
Committee of Adjustment

Date: October 29, 2020
Time: 1:00 PM
Location: Online Video Conference

Members

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

Contacts

Umar Mahmood, Committee of Adjustment Coordinator, Legislative Services
905-615-3200 ext.5209
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PUBLIC MEETING STATEMENT: While some planning matters, such as consent or minor variance applications, do not specifically require that you participate in the process in order to appeal, the LPAT has the power to dismiss an appeal without holding a hearing if the person or public body that in circumstances such as appeal is not based on any apparent land use planning grounds and appeal is not made in good faith or is frivolous or vexatious, or is made only for the purpose of delay.

Send written submissions or request notification of future meetings to:

Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, Attn: Committee of Adjustment Coordinators – 2nd Floor 300 City Centre Drive, Mississauga, ON, L5B 3C1 or Email:
committee.adjustment@mississauga.ca

-
1. CALL TO ORDER
 2. DECLARATION OF CONFLICT OF INTEREST
 3. DEFERRALS OR WITHDRAWALS
 4. MATTERS TO BE CONSIDERED
 - 4.1. B-49/20
5869 AIRPORT RD (WARD 5)
BRL REALTY LIMITED
 - 4.2. B-50/20
5889 AIRPORT RD (WARD 5)
BRL REALTY LIMITED
 - 4.3. B-51/20
71 PARK ST W (WARD 1)
DANE HAWKINS & MARIA HAWKINS FOSTER
 - 4.4. B-38/20A-201/20A-202/20
40 PINE AVE N (WARD 1)
BABAK NAGHASH
 - 4.5. A-330/20
6981 CORDINGLEY CRES (WARD 9)
MAHIN & DILANI DE SILVA
 - 4.6. A-331/20
101 HOLLYROOD HEIGHTS DR (WARD 1)
MCGUIGAN JAMES ALEXANDER
 - 4.7. A-332/20
1468 ELAINE TR (WARD 1)
MOHANNAD SAMRA & MOHAMMED KHAN
 - 4.8. A-333/20
2225 ERIN MILLS PKY (WARD 8)
SHERIDAN RETAIL INC

- 4.9. A-334/20
55 PORT ST E (WARD)
BROWN MAPLE INVESTMENTS LTD
- 4.10. A-335/20
3585 MAVIS RD (WARD 7)
NYE MARK EDWARD
- 4.11. A-337/20
1496 PINETREE CRES (WARD 1)
CASHEL MEAGHER & LEANNE LUHTA
- 4.12. A-339/20
3672 KARIYA DR (WARD 7)
2729740 ONTARIO INC
- 4.13. A-425/19
1259 HAIG BLVD (WARD 1)
PAULO MEDEIROS & ANDREIA CAETANO
- 4.14. A-190/20
594 OLD POPLAR ROW (WARD 2)
VALENTINA DONISON
- 4.15. A-265/20
150 PAISLEY BLVD W (WARD 7)
CANAAHNS COMPANY LIMITED
5. **OTHER BUSINESS**
6. **ADJOURNMENT**



COMMITTEE OF ADJUSTMENT NOTICE OF APPLICATION

File: "B" 49/20
Ward 5

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 5869 Airport Road, zoned E2 - Employment, has applied for Consent under Section 53 of the Planning Act. The applicant requests the approval of the Committee to permit a lease greater than 21 years.

The Committee has set **Thursday October 29, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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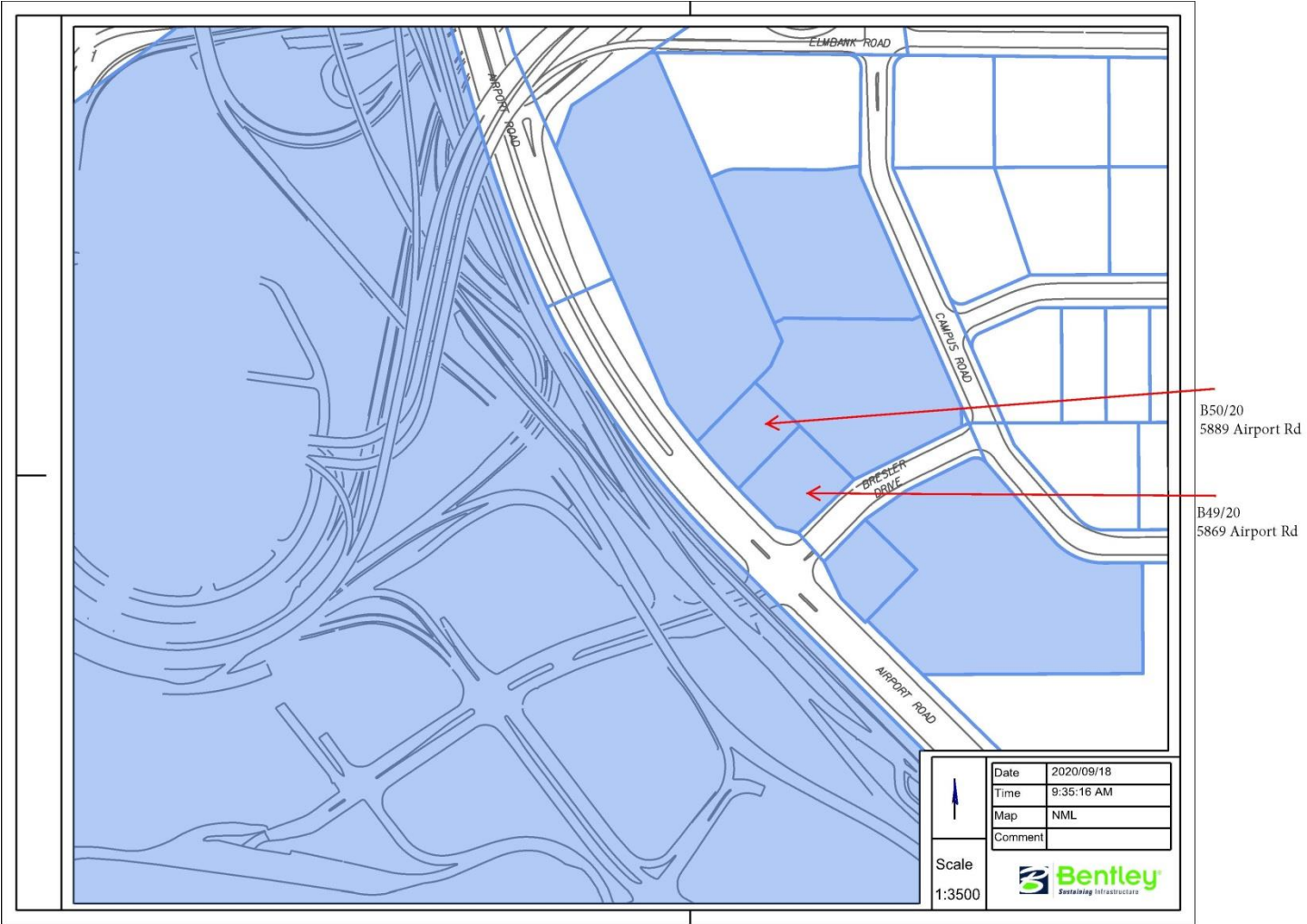
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-10-21	File(s): B49/20 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-10-29

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 50(3) of the Planning Act.

Application Details

The Applicant requests the approval of the Committee to permit a lease greater than 21 years.

Background

Property Address: 5869 Airport Road

Mississauga Official Plan

Character Area: Northeast Employment Area
Designation: Business Employment

Zoning By-law 0225-2007

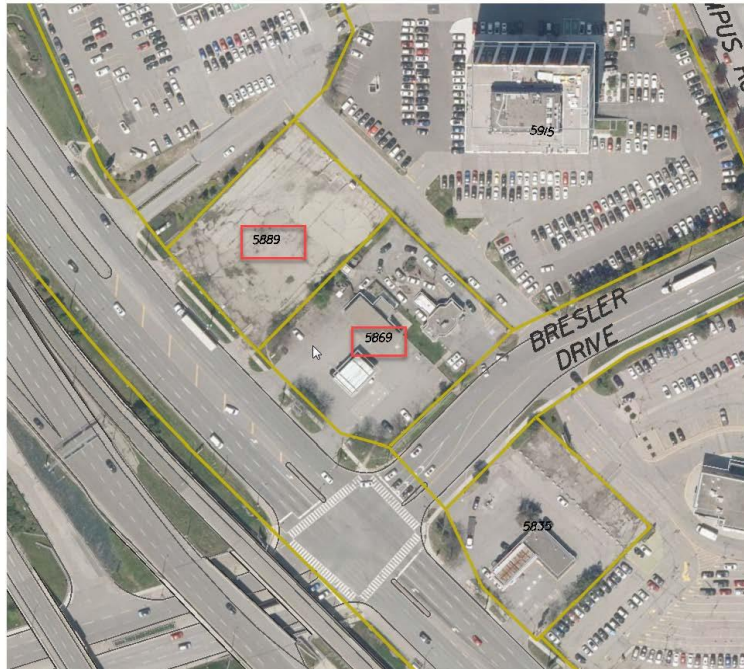
Zoning: E2-68 (Employment)

Other Applications:

None

Site and Area Context

The subject properties associated with applications 'B' 49/20 and 'B' 50/20 are contiguous parcels located upon the north-west corner of the Airport Road and Tomken Road intersection. The lands of 5869 Airport Road currently house a single-storey automotive service station; a gas bar; and, an ancillary convenience store. The lands of 5889 Airport Road currently sit vacant. The neighbourhood context is comprised exclusively of office uses; with the predominant building type in the immediate area consisting of multi-storey office structures.



Comments

Planning

Planning Act

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

Provincial Matters

The Provincial Policy Statement 2014 (PPS 2014) and Growth Plan for the Greater Golden Horseshoe promote efficient development and land use, directing the focus towards intensification and redevelopment. The proposal is consistent with the general directive in provincial policy.

Planning Analysis

Staff comments concerning the application are as follows:

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

Conclusion

The Planning and Building Department recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application meets the requirements of Section 50(3) of the Planning Act.

Comments Prepared by: Roberto Vertolli, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Information submitted with this application indicates that the intent is to permit a lease greater than 21 years. In this regard, this department has no objections or requirements for this application.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

This Department has no objection to the consent application provided that the proposed lease extension does not result in any change that would cause a deficiency to any provisions of the Zoning By-law with respect to minimum lot frontage and lot area; setbacks to existing buildings; and parking requirements; or, alternatively that any minor variance is approved, final and binding.

Comments Prepared by: Marco Palerma, Zoning Examiner

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the October 29th, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-425/19, DEF-A-201/20, DEF-A-202/20

Consent Applications: B-49/20, B-50/20

Minor Variance Applications: A-330/20, A-331/20, A-334/20

Comments Prepared by: Diana Guida, Junior Planner

Appendix 7 – Trans-Northern Pipelines

Thank you for providing Trans-Northern with the Committee of Adjustment agenda for October 29, 2020 which included the proposed request of a permit/lease greater than 21 years, located on the west side of Airport Road. Trans-Northern currently operates a high-pressure petroleum products transmission pipeline within a 60 foot right of way on the adjacent property East to the two leased properties relating to 5689 and 5889 Airport Road.

Trans-Northern has no concerns with the lease extension under the current land use designation however would request any changes for development to follow the Development Request review process with TNPI submitting any plans ahead of applications with the City. Please note, any development plans within the right-of-way will require a permit which can be requested by following the steps described near the end of this response.

Please note that, Trans-Northern is regulated by the Canada Energy Regulator. Section 335 (1) and (2) of the Canadian Energy Regulator Act, provides that:

- *It is prohibited for any person to construct a facility across, on, along or under a pipeline or engage in an activity that causes a ground disturbance within the prescribed area unless the construction or activity is authorized or required by the orders made under subsection (3) or (4) or regulations made under subsections (5) or (6) and done in accordance with them.*

- **Prohibition — vehicles and mobile equipment**

It is prohibited for any person to operate a vehicle or mobile equipment across a pipeline unless

- **(a)** *that operation is authorized or required by orders made under subsection (3) or (4) or regulations made under subsections (5) or (6) and done in accordance with them; or*
- **(b)** *the vehicle or equipment is operated within the travelled portion of a highway or public road.*

If there is to be development (not discovered in this review) within the 30 metres prescribed area additional steps will be required. Additionally, should the applicant proposes to cross the pipeline with a vehicle or construct a facility across, on, along or under the pipeline, the applicant would be required to contact Trans-Northern prior to commencement of their work to receive the required authorization. This process can be initiated through Ontario One Call (1-800-400-2255). A representative from Trans-Northern will attend on site mark the pipeline location, confirm safe work practices, and advise of any permit requirements.

Should the applicant require further information on the technical requirements related to ground disturbance or crossing of the pipeline, they may contact Cliff Lee, Crossing Coordinator via email at : crossingrequestseast@tnpi.ca.

Comments Prepared by: Michelle Gruszecki, Property and Right of Way Administrator

Appendix A – Conditions of Provisional Consent

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.



COMMITTEE OF ADJUSTMENT NOTICE OF APPLICATION

File: "B" 50/20
Ward 5

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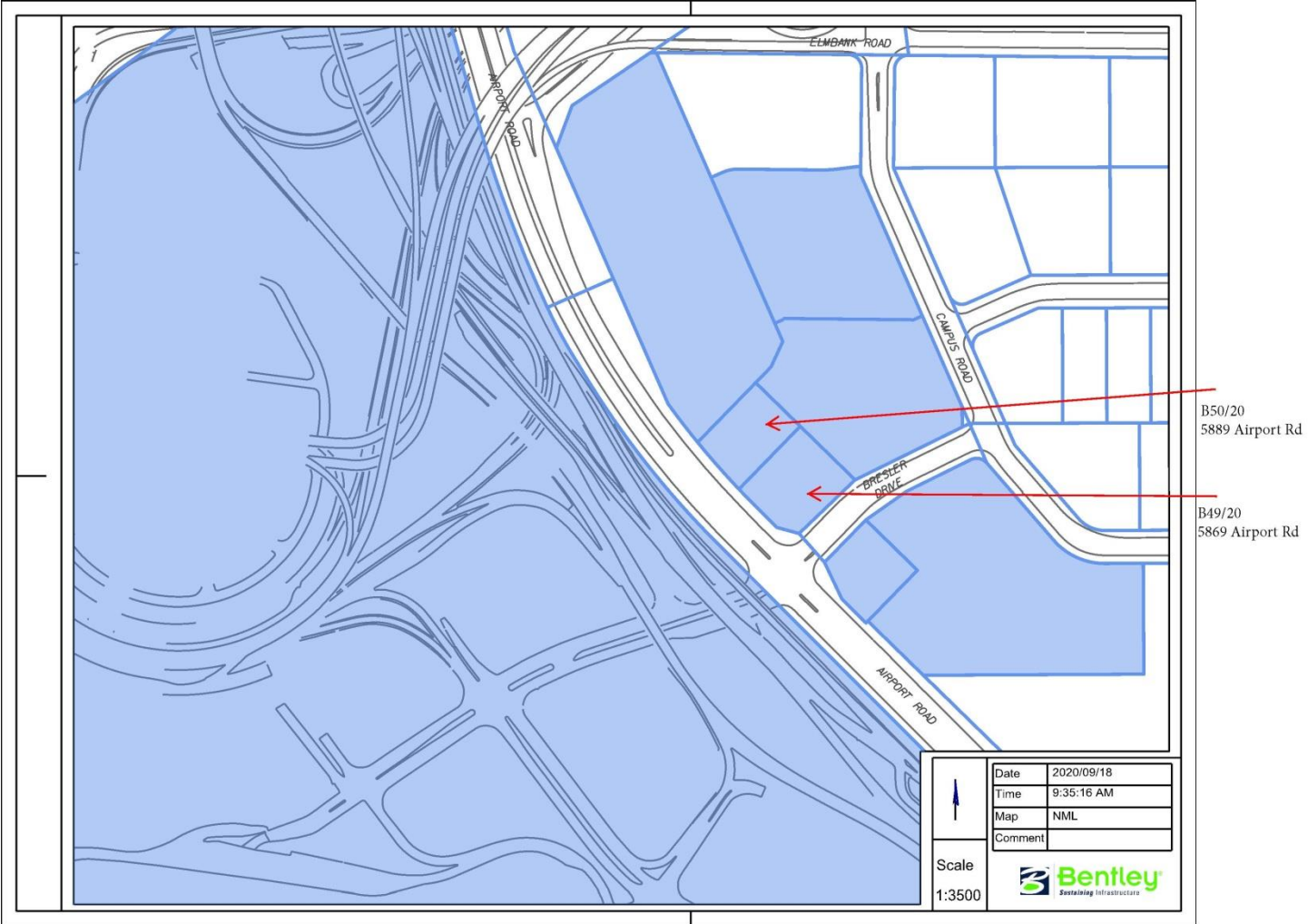
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-10-21	File(s): B50/20 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-10-29

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 50(3) of the Planning Act.

Application Details

The Applicant requests the approval of the Committee to permit a lease greater than 21 years.

Recommended Conditions and/or Terms

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 5889 Airport Road

Mississauga Official Plan

Character Area: Northeast Employment Area
Designation: Business Employment

Zoning By-law 0225-2007

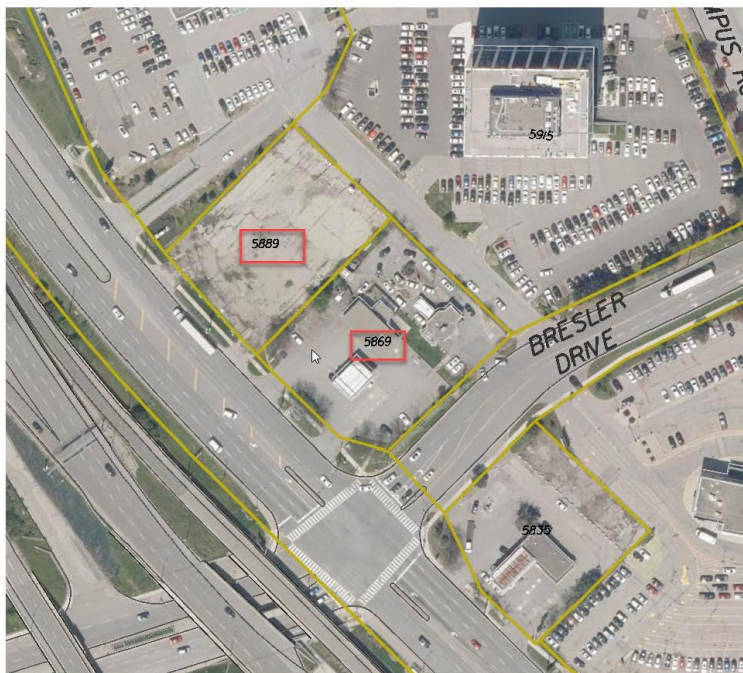
Zoning: E2-68 (Employment)

Other Applications:

None

Site and Area Context

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Conclusion

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Comments Prepared by: Roberto Vertolli, Committee of Adjustment Planner

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COMMITTEE OF ADJUSTMENT NOTICE OF APPLICATION

File: "B" 51/20
Ward 1

Why you received this letter:

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

Details of the application and meeting information:

The property owners of 71 Park Street West, zoned RM7-5 - Residential, have applied for Consent under Section 53 of the Planning Act. The applicants request the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel has a frontage of approximately 7.62m (25.00ft) and an area of approximately 319.4sq.m (3,438.0sq.ft).

The Committee has set **Thursday October 29, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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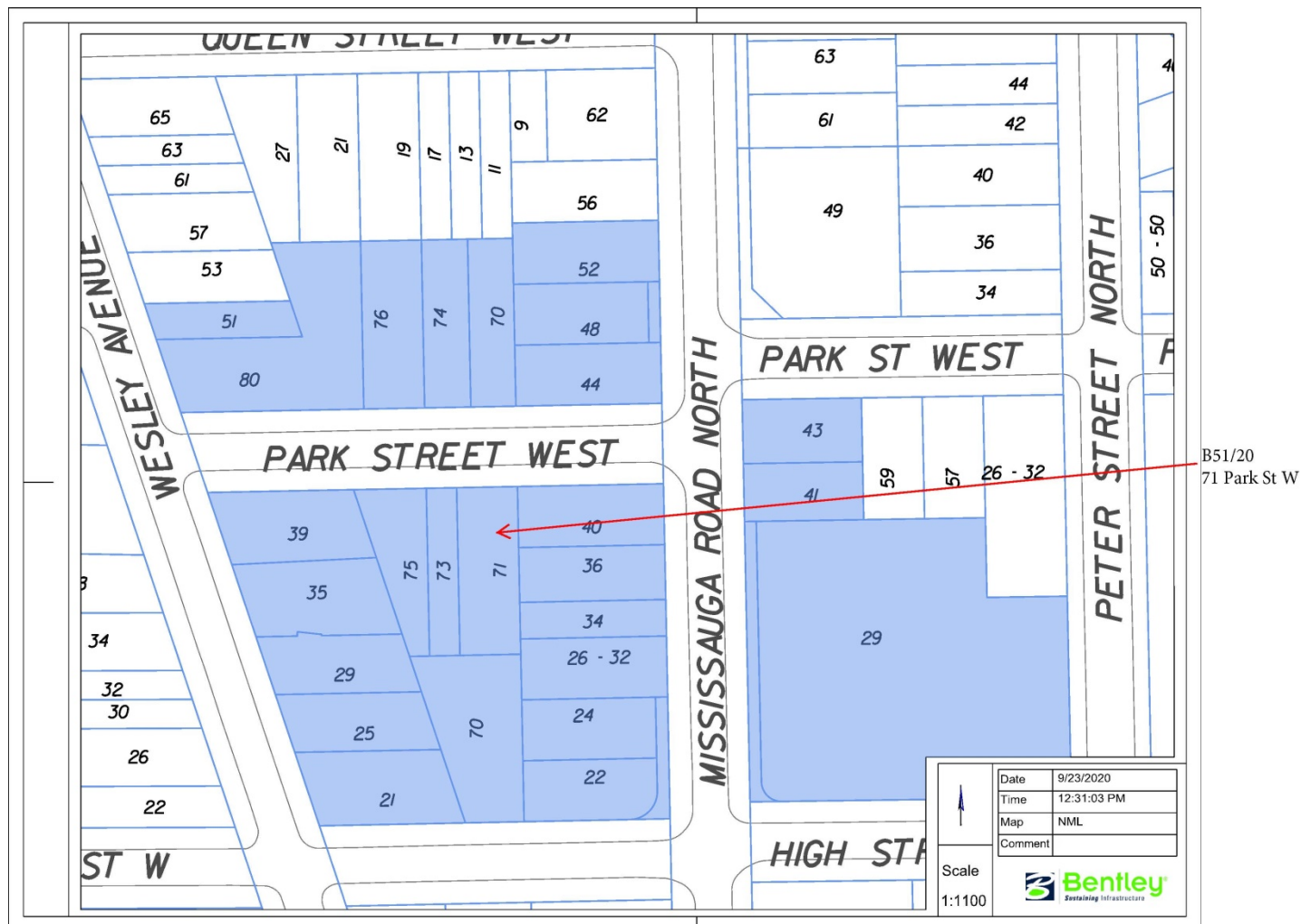
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-10-21	File(s): B51/20 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-10-29

Consolidated Recommendation

The City has no objections to the requested consent application.

Application Details

The applicants request the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel has a frontage of approximately 7.62m (25.00ft) and an area of approximately 319.4sq.m (3,438.0sq.ft).

Recommended Conditions and/or Terms

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 71 Park Street West

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (West)
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM7-5 (Residential)

Site and Area Context

The subject property is located within the Port Credit Neighbourhood Character Area, northwest of Lakeshore Road West and Mississauga Road North. The surrounding neighbourhood is eclectic consisting of commercial and employment uses as well as detached, semi-detached and high rise apartment buildings. The lot frontages for the detached and semi-detached dwellings range from approximately 7.50 m to 15 m. The subject property contains a two storey detached dwelling with mature vegetation within the front yard. The application proposes to sever the lot for the creation of two new parcels for the purpose of developing two semi-detached dwellings.



Comments

Planning

Planning Act

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

Provincial Matters

The Provincial Policy Statement 2014 (PPS 2014) and Growth Plan for the Greater Golden Horseshoe promote efficient development and land use, directing the focus towards intensification and redevelopment. The proposal is consistent with the general directive in provincial policy.

Staff comments concerning the application are as follows:

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached, semi-detached and duplex, triplex and other forms of low rise dwellings with individual frontages. The subject property is located within the North Residential Neighbourhood Precinct (Shawnmarr/Indian Heights) of the Port Credit Local Area Plan. Section 16.1.2.1 states, to preserve the character of lands designated Residential Low Density I and Residential Low Density II, the minimum frontage and area of new lots will be evaluated in the context of the existing lot pattern in the surrounding area. Furthermore, Section 10.3 (Neighbourhood Character Area) of the Port Credit Local Area Plan intends to ensure development is sensitive to the existing low rise context and to reinforce the planned character of the area. The official plan and zoning by-law envisions a mix of dwelling types and an eclectic lot fabric within the surrounding area. The proposed parcels would be consistent with semi-detached lots within the immediate area and will not negatively impact the streetscape character.

Since 1961, the Village of Port Credit Zoning By-law No. 1227 has permitted a variety of housing types for the subject lands including detached, duplex, triplex, double duplex, double triplex, fiveplex, converted dwelling and boarding or lodging house. In 1997, City Plan (the Official Plan) was adopted, permitting detached, semi-detached, duplex and other forms of dwellings with individual frontages on a public street. In 2007, the City undertook a zoning bylaw conformity and consolidation exercise including public consultation, which led to the adoption of the current RM7 zone provisions.

Staff is of the opinion that the application conforms to Section 51(24) of the Planning Act, more specifically that the application conforms to the official plan and is suitable to accommodate the proposed semi-detached dwellings.

Conclusion

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

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Should Committee see merit in the applicant's request we are providing the following conditions/requirements for Committee's consideration:

A. Items Required Prior to the Issuance of Final Consent

1. Overall Grading and Drainage Plan

The applicant's consulting engineer will be required to prepare an Overall Grading and Drainage Plan which contains sufficient details to ensure grading compatibility with the adjacent lands and submit the grading and drainage proposal to this department for review/approval.

2. Municipal Address Requirement

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

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

B. GENERAL INFORMATION

1. Lot Grading and Drainage

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

2. Servicing

All costs incurred in providing any service laterals will be the responsibility of the owner. The owner will also be responsible for all costs incurred for the required road reinstatement (if required). If the service connections are to be installed by a private contractor retained by the

owner, issuance of an open cut permit will be subject to the owner depositing adequate securities with the City to guarantee proper road reinstatement.

3. Access

The applicant will be required to apply for Access Modification Permits prior to Site Plan Approval and/or Building Permit Issuance. We advise the applicant that all costs incurred in providing any new driveway entrance(s) to the subject lands or any modifications/reinstatement required, would be at cost to the owner. We are also noting that should any utilities need to be relocated, all costs incurred will also be to the owner. The applicant is advised that the Lakeshore Connecting Communities Transportation Master Plan has been endorsed by Council which sets out a long-term vision for transit and corridor improvements along Lakeshore Road. Further information can be found at: <http://www.mississauga.ca/portal/residents/lakeshore-connecting-communities>

4. Storm Sewer Outlet

The applicant is advised that there is no storm sewer system available in front of the proposed lot on Park Street West. In this regard, we advise that all dwellings to be constructed on the subject lands will require a sump pump to discharge the weeping tile to grade. In situations where a sump pump is required and where a high groundwater table may exist, the sump pump may run continuously. The applicants are encouraged to design the weeping tile elevation to be at least 1.0 meter above the seasonal groundwater elevation. The owner is advised that the City has no obligations to address any concerns related to the operation of private sump pump systems.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

This Division is not in receipt of any permit application and therefore cannot confirm the lot frontage and lot area. We note that any deficiencies will require a variance application.

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

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

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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

1. The applicant shall provide a cash contribution of \$589.44 for planting of one (1) street trees on Park Street West. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.

In addition, Community Services notes the following:

- Payment for street tree fees and charges can be made at the Parks and Forestry customer service counter located at 950 Burnhamthorpe Road West in the form of a certified cheque, bank draft, or money order payable to the City of Mississauga. Please contact Jim Greenfield regarding the Covid-19 interim payment process.
- 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 Jim Greenfield, Park Planner, Community Services Department at 905-615-3200 ext. 8538 or via email jim.greenfield@mississauga.ca.

Comments Prepared by: Jim Greenfield, Park Planner

Appendix 5 – Region of Peel Comments

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

Please note that severing the lands may adversely affect the existing location of the water and sanitary sewer services, if any exist. The result of this may require the applicant to install new water / sanitary servicing connections to either the severed or retained lands in compliance with the Ontario Building Code. The applicant may require the creation of private water / sanitary sewer servicing easements. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please call our Site Servicing Technicians at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca

Comments Prepared by: Diana Guida, Junior Planner

Appendix A – Conditions of Provisional Consent

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding.
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated October 21, 2020.
5. A letter shall be received from the City of Mississauga, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated October 21, 2020.



COMMITTEE OF ADJUSTMENT NOTICE OF APPLICATION

Files: B38/20, A201/20 & A202/20
Ward 1

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 40 Pine Avenue North, zoned RM7-5 - Residential, has applied for Consent and Minor Variances under Sections 53 & 45 of the Planning Act. The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 6.74m (22.11ft) and an area of approximately 291.44sq.m (3,137.03sq.ft).

A minor variance is requested for the Retained lands (A201/20) to allow the construction of a semi-detached dwelling proposing:

1. A side yard of 1.00m (approx. 3.28ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (approx. 3.94ft) in this instance; and
2. A building depth of 21.20m (approx. 69.55ft) whereas By-law 0225-2007, as amended, permits a maximum building depth of 20.00m (approx. 65.62ft) in this instance.

A minor variance is requested for the Severed lands (A202/20) to allow the construction of a semi-detached dwelling proposing:

1. A lot frontage of 6.74m (approx. 22.11ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 6.80m (approx. 22.31ft) in this instance;
2. A side yard of 1.00m (approx. 3.28ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (approx. 3.94ft) in this instance; and
3. A building depth of 21.20m (approx. 69.55ft) whereas By-law 0225-2007, as amended, permits a maximum building depth of 20.00m (approx. 65.62ft) in this instance.

The Committee has set **Thursday October 29, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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

How to submit a written comment:

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

Advance registration is required to participate in the electronic hearing:

Amended Notice & Revised Hearing Date

To participate electronically (computer, tablet or smartphone): Please

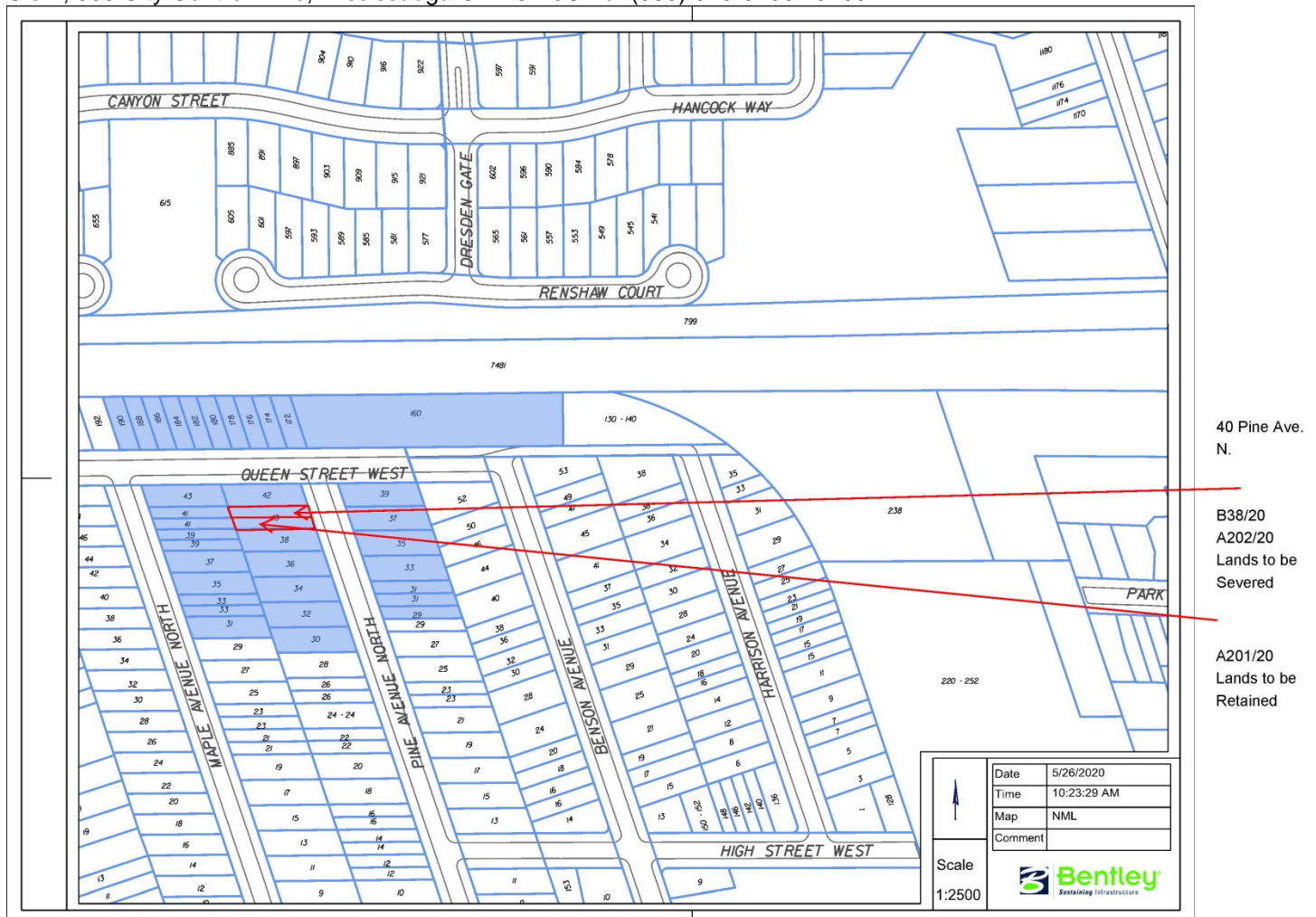
email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services will not be accepted.

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

Legal notice:

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

Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual (including being posted on the internet) upon request in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x5209.



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-10-21	File(s): B38/20 A201-202/20
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-10-29

Consolidated Recommendation

The City has no objections to the requested consent and associated minor variance applications. The applicants may choose to defer the application to verify the accuracy of the requested variances.

Application Details

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 6.74m (22.11ft) and an area of approximately 291.44sq.m (3,137.03sq.ft).

A minor variance is requested for the Retained lands (A201/20) to allow the construction of a semi-detached dwelling proposing:

1. A side yard of 1.00m (approx. 3.28ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (approx. 3.94ft) in this instance; and
2. A building depth of 21.20m (approx. 69.55ft) whereas By-law 0225-2007, as amended, permits a maximum building depth of 20.00m (approx. 65.62ft) in this instance.

A minor variance is requested for the Severed lands (A202/20) to allow the construction of a semi-detached dwelling proposing:

1. A lot frontage of 6.74m (approx. 22.11ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 6.80m (approx. 22.31ft) in this instance;
2. A side yard of 1.00m (approx. 3.28ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (approx. 3.94ft) in this instance; and
3. A building depth of 21.20m (approx. 69.55ft) whereas By-law 0225-2007, as amended, permits a maximum building depth of 20.00m (approx. 65.62ft) in this instance.

Amendments

"[Enter amendments to variances]"

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent
- The variance application approved under File(s) A201/20 & A202/20 must be finalized
- "[Enter terms and conditions here]"

Recommended Conditions and/or Terms of minor variance

- Variance(s) approved under file(s) A201/20 & A202/20 shall lapse if the consent application under file B38/20 is not finalized within the time prescribed by legislation.
- "[Enter terms and conditions here]"

Background

Property Address: 40 Pine Avenue North

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (West)
Designation: Residential Low Density II

Zoning By-law 0225-2007

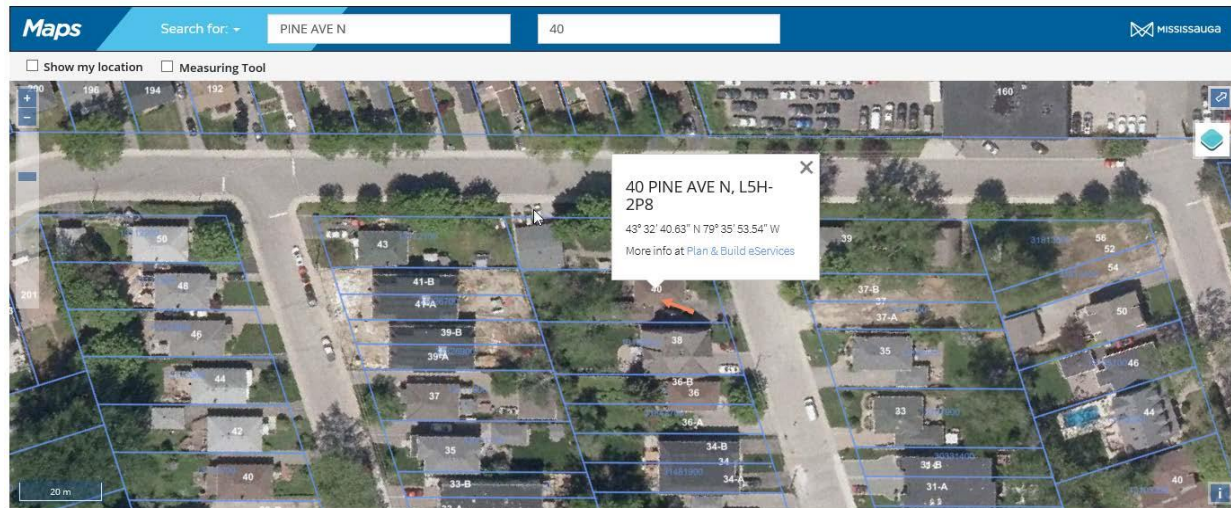
Zoning: RM7-5 (Residential)

Other Applications

Pre-Application: 20-723

Site and Area Context

The subject property is located within the Port Credit Neighbourhood Character Area, west of Mississauga Road and Lakeshore Road West. Currently the subject property contains a detached dwelling and detached garage with little mature vegetation. The surrounding area includes a mix of residential uses, including detached and semi-detached and apartment dwellings with little mature vegetation. The residential lots contain an eclectic lot fabric with frontages ranging from approximately 6.30 m to 14 m. Northeast of the subject property are motor vehicle related uses along Queen Street West. The subject property contains an existing one storey dwelling with little vegetation.



Comments

Planning

Planning Act

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

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

Provincial Matters

The Provincial Policy Statement 2014 (PPS 2014) and Growth Plan for the Greater Golden Horseshoe promote efficient development and land use, directing the focus towards intensification and redevelopment. The proposal is consistent with the general directive in provincial policy.

Staff comments concerning the applications for consent and the four tests to the minor variance request are as follows:

The retained parcel proposes a lot frontage of 6.80 m and a lot area of approximately 294.15 m². The severed parcel proposes a lot frontage of 6.74 m and lot area of 291.44 m². The zoning by-law requires a lot frontage of 6.80 m and a lot area of 280 m².

Since 1961, the Village of Port Credit Zoning By-law No. 1227 has permitted a variety of housing types for the subject lands including detached, duplex, triplex, double duplex, double triplex, fiveplex, converted dwelling and boarding or lodging house. In 1997, City Plan (the Official Plan) was adopted, permitting detached, semi-detached, duplex and other forms of dwellings with individual frontages on a public street. In 2007, the City undertook a zoning bylaw conformity and consolidation exercise including public consultation, which adopted the current RM7 zone provisions.

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached, semi-detached and duplex, triplex and other forms of low rise dwellings with individual frontages. The subject property is located within the North Residential Neighbourhood Precinct (Shawnmarr/Indian Heights) of the Port Credit Local Area Plan. Section 16.1.2.1 states, to preserve the character of lands designated Residential Low Density I and Residential Low Density II, the minimum frontage and area of new lots will be evaluated in the context of the existing lot pattern in the surrounding area. Furthermore, Section 10.3 (Neighbourhood Character Area) of the Port Credit Local Area Plan intends to ensure development is sensitive to the existing low rise context and to reinforce the planned character of the area. The official plan and zoning by-law envisions a mix of dwelling types and an eclectic lot fabric within the surrounding area. The proposed parcels of land would be consistent with semi-detached lots within the immediate area and will not negatively impact the character streetscape.

Staff is of the opinion that the application conforms to Section 51(24) of the Planning Act, more specifically that the application conforms to the official plan and is suitable to accommodate the proposed semi-detached dwellings.

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

Variance #1 on application A 202/20 proposes a lot frontage of 6.74 m whereas 6.80 m is required. The intent of the zoning by-law is to ensure that new lots are appropriately sized and fit within the context of the surrounding area. The proposed lot frontage maintains the existing and planned area context and is consistent with other severances, maintaining the lot fabric of the surrounding neighbourhood. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

The minor variance applications propose a dwelling depth of 21.20 m whereas a maximum of 20 m is permitted. The intent of the zoning by-law is to minimize impacts of long walls on neighbouring lots as a direct result of the building massing. In this instance, a portion of the dwelling on the adjoining interior lot line projects further than the remaining portion of the front

façade of the dwelling, limiting the impact of a long continuous wall on and does not have significant adverse impact to neighbouring properties. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

The deficient side yard is a minor deviation from the zoning regulation and will not cause any additional undue impact from what the by-law permits. As such, staff is of the opinion that the proposed variances are appropriate to be handled through the minor variance process and raise no concerns of a planning nature.

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

The proposed dwelling maintains the context of the existing and planned neighbourhood and will not have any significant adverse impacts to neighbouring lots as a portion of the dwelling depth projects further out than the remaining portion of the front façade on the adjoining lot line. As a result, the massing impact of a long continuous wall is minimized on neighbouring properties. Finally, the proposed lot frontage maintains the lot fabric of the surrounding area and represents a minor deviation from the zoning by-law that will not have an impact on the streetscape character. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

Conclusion

The Planning and Building Department has no objections to the requested consent and associated minor variance applications. The applicants may choose to defer the application to verify the accuracy of the requested variances.

Comments Prepared by: Lucas Petricca, Committee of Adjustment

Appendices

Appendix 1 – Transportation and Works Comments

Should Committee see merit in the applicant's request we are providing the following conditions/requirements for Committee's consideration:

A. Items Required Prior to the Issuance of Final Consent

1. Overall Grading and Drainage Plan

The applicant's consulting engineer will be required to prepare an Overall Grading and Drainage Plan which contains sufficient details to ensure grading compatibility with the adjacent lands and submit the grading and drainage proposal to this department for review/approval.

2. Municipal Address Requirement

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

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

B. GENERAL INFORMATION

1. Lot Grading and Drainage

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

2. Servicing

All costs incurred in providing any service laterals will be the responsibility of the owner. The owner will also be responsible for all costs incurred for the required road reinstatement (if required). If the service connections are to be installed by a private contractor retained by the

owner, issuance of an open cut permit will be subject to the owner depositing adequate securities with the City to guarantee proper road reinstatement.

3. Access

We advise the applicant that all costs incurred in providing any new driveway entrance(s) to the subject lands or any modifications/reinstatement required, would be at cost to the owner. We are also noting that should any utilities need to be relocated, all costs incurred will also be to the owner. The applicant is advised that the Lakeshore Connecting Communities Transportation Master Plan has been endorsed by Council which sets out a long-term vision for transit and corridor improvements along Lakeshore Road. Further information can be found at: <http://www.mississauga.ca/portal/residents/lakeshore-connecting-communities>

4. Storm Sewer Outlet

The storm sewer outlet for this property is the existing 450mm Dia. Storm sewer located on Pine Avenue North. Please note that a rear lot catch basin may be required. Where existing sewer capacity exists, applicants are encouraged to design the basement elevation to be at least 1.0 meter above the elevation of the on-street storm sewer obvert to eliminate the need for a sump pump. In situations where a sump pump is required and where a high groundwater table may exist, the sump pump may run continuously. The applicants are encouraged to design the weeping tile elevation to be at least 1.0 meter above the seasonal groundwater elevation. The owner is advised that the City has no obligations to address any concerns related to the operation of private sump pump systems.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Planning and Building Department is currently processing a building permit application under file 20-723. Based on review of the information currently available for this building permit, we advise that more information is required to verify the accuracy of the requested variances or determine whether additional variances will be required.

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

Comments Prepared by: Adam McCormack, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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

City of Mississauga Forestry Staff have attended the site and identified the following City owned tree within the municipal boulevard:

- Pear Tree – Fair Condition

Given the subject lands are not subject to site plan control, should the application be approved, Community Services wishes to impose the following conditions:

1. The Municipally owned Pear Tree will need to be removed to accommodate the proposed driveway; the applicant is required to provide tree removal fees in the amount of \$1,661.41. Please call Ryan Cormier at 905-615-3200 ext. 4580 to arrange the tree removal.
2. The applicant shall provide a cash contribution of \$589.44 for planting of one (1) street trees on Pine Avenue North. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.

In addition, Community Services notes the following:

- Payment for street tree fees and charges can be made at the Parks and Forestry customer service counter located at 950 Burnhamthorpe Road West in the form of a certified cheque, bank draft, or money order payable to the City of Mississauga. Please contact Jim Greenfield regarding the Covid-19 interim payment process.
- 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 Jim Greenfield, Park Planner, Community Services Department at 905-615-3200 ext. 8538 or via email jim.greenfield@mississauga.ca.

Comments Prepared by: Jim Greenfield, Park Planner

Appendix 5 – Region of Peel Comments

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

Please note that severing the lands may adversely affect the existing location of the water and sanitary sewer services, if any exist. The result of this may require the applicant to install new water / sanitary servicing connections to either the severed or retained lands in compliance with the Ontario Building Code. The applicant may require the creation of private water / sanitary sewer servicing easements. An upgrade of your existing service may be required. All works associated with the servicing of this site will

be at the applicant's expense. For more information, please call our Site Servicing Technicians at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca

For location of existing water and sanitary sewer Infrastructure please contact Records at 905-791-7800 extension 7882 or by e-mail at PWServiceRequests@peelregion.ca

Regional Planning staff have reviewed the applications listed on the October 29th, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-425/19, DEF-A-201/20, DEF-A-202/20

Consent Applications: B-49/20, B-50/20

Minor Variance Applications: A-330/20, A-331/20, A-334/20

Comments Prepared by: Diana Guida, Junior Planner

Appendix A – Conditions of Provisional Consent

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding.
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated October 21, 2020.
5. A letter shall be received from the City of Mississauga, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated October 21, 2020



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 330/20
Ward 9

Why you received this letter:

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

Details of the application and meeting information:

The property owners of 6981 Cordingley Crescent, zoned RM2-2 - Residential, have applied for a minor variance under Section 45 of the Planning Act. The applicants request the Committee to approve a minor variance to allow the construction of an addition on the subject property proposing:

1. A lot coverage of 42% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40% of the lot area in this instance;
2. A rear yard of 4.8m (approx. 15.75ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.5m (approx. 24.6ft) in this instance.

The Committee has set **Thursday October 29, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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Advance registration is required to participate in the electronic hearing:

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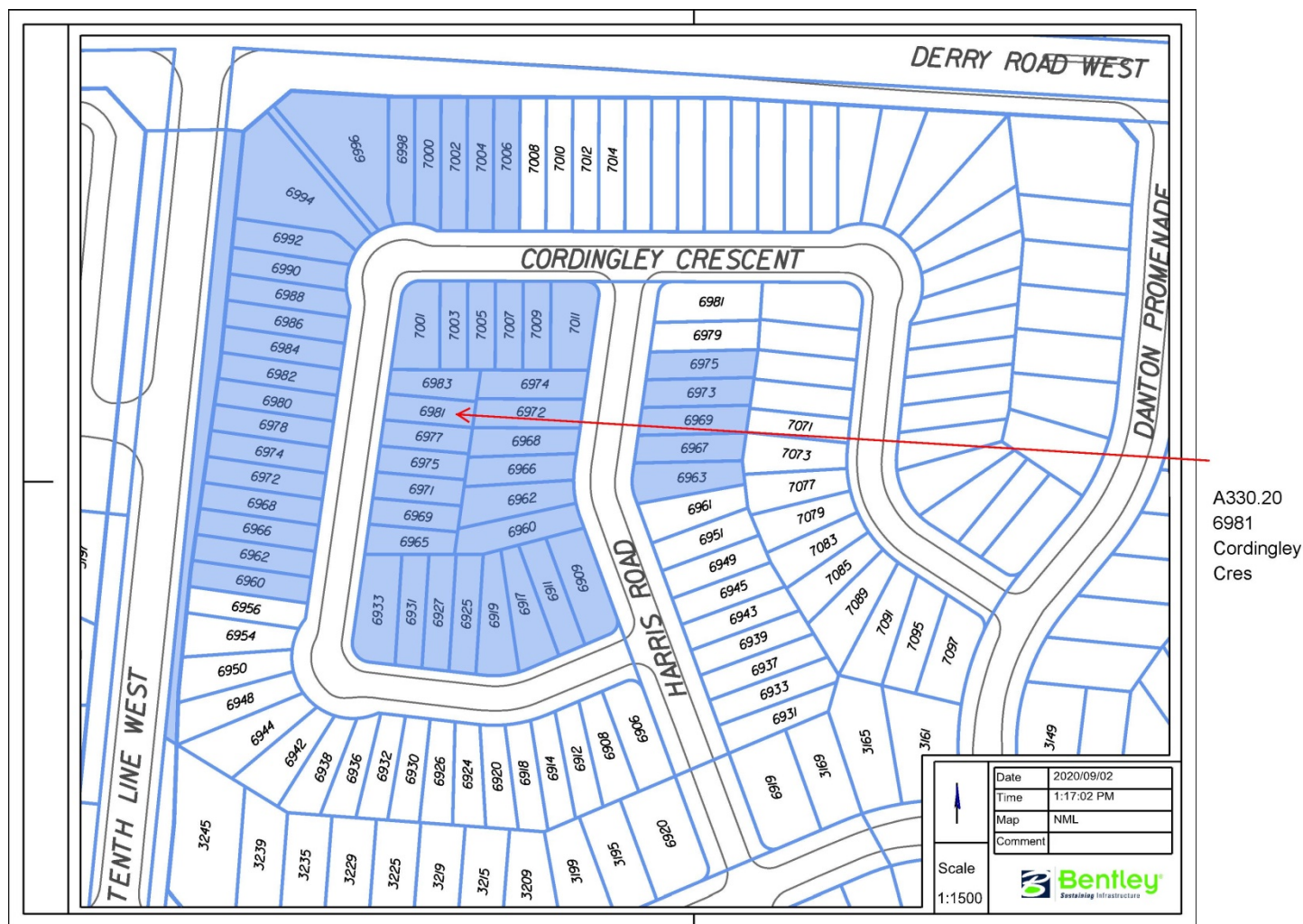
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the hearing the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-10-21	File(s): A330/20 Ward 9
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-10-29

Consolidated Recommendation

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

Application Details

The Applicants request the Committee to approve a minor variance to allow the construction of an addition on the subect property, proposing:

1. A lot coverage of 42% of the lot area; whereas, By-law 0225-2007, as amended, permits a maximum lot coverage of 40% of the lot area, in this instance; and,
2. A rear yard of 4.8m (approx. 15.75ft); whereas, By-law 0225-2007, as amended, requires a minimum rear yard of 7.5m (approx. 24.6ft), in this instance.

Background

Property Address: 6981 Cordingley Crescent

Mississauga Official Plan

Character Area: Meadowvale Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM2-2 (Residential)

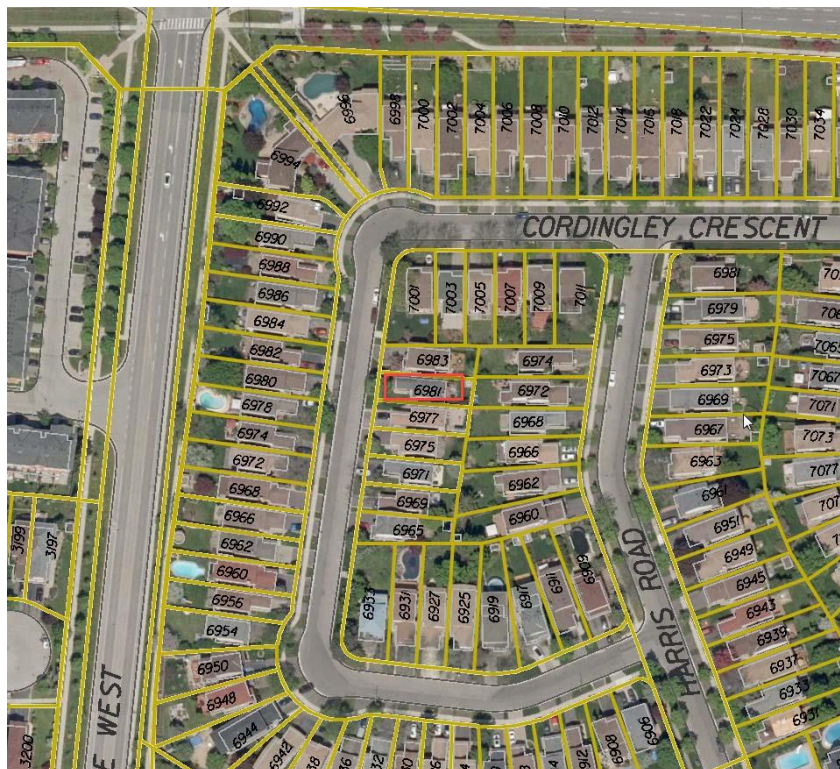
Other Applications:

None

Site and Area Context

The subject property is located south-east of the Derry Road West and Tenth Line West intersection, and currently houses a two-storey detached dwelling with an attached single-car garage. Contextually, the surrounding neighbourhood is comprised exclusively of detached dwellings exhibiting a shared 1980's subdivision architectural style. The properties within the immediate area possess lot frontages of +/-8.4m, with moderate vegetative / natural landscaped elements within the front yards.

The subject property is an interior parcel, with a lot area of 275m² and a lot frontage of 9.0m.



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

While Planning Staff are not in a position to provide an interpretation of the Zoning By-law; Staff would note, the RM2-2 (Residential) Zone permits a lot coverage of 45%, as-of-right.

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

The site is located within the Meadowvale Neighbourhood Character Area, and designated Residential Low Density II by the Mississauga Official Plan (MOP). The Residential Low Density II designation permits detached dwellings; semi-detached dwellings; duplex dwellings; and, triplexes, street townhouses, and other forms of low-rise dwellings with individual frontages.

The subject lands are to be used for residential purposes. The proposed addition respects the designated residential land use, and, despite the variances, has regard for the distribution of massing on the property as a whole. The variances, as requested, meet the purpose and general intent of the Official Plan.

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

Varaince 2 (Rear Yard)

As per Zoning By-law 0225-2007, the subject property is zoned RM2-2 (Residential). Pursuant to Table 4.8.1(9.0) (RM1 and RM2 Permitted Uses and Zone Regulations), a detached dwelling is required to maintain a rear yard setback of 7.5m; whereas, the Applicant has requested 4.8m, in this instance. The general intent of this portion of the Zoning By-law is to both ensure that an adequate buffer area exists between the massings of primary structures on adjoining properties, as well as create an appropriate amenity space within the rear yard.

While the proposed addition will encroach closer into the rear yard than setback regulations currently allow; the proposed design, utilizing both a sloped roof, as well as increased setbacks from the existing structure's footprint, will mitigate massing concerns and serve to mask the resulting intensification. Further, the resulting rear yard is suitable in providing an ample buffer between the rear-facing neighbours, as well as creating an adequate rear yard amenity space, in this regard. Variance 2, as requested, maintains the purpose and general intent of the Zoning By-law.

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

The resulting dwelling is in scale with the overall property as a whole and does not result in the over massing of the site. Planning Staff note, the requested variance is measured to a pinch-point and that suitable amenity space, as well as visual buffering, remains within the required yard. To this end, Planning Staff cannot identify any additional undue impact created as a result

of the proposed construction. The application, as requested, results in both the orderly development of the lands, and whose impacts are minor in nature.

Variance 1 (Lot Coverage)

Through a detailed review, Staff is of the opinion that Variance 1, as requested, is appropriate to be handled through the minor variance process. Further, the aforementioned variance raises no concerns of a planning nature. Planning Staff note, the RM2-2 (Residential) Zone permits a lot coverage of 45%, as-of-right, and that the requested variance (42%) may not be required.

Conclusion

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

Comments Prepared by: Roberto Vertolli, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This department has no objections to the proposed addition and note that any Transportation and Works Department concerns/requirements will be addressed through the Building Permit application process.





Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

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

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the October 29th, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-425/19, DEF-A-201/20, DEF-A-202/20

Consent Applications: B-49/20, B-50/20

City Department and Agency Comments	File:A330/20	2020/10/21	7
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Minor Variance Applications: A-330/20, A-331/20, A-334/20

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 331/20
Ward 1

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 101 Hollyrood Heights Drive, zoned R3-2 - 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 3 accessory structures on the subject property whereas By-law 0225-2007, as amended, permits a maximum of 1 accessory structure on the subject property in this instance.

The Committee has set **Thursday October 29, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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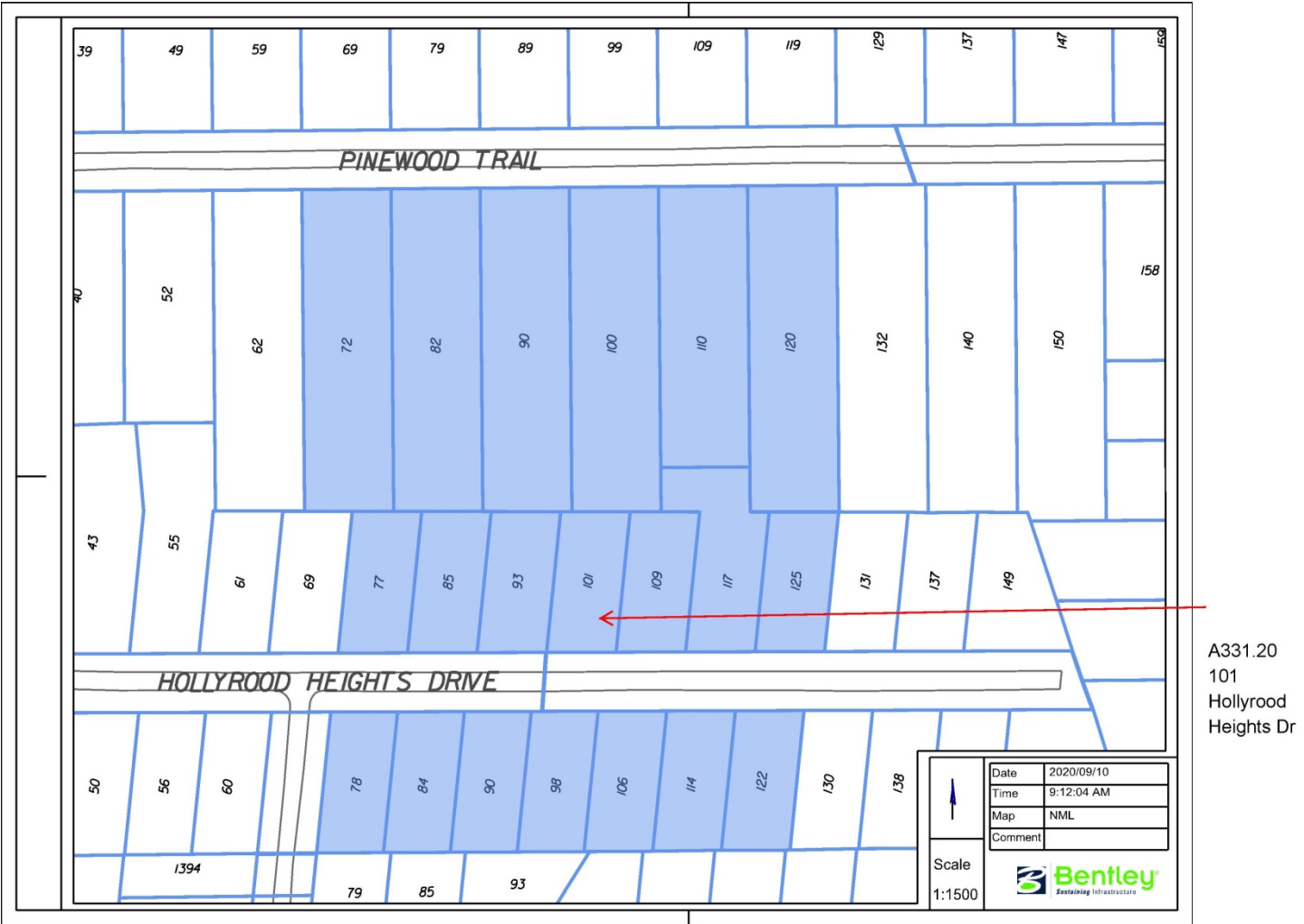
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-10-21	File(s): A331/20 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-10-29

Consolidated Recommendation

The City recommends that the application be deferred to verify if the structures maintain the amended accessory structure regulations. Should the structures maintain by-law requirements, the application should be withdrawn.

Application Details

The applicant requests the Committee to approve a minor variance to allow 3 accessory structures on the subject property whereas By-law 0225-2007, as amended, permits a maximum of 1 accessory structure on the subject property in this instance.

Background

Property Address: 101 Hollyrood Heights Drive

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density I

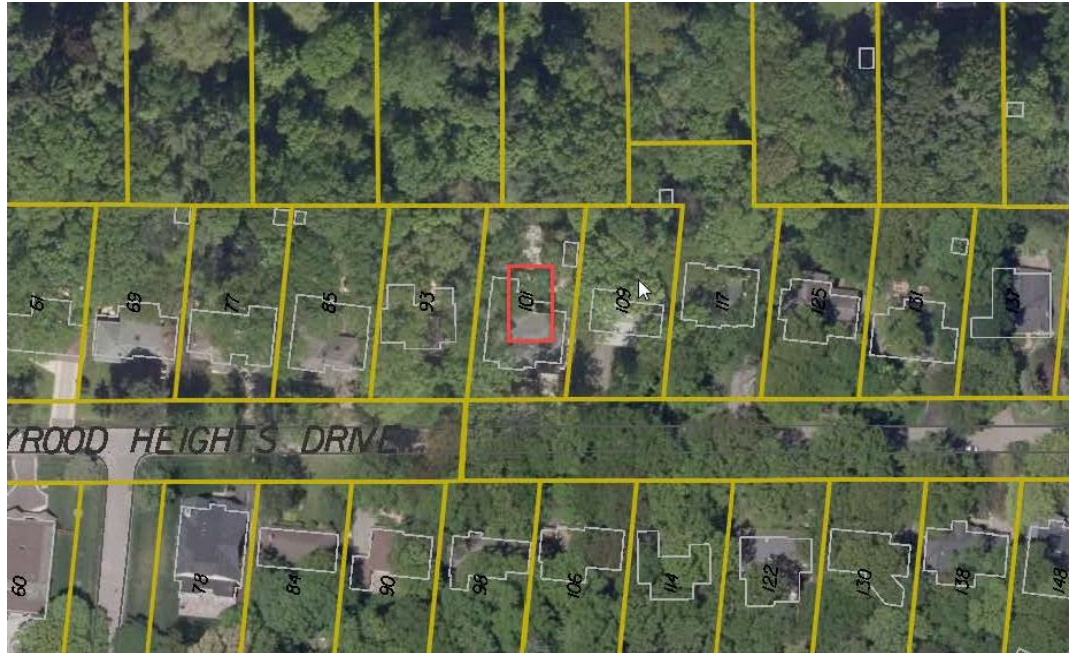
Zoning By-law 0225-2007

Zoning: R3-2 (Residential)

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southeast of Hurontario Street and Pinewood Trail. The neighbourhood is entirely residential consisting of one and two storey detached dwellings with significant mature vegetation. The subject property contains a new two storey dwellings with mature vegetation throughout the lot.

The application proposes three accessory structures whereas a maximum of one is permitted.



Comments

Planning

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

Staff comments concerning the application are as follows:

Through discussions with the Zoning Division, it appears the variance requested is incorrect and may not be required. The previous zoning by-law provisions only permits one accessory structure on a lot with a maximum area of 10 m². By-law 0112-2019, approved by Council on July 3rd, 2019, amended the accessory structure regulations. For lots greater than 750 m² such as the subject property, the zoning by-law allows the following:

Size	Lots Greater than 750 m ²
Maximum occupied area per structure	20 m ²
Maximum combined occupied area	60 m ²
Maximum lot coverage combined for all accessory structures on a lot	5%
Maximum height	3.5 m
Location	Not permitted between the front wall of the dwelling and the front lot line

Minimum setback to interior side and rear lot lines for accessory buildings and structures located in the rear yard	1.20 m
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From the plans submitted, it appears the height and setbacks of the structures maintain the by-law regulations. Should the structures maintain an occupied area of 20 m² each and combined area of 60 m² while maintaining a maximum lot coverage of 5%, variances may not be required.

Conclusion

The Planning and Building Department recommends that the application be deferred to verify if the structures maintain the amended accessory structure regulations. Should the structures maintain by-law requirements, the application should be withdrawn.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference are photos depicting the existing structures on site.





Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

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

It appears the applicant has incorrectly identified the variance.

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the October 29th, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-425/19, DEF-A-201/20, DEF-A-202/20

Consent Applications: B-49/20, B-50/20

Minor Variance Applications: A-330/20, A-331/20, A-334/20

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 332/20
Ward 1

Why you received this letter:

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

Details of the application and meeting information:

The property owners of 1468 Elaine Trail, zoned R1-2 - Residential, have applied for a minor variance under Section 45 of the Planning Act. The applicants request the Committee to approve a minor variance to allow the construction of a new home on the subject property proposing a height measured to the eaves of 7.65m (approx. 25.10ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

The Committee has set **Thursday October 29, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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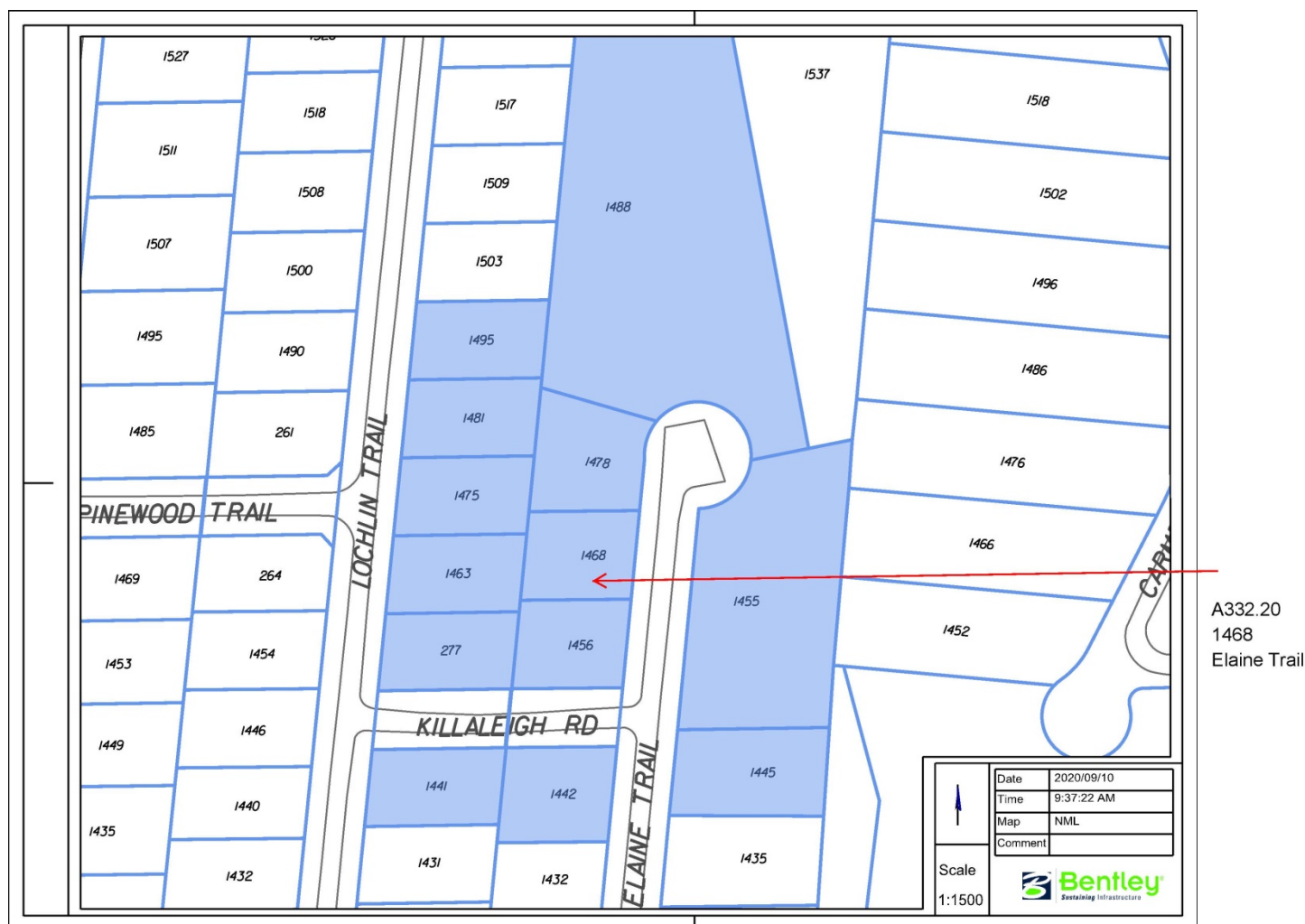
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-10-21	File(s): A332/20 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-10-29

Consolidated Recommendation

The City has no objections to the requested variance.

Application Details

The applicants request the Committee to approve a minor variance to allow the construction of a new home on the subject property proposing a height measured to the eaves of 7.65m (approx. 25.10ft) 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: 1468 Elaine Trail

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R1-2 (Residential)

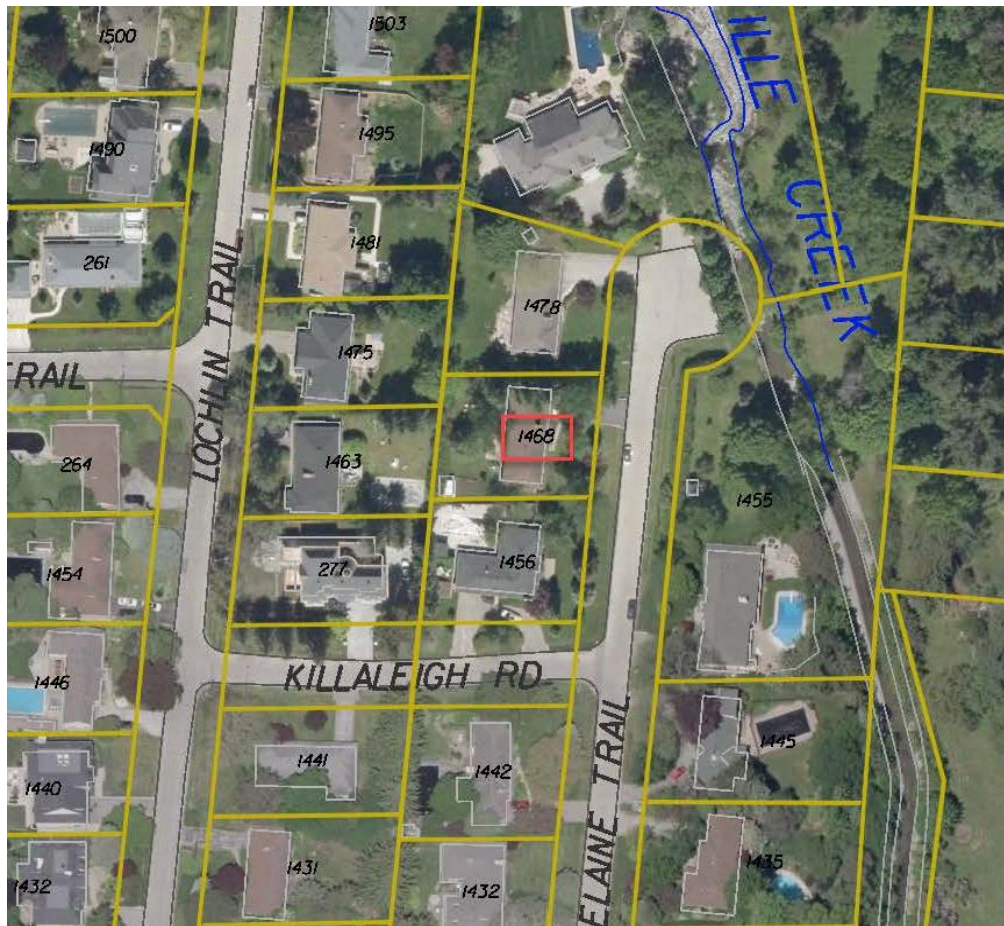
Other Applications

Site Plan Application: 20-37

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, east of Hurontario Street and Pinewood Trail. The neighbourhood is entirely residential consisting of one and two storey detached dwellings with significant mature vegetation. The immediate neighbourhood is within the flood plain and lots on the east side of Elaine Trail are traversed by Cooksville Creek. The subject property contains an existing one storey dwelling with mature vegetation throughout the lot.

The application proposes a new two storey dwelling requiring a variance for an increased eave height.



Comments

Planning

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

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

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

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached and duplex dwellings. Section 16.18.1 of the infill regulations for the Mineola neighbourhood states, new housing is encouraged to fit the scale and character of the surrounding area. The increased eave height is partially due to the difference between average and established grade. The proposed dwelling is similar to newer two storey dwellings within the surrounding area, maintaining the overall character of the neighbourhood. Staff is of the opinion that the application maintains the general intent and purpose of the official plan.

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

The application proposes an eave height of 7.65 m whereas 6.40 m is permitted. The intent of restricting eaves height is to lessen the visual massing of the dwelling by bringing the edge of the roof closer to the ground, lowering the overall pitch of the roof, thereby keeping the dwelling within a human scale. The eave height is measured to average grade which is approximately 0.43 m below the established grade which increases the variance. Furthermore, due to the area being located within a flood zone, CVC has requested that the dwelling be located 2 m above established grade, increasing the eave height. The dwelling maintains an overall building height of 9.50 m, consistent with the height regulations outlined in the zoning by-law, which mitigates any further impact from the increased eave height. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

The proposed dwelling is similar to the newer two storey dwellings in the surrounding area, preserving the character of the neighbourhood. The increased eave height is partially due to the height being measured to average grade which is approximately 0.43 m below the established grade. Furthermore, due to the flood zone, the first floor is required to be approximately 2 m above average grade, thereby increasing the eave height. It is important to note the dwelling maintains the overall dwelling height permitted within the by-law, which lessens the visual massing of the dwelling. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

Conclusion

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

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling are being addressed through the Site Plan Application process, File SPI-20/037.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Planning and Building Department is currently processing a site plan approval application under file 20/37. Based on review of the information currently available for this application, the variances, as requested are correct.

Comments Prepared by: Adam McCormack, Zoning Examiner

Appendix 4 – Heritage

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

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

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

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 333/20
Ward 8

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 2225 Erin Mills Parkway, zoned C3 - Commercial, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a self storage facility on the subject property whereas By-law 0225-2007, as amended, does not permit such a use in this instance.

The Committee has set **Thursday October 29, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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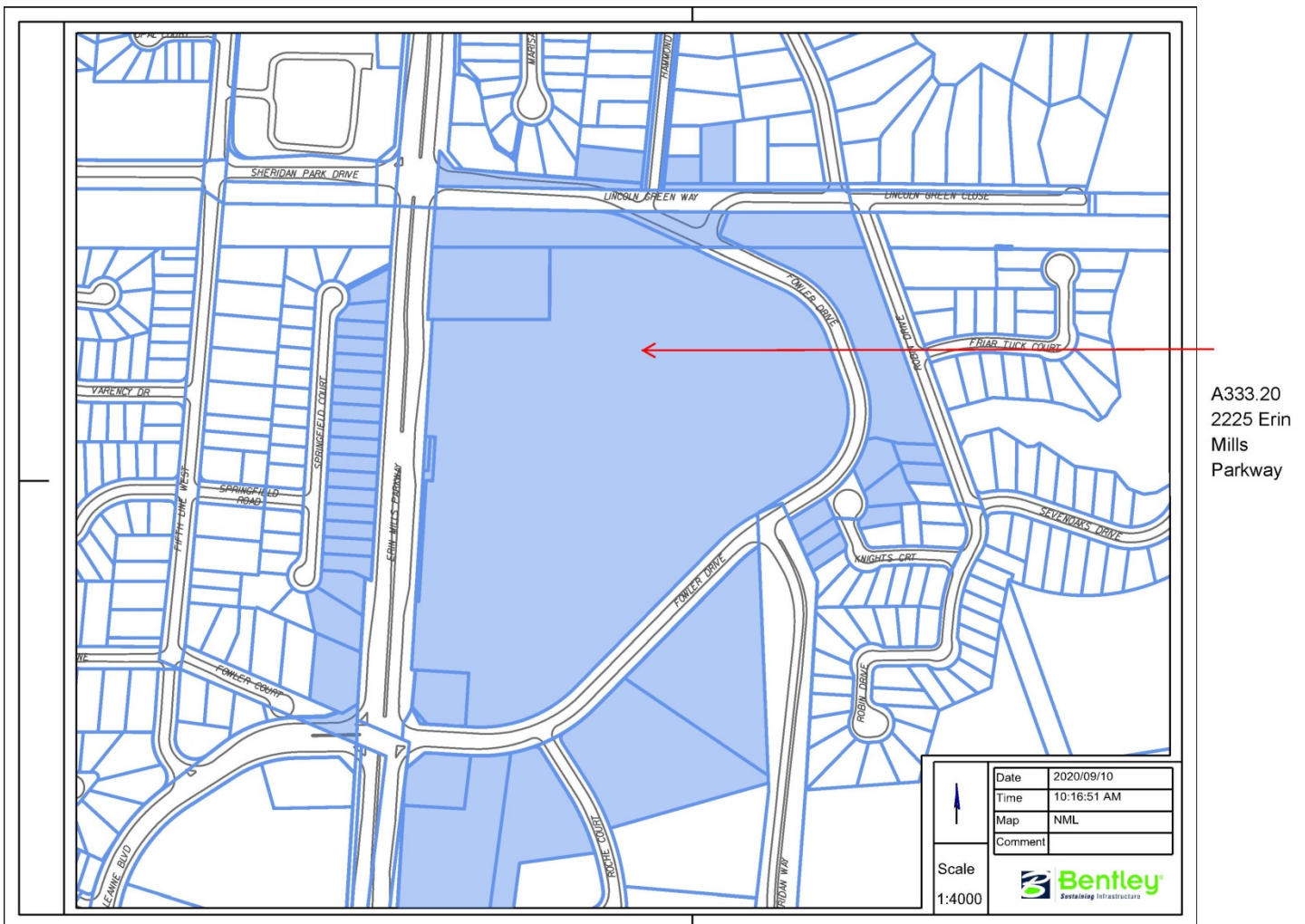
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-10-21 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): A333/20 Ward: 8
	Meeting date: 2020-10-29

Consolidated Recommendation

The City recommends that the application be refused.

Application Details

The applicant requests the Committee to approve a minor variance to allow a self storage facility on the subject property whereas By-law 0225-2007, as amended, does not permit such a use in this instance.

Background

Property Address: 2225 Erin Mills Parkway

Mississauga Official Plan

Character Area: Sheridan Community Node
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C3 (Commercial)

Site and Area Context

The subject site is located within the Sheridan Community Node Character Area, north of Erin Mills Parkway and North Sheridan Way. The subject site is known as Sheridan Mall, a one storey commercial plaza containing a variety of commercial uses within the site. The surrounding area contains an eclectic mix of residential uses such as detached and townhouse dwellings and older mid to high rise apartment buildings.

The application proposes a temporary self-storage facility whereas the use is not permitted.



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 and Zoning By-law?

The subject property is designated Mixed Use in Schedule 10 of the Mississauga Official Plan which permits restaurants, retail stores and residential, among other uses. Additionally, the site is zoned C3 (Commercial) permitting similar commercial type uses permitted in the official plan. The intent of the policies is to permit a variety of commercial uses that contribute to the retail atmosphere of a commercial property and to not allow stand-alone employment uses within commercial zones. In this instance, a self-storage facility is only permitted in the E2 and E3

(Employment) zones of the zoning by-law. While the proposed use is temporary because the mall will redevelop in the future, self-storage facilities do not contribute to the retail/commercial atmosphere envisioned within the official plan and zoning by-law. As such, staff is of the opinion that the general intent and purpose of the official plan and zoning by-law is not maintained.

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

While Sheridan Mall is expected to redevelop in the future, the existing policy framework does not permit self-storage facilities within this area. The intent of the policies is to only allow commercial uses within these zones to contribute to the commercial atmosphere. As the intent of the zoning by-law and official plan are not maintained, staff is of the opinion that the application does not represent orderly development of the lands and is not minor in nature.

Conclusion

The Planning and Building Department recommends that the application be refused.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections, comments or requirements with respect to C.A. 'A' 333/20.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

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

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 5 – Region of Peel Comments

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

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

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

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 334/20
Ward 1

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 55 Port Street East, zoned RA2-33 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to permit a residential building proposing:

1. A maximum balcony projection of 5.20m (approx. 17.06ft) whereas By-law 0225-2007, as amended, permits a maximum balcony projection of 1.00m (approx. 3.28ft) in this instance;
2. An encroachment into a required yard of 3.00m (approx. 9.84ft) whereas By-law 0225-2007, as amended, permits a maximum encroachment into a required yard of 1.80m (approx. 5.90ft) in this instance;
3. To permit a path of egress and vent shaft within the landscape buffer abutting open space lands, whereas By-law 0225-2007, as amended, does not permit a path of egress and vent shaft within the landscape buffer abutting open space lands in this instance;
4. To permit an exit stairwell within a landscape buffer abutting open space lands, whereas By-law 0225-2007, as amended, does not permit an exit stairwell within a landscape buffer abutting open space lands in this instance; and
5. To permit an exit stairwell with a 0m setback in the south east corner, whereas By-law 0225-2007, as amended, does not permit an exit stairwell with a 0m setback in the south east corner in this instance.

The Committee has set **Thursday October 29, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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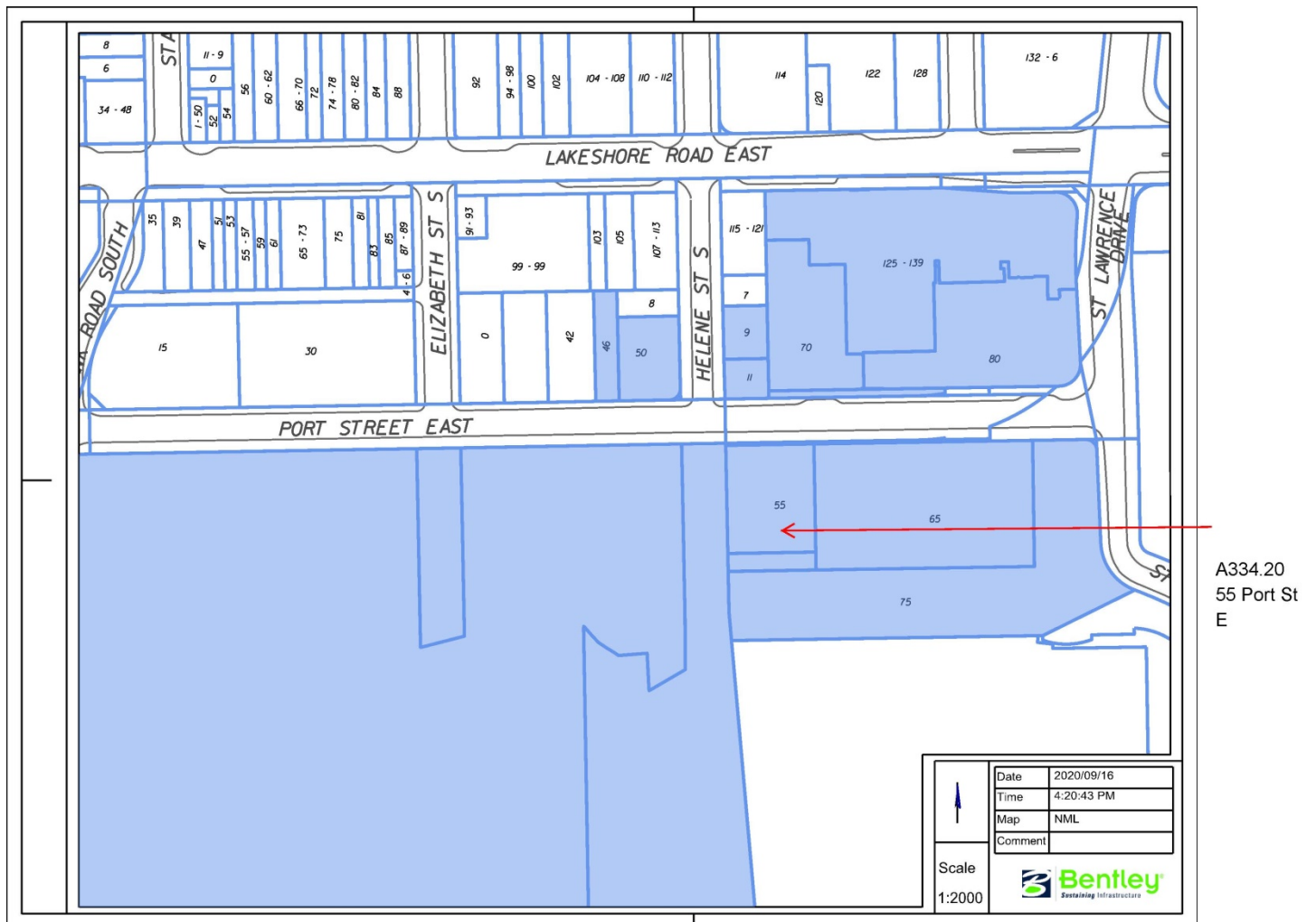
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-10-21	File(s): A334/20 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-10-29

Consolidated Recommendation

The City has no objections to the requested variances.

Application Details

The applicant requests the Committee to approve a minor variance to permit a residential building proposing:

1. A maximum balcony projection of 5.20m (approx. 17.06ft) whereas By-law 0225-2007, as amended, permits a maximum balcony projection of 1.00m (approx. 3.28ft) in this instance;
2. An encroachment into a required yard of 3.00m (approx. 9.84ft) whereas By-law 0225-2007, as amended, permits a maximum encroachment into a required yard of 1.80m (approx. 5.90ft) in this instance;
3. To permit a path of egress and vent shaft within the landscape buffer abutting open space lands, whereas By-law 0225-2007, as amended, does not permit a path of egress and vent shaft within the landscape buffer abutting open space lands in this instance;
4. To permit an exit stairwell within a landscape buffer abutting open space lands, whereas By-law 0225-2007, as amended, does not permit an exit stairwell within a landscape buffer abutting open space lands in this instance; and
5. To permit an exit stairwell with a 0m setback in the south east corner, whereas By-law 0225-2007, as amended, does not permit an exit stairwell with a 0m setback in the south east corner in this instance.

Background

Property Address: 55 Port Street East

Mississauga Official Plan

Character Area: Port Credit Community Node

Designation: Residential High Density

Zoning By-law 0225-2007

Zoning: RA2-33 (Residential)

Other Applications

Site Plan Application: 20-25

Site and Area Context

The subject property is located within the Port Credit Community Node, southwest of Hurontario Street and Lakeshore Road West. The immediate area contains a mix of mid-rise condominiums, townhouse dwellings and commercial uses which front onto Lakeshore Road East. The subject property backs onto St. Lawrence Park and the Waterfront Trail and contains an existing office building. The subject property received Official Plan and Zoning by-law Amendment approval for a nine storey condominium building on September 16, 2019.

The subject property is currently undergoing the site plan approval process. During this review process, variances have been identified for a balcony projection, encroachments into a required yard and landscape buffer.



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 currently undergoing the site plan review process for the plans that were approved by Council through the Official Plan and Zoning By-law Amendment applications. Through the site plan process, additional details regarding the proposed plans were submitted resulting in additional deficiencies that were not captured through the rezoning process. However, the plans submitted for the site plan approval are the same as those presented at and approved by Council.

The proposed balcony projection and encroachment are due to the design of the condominium. The largest balcony projections face Helene Street and do not pose any negative impact to residential buildings regarding privacy/overlook due to the location of the balconies and building separation. The encroachment into the required yard is due to the terrace fronting Port Street East. The terrace makes up a minor portion of the front yard and does not encroach throughout the entirety of the front yard. Variances #3 and 4 relate to the pathway, vent shaft and stairwell within the landscape buffer which is required for the design of the site. The proposed variances would bring the original layout of the site into conformance with the plans previously approved by Council. Regarding variance #5, although staff does not support 0 m setbacks, the applicants have entered into an agreement with the neighbouring property which allows construction access and maintenance onto neighbouring lands for the proposed exit stairwell. As such, staff is of the opinion that the proposed variances meet the requirements of Section 45(1) of the Planning Act.

Conclusion

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

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting that any Transportation and Works Department concerns/requirements for the proposed development are being addressed through the Site Plan Application SP-20/025 as well as Rezoning Application OZ-18/007 for this development.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Planning and Building Department is currently processing a site plan approval application under file 20-25. Based on review of the information currently available for this application, the variances, as requested are correct.

Our comments are based on the plans received by Zoning staff on 20-25 for the above captioned site plan application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid.

Comments Prepared by: Kevin Barry, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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

In addition, Community Services notes the following:

- Comments and conditions are being addressed through the active Site Plan Application (SP 20 25) and Consent to Enter Agreement for access to St. Lawrence Park.

Should further information be required, please contact Jim Greenfield, Park Planner, Community Services Department at 905-615-3200 ext. 8538 or via email jim.greenfield@mississauga.ca

Comments Prepared by: Jim Greenfield, Park Planner

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the October 29th, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-425/19, DEF-A-201/20, DEF-A-202/20

Consent Applications: B-49/20, B-50/20

Minor Variance Applications: A-330/20, A-331/20, A-334/20

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 335/20
Ward 7

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 3585 Mavis Road, zoned D-10 - Development, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to permit the construction of a two storey addition proposing a gross floor area of 692.90sq.m (approx. 7458.31sq.ft) to the existing industrial building with an existing gross floor area of 1193.40 sq.m (approx. 12,845sq.ft) whereas By-law 0225-2007, as amended, permits only minor alterations or additions to existing industrial facilities, buildings and structures, in this instance.

The Committee has set **Thursday October 29, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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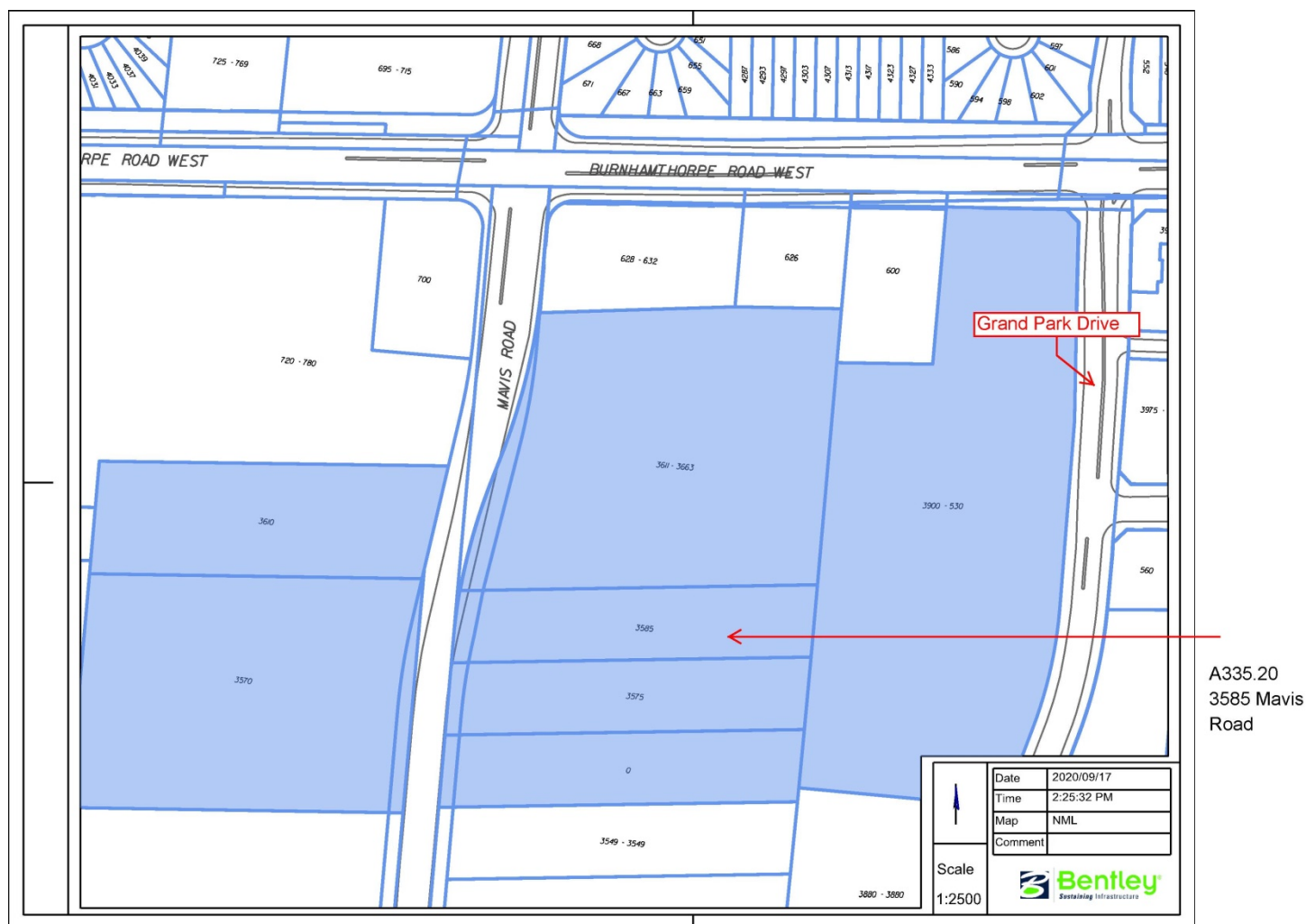
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-10-21	File(s): A335/20 Ward: 7
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-10-29

Consolidated Recommendation

The City recommends that the application be refused.

Application Details

The Applicant requests the Committee to approve a minor variance to permit the construction of a two storey addition, proposing a gross floor area of 692.90m² (approx. 7458.31sq.ft) to the existing industrial building with an existing gross floor area of 1193.40 m² (approx. 12,845sq.ft); whereas, By-law 0225-2007, as amended, permits only minor alterations or additions to existing industrial facilities, buildings and structures, in this instance.

Background

Property Address: 3585 Mavis Road

Mississauga Official Plan

Character Area: Fairview Neighbourhood
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: D-10 (Development)

Other Applications:

None

Site and Area Context

The subject property is an interior parcel located south-east of the Burnhamthorpe Road West and Mavis Road intersection and currently houses a two-storey, industrial structure with attached surface parking area. Contextually, this portion of Mavis Road is comprised of a combination of heavy industrial and mixed commercial uses; with the subject property providing a minor transitional area between these aforementioned land-uses. The properties along this portion of Mavis Road are situated upon large parcels, with lot frontages ranging from +/-40m to +/-160m.

The subject property is an interior parcel, with a lot area of 7,970.5m² and a frontage of +/-41.0m.



Comments

Planning

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

Staff comments concerning this minor variance request are as follows:

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

The site is located within Special Site 1 of the Fairview Neighbourhood Character Area and designated Mixed Use by the Mississauga Official Plan (MOP).

Special Site 1 proposes that the lands fronting upon the east side of Mavis Road will eventually be comprised of both residential and mixed commercial land-uses.

While Section 16.11.2.1.3(g) (Site 1) of the Official Plan does recognize the historical nature of these lands by permitting existing industrial land-uses; these policies further regulate that: only minor alterations / additions to existing industrial structure shall be permitted; and, when such existing industrial uses cease operation, the lands must be developed in accordance with the Mixed Use designation of this Plan. The intent of these aforementioned policies is ultimately to phase-out non-complying industrial land-uses to promote the eventual transition of this area into a mixed commercial/residential corridor.

It is the opinion of Planning Staff that the proposed 692.90m², 2-storey addition does not constitute minor construction, as identified above. Further, in contrast to developing the lands in accordance with the planned vision of MOP, the Applicant's proposal further ingrains an industrial land-use in this area and serves to potentially preclude the future redevelopment of these lands, as envisioned by the Official Plan.

This application does not meet the general intent or purpose of the Official Plan.

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

As per Zoning By-law 0225-2007, the subject property is zoned D-10 (Development).

The intent of the D Zone is to recognize and give legal rights, in the interim, to a previously permitted land-use which the City acknowledges is not in line with the future vision of the Municipality during a period in which the area transitions.

While the D-10 (Development) zone does contemplate some manner of construction, this has specifically been regulated to only minor alterations / additions to any existing industrial facility.

It is the opinion of Planning Staff that the proposed 692.90m², 2-storey addition does not constitute minor construction, as identified above, and serves to not only undermine the planned function of this property, but also, is in contradiction to the general intent of the Zoning By-law.

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

Given the significant deviations to the planned vision of both the Official Plan and Zoning By-law necessary in facilitating this proposal, it is the opinion of Planning Staff that the application

cannot be viewed as being minor in nature, nor do the required amendments to the policy framework result in the orderly development of the lands.

Conclusion

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

Comments Prepared by: Roberto Vertolli, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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





Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

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

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 5 – Region of Peel Comments

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

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

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 337/20
Ward 1

Why you received this letter:

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

Details of the application and meeting information:

The property owners of 1496 Pinetree Crescent, zoned G1 – Greenlands & R1-2 - Residential, have applied for a minor variance under Section 45 of the Planning Act. The applicants request the Committee to approve a minor variance to allow the construction of an addition on the subject property proposing:

1. A gross floor area of 631.53sq.m (approx. 6,797.73sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 335.47sq.m (approx. 3,610.97sq.ft) in this instance;
2. A lot coverage of 29% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25% of the lot area in this instance;
3. A dwelling depth of 21.55m (approx. 70.70ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance; and
4. A northerly side yard to a second storey of 2.12m (approx. 6.96ft) whereas By-law 0225-2007, as amended, requires a minimum side yard to a second storey of 2.41m (approx. 7.91ft) in this instance.

The Committee has set **Thursday October 29, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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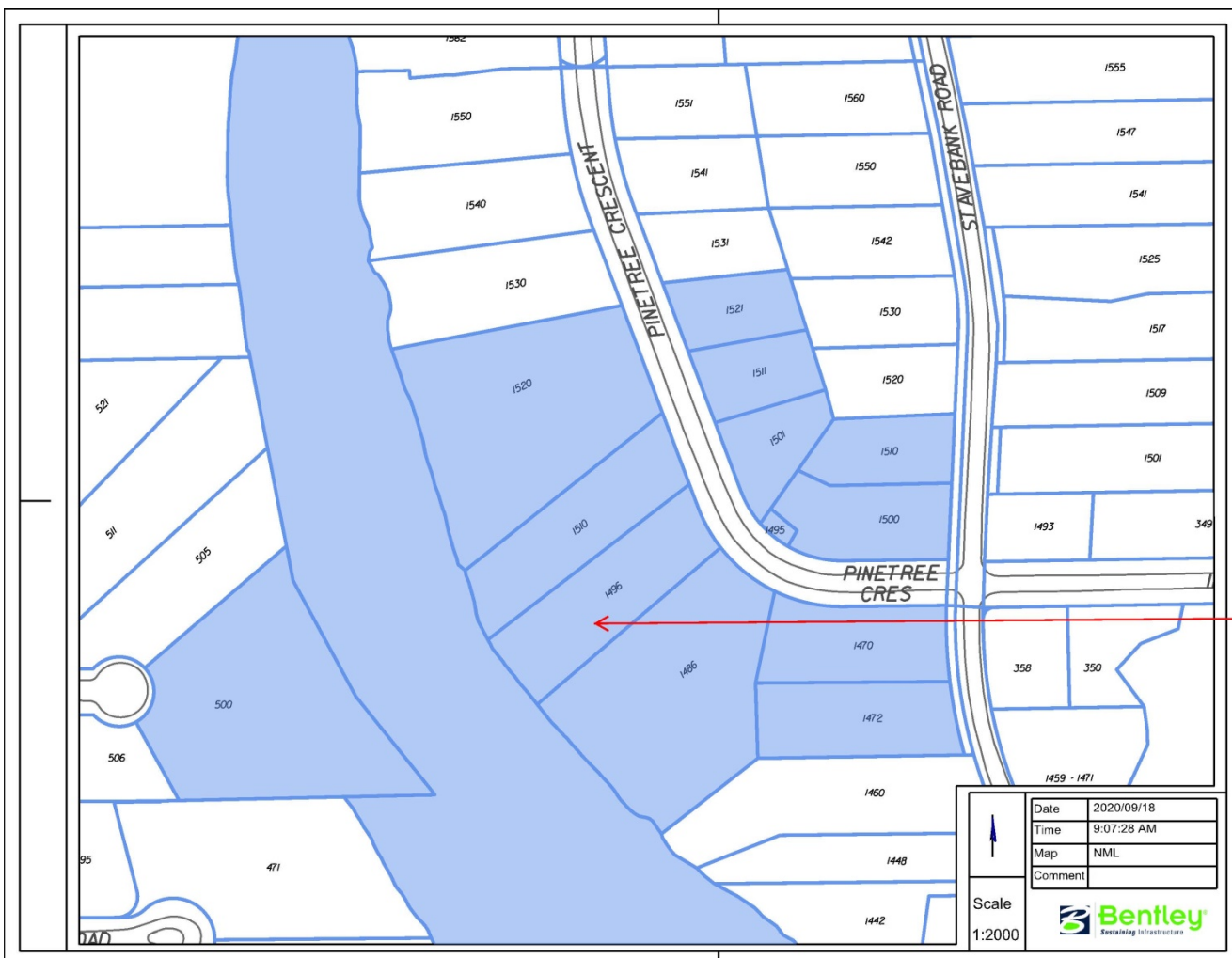
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Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual (including being posted on the internet) upon request in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x5209.



A337.20
1496
Pinetree
Cres

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-10-21	File(s): A337/20 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-10-29

Consolidated Recommendation

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

Application Details

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

1. A gross floor area of 631.53sq.m (approx. 6,797.73sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 335.47sq.m (approx. 3,610.97sq.ft) in this instance;
2. A lot coverage of 29% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25% of the lot area in this instance;
3. A dwelling depth of 21.55m (approx. 70.70ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance; and
4. A northerly side yard to a second storey of 2.12m (approx. 6.96ft) whereas By-law 0225-2007, as amended, requires a minimum side yard to a second storey of 2.41m (approx. 7.91ft) in this instance.

Background

Property Address: 1496 Pinetree Crescent
Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Greenlands, Residential Low Density I

Zoning By-law 0225-2007

Zoning: **G, R1-2** (Greenlands, Residential)

Other Applications:

Building Permit: 20-2334

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southwest of Hurontario Street and the Queen Elizabeth Way (QEW). The neighbourhood is entirely residential consisting of large lots with significant mature vegetation, containing one and two storey detached dwellings. The subject property abuts the Credit River and contains an existing two storey dwelling with mature vegetation mostly in the side and rear yard.

The application proposes a new second floor balcony and minor interior and exterior renovations to the existing dwelling. As such, variances are required for an increased gross floor area, side yard setback, lot coverage and dwelling depth.



Comments

Planning

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

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

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

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached and duplex dwellings. As per Section 16.18.1 of the infill regulations for the Mineola neighbourhood, new housing is encouraged to fit the scale and character of the surrounding area. In this instance, external changes to the dwelling are limited to the enclosure of the rear covered balcony, adding to the overall gross floor area. Furthermore, the addition of the balcony is on the northerly side of the dwelling. The proposed addition does not add any significant massing to the dwelling to the existing dwelling,

limiting the impact to abutting properties. As such, staff is of the opinion that the general intent and purpose of the official plan is maintained.

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

Variance #1 proposes a gross floor area of 631.53 m² whereas a maximum of 335.47 m² is permitted. The intent in restricting gross floor area is to maintain compatibility between existing and new dwellings while ensuring the existing and planned character of a neighbourhood is preserved. In this instance, the proposed renovations and enclosure of the second floor rear balcony accounts for approximately 26.45 m² of the gross floor area. The remaining gross floor area is existing, which results in the dwelling preserving the existing and planned character of the neighbourhood and maintaining compatibility with the streetscape character. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

The remaining variances mostly relate to the existing conditions. The proposed balcony on the northerly side of the dwelling accounts for approximately 1% of the lot coverage and does not add any significant massing to the dwelling. Furthermore, the side yard setback is measured from the balcony which maintains a similar setback measured from the dwelling. The proposed variance is a minor deviation from the zoning by-law which does not create any additional undue impact to the neighbouring property. As such, the remaining variances are appropriate to be handled through the minor variance process and raise no concerns of a planning nature.

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

The dwelling maintains the character of the surrounding neighbourhood as a majority of the gross floor area sought in this application already exists. The proposed renovations and enclosure of the rear porch account for approximately 26.45 m² which does not add any significant massing to the dwelling. The porch enclosure will not impact the streetscape character or abutting properties due to the enclosure being in the rear yard, therefore mitigating any potential massing impacts to neighbouring properties. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

Conclusion

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

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed addition will be addressed through the current Building Permit application process, BP 9ALT-20/2334.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Planning and Building Department is currently processing a building permit application under file 20-2334. Based on review of the information currently available for this building permit, we advise that more information is required to verify the accuracy of the requested variances or determine whether additional variances will be required.

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 5 – Region of Peel Comments

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

Please be advised that the subject property is located within the following Core Areas of the Greenlands Systems in Peel, under Policy 2.3.2 the Regional Official Plan (ROP):

1. Core Area – Valley Corridor
2. Core Area – Area of Natural and Scientific Interest (ANSI) (Life Science)
3. Core Area – Environmentally Significant Area (ESA)
4. Core Area – Wetland

The entirety of the subject property is also located within the limits of the regulated area of the Credit Valley Conservation (CVC).

Within the above-mentioned designations, ROP policies seek to protect environmental resources. The Region relies on the environmental expertise of the CVC for the review of applications located within or adjacent to Core Areas of the Greenlands Systems in Peel and their potential impacts on the natural environment. Regional Planning staff therefore, request that the Committee and city staff consider comments from the CVC and incorporate their conditions of approval appropriately.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 339/20
Ward 7

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 3672 Kariya Drive, zoned H-CC2(2) – City Centre & OS2 – Open Space, 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. A temporary sales office on the subject lands currently zoned H-CC2(2) whereas By-law 0225-2007, as amended; does not permit a temporary sales office within the H-CC2(2) zone in this instance;
2. A portion of the proposed temporary sales office and a portion of the parking on a (future) road allowance (Burnhamthorpe Road and Webb Drive); whereas By-law 0225-2007, as amended, requires all development to be located on site within the property lines in this instance;
3. A maximum setback of 9.0m (approx. 29.5ft) from the Kariya Drive lot line, being outside of the maximum build-to area; whereas By-law 225-2207, as amended, permits a maximum 7.6m (approx. 24.9ft) build-to setback from the Kariya Drive lot line in this instance;
4. Non-compliance with Table 7.2.1., Lines 4A.1 through 4A.11 with regard to: glazing, pedestrian access through a main front entrance and vehicular access location on lots with 'A' and 'B' street frontages (Burnhamthorpe Road, Kariya Drive and Webb Drive); whereas By-law 225-2007, as amended, requires all buildings with an 'A' or 'B' street frontage (Burnhamthorpe Road, Kariya Drive and Webb Drive) to have a percentage (65% and/or 50%) of the area of the first storey streetwall to be glazed, a pedestrian main front entrance on all 'A' street frontages (Burnhamthorpe Road and Webb Drive) and 'B' frontages (Webb Drive), and vehicular access from the 'B' street frontage (Webb Drive) where the building faces both 'A' street frontage (Burnhamthorpe Road and Kariya Drive) and 'B' street frontage (Webb) in this instance;
5. A minimum height of one storey; whereas By-law 0225-2007, as amended, requires a minimum height of 3 storeys in this instance; and
6. A minimum floor area of 700 m² (approx. 7,535sq.ft); whereas By-law 0225-2007, as amended, requires a minimum gross floor area - apartment zone of 1.0 times the lot area (9,168 m²/approx. 98,684sq.ft) in this instance.

The Committee has set **Thursday October 29, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act*, *Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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

How to submit a written comment:

Written comments to the Committee must be received no later than 4:30pm the Tuesday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of

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

Advance registration is required to participate in the electronic hearing:

To participate electronically (computer, tablet or smartphone): Please

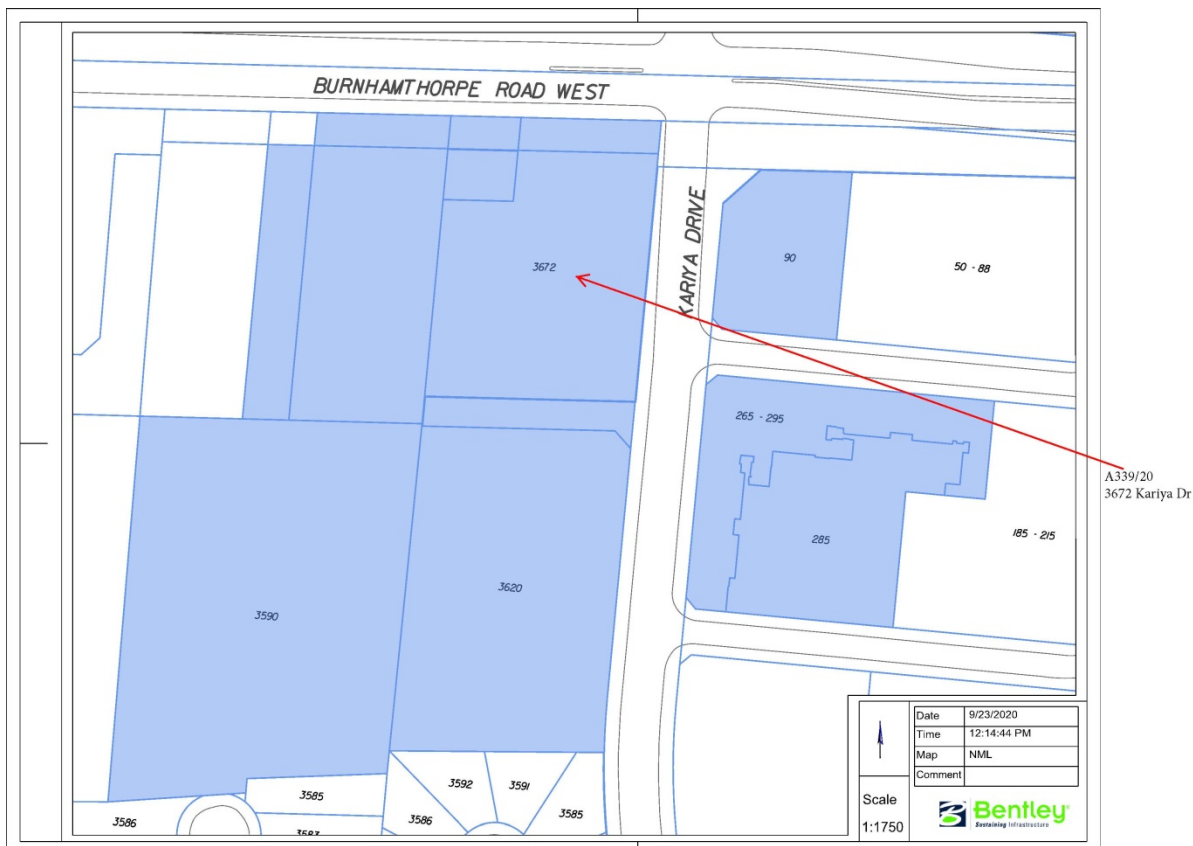
email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services will not be accepted.

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Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual (including being posted on the internet) upon request in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x5209.





COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 425/19
Ward 1

Why you received this letter:

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

Details of the application and meeting information:

The property owners of 1259 Haig Boulevard, zoned R3-75 - Residential, have applied for a minor variance under Section 45 of the Planning Act. The applicants request the Committee to approve a minor variance to allow the construction of a rear covered patio on the subject property proposing:

1. A lot coverage of 47.29% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% of the lot area in this instance;
2. A rear yard of 5.80m (approx. 19.03ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.61ft) in this instance;
3. A driveway width of 10.32m (approx. 33.86ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.68ft) in this instance; and
4. A walkway width of 1.90m (approx. 6.23ft) whereas By-law 0225-2007, as amended, permits a maximum walkway width of 1.50m (approx. 4.92ft) in this instance.

The Committee has set **Thursday October 29, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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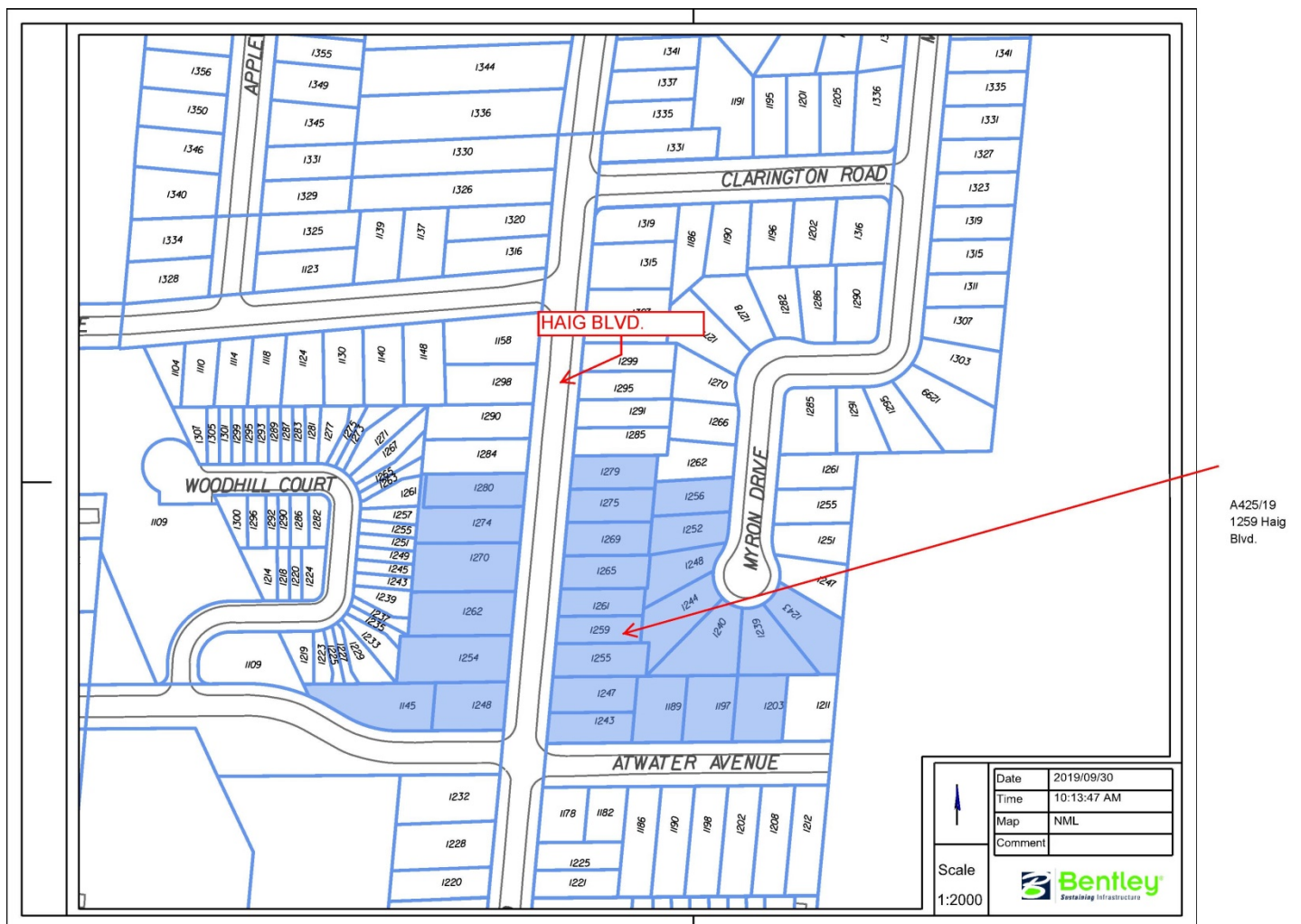
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud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

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-10-21	File(s): A425/19 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-10-29

Consolidated Recommendation

The City recommends that variance #3 be refused, however, have no objections to the remaining variances. The applicant may choose to defer the application to verify the accuracy of the variances and ensure additional variances are not required.

Application Details

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

1. A lot coverage of 47.29% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% of the lot area in this instance;
2. A rear yard of 5.80m (approx. 19.03ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.61ft) in this instance;
3. A driveway width of 10.32m (approx. 33.86ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.68ft) in this instance; and
4. A walkway width of 1.90m (approx. 6.23ft) whereas By-law 0225-2007, as amended, permits a maximum walkway width of 1.50m (approx. 4.92ft) in this instance.

Amendments

"[Enter amendments to variances]"

Recommended Conditions and Terms

"[Enter terms and conditions here]"

Background

Property Address: 1259 Haig Boulevard

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

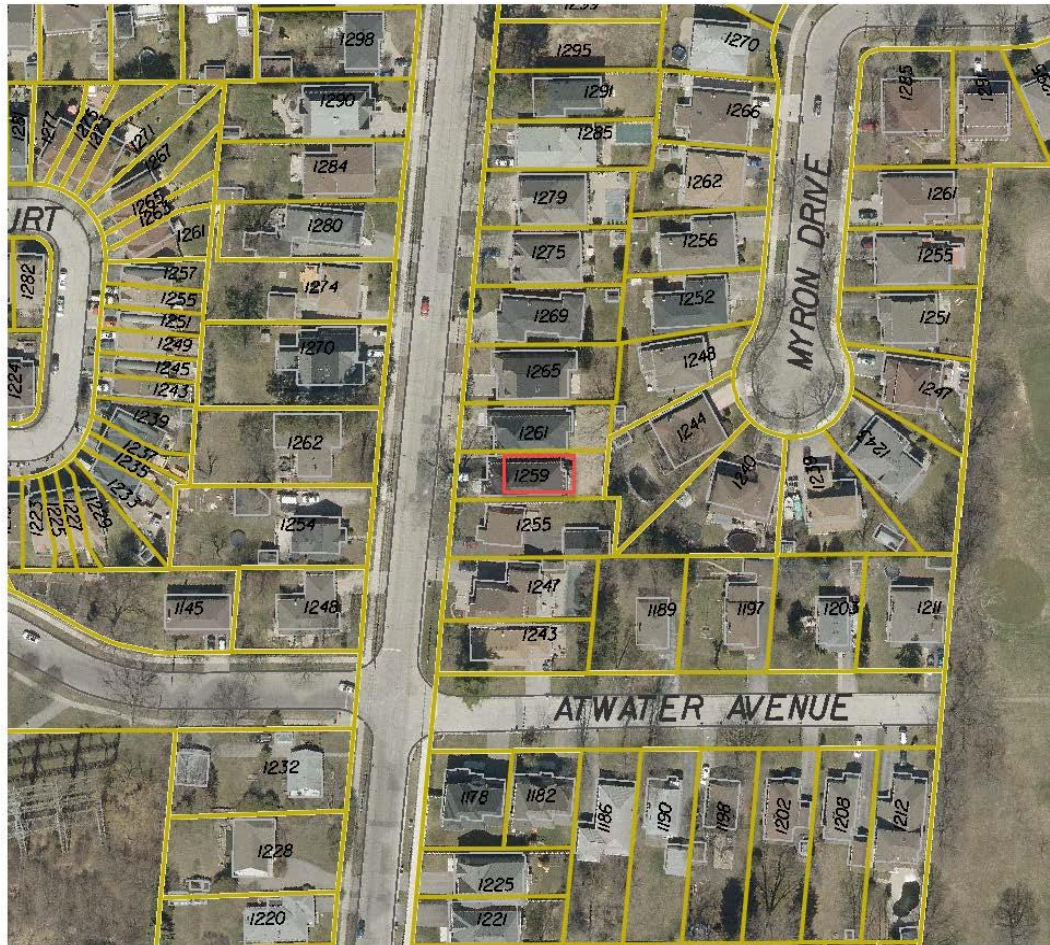
Zoning: R3-75 (Residential)

Other Applications:

Building Permit: 19-7407

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, situated west of Dixie Road and north of Atwater Avenue. The surrounding area consists predominantly of single detached dwellings with little mature vegetation. Further south of the subject property are semi-detached and townhouse dwellings. The subject property contains a two storey dwelling with no mature vegetation. The application proposes a rear covered patio requiring variances related to lot coverage and rear yard setback.



Comments

Planning

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

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

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

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached and duplex dwellings. The official plan policies for lands within the Lakeview Neighbourhood Character Area are contained within the Lakeview Local Area Plan and are located within the Serson Terrace boundary of the Central Residential Neighbourhood Precinct. Section 9 of MOP promotes development with

appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions; the surrounding context; and, the landscape of the character area. The increased lot coverage and deficient rear yard setback is due to a rear covered porch. As the porch is open on three sides, the massing impact to neighbouring properties is minimized. However, the driveway width proposes a significant increase in hard surfacing within the front yard, limiting the overall amount of soft landscaping which is not in keeping with the surrounding area. Staff is of the opinion that variance #3 does not maintain the general intent and purpose of the official plan.

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

The increased lot coverage and deficient rear yard setback is due to the rear covered porch. The dwelling maintains a rear yard setback of 10.51 m, exceeding by-law requirements; however, the proposed setback of 5.80 m is measured to the post of the covered porch. The rear covered porch also makes up approximately 10% of the total lot coverage, however does not add significant massing to the dwelling. The dwelling itself maintains an existing coverage of approximately 36%. Furthermore, the proposed walkway attachment is a minor deviation from the zoning by-law and does not allow for vehicular access. As such, staff is of the opinion that variances #1, 2 and 4 are appropriate to be handled through the minor variance process and raise no concerns of a planning nature.

Variance #3 proposes a driveway width of 10.32 m whereas a maximum of 6 m is permitted. The intent of this portion of the by-law is to permit a driveway large enough to suitably accommodate the required number of parking spaces for a dwelling, with the remainder of the front yard lands being soft landscaping. In this instance, the configuration of the driveway width significantly increases the amount of hard surfacing within the front yard to allow for additional vehicular parking at the expense of soft landscaping. It should be noted that a minimum of 40% soft landscaping is required within the front yard. The increased hard surfacing does not represent the existing and planned context of the surrounding neighbourhood. Staff is of the opinion that the variance does not maintain the general intent and purpose of the zoning by-law.

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

The increased driveway width does not maintain the existing and planned character streetscape as the application proposes a significant increase in hard surfacing to allow for additional vehicular parking without sufficient soft landscaping. The surrounding neighbourhood generally contains hard surfacing large enough to suitably accommodate the required number of vehicles while preserving a sufficient amount of soft landscaping within the front yard. As such, staff is of the opinion that variance #3 does not represent orderly development of the lands and is not minor in nature.

Conclusion

The Planning and Building Department recommends that variance #3 be refused, however, have no objections to the remaining variances. The applicant may choose to defer the application to verify the accuracy of the variances and ensure additional variances are not required.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Attached are photos where the covered patio is to be constructed. We ask that the roof structure be equipped with an eaves trough and downspout directed in such a manor as to not impact the adjacent lots.

Also, we understand that our Development Construction Section had been on site with the initial Building Permit application. The applicant has been instructed to reinstate the swale along the rear property limit which was intended to accept the surface drainage from the lot to the north (1261 Haig Blvd.) in order for the surface drainage to reach the existing catch basin on the applicant's property.





Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Planning and Building Department is currently processing a building permit application under file 19-7407. Based on review of the information currently available for this building permit, we advise that more information is required to verify the accuracy of the requested variances or determine whether additional variances will be required.

Comments Prepared by: Marco Palerma, Zoning Examiner

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the October 29th, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-425/19, DEF-A-201/20, DEF-A-202/20

Consent Applications: B-49/20, B-50/20

Minor Variance Applications: A-330/20, A-331/20, A-334/20

Comments Prepared by: Diana Guida, Junior Planner

REVISED HEARING DATE & AMENDED NOTICE



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 190/20
Ward 2

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 594 Old Poplar Row, zoned R2-4 – Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A driveway width of 22.26m (approx. 73.03ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 8.50m (approx. 27.89ft) in this instance;
2. A walkway width attachment of 2.90m (approx. 9.51ft) whereas By-law 0225-2007, as amended, permits a maximum walkway width attachment of 1.50m (approx. 4.92ft) in this instance;
3. A northerly side yard of 2.53m (approx. 8.30ft) whereas By-law 0225-2007 as amended, requires a minimum northerly side yard of 5.00m (approx. 16.40ft) in this instance;
4. A northerly side yard measured to the window well of 2.53m (approx. 8.30ft) whereas By-law 0225-2007 as amended, requires a minimum northerly side yard measured to the window well of 4.39m (approx. 14.40ft) in this instance;
5. A floor area of an accessory structure of 67.03sq.m (approx. 721.50sq.ft) whereas By-law 0225-2007, as amended, permits a maximum floor area of an accessory structure of 60.00sq.m (approx. 645.84sq.ft) in this instance;
6. A dwelling unit depth of 56.10m (approx. 184.05ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m (approx. 65.62ft) in this instance;
7. A building height measured to the eaves of 11.51m (approx. 37.76ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance;
8. A building height measured to the highest ridge of 13.47m (approx. 44.19ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.50m (approx. 31.17ft) in this instance;
9. A building height measured to a flat roof of 9.20m (approx. 30.18ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to a flat roof of 7.50m (approx. 24.61ft) in this instance; and
10. A garage area of 137.25sq.m (approx. 1477.35sq.ft) whereas By-law 0225-2007, as amended, permits a maximum a garage area of 75.00sq.m (approx. 807.29sq.ft) in this instance.

The Committee has set **Thursday October 29, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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

How to submit a written comment:

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Advance registration is required to participate in the electronic hearing:

To participate electronically (computer, tablet or smartphone): Please

email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials

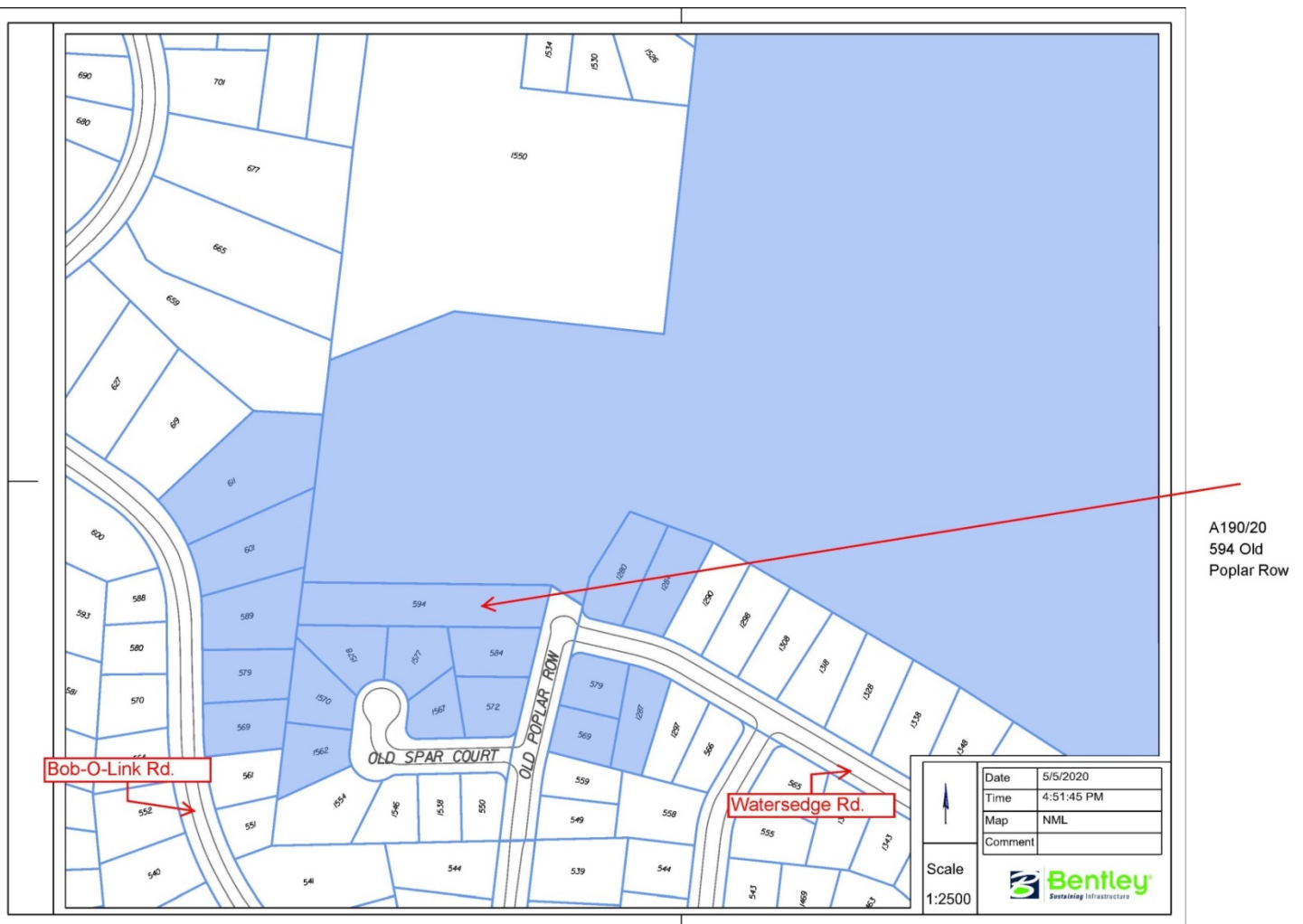
you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services will not be accepted.

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

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Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual (including being posted on the internet) upon request in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x5209.



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-10-21	File(s): A190/20 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-10-29

Consolidated Recommendation

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

Application Details

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

1. A driveway width of 22.26m (approx. 73.03ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 8.50m (approx. 27.89ft) in this instance;
2. A walkway width attachment of 2.90m (approx. 9.51ft) whereas By-law 0225-2007, as amended, permits a maximum walkway width attachment of 1.50m (approx. 4.92ft) in this instance;
3. A northerly side yard of 2.53m (approx. 8.30ft) whereas By-law 0225-2007 as amended, requires a minimum northerly side yard of 5.00m (approx. 16.40ft) in this instance;
4. A northerly side yard measured to the window well of 2.53m (approx. 8.30ft) whereas By-law 0225-2007 as amended, requires a minimum northerly side yard measured to the window well of 4.39m (approx. 14.40ft) in this instance;
5. A floor area of an accessory structure of 67.03sq.m (approx. 721.50sq.ft) whereas By-law 0225-2007, as amended, permits a maximum floor area of an accessory structure of 60.00sq.m (approx. 645.84sq.ft) in this instance;
6. A dwelling unit depth of 56.10m (approx. 184.05ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m (approx. 65.62ft) in this instance;
7. A building height measured to the eaves of 11.51m (approx. 37.76ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance;
8. A building height measured to the highest ridge of 13.47m (approx. 44.19ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.50m (approx. 31.17ft) in this instance;

City Department and Agency Comments	File:A190/20	2020/10/21	2
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9. A building height measured to a flat roof of 9.20m (approx. 30.18ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to a flat roof of 7.50m (approx. 24.61ft) in this instance; and
10. A garage area of 137.25sq.m (approx. 1477.35sq.ft) whereas By-law 0225-2007, as amended, permits a maximum a garage area of 75.00sq.m (approx. 807.29sq.ft) in this instance.

Background

Property Address: 594 Old Poplar Row

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R2-4 (Residential)

Other Applications

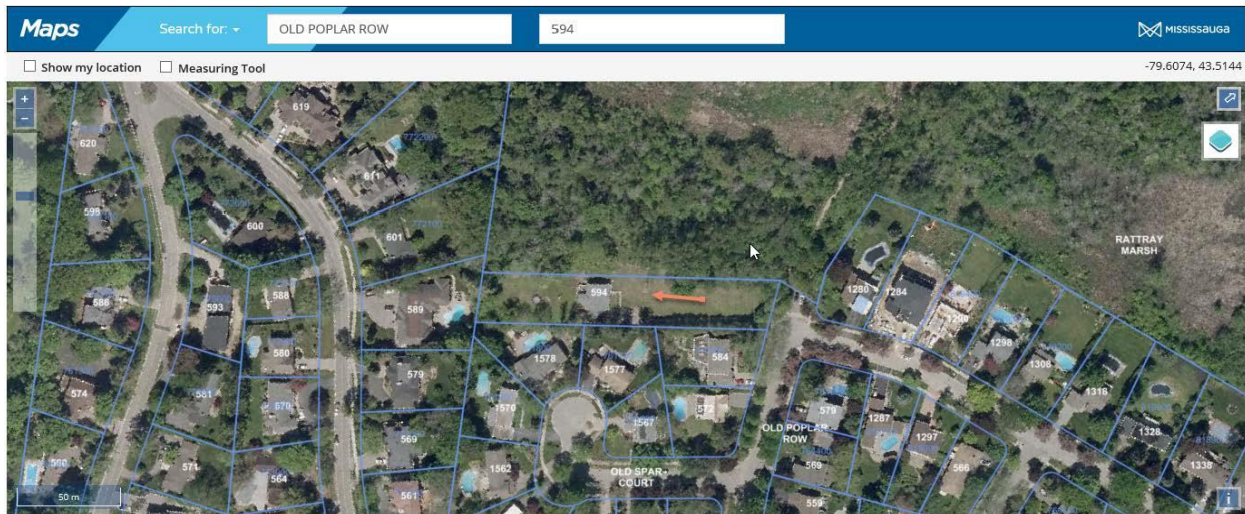
Site Plan Application: 20-27

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southeast of Southdown Road and Orr Road. The immediate neighbourhood is entirely residential, consisting of one and two storey detached dwellings with mature vegetation. Abutting the subject property to the north is Rattray Marsh Conservation Area. The subject property contains an existing one storey dwelling with significant mature vegetation surrounding the lot.

The application proposes a new one storey dwelling requiring variances related to driveway and walkway widths, side yards, height, dwelling depth and floor area associated with the accessory structure and garage.

The application was previously deferred to allow the applicant to meet with residents and try to address concerns related to setbacks and drainage. The applicant has shifted the dwelling approximately 0.88 m to the north, providing a larger southerly side yard setback. The only variances requesting amendments relate to the driveway width and northerly side yard setbacks. As such, previous comments remain applicable.



Comments

Planning

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

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

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

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached, semi-detached and duplex dwellings. Section 16.5.1.4 (Infill Housing) states new dwellings are encouraged to fit the scale and character of the surrounding area and have minimal impacts on its adjacent neighbours. The proposed detached dwelling respects the designated land use, and has regard for the distribution of massing on the property as a whole. The design of the dwelling mitigates the impact on the adjacent property to the south as the dwelling depth on this portion of the side yard maintains by-law requirements. Furthermore, the dwelling proposes one storey which has a height less than the maximum permitted under the by-law measured from established grade. As Rattray Marsh Conservation Area abuts the subject property to the north, there would be no massing impacts from the dwelling. As such, staff is of the opinion that the general intent and purpose of the official plan is maintained.

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

Variances #1 and 2 proposes an increased driveway width and walkway attachment width. The intent of the by-law is to permit a driveway large enough to provide the necessary space for two vehicles parked side-by-side, with the remainder of lands being soft landscaping and to not allow additional vehicular parking on the walkway. The proposed dwelling is significantly setback from the street and contains mature vegetation around the front portion of the lot. As a result, the proposed variances would not have a negative impact to the streetscape. The proposed driveway mostly maintains a width of 3.54 m, however, is increased to 22.56 m when measured from the widest point for a portion of the driveway. There is significant soft landscaping within front yard, minimizing the overall impact of the proposed hard landscaping. The proposed walkway attachment is located abutting the main front door of the dwelling. Due to the design of the dwelling, the walkway attachment is internal to the site and would not have a negative impact to neighbouring properties. Similar to the proposed driveway, the walkway attachment is significantly setback from the street and will not negatively impact the neighbourhood streetscape. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variances #3 and 4 relate to a deficient northerly side yard measured to the dwelling and window well. As the dwelling as shifted closer to the northerly side yard, a deficient southerly side yard setback measured to a window well is no longer required. The general intent of the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties, and that access to the rear yard ultimately remains unencumbered. North of the subject property is Rattray Marsh Conservation Area which is zoned Greenlands and requires a 5 m setback. The proposed dwelling and window well is sufficiently setback from this zone and would not negatively impact the conservation area. It should be noted that the Credit Valley Conservation (CVC) Authority have reviewed the plans and have no objections to the variances. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #5 proposes a floor area of 67.03 m² for an accessory structure whereas a combined area of 60 m² is permitted. The intent of the by-law is to ensure that structures are proportional to the lot and dwelling and are clearly accessory to the principle use while not presenting any massing concerns to neighbouring lots. The proposed accessory structure is significantly setback from the adjacent property to the south, maintaining a setback of 7 m and a height of 3.45 m, minimizing any massing impacts. Furthermore, the accessory structure makes up approximately 1.96% of the total coverage which results in the structure being proportional to the lot and accessory to the dwelling. As such, staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #6 proposes a dwelling depth of 56.10 m whereas a maximum depth of 20 m is permitted. The intent of the by-law is to minimize impacts of long walls on neighbouring lots as a direct result of the building massing. In this instance, the dwelling at grade maintains a depth of 39.12 m; however, the depth is broken up on the north and south side of the dwelling. The south side of the dwelling has a depth of 19.82 m while the north side of the dwelling has a depth of

approximately 29.23 m. The remaining dwelling depth is due to the basement which contains a tunnel connecting the dwelling to the proposed accessory structure. The depth on the south side of the dwelling maintains by-law requirements and is one storey which mitigates the impact of a long continuous wall abutting the neighbouring lot. The north side of the dwelling abuts Rattray Marsh Conservation Area, as such, the increased dwelling depth will not have a massing impact. The remaining dwelling depth is located below grade and does not result in any additional massing of a long continuous wall. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variances #7 – 9 relate to the increased height of the eaves, flat roof and highest ridge. The intent of the zoning by-law is to lessen the visual massing of a dwelling while not presenting any shadowing or overlook concerns to abutting properties. The requested height variances are attributed to the discrepancy between average and established grade. Average grade is calculated by averaging eight points: two points at the front lot line, two points at the front yard requirement (9 m), two points 15 m from the front yard and two points from the street centreline. The dwelling is setback approximately 60 m from the street, whereas the front yard requirement is 9 m. On large irregular properties, the average grade can be significantly different than the established grade. In this instance, the difference between the average grade and established grade is approximately 4.67 m. The dwelling height measured to the highest ridge from established grade is 8.8 m. All variances related to height maintain by-law requirements measured from established grade, mitigating any potential impact to the character streetscape and minimizing any overlook concerns. Due to the significant difference between average and established grade, staff is of the opinion that the requested heights are appropriate in this instance and that the intent and purpose of the zoning by-law is maintained.

Variance #10 proposes an increased garage area of 137.25 m² whereas a maximum of 75 m² is permitted. The intent in restricting the overall amount, and individual size, of an attached garage is to ensure that the detached dwelling remains residential in nature, so that the majority of the structure's ground floor area is attributed to livable space, rather than storage space.

Additionally, this portion of the by-law serves to minimize the visual impact resulting from multiple, or excessive, garage faces from a streetscape perspective. In this instance, the application proposes a below grade garage which does not add any structural massing to the street. As a result, the increased garage area will not negatively impact neighbouring properties and ensures the dwelling is mostly attributed to livable space and remains residential in nature. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

The proposed dwelling maintains the existing character of the neighbourhood and will not negatively impact the character streetscape as a majority of the proposed variances are due to technicalities and does not add any significant massing to the dwelling. The variances related to height are inflated due to the calculation of average grade which is approximately 4.67 m below established grade. From established grade, the proposed dwelling maintains all height

provisions within the by-law. The application proposes a one storey dwelling which minimizes any impacts to the southerly property. The dwelling maintains a depth of 19.82 m on the south side of the dwelling while the north side of the dwelling has a depth of 29.23 m. The southerly side of the dwelling maintains the zoning by-law requirement and has a height of 8.80 m to the highest ridge from established grade; however, a majority of the dwelling maintains a height of approximately 6.70 m, lessening the visual impact to the neighbouring property. The proposed dwelling is significantly setback from street and as a result, the dwelling will not pose any negative massing concerns. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

Conclusion

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

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We note for Committee's information that the City is currently processing a Site Plan Application for this property, Reference SPI-20/027. Transportation and Works Department concerns/requirements for this property will be addressed through the Site Plan Process.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Planning and Building Department is currently reviewing site plan application 20-27. From our review of the application, the applicant we are unable to confirm the accuracy of the requested variances or determine whether additional variances may be required.

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

The Park Planning Section of the Community Services Department has reviewed the minor variance application and has no objections:

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

- The lands adjacent to the property are owned by the Credit Valley Conservation Authority (CVC) and leased by the City of Mississauga, identified as Rattray Marsh (Park #126) and within the Significant Natural Area, zoned G-1. 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,..., grading, landscaping...;
- Tree preservation hoarding and securities may be required as part of the site plan control process.
- Stockpiling of construction materials and encroachment in the adjacent park is not permitted. Construction access from the park is not permitted.

Should further information be required, please contact Jim Greenfield, Park Planner, Community Services Department at 905-615-3200 ext. 8538 or via email jim.greenfield@mississauga.ca.

Comments Prepared by: Jim Greenfield, Park Planner

Appendix 5 – Region of Peel Comments

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

Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please call our Site Servicing Technicians at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca

Development Planning: Tracy Tang (905) 791-7800 x7190

The subject land is located within the limits of the regulated area of the Credit Valley Conservation (CVC).

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

Comments Prepared by: Diana Guida, Junior Planner

Appendix 6- Conservation Authority Comments

Thank you for circulating CVC on the amended subject minor variance application.

Further to our commenting letter dated June 1, 2020, CVC staff have **no concerns** and **no objection** to the requested amended minor variances. It should be noted that a CVC permit is required for the development as proposed.

Please circulate CVC any future correspondence regarding this application.

Should you have any questions or concerns, please feel free to contact me.

Comments Prepared by: Elizabeth Paudel, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 265/20
Ward 7

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 150 Paisley Boulevard West, zoned RA4-20 - 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 mid-rise rental apartment and above grade parking garage proposing:

1. A floor space index of 1.82 whereas By-law 0225-2007, as amended, permits a maximum floor space index of 1.50 in this instance;
2. An exterior side yard of 7.00m (approx. 22.96ft) for a portion of the dwelling with a height greater than 26.00m (approx. 85.30ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 10.50m (approx. 34.45ft) for a portion of the dwelling with a height greater than 26.00m (approx. 85.30ft) in this instance;
3. A centre line setback of 17.70m (approx. 58.07ft) whereas By-law 0225-2007, as amended, requires a minimum centre line setback of 25.50m (approx. 83.66ft) in this instance;
4. A balcony projection above the first storey of 2.30m (approx. 7.55ft), whereas By-law 0225-2007, as amended, permits a maximum balcony projection above the first storey of 1.00m (approx. 3.28ft) in this instance;
5. A balcony encroachment of 5.88m (approx. 19.29ft) whereas By-law 0225-2007, as amended, permits a maximum balcony encroachment of 1.00m (approx. 3.28ft) in this instance;
6. A balcony encroachment into the exterior side yard of 4.31m (approx. 14.14ft) whereas By-law 0225-2007, as amended, permits a maximum balcony encroachment into the exterior side yard of 1.80m (approx. 5.91ft) in this instance;
7. A setback measured from a parking structure to an interior side yard lot line of 4.94m (approx. 16.21ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured from a parking structure to an interior side yard lot line of 7.50m (approx. 24.61ft) in this instance;
8. A landscaped area of 33.63% whereas By-law 0225-2007, as amended, requires a minimum landscaped area of 40% in this instance;
9. A landscape buffer (southeast lot line) of 1.65m (approx. 5.41ft) whereas By-law 0225-2007, as amended, requires a minimum landscape buffer of 3.00m (approx. 9.84ft) in this instance;
10. 212 residential parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 263 residential parking spaces in this instances; and
11. 27 visitor parking whereas By-law 0225-2007, as amended, requires a minimum of 41 visitor parking spaces in this instance.

The Committee has set **Thursday October 29, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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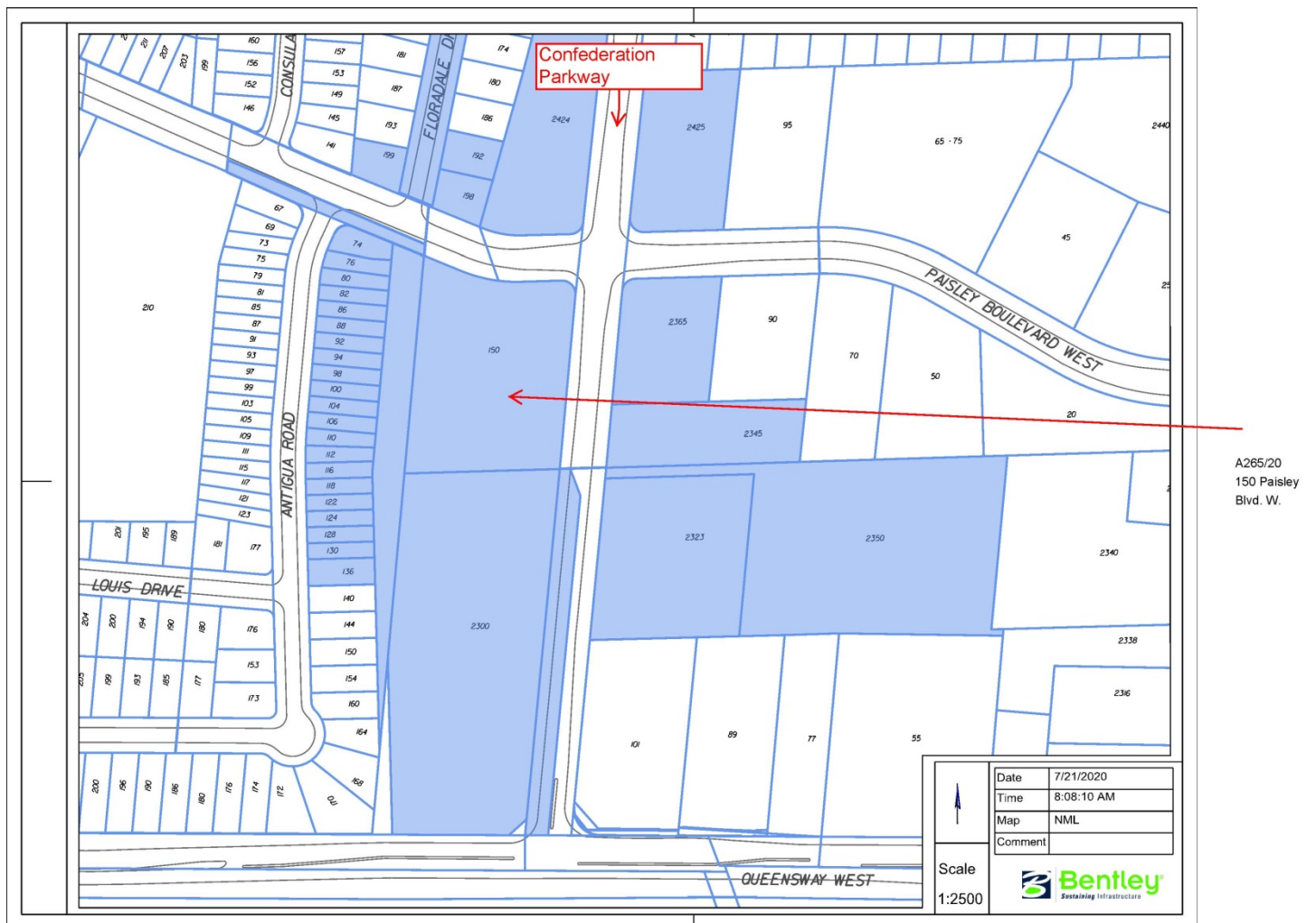
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to committee.adjustment@mississauga.ca. If a party does not submit a request and does not participate in the hearing the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual (including being posted on the internet) upon request in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x5209.



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-10-21	File(s): A265/20 Ward: 7
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-10-29

Consolidated Recommendation

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

Application Details

The Applicant requests the Committee to approve a minor variance to allow a mid-rise rental apartment and above grade parking garage, proposing:

1. A floor space index of 1.82; whereas, By-law 0225-2007, as amended, permits a maximum floor space index of 1.50, in this instance;
2. An exterior side yard of 7.00m (approx. 22.96ft) for a portion of the dwelling with a height greater than 26.00m (approx. 85.30ft); whereas, By-law 0225-2007, as amended, requires a minimum exterior side yard of 10.50m (approx. 34.45ft) for a portion of the dwelling with a height greater than 26.00m (approx. 85.30ft), in this instance;
3. A centre line setback of 17.70m (approx. 58.07ft); whereas, By-law 0225-2007, as amended, requires a minimum centre line setback of 25.50m (approx. 83.66ft), in this instance;
4. A balcony projection above the first storey of 2.30m (approx. 7.55ft); whereas, By-law 0225-2007, as amended, permits a maximum balcony projection above the first storey of 1.00m (approx. 3.28ft), in this instance;
5. A balcony encroachment of 5.88m (approx. 19.29ft); whereas, By-law 0225-2007, as amended, permits a maximum balcony encroachment of 1.00m (approx. 3.28ft), in this instance;
6. A balcony encroachment into the exterior side yard of 4.31m (approx. 14.14ft); whereas, By-law 0225-2007, as amended, permits a maximum balcony encroachment into the exterior side yard of 1.80m (approx. 5.91ft), in this instance;
7. A setback measured from a parking structure to an interior side yard lot line of 4.94m (approx. 16.21ft); whereas, By-law 0225-2007, as amended, requires a minimum setback measured from a parking structure to an interior side yard lot line of 7.50m (approx. 24.61ft), in this instance;
8. A landscaped area of 33.63%; whereas, By-law 0225-2007, as amended, requires a minimum landscaped area of 40%, in this instance;

City Department and Agency Comments	File:A265/20	2020/10/21	2
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9. A landscape buffer (southeast lot line) of 1.65m (approx. 5.41ft); whereas, By-law 0225-2007, as amended, requires a minimum landscape buffer of 3.00m (approx. 9.84ft), in this instance;
10. 212 residential parking spaces; whereas, By-law 0225-2007, as amended, requires a minimum of 263 residential parking spaces, in this instances; and,
11. 27 visitor parking spaces; whereas, By-law 0225-2007, as amended, requires a minimum of 41 visitor parking spaces, in this instance.

Amendments

Based upon review of this Application, Staff notes that the Minor Variance application should be amended as follows, permitting:

10. 208 residential parking spaces; whereas, By-law 0225-2007, as amended, requires a minimum of 264 residential parking spaces, in this instance; and,
11. 31 visitor parking; whereas, By-law 0225-2007, as amended, requires a minimum of 41 visitor parking spaces, in this instance.

Background

Property Address: 150 Paisley Boulevard West

Mississauga Official Plan

Character Area: Downtown Hospital
Designation: Residential High Density

Zoning By-law 0225-2007

Zoning: RA4-20 (Residential)

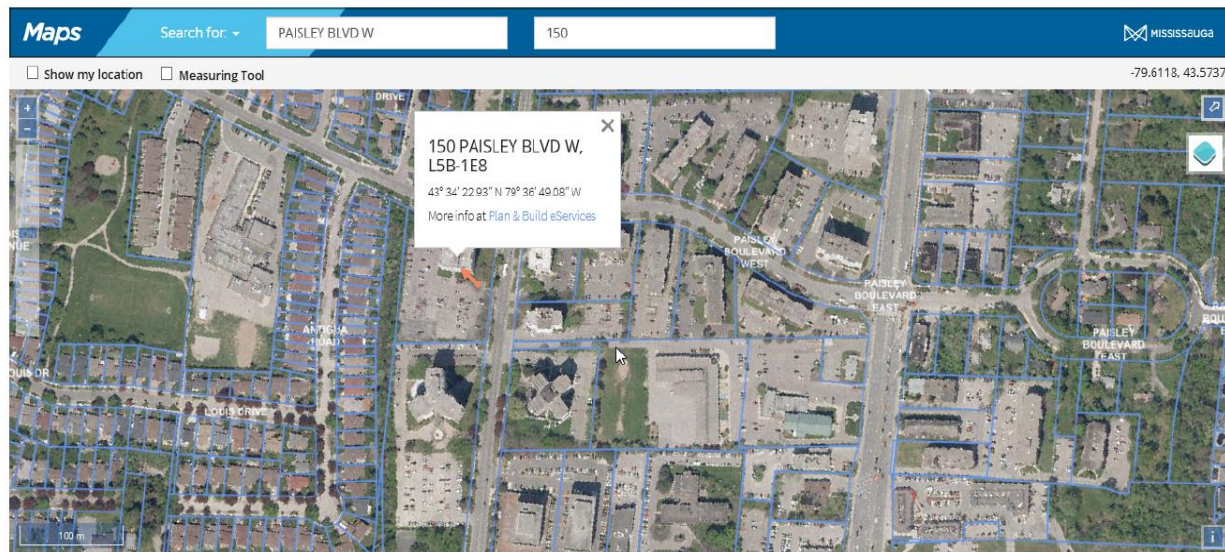
Other Applications:

Site Plan: 19-135

Site and Area Context

The subject property is located north-west of the Confederation Parkway and the Queensway West intersection and currently houses a sixteen-storey apartment complex. In general, the subject lands provide a mid-rise transitional buffer between the high-density residential uses located on the east side of Confederation Parkway and the residential semi-detached structures that dominate the lands to the west.

The subject property is an exterior parcel, with a lot area of 9,834m² and a lot frontage of +/- 85m.



Comments

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

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

Planning Staff note, the Applicant has provided updated drawings through their Minor Variance Application which do not correspond to the submitted Site Plan Approval application by which the Zoning Department has completed its comprehensive review. Planning Staff are therefore only able to speak to the variances as requested and cannot comment upon their validity as it pertains to compliancy against the Zoning By-law.

As per discussions with the Applicant, they wish to proceed with the variances as requested.

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

The site is located within the Downtown Hospital Character Area, and designated Residential High Density by the Mississauga Official Plan (MOP). Pursuant to Section 11.2.5.6(a) (Residential), the Applicant's proposal of a residential apartment structure maintains the purpose and general intent of the Official Plan.

Does the proposal maintain the general intent and purpose of the Zoning By-law?Variances 1 - 9 (Design Related Variances)

While the Applicant has proposed several amendments to the underlying zoning regulations; Planning Staff note, the inherent nature of Variances 1 - 9 are to address minor deficiencies to the base zone for a configuration which has conceptually been approved by both the Urban Design and Development Planning teams through their review of Site Plan Approval application SP 19-135. To this end, the requested variances represent prescribed functional changes, reviewed in consultation with Municipal Staff, that in no way fundamentally change, or undermine, the underlying zoning regulations.

To this end, Planning Staff are of the opinion that the application is appropriate to be handled through the minor variance process. Further, Variances 1 - 9, as requested, raise no concerns of a planning nature.

Planning Staff recommends that the Committee have regard for all comments and evidence provided by the Applicant and area residents when assessing if Variances 1 - 9, as requested, meet the requirements of Section 45(1) of the Planning Act.

Variance 10 & 11 (Parking)

As per Zoning By-law 0225-2007, the subject property is zoned RA4-20 (Residential). In accordance with Table 3.1.2.1 (Required Number of Parking Spaces for Residential Uses), this zone regulates the required parking rates for various dwelling types on this site. The intent in quantifying this amount is to ensure that each structure is self-sufficient in providing adequate parking accommodations based upon its intended use.

As per the Transportation Impact Assessment (Salvini Consulting, May/2020) submitted by the Applicant, and reviewed to the satisfaction of City Planning Strategies Staff, the proposed parking rates are suitable in meeting the peak parking demands of the subject property for the proposed residential uses. Variance 10 & 11, as requested, maintain the purpose and general intent of the Zoning By-law.

As per the aforementioned Transportation Impact Assessment, the subject property has ample room to accommodate required parking based upon the intend uses. The structure remains self-sufficient, with the majority of parking handled on-site, and with the requested variances serving to pose no significant negative impact to the surrounding neighbourhood, as a whole. The variances, as requested, result in both the orderly development of the lands, and whose impacts are minor in nature.

Conclusion

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

Comments Prepared by: Roberto Vertolli, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling are being addressed through the Site Plan Application process, File SPM-19/135.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan Approval application under file 19-135. Based upon review of this Application, Staff notes that the Minor Variance application should be amended as follows, permitting:

10. 208 residential parking spaces; whereas, By-law 0225-2007, as amended, requires a minimum of 264 residential parking spaces, in this instance; and,
11. 31 visitor parking; whereas, By-law 0225-2007, as amended, requires a minimum of 41 visitor parking spaces, in this instance.

Notwithstanding, this Department notes that more information is required to verify the accuracy of the requested variances, as well as to determine whether additional variance(s) will be required.

Comments Prepared by: Adam McCormack, Zoning Examiner

Appendix 5 – Region of Peel Comments

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

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

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

Comments Prepared by: Diana Guida, Junior Planner