the official plan.

Variance #3 represents an existing condition and staff are satisfied that it meets the general intent and purpose of the official plan.

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

Variance #1 requests a motor vehicle sales use. The subject site is zoned 'E3-1' (Industrial). The variance proposes to permit a restricted motor vehicle sales use in a zone where it is not permitted. The intent and purpose of the zoning by-law is to permit motor vehicle retail uses in Commercial zones with other retail uses and not in employment zones as of right. The use requested is limited solely to the C3 zone. Staff note that vehicle sales and rentals are permitted within the E3 zone, however it is limited to commercial vehicles and not regular vehicles. While staff recognize the purpose of use and its limited functioning and operation wholly within the unit, the zoning by-law does not permit the requested use in the 'E3-1' zone.

Staff are cognizant of the proposed use primarily operating as a sales office without inventory, limiting its impact on surrounding properties and uses. However, with the City's decision to only permit the use in the C3 zone, staff are of the opinion that the intent and purpose of the zoning by-law are not maintained.

Variance #3 pertains to a reduction in the landscape buffer width. Staff acknowledge that the reduction was caused due to conveyance of land to the City during the severance application process. The reduced landscape buffer represents an existing condition and is measured to a

pinch-point. Additionally, a similar variance for reduced landscape buffer width of 0.91m (approx. 2.99ft) was previously approved under file A255.21. Staff are satisfied that variance #3 meets the intent and purpose of the zoning by-law.

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

Staff are of the opinion that Variance #3 is technical in nature and represents an existing condition. Staff are satisfied that it is minor in nature. However, staff are of the opinion that Variance #1 is not desirable nor minor in nature and recommend it be refused.

Comments Prepared by: Shivani Chopra, Planning Associate

## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed are photos of the existing building and parking lot.

Comments Prepared by: John Salvino, Development Engineering Technologist





## Appendix 2 – Zoning Comments

The Building Department is processing Certificate of Occupancy C 23-9120 (October 27, 2023) and Condominium Conversion 21CDM-M 23-8 W2 (June 13, 2023). Based on our review of the information available in these applications, more information is required to verify the requested variance(s) accuracy or determine whether additional variance(s) will be required. The zoning reviews for each application are stale-dated.

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

Comments Prepared by: Brian Bonner, Supervisor



### Appendix 3 – Region of Peel

**Minor Variance: A-24-310M / 2630, 2650 & 2666 Royal Windsor Drive, Unit 7**

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). 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

### Appendix 4 – Metrolinx

Metrolinx is in receipt of the Minor Variance application for 2630, 2650 & 2666 Royal Windsor Drive to allow a change of use and parking proposing:

1. A Motor Vehicle Sales use in Unit 7 of 2630 Royal Windsor Drive whereas By-law 0225-2007, as amended, does not permit a Motor Vehicle Sales use in this instance
2. Reduced parking of 264 parking spaces
3. Reduced landscape buffer width of 1.10m

All as circulated on June 16th, 2024, and to be heard at Public Hearing on July 18th, 2024, at 1:00 PM.

Metrolinx's comments on the subject application are noted below:

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

#### GO/HEAVY-RAIL – ADVISORY COMMENTS

- As the requested variances have minimal impact on Metrolinx property (i.e., Oakville Subdivision), Metrolinx has no objections to the specified variances should the committee grant approval.
- The Proponent is advised of the following:
  - **Warning:** The Applicant is advised that the subject land is located within Metrolinx's 300 metres railway corridor zone of influence and as such is advised that Metrolinx and its assigns and successors in interest has or have a right-of-way within 300 metres from the subject land. The Applicant is further advised that there may be alterations to or expansions of the rail or other transit facilities on

such right-of-way in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx to use the right-of- way or their assigns or successors as aforesaid may expand or alter their operations, which expansion or alteration may affect the environment of the occupants in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual lots, blocks or units.

Should you have any questions or concerns, please contact [farah.faroque@metrolinx.com](mailto:farah.faroque@metrolinx.com).

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



# COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A311.24  
Ward: 3

REVISED

## 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 4566 Tomken Rd, 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 the construction of a new building proposing:

1. A front yard setback of 7.328m (approx. 24.043ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.50m (approx. 24.61ft) in this instance; and,
2. A daycare whereas By-law 0225-2007, as amended, does not permit such a use in an E2-Employment zone in this instance.

The Committee has set **Thursday, July 18, 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](mailto:committee.adjustment@mississauga.ca) or mailed to the Committee of Adjustment, 300 City Centre Drive 2<sup>nd</sup> 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](mailto: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](mailto: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](mailto:committee.adjustment@mississauga.ca) or by mailing the Committee of Adjustment, 300 City Centre Drive 2<sup>nd</sup> 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](mailto: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 2<sup>nd</sup> 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](mailto:committee.adjustment@mississauga.ca) or by mailing the Committee of Adjustment, 300 City Centre Drive 2<sup>nd</sup> Floor, Mississauga, ON L5B 3C1. This will also entitle you to be advised of any Ontario Land Tribunal (OLT) appeals.

#### **Committee of Adjustment Appeal Process:**

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



#### **Legal notice:**

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



# City of Mississauga Department Comments

Date Finalized: 2024-07-10	File(s): A311.24
To: Committee of Adjustment	Ward: 3
From: Committee of Adjustment Coordinator	Meeting date:2024-07-18 1:00:00 PM

## Consolidated Recommendation

The City has no objection to variances 1, 2 & 3, however recommends that variance 4 be refused.

## Application Details

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

1. A front yard setback of 7.328m (approx. 24.043ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.50m (approx. 24.61ft) in this instance; and,
2. A daycare whereas By-law 0225-2007, as amended, does not permit such a use in an E2 - Employment zone in this instance.

## Amendments

The Building Department is processing Building Permit application BP 3NEW 24-789 & Zoning Certificate of Occupancy Permit C 24-2455. Based on review of the information available in this application, we advise that following amendment is required:

1. a front yard setback of the building of 7.33m (approx. 24.04ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.50m (approx. 24.61ft) in this instance; and
2. a front yard setback to the proposed canopy of 7.33m (approx. 24.04ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.50m (approx. 24.61ft) in this instance; and
3. an interior side yard of 7.485m (approx. 24.56 ft.) in the left interior side yard; whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 7.5m (approx. 24.61 ft) is required in this instance; and
4. the proposed use of a Daycare in an E2 zone; whereas By-law 0225-2007, as amended does not permit a proposed used for a Daycare in an E2 zone in this instance.

## Background

**Property Address:** 4566 Tomken Rd

### Mississauga Official Plan

Character Area: Northeast Employment Area (West)

Designation: Business Employment

### Zoning By-law 0225-2007

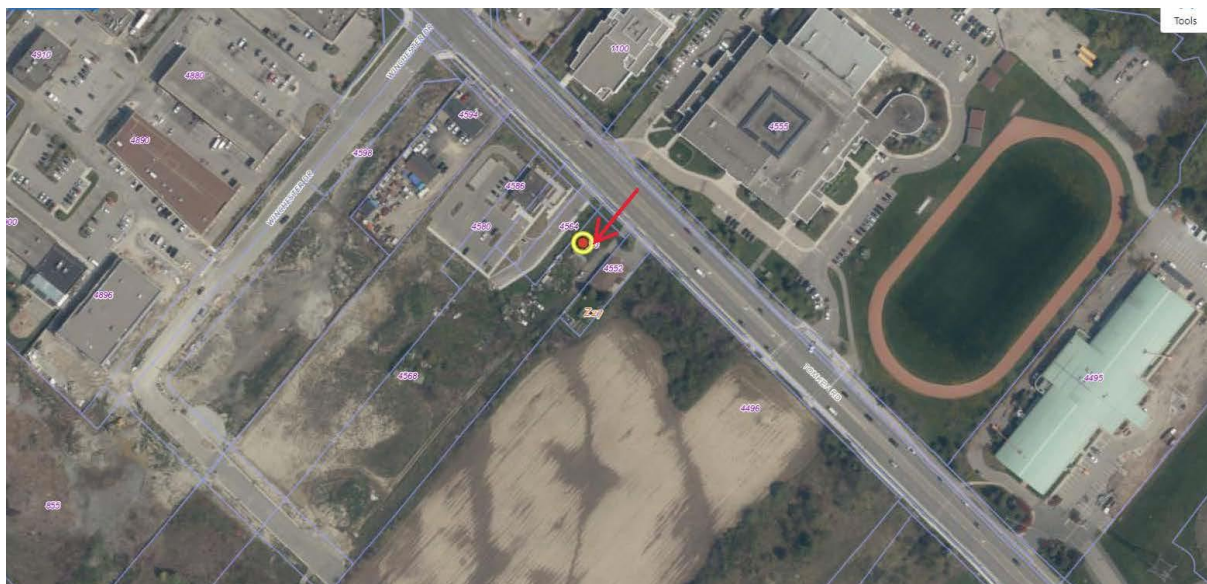
**Zoning:** E2 - Employment

**Other Applications:** BP 3NEW 24-789 & C 24-2455

### Site and Area Context

The subject property is a vacant parcel of land located along the west side of Tomken Road, south-west of the Tomken Road and Eglinton Avenue East intersection in the Northeast Employment (West) Character Area. The surrounding area context includes a mix of commercial, employment and educational uses, as well as vacant lands. Lot sizes and built forms vary greatly in the immediate area.

The applicant is proposing to construct a new building requiring variances for the side yard and front yard setbacks as well as the use.



## Comments

### Planning

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

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

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

Variances 1, 2 & 3 request a reduction in the side and front yard setbacks to the proposed building and canopy. The intent of the front yard setback provision is to ensure a consistent character is maintained along the streetscape and that a sufficient front yard space is incorporated into the design. Staff are of the opinion that the reduced front yard setback is negligible, as it is consistent with the existing streetscape of Tomken Road and maintains sufficient space in the front of the property for landscaping. The intent of the side yard setback regulation is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties, appropriate drainage patterns can be maintained and that access to the rear yard ultimately remains unencumbered. Staff are satisfied that the proposed side yard reduction is negligible and will not negatively impact the abutting property and drainage patterns will be maintained.

Variance 4 requests a change of use to a daycare facility for the subject property. Section 2.1.9.4 of the zoning by-law set out regulations for day cares. Day care uses are permitted in multiple zoning categories, however Employment zones have been specifically excluded from the list of permitted zones.

Given the above, Planning staff are of the opinion that variances 1, 2 & 3, both individually and cumulatively, maintain the intent and purpose of the official plan and zoning by-law and contribute to orderly development of the subject property whose impacts to the streetscape and abutting properties will be minor in nature. Planning staff are of the opinion that variance 4 does not meet the four tests of a minor variance.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

Transportation and Works has no objections to this request. This site has an active building permit BP 3NEW 24-789 and an approved Site Plan SP 23-17.





1. a front yard setback of the building of 7.33m (approx. 24.04ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.50m (approx. 24.61ft) in this instance; and
2. a front yard setback to the proposed canopy of 7.33m (approx. 24.04ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.50m (approx. 24.61ft) in this instance; and
3. an interior side yard of 7.485m (approx. 24.56 ft.) in the left interior side yard; whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 7.5m (approx. 24.61 ft) is required in this instance; and
4. the proposed use of a Daycare in an E2 zone; whereas By-law 0225-2007, as amended does not permit a proposed used for a Daycare in an E2 zone in this instance.

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

Comments Prepared by: Gary Gagnier, Zoning Examiner

### **Appendix 3 – Sun Pipeline**

Sun-Canadian's pipelines are located in the Hydro Corridor approximately 240m from the properties described in this project notice. We have no concerns with the proposed variance requests. The recommended setback for any building that might be difficult to evacuate in an emergency (such as a daycare) is 200m.

Comments Prepared by: Wendy Sutherland, Crossing & Lands Coordinator

### **Appendix 4 – Region of Peel**

#### **Minor Variance: A-24-311M / 4566 Tomken Road**

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 Tomken MTSA - which is required to be planned to achieve a minimum density of 80 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 the policies found in s.5.6.19 as well as s.5.8 of the RPOP.
- The subject land is located within a Core Area of the Greenlands System in Peel as identified under policy 2.14.5 of the Regional Official Plan. The applicant must ensure Core Areas are not damaged or destroyed. If the Core Area is intentionally damaged or destroyed (ROP S.2.14).

Comments Prepared by: Petrele Francois, Junior Planner



# COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A314.24  
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 30-110 Courtneypark Dr E & 75 Annagem Blvd, zoned O2-5 - 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 permit uses accessory to a permitted use to be located within buildings separate from those containing a permitted use listed in the O2-5 zone and be restricted to a maximum of 30% of the total gross floor area of all permitted uses located in the O2-5 zone whereas By-law 0225-2007, as amended, requires that accessory uses to a permitted use be located within the same buildings as a permitted use listed in Subsection 5.2.1 of the By-law and be restricted to 30% of the gross floor area of that building.

The Committee has set **Thursday, July 18, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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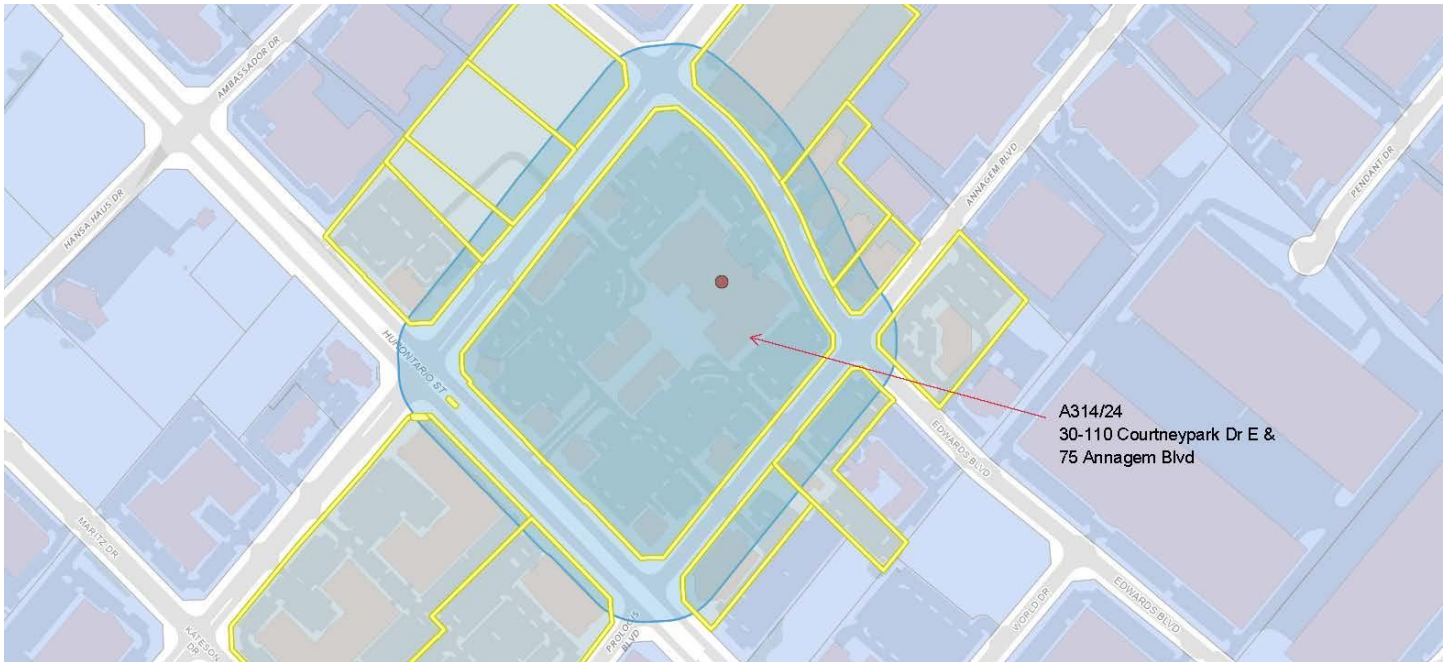


**Additional Information:**

- For more information about this matter, contact [committee.adjustment@mississauga.ca](mailto: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 2<sup>nd</sup> 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:**

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Date Finalized: 2024-07-10 To: Committee of Adjustment	File(s): A314.24 Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2024-07-18 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 permit uses accessory to a permitted use to be located within buildings separate from those containing a permitted use listed in the O2-5 zone and be restricted to a maximum of 30% of the total gross floor area of all permitted uses located in the O2-5 zone whereas By-law 0225-2007, as amended, requires that accessory uses to a permitted use be located within the same buildings as a permitted use listed in Subsection 5.2.1 of the By-law and be restricted to 30% of the gross floor area of that building.

## Background

**Property Address:** 30-110 Courtneypark Dr E & 75 Annagem Blvd

### Mississauga Official Plan

Character Area: Gateway Corporate Centre  
Designation: Office

### Zoning By-law 0225-2007

**Zoning:** O2-5 - Office

**Other Applications:** None

## Site and Area Context

The subject property is located on the south-east corner of the Hurontario Street and Courtneypark Drive East intersection in the Gateway Corporate Centre Character Area. Currently it consists of the entirety of the block bounded by Hurontario Street, Courtneypark Drive East, Edwards Boulevard and Annagem Boulevard. Ten buildings currently exist on the subject property, along with associated surface parking lots. Landscaping and vegetative elements are generally limited to street frontages. The surrounding area context includes a mix of office, employment and commercial uses with varying built forms and lot sizes.

The applicant is proposing to permit uses accessory to a permitted use on the subject property requiring a variance for the location and maximum gross floor area of 30% for the proposed uses.



## 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 Gateway Corporate Centre Character Area and is designated Office in Schedule 10 of the Mississauga Official Plan (MOP). In 2020, the City of Mississauga rezoned (BL 0121-2020) this portion of the Hurontario Street Corridor from a

variety of site-specific E1 and E2 employment zones to various O2 and O3 office zones. This included a change in zoning for the subject property from the site-specific E1-9 and E1-15 zones to the O2-5 zone. Many of the supportive non-employment uses that were permitted in the previously zoned E1-15 zone were carried over to the O2-5 zone only as accessory uses.

The variance is technical in nature as staff note there is no proposed buildings or construction included in the proposal. As per Section 5.1.3.1 of the zoning by-law, uses accessory to a permitted use in O2 and O3 zones do not have to be associated with or exclusively devote to a main use on the property; they can operate independently on their own. While the zoning by-law does not permit uses accessory to be located in separate buildings, staff recognize the subject property will continue to function appropriately, as the ten separate buildings are existing conditions on the site.

Given the above, staff are of the opinion that the proposal contributes to orderly development of the subject property.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

Attached for the committees easy reference are photos of the noted site.











Comments Prepared by: Tony Iacobucci

## Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Minan Song, Zoning Examiner

## Appendix 3 – Region of Peel

### Minor Variance: A-24-314M / 30-110 Courtneypark Drive East & 75 Annagem Blvd.

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 Courtney Park 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 the policies found in s.5.6.19 as well as s.5.8 of the RPOP.

Comments Prepared by: Petrele Francois, Junior Planner

## Appendix 4 – Metrolinx

Metrolinx is in receipt of the Minor Variance application for 30-110 Courtneypark Dr E & 75 Annagem Blvd to permit non-employment uses that used to be permitted in the E1-15 zone (now zoned O2-5) (e.g. retail store, service establishment, financial institution, etc.) in a separate building from the permitted use (which in this case would be considered the restaurants and entertainment uses) with the total gross floor area of these additional uses capped at 30% of the total gross floor area of all permitted uses on site, as circulated on June 16th, 2024, and to be heard at Public Hearing on July 18th, 2024, at 1:00 PM. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 60m of the proposed Hazel McCallion LRT (formerly Hurontario LRT).

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GO/HEAVY-RAIL – ADVISORY COMMENTS

- At this stage Metrolinx doesn't have any major comments but any work within Metrolinx ROW or within 60 m of the Hazel McCallion LRT will require approval and coordination with Metrolinx through circulation by the City of Mississauga.
- Please be advised that Metrolinx/ our Technical Advisor would be a stakeholder providing comments on the comprehensive application of this site should future development be contemplated. Please continue to engage Metrolinx should future developments be contemplated on the subject site.
- As the requested variances have minimal impact on Metrolinx property, Metrolinx has no objections to the specified variances should the committee grant approval.

Construction Coordination (Advisory Comment)

- The applicant should be advised that Metrolinx and its contractors will be utilizing the Hurontario Street right-of-way, and its intersections, during the project's Construction Period. Based on the location of the subject property, there is potential for construction coordination and traffic staging conflicts.
  - Should construction of the Hazel McCallion LRT and the proposed development occur simultaneously, Metrolinx will require the developer to submit schedule or staging plans to coordinate access to both parties.

Should you have any questions or concerns, please contact [farah.faroque@metrolinx.com](mailto:farah.faroque@metrolinx.com).

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





# COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A489.23  
Ward: 5

REVISED

## 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 3151 Merritt 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 lot coverage of 38.65% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance;
2. A right side yard setback of 1.20m (approx. 3.94ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.81m (approx. 5.94ft) in this instance;
3. An eaves height of 7.00m (approx. 22.97ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance; and,
4. A gross floor area of 229.08sq m (approx. 2465.80sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 174.09sq m (approx. 1873.89sq ft) in this instance; and,
5. A rear yard setback of 4.86m (approx. 15.95ft) 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 18, 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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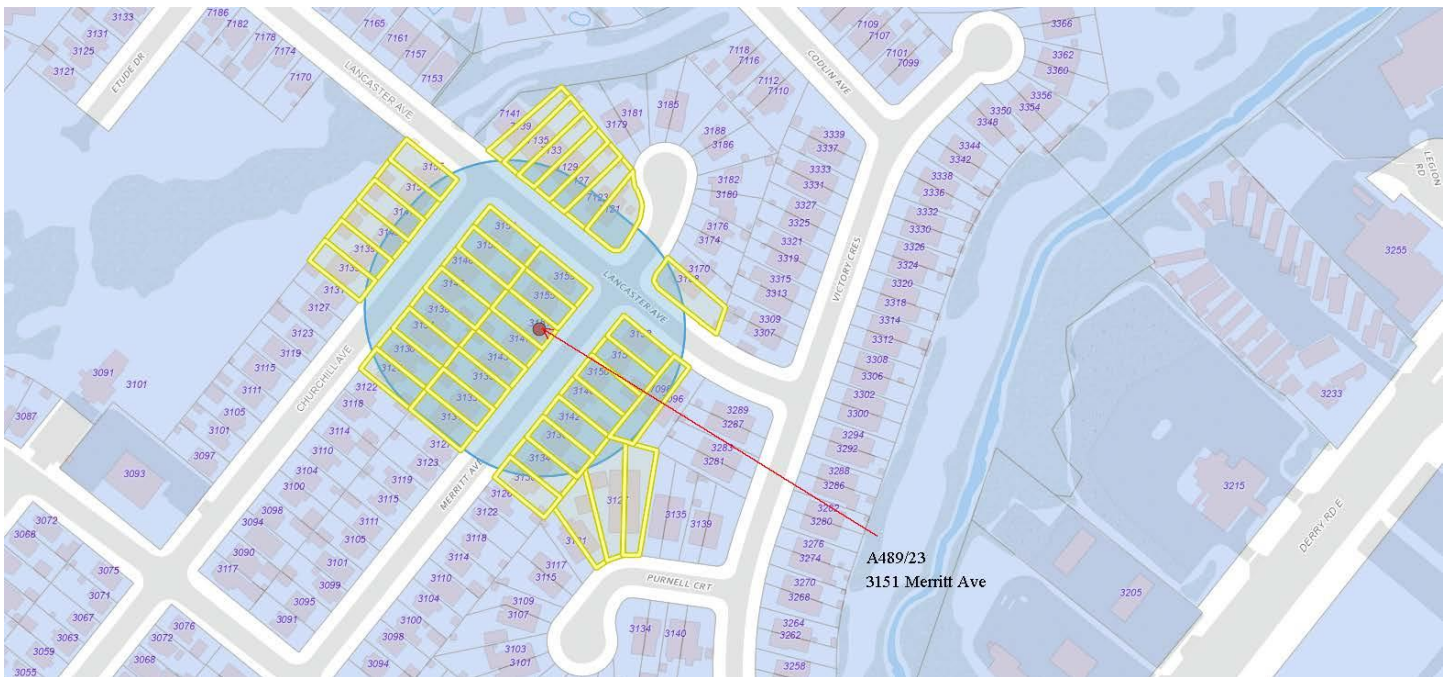
<http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>

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#### Committee of Adjustment Appeal Process:

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#### Legal notice:

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# City of Mississauga Department Comments

Date Finalized: 2024-07-10	File(s): A489.23
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2024-07-18 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 lot coverage of 38.65% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance;
2. A right side yard setback of 1.20m (approx. 3.94ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.81m (approx. 5.94ft) in this instance;
3. An eaves height of 7.00m (approx. 22.97ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance; and,
4. A gross floor area of 229.08sq m (approx. 2465.80sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 174.09sq m (approx. 1873.89sq ft) in this instance; and,
5. A rear yard setback of 4.86m (approx. 15.95ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 7.50m (approx. 24.61ft) in this instance.

## Recommended Conditions and Terms

Should the Committee see merit in the applicant's request, Planning staff recommend:

1. Construction related to this variance shall be in general conformance with the site plan and elevation drawings approved by the Committee.

## Background

**Property Address:** 3151 Merritt Ave

## Mississauga Official Plan

Character Area: Malton Neighbourhood  
Designation: Residential Low Density II

## Zoning By-law 0225-2007

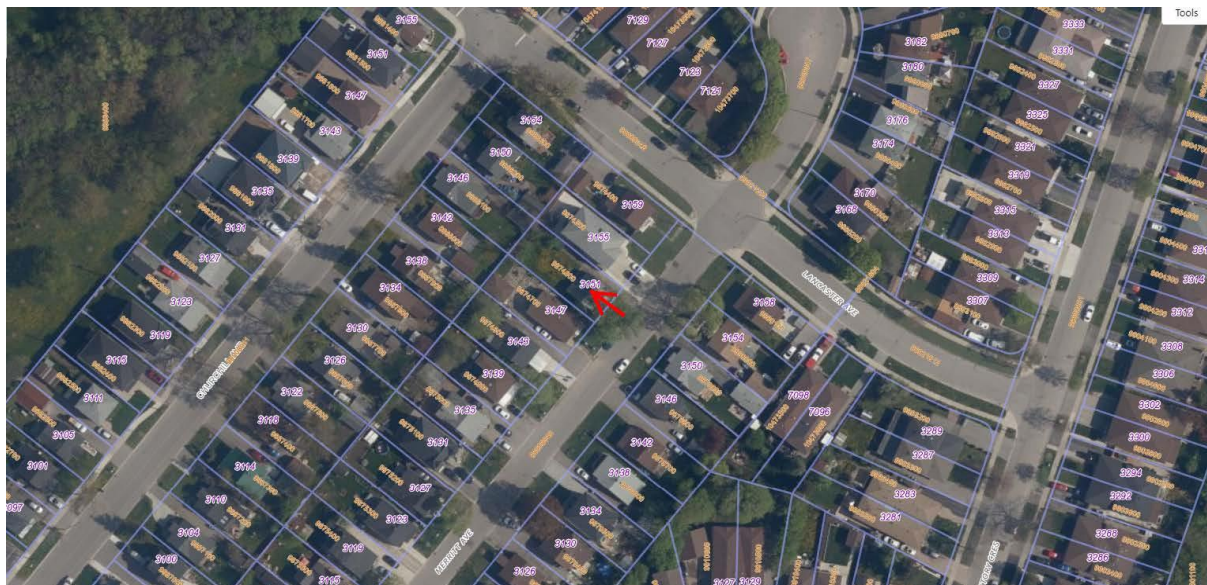
Zoning: R4-1- Residential

Other Applications: None

## Site and Area Context

The property is located north-east of the Derry Road East and Airport Road intersection in the Malton neighbourhood. The property currently contains a single storey detached dwelling and detached garage with minimal vegetation in both the front and rear yards. The subject property has a lot area of +/- 371.20m<sup>2</sup> (3,995.56ft<sup>2</sup>) and a lot frontage of +/- 12.19m (40ft). The built form of the surrounding neighbourhood consists of detached and semi-detached dwellings on similarly sized lots.

The applicant is proposing a new dwelling requiring variances for lot coverage, gross floor area, side and rear yard setbacks and eave height





## Comments

### Planning

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

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

Staff note there is only one new variance that has been added to the application from the previous Committee of Adjustment hearing on January 11<sup>th</sup>, 2024. Please note the comments from the previous report still apply and as such, staff are supportive of the proposed variances.

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.

Variance 5 pertains to a reduced rear yard setback. The intent of the rear yard provisions in the by-law is to ensure that there is a sufficient buffer between primary structures on abutting lots as well as an appropriate rear yard amenity area for the dwelling. The proposal represents the construction of a new dwelling, however the rear yard setback is triggered due to a one-storey dining nook that projects further into the rear yard. Staff note the rear yard setback to the dwelling without the projected dining nook would be 6.43m (21.09ft), which is considered negligible and in line with the planned character of the area. Staff are satisfied that the reduced rear yard setback will not cause any massing impacts to the abutting properties due to projection of the dwelling in the rear yard being limited to one-storey. Further, staff are satisfied that an appropriate buffer is maintained and that the rear yard amenity area is sufficient for the proposed development.

Given the above, Planning staff are of the opinion that the proposal meets the general intent and purpose of the official plan and zoning by-law. Additionally, the proposed development will have only minor impacts on the surrounding properties and the streetscape, and that the redevelopment of the dwelling represents appropriate development of the subject lands. The requests are appropriate for the site and do not negatively impact the planned character of the neighbourhood.

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**

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

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

Comments Prepared by: Minan Song, 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 Jamie Meston, Landscape Architect Assistant, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email [jamie.meston@mississauga.ca](mailto:jamie.meston@mississauga.ca).

Comments Prepared by: Jamie Meston, Landscape Architect Assistant

#### **Appendix 4 – Region of Peel**

Please apply previous comments.

Comments Prepared by: Petrele Francois, Junior Planner

#### **Appendix 5 – TRCA**

This letter acknowledges receipt of the second circulation for the subject application, received on June 18, 2024 and revised notice on June 19, 2024. Toronto and Region Conservation Authority (TRCA) staff have reviewed this application and the circulated materials listed in Appendix A to this letter in accordance with the Conservation Authorities Act, which requires TRCA to provide programs and services related to the risk of natural hazards within its jurisdiction. With respect to Planning Act matters, conservation authorities have a role to ensure that decisions under the Planning Act are consistent with the natural hazard policies of the Provincial Policy Statement (PPS) and conform to any natural hazard policies in a provincial plan.

In addition, TRCA staff have also reviewed this application in accordance with Ontario Regulation 41/24. Where development activity is proposed, within a regulated area, a permit is required to ensure that it conforms to the applicable tests for implementation of the regulation.

The subject property is located within TRCA's Regulated Area of the Mimico Creek Watershed. Specifically, a small portion (within the rear yard) of the subject land is located within the Regulatory Flood Plain associated with a tributary of the Mimico Creek. In addition, the presence of the Regulatory Flood Plain spill area is noted adjacent to the front of the property



but off-lot. As such, a TRCA permit pursuant to Ontario Regulation 41/24 is required from this Authority prior to any development and/or site alteration taking place on the property.

### **Purpose of the Application**

The purpose of Minor Variance Application assigned City File No. A489.23 is to allow the construction of a new house proposing:

1. *A lot coverage of 38.65% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% in this instance;*
2. *A right side yard setback of 1.20m (approx. 3.94ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.81m (approx. 5.94ft) in this instance;*
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5. *A rear yard setback of 4.86m (approx. 15.95ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 7.50m (approx. 24.61ft) in this instance. [2nd submission change]*

It is our understanding that the requested variances are required to facilitate the replacement of an existing (67.64 sq. m. Gross Floor Area) detached house with a larger (229.08 sq. M. GFA) detached house. The proposed works also include the development of a rear yard below grade entrance, two bedrooms in the basement, front yard driveway, side yard walkway, *minor grading* and front covered porch.

### **Background**

On January 9, 2024, TRCA provided comments on the first circulation of Minor Variance **A489.23** to facilitate the replacement of an existing (67.64 sq.m. Gross Floor Area) detached house with a larger (229.08 sq.m GFA) detached house. The proposed works also include the development of a rear yard below grade entrance, two bedrooms in the basement, front yard driveway, side yard walkway, and front covered porch. Here TRCA staff recommend deferral to provide an opportunity for the applicant to revise the replacement dwelling and address TRCA's staff concerns through the permitting process.

On June 25, 2024, the applicant obtained a TRCA permit (PER-DPP-2024-00088) pursuant to Ontario Regulation 41/24 for the proposed works. The new larger dwelling is no closer than the existing one to the Regulatory flood plain in the front of the lot. As such, there will be no impact on the storage or conveyance of floodwaters.

### **Application Specific Comments**

Based on our latest preliminary 2D modeling results, a small portion of the rear yard of the subject property is located within the Regulatory Flood Plain. The rear yard maximum Water Surface Elevation is 168.12masl at the subject property.

Based on the spot elevations provided during the permitting application process, the floodplain is located roughly perpendicular to the north-eastern corner, and as such the proposed works are not located within the Regulatory flood plain. Further, the new larger replacement dwelling is no closer to the floodplain in the front yard than the existing house.

Given the location of the floodplain in the rear yard, it is not possible to achieve the 10m buffer as the building is presently proposed. Given the floodplain constraints, TRCA is open to being flexible and allow the proposed footprint which is less than a 10m setback from the flood line. Architectural elevations for all sides of the building, which show a vertical buffer of 0.3m above the flood elevation for a total elevation of 168.42masl, were provided to support the proposed building.

### **Recommendation**

TRCA's staff have **no objection** to the approval of Minor Variance Application assigned City File No. **A489.23 at 3151 Merritt Avenue**.

A TRCA permit pursuant to Ontario Regulation 41/24 may be required for any future works on the subject property.

### **Fee**

TRCA staff thank the applicant for their prompt payment of the required planning review fee of \$660.00 received on January 5, 2024 during the 1st circulation of this minor variance application.

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

Comments Prepared by: Marina Janakovic, Planner I



# COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A212.24  
Ward: 3

## 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 1331 Crestlawn Dr Unit C, zoned E2 - Employment & C3-1 - Commercial, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a change of use proposing 329 parking spaces on site whereas By-law 0225-2007, as amended, requires a minimum of 476 parking spaces on site in this instance.

The Committee has set **Thursday, July 18, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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### Additional Information:

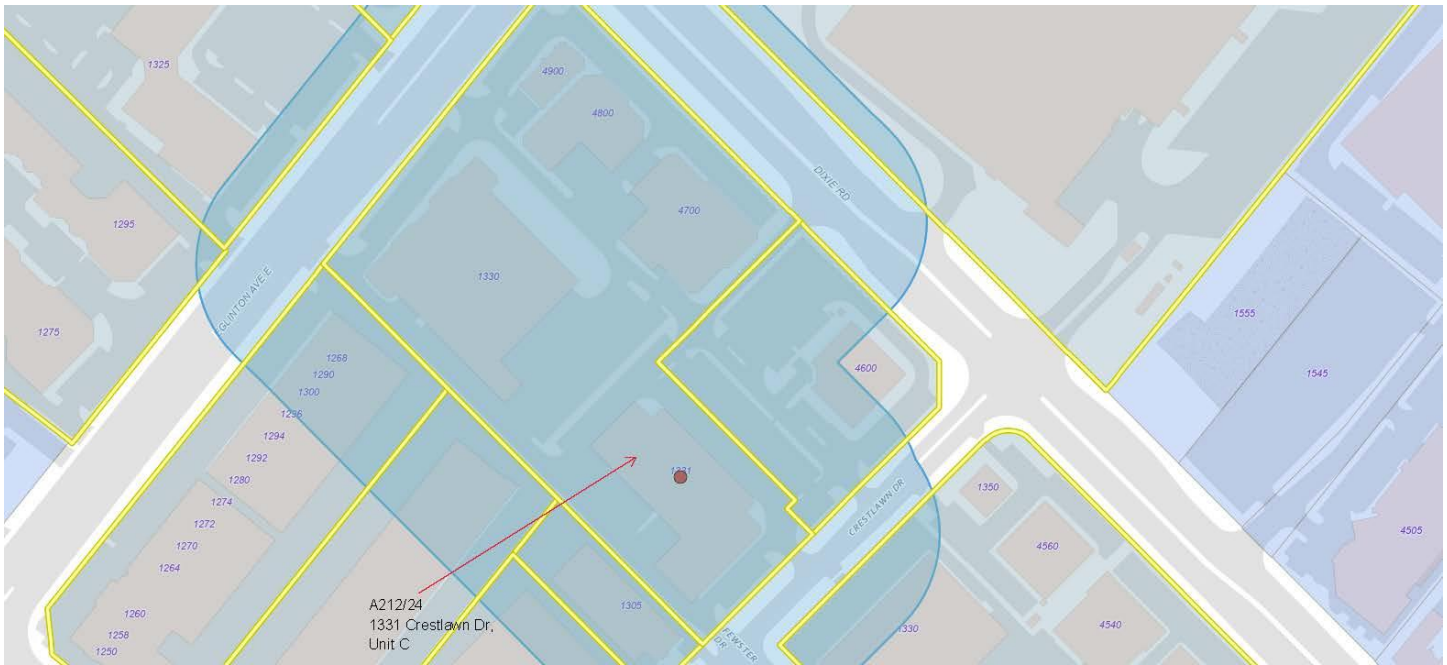
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# City of Mississauga Department Comments

Date Finalized: 2024-07-10	File(s): A212.24
To: Committee of Adjustment	Ward: 3
From: Committee of Adjustment Coordinator	Meeting date:2024-07-18 1:00:00 PM

## Consolidated Recommendation

The City has no objection to the application.

## Application Details

The applicant requests the Committee to approve a minor variance to allow a change of use proposing 329 parking spaces on site whereas By-law 0225-2007, as amended, requires a minimum of 476 parking spaces on site in this instance.

## Background

**Property Address:** 1331 Crestlawn Dr Unit C

### Mississauga Official Plan

Character Area: Northeast Employment Area (West)  
Designation: Business Employment & Mixed Use

### Zoning By-law 0225-2007

**Zoning:** E2 - Employment & C3-1 - Commercial

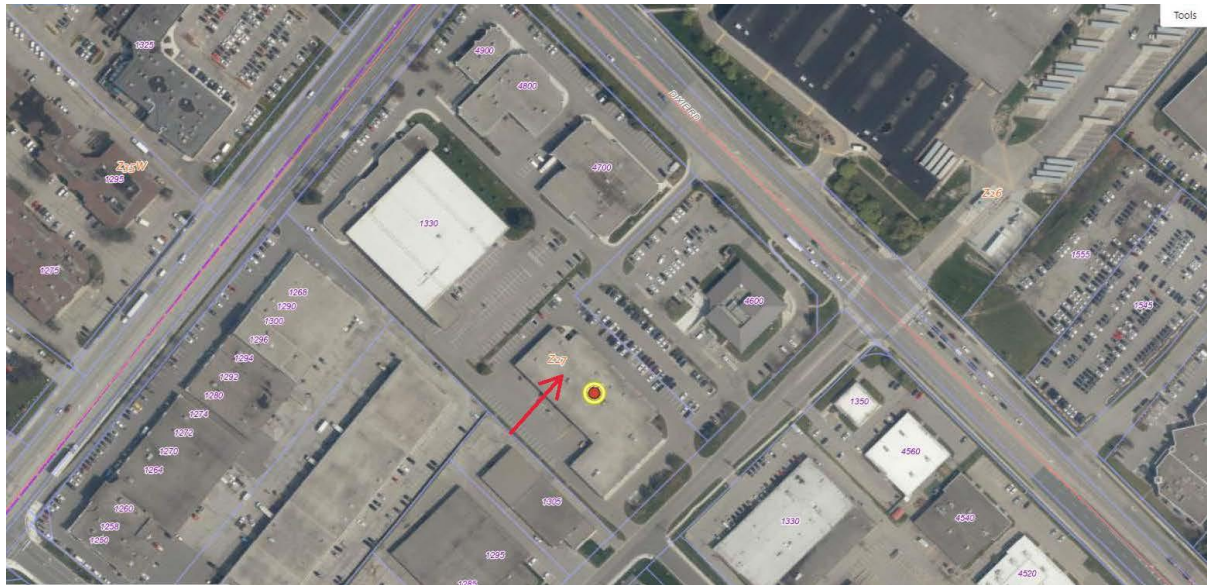
**Other Applications:** None

### Site and Area Context

The subject property is a multi-pad, multi-tenant commercial plaza located on the south-west corner of the Eglinton Avenue East and Dixie Road intersection. The subject plaza contains 5 different buildings with separate municipal addresses. The immediate neighbourhood consists

of a mixture of commercial, employment and industrial uses. Minimal vegetation exists in the form of urban street trees.

The applicant is proposing a new recreational facility and restaurant use, requiring a variance for a reduction in parking 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:

The subject property is located in the Northeast Employment Area (West) Character Area and is designated Business Employment and Mixed Use in Schedule 10 of the Mississauga Official Plan (MOP). Section 8.4 of the official plan contemplates potential reductions in parking requirements and alternative parking arrangements in appropriate situations.

Previously, a parking variance for 1330 Eglinton Avenue East on the subject plaza was approved by the Committee of Adjustment on April 15, 2021 for a similar parking deficiency.

The sole variance requested proposes a reduction in parking spaces for the recreation facility and restaurant. The intent of the zoning by-law 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.

Planning staff note that the Cutting Red Tape to Build More Home Act, 2024 (Bill 185) received royal assent on June 6<sup>th</sup>, 2024. The Province of Ontario restricts municipal councils from approving official plans or enacting zoning by-laws requiring parking in Protected Major Transit Station Areas. Planning staff note the minor variance is not required due to the proclamation of Bill 185. Therefore, Planning staff have no objection to the proposed variance.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

Enclosed are photos of the subject property.







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: Minan Song, Zoning Examiner

## **Appendix 3 – Region of Peel**

Please apply previous comments.

Comments Prepared by: Petrele Francois, Junior Planner