
Committee of Adjustment

Date: September 12, 2024
Time: 1:00 PM
Location: Council Chambers, Civic Centre, 2nd Floor
300 City Centre Drive, Mississauga, Ontario, L5B 3C1
and Online Video Conference

Members

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

Contacts

Sara Ukaj, Committee of Adjustment Coordinator, Legislative Services
905-615-3200 ext.5507 or 3817
sara.ukaj2@mississauga.ca

Nathan Tega, Committee of Adjustment Co-op, Legislative Services
905-615-3200 ext.5507 or 8928
nathan.tega@mississauga.ca

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

Send written submissions or request notification of future meetings to:

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

Requests to speak:

Pre-registration is required to speak virtually (by computer or telephone) at a hearing. Pre-registration is preferred but not required to appear in person. Requests can be made by email:

committee.adjustment@mississauga.ca or by phone: 905-615-3200 ext.5507 and must be received by the Friday prior to the hearing. If you do not wish to speak, the hearing will be livestreamed here: www.mississauga.ca/portal/cityhall/council-and-committee-videos.

-
1. CALL TO ORDER
 2. DECLARATION OF CONFLICT OF INTEREST
 3. DEFERRALS OR WITHDRAWALS
 4. MATTERS TO BE CONSIDERED
 - 4.1 B48.24
950 Plymouth Dr (Ward 6)
 - 4.2 B49.24
5855 Terry Fox Way (Ward 6)
 - 4.3 A331.24
6845 Golden Hills Way (Ward 11)
 - 4.4 A370.24
1312 Seagull Dr (Ward 2)
 - 4.5 A377.24
2965 Nipiwini Drive (Ward 9)
 - 4.6 A378.24
5218 Palmetto Place (Ward 10)
 - 4.7 A379.24
3926 Burdette Terr (Ward 10)
 - 4.8 A380.24
3051 Cook St (Ward 7)
 - 4.9 A383.24
6656 Blackheath Ridge (Ward 11)
 - 4.10 A385.24
544 Matisse Place (Ward 11)
 - 4.11 A386.24
1570 Stavebank Rd (Ward 1)
 - 4.12 A387.24
1265 Tecumseh Park Dr (Ward 2)

- 4.13 A388.24
 1638 Aimco Blvd (Ward 5)
- 4.14 A183.23
 1303 Tecumseh Park Dr (Ward 2)
- 4.15 A243.24
 406 Jumna Ave (Ward 1)
- 4.16 A390.24
 2562 Stanfield Rd (Ward 1)

5. **OTHER BUSINESS**

6. **ADJOURNMENT**

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 950 Plymouth Dr, zoned E2-56 - 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, September 12, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown.

How to participate:

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

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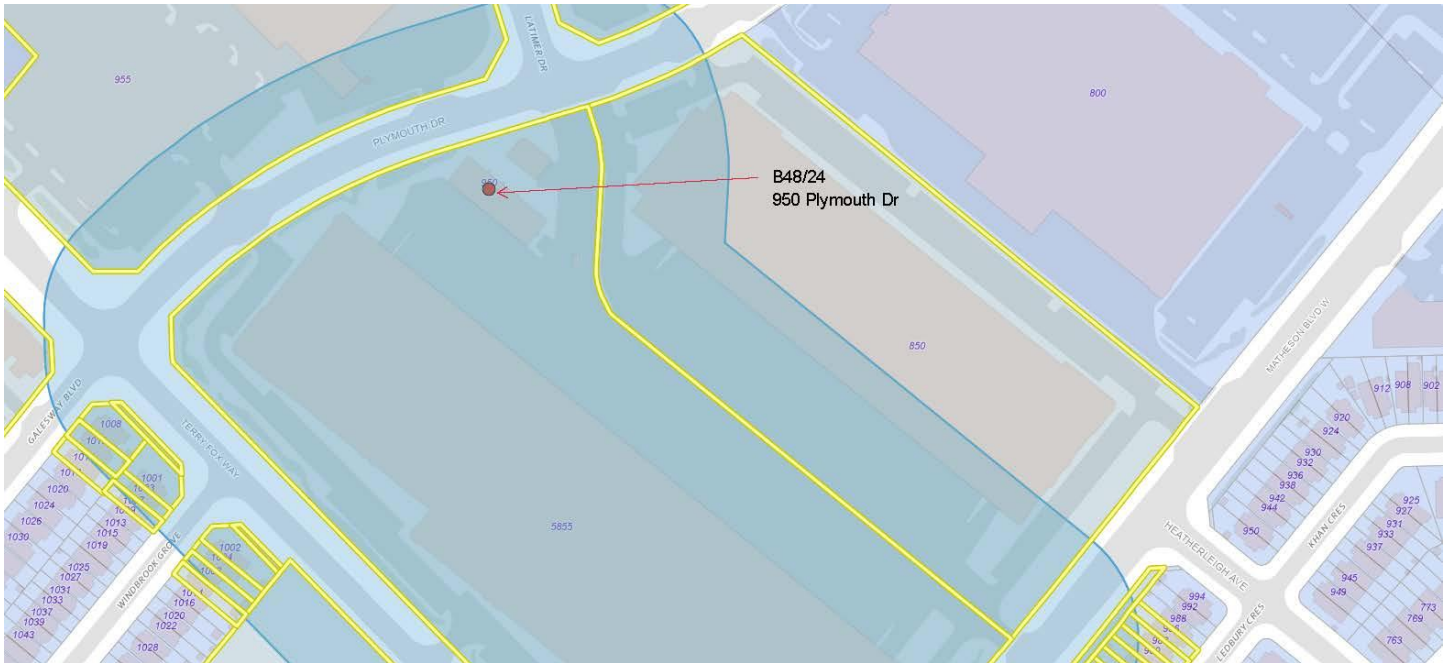
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Committee of Adjustment Appeal Process:

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City of Mississauga Department Comments

Date Finalized: 2024-09-04	File(s): B48.24
To: Committee of Adjustment	Ward: 6
From: Committee of Adjustment Coordinator	Meeting date:2024-09-12 1:00:00 PM

Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the Applicant and area residents when assessing if the application meets the requirements of Section 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 of consent

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 950 Plymouth Dr

Mississauga Official Plan

Character Area: East Credit Neighbourhood
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2-56 - Employment

Other Applications: None

Site and Area Context

The subject property is located south-west of the Britannia Road West and Mavis Road intersection in the East Credit Neighbourhood Character Area. It currently contains two existing industrial buildings with an associated parking lot. Vegetative elements are located only along the property lines. The surrounding area context includes a range of uses and built forms, including industrial, commercial and residential uses.

The applicant is seeking to permit a lease for a period of greater than 21 years requiring the consent of the Committee of Adjustment.



Comments

Planning

Staff comments concerning the applications for consent are as follows:

The applicant is proposing a lease greater than 21 years for a unit on the subject property. The Planning Act requires that leases of 21 years or greater receive consent from the municipality. Staff note that the proposed use conforms to both the official plan and zoning by-law. Through a detailed review, staff are 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.

Comments Prepared by: Daniel Grdasic, 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: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

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

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

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

Comments Prepared by: Crystal Abainza, Zoning Examiner

Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix A – CONDITIONS OF PROVISIONAL CONSENT

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

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

File: B49.24
Ward: 6

In Person and Virtual Public Hearing

Why you received this letter:

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

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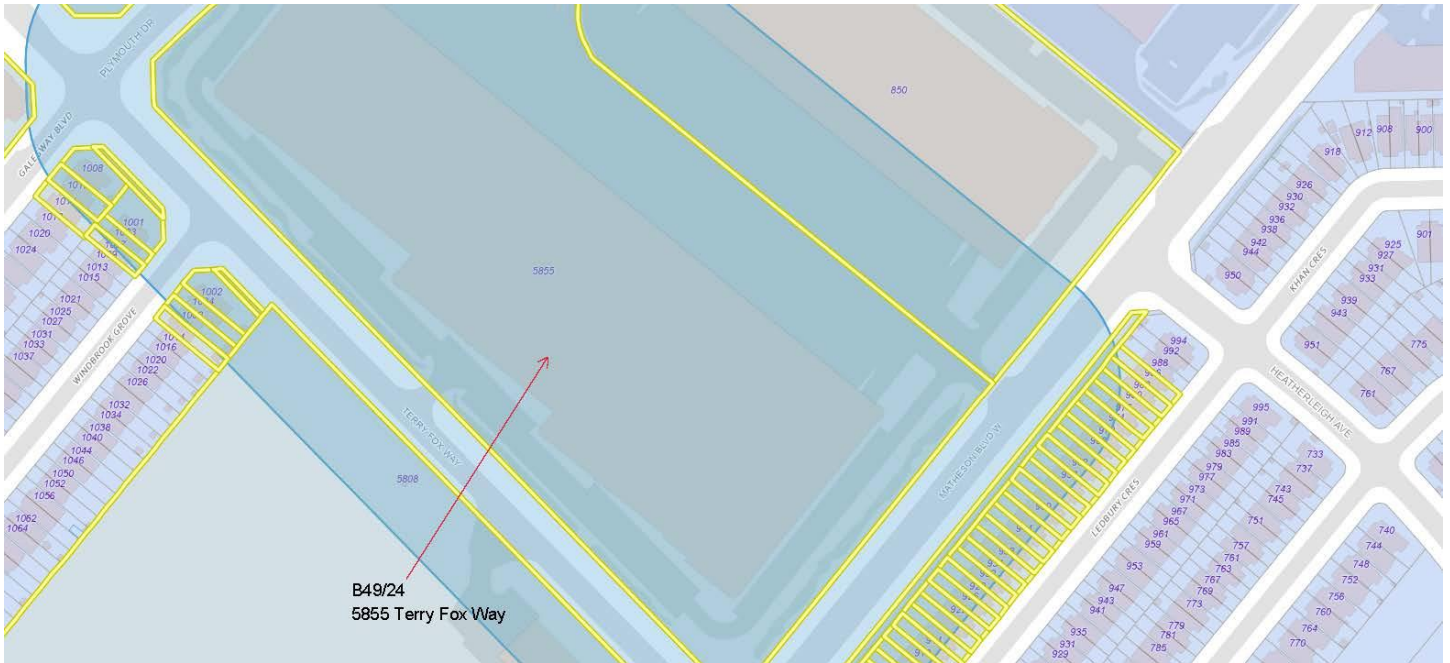
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City of Mississauga Department Comments

Date Finalized: 2024-09-04	File(s): B49.24 Ward: 6
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-09-12 1:00:00 PM

Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the Applicant and area residents when assessing if the application meets the requirements of Section 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 of consent

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 5855 Terry Fox Way

Mississauga Official Plan

Character Area: East Credit Neighbourhood
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2-56 - Employment

Other Applications: None

Site and Area Context

The subject property is located south-west of the Britannia Road West and Mavis Road intersection in the East Credit Neighbourhood Character Area. It currently contains two existing industrial buildings with an associated parking lot. Vegetative elements are located only along the property lines. The surrounding area context includes a range of uses and built forms, including industrial, commercial and residential uses.

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Comments

Planning

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Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

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Comments Prepared by: Tony Iacobucci, Development Engineering

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In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 6845 Golden Hills Way, zoned R10 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a below grade entrance proposing:

1. A below grade entrance in a required interior side yard whereas By-law 0225-2007, as amended, does not permit a below grade entrance in a required interior side yard in this instance; and
2. A side yard measured to a below grade entrance of 0.05m (approx. 0.16ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to a below grade entrance of 1.20m (approx. 3.94ft) in this instance.

The Committee has set **Thursday, September 12, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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City of Mississauga Department Comments

Date Finalized: 2024-09-04	File(s): A331.24 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-09-12 1:00:00 PM

Consolidated Recommendation

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

Application Details

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

1. A below grade entrance in a required interior side yard whereas By-law 0225-2007, as amended, does not permit a below grade entrance in a required interior side yard in this instance; and
2. A side yard measured to a below grade entrance of 0.05m (approx. 0.16ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to a below grade entrance of 1.20m (approx. 3.94ft) in this instance.

Amendments

Should Committee see merit in the application, Planning staff recommend the variance be deleted:

1. A below grade entrance in a required interior side yard whereas By-law 0225-2007, as amended, does not permit a below grade entrance in a required interior side yard in this instance; and

Should Committee see merit in the application, Planning staff recommend the following amendment:

2. A side yard measured to a below grade entrance of 0.16m (approx. 0.52ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to a below grade entrance of 1.20m (approx. 3.94ft) in this instance.

Background

Property Address: 6845 Golden Hills Way

Mississauga Official Plan

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

Zoning By-law 0225-2007

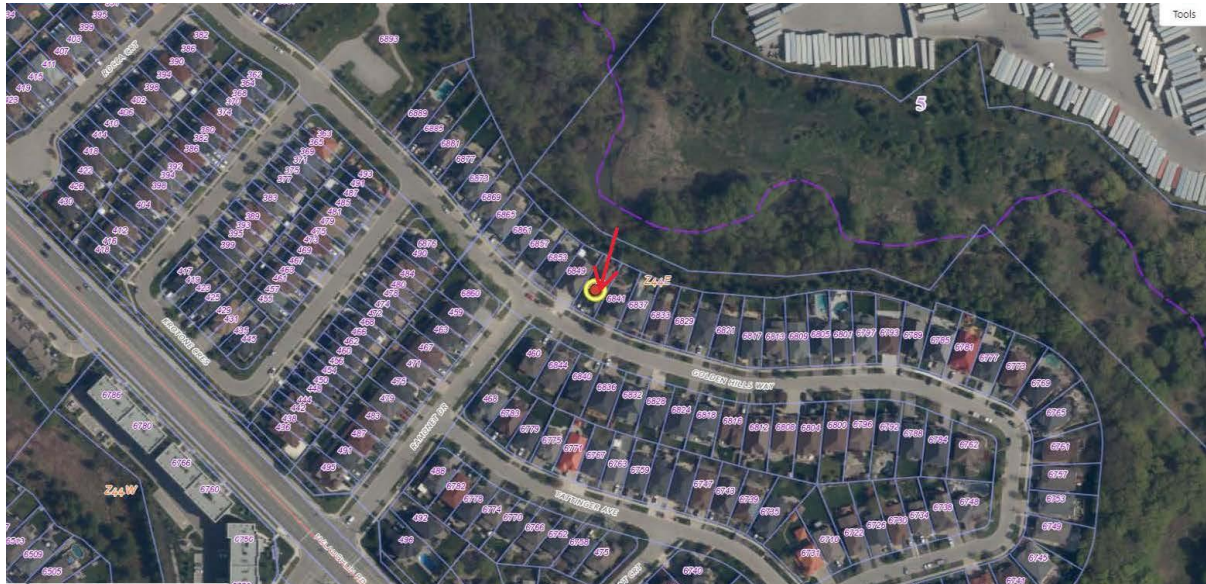
Zoning: R10 - Residential

Other Applications:

Site and Area Context

The subject property is located south-east of the McLaughlin Road and Arrowsmith Drive intersection in the Meadowvale Village Neighbourhood Character Area. It has a lot frontage of +/- 13.5m (44.29ft) and an area of +/- 444.70m² (4,819ft²), which is consistent with other detached dwellings in the area. Limited landscaping and vegetative elements are present on the subject property, which backs onto the Derry West Greenbelt. The surrounding area context contains open space and residential uses, consisting of a mix of detached and semi-detached dwellings.

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



Comments

Planning

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

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

While Planning staff are not in a position to interpret the zoning by-law, staff note variance 1 is not required as a below grade stairwell is permitted in an interior side yard.

The subject property is located in the Central Erin Mills Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached, duplex, triplex and street house dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area.

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

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

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's information are some photos which depict the area where the proposed below grade entrance is being proposed. We note that the Grading Plan (Plan C-38628, Prepared by Urban Ecosystems Ltd.) approved for this property under Registered Plan of Subdivision, Lot 88 Plan 43M-1479 depicts a rear to front drainage pattern meaning drainage from the rear yard was designed to be directed to the front via side yard swale.

The Notice of Public Hearing is requesting a reduction of 0.05M (aprox 0.16 ft) setback which would not allow for a functional drainage swale between the properties, however, Site Plan DWG No: A-1 submitted (stamped June 18, 2024) depicts a 0.16M (6 inches) setback.

In view of the above and should Committee see merit in the request, we would recommend that the minimum side yard setback that we would support would be the 0.16M (6 inches) minimum to allow for drainage which is depicted on the Site Plan.







Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Crystal Abainza, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

Park Planning

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

The lands adjacent to the property are owned by the City of Mississauga, identified as Derry West Greenbelt (P-433), classified as a Significant Natural Area within the City's Natural Heritage System, and zoned G1. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measure(s):

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

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

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

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

Comments Prepared by: Nicholas Rocchetti, Planner in Training

Forestry

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

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

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

Should further information be required, please contact Jamie Meston, Landscape Architect Assistant, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email jamie.meston@mississauga.ca.

Comments Prepared by: Jamie Meston, Landscape Architect Assistant

Appendix 4 – CVC

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

1. Delegated Responsibilities – providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 3.1 of the Provincial Policy Statement (2020);
2. Regulatory Responsibilities – providing comments to ensure the coordination of requirements under the *Conservation Authorities Act* Section 28 regulation, to eliminate unnecessary delay or duplication in process;
3. Source Protection Agency – providing advisory comments to assist with the implementation of the CTC Source Protection Plan under the *Clean Water Act*, as applicable.

CVC REGULATED AREA

Based on our mapping, the subject property is regulated due flood and slope hazard associated with Fletcher's creek. As such, the property is subject to the Prohibited Activities, Exemptions, and Permits Regulation (Ontario Regulation 41/24). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

PROPOSAL:

It is our understanding that the applicant is requesting the Committee to approve a minor to allow the construction of a below grade entrance proposing:

1. A below grade entrance in a required interior side yard whereas By-law 0225-2007, as amended, does not permit a below grade entrance in a required interior side yard in this instance; and,
2. A side yard measured to a below grade entrance of 0.05m (approx. 0.16ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to a below grade entrance of 1.20m (approx. 3.94ft) in this instance.

COMMENTS:

Based on the review of the information provided, CVC has no objection to the approval of the minor variance at this time. It is our understanding that the proposed works are to allow access

to an as-built basement for which a CVC permit/clearance was not issued.

The applicant is advised that the subject property is regulated by CVC and a CVC permit/clearance will be required for construction of the below grade entrance, as-built basement as well as any future development proposed on the property.

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

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

Comments Prepared by: Stuti Bhatt, Junior Planner

Appendix 5 – Region of Peel

Minor Variance Application: A-24-331M / 6845 Golden Hills Way

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

Comments:

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

Planning: Petrele Francois (905) 791-7800 x3356

Comments:

- Please be advised that the subject lands are located in the regulated area of the Credit Valley Conservation Authority (CVC). We request that City staff consider comments from the CVC and incorporate their conditions of approval appropriately.

Comments Prepared by: Petrele Francois, Junior Planner

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 1312 Seagull Dr, zoned R3 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an addition proposing:

1. A lot coverage of 47.65% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
2. A setback to the first storey eaves of 0.43m (approx. 1.41ft) whereas By-law 0225-2007, as amended, requires a minimum setback to the first storey eaves of 0.75m (approx. 2.46ft) in this instance;
3. A first storey setback of 0.95m (approx. 3.12ft) whereas By-law 0225-2007, as amended, requires a minimum setback to the first storey of 1.20m (approx. 3.94ft) in this instance;
4. A setback to the second storey eaves of 0.94m (approx. 3.08ft) whereas By-law 0225-2007, as amended, requires a minimum first storey setback of 1.35m (approx. 4.43ft) in this instance;
5. A second storey setback of 1.23m (approx. 4.04ft) whereas By-law 0225-2007, as amended, requires a minimum second storey setback of 1.81m (approx. 5.94ft) in this instance;
6. An eaves setback to the front yard of 7.08m (approx. 23.23ft) whereas By-law 0225-2007, as amended, permits a maximum eaves setback to the front yard of 7.05m (approx. 23.13ft) in this instance.

The Committee has set **Thursday, September 12, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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- **Submit a written comment:** Written comments to the Committee must be received no later than 4:30 p.m. on the Friday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing

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

If you wish to view the public hearing online and do not wish to speak, the hearing will be streamed at the following link:
<http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>

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Legal notice:

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

City of Mississauga Department Comments

Date Finalized: 2024-09-04	File(s): A370.24 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-09-12 1:00:00 PM

Consolidated Recommendation

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

Application Details

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

1. A lot coverage of 47.65% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
2. A setback to the first storey eaves of 0.43m (approx. 1.41ft) whereas By-law 0225-2007, as amended, requires a minimum setback to the first storey eaves of 0.75m (approx. 2.46ft) in this instance;
3. A first storey setback of 0.95m (approx. 3.12ft) whereas By-law 0225-2007, as amended, requires a minimum setback to the first storey of 1.20m (approx. 3.94ft) in this instance;
4. A setback to the second storey eaves of 0.94m (approx. 3.08ft) whereas By-law 0225-2007, as amended, requires a minimum first storey setback of 1.35m (approx. 4.43ft) in this instance;
5. A second storey setback of 1.23m (approx. 4.04ft) whereas By-law 0225-2007, as amended, requires a minimum second storey setback of 1.81m (approx. 5.94ft) in this instance;
6. An eaves setback to the front yard of 7.08m (approx. 23.23ft) whereas By-law 0225-2007, as amended, permits a maximum eaves setback to the front yard of 7.05m (approx. 23.13ft) in this instance.

Background

Property Address: 1312 Seagull Dr

Mississauga Official Plan

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

Zoning By-law 0225-2007

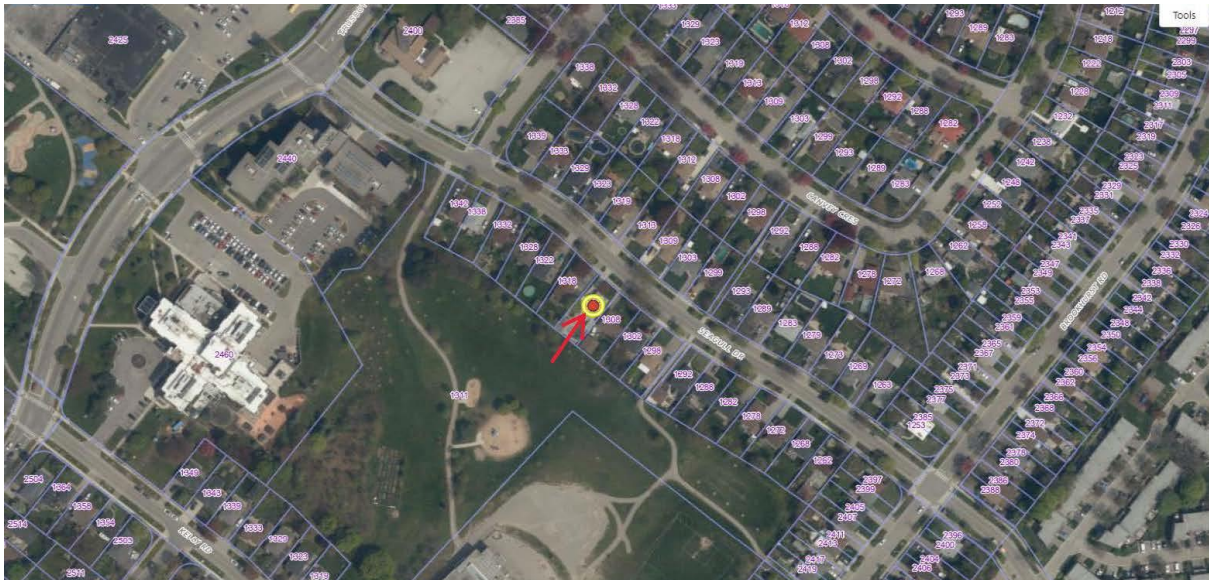
Zoning: R3 - Residential

Other Applications: Building Permit under file BP 9ALT 24-9009

Site and Area Context

The subject property is located within the Clarkson – Lorne Park Neighbourhood Character Area, south of Truscott Drive and west of Southdown Road. The immediate neighbourhood is residential, consisting primarily of older one storey-detached dwellings with mature vegetation and landscape elements in the front yards. The subject property contains an existing one-storey detached dwelling with mature vegetation in the front yard. The property abuts a municipal park to the south.

The applicant is proposing a second storey addition requiring variances for lot coverage and setbacks.



Comments

Planning

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

Staff comments concerning the application 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 within the Clarkson – Lorne Park neighbourhood and is designated Residential Low Density II on Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached and duplex dwellings in this instance. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. Planning staff are of the opinion that the proposed addition is appropriate for the subject property and will not negatively impact the streetscape. Further, staff are satisfied that the proposal respects the designated and surrounding land uses. Therefore, planning staff are of the opinion that the general intent and purpose of the official plan are maintained.

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

Variance #1 requests an increase in lot coverage. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot which would impact the streetscape as well as abutting properties. Staff note that the application requests an overall increase of 12.65% from the permissible regulation, which appears significant numerically. However, elements like excessive eaves, front porch, rear deck and the balcony contribute approximately 15.5% to the proposed lot coverage. The dwelling attributes to a lot coverage of approximately 26.8% while the remaining coverage can be attributed to the existing shed and detached garage. Staff are of the opinion that these elements do not pose the same massing impacts as an enclosed structure. Additionally, a portion of the dwelling on the main storey is a carport which further mitigates massing impacts. Further, no variances are requested for gross floor area or height. Staff are satisfied that the requested increase in the overall lot coverage does not represent an overdevelopment of the lot.

Variances #2-5 all pertain to reductions in setbacks. Variances #2 and #4 pertain to setbacks measured to the first and second storey eaves respectively and Variances #3 and #5 pertain to setbacks measured to the first and second storey respectively. The intent of the side yard regulations in the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties, adequate drainage patterns are maintained and access to the rear yard remains unencumbered. Staff note the side yard setbacks are all measured to west side of the dwelling and the east side meets the by-law requirements. Further

the first storey setback is measured to the existing carport columns and represents an existing condition. The applicant is proposing to build the second storey on top of the existing first storey. Staff are satisfied that the proposed setbacks are consistent with the setbacks found in the immediate area and allow for adequate separation between principal structures on neighbouring lots. Transportation and Works staff have raised no drainage concerns and access to the rear yard remains unencumbered on the other side.

Variance #6 pertains to eave setback to the front yard. Staff note the application proposes a setback of 7.08m (23.23ft) whereas 7.05m (23.13ft) is required. The proposed setback is greater than the requirement and as such, the variance appears to be incorrect.

Given the above, staff are satisfied that the intent and purpose of the zoning by-law is maintained.

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

The proposal maintains the existing and planned context of the surrounding area and does not pose a negative impact to the neighbourhood by maintaining the planned character of the neighbourhood. Staff are of the opinion that the application represents orderly development of the lands and is minor in nature.

Comments Prepared by: Shivani Chopra, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed addition are being addressed by our Development Construction Section through the Building Permit process, File BP 9ALT 23/9009.

Comments Prepared by: John Salvino, Development Engineering Technologist



Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit under file BP 9ALT 24-9009. The applicant was asked to provide additional information and has yet to submit it. Therefore, staff could not finalize the required variances. Staff recommend that the information be provided through the Building Permit Application so that the required variances can be determined.

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

Comments Prepared by: Tage Crooks, Planner Zoning Examination

Appendix 3 – Parks, Forestry & Environment

Park Planning

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

The lands adjacent to the property are owned by the City of Mississauga, identified as Hillside Park (P-004) and zone OS1 – Open Space – Community Park.

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

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

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

Comments Prepared by: Nicholas Rocchetti, Planner in Training

Forestry

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

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

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

Should further information be required, please contact Jamie Meston, Landscape Architect Assistant, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email jamie.meston@mississauga.ca.

Comments Prepared by: Jamie Meston, Landscape Architect Assistant

Appendix 4 – Region of Peel

Minor Variance Application: A-24-370M / 1312 Seagull Drive
Development Engineering: Brian Melnyk (905) 791-7800 x3602

Comments:

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

Comments Prepared by: Petrele Francois, Junior Planner

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 2965 Nipiwini Drive, zoned RM1-Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an Additional Residential Unit (ARU) proposing:

1. A height of 4.33m (approx. 14.21ft) whereas By-law 0225-2007, as amended, permits a maximum height of 3.00m (approx. 9.84ft) in this instance;
2. A lot coverage for the ARU of 12.4% whereas By-law 0225-2007, as amended, permits a maximum lot coverage for the ARU of 10.00% in this instance; and,
3. A floor area for the ARU of 73.38sq m (approx. 789.86sq ft) whereas By-law 0225-2007, as amended, permits a maximum floor area for the ARU of 59.20sq m (approx. 637.23sq ft) in this instance.

The Committee has set **Thursday, September 12, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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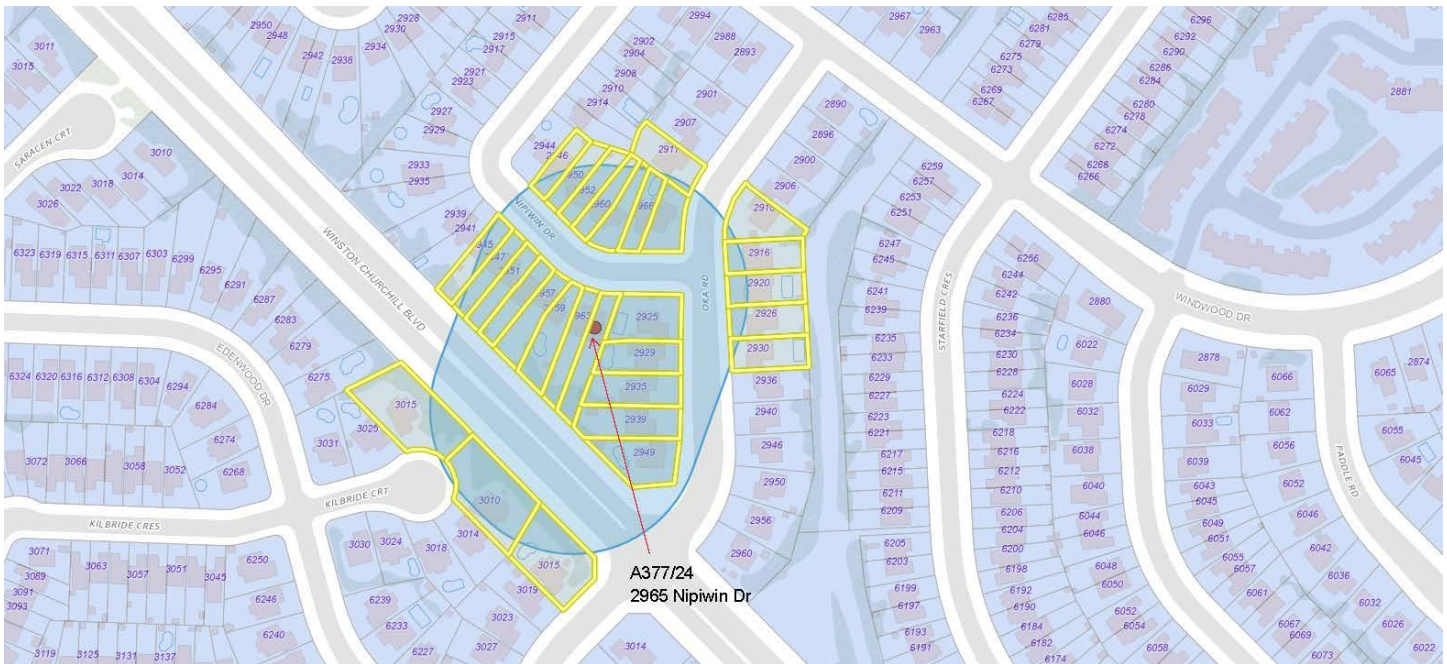
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City of Mississauga Department Comments

Date Finalized: 2024-09-04	File(s): A377.24
To: Committee of Adjustment	Ward: 9
From: Committee of Adjustment Coordinator	Meeting date:2024-09-12 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow an Additional Residential Unit (ARU) proposing:

1. A height of 4.33m (approx. 14.21ft) whereas By-law 0225-2007, as amended, permits a maximum height of 3.00m (approx. 9.84ft) in this instance;
2. A lot coverage for the ARU of 12.4% whereas By-law 0225-2007, as amended, permits a maximum lot coverage for the ARU of 10.00% in this instance; and,
3. A floor area for the ARU of 73.38sq m (approx. 789.86sq ft) whereas By-law 0225-2007, as amended, permits a maximum floor area for the ARU of 59.20sq m (approx. 637.23sq ft) in this instance.

Background

Property Address: 2965 Nipiwini Drive

Mississauga Official Plan

Character Area: Meadowvale Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

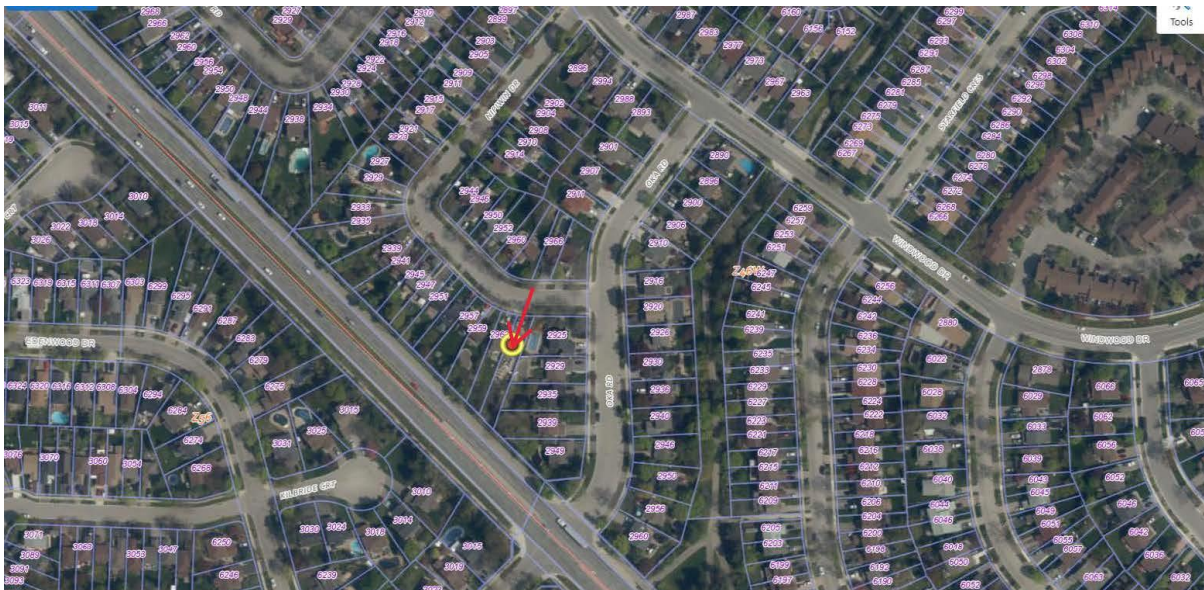
Zoning: RM1-Residential

Other Applications: None

Site and Area Context

The subject property is located north-east of the Winston Churchill Boulevard and Britannia Road West intersection in the Meadowvale Neighbourhood Character Area. It is an interior lot containing a two-storey semi-detached dwelling with an attached garage. Limited landscaping and mature vegetation exists on the subject property. The neighbourhood is primarily residential, consisting of detached and semi-detached dwellings on varied lot sizes.

The applicant is proposing the construction of a detached additional residential unit (ARU) in the rear yard requiring variances for height, lot coverage and gross floor area.



Comments

Planning

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

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

The subject property is designated Residential Low Density II on Schedule 10 of the Mississauga Official Plan (MOP). This designation permits detached, semi-detached and duplex dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. Bill 23, More Homes Built Faster

Act, 2022, requires official plans and zoning by-laws to permit “as of right” small-scale residential uses of up to three units per lot in areas where municipal services are available.

Planning staff are of the opinion that the proposed built form of the ARU is appropriate for the subject property and that it will not negatively impact the streetscape. Further, staff are satisfied that the proposal respects the designated and surrounding land uses. Therefore, planning staff are of the opinion that the requested variances maintain the general intent and purpose of the official plan.

City Council passed By-Law 0174-2023, on November 10, 2023, amending the City’s parent zoning By-Law 0225-2007, to introduce and regulate ARUs.

Variances 1, 2 and 3 pertain to the ARU area, lot coverage and height. The intent of the zoning by-law provisions regarding the size of the ARU is to ensure that the structure is proportional to the lot and dwelling while not presenting any massing concerns to neighbouring lots. Staff note that the ARU regulations are based on a property’s lot size. The proposed ARU floor area exceeds the maximum permissible floor area for an ARU by 14.18m² (152.63ft²) and height by 1.33m (4.36ft). Staff note the height request is only to a portion of the roof and does not represent the condition for the entirety of the ARU roofline. Additionally, staff note no concerns with privacy and overlook, as Winston Churchill Boulevard abuts the property to the rear. Staff are satisfied that these are minor deviations from the permissible by-law regulations. Further, staff are satisfied that the proposed ARU is accessory to the main dwelling and property as it is one-storey in height and only represents approximately 12.4% of the lot area. The intent in limiting lot coverage is to ensure that there isn’t an overdevelopment of the lot and that would impact the streetscape as well as abutting properties. Staff are of the opinion that the proposed ARU is located appropriately on the subject property and does not require setback variances, mitigating potential negative impacts to neighbouring lots.

Staff are of the opinion that the proposal represents appropriate development of the lands and modest intensification. Staff are satisfied that the proposal maintains the general intent and purpose of the official plan and zoning by-law. Furthermore, staff are of the opinion that the proposed variances respect the surrounding neighbourhood context and that the impacts of the requested variances are minor and will not cause undue impacts on adjacent properties.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed Additional Residential Unit (ARU) will be addressed through the Building Permit Process.

From our site inspection of this property, we also note that it is very well vegetated property and do not foresee any drainage related issues with the location of the proposed ARU.







Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Crystal Abainza, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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

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

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

Should further information be required, please contact Jamie Meston, Landscape Architect Assistant, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email jamie.meston@mississauga.ca.

Comments Prepared by: Jamie Meston, Landscape Architect Assistant

Appendix 4 – Region of Peel**Minor Variance Application: A-24-377M / 2565 Nipwin Drive**Development Engineering: Brian Melnyk (905) 791-7800 x3602**Comments:**

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

Comments Prepared by: Petrele Francois, Junior Planner

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 5218 Palmetto Place, zoned RM2-18-Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an exterior side yard setback to a below grade entrance of 3.40m (approx. 11.15ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback to the below grade entrance of 4.50m (approx. 14.76ft) in this instance.

The Committee has set **Thursday, September 12, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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

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

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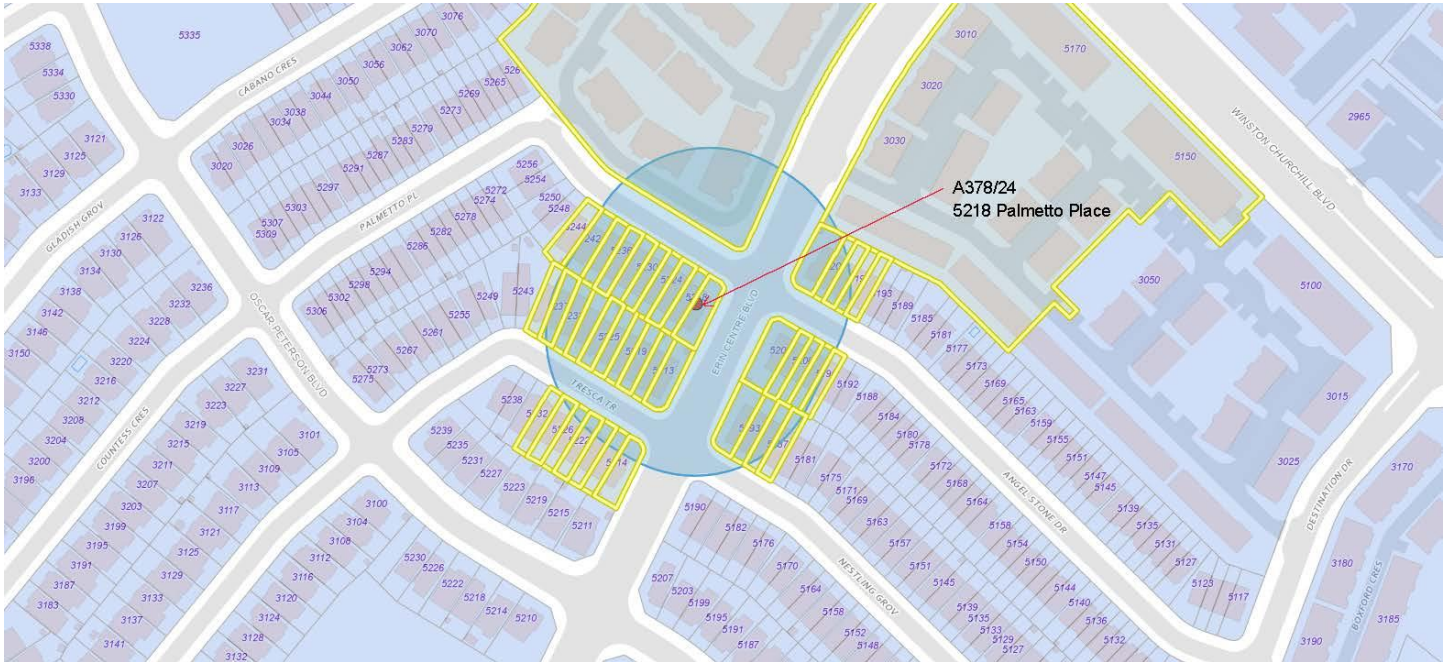
Additional Information:

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City of Mississauga Department Comments

Date Finalized: 2024-09-04 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): A378.24 Ward: 10
	Meeting date:2024-09-12 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow an exterior side yard setback to a below grade entrance of 3.40m (approx. 11.15ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback to the below grade entrance of 4.50m (approx. 14.76ft) in this instance.

Background

Property Address: 5218 Palmetto Place

Mississauga Official Plan

Character Area: Churchill Meadows Neighbourhood
Designation: Medium Density

Zoning By-law 0225-2007

Zoning: RM2-18-Residential

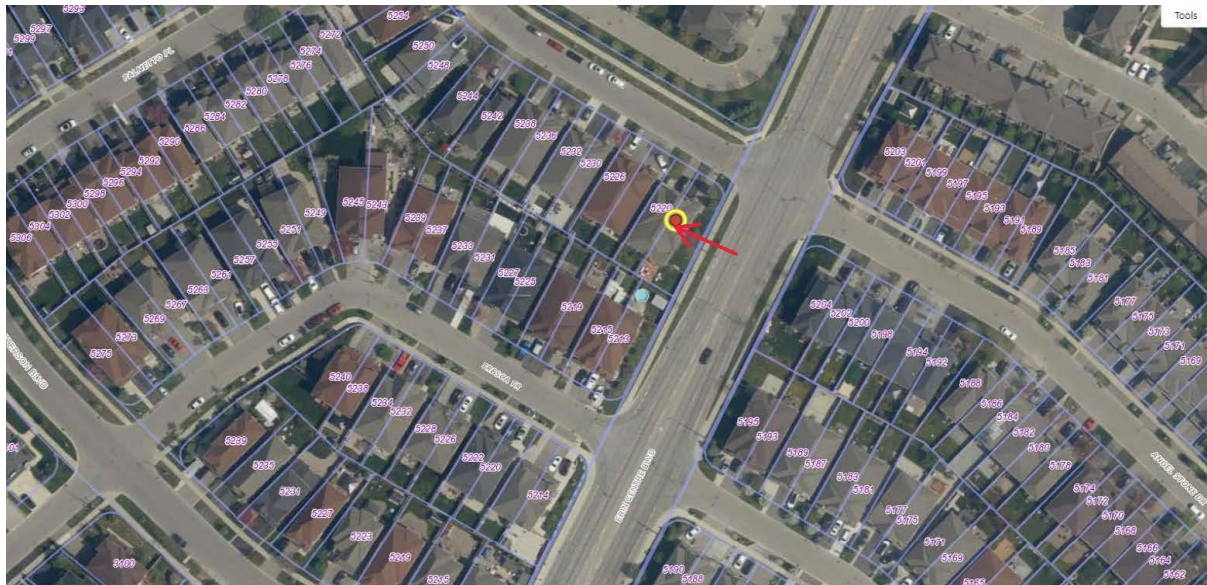
Other Applications: None

Site and Area Context

The subject property is located on the north side of Erin Centre Boulevard, west of the Winston Churchill Boulevard and Erin Centre Boulevard intersection in the Churchill Meadows Neighbourhood Character Area. It is a corner lot containing a two-storey semi-detached

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

The applicant is proposing a below grade entrance requiring a variance for the location of the below grade entrance in the exterior side yard.



Comments

Planning

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

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

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

The sole variance requests a below grade stairwell to be located in the exterior side yard. The intent of the exterior side yard regulation is to ensure that an adequate buffer exists between a structure and the public realm, and to ensure the entrance does not negatively impact the overall streetscape. In this instance, the applicant is proposing to locate the entrance behind the proposed privacy fence which will appropriately screen the stairwell from view.

Staff are satisfied that any negative impact to the streetscape is appropriately mitigated and that the proposal meets the general intent and purpose of the official plan and zoning by-law. Furthermore, the proposal contributes to orderly development of the subject property whose impacts to the streetscape and abutting properties are minor in nature.

While staff are not in a position to interpret the zoning by-law, staff note an additional variance may be required for driveway width. The existing conditions on the subject property do not match what has been depicted on the initial drawings submitted. Staff note the RM2-18 zone permits a total driveway width of 4.7m (15.41ft) on corner lots.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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





Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Crystal Abainza, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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

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

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Should further information be required, please contact Jamie Meston, Landscape Architect Assistant, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email jamie.meston@mississauga.ca.

Comments Prepared by: Jamie Meston, Landscape Architect Assistant

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 3926 Burdette Terr, zoned RM2-18 - 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 deck proposing;

1. A balcony projection of 1.01m (approx. 3.31ft) whereas By-law 0225-2007, as amended, permits a maximum balcony projection of 1.00m (approx. 3.28ft) in this instance;
2. A lot coverage of 48.40% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 45.00% in this instance.

The Committee has set **Thursday, September 12, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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City of Mississauga Department Comments

Date Finalized: 2024-09-04	File(s): A379.24 Ward: 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-09-12 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

The applicant requests the Committee to approve a minor variance to allow a deck proposing;

1. A balcony projection of 1.01m (approx. 3.31ft) whereas By-law 0225-2007, as amended, permits a maximum balcony projection of 1.00m (approx. 3.28ft) in this instance;
2. A lot coverage of 48.40% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 45.00% in this instance.

Background

Property Address: 3926 Burdette Terr

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: RM2-18 - Residential

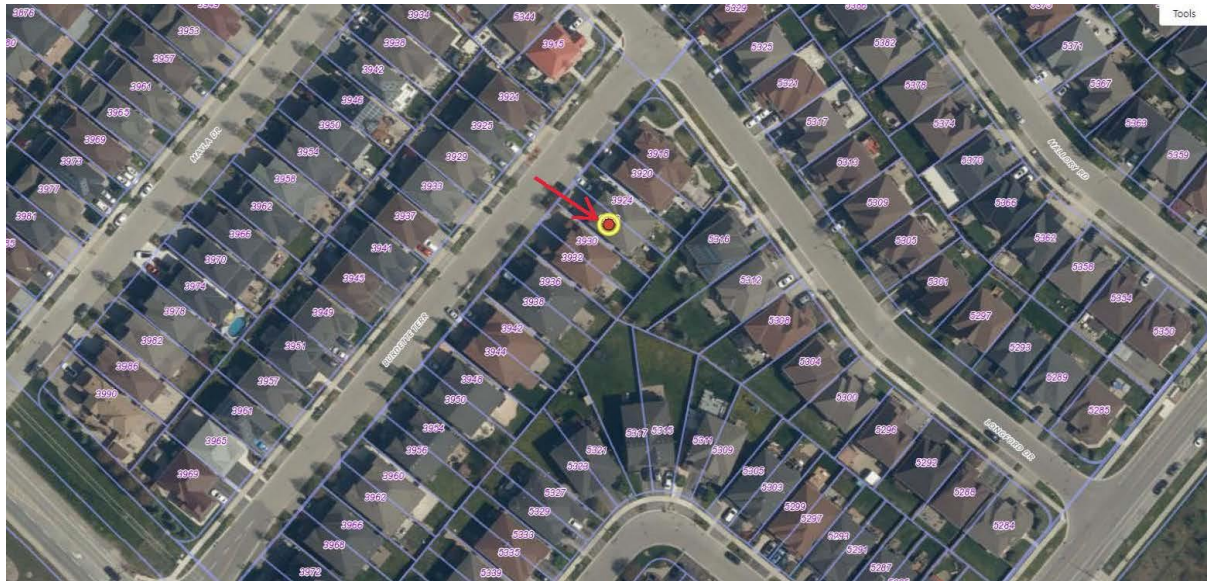
Other Applications: BP 9ALT 24-230

Site and Area Context

The subject property is north-east of the Erin Centre Boulevard and Ninth Line intersection in the Churchill Meadows Neighbourhood Character Area. It is an interior lot containing a two-

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

The applicant is proposing to construct a deck in the rear yard requiring variances for projection distance and lot coverage.



Comments

Planning

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

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

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

Variance 1 relates to an increased balcony projection in the rear yard. Staff note the proposal will provide a deck area accessible from the first floor and a balcony area accessible from the second floor. The intent of this portion of the by-law is to ensure that an appropriate buffer between a balcony and lot lines are maintained. The proposed projection exceeds the maximum permissible projection by 0.01m (0.03ft). Staff note the increase is negligible and are satisfied that an appropriate rear yard amenity area is maintained with the construction of the deck and balcony.

Variance 2 requests an increase in lot coverage. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot which would impact the streetscape as well as abutting properties. Planning staff note the main dwelling and porch accounts for 39.8% of the lot coverage whereas the proposed deck and balcony only accounts for 8.6% of the lot coverage. Staff are of the opinion that these elements do not pose the same massing impacts as an enclosed structure and present negligible massing concerns. Staff are satisfied that the overall increase in lot coverage represents a minor deviation from the zoning by-law requirements. Further, staff are of the opinion that the proposal does not contribute to overdevelopment of the lot.

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

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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







Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application BP 9ALT 24-230. Based on the review of the information available in this application, the requested variance(s) is/are correct.

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

Comments Prepared by: Brooke Herczeg, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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

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

Appendix 4 - Region of Peel

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 3051 Cook St, zoned RA4-27 - 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 building proposing 378 residential units whereas By-law 0225-2007, as amended, permits a maximum of 314 residential units in this instance.

The Committee has set **Thursday, September 12, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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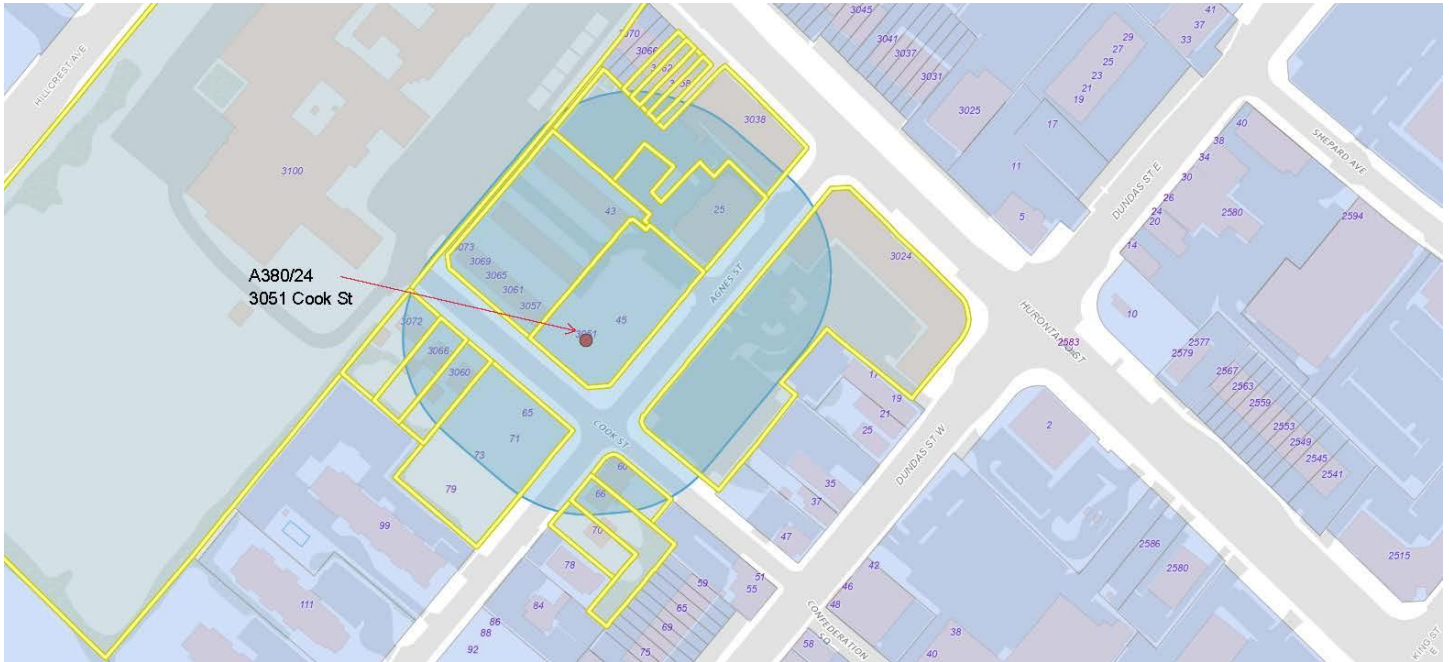
Additional Information:

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City of Mississauga Department Comments

Date Finalized: 2024-09-04	File(s): A380.24 Ward: 7
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-09-12 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a new building proposing 378 residential units whereas By-law 0225-2007, as amended, permits a maximum of 314 residential units in this instance.

Recommended Conditions and Terms

Should Committee see merit in the application, Planning staff note the following amendment:

1. The applicant requests the Committee to approve a minor variance to allow the construction of a new building proposing 378 residential units whereas By-law 0225-2007, as amended, permits a maximum of 282 residential units in this instance.

Background

Property Address: 3051 Cook St

Mississauga Official Plan

Character Area: Downtown Cooksville
Designation: Residential High Density

Zoning By-law 0225-2007

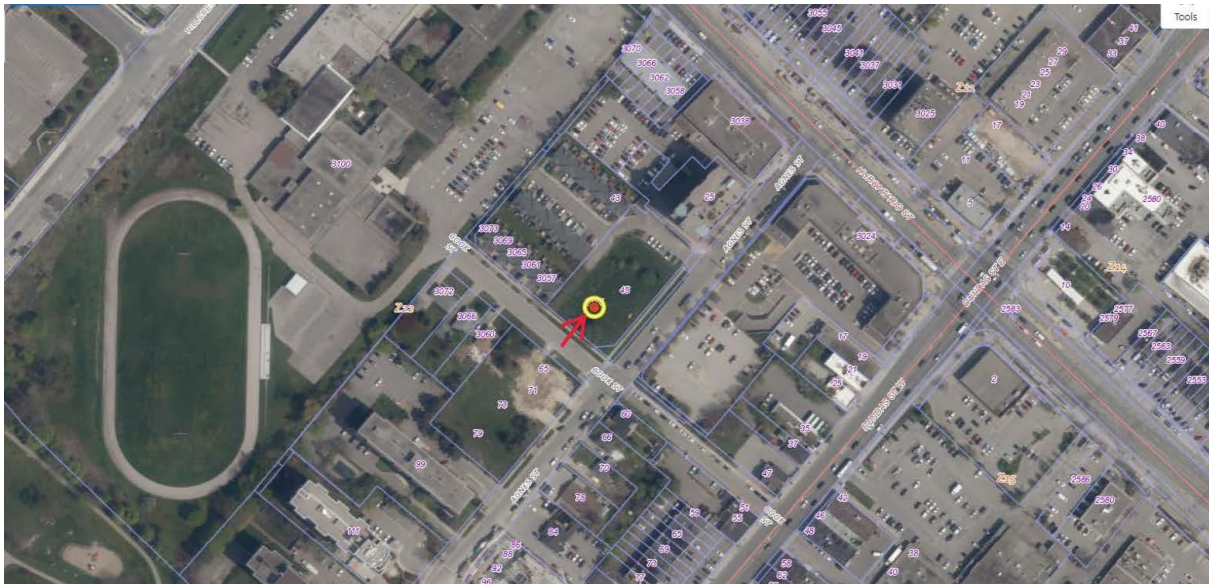
Zoning: RA4-27 - Residential

Other Applications: SP 21-102

Site and Area Context

The subject property is located on the north-east corner of the Agnes Street and Cook Street intersection. It has a lot area of +/- 3,193.17m² (+/- 34,376ft²) and is currently vacant with the exception of a paved driveway along the eastern property line serving adjacent developments. Limited vegetation or landscaping elements are present on the subject property. The surrounding area contains a mix of residential and commercial uses with differing built forms and lot sizes, T.L Kennedy Secondary School is in close proximity just to the north of the subject property.

The applicant is proposing the construction of a new residential building requiring a variance for an increase in residential units.



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:

Planning staff note Zoning staff have only reviewed the materials as per the associated site plan application (SP 21-102) and not the materials provided by the applicant for the Committee of Adjustment application.

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

The subject property is located in the Downtown Cooksville Character Area and is designated Residential High Density in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits apartment dwellings as well as some commercial uses at grade. The site is further subject to Special Site 3 policies, which limit the development of the residential tower to 28 storeys. Planning staff are satisfied that the proposal respects the designation and that the form is consistent with the policies associated with Downtown Cooksville, the Special Site 3 and the general official plan. Staff are therefore satisfied 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 sole variance requests an increase in the total unit count for the building. The proposed building integrates these additional units within the legally permitted height and FSI provisions by way of modifying the sizes of the larger units. Furthermore, there are no proposed changes to the built form. Planning staff are of the opinion that this request is minor in nature and will not significantly impact the surrounding area.

Planning staff support for the increase in unit count is conducive to the applicant maintaining the minimum amenity area of 3.2m² (34.44ft²) per dwelling unit as noted in provision 4.15.5.27.19 of Zoning By-Law 0225-2007.

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

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

Planning staff are satisfied the proposed variance will facilitate a development that is appropriate for the subject property and will not significantly alter the envisioned development. Furthermore, the proposed variance maintains the general intent and purpose of the official plan and zoning by-law, is minor in nature and results in orderly development of the subject property.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting that any Transportation and Works Department concerns/requirements for the proposed development are being addressed through the Site Plan Application SP-21-102 and Rezoning Application OZ-13/017.

Comments Prepared by: Tony Iacobucci, T&W Development Engineering



Appendix 2 – Zoning Comments

SP RECEIVED, AMEND VARIANCE

The Building Department is currently processing a site plan approval application under file SP 21-102. Based on review of the information currently available for this application, we advise that the following variance(s) should be amended as follows:

Proposing 312 Apartment dwelling units whereas By-law 0225-2007, as amended, permits a maximum of 282 Apartment dwelling units in this instance;

We further advise that additional information is required with respect to required and provided EV parking, as well as Bicycle parking

Our comments are based on the plans received by Zoning staff on 03/18/24 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. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: A. McCormack

Appendix 3 – Metrolinx

Metrolinx is in receipt of the Minor Variance application for 3051 Cook Street to approve a minor variance to allow the construction of a new building proposing 378 residential units whereas By-law 0225-2007, as amended, permits a maximum of 314 residential units in this instance, as circulated on August 13th, 2024, and to be heard at Public Hearing on September 12th, 2024, at 1:00 PM. Metrolinx's comments on the subject application are noted below:

- The subject property is located within the Municipal Consent and Roadway Coordination review zone of Metrolinx's Hazel McCallion LRT (formerly Hurontario LRT).
- The subject property is adjacent to the Metrolinx proposed Dundas BRT alignment.

GO/HEAVY-RAIL – ADVISORY COMMENTS

- The subject property is located adjacent to the future Dundas Bus Rapid Transit ("BRT") alignment. The Dundas BRT project was assessed under the Transit Project Assessment Process (TPAP) in accordance with Ontario Regulation 231/08. During the TPAP, an Environmental Project Report (EPR) was prepared to assess the potential environmental impacts as a result of the Project. The Environmental Project Report was available for a 30-day review period (starting February 23, 2022 – March 25, 2022); and, on April 27, 2022, the Minister of the Environment, Conservation and Parks issued a [Notice to Proceed](#) with the municipal transit project. If the applicant wishes to find out more about the Dundas BRT project, the applicant is encouraged to visit <https://www.metrolinxengage.com/en/content/dundas-brt-round-3-engagement-environmental-assessment>
- The proponent is advised of the following:

- **Warning:** Metrolinx and its assigns and successors in interest has or will have transit infrastructure within 75 metres of the subject land. There may or will be alterations to the transit facilities, including the transit infrastructure and the possibility that Metrolinx or any transit operator entering into an agreement with Metrolinx to use the transit infrastructure or their assigns or successors as aforesaid may expand or alter their operations. Said operations may result in the discharge, emitting, releasing or venting at any time during the day or night with noise, vibration and other sounds and emissions of every nature and kind from the transit infrastructure which may affect the environment of the occupants in the vicinity notwithstanding the inclusion of control features in the design of the development and individual lot, blocks, or units.
- The applicant should be advised that Metrolinx and its contractors will be utilizing the Hurontario Street right-of-way, and its intersections, during the project's Construction Period. Based on the location of the subject property, there is potential for construction coordination and traffic staging conflicts.
- Should construction of the Hazel McCallion LRT and the proposed development occur simultaneously, Metrolinx will require the developer to submit schedule or staging plans to coordinate access to both parties.

Should you have any questions or concerns, please contact jenna.auger@metrolinx.com.

Comments Prepared by: Jenna Auger, Third Party Project Review

Appendix 4 – Region of Peel

Minor Variance Application: A-24-380M / 3051 Cook Street

Development Engineering: Iwona Frandsen (905) 791-7800 x7920

Comments:

- The Functional Servicing Report was modeled and approved in 2016 for 284 residential units (assuming a population of approx. 764) and small commercial space. Subsequent submissions proposed an increase from 282 to 315 total units but with the assumed population remaining below 764 and was approved.
- This latest proposal is for an increase of units from 315 to 378. The applicant is required to include a revised Functional Servicing Report with the next submission of Site Plan for review and comment by Region of Peel to ensure the approved units and/or population remain consistent with previously modeled information for water and sanitary capacity.
- If the population and consequently, water demands or sanitary flows have increased, the proposal will be remodeled to investigate impact on the regional infrastructure.

Comments Prepared by: Petrele Francois, Junior Planner

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 6656 Blackheath Ridge, zoned RM5-27 - 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 second dwelling unit proposing:

1. A below grade entrance in the exterior side yard, whereas By-law 0225-2007, as amended, does not permit a below grade entrance the exterior side yard in this instance.
2. A pedestrian entrance facing a street whereas By-law 0225-2007, as amended, does not permit a pedestrian entrance facing a street in this instance.

The Committee has set **Thursday, September 12, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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Additional Information:

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City of Mississauga Department Comments

Date Finalized: 2024-09-05	File(s): A383.24 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-09-12 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to permit a second dwelling unit proposing:

1. A below grade entrance in the exterior side yard, whereas By-law 0225-2007, as amended, does not permit a below grade entrance the exterior side yard in this instance.
2. A pedestrian entrance facing a street whereas By-law 0225-2007, as amended, does not permit a pedestrian entrance facing a street in this instance.

Background

Property Address: 6656 Blackheath Ridge

Mississauga Official Plan

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

Zoning By-law 0225-2007

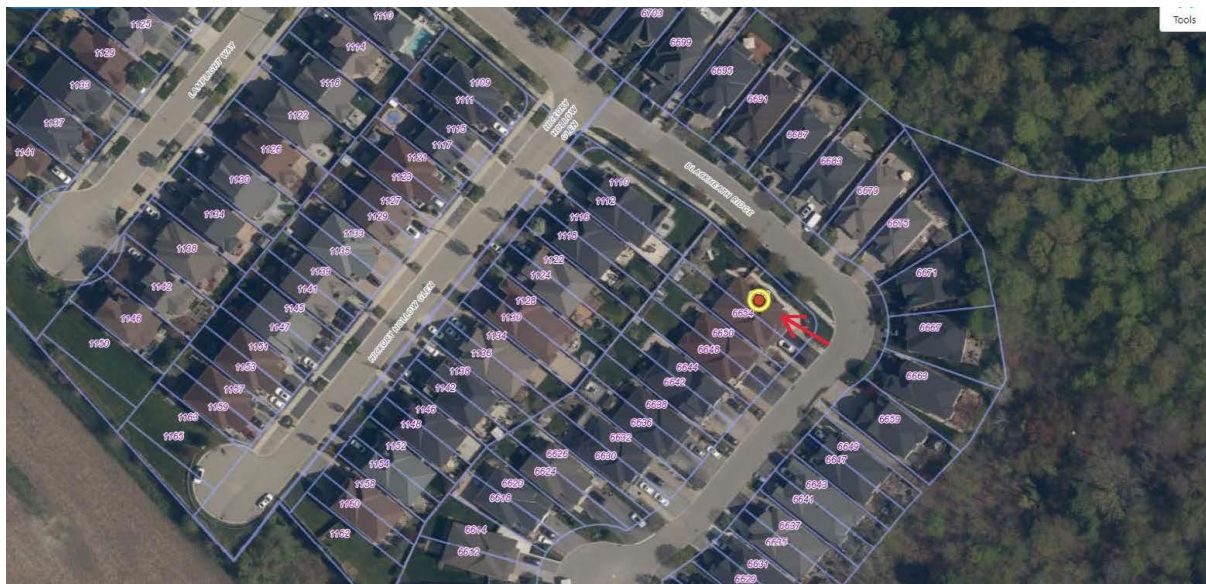
Zoning: RM5-27 - Residential

Other Applications: None

Site and Area Context

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

The applicant is proposing a below grade entrance requiring a variance for the location of the below grade entrance in the exterior side yard.



Comments

Planning

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

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

Staff noted no privacy fence or screening was proposed for the below grade stairwell in the exterior side yard from the initial drawings submitted. Staff expressed these concerns to the applicant, and they have submitted revised drawings depicting vegetative screening to the proposed below grade stairwell in the exterior side yard.

The subject property is located in the Meadowvale Village Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). Section 9 of MOP promotes development with appropriate urban form and site design, regulating

that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. Staff note that the entrance will be appropriately screened from streetsview and will be compatible with the surrounding context.

The sole variance requests a below grade stairwell to be located in the exterior side yard. The intent of the exterior side yard regulation is to ensure than an adequate buffer exists between the structure and the public realm, and to ensure the entrance does not negatively impact the overall streetscape. In this instance, the applicant will screen the entrance from view with vegetative landscaping.

Staff are satisfied that any negative impact to the streetscape is appropriately mitigated and that the proposal meets the general intent and purpose of the official plan and zoning by-law. Furthermore, the proposal contributes to orderly development of the subject property whose impacts to the streetscape and abutting properties are minor in nature.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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





Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Crystal Abainza, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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

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

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

Should further information be required, please contact Jamie Meston, Landscape Architect Assistant, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email jamie.meston@mississauga.ca.

Comments Prepared by: Jamie Meston, Landscape Architect Assistant

Appendix 4 – Heritage

Minor Variance Application: A-24-383M / 6656 Blackheath Ridge

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

Comments:

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

Comments Prepared by: Petrele Francois, Junior Planner

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 544 Matisse Place, zoned R11-1 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to permit a below grade entrance proposing a side yard setback of 0.1m (approx. 0.33ft) whereas the By-law 0225-2007, as amended, requires a minimum side yard setback of 1.20m (approx. 3.94ft) in this instance.

The Committee has set **Thursday, September 12, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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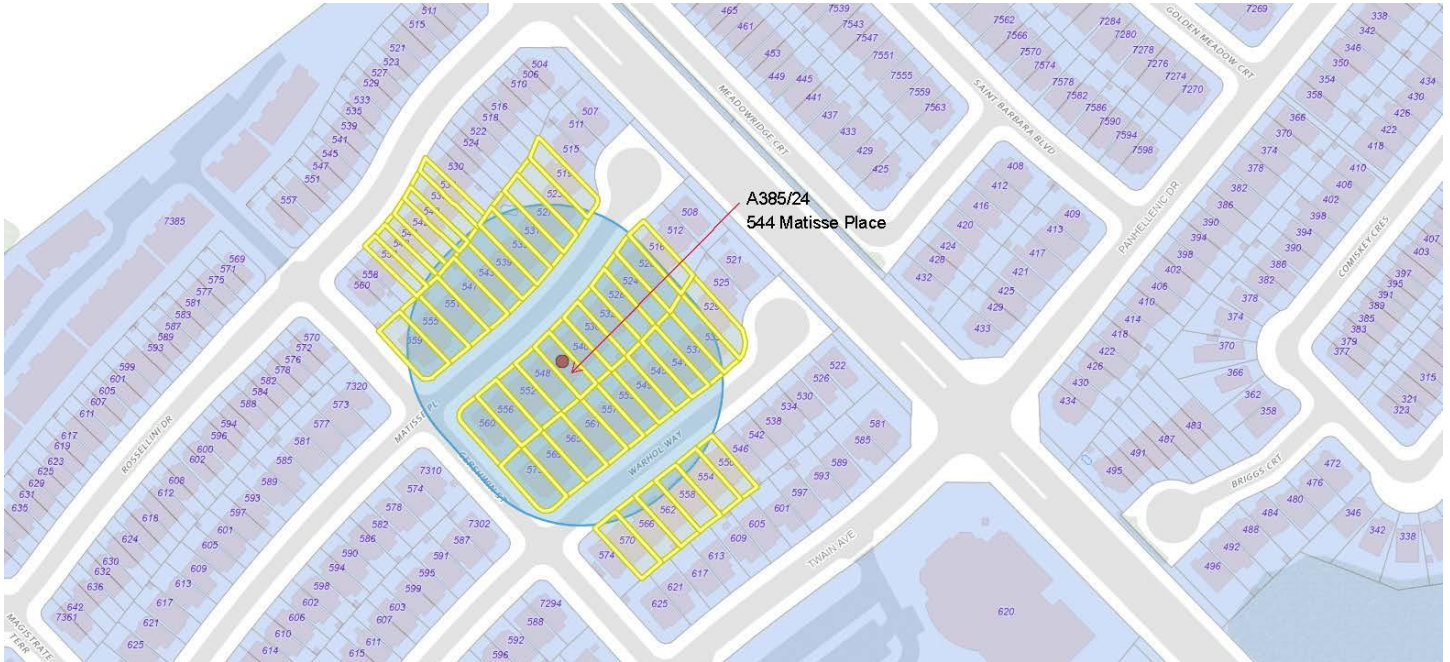
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City of Mississauga Department Comments

Date Finalized: 2024-09-04	File(s): A385.24 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-09-12 1:00:00 PM

Consolidated Recommendation

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Application Details

The applicant requests the Committee to approve a minor variance to permit a below grade entrance proposing a side yard setback of 0.1m (approx. 0.33ft) whereas the By-law 0225-2007, as amended, requires a minimum side yard setback of 1.20m (approx. 3.94ft) in this instance.

Background

Property Address: 544 Matisse Place

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R11-1 - Residential

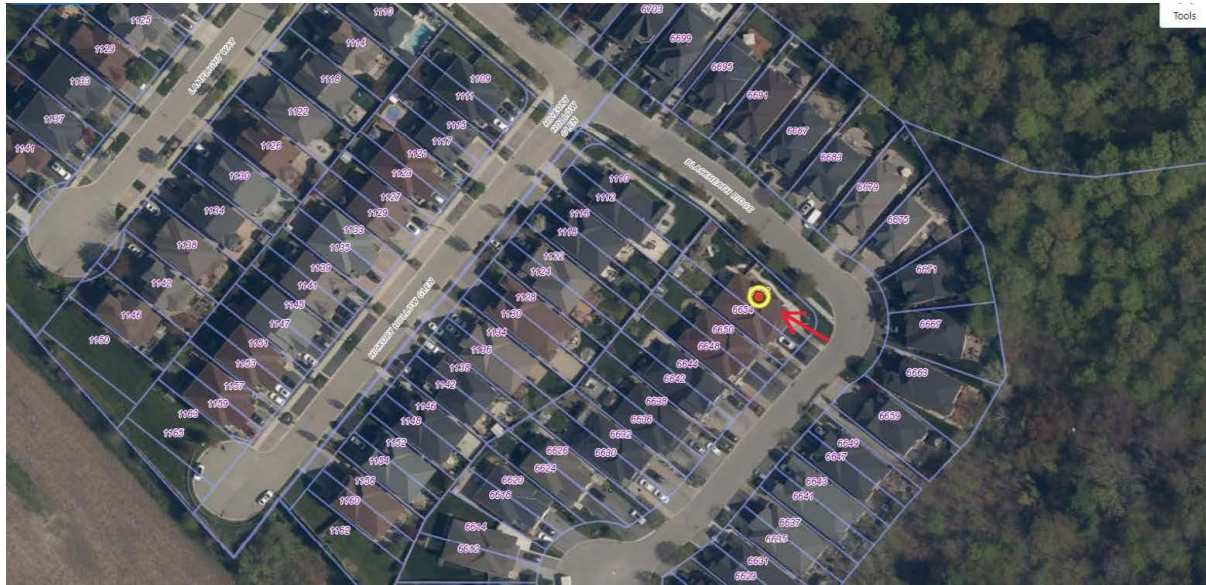
Other Applications: None

Site and Area Context

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

elements are present on the subject property. The surrounding area context is exclusively residential, consisting of detached and semi-detached dwellings.

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



Comments

Planning

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

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

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

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

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

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

From our site inspection and attached photos we note that both the subject and abutting property have constructed an adjoining walkway between the properties which drains towards the roadway. Acknowledging that both these properties have the same drainage pattern within their side yard setbacks, we are not concerned with any drainage impacts (if any). The only foreseeable drainage concern would be to the subject property at times of a heavy rainfall as water could easily collect in front of their existing side entrance.







Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Crystal Abainza, Zoning Examiner

Appendix 3 – Region of Peel

Minor Variance Application: A-24-385M / 544 Matisse Place

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

Comments:

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

Comments Prepared by: Petrele Francois, Junior Planner

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 1570 Stavebank Rd, zoned R1-2 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to permit a combined circular driveway proposing a combined access point width of 13.00m (approx. 42.65ft) whereas By-law 0225-2007, as amended, permits a maximum combined access point width of 8.50m (approx. 27.89ft) in this instance.

The Committee has set **Thursday, September 12, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

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- **In person:** The hearing will be held in person at Mississauga Civic Centre, Council Chambers, 300 City Centre Drive, 2nd Floor. Advance registration is preferred if you wish to speak at the hearing in person. If you wish to make a presentation you must send your request to speak and your presentation (as an attachment) via email to committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. A document projector will also be available, if preferred.
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- **Submit a written comment:** Written comments to the Committee must be received no later than 4:30 p.m. on the Friday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and the application file number or property address you are commenting on.

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

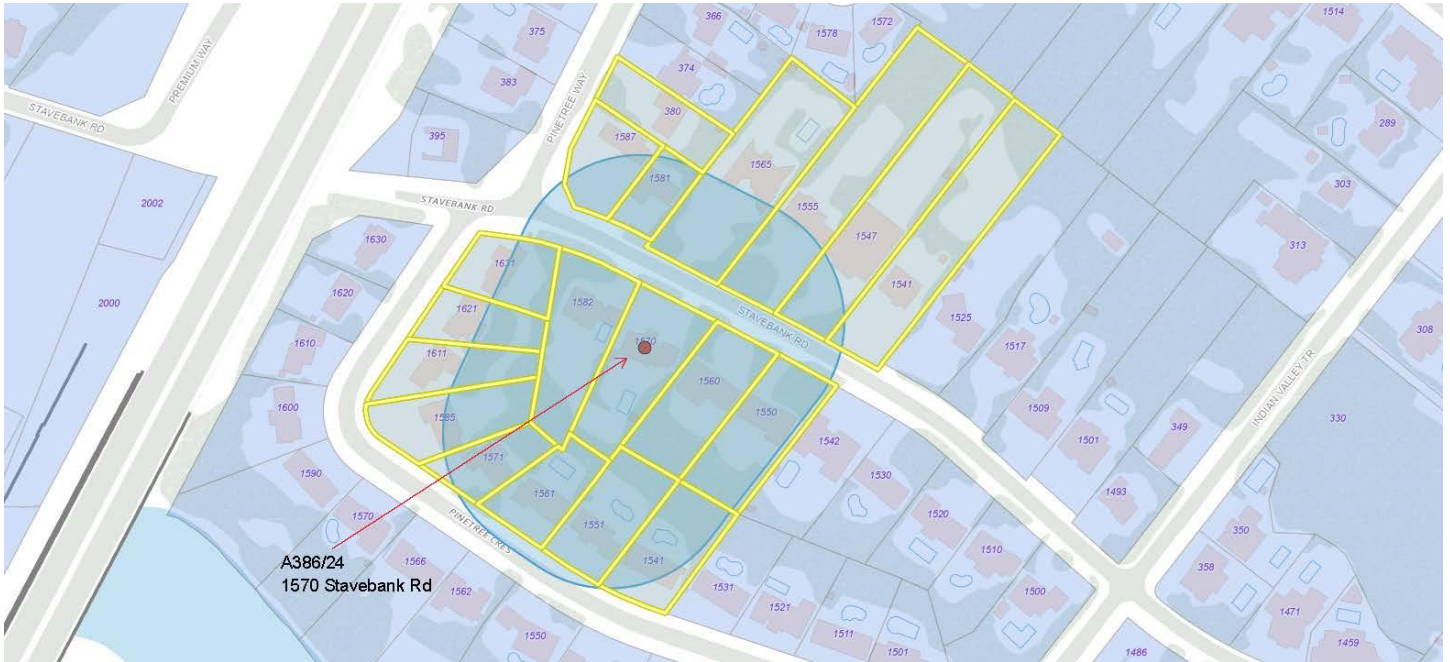
Additional Information:

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

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

Committee of Adjustment Appeal Process:

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



Legal notice:

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

City of Mississauga Department Comments

Date Finalized: 2024-09-04	File(s): A386.24
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2024-09-12 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to permit a combined circular driveway proposing a combined access point width of 13.00m (approx. 42.65ft) whereas By-law 0225-2007, as amended, permits a maximum combined access point width of 8.50m (approx. 27.89ft) in this instance.

Amendments

While Planning staff are not in a position to provide a Zoning review, staff note that the driveway width is measured at the property line. As such, the proposed driveway width appears to be 9m (29.5ft) whereas 8.50 (27.89ft) is permitted.

Background

Property Address: 1570 Stavebank Rd

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

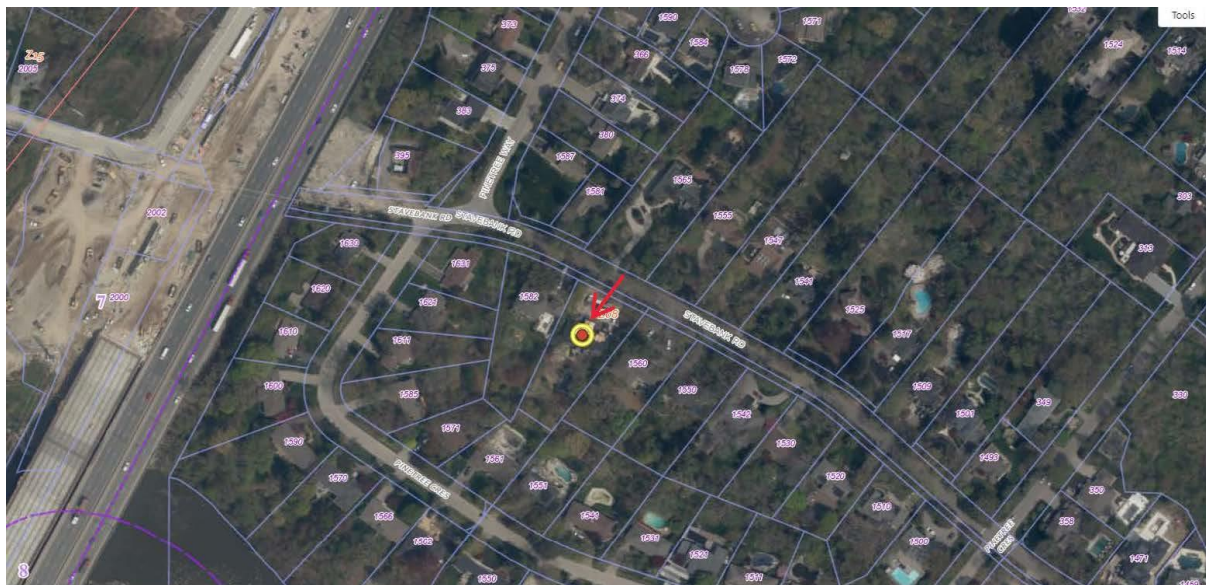
Zoning: R1-2 - Residential

Other Applications: None

Site and Area Context

The subject property is located on the west side of Stavebank Road, northeast of the Lakeshore Road West and Mississauga Road intersection. The surrounding area context is primarily residential, consisting of a mix of one and two-storey detached dwellings on lots of varying sizes. The subject property currently contains a one-storey detached dwelling with mature vegetation in the front and rear yards.

The applicant is proposing a second driveway access on the subject property requiring a variance for the combined circular driveway width.



Comments

Planning

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

Staff comments concerning the application are as follows:

The subject property is located within the Mineola Neighbourhood Area and is designated Residential Low Density I. The Residential Low Density I designation permits only detached dwellings in this area.

The sole requested variance requests an increase in the combined access width for a circular driveway. Through discussions with the applicant, Planning staff note the driveway width currently proposed in the application reflects the dimensions of the flared portion on the street. However, staff note that the minor variance process is applicable for the driveway width measured at the property line. As such, the variance appears incorrect, and the driveway width appears to be 9m (29.5ft).

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

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

Comments Prepared by: Shivani Chopra, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Our Traffic Planning Section does not recommend permitting a combined driveway access width exceeding 8.5m. Through Traffic Engineering best practices, driveway widths on the municipal road network are generally minimized to optimize roadway safety and efficiency, minimize vehicular and pedestrian conflict points, ensure sufficient space is available between driveways for signage/utilities/trees/other street appurtenances, maintain on-street parking spaces and clearly identify which property each driveway serves, etc.

All costs incurred in providing any new driveway entrances to the subject lands or any modifications/reinstatement required (including the existing driveway), would be at the cost of the owner. We are also noting that should any utilities/trees need to be relocated, all costs incurred will also be at the expense of the owner. Driveway accesses shall maintain a 1.5m setback from aboveground features such as utilities. Setbacks from any trees shall be confirmed with the City's Community Services Department.

Should the Committee see merit in the proposed minor variance, the applicant shall apply for an Access Modification Permit for the driveway access works to the City's satisfaction.







Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Crystal Abainza, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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

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

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

Additionally, Forestry notes that the proposed 3.5m driveway on Stavebank Rd. may impact the existing English Yew tree located within the City Right-of-Way (ROW). Further information regarding this tree is noted below:

- English Yew: 27cm DBH, good-fair condition, minimum Tree Protection Zone (TPZ) 1.8m, located northwest of the driveway, City owned tree

The proposed edge of the driveway is located outside of this tree's minimum TPZ, however care should be taken to protect the above noted City tree as best as possible. If necessary, Tree Protection Hoarding for City trees shall be installed as per By-law 0020-2022. Any public tree injuries and/or removals need to apply for Tree Application Permits as noted in Item 1.

For privately owned trees to be protected, and where necessary, Tree Protection Hoarding shall be installed as per By-law 0021-2022. Any private tree injuries and/or removals (for trees 15cm DBH or greater) need to apply for Tree Application Permits as noted in Item 2.

Should further information be required, please contact Jamie Meston, Landscape Architect Assistant, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email jamie.meston@mississauga.ca.

Comments Prepared by: Jamie Meston, Landscape Architect Assistant

Appendix 4 – CVC

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

1. Delegated Responsibilities – providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 3.1 of the Provincial Policy Statement (2020);
2. Regulatory Responsibilities – providing comments to ensure the coordination of requirements under the *Conservation Authorities Act* Section 28 regulation, to eliminate unnecessary delay or duplication in process;
3. Source Protection Agency – providing advisory comments to assist with the implementation of the CTC Source Protection Plan under the *Clean Water Act*, as applicable.

CVC REGULATED AREA

Based on our mapping, the subject property is regulated due to slope hazard associated with Stavebank creek. As such, the property is subject to the Prohibited Activities, Exemptions, and Permits Regulation (Ontario Regulation 41/24). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

PROPOSAL:

It is our understanding that the applicant is requesting the Committee to approve a minor variance to permit a combined circular driveway proposing a combined access point width of 13.00m (approx. 42.65ft) whereas By-law 0225-2007, as amended, permits a maximum combined access point width of 8.50m (approx. 27.89ft) in this instance.

COMMENTS:

Based on the review of the information provided, CVC has no objection to the approval of the minor variance at this time as the proposed development is sufficient setback from the natural features of interest to CVC.

The applicant is advised that the subject property is regulated by CVC and a CVC permit/clearance will be required for the proposed works and any other future development on the property.

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

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

Comments Prepared by: Stuti Bhatt, Junior Planner

Appendix 5 – Region of Peel

Minor Variance Application: A-24-386M / 1570 Stavebank Road

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

Comments:

- Hydrants near driveways shall be located a minimum of 1.25 m clear from the projected garage (or edge of driveway, whichever is greater) in residential applications (Peel Water Design Criteria Standard 4.3).
- All residential service boxes (curb stops) shall be installed in grass areas with a minimum distance of 1.0 meter from the edge of the driveway (Region of Peel Watermain Design Criteria Standard 6.6).
- The applicant shall verify the location of the existing service connections to the subject site and the contractor shall locate all existing utilities in the field. Requests for underground locates can be made at <https://www.ontarioonecall.ca/portal/>
- For location of existing water and sanitary sewer infrastructure please contact Records by e-mail at PWServiceRequests@peelregion.ca

Planning: Petrele Francois (905) 791-7800 x3356

Comments:

- Please be advised that the subject lands are located within the floodplain of the regulated area of the Credit Valley Conservation Authority (CVC). We request that City staff consider comments from the CVC and incorporate their conditions of approval appropriately.

Comments Prepared by: Petrele Francois, Junior Planner

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 1265 Tecumseh Park Dr, zoned R1-2 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing a flat roof height of 10.07m (approx. 33.04ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof height of 7.50m (approx. 24.61ft) in this instance.

The Committee has set **Thursday, September 12, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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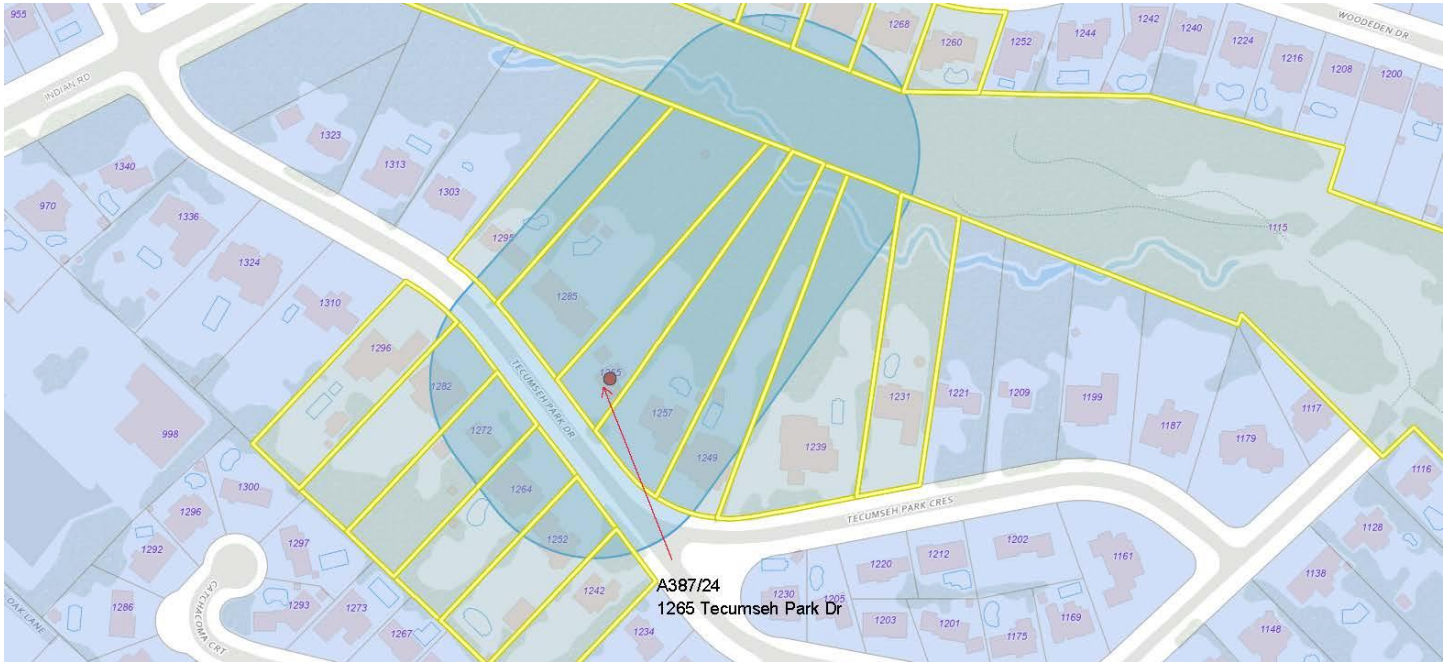
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City of Mississauga Department Comments

Date Finalized: 2024-09-04	File(s): A387.24
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2024-09-12 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing a flat roof height of 10.07m (approx. 33.04ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof height of 7.50m (approx. 24.61ft) in this instance.

Recommended Conditions and Terms

Should the Committee see merit in the application, Planning staff recommend that a condition be added to tie approval to the submitted drawings and to permit the variance for a two-storey dwelling only.

Background

Property Address: 1265 Tecumseh Park Dr

Mississauga Official Plan

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

Zoning By-law 0225-2007

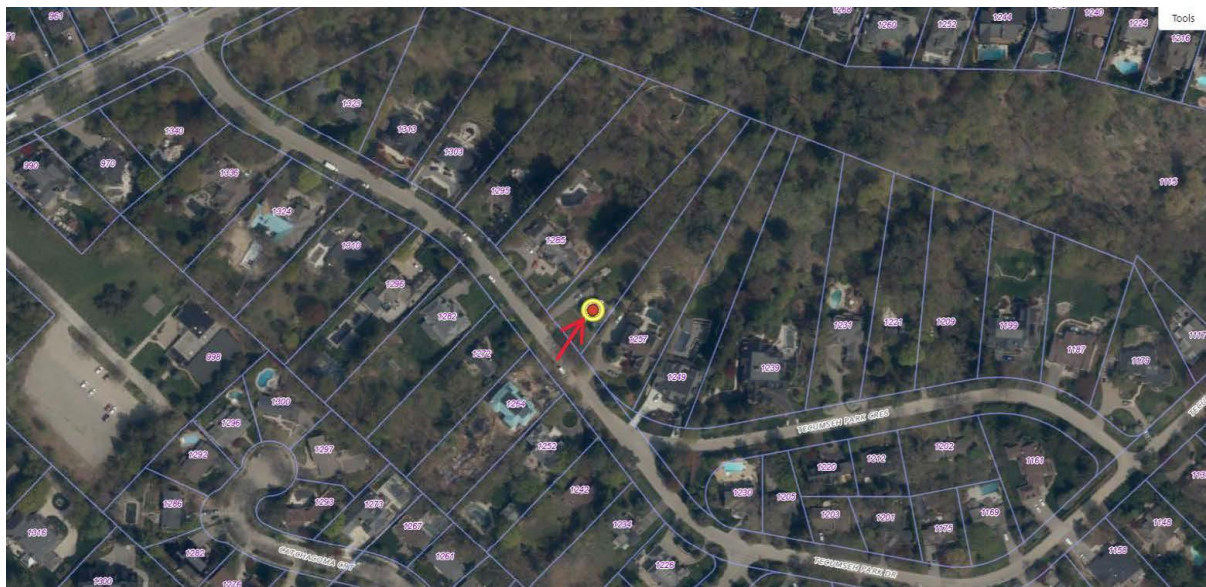
Zoning: R1-2 - Residential

Other Applications: None

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southeast of the Tecumseh Park Drive and Indian Road intersection. The immediate neighbourhood is residential, consisting primarily of one and two-storey detached dwellings on large lots with mature vegetation in the front yards. The subject property is currently under construction. Adjacent to the subject property at the rear is a City owned park known as Tecumseh Park.

The application proposes a new two storey dwelling requiring a variance related to flat roof 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 are as follows:

Staff note the subject property was before the Committee of Adjustment on November 17, 2022, under file A522.22. The application was approved for variances pertaining to garage area,

dwelling depth, combined side yard setback, eave height and dwelling height. A dwelling height to the highest roof ridge for a sloped roof of 10.02m (32.87ft) was approved.

However, the definition of a flat roof height changed on October 13, 2023, with the adoption of By-Law Number 0158-2023. The Flat Roof definition has been updated to a roof where 35% or more of the total roof area has a roof angle of less than 15° above the horizontal, instead of the previous 50%. The intent behind changing the definition was to limit roofs which have the appearance of a flat roof but are permitted the greater height permissions of a sloped roof.

The applicant modified the roof to comply during the building permit process but is now seeking an approval of the original roof proposal, which has 47.82% flat roof and 52.18% sloped roof. Staff note that this is now considered a flat roof.

Staff are of the opinion that the variance is technical in nature and does not present new impacts compared to the previous approval. Staff are satisfied that the current design of the roof still presents as a sloped roof and limits the dwelling to two stories, keeping in line with the intent of limiting flat roof heights.

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

Comments Prepared by: Shivani Chopra, 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 by our Development Construction Section through the Building Permit process, File BP 9NEW 23/9306.



Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Crystal Abainza, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

Park Planning

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

The lands adjacent to the property are owned by the City of Mississauga, identified as Tecumseh Park (P-015), classified as a Significant Natural Area within the City's Natural Heritage System, and zoned G1. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measure(s):

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

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

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

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

Comments Prepared by: Nicholas Rocchetti, Planner in Training

Forestry

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

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

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

Additionally, Forestry notes that the proposed 6.0-6.68m driveway on Tecumseh Park Dr. may impact the existing Red Maple tree and White Spruce tree, located within the City Right-of-Way (ROW). Further information regarding these trees is noted below:

- Red Maple (#1): 45cm DBH approx., good condition, minimum Tree Protection Zone (TPZ) 3.0m, located northwest of the proposed driveway, City owned tree
- White Spruce (#2): 40cm DBH approx., good condition, minimum Tree Protection Zone (TPZ) 2.4m, located northwest of the proposed driveway, City owned tree

Forestry also notes that the proposed New 13.5-38mm dia. Copper 'K' W.S., New V&B at P/L as well as New 16-32mm dia. Copper 'K' W.S may impact the adjacent existing Red Maple tree and Red Oak tree, located within the City ROW. Further information regarding these trees is noted below:

- Red Maple (#3): 26cm DBH, good condition, minimum Tree Protection Zone (TPZ) 1.8m, located northwest of the proposed above-mentioned utilities, City owned tree
- Red Oak (#4): 65cm DBH, good condition, minimum Tree Protection Zone (TPZ) 4.2m, located southeast of the proposed above-mentioned utilities, City owned tree

Care should be taken to protect the above noted City trees, as well as any additional City trees along this property's frontage, as best as possible. If necessary, Tree Protection Hoarding for City trees shall be installed as per By-law 0020-2022. If any construction works encroach into a tree's minimum TPZ, the tree will be injured. Any public tree injuries and/or removals need to apply for Tree Application Permits as noted in Item 1.

For privately owned trees to be protected, and where necessary, Tree Protection Hoarding shall be installed as per By-law 0021-2022. Any private tree injuries and/or removals (for trees 15cm DBH or greater) need to apply for Tree Application Permits as noted in Item 2.

Should further information be required, please contact Jamie Meston, Landscape Architect Assistant, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email jamie.meston@mississauga.ca.

Comments Prepared by: Jamie Meston, Landscape Architect Assistant

Appendix 4 – CVC

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

1. Delegated Responsibilities – providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 3.1 of the Provincial Policy Statement (2020);
2. Regulatory Responsibilities – providing comments to ensure the coordination of requirements under the *Conservation Authorities Act* Section 28 regulation, to eliminate unnecessary delay or duplication in process;
3. Source Protection Agency – providing advisory comments to assist with the implementation of the CTC Source Protection Plan under the *Clean Water Act*, as applicable.

CVC REGULATED AREA

Based on our mapping, the subject property is regulated due to flood and slope hazard associated with Tecumseh creek, as well as a wetland. As such, the property is subject to the Prohibited Activities, Exemptions, and Permits Regulation (Ontario Regulation 41/24). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

PROPOSAL:

It is our understanding that the applicant is requesting the Committee to approve a minor variance to allow the of a new house proposing a flat roof height of 10.07m (approx. 33.04ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof height of 7.50m (approx. 24.61ft) in this instance.

COMMENTS:

Based on the review of the information provided, CVC has no objection to the approval of the minor variance at this time. The proposed works have been reviewed by CVC as part of permit application FF 23/112 and a CVC permit has been issued.

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

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

Comments Prepared by: Stuti Bhatt, Junior Planner

Appendix 5 – Region of Peel

Minor Variance Application: A-24-387M / 1265 Tecumseh Park Drive

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

Comments:

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

Planning: Petrele Francois (905) 791-7800 x3356

Comments:

- Please be advised that the subject lands are located within the floodplain of the regulated area of the Credit Valley Conservation Authority (CVC). We request that City staff consider comments from the CVC and incorporate their conditions of approval appropriately.

Comments Prepared by: Petrele Francois, Junior Planner

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 1638 Aimco blvd, zoned E2 - Employment, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an accessory structure proposing a canopy encroachment of 5.06m (approx. 16.60ft) whereas By-law 0225-2007, as amended, requires a minimum canopy encroachment of 7.50m (approx. 24.61ft) in this instance.

The Committee has set **Thursday, September 12, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

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

- **In person:** The hearing will be held in person at Mississauga Civic Centre, Council Chambers, 300 City Centre Drive, 2nd Floor. Advance registration is preferred if you wish to speak at the hearing in person. If you wish to make a presentation you must send your request to speak and your presentation (as an attachment) via email to committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. A document projector will also be available, if preferred.
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- **By telephone:** Advance registration is required to speak virtually at the hearing. To register, please call 905-615-3200 x2408 by 4:30 PM on the Friday prior to the hearing. You must provide your name, phone number, and the application file number. Committee staff will provide you with call in details prior to the start of the hearing.
- **Submit a written comment:** Written comments to the Committee must be received no later than 4:30 p.m. on the Friday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and the application file number or property address you are commenting on.

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

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

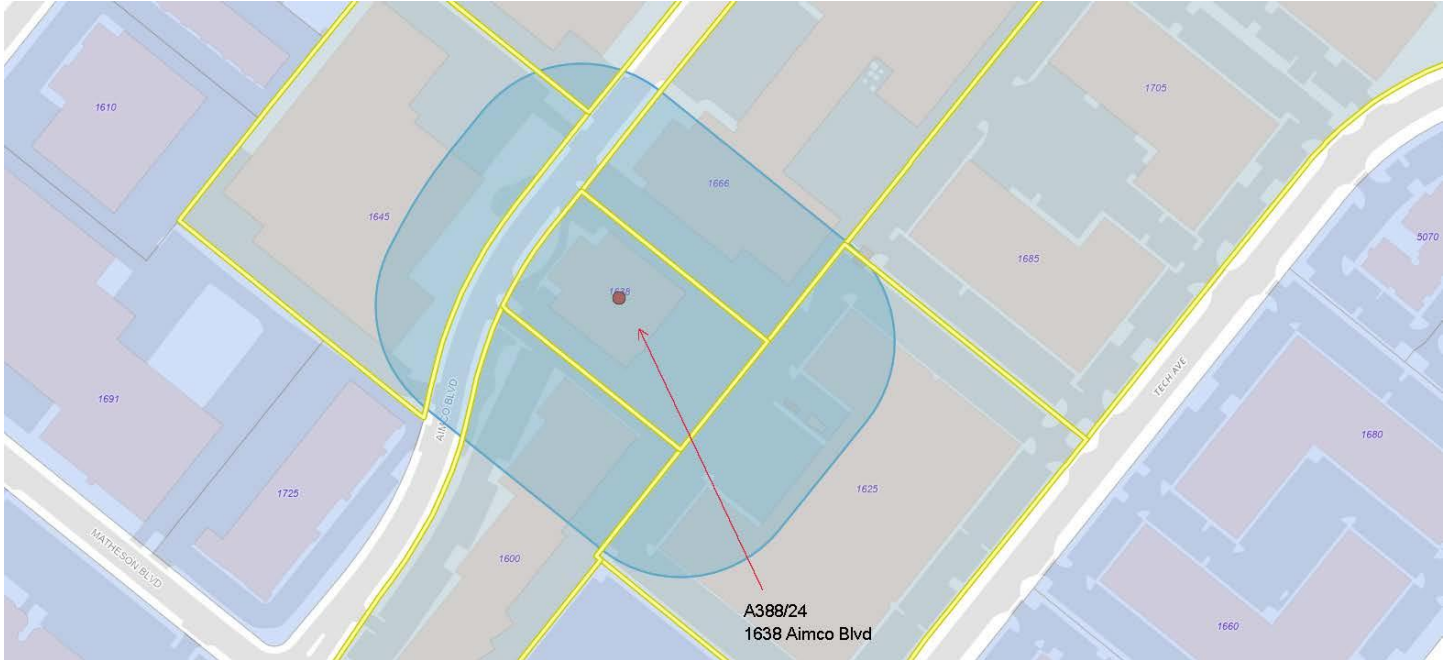
Additional Information:

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

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

Committee of Adjustment Appeal Process:

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



Legal notice:

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

City of Mississauga Department Comments

Date Finalized: 2024-09-04	File(s): A388.24
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2024-09-12 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

The applicant requests the Committee to approve a minor variance to allow an accessory structure proposing a canopy encroachment of 5.06m (approx. 16.60ft) whereas By-law 0225-2007, as amended, requires a minimum canopy encroachment of 7.50m (approx. 24.61ft) in this instance.

Amendments

The Building Department is processing Building Permit 24-2306. Based on review of the information available in this application, we advise that following amendment(s) is/are required:

The applicant requests the Committee to approve a minor variance to allow an accessory structure proposing a canopy setback of 5.06m (approx. 16.60ft) whereas By-law 0225-2007, as amended, requires a minimum canopy setback of 7.50m (approx. 24.61ft) in this instance.

Background

Property Address: 1638 Aimco blvd

Mississauga Official Plan

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

Zoning By-law 0225-2007

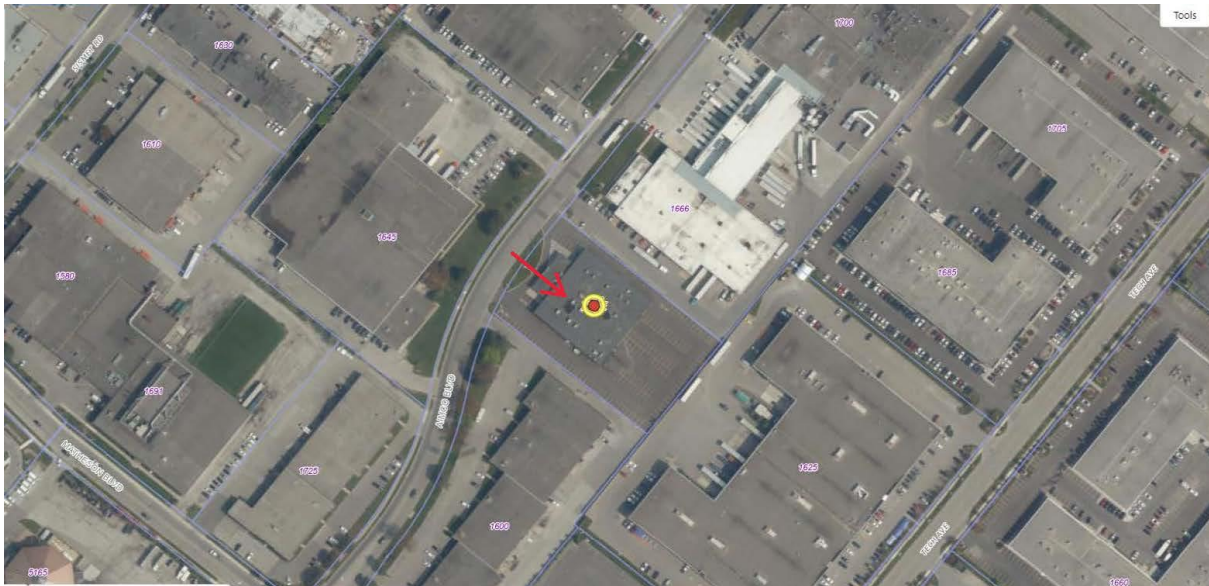
Zoning: E2 - Employment

Other Applications: BP 24-2306

Site and Area Context

The subject property is north-east of the Eglinton Avenue East and Dixie Road intersection in the Northeast Employment Area. It currently contains a one-storey building with associated surface parking. Limited vegetation and landscaping elements are present on the subject property. The surrounding context is exclusively industrial, consisting of one and two-storey industrial buildings on varied lot sizes.

The applicant is proposing to construct a canopy requiring a variance for front yard setback.



Comments

Planning

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

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

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

The subject property is located in the Northeast Employment Area (West) and is designated Business Employment in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits a variety of office, industrial, manufacturing and warehousing uses (among others). Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. Staff are satisfied that the proposal represents an appropriate built form for the area and for the uses permitted in the official plan.

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

The sole variance requests a reduced front yard setback to a canopy. The intent of the front yard setback provision is to ensure that a consistent character is maintained along the streetscape and that a sufficient front yard space and landscaped buffer is incorporated into the design. Staff are of the opinion the proposed front yard setback would remain consistent along the established streetscape of Aimco Boulevard and maintains sufficient space in the front yard for landscaping.

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

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

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

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference are photos depicting the area where the canopy is being proposed and note that we have no concerns with the request.





Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Department is processing Building Permit 24-2306. Based on review of the information available in this application, we advise that following amendment(s) is/are required:

The applicant requests the Committee to approve a minor variance to allow an accessory structure proposing a canopy encroachment of 5.06m (approx. 16.60ft) whereas By-law 0225-2007, as amended, requires a minimum canopy encroachment of 7.50m (approx. 24.61ft) in this instance.

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

Comments Prepared by: Candice Williams, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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

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

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

Should further information be required, please contact Jamie Meston, Landscape Architect Assistant, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email jamie.meston@mississauga.ca.

Comments Prepared by: Jamie Meston, Landscape Architect Assistant

Appendix 4 – Region of Peel

Minor Variance Application: A-24-388M / 1638 Aimco Boulevard

Planning: Petrele Francois (905) 791-7800 x3356

Comments:

- Please be advised that the subject site is located within a Provincially Significant Employment Zone (F-12).

Comments Prepared by: Petrele Francois, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A183.23
Ward: 2

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 1303 Tecumseh Park Dr, zoned R1-2 -Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a circular driveway proposing

1. A combined access points width for a circular driveway of 9.31m (approx. 30.54ft) whereas By-law 0225-2007, as amended, permits a maximum combined width of 8.50m (approx. 27.89ft) in this instance; and,
2. A walkway attachment width of 2.60m (approx. 8.53ft) whereas By-law 0225-2007, as amended, permits a maximum walkway attachment width of 1.50m (approx. 4.92ft) in this instance.

The Committee has set **Thursday, September 12, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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Additional Information:

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Committee of Adjustment Appeal Process:

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



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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.M.56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual (including being posted on the internet) upon request in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56, as amended. Questions about this collection should be directed to the Secretary-Treasurer, Committee of Adjustment, Office of the City Clerk, 300 City Centre Drive, Mississauga ON L5B 3C1 or (905) 615-3200 x2408.

City of Mississauga Department Comments

Date Finalized: 2024-09-04	File(s): A183.23
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2024-09-12 1:00:00 PM

Consolidated Recommendation

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

1. A combined access points width for a circular driveway of 9.31m (approx. 30.54ft) whereas By-law 0225-2007, as amended, permits a maximum combined width of 8.50m (approx. 27.89ft) in this instance; and,
2. A walkway attachment width of 2.60m (approx. 8.53ft) whereas By-law 0225-2007, as amended, permits a maximum walkway attachment width of 1.50m (approx. 4.92ft) in this instance.

Background

Property Address: 1303 Tecumseh Park Dr

Mississauga Official Plan

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

Zoning By-law 0225-2007

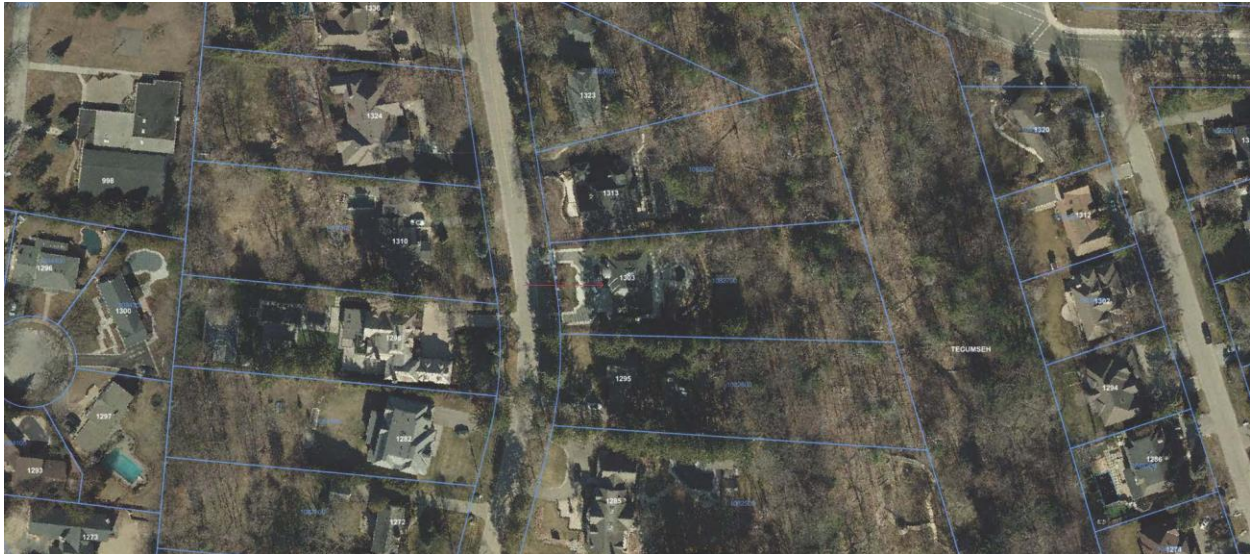
Zoning: R1-2 -Residential

Other Applications: None

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southeast of the Indian Road and Lorne Park Road intersection. The neighbourhood is entirely residential, consisting of lot large lots with one and two storey-detached dwellings. The subject property contains a two-storey detached dwelling with vegetation along the interior side yards. Adjacent to the subject property at the rear is a City owned park known as Tecumseh Park.

The applicant is proposing to legalize an existing circular driveway, requesting variances related to combined width of access points for a circular driveway and walkway attachment.



Comments

Planning

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

Staff comments concerning the application are as follows:

The subject property is designated Greenlands and Residential Low Density I within the Clarkson Lorne Park Neighbourhood in Schedule 10 of the Mississauga Official Plan (MOP).

Staff note that the subject property has been before the Committee of Adjustment multiple times to legalize the existing driveway under different applications. The current application was

deferred on March 21, 2024, to allow the applicant an opportunity to capture all required variances and work with Planning staff to address hardscaping concerns.

The applicant has since worked with staff and is proposing to remove portions of hardscaping with sod to reduce the driveway width to 6m (19.68ft) from the original proposal of 8.72m (28.60ft). Further, in redesigning the driveway and reducing the width, the variances for excessive driveway coverage of the front yard and driveway width have been eliminated.

Variance #1 requests an increase in the combined access points width for a circular driveway. The zoning by-law permits circular driveways on lots that have a minimum frontage of 22.50m (73.81ft). Staff note that the subject property meets the required lot frontage for a circular driveway and that larger driveways are not out of character for the neighbourhood. Furthermore, the proposed driveway does not require additional variances for setbacks or soft landscaping. With respect to Variance #2, the intent of the walkway attachment provision is to help define the entryway and to permit safe movement of pedestrians to the dwelling while prohibiting vehicle accommodation. The requested walkway is located in such a way that staff are satisfied that it will be unable to facilitate vehicular movements. Staff note the walkway is designed and angled in a manner that it can not facilitate additional parking. Staff are of the opinion that the walkway is to facilitate access to the front porch from the driveway.

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

Comments Prepared by: Shivani Chopra, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed you will find pictures of the existing driveway conditions at the property limit. Our Traffic Planning Section does not recommend permitting a combined driveway access width exceeding 8.5m. Through Traffic Engineering best practices, driveway widths on the municipal road network are generally minimized to optimize roadway safety and efficiency, minimize vehicular and pedestrian conflict points, ensure sufficient space is available between driveways for signage/utilities/trees/other street appurtenances, maintain on-street parking spaces and clearly identify which property each driveway serves, etc.

All costs incurred in providing any new driveway entrances to the subject lands or any modifications/reinstatement required (including the existing driveway), would be at the cost of the owner. We are also noting that should any utilities/trees need to be relocated, all costs incurred will also be at the expense of the owner. Driveway accesses shall maintain a 1.5m setback from aboveground features such as utilities. Setbacks from any trees shall be confirmed with the City's Community Services Department.

There were two (2) previous minor variance applications, A148/6 and A149/20, that requested a minor variance for a combined access points width greater than what the zoning by-law permits which both were refused.

Comments Prepared by: John Salvino, Development Engineering Technologist



Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Crystal Abainza, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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

The lands adjacent to the property are owned by the City of Mississauga, identified as Tecumseh Park (P-015), classified as a Significant Natural Area within the City's Natural Heritage System, and zoned G1. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measure(s):

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

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

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

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

Comments Prepared by: Nicholas Rocchetti, Planner in Training

Appendix 4 – CVC

Based on the review of the information provided, CVC has **no objection** to the proposed minor variance at this time.

The applicant is to note that the property is regulated by CVC and a CVC permit/clearance is required for any future development on the property.

Please let me know if you have any questions or concerns.

Comments Prepared by: Stuti Bhatt, Junior Planner

Appendix 5 – Region of Peel

Our previous comments still apply.

Comments Prepared by: Petrele Francois, Junior Planner

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 406 Jumna Ave, zoned R3-1-Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing:

1. A gross floor area of 338.81m (approx. 3646.95sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 311.87sq m (approx. 3356.97sq ft) in this instance;
2. A lot coverage of 35.84% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
3. A building depth of 21.21m (approx. 69.59ft) whereas By-law 0225-2007, as amended, permits a maximum building depth of 20.00m (approx. 65.62ft) in this instance;
4. A driveway width of 6.22m (approx. 20.41ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance; and,
5. A window well encroachment of 0.84m (approx. 2.76ft) whereas By-law 0225-2007, as amended, permits a maximum window well encroachment of 0.60m (approx. 1.97ft) in this instance.

The Committee has set **Thursday, September 12, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

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- **In person:** The hearing will be held in person at Mississauga Civic Centre, Council Chambers, 300 City Centre Drive, 2nd Floor. Advance registration is preferred if you wish to speak at the hearing in person. If you wish to make a presentation you must send your request to speak and your presentation (as an attachment) via email to committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. A document projector will also be available, if preferred.
- **Electronically (computer, tablet or smartphone):** Advance registration is required to speak virtually at the hearing. If you wish to make a presentation at the hearing you must send your request to speak and your presentation material (as an attachment) via email to committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. If you have connection issues on the hearing date, please email virtualmeeting.help@mississauga.ca.
- **By telephone:** Advance registration is required to speak virtually at the hearing. To register, please call 905-615-3200 x2408 by 4:30 PM on the Friday prior to the hearing. You must provide your name, phone number, and the application file number. Committee staff will provide you with call in details prior to the start of the hearing.
- **Submit a written comment:** Written comments to the Committee must be received no later than 4:30 p.m. on the Friday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and the application file number or property address you are commenting on.

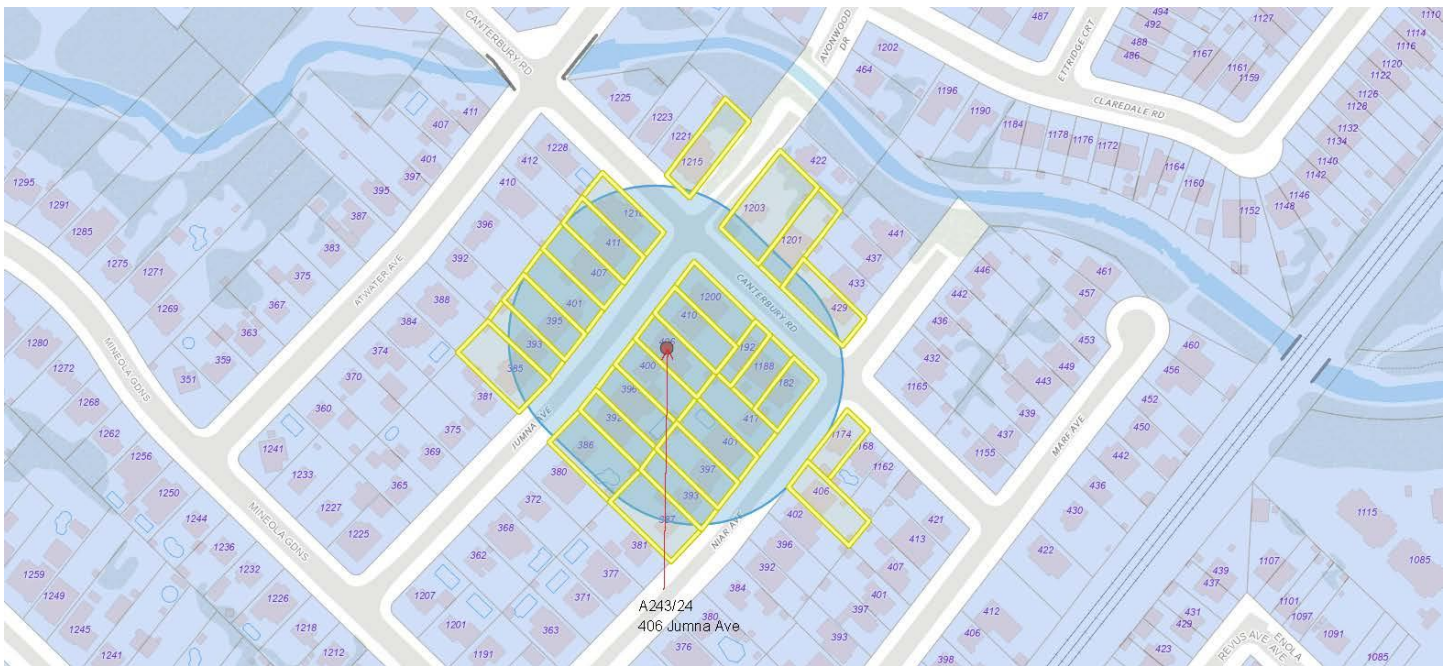
If you wish to view the public hearing online and do not wish to speak, the hearing will be streamed at the following link:
<http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>

Additional Information:

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

Committee of Adjustment Appeal Process:

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



Legal notice:

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

City of Mississauga Department Comments

Date Finalized: 2024-09-04	File(s): A243.24 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-09-12 1:00:00 PM

Consolidated Recommendation

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

Application Details

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

1. A gross floor area of 338.81m (approx. 3646.95sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 311.87sq m (approx. 3356.97sq ft) in this instance;
2. A lot coverage of 35.84% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
3. A building depth of 21.21m (approx. 69.59ft) whereas By-law 0225-2007, as amended, permits a maximum building depth of 20.00m (approx. 65.62ft) in this instance;
4. A driveway width of 6.22m (approx. 20.41ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance; and,
5. A window well encroachment of 0.84m (approx. 2.76ft) whereas By-law 0225-2007, as amended, permits a maximum window well encroachment of 0.60m (approx. 1.97ft) in this instance.

Background

Property Address: 406 Jumna Ave

Mississauga Official Plan

Character Area: Mineola Neighbourhood

Designation: Residential Low Density II

Zoning By-law 0225-2007

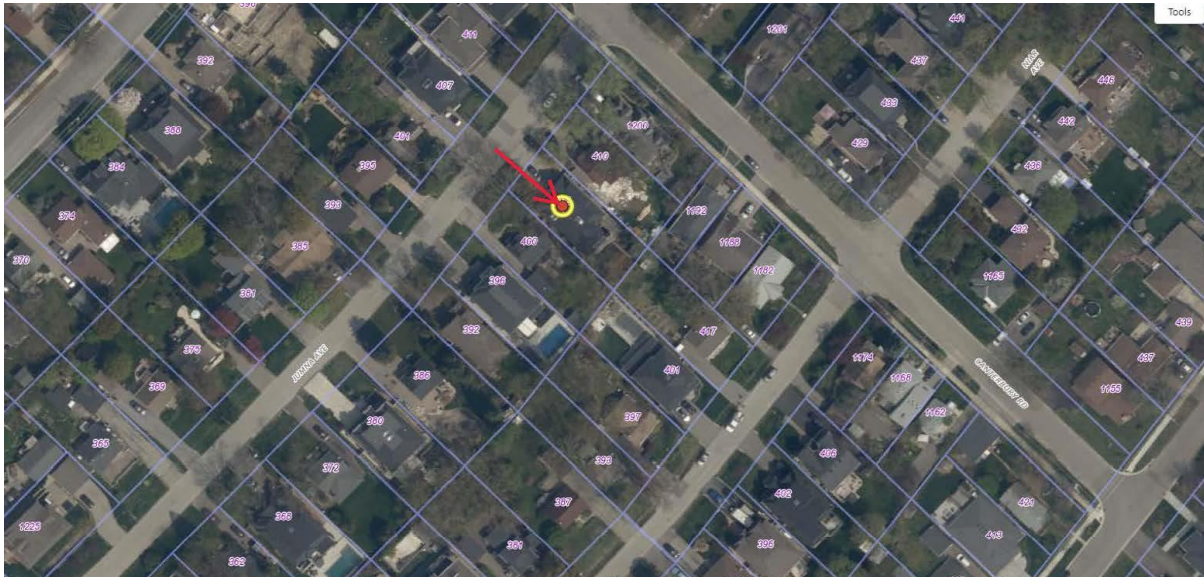
Zoning: R3-1-Residential

Other Applications: None

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, south-west of Cawthra Road and Atwater Avenue. The neighbourhood consists of one and two storey detached dwellings with mature vegetation. The subject property contains an existing two storey detached dwelling with vegetation within the front yard.

The applicant is proposing an addition requesting variances for gross floor area, lot coverage, building depth, driveway width and window well encroachment.



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:

Staff note that this application was before the Committee of Adjustment on May 30, 2024, for similar variances. Staff had recommended refusal of variances pertaining to lot coverage, gross floor area (GFA) and dwelling depth. Staff had no concerns with the variances being sought for driveway width and window well encroachment at the time. The application was deferred by the applicant to address staff concerns.

The revised application proposes a reduction in the lot coverage and GFA from the original application. Through discussions with the applicant, it has been confirmed that the site statistics and calculations, including existing GFA and coverage, provided during the first submission were incorrect and have now been accurately identified.

Staff note that variances #4 and #5 remain identical to what was previously proposed and as such, staff comments remain the same recommending support for these variances.

With respect to Variances #1 and #2 pertaining to GFA and lot coverage respectively, the intent in restricting gross floor area and lot coverage is to maintain compatibility between existing and new dwellings in order to ensure the existing and planned character of a neighbourhood is preserved. Furthermore, that there isn't an overdevelopment of the lot which would impact the streetscape as well as abutting properties.

Staff are satisfied that the proposed GFA is consistent with new detached dwellings in the immediate area and has limited impacts to both abutting properties and the streetscape. Staff note that the dwelling's footprint represents approximately 31.8% of the total lot coverage, which is below the maximum permissible lot coverage. Therefore, staff are of the opinion that the variance is required to only accommodate elements like the covered porch, overhangs and the shed, which do not have the same massing impacts. Staff also note that no variance has been requested for height which further mitigates any massing impacts.

Variance #3 requests an increase in the dwelling depth. The intent of the zoning by-law in regulating the dwelling depth is to minimize any impact of long walls on neighbouring lots as a direct result of the building massing. Staff note the dwelling meets the by-law requirements on one side at 16.94m (55.57ft) and that the increase in depth is required to accommodate the second floor on top of the covered rear deck. Staff are satisfied that the variance does not pose negative impacts.

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

Comments Prepared by: Shivani Chopra, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Crystal Abainza, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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

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

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

Should further information be required, please contact Jamie Meston, Landscape Architect Assistant, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email jamie.meston@mississauga.ca.

Comments Prepared by: Jamie Meston, Landscape Architect Assistant

Appendix 4 – Region of Peel

Our previous comments still apply.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 5 – Metrolinx

Metrolinx is in receipt of the Minor Variance application for 406 Jumna Avenue to approve a minor allow the construction of an addition proposing:

- A gross floor area of 338.81m (approx. 3646.95sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 311.87sq m (approx. 3356.97sq ft) in this instance;
- A lot coverage of 35.84% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
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- A window well encroachment of 0.84m (approx. 2.76ft) whereas By-law 0225-2007, as amended, permits a maximum window well encroachment of 0.60m (approx. 1.97ft) in this instance.

As circulated on August 13th, 2024, and to be heard at Public Hearing on September 12th, 2024, at 1:00 PM. Metrolinx's comments on the subject application are noted below:

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

GO/HEAVY-RAIL – ADVISORY COMMENTS

- The Proponent is advised of the following:
 - **Warning:** The Applicant is advised that the subject land is located within Metrolinx's 300 metres railway corridor zone of influence and as such is advised that Metrolinx and its assigns and successors in interest has or have a right-of-way within 300 metres from the subject land. The Applicant is further advised that there may be alterations to or expansions of the rail or other transit facilities on such right-of-way in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx to use the right-of-way or their assigns or successors as aforesaid may expand or alter their operations, which expansion or alteration may affect the environment of the occupants in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual lots, blocks or units.
 - Should you have any questions or concerns, please contact jenna.auger@metrolinx.com.

Comments Prepared by: Jenna Auger, Third Party Project Review



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A390.24
Ward: 1

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 2562 Stanfield Rd, zoned E2-131, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a change of use proposing:

1. A day care use on the subject property whereas By-law 0225-2007, as amended, does not permit a day care use on the subject property in this instance;
2. A commercial kitchen permitted in the subject property whereas By-law 0225-2007, as amended, does not permit a commercial kitchen in the subject property in this instance.

The Committee has set **Thursday, September 12, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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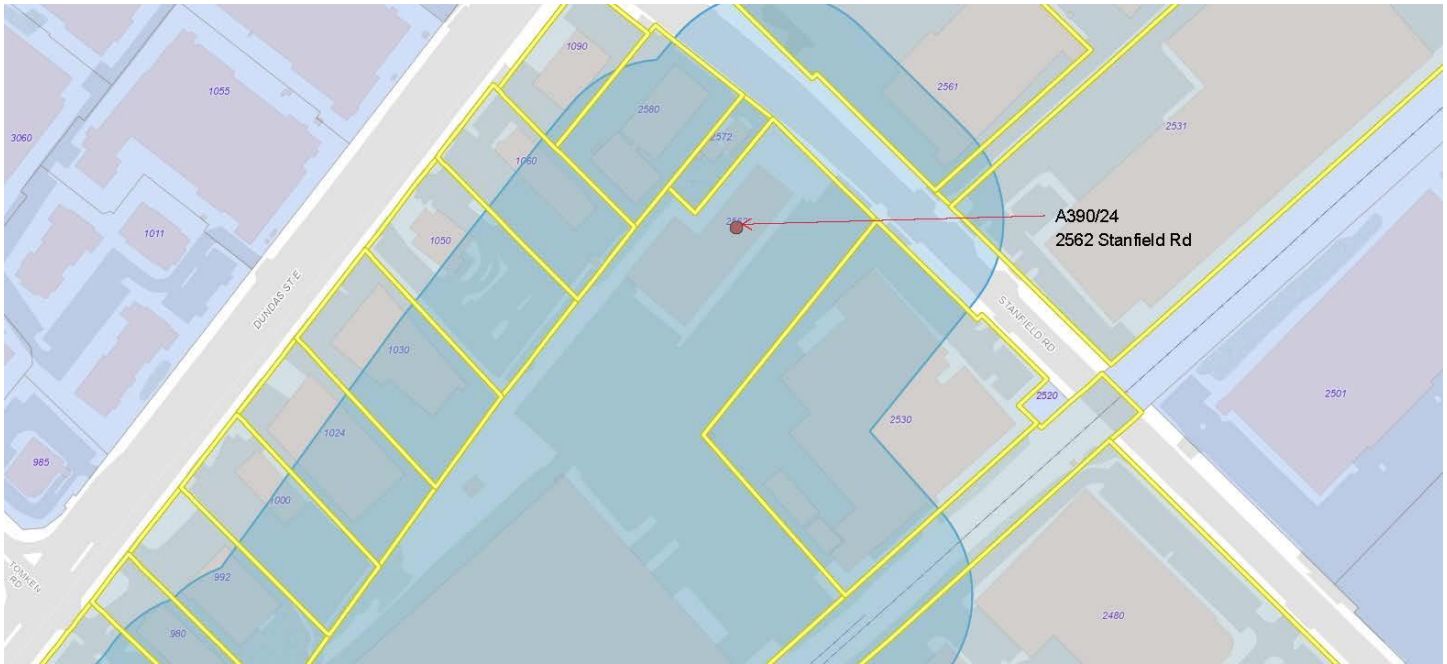
<http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>

Additional Information:

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

Date Finalized: 2024-09-04	File(s): A390.24 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-09-12 1:00:00 PM

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 change of use proposing:

1. A day care use on the subject property whereas By-law 0225-2007, as amended, does not permit a day care use on the subject property in this instance;
2. A commercial kitchen permitted in the subject property whereas By-law 0225-2007, as amended, does not permit a commercial kitchen in the subject property in this instance.

Background

Property Address: 2562 Stanfield Rd

Mississauga Official Plan

Character Area: Dixie Employment Area
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2-131

Other Applications: None

Site and Area Context

The subject property is located in the Dixie Employment Area, southwest of the Dundas Street East and Dixie Road intersection. The immediate area consists of a variety of uses including commercial, employment and industrial. The subject property currently contains a vacant warehouse building with minimal vegetation in the form of urban street trees.

The application is proposing a day care and commercial kitchen requiring variances for the use.



Comments

Planning

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

Staff comments concerning the application are as follows:

The subject property is located in the Dixie Employment Area and is designated Business Employment in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits a variety of uses. Schedule 11.2.1 of the official plan permits Community Infrastructure in all designations, except for Greenlands and staff note that a daycare is considered Community Infrastructure.

Staff note there are policies in the MOP that are applicable to the subject application and are stated below:

5.1.8 Mississauga will protect employment lands to allow for a diversity of employment uses.

5.3.6.5. Conversion of lands within Employment Areas will only be permitted through a municipal comprehensive review.

7.4.2 The preferred location for community infrastructure will be within the Downtown, Major Nodes, Community Nodes and Corridors. Where appropriate, community infrastructure may also be located within Neighbourhoods and Corporate Centres. Community infrastructure will generally not be located within Employment Areas.

10.3.2 Mississauga will protect lands within Employment Areas for industrial uses.

10.3.3 Development will minimize land use conflicts between industrial uses and sensitive land uses.

10.3.4 Within Employment Areas, Mississauga will support the continued operation of existing industrial uses and discourage employment uses and sensitive land uses in the vicinity of existing industrial land uses that would:

- c. inhibit the development of designated industrial lands for the purposes permitted by this Plan.

Further, the Provincial Policy Statement which has significant regard for employment areas and contains certain policies that are applicable in this instance, including the following:

1.3.2.1 Planning authorities shall plan for, protect and preserve employment areas for current and future uses and ensure that the necessary infrastructure is provided to support current and projected needs.

1.3.2.2 Planning authorities may permit conversion of lands within employment areas to non-employment uses through a comprehensive review, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.

Given the preceding policies, staff are of the opinion that the overall intent of MOP is to preserve and protect Employment Areas and to prevent the location of sensitive land uses in areas where negative impacts will be imposed and to dedicate and preserve lands for higher order industry and employment purposes.

Variances #1 and #2 request a day care and commercial kitchen use in an employment zone. The applicant confirmed that the commercial kitchen use is to support the daycare use. Staff note that through discussions with Zoning staff, it has been identified that a commercial kitchen is not defined in the Zoning by-law. As such, staff are unable to comment on the accuracy of Variance #2.

Section 2.1.9.4 of the Zoning By-law sets out general regulations for daycare uses. The use is allowed in multiple zoning categories; however, employment zones have been specifically excluded from the list of permitted zones. Daycares represent sensitive uses that may undermine the intended use and functionality of the surrounding area and are generally not compatible with industrial uses found in the area. In this instance, the Dixie Employment Area

contains a mixture of employment and heavy industrial uses that could be frustrated when obtaining or renewing Ministry of Environment certifications.

As such, Planning staff are of the opinion that the intent and purpose of the zoning by-law is not maintained by permitting uses not contemplated by the zone category.

Given the above, staff are of the opinion that the application fails to maintain the general intent and purpose of both the official plan and zoning by-law. Staff are of the opinion that the proposal does not represent an appropriate use of the subject lands and is not minor in nature. Staff therefore recommend that the application be refused.

Comments Prepared by: Shivani Chopra, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed are photos of the outside of the building where the day care is proposed. We have no concerns.

Comments Prepared by: John Salvino, Development Engineering Technologist









Appendix 2 – Zoning Comments

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

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

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

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

Comments Prepared by: Crystal Abainza, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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

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

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

Should further information be required, please contact Jamie Meston, Landscape Architect Assistant, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email jamie.meston@mississauga.ca.

Comments Prepared by: Jamie Meston, Landscape Architect Assistant

Appendix 4 – Region of Peel

Minor Variance Application: A-24-390M / 2562 Stanfield Road

Planning: Petrele Francois (905) 791-7800 x3356

Comments:

- Please be advised that the subject site is located within a Provincially Significant Employment Zone (F-12). Regional staff encourage the applicant to work with the City to address the appropriate mix of land uses and land use compatibility.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 5 – Metrolinx

Metrolinx is in receipt of the Minor Variance application for 2560 Stanfield Road to approve a minor variance to allow a change of use proposing:

- A day care use on the subject property whereas By-law 0225-2007, as amended, does not permit a day care use on the subject property in this instance;
- A kitchen permitted in the subject property whereas By-law 0225-2007, as amended, does not permit a kitchen in the subject property in this instance.

As circulated on August 13th, 2024, and to be heard at Public Hearing on September 12th, 2024, at 3:30 PM. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300m of the Canadian Pacific (CP) Galt Subdivision which carries Metrolinx's Milton GO Train service.
- The subject property is adjacent to the Metrolinx proposed Dundas BRT alignment.

GO/HEAVY-RAIL – CONDITIONS OF APPROVAL

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

vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual lots, blocks or units.

- **Warning:** Metrolinx and its assigns and successors in interest has or will have transit infrastructure within 75 metres of the subject land. There may or will be alterations to the transit facilities, including the transit infrastructure and the possibility that Metrolinx or any transit operator entering into an agreement with Metrolinx to use the transit infrastructure or their assigns or successors as aforesaid may expand or alter their operations. Said operations may result in the discharge, emitting, releasing or venting at any time during the day or night with noise, vibration and other sounds and emissions of every nature and kind from the transit infrastructure which may affect the environment of the occupants in the vicinity notwithstanding the inclusion of control features in the design of the development and individual lot, blocks, or units.

Comments Prepared by: Jenna Auger, Third Party Project