
Committee of Adjustment

Date: December 17, 2020
Time: 1:00 PM
Location: Online Video Conference

Members

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

Contacts

Umar Mahmood, Committee of Adjustment Coordinator, Legislative Services
905-615-3200 ext.5209
umar.mahmood@mississauga.ca

Alexander Davies, Committee of Adjustment Coordinator,
Legislative Services
905-615-3200 ext.5422
alexander.davies@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 LPAT has the power to dismiss an appeal without holding a hearing if the person or public body that in circumstances such as appeal is not based on any apparent land use planning grounds and appeal is not made in good faith or is frivolous or vexatious, or is made only for the purpose of delay.

Send written submissions or request notification of future meetings to:

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

-
1. CALL TO ORDER
 2. DECLARATION OF CONFLICT OF INTEREST
 3. DEFERRALS OR WITHDRAWALS
 4. MATTERS TO BE CONSIDERED
 - 4.1. B-66/20
2 ROBERT SPECK PKY (WARD 4)

DESJARDINS FINANCIAL SECURITY LIFE ASSURANCE CO & SWBC MEC 2
 - 4.2. B-67/20
4 ROBERT SPECK PKY (WARD 4)

DESJARDINS FINANCIAL SECURITY LIFE ASSURANCE CO & SWBC MEC 4
 - 4.3. B-70/20
1408 RADCLIFFE BLVD (WARD 1)

FERNANDO & NADIA SOLANES
 - 4.4. B56/20, A361/20, & A362/20
1140 Haig Blvd

Predrag Milkovic, Malic Mirjana, & Nenad and Dragica Velimorovic
 - 4.5. A-398/20
5851 CORNELL CRES (WARD 9)

BOB & BRENDA MCALPINE
 - 4.6. A-405/20
1065 CANADIAN PL (WARD 3)

ELITE INTERNATIONAL PROPERTY MANAGEMENT CORP
 - 4.7. A-413/20
28 ANN ST (WARD 1)

EDENSHAW ANN DEVELOPMENTS LTD
 - 4.8. A-414/20
130 ANGELENE ST (WARD 1)

LU XINGYI

- 4.9. A-415/20
765 ANNAMORE RD (WARD 3)
PIEADADE GOUVEIA & PAULA NETO
- 4.10. A-321/20
650 BROUGHAM PL (WARD 4)
RAMEEZ MALIK & LARAIB KHAN
- 4.11. A-337/20
1496 PINETREE CRES (WARD 1)
CASHEL MEAGHER & LEANNE LUHTA
5. OTHER BUSINESS
6. ADJOURNMENT



COMMITTEE OF ADJUSTMENT NOTICE OF APPLICATION

File: "B" 66/20
Ward 4

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 2 Robert Speck Parkway, zoned CC2(3) – City Centre & H-CC2(3) – City Centre, has applied for Consent under Section 53 of the Planning Act. The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 43.6m (143.0ft) and an area of approximately 7,973.2sq.m (85,822.8sq.ft).

The Committee has set **Thursday December 17, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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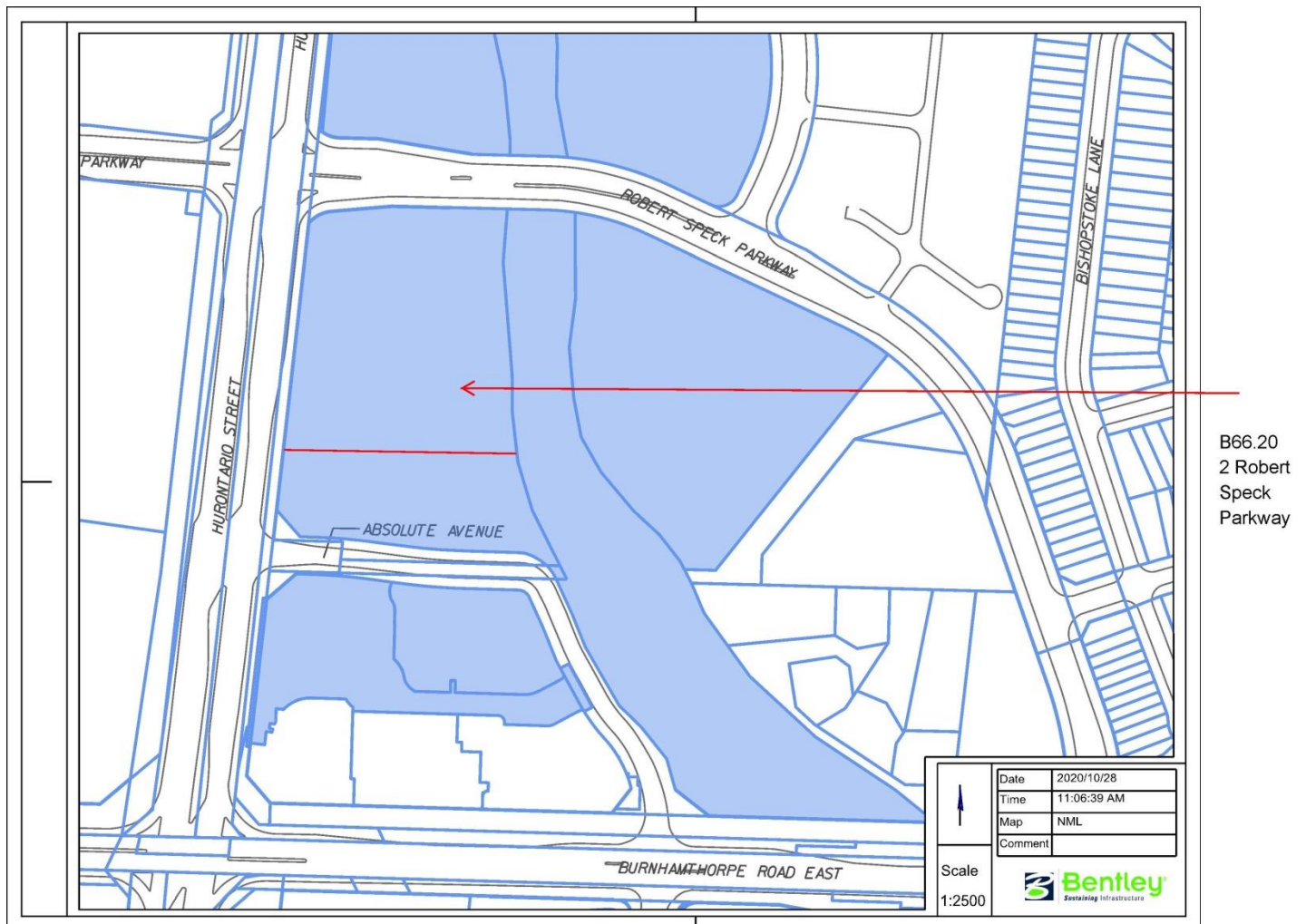
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City of Mississauga

Memorandum:

City Department and Agency Comments

| | |
|---|-----------------------------|
| Date Finalized: 2020-12-09 | File(s): B66/20 Ward: 4 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date: 2020-12-17 |

Consolidated Recommendation

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

Application Details

The Applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 43.6m (143.0ft) and an area of approximately 7,973.2m² (85,822.8sq.ft).

Recommended Conditions and/or Terms

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 2 Robert Speck Parkway

Mississauga Official Plan

Character Area: Downtown Core Character Area
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: CC2(3) (City Centre)
H-CC2(3) (City Centre)

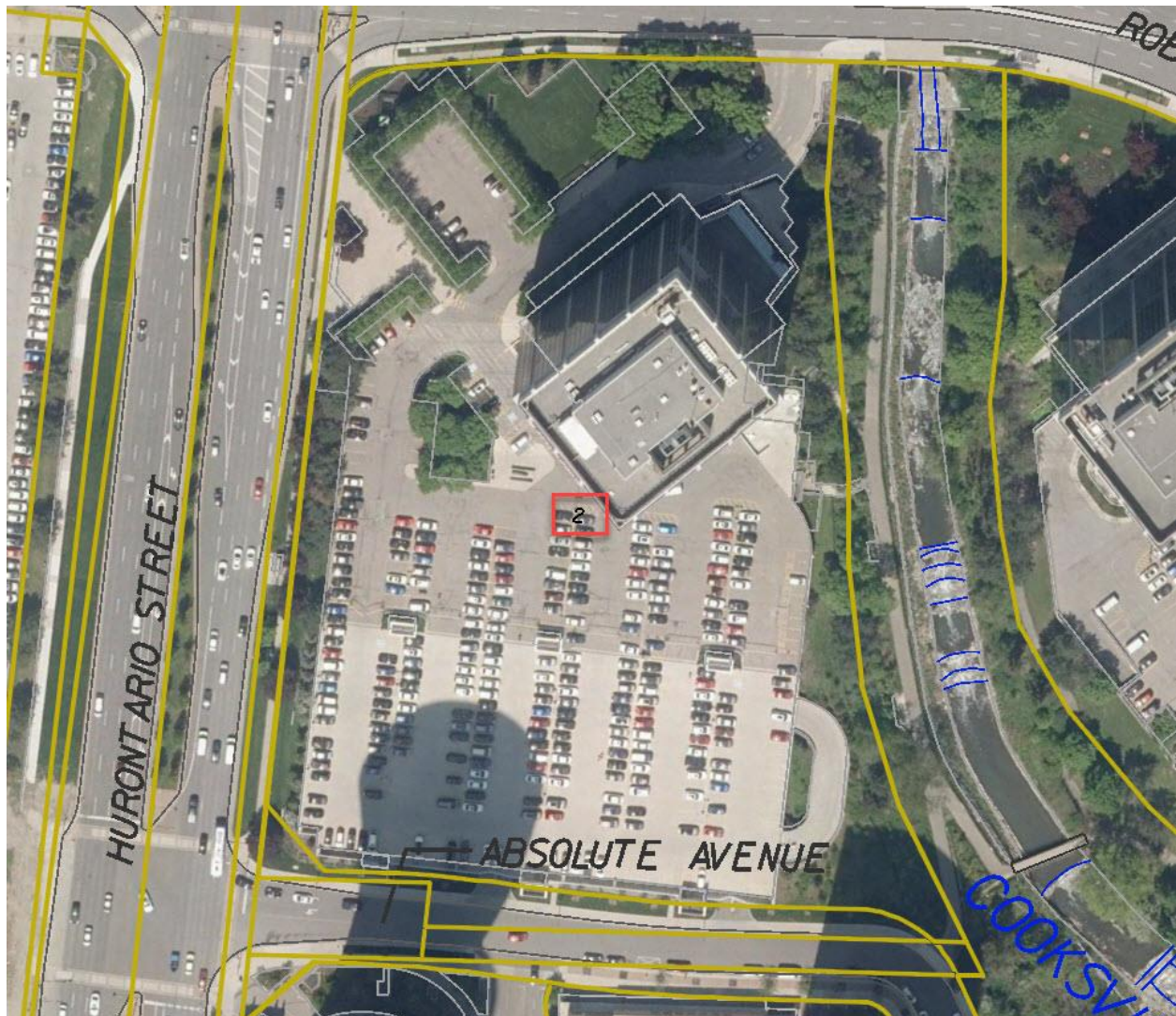
Other Applications:

None

Site and Area Context

The subject property is situated within the Downtown Core Character Area located at the north-east corner of Absolute Avenue and Hurontario Street. From a land-use perspective, the immediate neighbourhood is comprised primarily of multi-storey, office and residential condominium structures; as well as residential townhouses in close proximity. Cooksville Creek is located on the east side and runs north, south of the site.

The subject site is an exterior property with a lot area of +/- 24,000m² and a lot frontage of +/- 110.0m with minimal vegetation and landscape elements surround the perimeter of the site.



Comments

Planning

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

Provincial Matters

Both the Provincial Policy Statement 2014 (PPS 2014) and the Growth Plan for the Greater Golden Horseshoe promote both efficient development and land use; directing such focus towards intensification and redevelopment. The proposal is consistent with the general directives of this provincial policy.

Planning Analysis

Staff comments concerning the application are as follows:

The severed lands will have a lot frontage of 44.0m and a lot area of 6,160.00m². The retained lands will have a lot frontage of 110.0m and a lot area of 13,200.00m².

The site is located within the Downtown Core Character Area, and is designated Mixed Use by the Mississauga Official Plan (MOP). Section 9 of MOP promotes development with appropriate urban form and site design; directing that such development is compatible with the surrounding context and the landscape of the character area. To this end, the proposed lots create a comparable lot-fabric and continue to remain in scale with the surrounding properties.

As per Zoning By-law 0225-2007, the subject property is zoned CC2(3) and H-CC2(3) (City Centre).

In accordance with Table 7.2.1 (CC1 to CC4 and CCOS Permitted Uses and Zone Regulations), neither of the aforementioned zones requires a minimum lot frontage, or a minimum lot area. The proposed properties are appropriately sized for the context of the neighbourhood and result in developable lots that are reflective of the CC2(3) and H-CC2(3) zones; thereby representing the appropriate development of the lands.

Planning Staff acknowledge that no variances are required to facilitate the proposed severance / lot creation; however, we would echo the Zoning Department's concern regarding the absence of any formal permit applications that could identify any additional variances as a result of the severance. Should variances be identified as a result of the severance future applications will be required.

Conclusion

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

Comments Prepared by: Brooke Herczeg RPP, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

It is our understanding that the intent of this Consent application would be to sever the southern portion of 2 Robert Speck Parkway along the more recently constructed boundary of the parking structure which occupies the southern edge of the property. It is intended that the “Severed” lands would be developed with a mixed-use tower as depicted in the provided Site Plan (Sheet Number A 101-B) prepared by IBI.

This property currently has an office tower (Mississauga Executive Centre, constructed in 1979) which utilizes the existing two level structured parking. Acknowledging that this Consent application would require the demolition of a significant portion of the existing structured parking, additional information will have to be provided to address the details pertaining to the removal of the parking structure currently located on the “Severed” lands prior to the issuance of final consent.

Should Committee see merit in the applicant’s request we are providing the following conditions/requirements to be imposed as conditions of approval:

A. Items Required Prior to the Issuance of Final Consent

1. Required Easement for Storm Sewer Outlet

We note that the storm sewer outlet for the subject lands is the 600mm storm pipe which outlets directly to Cooksville Creek and is located on the parcel to be created. In view of the above, a private storm easement will be required in favour of the “Residual” lands to ensure that a storm outlet is available to connect to the storm outlet which the Cooksville Creek.

We also note that CVC will have to confirm the greatest hazard line and that the existing top of bank easement is sufficient. Should a large portion of the hazard lands not be contained within the easement then additional lands may be requested as a municipal easement. An ESC Permit would also be required prior to any land disturbing activities.

2. Drainage Proposal/Service Plan

We request that the applicant submit a Drainage Proposal/Service Plan prepared by a Consulting Engineer for this department’s review/approval to address the storm sewer outlet for the subject lands.

Upon the review of the Drainage Proposal/Service Plan the specifics of the requested storm sewer easement identified in item A 1 can be addressed.

3. Engineering Submission & Development Agreement with Infrastructure Schedules for Possible Storm Sewer Outlet Works

Upon the review of Item A1 and A2 and **only should there be a need** to upgrade the existing municipal storm sewer infrastructure, the applicant/owner will be required to submit an Engineering submission for any proposed works and will be required to enter into a Development Agreement with Infrastructure Schedules to secure the construction of any municipal storm sewer upgrades to accommodate the storm drainage from the subject site.

Should the applicant demonstrate that the existing storm sewer infrastructure is adequate, then this condition will be deemed to be fulfilled.

4. Required Easement(s)

Upon the review of Item A1 and the confirmation of any required easement, the applicant/owner will be required to provide a 43R-Plan and letter/schedule prepared by the applicant's Solicitor which would specifically describe the new private easement 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.

5. Fee Requirements as Per Fees and Charges By-Law

As per the City of Mississauga's Fees and Charges By-law there will be a fee required to be paid to the Legal Services Department for their services, in particular for the preparation of legal documents. The fee amount payable will be in accordance with the current Fees and Charges Bylaw and be submitted to the Transportation and Works Department in the form of a certified cheque.

Should a Development Agreement not be required, this condition will be deemed to be fulfilled.

6. 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 lands. For further information, please contact Susie Tasca at (905) 615-3200 ext. 3088 or susie.tasca@mississauga.ca

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

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. will be addressed.

2. Road Allowance Widening Requirement for Future Development Application

The owner will be required to dedicate gratuitously to the city through any future development applications on this property a road allowance widening towards the ultimate 23-26m right-of-way as identified in the Official Plan across the Absolute Avenue frontage of the site. It should also be noted that the existing dimension of the sight triangle at the northeast corner of Hurontario Street intersection is to be maintained with the new property line in place.

Should additional clarification or information be required with regards to any future road allowance widenings, please contact Daphne Chen at 905 615-3200 ext. 8915 or Xinyi.Chen@mississauga.ca.

3. Access Related Requirements/Information

We note that there is currently a 0.3M reserve across the frontage of Hurontario Street.

The applicant will be required to apply for an Access Modification Permit prior to any future Site Plan Approval and/or Building Permit Issuance.

The applicant is advised that all costs incurred in providing any new driveway entrances to the subject lands or any modifications/requirements required (including the existing driveway), would be at cost to the owner. We are also noting that should any utilities need to be relocated, all costs incurred would also be to the owner. Driveway accesses shall maintain a 1.5m setback from aboveground features such as utilities and trees.

The Hurontario-Main Light Rail Transit System Project started construction in 2020. This project will impact right-of-way requirements, [property accesses, allowed turning movements and will result in the permanent removal of a general purpose traffic lane in each direction for many segments of the corridor. Future information is available at www.hurontario-main.ca.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Building Department is not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to confirm the accuracy of the requested variance(s) or determine whether additional variance(s) may be required. It appears that the proposed severance will cause a Zoning By-law deficiencies with regard to building setback & on-site parking among other possible deficiencies.

The applicant is advised that a completed zoning review may identify additional instances of zoning non-compliance. The applicant may consider applying for a preliminary zoning review application and submit working drawings for a detailed zoning review to be completed. A minimum of 6-8 weeks will be required to process a preliminary zoning review application depending on the complexity of the proposal and the detail of the information submitted.

Comments Prepared by: Brian Bonner, Zoning Plan Examiner

Appendix 3 – Parks, Forestry & Environment

The Park Planning Section of the Community Services Department has reviewed the consent application and advises to include the following conditions:

1. All established hazard lands below the top-of-bank, long term stable slope, or natural features whichever is greater, shall be gratuitously dedicated to the City as Greenlands (G1) for conservation purposes. The lands to the rear of the property, zoned G1, are hazardous valleylands that are also classified as a naturally significant area within the City's Natural Heritage System. As per the Section 6.3.24 of the Mississauga Official Plan, the Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:
 - a) ensuring that development in or adjacent to the Natural Heritage System protects and maintains the natural heritage features and their ecological functions through such means as tree preservation, appropriate location of building envelopes, grading, landscaping...;
 - b) placing those areas identified for protection, enhancement, restoration and expansion in public ownership, where feasible.

The subject property is located adjacent to City owned hazard lands. Placing the hazard lands into public ownership will strengthen the connection to Cooksville Creek and contribute to the protection and enhancement of the Natural Heritage System.

3. Given the subject lands has significant existing vegetation adjacent to Cooksville Creek and falls within the City's Natural Heritage System, Park Planning requires the submission of a satisfactory Environmental Impact Statement (EIS) submitted for review and approval. A terms of reference can be provided for reference upon request.
4. A site visit shall be organized by the applicant to stake the top-of-bank and natural feature to establish limits of gratuitous dedication to the satisfaction of the pertinent Conservation Authority and the City. A Qualified Land Surveyor (OLS) must be present,

in addition to staff from the Community Services Department, Transportation and Works Department, and the Credit Valley Conservation Authority

5. Submit a draft Reference Plan identifying the lands to be dedicated to the City.
6. Submit a Grading Plan that is to the satisfaction of the Community Services Department.
7. Prior to Greenlands dedication, the Applicant is to provide written confirmation that the Transportation and Works Department has received and approved Phase 1 and Phase 2 (if required) Environmental Site Assessment Report (ESA), together with a Record of Site Condition (RSC) for these dedicated lands (if required). Both sets of documents are to be prepared, signed, dated and sealed by a Professional Engineer.

In addition, Community Services notes the following:

1. Tree preservation hoarding and securities may be required as part of the site plan control process.
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 Jim Greenfield, Park Planner, Community Services Department at 905-615-3200 ext. 8538 or via email jim.greenfield@mississauga.ca.

Comments Prepared by: Jim Greenfield, Park Planner

Appendix 4 – Heritage

The property has archaeological potential due to its proximity to a present or past watercourse or known archaeological resource. The applicant should contact the Ministry of Heritage, Sport, Tourism and Culture Industries to determine the archaeological concerns related to the application. A letter from the Ministry of Tourism, Culture and Sport confirming that all archaeological resource concerns have met licensing and resource conservation requirements for the property must be submitted to Heritage Planning.

Comments Prepared by: P. Wubbenhorst, Heritage Planner

Appendix 5 – Region of Peel Comments

Development Engineering: Bernadette Sniatenchuk (905) 791-7800 x8589

Through the review of the 2018 pre-consultation, we advised that a satisfactory Functional Servicing Report must be submitted prior to Site Plan approval to determine the adequacy of the existing services for the proposed development. Servicing of this site may require municipal and/or private easements and the construction, extension, twinning and/or upgrading of municipal services.

The site plan and ground floor drawings submitted as part of the application, as well as part C i), indicate servicing to the site. Servicing comments provided for the DARC state that the applicant shall refer to the OBC for the dual fire line requirements. The heights that they are proposed with the DARC will require a second fire line connection and this is not shown on the plans submitted.

All works associated with the servicing of this site will be at the applicant's expense. Arrangements satisfactory to the Region of Peel, Public Works, shall be made with respect to servicing the site, prior to obtaining the Building Permit.

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

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

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

Comments Prepared by: Diana Guida, Junior Planner

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 City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated December 9, 2020.
5. A letter shall be received from the City of Mississauga, Community Services Department, Park Planning Division, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated December 9, 2020.
6. A letter shall be received from the City of Mississauga, Community Services Department, Culture Division, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated December 9, 2020.



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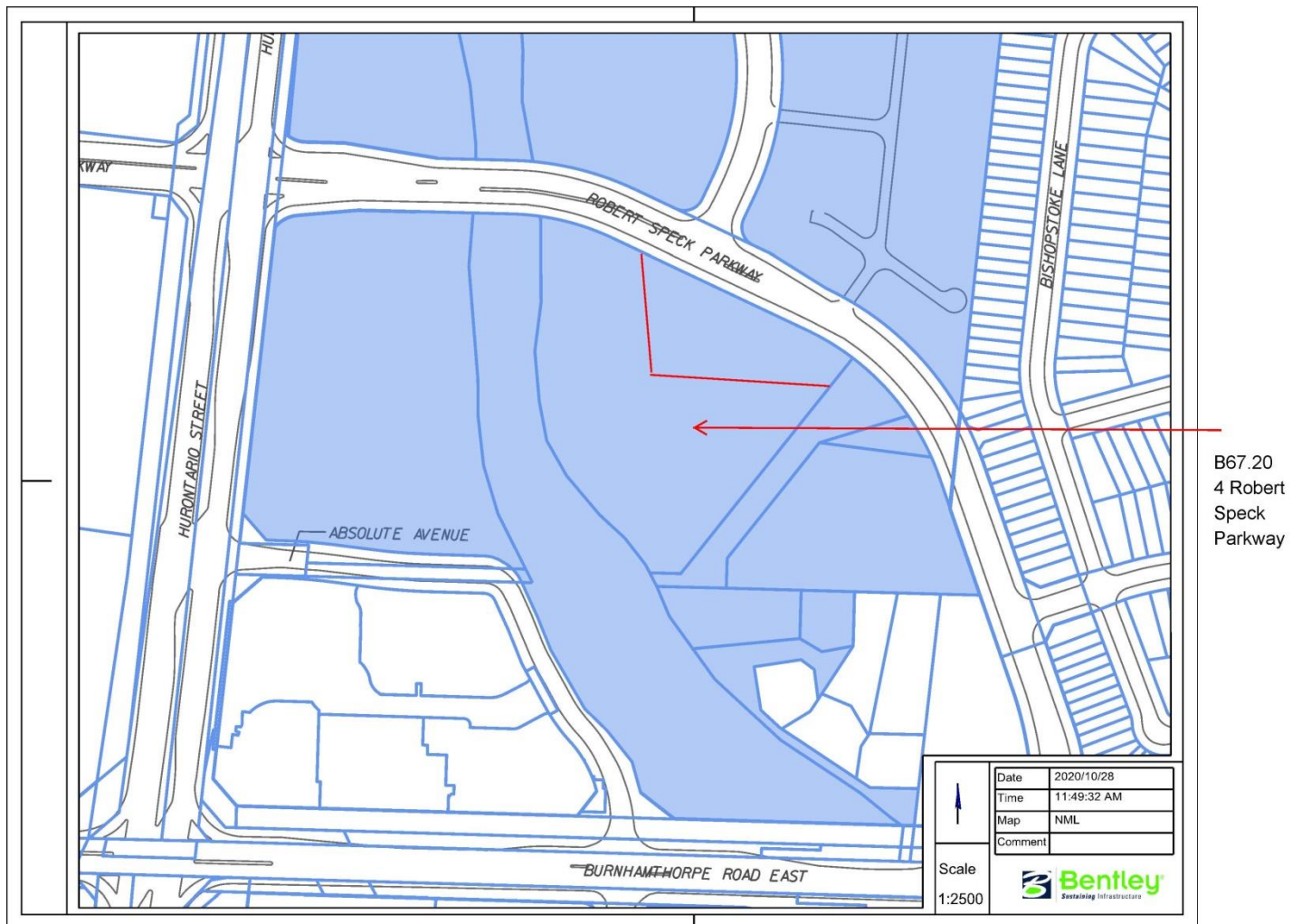
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City of Mississauga

Memorandum:

City Department and Agency Comments

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| Date Finalized: 2020-12-09 | File(s): B67/20 Ward: 4 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date: 2020-12-17 |

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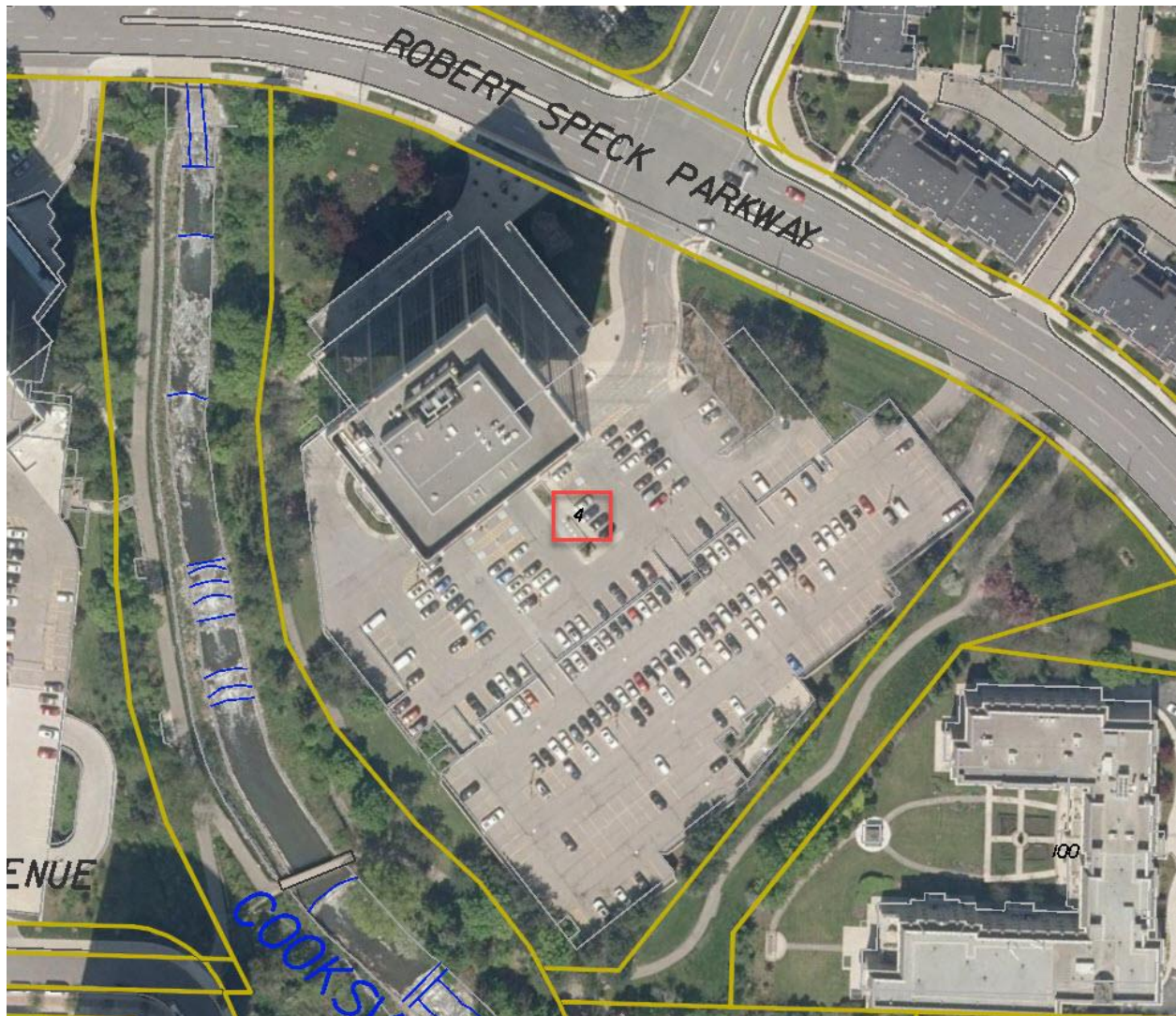
Zoning: H-CC2(3) (City Centre)

Other Applications:
None

Site and Area Context

The subject property is situated within the Downtown Core Character Area at the north-east corner of Absolute Ave. and Hurontario St. From a land-use perspective, the immediate neighbourhood is comprised primarily of multi-storey, office and residential condominium structures; as well as residential townhouses in close proximity. Cooksville Creek is located on the west side and runs north, south of the site.

The subject site is an exterior property with a lot area of +/- 21,465.3m² and a lot frontage of +/- 196.0m with minimal vegetation and landscape elements surround the perimeter of the site.



Comments

Planning

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

Provincial Matters

Both the Provincial Policy Statement 2014 (PPS 2014) and the Growth Plan for the Greater Golden Horseshoe promote both efficient development and land use; directing such focus towards intensification and redevelopment. The proposal is consistent with the general directives of this provincial policy.

Planning Analysis

Staff comments concerning the application are as follows:

The severed lands will have a lot frontage of 85.2m and a lot area of 3,131.3m². The retained lands will have a lot frontage of 111.0m and a lot area of 18,334.0m².

The site is located within the Downtown Core Character Area, and is designated Mixed Use by the Mississauga Official Plan (MOP). Section 9 of MOP promotes development with appropriate urban form and site design; directing that such development is compatible with the surrounding context and the landscape of the character area. To this end, the proposed lots create a comparable lot-fabric and continue to remain in scale with the surrounding properties.

As per Zoning By-law 0225-2007, the subject property is zoned H-CC2(3) (City Centre).

In accordance with Table 7.2.1 (CC1 to CC4 and CCOS Permitted Uses and Zone Regulations), this zone does not regulate minimum lot frontage, nor minimum lot area. The proposed lots are appropriately sized for both the context of the neighbourhood and result in developable lots within the context of the H-CC2(3) zone; representing the appropriate development of the lands.

Planning Staff acknowledge that no variances are required to facilitate the proposed severance / lot creation; however, we would echo the Zoning Department's concern regarding the absence of any formal permit applications that could identify any additional variances as a result of the severance. Should variances be identified as a result of the severance future applications will be required.

Conclusion

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

Comments Prepared by: Brooke Herczeg RPP, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

It is our understanding that the intent of this Consent application would be to sever the north-east portion of 4 Robert Speck Parkway along a section of the property which currently contains a parking structure with an access to Robert Speck Parkway. It is intended that the “Severed” lands would be developed with a residential tower as depicted in the provided Site Plan (Sheet Number A 101) prepared by IBI.

Acknowledging that with the proposed Consent application requires that a portion of the existing structured parking be removed, additional information will have to be provided which would address the details pertaining to the removal of the parking structure located on the “Severed” lands prior to the issuance of final consent.

Should Committee see merit in the applicant’s request we are providing the following conditions/requirements to be imposed as conditions of approval:

A. Items Required Prior to the Issuance of Final Consent

1. Required Easement for Storm Sewer Outlet

We note that the storm sewer outlet for the “Severed” lands is the existing 600mm pipe which outlets directly to Cooksville Creek and located on “Residual” lands. Acknowledging that the existing storm outlet is currently located within the “Residual” portion of the lands, an easement will be required in favour of the “Severed” lands in order to connect to the existing storm sewer which outlets to the Cooksville Creek.

We also note that CVC will have to confirm any hazard line constraints and any required top of bank easement established. An ESC Permit would also be required prior to any land disturbing activities.

It is our understanding that a Greenbelt dedication is being pursued by the Community Services Dept., and if obtained, the request for the municipal easement for the lands below the greatest hazard constraint will not be necessary and this condition will be deemed fulfilled.

2. Drainage Proposal/Servicing Plan

We request that the applicant submit a Drainage Proposal/Servicing Plan prepared by a Consulting Engineer for this department’s review/approval to address the storm sewer outlet for the subject lands.

Upon the review of the Drainage Proposal/Servicing Plan the specifics of the requested storm sewer easement identified in item A 1 can be addressed.

3. Engineering Submission & Development Agreement with Infrastructure Schedules for Possible Storm Sewer Outlet Works

Upon the review of Item A1 and A2 and only should there be a need to upgrade the existing municipal storm sewer infrastructure, the applicant/owner will be required to submit an Engineering submission for any proposed works and will be required to enter into a Development Agreement with Infrastructure Schedules to secure the construction of any municipal storm sewer upgrades to accommodate the storm drainage from the subject site.

Should the applicant demonstrate that the existing storm sewer infrastructure is adequate, this condition will be deemed to be fulfilled.

4. Required Easement(s)

Upon the review of Item A1 and the confirmation of any required easement, the applicant/owner will be required to provide a 43R-Plan and letter/schedule prepared by the applicant's Solicitor which would specifically describe the new private easement 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.

5. Fee Requirements as Per Fees and Charges By-Law

As per the City of Mississauga's Fees and Charges By-law there will be a fee required to be paid to the Legal Services Department for their services, in particular for the preparation of legal documents. The fee amount payable will be in accordance with the current Fees and Charges Bylaw and be submitted to the Transportation and Works Department in the form of a certified cheque.

Should a Development Agreement not be required, this condition will be deemed to be fulfilled.

6. 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 lands. For further information, please contact Susie Tasca at (905) 615-3200 ext. 3088 or susie.tasca@mississauga.ca

7. Greenbelt Dedication to the City – Community Services Request

As Community Services will be requesting a greenbelt dedication to the City, a current Phase One Environmental Site Assessment (ESA) must be submitted to the Transportation and Works Department for review. The ESA report should cover lands to be dedicated to the City. The report should be prepared in accordance with O. Reg 153/04.

If the Phase One ESA indicates potential for contamination, a Phase Two Environmental Site Assessment will be required.

If contamination is confirmed, a Remedial Action Plan (RAP) that appropriately addresses the contamination will be required. Recommendations contained within the plan will be implemented by way of conditions to development approval.

If site remediation works are required, the satisfactory completion of site remediation works will be a condition of the approval. Any and all contaminated areas of the site identified in the report must be remediated in accordance with Ministry of the Environment, Conservation and Parks Standards. Upon completion of the remediation, a final clean-up report must be submitted to the Transportation and Works Department for review.

All reports must be prepared in accordance with O. Reg. 153/04, signed and dated by a Qualified Person (as defined by section 5 and 6 under Ontario Regulation 153/04, as applicable) and be accompanied by a letter signed by the author of the reports or a Principal of the Consulting Firm, which allows the City of Mississauga to make reliance on the findings and conclusions presented in the reports. The wording of the reliance must meet the City's sole and unfettered satisfaction. The template is provided on the City's website under Terms of Reference: <http://www.mississauga.ca/portal/residents/terms-of-reference>. Environmental reports that are not accompanied with reliance to the City shall be deemed as an incomplete application

For further information regarding the above noted comments, please contact Valeriya Danylova at (905) 615-3200 ext. 5930 or valeriya.danylova@mississauga.ca

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

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. will be addressed.

2. Access Related Requirements/Information

The applicant will be required to apply for an Access Modification Permit prior to any future Site Plan Approval and/or Building Permit Issuance.

The applicant is advised that all costs incurred in providing any new driveway entrances to the subject lands or any modifications/requirements required (including the existing driveway), would be at cost to the owner. We are also noting that should any utilities need to be relocated, all costs incurred would also be to the owner. Driveway accesses shall maintain a 1.5M setback from aboveground features such as utilities and trees.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Building Department is not in receipt of any permit applications at this time and the applicant is advised that a zoning review has not been completed. We are unable to confirm the accuracy of the requested variance(s) or determine whether additional variance(s) may be required. It appears that the proposed severance will cause a Zoning By-law deficiencies with regard to building setback & on-site parking among other possible deficiencies.

The applicant is advised that a completed zoning review may identify additional instances of zoning non-compliance. The applicant may consider applying for a preliminary zoning review application and submit working drawings for a detailed zoning review to be completed. A minimum of 6-8 weeks will be required to process a preliminary zoning review application depending on the complexity of the proposal and the detail of the information submitted.

Comments Prepared by: Brian Bonner, Zoning Plan Examiner

Appendix 4 – Heritage

The property has archaeological potential due to its proximity to a present or past watercourse or known archaeological resource. The applicant should contact the Ministry of Heritage, Sport, Tourism and Culture Industries to determine the archaeological concerns related to the application. A letter from the Ministry of Tourism, Culture and Sport confirming that all archaeological resource concerns have met licensing and resource conservation requirements for the property must be submitted to Heritage Planning.

Comments Prepared by: P. Wubbenhorst, Heritage Planner

Appendix 5 – Region of Peel Comments

Development Engineering: Bernadette Sniatenchuk (905) 791-7800 x8589

Through the review of the 2018 pre-consultation, we advised that a satisfactory Functional Servicing Report must be submitted prior to Site Plan approval to determine the adequacy of the existing services for the proposed development. Servicing of this site may require municipal and/or private easements and the construction, extension, twinning and/or upgrading of municipal services.

The site plan and ground floor drawings submitted as part of the application, as well as part C i), indicate servicing to the site. Servicing comments provided for the DARC state that the applicant shall refer to the OBC for the dual fire line requirements. The heights that they are proposed with the DARC will require a second fire line connection and this is not shown on the plans submitted.

All works associated with the servicing of this site will be at the applicant's expense. Arrangements satisfactory to the Region of Peel, Public Works, shall be made with respect to servicing the site, prior to obtaining the Building Permit.

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

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

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

Comments Prepared by: Diana Guida, Junior Planner

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 City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated December 9, 2020.
5. A letter shall be received from the City of Mississauga, Community Services Department, Park Planning Division, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated December 9, 2020.
6. A letter shall be received from the City of Mississauga, Community Services Department, Culture Division, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated December 9, 2020.



COMMITTEE OF ADJUSTMENT NOTICE OF APPLICATION

File: "B" 70/20
Ward 1

Why you received this letter:

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

Details of the application and meeting information:

The property owners of 1408 Radcliffe Boulevard, zoned R3-1 - Residential, have applied for Consent under Section 53 of the Planning Act. The applicants request the approval of the Committee to sever a parcel of land for the purpose of a lot addition. The parcel of land has a frontage of approximately 0.88m (2.89ft) and an area of approximately 9.4sq.m (101.2sq.ft).

The parcel of land will be added to the property to the north known as 1416 Radcliffe Boulevard.

The Committee has set **Thursday December 17, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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

How to submit a written comment:

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

If a person or public body that files an appeal of a decision of the Committee in respect to the proposed consent does not make written submissions to the Committee before it gives or refuses to give a provisional consent, the Local Planning Appeal Tribunal may dismiss the appeal.

Advance registration is required to participate in the electronic hearing:

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

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

Legal notice:

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

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



City of Mississauga

Memorandum:

City Department and Agency Comments

| | |
|---|-----------------------------|
| Date Finalized: 2020-12-09 | File(s): B70/20 Ward: 1 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date: 2020-12-17 |

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 51(24) of the Planning Act.

Application Details

The applicants request the approval of the Committee to sever a parcel of land for the purpose of a lot addition. The parcel of land has a frontage of approximately 0.88m (2.89ft) and an area of approximately 9.4sq.m (101.2sq.ft).

Recommended Conditions and/or Terms

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 1408 Radcliffe Boulevard

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3-1 (Residential)

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, northwest of Cawthra Road and Arbor Road. The neighbourhood is predominantly residential, consisting of one and two storey detached dwellings with some mature vegetation. The subject property is a corner lot that contains an existing one storey dwelling. The applicant is proposing to sever a portion of the subject property for the purpose of creating a lot addition to the neighbouring property, 1416 Radcliffe Boulevard.



Comments

Planning

Planning Act

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

Staff comments concerning the application are as follows:

Through a detailed review, Staff is of the opinion that the application is appropriate to be handled through the consent process. Further, the application raises no concerns of a planning nature should there be no deficiencies to the zoning by-law as a result of this lot addition.

Conclusion

The Planning and Building Department recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application meets the requirements of Section 51(24) of the *Planning Act*.

| | | | |
|-------------------------------------|-------------|------------|---|
| City Department and Agency Comments | File:B70/20 | 2020/12/09 | 3 |
|-------------------------------------|-------------|------------|---|

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections to the applicant's request to attach the severed lands to the property immediately to the north known as 1416 Radcliffe Road.

In view of the above, we have no objections to the applicant's request. We would recommend that the owner of the subject lands review their records and be satisfied that any underground services to either the severed or retained lands are located such that the services are confined within the limits of their own property. Should it be determined that there are any services which will conflict with the new property limits, the owner would have the option of abandoning that service(s) and arranging for the construction of a new service(s) in the proper location, or alternatively protect it by means of a private easement.

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

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

This Division has no objection to the consent application provided that the proposed easement location does not result in any site layout change that would cause a deficiency to any provisions of the zoning by-law.

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the December 17th, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Application: DEF-A-321/20

Consent Application: B-70/20

Minor Variance Applications: A-398/20, A-413/20, A-415/20

Comments Prepared by: Diana Guida, Junior Planner

Appendix A – Conditions of Provisional Consent

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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.



COMMITTEE OF ADJUSTMENT NOTICE OF APPLICATION

Files: "B" 56/20, "A" 361/20 & "A" 362/20
Ward 1

Why you received this letter:

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

Details of the application and meeting information:

The property owners of 1140 Haig Boulevard, zoned R3-75 - Residential, have applied for Consent and Minor Variances under Sections 53 & 45 of the Planning Act. The applicants request the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 10.82m (35.50ft) and an area of approximately 601.3sq.m (6,472.3sq.ft).

A minor variance is requested for the Severed lands (file A361/20) proposing:

1. A lot frontage of 10.82m (approx. 35.50ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;
2. A southerly side yard of 0.68m (approx. 2.23ft) measured to the first storey whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (approx. 3.94ft) measured to the first storey in this instance; and
3. A southerly side yard of 0.68m (approx. 2.23ft) measured to the second storey whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.94ft) measured to the second storey in this instance.

A minor variance is requested for the Retained lands (file A362/20) proposing:

1. A lot frontage of 10.82m (approx. 35.50ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;
2. A northerly side yard of 0.69m (approx. 2.26ft) measured to the first storey whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (approx. 3.94ft) measured to the first storey in this instance; and
3. A northerly side yard of 0.69m (approx. 2.26ft) measured to the second storey whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.94ft) measured to the second storey in this instance.

The Committee has set **Thursday December 17, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act*, *Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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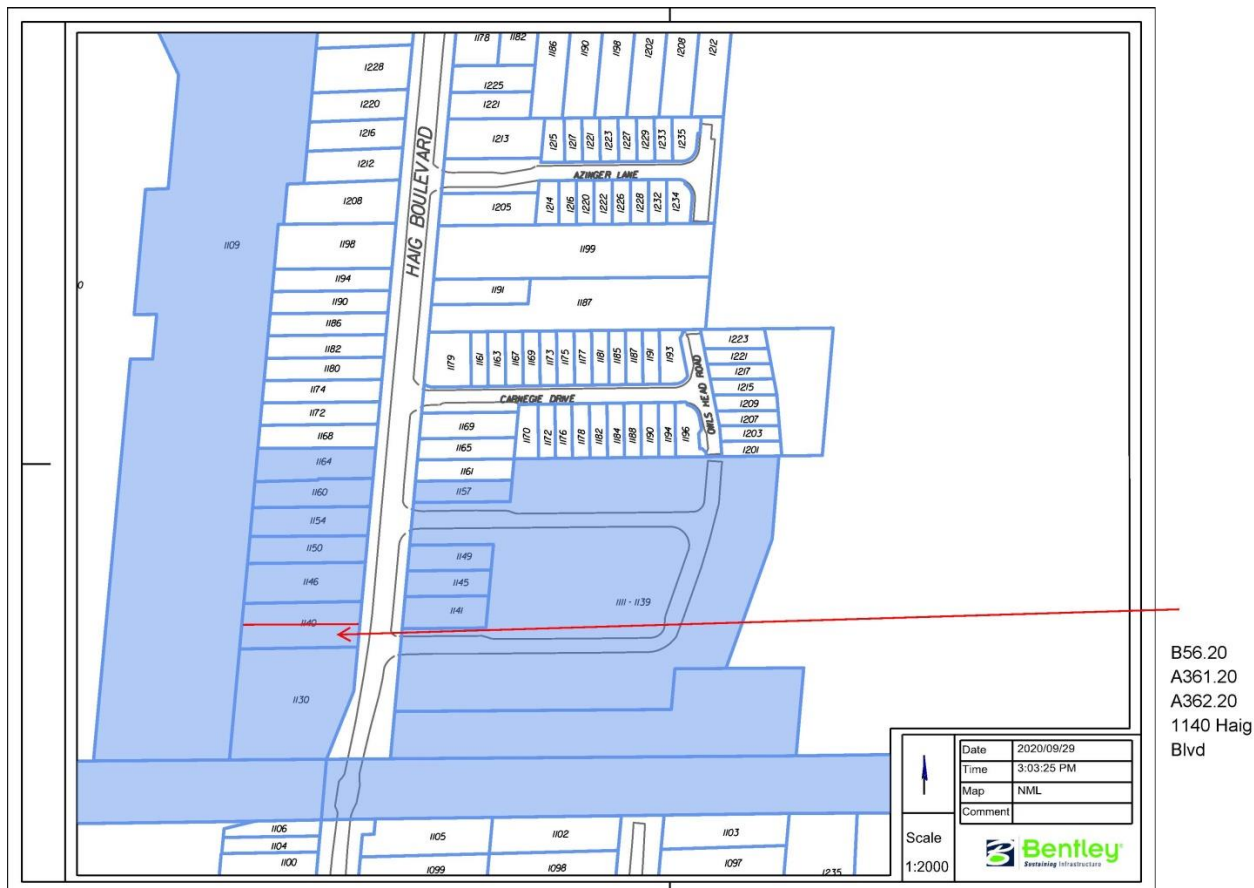
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COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 398/20
Ward 9

Why you received this letter:

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

Details of the application and meeting information:

The property owners of 5851 Cornell Crescent, zoned R4 – Residential, have applied for a minor variance under Section 45 of the Planning Act. The applicants request the Committee to approve a minor variance to allow the construction of a gazebo on the subject property proposing a floor area of 21.75sq.m (approx. 234.12sq.ft) whereas By-law 0225-2007, as amended, permits a maximum floor area of 10.00sqm (approx. 107.64sq.ft) in this instance.

The Committee has set **Thursday December 17, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

How to submit a written comment:

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

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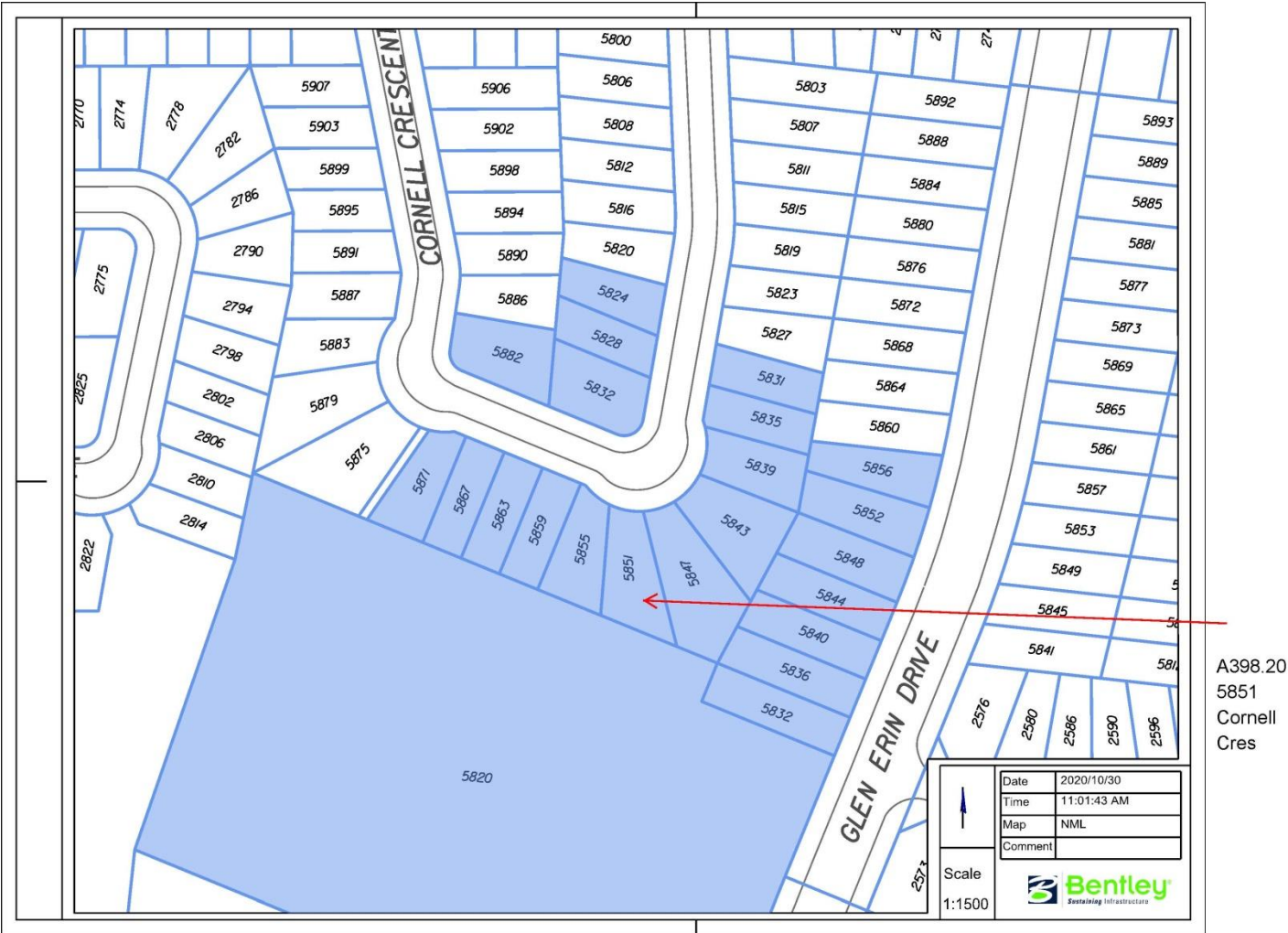
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If holding an electronic rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application. The request must include your name,

address, contact information, and the reasons for prejudice and must be received no later than 4:30pm the Tuesday prior to the hearing to committee.adjustment@mississauga.ca. If a party does not submit a request and does not participate in the hearing the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

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



City of Mississauga

Memorandum:

City Department and Agency Comments

| | |
|---|-----------------------------|
| Date Finalized: 2020-12-09 | File(s): A398/20 Ward: 9 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date: 2020-12-17 |

Consolidated Recommendation

The City recommends that the application be deferred to permit the Applicant the opportunity to provide additional information.

Application Details

The applicants request the Committee to approve a minor variance to allow the construction of a gazebo on the subject property proposing a floor area of 21.75sq.m (approx. 234.12sq.ft) whereas By-law 0225-2007, as amended, permits a maximum floor area of 10.00sqm (approx. 107.64sq.ft) in this instance.

Background

Property Address: 5851 Cornell Crescent

Mississauga Official Plan

Character Area: Central Erin Mills Neighbourhood
Designation: Residential Low Density II

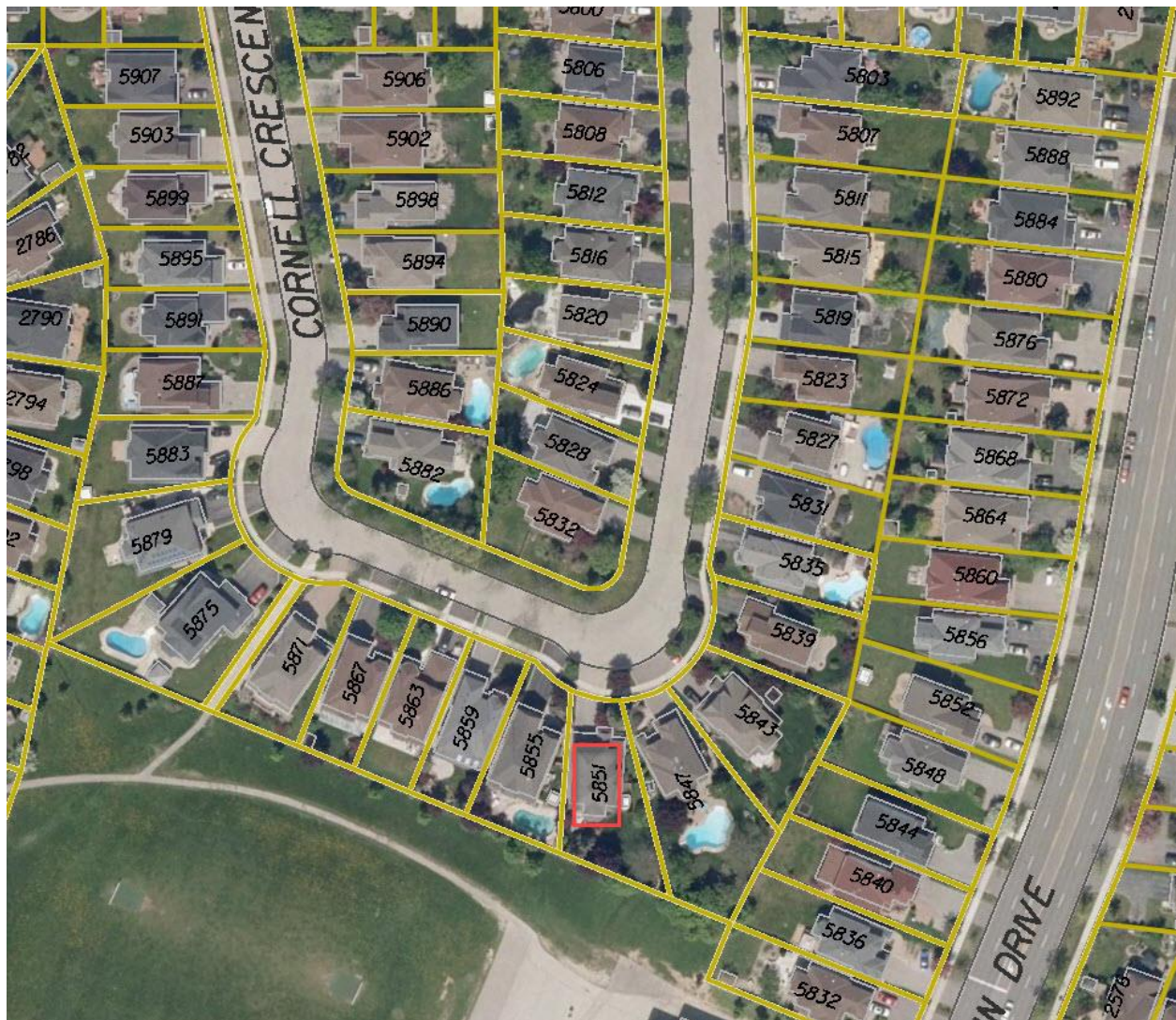
Zoning By-law 0225-2007

Zoning: R4 (Residential)

Other Applications:
BPA 20-3050

Site and Area Context

The subject property is an exterior parcel, with a lot area of +/- 739.88m² and a lot frontage of +/- 23.0m.



Comments

Planning

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

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

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

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached, semi-detached, duplex dwellings and triplexes. 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 proposed accessory structure is located in the rear of the property and cannot be seen from the street. The structure is compatible with the surrounding area and does not pose significant impact to the abutting property. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

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

The intent of the zoning by-law is to ensure that structures are proportional to the lot and dwelling and remain secondary to the principle use while not presenting any massing concerns. Accessory structures contribute to the overall lot coverage of the property and should not impose upon the principle structure. While Planning Staff are not in a position to provide an interpretation of the Zoning By-law; Staff echo Zoning's comments and note that more information is required to verify the accuracy of the requested variances, and in order to determine whether additional variance(s) will be required. Planning staff note that until this additional information is provided, staff is unsure if this proposal meets 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 is of the opinion that more information is required to determine impacts to the neighbouring property and whether the cumulative area of the accessory structures is minor in nature. Based on the preceding information this application should be deferred.

Conclusion

The City recommends that the application be deferred to permit the Applicant the opportunity to submit the requested information.

Comments Prepared by: Brooke Herczeg RPP, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This department has no objections to the applicant's request to allow for the construction of a gazebo on the subject property. From our site inspection we advise that we do not foresee any drainage related concerns with the proposed gazebo.





Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Building Department is currently processing a building permit application under file 20-3050. Based on review of the information currently available for this building permit, we advise that more information is required to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Our comments are based on the plans received by Zoning staff on October 14, 2020 for the above captioned building permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: Brandon Eidner, Zoning Plan Examiner

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the December 17th, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Application: DEF-A-321/20

Consent Application: B-70/20

Minor Variance Applications: A-398/20, A-413/20, A-415/20

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 405/20
Ward 3

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 1065 Canadian Place Unit 132, zoned E2 - Employment, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a tutoring centre in Unit 132 of the subject property proposing 288 parking spaces for all uses on site whereas By-law 0225-2007, as amended, requires a minimum of 483 parking spaces for all uses on site in this instance.

The Committee has set **Thursday December 17, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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

How to submit a written comment:

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

Advance registration is required to participate in the electronic hearing:

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

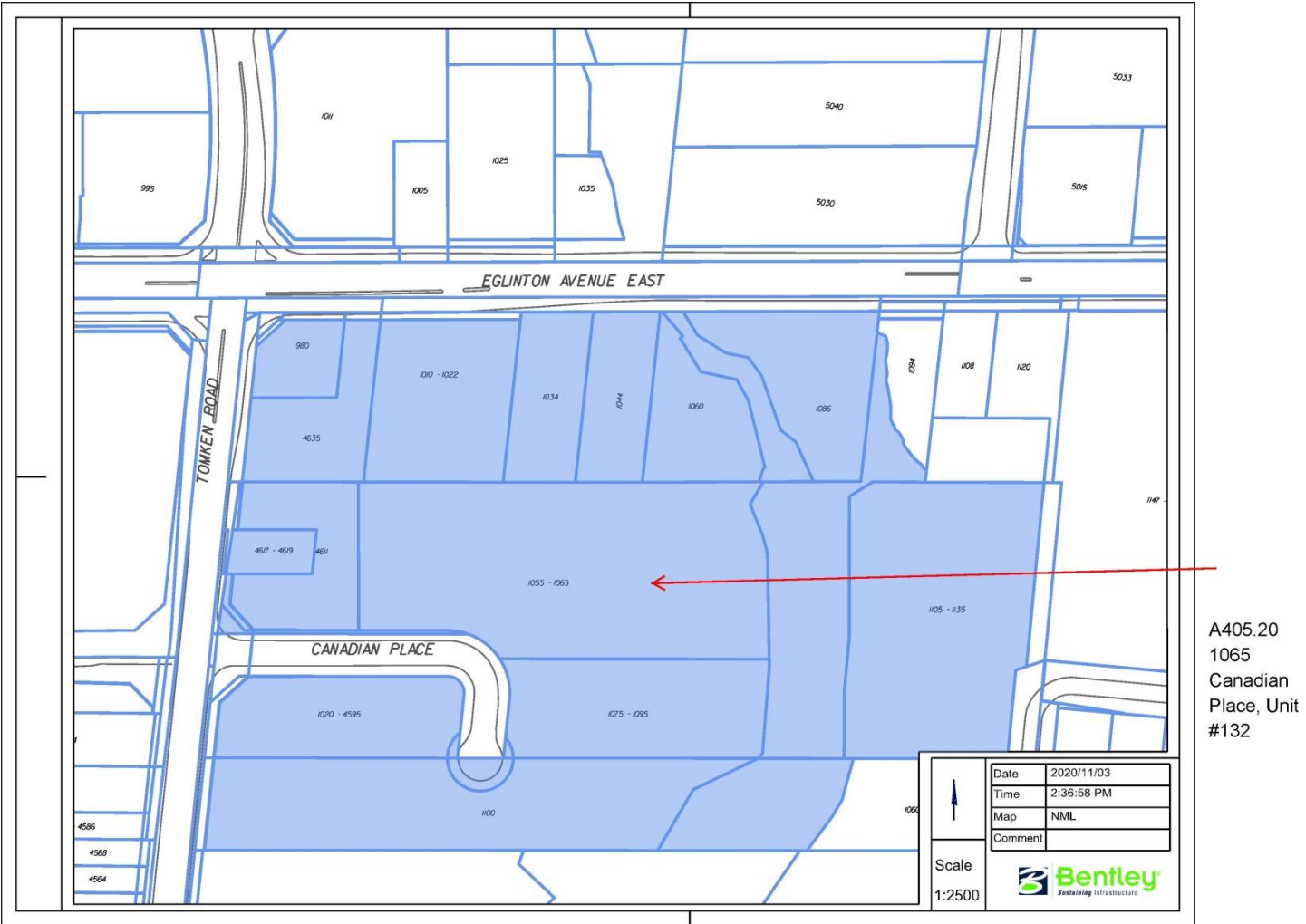
To participate by telephone: To register, please call 905-615-3200 x5209 no later than 4:30pm the Tuesday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.

Legal notice:

If holding an electronic rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application. The request must include your name,

address, contact information, and the reasons for prejudice and must be received no later than 4:30pm the Tuesday prior to the hearing to committee.adjustment@mississauga.ca. If a party does not submit a request and does not participate in the hearing the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

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



City of Mississauga

Memorandum:

City Department and Agency Comments

| | |
|--|-----------------------------|
| Date Finalized: 2020-12-09 To: Committee of Adjustment From: Committee of Adjustment Coordinator | File(s): A405/20 Ward: 3 |
| | Meeting date: 2020-12-17 |

Consolidated Recommendation

The City has no objection to the variance, as requested. Should Committee see merit in the Application, Planning Staff would recommend the condition identified below be imposed.

Application Details

The applicant requests the Committee to approve a minor variance to allow a tutoring centre in Unit 132 of the subject property proposing 288 parking spaces for all uses on site whereas By-law 0225-2007, as amended, requires a minimum of 483 parking spaces for all uses on site in this instance.

Recommended Conditions and Terms

Should committee see merit in this application, City Planning Strategies Staff recommend supporting the requested parking variance on a temporary basis for up to two (2) years subject to the following condition:

- Following the expiration of the temporary two (2) year approval, the applicant is required to provide a satisfactory Parking Utilization Study (PUS) to address the parking deficiency onsite.

Background

Property Address: 1065 Canadian Place, Unit 132

Mississauga Official Plan

Character Area: Northeast Character Area
Designation: Business Employment, Employment Area

Zoning By-law 0225-2007

Zoning: E2 (Employment)

Other Applications:
C19-9000

Site and Area Context

The subject property is a multi-pad, multi-tenant plaza located south-east of the Eglinton Avenue East and Tomken Road intersection. From a land-use perspective, the immediate neighbourhood along this portion of Eglinton Avenue East and Tomken Road is a mixture of employment uses; including restaurants, office-industrial and commercial school land-uses.

The subject property is an exterior parcel, with a lot area of +/- 24,000.00m² and a lot frontage of +/- 86.51m, fronting on to Canadian Place.



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 site is located within the Northeast Employment Character Area, and is designated Business Employment by the Mississauga Official Plan (MOP). As per Chapter 8 of the MOP sufficient parking should be provided to ensure that the established economic function of employment use is not adversely affected and not impair the functioning of other uses or the economic viability of the area. Pursuant to Section 11.2.11 (h) (Business Employment), this designation permits commercial school use. The Applicant's proposal of a tutoring centre meets the purpose and general intent of the Official Plan.

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

As per Zoning By-law 0225-2007, 483 parking spaces are required; whereas, the applicant is proposing 288 parking spaces. The intent of quantifying the required number of parking spaces is to ensure that each structure is self-sufficient in providing adequate parking accommodations for its intended use.

City Planning Strategies Staff note that due to the current pandemic, a PUS is not recommended, as it would not reflect an accurate parking demand, specifically for commercial and office related uses. Given the current circumstances, staff note that the application can be supported on a temporary basis and following the expiration of such temporary approval, the applicant would be required to submit a satisfactory PUS for the parking deficiency onsite. Planning Staff echo City Planning Strategies Staff comments and find the temporary proposal in accordance with 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 note that City Planning Strategies Staff have determined the proposal can be supported on a temporary basis given the current circumstances and find the proposal represents the orderly development of the lands, and is minor in nature.

Conclusion

Based upon the preceding information, Planning Staff have no objection to the approval of this application on a temporary basis.

Comments Prepared by: Brooke Herczeg RPP, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections, comments or requirements with respect to C.A. 'A' 405/20.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Building Department is currently processing a certificate of occupancy permit application under file 19-9000. Based on review of the information currently available for this application, we advise that more information is required to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

Our comments are based on the plans received by Zoning staff on 11/1/2019 for the above captioned certificate of occupancy permit application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: Marco Palerma, Zoning Plan Examiner

Appendix 5 – Region of Peel Comments

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

There is a Regional sanitary sewer easement on the subject property. Please be advised that unauthorized encroachments on Regional easements will not be permitted. Certain restrictions apply with respect to Regional easements as per the documents registered on title.

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

Please be advised that a portion of the subject property is located within the limits of the regulated area of the Toronto and Region Conservation Authority (TRCA).

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

Comments Prepared by: Diana Guida, Junior Planner

Appendix 6- Conservation Authority Comments

This letter will acknowledge receipt of the above noted application, received on November 16, 2020. Toronto and Region Conservation Authority (TRCA) staff has reviewed the above noted application, and as per the “Living City Policies for Planning and Development within the Watersheds of the TRCA” (LCP), provides the following comments as part of TRCA’s commenting role under the *Planning Act*, the Authority’s delegated responsibility of representing the provincial interest on natural hazards encompassed by Section 3.1 of the *Provincial Policy Statement, 2020* (PPS); TRCA’s Regulatory Authority under Ontario Regulation 166/06, *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses*; and our Memoranda of Understanding (MOU) with the City of Mississauga and the Region of Peel wherein we provide technical environmental advice.

Purpose of the Application

We understand that the purpose of Minor Variance Application A 405/20 is to request a minor variance to allow a tutoring centre in Unit 132 of the subject property proposing 288 parking spaces for all uses on site whereas By-law 0225-2007, as amended, requires a minimum of 483 parking spaces for all uses on site in this instance.

It is our understanding that the purpose of this application is to provide a temporary approval period to determine parking issues associated with developing an after-school tutoring center in Unit 132 of building C at the subject property.

Recommendation

On the basis of the comments noted below, TRCA staff has **no objection** to Minor Variance Application A 405/20.

Application Specific Comments

Ontario Regulation 166/06:

The subject property is located within TRCA’s Regulated Area of the Etobicoke Creek Watershed, as it is adjacent to a tributary of the Etobicoke Creek. A small portion of the subject property is also located within the associated Regulatory Flood Plain. In accordance with Ontario Regulation 166/06, as amended (*Development, Interference with Wetlands and Alteration to Shorelines and Watercourses*), a permit is required from the TRCA prior to any of the following works taking place:

- a) straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream or watercourse, or for changing or interfering in any way with a wetland;
- b) development, if in the opinion of the Authority, the control of flooding, erosion, dynamic beaches or pollution or the conservation of land may be affected by the development.

Development is defined as:

- i. the construction, reconstruction, erection or placing of a building or structure of any kind;
- ii. any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure;
- iii. site grading, including the temporary or permanent placing, dumping or removal of any material originating on the site or elsewhere.

It is our understanding that the purpose of this application is to provide a temporary approval period to determine parking issues associated with developing an after-school tutoring center in Unit 132 of building C at the subject property. It is also our understanding that the City's Policy and Planning staff has advised that conducting a parking study at this time may not accurately reflect the situation, in light of the current pandemic.

Based on our review, it appears that the proposed tutoring centre is located outside of TRCA's Regulated Area and that no new development is proposed at this time. As such, TRCA staff have no concerns with the requested variance, as submitted.

Please note that all future development proposals on the property should be circulated to TRCA for our review and approval prior to any works taking place.

Fees

In addition to regulatory responsibilities, TRCA has a role as a commenting agency for Planning Act applications circulated by member municipalities to assess whether a proposed development may be impacted by the TRCA.

By copy of this letter, TRCA staff thanks the applicant for providing the \$1,100 review fee (2018 TRCA Planning Fees Schedule – Variance – Industrial/Commercial Minor).

Conclusion

We thank you for the opportunity to review the subject application and provide our comments as per our commenting and regulatory role. Should you have any additional questions or comments, please do not hesitate to contact the undersigned.

Comments Prepared by: Lina Alhabash, Planner I



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 413/20
Ward 1

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 28 Ann Street, zoned H-RA5-53 - 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 reduced parking requirements on the subject property proposing:

1. 0.5 parking spaces per one bedroom unit whereas By-law 0225-2007, as amended, requires a minimum of 0.75 parking spaces per one bedroom unit in this instance; and
2. 0.8 parking spaces per two bedroom unit whereas By-law 0225-2007, as amended, requires a minimum of 0.90 parking spaces per two bedroom unit in this instance.

The Committee has set **Thursday December 17, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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How to submit a written comment:

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

Advance registration is required to participate in the electronic hearing:

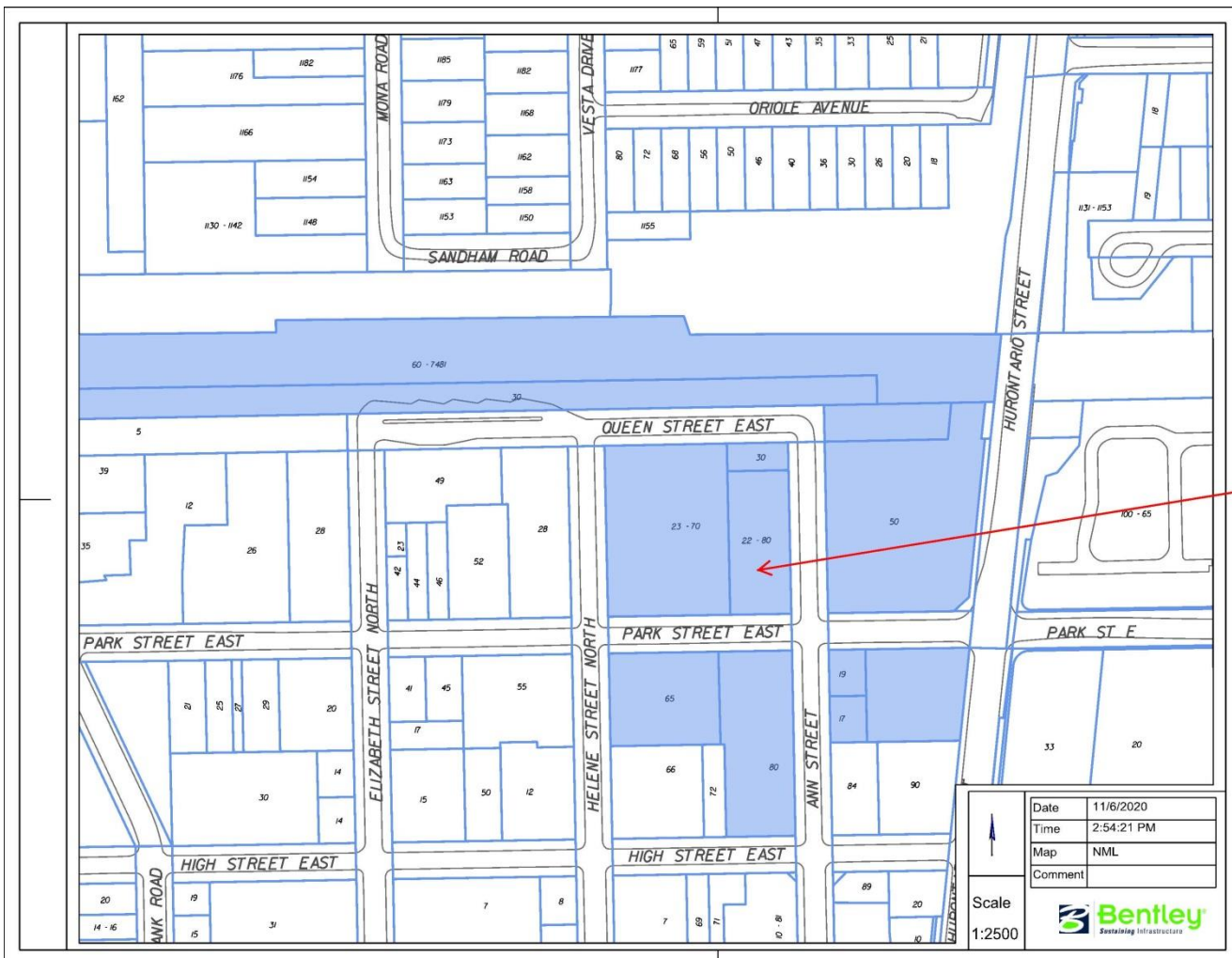
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud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

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

Legal notice:

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

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



A409/20
A413/20
28 Ann St.

City of Mississauga

Memorandum:

City Department and Agency Comments

| | |
|---|-----------------------------|
| Date Finalized: 2020-12-09 | File(s): A413/20 Ward: 1 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date: 2020-12-17 |

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

The applicant requests the Committee to approve a minor variance to allow reduced parking requirements on the subject property proposing:

1. 0.5 parking spaces per one bedroom unit whereas By-law 0225-2007, as amended, requires a minimum of 0.75 parking spaces per one bedroom unit in this instance; and
2. 0.8 parking spaces per two bedroom unit whereas By-law 0225-2007, as amended, requires a minimum of 0.90 parking spaces per two bedroom unit in this instance.

Background

Property Address: 28 Ann Street

Mississauga Official Plan

Character Area: Port Credit Community Node
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: H-RA5-53 (Residential)

Other Applications:

Building Permit: 20-3380
Site Plan Application: 20-51

Site and Area Context

The subject property is located within the Port Credit Community Node, northwest of Hurontario Street and Lakeshore Road East. The subject property is also located within a Major Transit Station Area (MTSA). The immediate area contains the Port Credit Go Station, commercial uses, parking structures and high rise apartment buildings. On February 24, 2020 the subject property received Zoning by-law Amendment approval for a 22 storey condominium.

The subject property is currently undergoing the site plan approval process. The applicant is requesting a further reduction of parking rates for one and two bedroom units than those that were granted through the previous rezoning process.



Comments

Planning

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

Staff comments concerning the application are as follows:

The subject property is designated Mixed Use in Schedule 10 of the Mississauga Official Plan, which permits a residential and commercial, among other uses. The subject property is within the Central Residential precinct of the Port Credit Local Area Plan. As per Section 9.2.1 (Parking and Transportation Demand Management) of the Port Credit Local Area Plan, reduced parking requirements may be considered within the Community Node provided they are within close proximity to the Go Station and future LRT stops. Additionally, the intent of the zoning by-law is to ensure that each structure is self-sufficient in providing adequate parking accommodations for its intended use. Through the recently approved rezoning application OZ (19/008 W1), a parking justification study was submitted justifying lower rates for one and two

bedroom units which was supported by staff and resulted in the current parking rates of 0.75 spaces per one bedroom unit and 0.9 spaces per two bedroom units. Since approval of the rezoning application, a further reduction of parking has been requested by the developer.

The developer has gone to market, selling units within the recently approved development. With most of the available units sold in the building, the current market trend suggest that a lower parking rate might be appropriate as they have 68 unsold parking spaces with most of the available units sold.

A parking study was submitted in support of this minor variance application by LEA Consulting dated November 6th, 2020, in support of the application based on sales data and proxy sites. Prior to the application being submitted, staff had recommended the following information be included as part of the parking justification for the minor variance application:

- The preparation of a parking requirement and preference survey questionnaire which is to be reviewed by staff and then provided to all future condominium unit owners, who have purchased a unit in the proposed development
- A parking sales strategy for the proposed development which shall include the cost of purchasing a parking spot, whether all unit owners of the development were originally provided an opportunity to own a parking space, information of any waitlist of interested owners willing to purchase a parking spot.

The information requested by staff regarding sales data was not included in the parking study.

The parking study further supports the reduced parking rates by including information regarding the study of three proxy sites that were surveyed in January 2020. The proxy sites listed in the study are rental apartments situated in the vicinity of the subject site. Staff noted that proxy site surveys should be conducted on condominium apartments in order to determine the approximate residential parking demand and then be compared to the subject site, as opposed to the rental apartment proxy site data used in the study. As such, comparison of rental apartment sites is not accepted by staff and does not sufficiently support a reduction in parking. The parking standards for rental apartments are lower than those required for condominium apartments as per the zoning by-law. The study also noted that the site is located within walking distance to the Port Credit Go Station and future Port Credit LRT MTSA. The proximity to MTSA's was taken into consideration during the original rezoning application which supported the current by-law parking rates.

Based on review of the parking study, staff have indicated a concern with the request due to the insufficient information provided and as such, recommend that the application be deferred to allow the applicant an opportunity to provide the below information:

- A parking preference survey/questionnaire - the draft survey questionnaire be provided for staff's review prior to its distribution to the future owners of the subject development.
- Parking sales strategy – information including cost of purchasing a parking spot, whether all unit owners of the development were originally provided an opportunity to own a parking space, information of any waitlist of interested owners willing to purchase a parking spot.
- Proxy site surveys - staff recommends that the applicant conduct parking surveys on comparable condominium apartments.
- Travel Demand Management (TDM) Measures - staff may consider reviewing additional justification that support parking reduction on site, such as, application of appropriate TDM measures on site including car share programme. Method of implementation and recommendations on securing these measures should be provided.

Although staff is recommending deferral of the application to allow the applicant to submit the requested information, staff may not be supportive of the reduced parking rates as the lowest rates within the City of Mississauga have already been applied to the subject site.

Conclusion

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

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting that any Transportation and Works Department concerns/requirements for the proposed development are being addressed through the Site Plan Application SP-20/005 and Lifting of the 'H' application 'H'-OZ-20/001 for this development.



Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Planning and Building Department is currently processing a development applications under files 20-3380 & 20/51. Based on review of the information currently available for this

application, we advise that more information is required to verify the accuracy of the requested variances or determine whether additional variances will be required.

The applicant is advised that insufficient information has been provided in order to confirm the unit total and the resulting parking requirement. Therefore the parking requirement for this development has not been reviewed and that the minor variance application is premature.

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the December 17th, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Application: DEF-A-321/20

Consent Application: B-70/20

Minor Variance Applications: A-398/20, A-413/20, A-415/20

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 414/20
Ward 1

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 130 Angelene Street, zoned R3-1 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A gross floor area of 363.90sq.m (approx. 3916.99sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 297.15sq.m (approx. 3198.50sq.ft) in this instance;
2. A lot coverage of 35.86% whereas By-law, as amended, permits a maximum lot coverage of 35.00% in this instance;
3. An encroachment of a porch into the front yard of 2.08m (approx. 6.82ft) whereas By-law 0225-2007, as amended, permits a maximum encroachment of a porch into the front yard of 1.60m (approx. 5.25ft) in this instance;
4. An interior side yard of 1.50m (approx. 4.92ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 1.81m (approx. 5.94ft) in this instance;
5. A combined width of side yards of 3.00m (approx. 9.84ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 3.60m (approx. 11.81ft) in this instance; and
6. A building height measured to the eaves of 7.09m (approx. 23.26ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

The Committee has set **Thursday December 17, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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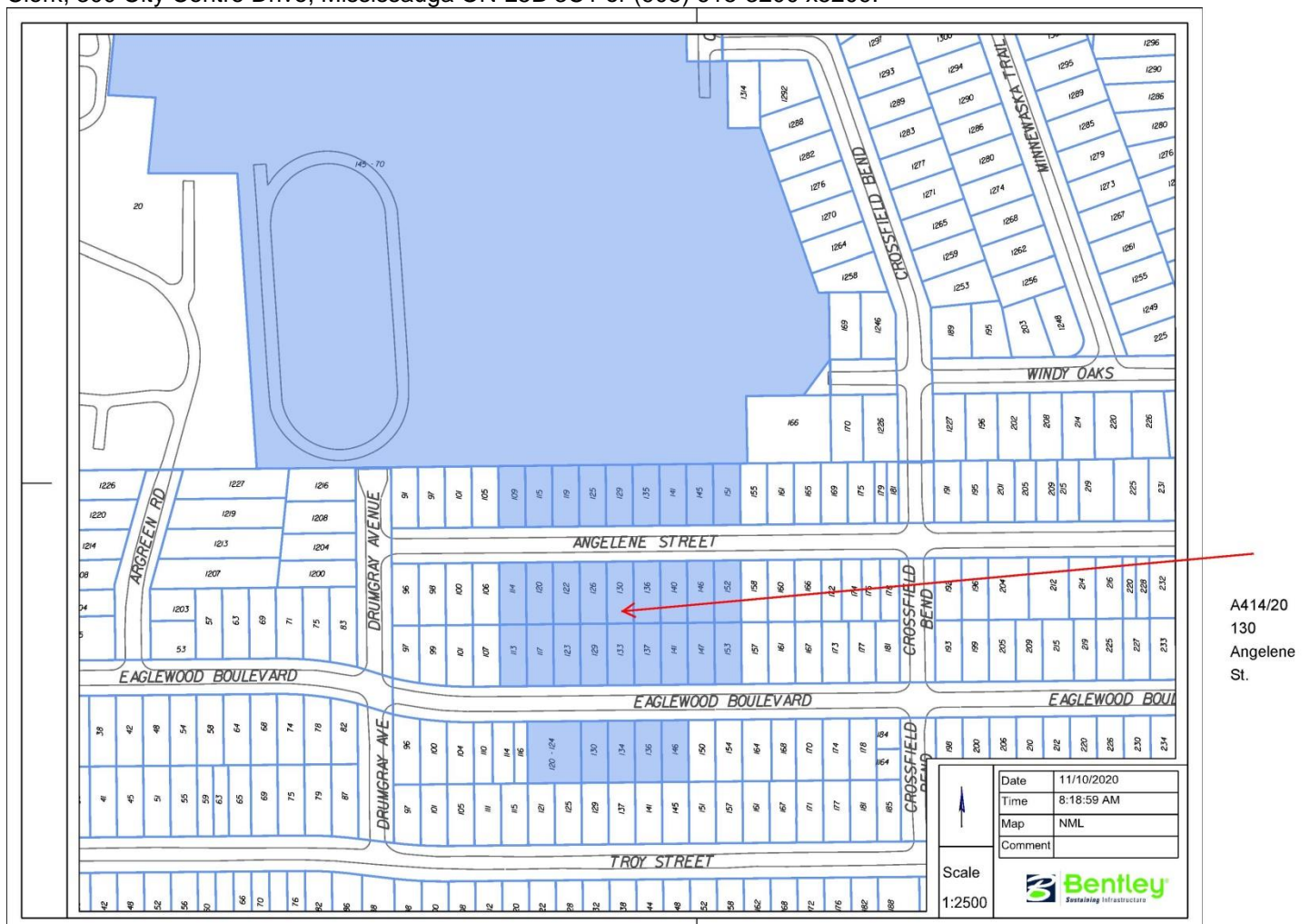
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City of Mississauga

Memorandum:

City Department and Agency Comments

| | |
|---|-----------------------------|
| Date Finalized: 2020-12-09 | File(s): A414/20 Ward: 1 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date: 2020-12-17 |

Consolidated Recommendation

The City recommends that the application be deferred for redesign.

Application Details

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

1. A gross floor area of 363.90sq.m (approx. 3916.99sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 297.15sq.m (approx. 3198.50sq.ft) in this instance;
2. A lot coverage of 35.86% whereas By-law, as amended, permits a maximum lot coverage of 35.00% in this instance;
3. An encroachment of a porch into the front yard of 2.08m (approx. 6.82ft) whereas By-law 0225-2007, as amended, permits a maximum encroachment of a porch into the front yard of 1.60m (approx. 5.25ft) in this instance;
4. An interior side yard of 1.50m (approx. 4.92ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 1.81m (approx. 5.94ft) in this instance;
5. A combined width of side yards of 3.00m (approx. 9.84ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 3.60m (approx. 11.81ft) in this instance; and
6. A building height measured to the eaves of 7.09m (approx. 23.26ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

Background

Property Address: 130 Angelene Street

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3-1 (Residential)

Other Applications:

Pre-Application: 20-1972

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southeast of Hurontario Street and Mineola Road East. The neighbourhood is predominantly residential, consisting of one and two storey detached dwellings with some mature vegetation. Institutional uses are located north of the subject property. The subject property contains an existing one storey dwelling. The applicant is proposing a new two storey dwelling, requiring variances related to gross floor area, lot coverage, interior and combined side yard width and eave height.



Comments

Planning

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

Staff comments concerning the application are as follows:

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached and duplex, triplex and other forms of low rise dwellings with individual frontages. As per Section 16.18.1 of the Mineola Neighbourhood Character Area policies, new housing is encouraged to fit the scale and character of the surrounding area. The proposed dwelling is requesting an increase in gross floor area and eave height which adds to the overall massing of the dwelling. Collectively, the variances propose a built form that does not maintain the intent of the infill regulations. As such, staff recommends that the application be deferred for redesign.

Conclusion

The Planning and Building Department recommends that the application be deferred for redesign.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the subject property will be addressed through the future Site Plan Approval and Building Permit process.



Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Planning and Building Department is currently processing a building permit application under file 20-1972. Based on review of the information currently available for this building permit, the variances, as requested are correct.

| | | | |
|-------------------------------------|--------------|------------|---|
| City Department and Agency Comments | File:A414/20 | 2020/12/09 | 5 |
|-------------------------------------|--------------|------------|---|

Comments Prepared by: Adam McCormack, Zoning Examiner

Appendix 5 – Region of Peel Comments

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

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

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 415/20
Ward 3

Why you received this letter:

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

Details of the application and meeting information:

The property owners of 765 Annamore Road, zoned RM1 - Residential, have applied for a minor variance under Section 45 of the Planning Act. The applicants request the Committee to approve a minor variance to allow:

1. A lot coverage of 38% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35% of the lot area in this instance;
2. A driveway width of 6.10m (approx. 20.01ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 5.20m (approx. 17.06ft) in this instance;
3. A front yard landscaped soft area of 34% of the front yard whereas By-law 0225-2007, as amended, requires a minimum front yard landscaped soft area of 40% of the front yard in this instance; and
4. A setback to a walkway of 0.20m (approx. 0.66ft) whereas By-law 0225-2007, as amended, requires a minimum setback to a walkway of 0.61m (approx. 2.00ft) in this instance.

The Committee has set **Thursday December 17, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act*, *Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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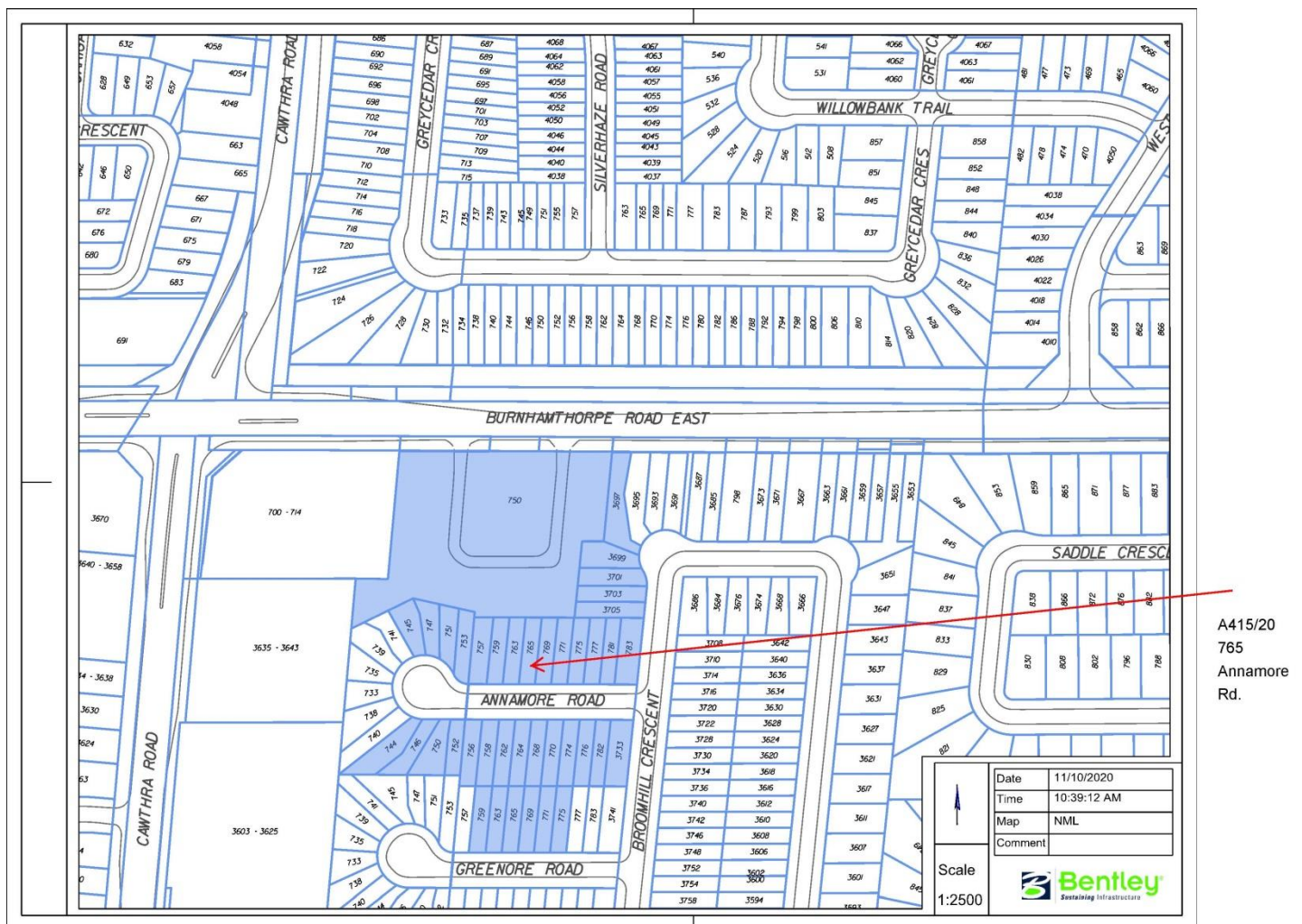
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City of Mississauga

Memorandum:

City Department and Agency Comments

| | |
|---|-----------------------------|
| Date Finalized: 2020-12-09 | File(s): A415/20 Ward: 3 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date: 2020-12-17 |

Consolidated Recommendation

The City does not object to the requested variances, as amended. However, the applicant may choose to defer the application to ensure that additional variances are not required.

Application Details

The applicants request the Committee to approve a minor variance to allow:

1. A lot coverage of 38% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35% of the lot area in this instance;
2. A driveway width of 6.10m (approx. 20.01ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 5.20m (approx. 17.06ft) in this instance;
3. A front yard landscaped soft area of 34% of the front yard whereas By-law 0225-2007, as amended, requires a minimum front yard landscaped soft area of 40% of the front yard in this instance; and
4. A setback to a walkway of 0.20m (approx. 0.66ft) whereas By-law 0225-2007, as amended, requires a minimum setback to a walkway of 0.61m (approx. 2.00ft) in this instance.

Amendments

While Planning Staff are not in a position to provide an interpretation of the Zoning By-law; Staff note Variance 3 is not required because the MR1 zone does not contemplate a specific soft-landscaped area within the By-law.

Background

Property Address: 765 Annamore Road

Mississauga Official Plan

Character Area: Applewood Neighbourhood Character Area
Designation: Residential Low Density II

Zoning By-law 0225-2007

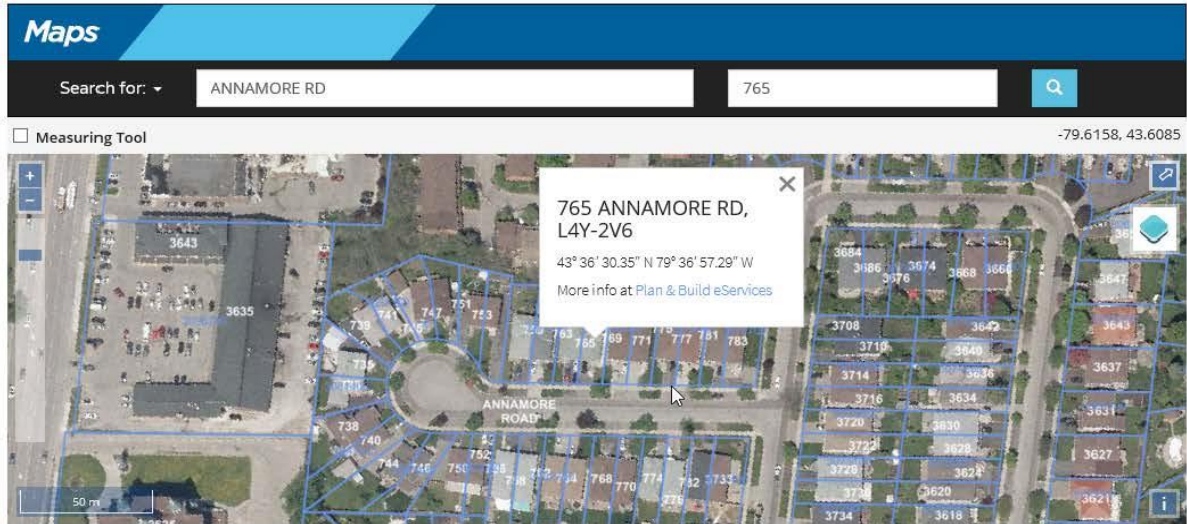
Zoning: RM1 (Residential)

Other Applications:
None

Site and Area Context

The property is located south-east of the Burnhamthorpe Road east and Cawthra Road intersection, and currently houses a semi-detached dwelling. Contextually, the surrounding neighbourhood consists exclusively of semi-detached dwellings. The properties within the immediate area are situated upon parcels possessing lot frontages of +/- 9.0m, with minimal vegetation or natural landscape elements within the front yards.

The subject property is an interior parcel, with a lot area of approximately +/-350.14m² and a lot frontage of approximately +/- 9.19m with minimal vegetation or landscape elements present in the front and rear yard.



Comments

Planning

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

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

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

The site is located within the Applewood Neighbourhood Character Area, and designated Residential Low Density II by the Mississauga Official Plan (MOP). The Residential Low Density II designation permits detached dwellings; semi-detached dwellings, duplex dwellings, and Triplexes. 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 variances, as requested, meet the purpose and general intent of the Official Plan.

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

The applicants request the Committee to approve minor variances to allow:

Variance 1 as requested, pertains to lot coverage:

The intent of this portion of the Zoning By-law is to ensure there isn't an overdevelopment of the lot. Planning Staff note that the proposal includes a rear open faced deck which does not contribute to the overall massing, or negatively impact abutting lots. Variance 1 as requested, meets the requirements of Section 45(1) of the Planning Act.

Variance 2 as requested, pertains to driveway width:

The general intent of this portion of the Zoning By-law is to permit a driveway width large enough to accommodate two vehicles parked side-by-side, with the remainder of lands being soft landscaping (front yard). While the requested 6.10m wide driveway is greater than the maximum driveway width of 5.20m, it results in a driveway width that can only accommodate two vehicles parked side-by-side. As a result, the variance meets the general intent and purpose of the zoning bylaw.

Variance 3 as requested, pertains to soft landscaping:

While Planning Staff are not in a position to provide an interpretation of the Zoning By-law; the RM1 zone does not require a specific soft-landscaped area, therefore staff note that variance 3 does not apply.

Variance 4 as requested, pertains to a walkway:

The intent of this portion of the by-law is to ensure that decorative paving, and other hard

surfaced landscape material maintain a minimum setback to any rear lot line of 0.61m. Although Planning Staff does not typically support anything less than 0.3m, to ensure adequate drainage however, we would note that the walkway is located in a small portion of the rear yard. And Transportation and Works note there are no drainage concerns resulting from the walkway. Variance 4 as requested, meets the general intent and purpose of the zoning bylaw.

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

While the Applicant is required to seek relief from multiple portions of the By-law, when viewed either individually or collectively, these variances are nominal in nature and do not pose significant negative impacts. Through a detailed review, Staff is of the opinion that the application raises no concerns of a planning nature.

Conclusion

Based upon the preceding information, Planning Staff has no objection to the variances, as amended. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Comments Prepared by: Brooke Herczeg RPP, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference are photos depicting the subject property. We note that we have no objections to variances 1, 2 & 3 which pertain to lot coverage, driveway width and front yard landscaped soft area. With regards to variance 4 pertaining to a reduced setback to the walkway of 0.20m, from our site inspection we observed no evident drainage related concerns with the walkway as constructed. This property has a split drainage pattern and there is a significant slope towards both the front and rear yards and the 0.20m (approx.. 0.66ft) allows drainage not to be impeded.







Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

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

The applicant is advised that a completed zoning review may identify additional instances of zoning non-compliance. The applicant may consider applying for a preliminary zoning review application and submit working drawings for a detailed zoning review to be completed. A minimum of 6-8 weeks will be required to process a preliminary zoning review application depending on the complexity of the proposal and the detail of the information submitted.

Comments Prepared by: Brian Bonner, Zoning Plan Examiner

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the December 17th, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Application: DEF-A-321/20

Consent Application: B-70/20

Minor Variance Applications: A-398/20, A-413/20, A-415/20

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 321/20
Ward 4

Why you received this letter:

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

Details of the application and meeting information:

The property owners of 650 Brougham Place, zoned R5-8 - Residential, have applied for a minor variance under Section 45 of the Planning Act. The applicants request the Committee to approve a minor variance to allow a widened driveway on the subject property proposing:

1. A driveway width of 7.5m (approx. 24.6ft) at the top and 6.9m (approx. 22.6ft) at the bottom whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.68ft) in this instance; and
2. A walkway attachment of 2.5m (approx. 8.2ft) whereas By-law 0225-2007, as amended, permits a maximum walkway attachment of 1.5m (approx. 4.9ft) in this instance.

The Committee has set **Thursday December 17, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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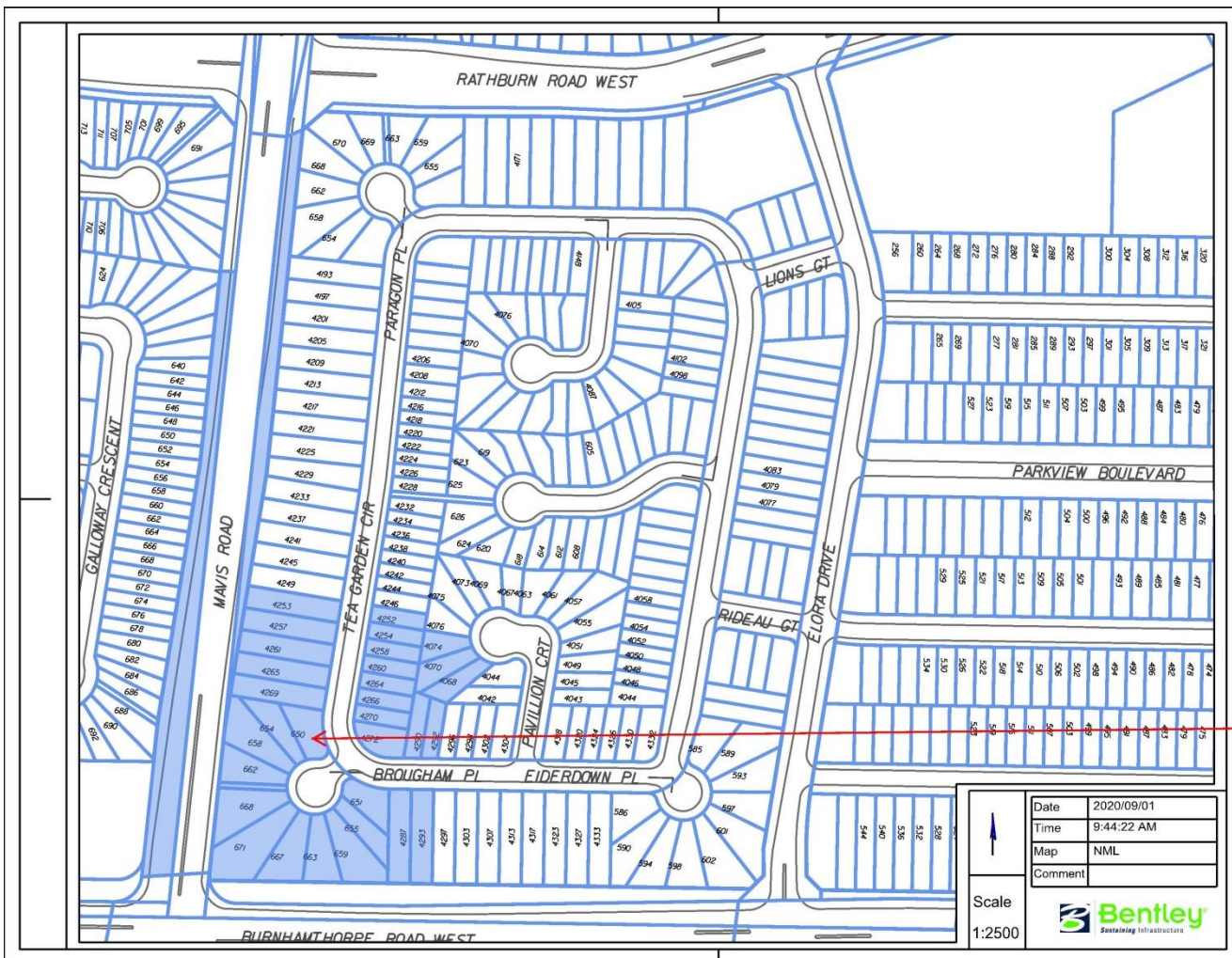
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A321.20
650
Brougham Place

City of Mississauga

Memorandum:

City Department and Agency Comments

| | |
|---|-----------------------------|
| Date Finalized: 2020-12-09 | File(s): A321/20 Ward: 4 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date: 2020-12-17 |

Consolidated Recommendation

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

Application Details

The Applicants request the Committee to approve a minor variance to allow a widened driveway on the subject property, proposing a driveway width of 8.81m (approx. 28.90ft) at the top and 6.98m (approx. 22.90ft) at the bottom; whereas, By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.68ft), in this instance.

Amendments

While Planning Staff are not in a position to provide an interpretation of the Zoning By-law; Staff would note the following variance should be added to the application; the walkway attachment of 2.5m whereas By-law 0225-2007, as amended, requires a maximum of 1.5m.

Background

Property Address: 650 Brougham Place

Mississauga Official Plan

Character Area: Creditview Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

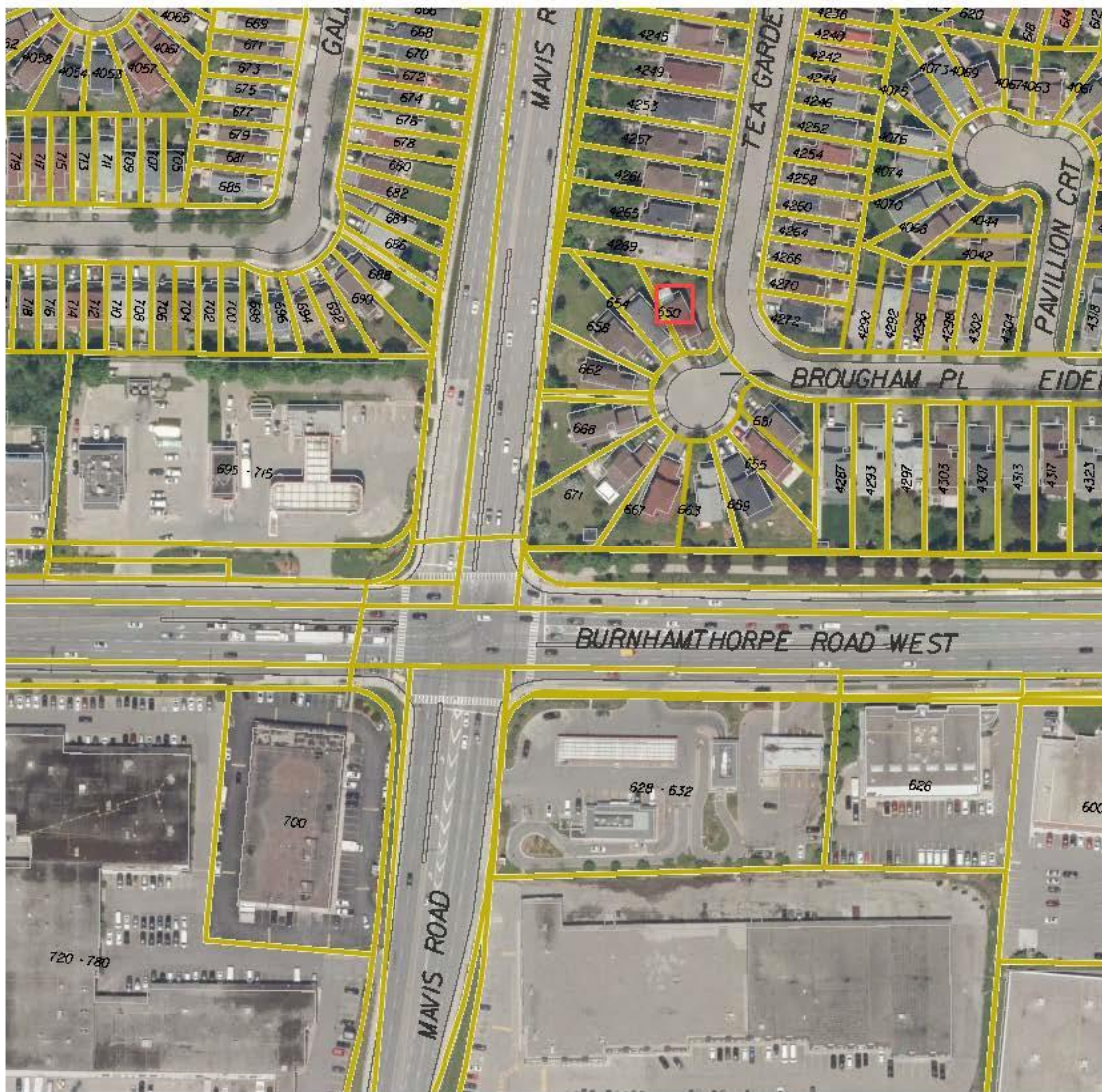
Zoning: R5-8 (Residential)

Other Applications:

None

Site and Area Context

The subject property is located north-east of the Burnhamthorpe Road West and Mavis Road intersection, and currently houses a two-storey detached dwelling with an attached single-car garage. Contextually, the surrounding neighbourhood is comprised exclusively of detached dwellings that share a 1980's subdivision architectural style. The properties within the immediate area possess lot frontages of +/-10.75m, with minimal vegetative / natural landscaped elements within the front yards. The subject property is an exterior parcel, with a lot area of +/- 489.0m² and a lot frontage of +/- 14.0m.



Comments

Planning

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

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

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

The site is located within the Creditview Neighbourhood Character Area, and designated Residential Low Density II by the Mississauga Official Plan (MOP). As per Section 9.1 (Introduction), driveway widths should respect the identity and character of the surrounding context. The planned context of this neighbourhood is that of detached dwellings serviced by appropriately sized driveways, with the remainder of the property's frontage serving to form a soft-landscaped area. The proposal as amended meets the purpose and general intent of the Official Plan.

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

As per Zoning By-law 0225-2007, the subject property is zoned R5-8 (Residential). Pursuant to Table 4.2.1.12.3 (R1 to R5 Permitted Uses and Zone Regulations), the maximum driveway width for a detached dwelling is 6.0m; whereas, the Applicant is proposing 6.8m. The general intent of this portion of the Zoning By-law is to permit a driveway width large enough to accommodate the necessary space for two vehicles parked side-by-side, with the remainder of lands being soft landscaping (front yard). The Applicant's proposal results in a driveway that can only accommodate two vehicles parked side-by-side thereby, meeting the general intent and purpose of the zoning bylaw.

Planning Staff are not in a position to provide an interpretation of the Zoning By-law however, based on planning staff's review an additional variance for a walkway attachment of 2.5m is required, whereas the by-law regulates a maximum walkway width of 1.5m. Section 4.1.9.2.1 (Driveways and Parking) of the Zoning By-law, permits a maximum walkway width of 1.5m on each side of a driveway. The intent of this portion of the By-law is to allow a hard-surfaced pathway from the driveway to the front entrance, while ensuring that such an area cannot be utilized for parking purposes. While the current 2.5m wide walkway is larger than what the Zoning By-law currently permits, the existing walkway attachment is constructed at a 90-degree angle, thereby prohibiting vehicular access. The walkway meets the general intent of purpose of the zoning by-law.

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

Staff note, the proposed driveway represents less than half the lot's frontage, and maintains soft-landscaping in the front yard. The variances, as amended, result in both the orderly development of the lands, and whose impacts will be minor in nature.

Conclusion

Based upon the preceding information, it is the opinion of Staff that the variances, as amended, meet the general intent and purpose of both the MOP and Zoning By-law; are minor in nature; and, are desirable for the orderly development of the lands. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Comments Prepared by: Brooke Herczeg RPP, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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





Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

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

The applicant is advised that a completed zoning review may identify additional instances of zoning non-compliance. The applicant may consider applying for a preliminary zoning review application and submit working drawings for a detailed zoning review to be completed. A minimum of 6-8 weeks will be required to process a preliminary zoning review application depending on the complexity of the proposal and the detail of the information submitted.

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the December 17th, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Application: DEF-A-321/20

Consent Application: B-70/20

Minor Variance Applications: A-398/20, A-413/20, A-415/20

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: "A" 337/20
Ward 1

Why you received this letter:

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

Details of the application and meeting information:

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

1. A gross floor area of 628.75sq.m (approx. 6,767.81sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 335.47sq.m (approx. 3,610.97sq.ft) in this instance;
2. A lot coverage of 26.92% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25% of the lot area in this instance;
3. A dwelling depth of 21.55m (approx. 70.70ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
4. A northerly side yard to a second storey of 1.97m (approx. 6.46ft) whereas By-law 0225-2007, as amended, requires a minimum side yard to a second storey of 2.41m (approx. 7.91ft) in this instance; and
5. A northerly side yard to a second storey balcony of 2.12m (approx. 6.96ft) whereas By-law 0225-2007, as amended, requires a minimum side yard to a second storey balcony of 2.41m (approx. 7.91ft) in this instance.

The Committee has set **Thursday December 17, 2020 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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

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

How to submit a written comment:

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

Advance registration is required to participate in the electronic hearing:

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

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

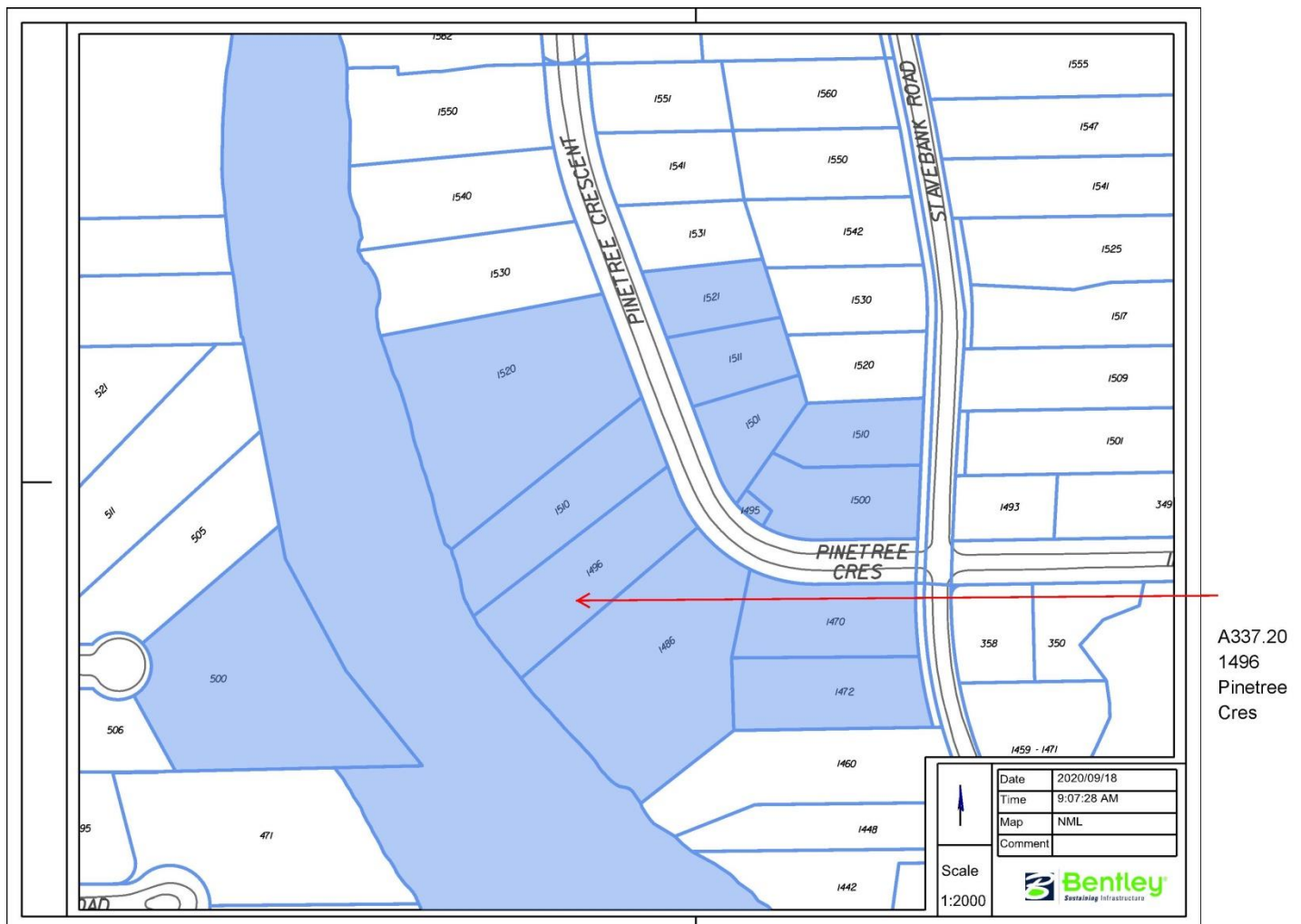
materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services will not be accepted.

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

Legal notice:

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

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



City of Mississauga

Memorandum:

City Department and Agency Comments

| | |
|---|-----------------------------|
| Date Finalized: 2020-12-09 | File(s): A337/20 Ward: 1 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date: 2020-12-17 |

Consolidated Recommendation

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

Application Details

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

1. A gross floor area of 628.75sq.m (approx. 6,767.81sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 335.47sq.m (approx. 3,610.97sq.ft) in this instance;
2. A lot coverage of 26.92% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25% of the lot area in this instance;
3. A dwelling depth of 21.55m (approx. 70.70ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
4. A northerly side yard to a second storey of 1.97m (approx. 6.46ft) whereas By-law 0225-2007, as amended, requires a minimum side yard to a second storey of 2.41m (approx. 7.91ft) in this instance; and
5. A northerly side yard to a second storey balcony of 2.12m (approx. 6.96ft) whereas By-law 0225-2007, as amended, requires a minimum side yard to a second storey balcony of 2.41m (approx. 7.91ft) in this instance.

Background

Property Address: 1496 Pinetree Crescent

Mississauga Official Plan

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

Zoning By-law 0225-2007

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

Other Applications:

Building Permit: 20-2334

Site and Area Context

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

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

The application was previously deferred from the October 29th, 2020 agenda to verify the accuracy of the requested variances.



Comments

Planning

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

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

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

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

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

Variance #1 proposes a gross floor area of 628.75 m² whereas a maximum of 335.47 m² is permitted. The intent in restricting gross floor area is to maintain compatibility between existing and new dwellings and ensuring that the existing and planned character of a neighbourhood is preserved. In this instance, the proposed renovations and enclosure of the second floor rear balcony accounts for approximately 26.45 m² of the gross floor area. The remaining gross floor area is existing, resulting in the dwelling preserving the existing and planned character of the neighbourhood, thereby maintaining compatibility with the character of the streetscape. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

Through discussions with the Zoning Division, more information is required to be submitted through the building permit process in order to verify the accuracy of the requested gross floor area.

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

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

Conclusion

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

Comments Prepared by: Lucas Petricca, Zoning Examiner

Appendices

Appendix 1 – Transportation and Works Comments

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

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

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

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 5 – Region of Peel Comments

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

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

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

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

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

Comments Prepared by: Diana Guida, Junior Planner