
Committee of Adjustment

Date: December 5, 2024
Time: 1:00 PM
Location: Council Chambers, Civic Centre, 2nd Floor
300 City Centre Drive, Mississauga, Ontario, L5B 3C1
and Online Video Conference

Members

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

Contacts

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

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

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

Send written submissions or request notification of future meetings to:

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

Requests to speak:

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

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

-
1. CALL TO ORDER
 2. DECLARATION OF CONFLICT OF INTEREST
 3. DEFERRALS OR WITHDRAWALS
 4. MATTERS TO BE CONSIDERED
 - 4.1 B63.24, B64.24
4855, 4859, & 4861 Tahoe Blvd (Ward 3)
 - 4.2 B70.24
3160 Derry Rd E (Ward 5)
 - 4.3 B52.24, A393.24, A394.24
1460 Moonbrook Road (Ward 1)
 - 4.4 B53.24, A395.24, A396.24
1466 Moonbrook Road (Ward 1)
 - 4.5 B54.24, A397.24, A398.24
1472 Moonbrook Road (Ward 1)
 - 4.6 B55.24, A399.24, A400.24
1478 Moonbrook Road (Ward 1)
 - 4.7 A354.24
4825 Owl Circle (Ward 4)
 - 4.8 A456.24
1143 Brooks Dr (Ward 1)
 - 4.9 A525.24
939 Winston Churchill Blvd (Ward 2)
 - 4.10 A350.24
2556 Meadowpine Blvd (Ward 9)
 5. OTHER BUSINESS
 6. ADJOURNMENT

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 4855, 4859, & 4861 Tahoe Blvd, zoned E2-40 - Employment, has applied for Consent under Section 53 of the Planning Act. B63.24

The applicant requests the Consent of the Committee for the creation of an easement. The easement has area of approximately 44700 sq. m.

B64.24

The applicant requests the Consent of the Committee for the creation of an easement. The easement has area of approximately 1500 sq. m.

The Committee has set **Thursday, December 5, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown.

How to participate:

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

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

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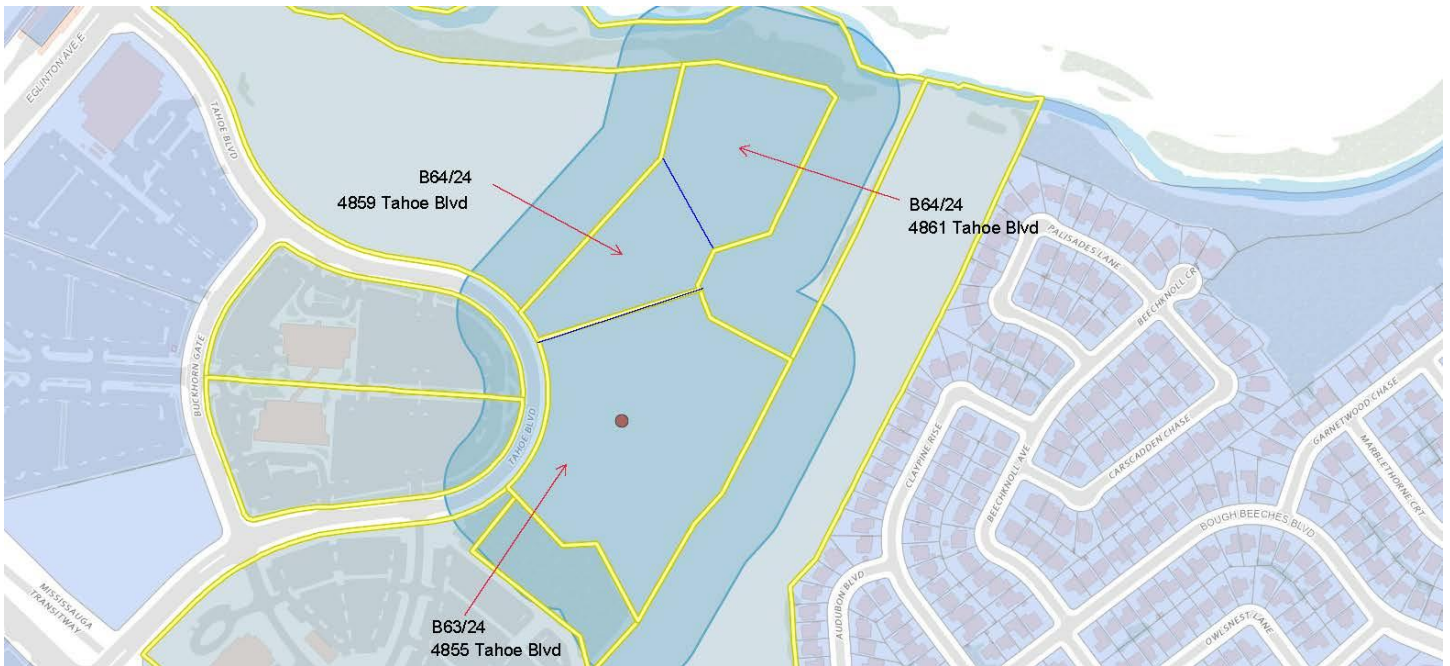
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Legal notice:

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 x5507.

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2024-11-27	File(s): B63.24 B64.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:12/5/2024 1:00:00 PM

Consolidated Recommendation

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

Application Details

B63.24

The applicant requests the Consent of the Committee for the creation of an easement. The easement has area of approximately 44700 sq. m.

B64.24

The applicant requests the Consent of the Committee for the creation of an easement. The easement has area of approximately 1500 sq. m.

Recommended Conditions and/or Terms

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 4855, 4859, & 4861 Tahoe Blvd

Mississauga Official Plan

Character Area: Airport Corporate Centre

Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2-40 - Employment

Other Applications: SP 24-12 & SP 24-13

Site and Area Context

The lands subject to the application consist of two properties. One property is municipally addressed as 4859 and 4861 Tahoe Boulevard with the other property addressed as 4855 Tahoe Boulevard.

The subject properties are located south-east of the Eglinton Avenue East and Creekbank Road intersection in the Airport Corporate Centre Character Area. They are an interior lot that is currently vacant and undergoing site plan review. The site plan applications propose a total of three industrial buildings with 4859 and 4861 Tahoe Boulevard being located on one property and 4855 Tahoe Boulevard on the other. The surrounding area is comprised of various industrial and commercial buildings with associated surface parking areas. Additionally, Etobicoke Creek abuts the property to the East.

The applicant is proposing mutual access easements on the properties to allow for a sufficient path of travel.



Comments

Planning

Provincial Matters

The Provincial Policy Statement 2024 (PPS 2024) promotes efficient development and land use, directing the focus towards intensification and redevelopment. The proposal is consistent with the general directive in provincial policy.

Planning Act

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

Staff comments concerning the application are as follows:

The applicant is proposing three new easements to accommodate vehicular access across the subject properties. Staff note Easement 1 and Easement 2 is to facilitate a shared access arrangement between the lands municipally known as 4855 Tahoe Boulevard and 4859, 4861 Tahoe Boulevard. Easement 3 is to facilitate a shared access arrangement in the event access is required in the future for the abutting lands to the west of the 4855 Tahoe Boulevard site.

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

Staff further note the revised drawings indicate the following proposed access easement areas:

- Proposed Access Easement 1: 1,353.85m² (0.13ha)
- Proposed Access Easement 2: 2,775.02m² (0.27ha)
- Proposed Access Easement 3: 785.13m² (0.07ha)

Staff note the proposed access easement areas applied for totals 44,700m² (B63.24) and 1500m² (B64.24) and should be amended accordingly.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections to the applicant's request where the intent is to establish three (3) access easements as indicated on the revised Consent Sketch, dated November 19, 2024, submitted with the application. The subject lands are currently vacant and are currently the subject of two (2) active Site Plan Applications.

Proposed Easement 1 would create a shared access arrangement between the lands known as 4855 Tahoe Boulevard and 4859/4861 Tahoe Boulevard. Proposed Easement 2 would be a temporary access easement between 4855 and 4859/4861 Tahoe Boulevard in the event that the shared driveway would be blocked or impaired for any reason. Proposed Easement 3 would enable a shared access arrangement to the adjacent parcel to the west along with the shared driveway should this access be required in the future.

In view of the above, and should Committee see merit in the subject applications we provide the following comments for the Committee's consideration:

A. **Items Required Prior to the Issuance of Final Consent**

1. Solicitor Letter Addressing Required Easement(s)

In addition to the submitted material, the applicant/owner will be required to provide a 43R-Plan and letter/schedule prepared by the applicant's Solicitor which would specifically describe all new private easement(s) to be established. It should also be noted that any documentation received will be forwarded as an attachment with our clearance memo to the Committee of Adjustment Office in order that any new proposed private easement(s) can be identified and also be incorporated into the Certificate of Secretary-Treasurer.

B. **General Information**

1. Site Plan Approval

Any re-development of the subject lands will require the owner obtaining Site Plan Approval where any site specific conditions/requirements relating to detailed lot grading and drainage, servicing, access, etc. can be addressed.

For further information regarding the above noted comments, please contact Tony Iacobucci at (905) 615-3200 ext. 5129 or tony.iacobucci@mississauga.ca.

Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Zoning section has no concern or comment related to the requested consent.

Comments Prepared by: Alana Zheng, Supervisor Zoning Examination

Appendix 3 – Heritage

The property has archaeological potential due to its proximity to a present or past watercourse or known archaeological resource. Due to the archaeological potential, an archaeological assessment must be completed. The applicant should contact the Ministry of Citizenship and Multiculturalism to determine if an archaeological assessment has been completed for this property. If an assessment has already been completed, please provide Heritage Planning with a letter from the Ministry confirming all archaeological resource concerns have met licensing and resource conservation requirements for the property. If an assessment has not been completed a licenced archaeologist with experience in (heritage resource management) must be retained by the property owner in order to meet the requirements of the Ministry.

Comments Prepared by: Andrew Douglas, Heritage Analyst

Appendix 4 – Region of Peel Comments

Applications: B-24-063M, B-24-064M / 4855, 4859 & 4861 Tahoe Blvd.

Development Engineering: Wendy Jawdek (wendy.jawdek@peelregion.ca)(905) 791-7800 x6019

Comments:

- The easement proposed directly above the sanitary sewer that is located within a Regional easement, is currently under an encroachment review.
- The FSRs submitted with associated site plan applications SP-24-013M & SP-24-012M for the site has been deemed unsatisfactory. The Region has requested further information to determine if modelling will be required prior to the site servicing review.
- The property municipally known as 4861 Tahoe Blvd. will require private servicing easement (as illustrated in the Consent Sketch dated September

13, 2024, provided to the applicant under a separate cover), that will need to be registered on title prior to site servicing approval.

- Existing easements dedicated to the Region of Peel for the purpose of sanitary sewer must be maintained or relocated to the satisfaction to the Region of Peel.
- The applicant shall notify the Region of any proposed encroachments on the easement, including structures, signs, landscaping, walkways, access roads, parking, paving, and servicing.

Conditions:

- Arrangements satisfactory to the Region of Peel, Public Works shall be made with respect to the approval of the encroachment review circulation.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 5 - TRCA

This letter will acknowledge receipt of the City's circulation of the above noted Consent Applications received by Toronto and Region Conservation Authority (TRCA) on November 5, 2024. A list of materials reviewed by TRCA is included in Appendix "A".

TRCA staff have reviewed the applications in accordance with the Conservation Authorities Act (CA Act) and its associated regulations, which require TRCA to provide programs and services related to the risk of natural hazards within its jurisdiction. Whether acting on behalf of the Ministry of Natural Resources (MNR) or as a public body under the Planning Act, Conservation Authorities (CAs) must help ensure that decisions under the Planning Act are consistent with the natural hazards policies of the Provincial Policy Statement (PPS) and conform to any natural hazard policies in a Provincial Plan.

In addition, TRCA staff have also reviewed these applications in accordance with TRCA's permitting responsibilities under Section 28.1 of the CA Act. Where development activities are proposed within a TRCA Regulated Area (i.e., river or valley, wetlands, hazardous lands, etc.), a permit is required from TRCA. TRCA must ensure that where a proposal is within an area regulated by TRCA, that the proposal conforms with the appropriate policies of Section 8 of TRCA's Living City Policies (LCP), which evaluate a proposal's ability to meet the tests of the CA Act and regulation.

We provide the following in accordance with TRCA's commenting role under the Planning Act and regulatory role under the Conservation Authorities Act (CA Act). For additional information, please see [Ontario Regulation 686/21](#).

Purpose of the Applications

TRCA staff understand that the purpose of the Consent Applications includes the following:

1. The Owner is seeking permission to establish three (3) access easements:
 - a. **Easement 1:** 1,429.2 square metres (0.15 hectares), to enable the creation of a shared access arrangement between the lands municipally known as 4855 Tahoe Boulevard and 4859, 4861 Tahoe Boulevard.
 - b. **Easement 2:** 44,680.22 square metres (4.47 hectares), to enable a blanket, temporary access arrangement in the event the shared driveway between 4855 and 4859 Tahoe Boulevard is obstructed.
 - c. **Easement 3:** enable a shared access arrangement to the adjacent parcel along the shared driveway, should this access be required in the future.

Background:

Beginning in 2022, TRCA staff were contacted by the applicant to confirm the overall limits of the development for the property ahead of the current proposal. As part of this process, TRCA staff confirmed the current Top of Slope for the adjacent erosion hazard along the eastern property line as well as confirming the extent of the Long-Term Stable Top of Slope through the supplied Slope Stability Assessment prepared by Terrapex dated December 22, 2023. Similarly, TRCA staff reviewed Site Plan Amendment and Application SP 24-13 W3 in May 2024, and had no objection to the approval of the application.

O. Reg. 41/24 and CA Act

A portion of the subject lands are located within TRCA's Regulated Area of the Etobicoke Creek Watershed and are subject to O. Reg. 41/24 and the CA Act. Based on our review of the proposed development is located within the regulation portion of the subject lands. As such, TRCA Permits will be required from TRCA prior to any work commencing within the TRCA Regulated Area. TRCA staff will discuss permit fees and requirements with the applicant at such a time that the review and approvals have advanced and TRCA Permits are required to facilitate development of the subject lands.

Application Specific Comments

Based on our review of the plans provided in support of the Consent Applications, the works associated with the Consent Applications are appropriately setback from all erosion hazards and floodplain hazards associated with the valley corridor adjacent subject site.

As noted above, new development is being proposed within TRCA's Regulated Area. Therefore, a TRCA permit in accordance with Section 28.1 of the CA Act **will** be required in this instance. Please note, TRCA has an interest in all future development on the above-mentioned property as it may be subject to a TRCA permit in accordance with Section 28.1 of the CA Act. Given the above, staff have no concerns with the Consent Applications as currently proposed.

As noted, TRCA staff have previously commented on the Site Plan Application SP 24-13 W3 (TRCA file number PAR-DPP-2024-00050). Please note the fee for this review has been paid by the applicant. (Site Plan - Minor, \$4,605).

Application Review Fee

By copy of this letter, the applicant is advised that the TRCA has implemented a fee schedule for our planning application review services. These Consent Applications are subject to a single \$1,590 (Consent/Severance/Land Division - Minor). The applicant can contact the undersigned via email to organize payment of this fee. For more information

regarding this fee, the applicant can refer to TRCA's planning services fee schedule: [Fee Schedule for TRCA Development Planning Services](#). The applicant is responsible for arranging payment of this fee to our office within 60 days of this letter.

Recommendation

As currently submitted, TRCA staff are of the opinion that the Consent Applications assigned City File No. B63.24, B64.24 are consistent with Provincial policy. Specifically, Section 5.2 (Natural Hazards) of the PPS 2024. Additionally, it is staff's position that these applications are in conformity with TRCA's LCP policies. As such, TRCA has **no objection** to the approval of the applications subject to the following conditions:

1. That the applicant provides the required \$1,590 planning review fee.

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

Comments Prepared by: Porter Gretrex, Planner I

Appendix 6 – MTO

Re: Consent Application – 5 December 2024 @ 1:00 PM

1. **B63.24, B64.24 – 4855, 4859 & 4861 Tahoe Blvd** – Permission to establish three (3) easements.

The subject site described above appears to be in proximity to the MTO Permit Control Area for Eastgate Parkway; as a result, the applicant should be made aware that consultation with the MTO may be necessary to establish any impact to the Provincial highway network. The MTO requests that the City of Mississauga circulate the Site Plan Amendment Application(s) and Traffic Impact Studies (TIS) for the subject site for review, where we will provide more detailed comments, including what materials will be required for review as part of the Site Plan Application circulation.

Information regarding the application process, forms and the policy can be found at the following link:

<https://www.ontario.ca/page/highway-corridor-management>

If you have any questions, please feel welcome to ask.

Comments Prepared by: Nicole Hajjar, Corridor Management Officer

Appendix A – Conditions of Provisional Consent

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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated November 27, 2024.
4. A letter shall be received from the City of Mississauga, Culture Division, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated November 27, 2024.
5. A letter shall be received from the Region of Peel, Development Services/Public Works, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated November 18, 2024.
6. A letter shall be received from the TRCA indicating that satisfactory arrangements have been made with respect to payment of the "Review Fee", and their comments dated November 11, 2024.



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: B70.24
Ward: 5

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 3160 Derry Rd E, zoned E2 - Employment, has applied for Consent under Section 53 of the Planning Act. The applicant requests the Consent of the Committee to sever a parcel of land for the purposes of a lot addition. The parcel of land has an area of approximately 1,402sq.m (15,091sq.ft).

The parcel shall be merged with the property to the west known as 3150 Derry Road East.

The Committee has set **Thursday, December 5, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown.

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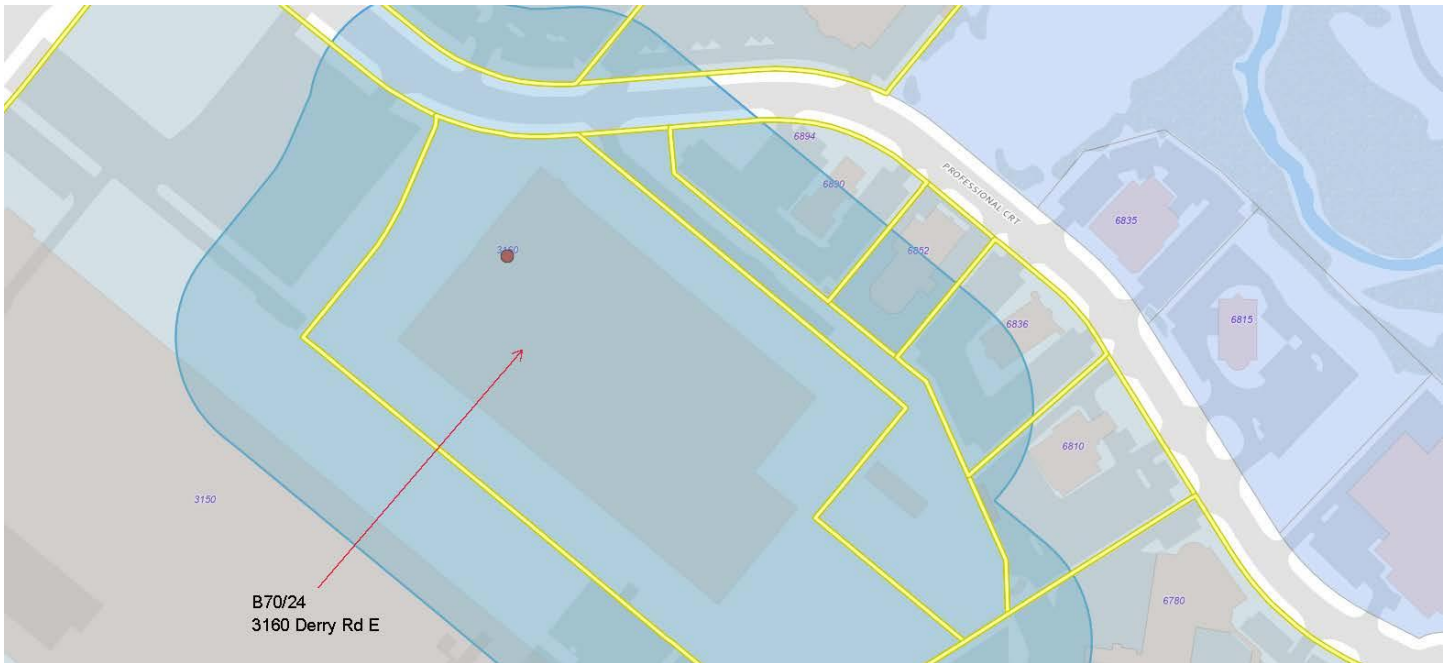
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2024-11-27	File(s): B70.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:12/5/2024 1:00:00 PM

Consolidated Recommendation

The City has no objection to the consent application.

Application Details

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The parcel shall be merged with the property to the west known as 3150 Derry Road East.

Recommended Conditions and/or Terms

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 3160 Derry Rd E

Mississauga Official Plan

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

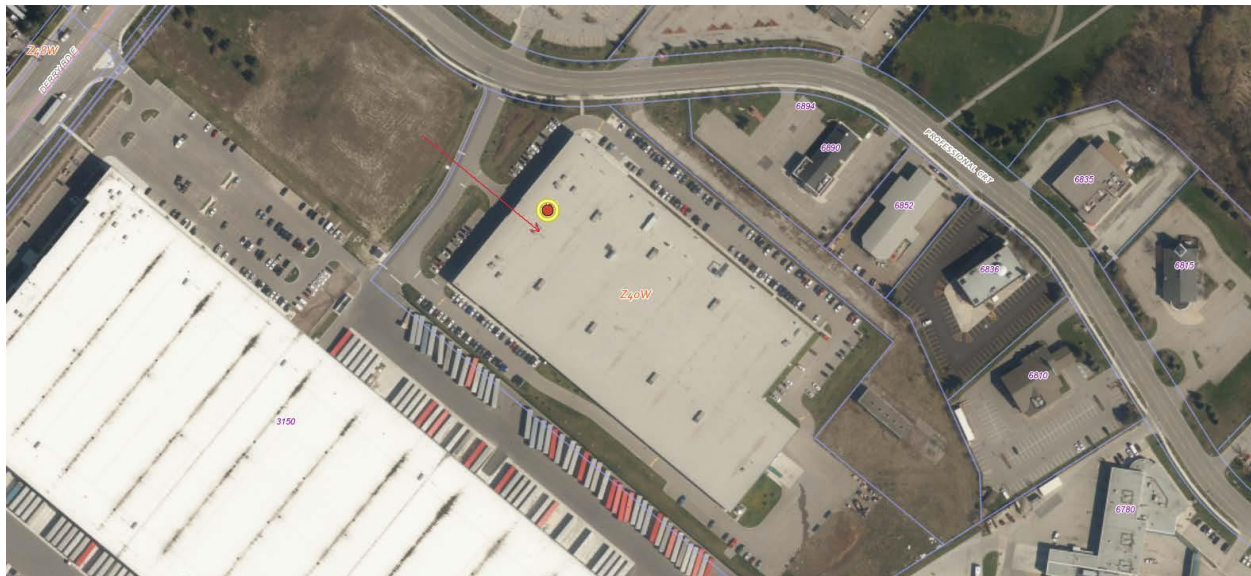
Zoning By-law 0225-2007

Zoning: E2 - Employment

Site and Area Context

The subject property is located on the south-west corner of the Derry Road East and Professional Court intersection. Currently, the lands are municipally known as 3160 Derry Road East and contain a two-storey industrial building with an associated parking lot area. Limited vegetation and landscaping elements are present on the subject property. The surrounding area context is predominantly industrial with lots of varying sizes. Parkland is also present in the surrounding area and the Malton GO station abuts the properties to the west.

The applicant is proposing to sever a parcel of land for the purposes of a lot addition. The severed parcel of land has an approximate lot area of 1,402m² (15,091ft²) which will be merged with the property to the west, municipally known as 3150 Derry Road East. The site currently contains a one-storey warehouse facility with an associated parking lot area.



Comments

Planning

Provincial Matters

The Provincial Policy Statement 2024 (PPS 2024) promotes efficient development and land use, directing the focus towards intensification and redevelopment. The proposal is consistent with the general directive in provincial policy.

Planning Act

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

Staff comments concerning the application are as follows:

Staff note consent application B9.22 was approved by the Committee of Adjustment on March 3rd, 2022, which created two parcels of land now known municipally as 3150 Derry Road East and 3160 Derry Road East. As a part of the consent application, Parts 9, 10 and 11 were created to establish turning/access easements for trucks in favour of the 3150 Derry Road East property. The easement configuration approved at that time has been deemed no longer feasible and as such, the owner of the 3160 Derry Road East property is looking to revert Parts 9, 10 and 11 back to the 3150 Derry Road East property. For this reason, Planning staff note the application is technical in nature.

The subject property is located in the Northeast Employment Character Area and is designated Business Employment in Schedule 10 of the Mississauga Official Plan (MOP). The Business Employment designation permits a variety of employment uses that will be retained by the applicant for the severed lands. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area.

Staff are satisfied that the application is consistent with the MOP as the proposed lot addition maintains two lots of similar size and is suitable for the existing uses. Furthermore, staff have no concerns with the consent application regarding the criteria set out in Section 51(24) of the Planning Act as the site will continue to be appropriately serviced and is suitable for the planned use of the property. The proposed and existing easements ensure the functionality of the site will not be impacted by the proposed lot addition. Staff are therefore of the opinion that the application conforms to Section 51(24) of the Planning Act.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This department has no objections to the applicant's request where no new lot is being created, however the severance will facilitate a slight shift to the existing property boundaries to meet the operational needs of the tenants of the subject lands. In 2023, Consent Application 'B' 9/22 was approved which created the two parcels now identified as 3150 and 3160 Derry Road East.

Information submitted with the application, specifically the October 22, 2024, letter from Glen Schnarr & Associates and the Site Plans provided describe the lands to be severed, lands to be retained and lands to be consolidated with the severed lands. The Retained lands are made up of Parts 2-9 and 12-15, Plan 43R-40900 and severed lands are described as Parts 9,10 and 11, Plan 43R-40900.

The intent of the request is to transfer the lands described as Parts 9,10 and 11 to the "Lands to be Consolidated" known as 3150 Derry Road East. The above mentioned transfer of lands would allow the exclusive use of these lands within the existing curb/fence line by Home Depot. In view of the above we have no concerns or requirements with the subject application.

For further information regarding the above noted comments, please contact Tony Iacobucci at (905) 615-3200 ext. 5129 or tony.iacobucci@mississauga.ca.

Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

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

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

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

Comments Prepared by: Emily Majeed, Planner-in-Training

Appendix 3 – Region of Peel Comments

Application for Consent: B-24-070M / 3160 Derry Road East

Development Engineering: Wendy Jawdek (wendy.jawdek@peelregion.ca) | (905) 791-7800
x6019

Comments:

- Please note that severing the lands may adversely affect the existing location of the water and sanitary sewer services, if any exist. The result of this may require the applicant to install new water / sanitary servicing connections to either the severed or retained lands in compliance with the Ontario Building Code. The applicant may require the creation of private water / sanitary sewer servicing easements.

Conditions:

- Please be advised that arrangements satisfactory to the Region of Peel, Public Works, shall be made with respect to the location of existing and installation of new services. Private servicing easements may be required.

Transportation Development: Kiawen Xiao (kaiwen.xiao@peelregion.ca) | (905) 791-7800

Comments:

- The Region will require the gratuitous dedication of lands to meet the requirement of:
 - a. 45 m; 22.5 m from the centerline of the road allowance, midblock;
 - b. 50.5 m; 25.25 m from the centerline of road allowance, within 245 meters of an intersection to protect for the provision of utilities, sidewalks, multiuse pathways and transit bay/shelters, etc.
- The Region will require the gratuitous dedication of 15 m x 15 m daylight triangles at the intersection of Derry Road and Professional Court and the intersection of Derry Road and shared access to Malton Go station.
- The Region will require the gratuitous dedication of a 0.3 m reserve along the frontage of Derry Road behind the property line and daylight triangle, lifted over any approved access.
- The applicant shall gratuitously dedicate these lands to the Region, free and clear of all encumbrances, and shall provide the Region with the necessary title documents and reference plan(s) to confirm the Region's right-of-way. All costs associated with land transfer are the responsibility of the applicant.

Conditions:

- Satisfactory arrangement shall be made between the owner and the Region regarding land dedications.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix 4 – Metrolinx

Metrolinx is in receipt of the Minor Variance application for 3150 Derry Road to sever a parcel of land for the purposes of a lot addition, as circulated on November 5th, 2024, and to be heard at Public Hearing on December 5th, 2024, at 1:00 PM. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300m, adjacent to, the Metrolinx Weston Subdivision which carries Metrolinx's Kitchener GO Train service.

GO/HEAVY-RAIL – CONDITIONS OF APPROVAL

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

GO/HEAVY-RAIL – CONDITIONS OF APPROVAL

- Please be advised Metrolinx is a stakeholder that has previously provided comments on a comprehensive application for this address.
- Any previous comments/requirements provided by Metrolinx and/or our Technical Advisors are still applicable.

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

Comments Prepared by: Jenna Auger, Third Party Project Review

Appendix A – Conditions of Provisional Consent

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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding.
4. A letter shall be received from the Region of Peel, Development Services/Public Works, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated November 18, 2024.
5. A letter shall be received from Metrolinx indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated November 20, 2024.

NOTE:

Subsection 50(3) and/or 50(5) of the Planning Act, shall apply to any subsequent conveyance or transaction that is subject to this consent and the Secretary-Treasurer's Certificate shall contain reference to this stipulation.



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: B52.24 A393.24 A394.24
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 1460 Moonbrook Road, zoned RM6-24 - Residential, has applied for consent under Section 53 and minor variance(s) under Section 45 of the Planning Act. B52.24

The applicant requests the Consent of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 7.57m (approx. 24.84ft) and an area of approximately 201.70sq. m (approx. 2171.10sq ft). A393.24

The applicant requests the Committee to approve a minor variance to allow for the construction of a semi-detached dwelling on the severed lot of B52/24 proposing:

1. A semi-detached dwelling on a CEC road whereas By-law 0225-2007, as amended, does not permit a semi-detached dwelling use in this instance;
2. A lot area of 201.7sq.m (approx. 2,171.1sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 400.0sq.m (approx. 4,305.6sq.ft) in this instance;
3. A lot frontage of 7.57m (approx. 24.84ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;
4. A side yard on the attached side of 0m whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.8m (approx. 5.9ft) in this instance;
5. A flat roof height of 10.0m (approx. 32.8ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof height of 9.0m (approx. 29.5ft) in this instance;
6. 3 storeys whereas By-law 0225-2007, as amended, permits a maximum of 2 storeys in this instance;
7. A rear yard encroachment of a porch/deck inclusive of stairs of 4.44m (approx. 14.57ft) whereas By-law 0225-2007, as amended, permits a maximum rear yard encroachment of a porch/deck inclusive of stairs of 3.50m (approx. 11.48ft) in this instance;
8. A front yard landscaped area of 40% whereas By-law 0225-2007, as amended, requires a minimum front yard landscaped area of 45% in this instance; and
9. A front yard measured to the garage face of 5.5m (approx. 18.0ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the garage face of 6.0m (approx. 19.7ft) in this instance.

A394.24

The applicant requests the Committee to approve a minor variance to allow for the construction of a semi-detached dwelling on the retained lot of B52/24 proposing:

1. A semi-detached dwelling on a CEC road whereas By-law 0225-2007, as amended, does not permit a semi-detached dwelling use in this instance;
2. A lot area of 204.6sq.m (approx. 2,202.3sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 400.0sq.m (approx. 4,305.6sq.ft) in this instance;
3. A lot frontage of 7.68m (approx. 25.20ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;
4. A side yard on the attached side of 0m whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.8m (approx. 5.9ft) in this instance;
5. A flat roof height of 10.0m (approx. 32.8ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof height of 9.0m (approx. 29.5ft) in this instance;
6. 3 storeys whereas By-law 0225-2007, as amended, permits a maximum of 2 storeys in this instance;
7. A rear yard encroachment of a porch/deck inclusive of stairs of 4.44m (approx. 14.57ft) whereas By-law 0225-2007, as amended, permits a maximum rear yard encroachment of a porch/deck inclusive of stairs of 3.50m (approx. 11.48ft) in this

instance;

8. A front yard landscaped area of 40% whereas By-law 0225-2007, as amended, requires a minimum front yard landscaped area of 45% in this instance; and

9. A front yard measured to the garage face of 5.5m (approx. 18.0ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the garage face of 6.0m (approx. 19.7ft) in this instance.

The Committee has set **Thursday, December 5, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

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

- **In person:** The hearing will be held in person at Mississauga Civic Centre, Council Chambers, 300 City Centre Drive, 2nd Floor. Advance registration is preferred if you wish to speak at the hearing in person. If you wish to make a presentation you must send your request to speak and your presentation (as an attachment) via email to committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. A document projector will also be available, if preferred.
- **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 x5507 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 x5507. 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 x5507.

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2024-11-27	File(s): B52.24 A393.24 A394.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:12/5/2024 1:00:00 PM

Consolidated Recommendation

The City has no objections to the consent and minor variance applications. 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

B52.24

The applicant requests the Consent of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 7.57m (approx. 24.84ft) and an area of approximately 201.70sq. m (approx. 2171.10sq ft).

A393.24

The applicant requests the Committee to approve a minor variance to allow for the construction of a semi-detached dwelling on the severed lot of B52/24 proposing:

1. A semi-detached dwelling on a CEC road whereas By-law 0225-2007, as amended, does not permit a semi-detached dwelling use in this instance;
2. A lot area of 201.7sq.m (approx. 2,171.1sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 400.0sq.m (approx. 4,305.6sq.ft) in this instance;
3. A lot frontage of 7.57m (approx. 24.84ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;
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5. A flat roof height of 10.0m (approx. 32.8ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof height of 9.0m (approx. 29.5ft) in this instance;
6. 3 storeys whereas By-law 0225-2007, as amended, permits a maximum of 2 storeys in this instance;
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a porch/deck inclusive of stairs of 3.50m (approx. 11.48ft) in this instance;

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9. A front yard measured to the garage face of 5.5m (approx. 18.0ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the garage face of 6.0m (approx. 19.7ft) in this instance.

A394.24

The applicant requests the Committee to approve a minor variance to allow for the construction of a semi-detached dwelling on the retained lot of B52/24 proposing:

1. A semi-detached dwelling on a CEC road whereas By-law 0225-2007, as amended, does not permit a semi-detached dwelling use in this instance;

2. A lot area of 204.6sq.m (approx. 2,202.3sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 400.0sq.m (approx. 4,305.6sq.ft) in this instance;

3. A lot frontage of 7.68m (approx. 25.20ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;

4. A side yard on the attached side of 0m whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.8m (approx. 5.9ft) in this instance;

5. A flat roof height of 10.0m (approx. 32.8ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof height of 9.0m (approx. 29.5ft) in this instance;

6. 3 storeys whereas By-law 0225-2007, as amended, permits a maximum of 2 storeys in this instance;

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8. A front yard landscaped area of 40% whereas By-law 0225-2007, as amended, requires a minimum front yard landscaped area of 45% in this instance; and

9. A front yard measured to the garage face of 5.5m (approx. 18.0ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the garage face of 6.0m (approx. 19.7ft) in this instance.

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent
- The variance application approved under File(s) A393.24 and A394.24 must be finalized

Recommended Conditions and/or Terms of minor variance

- Variance(s) approved under file(s) A393.24 and A394.24 shall lapse if the consent application under file B52.24 is not finalized within the time prescribed by legislation.

Background

Property Address: 1460 Moonbrook Road

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Medium Density

Zoning By-law 0225-2007

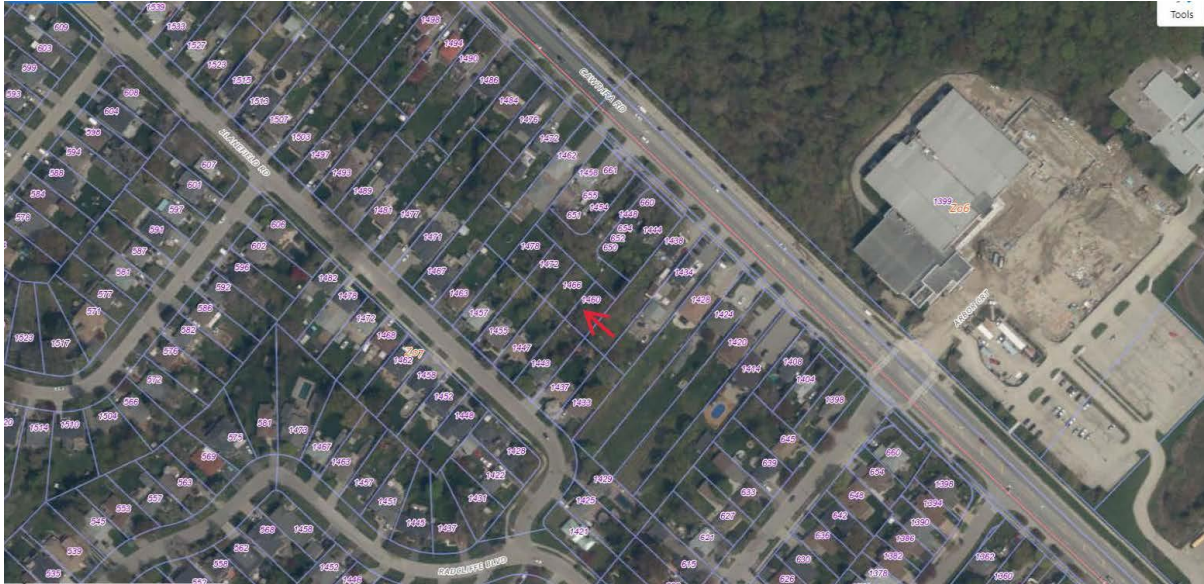
Zoning: RM6-24 - Residential
Other Applications: B53.24 A395.24 A396.24, B54.24 A397.24 A398.24, B55.24 A399.24 A400.24, 21T-M-19/002, OZ 18-010.

Site and Area Context

The subject property is located west of Cawthra Road and south of South Service Road in the Mineola Neighbourhood Character Area. The neighbourhood context consists mostly of low-density housing, with detached homes immediately abutting the subject site to the west.

The site recently went through an official plan amendment, rezoning and plan of subdivision application, under files OZ 18-010 W1 and T-M19002 W1, which resulted in an approval of 4 detached dwellings and 12 townhouses dwellings fronting onto a Common Element Condominium (CEC) road. The lot is currently vacant. The surrounding area context is predominantly residential, consisting of detached dwellings. The property is in close proximity to existing City parks and amenities. Some vegetative elements are present on the subject property.

The applicant is proposing to sever the lot to facilitate the development of two semi-detached dwellings. The proposal requests variances for lot area, frontage, height, number of stories, setbacks, rear yard encroachment, front yard setback and front yard landscaped area.



Comments

Planning

Provincial Matters

The Provincial Policy Statement 2024 (PPS 2024) promotes efficient development and land use, directing the focus towards intensification and redevelopment. The proposal is consistent with the general directive in provincial policy.

Planning Act

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

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

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

The application seeks to sever the subject lot into two parcels for the development of two semi-detached dwellings, requiring a variance to permit a semi-detached dwelling use on the property whereas it is not permitted. Variances are also requested for lot area, frontage, height, number

of stories, setbacks, rear yard encroachment, front yard setback and front yard landscaped area.

Identical applications have been proposed on all 4 detached dwellings that are a part of the same subdivision with property addresses 1460, 1466, 1472 and 1478 Moonbrook Road.

Applications B52.24 A393.24 A394.24, B53.24 A395.24 A396.24, B54.24 A397.24 A398.24 and B55.24 A399.24 A400.24 are in conjunction with each other and as such the same comments are applicable for all 4 applications.

These applications were before the Committee of Adjustment on September 19, 2024, with the same proposal. Staff had noted support for the introduction of semi-detached dwellings; however, the application was deferred to contemplate the zoning regulations that would apply in this case. The applicant has since worked with Planning and Zoning staff to address these concerns and accurately identify the applicable zoning regulations.

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

The subject property is located in the Mineola Neighbourhood Character Area and is designated Residential Medium Density in Schedule 10 of the Mississauga Official Plan (MOP). The property is subject to Special Site 6 policies, which permits detached dwellings in addition to the townhouse dwellings permitted in parent land use designation. Section 9 of the MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions, the surrounding context, and the landscape of the character area.

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 neighbourhoods. The City has an ongoing study, Increasing Housing Choices in Neighbourhoods, as part of the Housing Action Plan, to introduce gentle density increase in the number and variety of homes in existing single detached neighbourhoods. Staff are of the opinion that the introduction of semi-detached homes aligns with the City's overall vision to increase housing.

Staff are satisfied that the proposed lot sizes are appropriate and will not negatively impact the character of the street or the area's lot fabric. Staff have no concerns with the severances regarding the criteria set out in Section 51(24) of the Planning Act.

Furthermore, staff are of the opinion that the proposal presents a built form that is in line with the planned character of the area and that the proposal respects the surrounding context. Staff are therefore satisfied that the general intent and purpose of the official plan are maintained.

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

Staff note the City is currently working on the Neighbourhood Zoning Review project, with the goal to expand low-rise housing options by removing barriers for semi-detached homes and houses on smaller lots. Notwithstanding this project, the current variances being proposed align with the zoning regulations stipulated under the RM2 zone for semi-detached dwellings. Further,

the variances respect the site-specific zone regulations in terms maintaining the building envelope.

Similar variances are requested for both the severed and the retained parcels

Variance #1 requests permission for a semi-detached dwelling on a CEC road where it is not permitted. Staff are of the opinion that the proposal aligns with the City's approach to increase density while maintaining the character of the neighbourhood. Staff are satisfied that the semi-detached dwellings in this case are appropriate.

Variances #2 and #3 request relief in the lot area and frontage respectively. The intent of the zoning by-law is to ensure that new lots are appropriately sized and fit within the context of the surrounding area. The proposed lot frontages and areas are consistent with the requirements for a semi-detached dwelling. Additionally, no variances have been requested for lot coverage and gross floor area. Staff are satisfied that the proposed lots can adequately accommodate semi-detached dwellings.

Variances #4 requests a 0.0m side yard setback. Staff note this is technical in nature as this is accommodate the attached side of the semi-detached dwelling and have no concerns with the variance. The dwelling maintains the required setbacks from the other side.

Variance #5 pertains to flat roof height. Variance #6 requests 3 stories. Staff note the proposed height and number of stories are consistent with the surrounding townhouse dwellings that are a part of the approved subdivision. 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. Staff are satisfied that the variances pose no concerns to the surrounding properties and the streetscape.

Variance #7 pertains to rear yard encroachment and Variance #9 requests a reduced front yard measured to the garage face. The intent of rear yard provisions is to ensure that an appropriate buffer between the massing of structures on abutting properties is provided and to maintain an appropriate rear yard amenity area. The proposed deck is not covered and does not create significant massing concerns for abutting properties. The intent of the front yard regulations is to ensure that a consistent character is maintained along the streetscape, a sufficient front yard space is incorporated into the design of neighbourhoods and that an appropriate buffer between the porch and lot lines is maintained. Staff note the reduction in the front yard arises due to the lot line not being parallel to the dwelling. Staff are satisfied that the deficiency is only for a small portion dwelling and is able to maintain a sufficient front yard space and provide appropriate buffer from the street. Staff are satisfied the character of the neighbourhood is maintained.

Variance #8 is regarding the front yard landscaped area. The intent of a soft landscape area is to help establish the character and identity of a neighbourhood, as well as ensure hardscaping does not dominate the lot frontage. The applicant has proposed a front yard soft landscape area of 40% whereas 45% is required. Staff note the driveway meets the by-law regulations, which limits excessive hardscaping impacts. Staff are satisfied the reduction in the landscaped area will not pose negative impacts from a streetscape perspective.

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

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

Staff are satisfied that the application represents appropriate development of the subject lands. Staff are of the opinion that the variances, both individually and cumulatively, are minor in nature and will not create any undue impacts to adjoining properties or the planned or existing character of the area. The proposal maintains the building footprint of a detached dwelling that is permitted as of right. Staff are satisfied that the proposal is appropriate in this instance.

Comments Prepared by: Shivani Chopra, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting that any Transportation and Works Department concerns/requirements for this property will be addressed under Consent Applications 'B' 52-55/24 respectively.

We have reviewed the application and advise that the City has recently processed a Site Plan application (SP-22/143) and also a Plan of Subdivision for 4 detached dwellings and 12 townhouse dwellings fronting onto a Common Element Condominium (CEC) road which is now registered as 43M-1263 (21T-M-19/002) where all of our concerns would have been addressed.

The applicant is attempting to sever the 4 detached residential lots at the rear of the development to create semi detached dwellings for a total of 8 dwellings.

We have discussed the proposal with our Legal Section, and they have confirmed that all clauses registered on title through the previous registration of 43M-1263 will carry onto the newly created lots.

We question if the applicant has informed all Utility Providers that had previously reviewed/approved the servicing plans submitted through the registration of 43M-1263. The addition of 4 dwellings may present issues for utility providers, documentation of the accepted changes is recommended to be submitted as a condition of final approval.

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

A. Items Required Prior to the Issuance of Final Consent

1. Overall Grading and Drainage Plan

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

We note that the original grading plan that was reviewed/approved through the registration of the subdivision must be adhered to and that the new plan be prepared by the same Consultant.

2. Municipal Address Requirement

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

3. Approval from the Utility Companies

The applicant's Consulting Engineer is to provide written certification that all of the necessary Utility Companies including The Region of Peel have been provided the opportunity to review the proposed changes to the original servicing drawings and that they are all in agreement with the changes.

4. Updated Plans

The plans that we currently hold on file for this project will need to be updated to reflect the new proposal. The applicant must provide this Department with an updated Site plan, Grading plan, Servicing plan and also a Parcels of tide land (P.O.T.L.) plan showing the proposed configurations.

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

B. GENERAL INFORMATION

1. Lot Grading and Drainage

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

2. Servicing

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

3. Access

The applicant will be required to apply for Access Modification Permits prior to Site Plan Approval and/or Building Permit Issuance. We advise the applicant that all costs incurred in providing any new driveway entrance(s) to the subject lands or any modifications/reinstatement required, would be at cost to the owner. Driveway accesses shall maintain a 1.5m setback from aboveground features such as utilities and trees. We are also noting that should any utilities need to be relocated, all costs incurred will also be to the owner.

4. Storm Sewer Outlet

Based on the information available, the retained and severed parcels drain to the private storm sewer system on Moonbrook Rd before ultimately discharging to the 1050mm diameter Regional storm sewer on Cawthra Rd.

Please note that in cases of a high groundwater table where a sump pump could run continuously if a sump pump was implemented, the applicants should consider raising the basement elevation to be at least 1.0 meter above the groundwater level. It is the owner's responsibility to satisfy themselves with these conditions as the City has no obligation to address any concerns with the operating conditions of private sump pump systems.

For further information please contact Walter Copping at 905-615-3200 ext. 5831.

G. Russell,

Supervisor, Development Engineering South

905-615-3200, ext. 5833

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

Appendix 2 – Zoning Comments

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

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

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

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: Emily Majeed, Planner-in-Training

Appendix 3 – Parks, Forestry & Environment

Park Planning Comments

The Parks & Culture Planning Section of the Community Services Department has no objections to the above noted consent application and notes:

1. Given that the property is subject to a development application, SP 22 143, all of Community Services' comments and/or requirements are being addressed through the development application.
2. 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 – Park Planning, Community Services Department at 905-615-3200 ext. 4659 or via email Nicholas.Rocchetti@mississauga.ca.

Comments Prepared by: Nicholas Rocchetti, Planner

Appendix 4 – Heritage

The property has archaeological potential due to its proximity to a present or past watercourse or known archaeological resource. Due to the archaeological potential, an archaeological assessment must be completed. The applicant should contact the Ministry of Citizenship and Multiculturalism to determine if an archaeological assessment has been completed for this property. If an assessment has already been completed, please provide Heritage Planning with a letter from the Ministry confirming all archaeological resource concerns have met licensing and resource conservation requirements for the property. If an assessment has not been completed a licenced archaeologist with experience in (heritage resource management) must be retained by the property owner in order to meet the requirements of the Ministry.

Comments Prepared by: Andrew Douglas, Heritage Analyst

Appendix 5 – Region of Peel Comments

Please note that our previous comments still apply.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix A – Conditions of Provisional Consent

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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding. ("A"393-394 /24)
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated November 27, 2024.
5. A letter shall be received from the City of Mississauga, Culture Division, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated November 27, 2024.
6. A letter shall be received from the Region of Peel, Development Services/Public Works, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated September 13, 2024.

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 1466 Moonbrook Road, zoned RM6-24 - Residential, has applied for consent under Section 53 and minor variance(s) under Section 45 of the Planning Act. B53.24

The applicant requests the Consent of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 7.67m (approx. 25.17ft) and an area of approximately 204.40sq. m (approx. 2200.16sq ft). A395.24

The applicant requests the Committee to approve a minor variance to allow for the construction of a semi-detached dwelling on the severed lands of B53/24 proposing:

1. A semi-detached dwelling on a CEC road whereas By-law 0225-2007, as amended, does not permit a semi-detached dwelling use in this instance;
2. A lot area of 204.4sq.m (approx. 2,200.1sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 400.0sq.m (approx. 4,305.6sq.ft) in this instance;
3. A lot frontage of 7.67m (approx. 25.16ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;
4. A side yard on the attached side of 0m whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.8m (approx. 5.9ft) in this instance;
5. A flat roof height of 10.0m (approx. 32.8ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof height of 9.0m (approx. 29.5ft) in this instance;
6. 3 storeys whereas By-law 0225-2007, as amended, permits a maximum of 2 storeys in this instance;
7. A rear yard encroachment of a porch/deck inclusive of stairs of 4.44m (approx. 14.57ft) whereas By-law 0225-2007, as amended, permits a maximum rear yard encroachment of a porch/deck inclusive of stairs of 3.50m (approx. 11.48ft) in this instance;
8. A front yard landscaped area of 40% whereas By-law 0225-2007, as amended, requires a minimum front yard landscaped area of 45% in this instance; and
9. A front yard measured to the garage face of 5.5m (approx. 18.0ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the garage face of 6.0m (approx. 19.7ft) in this instance.

A396.24

The applicant requests the Committee to approve a minor variance to allow for the construction of a semi-detached dwelling on the retained lands of B53/24 proposing:

1. A semi-detached dwelling on a CEC road whereas By-law 0225-2007, as amended, does not permit a semi-detached dwelling use in this instance;
2. A lot area of 204.4sq.m (approx. 2,200.1sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 400.0sq.m (approx. 4,305.6sq.ft) in this instance;
3. A lot frontage of 7.67m (approx. 25.16ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;
4. A side yard on the attached side of 0m whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.8m (approx. 5.9ft) in this instance;
5. A flat roof height of 10.0m (approx. 32.8ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof height of 9.0m (approx. 29.5ft) in this instance;
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instance;

8. A front yard landscaped area of 40% whereas By-law 0225-2007, as amended, requires a minimum front yard landscaped area of 45% in this instance; and

9. A front yard measured to the garage face of 5.5m (approx. 18.0ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the garage face of 6.0m (approx. 19.7ft) in this instance.

The Committee has set **Thursday, December 5, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

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

- **In person:** The hearing will be held in person at Mississauga Civic Centre, Council Chambers, 300 City Centre Drive, 2nd Floor. Advance registration is preferred if you wish to speak at the hearing in person. If you wish to make a presentation you must send your request to speak and your presentation (as an attachment) via email to committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. A document projector will also be available, if preferred.
- **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 x5507 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 x5507. 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 x5507.

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2024-11-27	File(s): B53.24 A395.24 A396.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:12/5/2024 1:00:00 PM

Consolidated Recommendation

The City has no objections to the consent and minor variance applications. 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

B53.24

The applicant requests the Consent of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 7.67m (approx. 25.17ft) and an area of approximately 204.40sq. m (approx. 2200.16sq ft).

A395.24

The applicant requests the Committee to approve a minor variance to allow for the construction of a semi-detached dwelling on the severed lands of B53/24 proposing:

1. A semi-detached dwelling on a CEC road whereas By-law 0225-2007, as amended, does not permit a semi-detached dwelling use in this instance;
2. A lot area of 204.4sq.m (approx. 2,200.1sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 400.0sq.m (approx. 4,305.6sq.ft) in this instance;
3. A lot frontage of 7.67m (approx. 25.16ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;
4. A side yard on the attached side of 0m whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.8m (approx. 5.9ft) in this instance;
5. A flat roof height of 10.0m (approx. 32.8ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof height of 9.0m (approx. 29.5ft) in this instance;
6. 3 storeys whereas By-law 0225-2007, as amended, permits a maximum of 2 storeys in this instance;
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a porch/deck inclusive of stairs of 3.50m (approx. 11.48ft) in this instance;

8. A front yard landscaped area of 40% whereas By-law 0225-2007, as amended, requires a minimum front yard landscaped area of 45% in this instance; and

9. A front yard measured to the garage face of 5.5m (approx. 18.0ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the garage face of 6.0m (approx. 19.7ft) in this instance.

A396.24

The applicant requests the Committee to approve a minor variance to allow for the construction of a semi-detached dwelling on the retained lands of B53/24 proposing:

1. A semi-detached dwelling on a CEC road whereas By-law 0225-2007, as amended, does not permit a semi-detached dwelling use in this instance;

2. A lot area of 204.4sq.m (approx. 2,200.1sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 400.0sq.m (approx. 4,305.6sq.ft) in this instance;

3. A lot frontage of 7.67m (approx. 25.16ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;

4. A side yard on the attached side of 0m whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.8m (approx. 5.9ft) in this instance;

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9. A front yard measured to the garage face of 5.5m (approx. 18.0ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the garage face of 6.0m (approx. 19.7ft) in this instance.

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent
- The variance application approved under File(s) A395.24 and A396.24 must be finalized

Recommended Conditions and/or Terms of minor variance

- Variance(s) approved under file(s) A395.24 and A396.24 shall lapse if the consent application under file B53.24 is not finalized within the time prescribed by legislation.

Background

Property Address: 1466 Moonbrook Road

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Medium Density

Zoning By-law 0225-2007

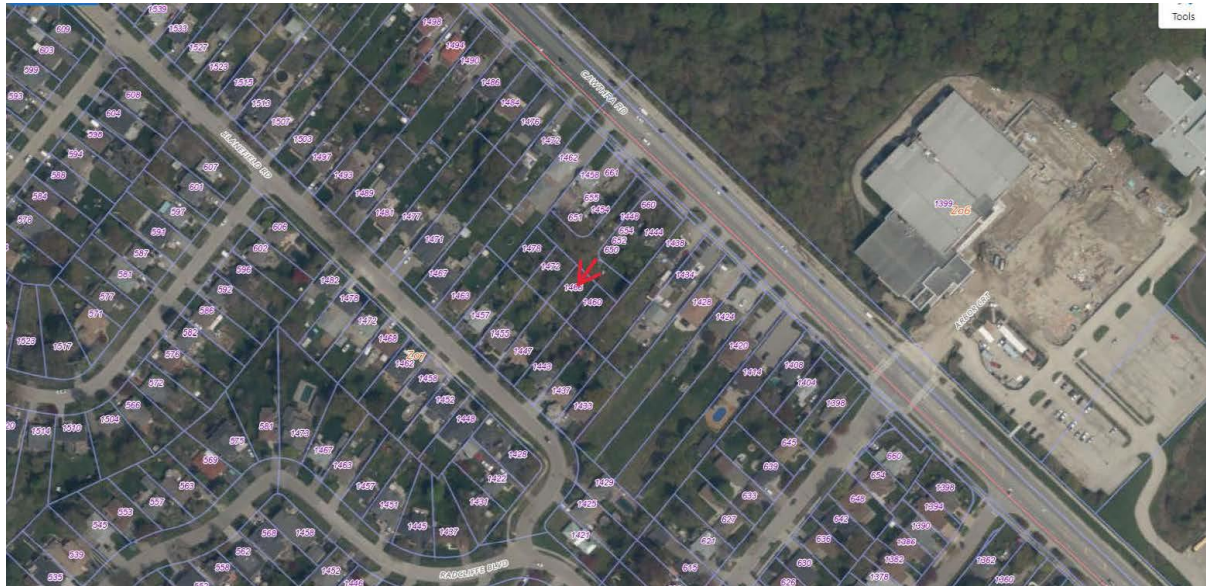
Zoning: RM6-24 - Residential
Other Applications: B52.24 A393.24 A394.24, B54.24 A397.24 A398.24, B55.24 A399.24 A400.24, 21T-M-19/002, OZ 18-010.

Site and Area Context

The subject property is located west of Cawthra Road and south of South Service Road in the Mineola Neighbourhood Character Area. The neighbourhood context consists mostly of low-density housing, with detached homes immediately abutting the subject site to the west.

The site recently went through an official plan amendment, rezoning and plan of subdivision application, under files OZ 18-010 W1 and T-M19002 W1, which resulted in an approval of 4 detached dwellings and 12 townhouses dwellings fronting onto a Common Element Condominium (CEC) road. The lot is currently vacant. The surrounding area context is predominantly residential, consisting of detached dwellings. The property is in close proximity to existing City parks and amenities. Some vegetative elements are present on the subject property.

The applicant is proposing to sever the lot to facilitate the development of two semi-detached dwellings. The proposal requests variances for lot area, frontage, height, number of stories, setbacks, rear yard encroachment, front yard setback and front yard landscaped area.



Comments

Planning

Provincial Matters

The Provincial Policy Statement 2024 (PPS 2024) promotes efficient development and land use, directing the focus towards intensification and redevelopment. The proposal is consistent with the general directive in provincial policy.

Planning Act

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

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

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

The application seeks to sever the subject lot into two parcels for the development of two semi-detached dwellings, requiring a variance to permit a semi-detached dwelling use on the property whereas it is not permitted. Variances are also requested for lot area, frontage, height, number

of stories, setbacks, rear yard encroachment, front yard setback and front yard landscaped area.

Identical applications have been proposed on all 4 detached dwellings that are a part of the same subdivision with property addresses 1460, 1466, 1472 and 1478 Moonbrook Road. Applications B52.24 A393.24 A394.24, B53.24 A395.24 A396.24, B54.24 A397.24 A398.24 and B55.24 A399.24 A400.24 are in conjunction with each other and as such the same comments are applicable for all 4 applications.

These applications were before the Committee of Adjustment on September 19, 2024, with the same proposal. Staff had noted support for the introduction of semi-detached dwellings; however, the application was deferred to contemplate the zoning regulations that would apply in this case. The applicant has since worked with Planning and Zoning staff to address these concerns and accurately identify the applicable zoning regulations.

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

The subject property is located in the Mineola Neighbourhood Character Area and is designated Residential Medium Density in Schedule 10 of the Mississauga Official Plan (MOP). The property is subject to Special Site 6 policies, which permits detached dwellings in addition to the townhouse dwellings permitted in parent land use designation. Section 9 of the MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions, the surrounding context, and the landscape of the character area.

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 neighbourhoods. The City has an ongoing study, Increasing Housing Choices in Neighbourhoods, as part of the Housing Action Plan, to introduce gentle density increase in the number and variety of homes in existing single detached neighbourhoods. Staff are of the opinion that the introduction of semi-detached homes aligns with the City's overall vision to increase housing.

Staff are satisfied that the proposed lot sizes are appropriate and will not negatively impact the character of the street or the area's lot fabric. Staff have no concerns with the severances regarding the criteria set out in Section 51(24) of the Planning Act.

Furthermore, staff are of the opinion that the proposal presents a built form that is in line with the planned character of the area and that the proposal respects the surrounding context. Staff are therefore satisfied that the general intent and purpose of the official plan are maintained.

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

Staff note the City is currently working on the Neighbourhood Zoning Review project, with the goal to expand low-rise housing options by removing barriers for semi-detached homes and houses on smaller lots. Notwithstanding this project, the current variances being proposed align with the zoning regulations stipulated under the RM2 zone for semi-detached dwellings. Further,

the variances respect the site-specific zone regulations in terms maintaining the building envelope.

Similar variances are requested for both the severed and the retained parcels.

Variance #1 requests permission for a semi-detached dwelling on a CEC road where it is not permitted. Staff are of the opinion that the proposal aligns with the City's approach to increase density while maintaining the character of the neighbourhood. Staff are satisfied that the semi-detached dwellings in this case are appropriate.

Variances #2 and #3 request relief in the lot area and frontage respectively. The intent of the zoning by-law is to ensure that new lots are appropriately sized and fit within the context of the surrounding area. The proposed lot frontages and areas are consistent with the requirements for a semi-detached dwelling. Additionally, no variances have been requested for lot coverage and gross floor area. Staff are satisfied that the proposed lots can adequately accommodate semi-detached dwellings.

Variances #4 requests a 0.0m side yard setback. Staff note this is technical in nature as this is accommodate the attached side of the semi-detached dwelling and have no concerns with the variance. The dwelling maintains the required setbacks from the other side.

Variance #5 pertains to flat roof height. Variance #6 requests 3 stories. Staff note the proposed height and number of stories are consistent with the surrounding townhouse dwellings that are a part of the approved subdivision. 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. Staff are satisfied that the variances pose no concerns to the surrounding properties and the streetscape.

Variance #7 pertains to rear yard encroachment and Variance #9 requests a reduced front yard measured to the garage face. The intent of rear yard provisions is to ensure that an appropriate buffer between the massing of structures on abutting properties is provided and to maintain an appropriate rear yard amenity area. The proposed deck is not covered and does not create significant massing concerns for abutting properties. The intent of the front yard regulations is to ensure that a consistent character is maintained along the streetscape, a sufficient front yard space is incorporated into the design of neighbourhoods and that an appropriate buffer between the porch and lot lines is maintained. Staff note the reduction in the front yard arises due to the lot line not being parallel to the dwelling. Staff are satisfied that the deficiency is only for a small portion dwelling and is able to maintain a sufficient front yard space and provide appropriate buffer from the street. Staff are satisfied the character of the neighbourhood is maintained.

Variance #8 is regarding the front yard landscaped area. The intent of a soft landscape area is to help establish the character and identity of a neighbourhood, as well as ensure hardscaping does not dominate the lot frontage. The applicant has proposed a front yard soft landscape area of 40% whereas 45% is required. Staff note the driveway meets the by-law regulations, which limits excessive hardscaping impacts. Staff are satisfied the reduction in the landscaped area will not pose negative impacts from a streetscape perspective.

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

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

Staff are satisfied that the application represents appropriate development of the subject lands. Staff are of the opinion that the variances, both individually and cumulatively, are minor in nature and will not create any undue impacts to adjoining properties or the planned or existing character of the area. The proposal maintains the building footprint of a detached dwelling that is permitted as of right. Staff are satisfied that the proposal is appropriate in this instance.

Comments Prepared by: Shivani Chopra, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting that any Transportation and Works Department concerns/requirements for this property will be addressed under Consent Applications 'B' 52-55/24 respectively.

We have reviewed the application and advise that the City has recently processed a Site Plan application (SP-22/143) and also a Plan of Subdivision for 4 detached dwellings and 12 townhouse dwellings fronting onto a Common Element Condominium (CEC) road which is now registered as 43M-1263 (21T-M-19/002) where all of our concerns would have been addressed.

The applicant is attempting to sever the 4 detached residential lots at the rear of the development to create semi detached dwellings for a total of 8 dwellings.

We have discussed the proposal with our Legal Section, and they have confirmed that all clauses registered on title through the previous registration of 43M-1263 will carry onto the newly created lots.

We question if the applicant has informed all Utility Providers that had previously reviewed/approved the servicing plans submitted through the registration of 43M-1263. The addition of 4 dwellings may present issues for utility providers, documentation of the accepted changes is recommended to be submitted as a condition of final approval.

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

A. Items Required Prior to the Issuance of Final Consent

1. Overall Grading and Drainage Plan

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

We note that the original grading plan that was reviewed/approved through the registration of the subdivision must be adhered to and that the new plan be prepared by the same Consultant.

2. Municipal Address Requirement

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

3. Approval from the Utility Companies

The applicant's Consulting Engineer is to provide written certification that all of the necessary Utility Companies including The Region of Peel have been provided the opportunity to review the proposed changes to the original servicing drawings and that they are all in agreement with the changes.

4. Updated Plans

The plans that we currently hold on file for this project will need to be updated to reflect the new proposal. The applicant must provide this Department with an updated Site plan, Grading plan, Servicing plan and also a Parcels of tied land (P.O.T.L.) plan showing the proposed configurations.

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

B. GENERAL INFORMATION

1. Lot Grading and Drainage

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

2. Servicing

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

3. Access

The applicant will be required to apply for Access Modification Permits prior to Site Plan Approval and/or Building Permit Issuance. We advise the applicant that all costs incurred in providing any new driveway entrance(s) to the subject lands or any modifications/reinstatement required, would be at cost to the owner. Driveway accesses shall maintain a 1.5m setback from aboveground features such as utilities and trees. We are also noting that should any utilities need to be relocated, all costs incurred will also be to the owner.

4. Storm Sewer Outlet

Based on the information available, the retained and severed parcels drain to the private storm sewer system on Moonbrook Rd before ultimately discharging to the 1050mm diameter Regional storm sewer on Cawthra Rd.

Please note that in cases of a high groundwater table where a sump pump could run continuously if a sump pump was implemented, the applicants should consider raising the basement elevation to be at least 1.0 meter above the groundwater level. It is the owner's responsibility to satisfy themselves with these conditions as the City has no obligation to address any concerns with the operating conditions of private sump pump systems.

For further information please contact Walter Copping at 905-615-3200 ext. 5831.

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

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

Appendix 2 – Zoning Comments

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

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

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

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: Emily Majeed, Planner-in-Training

Appendix 3 – Parks, Forestry & Environment

Park Planning Comments

The Parks & Culture Planning Section of the Community Services Department has no objections to the above noted consent application and notes:

1. Given that the property is subject to a development application, SP 22 143, all of Community Services' comments and/or requirements are being addressed through the development application.
2. 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 – Park Planning, Community Services Department at 905-615-3200 ext. 4659 or via email Nicholas.Rocchetti@mississauga.ca.

Comments Prepared by: Nicholas Rocchetti, Planner

Appendix 4 – Heritage

The property has archaeological potential due to its proximity to a present or past watercourse or known archaeological resource. Due to the archaeological potential, an archaeological assessment must be completed. The applicant should contact the Ministry of Citizenship and Multiculturalism to determine if an archaeological assessment has been completed for this property. If an assessment has already been completed, please provide Heritage Planning with a letter from the Ministry confirming all archaeological resource concerns have met licensing and resource conservation requirements for the property. If an assessment has not be

completed a licenced archaeologist with experience in (heritage resource management) must be retained by the property owner in order to meet the requirements of the Ministry.

Comments Prepared by: Andrew Douglas, Heritage Analyst

Appendix 5 – Region of Peel Comments

Please note that our previous comments still apply.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix A – Conditions of Provisional Consent

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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding. ("A"395-396 /24)
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated November 27, 2024.
5. A letter shall be received from the City of Mississauga, Culture Division, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated November 27, 2024.
6. A letter shall be received from the Region of Peel, Development Services/Public Works, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated September 13, 2024.



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: B54.24 A397.24 A398.24
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 1472 Moonbrook Road, zoned RM6-24 - Residential, has applied for consent under Section 53 and minor variance(s) under Section 45 of the Planning Act. B54.24

The applicant requests the Consent of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 7.58m (approx. 24.87ft) and an area of approximately 202.00sq. m (approx. 2174.33sq ft). A397.24

The applicant requests the Committee to approve a minor variance to allow for the construction of a semi-detached dwelling on the severed lands of B54/24 proposing:

1. A semi-detached dwelling on a CEC road whereas By-law 0225-2007, as amended, does not permit a semi-detached dwelling use in this instance;
2. A lot area of 202.0sq.m (approx. 2,174.3sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 400.0sq.m (approx. 4,305.6sq.ft) in this instance;
3. A lot frontage of 7.58m (approx. 24.87ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;
4. A side yard on the attached side of 0m whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.8m (approx. 5.9ft) in this instance;
5. A flat roof height of 10.0m (approx. 32.8ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof height of 9.0m (approx. 29.5ft) in this instance;
6. 3 storeys whereas By-law 0225-2007, as amended, permits a maximum of 2 storeys in this instance;
7. A rear yard encroachment of a porch/deck inclusive of stairs of 4.44m (approx. 14.57ft) whereas By-law 0225-2007, as amended, permits a maximum rear yard encroachment of a porch/deck inclusive of stairs of 3.50m (approx. 11.48ft) in this instance;
8. A front yard landscaped area of 40% whereas By-law 0225-2007, as amended, requires a minimum front yard landscaped area of 45% in this instance; and
9. A front yard measured to the garage face of 5.5m (approx. 18.0ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the garage face of 6.0m (approx. 19.7ft) in this instance.

A398.24

The applicant requests the Committee to approve a minor variance to allow for the construction of a semi-detached dwelling on the retained lands of B54/24 proposing:

1. A semi-detached dwelling on a CEC road whereas By-law 0225-2007, as amended, does not permit a semi-detached dwelling use in this instance;
2. A lot area of 204.7sq.m (approx. 2,203.4sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 400.0sq.m (approx. 4,305.6sq.ft) in this instance;
3. A lot frontage of 7.68m (approx. 25.20ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;
4. A side yard on the attached side of 0m whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.8m (approx. 5.9ft) in this instance;
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instance;

8. A front yard landscaped area of 40% whereas By-law 0225-2007, as amended, requires a minimum front yard landscaped area of 45% in this instance; and

9. A front yard measured to the garage face of 5.5m (approx. 18.0ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the garage face of 6.0m (approx. 19.7ft) in this instance.

The Committee has set **Thursday, December 5, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

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

- **In person:** The hearing will be held in person at Mississauga Civic Centre, Council Chambers, 300 City Centre Drive, 2nd Floor. Advance registration is preferred if you wish to speak at the hearing in person. If you wish to make a presentation you must send your request to speak and your presentation (as an attachment) via email to committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. A document projector will also be available, if preferred.
- **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 x5507 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:

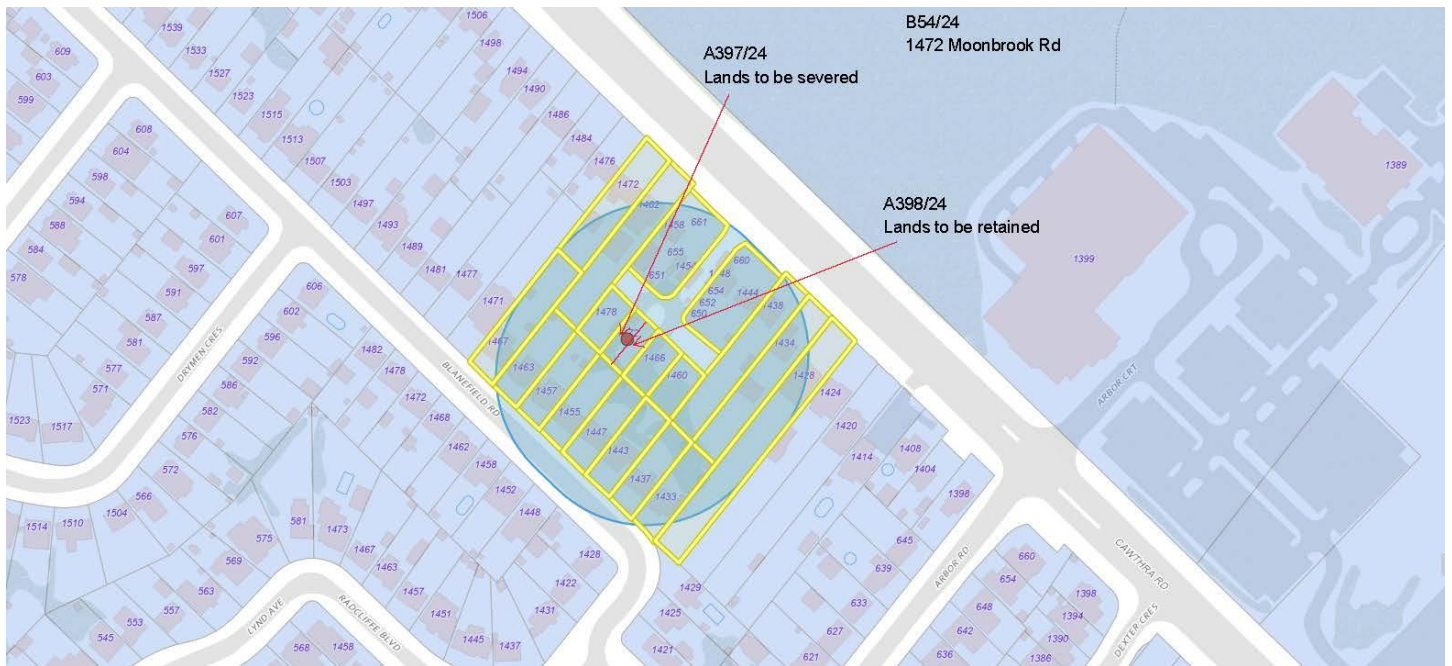
<http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>

Additional Information:

- For more information about this matter, contact committee.adjustment@mississauga.ca or call 905-615-3200 x5507. 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 x5507.

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2024-11-27	File(s): B54.24 A397.24 A398.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:12/5/2024 1:00:00 PM

Consolidated Recommendation

The City has no objections to the consent and minor variance applications. 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

B54.24

The applicant requests the Consent of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 7.58m (approx. 24.87ft) and an area of approximately 202.00sq. m (approx. 2174.33sq ft).

A397.24

The applicant requests the Committee to approve a minor variance to allow for the construction of a semi-detached dwelling on the severed lands of B54/24 proposing:

1. A semi-detached dwelling on a CEC road whereas By-law 0225-2007, as amended, does not permit a semi-detached dwelling use in this instance;
2. A lot area of 202.0sq.m (approx. 2,174.3sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 400.0sq.m (approx. 4,305.6sq.ft) in this instance;
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5. A flat roof height of 10.0m (approx. 32.8ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof height of 9.0m (approx. 29.5ft) in this instance;
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a porch/deck inclusive of stairs of 3.50m (approx. 11.48ft) in this instance;

8. A front yard landscaped area of 40% whereas By-law 0225-2007, as amended, requires a minimum front yard landscaped area of 45% in this instance; and

9. A front yard measured to the garage face of 5.5m (approx. 18.0ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the garage face of 6.0m (approx. 19.7ft) in this instance.

A398.24

The applicant requests the Committee to approve a minor variance to allow for the construction of a semi-detached dwelling on the retained lands of B54/24 proposing:

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Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent
- The variance application approved under File(s) A397.24 and A398.24 must be finalized

Recommended Conditions and/or Terms of minor variance

- Variance(s) approved under file(s) A397.24 and A398.24 shall lapse if the consent application under file B54.24 is not finalized within the time prescribed by legislation.

Background

Property Address: 1472 Moonbrook Road

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Medium Density

Zoning By-law 0225-2007

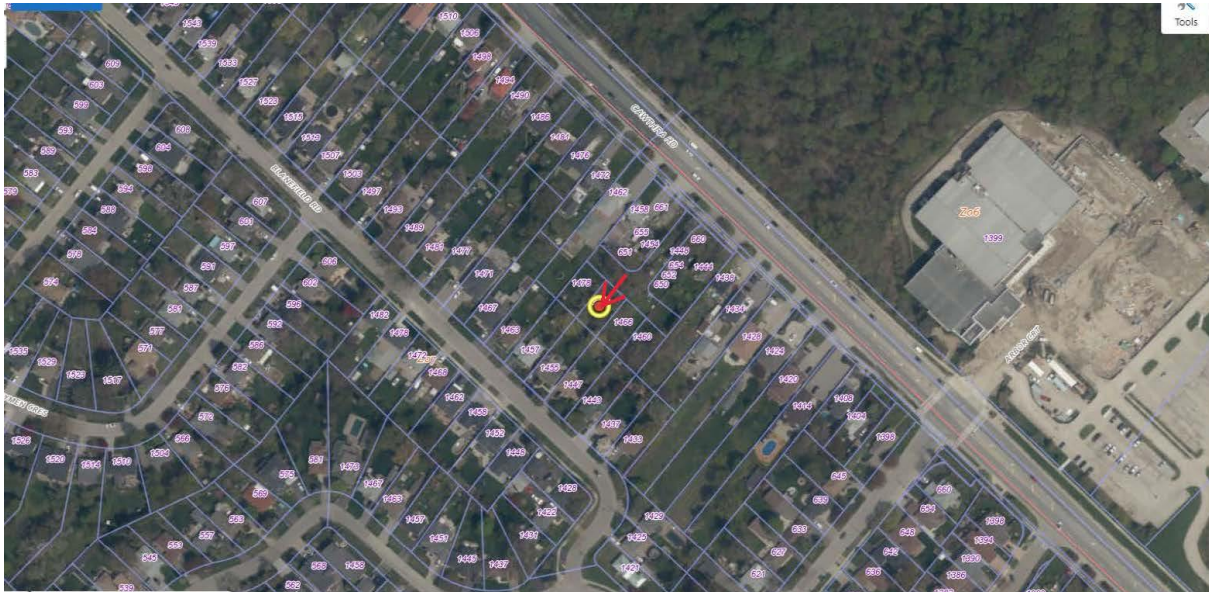
Zoning: RM6-24 - Residential
Other Applications: B52.24 A393.24 A394.24, B53.24 A395.24 A396.24, B55.24 A399.24 A400.24, 21T-M-19/002, OZ 18-010.

Site and Area Context

The subject property is located west of Cawthra Road and south of South Service Road in the Mineola Neighbourhood Character Area. The neighbourhood context consists mostly of low-density housing, with detached homes immediately abutting the subject site to the west.

The site recently went through an official plan amendment, rezoning and plan of subdivision application, under files OZ 18-010 W1 and T-M19002 W1, which resulted in an approval of 4 detached dwellings and 12 townhouses dwellings fronting onto a Common Element Condominium (CEC) road. The lot is currently vacant. The surrounding area context is predominantly residential, consisting of detached dwellings. The property is in close proximity to existing City parks and amenities. Some vegetative elements are present on the subject property.

The applicant is proposing to sever the lot to facilitate the development of two semi-detached dwellings. The proposal requests variances for lot area, frontage, height, number of stories, setbacks, rear yard encroachment, front yard setback and front yard landscaped area.



Comments

Planning

Provincial Matters

The Provincial Policy Statement 2024 (PPS 2024) promotes efficient development and land use, directing the focus towards intensification and redevelopment. The proposal is consistent with the general directive in provincial policy.

Planning Act

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

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

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

The application seeks to sever the subject lot into two parcels for the development of two semi-detached dwellings, requiring a variance to permit a semi-detached dwelling use on the property whereas it is not permitted. Variances are also requested for lot area, frontage, height, number

of stories, setbacks, rear yard encroachment, front yard setback and front yard landscaped area.

Identical applications have been proposed on all 4 detached dwellings that are a part of the same subdivision with property addresses 1460, 1466, 1472 and 1478 Moonbrook Road.

Applications B52.24 A393.24 A394.24, B53.24 A395.24 A396.24, B54.24 A397.24 A398.24 and B55.24 A399.24 A400.24 are in conjunction with each other and as such the same comments are applicable for all 4 applications.

These applications were before the Committee of Adjustment on September 19, 2024, with the same proposal. Staff had noted support for the introduction of semi-detached dwellings; however, the application was deferred to contemplate the zoning regulations that would apply in this case. The applicant has since worked with Planning and Zoning staff to address these concerns and accurately identify the applicable zoning regulations.

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

The subject property is located in the Mineola Neighbourhood Character Area and is designated Residential Medium Density in Schedule 10 of the Mississauga Official Plan (MOP). The property is subject to Special Site 6 policies, which permits detached dwellings in addition to the

townhouse dwellings permitted in parent land use designation. Section 9 of the MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions, the surrounding context, and the landscape of the character area.

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 neighbourhoods. The City has an ongoing study, Increasing Housing Choices in Neighbourhoods, as part of the Housing Action Plan, to introduce gentle density increase in the number and variety of homes in existing single detached neighbourhoods. Staff are of the opinion that the introduction of semi-detached homes aligns with the City's overall vision to increase housing.

Staff are satisfied that the proposed lot sizes are appropriate and will not negatively impact the character of the street or the area's lot fabric. Staff have no concerns with the severances regarding the criteria set out in Section 51(24) of the Planning Act.

Furthermore, staff are of the opinion that the proposal presents a built form that is in line with the planned character of the area and that the proposal respects the surrounding context. Staff are therefore satisfied that the general intent and purpose of the official plan are maintained.

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

Staff note the City is currently working on the Neighbourhood Zoning Review project, with the goal to expand low-rise housing options by removing barriers for semi-detached homes and houses on smaller lots. Notwithstanding this project, the current variances being proposed align

with the zoning regulations stipulated under the RM2 zone for semi-detached dwellings. Further, the variances respect the site-specific zone regulations in terms maintaining the building envelope.

Similar variances are requested for both the severed and the retained parcels

Variance #1 requests permission for a semi-detached dwelling on a CEC road where it is not permitted. Staff are of the opinion that the proposal aligns with the City's approach to increase density while maintaining the character of the neighbourhood. Staff are satisfied that the semi-detached dwellings in this case are appropriate.

Variances #2 and #3 request relief in the lot area and frontage respectively. The intent of the zoning by-law is to ensure that new lots are appropriately sized and fit within the context of the surrounding area. The proposed lot frontages and areas are consistent with the requirements for a semi-detached dwelling. Additionally, no variances have been requested for lot coverage and gross floor area. Staff are satisfied that the proposed lots can adequately accommodate semi-detached dwellings.

Variances #4 requests a 0.0m side yard setback. Staff note this is technical in nature as this is accommodate the attached side of the semi-detached dwelling and have no concerns with the variance. The dwelling maintains the required setbacks from the other side.

Variance #5 pertains to flat roof height. Variance #6 requests 3 stories. Staff note the proposed height and number of stories are consistent with the surrounding townhouse dwellings that are a part of the approved subdivision. 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. Staff are satisfied that the variances pose no concerns to the surrounding properties and the streetscape.

Variance #7 pertains to rear yard encroachment and Variance #9 requests a reduced front yard measured to the garage face. The intent of rear yard provisions is to ensure that an appropriate buffer between the massing of structures on abutting properties is provided and to maintain an appropriate rear yard amenity area. The proposed deck is not covered and does not create significant massing concerns for abutting properties. The intent of the front yard regulations is to ensure that a consistent character is maintained along the streetscape, a sufficient front yard space is incorporated into the design of neighbourhoods and that an appropriate buffer between the porch and lot lines is maintained. Staff note the reduction in the front yard arises due to the lot line not being parallel to the dwelling. Staff are satisfied that the deficiency is only for a small portion dwelling and is able to maintain a sufficient front yard space and provide appropriate buffer from the street. Staff are satisfied the character of the neighbourhood is maintained.

Variance #8 is regarding the front yard landscaped area. The intent of a soft landscape area is to help establish the character and identity of a neighbourhood, as well as ensure hardscaping does not dominate the lot frontage. The applicant has proposed a front yard soft landscape area of 40% whereas 45% is required. Staff note the driveway meets the by-law regulations, which limits excessive hardscaping impacts. Staff are satisfied the reduction in the landscaped area will not pose negative impacts from a streetscape perspective.

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

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

Staff are satisfied that the application represents appropriate development of the subject lands. Staff are of the opinion that the variances, both individually and cumulatively, are minor in nature and will not create any undue impacts to adjoining properties or the planned or existing character of the area. The proposal maintains the building footprint of a detached dwelling that is permitted as of right. Staff are satisfied that the proposal is appropriate in this instance.

Comments Prepared by: Shivani Chopra, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting that any Transportation and Works Department concerns/requirements for this property will be addressed under Consent Applications 'B' 52-55/24 respectively.

We have reviewed the application and advise that the City has recently processed a Site Plan application (SP-22/143) and also a Plan of Subdivision for 4 detached dwellings and 12 townhouse dwellings fronting onto a Common Element Condominium (CEC) road which is now registered as 43M-1263 (21T-M-19/002) where all of our concerns would have been addressed.

The applicant is attempting to sever the 4 detached residential lots at the rear of the development to create semi detached dwellings for a total of 8 dwellings.

We have discussed the proposal with our Legal Section, and they have confirmed that all clauses registered on title through the previous registration of 43M-1263 will carry onto the newly created lots.

We question if the applicant has informed all Utility Providers that had previously reviewed/approved the servicing plans submitted through the registration of 43M-1263. The addition of 4 dwellings may present issues for utility providers, documentation of the accepted changes is recommended to be submitted as a condition of final approval.

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

A. Items Required Prior to the Issuance of Final Consent

1. Overall Grading and Drainage Plan

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

We note that the original grading plan that was reviewed/approved through the registration of the subdivision must be adhered to and that the new plan be prepared by the same Consultant.

2. Municipal Address Requirement

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

3. Approval from the Utility Companies

The applicant's Consulting Engineer is to provide written certification that all of the necessary Utility Companies including The Region of Peel have been provided the opportunity to review the proposed changes to the original servicing drawings and that they are all in agreement with the changes.

4. Updated Plans

The plans that we currently hold on file for this project will need to be updated to reflect the new proposal. The applicant must provide this Department with an updated Site plan, Grading plan, Servicing plan and also a Parcels of tied land (P.O.T.L.) plan showing the proposed configurations.

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

B. GENERAL INFORMATION

1. Lot Grading and Drainage

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

2. Servicing

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

3. Access

The applicant will be required to apply for Access Modification Permits prior to Site Plan Approval and/or Building Permit Issuance. We advise the applicant that all costs incurred in providing any new driveway entrance(s) to the subject lands or any modifications/reinstatement required, would be at cost to the owner. Driveway accesses shall maintain a 1.5m setback from aboveground features such as utilities and trees. We are also noting that should any utilities need to be relocated, all costs incurred will also be to the owner.

4. Storm Sewer Outlet

Based on the information available, the retained and severed parcels drain to the private storm sewer system on Moonbrook Rd before ultimately discharging to the 1050mm diameter Regional storm sewer on Cawthra Rd.

Please note that in cases of a high groundwater table where a sump pump could run continuously if a sump pump was implemented, the applicants should consider raising the basement elevation to be at least 1.0 meter above the groundwater level. It is the owner's responsibility to satisfy themselves with these conditions as the City has no obligation to address any concerns with the operating conditions of private sump pump systems.

For further information please contact Walter Copping at 905-615-3200 ext. 5831.

G. Russell,

Supervisor, Development Engineering South

905-615-3200, ext. 5833

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

Appendix 2 – Zoning Comments

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

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

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

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: Emily Majeed, Planner-in-Training

Appendix 3 – Parks, Forestry & Environment

Park Planning Comments

The Parks & Culture Planning Section of the Community Services Department has no objections to the above noted consent application and notes:

1. Given that the property is subject to a development application, SP 22 143, all of Community Services' comments and/or requirements are being addressed through the development application.
2. 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 – Park Planning, Community Services Department at 905-615-3200 ext. 4659 or via email Nicholas.Rocchetti@mississauga.ca.

Comments Prepared by: Nicholas Rocchetti, Planner

Appendix 4 – Heritage

The property has archaeological potential due to its proximity to a present or past watercourse or known archaeological resource. Due to the archaeological potential, an archaeological assessment must be completed. The applicant should contact the Ministry of Citizenship and Multiculturalism to determine if an archaeological assessment has been completed for this property. If an assessment has already been completed, please provide Heritage Planning with a letter from the Ministry confirming all archaeological resource concerns have met licensing and resource conservation requirements for the property. If an assessment has not be

completed a licenced archaeologist with experience in (heritage resource management) must be retained by the property owner in order to meet the requirements of the Ministry.

Comments Prepared by: Andrew Douglas, Heritage Analyst

Appendix 5 – Region of Peel Comments

Please note that our previous comments still apply.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix A – Conditions of Provisional Consent

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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding. ("A"397-398 /24)
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated November 27, 2024.
5. A letter shall be received from the City of Mississauga, Culture Division, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated November 27, 2024.
6. A letter shall be received from the Region of Peel, Development Services/Public Works, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated September 13, 2024.

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 1478 Moonbrook Road, zoned RM6-24 - Residential, has applied for consent under Section 53 and minor variance(s) under Section 45 of the Planning Act. B55.24

The applicant requests the Consent of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 7.57m (approx. 24.84ft) and an area of approximately 201.60sq. m (approx. 2170.02sq ft). A399.24

The applicant requests the Committee to approve a minor variance to allow for the construction of a semi-detached dwelling on the severed lands of B55/24 proposing:

1. A semi-detached dwelling on a CEC road whereas By-law 0225-2007, as amended, does not permit a semi-detached dwelling use in this instance;
2. A lot area of 201.6sq.m (approx. 2,170.0sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 400.0sq.m (approx. 4,305.6sq.ft) in this instance;
3. A lot frontage of 7.57m (approx. 24.84ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;
4. A side yard on the attached side of 0m whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.8m (approx. 5.9ft) in this instance;
5. A flat roof height of 10.0m (approx. 32.8ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof height of 9.0m (approx. 29.5ft) in this instance;
6. 3 storeys whereas By-law 0225-2007, as amended, permits a maximum of 2 storeys in this instance;
7. A rear yard encroachment of a porch/deck inclusive of stairs of 4.44m (approx. 14.57ft) whereas By-law 0225-2007, as amended, permits a maximum rear yard encroachment of a porch/deck inclusive of stairs of 3.50m (approx. 11.48ft) in this instance;
8. A front yard landscaped area of 40% whereas By-law 0225-2007, as amended, requires a minimum front yard landscaped area of 45% in this instance; and
9. A front yard measured to the garage face of 5.5m (approx. 18.0ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the garage face of 6.0m (approx. 19.7ft) in this instance.

A400.24

The applicant requests the Committee to approve a minor variance to allow for the construction of a semi-detached dwelling on the retained lands of B55/24 proposing:

1. A semi-detached dwelling on a CEC road whereas By-law 0225-2007, as amended, does not permit a semi-detached dwelling use in this instance;
2. A lot area of 204.6sq.m (approx. 2,202.3sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 400.0sq.m (approx. 4,305.6sq.ft) in this instance;
3. A lot frontage of 7.68m (approx. 25.20ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;
4. A side yard on the attached side of 0m whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.8m (approx. 5.9ft) in this instance;
5. A flat roof height of 10.0m (approx. 32.8ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof height of 9.0m (approx. 29.5ft) in this instance;
6. 3 storeys whereas By-law 0225-2007, as amended, permits a maximum of 2 storeys in this instance;
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instance;

8. A front yard landscaped area of 40% whereas By-law 0225-2007, as amended, requires a minimum front yard landscaped area of 45% in this instance; and

9. A front yard measured to the garage face of 5.5m (approx. 18.0ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the garage face of 6.0m (approx. 19.7ft) in this instance.

The Committee has set **Thursday, December 5, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

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

- **In person:** The hearing will be held in person at Mississauga Civic Centre, Council Chambers, 300 City Centre Drive, 2nd Floor. Advance registration is preferred if you wish to speak at the hearing in person. If you wish to make a presentation you must send your request to speak and your presentation (as an attachment) via email to committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. A document projector will also be available, if preferred.
- **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 x5507 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 x5507. 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 x5507.

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2024-11-27	File(s): B55.24 A399.24 A400.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:12/5/2024 1:00:00 PM

Consolidated Recommendation

The City has no objections to the consent and minor variance applications. 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

B55.24

The applicant requests the Consent of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 7.57m (approx. 24.84ft) and an area of approximately 201.60sq. m (approx. 2170.02sq ft).

A399.24

The applicant requests the Committee to approve a minor variance to allow for the construction of a semi-detached dwelling on the severed lands of B55/24 proposing:

1. A semi-detached dwelling on a CEC road whereas By-law 0225-2007, as amended, does not permit a semi-detached dwelling use in this instance;
2. A lot area of 201.6sq.m (approx. 2,170.0sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 400.0sq.m (approx. 4,305.6sq.ft) in this instance;
3. A lot frontage of 7.57m (approx. 24.84ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;
4. A side yard on the attached side of 0m whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.8m (approx. 5.9ft) in this instance;
5. A flat roof height of 10.0m (approx. 32.8ft) whereas By-law 0225-2007, as amended, permits a maximum flat roof height of 9.0m (approx. 29.5ft) in this instance;
6. 3 storeys whereas By-law 0225-2007, as amended, permits a maximum of 2 storeys in this instance;
7. A rear yard encroachment of a porch/deck inclusive of stairs of 4.44m (approx. 14.57ft) whereas By-law 0225-2007, as amended, permits a maximum rear yard encroachment of

a porch/deck inclusive of stairs of 3.50m (approx. 11.48ft) in this instance;

8. A front yard landscaped area of 40% whereas By-law 0225-2007, as amended, requires a minimum front yard landscaped area of 45% in this instance; and

9. A front yard measured to the garage face of 5.5m (approx. 18.0ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the garage face of 6.0m (approx. 19.7ft) in this instance.

A400.24

The applicant requests the Committee to approve a minor variance to allow for the construction of a semi-detached dwelling on the retained lands of B55/24 proposing:

1. A semi-detached dwelling on a CEC road whereas By-law 0225-2007, as amended, does not permit a semi-detached dwelling use in this instance;

2. A lot area of 204.6sq.m (approx. 2,202.3sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 400.0sq.m (approx. 4,305.6sq.ft) in this instance;

3. A lot frontage of 7.68m (approx. 25.20ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;

4. A side yard on the attached side of 0m whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.8m (approx. 5.9ft) in this instance;

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9. A front yard measured to the garage face of 5.5m (approx. 18.0ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to the garage face of 6.0m (approx. 19.7ft) in this instance.

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent
- The variance application approved under File(s) A399.24 and A400.24 must be finalized

Recommended Conditions and/or Terms of minor variance

- Variance(s) approved under file(s) A399.24 and A400.24 shall lapse if the consent application under file B52.24 is not finalized within the time prescribed by legislation.

Background

Property Address: 1478 Moonbrook Road

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Medium Density

Zoning By-law 0225-2007

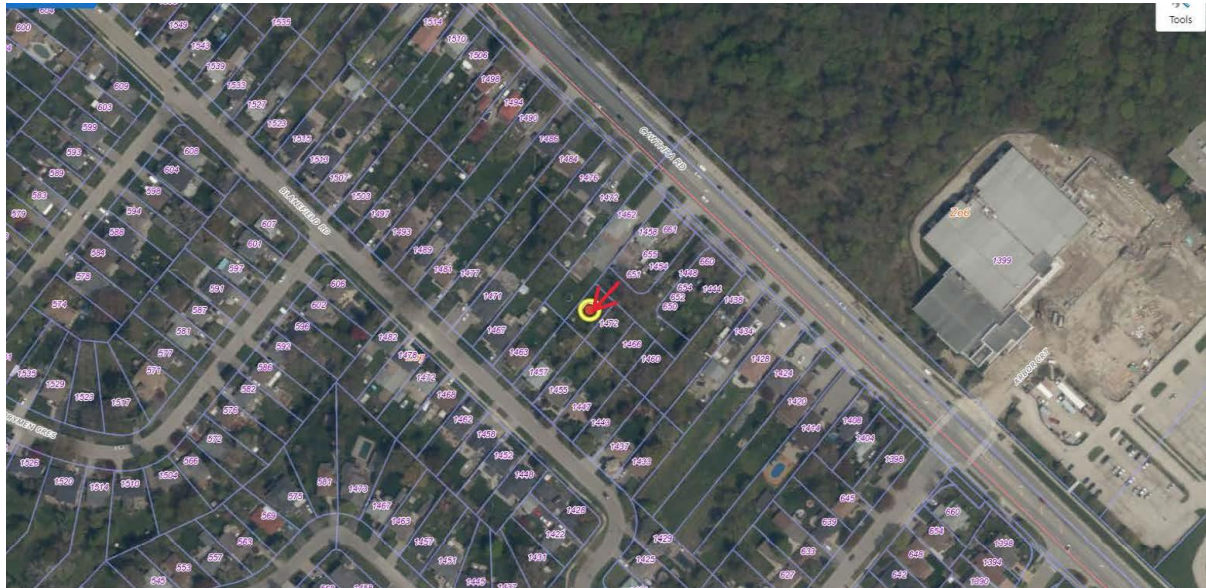
Zoning: RM6-24 - Residential
Other Applications: B52.24 A393.24 A394.24, B53.24 A395.24 A396.24, B54.24 A397.24 A398.24, 21T-M-19/002, OZ 18-010.

Site and Area Context

The subject property is located west of Cawthra Road and south of South Service Road in the Mineola Neighbourhood Character Area. The neighbourhood context consists mostly of low-density housing, with detached homes immediately abutting the subject site to the west.

The site recently went through an official plan amendment, rezoning and plan of subdivision application, under files OZ 18-010 W1 and T-M19002 W1, which resulted in an approval of 4 detached dwellings and 12 townhouses dwellings fronting onto a Common Element Condominium (CEC) road. The lot is currently vacant. The surrounding area context is predominantly residential, consisting of detached dwellings. The property is in close proximity to existing City parks and amenities. Some vegetative elements are present on the subject property.

The applicant is proposing to sever the lot to facilitate the development of two semi-detached dwellings. The proposal requests variances for lot area, frontage, height, number of stories, setbacks, rear yard encroachment, front yard setback and front yard landscaped area.



Comments

Planning

Provincial Matters

The Provincial Policy Statement 2024 (PPS 2024) promotes efficient development and land use, directing the focus towards intensification and redevelopment. The proposal is consistent with the general directive in provincial policy.

Planning Act

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

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

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

The application seeks to sever the subject lot into two parcels for the development of two semi-detached dwellings, requiring a variance to permit a semi-detached dwelling use on the property whereas it is not permitted. Variances are also requested for lot area, frontage, height, number

of stories, setbacks, rear yard encroachment, front yard setback and front yard landscaped area.

Identical applications have been proposed on all 4 detached dwellings that are a part of the same subdivision with property addresses 1460, 1466, 1472 and 1478 Moonbrook Road. Applications B52.24 A393.24 A394.24, B53.24 A395.24 A396.24, B54.24 A397.24 A398.24 and B55.24 A399.24 A400.24 are in conjunction with each other and as such the same comments are applicable for all 4 applications.

These applications were before the Committee of Adjustment on September 19, 2024, with the same proposal. Staff had noted support for the introduction of semi-detached dwellings; however, the application was deferred to contemplate the zoning regulations that would apply in this case. The applicant has since worked with Planning and Zoning staff to address these concerns and accurately identify the applicable zoning regulations.

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

The subject property is located in the Mineola Neighbourhood Character Area and is designated Residential Medium Density in Schedule 10 of the Mississauga Official Plan (MOP). The property is subject to Special Site 6 policies, which permits detached dwellings in addition to the

townhouse dwellings permitted in parent land use designation. Section 9 of the MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions, the surrounding context, and the landscape of the character area.

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 neighbourhoods. The City has an ongoing study, Increasing Housing Choices in Neighbourhoods, as part of the Housing Action Plan, to introduce gentle density increase in the number and variety of homes in existing single detached neighbourhoods. Staff are of the opinion that the introduction of semi-detached homes aligns with the City's overall vision to increase housing.

Staff are satisfied that the proposed lot sizes are appropriate and will not negatively impact the character of the street or the area's lot fabric. Staff have no concerns with the severances regarding the criteria set out in Section 51(24) of the Planning Act.

Furthermore, staff are of the opinion that the proposal presents a built form that is in line with the planned character of the area and that the proposal respects the surrounding context. Staff are therefore satisfied that the general intent and purpose of the official plan are maintained.

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

Staff note the City is currently working on the Neighbourhood Zoning Review project, with the goal to expand low-rise housing options by removing barriers for semi-detached homes and houses on smaller lots. Notwithstanding this project, the current variances being proposed align

with the zoning regulations stipulated under the RM2 zone for semi-detached dwellings. Further, the variances respect the site-specific zone regulations in terms maintaining the building envelope.

Similar variances are requested for both the severed and the retained parcels

Variance #1 requests permission for a semi-detached dwelling on a CEC road where it is not permitted. Staff are of the opinion that the proposal aligns with the City's approach to increase density while maintaining the character of the neighbourhood. Staff are satisfied that the semi-detached dwellings in this case are appropriate.

Variances #2 and #3 request relief in the lot area and frontage respectively. The intent of the zoning by-law is to ensure that new lots are appropriately sized and fit within the context of the surrounding area. The proposed lot frontages and areas are consistent with the requirements for a semi-detached dwelling. Additionally, no variances have been requested for lot coverage and gross floor area. Staff are satisfied that the proposed lots can adequately accommodate semi-detached dwellings.

Variances #4 requests a 0.0m side yard setback. Staff note this is technical in nature as this is accommodate the attached side of the semi-detached dwelling and have no concerns with the variance. The dwelling maintains the required setbacks from the other side.

Variance #5 pertains to flat roof height. Variance #6 requests 3 stories. Staff note the proposed height and number of stories are consistent with the surrounding townhouse dwellings that are a part of the approved subdivision. 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. Staff are satisfied that the variances pose no concerns to the surrounding properties and the streetscape.

Variance #7 pertains to rear yard encroachment and Variance #9 requests a reduced front yard measured to the garage face. The intent of rear yard provisions is to ensure that an appropriate buffer between the massing of structures on abutting properties is provided and to maintain an appropriate rear yard amenity area. The proposed deck is not covered and does not create significant massing concerns for abutting properties. The intent of the front yard regulations is to ensure that a consistent character is maintained along the streetscape, a sufficient front yard space is incorporated into the design of neighbourhoods and that an appropriate buffer between the porch and lot lines is maintained. Staff note the reduction in the front yard arises due to the lot line not being parallel to the dwelling. Staff are satisfied that the deficiency is only for a small portion dwelling and is able to maintain a sufficient front yard space and provide appropriate buffer from the street. Staff are satisfied the character of the neighbourhood is maintained.

Variance #8 is regarding the front yard landscaped area. The intent of a soft landscape area is to help establish the character and identity of a neighbourhood, as well as ensure hardscaping does not dominate the lot frontage. The applicant has proposed a front yard soft landscape area of 40% whereas 45% is required. Staff note the driveway meets the by-law regulations, which limits excessive hardscaping impacts. Staff are satisfied the reduction in the landscaped area will not pose negative impacts from a streetscape perspective.

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

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

Staff are satisfied that the application represents appropriate development of the subject lands. Staff are of the opinion that the variances, both individually and cumulatively, are minor in nature and will not create any undue impacts to adjoining properties or the planned or existing character of the area. The proposal maintains the building footprint of a detached dwelling that is permitted as of right. Staff are satisfied that the proposal is appropriate in this instance.

Comments Prepared by: Shivani Chopra, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting that any Transportation and Works Department concerns/requirements for this property will be addressed under Consent Applications 'B' 52-55/24 respectively.

We have reviewed the application and advise that the City has recently processed a Site Plan application (SP-22/143) and also a Plan of Subdivision for 4 detached dwellings and 12 townhouse dwellings fronting onto a Common Element Condominium (CEC) road which is now registered as 43M-1263 (21T-M-19/002) where all of our concerns would have been addressed.

The applicant is attempting to sever the 4 detached residential lots at the rear of the development to create semi detached dwellings for a total of 8 dwellings.

We have discussed the proposal with our Legal Section, and they have confirmed that all clauses registered on title through the previous registration of 43M-1263 will carry onto the newly created lots.

We question if the applicant has informed all Utility Providers that had previously reviewed/approved the servicing plans submitted through the registration of 43M-1263. The addition of 4 dwellings may present issues for utility providers, documentation of the accepted changes is recommended to be submitted as a condition of final approval.

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

A. Items Required Prior to the Issuance of Final Consent

1. Overall Grading and Drainage Plan

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

We note that the original grading plan that was reviewed/approved through the registration of the subdivision must be adhered to and that the new plan be prepared by the same Consultant.

2. Municipal Address Requirement

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

3. Approval from the Utility Companies

The applicant's Consulting Engineer is to provide written certification that all of the necessary Utility Companies including The Region of Peel have been provided the opportunity to review the proposed changes to the original servicing drawings and that they are all in agreement with the changes.

4. Updated Plans

The plans that we currently hold on file for this project will need to be updated to reflect the new proposal. The applicant must provide this Department with an updated Site plan, Grading plan, Servicing plan and also a Parcels of tied land (P.O.T.L.) plan showing the proposed configurations.

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

B. GENERAL INFORMATION

1. Lot Grading and Drainage

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

2. Servicing

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

3. Access

The applicant will be required to apply for Access Modification Permits prior to Site Plan Approval and/or Building Permit Issuance. We advise the applicant that all costs incurred in providing any new driveway entrance(s) to the subject lands or any modifications/reinstatement required, would be at cost to the owner. Driveway accesses shall maintain a 1.5m setback from aboveground features such as utilities and trees. We are also noting that should any utilities need to be relocated, all costs incurred will also be to the owner.

4. Storm Sewer Outlet

Based on the information available, the retained and severed parcels drain to the private storm sewer system on Moonbrook Rd before ultimately discharging to the 1050mm diameter Regional storm sewer on Cawthra Rd.

Please note that in cases of a high groundwater table where a sump pump could run continuously if a sump pump was implemented, the applicants should consider raising the basement elevation to be at least 1.0 meter above the groundwater level. It is the owner's responsibility to satisfy themselves with these conditions as the City has no obligation to address any concerns with the operating conditions of private sump pump systems.

For further information please contact Walter Copping at 905-615-3200 ext. 5831.

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

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

Appendix 2 – Zoning Comments

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

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

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

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: Emily Majeed, Planner-in-Training

Appendix 3 – Parks, Forestry & Environment

Park Planning Comments

The Parks & Culture Planning Section of the Community Services Department has no objections to the above noted consent application and notes:

1. Given that the property is subject to a development application, SP 22 143, all of Community Services' comments and/or requirements are being addressed through the development application.
2. 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 – Park Planning, Community Services Department at 905-615-3200 ext. 4659 or via email Nicholas.Rocchetti@mississauga.ca.

Comments Prepared by: Nicholas Rocchetti, Planner

Appendix 4 – Heritage

The property has archaeological potential due to its proximity to a present or past watercourse or known archaeological resource. Due to the archaeological potential, an archaeological assessment must be completed. The applicant should contact the Ministry of Citizenship and Multiculturalism to determine if an archaeological assessment has been completed for this property. If an assessment has already been completed, please provide Heritage Planning with a letter from the Ministry confirming all archaeological resource concerns have met licensing and resource conservation requirements for the property. If an assessment has not be

completed a licenced archaeologist with experience in (heritage resource management) must be retained by the property owner in order to meet the requirements of the Ministry.

Comments Prepared by: Andrew Douglas, Heritage Analyst

Appendix 5 – Region of Peel Comments

Please note that our previous comments still apply.

Comments Prepared by: Petrele Francois, Junior Planner

Appendix A – Conditions of Provisional Consent

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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding. ("A"399-400 /24)
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated November 27, 2024.
5. A letter shall be received from the City of Mississauga, Culture Division, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated November 27, 2024.
6. A letter shall be received from the Region of Peel, Development Services/Public Works, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated September 13, 2024.

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 4825 Owl Circle, zoned R5-Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a driveway width of 6.86m (approx. 22.51ft) 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, December 5, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

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

- **In person:** The hearing will be held in person at Mississauga Civic Centre, Council Chambers, 300 City Centre Drive, 2nd Floor. Advance registration is preferred if you wish to speak at the hearing in person. If you wish to make a presentation you must send your request to speak and your presentation (as an attachment) via email to committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. A document projector will also be available, if preferred.
- **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 x5507 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 x5507. 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:

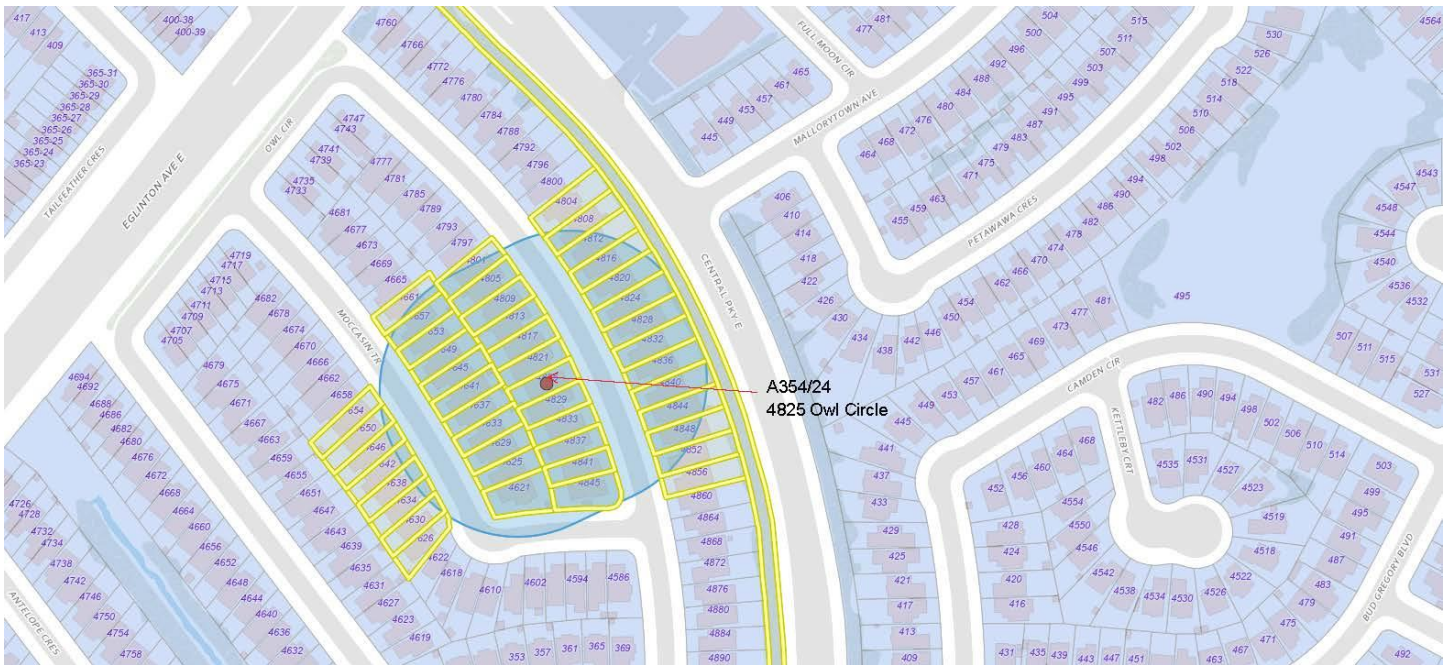
<https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

- 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 x5507.

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2024-11-27	File(s): A354.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:12/5/2024 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow a driveway width of 6.86m (approx. 22.51ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

Background

Property Address: 4825 Owl Circle

Mississauga Official Plan

Character Area: Hurontario Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

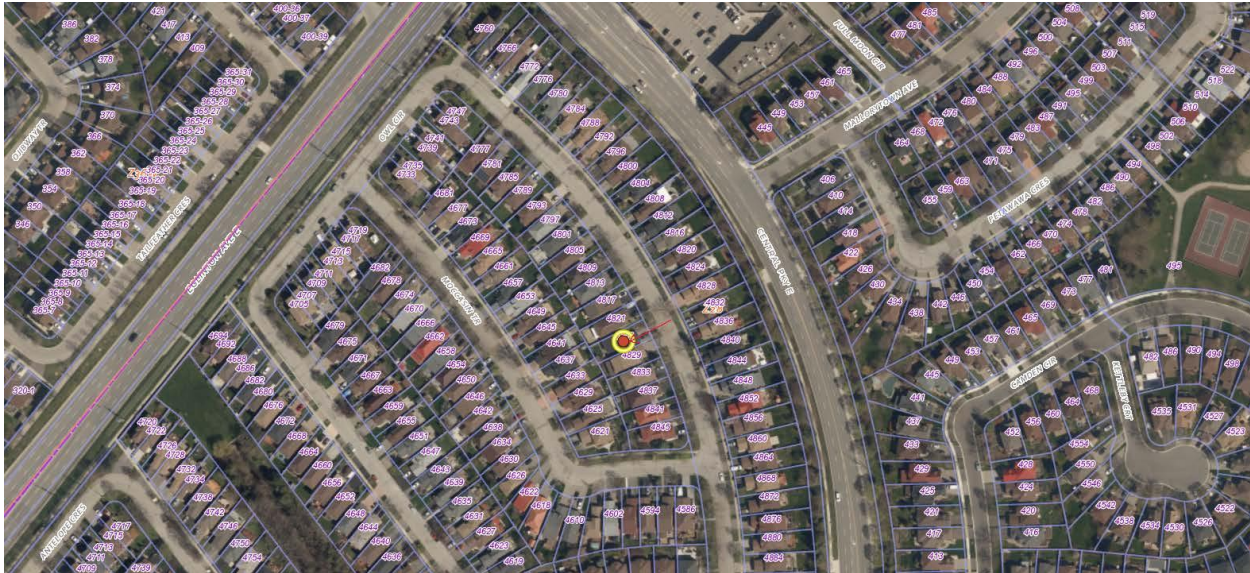
Zoning: R5-Residential

Other Applications: None

Site and Area Context

The subject property is located south-west of the Eglinton Avenue East and Central Parkway East intersection in the Hurontario Neighbourhood Character Area. It is an interior lot containing a two-storey detached dwelling with attached garage. Limited landscaping and vegetative elements are present on the subject property. The surrounding area is exclusively residential, consisting of detached dwellings on similarly sized lots.

The applicant is proposing to legalize the 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 Hurontario 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 sole 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 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 that can accommodate two vehicles parked side by side, with the remainder of the front yard being soft landscaped area. Staff are of the opinion that the increase in driveway width is minor, while the proposed driveway width does not facilitate the parking of additional vehicles across the driveway, nor does it create excessive hardscaping on the property. Additionally, Transportation and Work's staff have raised no drainage concerns.

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. The proposal will not have any additional impacts to abutting properties.

While Planning staff are not in a position to interpret the zoning by-law, staff note an additional variance for driveway setback may be required. The zoning by-law stipulates a 0.6m (1.96ft) setback from the driveway to the side lot line. Staff note no setback from the driveway to the side lot line is provided on the drawings submitted.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's ease of reference are photos which depict the widened driveway. This Department requests that the municipal boulevard (area between the municipal curb and property line) is re-instated with topsoil and a sodded condition should the application be modified to reflect a reduced driveway width 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: Emily Majeed, Planner-in-Training

Appendix 3 – Parks, Forestry & Environment

Forestry Comments

The Forestry Section of the Community Services Department has reviewed the above noted minor variance application. Forestry does not support this application as the construction works affiliated with the driveway widening will impact the following City owned trees, resulting in tree injury or tree removal. Care should be taken to protect the below noted trees as best as possible:

- Silver Maple: 42cm DBH, good condition, minimum Tree Protection Zone (TPZ) 3.0m, located north of driveway, City tree. Driveway widening would result in tree injury.
- Silver Maple: 40cm DBH, good condition, minimum Tree Protection Zone (TPZ) 2.4m, located south of driveway, City tree. Driveway widening would result in tree removal.

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 below in Item 1. As per this By-law, no person shall perform any work within a TPZ without a valid permit.

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 below in Item 2.

Should this application be approved, Forestry 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/>.

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

Comments Prepared by: Jamie Meston, Landscape Technician

Appendix 4 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner

Schedule 1

Conditions

- None

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 1143 Brooks Dr, 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 and driveway proposing:

1. An eaves setback to the front yard of 6.95m (approx. 22.80ft) whereas By-law 0225-2007, as amended, permits a maximum eaves setback to the front yard of 7.05m (approx. 23.13ft) in this instance.
2. A front yard setback of 6.70m (approx. 21.98ft) 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 the front porch of 4.16m (approx. 13.65ft) whereas By-law 0225-2007, as amended, requires a minimum front yard porch setback of 5.90m (approx. 19.36ft) in this instance;
4. A height of eaves of 8.69m (approx. 28.51ft) whereas By-law 0225-2007, as amended, permits a maximum height of eaves of 6.40m (approx. 21.00ft) in this instance;
5. A height to height ridge of a sloped roof of 10.31m (approx. 33.83ft) whereas By-law 0225-2007, as amended, permits a maximum height to height ridge of a sloped roof of 9.50m (approx. 31.17ft) in this instance;
6. A left side yard setback to the second storey eaves of 0.43m (approx. 1.41ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback to the second storey eaves of 1.36m (approx. 4.46ft) in this instance;
7. A left side yard setback to the second storey of 1.14m (approx. 3.74ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback to the second storey of 1.81m (approx. 5.94ft) in this instance;
8. A left side yard setback to the eaves of 0.72m (approx. 2.36ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback to the eaves of 0.75m (approx. 2.46ft) in this instance;
9. A left side yard setback of 1.14m (approx. 3.74ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.20m (approx. 3.94ft) in this instance;
10. A right side yard setback to the eaves of 0.89m (approx. 2.92ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback to the eaves of 1.36m (approx. 4.46ft) in this instance;
11. A right side yard setback to the second storey of 1.66m (approx. 5.45ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback to the second storey of 1.81m (approx. 5.94ft) in this instance.

The Committee has set **Thursday, December 5, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

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- **In person:** The hearing will be held in person at Mississauga Civic Centre, Council Chambers, 300 City Centre Drive, 2nd Floor. Advance registration is preferred if you wish to speak at the hearing in person. If you wish to make a presentation you must send your request to speak and your presentation (as an attachment) via email to

committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. A document projector will also be available, if preferred.

- **Electronically (computer, tablet or smartphone):** Advance registration is required to speak virtually at the hearing. If you wish to make a presentation at the hearing you must send your request to speak and your presentation material (as an attachment) via email to committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. If you have connection issues on the hearing date, please email virtualmeeting.help@mississauga.ca.
- **By telephone:** Advance registration is required to speak virtually at the hearing. To register, please call 905-615-3200 x5507 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>

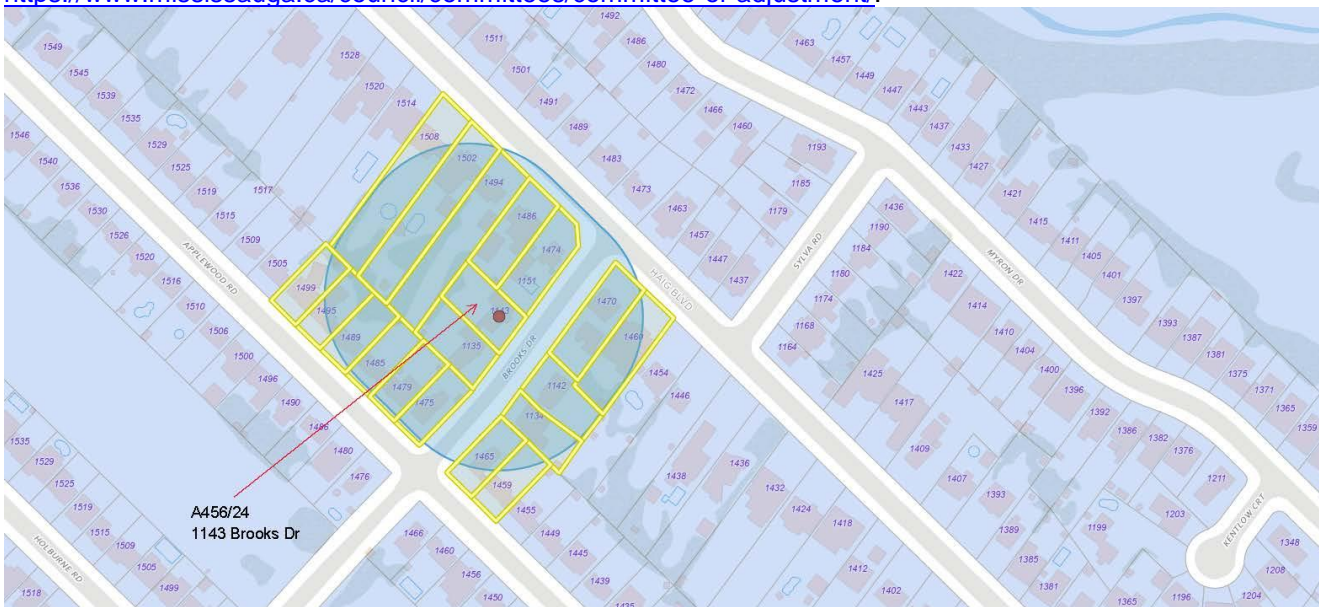
Additional Information:

- For more information about this matter, contact committee.adjustment@mississauga.ca or call 905-615-3200 x5507. 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 x5507.

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2024-11-27	File(s): A456.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:12/5/2024 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application, as amended. 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 an addition and driveway proposing:

1. An eaves setback to the front yard of 6.95m (approx. 22.80ft) whereas By-law 0225-2007, as amended, permits a maximum eaves setback to the front yard of 7.05m (approx. 23.13ft) in this instance.
2. A front yard setback of 6.70m (approx. 21.98ft) 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 the front porch of 4.16m (approx. 28.38ft) whereas By-law 0225-2007, as amended, requires a minimum front yard porch setback of 5.90m (approx. 19.36ft) in this instance;
4. A height of eaves of 8.69m (approx. 28.51ft) whereas By-law 0225-2007, as amended, permits a maximum height of eaves of 6.40m (approx. 21.00ft) in this instance;
5. A height to height ridge of a sloped roof of 10.31m (approx. 33.83ft) whereas By-law 0225-2007, as amended, permits a maximum height to height ridge of a sloped roof of 9.50m (approx. 31.17ft) in this instance;
6. A left side yard setback to the second storey eaves of 0.43m (approx. 1.41ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback to the second storey eaves of 1.36m (approx. 4.46ft) in this instance;
7. A left side yard setback to the second storey of 1.14m (approx. 3.74ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback to the second storey of 1.81m (approx. 5.94ft) in this instance;
8. A left side yard setback to the eaves of 0.72m (approx. 2.36ft) whereas By-law 0225-

2007, as amended, requires a minimum side yard setback to the eaves of 0.75m (approx. 2.46ft) in this instance;

9. A left side yard setback of 1.14m (approx. 3.74ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.20m (approx. 3.94ft) in this instance;

10. A right side yard setback to the eaves of 0.89m (approx. 2.92ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback to the eaves of 1.36m (approx. 4.46ft) in this instance;

11. A right side yard setback to the second storey of 1.66m (approx. 5.45ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback to the second storey of 1.81m (approx. 5.94ft) in this instance.

Amendments

Staff have received revised drawings from the applicant. As such, the following amendments are required:

Variance #4 be updated to reflect an eave height of 7.98m (26.18ft)

Variance #5 be updated to reflect a dwelling height of 9.57m (31.39ft).

Background

Property Address: 1143 Brooks Dr

Mississauga Official Plan

Character Area: Lakeview Neighborhood

Designation: Residential Low Density I

Zoning By-law 0225-2007

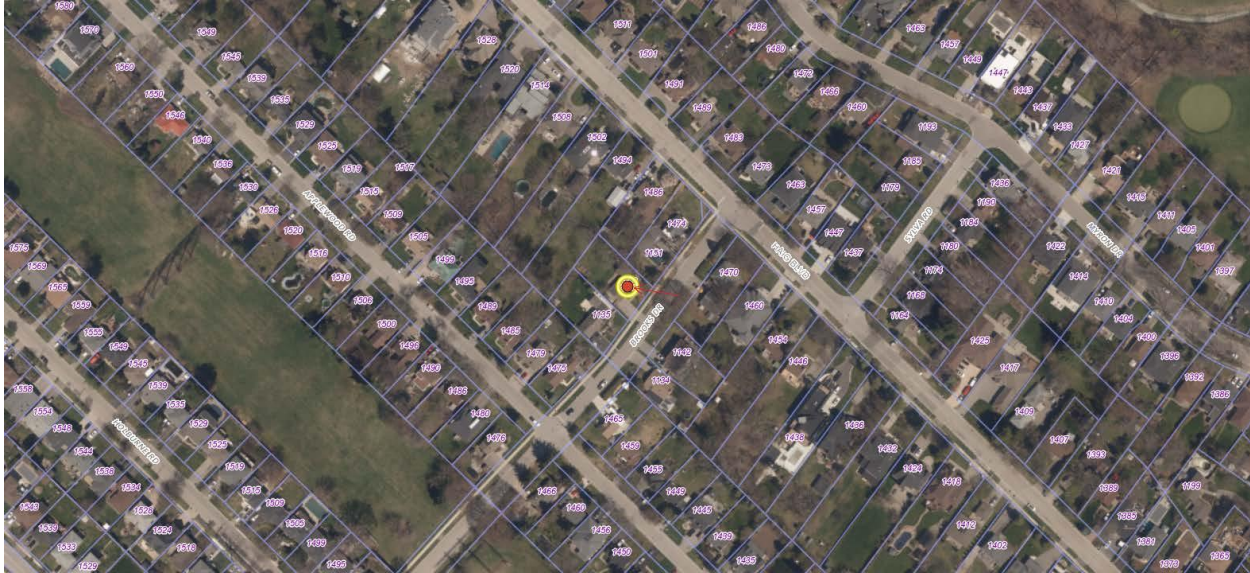
Zoning: R3-75 - Residential

Other Applications: Building Permit BP 9ALT 24-920

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, south of South Service Road and west of Haig Boulevard. The neighbourhood consists of newer and older one and two-storey detached dwellings. The subject property contains an existing one-storey detached dwelling with an attached garage along with mature vegetation in the front yard.

The applicant is proposing an addition and driveway modifications requesting variances for setbacks, dwelling height and eaves height.



Comments

Planning

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

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

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

The subject property is located in the Lakeview Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan. This designation permits detached, semi-detached, duplex dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. The proposal respects the designated and surrounding land uses. Planning staff are of the opinion that the addition is appropriate for the subject property. Planning staff are satisfied that the general intent and purpose of the official plan are maintained.

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

Variances #1 - #3 pertain to front yard setbacks measured to the eaves, dwelling and porch. 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 first storey and eaves setbacks are existing, and a new front porch is proposed. Staff note that the dwelling maintains a front yard setback of 6.70m (22ft), which is consistent with other dwellings found in the neighbourhood. Staff are of the opinion that the eaves and porch do not pose the same massing concerns as the dwelling. Staff have no concerns with the requested variances and are of the opinion that the reduction in the front yard is minor and that adequate front yard amenity space is maintained in this instance.

Variances #4 and #5 request an increase in eave height and height. Staff had noted concerns about the proposed heights. The applicant has since revised the elevations and lowered the dwelling by 0.74m (2.42ft) and eave height by 0.71m (2.32ft). The intent of restricting height to the highest ridge and eaves is to lessen the visual massing of dwelling by lowering the overall pitch of the roof and bringing the edge of the roof closer to the ground. This keeps the overall height of the dwelling within human scale. Staff are satisfied that the revised increases in height are appropriate for the subject property and represent a minor deviation from the regulations. Further, the dwelling maintains the required gross floor area and lot coverage, further mitigating massing impacts.

Variances #6-#11 pertain to side 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, that access to the rear yard remains unencumbered, and that appropriate drainage patterns can be maintained. Staff note the dwelling meets the first storey setback on the right side and requires variance #9 for setback to the first storey on the left side. Variance #8 is measured to the left side eaves. Variance #10 is measured to eaves on the right side. Variances #6, #7 and #11 are measured to the second storey. The proposal seeks to add a second storey on top of the existing first storey. Staff note that the variances arise due to the existing position and orientation of the dwelling on the lot. Staff are satisfied that the proposal maintains the existing setbacks and that the second storey is aligned on top of the first storey. Staff are of the opinion that there is a sufficient buffer between massing of adjoining properties and that no changes are proposed to access to rear yard. Transportation and Works staff have raised no drainage concerns. Staff are of the opinion that the intent of side yard regulations is maintained in this instance.

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

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

Planning staff are of the opinion that the proposal represents appropriate development of the subject property. Staff are satisfied that the proposal is compatible with the existing scale and character of the surrounding community. The variance is minor in nature and will not create any additional impacts to abutting properties when compared to as of right permissions.

Comments Prepared by: Shivani Chopra, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed addition will be addressed by our Development Construction Section through Building Permit BP 9ALT-24/920.

Comments Prepared by: John Salvino, Development Engineering Technologist





Appendix 2 – Zoning Comments

The Building Department is processing Building Permit BP 9ALT 24-920 application . 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: Andrew Wemekamp – Zoning Plans Examiner.

Appendix 3 – Parks, Forestry & Environment

Forestry Comments

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 Technician, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email jamie.meston@mississauga.ca.

Comments Prepared by: Jamie Meston, Landscape Technician

Appendix 4 – Region of Peel Comments

Minor Variance Application: A-24-456M / 1143 Brooks Drive

Development Engineering: Wendy Jawdek (wendy.jawdek@peelregion.ca)(905) 791-7800 x6019

Comments:

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

- Installation of and alterations to property line water valves and chambers and sanitary/storm sewer maintenance holes require inspection by Region of Peel inspectors to confirm if these works are completed in accordance with Region of Peel Design Criteria, Standards, and Specifications.
- Proposals to connect to an existing service lateral require approval from a Region of Peel inspector at construction stage.

Comments Prepared by: Petrele Francois, Junior Planner

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 939 Winston Churchill Blvd, zoned E3-1 - Employment, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of an addition proposing:

1. A front yard of 5.3m (approx. 17.4ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.5m (approx. 24.6ft) in this instance; and
2. A front yard setback to the centre line of the road of 22.79m (approx. 74.77ft) + 5.3m (approx. 17.4ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback to the centre line of the road of 18.0m (approx. 59.1ft) + 7.5m (approx. 24.6ft) in this instance.

The Committee has set **Thursday, December 5, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2024-11-27	File(s): A525.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:12/5/2024 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

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

1. A front yard of 5.3m (approx. 17.4ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.5m (approx. 24.6ft) in this instance; and
2. A front yard setback to the centre line of the road of 22.79m (approx. 74.77ft) + 5.3m (approx. 17.4ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback to the centre line of the road of 18.0m (approx. 59.1ft) + 7.5m (approx. 24.6ft) in this instance.

Background

Property Address: 939 Winston Churchill Blvd

Mississauga Official Plan

Character Area: Southdown Employment Area
Designation: Industrial

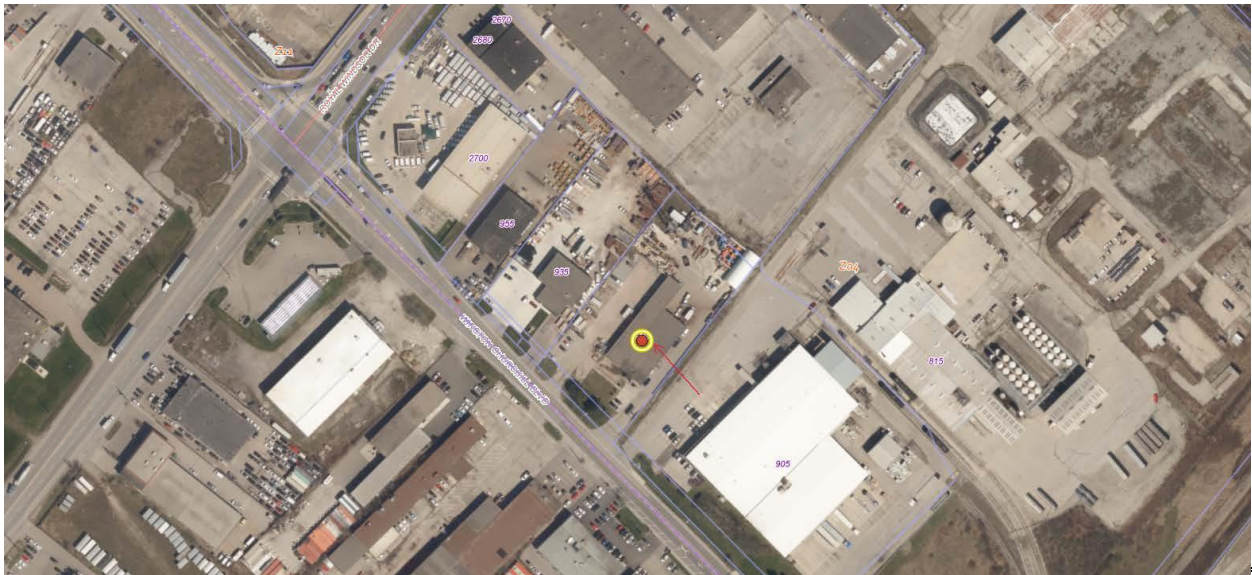
Zoning By-law 0225-2007

Zoning: E3-1 - Employment
Other Applications: Site Plan under file SP 20-111 W2

Site and Area Context

The subject site is located southeast of the Winston Churchill Boulevard and Royal Windsor Drive intersection. The property has an approximate lot area of 6,525.4m² (70,238.8ft²). The subject site currently contains a single-storey industrial building, outdoor storage space, surface parking and a telecommunications tower. The immediate surrounding uses consist of industrial and commercial uses. The property is subject to Site Plan application under file SP-20-111 W2.

The applicant is proposing a three-storey addition to the front of the existing building for office use, requesting variances for front yard and centreline setback.



Comments

Planning

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

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

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

The subject property is located in the Southdown Employment Character Area and is designated Industrial in Schedule 10 of the Mississauga Official Plan (MOP). Section 9 of the

MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with existing site conditions, the surrounding context, and the landscape of the character area. The Southdown Local Area Plan encourages new development as well as redevelopment to accommodate industrial activities consisting of a mix of manufacturing, research and development and office uses primarily within enclosed buildings. The proposed addition maintains the industrial use and remains in line with the official plan policies.

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

Staff note the subject property has an ongoing Site Plan application SP-20-111 W2 that is currently under review. Planning staff have discussed the current application with the development planner on file, who have no concerns with the proposal.

Variance #1 requests a decrease in the front yard setback. The intent of a front yard setback is to ensure that a consistent character is maintained along the streetscape, access can be maintained in the front of the building and that a sufficient front yard space is incorporated into the design. Planning staff note that the proposed front yard setback is not out of character of the area. Staff also note that the lot line and the dwelling are not parallel to each other resulting in a pinch point at the canopy and requiring the variance. The building maintains a setback of 6m (19.68ft) at its closest point. The setback gradually increases to 8.38m (27.49ft) towards the rear lot line. Planning staff are satisfied that appropriate access and character of the streetscape is maintained along with sufficient front yard space.

Variance #2 relates to a reduction to the centreline. The intent of this portion of the zoning by-law is to ensure that any proposed construction will not come at the expense of a potential road widening. The zoning requires a centreline setback equal to 25.5m (83.66ft), while the proposal provides a setback of 28.09m (92.15ft). Staff note the variance is proposed to satisfy the reduction in the front yard setback and are of the opinion that this variance is technical in nature.

Staff are of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

Staff are satisfied that the proposal represents appropriate development of the subject lands. It is staff's opinion that the proposal the variances, both individually and cumulatively, are minor in nature as the proposal will not create any undue impacts to adjoining properties.

Comments Prepared by: Shivani Chopra, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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

Comments Prepared by: John Salvino, Development Engineering Technologist



Appendix 2 – Zoning Comments

The Building Department is currently processing a Site Plan under file SP 20-111 W2. Based on review of the information currently available in this permit application, the variances, as requested are correct.

Please note that comments reflect those provided through the above permit application and should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the application file noted above, these

comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedures, separately through the application process in order to receive updated comments.

Comments Prepared by: Tage Crooks, Planner Zoning Examination

Appendix 3 – Parks, Forestry & Environment

Forestry Comments

The Forestry Section of the Community Services Department has reviewed 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 Technician, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email jamie.meston@mississauga.ca.

Comments Prepared by: Jamie Meston, Landscape Technician

Appendix 4 – Region of Peel Comments

We have no comments or objections.

Comments Prepared by: Petrele Francois, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A350.24
Ward: 9

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 2556 Meadowpine Blvd, zoned E2-1-Employment, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow 24 parking spaces on the subject property whereas By-law 0225-2007, as amended, requires a minimum of 94 parking spaces in this instance.

The Committee has set **Thursday, December 5, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

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

- **In person:** The hearing will be held in person at Mississauga Civic Centre, Council Chambers, 300 City Centre Drive, 2nd Floor. Advance registration is preferred if you wish to speak at the hearing in person. If you wish to make a presentation you must send your request to speak and your presentation (as an attachment) via email to committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. A document projector will also be available, if preferred.
- **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 x5507 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 x5507. 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:

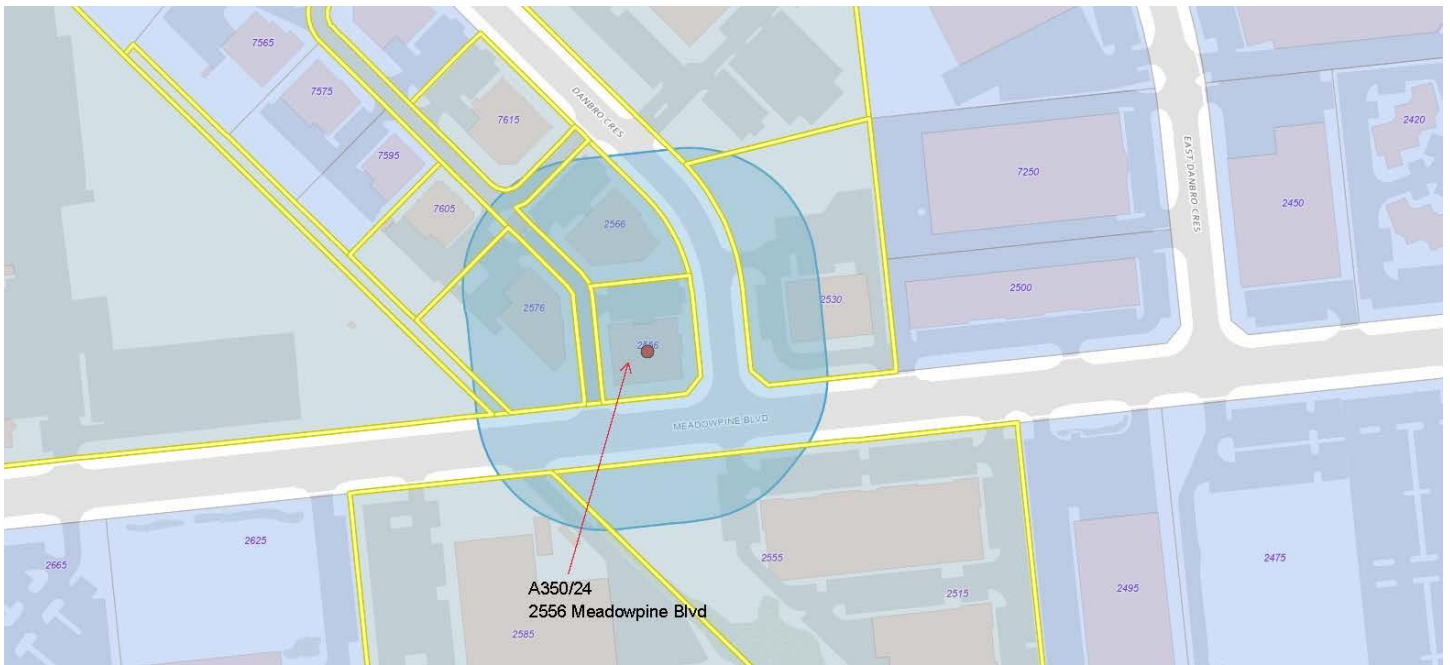
<https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

- 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 x5507.

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2024-11-27	File(s): A350.24
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:12/5/2024 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow 24 parking spaces on the subject property whereas By-law 0225-2007, as amended, requires a minimum of 94 parking spaces in this instance.

Amendments

The Building Department is currently processing a certificate of occupancy permit under file C 24-4172. The previous zoning comments are applicable.

The following variances are required:

To provide 24 standard parking spaces whereas Zoning by-law 0225-2007, as amended, requires 95 spaces in this instance; and

To provide 2 accessible parking spaces whereas Zoning by-law 0225-2007, as amended, requires 4 accessible spaces in this instance.

Background

Property Address: 2556 Meadowpine Blvd

Mississauga Official Plan

Character Area: Meadowvale Business Park Corporate Centre

Designation: Business Employment

Zoning By-law 0225-2007

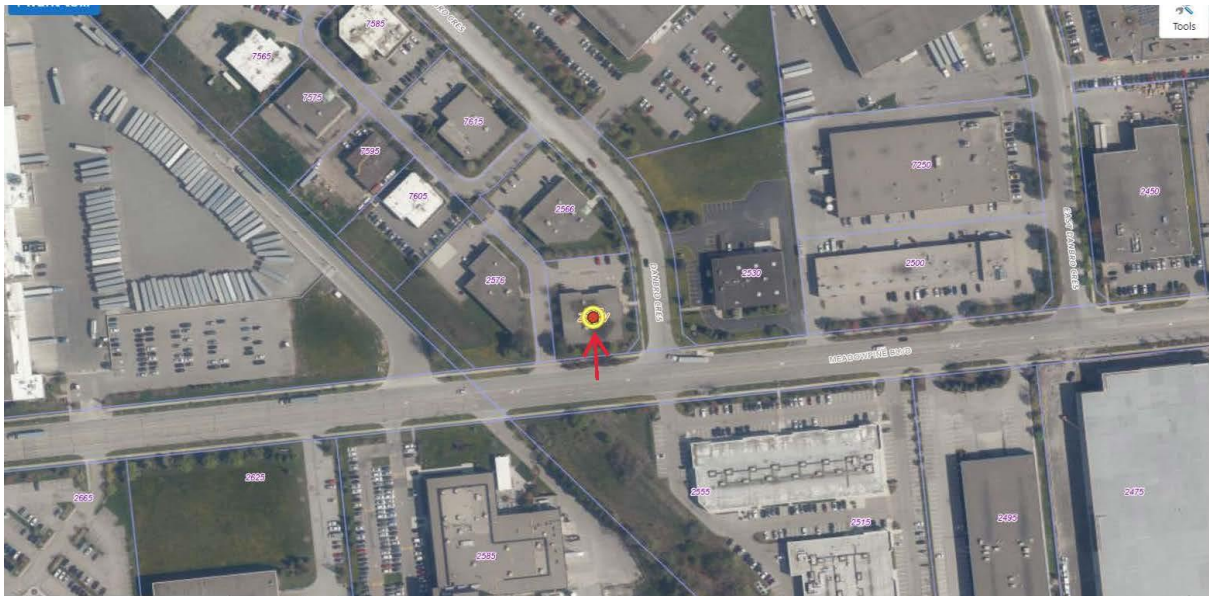
Zoning: E2-1-Employment

Other Applications: C 24-4172

Site and Area Context

The subject property is located at the north-west corner of the Danbro Crescent and Meadowpine Boulevard intersection in the Meadowvale Business Park Corporate Centre. It currently contains a single storey industrial building with an associated surface parking lot. Limited landscaping and vegetative elements are present on the subject property. The surrounding context is exclusively industrial consisting of one and two-storey industrial buildings.

The applicant is proposing a place of religious assembly use on the subject property and requires a variance for a parking deficiency.



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 proposed variances requests a reduction in the total number of parking spaces. The intent of the zoning by-law in quantifying the required number of parking spaces is to ensure that each lot is self-sufficient in providing adequate parking accommodations based upon its intended use. Section 8.4 of the official plan contemplates potential reductions in parking requirements and alternative parking arrangements in appropriate situations. Municipal Parking staff have reviewed the variance request and note as follows:

With respect to Committee of Adjustment application 'A' 350/24, 2556 Meadowpine Boulevard, the applicant is requesting to approve a minor variance to allow:

- 24 parking spaces on the subject property whereas By-law 0225-2007, as amended, requires a minimum of 94 parking spaces in this instance.

Zoning has confirmed that a revision to the variance is warranted; 95 parking spaces are required in this instance.

The applicant submitted a Parking Utilization Study (PUS) prepared by BA Consulting Group Ltd. and SvN Architects + Planners, dated October 21st, 2024 in support of the application. SvN Architects + Planners were in correspondence with the City's Municipal Parking staff to approve surveying parameters. Despite extensive correspondences between the consultants and staff; parameters as recommended by staff were not surveyed.

The submitted PUS carried out a survey at 2900 Argentia Road, where the church is currently located and operating. Surveying was undertaken on the following days:

- Sunday, September 22, 2024 from 8 a.m. to 3 p.m. at 30-minute intervals
- Sunday, September 29, 2024 from 8 a.m. to 3 p.m. at 30-minute intervals

Sunday service was captured although weekday events, activities, groups, and programs organized by the congregation were omitted. The consultant also had not tabulated the surveying results to include: number of cars in each interval time related to the total occupied GFA to determine the observed demand ratio

per 100m² GFA. Additionally, the parking demand for all other units at the subject site of 2900 Argentinia Road were mentioned to have been recorded, although staff do not have this data for review.

Staff are seeking clarifications and revisions to concerning matters that have not been addressed within the PUS:

1. The City's Parking Terms of Reference (ToR) stipulates that surveying should occur two to three days per week for two consecutive weeks and observations made every half-hour during business hours. In order for enough data to be collected for staff to compile a sound planning recommendation, a minimum of 4-days surveying is required; the PUS notes only 2-days were surveyed.
2. It is unclear what the current parking demands truly are for the site in its entirety; staff require data for all uses on the surveyed site to determine the number of occupied spaces overall during the church's hours of operation. This data will validate whether there were any restrictions or limitations on-site i.e. if there was 100% parking space utilization at the plaza during the hours of the church's operations, this would resemble that not all parishioners and visitors to the church had parking available to them on-site...etc.
3. Illegally parked vehicles were not addressed within the PUS; staff are seeking to understand whether or not there were any observed illegally parked vehicles?

An undersupply of spaces may compromise access and circulation and create overspill problems for adjacent uses. There is no available on-street parking, nor public parking at the newly proposed location for the church at 2556 Meadowpine Boulevard. Staff have concerns with the submitted supporting documents and without having all the adequate information, as stipulated above, staff are unable to make a sound planning recommendation at this time. It is important for the supply of parking to be provided adequately on-site according with the use's demands.

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

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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

Comments Prepared by: Tony Iacobucci, Development Engineering





Appendix 2 – Zoning Comments

The Building Department is currently processing a certificate of occupancy permit under file C 24-4172. The previous zoning comments are applicable.

The following variances are required:

To provide 24 standard parking spaces whereas Zoning by-law 0225-2007, as amended, requires 95 spaces in this instance; and

To provide 2 accessible parking spaces whereas Zoning by-law 0225-2007, as amended, requires 4 accessible spaces in this instance.

Please update the variances accordingly.

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

Comments Prepared by: Tage Crooks, Planner Zoning Examination

Appendix 3 – Region of Peel Comments

Please note that our previous comments still apply.

Comments Prepared by: Petrele Francois, Junior Planner