
Committee of Adjustment

Date: January 28, 2021
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

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

Send written submissions or request notification of future meetings to:

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

-
1. CALL TO ORDER
 2. DECLARATION OF CONFLICT OF INTEREST
 3. DEFERRALS OR WITHDRAWALS
 4. MATTERS TO BE CONSIDERED
 - 4.1. B3/21-B4/21-A12/21-A13/21
1015 STRATHY AVE (WARD 1)
VEROLJUB MAKSIMOVIC
 - 4.2. B5/21-A20/21-A21/21
16 MAPLE AVE N (WARD 1)
QUEENSVALLEY PROPERTIES INC
 - 4.3. B6/21
759 WINSTON CHURCHILL BLVD (WARD 2)
759 WINSTON CHURCHILL GP INC
 - 4.4. B56/20-A361/20-A362/20
1140 HAIG BLVD (WARD 1)
PREDRAG MILKOVIC, MALIC MIRJANA, NENAD & DRAGICA VELIMOROVIC
 - 4.5. A1/21
3820 JANICE DR (WARD 10)
RIZWANA & PARVEZ KASMANI
 - 4.6. A22/21
7592 CHINOOK DR (WARD 5)
JAGJIT SINGH KHANGURA
 - 4.7. A23/21
7480 HOMESIDE GDNS (WARD 5)
NARINDER KHANGURA
 - 4.8. A24/21
420 TRADERS BLVD E (WARD 5)
PHAP VAN VIETNAMESE BUDDHIST CULTURAL CENTRE OF ONTARIO

- 4.9. A25/21
96 CUMBERLAND DR (WARD 1)
THOMAS & BRIDGET CLARKE
- 4.10. A26/21
7217 TERRAGAR BLVD (WARD 10)
ABHAY & SHANU BHARGAVA
- 4.11. A29/21
7030 LESSARD LANE (WARD 11)
PAUL FRITZE
- 4.12. A32/21
526 AVONWOOD DR (WARD 1)
MICHAL & ALICIA SOPHIA KOWALCZYK
- 4.13. A33/21
59 LAKESHORE RD E (WARD 1)
KASIM BALUCH
- 4.14. A34/21
765 BEXHILL RD (WARD 2)
LIU SHENGHAO
- 4.15. A35/21
2265 GORDON DR (WARD 7)
FARHANA & HASSAN KHIMANI
- 4.16. A40.21
31 Front Street North (Ward 1)
City of Mississauga
5. **OTHER BUSINESS**
6. **ADJOURNMENT**

File: B3.21 B4.21 A12.21 A13.21**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 1015 Strathy Avenue & 1059 Lakeshore Road East, zoned R3-75 - Residential & C4 - Commercial, has applied for Consent under Section 53 of the Planning Act. The applicant requests the approval of the Committee to sever parcels of land for the creation of two new lots.

The first parcel (file B3/21, Parcel A) has a frontage of approximately 8.5m (27.89ft) and an area of approximately 282.4sq.m (3,039.73sq.ft).

The second parcel (file B4/21, Parcel C) has a frontage of approximately 17.04m (55.91ft) and an area of approximately 565.00sq.m (6,081.61sq.ft).

A minor variance is requested for the Severed Lands of application B3/21 (Parcel A) to allow the construction of a new house proposing:

1. A lot frontage of 8.50m (approx. 27.89ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;
2. A lot area of 282.40sq.m (approx. 3,039.73sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 550.00sq.m (approx. 5,920.15sq.ft) in this instance;
3. A lot coverage of 39.9% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.0% of the lot area in this instance;
4. A northerly side yard of 1.24m (approx. 4.07ft) measured to the second and third stories whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.94ft) to the second storey and 2.42m (approx. 7.94ft) to the third storey in this instance;
5. A southerly side yard of 0.63m (approx. 2.07ft) measured to the first, second and third stories whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (approx. 3.94ft) to the first storey, 1.81m (approx. 5.94ft) to the second storey and 2.42m (approx. 7.94ft) to the third storey in this instance;
6. A front yard of 4.28m (approx. 14.04ft) measured to the front porch and stairs whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m (approx. 24.61ft) measured to the front porch and stairs in this instance;
7. A front yard of 6.00m (approx. 19.69ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m (approx. 24.61ft) in this instance; and
8. A front yard of 6.00m (approx. 19.69ft) measured to the garage whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m (approx. 24.61ft) measured to the garage in this instance.

A minor variance is requested for the Retained Lands of application B3/21 (Parcel B) to allow the construction of a new house proposing:

1. A lot frontage of 8.50m (approx. 27.89ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;

2. A lot area of 282.60sq.m (approx. 3,041.88sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 550.00sq.m (approx. 5,920.15sq.ft) in this instance;
3. A lot coverage of 39.9% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.0% of the lot area in this instance;
4. A northerly side yard of 0.62m (approx. 2.03ft) measured to the second and third stories whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.94ft) to the second storey and 2.42m (approx. 7.94ft) to the third storey in this instance;
5. A southerly side yard of 1.22m (approx. 4.00ft) measured to the first, second and third stories whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (approx. 3.94ft) to the first storey, 1.81m (approx. 5.94ft) to the second storey and 2.42m (approx. 7.94ft) to the third storey in this instance;
6. A front yard of 3.60m (approx. 11.81ft) measured to the front porch and stairs whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m (approx. 24.61ft) measured to the front porch and stairs in this instance;
7. A front yard of 6.00m (approx. 19.69ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m (approx. 24.61ft) in this instance; and
8. A front yard of 6.00m (approx. 19.69ft) measured to the garage whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m (approx. 24.61ft) measured to the garage in this instance.

The Committee has set **Thursday January 28, 2021 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.

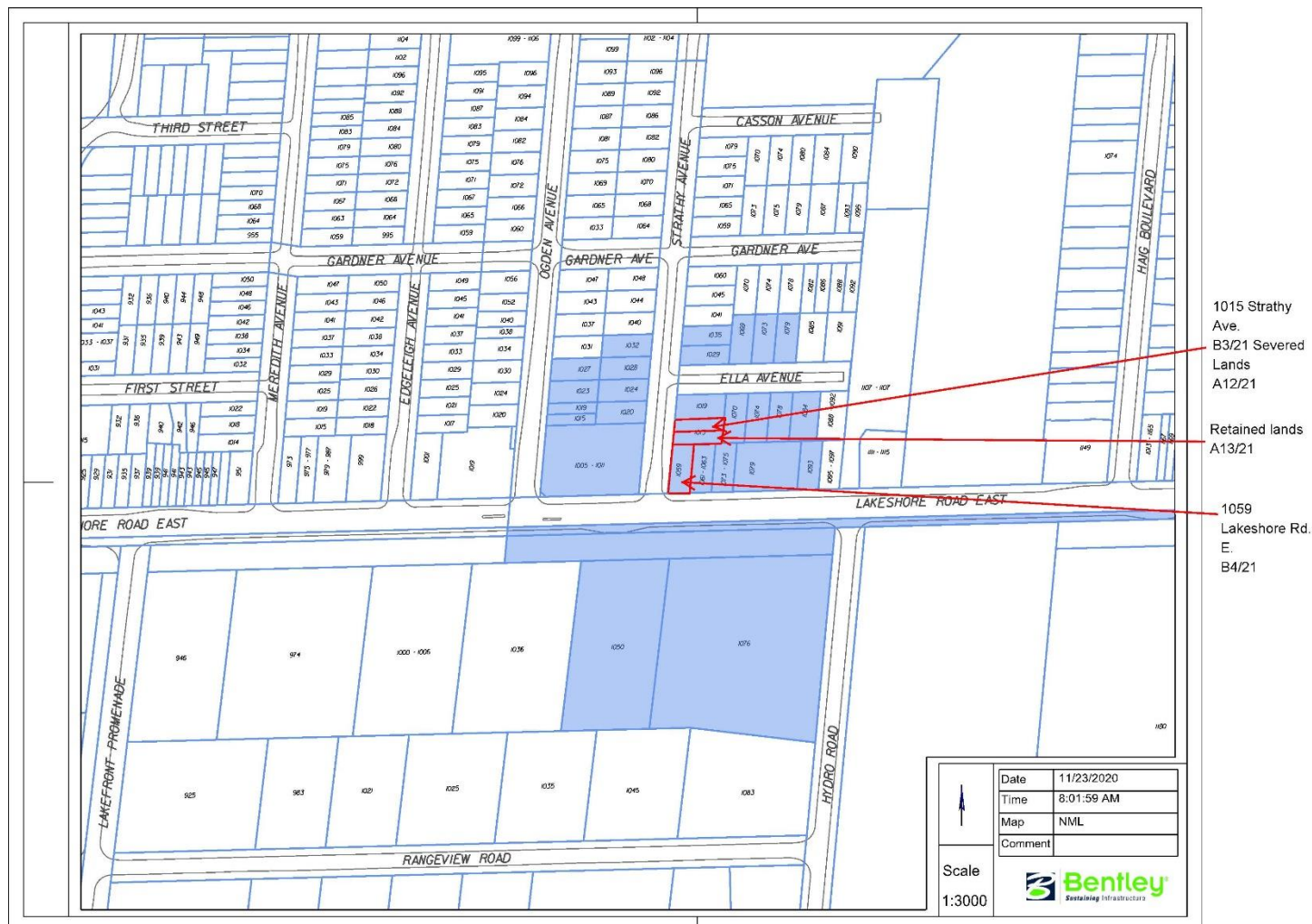
To participate by telephone: To register, please call 905-615-3200 x5209 no later than 4:30pm the Tuesday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.

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: 2021-01-20	File(s): B3.21 B4.21 A12.21 A13.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2021-01-28

Consolidated Recommendation

The City has no objections to consent application 'B' 4/21, however, recommend the remaining applications be refused.

Application Details

The applicant requests the approval of the Committee to sever parcels of land for the creation of two new lots.

The first parcel (file B3/21, Parcel A) has a frontage of approximately 8.5m (27.89ft) and an area of approximately 282.4sq.m (3,039.73sq.ft).

The second parcel (file B4/21, Parcel C) has a frontage of approximately 17.04m (55.91ft) and an area of approximately 565.00sq.m (6,081.61sq.ft).

A minor variance is requested for the Severed Lands of application B3/21 (Parcel A) to allow the construction of a new house proposing:

1. A lot frontage of 8.50m (approx. 27.89ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;
2. A lot area of 282.40sq.m (approx. 3,039.73sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 550.00sq.m (approx. 5,920.15sq.ft) in this instance;
3. A lot coverage of 39.9% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.0% of the lot area in this instance;
4. A northerly side yard of 1.24m (approx. 4.07ft) measured to the second and third stories whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.94ft) to the second storey and 2.42m (approx. 7.94ft) to the third storey in this instance;
5. A southerly side yard of 0.63m (approx. 2.07ft) measured to the first, second and third stories whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m

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- (approx. 3.94ft) to the first storey, 1.81m (approx. 5.94ft) to the second storey and 2.42m (approx. 7.94ft) to the third storey in this instance;
6. A front yard of 4.28m (approx. 14.04ft) measured to the front porch and stairs whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m (approx. 24.61ft) measured to the front porch and stairs in this instance;
 7. A front yard of 6.00m (approx. 19.69ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m (approx. 24.61ft) in this instance; and
 8. A front yard of 6.00m (approx. 19.69ft) measured to the garage whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m (approx. 24.61ft) measured to the garage in this instance.

A minor variance is requested for the Retained Lands of application B3/21 (Parcel B) to allow the construction of a new house proposing:

1. A lot frontage of 8.50m (approx. 27.89ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;
2. A lot area of 282.60sq.m (approx. 3,041.88sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 550.00sq.m (approx. 5,920.15sq.ft) in this instance;
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5. A southerly side yard of 1.22m (approx. 4.00ft) measured to the first, second and third stories whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (approx. 3.94ft) to the first storey, 1.81m (approx. 5.94ft) to the second storey and 2.42m (approx. 7.94ft) to the third storey in this instance;
6. A front yard of 3.60m (approx. 11.81ft) measured to the front porch and stairs whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m (approx. 24.61ft) measured to the front porch and stairs in this instance;
7. A front yard of 6.00m (approx. 19.69ft) whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m (approx. 24.61ft) in this instance; and
8. A front yard of 6.00m (approx. 19.69ft) measured to the garage whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50m (approx. 24.61ft) measured to the garage in this instance.

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent
- The variance application approved under File(s) "[A12/21 & A13/21]" must be finalized

City Department and Agency Comments	File: B3.21 B4.21 A12.21 A13.21	2021/01/20	3
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Recommended Conditions and/or Terms of minor variance

- Variance(s) approved under file(s) "[A12/21 & A13/21]" shall lapse if the consent application under file B3.21 B4.21 A12.21 A13.21 is not finalized within the time prescribed by legislation.

Background

Property Address: 1015 Strathy Avenue & 1059 Lakeshore Road East

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density II, Mixed Use

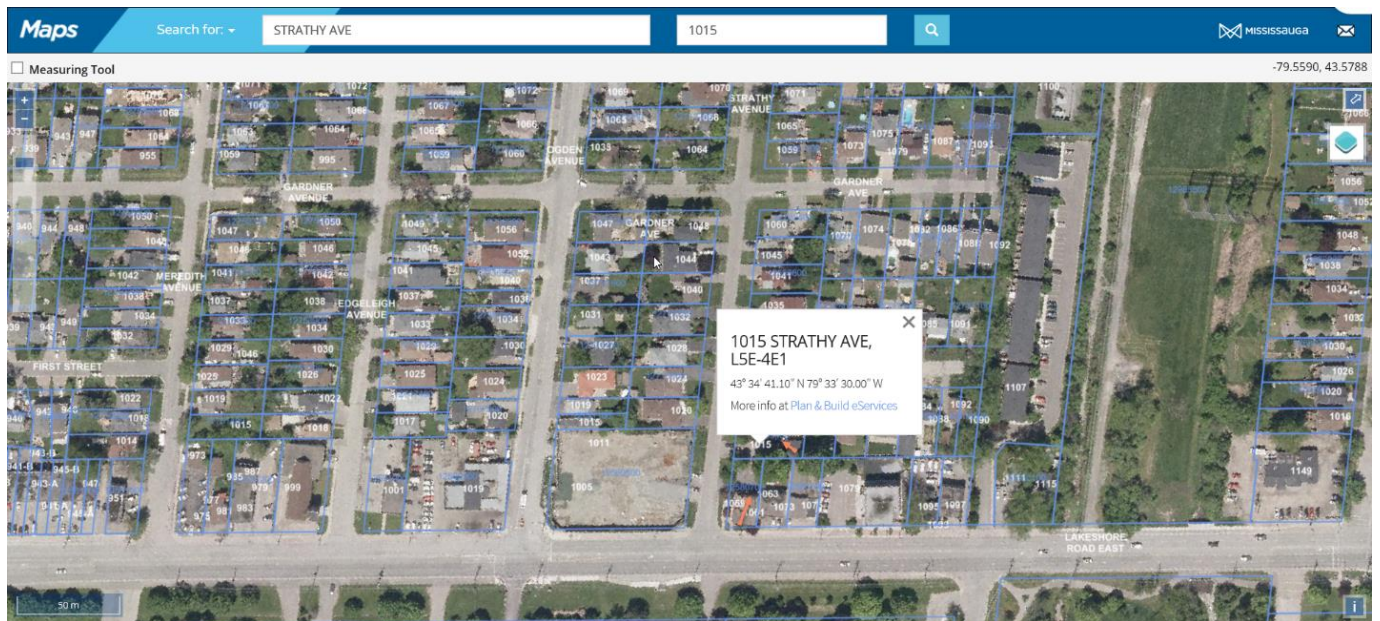
Zoning By-law 0225-2007

Zoning: R3-75, C4 (Residential, Commercial)

Site and Area Context

The subject site is located within the Lakeview Neighbourhood Character Area, north of Lakeshore Road East and Strathy Avenue. The immediate area fronting onto Lakeshore Road East mostly consists of a mix of manufacturing, commercial, residential and institutional uses. Immediately west of the subject site is a vacant parcel of land that is proposing to develop four storey stacked townhouses with commercial uses located on the ground floor fronting onto Lakeshore Road East. The area north of the subject property consists of detached dwellings with a fairly consistent lot fabric with frontages ranging from approximately 9.50 m to 15 m.

The applicant is proposing to sever the lot for the purpose of creating two new parcels to develop two detached dwellings that require variances related to lot frontage, lot area, lot coverage and deficient front and side yards.



Comments

Planning

Planning Act

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

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

Provincial Matters

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

Staff comments concerning the applications for consent are as follows:

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The applicant is proposing lot frontages of 8.50 m and lot areas of 282.40 m² whereas a minimum lot frontage of 15 m and lot area of 550 m² is required. The lot fronting onto Lakeshore Road East will remain the same. The application states that because both 1015 Strathy Avenue and 1059 Lakeshore Road East are owned by the applicant, there may be a need to re-establish the lots so they are not merged on title. As the lot fronting onto Lakeshore Road East will continue to function as is, staff have no objections to consent application 'B' 4/21.

The subject site is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached, semi-detached and duplex, triplex and other forms of low rise dwellings with individual frontages. The subject site is located within the Lakeview Village precinct and is subject to additional policies within the Lakeview Local Area Plan. As per Section 16.1.2.1 of MOP, to preserve the character of lands designated Residential Low Density I and Residential Low Density II, the minimum frontage and area of new lots will be evaluated in the context of the existing lot pattern in the surrounding area. Additionally, 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 existing immediate neighbourhood has remained fairly consistent, having lot frontages of approximately 13 m to 15 m and larger lot sizes that represent a consistent streetscape. While there are some smaller sized lots within the immediate area having frontages of approximately 9.50 m to 10 m, these lots are generally in line with the R5 (Residential) zone regulations which contains the lowest lot sizes for detached dwellings, requiring a minimum lot frontage of 9.75 m and lot area of 295 m². The application proposes lots of a lesser size than what the by-law envisioned for detached dwellings. With the lots being of a significant reduced size, additional variances are required to accommodate the proposal.

While the subject property is on the periphery of Strathy Avenue and may be suitable for modest intensification, the application proposes significantly smaller lots for detached dwellings that are out of context with the residential neighbourhood. The proposed lot frontages may be better suited for semi-detached dwellings which would be more appropriate to be handled through a rezoning application.

Based on the preceding information, staff is of the opinion that the consent application does not conform to Section 51(24) of the *Planning Act*, more specifically, the application does not conform to the official plan and the proposed lot sizes are inappropriate for detached dwellings.

Conclusion

The Planning and Building Department has no objections to consent application 'B' 4/21, however, recommend the remaining applications be refused.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

City Department and Agency Comments

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Appendices

Appendix 1 – Transportation and Works Comments

This Department has reviewed the request to create new parcels of land for residential purposes fronting onto Strathy. Should Committee see merit in the applicant's request we are providing the following conditions/requirements for Committee's consideration:

A. Items Required Prior to the Issuance of Final Consent

1. Overall Grading and Drainage Plan

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

2. Overall Site Servicing Plan

We request that the applicant submit a Site Servicing Plan prepared by a Consulting Engineer for this department's review/approval. The Site Servicing Plan is to confirm that all the necessary municipal services can be provided for the dwellings to be constructed on the subject lands.

3. Municipal Address Requirement

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

4. 5.0m Sight Triangle

The Owner will be required to gratuitously dedicate the following to the City of Mississauga a 5.0m sight triangle at the north-east corner of Lakeshore Road East and Strathy Avenue.

The dimensions related to right-of-way widths and required widenings are to be verified by the City's O.L.S., Al Jeraj at 905-615-3200 ext. 5789.

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The Owner is to contact Valeriya Danylova, Environmental Technologist at valeriya.danylova@mississauga.ca , 905-615-3200 ext. 5930 to ensure the required land dedication has no environmental conflicts.

This condition will be cleared upon receipt of confirmation from Legal Services identifying that the transfer has taken place and associated fees have been paid.

5. Environmental Site Screening Questionnaire

As per the land dedication requirement, an Environmental Site Screening Questionnaire and Declaration (ESSQD) must be filled out for the property, signed and dated by the owner, and witnessed by a commissioner of oaths and submitted to the Transportation and Works Department for review.

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

B. GENERAL INFORMATION

1. Lot Grading and Drainage

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

2. Servicing

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

3. Access

We advise the applicant that all costs incurred in providing any new driveway entrance(s) to the subject lands or any modifications/reinstatement required, would be at cost to the owner. We are also noting that should any utilities need to be relocated, all costs incurred will also be to the owner.

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The applicant is advised that the Lakeshore Connecting Communities Transportation Master Plan has been endorsed by Council which sets out a long-term vision for transit and corridor improvements along Lakeshore Road. Further information can be found at:

<http://www.mississauga.ca/portal/residents/lakeshore-connecting-communities>

4. Storm Sewer Outlet

The applicant is advised that there is no storm sewer system available in front of the proposed lot on Strathy Avenue. In this regard, we advise that all dwellings to be constructed on the subject lands will require a sump pump to discharge the weeping tile to grade. It is the full responsibility of the applicant to advise any prospective purchasers of the properties of this requirement.

5. CVC Approval

This site is situated within the Credit Valley Conservation regulated area. The applicant is therefore asked to contact the CVC for approvals.

We are noting that any Transportation and Works Department concerns/requirements for the Minor Variance application will be addressed under Consent Application 'B' 3 & 4/21.

Comments Prepared by: John Salvino, Development Engineering Technologist

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 variances or determine whether additional variances 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: Brandon Eidner, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

City Department and Agency Comments	File: B3.21 B4.21 A12.21 A13.21	2021/01/20	10
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The Park Planning Section of the Community Services Department has reviewed the consent application and advises as follows.

Should the application be approved, Community Services wishes to impose the following conditions:

1. The applicant shall provide a cash contribution of \$1,821.36 for planting of three (3) street trees on Strathy Avenue and Lakeshore Road East. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.

In addition, Community Services notes the following:

1. Payment for street tree fees and charges can be made at the Parks and Forestry customer service counter located at 950 Burnhamthorpe Road West in the form of a certified cheque, bank draft, or money order payable to the City of Mississauga. Please contact Jim Greenfield regarding the Covid-19 interim payment process.
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

No Heritage Concerns

Comments Prepared by: John Dunlop, Manager, Heritage Planning

Appendix 5 – Region of Peel Comments

Consent Applications: B-3/21 & B-4/21

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

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

City Department and Agency Comments	File: B3.21 B4.21 A12.21 A13.21	2021/01/20	11
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please call our Site Servicing Technicians at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca

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

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

City Department and Agency Comments	File:B3.21 B4.21 A12.21 A13.21	2021/01/20	12
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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 (A12/21 & A13/21).
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 January 20, 2020.
5. A letter shall be received from the City of Mississauga, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated January 20, 2020.



COMMITTEE OF ADJUSTMENT NOTICE OF APPLICATION

File: B5.21 A20.21 A21.21

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 16 Maple Avenue North, zoned RM7-5 - Residential, 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 5.90m (19.36ft) and an area of approximately 269.2sq.m (2,897.6sq.ft).

A minor variance is requested for the Severed Lands (A20/21) proposing a lot frontage of 5.90m (approx. 19.36ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 6.80m (approx. 22.31ft) in this instance.

A minor variance is requested for the Retained Lands (A21/21) proposing a lot frontage of 5.90m (approx. 19.36ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 6.80m (approx. 22.31ft) in this instance.

The Committee has set **Thursday January 28, 2021 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

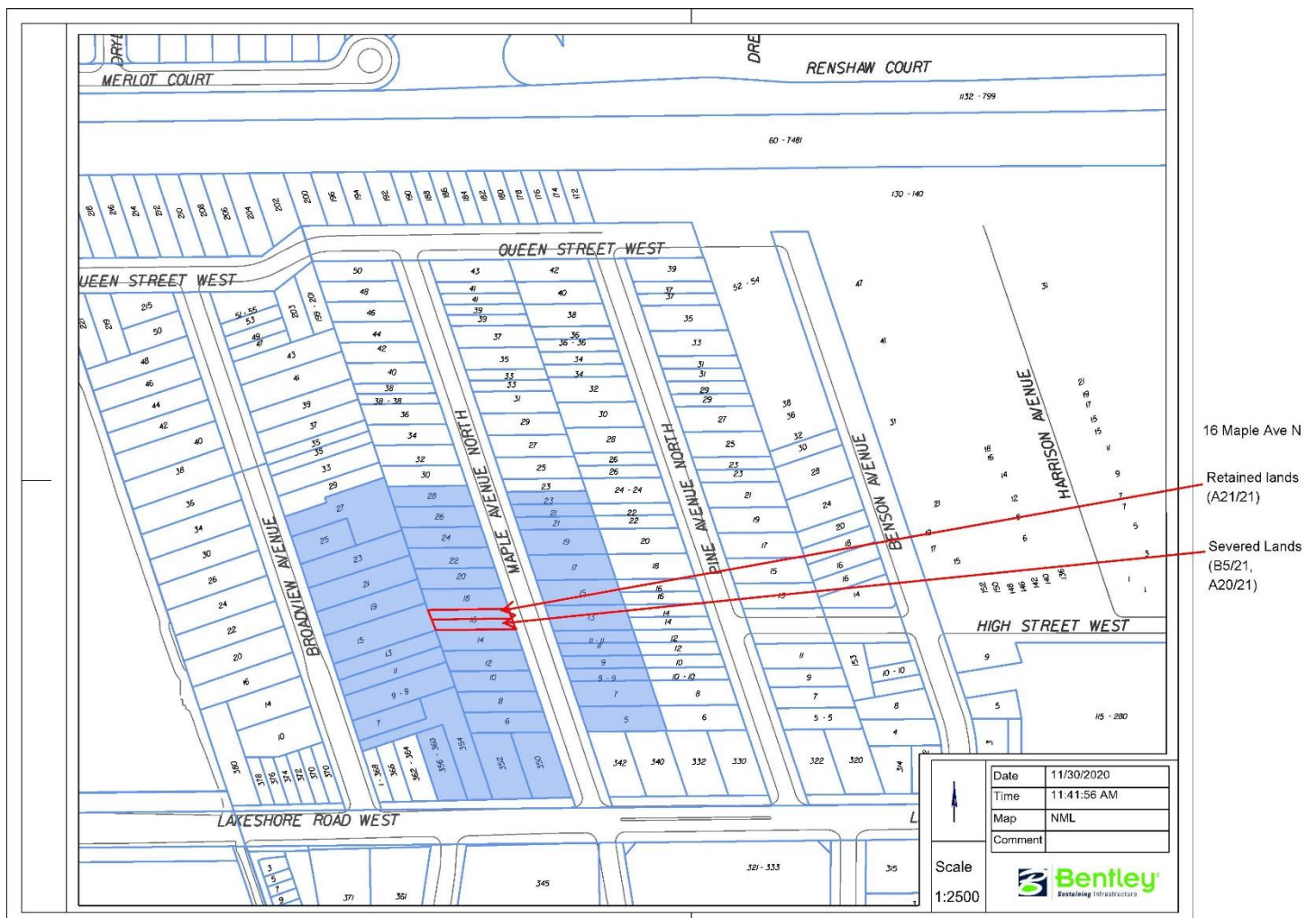
materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services will not be accepted.

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: 2021-01-20	File(s): B5.21 A20.21 A21.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-01-28

Consolidated Recommendation

The City has no objections to the requested consent and associated minor variance applications. The applicant may choose to defer the application to submit a zoning review and verify the accuracy of the requested variances.

Application Details

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 5.90m (19.36ft) and an area of approximately 269.2sq.m (2,897.6sq.ft).

A minor variance is requested for the Severed Lands (A20/21) proposing a lot frontage of 5.90m (approx. 19.36ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 6.80m (approx. 22.31ft) in this instance.

A minor variance is requested for the Retained Lands (A21/21) proposing a lot frontage of 5.90m (approx. 19.36ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 6.80m (approx. 22.31ft) in this instance.

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent
- The variance application approved under File(s) "[A20/21 & A21/21]" must be finalized

Recommended Conditions and/or Terms of minor variance

- Variance(s) approved under file(s) A20/21 & A21/21 shall lapse if the consent application under file B5.21 is not finalized within the time prescribed by legislation.

Background

Property Address: 16 Maple Avenue North

Mississauga Official Plan

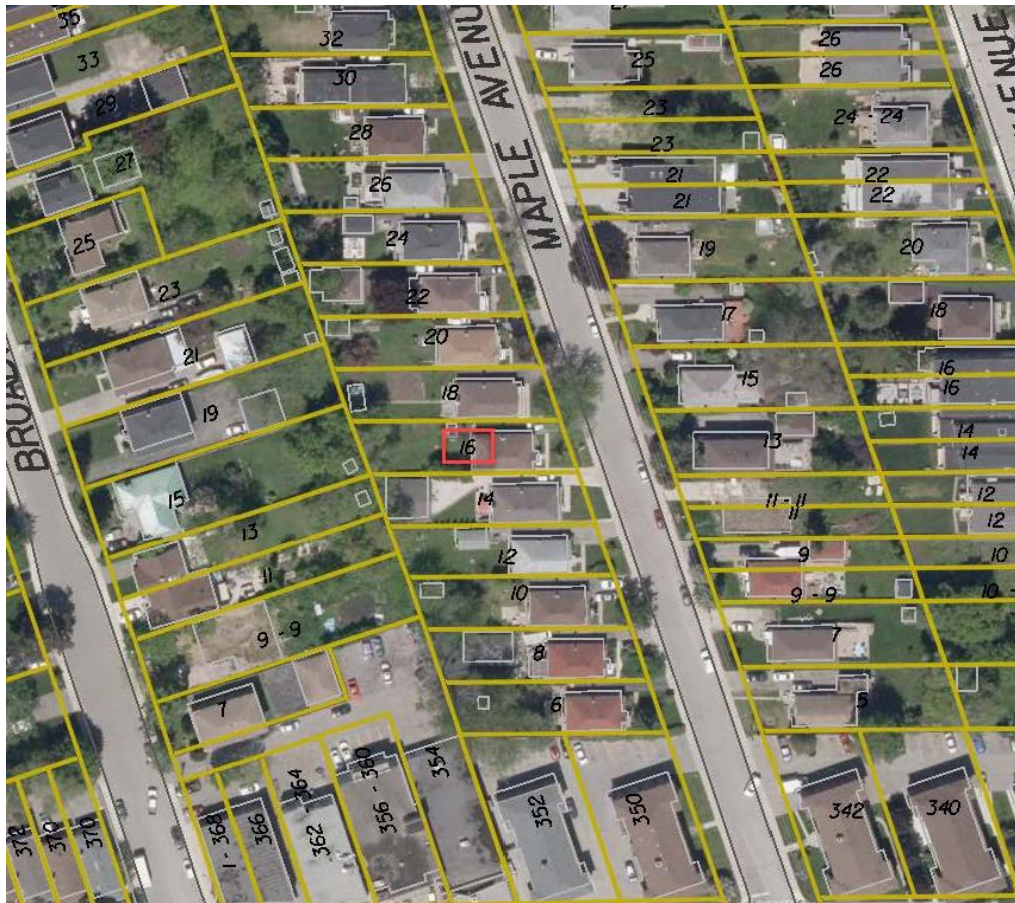
Character Area: Port Credit Neighbourhood (West)
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM7-5 (Residential)

Site and Area Context

The subject property is located within the Port Credit Neighbourhood Character Area, northwest of Mississauga Road and Lakeshore Road West. Currently the subject property contains a detached dwelling with little vegetation. The surrounding area consists of one and two storey detached and semi-detached dwellings, with some mature vegetation. The existing lot fabric is eclectic, consisting of frontages ranging from approximately 6.30 m +/- to 14 m +/- . The applicant proposes to sever the lot for the purpose of constructing semi-detached dwellings which requires variances related to lot frontage.



Comments

Planning

Planning Act

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

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

Provincial Matters

The Provincial Policy Statement 2014 (PPS 2014) and Growth Plan for the Greater Golden Horseshoe promote efficient development and land use, directing the focus towards

intensification and redevelopment. The proposal is consistent with the general directive in provincial policy.

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

The retained and severed parcel propose lot frontages of approximately 5.90 m and lot areas of 269.20 m². The zoning by-law requires lot frontages of 6.80 m and lot areas of 200 m²

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

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. The official plan policies for lands within the Port Credit Neighbourhood Character Area are contained within the Port Credit Local Area Plan in the North Residential Neighbourhood precinct (Shawnmarr/Indian Heights). Lands within the North Residential Neighbourhoods are predominately stable residential areas that allow for infill development that is compatible with and enhance the existing character of the area. The zoning by-law allows for a mix of residential uses and lot sizes, creating an eclectic lot fabric within the immediate and broader neighbourhood. The proposed consent application is consistent with the existing lot fabric of the surrounding area and can accommodate semi-detached dwellings.

Staff is of the opinion that the proposed application has due regard for Section 51(24) of the Planning Act, specifically that it conforms to the official plan and the dimensions of the shapes are consistent with the existing lot fabric. Furthermore, the proposed lot frontages maintain the general intent and purpose of the official plan.

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

Both minor variance applications 'A' 20/21 and 'A' 21/21 propose lot frontages of 5.90 m whereas 6.80 m is required. The intent of the zoning by-law is to ensure that new lots are appropriately sized and fit within the context of the surrounding area. The surrounding area contains varied lot frontages ranging from approximately 6.30 m to 14 m. The RM7 (Residential) allows for a mix of lot frontages and dwelling types. As a result, the proposed frontages maintain the eclectic lot fabric and are compatible with the surrounding area. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

The application proposes semi-detached dwellings, maintaining the existing low rise context of the neighbourhood. The proposed lot frontages are compatible and appropriate within the context of the surrounding area and maintain the existing and planned character of the neighbourhood. The proposed frontages are appropriately sized and can sufficiently accommodate semi-detached dwellings. Staff is of the opinion that the applications represent orderly development of the lands and are minor in nature.

It should be noted that the proposed semi-detached dwellings should be developed in accordance with the by-law regulations as any further variances may not be supported by staff.

Conclusion

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

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has reviewed the request to create new parcels of land for residential purposes fronting onto Strathy. Should Committee see merit in the applicant's request we are providing the following conditions/requirements for Committee's consideration:

A. Items Required Prior to the Issuance of Final Consent

1. Overall Grading and Drainage Plan

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

2. Municipal Address Requirement

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

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

B. GENERAL INFORMATION

1. Lot Grading and Drainage

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

2. Servicing

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

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

3. Access

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

<http://www.mississauga.ca/portal/residents/lakeshore-connecting-communities>

4. Storm Sewer Outlet

We advise that there is an existing 525mm dia. storm sewer located on Maple Avenue North. Please note that a rear lot catch basin may be required to control site drainage at the rear of the property. Where existing sewer capacity exists, applicants are encouraged to design the basement elevation to be at least 1.0 meter above the elevation of the on-street storm sewer obvert to eliminate the need for a sump pump. In situations where a sump pump is required and where a high groundwater table may exist, the sump pump may run continuously. The applicants are encouraged to design the weeping tile elevation to be at least 1.0 meter above the seasonal groundwater elevation. The owner is advised that the City has no obligations to address any concerns related to the operation of private sump pump systems.

We are noting that any Transportation and Works Department concerns/requirements for the Minor Variance applications will be addressed under Consent Application 'B' 5/21.

Comments Prepared by: John Salvino, Development Engineering Technologist

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 variances or determine whether additional variances 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: Brandon Eidner, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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

1. The applicant shall provide a cash contribution of \$607.12 for planting of one (1) street tree on Maple Avenue North. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.

In addition, Community Services notes the following:

1. Payment for street tree fees and charges can be made at the Parks and Forestry customer service counter located at 950 Burnhamthorpe Road West in the form of a certified cheque, bank draft, or money order payable to the City of Mississauga. Please contact Jim Greenfield regarding the Covid-19 interim payment process.
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

No Heritage Concerns

Comments Prepared by: John Dunlop, Manager, Heritage Planning

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the January 28th, 2021 Committee of Adjustment Agenda. We have no comments or objections.

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

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

existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please call our Site Servicing Technicians at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca

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

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 A20/21 & A21/21.
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 January 20, 2020.
5. A letter shall be received from the City of Mississauga, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated January 20, 2020.



COMMITTEE OF ADJUSTMENT NOTICE OF APPLICATION

File: B6.21

Ward: 2

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 759 Winston Churchill Boulevard, zoned E3-16, E2-127 & H-E3-16 - Employment & G2 - Greenlands, has applied for Consent under Section 53 of the Planning Act. The applicant request the approval of the Committee to sever a parcel of land for the creation of a new lot and land dedications. The parcel of land (new lot) has a frontage of approximately 83.67m (274.51ft) and an area of approximately 56,777 (611,142.54sq.ft).

The Committee has set **Thursday January 28, 2021 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:

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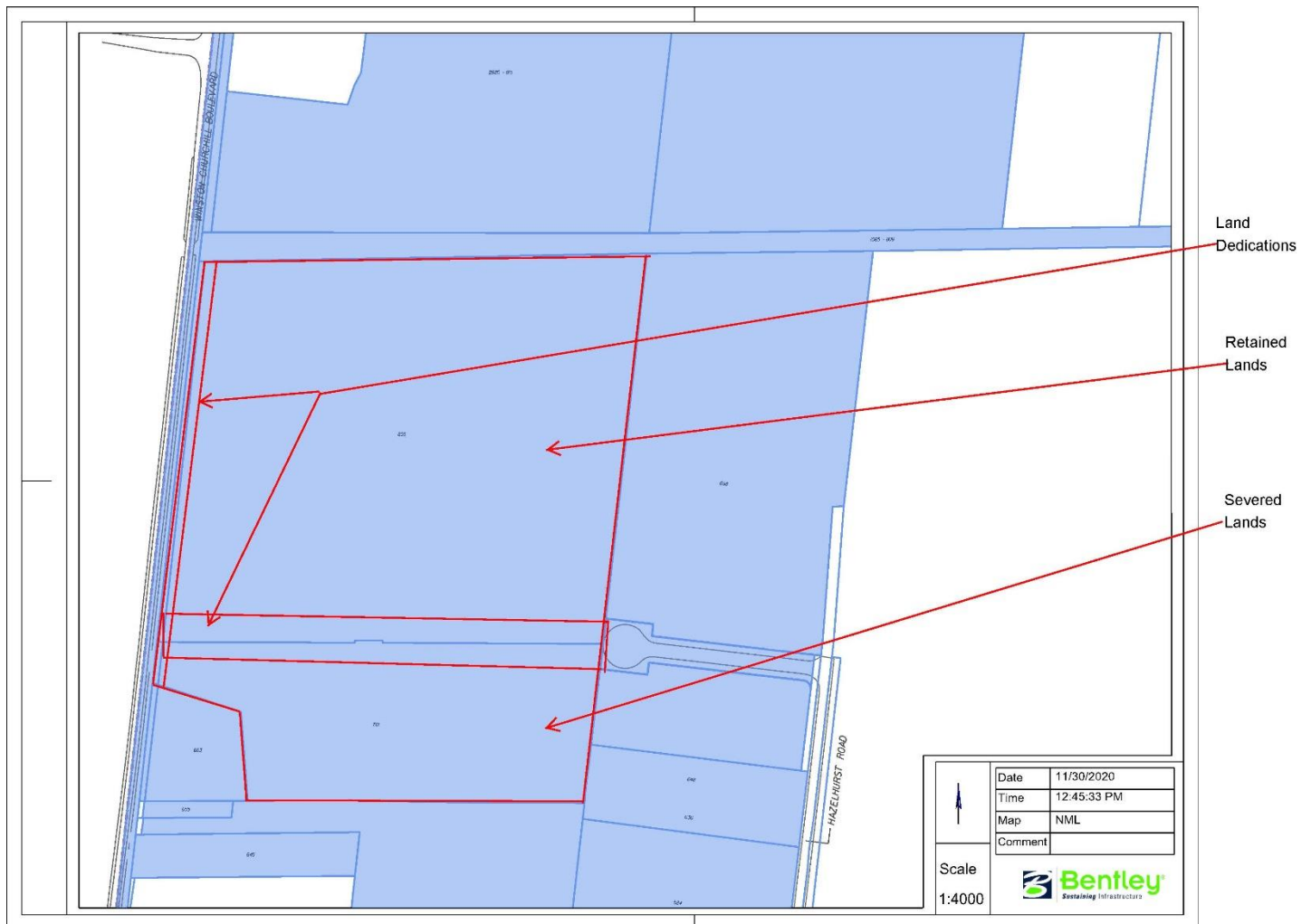
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Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process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



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-01-20	File(s): B6.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-01-28

Consolidated Recommendation

The City has no objections to the requested consent application, subject to the condition.

Application Details

The applicant request the approval of the Committee to sever a parcel of land for the creation of a new lot and land dedications. The parcel of land (new lot) has a frontage of approximately 83.67m (274.51ft) and an area of approximately 56,777 (611,142.54sq.ft).

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent
- The applicant withdraw Draft Plan of Subdivision Approval under file 21TM-15001
- A CVC plan review fee of \$725 is outstanding for this consent application – the applicant is asked to please provide payment directly to CVC.

Background

Property Address: 759 Winston Churchill Boulevard

Mississauga Official Plan

Character Area: Southdown Employment Area
Designation: Business Employment, Greenlands, Industrial

Zoning By-law 0225-2007

Zoning: G2 (Greenlands), E2-127, E3-16, H-E3-16 (Employment)

Other Applications

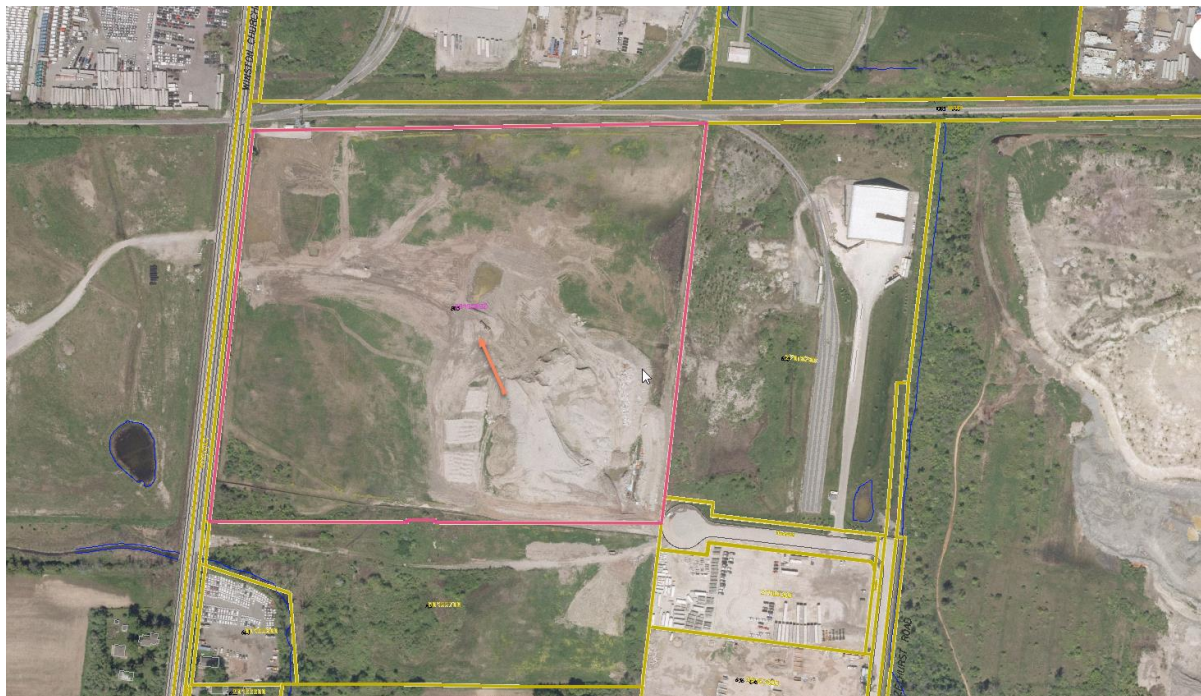
Site Plan Application: 20-105

Draft Plan of Subdivision: 21TM-15001

Site and Area Context

The subject site is located within the Southdown Employment Character Area, south of Royal Windsor Drive and Winston Churchill Boulevard. The surrounding lands fronting onto Winston Churchill Boulevard are mostly vacant, however, industrial and manufacturing uses are present east and north of the subject site. The subject site is vacant and is partially traversed by Clearview Creek on the south west portion of the site. This area is classified as a Significant Natural Area.

The applicant is proposing to sever the subject site with dedications in favour of the City of Mississauga and Region of Peel.



Comments

Planning

Planning Act

Section 51 (24) of the *Planning Act* sets out the criteria for land division in the Province of Ontario. In evaluating such requests, the Committee needs to be satisfied that the proposal

meets not only the criteria set out under Section 51(24), but also municipal requirements identify in local legislation.

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

Provincial Matters

The Growth Plan for the Greater Golden Horseshoe promotes economic development by making more efficient use of existing employment areas and underutilized employment lands by permitting increased employment densities as a result. The proposal to create a new lot is consistent with the policies outlined in the Growth Plan.

Staff comments concerning the application for consent are as follows:

On July 6th, 2016 the subject site received Draft Plan of Subdivision approval at Planning and Development Committee (PDC). The original Draft Plan of Subdivision can be found in *Appendix 7* of this report. As part of the approval, the applicant was required to connect Orr (now known as Hazelhurst Road) Road to Winston Churchill Boulevard and extend the Right of Way along Winston Churchill Boulevard. The subject application includes these dedications to the City of Mississauga and Region of Peel which were part of the original approval.

The application proposes a lot frontage of 83.67 m and lot area of 56,777 m² for 'Severed Lot C' while the 'Retained Lot A' proposes a lot frontage of 268.47 m and lot area of 123,254 m².

The subject site is designated Business Employment, Greenlands, and Industrial in Schedule 10 of the Mississauga Official Plan (MOP). The Credit Valley Conservation (CVC) Authority has reviewed the proposal and have no concerns with the proposed severance. As such the Greenlands designation will not be negatively impacted by the severance. As per Schedule 5 (Long Term Road Network) of MOP, the connection of Hazelhurst Road to Winston Churchill Boulevard is required. Section 7 of the Southdown Local Area Plan envisions a mixture of employment uses and improved accessibility in the area as a result of the connection of Hazelhurst Road to Winston Churchill Boulevard.

Furthermore, Section 5.3.6.10 of MOP states that development will be permitted where the proposed development is compatible in built form and scale to surrounding development, enhances the existing or planned development and is consistent with the policies of this Plan. The Site Plan application proposes three industrial buildings which is consistent with the official plan and Southdown Local Area Plan. The proposed consent application improves accessibility and allows for greater use of the subject site. The proposed severance maintains the existing lot fabric of the surrounding area and does not hinder development of the site that is anticipated in the MOP.

Should Committee see merit in the application, staff recommends the following condition be added to the application:

- The applicant withdraw Draft Plan of Subdivision Approval under file 21TM-15001

Staff is of the opinion that the application has due regard to Section 51(24) of the *Planning Act*, more specifically that the application conforms to the official plan and is suitable for the purposes for which it is to be subdivided.

Conclusion

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

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We note for Committee's information that this parcel of land has previously been the subject of a Draft Plan of Subdivision, File number T-15001 where the applicant at that time was proposing multiple lots and secondary road network. Through T-15001, the applicant was required to dedicate/construct that portion of Orr Road to extend westerly through to intersect with Winston Churchill Boulevard. Through a more recent Site Plan application SP-20/105, the current applicant is now proposing two industrial blocks, one each north and south of the Orr Road extension. The dedication and construction of Orr Road and Municipal services is required in order for the Site Plan application to proceed. We also note that the Orr Road immediately to the east of the subject property has been renamed as the extension of Hazelhurst Drive in 2017. Any future reference to Orr Road with this application should reflect Hazelhurst Drive on any subsequent documentation and plans.

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

A. Items Required Prior to the Issuance of Final Consent

1. Consent Agreement

The applicant/owner shall enter into an agreement with the City pursuant to Subsection 51(26) of the Planning Act, to be registered on title, that will require the conveyance of the future public road, having a width of approximately 24 metres including any required 0.3m reserves and sight triangles, from the existing terminus of Hazelhurst Road (formerly Orr Road) through to intersect with Winston Churchill Boulevard. The agreement will provide confirmation that the Owner is required to design, secure and construct the future public road, with details and City-approved plans to be included in the Site Plan Agreement under File SP- 20/105 W2. We note that the existing terminus of Hazelhurst Road (formerly Orr Road) shall also be removed/reinstated as part of the Site Plan Agreement. To finalize the infrastructure schedules of the Site Plan Agreement, a detailed engineering submission process will required to be undertaken for the design and securing the construction of the Hazelhurst Drive extension (formerly Orr Road).

2. Land Dedication for the Extension of Hazelhurst Road and Sight Triangles

The applicant is to gratuitously dedicate to the City of Mississauga a right-of-way having a width of approximately 24 metres and any required 0.3m reserves and required sight triangles towards the extension of a public roadway to be known as 'Hazelhurst Road' to Winston Churchill Boulevard. The proposed right of way lands are to be gratuitously dedicated and shall

be free and clear of any liens or encumbrances. The conveyance will not be a strata conveyance.

The dimensions related to right-of-way width and sight triangles are to be verified by the City's O.L.S., Al Jeraj at 905-615-3200 ext. 5789.

The applicant's surveyor is to prepare and submit two draft reference plans (detailing the required lands) to this section for review and approval. Following this approval, the applicant's surveyor should deposit the accepted draft reference plan and forward a copy of the registered plan to the City's Legal Services Section to finalize the process. This condition will be cleared upon receipt of confirmation from Legal Services identifying that the transfer has taken place and associated fees have been paid.

Should the applicant require more information with regards to the above, please contact Ryan Au from our Traffic Section at 905 615-3200 ext. 3713 or ryan.au@mississauga.ca.

3. Clearview Creek & Hazard Lands Dedication

For the severed lands, the majority of those lands are within the floodplain of Clearview Creek and hazard land. Also, the severed land will have the proposed quality pond for the retained lands. A private easement may be required if it will be under another ownership or is required due to the physical separation due to the road dedication. For the lands south of the proposed Hazelhurst Road (formerly Orr Road) and west of the proposed water quality pond, the applicant will be required to gratuitously dedicate the lands below the top of bank of the Clearview Creek lands, including hazard lands.

For further information regarding the above noted comments, please contact Ghazwan Yousif at (905) 615-3200 ext. 3526 or ghazwan.yousif@mississauga.ca

4. Required Easements

Upon the confirmation of any required easement(s), 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(s) to be established. It should also be noted that if the private easement pertains to the Transportation and Works Department, then 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. Should no additional easements be required, this condition would be deemed to be satisfied.

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

City Department and Agency Comments	File: B6.21	2021/01/20	7
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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.

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

7. Phase One Environmental Site Assessment

A current Phase One Environmental Site Assessment (ESA) for lands to be dedicated to the City must be submitted to the Transportation and Works Department for review. 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 last page of the following document: <https://www.mississauga.ca/wp-content/uploads/2020/08/26144135/Section-5-Environmental-Requirements-1.pdf>

Please note that a Record of Site Condition (RSC) may be required if lands need to be remediated to meet the applicable MECP Standards. For any clarification or questions regarding

City Department and Agency Comments	File: B6.21	2021/01/20	8
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this requirement please contact Valeriya Danylova at x5930 or valeriya.danylova@mississauga.ca .

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

B. GENERAL INFORMATION

1. Lot Grading and Drainage

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

2. Servicing

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

3. Access

We advise the applicant that all costs incurred in providing any new driveway entrance(s) to the subject lands or any modifications/reinstatement required, would be at cost to the owner. We are also noting that should any utilities need to be relocated, all costs incurred will also be to the owner.

4. Region Approval

Comments with regard to Winston Churchill Boulevard will be provided by the Region of Peel as this road falls under their jurisdiction.

5. CVC Approval

This proposed site is located within the limits of floodplain for Clearview Creek. The applicant is contact CVC for their approval.

6. Municipal Storm Sewer Works

We note that the storm sewer outlet for the subject property is the Clearview Creek. Through the Site Plan Agreement, infrastructure schedules will be required for the Hazelhurst Road (formerly Orr Road) municipal storm sewer and outlet to Clearview Creek. We further note that the Hazelhurst Road (formerly Orr Road) drainage should be separate from the private site drainage and is to be discharged and treated for water quality and quantity separately.

For further information regarding the above noted comments, please contact Ghazwan Yousif at (905) 615-3200 ext. 3526 or ghazwan.yousif@mississauga.ca

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

We have no objection to the consent application provided that the severed and retained lands comply with the provisions of Zoning By-law 225-2007, as amended, with respect to, among other things, minimum lot frontage, minimum lot area, etc., or alternatively, that any minor variances is approved, final and binding and/or the demolition of any existing buildings is complete.

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

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

Comments Prepared by: Brian Bonner – Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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

1. All established hazard lands below the top-of-bank, long term stable slope, or natural features whichever is greater, including any associated vegetative buffer shall be gratuitously dedicated to the City as Greenlands (G1) for conservation purposes. The lands on 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 Clearview Creek and contribute to the protection and enhancement of the Natural Heritage System.

2. Given the subject lands has significant existing vegetation adjacent to Clearview 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.
3. 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
4. Submit a Draft Reference plan identifying the lands to be dedicated to the City.
5. Submit a Site Servicing plan that is to the satisfaction of the Community Services Department.
6. Submit a Grading plan that is to the satisfaction of the Community Services Department.
7. A 1.5 metre high, black vinyl chain-link fence shall be built to current municipal standards, along City Owned lot lines. The fencing is to be located 0.15 metres inside the lands to be dedicated to the City.
8. The applicant shall provide securities for the fencing in the amount of \$11,250.00, securities subject to change upon confirmation of the limits of dedication. The fencing will be erected and maintained to the satisfaction of the Community Services Department - Park Planning Section. Gates will not be permitted in the fence.
9. 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. Payment for street tree fees and charges can be made at the Parks and Forestry customer service counter located at 950 Burnhamthorpe Road West in the form of a certified cheque, bank draft, or money order payable to the City of Mississauga. Please contact Jim Greenfield regarding the Covid-19 interim payment process.

2. Tree preservation hoarding and securities may be required as part of the site plan control process.
3. 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

No Heritage Concerns

Comments Prepared by: John Dunlop, Manager, Heritage Planning

Appendix 5 – Region of Peel Comments

Comments for Conditions of Approval

Consent Application: B-6/21

Traffic Development: Catherine Barnes (905) 791-7800 x7569

The Region is in support of this process, however the Region requires a Draft Reference Plan to be submitted that illustrates the following:

- Property dedication of 20.75 metres;
- 0.3 metre reserve behind the property line and daylight triangles, lifted at any access points;
- 15 x 15 metre daylight triangles at the intersection of Winston Churchill Blvd & Orr Road on the North and South side;
- All dimensions to be shown, including centreline of Winston Churchill Blvd.

Condition: The Draft Reference Plan must be reviewed by the Region of Peel Traffic and Legal departments before it is deposited.

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 6- Conservation Authority Comments

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

1. Watershed Based Resource Management Agency and Public (commenting) Body under the Planning Act - providing comments based on CVC's Board approved policies;
2. Planning Advisory Services - providing environmental planning and technical advice/comments based on service agreements or memorandum of understanding;
3. Delegated Responsibilities – providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 3.1 of the Provincial Policy Statement (2014);
4. Regulatory Responsibilities – providing comments to ensure the coordination of requirements under the Conservation Authorities Act Section 28 regulation, to eliminate unnecessary delay or duplication in process;
5. Source Protection Agency – providing advisory comments to assist with the implementation of the CTC Source Protection Plan under the Clean Water Act, as applicable.

SITE CHARACTERISTICS:

The subject property is regulated for Clearview Creek and its associated floodplain. In addition, the regulated spill from Avonhead Creek traverses the subject property. It is the policy of CVC and the Province of Ontario to conserve and protect the significant physical, hydrological and biological features associated with the functions of the above noted characteristics and to recommend that no development be permitted which would adversely affect the natural features or ecological functions of these areas.

ONTARIO REGULATION 160/06:

The property is subject to the Development, Interference with Wetlands, and Alterations to Shorelines & Watercourses Regulation (Ontario Regulation 160/06). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

PROPOSAL:

It is our understanding that the applicants request the approval of the Committee to sever a parcel of land for the creation of a new lot and land dedications. The parcel of land (new lot) has a frontage of approximately 83.67m (274.51ft) and an area of approximately 56,777 (611,142.54sq.ft).

COMMENTS:

Based on review of the information, it is our understanding that the purpose of this application is to place lands proposed for road development into public ownership - Parcels Retained "A" and Severed "C" will remain under existing ownership, while Severed "A" will be deeded to the City of Mississauga and Severed "B" will be deeded to the Region of Peel.

As such, CVC staff have **no objection** to the approval of the requested severance by the Committee at this time.

The applicant is advised that a CVC permit will be required for any development on the Parcels Retained "A" and Severed "C" as they continue to be located within CVC regulated areas.

Please note that the subject property is currently undergoing a Site Plan application (SP 20/105) through which CVC is providing technical review regarding the hazardous lands and stormwater management approach.

A CVC plan review fee of \$725 is outstanding for this consent application – the applicant is asked to please provide payment directly to CVC.

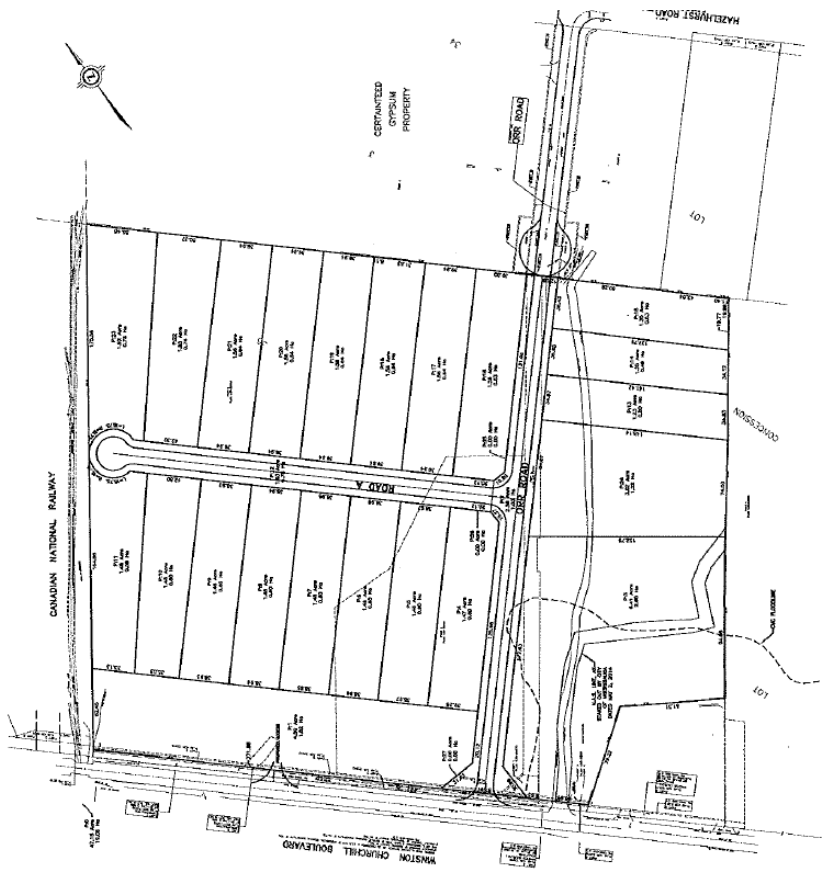
I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at maricris.marin@cv.ca should you have any further questions or concerns.

Please circulate CVC any future correspondence regarding this application.

Comments Prepared by: Maricris Marinas, Senior Planner

Appendix 7 – Development and Design Division

4.4 - 10



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 January 20, 2020.
5. A letter shall be received from the City of Mississauga, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated January 20, 2020.
6. A letter shall be received from the Region of Peel, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated January 20, 2020.



COMMITTEE OF ADJUSTMENT NOTICE OF APPLICATION

File: B56.20 A361.20 A362.20

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 1140 Haig Boulevard, zoned R3-75 - Residential, has applied for Consent under Section 53 of the Planning Act. The applicants request the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 9.32m (30.58ft) and an area of approximately 517.46sq.m (5,569.89sq.ft).

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

1. A lot frontage of 9.32m (approx. 30.58ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;
2. A lot Area of 517.46sq.m (approx. 5,569.89sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 550sq.m (approx. 5,920.15sq.ft) in this instance;
3. A Southerly side yard of 0.61m (approx. 2.00ft) measured to the 1st and 2nd stories, and 1.32m (approx. 4.33ft) to the 3rd storey whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.2m (approx. 3.94ft) measured to the first storey, 1.81m (approx. 5.94ft) to the second storey, and 2.42m (approx. 7.94ft) to the third storey, in this instance;
4. A Northerly side yard of 1.0m (approx. 3.28ft) measured to the 1st storey garage, 1.23m (approx. 4.04ft) measured to the 2nd storey, and 1.94m (approx. 6.36ft) to the 3rd storey whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.2m (approx. 3.94ft) measured to the first storey, 1.81m (approx. 5.94ft) to the second storey, and 2.42m (approx. 7.94ft) to the third storey, in this instance;
5. A front yard soft landscape area of 38.35% whereas By-law 0225-2007, as amended, requires a minimum front yard soft landscape area of 40% in this instance; and
6. A front yard setback of 6.0m (approx. 19.68ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.5m (approx. 24.60ft) in this instance.

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

1. A lot frontage of 9.32m (approx. 30.58ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;
2. A lot Area of 517.46sq.m (approx. 5,569.89sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 550sq.m (approx. 5,920.15sq.ft) in this instance;
3. A Northerly side yard of 0.61m (approx. 2.00ft) measured to the 1st and 2nd stories, and 1.32m (approx. 4.33ft) to the 3rd storey whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.2m (approx. 3.94ft) measured to the first storey, 1.81m (approx. 5.94ft) to the second storey, and 2.42m (approx. 7.94ft) to the third storey, in this instance;
4. A Southerly side yard of 1.0m (approx. 3.28ft) measured to the 1st storey garage, 1.23m (approx. 4.04ft) measured to the 2nd storey, and 1.94m (approx. 6.36ft) to the 3rd storey whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.2m (approx. 3.94ft) measured to the first storey, 1.81m (approx. 5.94ft) to the second storey, and 2.42m (approx. 7.94ft) to the third storey, in this instance;
5. A front yard soft landscape area of 39.07% whereas By-law 0225-2007, as amended, requires a minimum front yard soft landscape area of 40% in this instance; and

AMENDED NOTICE AND REVISED HEARING DATE

6. A front yard setback of 5.99m (approx. 19.65ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.5m (approx. 24.60ft) in this instance.

The Committee has set **Thursday January 28, 2021 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.

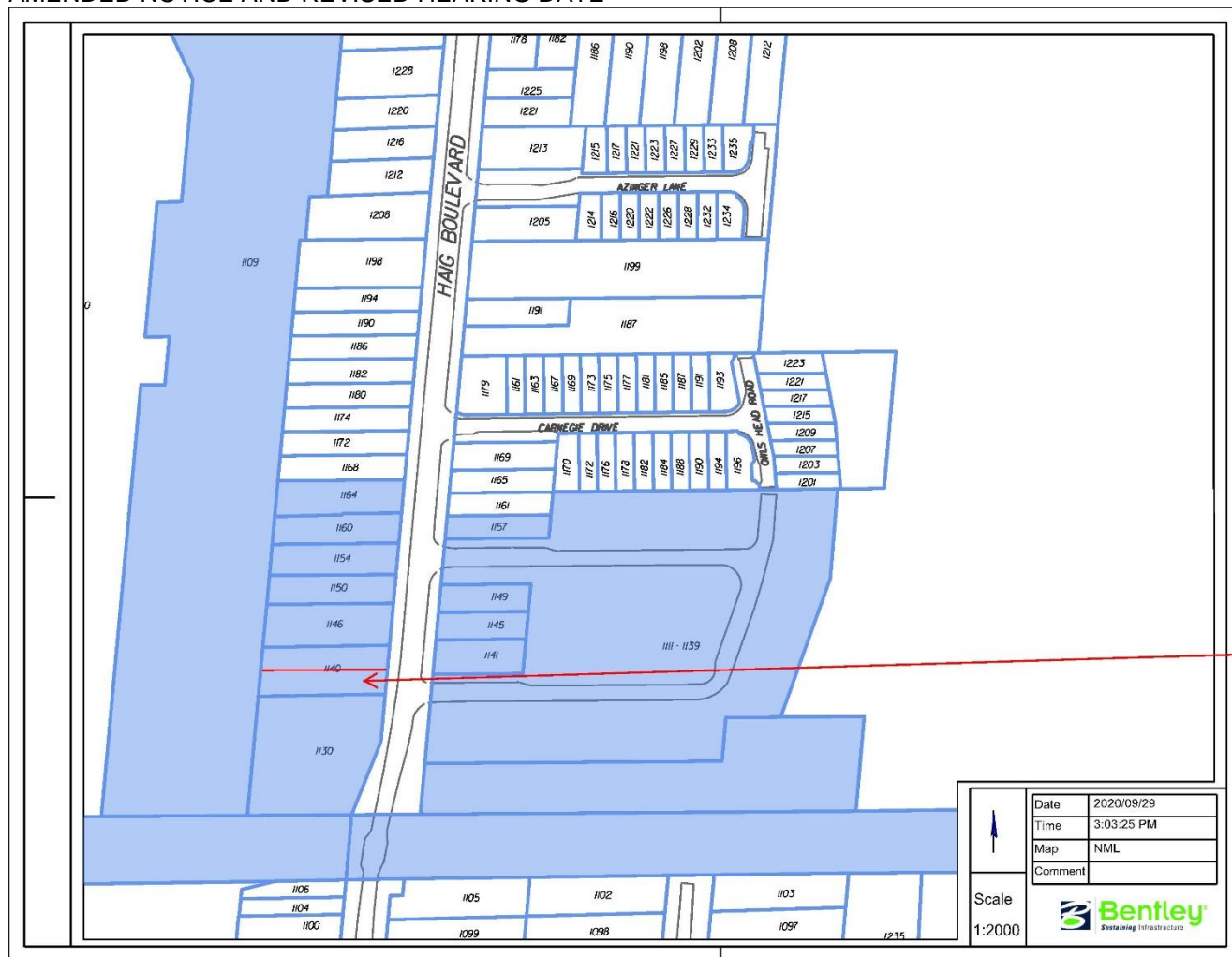
To participate by telephone: To register, please call 905-615-3200 x5209 no later than 4:30pm the Tuesday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.

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.

AMENDED NOTICE AND REVISED HEARING DATE



B56.20
A361.20
A362.20
1140 Haig
Blvd

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-01-20	File(s): B56.20 A361.20 A362.20 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2021-01-28

Consolidated Recommendation

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

Application Details

The applicants request the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 9.32m (30.58ft) and an area of approximately 517.46sq.m (5,569.89sq.ft).

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

1. A lot frontage of 9.32m (approx. 30.58ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;
2. A lot Area of 517.46sq.m (approx. 5,569.89sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 550sq.m (approx. 5,920.15sq.ft) in this instance;
3. A Southerly side yard of 0.61m (approx. 2.00ft) measured to the 1st and 2nd stories, and 1.32m (approx. 4.33ft) to the 3rd storey whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.2m (approx. 3.94ft) measured to the first storey, 1.81m (approx. 5.94ft) to the second storey, and 2.42m (approx. 7.94ft) to the third storey, in this instance;
4. A Northerly side yard of 1.0m (approx. 3.28ft) measured to the 1st storey garage, 1.23m (approx. 4.04ft) measured to the 2nd storey, and 1.94m (approx. 6.36ft) to the 3rd storey whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.2m (approx. 3.94ft) measured to the first storey, 1.81m (approx. 5.94ft) to the second storey, and 2.42m (approx. 7.94ft) to the third storey, in this instance;
5. A front yard soft landscape area of 38.35% whereas By-law 0225-2007, as amended, requires a minimum front yard soft landscape area of 40% in this instance; and
6. A front yard setback of 6.0m (approx. 19.68ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.5m (approx. 24.60ft) in this instance.

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

1. A lot frontage of 9.32m (approx. 30.58ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (approx. 49.21ft) in this instance;
2. A lot Area of 517.46sq.m (approx. 5,569.89sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 550sq.m (approx. 5,920.15sq.ft) in this instance;
3. A Northerly side yard of 0.61m (approx. 2.00ft) measured to the 1st and 2nd stories, and 1.32m (approx. 4.33ft) to the 3rd storey whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.2m (approx. 3.94ft) measured to the first storey, 1.81m (approx. 5.94ft) to the second storey, and 2.42m (approx. 7.94ft) to the third storey, in this instance;
4. A Southerly side yard of 1.0m (approx. 3.28ft) measured to the 1st storey garage, 1.23m (approx. 4.04ft) measured to the 2nd storey, and 1.94m (approx. 6.36ft) to the 3rd storey whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.2m (approx. 3.94ft) measured to the first storey, 1.81m (approx. 5.94ft) to the second storey, and 2.42m (approx. 7.94ft) to the third storey, in this instance;
5. A front yard soft landscape area of 39.07% whereas By-law 0225-2007, as amended, requires a minimum front yard soft landscape area of 40% in this instance; and
6. A front yard setback of 5.99m (approx. 19.65ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.5m (approx. 24.60ft) in this instance.

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent
- The variance application approved under File(s) "[A361/20 & A362/20]" must be finalized

Recommended Conditions and/or Terms of minor variance

- Variance(s) approved under file(s) A361/20 & A362/20 shall lapse if the consent application under file B56.20 is not finalized within the time prescribed by legislation.

Background

Property Address: 1140 Haig Boulevard

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density I

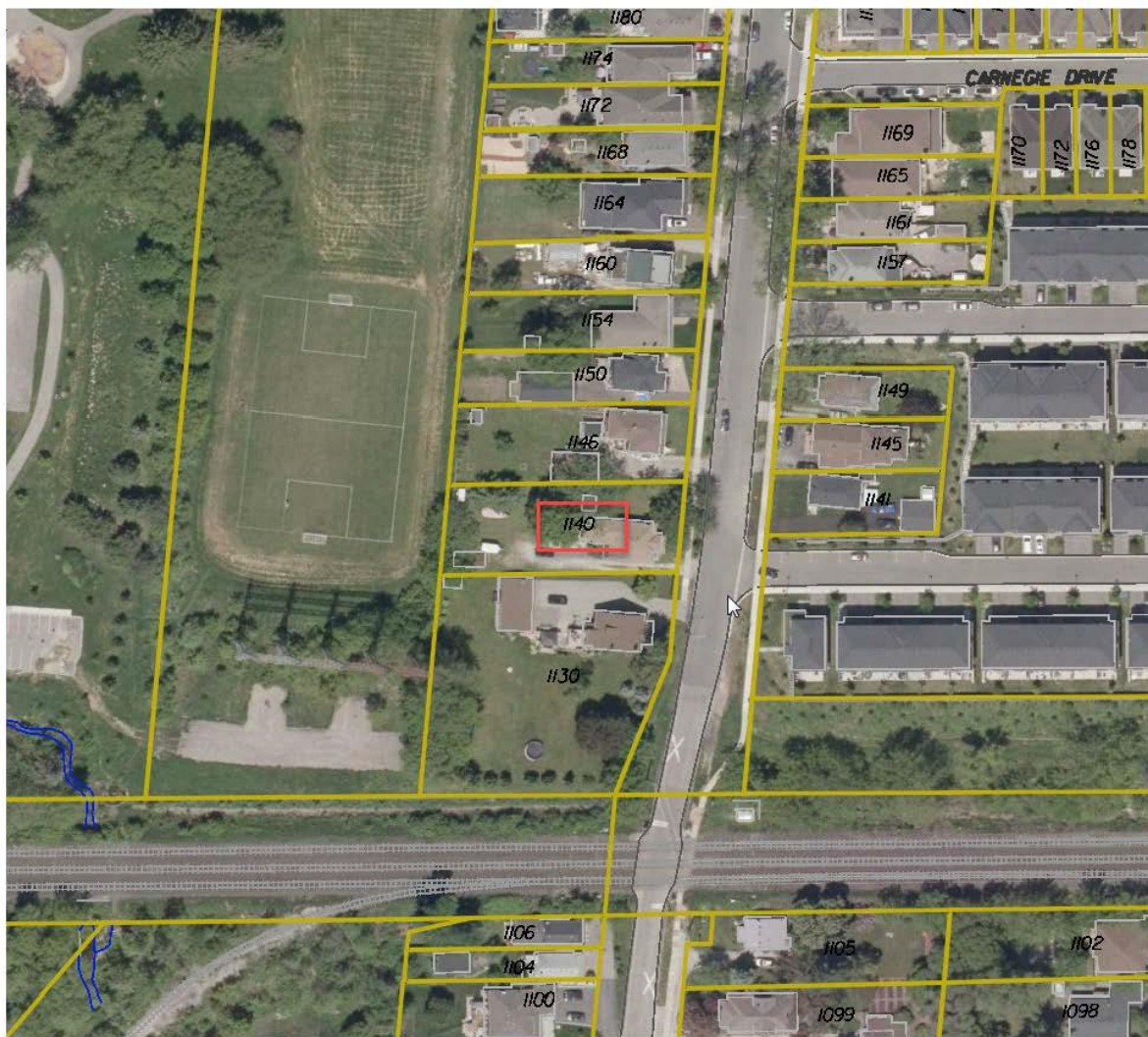
Zoning By-law 0225-2007

Zoning: R3-75 (Residential)

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, north of Haig Boulevard and Lakeshore Road East, just beyond the railway corridor. The immediate neighbourhood contains an eclectic mix of detached, semi-detached and townhouse dwellings. The detached dwellings within the immediate area contain lot frontages ranging from approximately +/- 10 m to +/-15 m. The subject property contains an existing one storey detached dwelling with mature vegetation.

The applicant is proposing to sever the existing lot for the purposes of developing two detached dwellings, requiring variances related to the lot size side yards, eave height and soft landscaped area.



Comments

Planning

Planning Act

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

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

Provincial Matters

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

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

The applicant is proposing to sever the subject property creating two new parcels having lot frontages of 9.32 m and lots areas of 517.46 m². The zoning by-law requires lot frontages of 15 m and lot areas of 550 m².

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached, semi-detached and duplex dwellings. Additional official plan policies for lands within the Lakeview Neighbourhood Character Area are contained within the Lakeview Local Area Plan. The subject property is within the Serson Terrace boundary of the Central Residential Neighbourhood Precinct. As per Section 9.2.2 (f) of the Lakeview Local Area Plan, future multi-modal connections may be considered at some locations including Fourth Street to Haig Boulevard. Furthermore, Map 2 of the Lakeview Local Area Plan shows the potential future multi-modal connection from Fourth Street to Haig Boulevard. The Transportation and Works Department has indicated that the multi-modal connection may accommodate, where feasible, pedestrian and cycling routes and/or vehicular routes. Through discussions with the Transportation and Works Department, a future multi-modal connection is recommended at this location which would encompass a portion of the subject property. As such, a 3 m dedication has been recommended for the purpose of developing this connection. The proposed dedication alters the proposed frontages to approximately 9.32 m.

As per Section 16.1.2.1 of MOP, to preserve the character of lands designated Residential Low Density I and Residential Low Density II, the minimum frontage and area of new lots will be evaluated in the context of the existing lot pattern in the surrounding area. Additionally, Section 5.3.5 (Neighbourhoods) states that neighbourhoods are not meant to remain static, however, when new development occurs, it should be sensitive to the neighbourhoods existing and

planned character. The immediate area contains a varying lot fabric and mixture of dwelling types which defines the eclectic nature of the community. The proposed lots fit within the context of the neighbourhood and maintain similar frontages to existing lots within the immediate area. The proposal represents sensitive intensification that is compatible with the existing lot pattern that does not result in any unacceptable adverse impacts to the community. *Appendix 7* contains an overview of the lot frontages for detached dwellings within the immediate neighbourhood.

Staff is of the opinion that the application conforms to Section 51(24) of the *Planning Act*, more specifically that the application conforms to the official plan policies and the lot sizes are compatible with the surrounding neighbourhood.

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

Variance #1 and 2 on both minor variance applications propose lot frontages of 9.32 m and lot areas of 517.46 m² whereas 15 m and 550 m² is required. The intent of the zoning by-law is to ensure that new lots are appropriately sized and fit within the context of the surrounding area. The proposed lots generally maintain the existing and planned area context due to the eclectic lot fabric, with lot frontages ranging from 10 m to approximately 15 m frontages. The proposal is consistent with other lots within the immediate area and can accommodate detached dwellings that are in keeping with the character of the neighbourhood. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variances #3 and 4 relate to the deficient side yards measured to the first, second and third storey. The general intent of this portion of the by-law is to ensure that an adequate buffer exists between abutting dwellings, the massing of primary structures are appropriately sized, and that access to the rear yard ultimately remains unencumbered. In this instance, the third storey is completely contained within the sloped roof and does not alter the overall height of the dwelling. The massing of the dwelling remains consistent with two storey sloped roof dwellings found in the neighbourhood. The proposed deficiencies are not out of context with the surrounding area and access to the rear yard will be preserved on the northerly side of the dwelling. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variances #5 and 6 propose a deficient front yard setback and soft landscape area. The intent of the zoning by-law is to ensure that a consistent character is maintained within the streetscape and that sufficient front yard space is incorporated into the design of neighbourhoods. In this instance, there are existing dwellings that maintain similar front yard setbacks as proposed in the applications which will limit the impact to the streetscape character. Furthermore, the soft landscaped area is a minor deviation from the zoning by-law that does not pose any significant adverse impact on the front yard from what is permitted. The front yard contains a sufficient amount of soft landscaping for the proposed lot, maintaining a consistent streetscape. As such, staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

The proposed detached dwellings maintain the existing and planned character of the surrounding neighbourhood as deficient side yards represent a common characteristic of the area. The proposed dwellings are sufficiently separated from neighbouring properties and preserve access to the rear yard from one side of the dwellings. The proposed frontages maintain the existing lot pattern and are not out of context within the immediate neighbourhood. Furthermore, the proposed variances accommodate detached dwellings which are in keeping with the established scale and character of other dwellings within the neighbourhood, thereby not posing any unacceptable adverse impacts to the streetscape character. Staff is of the opinion that the applications represent orderly development of the lands and are minor in nature.

Conclusion

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

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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

A. Items Required Prior to the Issuance of Final Consent

1. Land Dedication for Multi Modal Connection

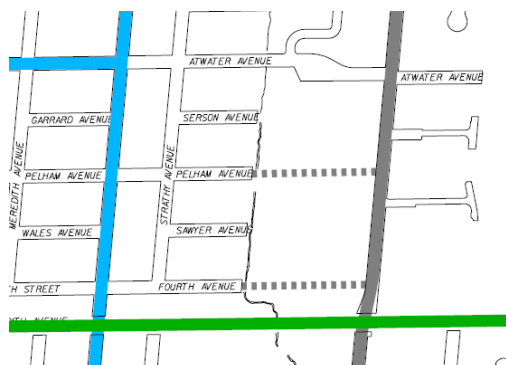
The applicant will be required to gratuitously dedicate a 3.00m along the southerly portion of the subject property for a future multi modal connection as identified in the Lakeview Secondary Plan. The dimensions related to right-of-way widths and required widening are to be verified by the City's O.L.S., Al Jeraj at 905-615-3200 ext. 5789. A multi-modal connection as noted in the plan may accommodate, where feasible, pedestrian and cycling routes and/or vehicular routes. Section 9.2.2 (f) of the Lakeview Local Area Plan states:

“Improvements to the road network and active transportation routes that provide connectivity through Lakeview may be identified through a future Transportation Master Plan for the Lakeshore Road Corridor or through the development application process. Future multi-modal connections may accommodate, where feasible, pedestrian and cycling routes, and/or vehicular routes. Improved connections to the network may be considered at some locations, including but are not limited to the following:









f. Fourth Street to Haig Boulevard. “

Additionally, Map 2 of the Lakeview Secondary Plan highlights the potential future multi-modal connection from Fourth Street to Haig Boulevard.

Excerpts from Lakeview Secondary Plan - Map 2 below:



TRANSPORTATION LEGEND

	Provincial Highway and Interchange
	Arterial
	Major Collector
	Major Collector (Scenic Route)
	Minor Collector
	Future Multi-modal Connection
	Existing Commuter Rail
	Higher Order Transit Corridor

For further information, please contact Ryan Au, Traffic Planning Coordinator at (905) 615-3200 ext. 3713 or ryan.au@mississauga.ca

2. Overall Grading and Drainage Plan

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

3. Municipal Address Requirement

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

4. Notice of Floodplain Agreement

As the site is within the floodplain limits of Serson Creek, the owners will be required to enter into a Notice of Floodplain Agreement to save The City harmless from acts, actions, damages, or costs which may arise as a result of construction within the floodplain. For further information, please contact Lisa Nicoletta, Law Clerk, 905-615-3200 ext. 5413. The applicant is to pay the required Legal Services Section fee to initiate the process. Fees are to be paid in the form of a Certified Cheque in accordance with the current Fees and Charges By-Law. This condition will be cleared upon the passage of the by-law, receipt of proof of payment for the fee, and confirmation the agreement has been registered on title.

For further information, please contact Ghazwan Yousif, Storm Drainage Technologist at (905) 615-3200 ext. 3526 or ghazwan.yousif@mississauga.ca

5. Environmental Site Screening Questionnaire and Declaration (ESSQD)

As a land dedication for a multi-modal connection is being requested, an Environmental Site Screening Questionnaire and Declaration (ESSQD) must be filled out for the property, signed and dated by the owner, and witnessed by a commissioner of oaths and submitted to the Transportation and Works Department for review.

If the responses indicate "Yes" or "Unknown" for majority of questions, then based upon review by City staff, the applicant may be required to submit a Phase One Environmental Site Assessment (ESA) prepared by a Qualified Person, as defined under s. 5 and 6 of O. Reg. 153/04 (QP). If the Phase One ESA indicates potential for contamination, a Phase Two ESA will be required. If contamination is confirmed, a Remedial Action Plan (RAP) and remediation completion reports that appropriately addresses the contamination will be required. 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).

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

6. 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.

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

B. GENERAL INFORMATION

1. Lot Grading and Drainage

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

2. Servicing

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

3. Access

We advise the applicant that all costs incurred in providing any new driveway entrance(s) to the subject lands or any modifications/reinstatement required, would be at cost to the owner. We are also noting that should any utilities need to be relocated, all costs incurred will also be to the owner. Driveway accesses shall maintain a 1.5m setback from aboveground features such as utilities and trees. The applicant is advised that the Lakeshore Connecting Communities Transportation Master Plan has been endorsed by Council which sets out a long-term vision for transit and corridor improvements along Lakeshore Road. Further information can be found at:

<http://www.mississauga.ca/portal/residents/lakeshore-connecting-communities>

4. Storm Sewer Outlet

The storm sewer outlet for this property is the existing 600mm Dia. Storm sewer located on Haig Boulevard. Please note that a rear lot catch basin may be required. Where existing sewer capacity exists, applicants are encouraged to design the basement elevation to be at least 1.0 meter above the elevation of the on-street storm sewer obvert to eliminate the need for a sump pump. In situations where a sump pump is required and where a high groundwater table may exist, the sump pump may run continuously. The applicants are encouraged to design the weeping tile elevation to be at least 1.0 meter above the seasonal groundwater elevation. The owner is advised that the City has no obligations to address any concerns related to the operation of private sump pump systems.

5. CVC Approval

The applicant is advised that these lands are situated within the floodplain of Serson Creek. Therefore they are advised to consult with Credit Valley Conservation for their approval.

We are noting that any Transportation and Works Department concerns/requirements for this property will be addressed under Consent Application 'B' 56/20.

Comments Prepared by: John Salvino, Development Engineering Technologist

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 variances or determine whether additional variances 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: Brandon Eidner, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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

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

- 2 Choke Cherry Trees – Good Condition
- Japanese Lilac – Good Condition

Should the application be approved, Community Services wishes to impose the following conditions:

1. The applicant shall ensure that future driveways do not impact or require the removal of the above noted trees.
2. The applicant shall provide a cash contribution of \$607.12 for planting of one (1) street trees on Haig Boulevard. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.
3. The applicant shall provide tree protection securities in the amount of \$2,040.00 for the preservation of municipal trees.

In addition, Community Services notes the following:

1. Payment for street tree fees and charges can be made at the Parks and Forestry customer service counter located at 950 Burnhamthorpe Road West in the form of a certified cheque, bank draft, or money order payable to the City of Mississauga. Please contact Jim Greenfield regarding the Covid-19 interim payment process.
2. The applicant shall provide frame tree hoarding at the dripline of the above noted tree prior to any construction to the satisfaction of City of Mississauga Forestry Staff. Please call Ryan Cormier at 905-615-3200 ext. 4580 to arrange a hoarding inspection.

3. 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

No Heritage Concerns

Comments Prepared by: John Dunlop, Manager, Heritage Planning

Appendix 5 – Region of Peel Comments

Deferred Consent Application: DEF-B-56/20

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. The result of this may require the applicant to install new water / sanitary servicing connections to either the severed or retained lands in compliance with the Ontario Building Code. The applicant may require the creation of private water / sanitary sewer servicing easements.

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

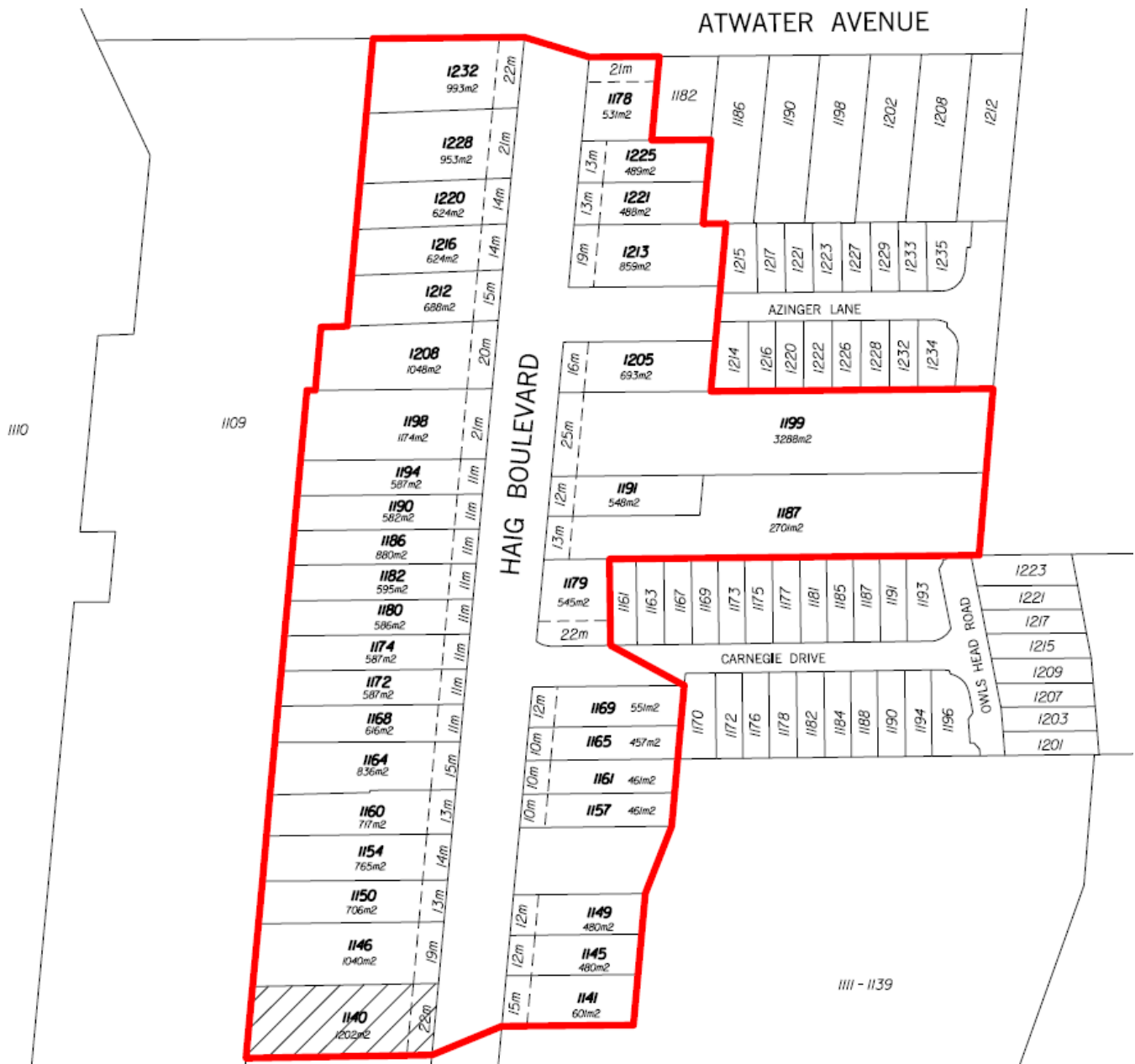
Please be advised that the subject property is located within the limits of the regulated area of the Credit Valley Conservation (CVC).

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 7 – Development and Design Division

Overview of lot frontages within the immediate area.



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 A361/20 & A362/20.
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 January 20, 2020.
5. A letter shall be received from the City of Mississauga, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated January 20, 2020.



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A1.21
Ward: 10

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 3820 Janice Drive, zoned RM1-1 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicants request the Committee to approve a minor variance to allow the construction of an addition on the subject property proposing:

1. A lot coverage of 46.5% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.0% of the lot area in this instance; and
2. A rear yard of 5.76m (approx. 18.90ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.60ft) in this instance.

The Committee has set **Thursday January 28, 2021 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:

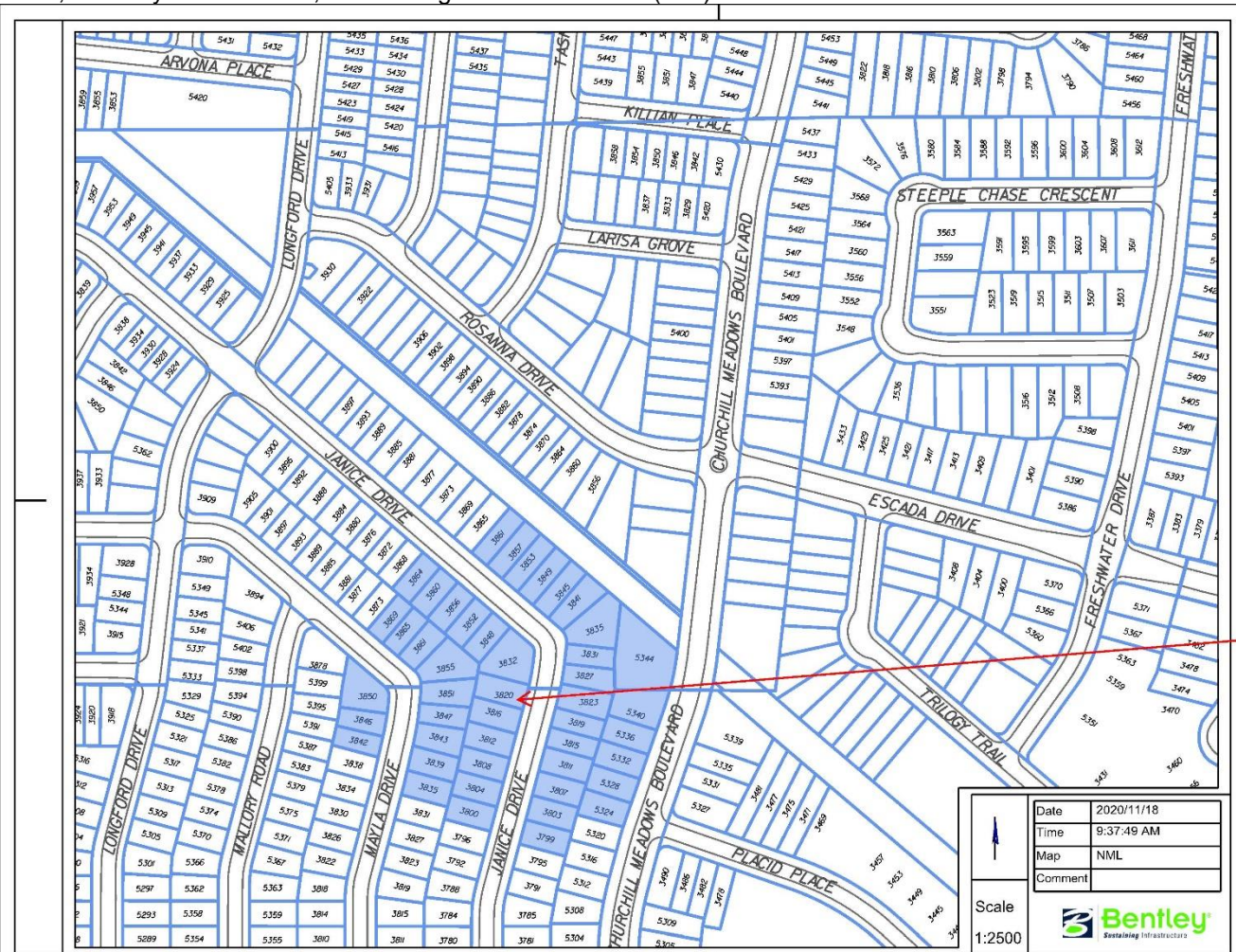
To participate electronically (computer, tablet or smartphone): Please email committee.adjustment@mississauga.ca no later than 4:30pm the Tuesday prior to the hearing. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud 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.



A1/21
3820 Janice
Dr.

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-01-20	File(s): A1.21 Ward: 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2021-01-28

Consolidated Recommendation

The City recommends deferral in order for the Applicant to ensure that all required variances have been accurately identified.

Application Details

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

1. A lot coverage of 46.5% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.0% of the lot area in this instance; and
2. A rear yard of 5.76m (approx. 18.90ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.60ft) in this instance.

Amendments

While Planning Staff are not in a position to provide an interpretation of the Zoning By-law; Staff note that variance #1 is not required and variance #2 be amended to the following:

- A rear yard of 5.76m (approx. 18.90ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.0m (approx. 24.60ft) in this instance.

Background

Property Address: 3820 Janice Drive

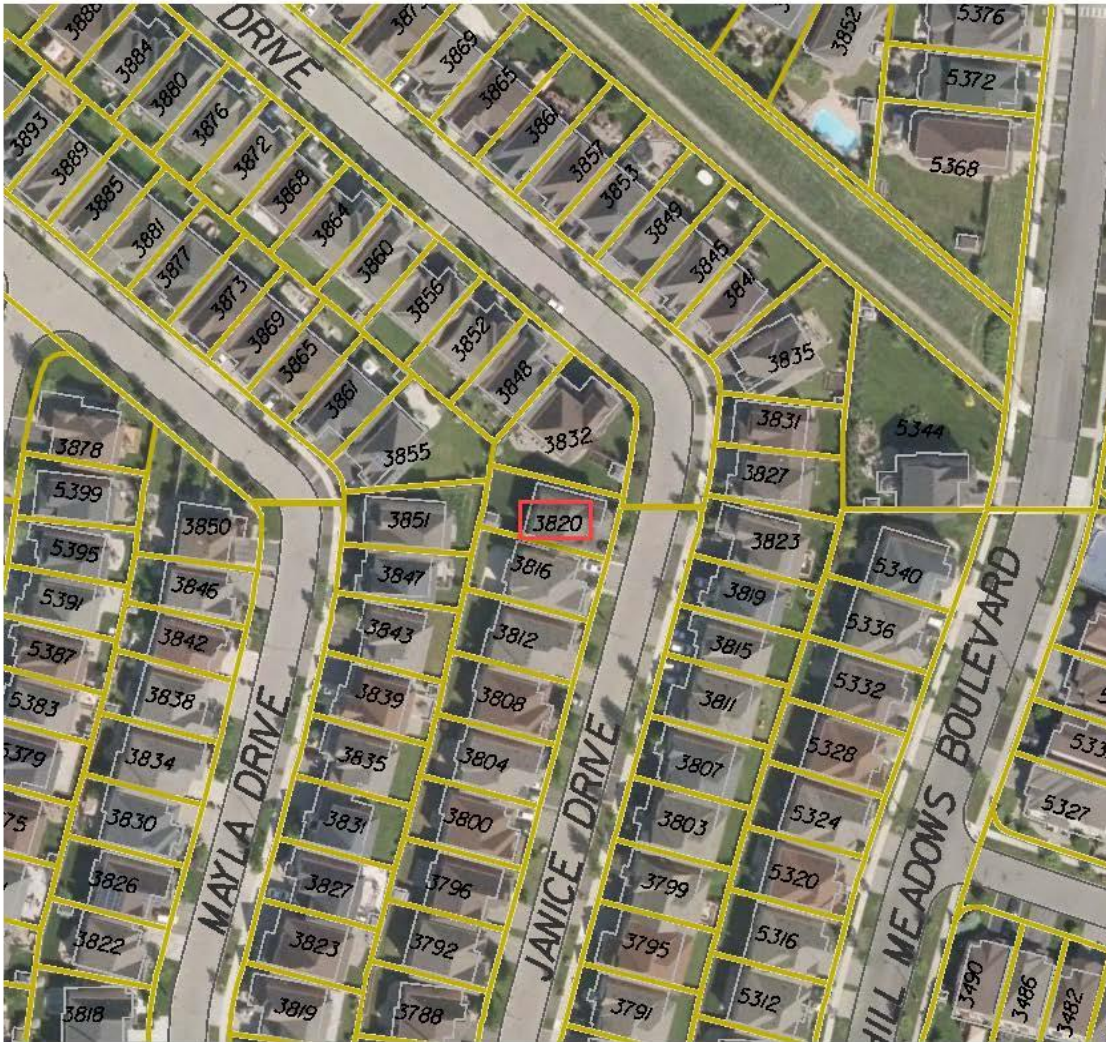
Mississauga Official Plan

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

Zoning By-law 0225-2007**Zoning: RM1-1 - Residential****Other Applications: None****Site and Area Context**

The subject property is located north-west of the Erin Centre Blvd. and Ninth Line intersection. The property is an interior parcel, with a lot area of +/- 383.0m² and a lot frontage of +/- 13.12m which currently houses a two-storey, detached dwelling with minimal vegetation and landscape elements within the front and rear yard. Contextually, the area is comprised exclusively of residential detached dwellings. The properties within the immediate area possess lot frontages of +/- 12.0m, with minimal vegetative / natural landscaped elements within the front yards.

The applicant is proposing an accessory structure requiring variances related to lot coverage and rear yard setbacks.



Comments

Planning

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

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

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

The site is situated within the Churchill Meadows Character Area, and designated Residential Low Density II by the Mississauga Official Plan (MOP). Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions; the surrounding context; and, the landscape of the character area.

While Planning Staff are not in a position to provide an interpretation of the Zoning By-law; Staff note variance #1 is not required and variance #2 should be amended to the following:

- A rear yard of 5.76m (approx. 18.90ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.0m (approx. 24.60ft) in this instance.

Staff echo Zoning's 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 variances or determine whether additional variance(s) may be required.

Staff note that there are discrepancies in the requested variances and cannot determine whether they represent the orderly development of the lands, or whether the resulting effects are in fact minor in nature.

Conclusion

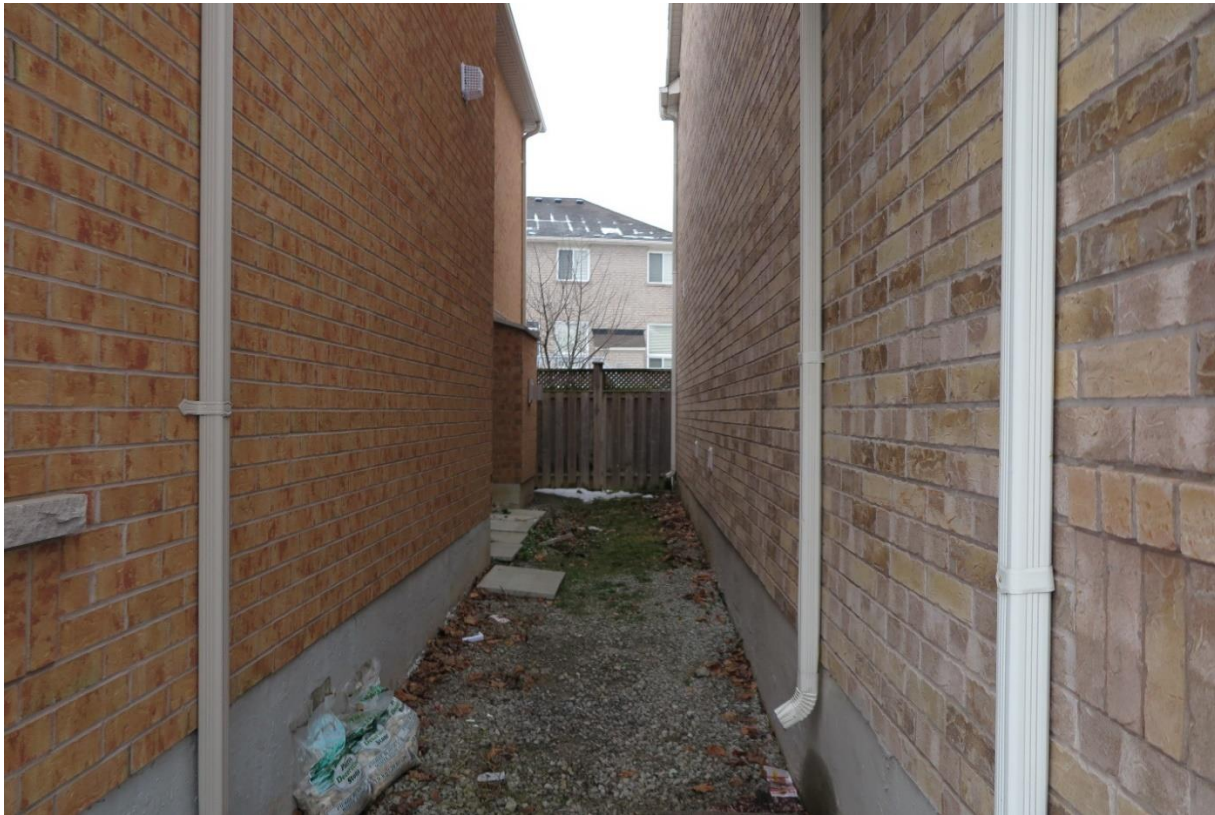
Based upon the preceding information, it is the opinion of Staff that the applicant defer the application to ensure that all required variances have been accurately identified.

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

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed addition will be addressed through the Building Permit Process. From our site inspection of the property we note that we do not foresee any drainage related concerns with the addition provided that the existing drainage pattern be maintained.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

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: Brandon Eidner, Zoning Examiner

Appendix 4 – Heritage

No Heritage Concerns

Comments Prepared by: John Dunlop, Manager, Heritage Planning

Appendix 5 – Region of Peel

Regional Planning staff have reviewed the applications listed on the January 28th, 2021 Committee of Adjustment Agenda. We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A22.21

Ward: 5

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 7592 Chinook Drive, zoned R3-69 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to allow the construction of a new dwelling proposing:

1. A lot coverage of 35.65% (209.92sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% (174.10sq.m) in this instance;
2. A gross floor area of 406.81sq.m (approx. 4378.87sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 266.07sq.m (approx. 2863.95sq.ft) in this instance;
3. A building height of 9.45m (approx. 31.00ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.00m (approx. 29.53ft) in this instance;
4. A building height measured to the eaves of 6.86m (approx. 22.52ft) 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;
5. A rectangular garage area of 5.84m x 5.26m (approx. 19.16ft x 17.26ft) whereas By-law 0225-2007, as amended, requires a minimum rectangular garage area of 6.00m x 2.75m (approx. 19.69ft x 19.02ft) in this instance.

The Committee has set **Thursday January 28, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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Advance registration is required to participate in the electronic hearing:

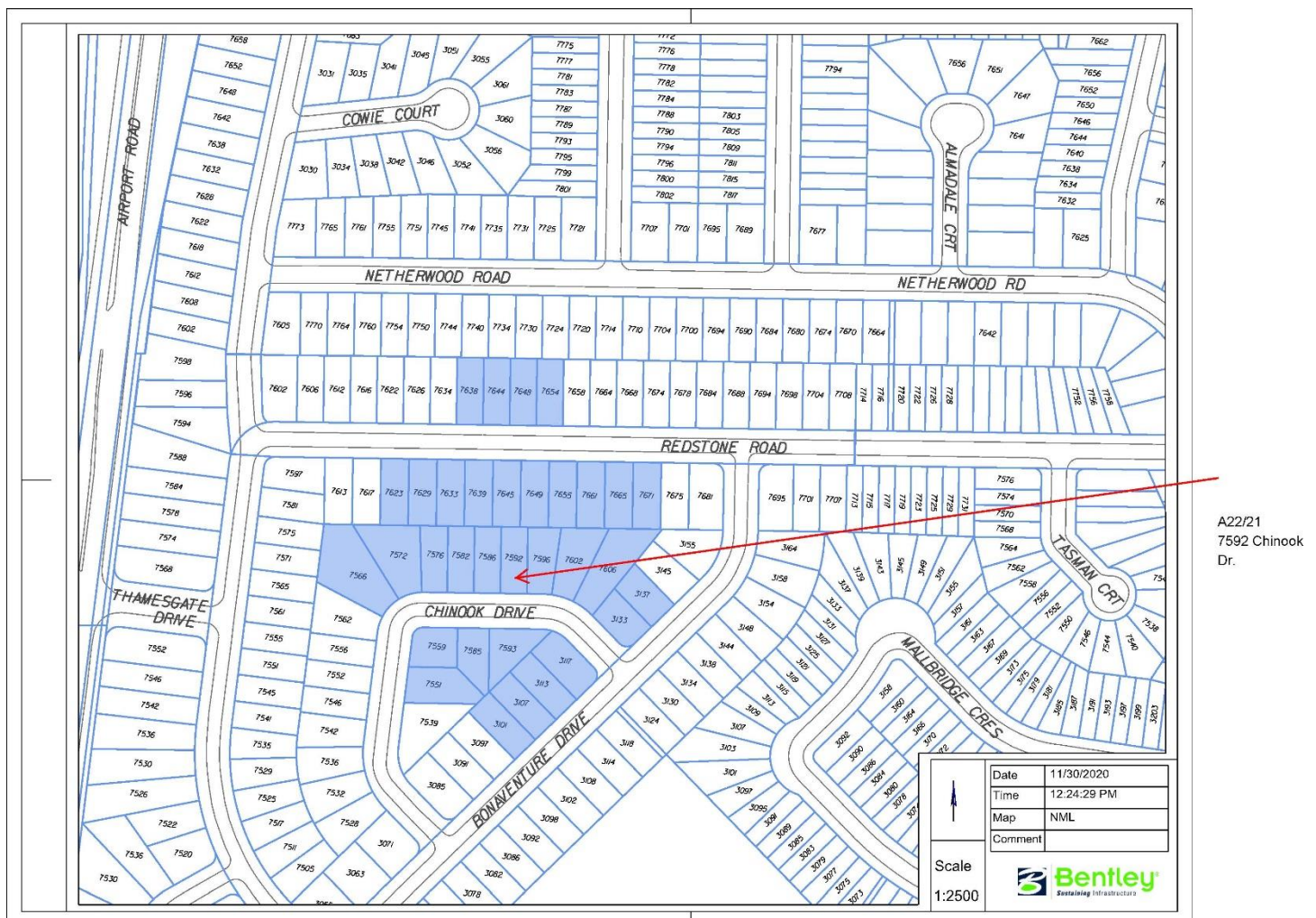
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-01-20	File(s): A22.21 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2021-01-28

Consolidated Recommendation

The City recommends that the application be deferred to permit the Applicant the opportunity to redesign the dwelling.

Application Details

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

1. A lot coverage of 35.65% (209.92sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% (174.10sq.m) in this instance;
2. A gross floor area of 406.81sq.m (approx. 4378.87sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 266.07sq.m (approx. 2863.95sq.ft) in this instance;
3. A building height of 9.45m (approx. 31.00ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.00m (approx. 29.53ft) in this instance;
4. A building height measured to the eaves of 6.86m (approx. 22.52ft) 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;
5. A rectangular garage area of 5.84m x 5.26m (approx. 19.16ft x 17.26ft) whereas By-law 0225-2007, as amended, requires a minimum rectangular garage area of 6.00m x 2.75m (approx. 19.69ft x 19.02ft) in this instance.

Background

Property Address: 7592 Chinook Drive

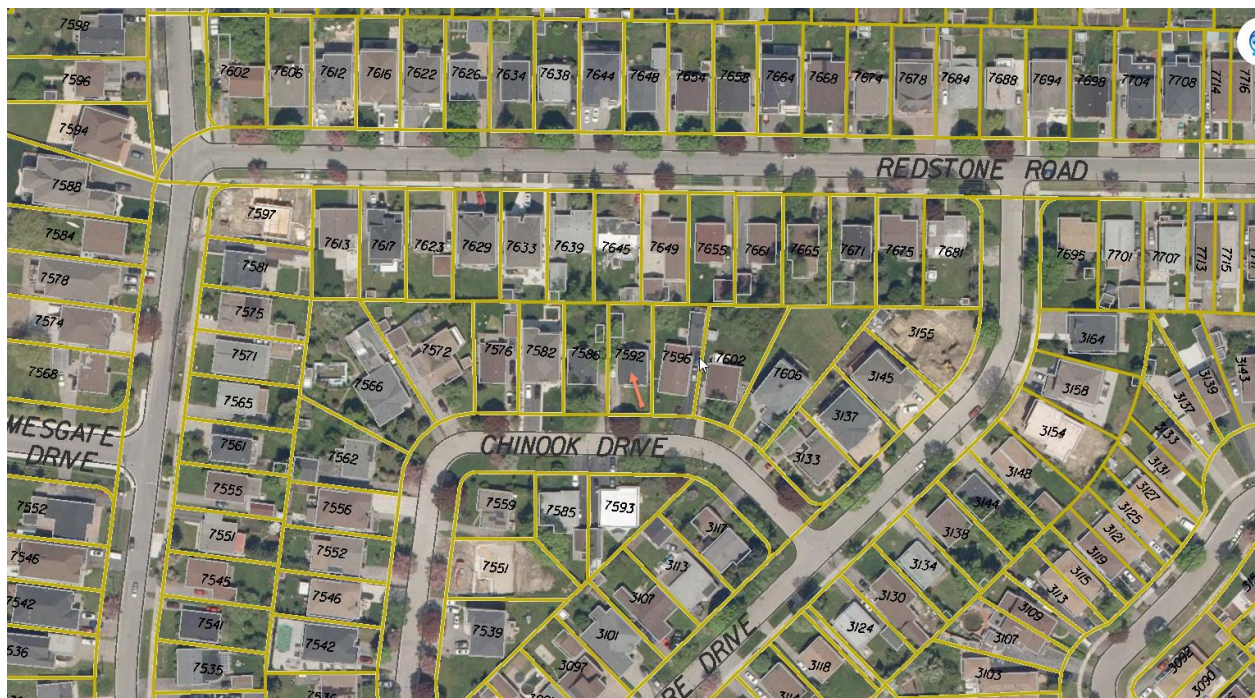
Mississauga Official Plan

Character Area: Malton Neighbourhood Character Area
Designation: **Residential Low Density I**

Zoning By-law 0225-2007**Zoning: R3-69 - Residential****Other Applications: PRE APP 20-3554****Site and Area Context**

The subject property is located south-west of the Redstone Rd. and Bonaventure Dr. intersection. The property is an interior parcel, with a lot area of +/- 580.35m² and a lot frontage of +/- 15.24m. It currently houses a two-storey, detached dwelling with limited vegetation/landscape elements in the front and rear yard. Contextually, the neighbourhood consists of post-war, single storey detached dwellings mixed within newer two storey detached dwellings. The properties possess lot frontages of +/- 15.0m, with matured vegetation scattered throughout and minimal landscape elements within the front yards.

The applicant is proposing a new two-storey dwelling, which requires variances for lot coverage, gross floor area, building height and garage size.



Comments

Planning

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

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

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached, and duplex dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions; the surrounding context; and, the landscape of the character area. While the proposed detached dwelling respects the designated land use; it requires a proportional distribution of massing on the property as a whole.

Arising from public input expressed through the 'My Malton' Community Visioning exercise in 2015, the Malton Infill Housing Study was initiated in 2016. This study resulted in Council's adoption of new zoning regulations principally aimed at regulating the massing of dwellings in a manner that is sensitive to the surrounding context. Although the immediate area contains a lot of newer two storey dwellings, the intent of the policies are to limit the overall massing of these dwellings and maintain compatibility between the existing and planned character of the neighbourhood. The application proposes an increase in gross floor area that does not maintain the intent of the infill regulations. As such, staff recommends that the application be deferred for redesign to reduce the gross floor area.

Conclusion

The City recommends that the application be deferred to permit the Applicant the opportunity to redesign.

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

Appendices

Appendix 1 – Transportation and Works Comments

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





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

BP RECEIVED, MORE INFO

The Building Department is currently processing a building permit application under file PREAPP 20-3554. 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 10-05-2020 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: Adam McCormack

Appendix 4 – Heritage

No Heritage Concerns.

Comments Prepared by: John Dunlop, Manager, Heritage Planning

Appendix 5 – Region of Peel

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: A23.21

Ward: 5

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 7480 Homeside Gardens, zoned R3-69 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to allow the construction of a new dwelling proposing:

1. A lot coverage of 35.65% (209.92sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% (174.10sq.m) in this instance;
2. A gross floor area of 406.81sq.m (approx. 4378.87sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 266.07sq.m (approx. 2863.95sq.ft) in this instance;
3. A building height of 9.45m (approx. 31.00ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.00m (approx. 29.53ft) in this instance;
4. A building height measured to the eaves of 6.86m (approx. 22.52ft) 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;
5. A rectangular garage area of 5.84m x 5.26m (approx. 19.16ft x 17.26ft) whereas By-law 0225-2007, as amended, requires a minimum rectangular garage area of 6.00m x 2.75m (approx. 19.69ft x 19.02ft) in this instance.

The Committee has set **Thursday January 28, 2021 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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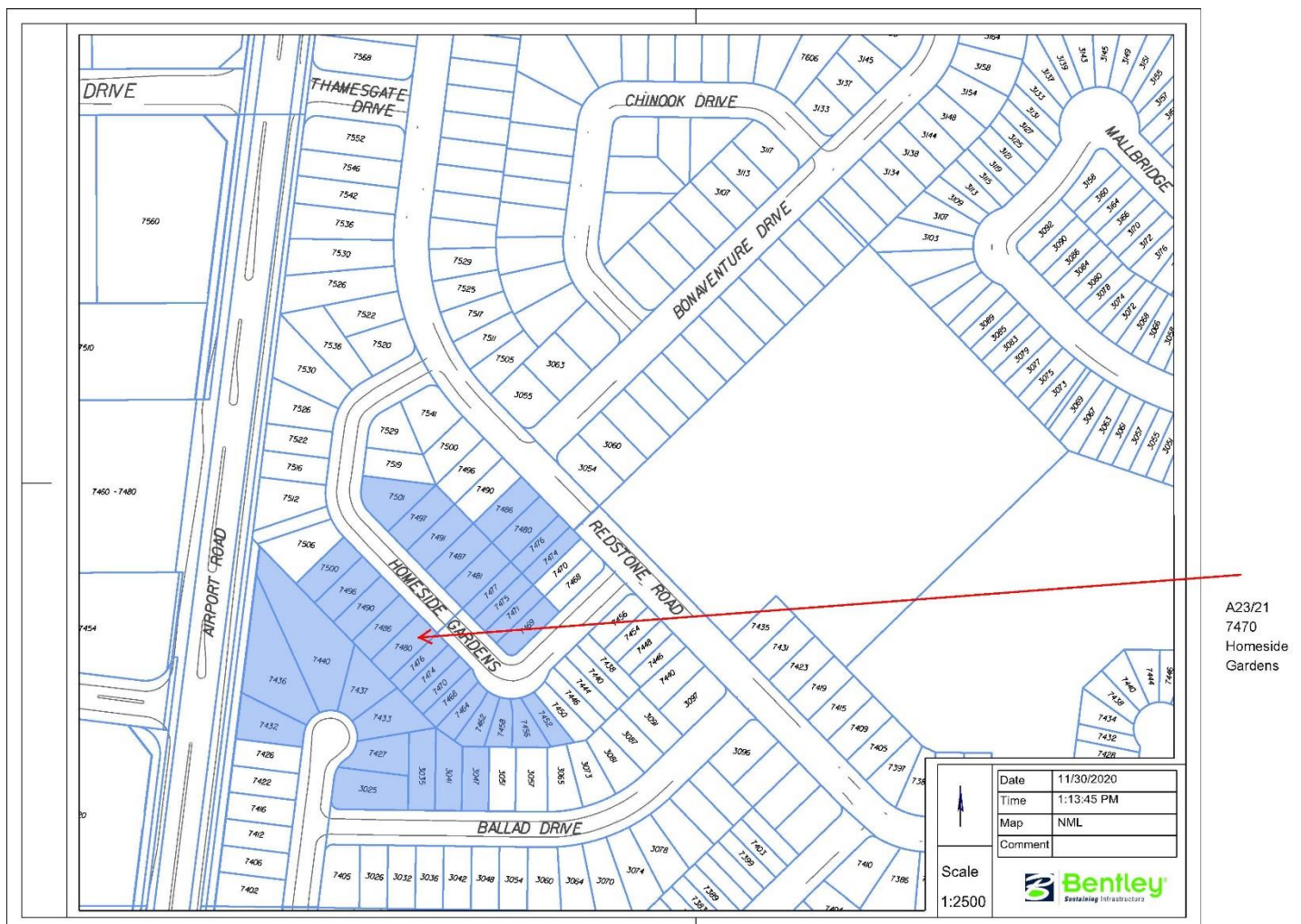
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-01-20	File(s): A23.21 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-01-28

Consolidated Recommendation

The City recommends that the application be deferred to permit the Applicant the opportunity to redesign the dwelling.

Application Details

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

1. A lot coverage of 35.65% (209.92sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% (174.10sq.m) in this instance;
2. A gross floor area of 406.81sq.m (approx. 4378.87sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 266.07sq.m (approx. 2863.95sq.ft) in this instance;
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5. A rectangular garage area of 5.84m x 5.26m (approx. 19.16ft x 17.26ft) whereas By-law 0225-2007, as amended, requires a minimum rectangular garage area of 6.00m x 2.75m (approx. 19.69ft x 19.02ft) in this instance.

Background

Property Address: 7480 Homeside Gardens

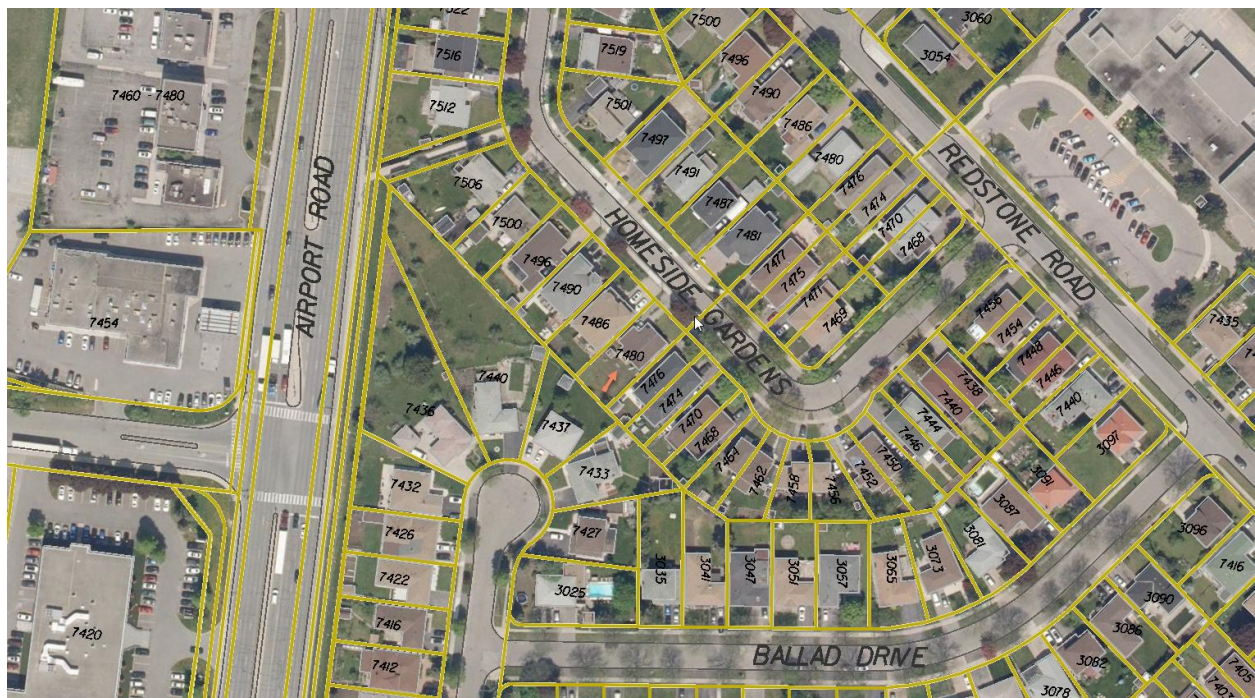
Mississauga Official Plan

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

Zoning By-law 0225-2007**Zoning: R3-69 - Residential****Other Applications: None****Site and Area Context**

The subject property is located south-west of the Redstone Rd. and Homeside Gardens intersection. The subject property is an interior parcel, with a lot area of +/- 580.35m² and a lot frontage of +/- 15.24m. The property currently houses a two-storey, detached dwelling and possesses minimal vegetation/ landscape elements in the front and rear yard. Contextually, the surrounding neighbourhood consists of post-war, single storey detached dwellings mixed with newer two storey detached dwellings. The properties within the immediate area possess lot frontages of +/- 15.0m, with matured vegetation scattered throughout and minimal landscape elements within the front yards.

The applicant is proposing a new two-storey dwelling that requires variances for lot coverage, gross floor area, building height and garage size.



Comments

Planning

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

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

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached, duplex and triplex dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions; the surrounding context; and, the landscape of the character area. The proposed detached dwelling respects the designated land use; however, should have regard for proportional distribution of massing on the property as a whole.

Arising from public input expressed through the 'My Malton' Community Visioning exercise in 2015, the Malton Infill Housing Study was initiated in 2016. This study resulted in Council's adoption of new zoning regulations principally aimed at regulating the massing of dwellings in a manner that is sensitive to the surrounding context. Although the immediate area contains a lot of newer two storey dwellings, the intent of the policies are to limit the overall massing of these dwellings and maintain compatibility between the existing and planned character of the neighbourhood. The application proposes an increase in gross floor area that does not maintain the intent of the infill regulations. As such, staff recommends that the application be deferred for redesign to reduce the gross floor area.

Conclusion

The City recommends that the application be deferred to permit the Applicant the opportunity to redesign.

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

Appendices

Appendix 1 – Transportation and Works Comments

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



Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

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: Brandon Eidner, Zoning Examiner

Appendix 4 – Heritage

No Heritage Concerns

Comments Prepared by: John Dunlop, Manager, Heritage Planning

Appendix 5 – Region of Peel Comments

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

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Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A24.21
Ward: 5

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 420 Traders Boulevard East, 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 cemetery use (existing memorial wall) to operate accessory to the Place of Religious Assembly use on the subject property whereas By-law 0225-2007, as amended, does not permit a cemetery use to operate accessory to a Place of Religious Assembly use in this instance.

The Committee has set **Thursday January 28, 2021 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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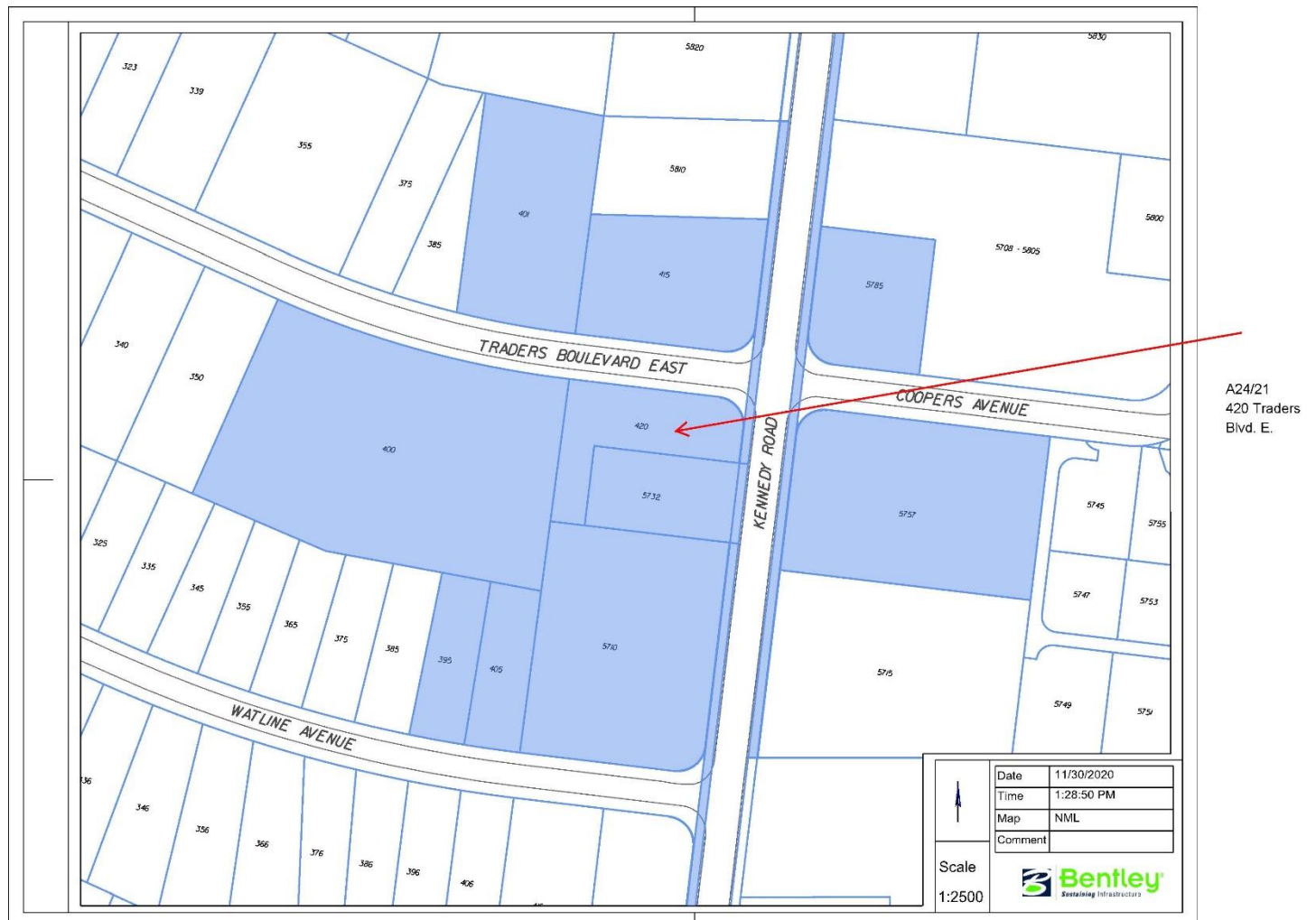
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-01-25	File(s): A24.21 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2021-01-28

Consolidated Recommendation

The Planning and Building department cannot support this application. Should Committee see merit in the application, Planning Staff recommend the condition identified below be imposed.

Application Details

The applicant requests the Committee to approve a minor variance to allow a cemetery use (existing memorial wall) to operate accessory to the Place of Religious Assembly use on the subject property whereas By-law 0225-2007, as amended, does not permit a cemetery use to operate accessory to a Place of Religious Assembly use in this instance.

Recommended Conditions and Terms

Should Committee see merit in the application, Planning Staff recommend the following condition be imposed:

- The subject property contains approximately 1400 existing burial niches. Staff recommend that no additional burial niches shall be permitted on the subject property. Pursuant to section 84 (1) of the Funeral, Burial and Cremation Services Act, in the event that the applicant wishes to increase capacity, the applicant will need to submit a separate application for municipal approval in order for the municipality to consider whether the application is in the public interest. In the absence of municipal consent, the applicant will be prohibited from increasing the capacity of the cemetery. The applicant shall not increase the capacity of the memorial wall (columbarium) and/or cemetery use without first requesting approval from the municipality and without first obtaining any other provincial or municipal approvals, if required.

Background

Property Address: 420 Traders Boulevard East

Mississauga Official Plan

Character Area: Gateway Employment (East) Character Area

Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2 - Employment

Other Applications: SP 99-333

SPR 2-206

SPR 4-370

See cover letter for certificate of occupancy, building permit, pre-app zoning review and previous variances.

Site and Area Context

The subject property is located at the south-west corner of the Traders Boulevard East and Kennedy Road intersection. The property currently houses a two-storey building with minimal vegetation surrounding the built structure and periphery of the parking lot. From a land-use perspective, the immediate neighbourhood is a mixture of employment uses including a factory outlet, culinary school and mortgage centre with minimal vegetation and landscape elements located at the periphery of each parcel. The properties within the immediate area possess lot frontages of +/-65.0m.

The subject property is an interior parcel, with a lot area of +/- 4,600.0m² and a lot frontage of +/- 36.0m. The applicant is proposing to legalize the existing memorial wall (columbarium) requiring a variance to permit the use.



Comments

Planning

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

Staff comments concerning the application 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 Gateway Employment (East) Character Area, and is designated Business Employment by the Mississauga Official Plan (MOP). Pursuant to Section 1 Introduction, the MOP permits community infrastructure that support a quality of life for people and communities by providing community facilities and places of religious assembly. The Place of Religious Assembly (PRA) is permitted by the Business Employment designation but the accessory cemetery use does not meet 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 applicant is proposing an accessory cemetery use where one is not permitted. The intent of the zoning by-law is to ensure the general intent and purpose

of the by-law is followed which is to preserve these lands for business employment.

While the PRA has been in operation for approximately twenty years, the applicant didn't establish the cemetery use until 2016 when a mausoleum wall (columbarium) with the capacity to hold 1400 urns was constructed. The by-law defines the mausoleum wall (columbarium) as a cemetery use that is separate from a PRA and does not consider it an accessory use to a PRA. While the proposed cemetery use does not maintain the general intent of the zoning by-law, planning staff recognize that it is not uncommon for a PRA to have a cemetery as an accessory use. Given the accessory nature of the mausoleum wall (columbarium) and history of the primary use on the property, planning staff anticipate that the PRA use will continue in the future and will provide a service to the local faith of the community. Should the Committee see merit in the application; staff recommend that the following condition be imposed:

- The subject property contains approximately 1400 existing burial niches. Staff recommend that no additional burial niches shall be permitted on the subject property. Pursuant to section 84 (1) of the Funeral, Burial and Cremation Services Act, in the event that the applicant wishes to increase capacity, the applicant will need to submit a separate application for municipal approval in order for the municipality to consider whether the application is in the public interest. In the absence of municipal consent, the applicant will be prohibited from increasing the capacity of the cemetery. The applicant shall not increase the capacity of the memorial wall (columbarium) and/or cemetery use without first requesting approval from the municipality and without first obtaining any other provincial or municipal approvals, if required.

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

While the proposed cemetery is accessory to the permitted PRA, it is not a permitted use and as a result does not maintain the intent of the zoning by-law. The location of the mausoleum wall (columbarium) is sufficiently set back from the street and screened by vegetation and a fence resulting in minimal impact on the abutting properties. Through a detailed review, planning staff cannot support this application in principle, as it is not minor in nature and is not appropriate for the subject property.

Conclusion

Based upon the preceding information, planning staff cannot support this application. Should Committee see merit in the application, planning staff recommend that the size limitation condition be imposed.

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

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's easy reference are some photos depicting the area of the existing memorial wall.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

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: Brandon Eidner, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

The Park Planning Section of the Community Services Department has no objections to the minor variance application submitted by the applicant.

City Department and Agency Comments	File:A24.21	2021/01/25	7
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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

No Heritage Concerns

Comments Prepared by: John Dunlop, Manager, Heritage Planning

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the January 28th, 2021 Committee of Adjustment Agenda. We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A25.21

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 96 Cumberland Drive, zoned R15-9 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a deck/patio above an accessory building (below grade pool equipment) whereas By-law 0225-2007, does not permit a deck/patio above an accessory building in this instance.

The Committee has set **Thursday January 28, 2021 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: 2021-01-20	File(s): A25.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-01-28

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow a deck/patio above an accessory building (below grade pool equipment) whereas By-law 0225-2007, does not permit a deck/patio above an accessory building in this instance.

Background

Property Address: 96 Cumberland Drive

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (East)
Designation: Residential Low Density I

Zoning By-law 0225-2007

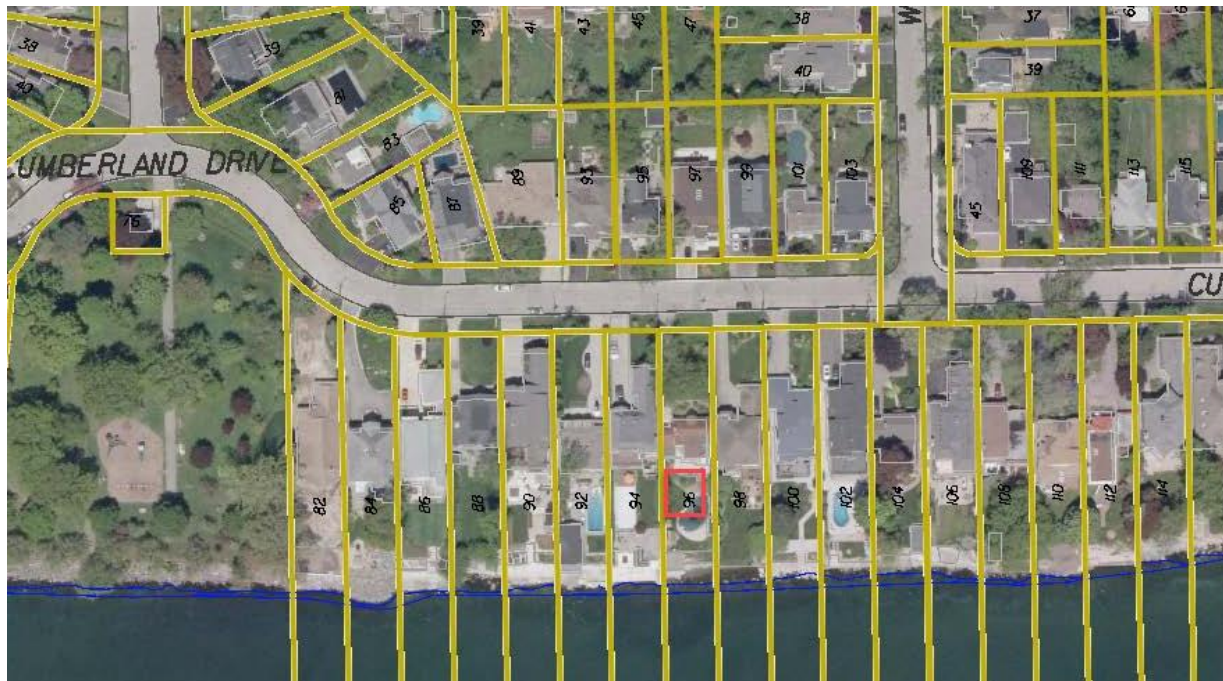
Zoning: R15-9 - Residential
Other Applications

Pre-Application: 20-1616

Site and Area Context

The subject property is located within the Port Credit Neighbourhood Character Area, southeast of Hurontario Street and Lakeshore Road East. The immediate neighbourhood is entirely residential, consisting of one and two storey detached dwellings with mature vegetation. Further north of the subject property are commercial uses along Lakeshore Road East. The subject property has water frontage and contains an existing one storey dwelling with little mature vegetation.

The subject property received minor variance approval on October 22nd, 2020, for a new two storey detached dwelling. However, as more information was submitted, an additional variance was identified for a deck/patio above an accessory structure whereas it is not permitted.



Comments

Planning

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

Staff comments concerning the application are as follows:

Through a review of the application, the proposed deck and patio is above an accessory structure that is located below grade which does not pose any significant impacts to neighbouring properties. Staff is of the opinion that the application is appropriate to be handled

through the minor variance process. Further, the application raises no concerns of a planning nature.

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 45 (1) of the Planning Act. The applicant may choose to defer the application to ensure additional variances are not required.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the property will be addressed through the Building Permit process, File BP 9NEW 20/4379.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building permit under file BP 9NEW 20-4379. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variances or determine whether additional variances will be required.

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

Comments Prepared by: Brandon Eidner, Zoning Examiner

Appendix 4 – Heritage

No Heritage Concerns.

Comments Prepared by: John Dunlop, Manager, Heritage Planning

Appendix 5 – Region of Peel Comments

Minor Variance Application: A-25/21

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 6- Conservation Authority Comments

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

1. Watershed Based Resource Management Agency and Public (commenting) Body under the *Planning Act* - providing comments based on CVC's Board approved policies;
2. Planning Advisory Services - providing environmental planning and technical advice/comments based on service agreements or memorandum of understanding;
3. Delegated Responsibilities – providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 3.1 of the *Provincial Policy Statement (2020)*;
4. Regulatory Responsibilities – providing comments to ensure the coordination of requirements under the *Conservation Authorities Act Section 28 regulation*, to eliminate unnecessary delay or duplication in process;
5. Source Protection Agency – providing advisory comments to assist with the implementation of the *CTC Source Protection Plan* under the *Clean Water Act*, as applicable.

SITE CHARACTERISTICS:

The subject property is adjacent to Lake Ontario and is therefore subject to the Lake Ontario Shoreline flooding and erosion hazards. In this regard, our primary concerns are related to ensuring that all new development is located outside of the hazards associated with the Lake, including the 100 year erosion limit, the 100 year flood limit, wave uprush and stability hazards associated with the slope.

It is the policy of CVC and the Province of Ontario to conserve and protect the significant physical, hydrological and biological features associated with the functions of the above noted characteristics and to recommend that no development be permitted which would adversely affect the natural features or ecological functions of these areas.

ONTARIO REGULATION 160/06:

The property is subject to the Development, Interference with Wetlands, and Alterations to Shorelines & Watercourses Regulation (Ontario Regulation 160/06). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

PROPOSAL:

It is our understanding that the applicants request the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A deck/patio above an accessory building, which is not permitted in this instance.

COMMENTS:

CVC staff have reviewed the proposed development through two permit applications and have previously provided two permits (FF 20/066 dated March 24, 2020 and FF 20/077 dated August 11, 2020) for the pool and dwelling. The proposed pool equipment room was not shown on the plans approved by CVC; however, CVC staff have **no concerns** with the location of the proposed works. As such, CVC staff have **no objection** to the approval of this minor variance by the Committee at this time.

The applicant is advised that a revised CVC permit will be required for the development as proposed.

Please circulate CVC any future correspondence regarding this application.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at 905-670-1615 (ext. 236) should you have any further questions or concerns.

Comments Prepared by: Elizabeth Paudel, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A26.21
Ward: 10

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 7217 Terragar Boulevard, zoned R4 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a driveway widening proposing:

1. A driveway width of 7.77m (approx. 25.49ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.68ft) in this instance;
2. A setback measured to a property line of 0.10m (approx. 0.33ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured to a property line of 0.61m (approx. 2.00ft) in this instance; and
3. A front yard soft landscape area of 40% whereas By-law 0225-2007, as amended, requires a minimum front yard soft landscape area of 30% in this instance.

The Committee has set **Thursday January 28, 2021 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.

Advance registration is required to participate in the electronic hearing:

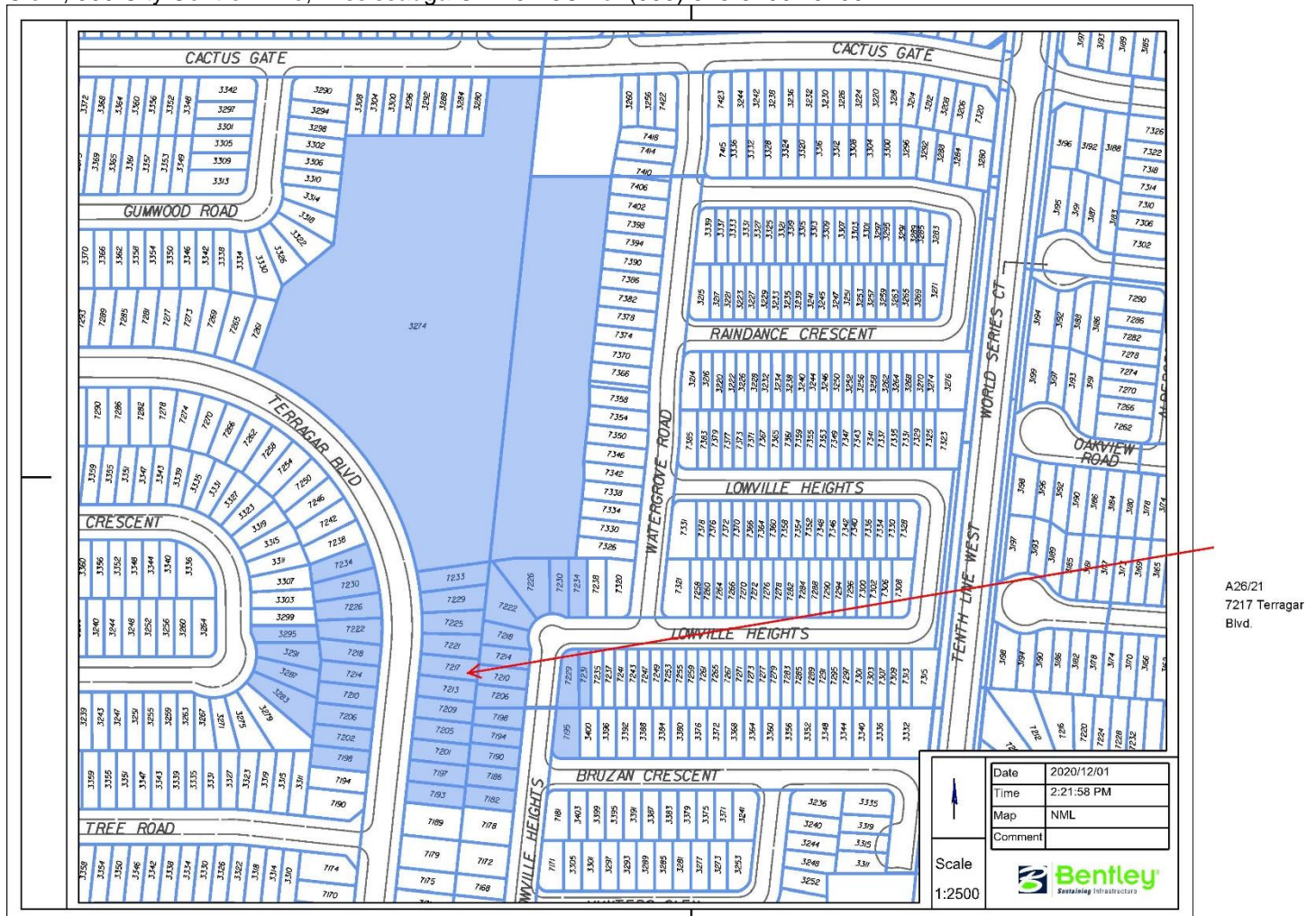
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Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process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



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-01-20	File(s): A26.21 Ward: 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-01-28

Consolidated Recommendation

The City recommends that the application be refused. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

The applicant requests the Committee to approve a minor variance to allow a driveway widening proposing:

1. A driveway width of 7.77m (approx. 25.49ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.68ft) in this instance;
2. A setback measured to a property line of 0.10m (approx. 0.33ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured to a property line of 0.61m (approx. 2.00ft) in this instance; and
3. A front yard soft landscape area of 40% whereas By-law 0225-2007, as amended, requires a minimum front yard soft landscape area of 30% in this instance.

Amendments

While Planning Staff are not in a position to provide an interpretation of the Zoning By-law; Staff would note that variance #2 should be amended to the following:

- A setback measured to a property line of 0.12m (approx. 0.33ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured to a property line of 0.60m (approx. 2.00ft) in this instance

Background

Property Address: 7217 Terragar Boulevard

Mississauga Official Plan

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

Zoning By-law 0225-2007

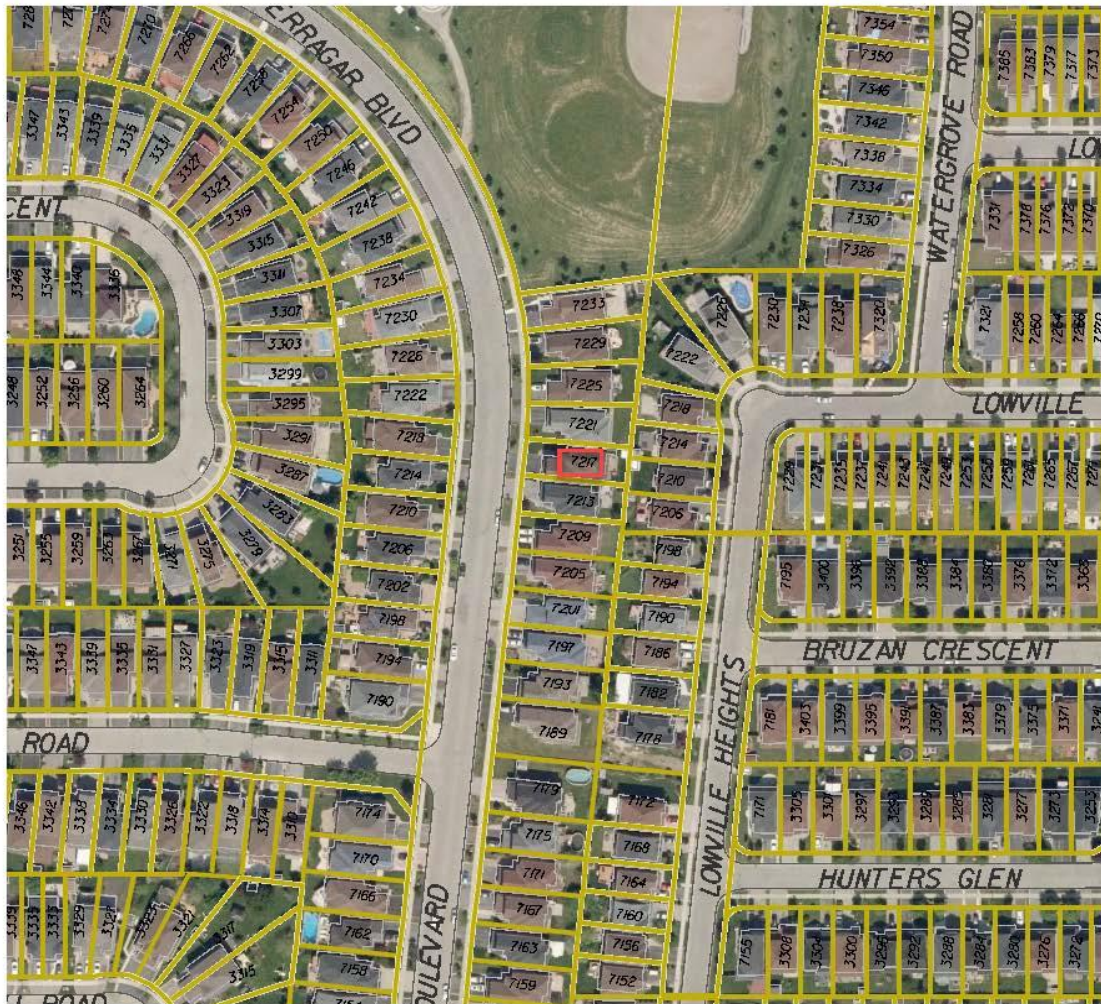
Zoning: R4 - Residential

Other Applications: SEC UNIT 20-629 SU

Site and Area Context

The subject property is located north-west of the Tenth Line West and Scotch Pine Gate intersection. The subject property is an interior parcel, with a lot area of +/- 411.0m² and a lot frontage of +/- 12.11m . The property currently houses a two-storey, detached dwelling with minimal vegetation and landscape elements in the front and rear yard. Contextually, the area is comprised exclusively of detached residential dwellings. The properties within the immediate area possess lot frontages of +/-12.0m, with minimal vegetative and natural landscaped elements within the front yards.

The applicant is proposing a wider driveway requiring variances for driveway width, side yard set back and soft landscaping.



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

As per Section 9.1 (Introduction), driveway widths should respect the identity and character of the surrounding context. From a streetscape perspective, the proposed driveway, and its associate hard-surfaced area, represents a significant portion of the property's front yard. 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 proposed driveway width is visibly different from the majority of the lots within this neighbourhood, which can be used to deduce the area's planned context. The proposal does not meet the purpose or general intent of the Official Plan.

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

Variance #1 pertains to driveway width:

As per Zoning By-law 0225-2007, the subject property is zoned R4 (Residential). Pursuant to Table 4.2.1 (R1- R5 Permitted Uses and Zone Regulations), the maximum driveway width for a detached dwelling is 6.0m; whereas, the Applicant is proposing 7.77m. The intent of the Zoning By-law is to permit a driveway large enough to provide the necessary space for two vehicles parked side-by-side, with the remainder of lands being soft landscaping (front yard). The proposed 7.77m driveway width is larger than the permissible 6.0m and is large enough to accommodate a third vehicle. The proposed driveway configuration is not proportional to the property or the lots of the surrounding neighbourhood. Variance #1, as requested, does not meet the general intent and purpose of the Zoning By-law.

Variance #2 pertains to side yard setback:

Pursuant to Table 4.1.9(4) (Driveways and Parking), the minimum required setback for a driveway to any lot line is 0.6m; whereas, the applicant is proposing, as amended, 0.12m. The intent of this portion of the By-law is to ensure that an adequate buffer exists between two neighbouring properties, and that there is sufficient space to mitigate any potential drainage concerns. The proposed setback of 0.12m does not provide a visual distinction between the neighbouring property, nor does it provide a sufficient buffer to accommodate drainage infrastructure. Generally a 0.30m setback is accepted by planning staff to accommodate a swale for drainage purposes, should one be required in the future. Variance #2, as requested, does not meet the general intent and purpose of the Zoning By-law.

Variance #3 pertains to soft landscaping in the front yard:

The intent of a soft landscape area establishes the character and identity of a neighbourhood; while also ensuring that hardscaping does not dominate the lot frontage. The applicant has proposed a front yard soft landscape area of 30% whereas, 40% is required. From a streetscape perspective, the proposed driveway, and its associate hard-surfaced area would represent a significant portion of the property's front yard to be used for parking purposes. This is noticeably different from the unaltered lots within this neighbourhood, which is used to deduce the area's planned context. Variance #3 does not meet 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?

The variance, as amended, creates a significant amount of hardscaping which results in the driveway being the prominent feature of the front yard. This proposal is an undesirable development of the land, and is not minor in nature.

Conclusion

Based upon the preceding information, it is the opinion of Staff that the variances, as requested, do not meet the general intent and purpose of both the MOP and Zoning By-law; are not minor in nature; and, are not desirable for the orderly development of the lands. To this end, the Planning and Building Department recommends refusal of the variances, as requested. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Comments Prepared by: 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: Tony Iacobucci, Development Engineering Technologist

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: Brandon Eidner, Zoning Examiner

Appendix 4 – Heritage

No Heritage Concerns

Comments Prepared by: John Dunlop, Manager, Heritage Planning

Appendix 5 – Region of Peel Comments

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

As per Peel Water Design Criteria Standard 4.3, “Hydrants near driveways shall be located a minimum of 1.25 m clear from the projected garage (or edge of driveway, whichever is greater) in residential applications...”

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A29.21

Ward: 11

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 7030 Lessard Lane, zoned R10-2 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to permit a shed proposing a setback measured from an accessory structure to the property line of 0.29m (approx. 0.95ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured from an accessory structure to the property line of 0.61m (approx. 2.00ft) in this instance.

The Committee has set **Thursday January 28, 2021 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:

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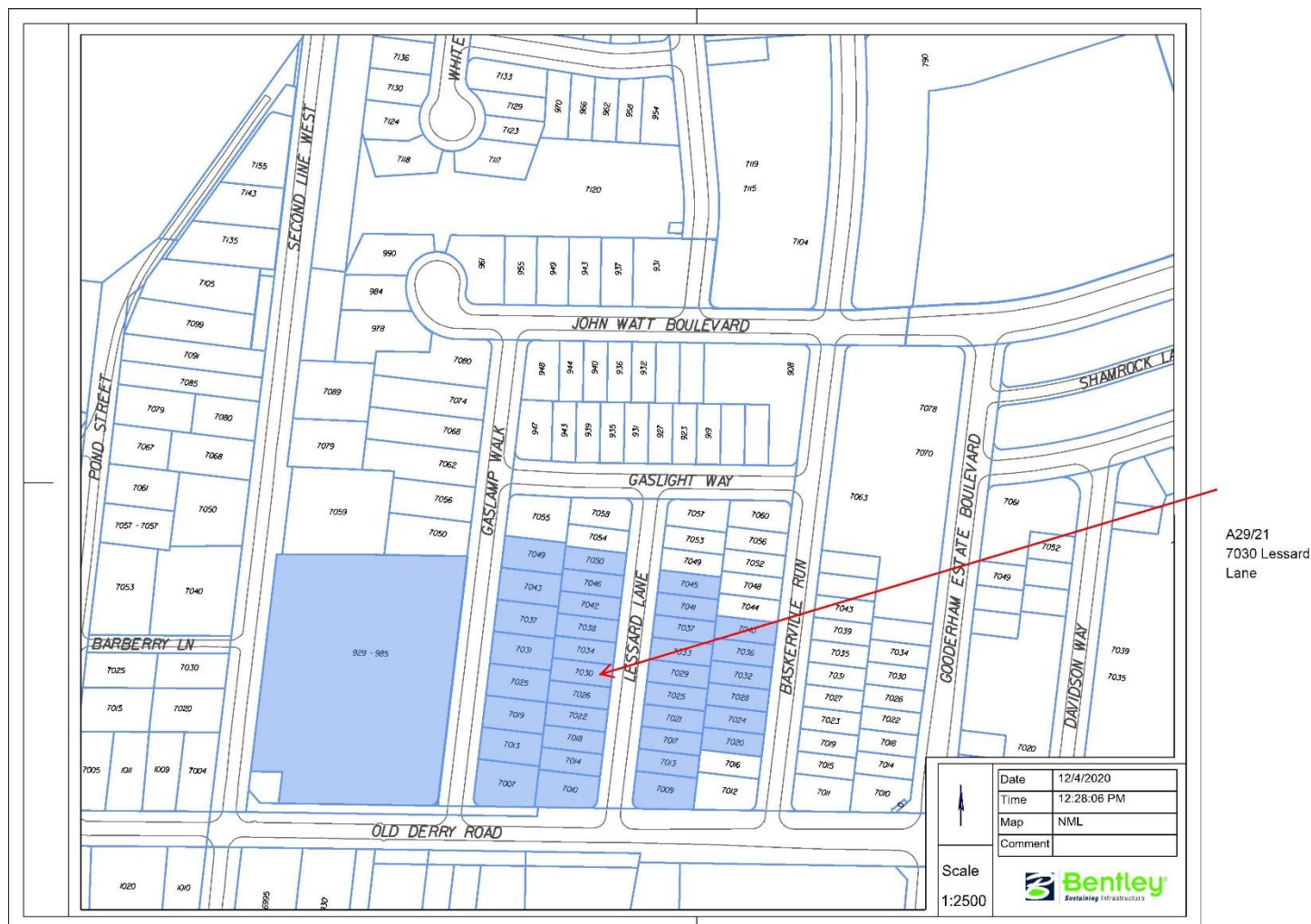
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address, contact information, and the reasons for prejudice and must be received no later than 4:30pm the Tuesday prior to the hearing to committee.adjustment@mississauga.ca. If a party does not submit a request and does not participate in the hearing 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: 2021-01-20	File(s): A29.21 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-01-28

Consolidated Recommendation

The City has no objection to the variance, as requested.

Application Details

The applicant requests the Committee to approve a minor variance to permit a shed proposing a setback measured from an accessory structure to the property line of 0.29m (approx. 0.95ft) whereas By-law 0225-2007, as amended, requires a minimum setback measured from an accessory structure to the property line of 0.61m (approx. 2.00ft) in this instance.

Background

Property Address: 7030 Lessard Lane

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R10-2 - Residential

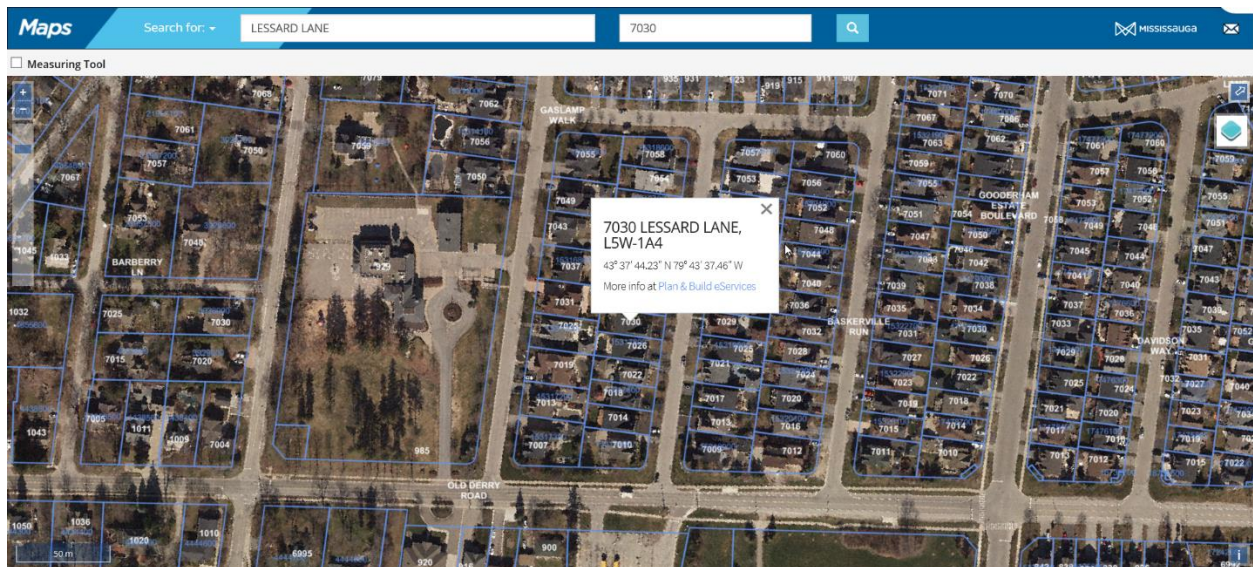
Other Applications: None

Site and Area Context

The subject property is located north-east of the Old Derry Rd and Lessard Lane intersection. The subject property is an interior parcel, with a lot area of +/- 448.0m² and a lot frontage of +/-

12.78m. The property currently houses a two-storey, detached dwelling with minimal vegetation and landscape elements within the front and rear yard. Contextually, the area is comprised exclusively of residential detached dwellings with minimal vegetation and landscape elements within the front yards. The properties within the immediate area possess lot frontages of +/- 13.0m.

The applicant is proposing a shed requiring a variance for side yard setback.



Comments

Planning

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

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

The site is located within the Meadowvale Neighbourhood Character Area, and is 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 variance, as requested, meets the purpose and general intent of the Official Plan.

Generally, staff recommend a side yard setback of at least 0.30 m to allow for sufficient drainage and a swale, should one be required in the future. In this instance, Planning Staff note the requested variance of 0.29m is sufficiently setback and poses no drainage concerns. The proposal maintains the context of the surrounding neighbourhood and does not present any massing concerns to the neighbouring properties. Through a detailed review of the application, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Conclusion

The City has no objection to the variance, as requested.

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

Appendices

Appendix 1 – Transportation and Works Comments

We are noting that from our site inspection we observed no drainage related concerns with the shed.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

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: Brandon Eidner, Zoning Examiner

Appendix 4 – Heritage

No Heritage Concerns

Comments Prepared by: John Dunlop, Manager, Heritage Planning

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the January 28th, 2021 Committee of Adjustment Agenda. We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A32.21

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

1. A northerly side yard of 1.20m (approx. 3.93ft) whereas By-law 0225-2007, as amended, requires a minimum northerly side yard of 2.41m (approx. 7.91ft) in this instance;
2. A southerly side yard of 2.30m (approx. 7.55ft) whereas By-law 0225-2007, as amended, requires a minimum southerly side yard of 2.41m (approx. 7.91ft) in this instance;
3. A combined width of side yards of 4.10m (approx. 13.45ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 5.95m (approx. 19.52ft) in this instance;
4. A building height measured to the highest ridge of 9.61m (approx. 31.53ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the highest ridge of 9.50m (approx. 31.16ft) in this instance;
5. A building height measured to the underside of the soffit of 7.23m (approx. 23.72ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the underside of the soffit of 6.40m (approx. 20.99ft) in this instance.

The Committee has set **Thursday January 28, 2021 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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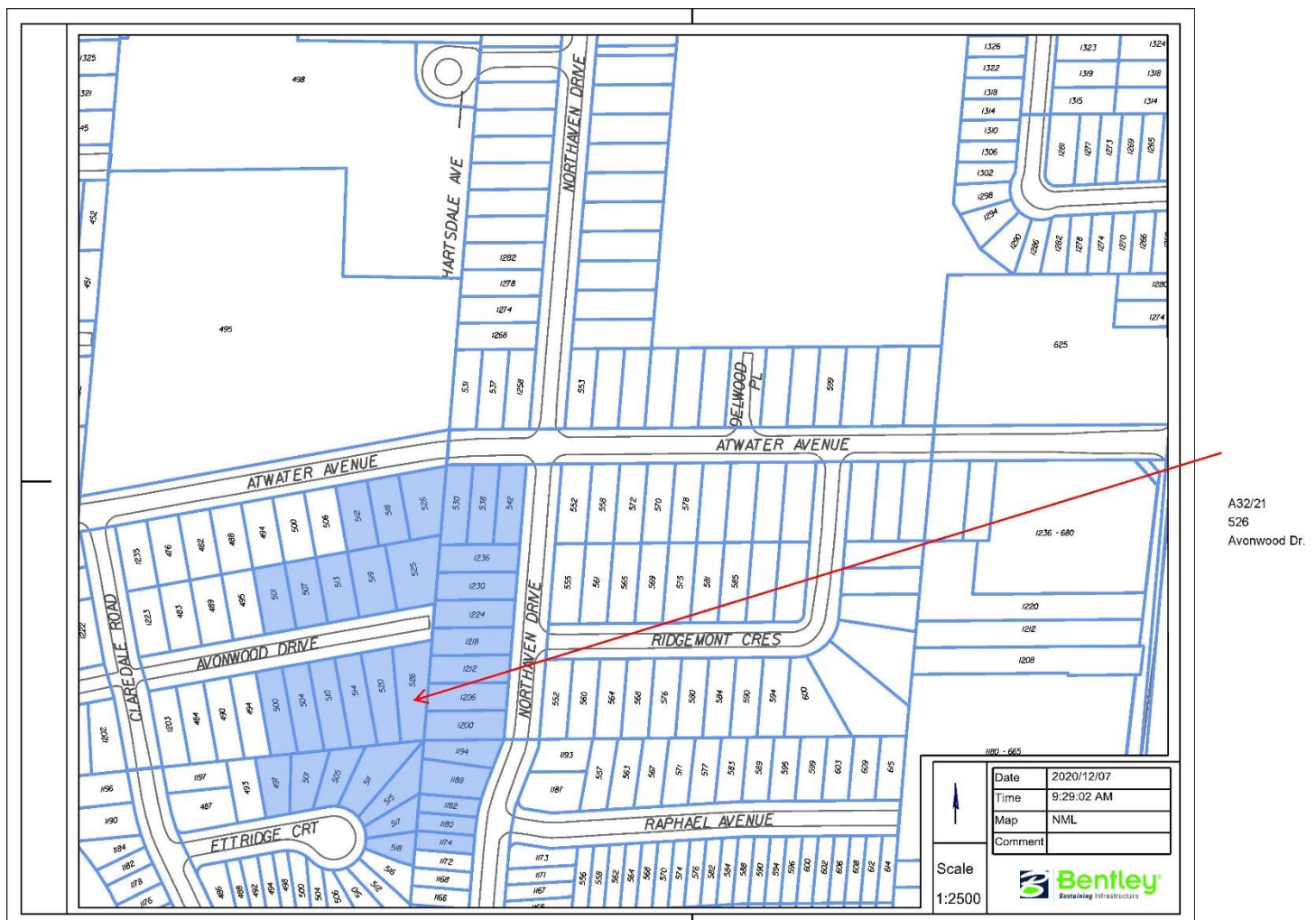
materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services will not be accepted.

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-01-20	File(s): A32.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2021-01-28

Consolidated Recommendation

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

Application Details

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

1. A northerly side yard of 1.20m (approx. 3.93ft) whereas By-law 0225-2007, as amended, requires a minimum northerly side yard of 2.41m (approx. 7.91ft) in this instance;
2. A southerly side yard of 2.30m (approx. 7.55ft) whereas By-law 0225-2007, as amended, requires a minimum southerly side yard of 2.41m (approx. 7.91ft) in this instance;
3. A combined width of side yards of 4.10m (approx. 13.45ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 5.95m (approx. 19.52ft) in this instance;
4. A building height measured to the highest ridge of 9.61m (approx. 31.53ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the highest ridge of 9.50m (approx. 31.16ft) in this instance;
5. A building height measured to the underside of the soffit of 7.23m (approx. 23.72ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the underside of the soffit of 6.40m (approx. 20.99ft) in this instance.

Background

Property Address: 526 Avonwood Drive

Mississauga Official Plan

Character Area: Mineola Neighbourhood

Designation: Residential Low Density II

Zoning By-law 0225-2007

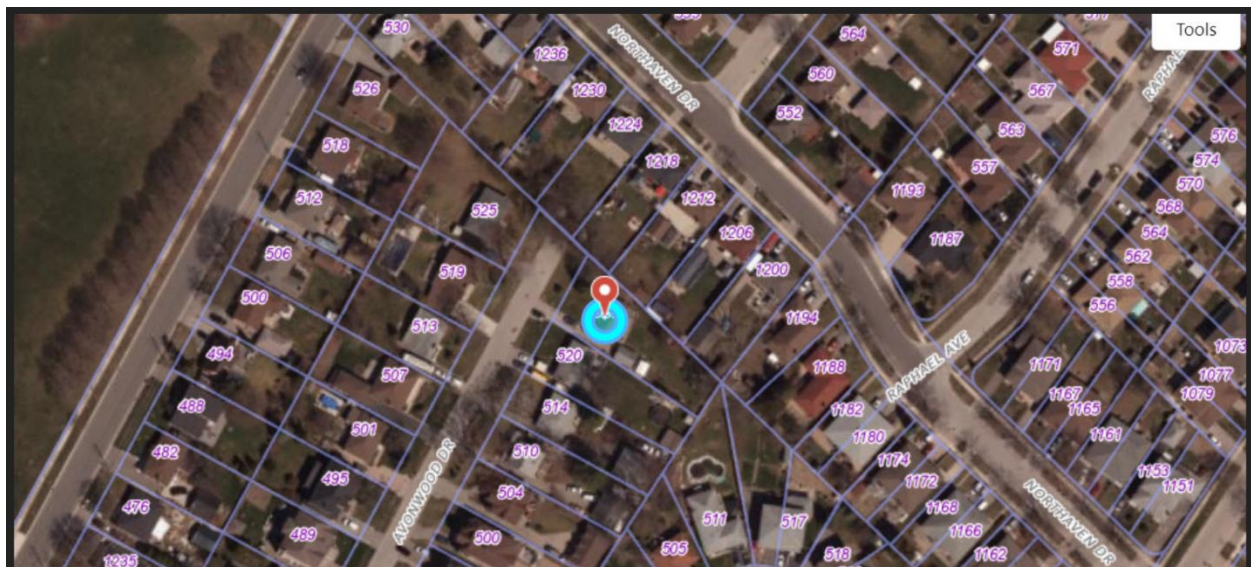
Zoning: R3-1 (Residential)

Other Applications

Site Plan Application: 20-131

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southwest of Cawthra Road and Atwater Avenue. The immediate neighbourhood is entirely residential consisting of one and newer two storey detached dwellings. The subject property contains an existing one storey detached dwelling with mature vegetation in the easterly side yard. The applicant is proposing a two storey dwelling, requiring variances related to deficient side yard and combined side yard width and dwelling height.



Comments

Planning

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

Staff comments concerning the application 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 and duplex, triplex and other forms of low rise dwellings with individual frontages. The policies within Section 16.18.1 in the Mineola Neighbourhood Character Area, speak to urban design policies regarding infill housing and states that new housing is encouraged to fit the scale and character of the surrounding area. The proposed dwelling respects the designated land use, and has regard for the distribution of massing on the property as a whole. The proposed dwelling maintains compatibility with the newer two storey dwellings and preserves the infill housing policies within the MOP. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

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

Variances #1 to 3 relate to the deficient side yards and combined side yard width. The general intent of this portion of the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties, and that access to the rear yard ultimately remains unencumbered. From a review of the site plan submitted, it appears the proposal requires a combined side yard width of 3.50 m rather than the requested 4.10 m. This needs to be confirmed by the applicant. In this instance, the side yards are measured to the narrowest points of the dwelling which does not continue throughout the entire length of the dwelling. At the widest point, the dwelling maintains a combined side yard width setback of 4.86 m. Additionally, the second storey is set further back from the ground floor on the northerly side, mitigating the massing impacts to the abutting property. Through a comprehensive review of the immediate area, similar deficiencies are part of the neighbourhood context. As such, the proposed variances preserves the existing and planned character of the surrounding neighbourhood and maintains a sufficient buffer to neighbouring properties. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #4 and 5 propose an overall height of 9.61 m whereas 9.50 m is permitted and an eave height of 7.23 m whereas a maximum of 6.40 m is permitted. The increased dwelling heights are partially due to the difference between average and established grade which is approximately 0.44 m. If the dwelling was measured from established grade, the overall height would be under what the by-law permits and there would be an eave height of approximately 6.79 m. This represents a minor deviation from what is permitted and would not have significant impacts to the character of the streetscape. The dwelling contains architectural features that break up the first and second storey of the dwelling, minimizing its overall massing. Furthermore, the proposed dwelling is not out of context with the newer two storey dwellings

thereby, maintaining compatibility with the existing and planned character of the neighbourhood. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

The increased dwelling heights maintain compatibility with newer two storey dwellings within the immediate area and does not negatively impact the existing streetscape. The increased eave height is partially due to the dwelling being measured to average grade which is approximately 0.44 m below the established grade, thereby limiting the impact to neighbouring properties. The deficient setbacks are not out of character within the neighbourhood. The deficient side yard setbacks maintain a sufficient buffer to abutting properties and preserve access to the rear yard. Furthermore, the deficiency does not continue throughout the entire length of the dwelling and widens to a combined side yard width of 4.86 m. As such, staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

Conclusion

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

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed addition are being addressed through the Site Plan Application process, File SPI-20/131.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a SPI under file SPI 20-131. Based on review of the information currently available in this permit application, we advise that more information is required in order to verify the accuracy of the requested variances or determine whether additional variances will be required.

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

Comments Prepared by: Alana Zheng, Zoning Examiner

Appendix 4 – Heritage

No Heritage Concerns

Comments Prepared by: John Dunlop, Manager, Heritage Planning

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the January 28th, 2021 Committee of Adjustment Agenda. We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A33.21

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 59 Lakeshore Road East, zoned C4-66 - Commercial, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a take-out restaurant proposing:

1. 4 parking spaces on site whereas By-law 0225-2007, as amended, requires a minimum of 7 parking spaces on site in this instance;
2. 2 tandem parking spaces whereas By-law 0225-2007, as amended, does not permit tandem parking spaces in this instance; and
3. A reduced parking rate of 4.85 spaces/100sq.m (approx. 1079.36sq.ft) whereas By-law 0225-2007, as amended, requires 6 spaces/100sq.m (approx. 1079.36sq.ft) in this instance.

The Committee has set **Thursday January 28, 2021 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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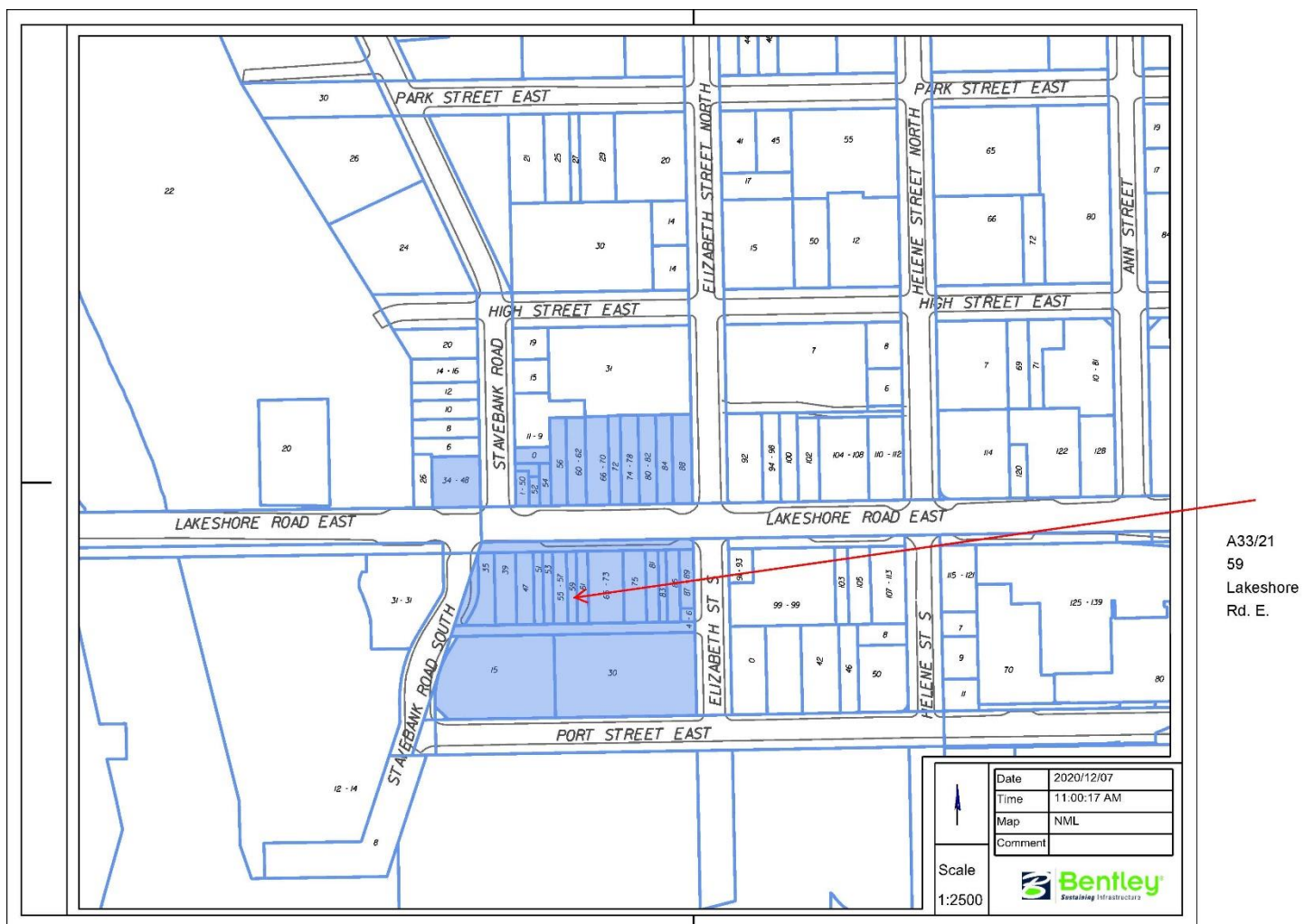
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-01-20	File(s): A33.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2021-01-28

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow a take-out restaurant proposing:

1. 4 parking spaces on site whereas By-law 0225-2007, as amended, requires a minimum of 7 parking spaces on site in this instance;
2. 2 tandem parking spaces whereas By-law 0225-2007, as amended, does not permit tandem parking spaces in this instance; and
3. A reduced parking rate of 4.85 spaces/100sq.m (approx. 1079.36sq.ft) whereas By-law 0225-2007, as amended, requires 6 spaces/100sq.m (approx. 1079.36sq.ft) in this instance.

Amendments

Variance #1 should be amended as follows:

1. 4 parking spaces on site, 2 of which are tandem, whereas By-law 0225-2007, as amended, requires a minimum of 7 parking spaces on site in this instance

Background

Property Address: 59 Lakeshore Road East

Mississauga Official Plan

Character Area: Port Credit Community Node
Designation: Mixed Use

Zoning By-law 0225-2007

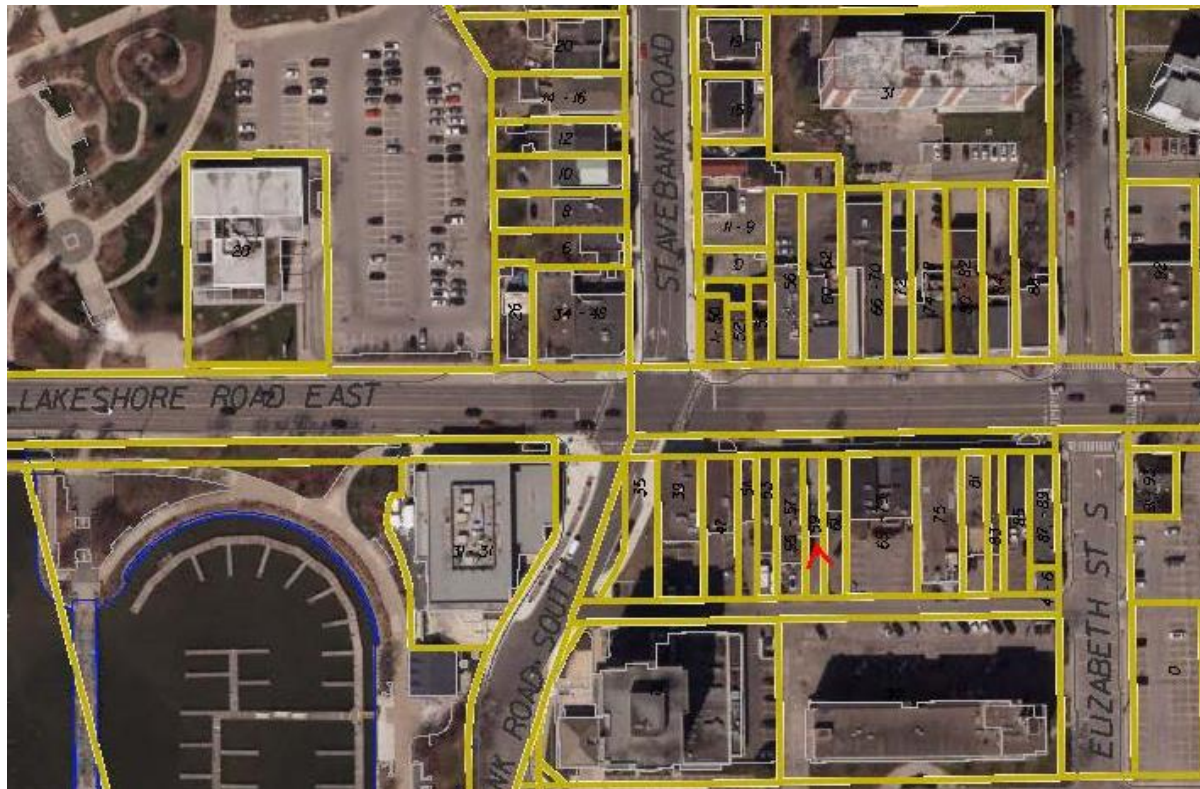
Zoning: C4-66 (Commercial)

Other Applications

Occupancy Permit: 20-3600

Site and Area Context

The subject property is located within the Port Credit Community Node Character Area, west of Hurontario Street and Lakeshore Road East. This strip of Lakeshore Road East consists of a mix of commercial and retail uses, including restaurant uses. The subject property previously contained a takeout restaurant that was subject to a previous minor variance approval. The application proposes a different take-out restaurant, requiring variances related to reduced parking and tandem parking spaces.



Comments

Planning

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

Staff comments concerning the application are as follows:

On October 18th, 2012, the subject property received minor variance approval under file 'A' 451/12 which proposed 2 parking spaces whereas 7 spaces are required and a deficient aisle width to accommodate a takeout restaurant which is a permitted use. The approved application was subject to the takeout restaurant being a frozen yogurt restaurant. As the subject application proposes a different type of takeout restaurant, variances are required for reduced parking which was approved under the previous application. The subject application also proposes tandem parking spaces which would increase the on-site parking to 4 parking spaces. The tandem parking spaces represent an existing condition that does not negatively impact the day to day operations of the site. Through a review of the immediate area, there are units with similar existing conditions.

The proposed variances are generally consistent with the previous minor variance approval for this property. Furthermore, this portion of Lakeshore Road East consists of retail and restaurant uses that have similar existing conditions. Staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

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 45 (1) of the *Planning Act*.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections, comments or requirements with respect to C.A. 'A' 33/21.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building permit under file C 20-3600. Based on review of the information currently available in this permit application, we advise that the variances should be amended as follows:

1. 4 parking spaces on site, 2 of which are tandem, whereas By-law 0225-2007, as amended, requires a minimum of 7 parking spaces on site in this instance;

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

Comments Prepared by: Brandon Eidner, Zoning Examiner

Appendix 4 – Heritage

No Heritage Concerns

Comments Prepared by: John Dunlop, Manager, Heritage Planning

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the January 28th, 2021 Committee of Adjustment Agenda. We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A34.21
Ward: 2

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 765 Bexhill Road, zoned R2-4 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A gross floor area of 475.00sq.m (approx. 5112.86ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 435.26sq.m (approx. 4685.10sq.ft) in this instance;
2. A lot coverage of 35.50% (435.30 sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% (367.89sq.m) in this instance;
3. A building height measured to a flat roof of 8.98m (approx. 29.46ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to a flat roof of 7.50m (approx. 24.61ft) in this instance; and
4. A building height measured to the underside of the eaves of 8.10m (approx. 26.57ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the underside of the eaves of 6.40m (approx. 21.00ft) in this instance.

The Committee has set **Thursday January 28, 2021 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.

Advance registration is required to participate in the electronic hearing:

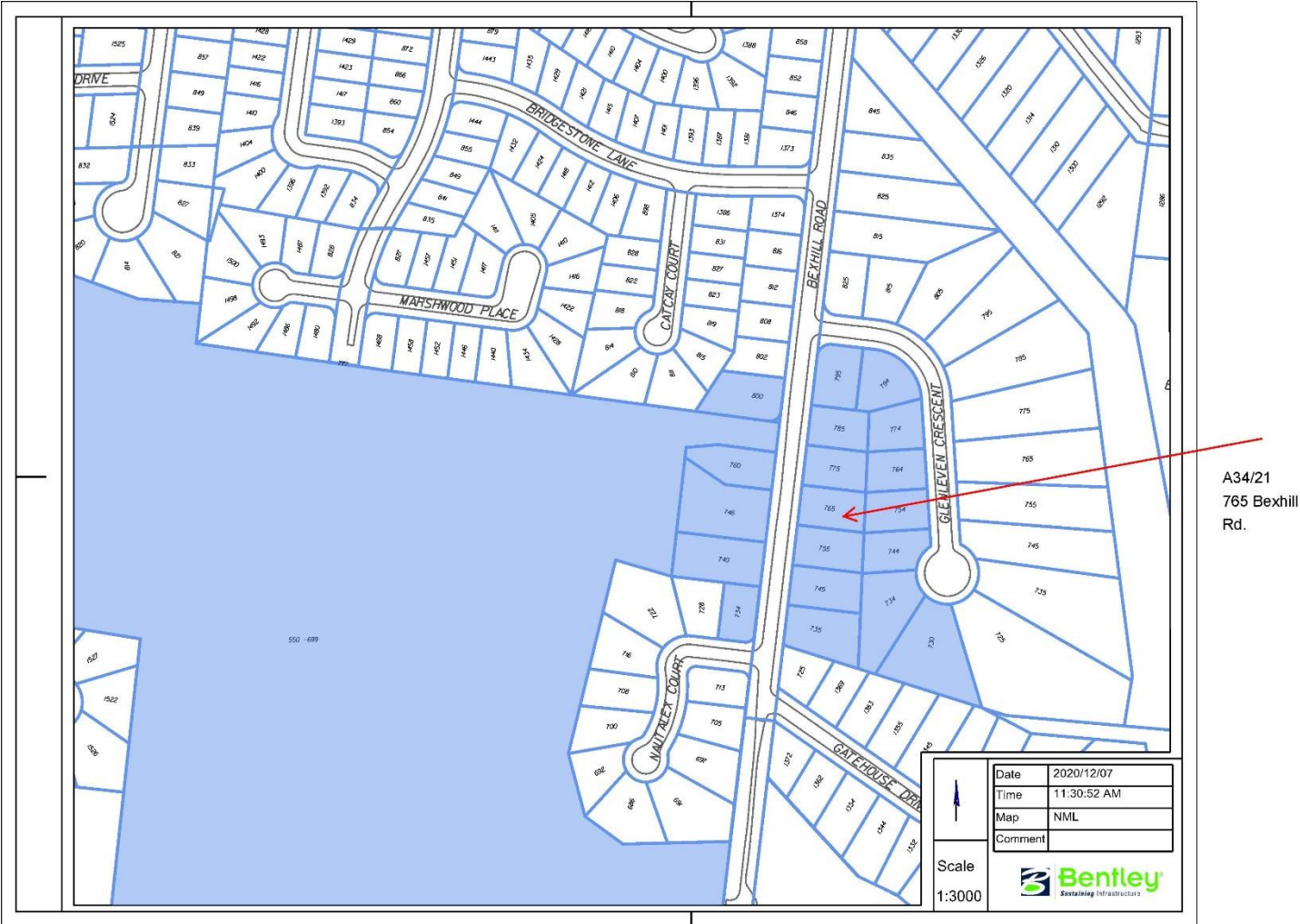
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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-01-20	File(s): A34.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2021-01-28

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 475.00sq.m (approx. 5112.86ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 435.26sq.m (approx. 4685.10sq.ft) in this instance;
2. A lot coverage of 35.50% (435.30 sq.m) whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00% (367.89sq.m) in this instance;
3. A building height measured to a flat roof of 8.98m (approx. 29.46ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to a flat roof of 7.50m (approx. 24.61ft) in this instance; and
4. A building height measured to the underside of the eaves of 8.10m (approx. 26.57ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the underside of the eaves of 6.40m (approx. 21.00ft) in this instance.

Background

Property Address: 765 Bexhill Road

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R2-4 (Residential)

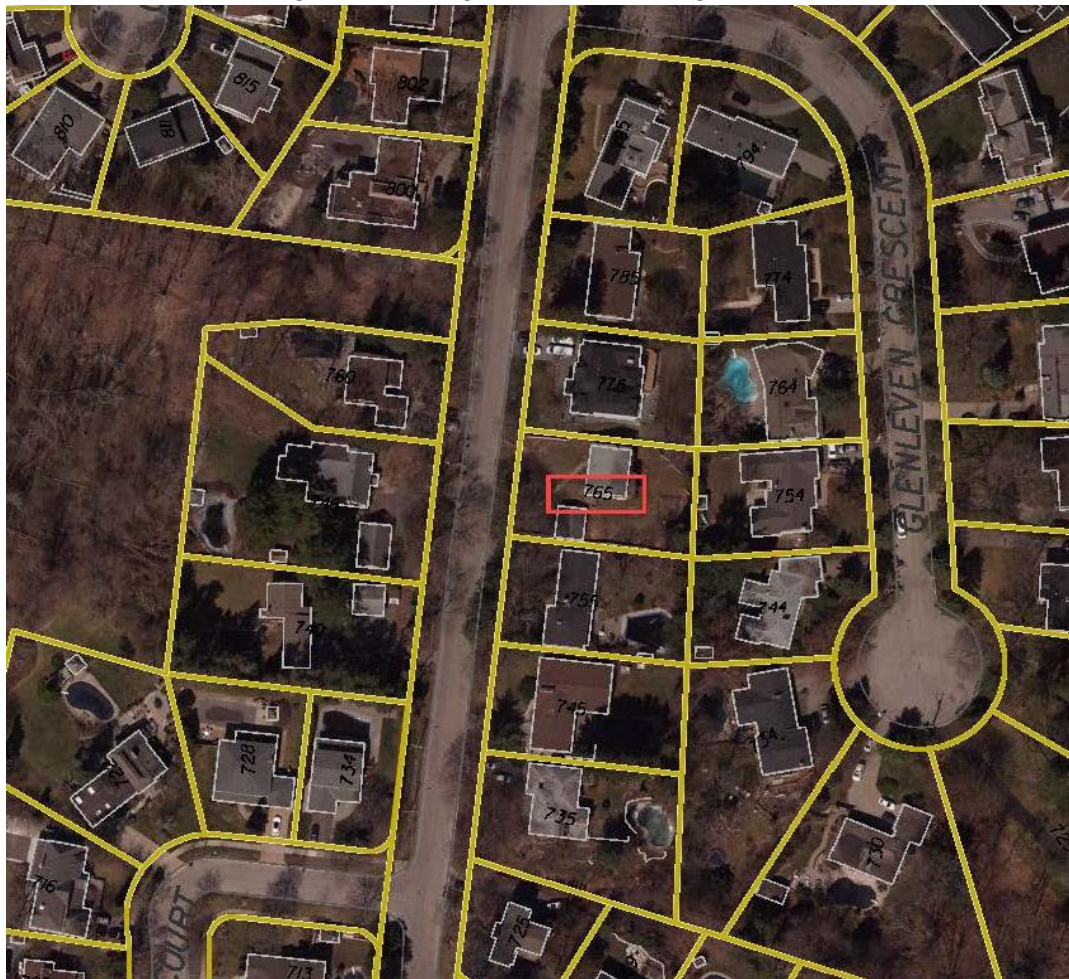
Other Applications

Site Plan Application: 20-18

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southwest of Lorne Park Road and Lakeshore Road West. The neighbourhood is entirely residential consisting of large lots containing one and two storey detached dwellings with mature vegetation. The subject property contains an existing one storey detached dwelling with little vegetation.

The applicant is proposing a new two storey dwelling that requires variances related to gross floor area, flat roof height, eave height and lot coverage.



Comments

Planning

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

Staff comments concerning the application are as follows:

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 16.15.1.4 (c) of the Clarkson-Lorne Park Neighbourhood Character Area policies, new housing is encouraged to fit the scale and character of the surrounding area. The proposed dwelling requires an increase in gross floor area with a large amount of open to below space which is not accounted for within the variance. The applicant is also proposing an increased flat roof 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, which guides development to maintain compatibility within the existing and planned character of a neighbourhood. 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 2 – Zoning Comments

The Building Department is currently processing a site plan approval application under file SP 18-20. 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.

Information pertaining to established grade, number of kitchens and AC location was requested through application comments. The drawings submitted with this variance application are not the same as the drawings in the site plan file.

It should be noted that the drawings submitted with this variance application differ from the drawings commented on through the site plan application.

Our comments are based on the plans received by Zoning staff on October 20, 2020 for the above captioned site plan application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: Sandra Morrison, Zoning Examiner

Appendix 4 – Heritage

No Heritage Concerns

Comments Prepared by: John Dunlop, Manager, Heritage Planning

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the January 28th, 2021 Committee of Adjustment Agenda. We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A35.21
Ward: 7

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 2265 Gordon Drive, zoned R1-7, 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 lot coverage of 29.48% whereas By-law 0225-2007, as amended, requires a minimum lot coverage of 25.00% in this instance;
2. A lot frontage of 21.70m (approx. 71.1ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 30.00m (approx. 98.43ft) in this instance;
3. A side yard of 2.20m (approx. 7.22ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 4.20m (approx. 13.78ft) in this instance; and
4. A window well measured to a side yard lot line of 1.49m (approx. 4.89) whereas By-law 0225-2007, as amended, requires a window well measured to a side yard lot line of 3.59m (approx. 11.78ft) in this instance.

The Committee has set **Thursday January 28, 2021 at 1:00 pm** for the public hearing on this matter. As a result of COVID-19 restrictions and under the authority of the *Municipal Act, Emergency Management and Civil Protection Act* and *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment hearings to be held electronically during an Emergency. All items on the agenda are scheduled for 1:00 pm and will be heard in the order shown on the agenda.

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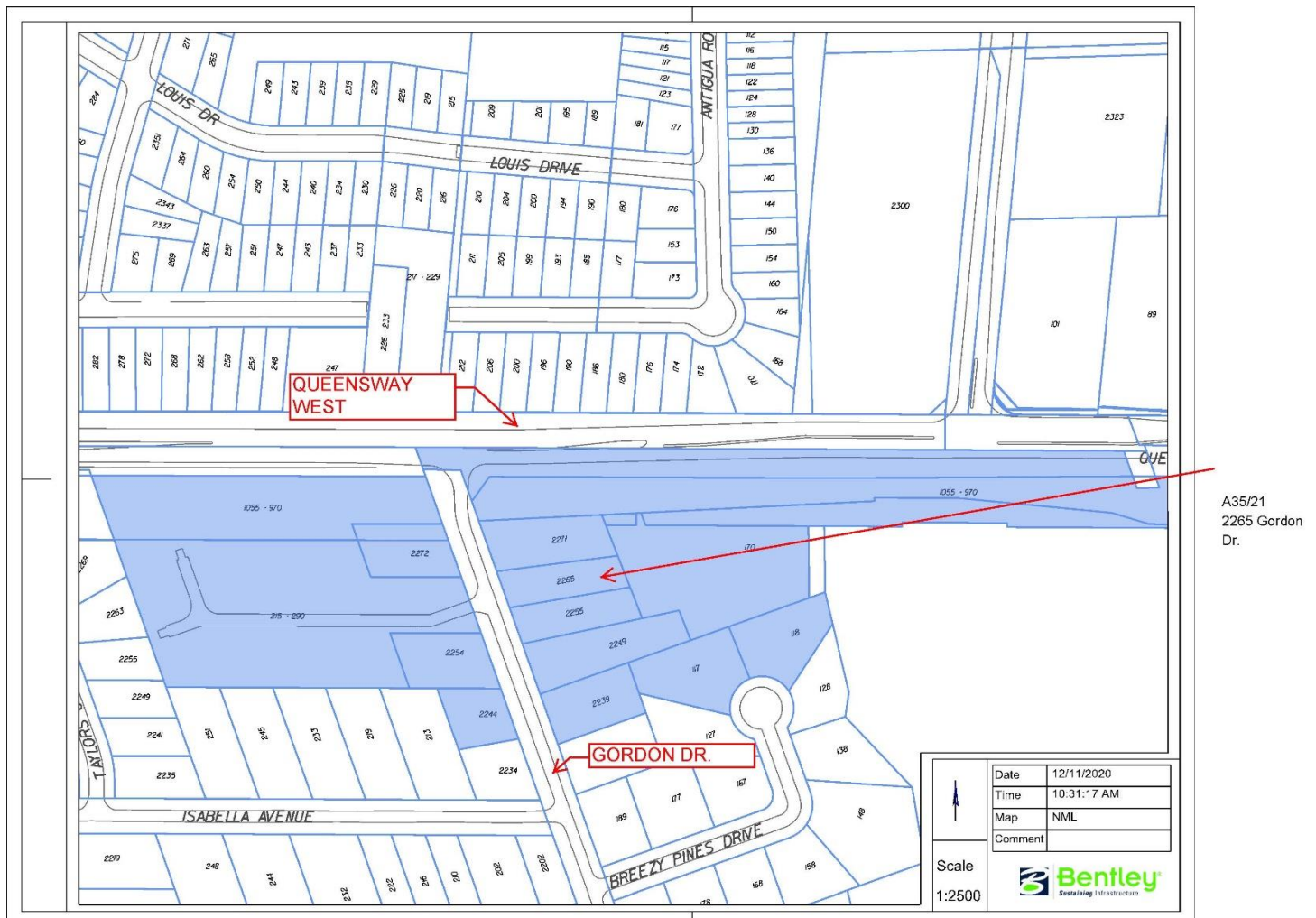
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Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process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



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-01-20	File(s): A35.21 Ward: 7
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2021-01-28

Consolidated Recommendation

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

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

1. A lot coverage of 29.48% whereas By-law 0225-2007, as amended, requires a minimum lot coverage of 25.00% in this instance;
2. A lot frontage of 21.70m (approx. 71.1ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 30.00m (approx. 98.43ft) in this instance;
3. A side yard of 2.20m (approx. 7.22ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 4.20m (approx. 13.78ft) in this instance; and
4. A window well measured to a side yard lot line of 1.49m (approx. 4.89) whereas By-law 0225-2007, as amended, requires a window well measured to a side yard lot line of 3.59m (approx. 11.78ft) in this instance.

Amendments

While Planning Staff are not in a position to provide an interpretation of the Zoning By-law; Staff note variance #2, #3 and #4 are not required.

and the following variances should be added:

5. A chimney measured to a side yard lot line of 2.52m (approx. 8.27ft) at easterly side, whereas By-law 0225-2007, as amended, requires a chimney measured to a side yard lot line of 3.59m (approx. 11.78ft) in this instance.
6. A window measured to a side yard lot line of 2.32m (approx. 7.61ft) at easterly side whereas By-law 0225-2007, as amended, requires a window measured to a side yard lot line of 3.59m (approx. 11.78ft) in this instance.

7. To permit 2 kitchens within a single dwelling unit; whereas a maximum of 1 kitchen in a single dwelling unit is permitted.

Background

Property Address: 2265 Gordon Drive

Mississauga Official Plan

Character Area: Cooksville Neighbourhood (West)
Designation: Residential Low Density I

Zoning By-law 0225-2007

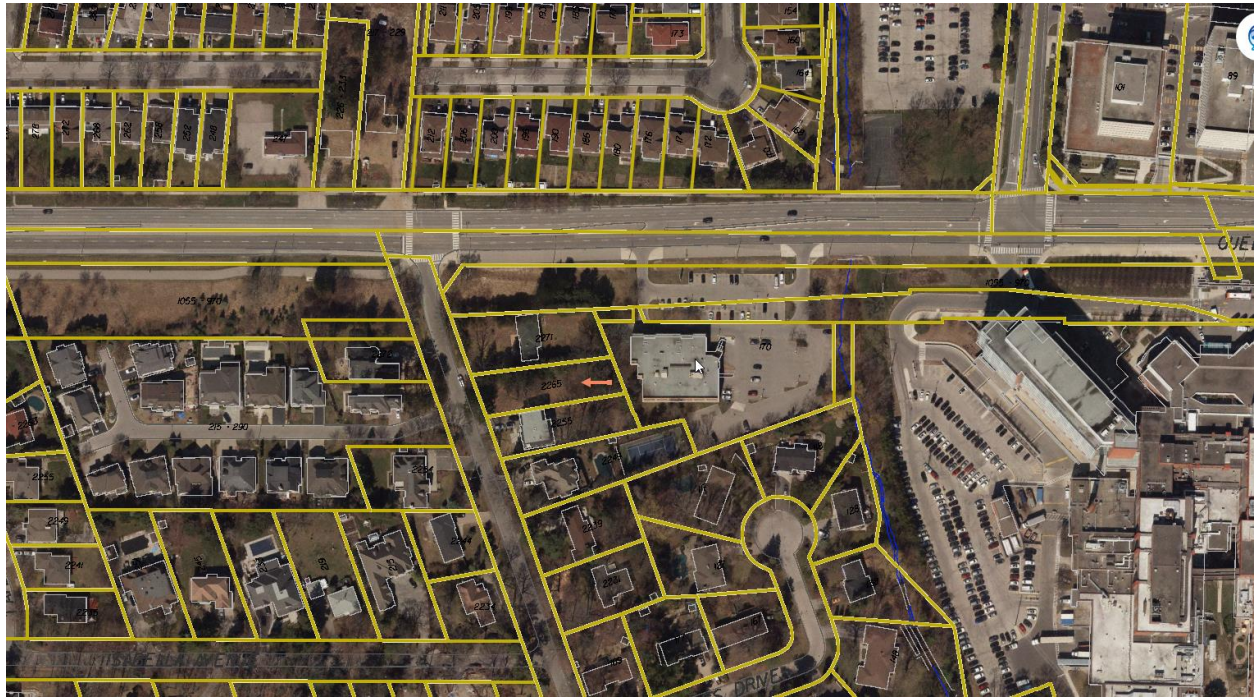
Zoning: R1-7

Other Applications: SPI 20-40

Site and Area Context

The subject property is located south-east of the Queensway West and Gordon Drive intersection. The property is an interior parcel, with a lot area of +/- 1,407.58m² and a lot frontage of +/- 21.70m. It is currently a vacant parcel with moderate vegetation scattered throughout the lot. Contextually, the area is comprised exclusively of residential dwellings on large lots with limited vegetation and landscape elements within the front yards. The properties within the immediate area possess lot frontages of +/- 22.0m.

The applicant is proposing to construct a new dwelling requiring a variance for lot coverage.



Comments

Planning

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

Staff comments concerning the application are as follows:

Variance #1 as requested pertains to lot coverage;

The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot. In this instance, a lot coverage of 29.27% was previously approved (A267/20) therefore an increase of the proposed 29.49% is nominal in nature. Through a detailed review, Staff is of the opinion that Variances #1, as amended, is appropriate to be handled through the minor variance process.

Variance #2, 3 and 4 are not required, as they have previously been approved through minor variance application A267/20.

The Building Department is currently processing a site plan application under file SPI 20-40. Based upon review of this Application, Planning Staff are in agreement with Zoning's comments and recommend that additional variances be added:

Additional Variance #1

5. A chimney measured to a side yard lot line of 2.52m (approx. 8.27ft) at easterly side, whereas By-law 0225-2007, as amended, requires a chimney measured to a side yard lot line of 3.59m (approx. 11.78ft) in this instance.

Additional Variance #2

6. A window measured to a side yard lot line of 2.32m (approx. 7.61ft) at easterly side whereas By-law 0225-2007, as amended, requires a window measured to a side yard lot line of 3.59m (approx. 11.78ft) in this instance.

Additional Variance #3

7. To permit 2 kitchens within a single dwelling unit; whereas a maximum of 1 kitchen in a single dwelling unit is permitted.

This department has no objection to the additional variances should the applicant wish to proceed with them. As such, through a review of the surrounding area the additional variances will not undermine the character of the neighbourhood. The variances, as amended, result in both the orderly development of the lands, and whose impacts are minor in nature. Staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

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, as requested, meets the requirements of Section 45(1) of the *Planning Act*.

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

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling are being addressed through the Site Plan Application process, File SPI-20/040.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a site plan approval application under file SPI 20-40. Based on review of the information currently available for this application, we advise that the following variance(s) should be amended as follows:

1. A lot coverage of 29.48% whereas By-law 0225-2007, as amended, requires a minimum lot coverage of 25.00% in this instance;
2. A lot frontage ofm whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 30.00m (approx. 98.43ft) in this instance; (More information and clarification is required for the lot frontage).
3. A side yard of 2.20m (approx. 7.22ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 4.20m (approx. 13.78ft) in this instance; and
4. A window well measured to a side yard lot line ofm whereas By-law 0225-2007, as amended, requires a window well measured to a side yard lot line of 3.59m (approx. 11.78ft) in this instance. (More information is required).

Missing information:

1. Comment # 2 more information and clarification required for the lot frontage.
2. Comment # 4 the window well setbacks required for the window wells on latest site plan.

Our comments are based on the plans received by Zoning staff on 2020-Dec-03 for the above captioned site plan application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: Sherri Takaloo

Appendix 4 – Heritage

No Heritage Concerns

Comments Prepared by: John Dunlop, Manager, Heritage Planning

Appendix 5 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the January 28th, 2021 Committee of Adjustment Agenda. We have no comments or objections.

Comments Prepared by: Diana Guida, Junior Planner

Appendix 6- Conservation Authority Comments

It is our understanding that the applicants request the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A lot coverage of 29.48% whereas By-law 0225-2007, as amended, requires a minimum lot coverage of 25.00% in this instance;
2. A lot frontage of 21.70m (approx. 71.1ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 30.00m (approx. 98.43ft) in this instance;
3. A side yard of 2.20m (approx. 7.22ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 4.20m (approx. 13.78ft) in this instance; and
4. A window well measured to a side yard lot line of 1.49m (approx. 4.89) whereas By-law 0225-2007, as amended, requires a window well measured to a side yard lot line of 3.59m (approx. 11.78ft) in this instance.

Based on our updated floodplain mapping, the subject property is partially regulated by CVC due to its proximity to the floodplain associated with Mary Fix Creek. As such, the property is subject to the Development, Interference with Wetlands, and Alterations to Shorelines & Watercourses

Regulation (Ontario Regulation 160/06). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

CVC staff have reviewed the provided information and have **no concerns** with the requested variance. CVC staff have reviewed and provided clearance on a Site Plan application (SP 20/040) for the proposed development previously. As such, CVC staff have **no objection** to the approval of this minor variance by the Committee at this time.

Please note that the proposed development appears to be located outside of CVC's Regulated Area and a CVC permit will not be required for the development as proposed.

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

Comments Prepared by: Elizabeth Paudel, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A40.21
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 31 Front Street North, zoned OS2-8 - Open Space and G1 - Greenlands, 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 additional floor space proposing 14 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 17 parking spaces in this instance.

The Committee has set **Thursday January 28, 2021 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:

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

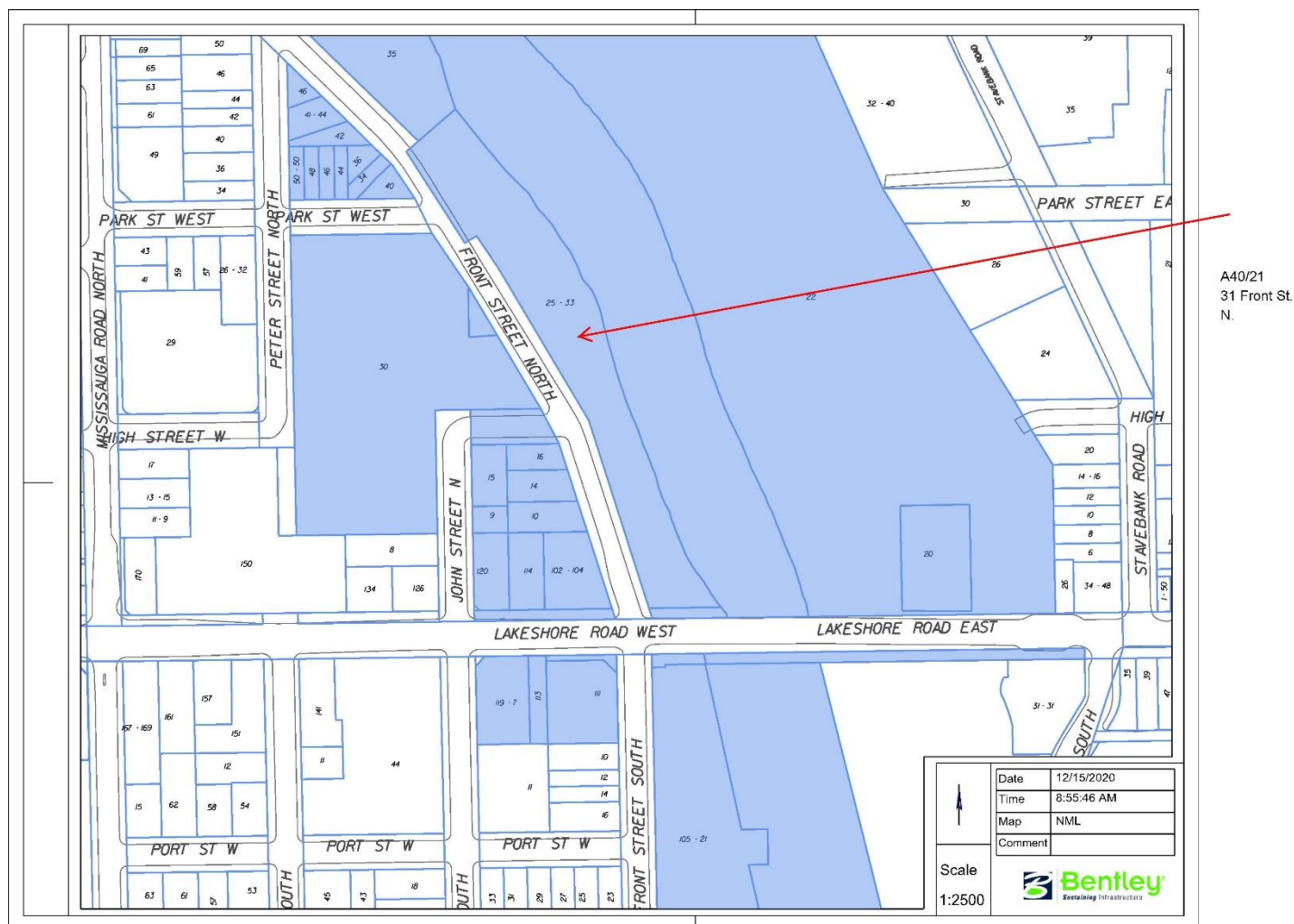
To participate by telephone: To register, please call 905-615-3200 x5209 no later than 4:30pm the Tuesday prior to the hearing. You must provide your name, phone number, and application you wish to speak to. Committee staff will provide you with further details prior to the start of the hearing.

Legal notice:

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

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City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2021-01-20	File(s): A40.21 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-01-28

Consolidated Recommendation

The City has no objections to the requested variance, subject to a temporary approval.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of additional floor space proposing 14 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 17 parking spaces in this instance.

Recommended Conditions and Terms

Staff recommends the following condition:

- The application be approved on a temporary period of two years

Background

Property Address: 31 Front Street North

Mississauga Official Plan

Character Area: Port Credit Community Node
Designation: Greenlands, Public Open Space

Zoning By-law 0225-2007

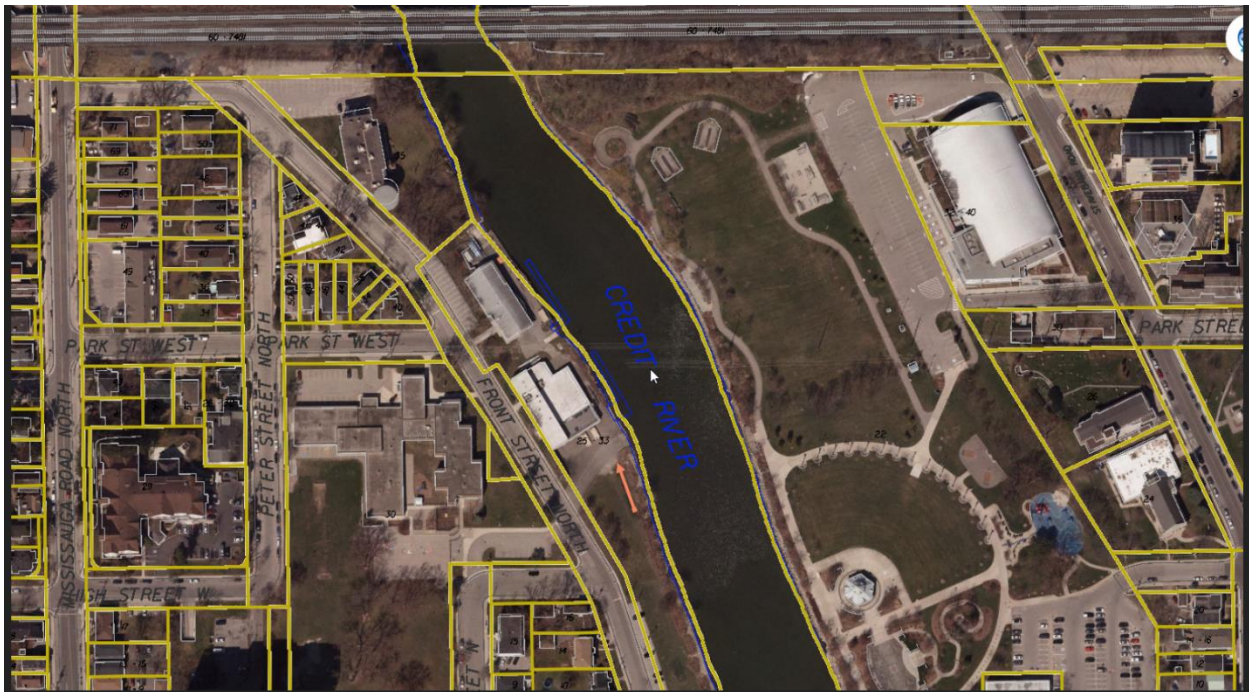
Zoning: OS2-8 - Open Space and G1 - Greenlands

Other Applications

Building Permit: 20-1189

Site and Area Context

The subject site is located within the Port Credit Community Node Character Area, north of Lakeshore Road West and Front Street North. The immediate area consists of a mixture of institutional, commercial and residential uses. Abutting the subject site to the east is the Credit River. The subject site contains two existing buildings used as recreational uses. The applicant is proposing interior alterations that will result in an increase in the overall gross floor area of the building, requiring a variance related to parking.



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 site is designated Greenlands and Public Open Space in Schedule 10 of the Mississauga Official Plan (MOP). As there are no external changes being proposed to the existing buildings, there will be no impact to the abutting natural feature. The Public Open Space designation permits recreational facilities. The application respects the designated land use and does not significantly impact the site as a whole. 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?

The intent in quantifying the required number of parking spaces is to ensure that adequate parking accommodations for each structure are provided based on its intended use. As per Zoning By-law 0225-2007, 17 parking spaces are required; whereas, the applicant is providing 14 parking spaces. In this instance, the increased gross floor area of 53.54 m² generates three additional parking spaces. The City Planning Strategies Division reviewed the parking justification letter prepared by Andrew Skeoch on behalf of the Mississauga Canoe Club, received on Dec. 14, 2020, which was provided in support of the application. The letter states that the variance was initiated by the relocation and expansion of gym space from the basement to the first floor. The club is youth-oriented and therefore most participants do not require parking. As such, the minimal expansion of gross floor area is not anticipated to increase parking demand.

Given that no increase in parking demand is expected, and that there are approximately 45 public parking spaces currently available within 500 m of the subject site in addition to the 14 parking spaces on-site, staff can support the variance for a temporary period of two years. At which time, should conditions have returned to normal from Covid-19 and the applicant wishes to extend the parking relief, a parking study will be required. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

The subject site will continue to operate as intended. The increase in gross floor area will not significantly impact the parking requirement. As such, staff is of the opinion that the application represents the orderly development of the lands and is minor in nature.

Conclusion

The Planning and Building Department has no objections to the requested variance, subject to a temporary approval.

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 property will be addressed through the Building Permit process, File BP 3ALT 20/1189.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building permit under file 21-1189. Based on review of the information currently available in this permit application, the variances, as requested are correct.

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

Comments Prepared by: Marco Palerma, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

The Park Planning Section of the Community Services Department has no objections to the minor variance application submitted at Port Credit Memorial Park (Park #106) as the request is minor in nature with limited impact on parkland.

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

No Heritage Concerns

Comments Prepared by: John Dunlop, Manager, Heritage Planning

Appendix 5 – Region of Peel Comments

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

Please be advised that a portion of the subject property is located within an area the Regional Official Plan (ROP) designates as a Core Area - Valley Corridor of the Greenlands System in Peel, under Policy 2.3.2. 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

Appendix 6- Conservation Authority Comments

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

1. Watershed Based Resource Management Agency and Public (commenting) Body under the *Planning Act* - providing comments based on CVC's Board approved policies;
2. Planning Advisory Services - providing environmental planning and technical advice/comments based on service agreements or memorandum of understanding;
3. Delegated Responsibilities – providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 3.1 of the *Provincial Policy Statement (2020)*;
4. Regulatory Responsibilities – providing comments to ensure the coordination of requirements under the *Conservation Authorities Act Section 28 regulation*, to eliminate unnecessary delay or duplication in process;
5. Source Protection Agency – providing advisory comments to assist with the implementation of the *CTC Source Protection Plan* under the *Clean Water Act*, as applicable.

SITE CHARACTERISTICS:

The subject property is traversed by the floodplain and valley slope associated with the Credit River. In addition, the property appears to be located within the Region of Peel Core Greenlands and the Credit River Watershed Natural Heritage System (NHS). It is the policy of CVC and the Province of Ontario to conserve and protect the significant physical, hydrological and biological features associated with the functions of the above noted characteristics and to recommend that no development be permitted which would adversely affect the natural features or ecological functions of these areas.

ONTARIO REGULATION 160/06:

The property is subject to the Development, Interference with Wetlands, and Alterations to Shorelines & Watercourses Regulation (Ontario Regulation 160/06). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

PROPOSAL:

It is our understanding that the applicants request the Committee to approve a minor variance to allow the construction of additional floor space proposing 14 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 17 parking spaces in this instance.

COMMENTS:

CVC staff have previously reviewed the proposed development and issued a clearance for the proposed internal works (SP 20/CanoeClub dated April 1, 2020). It appears that the internal works have changed slightly from CVC's approval, however, CVC staff have **no concerns** with the works as proposed. As such, CVC staff have **no objection** to the approval of this minor variance by the Committee at this time.

Please circulate CVC any future correspondence regarding this application.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at 905-670-1615 (ext. 236) should you have any further questions or concerns.

Comments Prepared by: Elizabeth Paudel, Junior Planner