
Committee of Adjustment

Date: September 12, 2024
Time: 3:30 PM
Location: 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

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905-615-3200 ext.5507 or 8928
nathan.tega@mississauga.ca

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

Send written submissions or request notification of future meetings to:

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

Requests to speak:

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 A389.24
3473 Wolfdale Rd (Ward 6)
 - 4.2 A391.24
2336 Stillmeadow Rd (Ward 7)
 - 4.3 A392.24
1243 Ogden Ave (Ward 1)
 - 4.4 A401.24
6831 Gracefield Dr (Ward 10)
 - 4.5 A404.24
40 Mississauga Rd N (Ward 1)
 - 4.6 A406.24
1337 Whiteoaks Ave (Ward 2)
 - 4.7 A407.24
730 Meadow Wood Rd (Ward 2)
 - 4.8 A408.24
121 Bonham Blvd (Ward 11)
 - 4.9 A410.24
3180 American Dr (Ward 5)
 - 4.10 A424.24
575 Byngmount Ave (Ward 1)
 - 4.11 A130.23
957 Beechwood Ave (Ward 1)
 - 4.12 A255.24
3041 Keynes Cres (Ward 9)

5. OTHER BUSINESS

6. ADJOURNMENT



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A389.24
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.

Details of the application and meeting information:

The property owner of 3473 Wolfedale Rd, zoned E2-8 - Employment, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a change of use proposing;

1. To permit a Works Depot use on the subject property whereas By-law 0225-2007, as amended, does not permit a Works Depot use on the subject property in this instance; and,
2. An internal driveway to access the parking and loading spaces for 3473 Wolfedale Rd through 3515 Wolfedale Rd whereas By-law 0225-2007, as amended, requires an external driveway in this instance.

The Committee has set **Thursday, September 12, 2024 at 3:30 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:

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Additional Information:

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

City of Mississauga Department Comments

Date Finalized: 2024-09-04	File(s): A389.24 Ward: 6
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-09-12 3:30:00 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 change of use proposing;

1. To permit a Works Depot use on the subject property whereas By-law 0225-2007, as amended, does not permit a Works Depot use on the subject property in this instance; and,
2. An internal driveway to access the parking and loading spaces for 3473 Wolfedale Rd through 3515 Wolfdale Rd whereas By-law 0225-2007, as amended, requires an external driveway in this instance.

Amendments

The Building Department is processing an Independent Zoning Review application 24-2121. Based on review of the information available in this application, we advise that following amendment is required:

1. To permit a Contractor's Yard use on the subject property whereas By-law 0225-2007, as amended, does not permit a Contractor's Yard use on the subject property in this instance.

Background

Property Address: 3473 Wolfedale Rd

Mississauga Official Plan

Character Area: Mavis-Erindale Employment Area

Designation: Business Employment

Zoning By-law 0225-2007

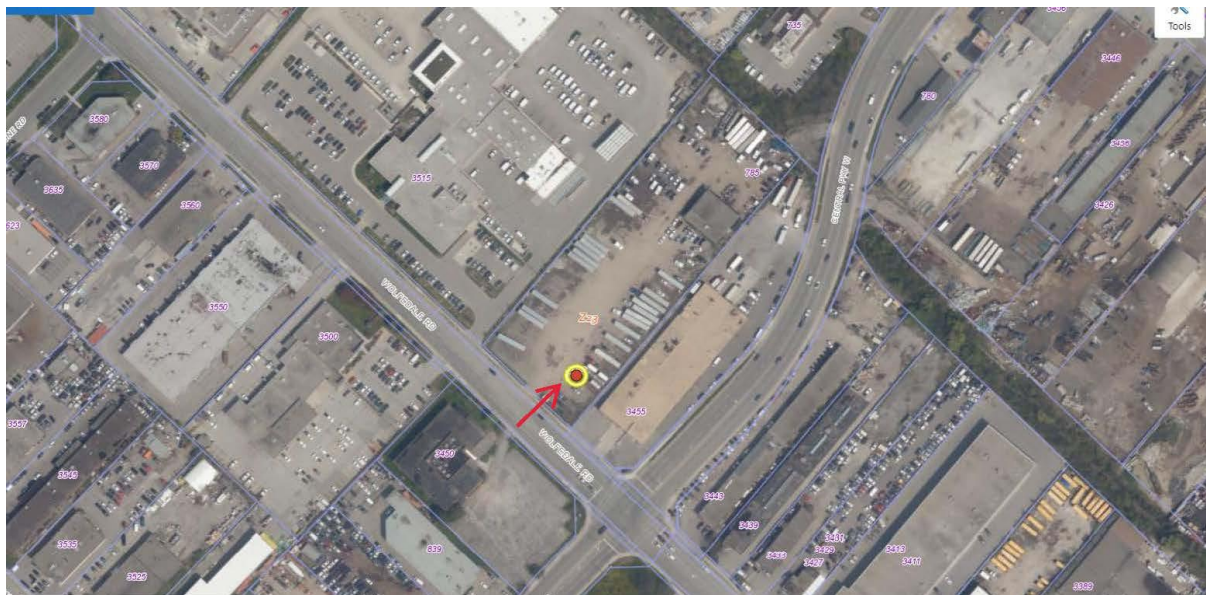
Zoning: E2-8 - Employment

Other Applications: PAM 23-66, IZR 24-2121, BP 3NEW 24-656

Site and Area Context

The subject property is located on the east side of Wolfedale Road, north of the Central Parkway West and Wolfedale Road intersection in the Mavis-Erindale Employment Area. It currently contains a single storey industrial building with an associated gravel surface parking lot. Limited landscaping and vegetative elements are present on the subject property. The surrounding context includes one and two-storey industrial buildings on various sized lots.

The applicant is proposing to construct a new two-storey building requiring variances for a use not permitted in the zone category and internal driveway access.



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 within the Mavis-Erindale Employment Area and is designated Business Employment in Schedule 10 of the Mississauga Official Plan (MOP). The Business Employment designation permits a variety of uses, including commercial, entertainment, industrial and motor vehicle uses. This designation permits uses that operate mainly within enclosed buildings. 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.

Variance 1 seeks to permit a contractor's yard use in an E2-8 zone. The E2-8 zone permits employment-based uses that are sensitive to the surrounding uses. The proposed contractor's yard is not a permitted use. The intent and purpose of the zoning by-law is to limit noxious and high intensity uses only to areas that are zoned E3. Staff note a contractor's yard typically includes exposed materials, outdoor storage, mud tracking and various amounts of people entering/exiting the site. In reviewing the proposal, the proposed two-storey building is being constructed to store all materials indoors thereby limiting the noxiousness and unsightliness of the use. Staff note the owner of the subject property is the Region of Peel, and the proposed project is an expansion of the existing Region of Peel works yard located at 3515 Wolfedale Road, which is the abutting property to the north.

Variance 2 requests an internal driveway to access the parking and loading spaces on the subject property from 3515 Wolfedale Road. The applicant is proposing to close the existing driveway to the subject property from Wolfedale Road. The intent of the access regulations for an external driveway is to ensure appropriate ingress/egress access and to maintain adequate site circulation. As noted above, the Region of Peel owns both the subject property and the property to the north, allowing for both entrances to be consolidated there by reducing potential access conflicts on Wolfedale. The expansion the existing works yard allows the Region of Peel to organize vehicle circulation and manoeuvrability in a cohesive manner across both sites. Staff note an additional ingress access point at the south-east corner of the subject property is proposed from Central Parkway Road West. Transportation & Works have indicated no access concerns for the internal access from 3515 Wolfedale Road and the proposed ingress access from Central Parkway Road West.

Based on the preceding information, staff are of the opinion that the variances maintain the general intent and purpose of the official plan and zoning by-law, are minor and nature and contribute to orderly 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 currently closed access from Central Parkway West. Site Plan DWG No: ROP#19701 submitted specifically indicates “Access Entry Only” on the Site Plan and it is our understanding that this access is only to be utilized for incoming vehicles. In view of the above we would have no objections to the request.

The city has reviewed an application for a new industrial storage building under application PAM 23-66 and is currently reviewing an application under BP 3NEW 24-656.

We also note that the Region of Peel would be responsible for any costs related to any access modifications to the Central Parkway West access and also that access approval from the Traffic Section through the Access Modification Permit Application will be required.







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

Appendix 2 – Zoning Comments

The Building Department is processing an Independent Zoning Review application 24-2121. Based on review of the information available in this application, we advise that following amendment is required:

1. To permit a Contractor's Yard use on the subject property whereas By-law 0225-2007, as amended, does not permit a Contractor's Yard use on the subject property 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: Andrea Patsalides, 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-24-389M / 3473 Wolfedale Road

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.
- 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 - 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 information available, a portion of the property is located within CVC's Regulated Area due to the slope and floodplain hazards associated with Wolfedale Creek. As such, this property is subject to Section 28 of the Conservation Authorities Act and the Prohibited Activities, Exemptions, and Permits Regulation (Ontario Regulation 41/24). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

PROPOSAL:

It is our understanding that the applicant is requesting the Committee to approve a minor variance to allow:

- A Works Depot use on the subject property whereas By-law 0225-2007, as amended, does not permit a Works Depot use on the subject property in this instance; and,
- An internal driveway to access the parking and loading spaces for 3473 Wolfedale Rd through 3515 Wolfedale Rd whereas By-law 0225-2007, as amended, requires an external driveway in this instance.

COMMENTS:

It is our understanding that this proposal is to allow a change in use and utilize an internal driveway on the property, reflecting existing conditions and a similar Employment use (i.e., Works Depot). Further, no new development is proposed as part of the minor variance at this time.

On this basis, CVC staff have **no objection** to the approval of the requested Minor Variance by the Committee at this time.

We note that a portion of the property is regulated by CVC and any future development proposed in the regulated area will require prior approval from CVC in the form of a permit. Please continue to consult with CVC on any plans for this 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.

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

Comments Prepared by: Trisha Hughes, Acting Senior Planner

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 2336 Stillmeadow Rd, zoned R3 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a driveway width of 7.2m (approx. 23.6ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.0m (approx. 19.7ft) in this instance.

The Committee has set **Thursday, September 12, 2024 at 3:30 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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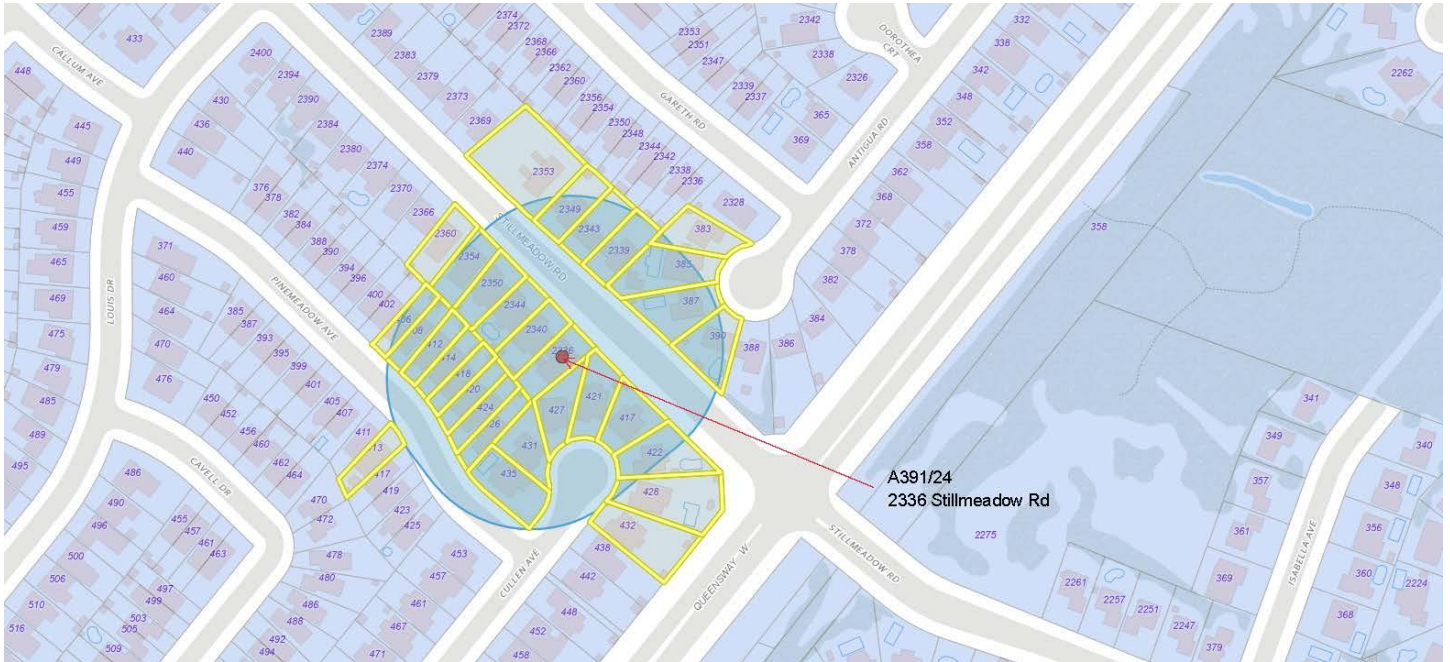
Additional Information:

- For more information about this matter, contact committee.adjustment@mississauga.ca 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 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): A391.24 Ward: 7
	Meeting date:2024-09-12 3:30:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow a driveway width of 7.2m (approx. 23.6ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.0m (approx. 19.7ft) in this instance.

Background

Property Address: 2336 Stillmeadow Rd

Mississauga Official Plan

Character Area: Cooksville Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3 - Residential

Other Applications: None

Site and Area Context

The subject property is located north-east of the Mavis Road and Queensway West intersection in the Cooksville Neighbourhood Character Area. It is an interior lot containing a two-storey detached dwelling with an attached garage. The subject property has an approximate frontage

The sole variance requested is for an increase in driveway width. The intent of the driveway width regulations in the by-law is to allow a driveway that can accommodate two vehicles parked side by side, with the remainder of the front yard being soft landscaped area. Staff are satisfied that the proposed driveway width does not facilitate the parking of additional vehicles across the driveway, nor does it create excessive hardscaping on the subject property. Staff are of the opinion that the proposed variance maintains the general intent 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, as currently proposed, the driveway maintains the general intent and purpose of the zoning by-law, represents appropriate development of the subject property, and is minor in nature.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference are photos depicting the existing driveway and are advising that we have no objections to the proposed driveway extension as depicted on the submitted drawing.

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



Appendix 2 – Zoning Comments

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

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

Comments Prepared by: 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 7.2m driveway on Stillmeadow Rd. may impact the existing Norway Maple trees (on both sides of the driveway), located within the City Right-of-Way (ROW). Further information regarding these trees is noted below:

- Norway Maple (#1): 43cm DBH, fair condition, minimum Tree Protection Zone (TPZ) 3.0m, located northwest of the proposed driveway, City owned tree
- Norway Maple (#2): 44.5cm DBH, good-fair condition, minimum Tree Protection Zone (TPZ) 3.0m, located southeast of the proposed driveway, City owned tree

Based on the drawing, it appears that the driveway will be extending further northwest from the existing driveway edge. If this interpretation is correct, it does not appear that the driveway will encroach into tree #1's minimum TPZ. If the driveway is to extend further southeast from the existing driveway edge, the driveway will encroach on tree #2's minimum TPZ and this tree will be injured at a minimum, however depending on the extent of construction impacts, this tree may require removal.

Care should be taken to protect the above noted City trees 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 or removals need to apply for Tree Application Permits as noted in Item 1.

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-24-391M / 2336 Stillmeadow Road

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

Comments:

- 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

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 1243 Ogden Ave, zoned R3-75 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an addition of an ARU proposing:

1. A side yard setback to the interior lot line of 0.18m (approx. 0.59ft) whereas By-law 0225-2007, as amended, permits a maximum side yard setback to the interior lot line of 0.60m (approx. 1.97ft) in this instance;
2. A rear yard setback of 0.22m (approx. 0.72ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 1.80m (approx. 5.91ft) in this instance; and,
3. A second driveway from a flankage side with a width of 2.75m (approx. 9.02ft) whereas By-law 0225-2007, as amended, does not permit a second driveway in this instance.

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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): A392.24 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-09-12 3:30:00 PM

Consolidated Recommendation

The City has no objections to Variances #1 and #2, however, recommend that Variance #2 be refused. 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 of an ARU proposing:

1. A side yard setback to the interior lot line of 0.18m (approx. 0.59ft) whereas By-law 0225-2007, as amended, permits a maximum side yard setback to the interior lot line of 0.60m (approx. 1.97ft) in this instance;
2. A rear yard setback of 0.22m (approx. 0.72ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 1.80m (approx. 5.91ft) in this instance; and,
3. A second driveway from a flankage side with a width of 2.75m (approx. 9.02ft) whereas By-law 0225-2007, as amended, does not permit a second driveway in this instance.

Background

Property Address: 1243 Ogden Ave

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

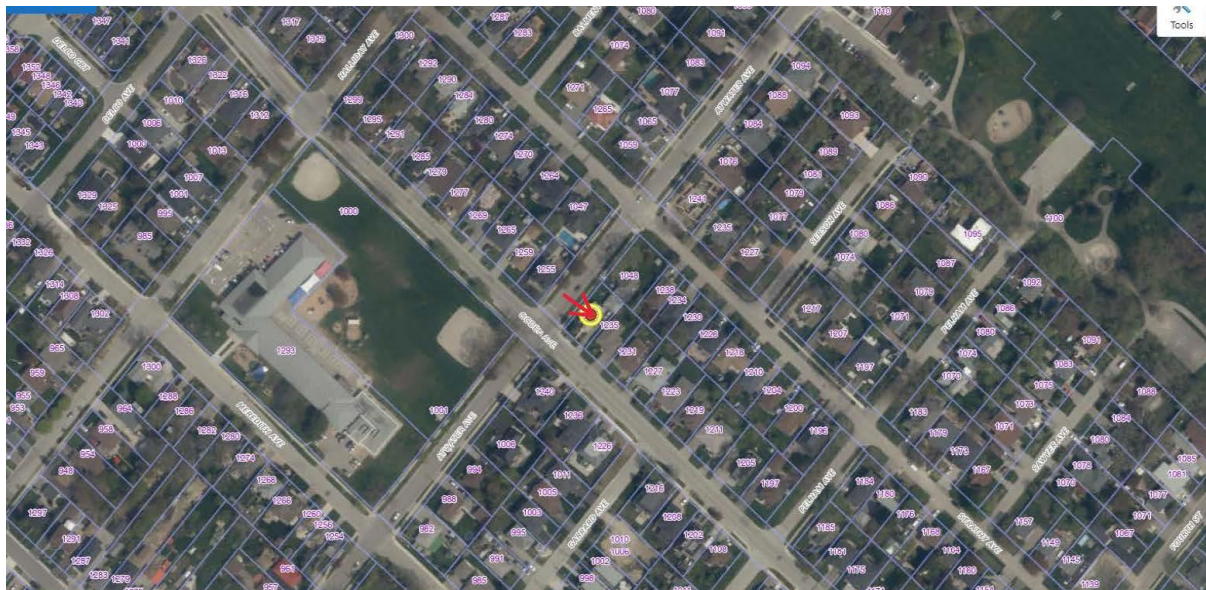
Zoning: R3-75 - Residential

Other Applications: Building Permit application SEC UNIT 24-3475

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, northeast of the Cawthra Road and Lakeshore Road East intersection. The neighbourhood consists of newer and older one and two-storey detached dwellings. The subject property contains an existing one-storey detached dwelling with a detached garage in the rear yard along with mature vegetation in the front yard.

The applicant is proposing to convert the existing detached garage to an Additional Residential Unit (ARU) requesting variances for the rear and side yard setbacks and a second driveway access.



Comments

Planning

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

Staff comments concerning the application are as follows:

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

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. The City is undertaking its ten year review and update of the Mississauga Official Plan (MOP). Amendments are proposed that will implement the Province’s legislative requirements and prioritize providing a broader range of gentle infill housing options within low-rise residential neighborhoods.

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 Variances #1 and #2, pertaining to the ARU, maintain the general intent and purpose of the Official Plan.

The applicant is proposing to convert the existing detached garage in the rear yard into an ARU, which has deficit side and rear yard setbacks. The general intent of this portion of the by-law is to ensure that an adequate buffer exists between the massing of structures on adjoining properties, and that maintenance can be performed on the structures. Staff note that the setbacks represent an existing condition, and no new massing is being introduced. Further, the rear yard setback is measured to a pinch point. Staff are of the opinion that the positioning of the dwelling allows for the maintenance of the structure and provides an adequate buffer between adjoining structures.

Staff note that the ARU size regulations are based on a property’s lot size. The information provided by the applicant on the application form indicates that the existing garage that would be converted to the ARU is 3m (9.84ft) in height and 50.18 m² (540.13 ft²) in area. However, no floor plans or elevations have been provided for staff to review. While staff are unable to confirm the accuracy of the height and area, it appears the ARU maintains the provisions of the by-law in terms of size. Based on this, staff are satisfied that the lot can appropriately accommodate the proposed ARU in a manner which is clearly accessory to the main dwelling and does not impose any negative impacts on surrounding properties.

Variance #3 requests a secondary driveway with a width of 2.75m (9.02ft). The intent of limiting the number of driveways is to limit the impacts of driveways and hardscaping on the streetscape. While staff note support for the ARU, staff are of the opinion that the existing driveway accessed from Ogden Avenue is sufficient to accommodate the required parking.

Further, Transportation and Works (T&W) staff have raised concerns regarding the second access. Planning staff echo their comments and are of the opinion that an additional driveway is not appropriate in this instance.

As such, staff are satisfied Variances #1 and #2 meet the general intent and purpose of the Zoning by-law and represent orderly development of the property. However, staff are of the opinion that Variance #3 fails to meet the four tests of a minor variance application and should be refused.

Comments Prepared by: Shivani Chopra, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Our Traffic Planning Section does not support a secondary access for the subject site and cannot see the rationale for having two access points. As per the TAC Geometric Design Guide for Canadian Roads, "Single family residential properties [are] normally restricted to one driveway, irrespective of frontage."

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

Comments Prepared by: John Salvino, Development Engineering Technologist







Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application SEC UNIT 24-3475. Based on review of the information available in this application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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

Comments Prepared by: Gary Gagnier; Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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

1. No public trees shall be injured or removed. If public tree 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-24-392M / 1243 Ogden Avenue

Development Engineering: [Brian Melnyk \(905\) 791-7800 x3602](mailto:Brian.Melnyk@peelregion.ca)

Comments:

- 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
- 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 6831 Gracefield Dr, zoned R4 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an below grade entrance to an ARU proposing an interior side yard setback of 0.75m (approx. 2.43ft) whereas By-law 0225-2007, as amended, permits a maximum an interior side yard setback of 1.20m (approx. 3.96ft) in this instance.

The Committee has set **Thursday, September 12, 2024 at 3:30 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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- **Submit a written comment:** Written comments to the Committee must be received no later than 4:30 p.m. on the Friday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and the application file number or property address you are commenting on.

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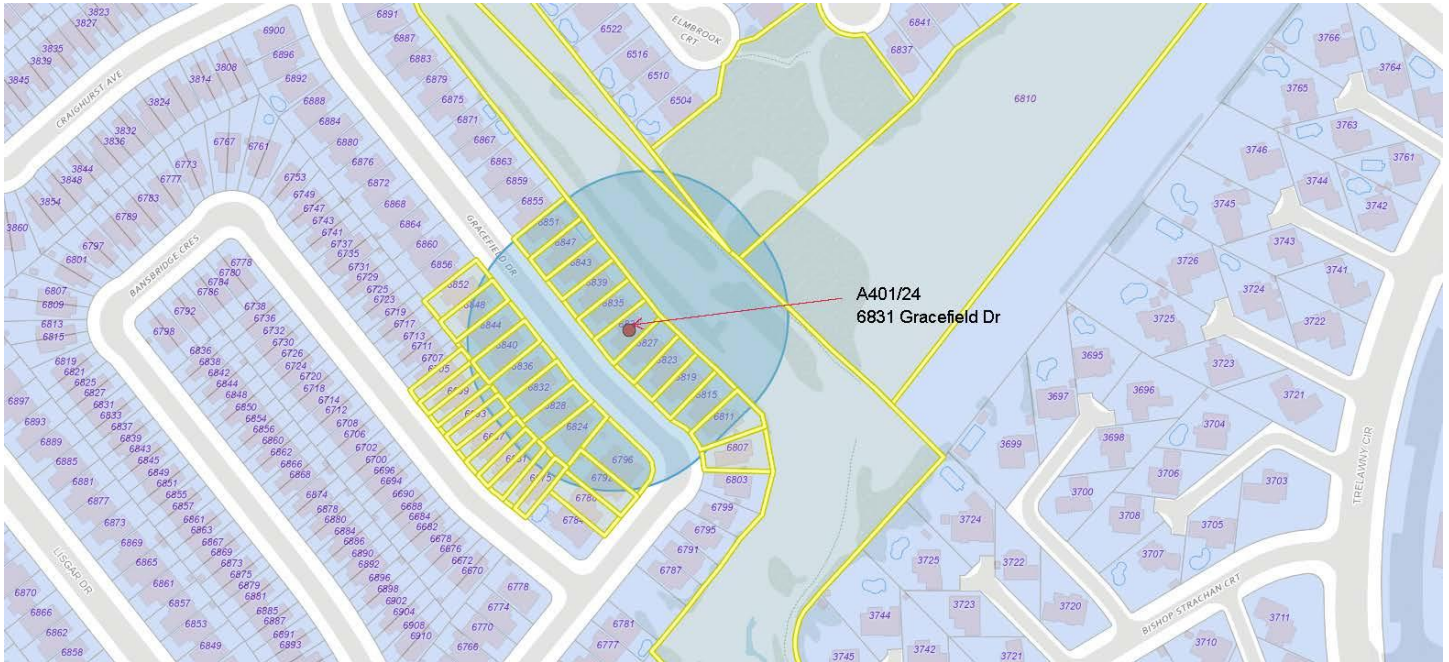
Additional Information:

- 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>.
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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): A401.24 Ward: 10
	Meeting date:2024-09-12 3:30:00 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 below grade entrance to an ARU proposing an interior side yard setback of 0.75m (approx. 2.43ft) whereas By-law 0225-2007, as amended, permits a maximum an interior side yard setback of 1.20m (approx. 3.96ft) in this instance.

Background

Property Address: 6831 Gracefield Dr

Mississauga Official Plan

Character Area: Lisgar Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R4 - Residential

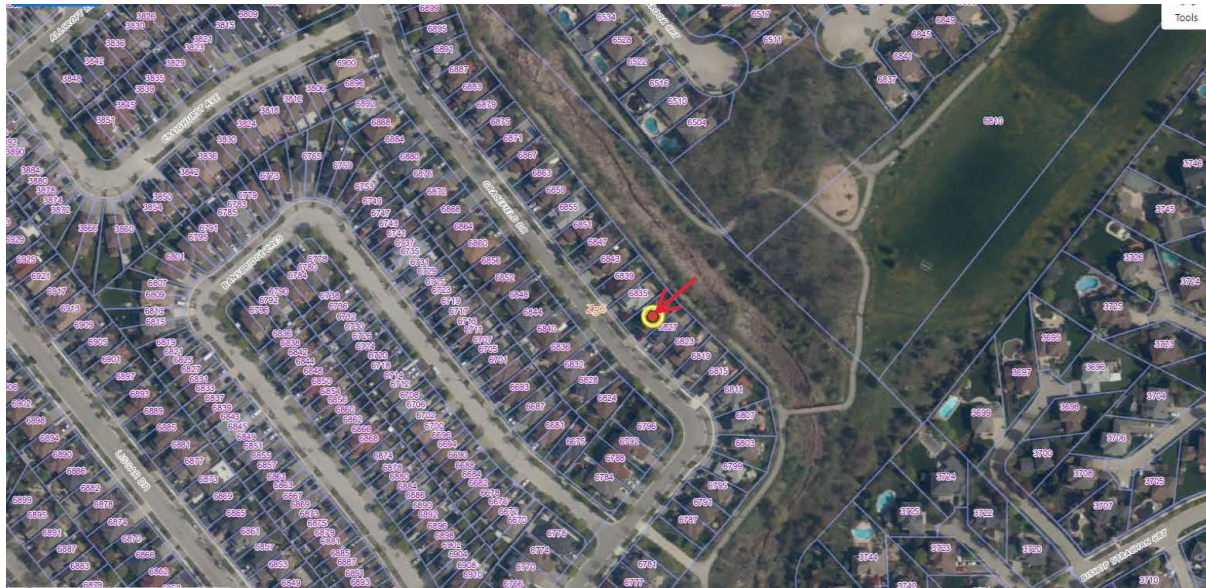
Other Applications: SEC UNIT 24-3339

Site and Area Context

The subject property is located south-east of the Derry Road West and Ninth Line intersection in the Lisgar Neighbourhood Character Area. It is an interior lot containing a two-storey detached

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

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



Comments

Planning

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

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

Staff note the presence of an existing privacy fence extending from the dwelling to the side yard lot line that was not depicted on the initial drawings submitted. Staff brought this to the attention of the applicant resulting in revised drawings being submitted depicting the below grade entrance being behind the existing privacy fence.

The subject property is located in the Lisgar 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 requests a reduced side yard setback to the below grade stairwell. The intent of this provision is to ensure that an appropriate buffer is provided between the massing of structures on abutting properties, ensuring 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

Should Committee see merit in the applicant's request we would recommend that the existing drainage pattern in the area of the proposed below grade entrance be maintained. We note that the stairwell is being proposed in an area of the property where there will still be an adequate area to maintain a drainage swale and not alter the existing drainage pattern.

Comments Prepared by: Tony Iacobucci, Development Engineering





Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application SEC UNIT 24-3339. Based on review of the information available in this application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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

Comments Prepared by: Jeanine Benitez, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

Park Planning

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

The lands adjacent to the property are owned by the City of Mississauga, identified as Lisgar Meadow Brook (P-334), 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 – Conservation Halton

CH staff have reviewed the applications included in the most recent September 12, 2024 CofA meeting agendas and aside from application A401-24 for minor variance at 6831 Gracefield Drive, none of the other properties within the applications on the agendas are within CH's jurisdiction or regulated by CH. As such, we will not be providing comments on most of the applications. Our comments on the application for 6831 Gracefield Drive are as follows:

Under Part VI of the *Conservation Authorities Act* (CA Act) and Ontario Regulation 41/24, CH regulates all watercourses, valleylands, wetlands, Lake Ontario Shoreline and hazardous lands as well as lands adjacent to these features. Based on CH's Approximate Regulation Limit (ARL) mapping, the subject property is adjacent to a tributary of Sixteen Mile Creek and the flooding and erosion hazards associated with that watercourse. CH regulates a distance of 15 metres

from the greater of the flooding and erosion hazards associated with Sixteen Mile Creek, and its tributaries. Permits are required from CH prior to undertaking development activities within CH's regulated areas and applications for development are reviewed under the CA Act, Ontario Regulation 41/24, and CH's Board-approved policies and requirements). (<https://conservationhalton.ca/policies-and-guidelines>).

A variance is requested to allow the construction of a below grade entrance for additional dwelling units, proposing a 0.75 metre interior side yard setback instead of By-Law 0225-3008's maximum interior side yard setback of 1.20 metres. On June 3, 2024, CH issued a Development Clearance Letter for the proposed works (CH File RNOL-3175). CH has no objections to the requested variances as the proposed entrance is outside of CH's regulated area.

Should any changes to the proposed development arise through the Minor Variance process, please circulate CH for further review and comment to identify any regulatory and permitting requirements.

We trust the above is of assistance. Please contact the undersigned with any questions.

Comments Prepared by: Ashley Gallagher, Planning and Regulations Analyst

Appendix 5 – Region of Peel

Minor Variance Application: A-24-401M / 6831 Gracefield 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 in the regulated area of the Halton Region Conservation Authority (HRCA). We request that City

staff consider comments from the HRCA and incorporate their conditions of approval appropriately.

Comments Prepared by: Petrele Francois, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A404.24
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 40 Mississauga Rd N, zoned RM7-5 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an accessory structure proposing:

1. An accessory structure floor are of 22.90sq m (approx. 246.50sq ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure floor are of 15.00sq m (approx. 161.46sq ft) in this instance;
2. An accessory structure height of 3.30m (approx. 10.83ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.00m (approx. 9.84ft) in this instance.

The Committee has set **Thursday, September 12, 2024 at 3:30 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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- **Submit a written comment:** Written comments to the Committee must be received no later than 4:30 p.m. on the Friday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and the application file number or property address you are commenting on.

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Additional Information:

- 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

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City of Mississauga Department Comments

Date Finalized: 2024-09-04	File(s): A404.24 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-09-12 3:30:00 PM

Consolidated Recommendation

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

Application Details

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

1. An accessory structure floor are of 22.90sq m (approx. 246.50sq ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure floor are of 15.00sq m (approx. 161.46sq ft) in this instance;
2. An accessory structure height of 3.30m (approx. 10.83ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.00m (approx. 9.84ft) in this instance.

Amendments

The Building Department is processing Building Permit application BP 9NEW 24-2267. Based on review of the information available in this application, Zoning staff advise that following amendment is required:

Revise Variance 1: An accessory structure floor of 22.90sq m whereas By-law 0225-2007, as amended, permits a maximum accessory structure floor of **10.00sq m** in this instance;

Background

Property Address: 40 Mississauga Rd N

Mississauga Official Plan

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

Zoning By-law 0225-2007

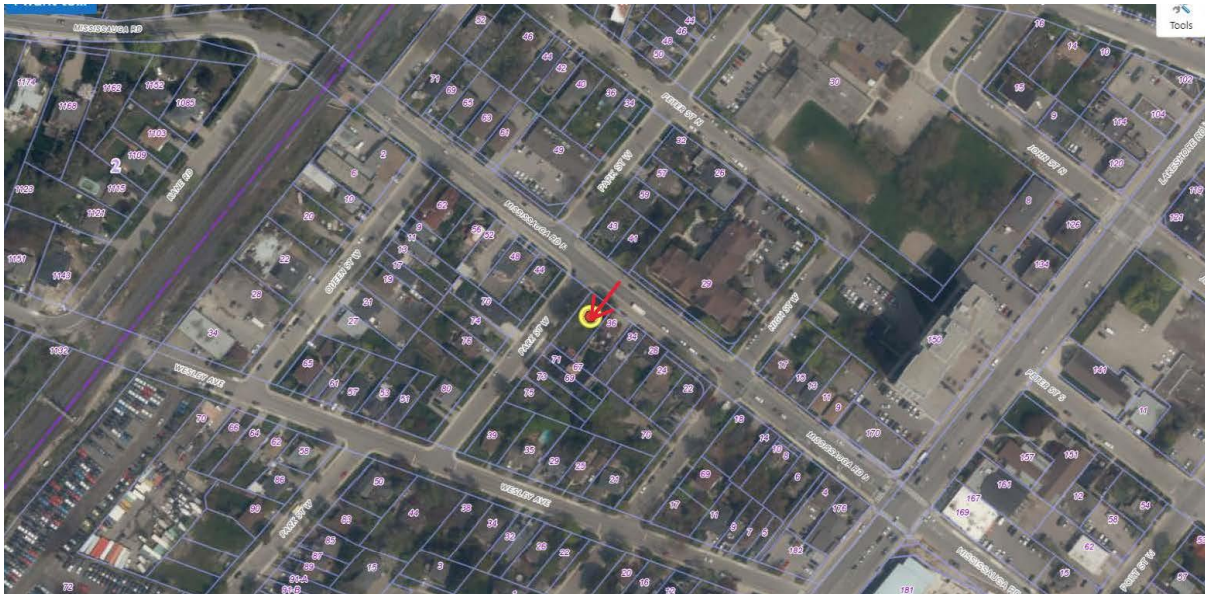
Zoning: RM7-5 - Residential

Other Applications: Building Permit application BP 9NEW 24-2267

Site and Area Context

The subject property is located within the Port Credit Neighbourhood (West) Character Area, northwest of Mississauga Road North and Lakeshore Road West intersection. The neighbourhood consists of a variety of uses, including residential, employment and mixed uses. The subject property contains an existing two-storey detached dwelling with limited vegetation in the front and exterior side yard.

The applicant is proposing to legalize an existing accessory structure requiring variances for area and height.



Comments

Planning

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

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

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

This designation permits detached, semi-detached, duplex, triplexes, street townhouses and other forms of low-rise dwellings with individual frontages. Section 9 of MOP promotes development with appropriate urban form and site design and contains policies that requires development to be compatible with the immediate vicinity.

The proposed variances are required to legalize an accessory structure on the subject property. Variance #1, as amended, pertains to accessory structure area and Variance #2 pertains to its height. The intent of the zoning by-law provisions regarding accessory structures is to ensure that the structures are proportional to the lot and dwelling and clearly accessory while not presenting any massing or overlook concerns to neighbouring lots. Staff note that while the individual proposed area exceeds the by-law regulations, it is within the maximum permissible combined area of 30m² (322.91ft²) and that there are no other existing accessory structures on the property. Staff are satisfied that the proposed structure is clearly proportional and accessory to the lot and primary dwelling.

Staff are of the opinion that the proposed height represents a small deviation of 0.3m or 1 foot from what is currently permitted as of right in the zoning by-law and are satisfied of minimal massing impacts because of the variance request.

Furthermore, Zoning staff have vetted the application, and no variances are required for setbacks or coverage, limiting the impacts to abutting properties. As such, staff are of the opinion that the request variances are minor in nature and the accessory structure meets the intent of the zoning by-law with respect to height and area regulations.

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 please find pictures of the existing garage. We have no concerns provided that the garage be equipped with an eaves trough and down spout directed in such a manner to not impact the adjacent properties.

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed shed are being addressed by our Development Construction Section through the Building Permit process, File BP 9NEW 24/2267.

Comments Prepared by: John Salvino, Development Engineering Technologist





Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application BP 9NEW 24-2267. Based on review of the information available in this application, we advise that following amendment is required:

Revise Variance 1: An accessory structure floor of 22.90sq m whereas By-law 0225-2007, as amended, permits a maximum accessory structure floor of **10.00sq m** 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. "[Enter zoning staff comments]"

Comments Prepared by: Minan Song, 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 – Metrolinx

Metrolinx is in receipt of the Minor Variance application for 40 Mississauga Road North to approve a minor variance to allow an accessory structure proposing:

- An accessory structure floor of 22.90sq m (approx. 246.50sq ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure floor area of 15.00sq m (approx. 161.46sq ft) in this instance;
- An accessory structure height of 3.30m (approx. 10.83ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.00m (approx. 9.84ft) 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 Metrolinx Oakville Subdivision which carries Metrolinx's Lakeshore West Train service.

GO/HEAVY-RAIL – ADVISORY COMMENTS

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

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

Comments Prepared by: Jenna Auger, Third Party Project Review

Appendix 5 – 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 1337 Whiteoaks Ave, zoned R2-5 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an addition proposing a flat roof height of 9.48m (approx. 31.10ft) 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 3:30 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): A406.24 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-09-12 3:30:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow an addition proposing a flat roof height of 9.48m (approx. 31.10ft) 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: 1337 Whiteoaks Ave

Mississauga Official Plan

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

Zoning By-law 0225-2007

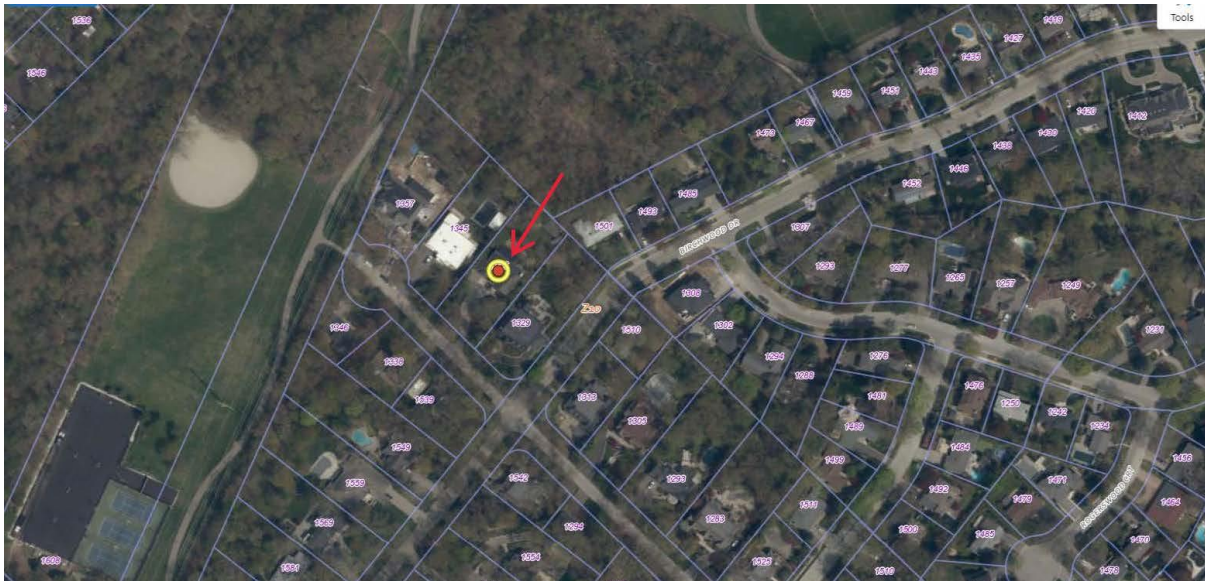
Zoning: R2-5 - Residential

Other Applications: Building Permit application BP 9ALT 24-519

Site and Area Context

The subject site is situated within the Clarkson - Lorne Park Neighbourhood Character Area, southwest of the Lorne Park Road and Truscott Drive intersection. The immediate vicinity encompasses a mix of residential, utility, school and greenlands uses. The residential uses primarily consist of two-storey detached dwellings. The subject site property contains a two-storey detached dwelling and features significant vegetation in the front yard. Lorne Park Secondary School abuts the property to the rear yard.

The proposed application seeks to develop a one storey garage addition requiring a variance for existing dwelling 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:

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

Staff note the proposal is for a one storey addition to the garage towards the rear. As a result, a variance for dwelling height has been identified. Staff note that the height is an existing condition, and no changes have been proposed to the main dwelling.

Planning staff typically does not support flat roof heights of this magnitude, however, the existing dwelling meets the intent of the flat roof height regulation, as it is limited to two-storeys. Staff also note that while the applicant requires a flat roof variance due to the definition of a flat roof and the design, the roof appears to be a sloped roof when viewed from the street. As such, staff are satisfied that the variance is technical in nature.

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.

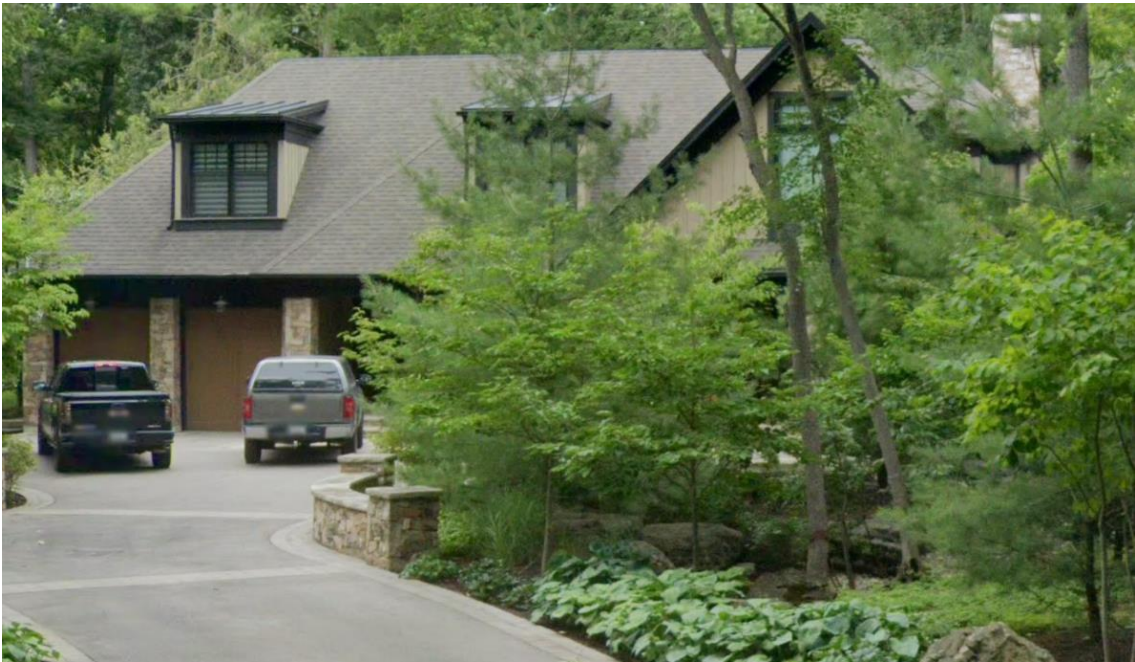
Comments Prepared by: Shivani Chopra, Committee of Adjustment Planner

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 garage addition are being addressed by our Development Construction Section through the Building Permit process, File BP 9NEW 24/519.

Comments Prepared by: John Salvino, Development Engineering Technologist



Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application BP 9ALT 24-519. Based on the review of the information available in this application, the requested variance is correct.

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

Comments Prepared by: Gary Gagnier; Zoning Examiner

Appendix 3 – 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

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 730 Meadow Wood 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 allow the construction of a new house proposing:

1. A combined side yard width of 5.65m (approx. 18.54ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard width of 9.22m (approx. 30.25ft) in this instance;
2. An eaves height of 6.97m (approx. 22.87ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance.

The Committee has set **Thursday, September 12, 2024 at 3:30 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): A407.24 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-09-12 3:30:00 PM

Consolidated Recommendation

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

Application Details

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

1. A combined side yard width of 5.65m (approx. 18.54ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard width of 9.22m (approx. 30.25ft) in this instance;
2. An eaves height of 6.97m (approx. 22.87ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance.

Amendments

The Building Department is processing Building Permit application 24-2629. Based on review of the information available in this application, Zoning staff advise that following amendments are required:

Add the following variances:

3. A left side yard setback to the eaves of 1.92m, whereas a minimum of 1.96m is required.
4. A combined width of side yards of 4.13m to the eaves, whereas a minimum of 8.32m is required.

Background

Property Address: 730 Meadow Wood Rd

Mississauga Official Plan

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

Zoning By-law 0225-2007

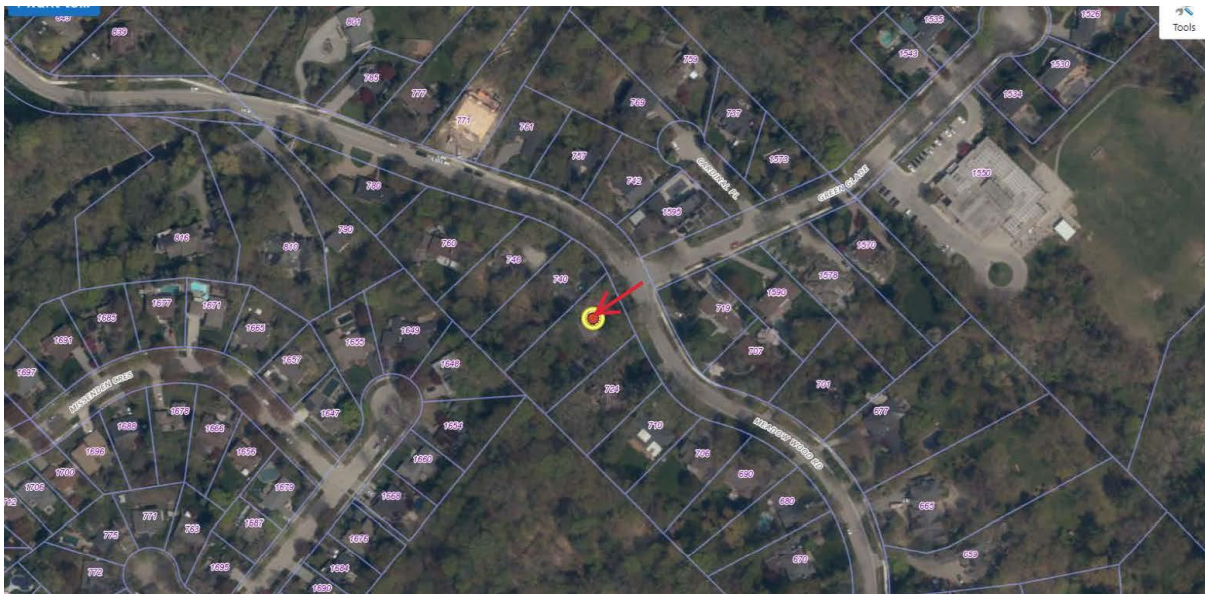
Zoning: R1-2 - Residential

Other Applications: Building Permit application 24-2629

Site and Area Context

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

The application proposes a new two-storey detached dwelling requiring variances for combined side yard width measured to the dwelling and eaves, eave height and eave setback.



Comments

Planning

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

Staff comments concerning the application are as follows:

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). The designation permits only detached dwellings in this instance. Staff are satisfied that the proposed dwelling maintains the permitted residential use and is designed in a way that respects both the existing site conditions and the surrounding context.

Zoning staff have identified additional variances for side yard setback measured to the eaves. Variances #1, #3 and #4 all pertain to side yard setback regulations. The general intent of the side yard regulations in the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties. Staff note that while the reduction in the combined setback width appears significant numerically, the proposed dwelling provides adequate individual setbacks for both the northernly and southernly side yards. Staff are of the opinion that the dwelling maintains sufficient buffer between primary structures on neighboring properties. Further, through a review of the immediate neighborhood, staff are satisfied that the proposed setbacks are consistent with the setbacks found in the immediate area.

Variance #2 pertains to eave height. The intent in restricting height to the eaves is to lessen the visual massing of dwelling by lowering the overall pitch of the roof and bringing the edge of the roof closer to the ground. This keeps the overall height of the dwelling within human scale. Staff are satisfied that the proposed increase of 0.57m (1.87ft) is exceedingly minor numerically and will be mitigated by the difference in average and finished grade. Staff are satisfied the increase will be unperceivable and that incorporation of architectural features like varying materials and windows in the dwelling design further mitigates any massing impacts. Further staff note no variance for overall dwelling height is required.

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 24/2629.

Comments Prepared by: John Salvino, Development Engineering Technologist



Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application 24-2629. Based on review of the information available in this application, we advise that following amendments are required:

Add the following variances:

5. A left side yard setback to the eaves of 1.92m, whereas a minimum of 1.96m is required.

6. A combined width of side yards of 4.13m to the eaves, whereas a minimum of 8.32m is required.

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

Comments Prepared by: Sibila Lass Weldt, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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 Meadowwood Park (P-006), classified as a Significant Natural Area within the City's Natural Heritage System, and zoned G2. 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 asphalt driveway on Meadow Wood Rd. will likely impact the existing False Cypress tree and existing Red Oak tree, located within the City Right-of-Way (ROW). Further information regarding these trees is noted below:

- False Cypress: 20cm DBH approx., good condition, minimum Tree Protection Zone (TPZ) 1.5m, located north of the proposed asphalt driveway, City owned tree
- Red Oak: Multi-stem, 110cm/80cm DBH approx., good condition, minimum Tree Protection Zone (TPZ) 11.4m, located south of the proposed asphalt driveway, City owned tree

Forestry also notes that the proposed 38mm Copper "K" Water Service will likely impact the existing Colorado Spruce tree, located within the City Right-of-Way (ROW). Further information regarding this tree is noted below:

- Colorado Spruce: 26cm DBH, fair-poor condition, minimum Tree Protection Zone (TPZ) 1.8m, located south of the proposed 38mm Copper "K" Water Service, City owned tree

Care should be taken to protect the above noted City trees, and all City trees located on 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. 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 – Region of Peel

Minor Variance Application: A-24-407M / 730 Meadow wood Road

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



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A408.24
Ward: 11

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 121 Bonham Blvd, zoned RM1 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a driveway width of 8.5m (approx. 27.9ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 5.2m (approx. 17.1ft) in this instance.

The Committee has set **Thursday, September 12, 2024 at 3:30 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.
- **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): A408.24 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-09-12 3:30:00 PM

Consolidated Recommendation

The City recommends the application be deferred for redesign.

Application Details

The applicant requests the Committee to approve a minor variance to allow a driveway width of 8.5m (approx. 27.9ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 5.2m (approx. 17.1ft) in this instance.

Background

Property Address: 121 Bonham Blvd

Mississauga Official Plan

Character Area: Streetsville Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM1 - Residential

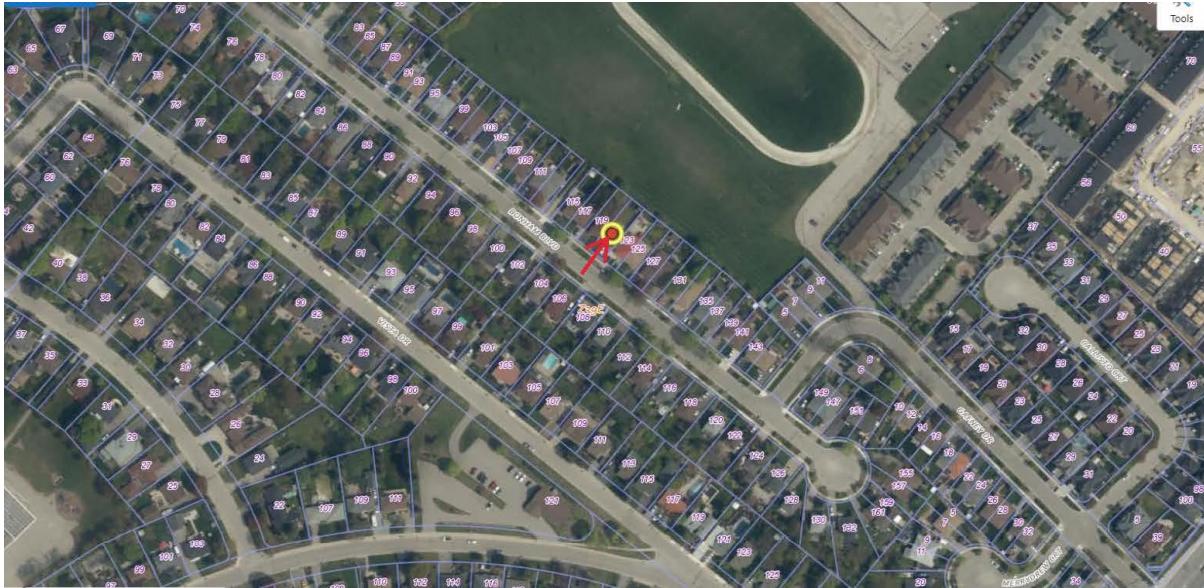
Other Applications: None

Site and Area Context

The subject property is located north-west of the Thomas Street and Joymar Drive intersection in the Streetsville Neighbourhood Character Area. It is an interior lot containing a two-storey semi-detached dwelling. The subject property has an approximate frontage of +/- 9.13m (29.95ft). Limited landscaping and vegetative elements are present on the subject property. The

surrounding context is predominantly residential, consisting of detached and semi-detached dwellings with an institutional use (Streetsville Secondary Public School) abutting the property to the rear.

The applicant is proposing to legalize an existing driveway requiring a variance for driveway width.



Comments

Planning

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

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

The subject property is located in the Streetsville Neighbourhood Character Area and is designated Residential Low Density II. Section 9 of the Mississauga Official Plan (MOP) promotes development (including its features such as driveways and landscaping) with appropriate urban form and site design, regulating that such development is compatible with the existing conditions, the surrounding context and the landscape of the character area. The planned character of the area are dwellings accessed by appropriately sized driveways. The existing driveway is not compatible with the existing or planned character of the area. Staff are of the opinion that the general intent and purpose of the official plan is not maintained in this instance.

The proposed variance relates to a widened driveway on the subject property. The planned character of the area are dwellings serviced by appropriately sized driveways that can accommodate the parking of vehicles required by the zoning by-law for each property. The intent of the driveway width regulations in the by-law is to allow a driveway to accommodate two vehicles parked side by side, with the remainder of the front yard being soft landscaped area. The existing driveway is able to facilitate the parking of 3 or more motor vehicles parked side by side. Further, the existing driveway creates a significant amount of hardscaping that dominates the perceived street frontage of the property. The subject property does not possess the frontage necessary to support the size of the driveway and meet the intent of the regulations.

Given the above, staff are of the opinion that the application be deferred to allow the applicant the opportunity to redesign the driveway.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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

Comments Prepared by: Tony Iacobucci, Development Engineering







Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Crystal Abainza, Zoning Examiner

Appendix 3 – Region of Peel**Minor Variance Application: A-24-408M / 121 Bonhom Boulevard**Development Engineering: Brian Melnyk (905) 791-7800 x3602**Comments:**

- 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

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 3180 American Dr, zoned E3 - Employment, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance proposing a landscape buffer of 0.30m (approx. 0.98ft) whereas By-law 0225-2007, as amended, requires a minimum landscape buffer of 4.50m (approx. 14.76ft) in this instance.

The Committee has set **Thursday, September 12, 2024 at 3:30 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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Additional Information:

- For more information about this matter, contact committee.adjustment@mississauga.ca 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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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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City of Mississauga Department Comments

Date Finalized: 2024-09-04	File(s): A410.24 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-09-12 3:30:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

The applicant requests the Committee to approve a minor variance proposing a landscape buffer of 0.30m (approx. 0.98ft) whereas By-law 0225-2007, as amended, requires a minimum landscape buffer of 4.50m (approx. 14.76ft) in this instance.

Background

Property Address: 3180 American Dr

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: E3 - Employment

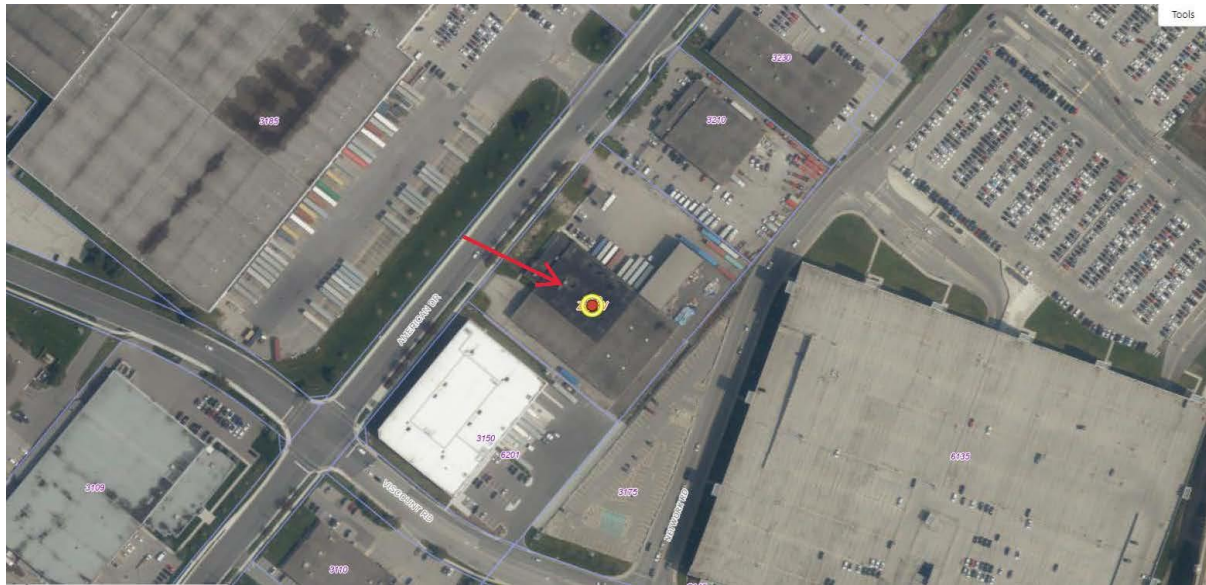
Other Applications: PREAPP 24-2781

Site and Area Context

The subject property is located on the south side of American Drive, east of the Airport Road and American Drive intersection in the Northeast Employment Area (East). The subject property currently contains a one-storey industrial building and an associated surface parking lot. Limited

landscaping and vegetative elements are present on the subject property. The surrounding area consists predominantly of industrial buildings on varied lot sizes.

The applicant is proposing to construct a new parking lot requiring a variance for a reduced landscape buffer.



Comments

Planning

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

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

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

The sole variance requests a reduction of the landscape buffer. The intent of this portion of the by-law is to ensure an appropriate buffer exists abutting all lot lines and that the on-site parking area is separate from the municipal right-of-way. Staff note the presence of an existing landscape boulevard which provides an appropriate landscaped area allowing for adequate separation from the parking area. The proposed reduction remains consistent with other properties in the immediate area.

Given the above, Planning staff are of the opinion that the proposal maintains the general intent and purpose of 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 subject property and we note that we have no objections to the requested variance.

Comments Prepared by: Tony Iacobucci, Development Engineering





Appendix 2 – Zoning Comments

The Building Division is processing Preliminary Zoning Review PREAPP 24-2781. 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: 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-24-410M / 3180 American Drive

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

Appendix 5 – Metrolinx

Metrolinx is in receipt of the Minor Variance application for 3180 American Drive to approve a minor variance to accommodate an increase in parking proposing a landscape buffer of 0.30m (approx. 0.98ft) whereas By-law 0225-2007, as amended, requires a minimum landscape buffer of 4.50m (approx. 14.76ft) 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 Metrolinx Pearson Subdivision which carries Metrolinx's UP Express Train service.

GO/HEAVY-RAIL – ADVISORY COMMENTS

- As the requested variances have minimal impact on Metrolinx property, Metrolinx has no objections to the specified variances should the committee grant approval.
- The Proponent is advised of the following:
 - **Warning:** The Applicant is advised that the subject land is located within Metrolinx's 300 metres railway corridor zone of influence and as such is advised that Metrolinx and its assigns and successors in interest has or have a right-of-way within 300 metres from the subject land. The Applicant is further advised that there may be alterations to or expansions of the rail or other transit facilities on such right-of-way in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx to use the right-of-way or their assigns or successors as aforesaid may expand or alter their operations, which expansion or alteration may affect the environment of the occupants in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual lots, blocks or units.

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

Comments Prepared by: Jenna Auger, Third Party Project Review

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 575 Byngmount Ave, zoned R3-75 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing an interior side yard setback on both sides of the third storey of 0.77m (approx. 2.53ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 2.42m (approx. 7.94ft) to a third storey in this instance.

The Committee has set **Thursday, September 12, 2024 at 3:30 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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- **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.

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

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

Additional Information:

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

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City of Mississauga Department Comments

Date Finalized: 2024-09-04	File(s): A424.24 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-09-12 3:30:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing an interior side yard setback on both sides of the third storey of 0.77m (approx. 2.53ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 2.42m (approx. 7.94ft) to a third storey in this instance.

Background

Property Address: 575 Byngmount Ave

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

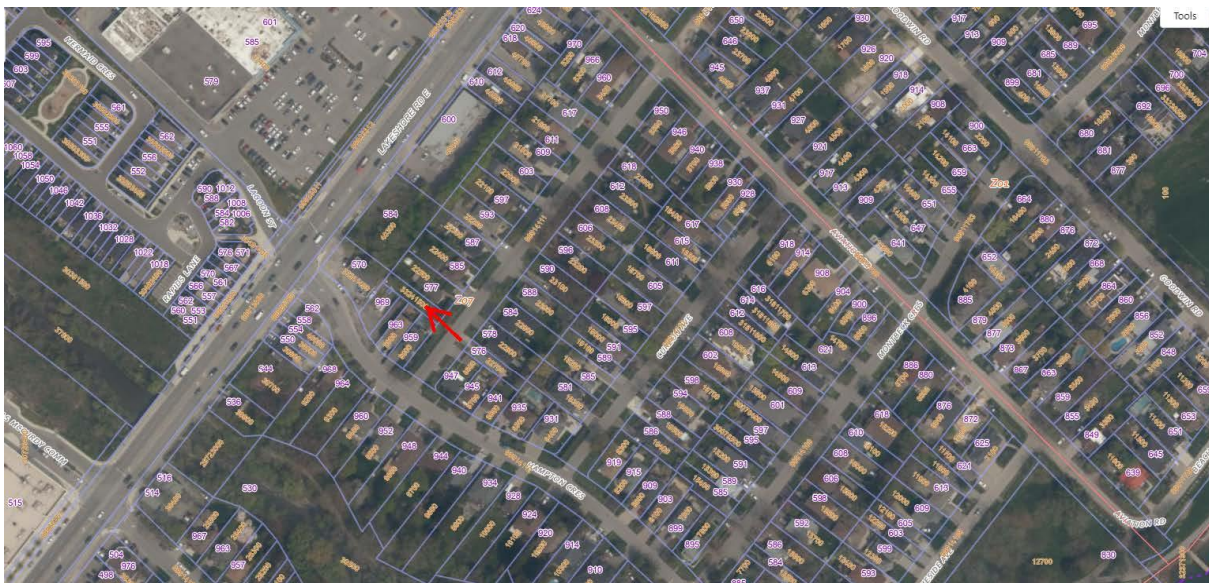
Zoning: R3-75 - Residential

Other Applications: Building Permit application BP 9NEW 24-3169

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Area, southwest of the Lakeshore Road East and Aviation Road intersection. The immediate neighbourhood is primarily residential consisting of older and newer one to three-storey detached dwellings on lots with mature vegetation in both the front and rear yards. The subject property is currently vacant with mature vegetation.

The applicant is proposing a new two-storey dwelling requesting variances for side yard setbacks to a technical third storey.



Comments

Planning

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

Staff comments concerning the application are as follows:

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

Staff note that the subject property was before the Committee of Adjustment on April 4, 2024, under file A142.24 for variances pertaining to side yard setbacks and eave height. Staff had recommended support at the time and the application was approved by the Committee. However, through discussions at the hearing, the variances were amended to capture the side

yard setbacks measured to the first and second storey individually. During the building permit process, Zoning staff identified that the basement would be considered as the first storey. As a result, the second storey is technically considered the third storey and requires a variance.

The current application seeks a side yard setback of 0.77m (2.53ft) measured to the third storey on both sides. Staff are of the opinion that the variance is technical in nature and have no concerns.

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 24/3169.

Comments Prepared by: John Salvino, Development Engineering Technologist



Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application BP 9NEW 24-3169. Based on the review of the information available in this application, the requested variance is correct.

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

Comments Prepared by: Minan Song, 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



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A130.23
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 957 Beechwood Ave, zoned R3-75- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling proposing:

1. A front yard setback to the house (second floor) of 3.59m (approx. 11.78ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.50m (approx. 24.61ft) in this instance;
2. A front yard setback to the garage of 3.59m (approx. 11.77ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.50m (approx. 24.61ft) in this instance;
3. A front yard setback to eaves (second floor) of 2.41m (approx. 7.91ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.50m (approx. 24.61ft) in this instance;
4. A front porch encroachment of 3.45m (approx. 11.32ft) whereas By-law 0225-2007, as amended, permits a maximum front porch encroachment of 1.60m (approx. 5.25ft) in this instance;
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7. A northern interior side yard setback to the second floor of 1.28m (approx. 4.19ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.81m (approx. 5.94ft) in this instance;
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9. A garage depth of 5.21m (approx. 17.09ft) whereas By-law 0225-2007, as amended, requires a minimum garage depth of 6.00m (approx. 19.69ft) in this instance;
10. A lot coverage of 43.43% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35% in this instance;
11. An eave height of 7.90m (approx. 25.92ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance;
12. A building height (sloped roof) of 9.85m (approx. 32.32ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.50m (approx. 31.17ft) in this instance;
13. Basement bedrooms in the floodplain whereas By-law 0225-2007, as amended, does not allow bedrooms within the floodplain in this instance; and,
14. 1 parking space whereas By-law 0225-2007, as amended, requires a minimum of 2 parking spaces in this instance.

The Committee has set **Thursday, September 12, 2024 at 3:30 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

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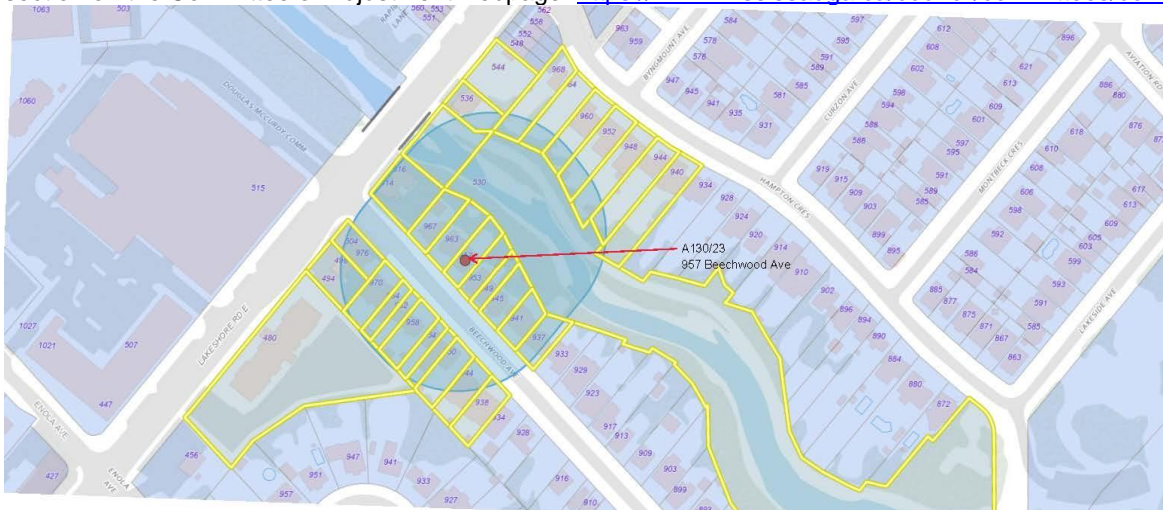
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City of Mississauga Department Comments

Date Finalized: 2024-09-04	File(s): A130.23
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2024-09-12 3:30:00 PM

Consolidated Recommendation

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

Application Details

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

1. A front yard setback to the house (second floor) of 3.59m (approx. 11.78ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.50m (approx. 24.61ft) in this instance;
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13. Basement bedrooms in the floodplain whereas By-law 0225-2007, as amended, does not allow bedrooms within the floodplain in this instance; and,
14. 1 parking space whereas By-law 0225-2007, as amended, requires a minimum of 2 parking spaces in this instance.

Background

Property Address: 957 Beechwood Ave

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Greenlands; Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3-75- Residential

Other Applications: None

Site and Area Context

The subject property is located in the Lakeview Neighbourhood Character Area, southeast of the Enola Avenue and Lakeshore Road East intersection. The immediate neighbourhood primarily consists of a mix of older and newer one and two-storey detached dwellings with mature vegetation in the front yards. The subject property contains a one-storey detached dwelling with vegetation in the front yard.

The applicant proposes a new two-storey detached dwelling requiring variances for setbacks to the dwelling, garage and eaves, front porch encroachment, building height, eave height, lot

coverage, garage depth, basement bedrooms within the floodplains and insufficient parking spaces.



Comments

Planning

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

Staff comments concerning the application are as follows:

Staff note this application was previously before the Committee of Adjustment on October 12, 2023, and March 21, 2024, wherein the applicant was proposing a three-storey dwelling. Staff had recommended refusal of the height and associated variances for the third storey. The applicant has since revised the proposal to a two-storey dwelling.

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

Planning staff are of the opinion that the proposed built form of the detached dwelling is appropriate for the subject property given surrounding conditions and will not negatively impact the streetscape. Further, staff are satisfied that the proposal respects the designated and surrounding land uses.

Variations #1, #2, #3 and #4 pertain to deficient front yard setbacks measured to the dwelling, garage, eaves and front porch encroachment. Variations #5, #6, #7 and #8 are for interior side yard setbacks measured to the second storey and eaves.

The intent of a front yard setback is to ensure that a consistent character is maintained along the streetscape and that a sufficient front yard space is incorporated into the design of neighbourhoods. The general intent of side yard regulations in the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties. Planning staff observe that the front yard setbacks align with those found in the immediate area.

Staff are satisfied that a consistent character is maintained along the streetscape and that an appropriate front yard space is maintained. Staff note the reduction in the side yard setback is measured to the second storey. The first storey meets the minimum side yard setback requirement, and the applicant is proposing to align the second storey on top of the first storey. This aligns with the character of most dwellings found in the immediate area. In light of these considerations, staff supports these variations.

Variance #9 pertains to reduced garage depth. The intent of this provision is to ensure that the garage can accommodate the parking of atypical vehicles entirely within the garage area. Staff note that the requested depth of the garage meets the length of a legal non-residential parking space and will maintain the ability to provide parking for vehicles of average length.

Variance #10 pertains to lot coverage. Staff note that the dwelling's footprint represents 30.76% of the total lot coverage in this instance, which is well below the maximum permissible lot coverage of 35%. The rear deck, front porch, excessive eaves and structure add an additional 12.67% to the proposed lot coverage. Staff are of satisfied that these elements present negligible massing concerns.

Variations #9 and #10 pertain to eave height and height respectively. The intent in restricting height to the eaves and overall height is to lessen the visual massing of the dwelling and bringing the edge of the roof and dwelling height closer to the ground. This keeps the height of the dwelling within human scale. Staff are satisfied that the proposed increases in height are appropriate for the subject property. Staff are satisfied the increase in height is minor and is required to facilitate a two-storey dwelling only.

Variance #13 pertains to basement bedrooms in the floodplains. The intent of limiting bedrooms below the Regulatory Flood Level is to limit the impacts of potential flooding on structures. In this instance Credit Valley Conservation staff have provided comments indicating that they have no objection to the proposal. Given that the City relies on the expertise of the Credit Valley Conservation Authority on these matters and the authority's indicated position on the request, staff are supportive of the variance.

Variance #14 requests a reduction in the total number of parking spaces. Planning staff rely on Municipal parking staff's expertise on parking reduction. Municipal Parking staff have reviewed the variance request and provide the following comments:

Per the submitted application materials, the Applicant indicates they are unable to accommodate a second parking space on the subject property. Due to the proposed design and location of the new dwelling, only a single vehicle garage will be provided.

The front of the garage is located in such a manner that does not allow a second vehicle to be fully accommodated on the portion of the driveway located on the subject property. The applicant indicates that the driveway is of sufficient length, when including the municipal boulevard, to accommodate two vehicles.

Staff advise that no justification has been provided as to why the new dwelling and/or driveway have been designed in a manner to not appropriately accommodate the required vehicle parking on the subject lands. Further, the applicant advises that they will be a multi-generational household, however, does not indicate what the parking demands of the household is.

The applicant has not provided satisfactory justification to support the proposed parking reduction. As the parking deficiency is greater than 10% from the existing Zoning By-law 0225-2007, as amended, per the Parking Terms of Reference a satisfactory Parking Utilization Study is required. The applicant should refer to the City's Parking [Terms of Reference](#) for parking justification requirements to be included with a formal submission. The applicant should confirm the survey methodology with staff prior to conducting parking surveys.

In lieu of seeking a parking reduction, Municipal Parking staff encourage the applicant to make an attempt to increase the distance between the face of garage and the property line to at least 5.2 m in order to accommodate the by-law required second parking space within the limits of the site.

Should the applicant prefer to seek a parking reduction to permit only 1 parking space within the site, Municipal Parking staff recommend the application be deferred pending the submission of a satisfactory Parking Utilization Study (PUS).

Notwithstanding the above, Planning staff recognise the dwelling sits close to the front lot line due to floodplain constraints.

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

Comments Prepared by: Shivani Chopra, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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

We note that due to the unique situation that this site proposes due to the fact that the dwelling needs to be moved forward because of the flood plain in the rear, we have no concerns with the minor variance, and we will defer the decision to the Committee.

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 Credit Valley Conservation, leased by the City of Mississauga, identified as Helen Molasy Memorial Park (P-261), 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 4.57m driveway on Beechwood Ave. may injure the existing Colorado Spruce tree and will likely injure the existing Linden tree, both located within the City Right-of-Way (ROW). Further information regarding these trees is noted below:

- Colorado Spruce: 34cm DBH, fair condition, minimum Tree Protection Zone (TPZ) 2.4m, located northwest of the driveway, City owned tree
- Linden: 45cm DBH approx., good condition, minimum Tree Protection Zone (TPZ) 3.0m, located southeast of the driveway, City owned tree

Care should be taken to protect the above noted City trees as best as possible. Note that Linden trees do not tolerate construction impacts well and as a result, the Linden tree may need to be removed depending on the impact of the proposed development. 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 – Region of Peel

Our previous comments still apply.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 5 – 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 property is partially regulated due to flood hazard associated with Cooksville Creek. As such, the property is regulated by CVC under Ontario Regulation 41/24. As such, the property is subject to 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 the following minor variances:

1. A front yard setback to the house (second floor) of 3.59m (approx. 11.78ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.50m (approx. 24.61ft) in this instance;

2. A front yard setback to the garage of 3.59m (approx. 11.77ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.50m (approx. 24.61ft) in this instance;
3. A front yard setback to eaves (second floor) of 2.41m (approx. 7.91ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.50m (approx. 24.61ft) in this instance;
4. A front porch encroachment of 3.45m (approx. 11.32ft) whereas By-law 0225-2007, as amended, permits a maximum front porch encroachment of 1.60m (approx. 5.25ft) in this instance;
5. A southern interior side yard setback to the second floor of 1.32m (approx. 4.33ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.81m (approx. 5.93ft) to the second floor in this instance;
6. A southern side yard setback to the eaves of the second floor of 0.88m (approx. 2.89ft) whereas By-law 0225- 2007, as amended, requires a minimum interior side yard setback of 1.81m (approx. 5.93ft) to the second floor in this instance;
7. A northern interior side yard setback to the second floor of 1.28m (approx. 4.19ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard setback of 1.81m (approx. 5.94ft) in this instance;
8. A northern side yard setback to the eaves of the second floor of 0.82m (approx. 2.69ft) whereas By-law 0225- 2007, as amended, requires a minimum interior side yard setback of 1.81m (approx. 5.93ft) to the second floor in this instance;
9. A garage depth of 5.21m (approx. 17.09ft) whereas By-law 0225-2007, as amended, requires a minimum garage depth of 6.00m (approx. 19.69ft) in this instance;
10. A lot coverage of 43.43% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35% in this instance;
11. An eave height of 7.90m (approx. 25.92ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance;
12. A building height (sloped roof) of 9.85m (approx. 32.32ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.50m (approx. 31.17ft) in this instance;
13. Basement bedrooms in the floodplain whereas By-law 0225-2007, as amended, does not allow bedrooms within the floodplain in this instance; and,
14. 1 parking space whereas By-law 0225-2007, as amended, requires a minimum of 2 parking spaces in this instance.

COMMENTS:

CVC staff have reviewed the minor variance application and have **no concerns** and **no objection** to the approval of this minor variances by the Committee at this time.

CVC has previously reviewed and issued a permit for the proposed development as part of CVC permit application FF 23/073. A revised permit from CVC will be required for the new design.

Comments Prepared by: Eric James, Junior Regulations Officer

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 3041 Keynes Cres, zoned R4-Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a driveway proposing a driveway width of 7.20m (approx. 23.62ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

The Committee has set **Thursday, September 12, 2024 at 3:30 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.
- **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 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): A255.24 Ward: 9
	Meeting date:2024-09-12 3:30:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow a driveway proposing a driveway width of 7.20m (approx. 23.62ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

Background

Property Address: 3041 Keynes Cres

Mississauga Official Plan

Character Area: Meadowvale Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R4-Residential

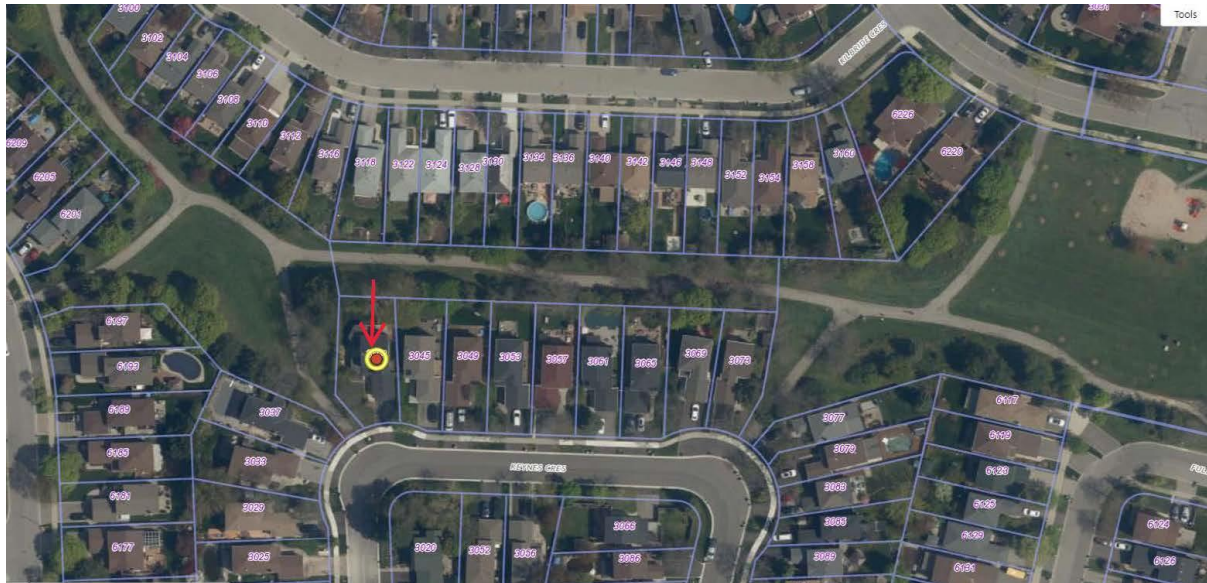
Other Applications: None

Site and Area Context

The subject property is located north-west of the Britannia Road and Winston Churchill Boulevard intersection in the Meadowvale Neighbourhood Character Area. It is an interior lot containing a two-storey detached dwelling with an attached garage. The subject property has an

approximate lot area of +/- 559.49m² (6,022.30ft²). Limited landscaping and vegetative elements are present on the subject property. The surrounding context is exclusively residential, consisting of detached dwellings on lots of varying sizes.

The applicant is proposing to widen the existing driveway on the subject property requiring a variance for driveway width.



Comments

Planning

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

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

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

The proposed variance relates to a widened driveway on the subject property. The applicant has worked with staff to reduce the existing driveway width and walkway attachment area. The configuration of the existing driveway would permit motor vehicles to park beside the front entryway of the dwelling, which staff do not support. The planned character of the area are dwellings serviced by appropriately sized driveways that can accommodate the parking required by the zoning by-law for each property. The intent of the driveway width regulations in the by-

law is to permit a driveway that can accommodate two vehicles parked side by side, with the remainder of the front yard being soft landscaped area. Staff note the proposed width of 7.2m (23.62ft) is measured from both sides near the top of the driveway. The driveway tapers down to a width of 6.25m (20.50ft) at the end of the driveway. Staff are of the opinion that the proposed driveway is in character for the surrounding context, will not create undue impacts on adjacent properties and maintains a soft landscaping area appropriate for the neighbourhood.

Staff are satisfied the proposal 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

Further to our comments submitted for the June 13, 2024 Hearing we note that the applicant has provided a revised Site Plan which indicates that portion of the existing concrete driveway is to be removed and soft landscaping to be re-instated which we now can support.

Comments Prepared by: Tony Iacobucci, Development Engineering





Appendix 2 – Zoning Comments

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

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

Comments Prepared by: 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 Millgrove Trail (P-196), 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 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