
Committee of Adjustment

Date: May 9, 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

-
1. CALL TO ORDER
 2. DECLARATION OF CONFLICT OF INTEREST
 3. DEFERRALS OR WITHDRAWALS
 4. MATTERS TO BE CONSIDERED
 - 4.1 B41.23, A340.23, A341.23
1226 Alexandra Ave (Ward 1)
 - 4.2 B20.24
7070 Mississauga Road (Ward 9)
 - 4.3 B21.24
2050 and 2100 Derry Rd W (Ward 9)
 - 4.4 A140.24
848 Goodwin Road (Ward 1)
 - 4.5 A161.24
2047 Stewart Cres (Ward 1)
 - 4.6 A191.24
1480 Derry Road E (Ward 5)
 - 4.7 A198.24
199 Eaglewood Blvd (Ward 1)
 - 4.8 A199.24
7100 Walworth Court (Ward 11)
 - 4.9 A442.23
1090 Indian Road (Ward 2)
 5. OTHER BUSINESS
 6. ADJOURNMENT



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: B41.23 A340.23 A341.23
Ward: 1

In Person and Virtual Public Hearing

Why you received this letter:

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

Details of the application and meeting information:

The property owner of 1226 Alexandra Ave, zoned RM1-26- Residential, has applied for Consent under Section 53 of the Planning Act. B41/23

The applicant requests the Consent of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 7.58m (approx. 24.87ft) and an area of approximately 348.50sq m (3751.22sq ft). A340/23

The applicant requests a minor variance for the severed lands of B41/23 proposing:

1. A lot frontage of 7.58m (approx. 24.87ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 9.00m (approx. 29.53ft) in this instance;
2. A side yard setback of 1.23m (approx. 4.04ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.80m (approx. 5.91ft) in this instance;
3. A setback to the eaves of 0.81m (approx. 2.66ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.36m (approx. 4.46ft) in this instance; and,
4. A lot coverage of 36.48% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35% in this instance.

A341/23

The applicant requests a minor variance for the retained lands of B41/23 proposing:

1. A lot frontage of 7.58m (approx. 24.87ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 9.00m (approx. 29.53ft) in this instance;
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4. A lot coverage of 36.43% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35% in this instance.

The Committee has set **Thursday, May 9, 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.

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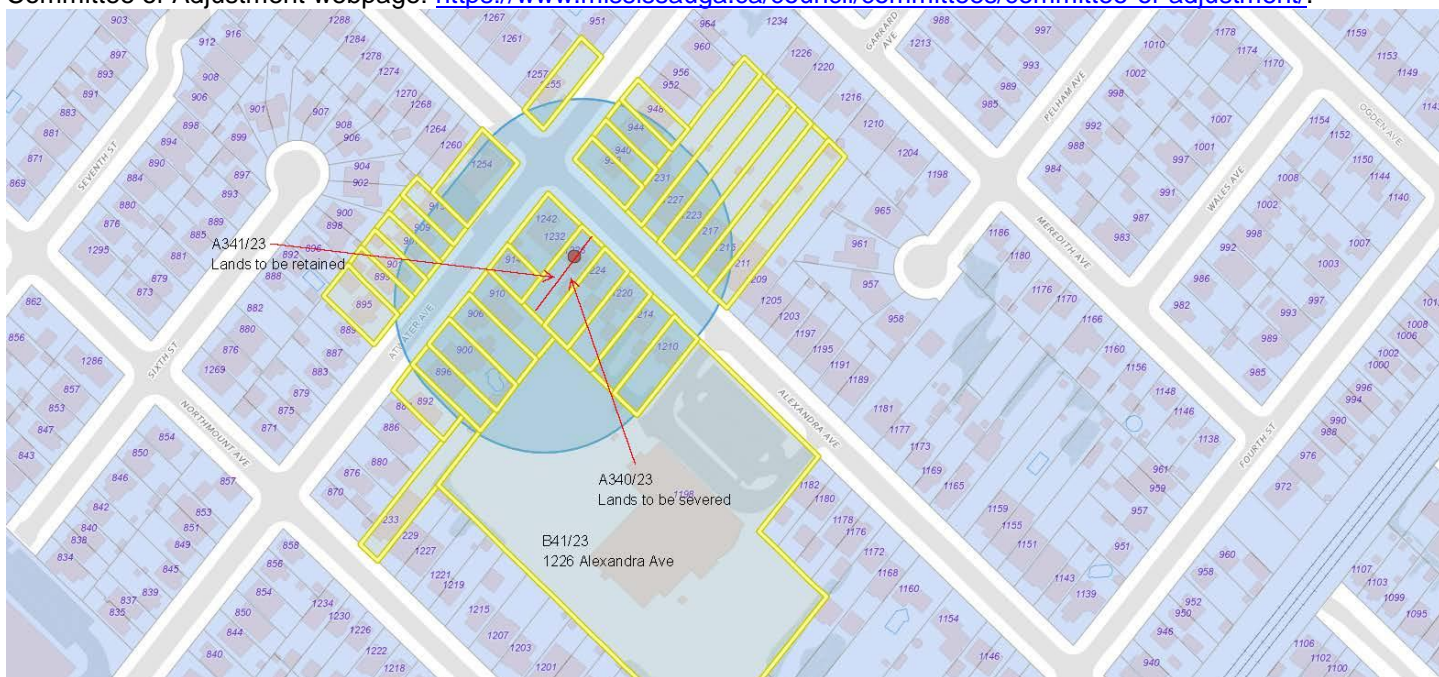
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Legal notice:

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

City of Mississauga Department Comments

Date Finalized: 2024-05-01	File(s): B41.23 A340.23
To: Committee of Adjustment	A341.23
From: Committee of Adjustment Coordinator	Ward: 1
	Meeting date:2024-05-09 1:00:00 PM

Consolidated Recommendation

The City recommends that the consent and associated minor variance applications be refused.

Application Details

B41/23

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4. A lot coverage of 36.43% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35% in this instance.

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent
- The variance application approved under File(s) A340.23 and A341.23 must be finalized
- Should the application be approved, Community Services wishes to impose the following conditions:
 - The applicant shall provide tree protection securities in the amount of \$1,900.00 for the preservation of the municipal tree(s).

Recommended Conditions and/or Terms of minor variance

- Variance(s) approved under file(s) A340.23 and A341.23 shall lapse if the consent application under file B41.23 A340.23 A341.23 is not finalized within the time prescribed by legislation.

Background

Property Address: 1226 Alexandra Ave

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM1-26- Residential

Other Applications: none

Site and Area Context

The subject property is located within the Lakeview Neighbourhood, north of the Alexandra Avenue and Lakeshore Road East intersection. The immediate neighbourhood is primarily residential consisting of one and two storey-detached dwellings on lots with vegetation in the front yards. Frontages in the immediate area range from approximately 8.72m (28.61ft) to 32.82m (107.68ft).

The subject property contains a one-storey detached dwelling. The applications propose a severance to create two new residential lots for the purpose of constructing semi-detached dwellings, requiring variances for frontage, setbacks, lot coverage and flat roof height.



Comments

Planning

Planning Act

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

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

Provincial Matters

The Provincial Policy Statement 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 applications for consent and the four tests to the minor variance request are as follows:

Staff comments concerning the applications for consent and the four tests to the minor variance request 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, street townhouse and other forms of low-rise dwellings with individual frontages. The subject property is also located within the Central Residential Neighbourhood Precinct, in the Cawthra Village Sub-Area in the Lakeview Local Area Plan (Map 1 – Lakeview Local Area Plan Precincts and Sub Areas).

Section 5.3.5 of the MOP states that neighbourhoods are not meant to remain static, however, when new development occurs it should be sensitive to the neighbourhoods existing and planned character. Through a review of lots within the immediate area, staff note that the proposed lot frontages are uncharacteristic for semi-detached dwellings in the neighbourhood. Furthermore, the applicant requires variances to accommodate the proposed frontages.

Section 9.2.2.3 of the MOP states that while new development need not mirror existing development; new development in Neighbourhoods will respect the existing lotting pattern.

The subject application was deferred by the Committee on November 26, 2023. Staff recommend refusal of the application, citing concerns with the proposed lot sizes and flat roof height variances.

The applicant has removed the flat roof height variances and continues to request consent approval to permit the construction of new semi-detached dwellings. Planning staff echo the comments from the previous submission with respect to the proposed severance.

The intent of the zoning by-law with respect to frontage is to ensure that new lots are appropriately sized and fit within the context of the surrounding area. The proposed lot frontages are uncharacteristic for semi-detached dwellings in the neighbourhood. The proposal does not respect the existing lotting pattern. Staff are unable to locate any lots in the immediate area containing semi-detached dwellings with similar lot frontages. Furthermore, the majority of lots containing semi-detached dwellings comply with the minimum required frontage requirements. The smallest lots containing semi-detached dwellings appear to have frontages greater than 9m (29.53ft), which is much larger than the proposed lots.

Based on the preceding information, staff is of the opinion that the application does not conform to Section 51(24) of the Planning Act, more specifically that the application does not conform to the official plan.

Furthermore, staff is of the opinion that variance #1 does not meet the intent of the official plan, zoning by-law and are not minor or appropriate development.

As such, staff recommend that the consent and associated minor variance applications be refused.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting that any Transportation and Works Department concerns/requirements for this property will be addressed under Consent Application 'B' 41/22. A340.23 A341.23

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

A. Items Required Prior to the Issuance of Final Consent

1. Overall Grading and Drainage Plan

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

2. Municipal Address Requirement

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

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

B. GENERAL INFORMATION

1. Lot Grading and Drainage

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

2. Servicing

All costs incurred in providing any service laterals will be the responsibility of the owner. The owner will also be responsible for all costs incurred for the required road reinstatement (if

required). If the service connections are to be installed by a private contractor retained by the owner, issuance of an open cut permit will be subject to the owner depositing adequate securities with the City to guarantee proper road reinstatement.

3. Access

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

4. Storm Sewer Outlet

The storm sewer outlet for this site is the existing 675mm storm sewer on Alexandra Ave. The applicant is encouraged to design the basement elevation 1 metre above the obvert of the storm sewer on the street to eliminate the need for a sump pump.

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

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

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

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

Appendix 2 – Zoning Comments

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

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

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

Appendix 3 – Parks, Forestry & Environment

The Parks and Culture Planning Section of the Community Services Department has reviewed the above noted consent application and has no objections.

City of Mississauga Forestry Staff have attended the site and identified the following City owned tree(s) within the municipal boulevard on Alexandra Ave.:

- Basswood Linden (30 cm DBH) – Good Condition

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

1. The applicant shall provide tree protection securities in the amount of \$1,900.00 for the preservation of the municipal tree(s).

In addition, Community Services notes the following:

1. The applicant shall provide framed tree hoarding at the dripline of the above noted trees prior to any construction to the satisfaction of City of Mississauga Forestry Staff. Please call Matthew McMullen at 905-615-3200 ext. 3508 or Mike Newbold at 905-615-3200 ext. 8280 to arrange a hoarding inspection.
2. 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.
3. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, c.P. 13, as amended) and in accordance with the City's policies and by-laws.

Should further information be required, please contact 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

Please apply previous comments.

Minor Variance: A-23-340M, A-23-341M & B-23-041M / 1226 Alexandra Ave

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. 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
- The applicant shall verify the location of the existing service connections to the subject site and the contractor shall locate all existing utilities in the field. Requests for underground locates can be made at <https://www.ontarioonecall.ca/portal/>
- For location of existing water and sanitary sewer Infrastructure please contact Records at 905-791-7800 extension 7882 or by e-mail at PWServiceRequests@peelregion.ca

Comments Prepared by: Ayooluwa Ayoola, Junior Planner

Appendix A – CONDITIONS OF PROVISIONAL CONSENT

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

-
1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
 2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
 3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding. ("A" 340-341/23)
 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 May 1, 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 May 1, 2024.



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: B20.24
Ward: 9

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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 7070 Mississauga Road, zoned E2-1- Employment, has applied for Consent under Section 53 of the Planning Act. The applicant requests the Consent of the Committee to create an easement.

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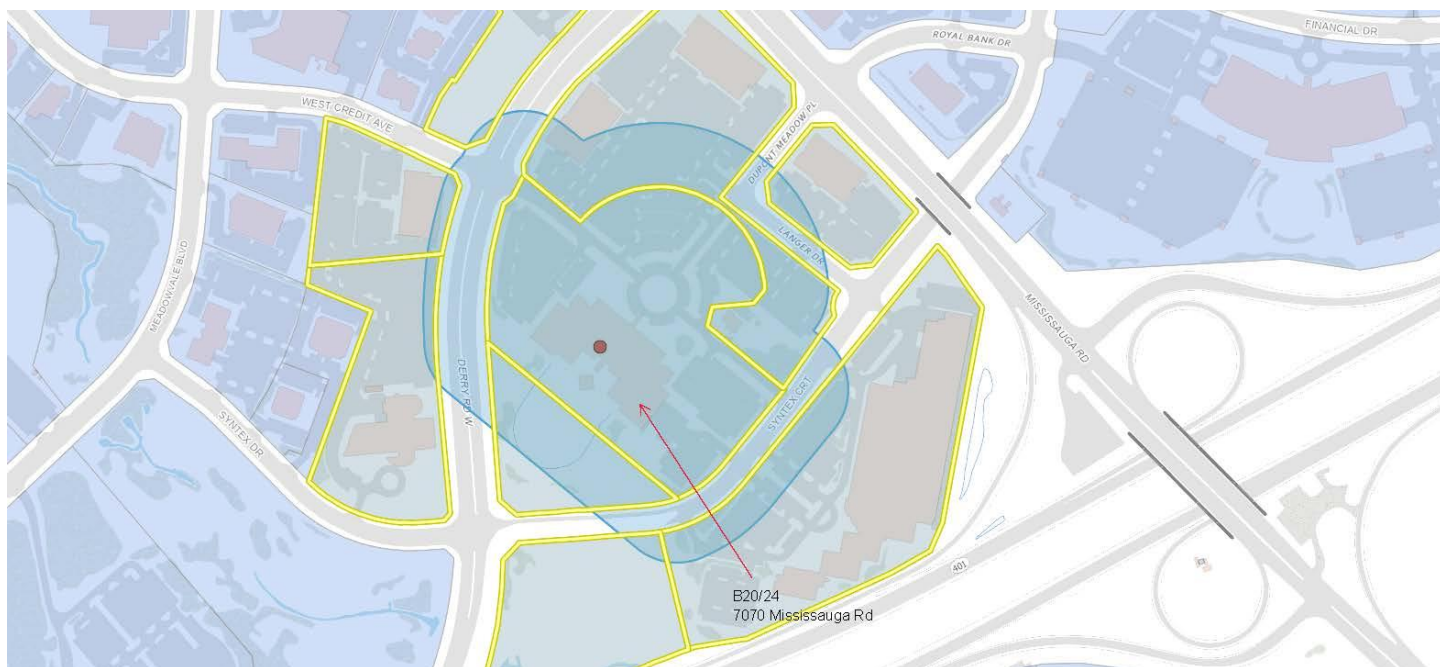
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Your comments are collected under the legal authority of the Planning Act R.S.O. 1990, Chapter c.P.13, as amended. Your comments regarding this application become the property of the City of Mississauga and will become part of the decision making process of the application. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.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: 2024-05-01	File(s): B20.24
To: Committee of Adjustment	Ward: 9
From: Committee of Adjustment Coordinator	Meeting date:2024-05-09 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Consent of the Committee to create an easement.

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 7070 Mississauga Road

Mississauga Official Plan

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

Zoning By-law 0225-2007

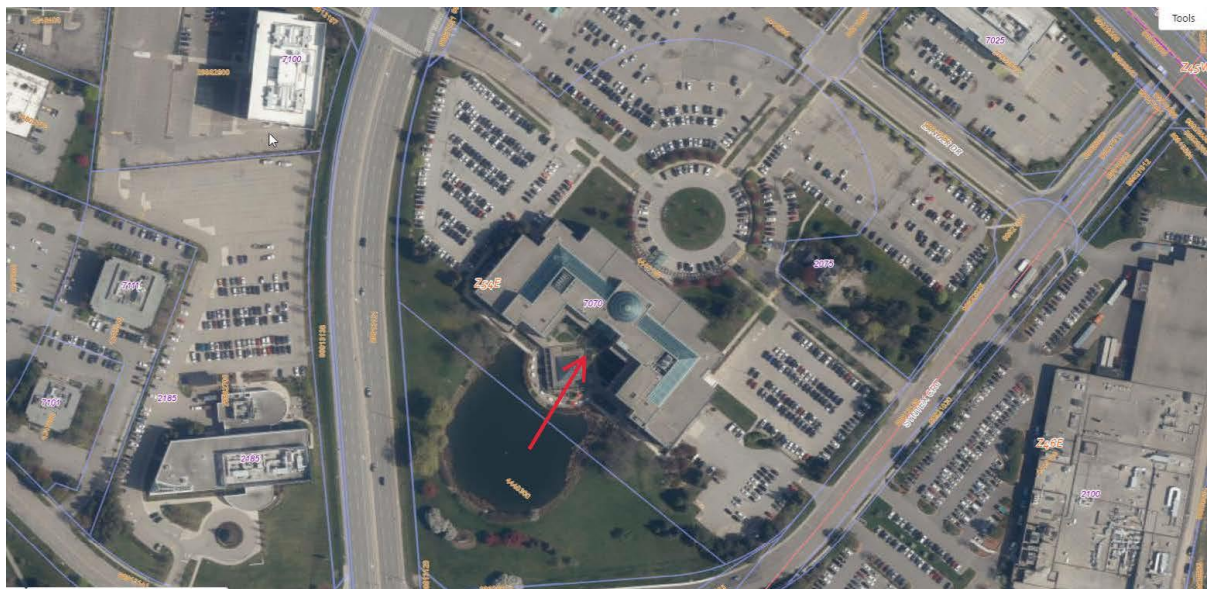
Zoning: E2-1- Employment

Other Applications: None

Site and Area Context

The subject property is located north-west of the Mississauga Road and Syntex Court intersection in the Meadowvale Business Park Corporate Centre Character Area. The developed site consists of one office building and associated parking lots. Vegetative and landscaping elements are present throughout the property. The surrounding area context is exclusively office buildings with varying lot sizes and built forms.

The applicant is proposing mutual access easements on the property to allow for vehicular traffic and a common parking area on the sites.



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.

City Department and Agency Comments	File:B20.24	2024/05/01	3
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Staff comments concerning the applications for consent and the four tests to the minor variance request are as follows:

Staff note there are no changes to the application from the previous Committee of Adjustment hearing on March 21st, 2024. Please note the comments from the previous report still apply and as such, staff are supportive of the proposed consent.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

The Transportation and Works Department has no objections to the applicant's request where the intent is to create reciprocal easements between the subject properties.

The applicant has provided a Site Plan (Schedule B-1) which depicts 3 parcels identified as Parcel A, B and C. Parcel A is owned by The Canada Life Assurance Company (7070 Mississauga Road), Canada Life Assurance Company ((2050 & 2100 Derry Road) owns parcel B, and Parcel C is also owned by Canada Life Assurance Company (7025 Langer Drive). A Schedule B-2 along with a Master Site Plan has also been submitted depicting the key access roads and highlights the common parking areas.

A solicitor letter prepared by Daoust Vukovich LLP Barristers & Solicitors dated December 27, 2023, has been provided to describe the intent of the request. The solicitor letter indicates that the applications are necessary to obtain consent approval for various easements. The required easements have been described in the submitted Notice of Mutual Easement Agreement, which was registered on May 1, 2023, as Instrument No. PR4195324 (the "Easements").

The Mutual Easement Agreement is between Toronto West Professional Centre Inc. (the "Parcel A Owner") and The Canada Life Assurance Company (the "Parcel B & C Owner"). The mentioned Mutual Easement Agreement also includes a "Schedule A" which gives a legal description of the parcels, "Schedule B-1" depicting the Site Plan with the various parcels A, B & C and "Schedule B-2" which includes the Master Site Plan identifying the shared key access roads and common parking areas.

In view of the above, and should Committee see merit in the subject applications we have no objections or conditions with respect to the applicant's request.

Should there be any questions or if further information is required 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, Zoning Examiner

Appendix 3- Region of Peel

Please apply previous comments:

We have no comments or objections.

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.



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: B21.24
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 2050 and 2100 Derry Rd W, zoned E2-1- Employment, has applied for Consent under Section 53 of the Planning Act. The applicant requests the Consent of the Committee to create an easement.

The Committee has set **Thursday, May 9, 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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- **Submit a written comment:** Written comments to the Committee must be received no later than 4:30 p.m. on the Friday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and the application file number or property address you are commenting on.

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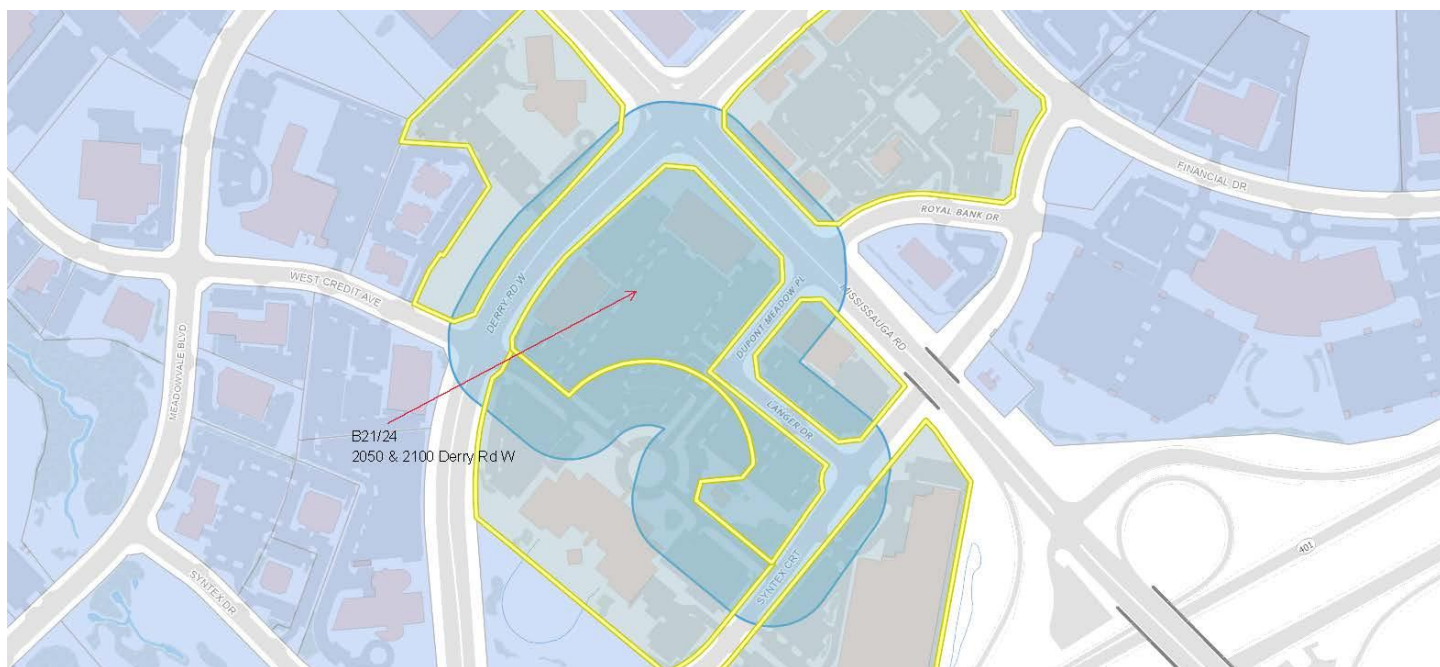
Additional Information:

- For more information about this matter, contact committee.adjustment@mississauga.ca or call 905-615-3200 x2408. Alternatively, information can be obtained in person by making an appointment with the Committee of Adjustment at 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Appointments can be booked using the "Book an appointment" button on the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.
- You can review city staff and agency comments one week before the hearing at the following link: <http://www.mississauga.ca/portal/cityhall/calendar>.

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:

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City of Mississauga Department Comments

Date Finalized: 2024-05-01	File(s): B21.24
To: Committee of Adjustment	Ward: 9
From: Committee of Adjustment Coordinator	Meeting date:2024-05-09 1:00:00 PM

Consolidated Recommendation

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

Application Details

The applicant requests the Consent of the Committee to create an easement.

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 2050 and 2100 Derry Rd W

Mississauga Official Plan

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

Zoning By-law 0225-2007

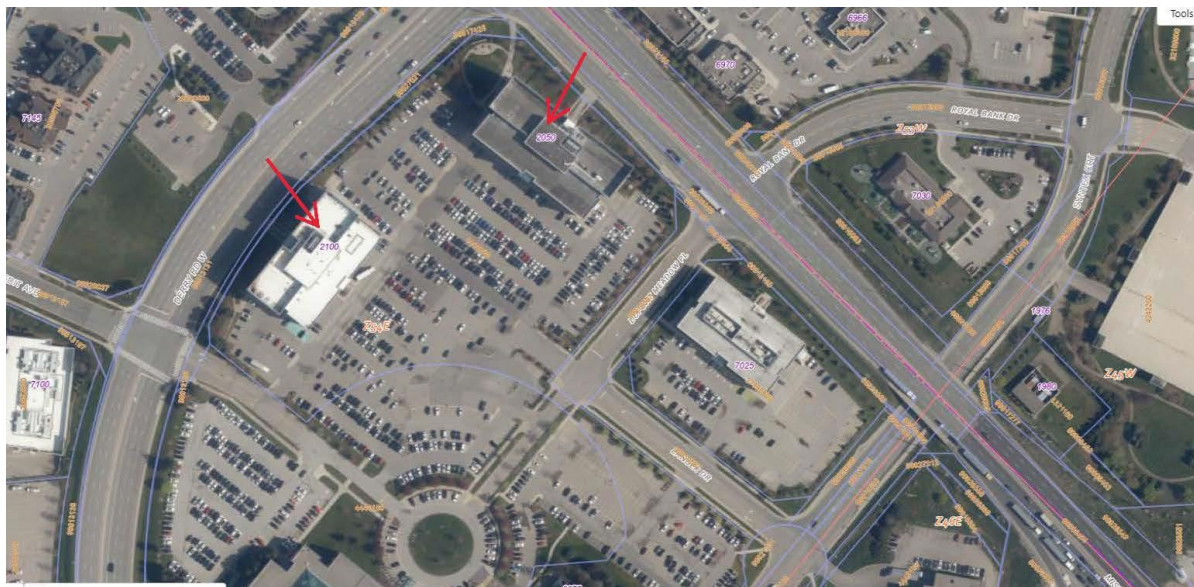
Zoning: E2-1- Employment

Other Applications: None

Site and Area Context

The subject property is located north-west of the Mississauga Road and Syntex Court intersection in the Meadowvale Business Park Corporate Centre Character Area. The developed site consists of two office buildings and associated parking lots. Vegetative and landscaping elements are present throughout the property. The surrounding area context is exclusively office buildings with varying lot sizes and built forms.

The applicant is proposing mutual access easements on the property to allow for vehicular traffic and a common parking area on the sites.



Comments

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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.

City Department and Agency Comments	File:B21.24	2024/05/01	3
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Staff comments concerning the applications for consent and the four tests to the minor variance request are as follows:

Staff note there are no changes to the application from the previous Committee of Adjustment hearing on March 21st, 2024. Please note the comments from the previous report still apply and as such, staff are supportive of the proposed consent.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

The Transportation and Works Department has no objections to the applicant's request where the intent is to create reciprocal easements between the subject properties.

The applicant has provided a Site Plan (Schedule B-1) which depicts 3 parcels identified as Parcel A, B and C. Parcel A is owned by The Canada Life Assurance Company (7070 Mississauga Road), Canada Life Assurance Company ((2050 & 2100 Derry Road) owns parcel B, and Parcel C is also owned by Canada Life Assurance Company (7025 Langer Drive). A Schedule B-2 along with a Master Site Plan has also been submitted depicting the key access roads and highlights the common parking areas.

A solicitor letter prepared by Daoust Vukovich LLP Barristers & Solicitors dated December 27, 2023, has been provided to describe the intent of the request. The solicitor letter indicates that the applications are necessary to obtain consent approval for various easements. The required easements have been described in the submitted Notice of Mutual Easement Agreement, which was registered on May 1, 2023, as Instrument No. PR4195324 (the "Easements").

The Mutual Easement Agreement is between Toronto West Professional Centre Inc. (the "Parcel A Owner") and The Canada Life Assurance Company (the "Parcel B & C Owner"). The mentioned Mutual Easement Agreement also includes a "Schedule A" which gives a legal description of the parcels, "Schedule B-1" depicting the Site Plan with the various parcels A, B & C and "Schedule B-2" which includes the Master Site Plan identifying the shared key access roads and common parking areas.

In view of the above, and should Committee see merit in the subject applications we have no objections or conditions with respect to the applicant's request.

Should there be any questions or if further information is required 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, Zoning Examiner

Appendix 3 – Bell

Bell Canada respectfully maintains our request for easement protection for file B21.24

Subject: Consent Application - Severance
2050 and 2100 Derry Rd W
CofA File: B21.24 Bell File: 905-24-060

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 buried facilities, supply service to the properties and to maintain service in the area. According to our records, Bell Canada has buried cable that runs along the southeast boundary and kindly request the easement be the full length of the facilities, as shown as an approximation on the attached sketch.

Bell Canada would like to confirm that a blanket easement over the lands or a specific easement measured 3.0m wide (1.5m on either side of the buried plant), and to a minimum of 1.0m past any pedestal installation as can be accommodated, would satisfy our needs. Concerning the buried plant, it will be necessary for the surveyor to arrange for a cable locate to identify its location.

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 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 3- Region of Peel

Please apply previous comments:

We have no comments or objections.

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 Bell indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated April 5, 2024.



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A140.24
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 848 Goodwin Road, zoned R3-75- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a house proposing:

1. A lot coverage of 36.29% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
2. A dwelling depth of 21.52m (approx. 70.60ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
3. An existing front yard setback of 6.07m (approx. 19.91ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.50m (approx. 24.61ft) in this instance; and,
4. An existing front yard setback of 6.07m (approx. 19.91ft) to the garage face whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.50m (approx. 24.61ft) to a garage face in this instance.

The Committee has set **Thursday, May 9, 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.
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- **Submit a written comment:** Written comments to the Committee must be received no later than 4:30 p.m. on the Friday prior to the hearing. Submissions are accepted by email at committee.adjustment@mississauga.ca or by mailing the Committee of Adjustment, 300 City Centre Drive 2nd Floor, Mississauga, ON L5B 3C1. Please include your name, your address, and the application file number or property address you are commenting on.

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

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

Additional Information:

- 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:**

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City of Mississauga Department Comments

Date Finalized: 2024-05-01	File(s): A140.24
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2024-05-09 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 and as amended, meets the requirements of Section 45(1) of the Planning Act.

Application Details

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

1. A lot coverage of 36.29% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% in this instance;
2. A dwelling depth of 21.52m (approx. 70.60ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
3. An existing front yard setback of 6.07m (approx. 19.91ft) whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.50m (approx. 24.61ft) in this instance; and,
4. An existing front yard setback of 6.07m (approx. 19.91ft) to the garage face whereas By-law 0225-2007, as amended, requires a minimum front yard setback of 7.50m (approx. 24.61ft) to a garage face in this instance.

Amendments

The Building Department is processing Building Permit application 23-10256. Based on review of the information available in this application, we advise that following amendment is required:

Add the variance:

5. A driveway width of 6.00m, whereas a maximum driveway width of 5.65m is permitted in this instance.

Background

Property Address: 848 Goodwin Road

Mississauga Official Plan

Character Area: Lakeview Neighbourhood

Designation: Residential Low Density II

Zoning By-law 0225-2007

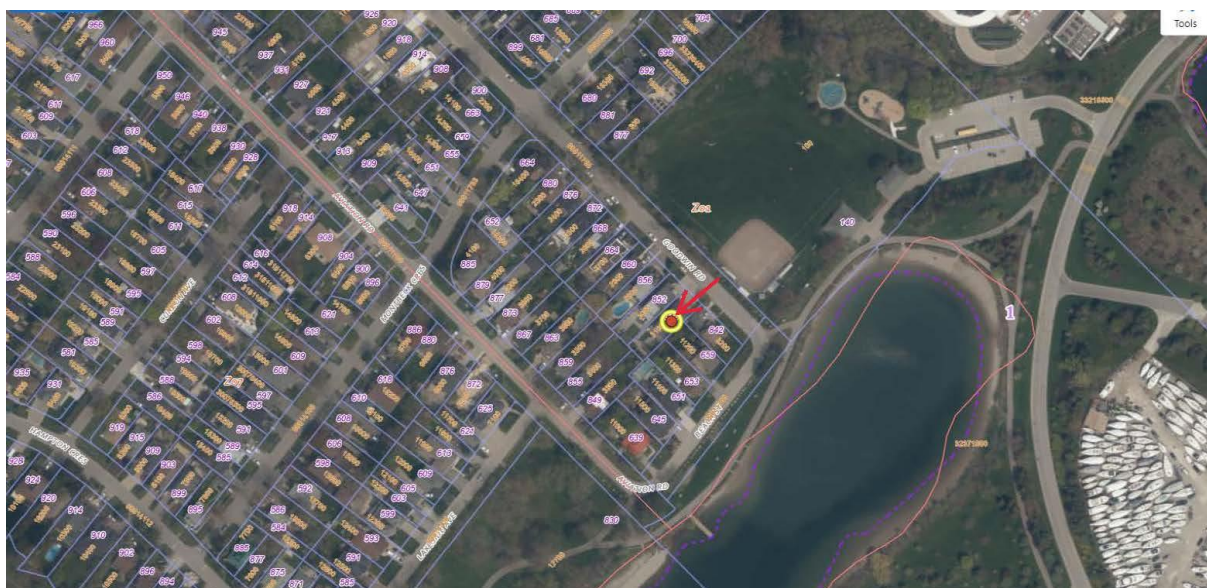
Zoning: R3-75- Residential

Other Applications: Building Permit application 23-10256

Site and Area Context

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

The applicant is proposing a new two-storey detached dwelling requiring variances for lot coverage, dwelling depth, setbacks and 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 are as follows:

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

Variance #1 is for an increased lot coverage of 36.29%, where a maximum lot coverage of 35% is permitted. Planning staff is of the opinion that this increase is minor and negligible. Furthermore, 33.5% of the total coverage is attributable to the ground floor and garage of the proposed dwelling where the remaining coverage is for a covered porch with little to no massing impact.

Variance #2 is for increased dwelling depth. Planning staff have no concerns regarding the proposed variance. The depth is reflective of dwelling depths found in the immediate area and the side walls of the dwelling will not pose massing concerns as they are staggered and contain architectural features such as windows and column that will break up its massing. A portion of roof has also been added to the side walls of the dwelling to separate the first and second storeys of the dwelling to also break up its massing.

Variances #3 and 4 are to accommodate existing front yard setbacks. Planning staff have no concerns with these variances, as they are generally reflective of front yard setbacks found in the immediate area.

Variance #5 pertains to driveway width and was identified by Zoning staff through the building permit process. Planning staff have no concerns regarding this variance as the width represents a minor increase and maintains the intent of the zoning by-law by allowing for a driveway width that can only accommodate two cars in width.

Through a detailed review of the application, staff are of the opinion that the proposed use is desirable and is appropriate to be handled through the minor variance process and that 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 dwelling will be addressed by our Development Construction Section through Building Permit BP 9NEW-23/10256.

You will notice in the picture that the driveway has been widened considerably beyond the existing curb cut. We ask that the Municipal boulevard area of the widened portion be reinstated to be topsoil and sod.

Comments Prepared by: John Salvino, Development Engineering Technologist



Appendix 2 – Zoning Comments

The Building Department is processing Building Permit application 23-10256. Based on review of the information available in this application, we advise that following amendment is required:

Add the variance:

5. A driveway width of 6.00m, whereas a maximum driveway width of 5.65m is permitted in this instance.

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

Comments Prepared by: Sibila Lass Weldt, Zoning Examiner

Appendix 3- Region of Peel

Minor Variance: A-24-140M / 848 Goodwin Road

Development Engineering: Wendy Jawdek (905) 791-7800 x6019

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 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 may be required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections 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 by email at siteplanservicing@peelregion.ca.
- The applicant shall verify the location of the existing service connections to the subject site and the contractor shall locate all existing utilities in the field. Requests for underground locates can be made at <https://www.ontarioonecall.ca/portal/>
- For location of existing water and sanitary sewer Infrastructure please contact Records by e-mail at PWServiceRequests@peelregion.ca.

Comments Prepared by: Petrele Francois, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A161.24
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 2047 Stewart Cres, zoned R3-75- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow a dwelling unit depth of 21.35m (approx. 70.05ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m (approx. 65.62ft) in this instance.

The Committee has set **Thursday, May 9, 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.
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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: 2024-05-01	File(s): A161.24
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2024-05-09 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 dwelling unit depth of 21.35m (approx. 70.05ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m (approx. 65.62ft) in this instance.

Background

Property Address: 2047 Stewart Cres

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

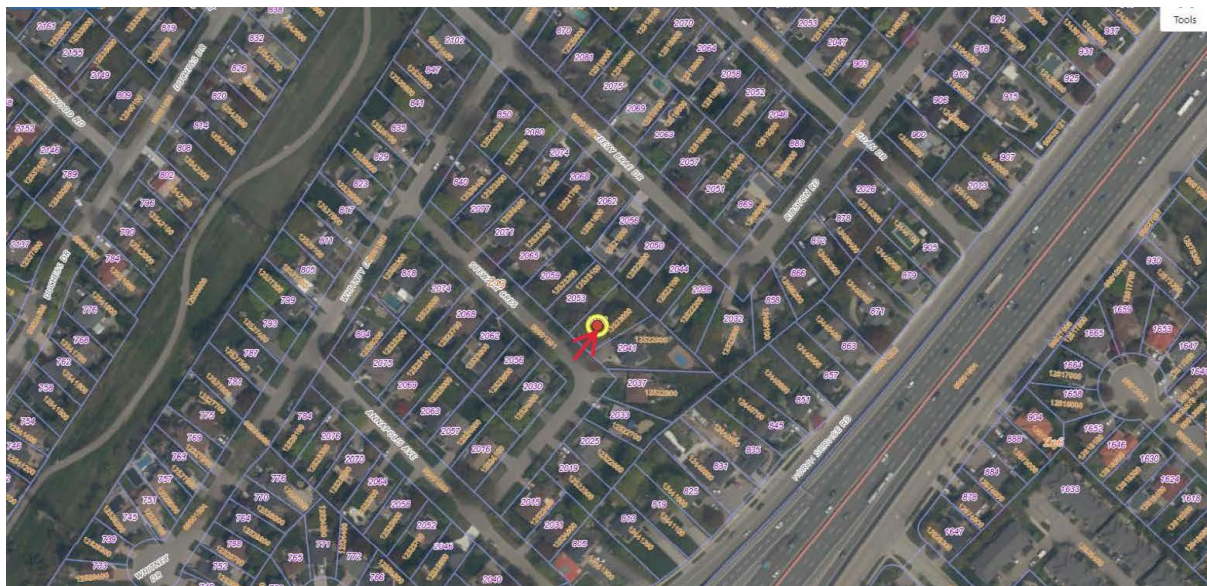
Zoning: R3-75- Residential

Other Applications: none

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, northeast of the North Service Road and Dixie Road intersection. The immediate neighbourhood is entirely residential, consisting of a mix of older and newer one and two-storey detached dwellings with significant mature vegetation in the front, rear and side yards. The subject property contains a one-storey detached dwelling with vegetation in the front yard.

The application proposes a new second storey addition to an existing detached dwelling, requesting a variance for dwelling depth.



Comments

Planning

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

Staff comments concerning the application are as follows:

The subject property is located in the Lakeview Neighbourhood Character Area and is designated Residential Low Density 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 is for a dwelling depth of 21.35m (70.05ft) where a maximum dwelling depth of 20 (65.62ft) is permitted. The intent of the zoning provisions for dwelling depth are to minimize impacts of long walls on neighbouring lots as a direct result of the dwelling's massing. Staff note that the dwelling depth of 21.35m (70.05ft) is existing. In 1996, a building permit was issued to the landowner for the purpose of constructing a one-storey addition to the one-storey

City Department and Agency Comments	File:A161.24	2024/05/01	3
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detached dwelling. That addition increased the dwelling's depth to 21.35m (70.05ft). At that time the infill regulations, limiting dwelling depth, were not in effect and therefore no variance was required.

The requested variance is only required to accommodate a second storey addition, as the first storey was legally existing and built prior to infill regulations. Staff note that the second storey addition will not add to the existing footprint of the dwelling and no other variances have been identified for height, setbacks, area, or coverage which can exacerbate the massing impact of a building/structure. As such, Planning staff are of the opinion that the massing impact to adjacent properties is negligible.

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: 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 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, Zoning Examiner

Appendix 3- Region of Peel

Minor Variance: A-24-161M / 2047 Stewart Crescent

Development Engineering: Wendy Jawdek (905) 791-7800 x6019

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 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 may be required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections by email at siteplanservicing@peelregion.ca.
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- The applicant shall verify the location of the existing service connections to the subject site and the contractor shall locate all existing utilities in the field. Requests for underground locates can be made at <https://www.ontarioonecall.ca/portal/>
- For location of existing water and sanitary sewer Infrastructure please contact Records by e-mail at PWServiceRequests@peelregion.ca.

Comments Prepared by: Petrele Francois, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A191.24
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 1480 Derry Road E, zoned D, 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 motor vehicle rental facility on the subject property proposing:

1. A motor vehicle sales facility use whereas By-law 0225-2007, as amended, does not permit such a use in this instance; and,
2. An office trailer of 19.00sq m (approx. 204.52sq ft) whereas By-law 0225-2007, as amended, does not permit the erection of any new building or structures in this instance.

The Committee has set **Thursday, May 9, 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: 2024-05-01	File(s): A191.24
To: Committee of Adjustment	Ward: 5
From: Committee of Adjustment Coordinator	Meeting date:2024-05-09 1:00:00 PM

Consolidated Recommendation

The City recommends the application be deferred to identify the correct use on the subject property.

Application Details

The applicant requests the Committee to approve a minor variance to allow a motor vehicle rental facility on the subject property proposing:

1. A motor vehicle sales facility use whereas By-law 0225-2007, as amended, does not permit such a use in this instance; and,
2. An office trailer of 19.00sq m (approx. 204.52sq ft) whereas By-law 0225-2007, as amended, does not permit the erection of any new building or structures in this instance.

Background

Property Address: 1480 Derry Road E

Mississauga Official Plan

Character Area: Northeast Employment Area
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: D

Other Applications: None

Site and Area Context

The subject property is located on the south-west corner of the Dixie Road and Derry Road East intersection in the Northeast Employment Area. It is currently vacant for the exception of an existing trailer located on the subject property. The subject property has a lot area of 0.17ha (0.43ac) and a lot frontage of 55.57m (182.31ft). There are no vegetative elements present on the subject property. The surrounding contains a mix of airport and employment uses, as well as vacant lands, with varying built forms on lots of varying sizes.

The applicant is proposing a motor vehicle sales facility use and the erection of an office trailer requiring a variance for the use and the structure on the subject 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 of the four tests to this minor variance request are as follows:

Staff note a prior application (A257.18) with the same application scope was approved by the Committee of Adjustment on October 4th, 2018 for a temporary period of 3 years. Additionally, there is an existing rezoning application on the subject property proposing a gas bar with an accessory convenience retail and service kiosk and a take-out restaurant.

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

The applicant has proposed a motor vehicle sales facility use and an office trailer on the subject property. The site plan submitted also indicates the subject property will be utilized for the parking of trucks. In correspondence with the agent on file, it has been confirmed the trucks parked on the subject property will be advertised for purchase and the application is seeking a temporary approval. Staff note the current use proposed is incorrect and does not apply as per the information provided by the agent. While planning staff are not in a position to interpret the zoning by-law, staff note the motor vehicle sales, leasing and or rental facility – commercial motor vehicle use would be the appropriate variance to be sought. Staff suggest contacting the Zoning department for further confirmation.

Given the above, staff recommend the application be deferred to identify the correct use.

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. We note that any access related requirements will be addressed by the Region of Peel as both Derry Road East and Dixie Road are under the Region's jurisdiction.





Comments Prepared by: Tony Iacobucci, Development Engineering Technician

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.

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, Zoning Examiner

Appendix 3- Region of Peel

Minor Variance: A-24-191M / 1480 Derry Rd. E.

Development Engineering: Wendy Jawdek (905) 791-7800 x6019

Comments:

- This site does not have frontage on existing municipal sanitary sewer.
- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections by email at siteplanservicing@peelregion.ca.
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- For location of existing water and sanitary sewer Infrastructure please contact Records by e-mail at PWServiceRequests@peelregion.ca.

Planning: Petrele Francois (905) 791-7800 x3356

Comments:

- The subject site is located within an Employment Area as protected in the Region of Peel Official Plan (RPOP), identified on Schedule E-4 of the RPOP, and within a Provincially Significant Employment Zone. The Region does not support of the proposed use of a motor vehicle rental facility, as it does not meet the definition of employment land uses, the employment policies of RPOP section 5.8.

Comments Prepared by: Petrele Francois, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A198.24
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 199 Eaglewood Blvd, zoned R3-1- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A gross floor area (infill residential) of 341.30sq m (approx. 3673.72sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 296.77sq m (approx. 3194.41sq ft) in this instance;
2. A height of 7.77m (approx. 25.49ft) whereas By-law 0225-2007, as amended, permits a maximum height of 7.50m (approx. 24.61ft) in this instance; and,
3. A soffit (eaves) height of 7.03m (approx. 23.06ft) whereas By-law 0225-2007, as amended, permits a maximum soffit (eaves) height of 6.40m (approx. 21.00ft) in this instance.

The Committee has set **Thursday, May 9, 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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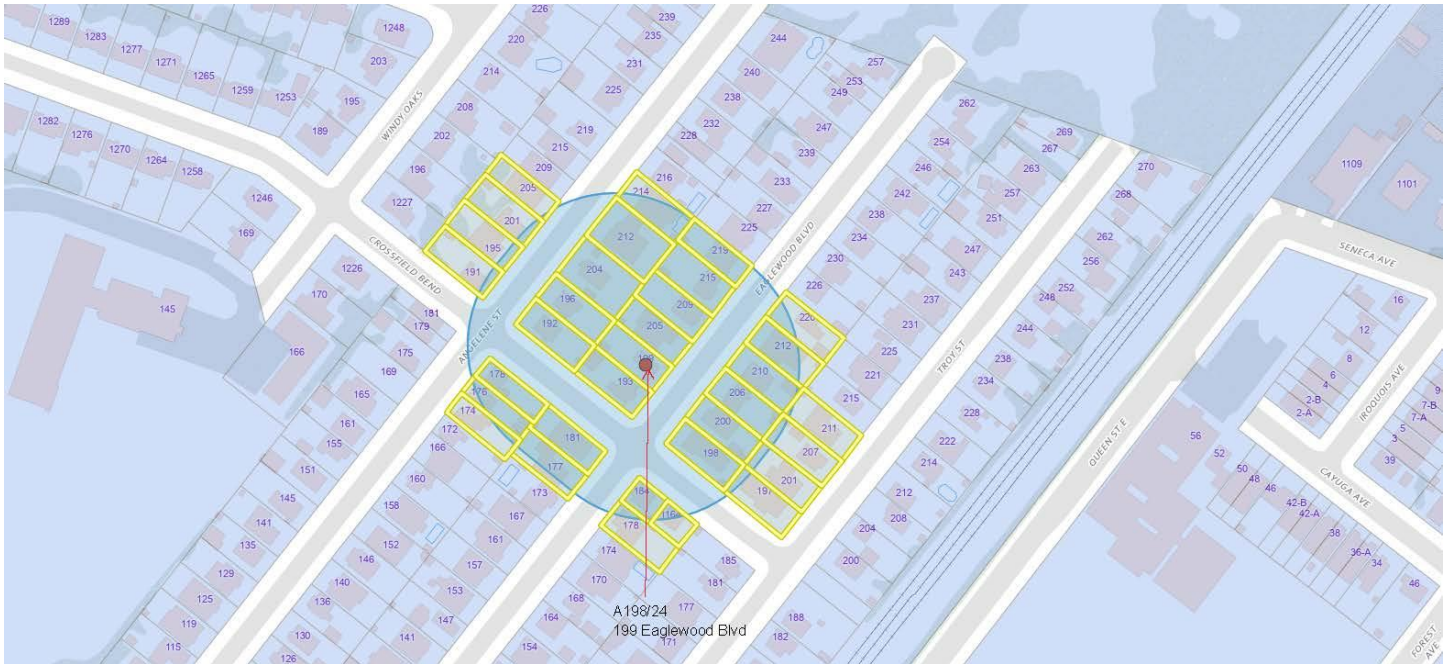
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Additional Information:

- 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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- 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:

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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: 2024-05-01	File(s): A198.24 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-05-09 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 gross floor area (infill residential) of 341.30sq m (approx. 3673.72sq ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 296.77sq m (approx. 3194.41sq ft) in this instance;
2. A height of 7.77m (approx. 25.49ft) whereas By-law 0225-2007, as amended, permits a maximum height of 7.50m (approx. 24.61ft) in this instance; and,
3. A soffit (eaves) height of 7.03m (approx. 23.06ft) whereas By-law 0225-2007, as amended, permits a maximum soffit (eaves) height of 6.40m (approx. 21.00ft) in this instance.

Background

Property Address: 199 Eaglewood Blvd

Mississauga Official Plan

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

Zoning By-law 0225-2007

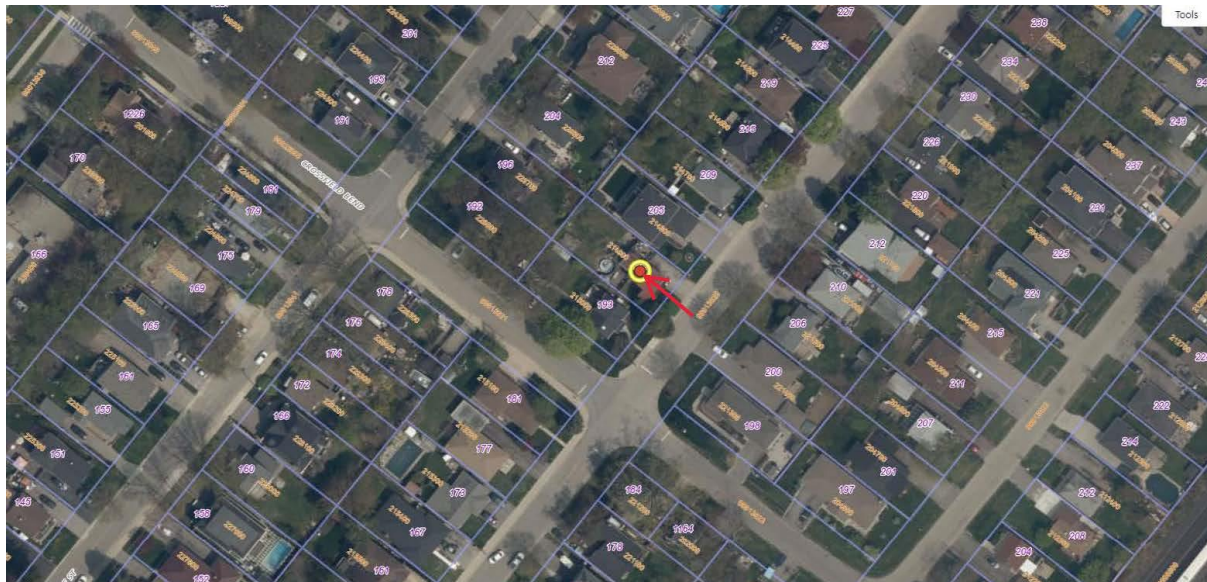
Zoning: R3-1- Residential

Other Applications: none

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southeast of the Mineola Road East and Hurontario Street intersection. The neighbourhood is entirely residential, consisting of older and newer one and two storey detached dwellings with significant vegetation in both the front and rear yards. The subject property contains an existing two-storey dwelling with vegetation in the front and rear yard.

The application is to construct a new two-storey detached dwelling. The applicant is requesting variances for gross floor area and 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 located within the Mineola Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP).

Planning staff are of the opinion that variance #1 for increased gross floor area, represents a significant departure from the maximum requirement. The proposed variance will exacerbate the massing impact of the dwelling and does not maintain compatibility with the existing dwellings in the neighbourhood or preserve the neighbourhood's character.

City Department and Agency Comments	File:A198.24	2024/05/01	3
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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 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, Zoning Examiner

Appendix 3 – Metrolinx

Metrolinx is in receipt of the Minor Variance application for 199 Eaglewood Blvd to construct a new two-storey detached dwelling. 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.

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

Appendix 4- Region of Peel

Minor Variance: A-24-198M / 199 Eaglewood Blvd.

Development Engineering: Wendy Jawdek (905) 791-7800 x6019

Comments:

- • Installation of and alterations to property line water valves require inspection by Region of Peel inspectors to confirm if these works are completed in accordance with Region of Peel Design Criteria, Standards, and Specifications.
- • Proposals to connect to an existing service lateral require approval from a Region of Peel inspector at construction stage.
- • 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 is required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections 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 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 by email at siteplanservicing@peelregion.ca.
- • The applicant shall verify the location of the existing service connections to the subject site and the contractor shall locate all existing utilities in the field. Requests for underground locates can be made at <https://www.ontarioonecall.ca/portal/>
- • For location of existing water and sanitary sewer Infrastructure please contact Records by e-mail at PWServiceRequests@peelregion.ca.

Comments Prepared by: Petrele Francois, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A199.24
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 7100 Walworth Court, zoned R4-35- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to permit a below grade entrance in the exterior side yard to facilitate the entry for a second dwelling unit in the basement whereas By-law 0225-2007, as amended, does not permit a below grade entrance in an exterior side yard in this instance.

The Committee has set **Thursday, May 9, 2024 at 1:00 PM** for the public hearing on this matter. The hearing will begin at the noted start time and items on the agenda are generally heard in the order shown. Minor variance applications are evaluated based on the four tests as set out by Section 45(1) of the Planning Act. For more information please see the "What is a minor variance" section of the Committee's webpage: <https://www.mississauga.ca/council/committees/committee-of-adjustment/>.

How to participate:

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

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

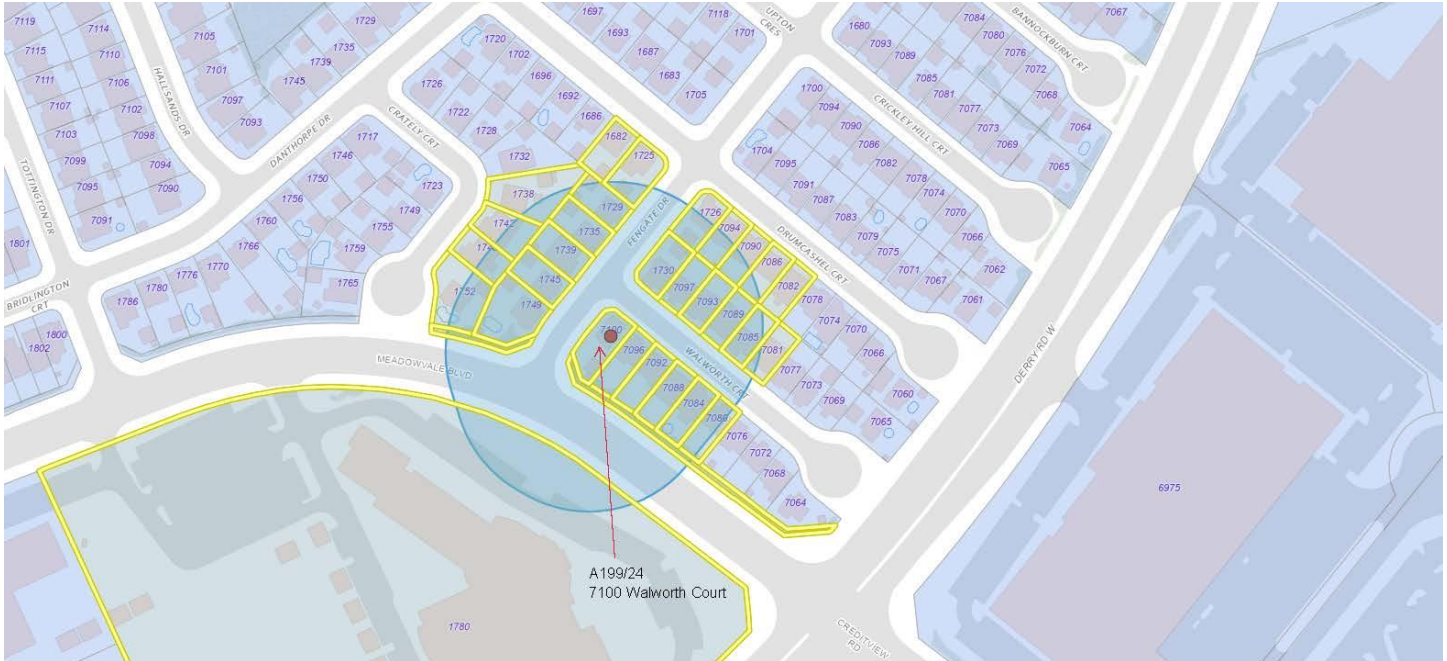
Additional Information:

- 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: 2024-05-01	File(s): A199.24 Ward: 11
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-05-09 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 permit a below grade entrance in the exterior side yard to facilitate the entry for a second dwelling unit in the basement whereas By-law 0225-2007, as amended, does not permit a below grade entrance in an exterior side yard in this instance.

Background

Property Address: 7100 Walworth Court

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R4-35- Residential

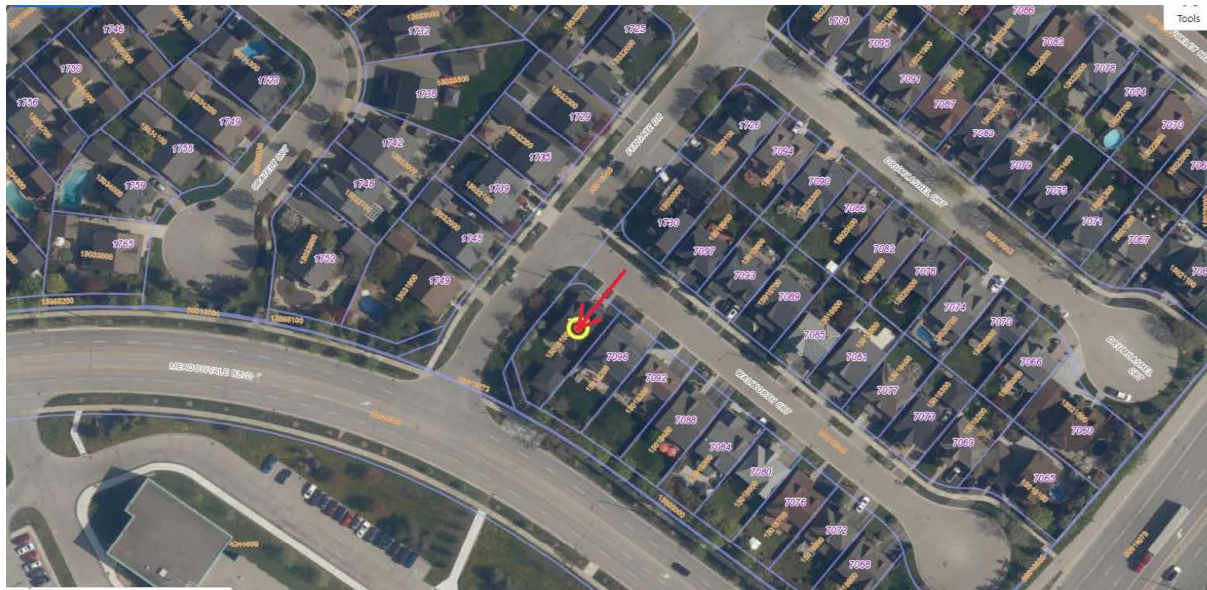
Other Applications: SEC UNIT 24-620

Site and Area Context

The subject property is located north-east of the Derry Road West and Meadowvale Boulevard intersection in the Meadowvale Village Neighbourhood. It currently contains a detached dwelling with a detached garage. The property is a corner lot with limited vegetation and landscaping

elements in the front, rear and exterior side yards. The surrounding area consists mainly of detached and semi-detached dwellings and townhomes, however institutional and industrial uses are present to the west and south of the subject property.

The applicant is proposing a below grade entrance to facilitate a second unit requiring a variance for the location of the 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 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 Meadowvale Village Neighbourhood Character Area and is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP). Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with the existing site conditions, the surrounding context, and the landscape of the character area. Staff note that the proposed entrance will be appropriately hidden behind a privacy fence thereby ensuring that the entrance will not significantly alter the intended form of the dwelling. 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 intent of the exterior side yard regulation surrounding a second unit entrance is to ensure that an adequate buffer exists between a structure's massing and the public realm. In this instance the applicant will locate the entrance behind a proposed privacy fence which will appropriately screen the stairwell from view. Staff are satisfied that any negative impact to the streetscape will be appropriately mitigated and that the general intent and purpose of the zoning by-law will be maintained.

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

Staff are satisfied that the application is minor in nature. The proposed entrance will be well screened by the proposed privacy fence and will not have significant impacts on the streetscape. Furthermore, the proposal represents appropriate development of the subject property at an appropriate scale and intensity of use.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We note that the Transportation and Works Department has no objections to the proposed side door entrance as it will not impact or alter the existing grading and drainage pattern for this property.





Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application SEC UNIT 24-620. 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: Alana Zheng, Planner Zoning Examination

Appendix 3- Region of Peel

Minor Variance: A-24-199M / 7900 Walworth Ct.

Development Engineering: Wendy Jawdek (905) 791-7800 x6019

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 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 may be required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections by email at siteplanservicing@peelregion.ca.

Comments Prepared by: Petrele Francois, Junior Planner



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File: A442.23
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 1090 Indian Road, zoned R2-4- Residential, has applied for a minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A garage projection of 3.91m (approx. 12.83ft) whereas By-law 0225-2007, as amended, permits a garage projection of 0m in this instance;
2. An eaves setback to the second floor of 1.45m (approx. 4.76ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.96m (approx. 6.43ft) in this instance;
3. A balcony size of 15.89sq m (approx. 171.04sq ft) whereas By-law 0225-2007, as amended, permits a maximum balcony size of 10.00sq m (approx. 107.64sq ft) in this instance;
4. A driveway width (after 6m in front of garage) of 9.41m (approx. 30.88ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 8.50m (approx. 27.89ft) in this instance;
5. An accessory structure size of 24.49sq m (approx. 263.61sq ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure size of 20.00sq m (approx. 215.28sq ft) in this instance;
6. An accessory structure height of 4.86m (approx. 15.94ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.50m (approx. 11.48ft) in this instance;
7. A building height of 10.57m (approx. 34.68ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.50m (approx. 31.17ft) in this instance;
8. An eave height of 8.29m (approx. 27.20ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance; and,
9. A dwelling depth of 24.60m (approx. 80.71ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance.

The Committee has set **Thursday, May 9, 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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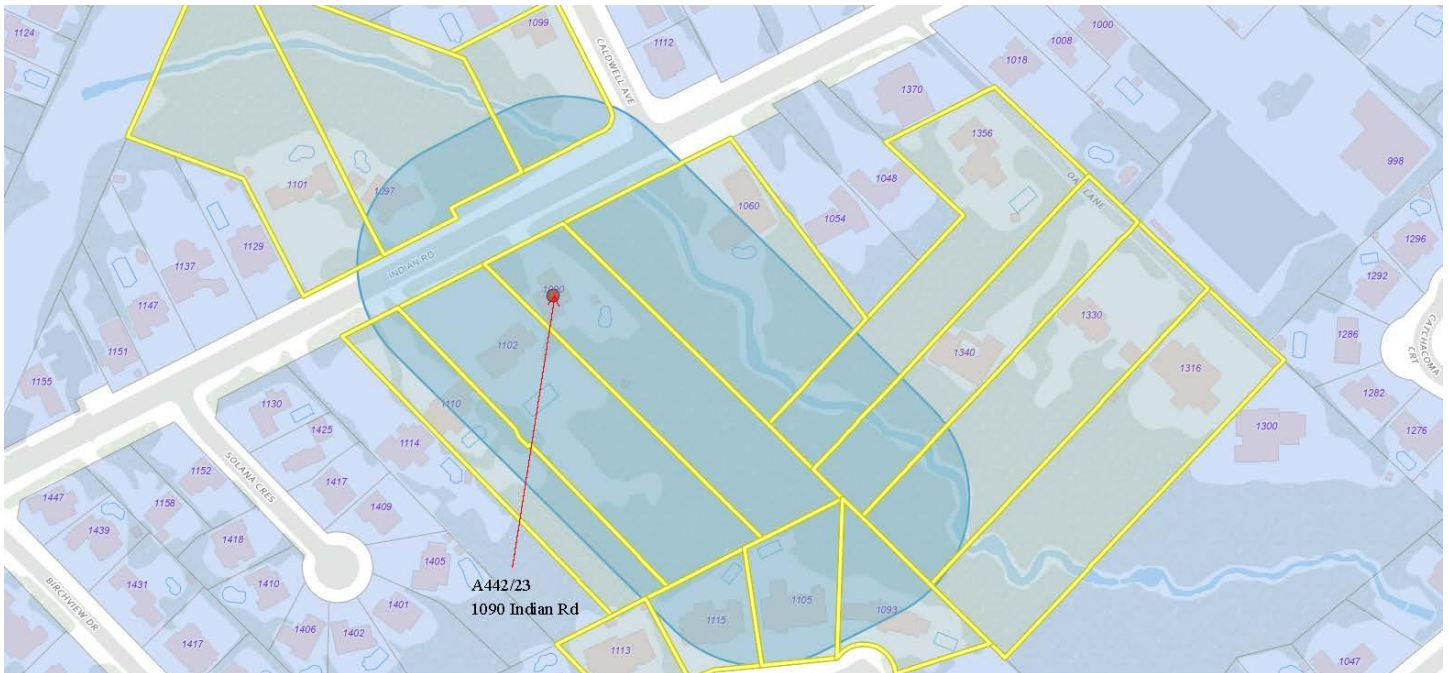
<http://www.mississauga.ca/portal/cityhall/council-and-committee-videos>

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:

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/>.



City of Mississauga Department Comments

Date Finalized: 2024-05-01	File(s): A442.23
To: Committee of Adjustment	Ward: 2
From: Committee of Adjustment Coordinator	Meeting date:2024-05-09 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 a new house proposing:

1. A garage projection of 3.91m (approx. 12.83ft) whereas By-law 0225-2007, as amended, permits a garage projection of 0m in this instance;
2. An eaves setback to the second floor of 1.45m (approx. 4.76ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.96m (approx. 6.43ft) in this instance;
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7. A building height of 10.57m (approx. 34.68ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.50m (approx. 31.17ft) in this instance;
8. An eave height of 8.29m (approx. 27.20ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance; and,
9. A dwelling depth of 24.60m (approx. 80.71ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance.

Background

Property Address: 1090 Indian Road

Mississauga Official Plan

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

Zoning By-law 0225-2007

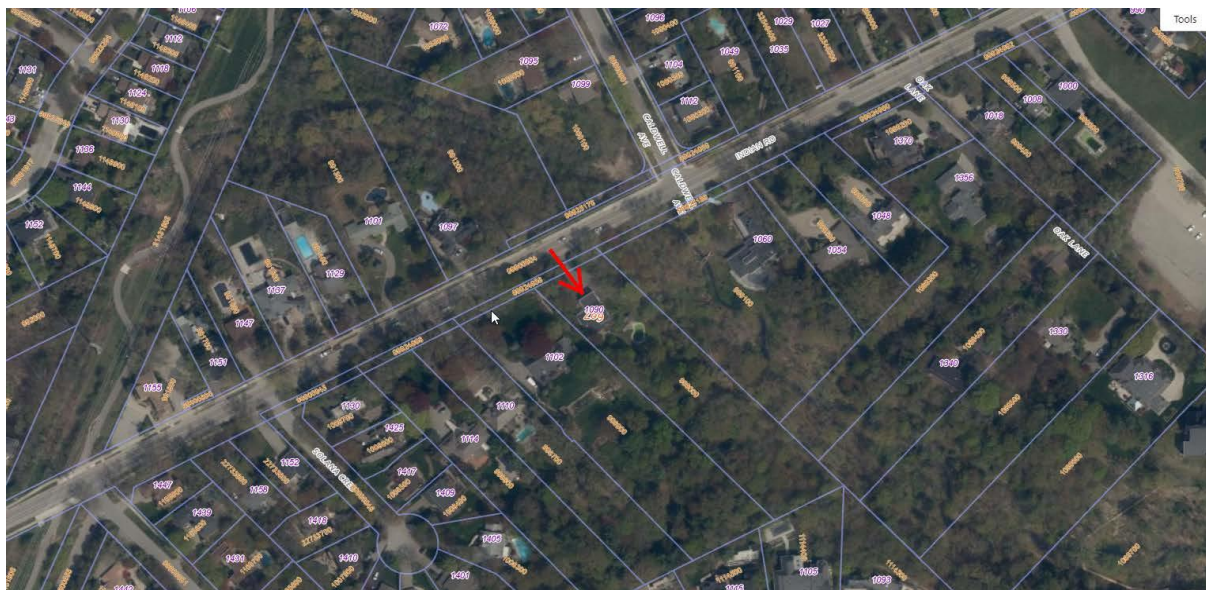
Zoning: R2-4- Residential

Other Applications: BP 9NEW-23/7012.

Site and Area Context

The subject property is located southeast of the Birchview Drive and Indian Road intersection. The surrounding area is primarily residential, consisting of a mix of one and two-storey detached dwellings on lots of varying sizes. The subject property currently contains a two-storey detached dwelling with mature vegetation in the front yard.

The applicant is proposing a three-storey detached dwelling requiring variances related to dwelling depth, garage projection, building and eave height, setbacks, driveway widths, balcony area, and cabana area and height.



Comments

Planning

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

Staff comments concerning the application are as follows:

Staff comments concerning the application are as follows:

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

The subject application was deferred by the Committee on November 23, 2024. Planning staff raised concerns with the applicant's first submission, regarding the proposed building and eave height variances. In addition to height concerns, staff also identified issues with variances related to driveway width. The applicant has made significant revisions to the original proposal.

Variance #1 is for a garage projection. The proposed garage projection has been reduced from 5.18m (16.99ft) to 3.91m (12.83ft). Planning staff had no concerns regarding the initial variance and have no concerns with the revised variance. The roof located directly above the garage is shared with the covered front porch, giving the illusion that there is no garage projection. The revised proposal has incorporated this feature. Furthermore, the revised variance represents an improvement.

Variance #2 is for a setback to the second floor eaves. This variance was added to the revised application. All variances regarding the third floor of the dwelling were removed from the proposal, as the applicant has revised the proposal to remove the third floor. Planning staff note that the eave setback variance is required only to accommodate a pinch point. The setback to the eaves increases as you move from the rear of the dwelling to the front. No variances are requested to the dwelling's outer walls. Therefore, staff is of the opinion that the proposed setback is appropriate and will not pose massing issues to the adjacent property.

Variance #3 is for increased balcony area. The size of the proposed balcony has increased from 12.76M² (41.86ft²) to 15.89m² (171.04ft²). Staff note that the location of the balcony is above the projecting garage. Therefore, the balcony will not pose any privacy or overlook concerns to adjacent properties.

Variance #4 relates to driveway width. The applicant reduced the size of the driveway, eliminating one of the two required variances. The remaining variance is for a width of 9.41m (30.88ft) beyond 6m (19.69ft) of the garage's face. The applicant had previously proposed a width of 13.39m (43.93ft) beyond 6m (19.69ft) of the garage's face. Staff are of the opinion that the revised proposal meets the intent of the zoning by-law, as the increased width only facilitates direct access to the three-car garage while the remaining portion of the driveway tapers as you move toward the front property line.

Variance #5 is for increased accessory structure area and variance #6 is for increased accessory structure height. A variance for accessory structure height has increased slightly from 4.72m (15.49ft) to 4.86m (15.94ft) while the accessory structure area of 24.49m² (263.61ft²) is maintained. Staff have no concerns regarding these variances. These variances are minor and proportional to the lot and dwelling, and the structure's location in the rear yard will ensure it will not pose massing concerns to adjacent properties.

Variances #7 and 8 relate to building and eave heights. The proposed dwelling height has been reduced from 13.2m (43.31ft) to 10.57m (34.68ft) and the eave heights have been reduced from 10.88m (35.7ft) to 8.29m (27.2ft). The applicant has addressed Planning staff's concerns regarding height. Planning staff note a 0.37m (1.21ft) height disparity between finished grade where the dwelling sits, and average grade. As such, the overall building height appears to be 10.2m (33.46ft) in height while the eave height appears to be 7.92m (25.98ft) when standing in the front yard of the property, in front of the garage. These heights are compatible with existing development found in the immediate area.

Variance #9 is for increased dwelling depth. The proposed dwelling depth has increased from 22.85m (74.94 ft) to 24.6m (80.71ft). The applicant is including covered porches and a basement in the calculation of dwelling depth. The true depth of the dwelling, excluding these features, is approximately 22.8m (75ft). Staff also note the staggered walls and architectural features minimize any massing impacts.

Through a detailed review of the application, as revised, 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

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-23/7012. We also advise that approval from the Credit Valley Conservation will be required.

Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

The Building Division is processing Building Permit application BP 9NEW 23-7012. Based on the review of the information available in this application, the requested variance(s) # 2 to # 9 correct.

However, for variance #1 we advise that more information is required in order to verify the accuracy of the requested variance(s).

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 – CVC

It is our understanding that the applicant is requesting the Committee to approve the following minor variances:

1. A garage projection of 3.91m (approx. 12.83ft) whereas By-law 0225-2007, as amended, permits a garage projection of 0m in this instance;
2. An eaves setback to the second floor of 1.45m (approx. 4.76ft) whereas By-law 0225-2007, as amended, requires a minimum setback of 1.96m (approx. 6.43ft) in this instance;
3. A balcony size of 15.89sq m (approx. 171.04sq ft) whereas By-law 0225-2007, as amended, permits a maximum balcony size of 10.00sq m (approx. 107.64sq ft) in this instance;
4. A driveway width (after 6m in front of garage) of 9.41m (approx. 30.88ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 8.50m (approx. 27.89ft) in this instance;

5. An accessory structure size of 24.49sq m (approx. 263.61sq ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure size of 20.00sq m (approx. 215.28sq ft) in this instance;
6. An accessory structure height of 4.86m (approx. 15.94ft) whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.50m (approx. 11.48ft) in this instance;
7. A building height of 10.57m (approx. 34.68ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 9.50m (approx. 31.17ft) in this instance;
8. An eave height of 8.29m (approx. 27.20ft) whereas By-law 0225-2007, as amended, permits a maximum eave height of 6.40m (approx. 21.00ft) in this instance; and,
9. A dwelling depth of 24.60m (approx. 80.71ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance

COMMENTS

Based on the review of the information provided, CVC staff has no concern with the approval of the minor variance application at this time as the variances proposed do not impact the hazards identified by CVC on the subject property.

However, the applicant is to note that this isn't approval of the current Site Plans as further revisions are required to the plans to ensure that the proposal is sufficiently setback from the natural features of interest to CVC and that the proposed works meet CVC's permitting requirements.

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

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 4 – Region of Peel

Please apply previous comments:

Minor Variance: A-23-442M / 1090 Indian Rd

Development Engineering: Wendy Jawdek (905)-791-7800 x6019

Comments:

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

- 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 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 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 by email at siteplanservicing@peelregion.ca
- The applicant shall verify the location of the existing service connections to the subject site and the contractor shall locate all existing utilities in the field. Requests for underground locates can be made at <https://www.ontarioonecall.ca/portal/>
- For location of existing water and sanitary sewer infrastructure please contact Records by e-mail at PWServiceRequests@peelregion.ca

Planning: Ayooluwa Ayoola (905) 791-7800 x8787

Comments:

- The subject land is located within a Core Area of the Greenlands System in Peel as identified under policy **2.14.5** of the Regional Official Plan. Development and site alteration are prohibited in Core Areas of the Greenlands System (ROP 2.14.15), which is subject to policy 2.14.16. The applicant must ensure Core Areas are not damaged or destroyed. If the Core Area is intentionally damaged or destroyed, the Region or City will require replacement or restoration of the ecological features, functions and/or landforms as a condition of development approval (ROP 2.14. 17).
- The subject land is in the regulated area of the Credit Valley Conservation Authority (CVC). We rely on the environmental expertise of the CVC for the review of development applications located within or adjacent to the regulated area in Peel and the impact of natural hazards on proposed development. We therefore request that the City staff consider comments from the CVC and incorporate their requirements appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the CVC.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner