
Committee of Adjustment

Date: April 25, 2024
Time: 1:00 PM
Location: Council Chambers, Civic Centre, 2nd Floor
300 City Centre Drive, Mississauga, Ontario, L5B 3C1
and Online Video Conference

Members

Sebastian Patrizio (Chair)
John Page
George Carlson
Wajeeha Shahrukh
Timothy Rowan
Janice Robinson
Ken Ellis

Contacts

Taranjeet Uppal, Committee of Adjustment Coordinator, Legislative Services
905-615-3200 ext.3817
taranjeet.uppal@mississauga.ca

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

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

Send written submissions or request notification of future meetings to:

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

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1. CALL TO ORDER
 2. DECLARATION OF CONFLICT OF INTEREST
 3. DEFERRALS OR WITHDRAWALS
 4. MATTERS TO BE CONSIDERED
 - 4.1 B30.24
30 Woodlawn Avenue (Ward 1)
 - 4.2 B31.24
5035 Erin Mills Parkway (Ward 11)
 - 4.3 A125.24
1333 Clarkson Road North (Ward 2)
 - 4.4 A127.24
2222 Doulton Drive (Ward 8)
 - 4.5 A170.24
4045 Sasha Court (Ward 3)
 - 4.6 A174.24
31 Thomas Street (Ward 11)
 - 4.7 A176.24
117 Indian Valley Trail (Ward 1)
 - 4.8 A178.24
2350 Doulton Dr (Ward 8)
 - 4.9 A179.24
1375 Britannia Rd E (Ward 5)
 - 4.10 A181.24
159 Donnelly Drive (Ward 1)
 - 4.11 A183.24
6745 Century Ave (Ward 9)
 - 4.12 A366.23
508 Cullen Ave (Ward 7)

- 4.13 A372.23
 5951 Mersey St (Ward 6)
- 4.14 A483.23
 5435 Maingate Drive (Ward 5)
- 4.15 A486.23
 3600 Hurontario Street (Ward 7)
- 4.16 A86.24
 6147 Duford Drive (Ward 11)

5. OTHER BUSINESS

6. ADJOURNMENT



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: B30.24
Ward: 1

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 30 Woodlawn Avenue, zoned RM7-5, has applied for Consent under Section 53 of the Planning Act. The applicant requests the Consent of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 9.14 m (approx. 29.99 ft) and an area of approximately 348.2 sq m (3747.9936 sq ft).

The Committee has set **Thursday, April 25, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown.

How to participate:

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

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

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

Additional Information:

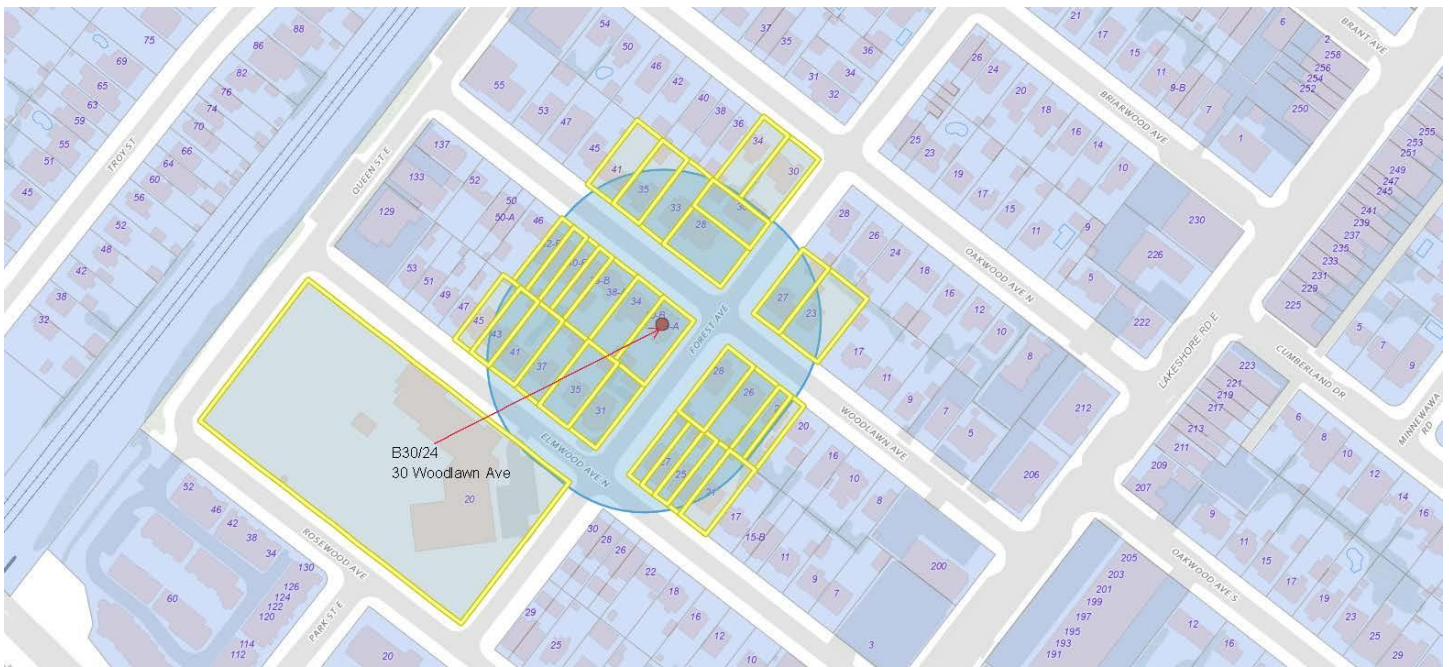
- For more information about this matter, contact committee.adjustment@mississauga.ca or call 905-615-3200 x2408. Alternatively, information can be obtained in person by making an appointment with the Committee of Adjustment at 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Appointments can be booked using the "Book an appointment" button on the Committee's webpage:
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If you wish to be notified of the decision of the Committee of Adjustment in respect of the proposed consent, you must make a written request to the Committee of Adjustment via email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. This will also entitle you to be advised of any Ontario Land Tribunal (OLT) appeals.

Committee of Adjustment Appeal Process:

The Province of Ontario's Bill 23, the More Homes Built Faster Act, 2022, limits who is allowed to appeal decisions made by the Committee of Adjustment. Going forward, only the applicant, the municipality, certain public bodies and the Minister can appeal a decision to the OLT. Individuals are no longer permitted to do so. If a person or public body has the ability to appeal the decision of the Committee of Adjustment in respect of the proposed consent to the Ontario Land Tribunal but does not make written submissions to the Committee of Adjustment before it gives or refuses to give a provisional consent, the Tribunal may dismiss the appeal. For more information please see the "Appeal process" section on the Committee of Adjustment webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.



Legal notice:

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

City of Mississauga Department Comments

Date Finalized: 2024-04-17	File(s): B30.24 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-04-25 1:00:00 PM

Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application, as requested, meets the requirements of Section 51(24) of the Planning Act. The applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Application Details

The applicant requests the Consent of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 9.14 m (approx. 29.99 ft) and an area of approximately 348.2 sq m (3747.9936 sq ft).

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 30 Woodlawn Avenue

Mississauga Official Plan

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

Zoning By-law 0225-2007

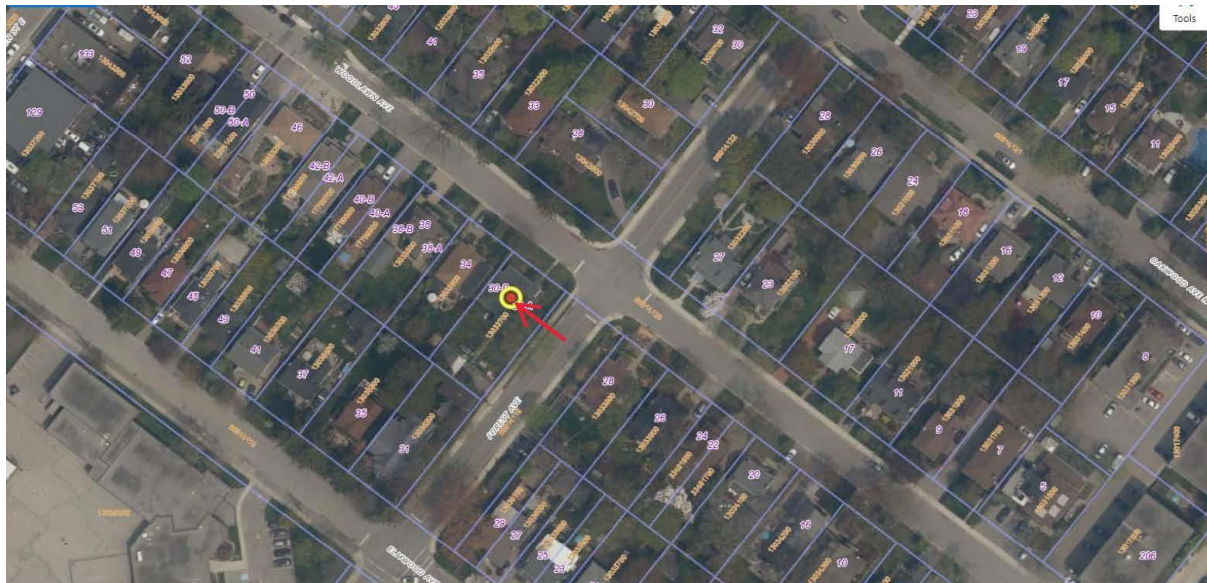
Zoning: RM7-5

Other Applications: B58.21, A406.21 and A407.21

Site and Area Context

The subject property is located within the Port Credit Neighbourhood (East) Character Area, northeast of Hurontario Street and Lakeshore Road East. The immediate area consists of a mix of older and newer two-storey detached and semi-detached dwellings. Low-density dwellings in the immediate area contain lot frontages ranging from approximately 7.5m to 25m (24.61 ft to 82.02). The subject property contains an existing one-storey dwelling with mature vegetation in the front yard.

The applicant is proposing to sever the existing lot, creating two new parcels for the development of two new semi-detached dwellings.



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*.

City Department and Agency Comments	File:B30.24	2024/04/17	3
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Provincial Matters

The Provincial Policy Statement 2020 (PPS 2020) 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 application for consent are as follows:

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

Approval of the original consent under file B58.21 lapsed, as the conditions of provisional approval were not fulfilled within the legislated two-year period. As such approval of new application B30.24 is required to sever the property into two new parcels.

Planning staff were supportive of application B58.21 in 2021. This proposal under application B30.24 remains the same as the original application. As such, staff has no objection to the subject application.

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

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Should the Committee see merit in the applicant's request and the application move forward, the following conditions will be required:

A. Items Required Prior to the Issuance of Final Consent

1. Overall Grading and Drainage Plan/Servicing 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. The Site Servicing information is to confirm that all the necessary municipal services can be provided for the dwellings to be constructed on the subject lands.

2. Conceptual Site Plan Detailing Proposed Driveway Locations

The applicant will be required to provide for our review/approval a more detailed conceptual site plan which must include the location of all utilities on site as well as the proposed locations of the driveway entrances. We are advising that the proposed driveway location for the corner lot must be located to be as far removed from the intersection as possible.

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. Acoustical Report and Vibration Study

Due to the proximity and noise emanating from the nearby Metrolinx tracks, the owner will be required to retain the services of an Acoustical Consultant to prepare a detailed Acoustical Report and Vibration Study for the subject lands and make comments/recommendations in support of this severance application. This report is to determine the need for the implementation of any noise attenuation measures that are to be incorporated into the construction of the site works to achieve the City's and the M.O.E.'s current noise level objectives. The scope of this report is to define the minimum noise attenuation requirements for the control of outdoor and indoor environmental sound levels.

5. Development Agreement

Upon the review of the Acoustical Report which would contain the appropriate Warning Clauses, the owner may be required to enter into a Development Agreement which is to be registered against title of the subject lands. The said agreement is to advise any prospective purchasers that, despite the inclusion of noise control features, noise levels emanating from the Metrolinx tracks may continue to be of concern, occasionally interfering with some of the activities of the dwelling occupants as the noise exposure level may exceed the noise criteria of the municipality and the Ministry of the Environment and Climate Change.

In view of the above, the applicant should contact this Department with regard to the process of initiating the Development Agreement preparation and processing.

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 fees required to be paid to the Legal Services Department for their services, in particular for the preparation of documents required for items pertaining to a Development Agreement and/or road widening. The fee amounts payable will be in accordance with the current fees and charges bylaw.

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

B. GENERAL INFORMATION

1. Lot Grading and Drainage

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

2. Servicing

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

3. Access

The applicant will be required to apply for Access Modification Permits prior to Building Permit Issuance.

We advise the applicant that all costs incurred in providing any new driveway entrances to the subject lands or any modifications/reinstatement required (including the existing driveways), 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.

4. Storm Sewer Outlet

Based on the information available, the retained and severed parcels drain to the existing 750mm diameter municipal storm sewer on Forest Ave and the existing 375mm diameter municipal storm sewer on Woodlawn Ave. Please note that in cases of a high groundwater table where a sump pump could run continuously if a sump pump was implemented, the applicants should consider raising the basement elevation to be at least 1.0 meter above the groundwater level. It is the owner's responsibility to satisfy themselves with these conditions as the City has no obligation to address any concerns with the operating conditions of private sump pump systems with the operating conditions of private sump pump systems.

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

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

Appendix 2 – Zoning Comments

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

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

- The applicant is advised that Lot Frontage means the horizontal distance between the side lot lines and where these lines are not parallel means the distance between the side lot lines measured on a line parallel to and 7.5 m back from the front lot line. Please note that prior to land division zoning clearance being issued the severed and retained lands must comply with the provisions of Zoning By-law 0225-2007, as amended, with respect to, among other things,

minimum lot frontage, minimum lot area, setbacks to the existing building(s), on site parking, etc., or alternatively, that any minor variance(s) is approved, final and binding and/or the demolition of any existing building(s) is complete. Information on how to obtain a land division clearance letter can be found [here](#).

Comments Prepared by: Minan Song, Planner in Training

Appendix 3 – Parks, Forestry & Environment

The Parks and Culture Planning Section of the Community Services Department has reviewed the consent application and wishes to impose the following condition(s):

1. The applicant shall provide a cash contribution of \$1,699.80 for the planting of one (2) street tree on Woodlawn Avenue and/or Forest Avenue. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.
2. No public trees shall be injured or removed. If public tree removal is required, a permit must be issued as per By-law 0020-2022.
3. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.

In addition, Community Services notes the following:

1. Payment for street tree fees and other 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 made payable to "The Corporation of the City of Mississauga". A Submission of Fees and Securities form is required to process payment. Please contact Nicholas Rocchetti to request a Submission of Fees and Securities form and any other inquiries regarding the 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 Nicholas Rocchetti, Planner in Training - Park Assets, Community Services Department at 905-615-3200 ext. 4659 or via email Nicholas.Rocchetti@mississauga.ca.

Comments Prepared by: Nicholas Rocchetti, Planner in Training

Appendix 4 – Region of Peel

Consent: B-24-030M / 30 Woodlawn Avenue

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

- Please note that severing the lands may adversely affect the existing location of the water and sanitary sewer services, if any exist. The result of this may require the applicant to install new water / sanitary servicing connections to either the severed or retained lands in compliance with the Ontario Building Code. The applicant may require the creation of private water / sanitary sewer servicing easements.
- We have no objection with the adjustment of the lots provided water services curb stops and boxes are in grass areas and minimum 1.0m from the edge of the driveway. Water services and appurtenances must have horizontal separation of minimum 1.2m from all utilities and structures.
- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.
- All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel design specifications. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.
- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit.
- Proposals to connect to an existing service lateral require approval from a Region of Peel inspector at construction stage.

Comments Prepared by: Ayooluwa Ayoola, Planner

Appendix 5 – Bell

Subsequent to review of the Severance Application by our local Engineering Department, it has been identified that Bell Canada will require a transfer of easement over these lands to protect existing aerial facilities, supply service to the properties, and to maintain service in the area. According to our records, Bell's aerial cable runs along the rear lot property boundary as identified in the sketch provided.

Bell Canada would like to confirm that a blanket easement over the lands or a 3.0m wide corridor to be measured 1.5m on either side of the aerial cable, then to extend from the pole to a minimum of 1.0m past any anchor installation to be measured 0.5m on either side of the guy, as can be accommodated, would satisfy our needs.

Since the easement is necessary in order to provide and maintain service to this area, all costs associated with this transaction is the responsibility of the landowner. Compensation should be set to the nominal amount of

\$2.00 for the acquisition of these rights. Additionally, Bell Canada requires separate, registered postponements for any mortgages and certification of title.

We hope this proposal meets with your approval and request a copy of the Committee of Adjustments decision. We look forward to the owners' Solicitor contacting us with a draft reference plan and accompanying draft easement and LTTS documents for our approval prior to registration, along with an acknowledgement and direction for our execution.

If you have any questions or concerns, please feel free to contact me.

Comments Prepared by: Carrie Gordon, Right of Way Associate

Appendix 6 – Metrolinx

Metrolinx is in receipt of the Consent application for 30 Woodlawn Ave to facilitate the severance of the lands for the creation of a new lot to support the construction of a new two-storey semi-detached dwelling on both the lot severed and retained. Metrolinx's comments on the subject application are noted below:

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

Conditions of Approval:

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

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

Should you have any questions or concerns, please do not hesitate to contact me.

Comments Prepared by: Farah Faroque, Project Analyst – Third Party Projects Review

Appendix A – CONDITIONS OF PROVISIONAL CONSENT

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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding.
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated April 17, 2024.
5. A letter shall be received from the City of Mississauga, Park Planning, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated April 17, 2024.
6. A letter shall be received from the Region of Peel, Development Services/Public Works, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated April 15, 2024.

City Department and Agency Comments	File:B30.24	2024/04/17	11
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7. A letter shall be received from Metrolinx indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated April 10, 2024.
8. A letter shall be received from Bell indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated March 25, 2024.



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: B31.24
Ward: 11

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 5035 Erin Mills Parkway, zoned RA5-37, has applied for Consent under Section 53 of the Planning Act. The applicant requests the Consent of the Committee to sever a parcel of land for the creation of a new lot. The parcel has a frontage of approximately 77m (253ft) and an area of approximately 3,480sq.m (37,458sq.ft).

The Committee has set **Thursday, April 25, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown.

How to participate:

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Additional Information:

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

Committee of Adjustment Appeal Process:

The Province of Ontario's Bill 23, the More Homes Built Faster Act, 2022, limits who is allowed to appeal decisions made by the Committee of Adjustment. Going forward, only the applicant, the municipality, certain public bodies and the Minister can appeal a decision to the OLT. Individuals are no longer permitted to do so. If a person or public body has the ability to appeal the decision of the Committee of Adjustment in respect of the proposed consent to the Ontario Land Tribunal but does not make written submissions to the Committee of Adjustment before it gives or refuses to give a provisional consent, the Tribunal may dismiss the appeal. For more information please see the "Appeal process" section on the Committee of Adjustment webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.



Legal notice:

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

City of Mississauga Department Comments

Date Finalized: 2024-04-17	File(s): B31.24
To: Committee of Adjustment	Ward: 11
From: Committee of Adjustment Coordinator	Meeting date:2024-04-25 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Consent of the Committee to sever a parcel of land for the creation of a new lot. The parcel has a frontage of approximately 77m (253ft) and an area of approximately 3,480sq.m (37,458sq.ft).

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 5035 Erin Mills Parkway

Mississauga Official Plan

Character Area: Central Erin Mills Major Node
Designation: Residential High Density

Zoning By-law 0225-2007

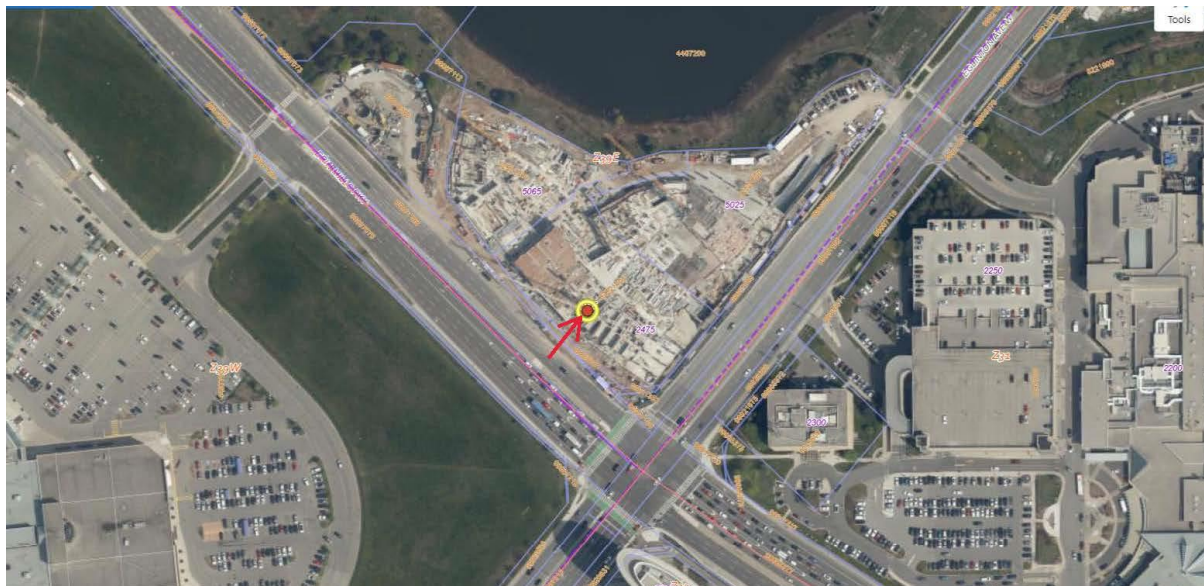
Zoning: RA5-37

Other Applications:

Site and Area Context

The subject property forms part of a larger development on the north-east corner of Eglinton Avenue West and Erin Mills Parkway. The site is currently undergoing construction for a condominium and has no landscaping or vegetative elements. The surrounding area context includes a variety of built forms and uses, including Trillium Health Centre across Eglinton Avenue West and Erin Mills Town Centre across Erin Mills Parkway. Residential uses with varying built forms are also located within close proximity.

The applicant is proposing to sever the retail units and other ancillary spaces through a stratified consent application for Building 2.



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.

Provincial Matters

The Provincial Policy Statement 2020 (PPS 2020) 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.

The site is located within the Central Erin Mills Major Node Character Area. The subject property is designated Residential High Density in Schedule 10 of the Mississauga Official Plan (MOP).

The property is subject to an approved site plan application under file SP-19-148. Further, the property is subject to an ongoing condominium application under file 21CDM-M-24-8. The applicant is proposing to sever the retail units along with other ancillary spaces, including parking and mechanical spaces for one of the three approved buildings. The proposed severance is to separate the retail units and ancillary and parking spaces from the residential project components for transactional purposes and will not result in the creation of a new lot. Staff are satisfied that the stratified consent application is technical in nature.

Planning staff have discussed the proposal with the planner assigned to the above noted development applications and have no concerns with the applicant's proposal.

Staff have no concerns with the severances regarding the criteria set out in Section 51(24) of the Planning Act. Through a detailed review, Staff are of the opinion that the application is appropriate to be handled through the consent process. Further, the application raises no concerns of a planning nature.

Comments Prepared by: Shivani Chopra, Planning Associate

Appendices

Appendix 1 – Transportation and Works Comments

The Transportation and Works Department has no objections to the applicant's request for this Stratified Consent Application. It is our understanding that the intent is to permit the severance of the ground floor retail units, a portion of the first level of underground parking and mechanical/ancillary spaces associated with the retail units from the remainder of the residential building. We note that this severance relates to Block 2 which is the building at the southwest corner of this development.

A detailed letter from Glen Schnarr & Associates Inc. dated February 29, 2024, was included which specifically describes the purpose and various details of this application. We also note that under a previous stratified consent application ('B' 68 & 69/20) the three distinct parcels were created. The City processed a Rezoning and Official Plan Amendment Application for the subject lands, reference OZ 16/03 and also reviewed and approved Site Plan Application SP19-148.

Based on the information submitted we are uncertain as to any private easements which may be required to ensure the functionality between the various properties to facilitate pedestrian/vehicular circulation, servicing requirements (storm, sanitary and water services etc.), building maintenance, use of amenity areas, construction, etc. In this regard additional information will have to be provided to address any easement requirements which we assume will be a "Blanket Easement".

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

A. Items Required Prior to the Issuance of Final Consent

1. Solicitor Letter Addressing Required Easements

Should any private easements be required to support this application, the applicant/owner will be required to provide a Solicitor's Letter to identify the private easements to be established. It should also be noted that any documentation received will be reviewed and then forwarded as an attachment with our clearance memo to the Committee of Adjustment Office in order that any new proposed private easements can be identified and be incorporated into the Certificate of Secretary-Treasurer.

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

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

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

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

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

Comments Prepared by: Minan Song, Planner in Training

Appendix 3 – Parks, Forestry & Environment

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

1. Given that the property is subject to a development application, SP 21-020, all of Community Services' comments and/or requirements are being addressed through the development application.

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

Comments Prepared by: Nicholas Rocchetti, Planner in Training

Appendix 4 – CVC

Credit Valley Conservation (CVC) staff were circulated the above noted Consent application for 5035 Erin Mills Parkway in Mississauga. Please see our comments below.

Ontario Regulation 41/24:

A portion of 5035 Erin Mills Parkway in Mississauga is regulated due to the floodplain associated with a tributary of Mullet Creek. As such, the property is subject to Section 28 of the Conservation Authorities Act and Ontario Regulation 41/24, the Prohibited Activities, Exemptions, and Permits Regulation. 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:

Based on the cover letter (GSAI, February 29, 2024), it is our understanding that the applicant is requesting the Committee to approve a consent to sever the ground floor retail units, a portion of the underground parking, and the mechanical/ancillary spaces associated with the retail units from the remainder of the residential building.

CVC Comments:

CVC staff previously reviewed this site through Site Plan application SP 19/148 and issued permits for development within the Regulated Area. Based on our review of the Consent Sketch – Underground Level 1 and the Consent Sketch – Ground Floor (GSAI, February 8, 2024), the proposed land to be severed is outside the CVC Regulated Area. On this basis, CVC staff have no concerns and **no objection** to the approval of this consent by the Committee at this time.

It is our understanding that the proposal is to sever off portions of the existing building and no new development is being proposed on the severed or retained lots at this time. As such, a CVC permit is not required for this proposal.

Should future development be proposed within the Regulated Area on the retained lot, the owner should contact CVC to discuss any proposals and requirements.

Comments Prepared by: Trisha Hughes. Acting Senior Planner

Appendix 5 – Region of Peel**Consent: B-24-031M / 5035 Erin Mills Parkway**

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

Comments:

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

Conditions:

- Arrangements satisfactory to the Region of Peel, Public Works Department shall be made with respect to servicing the severed and retained parcels.

- Confirmation that the City of Mississauga will permit shared servicing is required.

Comments Prepared by: Ayooluwa Ayoola, Planner

Appendix A – CONDITIONS OF PROVISIONAL CONSENT

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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding.
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated April 17, 2024.
5. A letter shall be received from the Region of Peel, Development Services/Public Works, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated April 15, 2024.



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A125.24
Ward: 2

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 1333 Clarkson Road North, zoned R3-2- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an addition proposing:

1. A setback from the outdoor swimming pool to the G1 Zone of 4.57m (approx. 14.99ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 5.00m (approx. 16.40ft) in this instance;
2. A gross floor area of 515.23sq m (approx. 5545.89sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 498.38sq m (approx. 5364.52sq ft) in this instance;
3. A combined side yard setback for the house of 4.83m (approx. 15.85ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard setback of 7.65m (approx. 25.10ft) in this instance;
4. An eave height of 7.08m (approx. 23.23ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance;
5. A ridge height of 10.66m (approx. 34.97ft) whereas By-law 0225-2007, as amended, permits a maximum ridge height of 9.50m (approx. 31.17ft) in this instance; and,
6. A rear yard setback of the proposed garage to the G1 Zone of 6.00m (approx. 19.69ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 7.50m (approx. 24.61ft) in this instance.

The Committee has set **Thursday, April 25, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

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

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

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

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

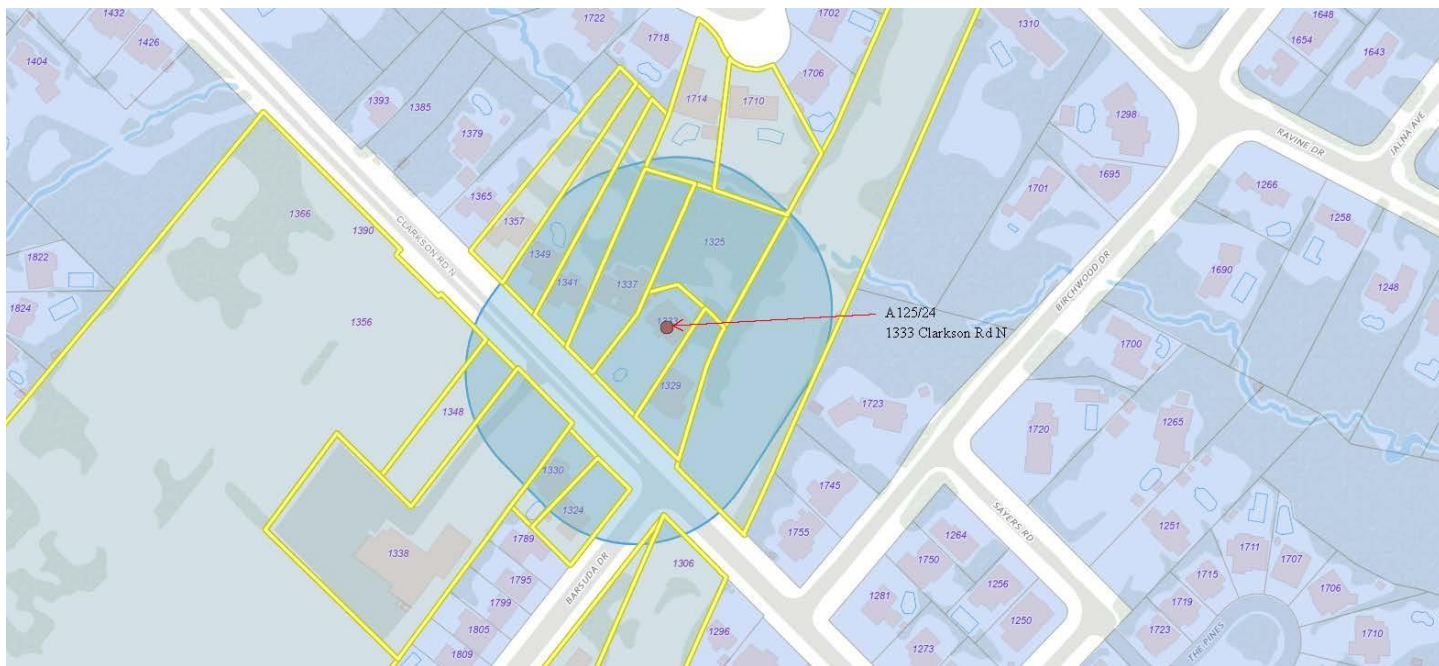
<http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>

Additional Information:

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

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City of Mississauga Department Comments

Date Finalized: 2024-04-17	File(s): A125.24
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2024-04-25 1:00:00 PM

Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application, as amended and subject to conditions, meets the requirements of Section 45(1) of the Planning Act. The applicant may choose to defer the application to confirm the accuracy of the requested variances and to determine if additional variances are required.

Application Details

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

1. A setback from the outdoor swimming pool to the G1 Zone of 4.57m (approx. 14.99ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 5.00m (approx. 16.40ft) in this instance;
2. A gross floor area of 515.23sq m (approx. 5545.89sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 498.38sq m (approx. 5364.52sq ft) in this instance;
3. A combined side yard setback for the house of 4.83m (approx. 15.85ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard setback of 7.65m (approx. 25.10ft) in this instance;
4. An eave height of 7.08m (approx. 23.23ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance;
5. A ridge height of 10.66m (approx. 34.97ft) whereas By-law 0225-2007, as amended, permits a maximum ridge height of 9.50m (approx. 31.17ft) in this instance; and,
6. A rear yard setback of the proposed garage to the G1 Zone of 6.00m (approx. 19.69ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 7.50m (approx. 24.61ft) in this instance.

Amendments

The Building Division is processing Building Permit application BP 23-7151. Based on the review more information is required. Variances 3-5 are correct, however more information is required to determine variance 1 and 6. Based on the information available in this application, Zoning staff advise that the following variances be added:

7. A rear yard setback to the proposed G1 Zone of 0.00m to a proposed shed, where a minimum setback to the G1 Zone of 5.0m is required.
8. A proposed setback of 2.24m to the proposed deck/stairs, where a minimum setback of 5.0m is required from a deck to the G1 zone.

Recommended Conditions and Terms

Should the application be approved, Community Services wishes to impose the following condition(s):

1. All existing encroachments are to be removed from adjacent City owned lands.
2. Prior to the issuance of a pool permit, a 1.5 metre high, black vinyl chain-link fence shall be built to current municipal standards along the property line at the rear of the property. The fencing is to be located 0.15 metres inside City owned lands. No gates are permitted.
3. The Tree Protection Zone (TPZ) identified to be relocated two (2) metres above the top of bank to ensure maximum protection of the valley feature.

Background

Property Address: 1333 Clarkson Road North

Mississauga Official Plan

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

Zoning By-law 0225-2007

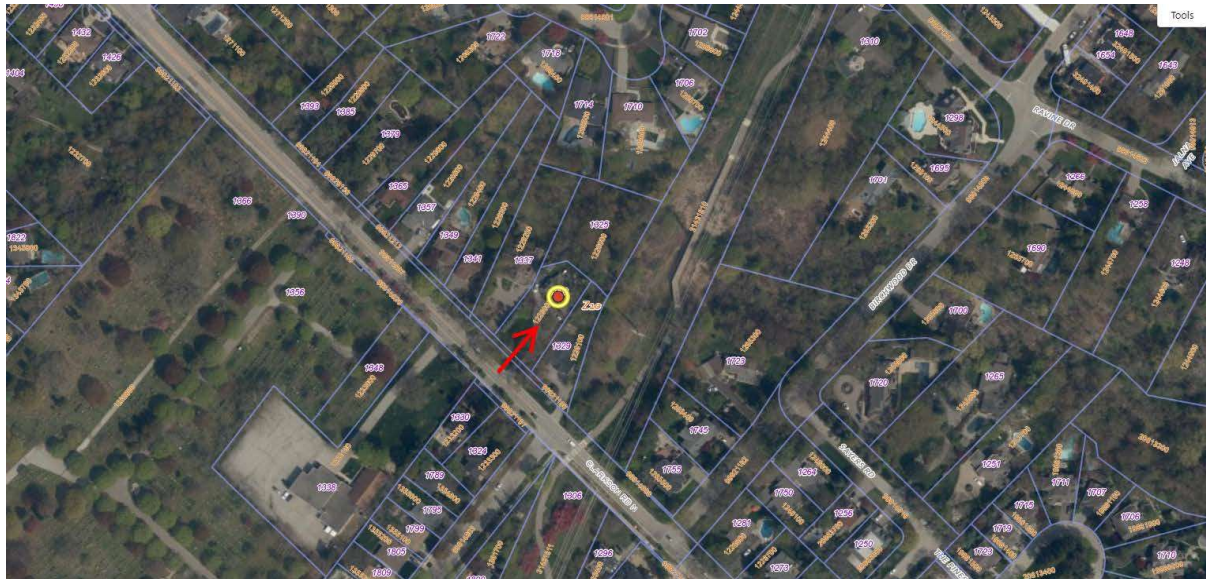
Zoning: **R3-2- Residential**

Other Applications: **Building Permit application BP 23-7151**

Site and Area Context

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

The application proposes a new addition to the existing two-storey detached dwelling requiring variances related to setbacks, gross floor area, side yard widths and dwelling heights.



Comments

Planning

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

Staff comments concerning the application are as follows:

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

A similar proposal was deferred by the Committee on March 30, 2023 under minor variance application A49.23. The Park Planning Section of the Community Services Department and Credit Valley Conservation (CVC) staff identified concerns with the location of the proposed swimming pool and pool equipment. Concerns were also identified regarding existing structures encroaching onto City lands. Staff also recommended that the applicant consider increasing the proposed combined side yard widths and decreasing the gross floor area of the detached dwelling.

The applicant has addressed Parks Planning and CVC's concerns and relocated the proposed pool and pool equipment. Parks Planning continues to recommend the above noted conditions of approval for the application, which includes the removal of an existing "frame shed" located on the shared rear property line.

The applicant has also addressed Planning staff's concerns regarding combined side yard widths and gross floor area. The applicant has increased the combined side yard setback from 4.76m (15.62ft) to 4.83m (15.85ft). The applicant has decreased the gross floor area from 560.42m² (6032.31ft) to 515.23m² (5545.89ft²). Staff are satisfied that the proposed dwelling maintains compatibility with the surrounding area and will not negatively impact the character of the streetscape. Staff continues to have no concern with the remaining variances.

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

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed addition will be addressed by our Development Construction Section through Building Permit BP 9ALT-23/7151.

Comments Prepared by: John Salvino, Development Engineering Technologist



Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application BP 23-7151. Based on the review more information is required. Variances 3-5 are correct, however more information is required to determine variance 1 and 6. Based on the information available in this application, we advise that the following variances be added:

7. A rear yard setback to the proposed G1 Zone of 0.00m to a proposed shed, where a minimum setback to the G1 Zone of 5.0m is required.

The existing shed is over the property line, the applicant should reach out to realty services about an agreement. Or ask for clarification, realtyservices@mississauga.ca

8. A proposed setback of 2.24m to the proposed deck/stairs, where a minimum setback of 5.0m is required from a deck to the G1 zone.

Comments Prepared by: Brooke Herczeg, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

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

The lands adjacent to the property are owned by the City of Mississauga, identified as Not Yet Named (P-496) *(North of Clarkson Rd. N. and Birchwood Dr.), classified as a Significant Natural Area within the City's Natural Heritage System, and zoned G1. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measure(s):

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

Should the application be approved, Community Services wishes to impose the following condition(s):

1. All existing encroachments are to be removed from adjacent City owned lands.
2. Prior to the issuance of a pool permit, a 1.5 metre high, black vinyl chain-link fence shall be built to current municipal standards along the property line at the rear of the property. The fencing is to be located 0.15 metres inside City owned lands. No gates are permitted.
3. The Tree Protection Zone (TPZ) identified to be relocated two (2) metres above the top of bank to ensure maximum protection of the valley feature.
4. No public trees shall be injured or removed. If public tree removal is required, a permit must be issued as per By-law 0020-2022.

5. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.

In addition, Community Services provides the following notes:

1. Construction access from the adjacent park/greenlands is not permitted.
2. If access is required to City owned lands, a Consent to Enter Agreement/Park Access Permit will be required.
3. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.
4. No excess water from swimming pool shall be drained into the Significant Natural Area and adjacent creek at the rear of the property.
5. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, c.P. 13, as amended) and in accordance with the City's policies and by-laws.

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

Comments Prepared by: Nicholas Rocchetti, Planner in Training

Appendix 4 – CVC

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

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

CVC REGULATED AREA

Based on our mapping, the subject property is regulated due slope hazard associated with Birchwood Creek. As such, the property is regulated by CVC under Ontario Regulation 160/06. 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).

PROPOSAL:

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

1. A setback from the outdoor swimming pool to the G1 Zone of 4.57m (approx. 14.99ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 5.00m (approx. 16.40ft) in this instance;
2. A gross floor area of 515.23sq m (approx. 5545.89sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 498.38sq m (approx. 5364.52sq ft) in this instance;
3. A combined side yard setback for the house of 4.83m (approx. 15.85ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard setback of
4. 7.65m (approx. 25.10ft) in this instance;
5. An eave height of 7.08m (approx. 23.23ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance;
6. A ridge height of 10.66m (approx. 34.97ft) whereas By-law 0225-2007, as amended, permits a maximum ridge height of 9.50m (approx. 31.17ft) in this instance; and,
7. A rear yard setback of the proposed garage to the G1 Zone of 6.00m (approx. 19.69ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 7.50m (approx. 24.61ft) in this instance.

COMMENTS:

CVC staff has visited the site and staked the Top of Bank on Aug 10, 2023. Based on the site visit and further discussions with the applicant, our previous concerns have been addressed in the latest plans. As such, CVC has no objection to the approval of the minor variances at this time.

The applicant is to note that the property is regulated by CVC and a CVC permit is required for the proposed works.

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

Comments Prepared by: Stuti Bhatt, Junior Planner

Appendix 5 – Region of Peel

Minor Variance: A-24-125M / 1333 Clarkson Road North

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

Comments:

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

Comments Prepared by: Ayooluwa Ayoola, Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A127.24
Ward: 8

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 2222 Doulton Drive, zoned R1-5- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a driveway proposing:

1. A walkway attachment width of 2.00m (approx. 6.56ft) whereas By-law 0225-2007, as amended, permits a maximum walkway attachment width of 1.50m (approx. 4.92ft) in this instance; and,
2. A driveway width of 24.68m (approx. 80.97ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 10.50m (approx. 34.45ft) in this instance.

The Committee has set **Thursday, April 25, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

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

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Additional Information:

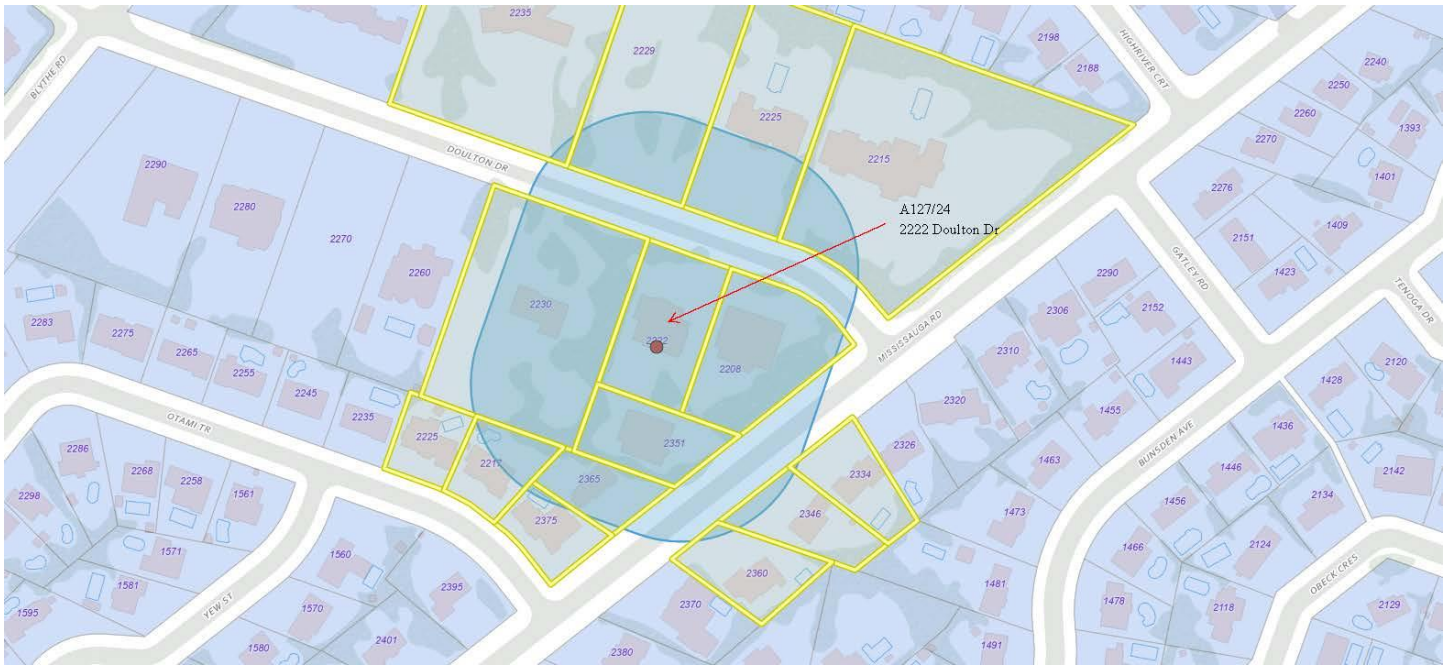
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City of Mississauga Department Comments

Date Finalized: 2024-04-17	File(s): A127.24 Ward: 8
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-04-25 1:00:00 PM

Consolidated Recommendation

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

Application Details

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

1. A walkway attachment width of 2.00m (approx. 6.56ft) whereas By-law 0225-2007, as amended, permits a maximum walkway attachment width of 1.50m (approx. 4.92ft) in this instance; and,
2. A driveway width of 24.68m (approx. 80.97ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 10.50m (approx. 34.45ft) in this instance.

Background

Property Address: 2222 Doulton Drive

Mississauga Official Plan

Character Area: Sheridan Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

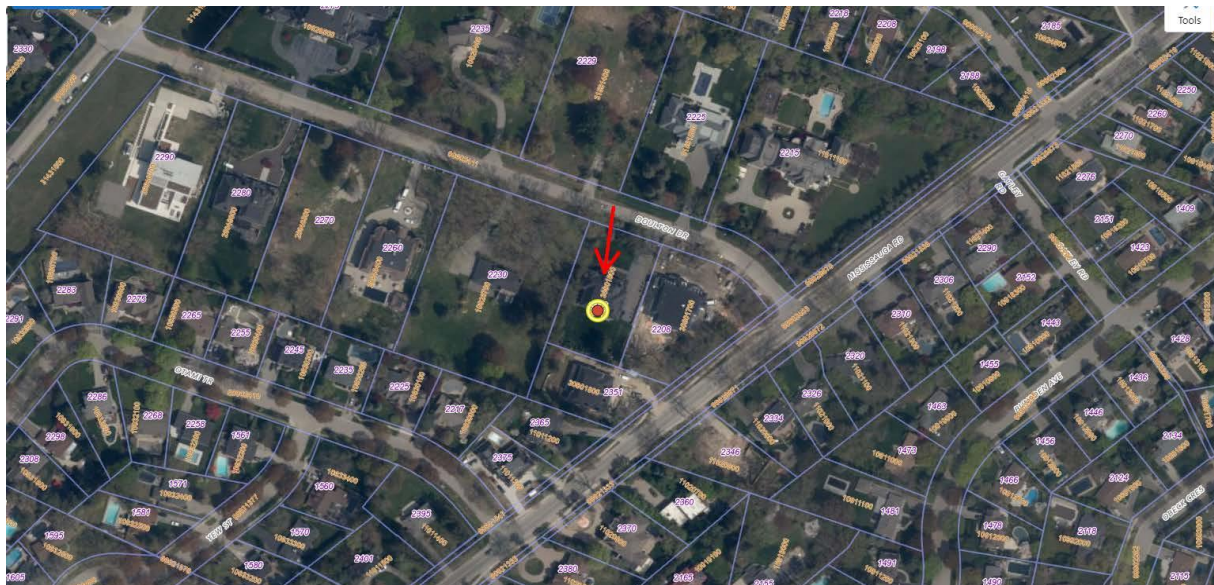
Zoning: R1-5- Residential

Other Applications: Preliminary Zoning Review application PREAPP 23-10344

Site and Area Context

The subject property is located within the Sheridan Neighbourhood, southeast of Dundas Street West and Mississauga Road. The neighbourhood is entirely residential consisting of large two-storey detached dwellings on large lots with mature vegetation in the front yards. The subject property is a two-storey detached dwelling with mature vegetation in the front yard.

The applicant is requesting to legalize an existing driveway and walkway attachment, requiring variances for driveway and walkway widths.



Comments

Planning

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

Staff comments concerning the application are as follows:

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

Variance #1 pertains to an increase in walkway attachment width of 2.00m (6.56ft) where a maximum width of 1.5m is permitted. Planning staff have no concerns regarding this variance. The width of the walkway proposed and its location make it unable to be utilized for vehicular movements.

Variance #2 pertains to an increase in driveway width of 24.68m (80.97ft) where a maximum driveway width of 10.50m (34.45ft) is permitted. Although this variance is numerically excessive,

staff are of the opinion that this variance is technical in nature. The existing attached garage is sideloaded and driveway width is measured from the widest points of the driveway facilitating direct access to the garage. Staff note that the width seen from the front of the property is a driveway width ranging from approximately 6 to 8.5m (19.69 to 26.25ft), which is well below the 10.5m (34.45ft) width maximum. Staff also note that the frontage of the property measures 41.86m (137.36ft) and that no variances are required for reduced soft landscaping or setbacks to the driveway. Therefore, staff are of the opinion that the amount of hardscaping proposed is minor in nature.

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

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed are pictures of the existing driveway. We have no drainage related concerns.

Comments Prepared by: John Salvino, Development Engineering Technologist



City of Mississauga Department Comments



Appendix 2 – Zoning Comments

The Building Division is processing Preliminary Zoning Review application PREAPP 23-10344. Based on the review of the information available in this application, the requested variance(s) is/are correct.

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

Comments Prepared by: Brooke Herczeg, Zoning Examiner

Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A170.24
Ward: 3

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 4045 Sasha Court, 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 below grade entrance facing a side street whereas By-law 0225-2007, as amended, does not permit this in this instance.

The Committee has set **Thursday, April 25, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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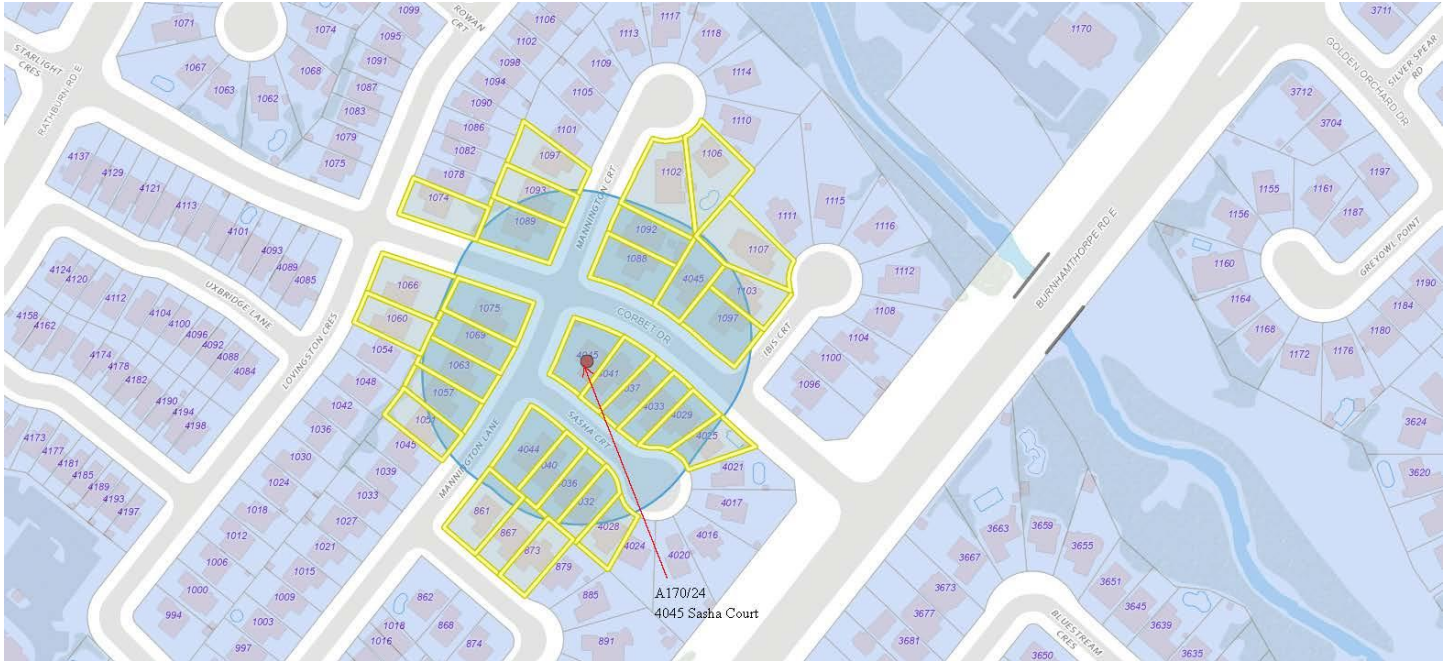
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City of Mississauga Department Comments

Date Finalized: 2024-04-17	File(s): A170.24
To: Committee of Adjustment	Ward: 3
From: Committee of Adjustment Coordinator	Meeting date:2024-04-25 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow a below grade entrance facing a side street whereas By-law 0225-2007, as amended, does not permit this in this instance.

Background

Property Address: 4045 Sasha Court

Mississauga Official Plan

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

Zoning By-law 0225-2007

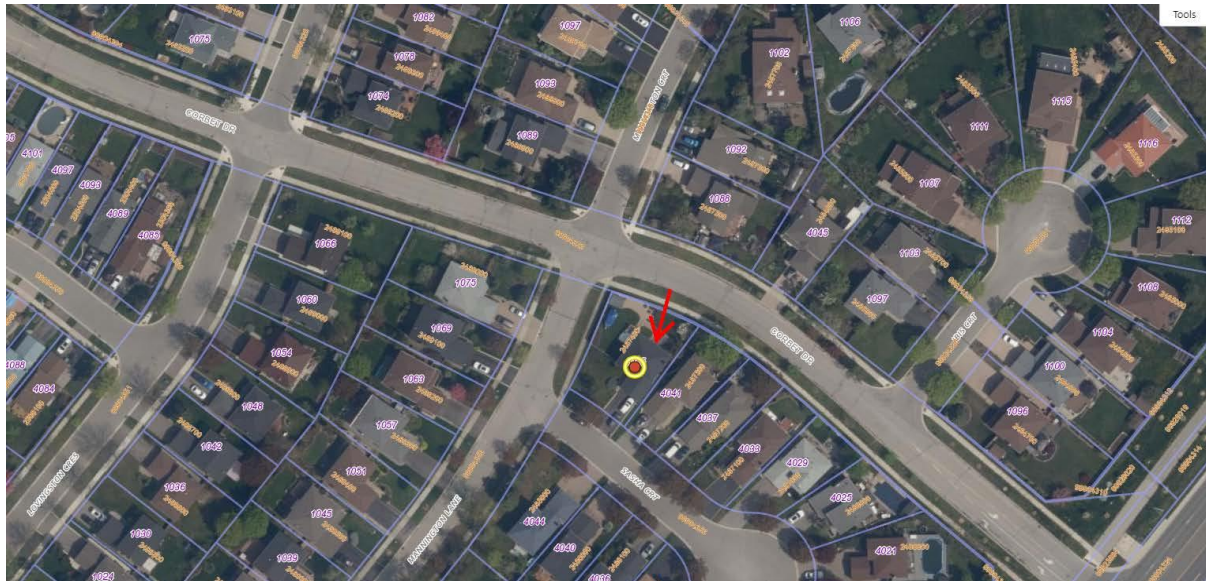
Zoning: **R4- Residential**

Other Applications: **None**

Site and Area Context

The subject property is located in the Rathwood Neighbourhood Character Area, northeast of the Burnhamthorpe Road East and Tomken Road intersection. The immediate neighbourhood primarily consists of two-storey detached dwellings with mature vegetation in the front yards. The subject property is a corner, through lot containing a two-storey detached dwelling with mature vegetation in the front yard.

The application is proposing to legalize an existing below grade entrance in the exterior side yard.



Comments

Planning

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

Staff comments concerning the application are as follows:

The subject property is located in the Rathwood Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached, semi-detached and duplex dwellings.

The requested variance relates to a below grade entrance facing a street. The property is a corner, through lot, abutting Sasha Court, Mannington Lane and Corbet Drive. The staircase is located in the exterior side yard facing Mannington Lane. The staircase is screened behind a fence and the entrance does not prevent access to the rear yard and amenity area. Furthermore, Planning staff note the absence of any true massing resulting from the proposal

and the provision of an appropriate setback from the property line therefore mitigating any negative impacts.

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.

Comments Prepared by: Shivani Chopra, Planning Associate

Appendices

Appendix 1 – Transportation and Works Comments

As the subject site is a corner lot and the below grade entrance is in an area which will not impact the existing drainage pattern or any of the adjacent properties, we have no drainage related concerns with the location of the below grade entrance.

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





Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Minan Song, Planner in Training

Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A174.24
Ward: 11

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 31 Thomas Street, zoned C4-39- 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 dwelling proposing:

1. A detached garage whereas By-law 0225-2007, as amended, does not permit such a use in this instance;
2. A shed whereas By-law 0225-2007, as amended, does not permit such a use in this instance;
3. An aisle width of 4.94m (approx. 16.21ft) whereas By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m (approx. 22.97ft) in this instance; and,
4. An aisle width of 6.22m (approx. 20.41ft) whereas By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m (approx. 22.97ft) in this instance.

The Committee has set **Thursday, April 25, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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City of Mississauga Department Comments

Date Finalized: 2024-04-17	File(s): A174.24 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-04-25 1:00:00 PM

Consolidated Recommendation

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

Application Details

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

1. A detached garage whereas By-law 0225-2007, as amended, does not permit such a use in this instance;
2. A shed whereas By-law 0225-2007, as amended, does not permit such a use in this instance;
3. An aisle width of 4.94m (approx. 16.21ft) whereas By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m (approx. 22.97ft) in this instance; and,
4. An aisle width of 6.22m (approx. 20.41ft) whereas By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m (approx. 22.97ft) in this instance.

Background

Property Address: 31 Thomas Street

Mississauga Official Plan

Character Area: **Streetsville Community Node**
Designation: **Mixed Use**

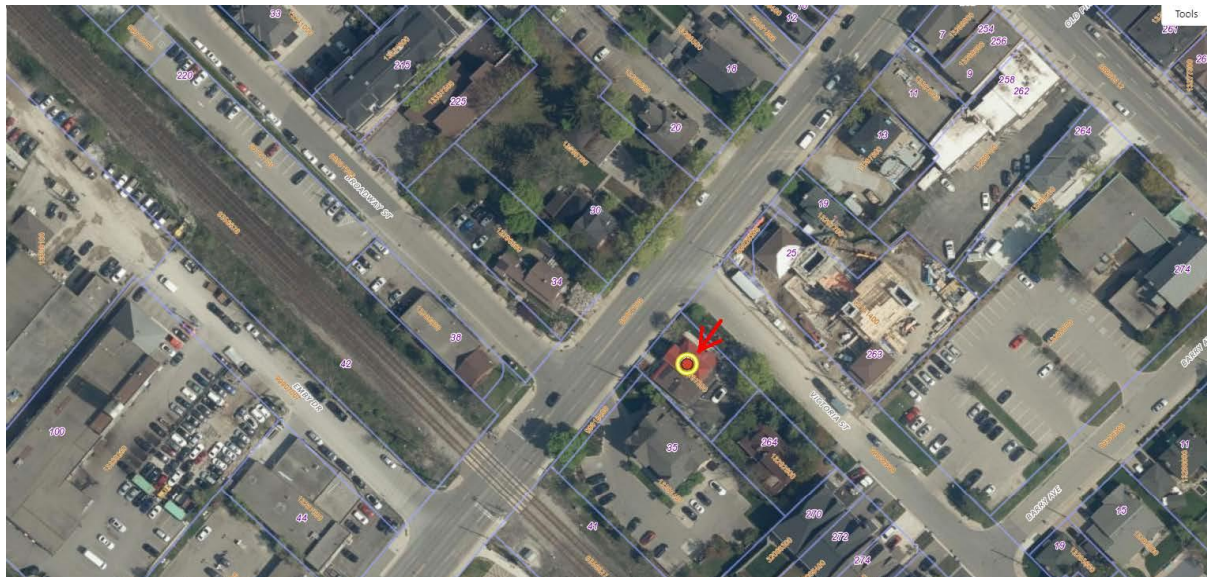
Zoning By-law 0225-2007

Zoning: **C4-39- Commercial**

Other Applications: Building Permit application BP 9NEW 24-26**Site and Area Context**

The subject property is located within the Streetsville Community Node Character Area, south-west of Queen Street South and Thomas Street intersection. The immediate neighbourhood consists of an eclectic mix of residential and commercial uses. The subject property contains an existing two-storey detached residential dwelling with a beauty salon on the main floor with limited vegetation in the front yard.

The applicant is proposing to construct a shed and legalize a detached garage requiring variances for parking aisle width and to permit a detached garage and shed on the property.

**Comments****Planning**

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

Staff comments concerning the application are as follows:

The subject property is located in the Streetsville Community Node Character Area and is designated Mixed Use in Schedule 10 of the Mississauga Official Plan (MOP). The Mixed Use designation permits a variety of uses, including residential and personal service establishment. The property is zoned C4-39 – Commercial. Despite the designation and zoning, the property contains a detached dwelling which is legal non-conforming.

Variances #1 and #2 request a detached garage and shed on the subject property whereas they not permitted. The detached garage is to facilitate a covered parking space on the subject property. The structures meet the area and height requirements and there are no variances requested for lot coverage or setbacks. Staff are satisfied that the structures are appropriate for the subject property.

Variances #3 and #4 request a reduction in the parking aisle width. The intent of the zoning by-law is to ensure there is adequate space for vehicle passage within a parking area. Staff are of the opinion that the reduction in the parking aisle width poses no impact on the functioning of the vehicle passageway and that the necessary maneuverability can be maintained within the proposed parking aisle width. Further, Transportation and Works staff have not identified any concerns with the variances.

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

Comments Prepared by: Shivani Chopra, Planning Associate

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed are a number of photos depicting the subject property. The existing topography of the subject lands is such that the grades in the area of the detached garage under construction and proposed shed are at a lower elevation and some drainage is directed to the abutting property. We acknowledge that the existing drainage pattern has existed for years, however any attempt to re-direct some of the drainage from the driveway area to the front towards Victoria Street would help alleviate some of the drainage being directed to the abutting property to the rear. We are noting this for information purposes and have no objections to the request.









Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application BP 9NEW 24-26. Based on the review of the information available in this application, the requested variances are correct.

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

Comments Prepared by: Gary Gagnier, Zoning Examiner

Appendix 3 – Metrolinx

Metrolinx is in receipt of the Minor Variance application for 31 Thomas St, to facilitate the construction of a detached garage and shed, accessory to the existing dwelling/salon building. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300m of the CP Galt Subdivision which carries Metrolinx's Milton GO Train service.

Advisory Comments:

- As the requested variances have minimal impact on Metrolinx property (i.e., Milton Corridor), Metrolinx has no objections to the specified variances should the committee grant approval.
- The Proponent is advised of the following:
 - Warning: Metrolinx and its assigns and successors in interest operate commuter transit service within 300 metres from the subject land. In addition to the current use of these lands, there may be alterations to or expansions of the rail and other facilities on such lands in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx or any railway assigns or successors as aforesaid may expand their operations, which expansion may affect the environment of the occupants in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual units. Metrolinx will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under these lands.

Should you have any questions or concerns, please do not hesitate to contact me.

Comments Prepared by: Farah Faroque, Project Analyst – Third Party Projects Review

Appendix 4 – Region of Peel

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A176.24
Ward: 1

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 117 Indian Valley Trail, 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 accessory structures proposing:

1. 2 accessory structures whereas By-law 0225-2007, as amended, permits a maximum of 1 accessory structure in this instance;
2. An accessory structure (outdoor living) area of 43.75sq m (approx. 470.92sq ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 20.00sq m (approx. 215.28sq ft) in this instance;
3. An accessory structure (pool cabana) area of 28.79sq m (approx. 309.89sq ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 20.00sq m (approx. 215.28sq ft) in this instance;
4. A combined area for all accessory structures of 72.54sq m (approx. 780.81sq ft) whereas By-law 0225-2007, as amended, permits a maximum area for all accessory structures of 60.00sq m (approx. 645.84sq ft) in this instance;
5. A height for the outdoor living structure of 4.90m (approx. 16.08ft) whereas By-law 0225-2007, as amended, permits a maximum height of 3.50m (approx. 11.48ft) in this instance;
6. A side yard setback to the pool cabana of 1.20m (approx. 3.94ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.80m (approx. 5.91ft) in this instance; and,
7. A combined side yard setback of 2.80m (approx. 9.19ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard setback of 8.23m (approx. 27.00ft) in this instance.

The Committee has set **Thursday, April 25, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

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

- **In person:** The hearing will be held in person at Mississauga Civic Centre, Council Chambers, 300 City Centre Drive, 2nd Floor. Advance registration is preferred if you wish to speak at the hearing in person. If you wish to make a presentation you must send your request to speak and your presentation (as an attachment) via email to committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. A document projector will also be available, if preferred.
- **Electronically (computer, tablet or smartphone):** Advance registration is required to speak virtually at the hearing. If you wish to make a presentation at the hearing you must send your request to speak and your presentation material (as an attachment) via email to committee.adjustment@mississauga.ca by 4:30 PM on the Friday prior to the hearing. If you have connection issues on the hearing date, please email virtualmeeting.help@mississauga.ca.
- **By telephone:** Advance registration is required to speak virtually at the hearing. To register, please call 905-615-3200 x2408 by 4:30 PM on the Friday prior to the hearing. You must provide your name, phone number, and the application file number. Committee staff will provide you with call in details prior to the start of the hearing.

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

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

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

Additional Information:

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

Committee of Adjustment Appeal Process:

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



Legal notice:

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

City of Mississauga Department Comments

Date Finalized: 2024-04-17	File(s): A176.24
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2024-04-25 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of accessory structures proposing:

1. 2 accessory structures whereas By-law 0225-2007, as amended, permits a maximum of 1 accessory structure in this instance;
2. An accessory structure (outdoor living) area of 43.75sq m (approx. 470.92sq ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 20.00sq m (approx. 215.28sq ft) in this instance;
3. An accessory structure (pool cabana) area of 28.79sq m (approx. 309.89sq ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure area of 20.00sq m (approx. 215.28sq ft) in this instance;
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5. A height for the outdoor living structure of 4.90m (approx. 16.08ft) whereas By-law 0225-2007, as amended, permits a maximum height of 3.50m (approx. 11.48ft) in this instance;
6. A side yard setback to the pool cabana of 1.20m (approx. 3.94ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.80m (approx. 5.91ft) in this instance; and,
7. A combined side yard setback of 2.80m (approx. 9.19ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard setback of 8.23m (approx. 27.00ft) in this instance.

Background

Property Address: 117 Indian Valley Trail

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

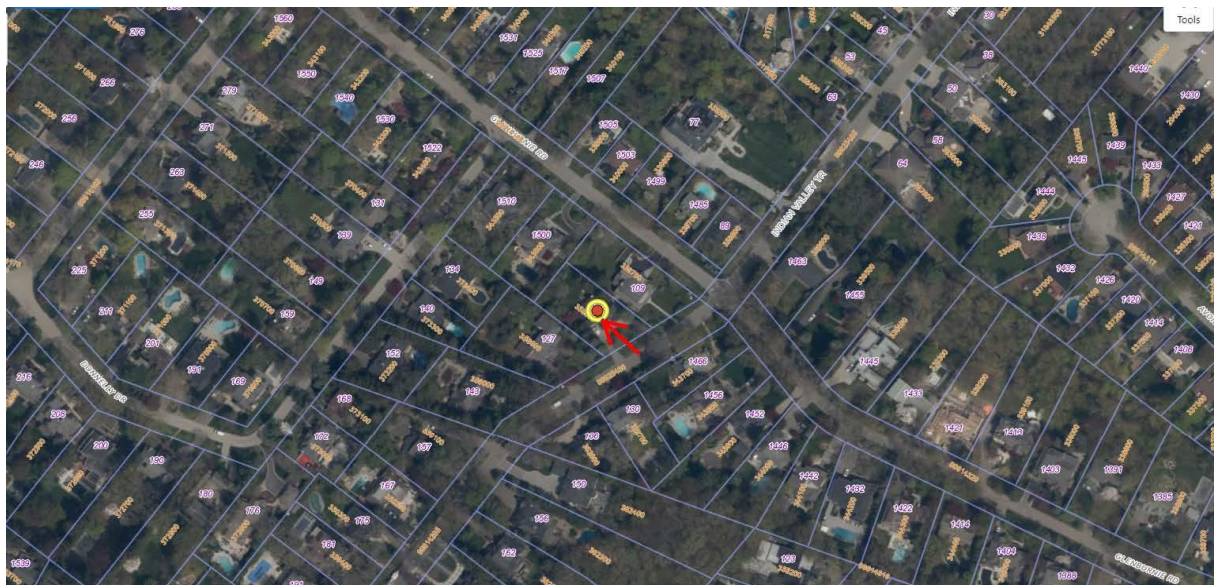
Zoning: R2-4- Residential

Other Applications: NONE

Site and Area Context

The subject property is located in the Mineola Neighbourhood Character Area, west of the Hurontario Street and Pinewood Trail intersection. The immediate neighbourhood primarily consists of one and two-storey detached dwellings on large lots with significant mature vegetation in the front yards. The subject property contains a two-storey detached dwelling with mature vegetation in the front yard.

The applicant is seeking variances related to accessory structures.



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:

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

The subject property is located in the Mineola Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan. This designation permits detached, semi-detached and duplex dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. The proposal respects the designated and surrounding land uses. Planning staff are of the opinion that the proposed built form is appropriate for the subject property given surrounding conditions and that it will not negatively impact the streetscape. Planning staff are satisfied that the general intent and purpose of the official plan are maintained.

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

The requested variances are required to facilitate the development of two accessory structures. The intent of the zoning by-law provisions regarding accessory structures is to ensure that the structures are proportional to the lot and dwelling and are clearly accessory, while not presenting any massing concerns to neighbouring lots.

The proposed structures are clearly accessory and proportional to the lot and dwelling, as the existing detached dwelling's footprint covers approximately 3 times the amount of area as the proposed structure and the proposed structures represent only 4.62% of the total lot area. As such, Planning staff have no concerns regarding the proposed accessory structure area variances.

Planning staff are also of the opinion that the proposed structures will not pose massing concerns. The proposed structures are located in the rear yard and the existing dwelling and mature vegetation screen these structures from the street.

Only one setback variance is required for the proposed "pool cabana". Staff note that this setback is to only one point of the structure(a pinch point). Staff are also of the opinion that this variance represents a minor reduction and note that no height variance is required, which can have the effect of exacerbating its massing.

The proposed "outdoor living area" structure is primarily an open structure that does not require variances for setbacks. A height variance is required; however, staff note a 0.33m height discrepancy between finished grade and established grade. Therefore, the values of the variances would appear 0.33m lower in person. Also, the variance is also only required to accommodate a small architectural feature wall. The majority of the structure measures 4.2m

(13.78ft) from established grade (3.87m/12.7ft from finished grade) representing a minor increase in height.

As such, the proposed structure is clearly accessory, proportional to the lot and dwelling, and creates no massing concerns. Planning staff are satisfied that the general intent and purpose of the zoning by-law are maintained.

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

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

Comments Prepared by: Connor DiPietro, 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 structure will be addressed by our Development Construction Section through the future Building Permit process.

Comments Prepared by: John Salvino, Development Engineering Technologist





Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Minan Song, Planner in Training

Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Planner

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 2350 Doulton Dr, zoned R1-5 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A height measured to the midpoint of the roof of 12.07m (approx. 39.60ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the midpoint of the roof of 10.70m (approx. 35.10ft) in this instance;
2. 2 attached garages whereas By-law 0225-2007, as amended, permits a maximum of 1 attached garage in this instance; and
3. A driveway width of 42.2m (approx. 138.5ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 8.5m (approx. 27.9ft) in this instance.

The Committee has set **Thursday, April 25, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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

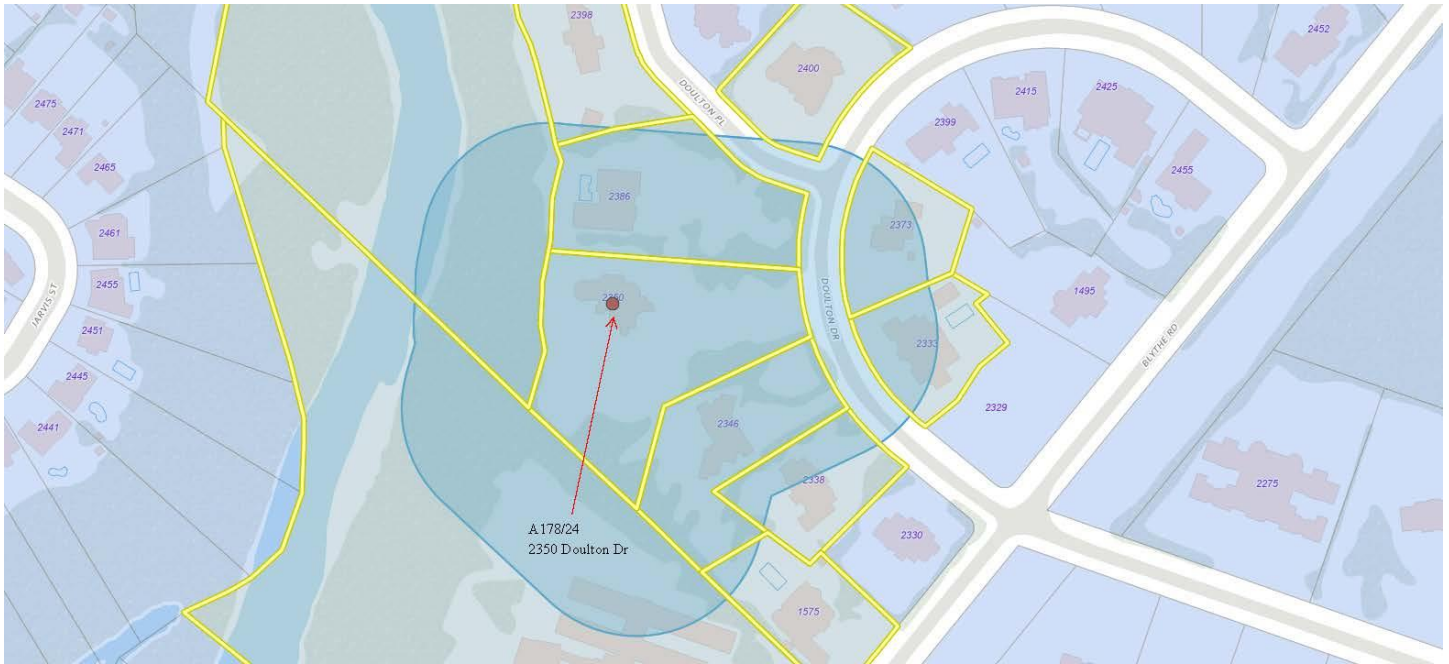
<http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>

Additional Information:

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

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City of Mississauga Department Comments

Date Finalized: 2024-04-17	File(s): A178.24
To: Committee of Adjustment	Ward: 8
From: Committee of Adjustment Coordinator	Meeting date:2024-04-25 1:00:00 PM

Consolidated Recommendation

The City has no objection to variances #1 and 2, however recommend refusal of variance #3.

Application Details

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

1. A height measured to the midpoint of the roof of 12.07m (approx. 39.60ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the midpoint of the roof of 10.70m (approx. 35.10ft) in this instance;
2. 2 attached garages whereas By-law 0225-2007, as amended, permits a maximum of 1 attached garage in this instance; and
3. A driveway width of 42.2m (approx. 138.5ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 8.5m (approx. 27.9ft) in this instance.

Background

Property Address: 2350 Doulton Dr

Mississauga Official Plan

Character Area: Sheridan Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

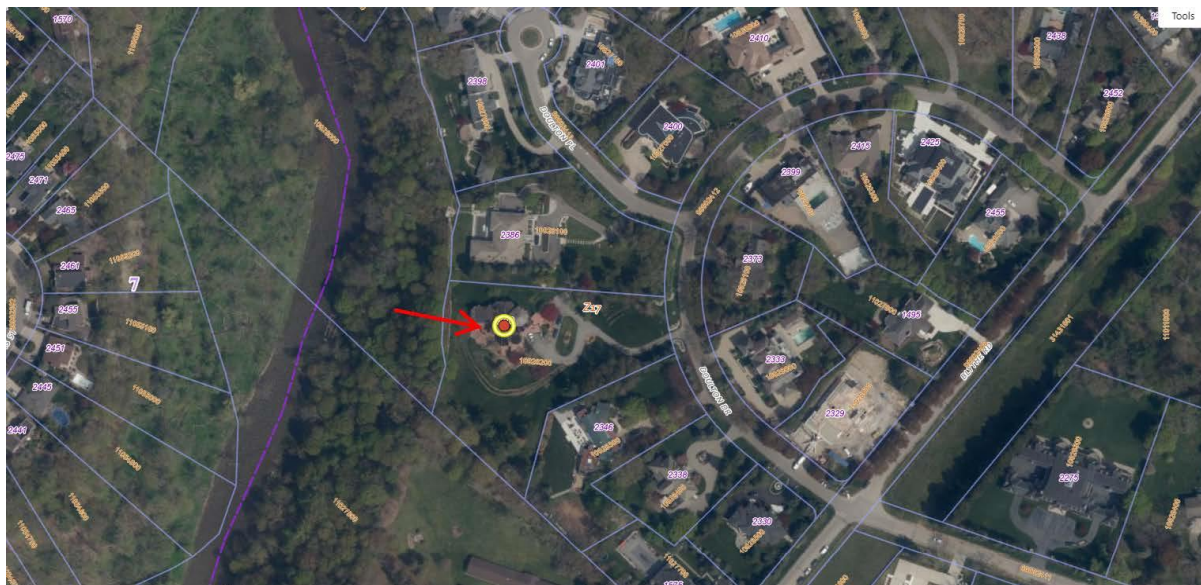
Zoning: R1-5 - Residential

Other Applications: none

Site and Area Context

The subject property is located within the Sheridan Neighbourhood, southeast of Dundas Street West and Mississauga Road. The neighbourhood is entirely residential consisting of large two-storey detached dwellings on large lots with mature vegetation in the front yards. The subject property is a two-storey detached dwelling with mature vegetation in the front yard.

The applicant is requesting variances for dwelling height, number of garages and driveway width to facilitate the development of a new two-storey detached dwelling.



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:

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

The subject property is located within the Sheridan Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached, semi-detached and duplex dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions; the surrounding context; and the landscape of the character area. Staff are of the opinion that the proposed dwelling maintains the permitted residential use. However, while larger driveways are

common in the immediate area, staff are concerned that the proposed widened driveway would not be compatible with the surrounding context and the character of the area. Therefore, staff are of the opinion that the general intent and purpose of the Official Plan is not maintained.

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

Variance #1 pertains to dwelling height. The applicant is proposing a height measured to the midpoint of the roof of 12.07m (39.60ft) where a maximum height of 10.70m (35.10ft) is permitted. Staff note that the dwelling contains multiple rooflines. When standing perpendicular to the façade, the roofline on the left and right side of the dwelling gradually increases in height as you move toward the middle of the dwelling. Accordingly, the requested variance is only required to accommodate a small roof located directly above the entry way of the dwelling. Furthermore, a 1.9m (6.2ft) height discrepancy exists between average and finished grade; therefore, the midpoint of this roof would appear to be 10.17m (33.37ft) high when standing perpendicular to the façade. As such, the value of the variance appears higher than the true height of the dwelling.

Variance #2 pertains to number of garages. The intent in restricting the overall number of garages is to ensure that the detached dwelling remains residential in nature. Additionally, this portion of the by-law serves to minimize the visual impact resulting from multiple or excessive, garage faces of a dwelling from a streetscape perspective. Staff note that the proposed garages are side loaded and do not face the street. Furthermore, the side and rear walls appear to form part of the dwelling, therefore the dwelling remains residential in nature. Staff also note that the garages are setback over 68m (223ft) from the front lot line, further mitigating their impact.

Variance #3 pertains to driveway width. The maximum driveway width permitted on a property of this size is 10.5 metres (34.45 ft.) within 6 metres (19.69 ft.) of the garage face if it provides direct access to the garage, and 8.5 metres (27.89 ft.) beyond 6 metres (19.69 ft.) of the garage face. The intent of this provision is to facilitate the entrance into a 3-car garage, while also limiting the width closer to the street in order to mitigate impacts to the streetscape. Planning staff note that the variance requested is for a portion of the driveway that does not provide direct access to the proposed garages. This variance also represents a significant departure from the maximum width requirement.

As such, staff are of the opinion that variances #1 and 2 meet the general intent and purpose of the zoning by-law, however variance #3 does not.

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

With respect to variances #1 and 2, Planning staff are satisfied that these variances are minor in nature and will not have impacts to either the surrounding context or the streetscape. However, staff are of the opinion that variance #3 is excessive, out of character and represents inappropriate development of the subject property.

Appendices

Appendix 1 – Transportation and Works Comments

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

The applicant is advised that the entire surface drainage from the driveway will need to be directed towards the front of the lot in such a manner to not impact the adjacent properties.

Comments Prepared by: John Salvino, Development Engineering Technologist



Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Minan Song, Planner in Training

Appendix 3 – Parks, Forestry & Environment

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

The lands adjacent to the property are owned by the City of Mississauga, identified as Not To Be Named (P-241) *(NE of Shawanaga Tr), classified as a Significant Natural Area within the City's Natural Heritage System, and zoned G1. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measure(s):

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

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

1. Construction access from the adjacent park/greenlands is not permitted.
2. If access is required to City owned lands, a Consent to Enter Agreement/Park Access Permit will be required.
3. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.
4. No public trees shall be injured or removed. If public tree removal is required, a permit must be issued as per By-law 0020-2022.
5. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
6. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, c.P. 13, as amended) and in accordance with the City's policies and by-laws.

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

Comments Prepared by: Nicholas Rocchetti, Planner in Training

Appendix 4– CVC

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

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

CVC REGULATED AREA

Based on our mapping, the subject property is regulated due slope hazard associated with the Credit River. As such, the property is regulated by CVC under Ontario Regulation 160/06. 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).

PROPOSAL:

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

1. A height measured to the midpoint of the roof of 12.07m (approx. 39.60ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the midpoint of the roof of 10.70m (approx. 35.10ft) in this instance;
2. 2 attached garages whereas By-law 0225-2007, as amended, permits a maximum of 1 attached garage in this instance; and
3. A driveway width of 42.2m (approx. 138.5ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 8.5m (approx. 27.9ft) in this instance.

COMMENTS:

Based on the review of the information provided, CVC has **no objection** to the approval of the minor variances proposed at this time as the variances pertain to development in the front of the property, away from the hazards.

However, the applicant is to note that this isn't approval of the current plans as further revisions are required to the plans to ensure that the proposal is sufficiently setback from the natural features located at the rear of the property that are of interest to CVC.

The applicant is advised that the property is regulated by CVC and a CVC permit is required of the proposed development.

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

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

Comments Prepared by: Stuti Bhatt, Junior Planner

Appendix 5 – Region of Peel

Minor Variance: A-24-178M / 2350 Doulton Drive

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

Comments:

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.
- This site does not have frontage to existing municipal sanitary sewer.
- All unutilized water services shall be abandoned in accordance with Region of Peel design specifications. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.
- Any changes to the underground water will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.

Comments Prepared by: Ayooluwa Ayoola, Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A179.24
Ward: 5

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 1375 Britannia Rd E, zoned E2-42, 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:

1. An indoor Motor Vehicle Sales, Leasing and/or Rental Facility - Restricted, whereas By-law 0225-2007, as amended, permits only a Motor Vehicle Sales, Leasing and/or Rental Facility - Commercial in this instance; and
2. 36 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 53 parking spaces in this instance.

The Committee has set **Thursday, April 25, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

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

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City of Mississauga Department Comments

Date Finalized: 2024-04-17	File(s): A179.24
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2024-04-25 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be refused.

Application Details

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

1. An indoor Motor Vehicle Sales, Leasing and/or Rental Facility - Restricted, whereas By-law 0225-2007, as amended, permits only a Motor Vehicle Sales, Leasing and/or Rental Facility - Commercial in this instance; and
2. 36 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 53 parking spaces in this instance.

Background

Property Address: 1375 Britannia Rd E

Mississauga Official Plan

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

Zoning By-law 0225-2007

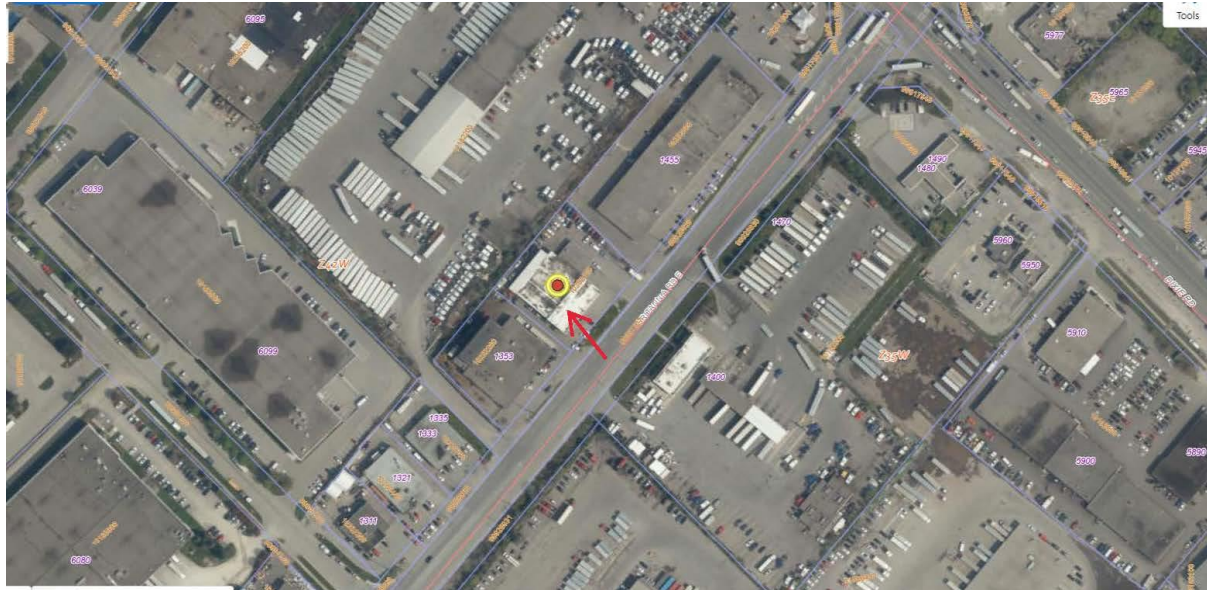
Zoning: E2-42

Other Applications: None

Site and Area Context

The subject property is located within the Northeast Employment Area, west of the Britannia Road East and Dixie Road intersection. The subject property contains a one-storey building. The immediate neighbourhood mainly consists of employment and industrial uses.

The applicant is proposing to operate a retail motor vehicle establishment whereas the use is not permitted along with a variance for deficient parking spaces.



Comments

Planning

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

Staff comments concerning the application are as follows:

Staff note that the subject property was before the Committee of Adjustment under application A83.19 on March 7, 2019, for identical variances as the current application. Staff had recommended refusal, as the application failed to meet the four tests. The application was approved by the Committee for a period of 5 years, with the approval lapsing on April 1, 2024. The applicant is now requesting to extend the previous approval, with no changes proposed to the site.

Further, with reference to variance #2 pertaining to deficient parking spaces, Municipal Parking staff provide the following comments:

Per the materials provided by the applicant, the subject site currently operates as a Vehicle Sales Facility on a temporary five-year term with previous approval from the

Committee. The business owner contemplates renewing the previous approval to continue operating the business. The subject property has a non-residential Gross Floor Area (GFA) of 1,212.8 m² (13054.47 ft²). The subject site is located within E2-42 Zoning Area, Parking Precinct 4.

Per Section 3.1.2.2 of Mississauga Zoning By-law, Motor Vehicle Sales, Leasing and/or Rental Facility uses located in Parking Precinct 4 require a minimum of 4.3 parking spaces per 100 square meters of non-residential GFA. Therefore, with a non-residential GFA of 1,212.8 square meters, a minimum of 52 parking spaces are required. As such, 52 parking spaces are required whereas 36 parking spaces can be accommodated, which generates a parking deficiency of 16 spaces or 30.7%.

As the proposed parking deficiency exceeds 10%, a satisfactory Parking Utilization Study (PUS) is required per the City's Parking Study Terms of Reference provisions.

The applicant did not provide a PUS as justification for the proposed parking deficiency. The applicant should refer to the City's [Parking Study Terms of Reference](#) for parking justification requirements to be included with a formal submission. The applicant should confirm the survey methodology with staff prior to conducting parking surveys.

Zoning staff have advised that the accuracy of the requested variance can not be confirmed.

Given the above, Municipal Parking staff recommend the application be deferred pending the submission of a satisfactory Parking Utilization Study (PUS).

Given the above, Planning staff maintain their previous position and remain of the opinion that the application does not maintain the general intent or purpose of the official plan or zoning by-law, is not minor in nature, and does not represent appropriate development of the subject property.

Comments Prepared by: Shivani Chopra, Planning Associate

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed are a number of photos which depict the subject property. From the enclosed photos it is evident that the on-site vehicular circulation can be best described as poor. We also note that the garbage bins located in close proximity/within the Britannia Road East Municipal Boulevard should be relocated to another location within the site.











Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Minan Song, Planner in Training

Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A181.24
Ward: 1

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 159 Donnelly Drive, 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 height to the highest ridge of 11.31m (approx. 37.11ft) whereas By-law 0225-2007, as amended, permits a maximum height of 9.50m (approx. 31.17ft) in this instance;
2. An eaves height of 7.75m (approx. 25.43ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance;
3. A combined side yard width of 4.88m (approx. 16.01ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard width of 7.41m (approx. 24.31ft) in this instance; and,
4. A residential infill gross floor area of 633.42sq m (approx. 6818.08sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 567.05sq m (approx. 6103.68sq ft) in this instance.

The Committee has set **Thursday, April 25, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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Additional Information:

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City of Mississauga Department Comments

Date Finalized: 2024-04-17	File(s): A181.24
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2024-04-25 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

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

1. A height to the highest ridge of 11.31m (approx. 37.11ft) whereas By-law 0225-2007, as amended, permits a maximum height of 9.50m (approx. 31.17ft) in this instance;
2. An eaves height of 7.75m (approx. 25.43ft) whereas By-law 0225-2007, as amended, permits a maximum eaves height of 6.40m (approx. 21.00ft) in this instance;
3. A combined side yard width of 4.88m (approx. 16.01ft) whereas By-law 0225-2007, as amended, requires a minimum combined side yard width of 7.41m (approx. 24.31ft) in this instance; and,
4. A residential infill gross floor area of 633.42sq m (approx. 6818.08sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 567.05sq m (approx. 6103.68sq ft) in this instance.

Background

Property Address: 159 Donnelly Drive

Mississauga Official Plan

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

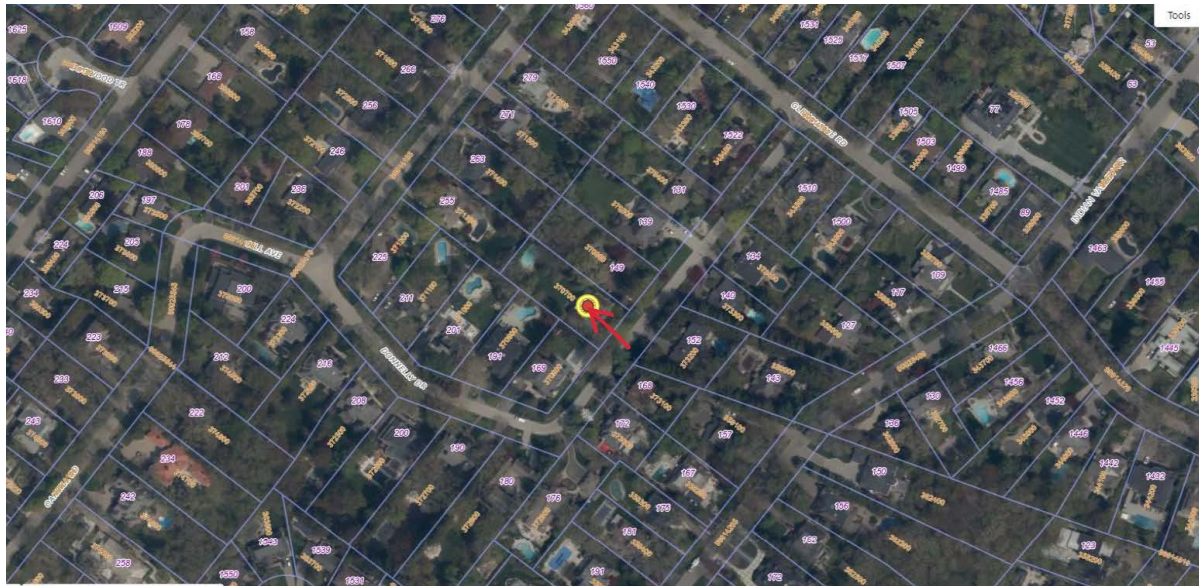
Zoning By-law 0225-2007

Zoning: **R2-4- Residential**

Other Applications: Building Permit application BP 9NEW 23-10692**Site and Area Context**

The subject property is located in the Mineola Neighbourhood Character Area, northwest of the Glenburnie Road and Indian Valley Trail intersection. The immediate neighbourhood consists of a mix of older and newer one and two-storey detached dwellings with mature vegetation in the front yards. The subject property contains a two-storey detached dwelling with mature vegetation in the front yard.

The application is proposing to construct a new two-storey dwelling requiring variances related to dwelling heights, side yard widths and gross floor area.

**Comments****Planning**

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

Staff comments concerning the application are as follows:

The subject property is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached dwellings.

Planning staff are not supportive of variances #1, 2 or 4 for height to the highest ridge, eaves height and gross floor area. Staff note that these variances represent a significant departure from the maximum requirements. With respect to the height variances, staff note a 0.45m (1.48 ft) height discrepancy between average grade and finished grade. Regardless of this discrepancy, these variances are excessive and exacerbate the massing impact of the dwelling. Furthermore, the proposed heights and gross floor area do not maintain compatibility with the existing dwellings in the neighbourhood or preserve the neighbourhood's character.

Based on the preceding, Planning staff recommends that the applications be deferred for redesign.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling will be addressed by our Development Construction Section through Building Permit BP 9NEW-23/10692.

Comments Prepared by: John Salvino, Development Engineering Technologist



Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application BP 9NEW 23-10692. Based on the review of the information available in this application, the requested variances are correct.

Our comments may no longer be valid should there be changes in the Committee of Adjustment application that have yet to be submitted and reviewed through the Building Division application.

To receive updated comments, the applicant must submit any changes to information or drawings separately through the above application.

Comments Prepared by: Gary Gagnier; Zoning Examiner

Appendix 3 – Region of Peel

Minor Variance: A-24-181M / 159 Donnelly Drive

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

Comments:

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

Comments Prepared by: Ayooluwa Ayoola, Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A183.24
Ward: 9

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 6745 Century Ave, zoned E1- Employment, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the operation of a private school on the subject property whereas By-law 0225-2007, as amended, does not permit a private school use on the subject property in this instance.

The Committee has set **Thursday, April 25, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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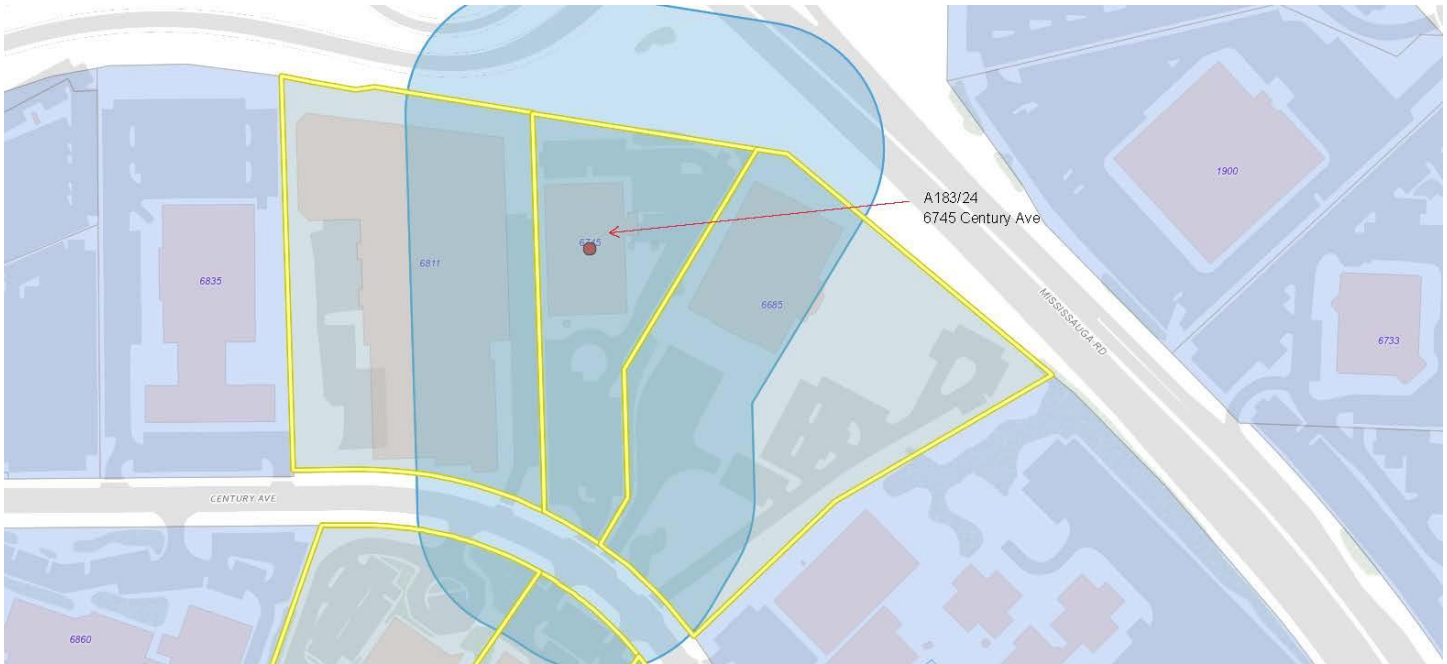
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Committee of Adjustment Appeal Process:

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City of Mississauga Department Comments

Date Finalized: 2024-04-17	File(s): A183.24
To: Committee of Adjustment	Ward: 9
From: Committee of Adjustment Coordinator	Meeting date:2024-04-25 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be refused.

Application Details

The applicant requests the Committee to approve a minor variance to allow the operation of a private school on the subject property whereas By-law 0225-2007, as amended, does not permit a private school use on the subject property in this instance.

Background

Property Address: 6745 Century Ave

Mississauga Official Plan

Character Area: Meadowvale Business Park Corporate Centre
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E1- Employment

Other Applications: Certificate of Occupancy application C24-10477

Site and Area Context

The subject property is located within the Meadowvale Business Park Corporate Centre Character Area, north-west of the Mississauga Road and Argentia Road intersection. The subject property contains a two-storey office building with some vegetation and landscaping elements. The immediate area consists predominantly of office buildings on various lot sizes.

The applicant is proposing the operation of a private school whereas the use 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:

The subject property is located in the Meadowvale Business Park Corporate Centre Character Area and is designated Business Employment in Schedule 10 of the Mississauga Official Plan (MOP). This designation permits several uses however it does not permit a private school use.

The sole requested variance requests a private school in an employment zone. Section 2.1.9.2 sets out regulations for private schools. The use allowed in multiple zoning categories; however Employment zones have been specifically excluded from the list of permitted zones. Private schools and day cares represent sensitive uses that may undermine the intended use and functionality of the surrounding area and are generally not compatible with industrial uses found in these areas due to heavy traffic, noise, pollution, and other factors. Planning staff are of the opinion that the intent and purpose of the zoning by-law is not maintained by permitting uses specifically excluded from the zone category. While staff recognize that a daycare, which is a similar use, is existing in the building, staff are unable to support a private school which would further cement the use in the area and conflict with the planned industrialization of the surrounding context.

Planning staff have concerns regarding the potential impacts of the proposed use on abutting properties given its intentional removal from the property's zone. Staff are of the opinion that the proposal does not represent an appropriate use of the subject lands and is not minor in nature.

Comments Prepared by: Shivani Chopra, Planning Associate

Appendices

Appendix 1 – Transportation and Works Comments

This department has no objections to the applicant's request to permit a private school use on this property.

Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Division is processing Certificate of Occupancy application C24-10477. Based on the review of the information available in this application, the requested variance(s) is/are correct.

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

Comments Prepared by: Brooke Herczeg, Zoning Examiner

Appendix 3 – Region of Peel

We have no comments or objections.

Comments Prepared by: Ayooluwa Ayoola, Planner

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 508 Cullen Ave, zoned R3- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow an accessory structure, driveway, pool and landscaping proposing:

1. An eave encroachment for the shed of 0.30m (approx. 0.98ft) whereas By-law 0225-2007, as amended, requires an eaves encroachment of 0.75m (approx. 2.46ft) in this instance;
2. An interior side yard setback to the shed of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.20m (approx. 3.94ft) in this instance;
3. A hard surface setback of 0.46m (approx. 1.51ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (approx. 2.00ft) in this instance;
4. A rear yard setback to hard surface of 0m whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (approx. 2.00ft) in this instance;
5. A driveway width of 7.20m (approx. 23.62 ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.50m (approx. 21.32ft) in this instance;
6. A driveway width attachment of 2.00m (approx. 6.56ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width attachment of 1.50m (approx. 4.92ft) in this instance; and,
7. A lot coverage of 37.08% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance.

The Committee has set **Thursday, April 25, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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

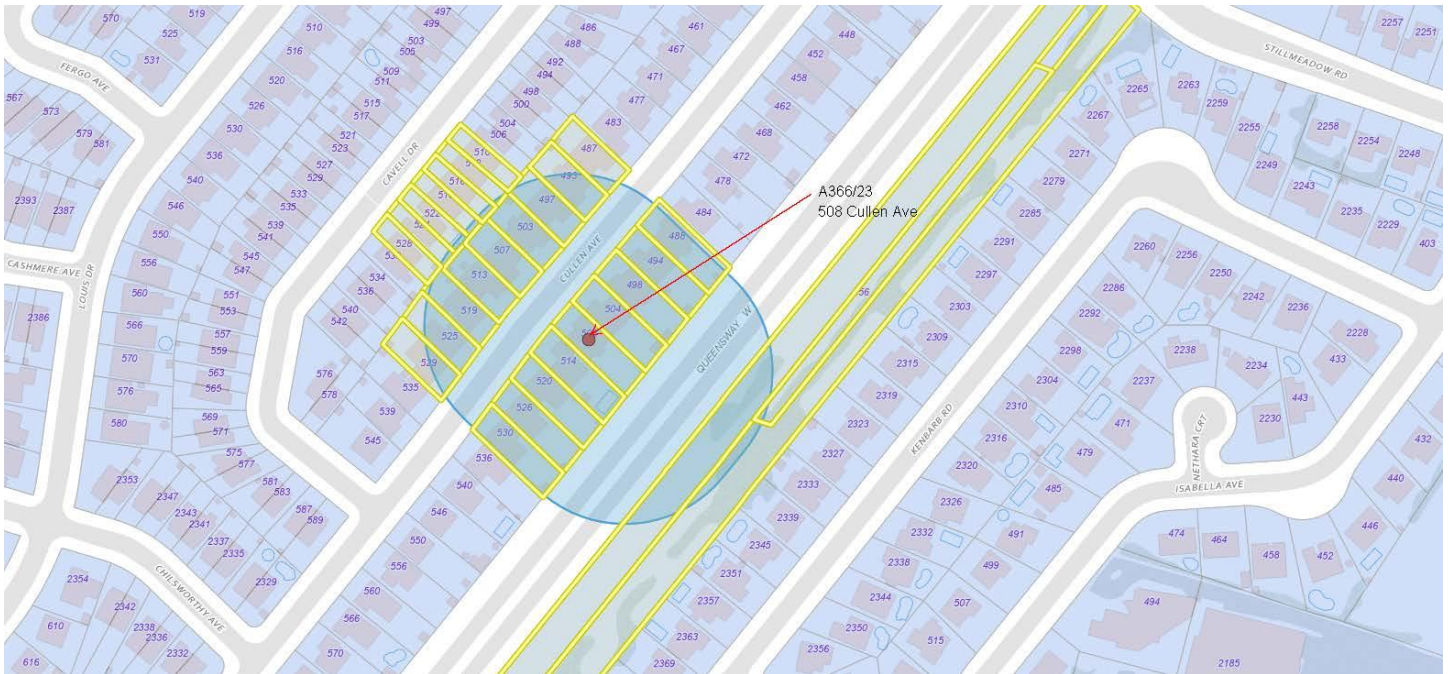
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<http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>

Additional Information:

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

Date Finalized: 2024-04-17	File(s): A366.23
To: Committee of Adjustment	Ward: 7
From: Committee of Adjustment Coordinator	Meeting date:2024-04-25 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

The applicant requests the Committee to approve a minor variance to allow an accessory structure, driveway, pool and landscaping proposing:

1. An eave encroachment for the shed of 0.30m (approx. 0.98ft) whereas By-law 0225-2007, as amended, requires an eaves encroachment of 0.75m (approx. 2.46ft) in this instance;
2. An interior side yard setback to the shed of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.20m (approx. 3.94ft) in this instance;
3. A hard surface setback of 0.46m (approx. 1.51ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (approx. 2.00ft) in this instance;
4. A rear yard setback to hard surface of 0m whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (approx. 2.00ft) in this instance;
5. A driveway width of 7.20m (approx. 23.62 ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.50m (approx. 21.32ft) in this instance;
6. A driveway width attachment of 2.00m (approx. 6.56ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width attachment of 1.50m (approx. 4.92ft) in this instance; and,
7. A lot coverage of 37.08% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance.

Amendments

The Building Division is processing Building Permit application BP 9ALT 22-4545. Based on the review of the information available in this application, the requested variance(s) #1 , 2, 4 and 7 are correct. We advise that following amendment(s) are required:

3. A right side yard setback to hard surface of 0.46 m (approx. 1.51ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (approx. 2.00ft) in this instance;

5. A driveway width of 7.20m (approx. 23.62 ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.68ft) in this instance;

6. A walkway attached (right side) to a driveway with an attachment of 2.00m (approx. 6.56ft) whereas By-law 0225-2007, as amended, permits a walkway attached to a driveway with a maximum attachment of 1.50m (approx. 4.92ft) on each side of a driveway in this instance;

Add the following:

8. A centreline Setback to Proposed deck of 20.35 m whereas By-law 0225-2007, as amended, requires a minimum centreline Setback to any building/structure of 25.5 m in this instance;

10. A left side yard setback to hard surface of 0 m whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (approx. 2.00ft) in this instance;

11. A side yard setback to a deck of 0.23 m (0.75 ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (approx. 2.00ft) in this instance;

We advise that more information is required in order to verify the accuracy of additional variance(s) :

9. A walkway attached (left side) to a driveway is not compliant with the maximum attachment permitted of 1.5 m, the information could not be confirmed on the drawings submitted.

Recommended Conditions and Terms

Should Committee see merit in the application, planning staff recommend construction related to this variance shall be in general conformance with the drawings approved by the Committee.

Background

Property Address: 508 Cullen Ave

Mississauga Official Plan

Character Area: **Cooksville Neighbourhood**
Designation: **Residential Low Density II**

Zoning By-law 0225-2007

Zoning: **R3- Residential**

Other Applications: **BP 9ALT 22-4545**

Site and Area Context

The subject property is located north-east of the Queensway West and Mavis Road intersection. It currently contains a two-storey detached dwelling with an attached garage. It is an interior lot with a frontage of +/- 15.72m (51.57ft) and a lot area of 751.33m² (8,087.24ft²). Limited landscaping and vegetative elements are present in both the front and rear yards. The surrounding area is exclusively residential, consisting of detached and semi-detached dwellings on lots of generally similar sizes.

The applicant is proposing to legalize the existing hard surface, deck and driveway requiring variances for rear and side yard setbacks, driveway width, walkway attachments and centreline setback. Further, the applicant is proposing a new accessory structure requiring variances for side yard setback, eaves setback, and lot coverage.



Comments

Planning

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

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

Staff note there are no changes to the application from the previous Committee of Adjustment hearing on October 12th, 2023, other than an increase in the driveway width from 6.50m (21.32ft) to 7.2m (23.62ft). Please note the comments from the previous report still apply and as such, staff are supportive of the proposed variances.

Additionally, Planning staff note Committee members observed a discrepancy between the drawings submitted and the variance sought concerning the setback for the hard surface landscaping to the left interior side lot line at the previous hearing. The variance sought still requests a 0.46m (1.50ft) setback, where the revised drawings depict a 0m setback. Zoning staff have identified that an additional variance is required for the 0m setback to the left interior side lot line for the hard surfaced landscaping material surrounding the pool in the rear yard. Staff note a small portion of the hard surface landscaping material directly abuts the side lot line, whereas the rest of the hard surface landscaping material along the side lot line maintains the appropriate setback. In corresponding with Transportation and Work's Department staff based on the amended variances identified by zoning staff, Transportation and Work's Department staff confirm there are no concerns regarding drainage.

Planning staff also note an additional variance was identified by Zoning staff in regards to a 0.23m (0.75ft) setback from the deck surrounding the pool in the rear yard to the left interior side lot line. The general intent of this portion of the by-law is to ensure than an adequate buffer exists between adjoining properties. Staff note that the portion of the deck that is triggering the setback variance is due to the supporting beams of the deck. Staff further note that the beams do not create any additional massing that would impact abutting properties and no specific drainage concerns have been raised by Transportation and Work's Department staff.

Given the above, staff have no concerns with the newly identified setback variances, as the proposal maintains the general intent and purpose of the official plan and zoning by-law, represents appropriate development of the subject property and is minor in nature.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

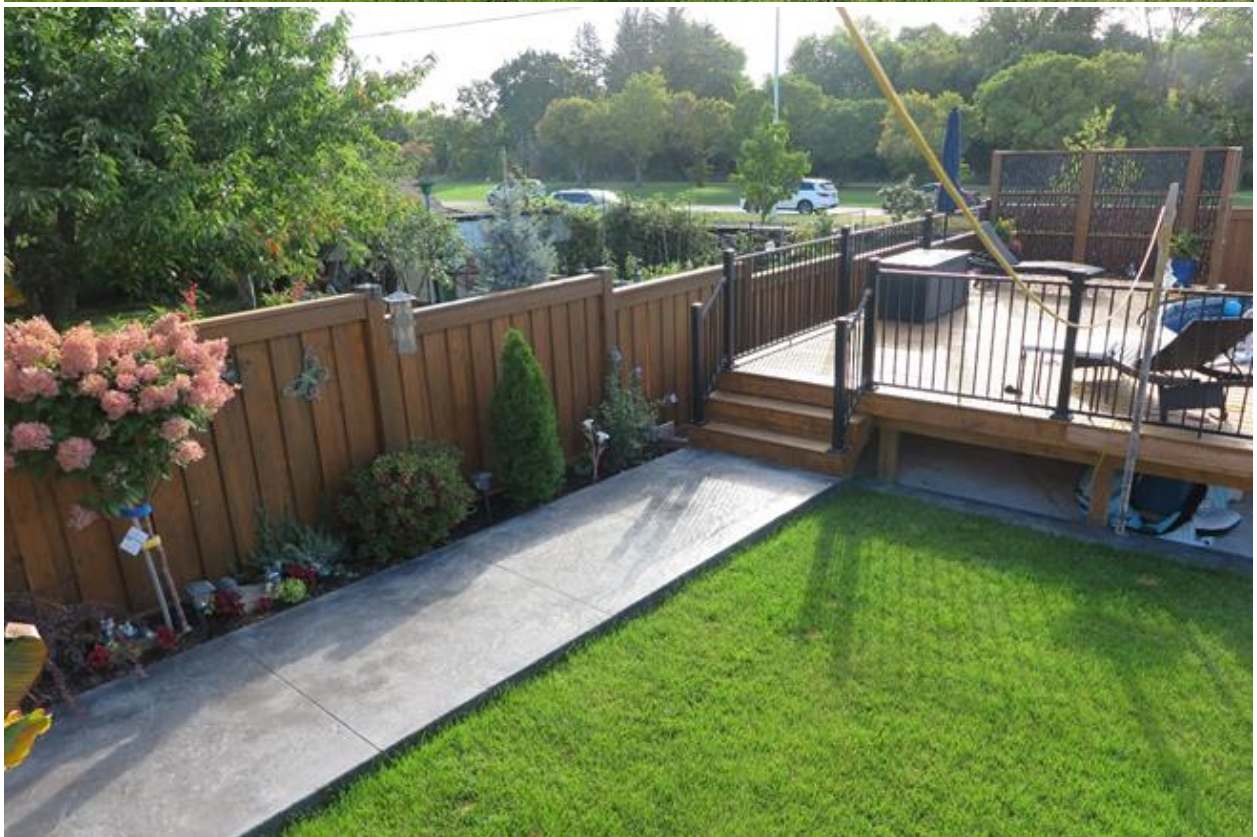
Appendices

Appendix 1 – Transportation and Works Comments

From our site inspection of the property and the attached photos it is evident that this property has front to rear drainage pattern which means that drainage is directed towards the rear of the property. We note that to the rear of the backyard is Queensway West and that the abutting residential properties have the same drainage pattern. For Variance 1 to 4 we have no drainage related concerns. For Variance 5 & 6 pertaining to the driveway width, we have no objections to the requested driveway width as depicted on the Site Plan submitted.

Comments Prepared by: Tony Iacobucci







Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application BP 9ALT 22-4545. Based on the review of the information available in this application, the requested variance(s) #1 , 2, 4 and 7 are correct. We advise that following amendment(s) are required:

3. A right side yard setback to hard surface of 0.46 m (approx. 1.51ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (approx. 2.00ft) in this instance;

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Add the following:

8. A centreline Setback to Proposed deck of 20.35 m whereas By-law 0225-2007, as amended, requires a minimum centreline Setback to any building/structure of 25.5 m in this instance;

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11. A side yard setback to a deck of 0.23 m (0.75 ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (approx. 2.00ft) in this instance;

We advise that more information is required in order to verify the accuracy of additional variance(s) :

9. A walkway attached (left side) to a driveway is not compliant with the maximum attachment permitted of 1.5 m, the information could not be confirmed on the drawings submitted.

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

Comments Prepared by: Maria Fernandez, Zoning Examiner

Appendix 3 – Region of Peel

Please apply previous comments.

Comments Prepared by: Ayooluwa Ayoola, Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A372.23
Ward: 6

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 5951 Mersey St, zoned R5 - Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a deck proposing:

1. A lot coverage of 46.36% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40.00% in this instance;
2. An as built shed in the rear yard with a height of 3.25m (approx. 10.66ft) whereas By-law 0225-2007, as amended, permits a maximum shed height of 3.00m (approx. 9.84ft) in this instance; and,
3. A shed area of 18.66sq m (approx. 200.86sq ft) whereas By-law 0225-2007, as amended, permits a maximum area occupied by a shed on a lot of 10.00sq m (approx. 107.64sq ft) in this instance.

The Committee has set **Thursday, April 25, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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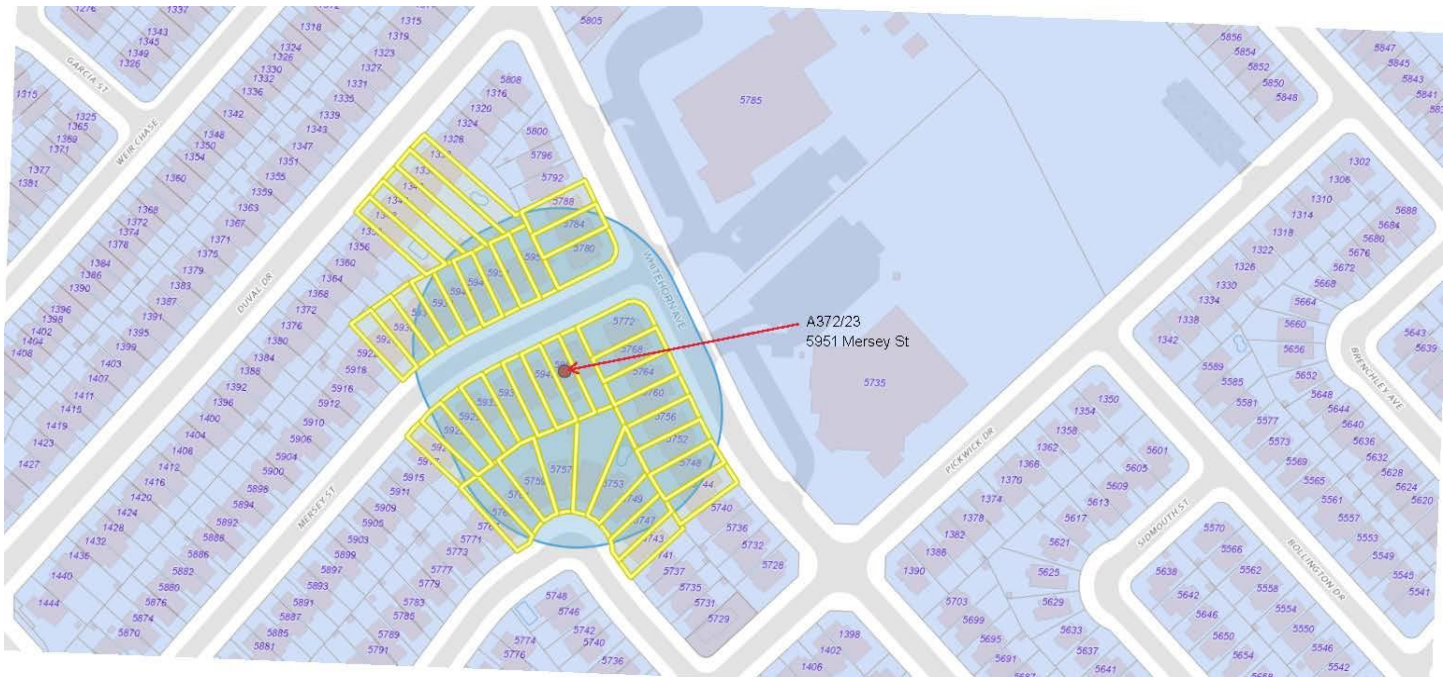
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City of Mississauga Department Comments

Date Finalized: 2024-04-17	File(s): A372.23
To: Committee of Adjustment	Ward: 6
From: Committee of Adjustment Coordinator	Meeting date:2024-04-25 1:00:00 PM

Consolidated Recommendation

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

Application Details

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

1. A lot coverage of 46.36% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 40.00% in this instance;
2. An as built shed in the rear yard with a height of 3.25m (approx. 10.66ft) whereas By-law 0225-2007, as amended, permits a maximum shed height of 3.00m (approx. 9.84ft) in this instance; and,
3. A shed area of 18.66sq m (approx. 200.86sq ft) whereas By-law 0225-2007, as amended, permits a maximum area occupied by a shed on a lot of 10.00sq m (approx. 107.64sq ft) in this instance.

Background

Property Address: 5951 Mersey St

Mississauga Official Plan

Character Area: **East Credit Neighbourhood**
Designation: **Residential Low Density II**

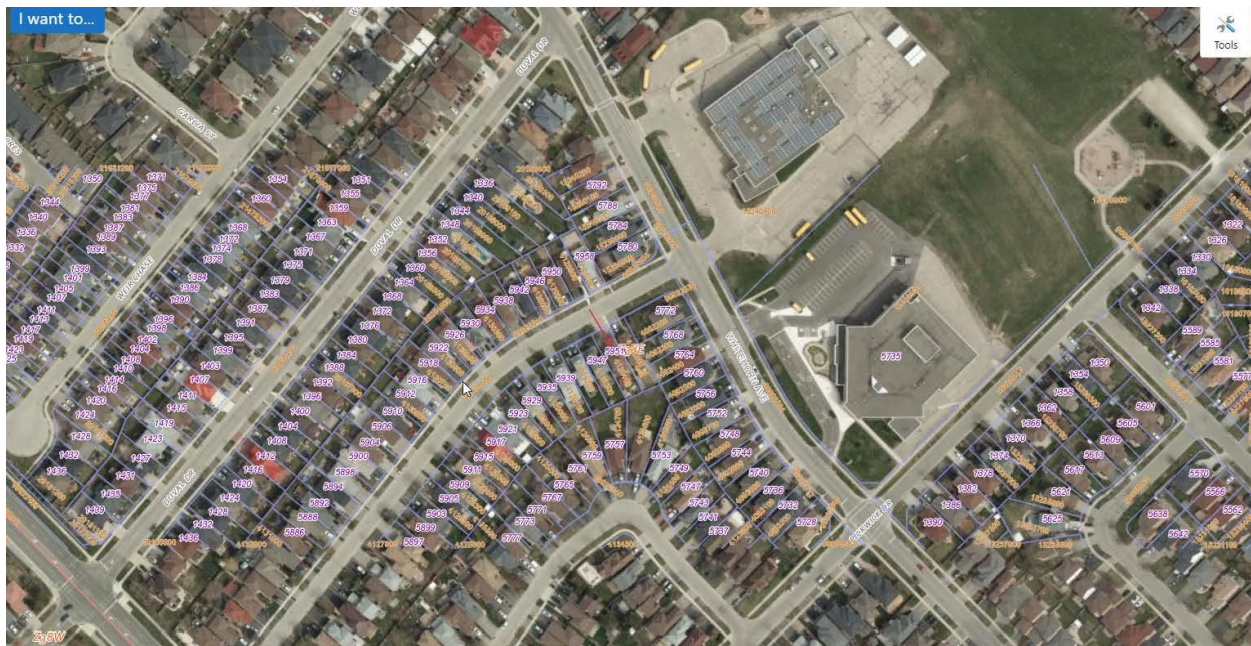
Zoning By-law 0225-2007

Zoning: **R5 - Residential**

Other Applications: BP 23-7422**Site and Area Context**

The subject property is located south-east side of the Britannia Road West and Creditview Road intersection. It currently contains a detached dwelling with an attached garage. The property has a lot area of +/- 385.20m² (4,146.25ft²), characteristic of lots along Mersey Street. Limited vegetative and landscaping elements are present in both the front and rear yards. The surrounding area context is exclusively low density residential, consisting of detached dwellings.

The applicant is proposing to legalize an existing rear deck requiring variances for lot coverage, shed height and area.

**Comments****Planning**

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

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

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

context, and the landscape of the character area. The proposed deck is appropriately sized for the subject property. Additionally, the proposed accessory structure is appropriately located to the rear of the property, separated from the public realm. The structure does not pose any significant impact to abutting properties due to its location and setback in the rear yard on the subject property. Staff are of the opinion that the general intent and purpose of the official plan is maintained.

Variance 1 requests an increase in lot coverage. The intent in restricting lot coverage is to ensure that there isn't an overdevelopment of the lot and to limit massing impacts on abutting properties. Staff note the main dwelling accounts for 35% of the total lot coverage, and the deck accounts for 6.49%. The remaining 4.24% is attributed to an existing accessory structure. Planning staff are of the opinion that the proposed deck is appropriately located and sized for the subject property. The variance increase is marginal and within the intent of the zoning regulation.

Variance 2 relates to an increase in the accessory structure height. The intent of the height provision is to ensure that the structures are proportional to the lot and dwelling and are clearly accessory while not presenting any massing concerns to the neighbouring lots. Staff note the height represents a small deviation from what is currently permitted as of right in the zoning by-law.

Variance 3 relates to the floor area of the accessory structure. Staff note that three legally sized accessory structures placed side by side at the same location on the property would have a similar massing impact as the proposal. No additional variances for setbacks have been requested further mitigating any potential impact. Staff are of the opinion that the proposed structure remains accessory to the principle use on the lands and are satisfied that any massing impacts on abutting properties are minor in nature.

Staff are of the opinion that the proposal will not have significant impacts on the neighbouring properties and represent appropriate development of the subject lands. As such, the variances meet the intent and purpose of the official plan and zoning by-law, are minor in nature and result in orderly development of the subject property.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committees easy reference are photos depicting the subject property, in particular the shed.

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







Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application BP23-7422. Based on review of the information available in this application, we advise that more information is required in order to verify the accuracy of the requested variance(s) or determine whether additional variance(s) will be required.

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

Comments Prepared by: Brooke Herczeg, Zoning Examiner

Appendix 3 – Region of Peel

Please apply previous comments.

Comments Prepared by: Ayooluwa Ayoola, Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A483.23
Ward: 5

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 5435 Maingate Drive, zoned E2-19- 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 parking on the property proposing 29 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 40 parking spaces in this instance.

The Committee has set **Thursday, April 25, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

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

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

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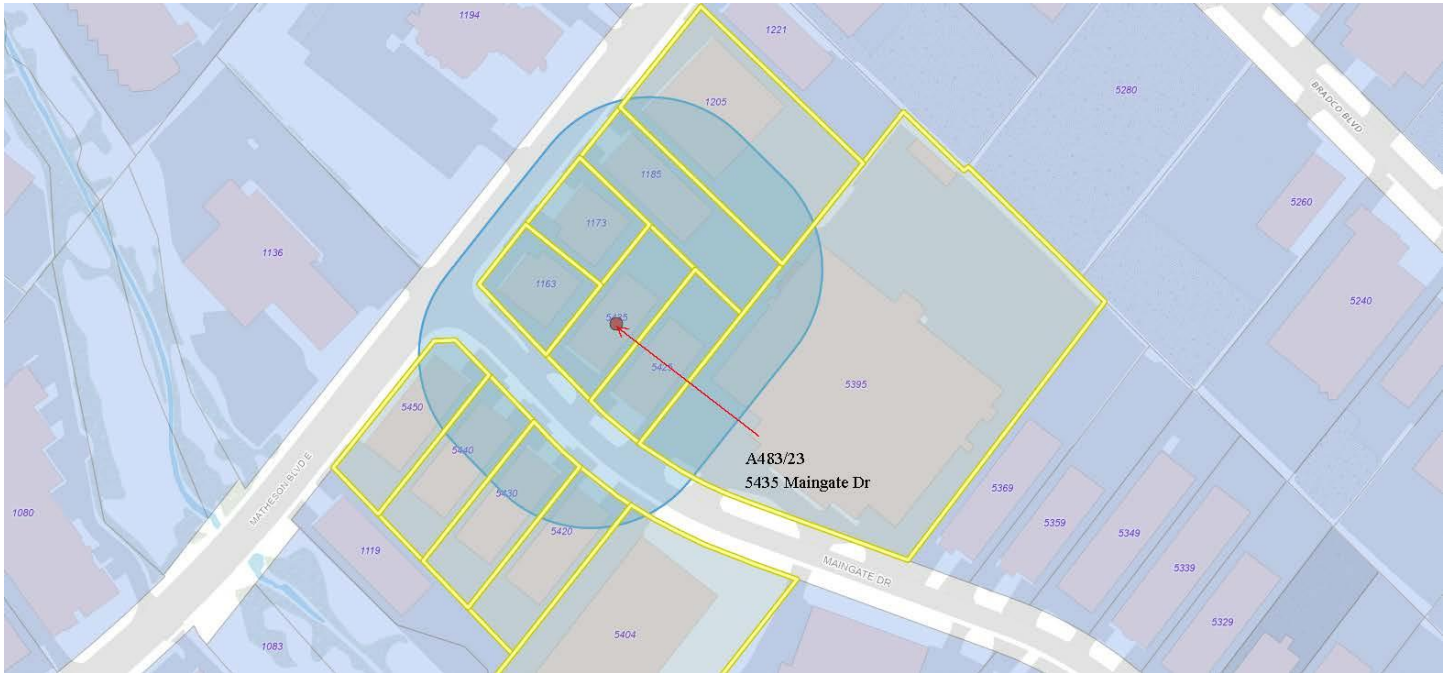
Additional Information:

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

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Committee of Adjustment Appeal Process:

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Legal notice:

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

City of Mississauga Department Comments

Date Finalized: 2024-04-17	File(s): A483.23
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2024-04-25 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

The applicant requests the Committee to approve a minor variance to allow parking on the property proposing 29 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 40 parking spaces in this instance.

Background

Property Address: 5435 Maingate Drive

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: E2-19- Employment

Other Applications: BP 3ALT 23 9373, C23-8958

Site and Area Context

The subject property is located on the east side of Maingate Drive, south of the Matheson Boulevard East intersection. It currently contains a one-storey industrial building and an associated surface parking lot. No landscaping and vegetative elements are present on the subject property. The surrounding area context is predominantly industrial, consisting of low rise

industrial buildings on lots of varying sizes. Commercial uses are present in the larger area context.

The applicant is proposing interior renovations and a change of use on the subject property and requires a variance for parking deficiency.



Comments

Planning

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

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

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

With respect to Committee of Adjustment application 'A' 483.23, 5435 Maingate Drive, the applicant requests the Committee to approve a minor variance to allow reduced parking for the subject property and proposes:

29 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 40 parking spaces in this instance.

Per the materials provided by the applicant, the subject property is currently utilized as a Warehouse. The requested variance is triggered by the change of use to a Motor Vehicle Repair Facility for Commercial Motor Vehicles with a non-residential Gross Floor Area (GFA) of 931.88 square meters. The subject site is located within E2-19 Zoning Area, Parking Precinct 4.

Per Section 3.1.1.2 of Mississauga Zoning By-law, Motor Vehicle Repair Facility uses located in Parking Precinct 4 require a minimum of 4.3 parking spaces per 100 square meters of non-residential GFA. Therefore, with a proposed GFA of 931.88 square meters, a minimum of 40 parking spaces would be required. The Applicant proposes 29 parking spaces on site. As such, 40 parking spaces are required whereas 29 parking spaces can be accommodated, which generates a parking deficiency of 11 spaces or 27.5%.

As the proposed parking deficiency exceeds 10%, a satisfactory Parking Utilization Study (PUS) is required as per the City's Parking Terms of Reference provision. The application with the same variance was previously deferred at the December 14, 2023 hearing due to the lack of a satisfactory PUS.

The applicant submitted a Parking Utilization Study dated February 6, 2024, prepared by Harper Dell & Associates. A five-day survey at the subject site was undertaken in January and February 2024. The results of the survey indicate that the peak parking demand at the subject site was observed on a Tuesday at 2 p.m., and again on Thursday at 12 p.m. within the same week. A total of 14 occupied parking spaces were observed on site, which represents a peak utilization rate of 48.2% and a peak demand ratio of 1.5 spaces per 100 square meters. The findings appear to be lower than the minimum parking requirement of 4.3 spaces per 100 square meters as stipulated by the Zoning By-law. Staff find that the results of the PUS are supportive of the requested parking reduction and therefore have no further objections to the requested variance.

Zoning staff have advised that the requested variance is correct.

Given the above, Municipal Parking staff can support 29 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 40 parking spaces in this instance.

Planning staff echo Municipal Parking staff's comments and are of the opinion that the variance maintains the general intent and purpose of both the official plan and zoning by-law, is minor in nature and represents appropriate development of the subject property.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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









Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Division is processing Certificate of Occupancy application C23-8958. Based on the review of the information available in this application, the requested variance(s) is/are correct.

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

Comments Prepared by: Brooke Herczeg, Zoning Examiner

Appendix 3 – Region of Peel

Please apply previous comments.

Comments Prepared by: Ayooluwa Ayoola, Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A486.23
Ward: 7

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 3600 Hurontario Street, zoned CC2-7- City Centre, 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 parking on the property proposing:

1. 0.3 resident parking spaces per dwelling unit for Apartments (CC2) whereas By-law 0225-2007, as amended, requires 0.8 resident parking spaces per dwelling unit in this instance; and,
2. A parking lot whereas By-law 0225-2007, as amended, does not permit this use in a CC2-Downtown Core Zone in this instance.

The Committee has set **Thursday, April 25, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

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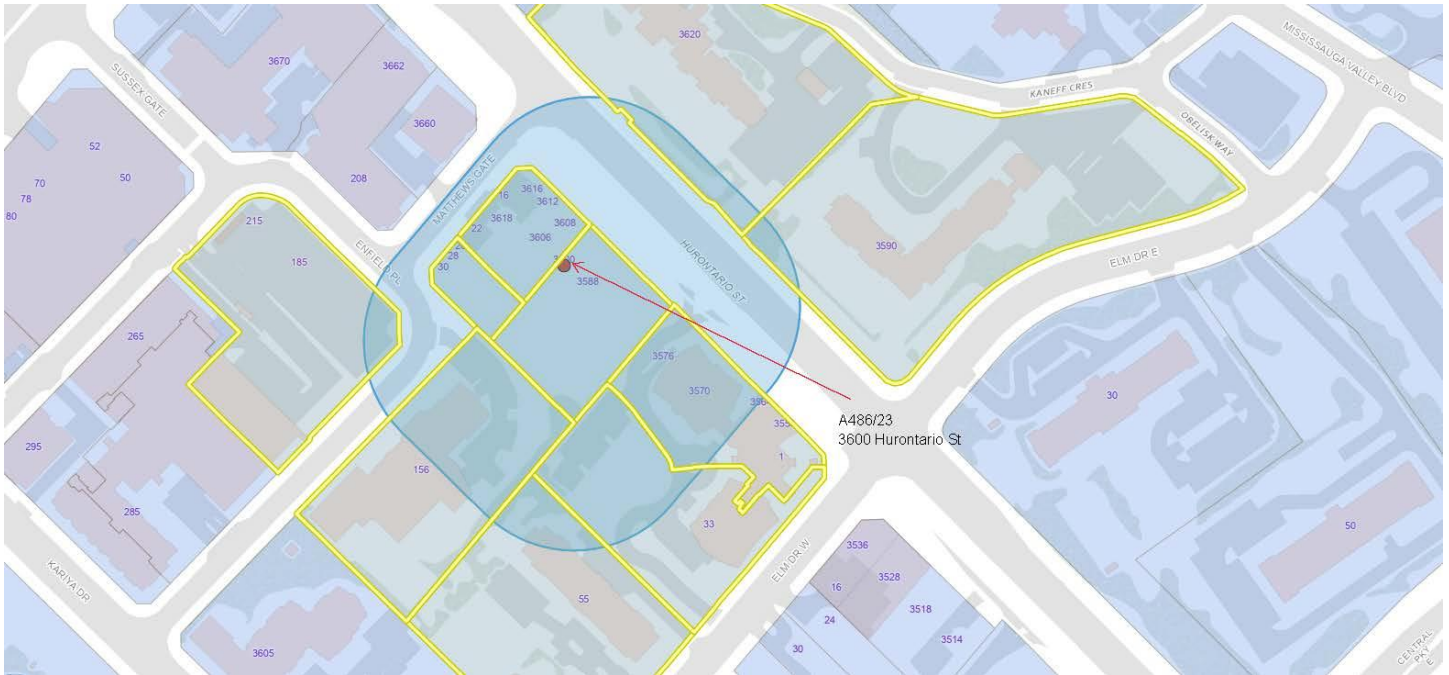
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City of Mississauga Department Comments

Date Finalized: 2024-04-17	File(s): A486.23
To: Committee of Adjustment	Ward: 7
From: Committee of Adjustment Coordinator	Meeting date:2024-04-25 1:00:00 PM

Consolidated Recommendation

The City recommends the application be refused.

Application Details

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

1. 0.3 resident parking spaces per dwelling unit for Apartments (CC2) whereas By-law 0225-2007, as amended, requires 0.8 resident parking spaces per dwelling unit in this instance; and,
2. A parking lot whereas By-law 0225-2007, as amended, does not permit this use in a CC2-Downtown Core Zone in this instance.

Background

Property Address: 3600 Hurontario Street

Mississauga Official Plan

Character Area: **Downtown Core**
Designation: **Downtown Mixed Use**

Zoning By-law 0225-2007

Zoning: CC2-7- City Centre

Other Applications: SP-09-27

Site and Area Context

The subject property is located on the west side of Hurontario Street, south of the Mathews Gate intersection in the Downtown Core Character Area. It is currently a vacant site with a lot area of +/- 3,945.99m² (42,474.28ft²). There are no landscaping elements present on the subject property. The surrounding area consists of a mix of uses, including commercial, open space, and various residential built forms.

The applicant is proposing the construction of a 51-storey mixed-use building requiring variances for a parking deficiency and a parking lot 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 subject property is located in the Downtown Core Character Area and is designated Downtown Mixed Use in Schedule 10 of the Mississauga Official Plan (MOP). Section 12 (Downtown) permits a variety of uses, however it does not permit parking lots. Section 8.4 of the official plan contemplates potential reductions in parking requirements and alternative parking arrangements in appropriate situations. Planning staff do not find the proposed use to maintain the general intent and purpose of the official plan and that the proposed parking rate will be

inadequate for the site. Staff are of the opinion that the application does not maintain the general intent and purpose of the official plan.

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

City Council endorsed PDC report "PDC-0012-2024", on April 17th, 2024, to amend the City's parent Zoning By-law 0225-2007, reducing the minimum resident per unit parking requirements from 0.8 to 0.5 for apartments and dwelling units provided by a public authority and non-profit provider along the Hazel McCallion Line of the Hurontario Light Rail Transit Corridor, north of the Queen Elizabeth Way (QEW).

Planning staff further note that the *Cutting Red Tape to Build More Homes Act, 2024* (Bill 185) brought forward by the Province of Ontario proposes to restrict municipal councils from approving official plans or enacting zoning by-laws requiring parking in Protected Major Transit Station Areas. While the announcement has been made, Bill 185 has not received royal proclamation and is not in effect.

Variance 1 requests a reduction in parking. The intent of the zoning by-law quantifying the required number of parking spaces is to ensure that each lot is self-sufficient in providing adequate parking accommodations based upon its intended use. Municipal Parking staff have reviewed the application and note as follows:

With respect to Committee of Adjustment application 'A' 486.23, 3600 Hurontario Street, the applicant requests the Committee to approve a minor variance to allow reduced parking for the subject property and proposes:

0.3 resident parking spaces per dwelling unit for Apartments (CC2) whereas By-law 0225-2007, as amended, requires 0.8 resident parking spaces per dwelling unit in this instance.

Per the materials provided by the applicant, the subject site is currently vacant. The proposed development consists of a 51-storey Condominium Apartment building with a total of 587 residential units and a Gross Floor Area (GFA) of 36,498.2 square meters. In addition, a non-residential space with a GFA of approximately 228.52 square meters is also included at grade. The subject site is located within CC2-7 Zoning Area, Parking Precinct 1.

Per Section 3.1.1.2 of Mississauga Zoning By-law, Apartment uses located in CC1 to CC4 Zoning Areas require a minimum of 0.8 resident spaces per unit per unit. Therefore, with a proposed number of 587 units, a minimum of 470 resident spaces would be required. The applicant proposes a total of 176 resident parking spaces. As such, 470 parking spaces are required whereas 176 parking spaces can be accommodated, which generates a parking deficiency of 294 spaces or 62.6%.

As the proposed parking deficiency exceeds 10%, a satisfactory Parking Utilization Study (PUS) is required per the City's Parking Study Terms of Reference provisions. The applicant previously applied for a variance for the subject site at the December 14, 2023 hearing, requesting a resident parking rate of 0.5 parking space per unit. Staff recommended the application be deferred due to a 40% resident parking deficiency and the lack of a satisfactory PUS.

The applicant did not provide a PUS as justification for the updated parking deficiency. The applicant should refer to the City's Parking Study Terms of Reference for parking justification requirements to be included with a formal submission. The applicant should confirm the survey methodology with staff prior to conducting parking surveys.

Zoning staff have advised that the accuracy of the requested variance can not be confirmed.

Given the above, Municipal Parking staff recommend the application be deferred pending the submission of a satisfactory Parking Utilization Study (PUS).

While Municipal Parking staff recommend deferral of the parking variance, planning staff are not supportive of the proposed parking rate and share concerns that the appropriate justification cannot be provided for the proposed parking rate of 0.3.

Variance 2 requests a parking lot use. Neither the official plan or zoning by-law permit a parking lot on the subject property.

Given the above, staff are of the opinion that the variances do not maintain the general intent and purpose of the zoning by-law.

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

Staff are of the opinion that the variances requested do not represent appropriate development of the subject lands and cannot be considered minor in nature.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting that any Transportation and Works Department concerns/requirements for the proposed development are being addressed through the Site Plan Application SP 09-27.

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

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Minan Song, Planner in Training

Appendix 3 – Metrolinx

Metrolinx is in receipt of the Minor Variance application for 3600 Hurontario St to permit a reduced residential parking rate as well as to permit a parking lot, to allow for the development of a 51-storey mixed-use building comprising of 587 residential units. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 60m of the proposed Hazel McCallion LRT. Advisory Comments:
- Please be advised that Metrolinx is a stakeholder that has provided comments on the comprehensive application of this site. Any comments/requirements previously provided by Metrolinx and/or our Technical Advisor are still applicable.
- As the requested variances have minimal impact on Metrolinx property, Metrolinx has no objections to the specified variances should the committee grant approval.
- Please continue to engage Metrolinx as the development progresses.

Construction Coordination (Advisory Comment)

- The applicant should be advised that Metrolinx and its contractors will be utilizing the Hurontario Street right-of-way, and its intersections, during the project's Construction Period. Based on the location of the subject property, there is potential for construction coordination and traffic staging conflicts.

- Should construction of the Hazel McCallion LRT and the proposed development occur simultaneously, Metrolinx will require the developer to submit schedule or staging plans to coordinate access to both parties.

Should you have any questions or concerns, please do not hesitate to contact me.

Comments Prepared by: Farah Faroque, Project Analyst – Third Party Projects Review

Appendix 4 – Region of Peel

Please apply previous comments.

Comments Prepared by: Ayooluwa Ayoola, Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A86.24
Ward: 11

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 6147 Duford Drive, zoned R5-14- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a driveway proposing a driveway width of 7.00m (approx. 22.97ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

The Committee has set **Thursday, April 25, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

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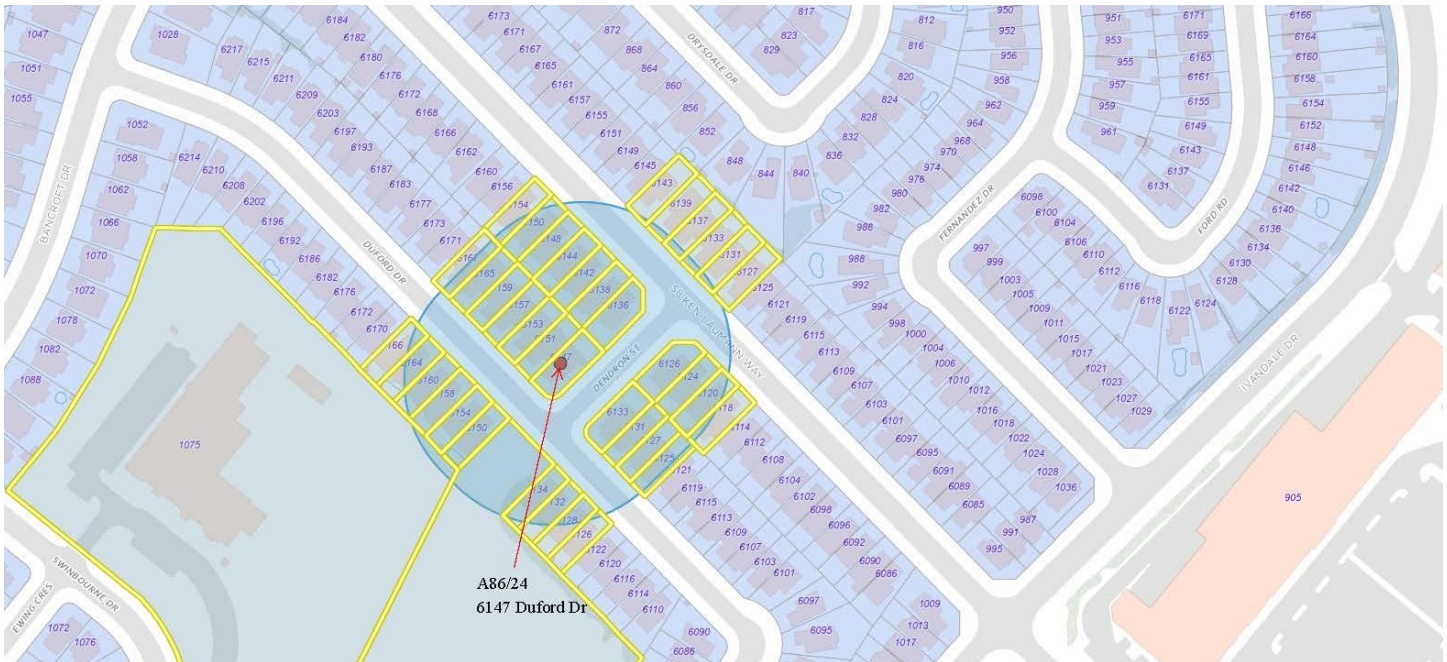
Additional Information:

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

Committee of Adjustment Appeal Process:

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



Legal notice:

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

City of Mississauga Department Comments

Date Finalized: 2024-04-17	File(s): A86.24 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-04-25 1:00:00 PM

Consolidated Recommendation

The City has no objections to the application.

Application Details

The applicant requests the Committee to approve a minor variance to allow a driveway proposing a driveway width of 7.00m (approx. 22.97ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

Background

Property Address: 6147 Duford Drive

Mississauga Official Plan

Character Area: East Credit Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R5-14- Residential

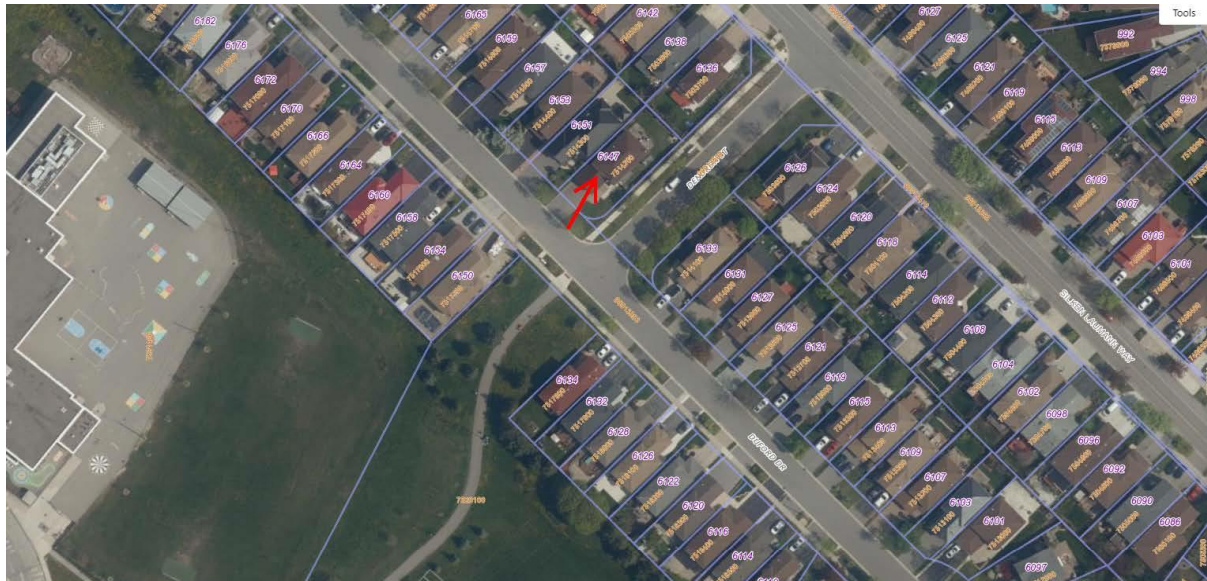
Other Applications: None

Site and Area Context

The subject property is located north-west of the Silken Laumann Way and Britannia Road West intersection in the East Credit Neighbourhood. It is an interior lot containing a two-storey detached dwelling with an attached garage. Limited landscaping and vegetative elements are present on the subject property. The property has an approximate lot area of +/- 470.35m²

(5,062.80ft²), characteristic of lots in the area. The surrounding context is predominantly residential, consisting of two-storey detached dwellings on similarly sized lots.

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



Comments

Planning

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

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

The subject property is located in the East Credit Neighbourhood Character Area and is designated Residential Low Density II. Section 9 of the Mississauga Official Plan (MOP) promotes development (including its features such as driveways and landscaping) with appropriate urban form and site design, regulating that such development is compatible with the existing conditions, the surrounding context and the landscape of the character area.

The proposed variance relates to a widened driveway on the subject property. The applicant has worked with staff to reduce the existing driveway width from 12.07m (39.60ft) to 7m (22.97ft). The planned character of the area are dwellings serviced by appropriately sized driveways that can accommodate the parking required by the zoning by-law for each property. The intent of the

driveway width regulations in the by-law is to allow a driveway that can accommodate two vehicles parked side by side, with the remainder of the front yard being soft landscaped area. Staff are of the opinion that the increase in driveway width is minor. Further, staff are satisfied that the proposed driveway width does not facilitate the parking of additional vehicles across the driveway, nor does it create excessive hardscaping on the property.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This department has no objections to the proposed driveway configuration shown on the revised Site Plan DWG A02 received by the Committee of Adjustment office and dated March 15, 2024. We note that the revised plan depicts a significant portion of the existing driveway to be replaced with “Softscaping” which we assume will be topsoil and sod.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

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

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

Comments Prepared by: Minan Song, Planner in Training

Appendix 3 – Region of Peel

Please apply previous comments.

Comments Prepared by: Ayooluwa Ayoola, Planner