
Committee of Adjustment

Date: July 25, 2024
Time: 1:00 PM
Location: Online Video Conference

Members

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

Contacts

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

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

Send written submissions or request notification of future meetings to:

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

Requests to speak virtually:

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

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1. CALL TO ORDER
 2. DECLARATION OF CONFLICT OF INTEREST
 3. DEFERRALS OR WITHDRAWALS
 4. MATTERS TO BE CONSIDERED
 - 4.1 A173.24
4199 Garnetwood Chase (Ward 3)
 - 4.2 A274.24
10 Sora Dr (Ward 11)
 - 4.3 A288.24
1617 Birchwood Dr (Ward 2)
 - 4.4 A294.24
7260 Milano Court (Ward 11)
 - 4.5 A299.24
1057 Dixie Road (Ward 1)
 - 4.6 A305.24
3186 Owls Foot Dr (Ward 10)
 - 4.7 A313.24
723 Lakeshore Rd E (Ward 1)
 - 4.8 A316.24
3440 Wolfedale Road (Ward 6)
 - 4.9 A317.24
1176 Tecumseh Park Drive (Ward 2)
 - 4.10 A318.24
1060 Meyerside Drive (Ward 5)
 - 4.11 A319.24
263 Lakeshore Rd E (Ward 1)
 - 4.12 A320.24
2139 Portway Ave (Ward 8)

- 4.13 A321.24
 2099 Stavebank Road (Ward 7)
- 4.14 A322.24
 3261 Michaud Ave (Ward 5)
- 4.15 A323.24
 1639 Lakeshore Rd W (Ward 2)
- 4.16 A361.24
 5015-5027 Spectrum Way & 5030-5050 Satellite Drive (Ward 5)

5. **OTHER BUSINESS**

6. **ADJOURNMENT**



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A173.24
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 4199 Garnetwood Chase, zoned R3-Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a below grade entrance proposing an interior side yard setback of 0.30m (approx. 0.98ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.21m (approx. 3.97ft) in this instance.

The Committee has set **Thursday, July 25, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

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

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Additional Information:

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

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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/>.



City of Mississauga Department Comments

Date Finalized: 2024-07-17	File(s): A173.24 Ward: 3
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-07-25 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

The applicant requests the Committee to approve a minor variance to allow a below grade entrance proposing an interior side yard setback of 0.30m (approx. 0.98ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.21m (approx. 3.97ft) in this instance.

Background

Property Address: 4199 Garnetwood Chase

Mississauga Official Plan

Character Area: Rathwood Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3-Residential

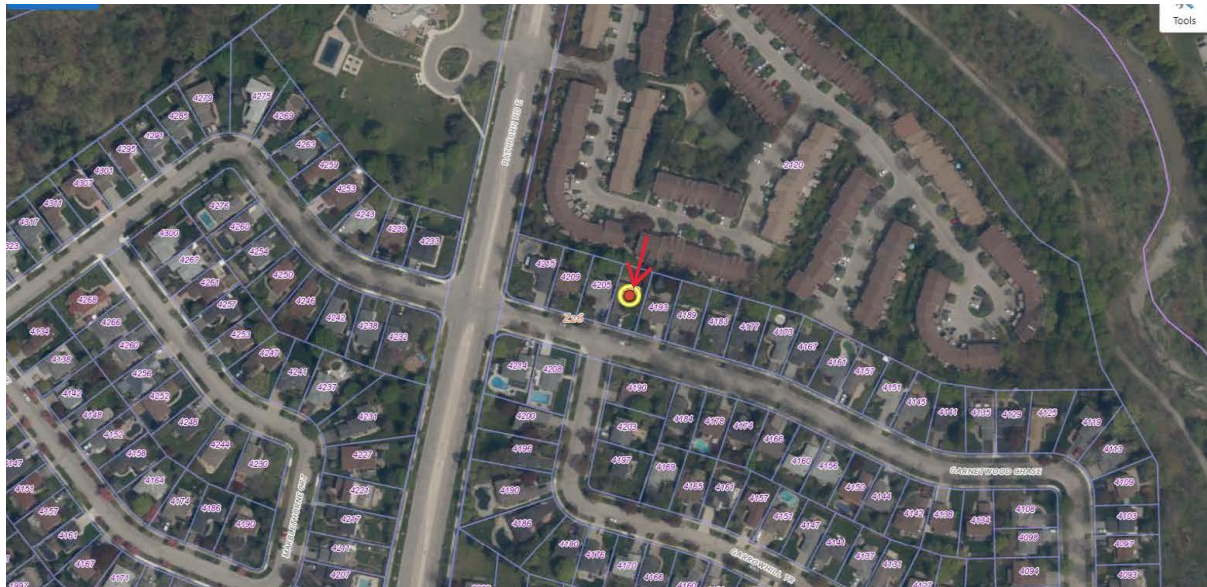
Other Applications: SEC UNIT 23-8209

Site and Area Context

The subject property is located north-east of the Rathburn Road East and Ponytrail Drive intersection in the Rathwood Neighbourhood Character Area. It is an interior lot containing a two-storey detached dwelling with an attached garage. Limited landscaping is present on the subject property with mature vegetation in the rear yard. The surrounding context is

predominantly residential, consisting of detached, semi-detached, townhouse and apartment dwellings.

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



Comments

Planning

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

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

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

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

City Department and Agency Comments	File:A173.24	2024/07/17	3
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Staff are therefore of the opinion that the application maintains the general intent and purpose of both the official plan and zoning by-law, is minor in nature and represents appropriate development of the subject property.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We note that any Transportation and Works Department requirements for the proposed below grade entrance will be addressed through the Building Permit Process. We are also noting from our site inspection that we foresee no drainage related concerns with the location of the proposed side entrance.





Comments Prepared by: Mike Russo, Development Engineering

Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application 23-8209. 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: Sibila Lass Weldt, 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.

Comments Prepared by: Jamie Meston, Landscape Architect Assistant

Appendix 4 – Region of Peel

Minor Variance Application: A-24-173M / 4199 Garnetwood Chase

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

Comments:

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

Comments Prepared by: Petrele Francois, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A274.24
Ward: 11

Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 10 Sora Dr, zoned R2-50 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house on the subject property proposing:

1. A lot coverage of 25.18% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot area of 25.00% of the lot area in this instance;
2. A gross floor area - infill residential of 375.94sq.m (approx. 4,046.58sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area - infill residential of 306.12sq.m (approx. 3,295.05sq.ft) in this instance; and
3. A height measured to the eaves of 7.09m (approx. 23.26ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

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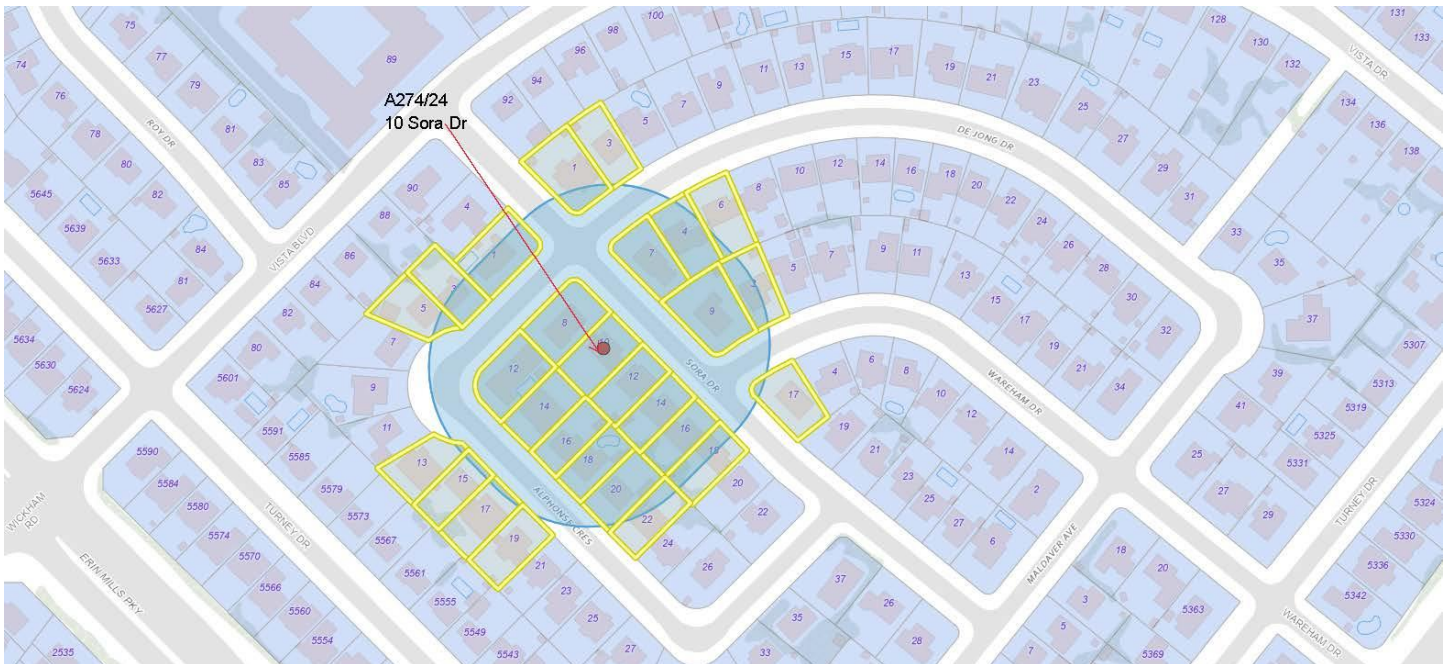
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**Legal notice:**

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

City of Mississauga Department Comments

Date Finalized: 2024-07-17	File(s): A274.24 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-07-25 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 on the subject property proposing:

1. A lot coverage of 25.18% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot area of 25.00% of the lot area in this instance;
2. A gross floor area - infill residential of 375.94sq.m (approx. 4,046.58sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area - infill residential of 306.12sq.m (approx. 3,295.05sq.ft) in this instance; and
3. A height measured to the eaves of 7.09m (approx. 23.26ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

Background

Property Address: 10 Sora Dr

Mississauga Official Plan

Character Area: Streetsville Neighbourhood
Designation: Residential Low Density I

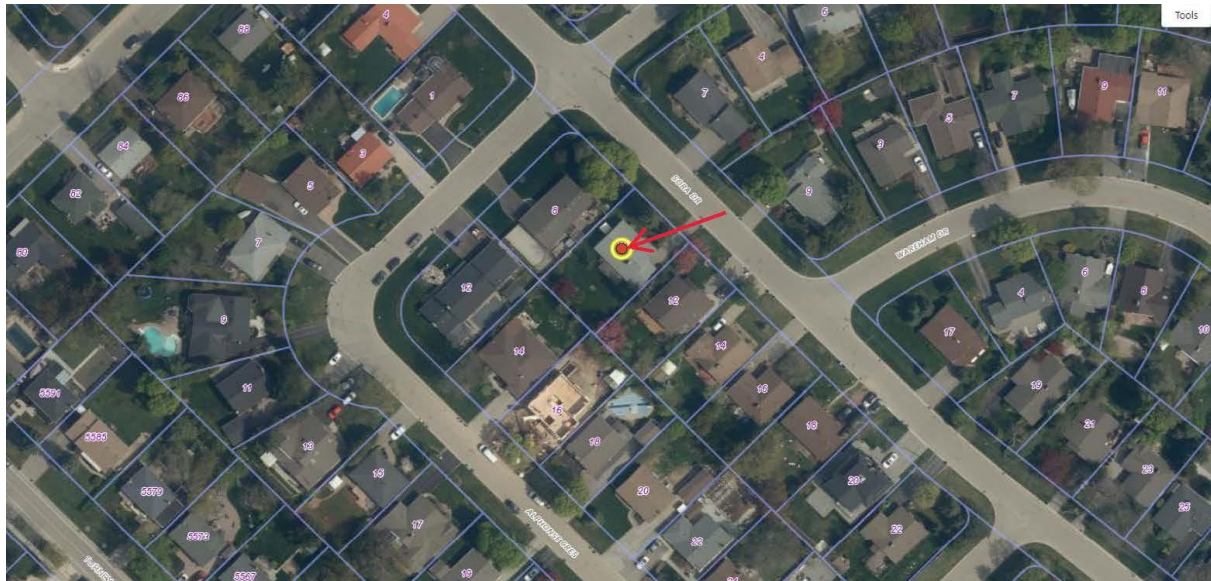
Zoning By-law 0225-2007

Zoning: R2-50 - Residential

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

The property is located north-east of the Erin Mills Parkway and Thomas Street intersection and currently houses a single-storey detached dwelling. Contextually, the surrounding neighbourhood consists exclusively of detached dwellings. The subject property is an interior lot with a lot area of approximately +/- 779.94m² (8,395.20ft²) and a lot frontage of approximately +/- 21.34m (70.01ft). Properties in the immediate area are of similar sizes with moderate vegetative / natural landscaped elements within the front yards.

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

**Comments****Planning**

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

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

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

The subject property is located in the Streetsville Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. Staff are satisfied that the proposal is compatible with the surrounding context and is appropriate given site conditions. 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 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 are satisfied that the variance is negligible, does not represent an overdevelopment of the subject property and is generally in line with both original and newer dwellings in the area.

Variance 2 requests an increase in gross floor area. The intent in restricting gross floor area is to maintain compatibility between existing and new dwellings and ensuring that the existing and planned character of a neighbourhood is preserved. The gross floor area requests a moderate increase that is in line with new builds in the surrounding area and will not create a significant massing impact above the as of right permissions of the property. Staff further note the total gross floor area calculated by the applicant does not include the reduction of the open to below area on the second floor. The drawings submitted depict a total open to below area of 6.12m² (65.87ft²), thereby reducing the proposed gross floor area from 375.94m² (4,046.58ft²) to 369.82m² (3,980.67ft²). Staff are therefore satisfied that the gross floor area represents an appropriate balance between the existing and planned character of the area in this instance.

Variance 3 relates to the height of eaves. The intent in restricting height to the eaves is to lessen the visual massing of the dwelling by bringing the edge of the roof closer to the ground. This keeps the height of the dwelling within human scale. Further, staff note the dwelling design encompasses various eave heights and architectural features that will break up the overall massing of the dwelling. The proposal requests a minor increase in eave height that does not have a significant impact on the massing of the dwelling. Furthermore, staff also note that the application does not include an overall height variance, which keeps the overall massing within scale.

Given the above, Planning staff are of the opinion that the application maintains the general intent and purpose of the zoning by-law.

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

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

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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









Comments Prepared by: Mike Russo, 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.
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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.

Comments Prepared by: Jamie Meston, Landscape Architect Assistant

Appendix 4 – Region of Peel

Minor Variance: A-24-274M / 10 Sora Drive

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

Comments:

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing

service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.

- All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel design specifications. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.
- Installation of and alterations to property line water valves and chambers and sanitary/storm sewer maintenance holes require inspection by Region of Peel inspectors to confirm if these works are completed in accordance with Region of Peel Design Criteria, Standards, and Specifications.
- Proposals to connect to an existing service lateral require approval from a Region of Peel inspector at construction stage.
- The applicant shall verify the location of the existing service connections to the subject site and the contractor shall locate all existing utilities in the field. Requests for underground locates can be made at <https://www.ontarioonecall.ca/portal/>. For location of existing water and sanitary sewer infrastructure please contact Records by e-mail at PWSERVICERequests@peelregion.ca

Comments Prepared by: Petrele Francois, Junior Planner

Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 1617 Birchwood Dr, zoned R2-5 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow modifications to the under construction dwelling proposing:

1. A combined width of access points for a circular driveway of 11.03m (approx. 36.19ft) whereas By-law 0225-2007, as amended, permits a maximum combined width of access points for a circular driveway of 8.50m (approx. 27.89ft) in this instance; and
2. 2 kitchens whereas By-law 0225-2007, as amended, permits a maximum of 1 kitchen in this instance.

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- **In person:** This hearing is being held virtually. Please see the options below for electronic participation. If holding an electronic rather than an in person hearing is likely to cause a party significant prejudice, a written request may be made to have the Committee consider holding an in person hearing on an application. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30pm the Monday prior to the hearing. The request can be emailed to committee.adjustment@mississauga.ca or mailed to the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. If a party does not submit a request and does not participate in the hearing the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.
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City of Mississauga Department Comments

Date Finalized: 2024-07-17	File(s): A288.24
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2024-07-25 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 meets the requirements of Section 45(1) of the Planning Act. The applicant may wish to defer the application to ensure the accuracy of the requested variances and that additional variances are not required.

Application Details

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

1. A combined width of access points for a circular driveway of 11.03m (approx. 36.19ft) whereas By-law 0225-2007, as amended, permits a maximum combined width of access points for a circular driveway of 8.50m (approx. 27.89ft) in this instance; and
2. 2 kitchens whereas By-law 0225-2007, as amended, permits a maximum of 1 kitchen in this instance.

Background

Property Address: 1617 Birchwood Dr

Mississauga Official Plan

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

Zoning By-law 0225-2007

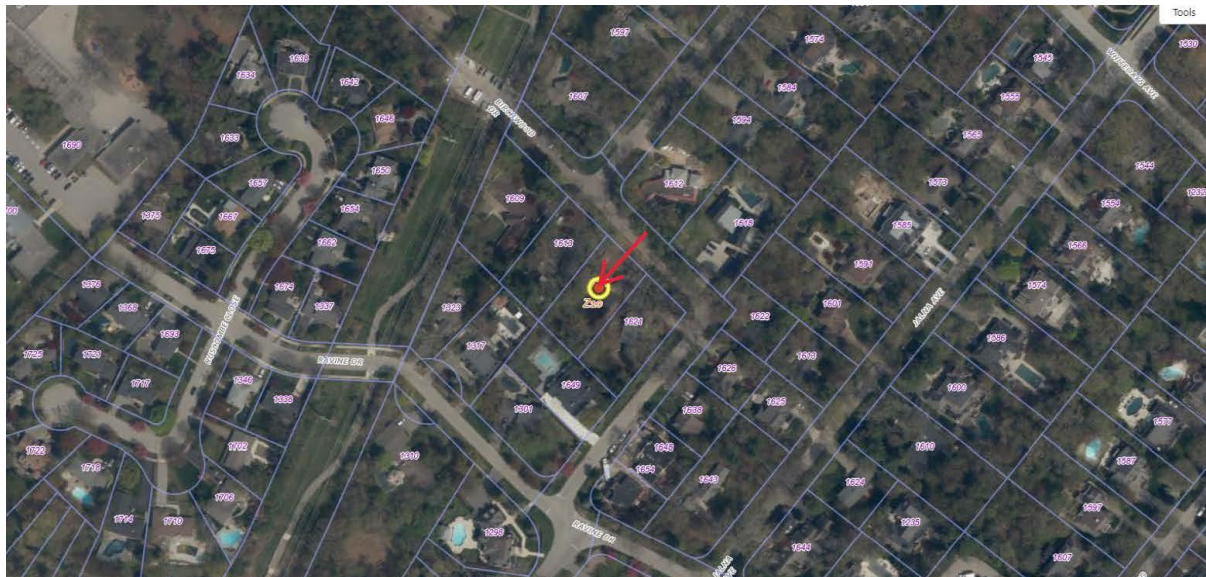
Zoning: R2-5 - Residential

Other Applications: Preliminary Zoning Review application PREAPP 24-1451

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southeast of the Clarkson Road North and Truscott Drive intersection. The immediate neighbourhood is residential, consisting primarily of one and two-storey detached dwellings on large lots with mature vegetation in the front yards. The subject property contains an under construction two-storey detached dwelling with limited vegetation in the front yard.

The application is proposing modifications to the dwelling requesting variances for the combined width of the access points of the circular driveway and the number of kitchens.



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 within the Clarkson-Lorne Park Neighbourhood Area and is designated Residential Low Density I. The Residential Low Density I designation permits only detached dwellings in this area. The proposal respects the designated and surrounding land uses. 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.

Variances #1 pertains to the combined width of point of access for the circular driveway. The zoning by-law permits circular driveways on lots that have a minimum frontage of 22.50m (73.81ft). Staff note that the subject property meets the required lot frontage (30.48m or 100ft) for a circular driveway and that larger driveways are not out of character for the neighbourhood. Furthermore, the proposed driveway does not require additional variances for setbacks or soft landscaping.

Variance #2 pertains to the number of permitted kitchens. The original intent of the restriction on second kitchens was to restrict the creation of second dwelling units. Given the implementation of second unit policies as well as new provincial and municipal legislation regulating three and four dwelling units as of right, the addition of a second kitchen is minor in nature.

Given the above, Planning 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, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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

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

Comments Prepared by: John Salvino, Development Engineering Technologist





Appendix 2 – Zoning Comments

The Building Department processed a Preliminary Zoning Review application PREAPP 24-1451. Based on review of the information available in this application, we advise the following requested variance is correct:

1. A combined width of access points for a circular driveway of 11.03m (approx. 36.19ft) whereas By-law 0225-2007, as amended, permits a maximum combined width of access points for a circular driveway of 8.50m (approx. 27.89ft) in this instance;

We also advise additional information is required in order to verify the accuracy of the remaining variance or determine whether additional variance(s) will be required.

Please note that comments reflect those provided through the above application submitted on 05/08//2024. These comments may no longer be valid should there be changes contained within this Committee of Adjustment application that have not been submitted and reviewed through the application noted above. The applicant must submit any changes and/or updates to

information and/or drawings separately through the above application in order to receive updated comments.

Comments Prepared by: Jeanine Benitez, Zoning Examiner

Appendix 3 – 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 Neebin Park (P-443), zoned OS1 – Open Space – Community Park.

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

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

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

Comments Prepared by: Nicholas Rocchetti, Planner in Training

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.

Comments Prepared by: Jamie Meston, Landscape Architect Assistant

Appendix 4 – Region of Peel

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A294.24
Ward: 11

Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 7260 Milano Court, zoned R11- 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 deck proposing a lot coverage of 43.22% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40.00% in this instance.

The Committee has set **Thursday, July 25, 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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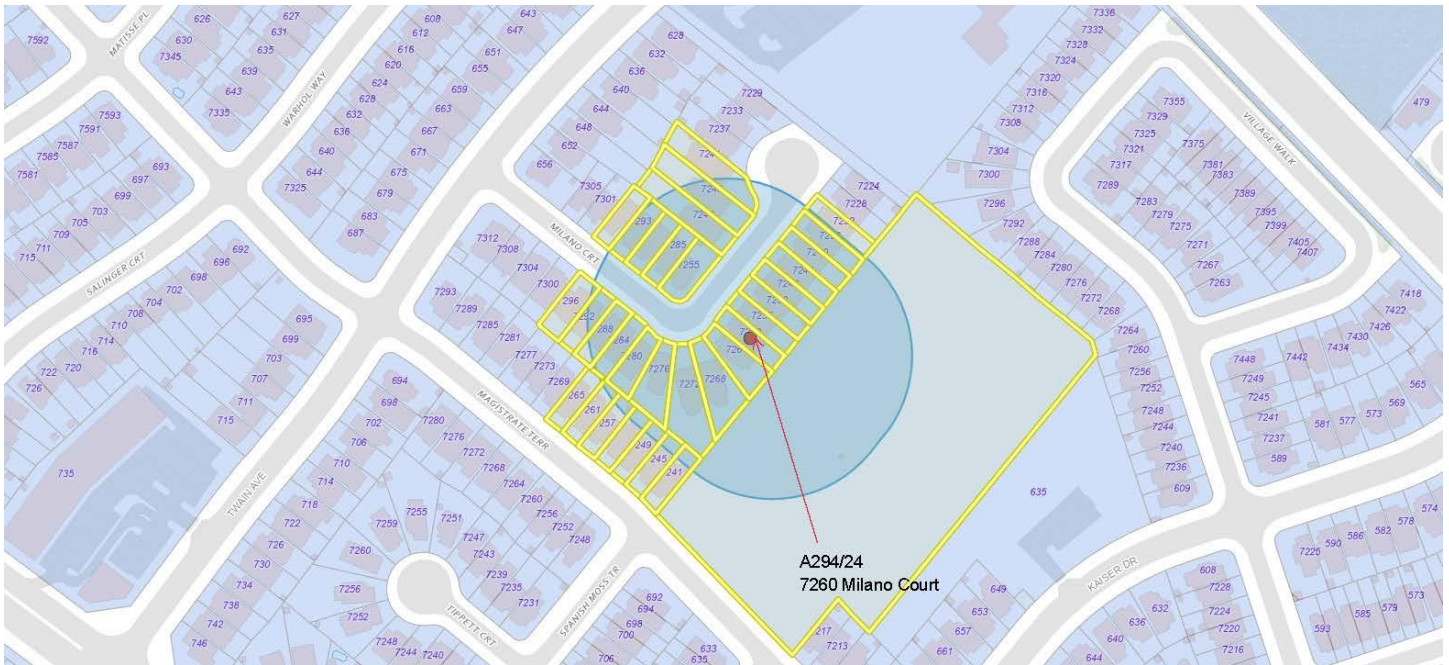
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City of Mississauga Department Comments

Date Finalized: 2024-07-17	File(s): A294.24 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-07-25 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a deck proposing a lot coverage of 43.22% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40.00% in this instance.

Background

Property Address: 7260 Milano Court

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R11- Residential

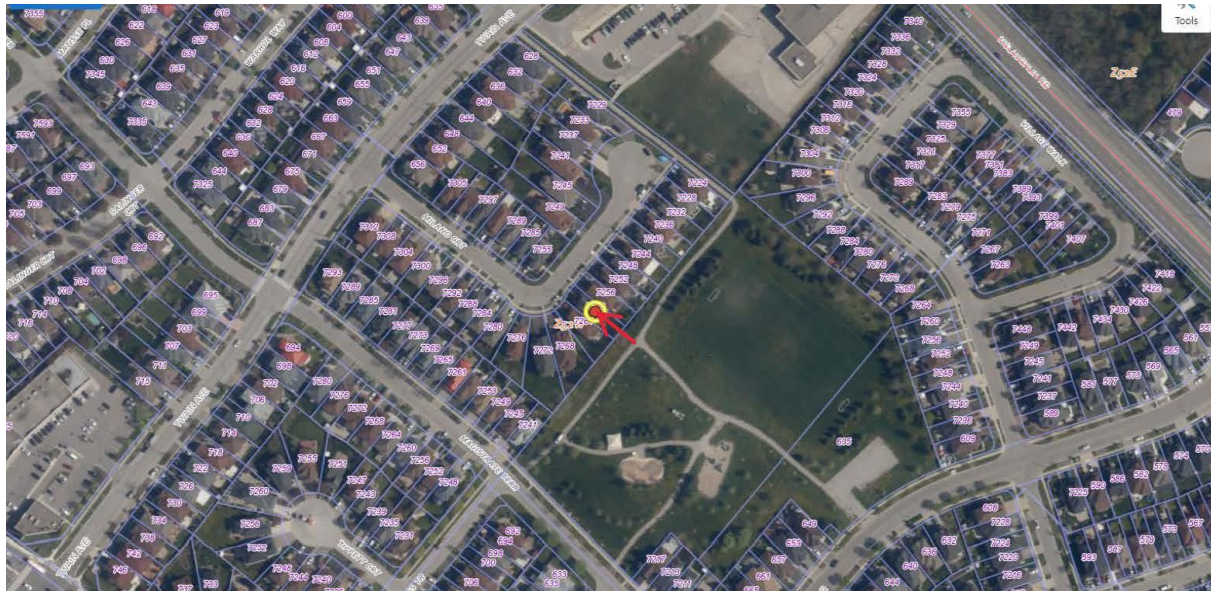
Other Applications: BP 9ALT 23-7584

Site and Area Context

The subject property is located north-west of the Derry Road West and McLaughlin Road intersection in the Meadowvale Village Neighbourhood Character Area. It is an interior lot containing a two-storey detached dwelling with an attached garage. Limited landscaping and vegetation is present on the subject property. The surrounding context is predominantly

residential, consisting of detached dwellings. Additionally, Neebin Park abuts the subject property to the rear.

The applicant is proposing to construct a deck 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 Meadowvale Village Neighbourhood Character Area 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 and existing character of the area.

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 accounts for 36.55% of the total lot coverage on the subject property while the remaining 6.67% will be attributed to the proposed rear yard deck. Staff are of the opinion that this additional lot coverage will have no significant impact on the

City Department and Agency Comments	File:A294.24	2024/07/17	3
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surrounding properties and no additional variances for setbacks have been requested. Staff are satisfied that proposal does not contribute to an overdevelopment of the lot or create any massing impacts on abutting properties. It is staff's opinion that the variances requested are in keeping with the neighbourhood and are minor in nature.

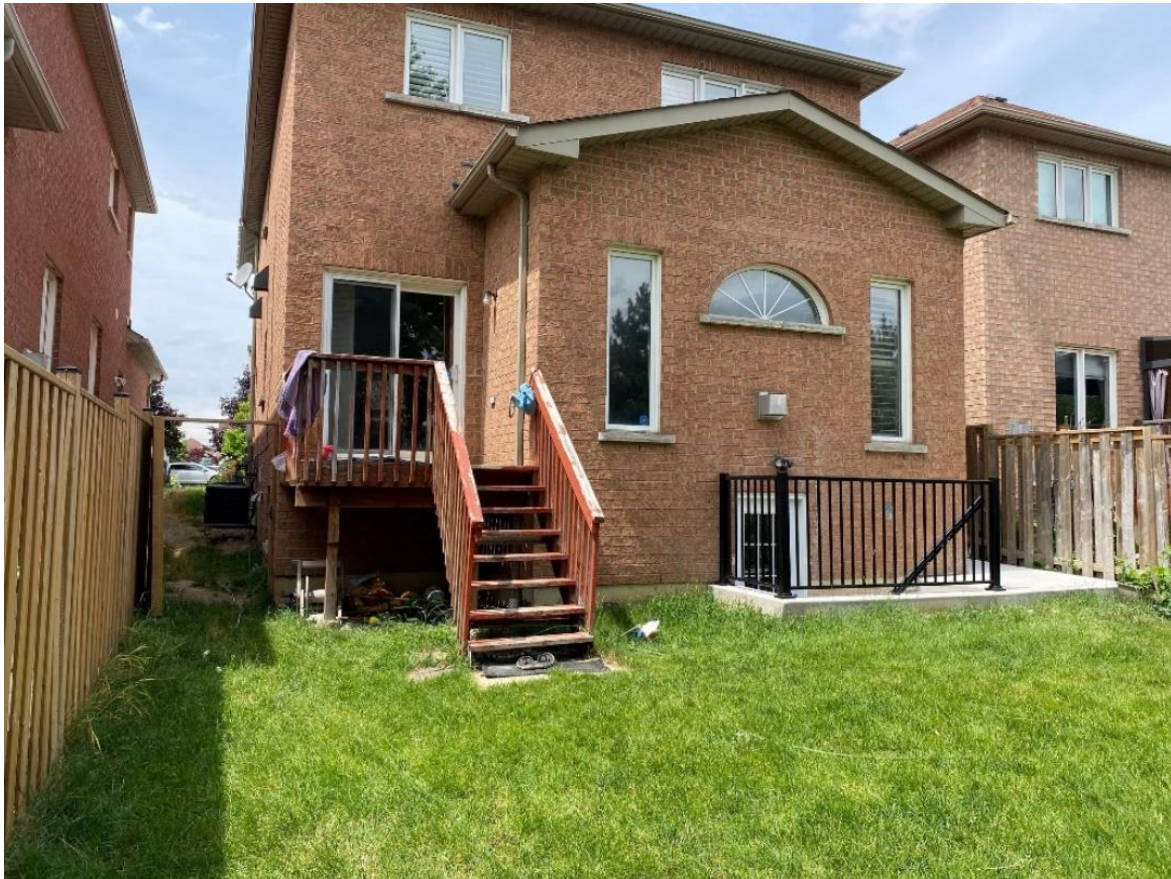
Given the above, staff are satisfied the proposal maintains the general intent and purpose of the official plan and zoning by-law, is minor in nature and contributes to orderly development for the subject property.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

From our site inspection of this property we observed no drainage related concerns with the rear deck.



Comments Prepared by: Mike Russo, Development Engineering

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file BP 9ALT 23-7584. Based on review of the information currently available in this permit application, the variances, as requested are correct.

Please note that comments reflect those provided through the above permit application and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these comments may no longer be valid. Any changes and/or updates to information and/or drawings

must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Tage Crooks, Planner Zoning Examination

Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A299.24
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 1057 Dixie Road, zoned R3-75-Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing:

1. A height to the highest ridge of 10.20m (approx. 33.47ft) whereas By-law 0225-2007, as amended, permits a maximum height to the highest ridge of 9.50m (approx. 31.17ft) in this instance;
2. A lot coverage of 46.52% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
3. An exterior side yard setback of 1.25m (approx. 4.10ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 6.00m (approx. 19.69ft) in this instance;
4. An exterior side yard setback from the garage face of 0.53m (approx. 1.74ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback from the garage face of 6.00m (approx. 19.69ft) in this instance;
5. An interior side yard setback of 0.91m (approx. 2.99ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.81m (approx. 5.94ft) in this instance;
6. A rear yard setback of 0.91m (approx. 2.99ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 3.00m (approx. 9.84ft) in this instance;
7. A westerly awning encroachment into the front yard of 1.55m (approx. 5.09ft) whereas By-law 0225-2007, as amended, permits a maximum awning encroachment into the front yard of 0.61m (approx. 2.00ft) in this instance;
8. 2 driveways whereas By-law 0225-2007, as amended, permits a maximum of 1 driveway in this instance;
9. An attached garage area of 83.61sq m (approx. 899.98sq ft) whereas By-law 0225-2007, as amended, permits a maximum attached garage area of 75.00sq m (approx. 807.30sq ft) in this instance;
10. A detached garage area of 103.96sq m (approx. 1119.03sq ft) whereas By-law 0225-2007, as amended, permits a maximum detached garage area of 75.00sq m (approx. 807.30sq ft) in this instance;
11. A detached garage lot coverage of 17.00% whereas By-law 0225-2007, as amended, permits a maximum detached garage lot coverage of 10.00% in this instance;
12. A detached garage height of 8.90m (approx. 29.20ft) whereas By-law 0225-2007, as amended, permits a maximum detached garage height of 4.60m (approx. 15.09ft) in this instance;
13. A detached garage eaves height of 6.70m (approx. 21.98ft) whereas By-law 0225-2007, as amended, permits a maximum detached garage eaves height of 3.00m (approx. 9.84ft) in this instance;
14. An exterior side yard setback for the detached garage of 0.53m (approx. 1.74ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback for the detached garage of 0.61m (approx. 2.00ft) in this instance; and,
15. A westerly eaves encroachment for the dwelling of 1.55m (approx. 5.09ft) whereas By-law 0225-2007, as amended, permits a maximum eaves encroachment for the dwelling of 0.45m (approx. 1.48ft) in this instance.

The Committee has set **Thursday, July 25, 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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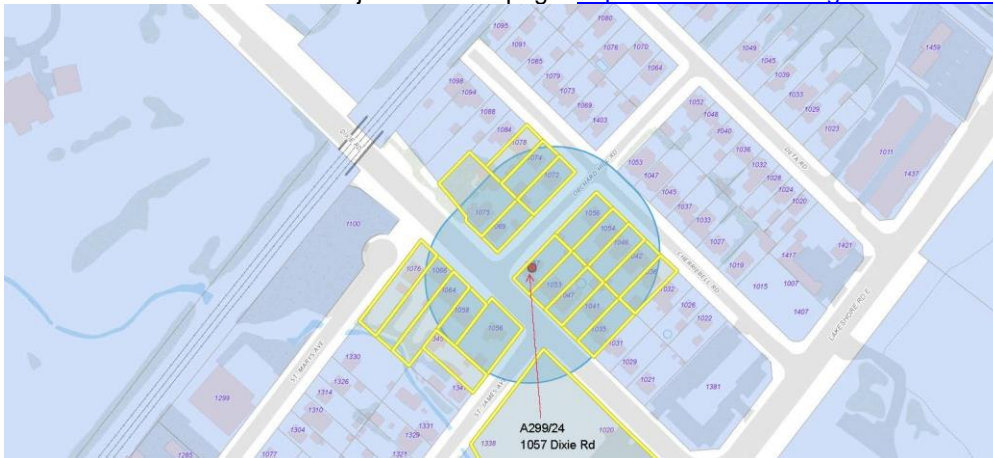
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City of Mississauga Department Comments

Date Finalized: 2024-07-17	File(s): A299.24 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-07-25 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

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

1. A height to the highest ridge of 10.20m (approx. 33.47ft) whereas By-law 0225-2007, as amended, permits a maximum height to the highest ridge of 9.50m (approx. 31.17ft) in this instance;
2. A lot coverage of 46.52% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
3. An exterior side yard setback of 1.25m (approx. 4.10ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 6.00m (approx. 19.69ft) in this instance;
4. An exterior side yard setback from the garage face of 0.53m (approx. 1.74ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback from the garage face of 6.00m (approx. 19.69ft) in this instance;
5. An interior side yard setback of 0.91m (approx. 2.99ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.81m (approx. 5.94ft) in this instance;
6. A rear yard setback of 0.91m (approx. 2.99ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 3.00m (approx. 9.84ft) in this instance;
7. A westerly awning encroachment into the front yard of 1.55m (approx. 5.09ft) whereas By-law 0225-2007, as amended, permits a maximum awning encroachment into the front yard of 0.61m (approx. 2.00ft) in this instance;
8. 2 driveways whereas By-law 0225-2007, as amended, permits a maximum of 1 driveway in this instance;
9. An attached garage area of 83.61sq m (approx. 899.98sq ft) whereas By-law 0225-2007, as amended, permits a maximum attached garage area of 75.00sq m (approx. 807.30sq ft) in this instance;

10. A detached garage area of 103.96sq m (approx. 1119.03sq ft) whereas By-law 0225-2007, as amended, permits a maximum detached garage area of 75.00sq m (approx. 807.30sq ft) in this instance;
11. A detached garage lot coverage of 17.00% whereas By-law 0225-2007, as amended, permits a maximum detached garage lot coverage of 10.00% in this instance;
12. A detached garage height of 8.90m (approx. 29.20ft) whereas By-law 0225-2007, as amended, permits a maximum detached garage height of 4.60m (approx. 15.09ft) in this instance;
13. A detached garage eaves height of 6.70m (approx. 21.98ft) whereas By-law 0225-2007, as amended, permits a maximum detached garage eaves height of 3.00m (approx. 9.84ft) in this instance;
14. An exterior side yard setback for the detached garage of 0.53m (approx. 1.74ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback for the detached garage of 0.61m (approx. 2.00ft) in this instance; and,
15. A westerly eaves encroachment for the dwelling of 1.55m (approx. 5.09ft) whereas By-law 0225-2007, as amended, permits a maximum eaves encroachment for the dwelling of 0.45m (approx. 1.48ft) in this instance.

Background

Property Address: 1057 Dixie Road

Mississauga Official Plan

Character Area: Lakeview Neighborhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

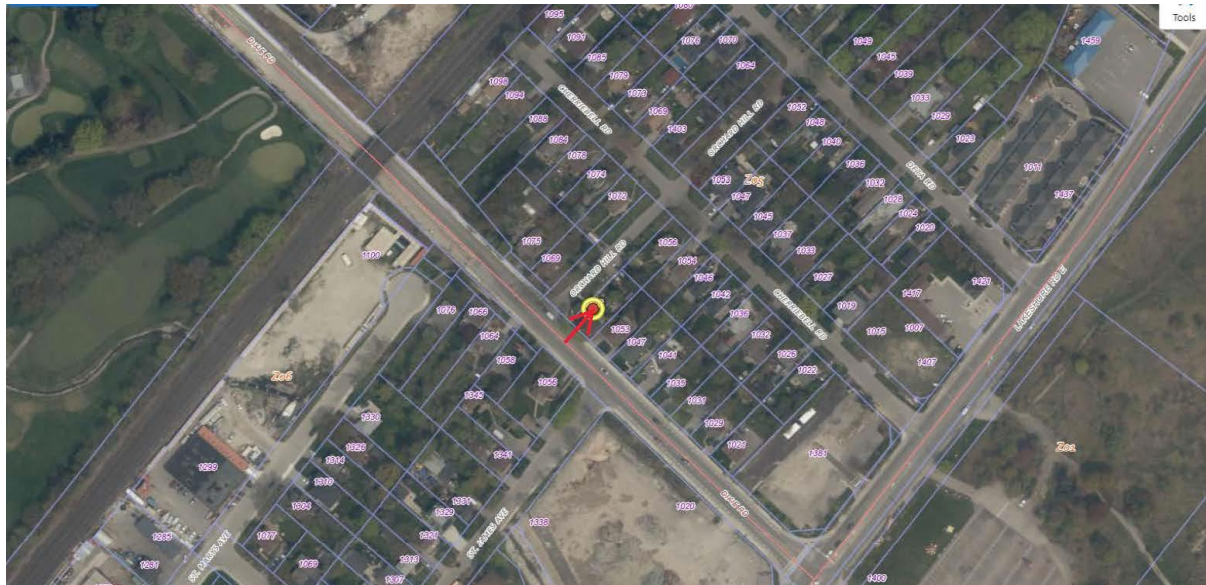
Zoning: R3-75-Residential

Other Applications: None

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, north-east of the Dixie Road and Lakeshore Road East intersection. The immediate area consists primarily of two storey detached dwellings with mature vegetation in the front yard. There are industrial uses in the vicinity. The subject property contains an existing two-storey detached dwelling with some vegetation in the front yard.

The applicant is proposing the construction of an addition requesting variances for dwelling height, lot coverage, interior and exterior side yard setbacks, rear yard setback, front yard encroachment, along with variances for the attached and detached garage areas, heights, eave height, lot coverage, and 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 Lakeview Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached, semi-detached and duplex dwellings.

The applicant is proposing an addition to the dwelling along with a detached garage in the rear yard. Planning staff have identified a number of concerns with variances #2 to #15.

Variance #2 pertains to lot coverage. Upon review of the statistics contained on the site plan drawing, Planning staff are of the opinion that the requested variance may be incorrect and warrants further evaluation. If the figures contained on the site plan drawing are correct, staff are of the opinion that the true lot coverage is 56.35%. Staff are of the opinion that this lot

coverage is excessive, disproportionate, out of character for the surrounding area and indicative of an overdevelopment of the property.

Further, variances #10-#14 all pertain to the detached garage. Staff are of the opinion that the proposed height, area, setback and lot coverage are excessive, and would pose massing concerns and represent an overdevelopment of the property. Further, while Planning staff are not in a position to provide a Zoning review, it appears that a variance for 2 garages might be required. The variances proposed for the detached garage in conjunction with variance #9 for the attached garage amplify the impact of excessive garage massing. Further, the detached garage does not appear subordinate to the detached dwelling and the proposal presents the garages as the dominant feature of the dwelling. Staff are of the opinion that the proposal does not maintain sufficient amenity space within the rear yard.

Planning staff has concerns with the application regarding the proposed variances, representing overdevelopment of the lot. The cumulative impact of the reduced setbacks (Variances #3-#6, #14) along with a substantial increase in lot coverage and garage areas is not minor in staff's opinion. Furthermore, staff are of the opinion that the proposal does not maintain compatibility with the existing dwellings in the neighborhood and does not preserve the neighborhood's character. These variances will create a dwelling with significant massing and will negatively impact the neighborhood's character.

Additionally, Transportation and Works staff have raised concerns regarding the setback for the detached garage at the Orchard Hill Road frontage and the proposed second access (Variance #8). Further, Compliance & Licensing Enforcement has raised concerns over an existing hot tub which the applicant may wish to address.

Given these concerns, staff recommend the deferral of the application. This deferral is intended to provide the applicant with the opportunity to engage in discussions with staff regarding issues identified above and redesign the proposal. The recommendation also suggests that the applicant submit a building permit application following a discussion with Planning staff to confirm the required variances and their accuracy.

Comments Prepared by: Shivani Chopra, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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

Our Traffic Section is not in support of the second access point from Orchard Hill Road.

Furthermore, we cannot support the zero setback for the detached garage at the Orchard Hill Road frontage. There is no space for vehicles to safely be parked.

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:

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.

Comments Prepared by: Jamie Meston, Landscape Architect Assistant

Appendix 4 – Region of Peel

Minor Variance: A-24-299M / 1057 Dixie Road

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

Comments:

- The applicant is required to adhere to Region of Peel Watermain Design Criteria Standard 4.3, that all hydrants near driveways shall have a minimum of 1.25m clearance from the projected garage or edge of driveway, whichever is greater.
- The applicant is required to adhere to Region of Peel Watermain Design Criteria Standard 6.6, that 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.
- Installation of and alterations to property line water valves and chambers and sanitary/storm sewer maintenance holes require inspection by Region of Peel inspectors to confirm if these works are completed in accordance with Region of Peel Design Criteria, Standards, and Specifications.
- Proposals to connect to an existing service lateral require approval from a Region of Peel inspector at construction stage.
- 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 by email at siteplanservicing@peelregion.ca

- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals may be required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections by email at siteplanservicing@peelregion.ca
- All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel design specifications. For more information, please contact Servicing Connections by email at siteplanservicing@peelregion.ca
- The applicant shall verify the location of the existing service connections to the subject site and the contractor shall locate all existing utilities in the field. Requests for underground locates can be made at <https://www.ontarioonecall.ca/portal/>. For location of existing water and sanitary sewer infrastructure please contact Records by e-mail at PWServiceRequests@peelregion.ca

Transportation Development: Damon Recagno (905) 791-7800 x3440

Comments:

- The Region will not support a driveway off of Dixie Road, continued use of driveway off of Orchid Hill is supported.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 5- Metrolinx

Metrolinx is in receipt of the Minor Variance application for 1057 Dixie Road to construct a two-storey addition to the existing dwelling as well as to construct a new two-storey detached garage in the rear yard, as circulated on June 25th, 2024, and to be heard at Public Hearing on July 25th, 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

- 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

Comments Prepared by: Farah Faroque, Project Analyst

Appendix 6 – Compliance & Licensing Enforcement

In relation to A299.24 for 1057 Dixie Road, the property owner has an existing hot tub which does not have an enclosure certificate of approval. The property owner needs to remove the hot tub or apply for and obtain an enclosure certificate of approval. As a part of the application, staff will review the location of the hot tub to ensure it meets the requirements of the Zoning By-law and Swimming Pool Enclosure By-law.

Comments Prepared by: Blaine Williamson, Municipal Law Enforcement Officer

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 3186 Owls Foot Dr, zoned RM-1 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a change of use proposing:

1. A Linked Dwelling use within an RM1 - Residential Zone; whereas By-law 0225-2007, as amended, does not permit such a use in this instance; and,
2. A Linked Dwelling to be developed in accordance with the RM1 – Residential regulations contained in Table 4.8.1; whereas By-law 0225-2007, as amended, does not permit a Linked Dwelling in an RM1 - Residential zone in this instance.

The Committee has set **Thursday, July 25, 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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- **Submit a written comment:** Written comments to the Committee must be received no later than 4:30 p.m. on the Friday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and the application file number or property address you are commenting on.

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City of Mississauga Department Comments

Date Finalized: 2024-07-17	File(s): A305.24 Ward: 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-07-25 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 meets the requirements of Section 45 (1) of the Planning Act.

Application Details

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

1. A Linked Dwelling use within an RM1 - Residential Zone; whereas By-law 0225-2007, as amended, does not permit such a use in this instance; and,
2. A Linked Dwelling to be developed in accordance with the RM1 – Residential regulations contained in Table 4.8.1; whereas By-law 0225-2007, as amended, does not permit a Linked Dwelling in an RM1 - Residential zone in this instance.

Background

Property Address: 3186 Owls Foot Dr

Mississauga Official Plan

Character Area: Churchill Meadows Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

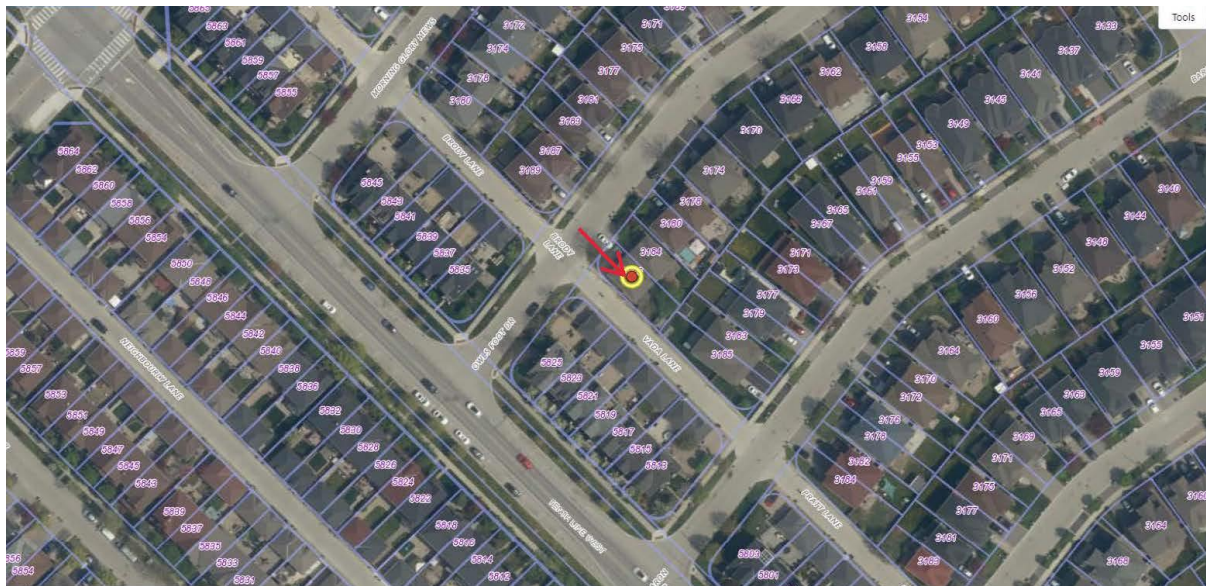
Zoning: RM-1 - Residential

Other Applications: SEC UNIT 24-1284

Site and Area Context

The subject property is located south-east of the McDowell Drive and Tenth Line West intersection in the Churchill Meadows Neighbourhood Character Area. It currently contains a two-storey linked dwelling with an attached garage on a corner lot. Limited landscaping and vegetative elements are present on the subject property. The surrounding context is predominantly residential, consisting of a mix of detached, semi-detached and linked dwellings.

The applicant is proposing to legalize an existing at-grade side door entrance to facilitate an additional residential unit requiring variances to permit the use and allow the exterior alteration to the linked dwelling.



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 Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). Section 9 of the MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with existing site conditions, the surrounding context, and the landscape of the character area.

The requested variances seeks to permit alterations to an existing linked dwelling. The subject property is zoned RM1-1 which does not permit linked dwellings. Any alterations to the existing structure requires a variance to permit the existing use. Staff note the linked dwelling was built in 2001 and was in compliance with the zoning by-law at that time. The adoption of By-law 0225-2007, removed linked dwellings as a permitted housing form in all zones. Recognizing the dwelling was constructed in conformity with the by-law in place at that time and the works being proposed do not alter any established setback, height regulations, lot coverage or gross floor area, the variances being sought will have no impact on the existing community and will not significantly impact or alter the existing dwelling.

Staff are off the opinion that the application is technical in nature and appropriate to be handled through the minor variance process. Furthermore, the request raises no concerns of a planning nature.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference are photos depicting the subject dwelling and note that we have no drainage related concerns with the request.





Comments Prepared by: Mike Russo, Development Engineering

Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application SEC UNIT 24-1284. 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: 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.

Comments Prepared by: Jamie Meston, Landscape Architect Assistant

Appendix 4 – Region of Peel

Minor Variance: A-24-305M / 3186 Owls Foot Drive

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

Comments:

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

Comments Prepared by: Petrele Francois, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A313.24
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 723 Lakeshore Rd E, zoned C4 - 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 5 parking spaces whereas By-law 0225-2007, as amended, requires 10 parking spaces in this instance.

The Committee has set **Thursday, July 25, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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- If you wish to be notified of the decision of the Committee, you must submit a written request to committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. This will also entitle you to be advised of any Ontario Land Tribunal (OLT) appeals.

Committee of Adjustment Appeal Process:

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



Legal notice:

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

City of Mississauga Department Comments

Date Finalized: 2024-07-17	File(s): A313.24
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2024-07-25 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 meets the requirements of Section 45(1) of the Planning Act. The applicant may wish to defer the application to ensure the accuracy of the requested variances and that additional variances are not required.

Application Details

The applicant requests the Committee to approve a minor variance to allow 5 parking spaces whereas By-law 0225-2007, as amended, requires 10 parking spaces in this instance.

Background

Property Address: 723 Lakeshore Rd E

Mississauga Official Plan

Character Area: Lakeview Neighborhood
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C4 - Commercial

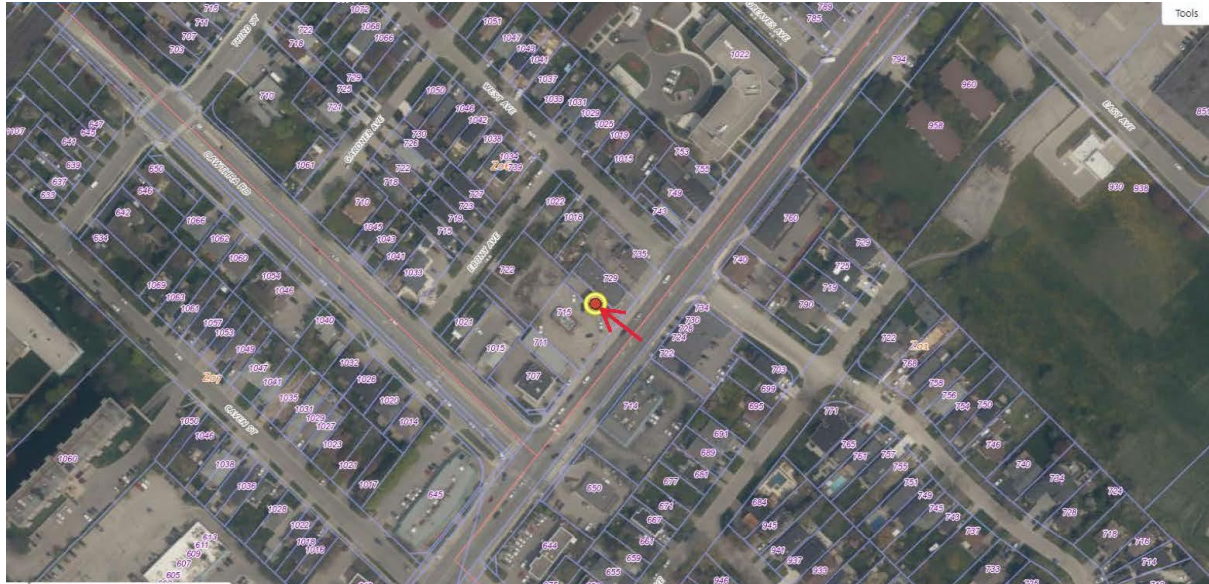
Other Applications: None

Site and Area Context

The subject property is located in the Port Credit Neighbourhood (East) Character Area, east of the Cawthra Road and Lakeshore Road East intersection. The immediate area

consists of a variety of commercial uses fronting onto Lakeshore Road East. There are residential uses in the vicinity. Minimal vegetation exists in the form of urban street trees.

The application is proposing addition of residential units on the third storey requesting variances for reduced 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 are as follows:

The subject property is located in the Lakeview Neighbourhood Character Area and is designated Mixed Use in Schedule 10 of the Mississauga Official Plan (MOP). The Mixed-Use designation permits a variety of uses, including restaurant uses. Section 8.4 of the official plan contemplates potential reductions in parking requirements and alternative parking arrangements in appropriate situations.

Municipal Parking staff have reviewed the variance request and provide the following comments:

Per the materials provided by the applicant, the subject site currently consists of a two-storey building, the first floor is occupied by a Restaurant with a non-residential Gross Floor Area (GFA) of 106.1 square meters. The second floor currently contains three

residential units. The applicant proposes to add a third floor to the existing building to accommodate three additional residential units, resulting in a total of six units. The subject site is located within C4 Zoning Area, Parking Precinct 3.

Per Section 3.1.2.3 of Mississauga Zoning By-law, off-street parking spaces for non-residential uses in C4 zones shall be provided in accordance with Precinct 1 requirements. Restaurant uses with non-residential GFAs under 220 square meters located in Parking Precinct 1 require a minimum of 3 parking spaces per 100 square meters of non-residential GFA; dwelling units located above a commercial development with a maximum height of three storeys require a minimum of 1 space per unit. Therefore, with a Restaurant GFA of 106.1 square meters and six residential units, a minimum of 9 parking spaces shall be required. The applicant proposes 5 spaces for the subject site. As such, 9 parking spaces are required whereas 5 parking spaces can be accommodated, which generates a parking deficiency of 4 spaces or 44%.

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

The applicant did not provide a PUS as justification for the proposed parking deficiency. The applicant should refer to the City's [Parking Study Terms of Reference](#) for parking justification requirements to be included with a formal submission. The applicant should confirm the survey methodology with staff prior to conducting parking surveys.

Zoning staff have advised that the accuracy of the requested variance can not be confirmed in the absence of a zoning review.

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

Notwithstanding the above, Planning staff note that *Cutting Red Tape to Build More Homes Act, 2024* (Bill 185) brought forward by the Province of Ontario proposes to eliminate parking minimums within Protected Major Transit Station Areas (PMTSA) and other areas where minimum densities are required. The Bill received royal assent from the Province of Ontario on June 6, 2024, however, the City has not amended the general Zoning By-law parking regulations to accommodate this change as of yet.

While a variance for parking has been identified by the applicant, since the subject property is within a PMTSA as part of the incoming Lakeshore BRT, Planning staff are of the opinion that the variance is minor and appropriate in this instance.

Given the above, Planning 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, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed are pictures of the building front and rear parking areas. We have no concerns with the proposal.

Comments Prepared by: John Salvino, Development Engineering Technologist









Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Minan Song, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

"[Enter Community Services staff comments]"

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

Appendix 4 – Region of Peel

Minor Variance: A-24-313M / 723 Lakeshore Road East

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

Comments:

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

Planning: Petrele Francois (905) 791-7800 x3356

Comments:

- The subject land is located in the regulated and floodplain area of the Credit Valley Conservation Authority (CVC). 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 CVC 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 CVC and incorporate their conditions of approval 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- CVC

The subject property located at 723 Lakeshore Road East in Mississauga does not contain any floodplains, watercourses, shorelines, wetlands, valley slopes or other environmental features of interest to Credit Valley Conservation (CVC). Furthermore, the property is not subject to Ontario Regulation 41/24, (the Prohibited Activities, Exemptions, and Permits Regulation) or to the policies of CVC at this time.

If you have any further questions, please do not hesitate to contact the undersigned.

Comments Prepared by: Stuti Bhatt, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A316.24
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 3440 Wolfedale Road, zoned E2-16-Employment, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an addition on the subject property proposing:

1. 102 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 159 parking spaces in this instance; and,
2. An exterior side yard setback of 4.56m (approx. 14.95ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 7.50m (approx. 24.61ft) in this instance.

The Committee has set **Thursday, July 25, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

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

- **In person:** This hearing is being held virtually. Please see the options below for electronic participation. If holding an electronic rather than an in person hearing is likely to cause a party significant prejudice, a written request may be made to have the Committee consider holding an in person hearing on an application. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30pm the Monday prior to the hearing. The request can be emailed to committee.adjustment@mississauga.ca or mailed to the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. If a party does not submit a request and does not participate in the hearing the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.
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- **By telephone:** Advance registration is required to speak virtually at the hearing. To register, please call 905-615-3200 x2408 by 4:30 PM on the Friday prior to the hearing. You must provide your name, phone number, and the application file number. Committee staff will provide you with call in details prior to the start of the hearing.
- **Submit a written comment:** Written comments to the Committee must be received no later than 4:30 p.m. on the Friday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and the application file number or property address you are commenting on.

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

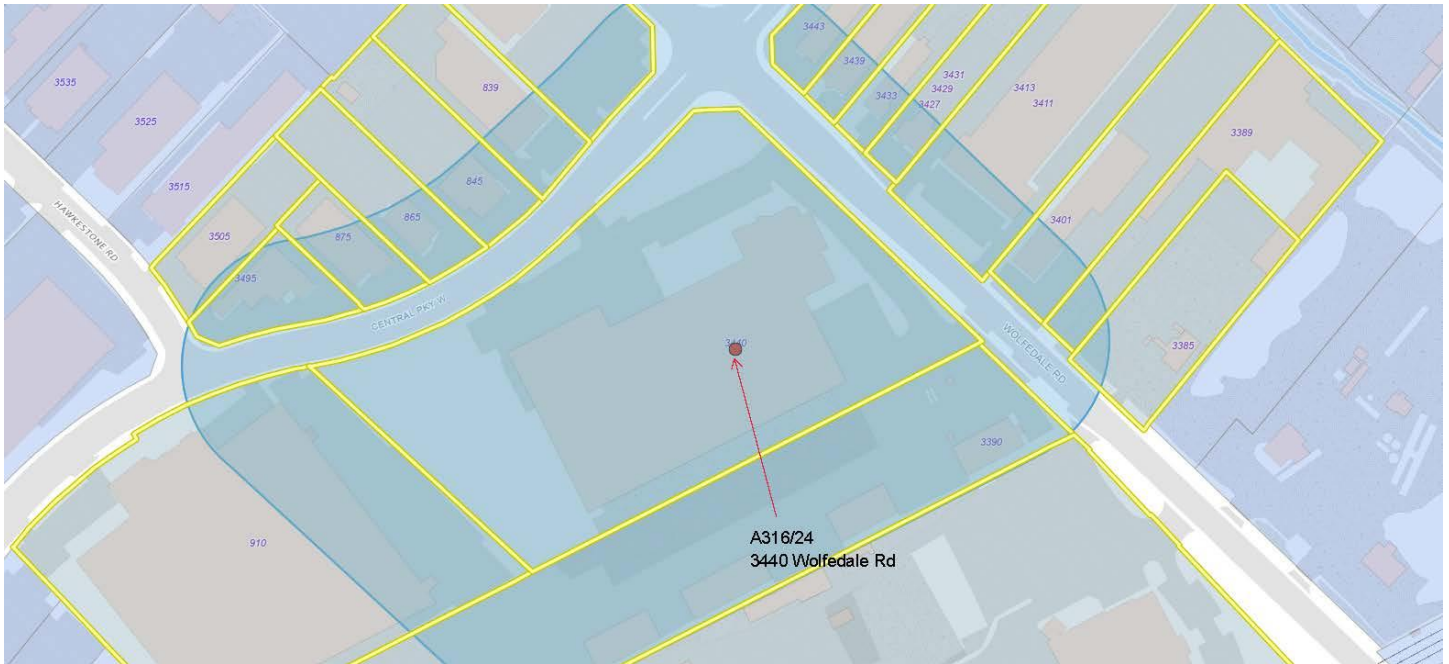
<http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>

Additional Information:

- For more information about this matter, contact committee.adjustment@mississauga.ca or call 905-615-3200 x2408. Alternatively, information can be obtained in person by making an appointment with the Committee of Adjustment at 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Appointments can be booked using the “Book an appointment” button on the Committee’s webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.
- You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>.
- If you wish to be notified of the decision of the Committee, you must submit a written request to committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. This will also entitle you to be advised of any Ontario Land Tribunal (OLT) appeals.

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City of Mississauga Department Comments

Date Finalized: 2024-07-17	File(s): A316.24
To: Committee of Adjustment	Ward: 6
From: Committee of Adjustment Coordinator	Meeting date:2024-07-25 1:00:00 PM

Consolidated Recommendation

The City recommends the application be deferred to submit the required documentation.

Application Details

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

1. 102 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 159 parking spaces in this instance; and,
2. An exterior side yard setback of 4.56m (approx. 14.95ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 7.50m (approx. 24.61ft) in this instance.

Amendments

The Building Department is processing Site Plan application SP 22-142. Based on review of the information available in this application, we advise that additional variances are required:

3. A centreline setback of 17.56m (approx. 57.61ft) from Central Parkway West whereas By-law 0225-2007, as amended, requires a minimum centreline setback of 20.5m (approx. 67.26ft) in this instance;
4. A landscaped buffer depth of 1.14m (approx. 3.74ft) whereas By-law 0225-2007, as amended, requires a minimum landscaped buffer depth of 4.5m (approx. 14.76ft) in this instance; and
5. An area used for outdoor storage located within the front yard of subject property, whereas By-law 0225-2007, as amended, does not permit area used for outdoor storage to be located within the front yard in this instance.

Background

Property Address: 3440 Wolfedale Road

Mississauga Official Plan

Character Area: Mavis-Erindale Employment Area

Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2-16-Employment

Other Applications: SP 22-142

Site and Area Context

The subject property is located on the south-west corner of Central Parkway West and Wolfedale Road in the Mavis-Erindale Employment Area. It currently contains a one-storey industrial building with an associated surface parking lot and has an approximate lot area of +/- 3.26ha (8.06ac). Limited landscaping elements are present on the subject property while vegetation is limited to the municipal boulevard, which is consistent with the area. The surrounding context includes one and two-storey industrial buildings.

The applicant is proposing to construct an addition to the existing building requiring variances for parking deficiencies, exterior side yard setback, centreline setback, landscaped buffer depth and outdoor storage in the front yard.



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:

One of the proposed variances requests a reduction in the total number of parking spaces. The intent of the zoning by-law in quantifying the required number of parking spaces is to ensure that each lot is self-sufficient in providing adequate parking accommodations based upon its intended use. Section 8.4 of the official plan contemplates potential reductions in parking requirements and

alternative parking arrangements in appropriate situations. Municipal Parking staff have reviewed the variance request and note as follows:

With respect to Committee of Adjustment application 'A' 316/24, 3440 Wolfedale Road, the applicant is requesting to allow an addition on the subject property proposing 102 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 159 parking spaces in this instance. This is a reduction of 57 spaces which equates to a 36% deficiency onsite.

A Transportation and Parking Review Letter (PRL) was submitted by C.F. Crozier & Associates Inc.; which was updated March 18, 2024 for the proposed warehouse building expansion at 3440 Wolfedale Road.

Parking surveys were noted to have been conducted on the subject site at 3440 Wolfedale Road:

- Saturday, February 25th, 2023 between 7:00 a.m. to 5:00 p.m.
- Tuesday, February 28th, 2023 between 7:00 a.m. to 7:00 p.m.
- Saturday, March 4th, 2023 between 7:00 a.m. to 5:00 p.m.
- Tuesday, March 7th, 2023 between 7:00 a.m. to 7:00 p.m.

The observed peak parking demand occurred at 3:30 p.m. on Tuesday, March 7th, 2023 at 46 parking spaces occupied.

Based on the submitted PRL, it is explained that the site currently is occupied by Kal-Polymers. The business is noted to operate 24/7 and 7-days a week with three shifts 8 a.m. to 4 p.m.; 4 p.m. to 12 a.m.; and 12 a.m. to 8 a.m. C.F. Crozier & Associates Inc. attached correspondence with City staff, dated February 2023, through which discrepancies have been noted as staff was advised that business operations are Mondays through Fridays only (conversations can be found in *Attachment 1: Correspondence of the PRL*).

C.F. Crozier & Associates Inc. attached correspondence with City staff, dated February 2023, in which staff provided guidance on survey methodology and the submitted onsite survey is not acceptable. As per the City's parking Terms of Reference (ToFR), the consultant should confirm survey dates and times with the City's Municipal Parking staff and prior to conducting parking surveys.

The PRL presents discrepancies in regards to the GFA in metres squared. Additionally, it is not clear and details as well as clarifications are required on how the operations of the business differ during the weekdays versus weekends, as well as throughout the three shifts. This information is required in order for staff to aid in confirming adequate parking surveying dates, times, and intervals to ensure the site does not encounter an undersupply of spaces which may compromise access and circulation, therefore creating spillover problems for adjacent uses.

Additionally, the PRL's *Attachment 6: Parking Survey Data*, presents discrepancies in regards to the surveyed times. Both Saturdays were only surveyed until 4:30 p.m. versus until 5:00 p.m. as stipulated.

Staff are seeking more information about Kal-Polymers hours/days of operation, anticipated peak parking times/days as per business operations, the total number of employees and visitors at any given time as well as accurate GFA of the existing building as well as the proposed expansion.

Based on the submitted parking justification as well as staff's above outlined concerns, staff recommend the application be deferred.

Planning staff echo Municipal Parking staff's comments and therefore recommend that the application be deferred to allow the applicant to submit the requested information.

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 subject property will be addressed through both active applications; Site Plan 22-142 and Building Permit 22-3628.





Comments Prepared by: Mike Russo, Development Engineering

Appendix 2 – Zoning Comments

The Building Department is processing Site Plan application SP 22-142. Based on review of the information available in this application, we advise that additional variances are required:

3. A centreline setback of 17.56m (approx. 57.61ft) from Central Parkway West whereas By-law 0225-2007, as amended, requires a minimum centreline setback of 20.5m (approx. 67.26ft) in this instance;
4. A landscaped buffer depth of 1.14m (approx. 3.74ft) whereas By-law 0225-2007, as amended, requires a minimum landscaped buffer depth of 4.5m (approx. 14.76ft) in this instance; and
5. An area used for outdoor storage located within the front yard of subject property, whereas By-law 0225-2007, as amended, does not permit area used for outdoor storage to be located within the front yard in this instance.

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

Comments Prepared by: Alana Zheng, Planner Zoning Examination

Appendix 3 – Region of Peel

Minor Variance: A-24-316M / 3440 Wolfedale 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). 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 3440 Wolfedale Road to construct an addition to the existing industrial building with proposed reduced parking spaces and side yard setback, as circulated on June 25th, 2024, and to be heard at Public Hearing on July 25th, 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

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

Should you have any questions or concerns, please contact farah.faroque@metrolinx.com.

Comments Prepared by: Farah Faroque, Project Analyst



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A317.24
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 1176 Tecumseh Park Drive, zoned R1-2-Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing:

1. A dwelling unit depth of 26.42m (approx. 86.68ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m (approx. 65.62ft) in this instance;
2. A garage projection of 10.36m (approx. 33.99ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0m in this instance;
3. A combined width of side yards of 26.74% (7.59m) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 27% (7.66m) in this instance;
4. A combined width of side yards measured to the eaves of 6.48m (approx. 21.26ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards measured to the eaves of 6.76m (approx. ft) in this instance;
5. A west interior side yard setback of 1.74m (approx. 5.71ft) whereas By-law 0225-2007, as amended, requires a minimum west interior side yard setback of 2.41m (approx. 7.91ft) in this instance;
6. A side yard setback to the eaves of 1.29m (approx. 4.23ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback to the eaves of 1.96m (approx. 6.43ft) in this instance;
7. A highest ridge height for a sloped roof of 10.21m (approx. 33.50ft) whereas By-law 0225-2007, as amended, permits a maximum highest ridge height for a sloped roof of 9.50m (approx. 31.17ft) in this instance;
8. An eaves height of 7.31m (approx. 23.98ft)) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance; and,
9. 2 kitchens whereas By-law 0225-2007, as amended, permits a maximum of 1 kitchen in this instance.

The Committee has set **Thursday, July 25, 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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an attachment) via email to committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. If you have connection issues on the hearing date, please email virtualmeeting.help@mississauga.ca.

- **By telephone:** Advance registration is required to speak virtually at the hearing. To register, please call 905-615-3200 x2408 by 4:30 PM on the Friday prior to the hearing. You must provide your name, phone number, and the application file number. Committee staff will provide you with call in details prior to the start of the hearing.
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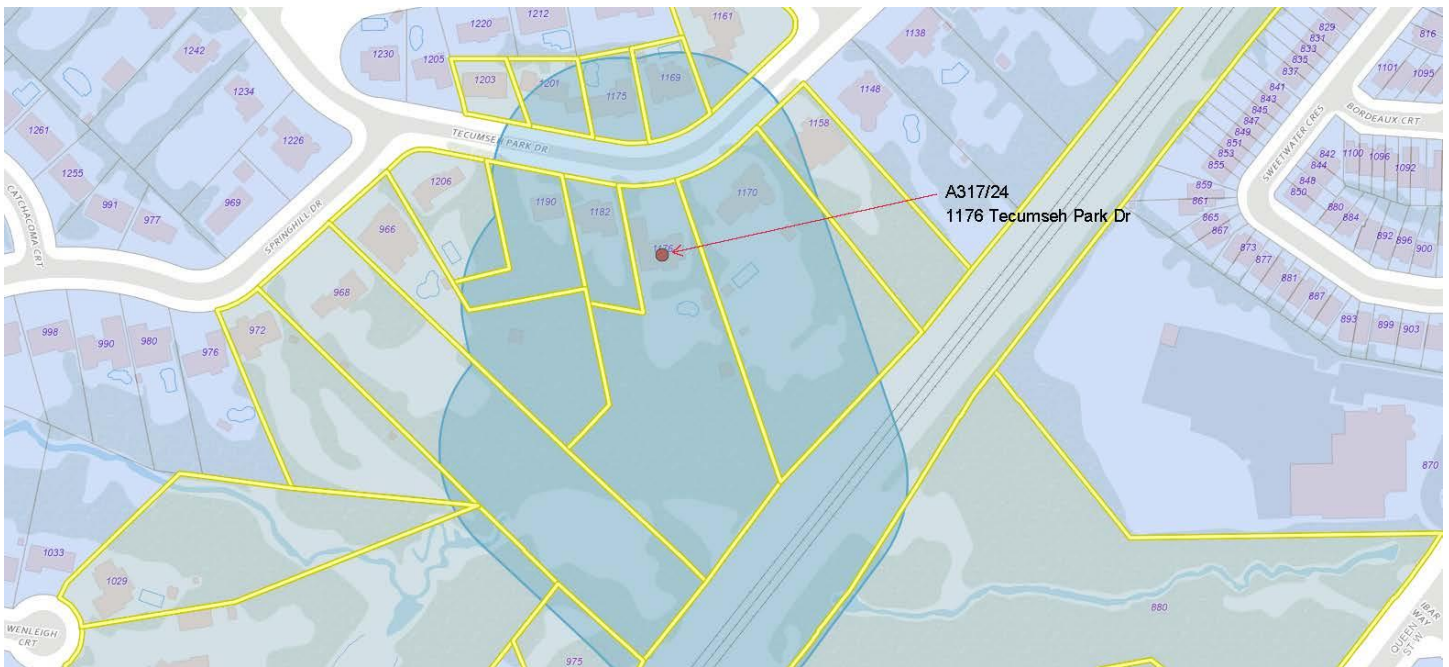
<http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>

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City of Mississauga Department Comments

Date Finalized: 2024-07-17	File(s): A317.24
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2024-07-25 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 an addition proposing:

1. A dwelling unit depth of 26.42m (approx. 86.68ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m (approx. 65.62ft) in this instance;
2. A garage projection of 10.36m (approx. 33.99ft) whereas By-law 0225-2007, as amended, permits a maximum garage projection of 0m in this instance;
3. A combined width of side yards of 26.74% (7.59m) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 27% (7.66m) in this instance;
4. A combined width of side yards measured to the eaves of 6.48m (approx. 21.26ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards measured to the eaves of 6.76m (approx. ft) in this instance;
5. A west interior side yard setback of 1.74m (approx. 5.71ft) whereas By-law 0225-2007, as amended, requires a minimum west interior side yard setback of 2.41m (approx. 7.91ft) in this instance;
6. A side yard setback to the eaves of 1.29m (approx. 4.23ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback to the eaves of 1.96m (approx. 6.43ft) in this instance;
7. A highest ridge height for a sloped roof of 10.21m (approx. 33.50ft) whereas By-law 0225-2007, as amended, permits a maximum highest ridge height for a sloped roof of 9.50m (approx. 31.17ft) in this instance;
8. An eaves height of 7.31m (approx. 23.98ft)) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance; and,
9. 2 kitchens whereas By-law 0225-2007, as amended, permits a maximum of 1 kitchen in this instance.

Background

Property Address: 1176 Tecumseh Park Drive

Mississauga Official Plan

Character Area: Clarkson - Lorne Park Neighbourhood

Designation: Greenland, Residential Low Density I

Zoning By-law 0225-2007

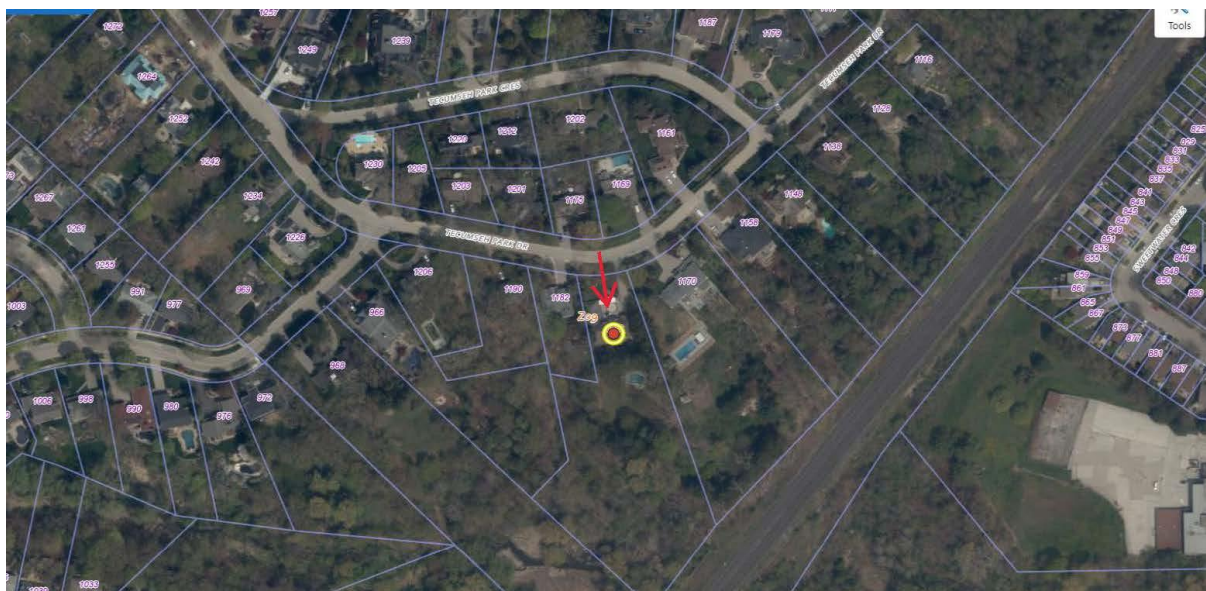
Zoning: R1-2-Residential

Other Applications: None

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, south of the Tecumseh Park Drive and Tecumseh Park Crescent intersection. The immediate neighbourhood is primarily residential, consisting of one and two-storey detached dwellings on large lots with mature vegetation. The subject property has an area of 9981m² (107434.6 ft²) and contains an existing two-storey detached dwelling with mature vegetation in the front yard. The property backs onto Lornewood Creek and the CN railway.

The applicant is proposing additions to the dwelling requesting variances for dwelling depth, garage projection, setbacks, height, eave height and number of kitchens.



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. The Residential Low Density I designation permits only detached dwellings in this area. Planning staff are of the opinion that the proposed built form is appropriate for the subject property given surrounding conditions and will not negatively impact the streetscape. Further, staff are satisfied that the proposal respects the surrounding context.

Therefore, planning staff are 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 pertains to dwelling depth and variance #2 pertains to garage projection. The intent of the zoning by-law in regulating the dwelling depth is to minimize any impact of long walls on neighbouring lots as a direct result of the building massing. The intent of the zoning by-law with respect to garage projections is to maintain a consistent streetscape, while ensuring the garage is not the dominant feature of the dwelling. Staff note that the dwelling's depth is existing, which includes the existing garage projection as well. The addition and alteration being proposed do not add to the dwelling depth or garage projection further. The dwelling does not require relief from any lot coverage or gross floor area regulations, which could have had the effect of exacerbating a building's massing. Staff are of the opinion that while staff would typically not support the proposed depth and garage projection, it is existing in this instance and the addition does not significantly alter the primary footprint of the dwelling. This mitigates any new potential impacts to neighbouring dwellings and the streetscape.

Variances #3 to #6 are regarding reduced setbacks. The general intent of the side yard regulations is to ensure that an adequate buffer exists between the massing of structures on abutting properties. The second storey addition is proposed on top of the existing first storey, which meets the ground floor setback requirement. Further, the application proposes no changes to the existing setbacks maintained by the dwelling. Through a review of the immediate neighbourhood, similar deficiencies are common for detached dwellings. Furthermore, the proposed side yards are not out of character within the immediate neighbourhood and maintain a sufficient buffer to the neighbouring properties.

Variances #7 and #8 are regarding the dwelling and eave height. The intent of restricting height to the highest ridge and 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 increases in height are appropriate for the subject property. Staff also note that for portions of the property the average grade is below the finished grade, thereby reducing the appearance of the overall height of the structure. Further, the incorporation of architectural features like varying rooflines and windows in the dwelling's design further mitigates any massing impacts. Lastly, staff note the proposed height is lower than what is existing by 1.63m (5.34ft), mitigating potential negative impacts. This would bring it closer to the intent of the by-law.

Variance #9 pertains to the number of kitchens. The original intent of the restriction on second kitchens was to restrict the creation of second dwelling units. Given the implementation of second unit policies as well as new provincial and municipal legislation regulating three and four dwelling units as of right, the impact of an additional kitchens would be minor in nature.

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

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

Notwithstanding the above comments on the requested variance, staff note that the width of the driveway does not meet the requirements under the zoning by-law. Staff are unable to ascertain whether the driveway is legal, noncomplying under Zoning regulation 2.1.8.1 without sufficient information, as mentioned by the applicant in their cover letter. As such, staff are unable to comment if the driveway meets the four tests of a minor variance. The applicant may wish to defer the application at this time to resubmit the application with any additional necessary variances and more information for review.

Comments Prepared by: Shivani Chopra, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed addition will be addressed by our Development Construction Section through 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:A317.24	2024/07/17	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.
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.

Comments Prepared by: Jamie Meston, Landscape Architect Assistant

Appendix 4 – Region of Peel

Minor Variance: A-24-317M / 1176 Tecumseh Park Drive

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

Comments:

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

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.
- 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

Appendix 5 – CVC

CVC File No. A24/317

Municipality File No. A317.24

Harjit Anjie Chhoker and Rajvinder S. Chokker

1176 Tecumseh Park Drive

Lot 22 Con 2 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 slope hazard associated with Lornewood 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 the construction of an addition proposing:

1. A dwelling unit depth of 26.42m (approx. 86.68ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m (approx. 65.62ft) in this instance;
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4. A combined width of side yards measured to the eaves of 6.48m (approx. 21.26ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards measured to the eaves of 6.76m (approx. ft) in this instance;
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6. A side yard setback to the eaves of 1.29m (approx. 4.23ft) whereas By-law 0225- 2007, as amended, requires a minimum side yard setback to the eaves of 1.96m (approx. 6.43ft) in this instance;
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8. An eaves height of 7.31m (approx. 23.98ft)) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance; and,
9. 2 kitchens whereas By-law 0225-2007, as amended, permits a maximum of 1 kitchen in this instance.

COMMENTS:

Based on the review of the information provided, it appears that the proposed variances are setback sufficiently from the natural features of interest to CVC. As such, CVC has no objection to the approval of the proposed variances at this time.

Please be advised that the property is regulated by CVC and a CVC permit is required for the proposed works.

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

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

Comments Prepared by: Stuti Bhatt, Junior Planner

Appendix 6 – Metrolinx

Metrolinx is in receipt of the Minor Variance application for 1176 Tecumseh Park Drive to construct minor additions to the existing two-storey dwelling including squaring off the existing rear great room and basement family room projection, resulting in two small triangular additions totaling approximately 3.90 m², as well as second floor additions, and various additions on the side of the dwelling fronting Tecumseth Park Dr, as circulated on June 25th, 2024, and to be heard at Public Hearing on July 25th, 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

- The Proponent is advised of the following:
- **Warning:** Metrolinx and its assigns and successors in interest has or have a right-of-way within 300 metres from the subject land. 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.

Comments Prepared by: Farah Faroque, Project Analyst



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A318.24
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 1060 Meyerside Drive, zoned E3-Employment, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow 69 parking spaces on the subject property whereas By-law 0225-2007, as amended, requires a minimum of 90 parking spaces in this instance.

The Committee has set **Thursday, July 25, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

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

- **In person:** This hearing is being held virtually. Please see the options below for electronic participation. If holding an electronic rather than an in person hearing is likely to cause a party significant prejudice, a written request may be made to have the Committee consider holding an in person hearing on an application. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30pm the Monday prior to the hearing. The request can be emailed to committee.adjustment@mississauga.ca or mailed to the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. If a party does not submit a request and does not participate in the hearing the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.
- **Electronically (computer, tablet or smartphone):** Advance registration is required to speak virtually at the hearing. If you wish to make a presentation at the hearing you must send your request to speak and your presentation material (as an attachment) via email to committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. If you have connection issues on the hearing date, please email virtualmeeting.help@mississauga.ca.
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City of Mississauga Department Comments

Date Finalized: 2024-07-17	File(s): A318.24 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-07-25 1:00:00 PM

Consolidated Recommendation

The City recommends the application be deferred to submit the required documentation.

Application Details

The applicant requests the Committee to approve a minor variance to allow 69 parking spaces on the subject property whereas By-law 0225-2007, as amended, requires a minimum of 90 parking spaces in this instance.

Background

Property Address: 1060 Meyerside Drive

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: E3-Employment

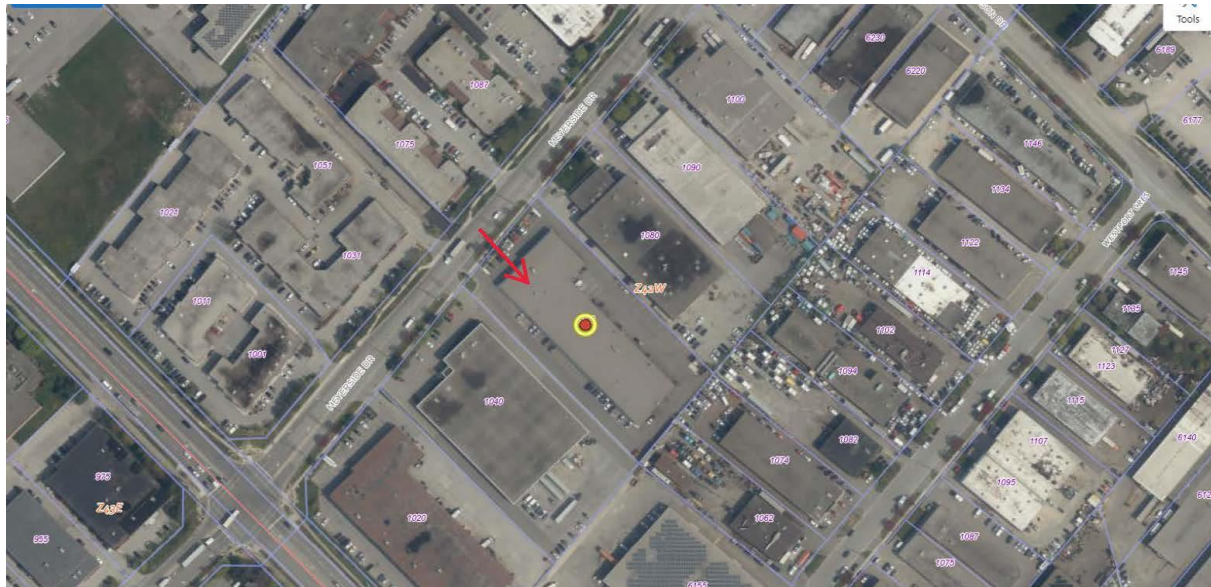
Other Applications: C 24-1366

Site and Area Context

The subject property is located along the south side of Meyerside Drive, east of the Tomken Road and Meyerside Drive intersection in the Northeast Employment Area. It currently contains a multi-tenant one-storey industrial building with an associated surface parking lot. Limited

landscaping and vegetative elements are present on the subject property. The surrounding context is exclusively industrial consisting of one and two-storey industrial buildings.

The applicant is proposing a restaurant use in Unit 2 of the subject property and requires a variance for parking deficiency.



69 parking spaces on the subject property whereas By-law 0225-2007, as amended, requires a minimum of 90 parking spaces in this instance.

Per the materials provided by the applicant, the subject site is designated for industrial use by the Official Plan. Further communication with zoning staff confirmed that the applicant proposes a new Restaurant use in Unit 2 of the subject site, with a Gross Floor Area (GFA) of 472 square meters. The subject site is located within E3 Zoning Area, Parking Precinct 4.

Per Section 3.1.2.2 of Mississauga Zoning By-law, Restaurant uses with non-residential GFAs over 220 square meters located in Parking Precinct 4 require a minimum of 9 parking spaces per 100 square meters of non-residential GFA. Zoning staff have confirmed that a minimum of 90 parking spaces is required for the entire property. The applicant proposes 69 spaces for the subject site. As such, 90 parking spaces are required whereas 69 parking spaces can be accommodated, which generates a parking deficiency of 21 spaces or 23%.

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

The applicant did not provide a PUS as justification for the proposed parking deficiency. The applicant should refer to the City's [Parking Study Terms of Reference](#) for parking justification requirements to be included with a formal submission. The applicant should confirm the survey methodology with staff prior to conducting parking surveys.

Zoning staff have advised that the requested variance is correct.

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

Planning staff echo Municipal Parking staff's comments and therefore recommend that the application be deferred to allow the applicant to submit the requested information

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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







Comments Prepared by: Mike Russo, Development Engineering

Appendix 2 – Zoning Comments

The Building Division is processing Certificate of Occupancy application C 24-1366. Based on the review of the information available in this application, the requested variance(s) is/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: Alana Zheng, Planner Zoning Examination

Appendix 3 – Region of Peel

Minor Variance: A-24-318M / 1060 Meyerside Drive

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



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A319.24
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 263 Lakeshore Rd E, zoned C4 - 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:

1. 3 parking spaces whereas By-law 0224-2007, as amended, requires a minimum of 4 parking spaces in this instance; and
2. 0 accessible parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 1 accessible parking space in this instance.

The Committee has set **Thursday, July 25, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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

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City of Mississauga Department Comments

Date Finalized: 2024-07-17	File(s): A319.24 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-07-25 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

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

1. 3 parking spaces whereas By-law 0224-2007, as amended, requires a minimum of 4 parking spaces in this instance; and
2. 0 accessible parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 1 accessible parking space in this instance.

Background

Property Address: 263 Lakeshore Rd E

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (East)
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C4 - Commercial

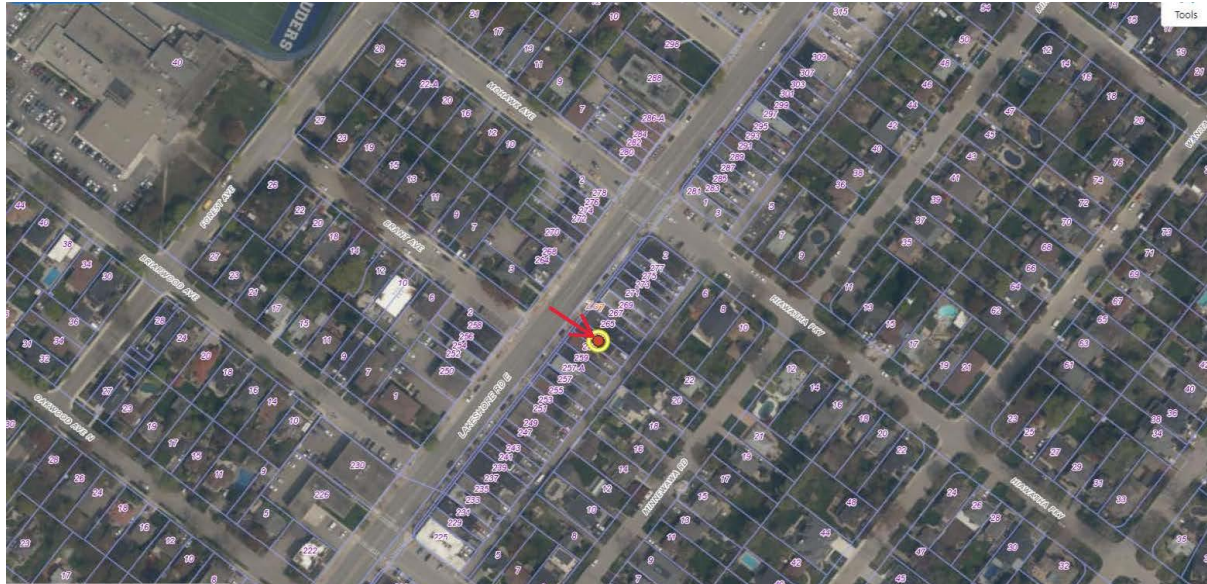
Other Applications: Certificate of Occupancy application 24-1411

Site and Area Context

The subject property is located in the Port Credit Neighbourhood (East) Character Area, southeast of the Hurontario Street and Lakeshore Road East intersection. The immediate area

consists of a variety of commercial uses contained in plazas fronting onto Lakeshore Road East. Minimal vegetation exists in the form of urban street trees.

The application proposes a change of use from personal service establishment to retail establishment requiring variances for reduced 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 are as follows:

The subject property is located in the Port Credit Neighbourhood (East) Character Area and is designated Mixed Use in Schedule 10 of the Mississauga Official Plan (MOP). The Mixed Use designation permits a variety of uses, including restaurant uses. Section 8.4 of the official plan contemplates potential reductions in parking requirements and alternative parking arrangements in appropriate situations.

Variances #1 and #2 request a reduction in parking spaces.

Section 10.1 of the Lakeview Local Area Plan envisions Lakeshore Road East as a mainstreet corridor that requires new development to incorporate an appropriate public realm to reinforce its planned role as an intensification corridor that connects communities by fostering an active pedestrian and cycling environment. While Planning staff acknowledge that businesses along

Lakeshore Road East benefit from the policies noted in the Lakeview Local Area Plan, staff rely on Municipal Parking staff's expertise on parking reductions.

Municipal Parking staff have reviewed the variance request and provide the following comments:

A Parking Justification Letter was submitted by Carrie C. Patch, the agent on file, dated June 21st, 2024. The submitted parking justification is not satisfactory because the variance is greater than 10% and the applicant is required to submit satisfactory justification and/or documentation.

It is staff's understanding that Zoning has advised that more information is required in order to verify the accuracy of the requested variances.

Staff recommend the application be deferred in order for Zoning and the applicant to verify the accuracy of the requested variances and given the parking deficiency, to allow the applicant to submit either of the following documents: Payment-in-Lieu, Shared Parking Agreement, or Parking Utilization Study.

Given the above Planning staff recommend that the application be deferred in order to allow the applicant an opportunity to submit the information requested by Municipal Parking staff.

Comments Prepared by: Shivani Chopra, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed are pictures of the front and parking area at the rear of the property. We have no concerns with the request.

Comments Prepared by: John Salvino, Development Engineering Technologist





Appendix 2 – Zoning Comments

The Building Division is processing Certificate of Occupancy application 24-1411. Based on the review of the information available in this application, the requested variances are correct.

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

Comments Prepared by: Andrea Patsalides, Zoning Examiner

Appendix 3 – Region of Peel

Minor Variance: A-24-319M / 263 Lakeshore Road East

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

Comments:

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

Comments Prepared by: Petrele Francois, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A320.24
Ward: 8

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 2139 Portway Ave, zoned R1- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing:

1. 2 attached garages whereas By-law 0225-2007, as amended, permits only 1 attached garage in this instance; and,
2. A front yard setback of 9.00m (approx. 29.53ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 12.00m (approx. 39.37ft) in this instance.

The Committee has set **Thursday, July 25, 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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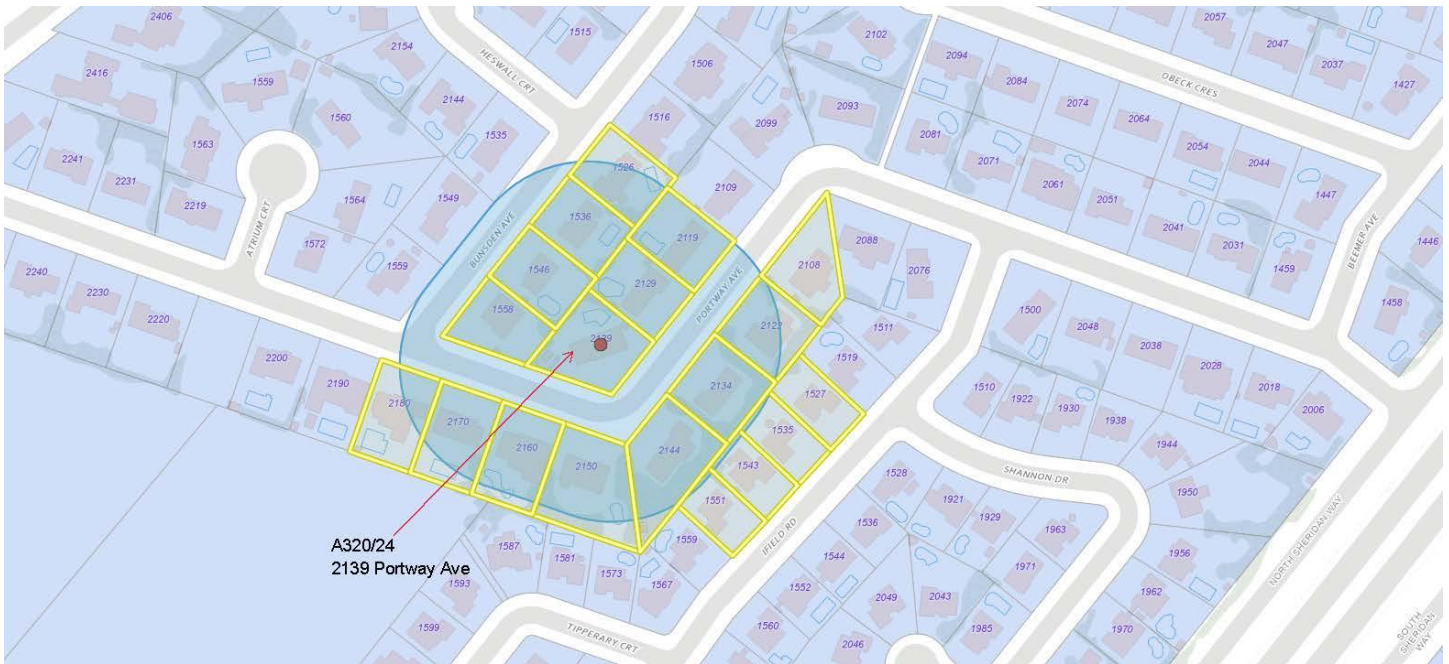
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City of Mississauga Department Comments

Date Finalized: 2024-07-17	File(s): A320.24
To: Committee of Adjustment	Ward: 8
From: Committee of Adjustment Coordinator	Meeting date:2024-07-25 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 construction of an addition proposing:

1. 2 attached garages whereas By-law 0225-2007, as amended, permits only 1 attached garage in this instance; and,
2. A front yard setback of 9.00m (approx. 29.53ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 12.00m (approx. 39.37ft) in this instance.

Amendments

The Building Department is currently processing a building permit application under file 21-9478. Based on review of the information currently available for this building permit, Zoning staff advise that the following variance(s) should be amended as follows:

1. Two garages (an attached garage and a carport); whereas, By-law 0225-2007, as amended, permits only one garage in this instance;

Background

Property Address: 2139 Portway Ave

Mississauga Official Plan

Character Area: Sheridan Neighbourhood

Designation: Residential Low Density I

Zoning By-law 0225-2007

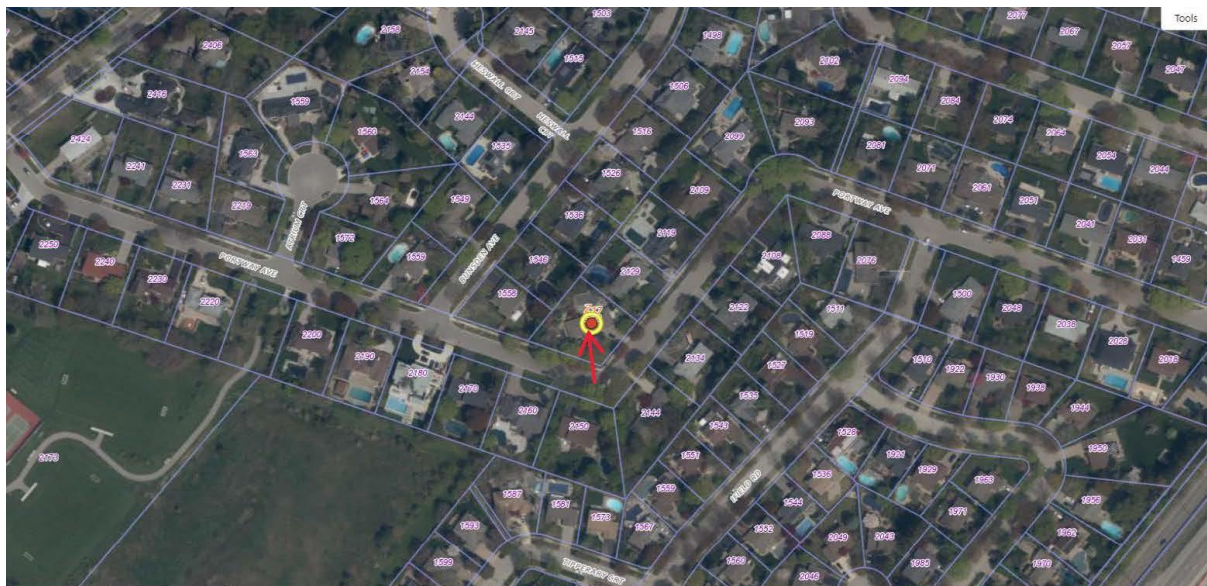
Zoning: R1- Residential

Other Applications: Building Permit application under file 21-9478.

Site and Area Context

The subject property is located within the Sheridan Neighbourhood Character Area, south of Mississauga Road and east of Springbank Road. The neighbourhood is entirely residential, consisting of one and two storey detached dwellings with significant mature vegetation. The subject property is a corner lot containing an existing one-storey dwelling with an attached garage in the front yard with mature vegetation.

The applicant is proposing a carport in the front yard, requiring variances related to the carport and front 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 Sheridan Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density I designation permits only detached dwellings in this area. 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. Upon review of the application, staff are of the opinion that the proposal is compatible with the provisions of the official plan and that the general intent and purpose of the official plan is maintained.

Variance #1 requests two garages (an attached garage and a carport) whereas only one is permitted. The intent in restricting the overall number of garages is to ensure that the detached dwelling remains residential in nature. Additionally, this portion of the by-law serves to minimize the visual impact resulting from multiple or excessive garage faces fronting onto a street. Staff note that the proposal does not require additional variance for the total gross floor area, lot coverage or garage area regulations. In this instance, the proposed carport is well incorporated with the existing design of the dwelling mitigating any massing concerns. Furthermore, given the size of the lot, staff are satisfied that the carport can be suitably accommodated without dominating the use of the first floor.

Variance #2 pertains to reduced front yard setback measured to the proposed carport. The intent of this portion of the by-law is to ensure that a consistent character is maintained along the streetscape and that a sufficient front yard space is incorporated into the design of neighborhoods. Staff note the reduced front yard setback is measured to the proposed carport which projects beyond the face of the dwelling and that the dwelling itself meets the required front yard setback. Staff are satisfied that the orientation of the dwelling and the irregular lot shape cause the reduction in the front yard setback, which is measured to a pinch point. Staff have no concerns with the requested variance, as it is consistent with front yards found within the immediate area. Staff are of the opinion that the reduction in the front yard is minor, and that adequate front yard amenity space is maintained in this instance. Further, as the carport is primarily open, staff have no concerns regarding potential massing impacts.

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

Comments Prepared by: Shivani Chopra, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed addition will be addressed by our Development Construction Section through Building Permit BP 9ALT-21/9478.

However, our Traffic Planning Section does not support a circular driveway / secondary access for the subject site. As per the TAC Geometric Design Guide for Canadian Roads, "Single family residential properties [are] normally restricted to one driveway, irrespective of frontage."

Consistent with Traffic Engineering best practices, the number of accesses to the municipal road network are to be minimized to optimize roadway safety and efficiency, minimize vehicular and pedestrian conflict points, ensure sufficient space is available between driveways for signage/utilities/trees/other street appurtenances, maintain on-street parking spaces, clearly identify which property each driveway serves, etc. In addition, in this particular instance we can not see the rationale for having a circular driveway on this property.

Comments Prepared by: John Salvino, Development Engineering Technologist





Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit application under file 21-9478. Based on review of the information currently available for this building permit, we advise that the following variance(s) should be amended as follows:

1. Two garages (an attached garage and a carport); whereas, By-law 0225-2007, as amended, permits only one garage in this instance;

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

Comments Prepared by: Ramsen Hedoo

City Department and Agency Comments	File:A320.24	2024/07/17	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.

Comments Prepared by: Jamie Meston, Landscape Architect Assistant

Appendix 4 – Region of Peel

Minor Variance: A-24-320M / 2139 Portway Avenue

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

Comments:

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.
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 - Proposals to connect to an existing service lateral require approval from a Region of Peel inspector at construction stage.

Comments Prepared by: Petrele Francois, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A321.24
Ward: 7

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 2099 Stavebank Road, zoned R1-Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an accessory structure with an area of 29.04sq m (approx. 312.58sq 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.

The Committee has set **Thursday, July 25, 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:

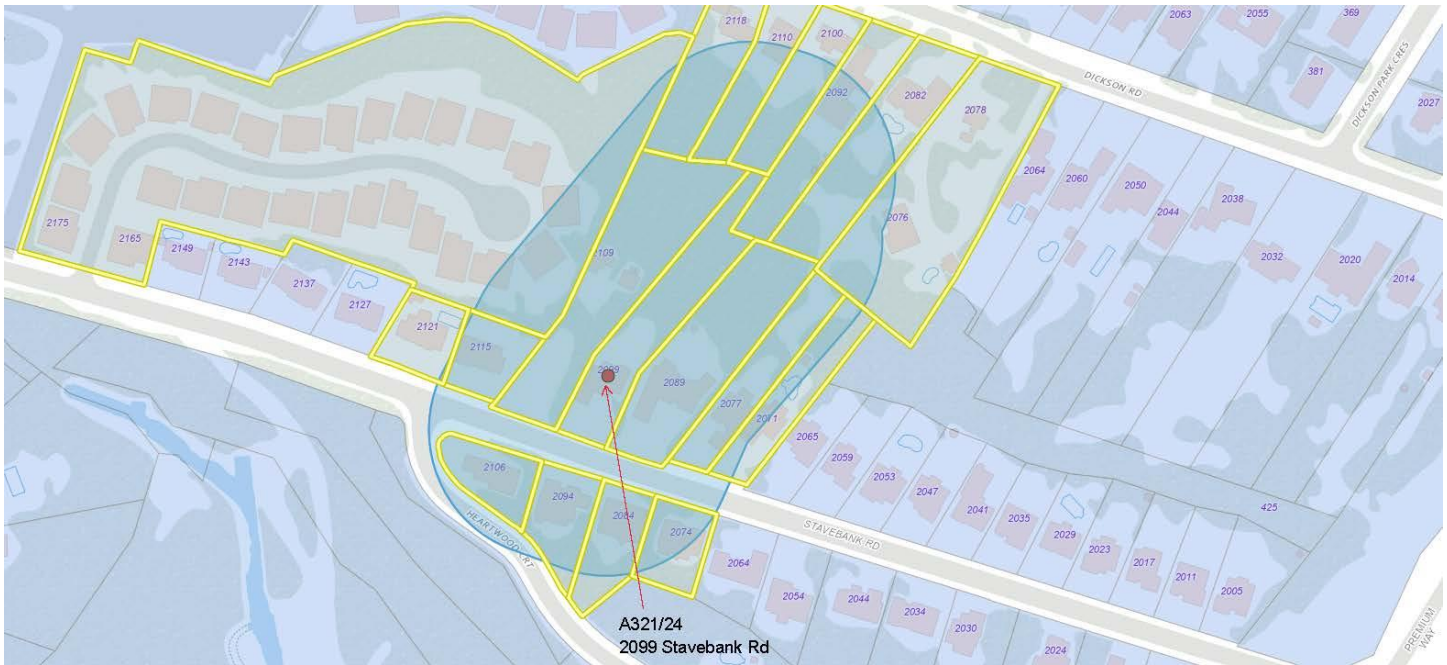
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Committee of Adjustment Appeal Process:

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:

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City of Mississauga Department Comments

Date Finalized: 2024-07-17	File(s): A321.24
To: Committee of Adjustment	Ward: 7
From: Committee of Adjustment Coordinator	Meeting date:2024-07-25 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 with an area of 29.04sq m (approx. 312.58sq 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.

Background

Property Address: 2099 Stavebank Road

Mississauga Official Plan

Character Area: Cooksville Neighbourhood (West)
Designation: Residential Low Density I & Greenlands

Zoning By-law 0225-2007

Zoning: R1-Residential

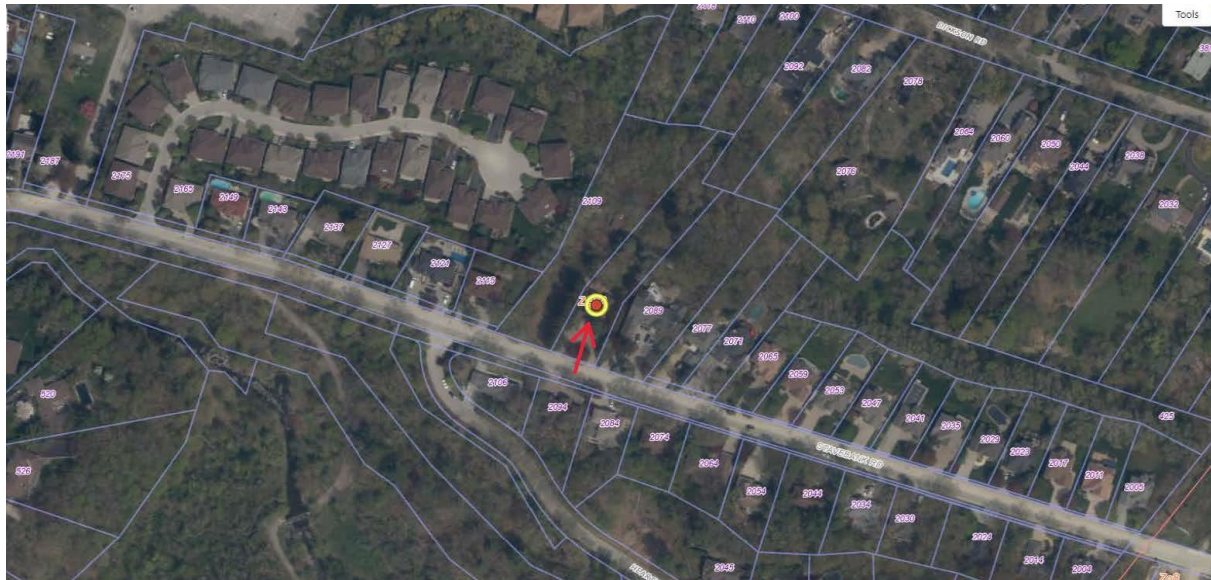
Other Applications: BP 24-1634

Site and Area Context

The subject property is located south-east of the Queensway West and Mavis Road intersection in the Cooksville Neighbourhood Character Area. It currently contains a two-storey dwelling with an attached garage that is currently under construction. Mature vegetation is present throughout

the subject property. The surrounding area context is predominantly residential, consisting of detached dwellings.

The applicant is proposing to construct an accessory structure in the rear yard requiring a variance for accessory structure area.



Comments

Planning

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

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

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

The subject property is located in the Cooksville Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. Staff are therefore of the opinion that the proposal maintains the general intent and purpose of the official plan.

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

The sole variance relates to an increase in accessory structure area. 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 in the same location on the property would have a similar massing impact as the proposal. No additional variances for height or setbacks have been requested further mitigating any potential impact. 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. Additionally, the Credit Valley Conservation Authority (CVC) has no concern with the approval of the minor variance as the proposed works are setback sufficiently from the natural features of interest to CVC. Staff are satisfied the proposal maintains the general intent and purpose of the zoning by-law.

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

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

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed pool house will be addressed through the applicants active Building Permit BP 24-1634.





Comments Prepared by: Mike Russo, Development Engineering

Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application 24-1634. 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: Sibila Lass Weldt, Zoning Examiner

Appendix 3 – Region of Peel

Minor Variance: A-24-321M / 2099 Stavebank Road

Planning: Petrele Francois (905) 791-7800 x3356

Comments:

- The subject land is located in the regulated and floodplain area of the Credit Valley Conservation Authority (CVC). 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 CVC 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 CVC and incorporate their conditions of approval 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 4 – CVC

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

1. Delegated Responsibilities – providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 3.1 of the Provincial Policy Statement (2020);
2. Regulatory Responsibilities – providing comments to ensure the coordination of requirements under the *Conservation Authorities Act* Section 28 regulation, to eliminate unnecessary delay or duplication in process;

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

CVC REGULATED AREA

Based on our mapping, the subject property is regulated due slope hazard associated with Stavebank 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 an accessory structure with an area of 29.04sq m (approx. 312.58sq 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.

COMMENTS:

Based on the review of the information provided, CVC has no concern with the approval of the minor variance at this time as the proposed works are setback sufficiently from the natural features of interest to CVC.

CVC staff has reviewed and approved the proposed works as part of clearance SP 24/Chan. The applicant is to note that the property is regulated by CVC and any new development proposed will require a CVC review and may need a CVC permit.

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

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

Comments Prepared by: Stuti Bhatt, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A322.24
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 3261 Michaud Ave, 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 building height of 9.63m (approx. 31.60ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.00m (approx. 29.53ft) in this instance;
2. An eaves height of 6.80m (approx. 22.31ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance;
3. An interior side yard setback of 1.20m (approx. 3.94ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.81m (approx. 5.94ft) in this instance;
4. A gross floor area (infill) of 373.66sq m (approx. 4022.08sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area (infill) of 316.16sq m (approx. 3403.15sq ft) in this instance; and,
5. A combined side yard setback of 2.40m (approx. 7.87ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard setback of 3.80m (approx. 12.47ft) in this instance.

The Committee has set **Thursday, July 25, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

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

- **In person:** This hearing is being held virtually. Please see the options below for electronic participation. If holding an electronic rather than an in person hearing is likely to cause a party significant prejudice, a written request may be made to have the Committee consider holding an in person hearing on an application. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30pm the Monday prior to the hearing. The request can be emailed to committee.adjustment@mississauga.ca or mailed to the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. If a party does not submit a request and does not participate in the hearing the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.
- **Electronically (computer, tablet or smartphone):** Advance registration is required to speak virtually at the hearing. If you wish to make a presentation at the hearing you must send your request to speak and your presentation material (as an attachment) via email to committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. If you have connection issues on the hearing date, please email virtualmeeting.help@mississauga.ca.
- **By telephone:** Advance registration is required to speak virtually at the hearing. To register, please call 905-615-3200 x2408 by 4:30 PM on the Friday prior to the hearing. You must provide your name, phone number, and the application file number. Committee staff will provide you with call in details prior to the start of the hearing.
- **Submit a written comment:** Written comments to the Committee must be received no later than 4:30 p.m. on the Friday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing

the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and the application file number or property address you are commenting on.

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

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

Additional Information:

- For more information about this matter, contact committee.adjustment@mississauga.ca or call 905-615-3200 x2408. Alternatively, information can be obtained in person by making an appointment with the Committee of Adjustment at 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Appointments can be booked using the “Book an appointment” button on the Committee’s webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.
- You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>.
- If you wish to be notified of the decision of the Committee, you must submit a written request to committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. This will also entitle you to be advised of any Ontario Land Tribunal (OLT) appeals.

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City of Mississauga Department Comments

Date Finalized: 2024-07-17	File(s): A322.24 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-07-25 1:00:00 PM

Consolidated Recommendation

The City recommends 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 the construction of a new house proposing:

1. A building height of 9.63m (approx. 31.60ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.00m (approx. 29.53ft) in this instance;
2. An eaves height of 6.80m (approx. 22.31ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance;
3. An interior side yard setback of 1.20m (approx. 3.94ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.81m (approx. 5.94ft) in this instance;
4. A gross floor area (infill) of 373.66sq m (approx. 4022.08sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area (infill) of 316.16sq m (approx. 3403.15sq ft) in this instance; and,
5. A combined side yard setback of 2.40m (approx. 7.87ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard setback of 3.80m (approx. 12.47ft) in this instance.

Background

Property Address: 3261 Michaud Ave

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

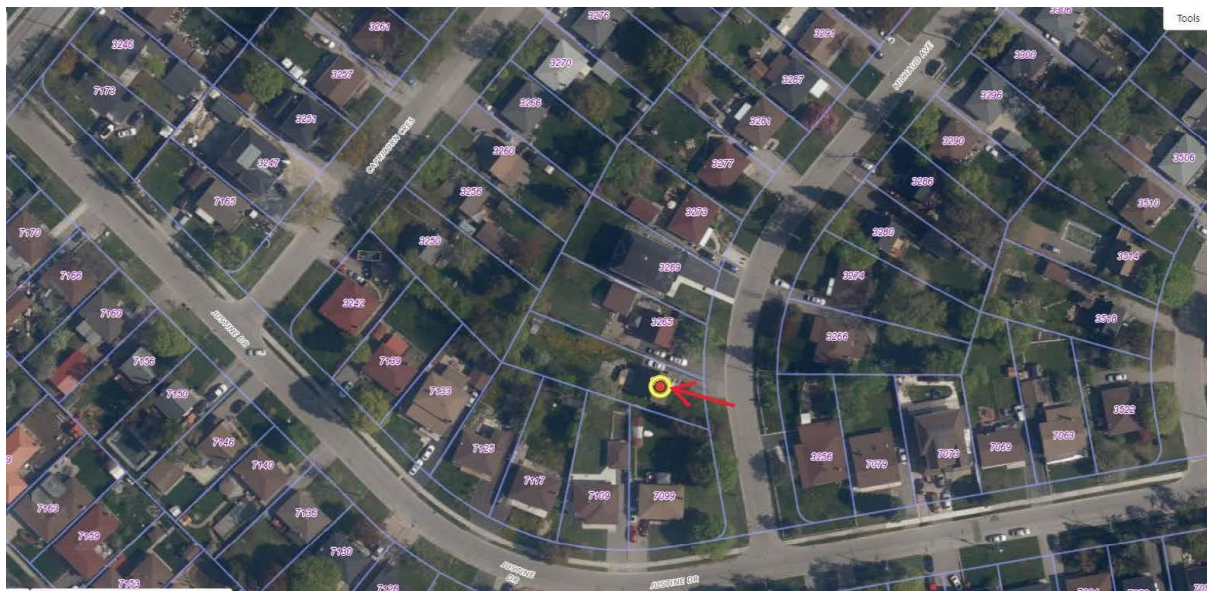
Zoning: R3-69-Residential

Other Applications: None

Site and Area Context

The subject property is located in the Malton Neighbourhood Character Area, north-west of the Derry Road East and Goreway Drive intersection. The subject property contains a single storey detached dwelling with no garage. Limited vegetation and landscaping elements are present on the subject property. The surrounding area is predominantly residential, consisting of detached dwellings.

The applicant is proposing to demolish the existing dwelling to facilitate the construction of a new two-storey dwelling requiring variances for height, eaves height, interior side yard setback, gross floor area and combined side yard setback.



Comments

Planning

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

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

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

The subject property is located in the Malton Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. Staff are satisfied that the proposal is compatible and appropriate for 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?

Variances 1 & 2 pertain to the height of the proposed dwelling and eaves. The intent in restricting dwelling and eaves height is to lessen the visual massing of the dwelling, by lowering the overall pitch of the roof and bringing the edge of the roof closer to the ground. This keeps the overall height of the dwelling within human scale. Staff note the average grade is 0.19m (0.62ft) below the finished grade of the dwelling, thereby making the proposed dwelling height appear shorter than requested. Staff are of the opinion that the impacts of the requested eave and dwelling are negligible and represents a minor deviation from what the by-law envisions. The proposal maintains an appropriate human scale and does not exacerbate the visual massing of the dwelling.

Variances 3 & 5 pertain to side yard setbacks. While Planning staff are not in a position to interpret the zoning by-law, staff note the combined side yard setback variance is not required for the subject property. The general intent of this portion of the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties, access to the rear yard ultimately remains unencumbered and that appropriate drainage patterns are maintained. Staff note the first storey of the dwelling requires a 1.2m (3.93ft) setback on both side of the dwelling with the second storey requiring a 1.81m (5.90ft) setback. The plans for the dwelling propose to build the second storey directly over the first storey, thereby having the same side yard setbacks as the first storey, which is consistent with other two-storey detached dwellings found in the immediate area. As such, it is staff's opinion that the requested variances are a minor deviation from the by-law and do not pose any concerns. Staff are satisfied that the proposed side yard provide an adequate buffer, appropriate drainage can be maintained and access to the rear yard remains unencumbered.

Variance 4 relates to an increase in gross floor area. The intent in restricting gross floor area is to maintain compatibility between existing and new dwellings in order to ensure that the existing and planned character of a neighbourhood is preserved. Staff initially had concerns with the gross floor area proposed but worked with the applicant to reduce the overall gross floor area to more appropriately reflect the neighbourhood. The gross floor area requests a moderate increase that is in line with new builds in the surrounding area and will not create a significant massing impact above the as of right permissions of the property. Staff are therefore satisfied

that the gross floor area represents an appropriate balance between the existing and planned character of the area in this instance.

Given the above, Planning staff are of the opinion that the application maintains the general intent and purpose of the zoning by-law.

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

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

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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







Comments Prepared by: Mike Russo, 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.

Comments Prepared by: Jamie Meston, Landscape Architect Assistant

Appendix 4 – Region of Peel

Minor Variance: A-24-322M / 3261 Michaud Avenue

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

Comments:

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.
- All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel design specifications. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.
- Installation of and alterations to property line water valves and chambers and sanitary/storm sewer maintenance holes require inspection by Region of Peel inspectors to confirm if these works are completed in accordance with Region of Peel Design Criteria, Standards, and Specifications.
- Proposals to connect to an existing service lateral require approval from a Region of Peel inspector at construction stage.
- The applicant shall verify the location of the existing service connections to the subject site and the contractor shall locate all existing utilities in the field. Requests for underground locates can be made at <https://www.ontarioonecall.ca/portal/>. For location

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

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 5 – TRCA

The subject property at 3261 Michaud Avenue (minor variance application no. A322.24) is not within TRCA's Regulated Area.

Please note the surrounding area is impacted by the spill area however, the specific lot at 3261 Michaud Avenue is outside of this flood hazard.

As such the proposed works do not require a TRCA permit.

I'm sending this email to provide clearance for the proposed replacement dwelling with a basement walkout at 3261 Michaud Avenue.

I trust this is of assistance.

Comments Prepared by: Marina Janakovic, Planner I



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A323.24
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 1639 Lakeshore Rd W, zoned C4-64 - Commercial & G1 - Greenlands, 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 mixed use building proposing:

1. To permit a height of 4 storeys/14.5m (approx. 47.57 ft) whereas By-law 0225-2007, as amended, permits a maximum height of 3 storeys/12.5m (approx. 41.0ft) in this instance;
2. To permit a minimum commercial use of 25% of the first storey whereas By-law 0225-2007, as amended, requires a minimum commercial use of 75% of the first storey in this instance;
3. To permit a first storey height of 3.1m (approx. 10.2ft) whereas By-law 0225-2007, as amended, requires a minimum first storey height of 4.5m (approx. 14.8ft) in this instance;
4. To permit a parking and paved areas setback to a Greenland zone of 0.0m whereas By-law 0225-2007, as amended, requires a minimum setback of 7.5m (approx. 24.6ft) in this instance;
5. To permit a rear yard landscaped buffer depth from a lot line abutting a Greenland zone of 0m whereas By-law 0225-2007, as amended, requires a minimum landscaped buffer depth of 4.5m (approx. 14.8ft) in this instance;
6. To permit a rear yard setback abutting a Greenland zone of 10.9m (approx. 35.8ft) whereas By-law 0225-2007, as amended, requires a minimum of 7.5 m plus 1.0 m for each additional 1.0 m of building height or portion thereof, (exceeding 10.0m) which is 12.0m (approx. 39.37ft) in this instance;
7. To permit a front yard setback of 0.19m (approx. 0.62ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 0.6m (approx. 2.0ft) in this instance;
8. To permit 27 parking spaces consisting of 17 on-site spaces and 10 payment-in-lieu of parking spaces whereas By-law 0225-2007, as amended, requires a total of 41 parking spaces (31 Residential parking spaces & 10 Visitor parking spaces) in this instance;
9. To permit all required parking spaces to be proposed as surface parking whereas By-law 0225-2007, as amended, requires parking spaces to be provided in a below grade structure when residential Floor Space Index is greater than 1.0 in this instance;
10. To permit 4 EV ready parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 7 EV ready parking spaces (6 residential EV parking spaces, and 1 visitor EV Parking Space) in this instance;
11. To permit a loading space dimension of 3.5m x 6.0m (approx. 11.48ft x 19.69ft) whereas By-law 0225-2007, as amended, requires a minimum loading space of 3.5m x 9.0m (approx. 11.48ft x 29.53ft) in this instance;
12. To permit a horizontal clearance from the wall of 1.0m (approx. 3.3ft) for vertical bicycle parking racks whereas By-law 0225-2007, as amended, requires a minimum horizontal clearance from the wall of 1.2m (approx. 3.9ft) in this instance;
13. To permit a 0.0m bicycle parking aisle; whereas By-law 0225-2007, as amended, requires a minimum bicycle parking aisle of 1.5m (approx. 4.92ft) in this instance; and,
14. To permit 28 obstructed indoor bicycle parking spaces (28 obstructed & 14 unobstructed) to permit stacked bicycle parking racks; whereas By-law 0225-2007, as amended, requires a minimum unobstructed bicycle parking space of 0.6m x 1.2m x 1.8m (approx. 1.97ft x 3.94ft x 5.91ft)(31 total required) in this instance.

The Committee has set **Thursday, July 25, 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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Public participation at hearings helps the Committee make informed decisions. There are several methods to participate:

- **In person:** This hearing is being held virtually. Please see the options below for electronic participation. If holding an electronic rather than an in person hearing is likely to cause a party significant prejudice, a written request may be made to have the Committee consider holding an in person hearing on an application. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30pm the Monday prior to the hearing. The request can be emailed to committee.adjustment@mississauga.ca or mailed to the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. If a party does not submit a request and does not participate in the hearing the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.
- **Electronically (computer, tablet or smartphone):** Advance registration is required to speak virtually at the hearing. If you wish to make a presentation at the hearing you must send your request to speak and your presentation material (as an attachment) via email to committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. If you have connection issues on the hearing date, please email virtualmeeting.help@mississauga.ca.
- **By telephone:** Advance registration is required to speak virtually at the hearing. To register, please call 905-615-3200 x2408 by 4:30 PM on the Friday prior to the hearing. You must provide your name, phone number, and the application file number. Committee staff will provide you with call in details prior to the start of the hearing.
- **Submit a written comment:** Written comments to the Committee must be received no later than 4:30 p.m. on the Friday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and the application file number or property address you are commenting on.

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

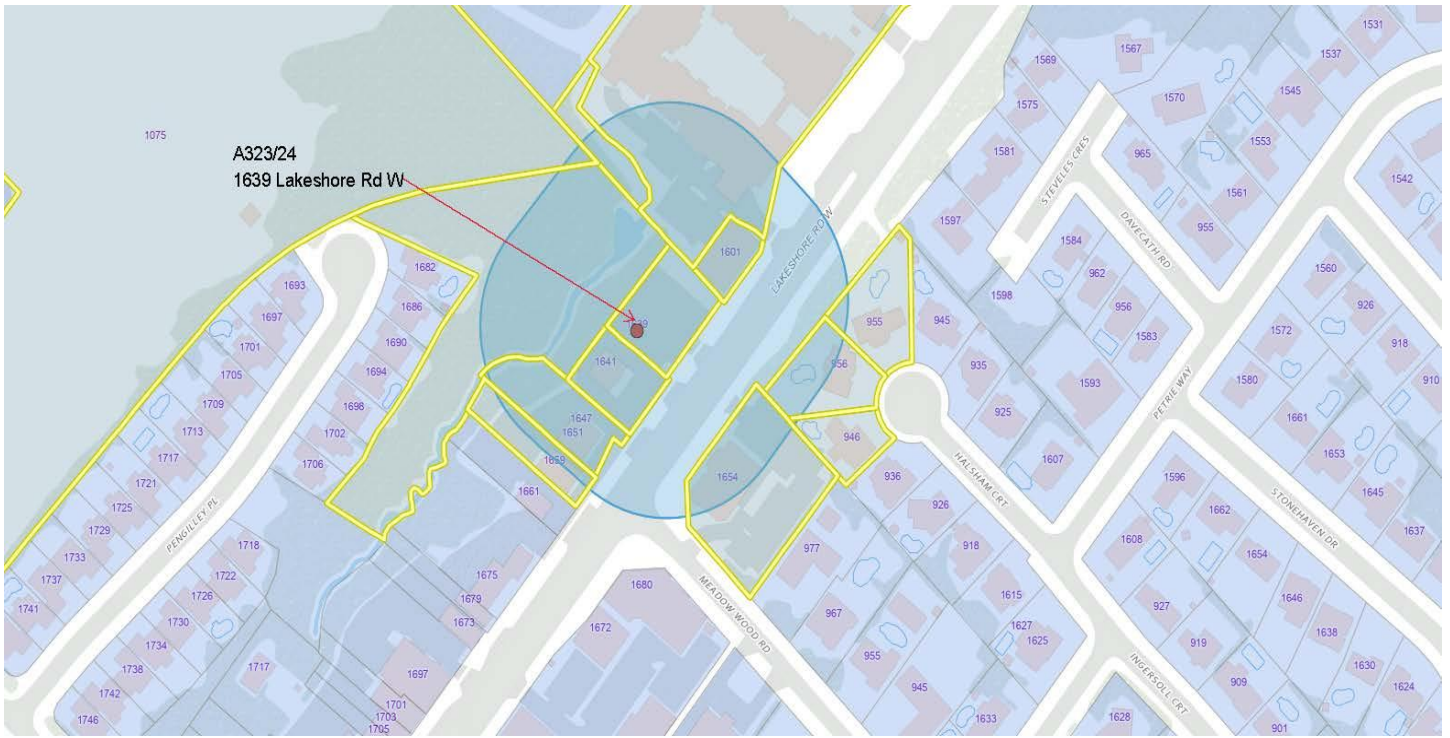
<http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>

Additional Information:

- For more information about this matter, contact committee.adjustment@mississauga.ca or call 905-615-3200 x2408. Alternatively, information can be obtained in person by making an appointment with the Committee of Adjustment at 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Appointments can be booked using the "Book an appointment" button on the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.
- You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>.
- If you wish to be notified of the decision of the Committee, you must submit a written request to committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. This will also entitle you to be advised of any Ontario Land Tribunal (OLT) appeals.

Committee of Adjustment Appeal Process:

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



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: 2024-07-17	File(s): A323.24
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2024-07-25 1:00:00 PM

Consolidated Recommendation

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

Application Details

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

1. To permit a height of 4 storeys/14.5m (approx. 47.57 ft) whereas By-law 0225-2007, as amended, permits a maximum height of 3 storeys/12.5m (approx. 41.0ft) in this instance;
2. To permit a minimum commercial use of 25% of the first storey whereas By-law 0225-2007, as amended, requires a minimum commercial use of 75% of the first storey in this instance;
3. To permit a first storey height of 3.1m (approx. 10.2ft) whereas By-law 0225-2007, as amended, requires a minimum first storey height of 4.5m (approx. 14.8ft) in this instance;
4. To permit a parking and paved areas setback to a Greenland zone of 0.0m whereas By-law 0225-2007, as amended, requires a minimum setback of 7.5m (approx. 24.6ft) in this instance;
5. To permit a rear yard landscaped buffer depth from a lot line abutting a Greenland zone of 0m whereas By-law 0225-2007, as amended, requires a minimum landscaped buffer depth of 4.5m (approx. 14.8ft) in this instance;
6. To permit a rear yard setback abutting a Greenland zone of 10.9m (approx. 35.8ft) whereas By-law 0225-2007, as amended, requires a minimum of 7.5 m plus 1.0 m for each additional 1.0 m of building height or portion thereof, (exceeding 10.0m) which is 12.0m (approx. 39.37ft) in this instance;
7. To permit a front yard setback of 0.19m (approx. 0.62ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 0.6m (approx. 2.0ft) in this instance;
8. To permit 27 parking spaces consisting of 17 on-site spaces and 10 payment-in-lieu of parking spaces whereas By-law 0225-2007, as amended, requires a total of 41 parking spaces (31 Residential parking spaces & 10 Visitor parking spaces) in this instance;
9. To permit all required parking spaces to be proposed as surface parking whereas By-law 0225-2007, as amended, requires parking spaces to be provided in a below grade structure

when residential Floor Space Index is greater than 1.0 in this instance;

10. To permit 4 EV ready parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 7 EV ready parking spaces (6 residential EV parking spaces, and 1 visitor EV Parking Space) in this instance;

11. To permit a loading space dimension of 3.5m x 6.0m (approx. 11.48ft x 19.69ft) whereas By-law 0225-2007, as amended, requires a minimum loading space of 3.5m x 9.0m (approx. 11.48ft x 29.53ft) in this instance;

12. To permit a horizontal clearance from the wall of 1.0m (approx. 3.3ft) for vertical bicycle parking racks whereas By-law 0225-2007, as amended, requires a minimum horizontal clearance from the wall of 1.2m (approx. 3.9ft) in this instance;

13. To permit a 0.0m bicycle parking aisle; whereas By-law 0225-2007, as amended, requires a minimum bicycle parking aisle of 1.5m (approx. 4.92ft) in this instance; and,

14. To permit 28 obstructed indoor bicycle parking spaces (28 obstructed & 14 unobstructed) to permit stacked bicycle parking racks; whereas By-law 0225-2007, as amended, requires a minimum unobstructed bicycle parking space of 0.6m x 1.2m x 1.8m (approx. 1.97ft x 3.94ft x 5.91ft)(31 total required) in this instance.

Amendments

The Building Department is processing Independent Zoning Review application IZR SP 24-1274. Based on review of the information available in this application, Zoning staff advise that following amendments are required:

1. To permit a maximum height of 4 storeys/13.73m (approx. 45.05ft) whereas By-law 0225-2007, as amended, permits a maximum height of 3 storeys/12.5m (approx. 41.0ft) in this instance;
2. To permit a minimum commercial use of 28.26% of the first storey whereas By-law 0225-2007, as amended, requires a minimum commercial use of 75% of the first storey in this instance;

With respect to Variance #8, the applicant to has yet to delineate parking spaces between Residential and Visitor on the drawings provided within the IZR SP 24-1274. The following additional variance would be required; in this instance;

To provide (**applicant to verify**) Residential parking spaces whereas By-law 0225-2007, as amended, requires a total of 31 Residential parking spaces in this instance;

To provide (**applicant to verify**) visitor parking spaces whereas By-law 0225-2007, as amended, requires a total of 10 visitor parking spaces in this instance;

Recommended Conditions and Terms

Transportation and Works staff recommend the following condition:

- The applicant provide an additional sign to draw cyclists' attention to vehicle traffic.

The Parks and Culture Planning Section of the Community Services Department wishes to impose the following condition(s):

1. To ensure the protection and preservation of the Significant Natural Feature, the applicant is to provide written confirmation from Parks & Culture Planning to the Committee of Adjustment that the Community Services Department has received and approved the Environmental Impact Study.
2. To ensure the enhancement and restoration of the Significant Natural Feature, the applicant is to provide written confirmation from Parks & Culture Planning to the Committee of Adjustment that the Community Services Department has received and approved a Restoration Plan.

Background

Property Address: 1639 Lakeshore Rd W

Mississauga Official Plan

Character Area: Clarkson Village Community Node
Designation: Greenland; Mixed Use

Zoning By-law 0225-2007

Zoning: C4-64 - Commercial & G1 - Greenlands

Other Applications: Independent Zoning Review application IZR SP 24-1274

Site and Area Context

The subject property is located within the Clarkson Village Community Node Character Area, on the easterly edge of the Historic Village Precinct and on the north side of Lakeshore Road West. In 2013 Council approved the Clarkson Village Study and the associated Official Plan Amendment which implemented the current character area policies. The subject precinct predominantly contains traditional main street store fronts, suburban strip malls, stand alone single retail uses and big box centres. Notwithstanding this general existing context, there are sites within the precinct that have undergone development applications for residential intensification and have resulted in approvals for buildings up to 8 storeys in height.

The subject site is served by MiWay bus route 23 and is approximately 1.2 km from the Clarkson GO Station which is located to the northwest.

Mississauga Official Plan identifies Community Nodes as Intensification Areas and contains policies that encourages redevelopment in a manner that respects the surrounding context. In addition, Lakeshore Road West is identified as a Corridor and is supplemented with policies that encourages mixed use development oriented towards the corridor.

The neighbouring context consists of a 4 to 6 storey residential apartment building and 2 storey commercial building to the east, a 1 storey commercial building to the west and a 1 storey commercial building to the south. Immediately to the north of the site is Turtle Creek and a wooded natural area, a public park (Birchwood Park) and a railway corridor. Further south of the site exists an established and mature neighbourhood that contains mostly detached dwellings.

The site is approximately 1,540m² (16576.42 ft²) in size consisting of a surface parking lot.

The applicant is proposing a 4-storey residential apartment building that will incorporate the retention of the existing concrete parking lot into the overall site design with 51 units. Based on an Independent Zoning Review (IZR) of the application submitted by the applicant, the proposal has been confirmed by Zoning staff to be a residential use, permitted within the existing C4 - Mainstreet Commercial zoning category of the site.

In addition, through the submitted information, it is staff's understanding that the property owner will be offering deeply affordable rental units in partnership with the Region of Peel with ancillary support services. The following Mississauga Official Plan policies are highlighted below that speak to the provision of affordable housing within the City of Mississauga:

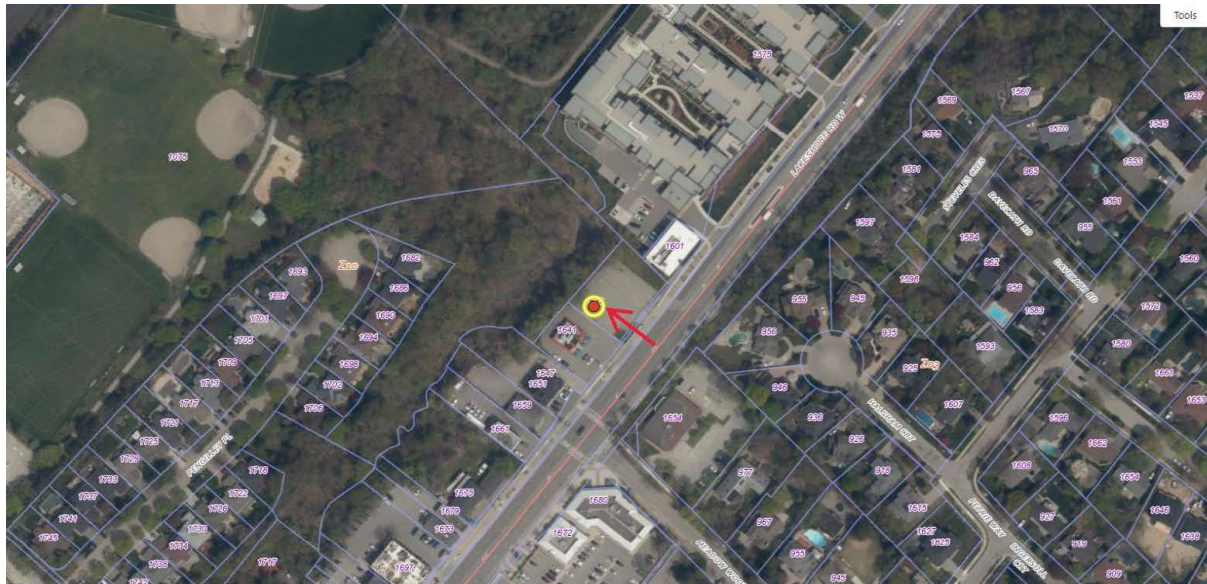
7.2.7 Mississauga will directly assist all levels of government in the provision of rental housing by:

- a. supporting the efforts of the Region and other local not for profit housing organizations in providing low and moderate income rental housing and accommodation for those with special needs;

14.1.7.4.2 Affordable housing for low income households will be encouraged. It is recognized that affordable housing provision is subject to landowners being able to secure access to adequate funding and collaboration with the Region of Peel as Service Manager for subsidized housing.

The application is seeking minor variances for building height, percentage of commercial use for the first storey, first storey height, setback to Greenland zone, front yard setback, vehicle and bicycle parking provisions and loading space.

Below is an air photo of the subject property:



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*.

Site History

Staff note for the Committee that the site previously contained a 1 storey commercial building that initially received a Building Permit issued in 1969. Since then, there have been a number of interior alteration and building addition permits. In 2011, the City issued a Demolition Permit to demolish the existing 1 storey building that was located in the north-west portion of the site.

The Committee previously approved a minor variance application on the subject property on May 17, 2012, under file A196.12 to permit an animal boarding and dog run establishment for a temporary period of five years, that was also subject to a Site Plan application in process at that time. Associated variances included a deficient setback of 0.00 m (0.00 ft.) to the Greenlands zone from the existing surface parking area and a landscape buffer width of 0.00m (0.00ft). The application also included a reduction in required parking spaces.

At that time, Planning staff had recommended approval of the application, which was supplemented by comments from the Credit Valley Conservation (CVC) that indicated satisfactory arrangements had been made with respect to addressing the long term stable slope line associated with the adjacent valley lands.

Similar to the proposal under the previous variance, the subject application intends to incorporate the existing surface parking area as part of the overall concept plan for the site.

Staff Comments

Staff comments concerning the application of the four tests to each individual minor variance identified as part of the revised notice circulated on July 5, 2024, is provided below:

1. *To permit a height of 4 storeys/14.5 m (approx. 47.57 ft) whereas By-law 0225-2007, as amended, permits a maximum height of 3 storeys/12.5m (approx. 41.0ft) in this instance;*

We note for the Committee that the most recent drawings submitted with the revised notice indicate a total building height of 13.7m (44.94ft), however, staff understand that the applicant is seeking flexibility with respect to the allowance of overall height.

Mississauga Official Plan contains the following pertinent policy that is applicable to the site:

5.3.3.11 Development in Community Nodes will be in a form and density that complements the existing character of historical Nodes or that achieves a high-quality urban environment within more recently developed Nodes.

The Clarkson Village Community Node Character Area policies reinforce this direction by implementing a height schedule that outlines the expectation for building heights in the different precincts. Based on a review of the Height Schedule, new development that is 3-4 storeys in height can be expected within the Historic Village Precinct. In particular, the subject property is slated for 3 storeys in height. However, immediately across the street on the south side of Lakeshore Road West and to the west of the subject site, are properties permitted to have a height of 4 storeys.

The Clarkson Village Built Form Guidelines, although not policy for the consideration of the four tests, provide the following guidance pertinent to the specific request. The site is considered to be located within the “Village Core” and is associated with the following guidance:

“Redevelopment within the Village Core should maintain and reinforce the existing built form in regard to building height and streetscape.”

Notwithstanding the above, the following policy is contained in the general Community Nodes policy section of Mississauga Official Plan:

14.1.1.3 Proposals for heights less than two storeys, more than four storeys or different than established in the Character Area policies will only be considered where it can be demonstrated to the City’s satisfaction, that:

- a. an appropriate transition in heights that respects the surrounding context will be achieved;
- b. the development proposal enhances the existing or planned development;
- c. the City Structure hierarchy is maintained; and d. the development proposal is consistent with the policies of this Plan.

Staff note that immediately to the east of the site is a residential apartment building and a commercial building that ranges from 2-6 storeys in height and forms part of the consideration for existing building heights.

Furthermore, Mississauga Official Plan requires the implementation of the following principle when considering application concerning additional height:

19.4.3 To provide consistent application of planning and urban design principles, all development applications will address, among other matters:

- a. the compatibility of the proposed development to existing or planned land uses and forms, including the transition in height, density, and built form;

Based on a review of the drawings provided with the application, staff are of the opinion that the requested additional storey totalling 4 storeys meets the intent of the official plan, as the total height of the building is within the realm of what is expected from a built form perspective on the Lakeshore Road West corridor and respects and relates to existing and planned building heights within the immediate vicinity. Staff are satisfied that the additional height meets the criteria specified in policy 14.1.1.3.

The requested relief in the overall building height dimension of 13.7 m from 12.5 m permitted in the C4 – Mainstreet Commercial zone results in a building height that is comparable to the height of the 4 storey portion of the existing apartment building to the east and as such, does not facilitate any negative impacts on the adjacent properties. Therefore, it is staff's opinion that the requested variance meets the intent of the Zoning By-law.

Based on the above, staff are of the opinion that the variance for height is desirable as it facilitates construction of affordable housing units within an overall built form that is compatible with the immediate context and as such, is minor in nature.

2. *To permit a minimum commercial use of 25% of the first storey whereas By-law 0225-2007, as amended, requires a minimum commercial use of 75% of the first storey in this instance;*

The Clarkson Village Community Node Character Area policies envision the Historic Village Precinct as a mainstreet corridor containing buildings that facilitate pedestrian activity within the public realm of the corridor, while also prioritising walkability and pedestrian oriented development. This particular zoning requirement is intended to carry out this vision by restricting residential uses and preserving opportunity for commercial space on the ground floor.

With respect to the requested relief, we note for the committee that the ground floor design is oriented in a manner that maintains the above noted intent, as a large portion of the building façade facing Lakeshore Road West will consist of commercial space, totalling 70% of the overall building frontage. We note further that the ground floor design incorporates spaces related to the ancillary services of the building operator and does not contain ground floor residential units.

As such, staff are of the opinion that the requested variance maintains the intent of the official plan and zoning by-law with respect to ensuring commercial uses fronting Lakeshore Road West, is desirable for the overall function of the ground floor and is minor in nature.

3. *To permit a first storey height of 3.1m (approx. 10.2ft) whereas By-law 0225-2007, as amended, requires a minimum first storey height of 4.5m (approx. 14.8ft) in this instance*

The applicant is proposing to reduce the minimum first storey height to 3.1m (10.2ft) for only portions of the ground floor, mainly the office and washroom spaces. The commercial space that will be situated within the part of the ground floor facing the street is designed to incorporate a 3.75m (12.30ft) floor height.

Mainstreet commercial corridors within the City are expected to contain first storey commercial spaces that can, from a design perspective, contribute to the overall street wall in a positive manner. In this scenario, the proposed design of the building still results in a 3.75m (12.30ft) floor height within the portion of the building facade that is intended to contain a commercial use and fronts the Lakeshore Road West corridor. In addition, this floor to ceiling height is comparable to most of the older commercial spaces that already exist within the Historic Village Precinct.

As such, staff are of the opinion that this technical variance maintains the general intent of the official plan and zoning by-law, is desirable for the design of the building and is minor in nature.

4. *To permit a parking and paved areas setback to a Greenland zone of 0.0m whereas By-law 0225-2007, as amended, requires a minimum setback of 7.5m (approx. 24.6ft) in this instance;*
5. *To permit a rear yard landscaped buffer depth from a lot line abutting a Greenland zone of 0m whereas By-law 0225-2007, as amended, requires a minimum landscaped buffer depth of 4.5m (approx. 14.8ft) in this instance;*
6. *To permit a rear yard setback abutting a Greenland zone of 10.9m (approx. 35.8ft) whereas By-law 0225-2007, as amended, requires a minimum of 7.5 m plus 1.0 m for each additional 1.0 m of building height or portion thereof, (exceeding 10.0m) which is 12.0m (approx. 39.37ft) in this instance;*

Staff note for the Committee that the subject property contains a G1 - Greenlands zone that traverses the site, and the location of this zone can be characterized as being at the back of the property. This zone further extends to capture the lands associated with the adjacent Turtle Creek.

Currently, the subject property contains a concrete parking area that will be maintained as part of the subject proposal and the location of the parking area straddles the G1 – Greenlands zone, which results in required relief for deficient setback and landscape buffer. The intent of providing setbacks and appropriate buffering to the G1 – Greenlands zone is to ensure that any proposed development will not have any significant or lasting negative impacts on neighbouring environmental features.

As noted above in the Site Context section of this comment, the Committee previously approved a minor variance for the site that required a 0.00 m setback and landscape buffer to the G1 – Greenlands zone, which was attributed to the maintenance of the existing parking area. The

applicant is continuing to propose the maintenance and incorporation of the parking area into the proposed concept plan.

Planning and Credit Valley Conservation Authority (CVC) staff have held preliminary discussions regarding the proposal, including addressing the adjacent natural feature and associated long term stable slope line. While the parking area will be maintained, new development proposed is slated to be located outside of the long-term stable slope line at a reduced setback that will involve consultation with the CVC. Through the required Site Plan Application process, these details will be confirmed. Staff also advise that any new development on site requires a permit from the CVC.

Where variances are being sought to allow deficient setbacks and buffers to G1 – Greenland zones, the City relies on the CVC's expertise in these matters. In this instance, CVC has indicated the parameters around supporting the continued use and location of the existing parking area, in addition to requiring the formal submission of a geotechnical report to support a reduced setback to the long-term stable slope line through Site Plan Approval, which has the benefit of general discussions between staff and the proponent about the required details through formal preliminary meetings.

For the above reasons, staff are of the opinion that the requested variances meet the intent of the official plan and zoning by-law, is desirable to facilitate the appropriate development of the site and is minor in nature.

7. *To permit a front yard setback of 0.19m (approx. 0.62ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 0.6m (approx. 2.0ft) in this instance;*

The intent of the Zoning By-law with respect to the required 0.6m (2ft) setback from the property line is to ensure that for the purposes of shoring there is an appropriate buffer between the foundation of a building and the property line. In this instance, the applicant is not proposing any underground structures and the relief requested helps facilitate the proposed design on a site that is constrained. In addition, the vision of mainstreet development in general, and in particular the Historic Village Node, is to encourage buildings close to the street property line to catalyze pedestrian activity and properly frame the right of way through built form. As such, staff believe the requested relief to be minor in nature and have no concerns.

8. *To permit 27 parking spaces consisting of 17 on-site spaces and 10 payment-in-lieu of parking spaces whereas By-law 0225-2007, as amended, requires a total of 41 parking spaces (31 Residential parking spaces & 10 Visitor parking spaces) in this instance;*
9. *To permit all required parking spaces to be proposed as surface parking whereas By-law 0225-2007, as amended, requires parking spaces to be provided in a below grade structure*
10. *To permit 4 EV ready parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 7 EV ready parking spaces (6 residential EV parking spaces, and 1 visitor EV Parking Space) in this instance;*

Section 8.4 of the official plan contemplates potential reductions in parking requirements and alternative parking arrangements in appropriate situations. The intent of the zoning by-law containing parking regulations is to ensure that each lot is self-sufficient in providing adequate parking accommodation based upon the intended use and to also ensure that there is an

appropriate level of infrastructure, such as EV spaces, to support current vehicle usage practises. However, we note that the Committee of Adjustment typically considers minor variances for reduced parking and EV spaces subject to sufficient justification. Based on this, the applicant has submitted a Parking Justification Study, which was reviewed by municipal parking staff. Parking staff have indicated their support for the requested rate and reduction in EV spaces and provide the following comments:

Per the submitted site plan, dated June 20, 2024, the applicant proposes to provide a total of 17 parking spaces (7 resident parking spaces and 10 shared visitor/non-residential parking spaces) on-site. A Payment-in-Lieu of Parking contribution for 10 additional parking spaces is also proposed.

A Parking Utilization Study (PUS), prepared by Indwell Community Homes, updated June 3, 2024, was submitted in support of the application. The purpose of the PUS is to provide justification to reduce the required Precinct 2 non-profit rental apartment parking rate from 0.6 parking spaces per unit to 0.33 parking spaces per unit, in this instance. No variances to visitor or non-residential parking are proposed. The three required non-residential parking spaces for the 102 m² GFA commercial unit will be accommodated through a shared parking arrangement with the residential visitor parking.

The proposed residential rental apartment building will consist of 51 deeply affordable dwelling units. Residents of the proposed building generally do not own vehicles and are heavily reliant on public transit, cycling, and walking for daily commuting.

Tenant vehicle ownership data for April 2024 was provided by the applicant for comparable proxy sites that are owned and managed by Indwell. These were:

- Lakeshore Lofts, Port Credit
- Rudy Holst Commons, Hamilton
- Caroline Apartments, Hamilton
- Prinzen Flats, Hamilton

The Lakeshore Lofts located in Port Credit has the highest tenant vehicle ownership rate among the proxy sites with a tenant parking ratio of 0.26. The average ratio for the four sites is 0.19. Therefore, the proposed resident parking rate of 0.33 spaces per unit exceeds the parking rates of comparable proxy sites that are owned and managed by Indwell.

Zoning staff have confirmed that the requested variance is correct.

Given the above, Municipal Parking staff can support the proposed parking reduction to permit a total of 27 parking spaces consisting of 17 on-site spaces and 10 payment-in-lieu of parking spaces whereas By-law 0225-2007, as amended, requires a total of 41 parking spaces (31 Residential parking spaces and 10 Visitor parking spaces) in this instance.

The applicant has proposed pursuing a Payment in Lieu of Parking agreement with the City to deal with the balance of the parking space shortfall.

Planning staff echo Municipal Parking staff's comments and as such, staff have no concerns.

With respect to Variance #9 and the zoning by-law regulation requiring all parking spaces to be underground, we note that the intent of this is to ensure that development sites in the node are designed in a manner that does not have surface parking as a prominent feature of the site. In this case, staff have reviewed the elevations and the associated building mass articulation and are of the opinion that, while the parking spaces offered on site are surfaced parking spaces, they are located towards the rear of the site and the overall design of the building contributes to the mainstreet intention of the Historic Village Precinct. As such, we are of the opinion the variance is appropriate for the development of the site.

11. *To permit a loading space dimension of 3.5m x 6.0m (approx. 11.48ft x 19.69ft) whereas By-law 0225-2007, as amended, requires a minimum loading space of 3.5m x 9.0m (approx. 11.48ft x 29.53ft) in this instance;*

We advise for the Committee that the intent of the zoning by-law with respect to loading space size is to ensure that there is an appropriate area for a vehicle to be parked while being loaded or unloaded. Due to the design of the ground floor, the applicant is seeking a reduction in the length of the loading space. Upon review of the ground floor plan submitted with the minor variance application, the identified loading space is accompanied by an elevated area on the western edge of the space. While this site on the plan offers the room required for the loading space, it cannot provide the regulated length due to the curb separation. In addition, the applicant has confirmed that the expected vehicle types to facilitate patrons moving into the proposed building are suitable to fit and can manoeuvre properly in and out of the parking space. As such, staff are of the opinion that the requested variance is minor in nature, meets the intent of the zoning by-law and official plan and is desirable for the subject site.

12. *To permit a horizontal clearance from the wall of 1.0m (approx. 3.3ft) for vertical bicycle parking racks whereas By-law 0225-2007, as amended, requires a minimum horizontal clearance from the wall of 1.2m (approx. 3.9ft) in this instance.*
13. *To permit a 0.0m bicycle parking aisle; whereas By-law 0225-2007, as amended, requires a minimum bicycle parking aisle of 1.5m (approx. 4.92ft) in this instance; and,*
14. *To permit 28 obstructed indoor bicycle parking spaces (28 obstructed & 14 unobstructed) to permit stacked bicycle parking racks; whereas By-law 0225-2007, as amended, requires a minimum unobstructed bicycle parking space of 0.6m x 1.2m x 1.8m (approx. 1.97ft x 3.94ft x 5.91ft)(31 total required) in this instance.*

With respect to the wall clearance relief of 0.2m (0.6ft) from the requirement of the zoning by-law for vertical bike parking racks, the applicant has indicated that this reflects the specifications provided by their bike parking rack manufacturer. Based on a review of the ground floor plan, staff advise that there remains enough clearance for patrons to accommodate bike retrieval. Given this, staff have no concerns with the variance. Due to this relief, variance #14 is required, as the City's Zoning By-law categorizes the 14 spaces needing clearance relief as obstructed.

With respect to the variance required for a 0.0m (0.0ft) bicycle parking aisle, we advise that the intent of this regulation is to ensure there is sufficient space for patrons to back their bicycle into the short-term parking spaces. We note for the Committee that due to the drive aisle being located adjacent to the short-term spaces, Zoning considers this an infraction on this regulation and thus, requires relief. In this scenario, the bicycle parking spaces have the benefit of using

the drive aisle to facilitate parking movement. According to the applicant and the submitted rationale, it is not expected that this drive aisle will receive high volumes of traffic and as such, we accept the notion that patrons will still be able to utilize the space for bicycle parking as configured. In addition, we understand that the applicant will be working with the Active Transportation group at the City to impose signage to facilitate proper usage of the bicycle parking area. Based on the above, staff are of the opinion that the bicycle parking area still meets the intent of the Zoning By-law with providing an area that is accessible and described and therefore, we have no concerns.

Given the above, staff are satisfied that the application meets the four tests of a minor variance and have no objection to the proposal.

Comments Prepared by: David Ferro, MCIP, RPP, Lead Planner

Shivani Chopra, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that this Department has had a Lifting of the H application previously, File HOZ-07/002, and have recently comments on a Preliminary Application Meeting (PAM-23/205). All of our comments have been provided through these applications.

However, our Traffic Planning Section has the following comment:

Variance #13 to permit a 0.0m bicycle parking aisle; whereas By-law 0225-2007, as amended, requires a minimum bicycle parking aisle of 1.5m (approx. 4.92ft) in this instance;

We have reviewed the provided justifications and found them acceptable. However, we request that the applicant provide an additional sign to draw cyclists' attention to vehicle traffic.

Variance #14 to permit 28 obstructed indoor bicycle parking spaces (28 obstructed & 14 unobstructed) to permit stacked bicycle parking racks; whereas By-law 0225-2007, as amended, requires a minimum unobstructed bicycle parking space of 0.6m x 1.2m x 1.8m (31 total required) in this instance;

We have reviewed the provided justification and found it acceptable to use the stacked bicycle parking racks for this specific situation, as detailed in the provided justification.

For further information please call our Traffic Section directly at x8363.

Comments Prepared by: John Salvino, Development Engineering Technologist





Appendix 2 – Zoning Comments

The Building Department is processing Independent Zoning Review application IZR SP 24-1274. Based on review of the information available in this application, we advise that following amendments are required:

1. To permit a maximum height of 4 storeys/13.73m (approx. 45.05ft) whereas By-law 0225-2007, as amended, permits a maximum height of 3 storeys/12.5m (approx. 41.0ft) in this instance;
2. To permit a minimum commercial use of 28.26% of the first storey whereas By-law 0225-2007, as amended, requires a minimum commercial use of 75% of the first storey in this instance;

With respect to Variance #8, the applicant has yet to delineate parking spaces between Residential and Visitor on the drawings provided within the IZR SP 24-1274. The following additional variance would be required; in this instance;

To provide (**applicant to verify**) Residential parking spaces whereas By-law 0225-2007, as amended, requires a total of 31 Residential parking spaces in this instance;

To provide (**applicant to verify**) visitor parking spaces whereas By-law 0225-2007, as amended, requires a total of 10 visitor parking spaces in this instance;

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

Comments Prepared by: Gary Gagnier; Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

Park Planning

The Parks and Culture Planning Section of the Community Services Department has reviewed the above noted minor variance application and advises as follows:

The lands to the rear of the property are owned by the City of Mississauga, identified as Birchwood Park (P-137), 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...;
- f) controlling activities that may be incompatible with the retention of the Natural Heritage System and other public open spaces.

The proposed minor variance application to allow the construction of a mixed-use building proposing a parking and paved areas setback to a Greenland zone of 0.0m and a rear yard landscaped buffer of depth from a lot line abutting a Greenland zone of 0.0m may result in the negative impact to the Natural Heritage System.

Given the property is subject to site plan control and an active development application, all of Community Services' comments and/or requirements are being addressed through PAM 23 205, which have included the submission requirement of an Environmental Impact Study (EIS).

The applicant has submitted a preliminary scoped EIS, dated June 21, 2024 and prepared by Riverstone Environmental Solutions Inc. in support of the preliminary application PAM 23 205. This is to ensure that the protection and preservation of the adjacent City owned Significant Natural Feature is maintained and enhanced with additional restoration, given a 0.0m setback to the G1 zone that is being requested by the applicant.

The Parks and Culture Planning Section of the Community Services Department wishes to impose the following condition(s):

1. To ensure the protection and preservation of the Significant Natural Feature, the applicant is to provide written confirmation from Parks & Culture Planning to the Committee of Adjustment that the Community Services Department has received and approved the Environmental Impact Study.
2. To ensure the enhancement and restoration of the Significant Natural Feature, the applicant is to provide written confirmation from Parks & Culture Planning to the Committee of Adjustment that the Community Services Department has received and approved a Restoration Plan.

Should the application be approved, Parks & Culture Planning 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.

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.

Comments Prepared by: Jamie Meston, Landscape Architect Assistant

Appendix 4 – Region of Peel

Minor Variance: A-24-323M / 1639 Lakeshore Road West

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: City File No. A323.24

CVC File No. A 24/323

1639 Lakeshore Rd W

Part of Lot 28, Concession 2 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 information available, the property is regulated due to the slope and floodplain hazards associated with Turtle Creek. As such, this 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:

- A height of 4 storeys/14.5m (approx. 47.57 ft) whereas By-law 0225-2007, as amended, permits a maximum height of 3 storeys/12.5m (approx. 41.0ft) in this instance;
- A minimum commercial use of 25% of the first storey whereas By-law 0225-2007, as amended, requires a minimum commercial use of 75% of the first storey in this instance;
- A first storey height of 3.1m (approx. 10.2ft) whereas By-law 0225-2007, as amended, requires a minimum first storey height of 4.5m (approx. 14.8ft) in this instance;
- A parking and paved areas setback to a Greenland zone of 0.0m whereas By-law 0225-2007, as amended, requires a minimum setback of 7.5m (approx. 24.6ft) in this instance;
- A rear yard landscaped buffer depth from a lot line abutting a Greenland zone of 0m whereas By-law 0225-2007, as amended, requires a minimum landscaped buffer depth of 4.5m (approx. 14.8ft) in this instance;
- A rear yard setback abutting a Greenland zone of 10.9m (approx. 35.8ft) whereas By-law 0225-2007, as amended, requires a minimum of 7.5 m plus 1.0 m for each additional 1.0 m of building height or portion thereof, (exceeding 10.0m) which is 12.0m (approx. 39.37ft) in this instance;
- A front yard setback of 0.19m (approx. 0.62ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 0.6m (approx. 2.0ft) in this instance;
- 27 parking spaces consisting of 17 on-site spaces and 10 payment-in-lieu of parking spaces whereas By-law 0225-2007, as amended, requires a total of 41 parking spaces (31 Residential parking spaces & 10 Visitor parking spaces) in this instance;

- All required parking spaces to be proposed as surface parking whereas By-law 0225-2007, as amended, requires parking spaces to be provided in a below grade structure when residential Floor Space Index is greater than 1.0 in this instance;
- 4 EV ready parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 7 EV ready parking spaces (6 residential EV parking spaces, and 1 visitor EV Parking Space) in this instance;
- A loading space dimension of 3.5m x 6.0m (approx. 11.48ft x 19.69ft) whereas By-law 0225-2007, as amended, requires a minimum loading space of 3.5m x 9.0m (approx. 11.48ft x 29.53ft) in this instance;
- A horizontal clearance from the wall of 1.0m (approx. 3.3ft) for vertical bicycle parking racks whereas By-law 0225-2007, as amended, requires a minimum horizontal clearance from the wall of 1.2m (approx. 3.9ft) in this instance;
- A 0.0m bicycle parking aisle; whereas By-law 0225-2007, as amended, requires a minimum bicycle parking aisle of 1.5m (approx. 4.92ft) in this instance; and,
- 28 obstructed indoor bicycle parking spaces (28 obstructed & 14 unobstructed) to permit stacked bicycle parking racks; whereas By-law 0225-2007, as amended, requires a minimum unobstructed bicycle parking space of 0.6m x 1.2m x 1.8m (approx. 1.97ft x 3.94ft x 5.91ft) (31 total required) in this instance.

COMMENTS:

CVC staff have been involved in pre-consultation with the applicant and City regarding the proposed development at this site. Through that process we identified the studies and plans that will be required for CVC review during the site plan process. CVC staff identified the above noted hazards and have provided direction that no new development would be supported beyond the long-term stable slope line (LTSSL). Further, justification will be required from a qualified geotechnical engineer regarding the proposed reduced setback to the LTSSL and any construction disturbance proposed at the rear of the property.

Through our discussions, it is our understanding that the proposal includes utilizing a portion of the existing parking area at the rear of the lot. Ideally, the portion of the parking along the top of bank would be removed and naturalized based on CVC's guidelines. However, we acknowledge the site constraints, and have noted that as long as construction disturbance is minimized, it is no larger than the existing parking footprint, and reviewed by the geotechnical engineer for recommendations/requirements related to slope stability, then we could consider this as part of the proposal. CVC staff would not be in support of any increase in parking within the LTSSL or setback, and all new development must be located outside the LTSSL with an appropriate setback as confirmed by a qualified geotechnical engineer.

As per the materials submitted for the Minor Variance application, the proposed reduction in setback to the Greenland zone reflects the existing conditions (i.e., existing parking area) on site, as well as the proposed reduced setback to LTSSL. Due to the site constraints and acknowledging that a portion of the existing parking will be removed and naturalized, CVC staff can support the utilization of existing parking and the reduced setback to LTSSL, assuming

appropriate justification is provided by a qualified professional geotechnical engineer through the site plan process.

We note that this is not CVC's approval of the current plans, and we will continue our review of the plans and reports to address our comments through the Site Plan process. Should changes to the site plan be required to demonstrate compliance with CVC policies, the applicant may need to go through further minor variances for the ultimate design.

A CVC permit will be required prior to any development proposed in the Regulated Area.

We trust that these comments are sufficient. If you have any questions or concerns, please do not hesitate to contact the undersigned at 905-670-1615 (ext. 3250).

Comments Prepared by: Trisha Hughes, Acting Senior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A361.24
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 5015-5027 Spectrum Way & 5030-5050 Satellite Drive, zoned E1-27-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 daycare use on the subject property proposing:

1. A stand alone day care use within the Lester B. Pearson International Airport Operating Area whereas By-law 0225-2007, as amended, only permits an accessory day care use within the Lester B. Pearson International Airport Operating Area in this instance;
2. A portion of the use to be outdoors whereas By-law 0225-2007, as amended, requires all uses in E1 Zones to be located wholly within a building, structure or part thereof in this instance.

The Committee has set **Thursday, July 25, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

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

- **In person:** This hearing is being held virtually. Please see the options below for electronic participation. If holding an electronic rather than an in person hearing is likely to cause a party significant prejudice, a written request may be made to have the Committee consider holding an in person hearing on an application. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30pm the Monday prior to the hearing. The request can be emailed to committee.adjustment@mississauga.ca or mailed to the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. If a party does not submit a request and does not participate in the hearing the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.
- **Electronically (computer, tablet or smartphone):** Advance registration is required to speak virtually at the hearing. If you wish to make a presentation at the hearing you must send your request to speak and your presentation material (as an attachment) via email to committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. If you have connection issues on the hearing date, please email virtualmeeting.help@mississauga.ca.
- **By telephone:** Advance registration is required to speak virtually at the hearing. To register, please call 905-615-3200 x2408 by 4:30 PM on the Friday prior to the hearing. You must provide your name, phone number, and the application file number. Committee staff will provide you with call in details prior to the start of the hearing.
- **Submit a written comment:** Written comments to the Committee must be received no later than 4:30 p.m. on the Friday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and the application file number or property address you are commenting on.

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

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

Additional Information:

- For more information about this matter, contact committee.adjustment@mississauga.ca or call 905-615-3200 x2408. Alternatively, information can be obtained in person by making an appointment with the Committee of Adjustment at 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Appointments can be booked using the “Book an appointment” button on the Committee’s webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.
- You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>.
- If you wish to be notified of the decision of the Committee, you must submit a written request to committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. This will also entitle you to be advised of any Ontario Land Tribunal (OLT) appeals.

Committee of Adjustment Appeal Process:

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

**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: 2024-07-17	File(s): A361.24
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2024-07-25 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

The applicant requests the Committee to approve a minor variance to allow a daycare use on the subject property proposing:

1. A stand alone day care use within the Lester B. Pearson International Airport Operating Area whereas By-law 0225-2007, as amended, only permits an accessory day care use within the Lester B. Pearson International Airport Operating Area in this instance;
2. A portion of the use to be outdoors whereas By-law 0225-2007, as amended, requires all uses in E1 Zones to be located wholly within a building, structure or part thereof in this instance.

Background

Property Address: 5015-5027 Spectrum Way & 5030-5050 Satellite Drive

Mississauga Official Plan

Character Area: **Airport Corporate Centre**
Designation: **Business Employment**

Zoning By-law 0225-2007

Zoning: **E1-27-Employment**

Other Applications: None

Site and Area Context

The subject site is located within the Airport Corporate Centre Character Area, northeast of Dixie Road and Eglinton Avenue East intersection. The subject site is approximately 8.22ha (20.31ac) in size and contains commercial and office employment uses in commercial/employment buildings of varying forms and heights. The surrounding area contains employment uses.

The applicant proposes a day care use on the subject property requiring variances to permit a day care use in the Lester B. Pearson Airport Operating Area and a portion of the use to be located outdoors.



Comments

Planning

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

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

Staff note the stand-alone day care use was approved for the subject property by the Committee of Adjustment on March 21st, 2024. While pursuing a Zoning Certificate of Occupancy and Independent Zoning Review for the subject property, zoning staff identified a discrepancy with the previous decision and noted additional variances were required.

The site is located within the Airport Corporate Centre Character Area and is designated Business Employment by the Mississauga Official Plan (MOP). Pursuant to Section 11.2.1

(Uses Permitted in all Designations) community infrastructure, which includes a day care, the proposed use is permitted within lands designated Business Employment.

Variance 1 requests a stand-alone day care use to be located within the Lester B. Pearson Airport Operating Area. Section 6.10.2.4 (Aircraft Noise) prohibits sensitive land uses from operating within the Airport Operating Area, however, permits day care facilities accessory to an employment use on lands located below the 35-noise exposure projection (NEP)/noise exposure forecast (NEF) composite noise contour. Staff note that the applicant submitted a Noise Impact Study to assess the noise levels for the proposed outdoor play areas and indoor facility which concluded that the location is within acceptable noise exposure range for the proposed use (25-30NEF contour).

As per Zoning By-law 0225-2007, the subject property is zoned E1-27 (Employment), which permits an accessory day care use limited to an area of 600 m² (6458.35 ft²). The applicant is proposing a stand-alone day care use with an area of 580.45 m² (6248 ft²). Staff note that the proposed use is within the maximum permissible area regulations for an accessory day care use and that the variance is purely technical in nature by permitting it as a stand-alone use. Staff are satisfied that the proposed standalone day care use is consistent with the permitted uses on the subject lands and that the location is within an acceptable noise exposure range.

Variance 2 requests a portion of the use to be located outdoors. Staff note the proposed OLAs are internal to the site and would not be visible from either Eglinton Avenue or Satellite Drive. The applicant has noted the outdoor component of the day care use will provide recreation opportunities for children under the care of the operator and is a typical function of the day care use. Staff also note the noise guidelines of Ontario's Ministry of the Environment, Conservation and Parks (MECP) recommend outdoor living areas (OLA) should not exceed 55dBA due to road traffic noise. The results of the Noise Study submitted by the applicant indicate that the proposed south OLA directly exposed to road traffic will exceed 55dBA during the daytime by 2dBA. Transportation and Works staff have reviewed the Noise Study and note no concerns. Staff are satisfied that the portion of the day care use located outdoors through the proposed OLAs will have limited impacts to abutting units, no impacts to the streetscape or surrounding area and will not negatively impact the functionality of the site for employment uses.

Planning staff are therefore of the opinion that the proposal maintains the general intent and purpose of both the official plan and zoning by-law, is minor in nature, and represents appropriate development of the subject property.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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





Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Division is processing Certificate of Occupancy (C 24-1571) and an Independent Zoning Review (IZR SP 23-10343) applications. Based on the review of the information available in this application, the requested variance no. 1 is correct. However, we also advise that following amendment is required for variance no. 2:

2. An outdoor playground, which is a portion of the day care use, is to be outdoors whereas By-law 0225-2007, as amended, requires all uses in E1 Zones to be located wholly within a building, structure or part thereof 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: Jeanine Benitez, 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.

Comments Prepared by: Jamie Meston, Landscape Architect Assistant

Appendix 4 – Region of Peel

Minor Variance Application: A-24-361M / 5015-5027 Spectrum Way & 5030-5050 Satellite Drive

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 Spectrum MTSA - which is required to be planned to achieve a minimum density of 160 persons and jobs 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