



Committee of Adjustment

The following staff reports are current as of October 7th, 2019 at 10:00am.

**Any staff reports received after this time may be obtained by
emailing committee.adjustment@mississauga.ca**

**Please note: resident comments are not posted online and may be obtained by emailing
the above.**



**COMMITTEE OF
ADJUSTMENT
AGENDA**

**PLEASE TURN OFF ALL
CELL PHONES DURING THE
COMMITTEE HEARING**

Location: COUNCIL CHAMBERS
Hearing: OCTOBER 10, 2019 AT 1:30 P.M.

1. NEW ITEMS CALL TO ORDER
2. DISCLOSURES OF DIRECT OR INDIRECT PECUNIARY INTEREST
3. REQUESTS FOR WITHDRAWAL/DEFERRAL

NEW APPLICATIONS (CONSENT)

File	Name of Applicant	Location of Land	Ward
B-060/19	GAMAL BASTA	5198 DURIE RD	6
B-061/19 A-392/19	CAMCENTRE HOLDINGS INC	151 CITY CENTRE DR	4

NEW APPLICATIONS (MINOR VARIANCE)

File	Name of Applicant	Location of Land	Ward
A-388/19	2508132 ONTARIO INC	259 LAKESHORE RD E	1
A-389/19	STEVE AGOSTINO	1480 BRITANNIA RD W- UNIT 142	6
A-390/19	1371048 ONTARIO INC	350 BURNHAMTHORPE RD E- UNIT 7	4
A-391/19	GOLDEN TOWN COMPANY LIMITED	469 HENSALL CIR- UNIT 3	7
A-393/19	KANDAHAR BAZAAR	2275 BRITANNIA RD W- UNITS 19 & 20	11
A-394/19	SHANGHAI TASTE LTD	3065-3075 RIDGEWAY DR- UNIT 30	8

DEFERRED APPLICATIONS (MINOR VARIANCE)

File	Name of Applicant	Location of Land	Ward
A-243/19	SRDJANA & MILIVOJE GRABOVICA	1534 LORNE WOOD RD	2
A-268/19	835702 ONTARIO LTD	265 COURTNEYPARK DR E	5
A-269/19	1234778 ONTARIO INC.	299 COURTNEYPARK DR E	5
A-317/19	MIKHAIL BOUTENKO & SUTLANA BUTENKO	526 SILVER CREEK BLVD	4
A-330/19	JING PAN	594 CURZON AVE	1
A-338/19	1666426 ONTARIO INC	914 BURNHAMTHORPE RD W	6
A-339/19	2184698 ONTARIO INC	5086 CREDITVIEW RD	6

Note: If you wish to receive a copy of the Committee's decision, please complete the form entitled "Request for Written Notice of Decision". This form is located on the table adjacent to the entrance doors to your right. (Please do not remove that form from the table. Thank you.)

Date: October 1st, 2019

File: C of A – 'B' 60/19
(Ward 6 – 5198 Durie Road)

Agenda: **October 10th, 2019**

New Item

Recommendation

The Planning and Building Department has no objection to the consent application, as requested.

Background

Mississauga Official Plan

Character Area: East Credit Neighbourhood
Designation: Residential Low Density I, Greenlands

Zoning By-law 0225-2007

Zoning: **R2-18** (Residential)
G2-3 (Greenlands)

Comments

Zoning

This Division has no objection to the consent application, provided that the severed and retained lands comply with the provisions of By-law 225-2007, as amended, regarding, amongst other regulations: minimum lot frontage, minimum lot area, setbacks, on-site parking, etc.; or alternatively, that any minor variance is approved, final and binding; and/or the demolition of any existing buildings is complete.

The Zoning Department advises 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.

Planning

The subject lands are located north-west of the Creditview Road and Eglinton Avenue West intersection and currently house a one-storey detached dwelling. The immediate neighbourhood consists entirely of detached dwellings of mixed architectural design, situated on generous parcels (+/-19m in frontage and +/-1,140m² in total lot area).

The Applicant is proposing to sever the subject lands to create two individual properties. The severed lands will have a lot frontage of 18.18m and lot area of 950.7m². The retained lands will have a lot frontage of 18.18m and lot area of 973.1m². Neither resulting properties require variances.

Detached dwellings, of yet to be determined sizes, have been proposed on both the severed and retained lands.

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

The site is situated within the East Credit Neighbourhood Character Area, and designated Residential Low Density I and Greenlands by the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached dwellings; semi-detached dwellings; and, duplex dwellings.

Chapter 5 of MOP, states that when new development occurs within Neighbourhoods, such construction should be sensitive to the existing and planned character area. Planning Staff note, from both a lot frontage and lot area standpoint, the proposed parcels are both consistent with, and compatible to, the existing character area – specifically the adjacent properties, which the proposed lots will transition into. To this end, the proposal has sufficient regard for the existing lot fabric and is reflective of the proprieties found within the immediate area. It is the opinion of Planning Staff that the general intent and purpose of the Official Plan is maintained.

As per Zoning By-law 0225-2007, the subject property is zoned R2-18 (Residential). Pursuant to Table 4.2.1.3.1 (R1 to R5 Permitted Uses and Zone Regulations) and Table 4.2.3.18.2 (R2 Exception Zones), the Zoning By-law requires a minimum lot area of 695m², and a minimum lot frontage of 16.5m; whereas, the Applicant is proposing properties with areas of 950.7m² (severed) and 973.1m² (retained); and frontages of 18.18m (severed) and 18.18m (retained). The proposed lots are appropriately sized for the context of the neighbourhood and represent the appropriate development of the lands, far exceeding the requirements of the Zoning By-law. This application maintains the general intent and purpose of the Zoning By-law.

Staff is of the opinion that the proposed application has due regard for Section 51(24) of the *Planning Act*, specifically that it conforms to the official plan. The dimensions of the proposed and existing lots exceed Zoning By-law provisions and are suitable for the purposes for which they are to be subdivided, thus maintaining the character of the area.

Based upon the preceding information, the Planning and Building Department has no objections to the requested consent application.

<http://teamsites.mississauga.ca/sites/18/CofA/Comments/2019/October/Oct 10/RV.Oct 10.docx>

City of Mississauga

Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: September 27, 2019

RE: **Applicant:** **Gamal Basta**
 Date of Hearing: **October 10, 2019**
 Location: **5198 Durie Road**
 Our File: **'B' 60/19, Ward 6 (Z-38W)**

This department has no objections to the applicant's request to create a new lot. We note that the subject property, identified as Lot #1, Plan 43M-713 was the subject of a Plan of Subdivision approved in May 1986. Through the processing of the Plan of Subdivision a number of detailed Transportation and Works Department requirements pertaining to servicing, grading and drainage, greenbelt dedications, acoustical requirements, etc. were addressed. It should also be noted that subdivision warning clauses specific to this property pertaining to the Canadian Pacific Railway Lands, Kraft Foods (Arden Mills 27 Reid Drive) and ADM Milling Company (1770 Barbertown Road), previously known as the Reid Milling operation located on the west side of the credit river, acoustical requirements, swimming pool and greenbelt restrictions are currently registered against title of the subject property (Under Schedule "D" of the Financial/Subdivision Warning Clauses Agreement).

In view of the above, and should Committee see merit in the subject application, we are providing the following conditions/requirements that will have to be addressed to the satisfaction of this department prior to the issuance of final consent:

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. It should also be noted that any drainage is to be directed towards Durie Road and not towards the valley lands to the rear.

2. Geotechnical Report

We note that GHD Limited was engaged by the applicant to determine the Long Term Stable Top of Slope Line (LTSTS) of the subject property. Acknowledging that the conclusions and recommendations indicated that no significant slope degradation or stability issues were identified in the study for the existing slope along the northern river valley slope, we require confirmation from the CVC that they are satisfied with the report.

3. Site Servicing Plan Depicting Servicing Locations

A Site Servicing Plan is to be submitted for our review/approval which would clearly show the location of the existing or proposed site servicing connection locations in order that we can determine whether any easements are required.

4. Required Easement

Upon the review of Item A3 and the confirmation of the required easement, the applicant/owner will be required to provide a letter or schedule prepared by the applicant's Solicitor which would specifically describe the new private storm water easement to be established through this Consent Application. It should also be noted that any documentation received will be forwarded as an attachment to our clearance memo to the Committee of Adjustment so that any new proposed private easement can be identified and also be incorporated into the Certificate of Secretary-Treasurer.

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

B. GENERAL INFORMATION

1. Servicing

We note for the owner's information that all costs incurred in providing the required services (i.e., sanitary, water, storm, hydro, gas, etc.) to the subject lands will be the responsibility of the owner.

2. Access

We advise the applicant that all costs incurred in providing any new driveway entrance or any modifications/reinstatement required, would be at cost to the owner. We are also noting that should any utilities need to be relocated, all costs incurred will also be to the owner. Driveway accesses shall maintain a 1.5m setback from aboveground features such as utilities and trees.

3. Lot Grading and Drainage

We advise the applicant that issuance of a building permit for any new dwelling 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.

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

D. Martin
Supervisor, Development Engineering South
905-615-3200, ext. 5833













City of Mississauga Memorandum



DATE: September 26, 2019

FILE: "B" 60/19

SUBJECT: CONSENT APPLICATION
5198 DURIE ROAD
GAMAL BASTA
WARD 6
OCTOBER 10, 2019 PUBLIC HEARING OF THE COMMITTEE OF ADJUSTMENT

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

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

- Norway Maple – Good Condition, and Autumn Blaze Maple – Good Condition

Given that the subject lands are not subject to site plan control, should the application be approved, Community Services wishes to impose the following conditions:

1. The applicant shall ensure that future driveways do not impact or require the removal of the above noted trees.
2. The applicant shall provide a cash contribution of \$1,723.50 for planting of three (3) street trees on Durie Road. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.
3. The applicant shall provide tree protection securities in the amount of \$4,750.00 for the above noted trees.
4. The applicant shall provide frame tree hoarding at the dripline of the above noted trees to the satisfaction of City of Mississauga Forestry Staff. Please call Ryan Cormier at 905-615-3200 ext. 4580 to arrange a hoarding inspection.

In addition, Community Services notes the following:

1. Payment for street tree fees and charges can be made at the Parks and Forestry customer service counter located at 950 Burnhamthorpe Road West in the form of a certified cheque, bank draft, or money order payable to the City of Mississauga.
2. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, C.P. 13, as amended) and in accordance with the City's policies and by-laws.

Should further information be required, please contact Jim Greenfield, Park Planner, Community Services Department at 905-615-3200 ext. 8538.

City of Mississauga
Memorandum



Date: 2019/10/01

To: Chair, Committee of Adjustment
S. Kenney, Secretary-Treasurer, Committee of Adjustment

From: Heritage Planning
Culture Division, Community Services

Meeting Date: 2019/10/10

Subject: "B" 060/19 (Ward 6)
Consent Application
5198 Durie Rd
Gamal Basta

The property has archaeological potential due to its proximity to a present or past watercourse or known archaeological resource. The proponent shall carry out an archaeological assessment of the subject property and mitigate, through preservation or resource removal and documenting, adverse impacts to any significant archaeological resources found. No grading or other soil disturbances shall take place on the subject property prior to the approval authority and the Ministry of Tourism, Culture and Sport confirming that all archaeological resource concerns have met licensing and resource conservation requirements. Letters to this effect from said Ministry corresponding to each archaeological assessment report and activity are required to be submitted to the Culture Division for review.

Heritage Planning
T: 905-615-3200 x 4061
Heritage.planning@mississauga.ca

Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

October 4, 2019

Sean Kenney, Secretary Treasurer
Committee of Adjustment
City of Mississauga
2nd Floor, Clerk's Office
Mississauga, ON – L5B 3C1

**Re: Region of Peel Consolidated Comments
City of Mississauga Committee of Adjustment Hearing
October 10th, 2019**

Consent Applications: B-060/19

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

Please note that severing the lands may adversely affect the existing location of the water and sanitary sewer services, if any exist. The result of this may require the applicant to install new water / sanitary servicing connections to either the severed or retained lands in compliance with the Ontario Building Code. The applicant may require the creation of private water / sanitary sewer servicing easements. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please call our Site Servicing Technicians at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca

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

Development Planning: Tracy Tang (905) 791-7800 x8047

The subject land is located within an area the Regional Official Plan (ROP) designates as a Core Woodland and Core Valley of the Greenlands System in Peel, under Policy 2.3.2. The subject land is also located within the limits of the regulated area of the Credit Valley Conservation (CVC). The Region relies on the environmental expertise of the CVC for the review of development applications located within or adjacent to Core Areas of the Greenlands Systems in Peel and their potential impacts on the natural environment. Regional Planning staff therefore, request that the Committee and city staff consider comments from the CVC and incorporate their conditions of approval appropriately.

I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 7190 or by email at tracy.tang@peelregion.ca

Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

Sincerely,



Tracy Tang
Junior Planner
Development Services, Region of Peel

cc. Marylu Javed, City of Mississauga
Umar Mahmood, City of Mississauga
Lucas Petricca, City of Mississauga
Roberto Vertolli, City of Mississauga

October 3, 2019

Committee of Adjustment – Office of the City Clerk
Corporate Services Department
300 City Centre Drive
Mississauga, Ontario
L5B 3C1

Attention: Sean Kenney

Dear Mr. Kenney:

**Re: CVC File No. B 19/060
Municipality File No. B 60/19
Gamal Basta
5198 Durie Road
Part of Lot 2, Concession 4 WHS
City of Mississauga**

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

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

SITE CHARACTERISTICS:

The subject property is regulated because of a valley slope and floodplain associated with the Credit River. It is the policy of CVC and the Province of Ontario to conserve and protect the significant physical, hydrological and biological features associated with the functions of the above noted characteristics and to recommend that no development be permitted which would adversely affect the natural features or ecological functions of these areas.

Other features of CVC interest on and adjacent to the subject property include; Core Greenlands designated by the Region of Peel, Significant Natural Site (CRR4) designated under the City of Mississauga Natural Heritage System, a provincial Life Science Area of Natural and Scientific Interest (ANSI), and Environmentally Significant Area.

ONTARIO REGULATION 160/06:

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

Proposal:

It is our understanding that the applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel has a frontage of approximately 18.18m (59.65ft) and an area of approximately 950.70sq.m (10,233.25sq.ft.).

Comments:

CVC staff had a pre-consultation with the applicant regarding the proposed severance. Through pre-consultation, CVC staff conducted a site visit and determined through our assessment of the available information that the proposed new lot line was not setback sufficiently from the hazards and features of CVC interest. In order to address CVC staff's concerns, the applicant had submitted a Long Term Stable Top of Slope Line Evaluation prepared by GHD last revised September 19, 2019, which had been reviewed by CVC staff and found satisfactory. Accordingly, a survey has been prepared by Tarasick McMillan Kubicki Limited stamped dated September 27, 2019 showing a 10m setback from the Long Term Stable Top of Slope Line, as established through the GHD Evaluation.

Although the setback is sufficient and has addressed staff's concerns with respect to the hazard, it is typically our expectation that hazard lands be off-lot and remain on the retained parcel and not be fragmented. In order to achieve this, the retained lot would form an 'L'

October 3, 2019
Re: CVC File No. B 19/060
Municipality File No. B 60/19
Gamal Basta
5198 Durie Road
Part of Lot 2, Concession 4 WHS
City of Mississauga

configuration, however based on our discussions with City staff, it is our understanding that a lot in an 'L' configuration is not desired by the City and would not be supported in this instance.

It is also our understanding that the lot has a restrictive greenbelt zoning over a portion of the rear yard adjacent to the Credit River. As such, CVC staff are satisfied that a sufficient setback from the hazard has been applied and is protected via greenbelt zoning.

Conclusion:

On this basis, CVC staff have **no concerns** and **no objection** to the approval of the requested severance by the Committee at this time.

The applicant is advised that a CVC permit may be required for any proposed development on both the retained and severed parcels.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at 905-670-1615 (ext. 296) should you have any further questions or concerns.

Please circulate CVC any future correspondence regarding this application.

Sincerely,



Iftekhar Ahmad
Junior Planner

Cc:
Gamal Basta
gbasta@rogers.com (via email only)

Alexander Davies

From: Gordon, Carrie <carrie.gordon@bell.ca>
Sent: 2019/09/06 11:31 AM
To: Committee Adjustment
Subject: FW: Committee of Adjustment Agendas for October 10, 2019 (1:30 & 4:00 PM) - 905-19-359
Attachments: 2019_10_10_CofA_Agenda_1.30PM.pdf; 2019_10_10_CofA_Agenda_4.00PM.pdf

Dear Sir/Madam,

Re File: B060/19 W6

Details:

- Severance
- 5198 Durie Rd

Subsequent to review by our local Engineering Department of the above noted lands, it has been determined that Bell Canada has no concerns or objections with the proposed Severance.

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

Thank you

Carrie Gordon



External Liaison – Right of Way Control Centre
140 Bayfield St, Fl 2
Barrie ON, L4M 3B1
T: 705-722-2244/844-857-7942
F :705-726-4600

From: Marylu Javed <Marylu.Javed@mississauga.ca>
Sent: Thursday, September 5, 2019 10:52 AM
To: ROWCC <rowcentre@bell.ca>; Carolyn Parrish <Carolyn.Parrish@mississauga.ca>; Chris Fonseca <Chris.Fonseca@mississauga.ca>; Diana Rusnov <Diana.Rusnov@mississauga.ca>; Dipika Damerla <Dipika.Damerla@mississauga.ca>; George Carlson <George.CARLSON@mississauga.ca>; John Kovac <John.Kovac@mississauga.ca>; Karen Ras <Karen.Ras@mississauga.ca>; Matt Mahoney <Matt.Mahoney@mississauga.ca>; Mayor Bonnie Crombie <mayor@mississauga.ca>; Pat Saito <Pat.Saito@mississauga.ca>; Ron Starr <Ron.Starr@mississauga.ca>; Stephen Dasko <Stephen.Dasko@mississauga.ca>; Sue McFadden <Sue.McFadden@mississauga.ca>
Subject: [EXT]Committee of Adjustment Agendas for October 10, 2019 (1:30 & 4:00 PM)

Please find attached Committee of Adjustment Agendas for October 10, 2019 (1:30 & 4:00 PM)

Regards,



Date: October 1st, 2019

File: C of A – 'B' 61/19, 'A' 392/19
(Ward 4 – 151 City Centre Drive)

Agenda: October 10th, 2019

New Item

Recommendation

The Planning and Building Department recommends that both the Consent and associated Minor Variance applications be deferred.

Background

Mississauga Official Plan

Character Area: Downtown Core
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: H-CC2(2) (City Centre)

Other Applications:

Pre-Zoning: 19-6973

Comments

Zoning

This Division has no objection to the consent applications, provided that the severed and retained lands comply with the provisions of By-law 225-2007, as amended, regarding, amongst other regulations: minimum lot frontage, minimum lot area, setbacks, on-site parking, etc.; or alternatively, that any minor variance is approved, final and binding; and/or the demolition of any existing buildings is complete.

The Building Department is currently processing a Pre-Zoning permit application under file 19-6973. Based upon review of this Application, Staff notes that the Application should be amended as follows, permitting:

4. An on-site drive aisle of 4.80m; whereas, By-law 0225-2007, as amended, requires all drive aisles to have a minimum width of 7.0m, in this instance.

Planning

The subject lands are located north-west of the Burnhamthorpe Road West and Hurontario Street intersection, and house a combination of both a nine-storey Office building, as well as the associative surface parking. The area context along this portion of Burnhamthorpe Road West is comprised of multiple multi-storey, office condominium structures; with commercial units, in the form of the Square One Shopping Centre, also present, to the North.

The Applicant is proposing to sever the subject lands to create two individual properties. The retained lands will combine the existing office structure, with a portion of the surface parking area. The severed lands will operate purely as surface parking.

The severed lands will have a lot frontage of 66m and a lot area of 6,352.7m². The retained lands will have a lot frontage of 71m and a lot area of 6,738.9m². Neither resulting properties require variances as it pertains to lot creation; however, the proposed lot configuration will result in the property being deficient regarding providing the necessary parking.

As a result of the proposed consent, the Applicant is requesting the following relief from By-law 0225-2007, as amended, permitting:

1. All lands zoned H-CC2(2) and subject to land division application B61/19 to be considered one lot for the purposes of parking, driveways and aisles; whereas, By-law 0225-2007, as amended, does not permit lands zoned H-CC2(2) to be treated as one lot, in this instance;
2. 285 parking spaces on the entire lands; whereas, By-law 0225-2007, as amended, requires a minimum of 302 parking spaces, in this instance; and,
3. 4 accessible parking spaces; whereas, By-law 0225-2007, as amended, requires a minimum of 9 accessible parking spaces, in this instance.

As per comments provided by the Transportation and Works Department (October 1, 2019), discussions regarding the dedication of a public road for this site remain on-going between the Commissioner of Transportation and Works, and the Director of Infrastructure Planning and Engineering Services.

Due to the complexities inherent with implementing such an application, Staff requires additional time to complete a comprehensive review of the submitted proposal, as well as to ensure that adequate conditions can be installed to protect the interests of the City. To this end, the Planning and Building Department requests that the application be deferred.

City of Mississauga

Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: October 1, 2019

RE: **Applicant:** Camcentre Holdings Inc.
Date of Hearing: October 10, 2019
Our File: 'B' 061/19, Ward 4 (Z-29)

The City is currently reviewing a Lifting of the 'H' Application for these lands (File HOZ 19/003), as well as Site Plan application (File SP 19/056). For Committees information, the applicant has been in on-going discussions with the Commissioner of Transportation and Works and the Director of Infrastructure Planning and Engineering Services regarding the dedication of a public road for this site. An additional meeting has been scheduled in late October; therefore, this department would recommend the application be **deferred** until these further discussions have occurred.

Notwithstanding the above, should Committee see merit in the subject applications we provide the following comments for the Committee's consideration:

A. Items Required Prior to the Issuance of Final Consent

1. Land Dedication for The Exchange and Sight Triangles

The applicant is to gratuitously dedicate to the City of Mississauga a right-of-way towards the creation of a public roadway to be known as 'The Exchange' with no encumbrances, as well as sight triangles on south-west and south-east corners and on north-west corner of the property. The dimensions are to be in accordance with Transportation and Works comments provided through File HOZ 19/003.

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

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

Should the applicant require more information with regards to the above, please

contact Kate Vassilyev from our Traffic Section at 905 615-3200 ext. 5798 or kate.vassilyev@mississauga.ca.

2. Development Agreement for Construction of 'The Exchange' from City Centre Drive to Burnhamthorpe Road West

The applicant/owner will be required to enter into a Development Agreement with the City of Mississauga and the Regional Municipality of Peel for the design and construction of The Exchange from City Centre Drive to Burnhamthorpe Road West.

The Development Agreement will provide for the design and construction of the roadway and services, any required storm, sanitary and water services to City and Regional Standards, dedication of the required road allowance, sight triangles, securities and any other obligations associated with the above noted works.

The applicant/owner should be aware that the Transportation and Works Department will not issue its clearance for this Consent Application until such time that the Development Agreement has been finalized, a By-law to authorize the execution of the agreement passed by Council and the agreement fully executed by the City and the Region.

3. Environmental Site Assessment (ESA) and Record of Site Condition (RSC)

As land dedication for a public road is being requested, in accordance with Corporate Policy 09-08-02, a Phase I Environmental Site Assessment (ESA) will be required.

Through cross-reference with City File HOZ 19/003, a Phase I ESA was received, and the Phase I ESA report indicated the possibility of contamination of the subject lands. Therefore, we require that a Phase II Environmental Site Assessment (ESA) be submitted to T&W for review. The report must be prepared in accordance with O. Reg. 153/04 (as amended), signed and dated by a Qualified Person as defined in Ontario Regulation 153/04 (as amended) and include a clause or be accompanied by a letter signed by the author of the reports or a Principal of the Consulting Firm, which allows the City of Mississauga to make reliance on the findings and conclusions presented in the reports.

Also through cross-reference with City File HOZ 19/003, the applicant is required to submit a complete Record of Site Condition (RSC) to the Transportation and Works Department. The RSC must also be posted to the Environmental Site Registry. All reports prepared in support of the RSC must be submitted to the City along with a signed copy of the RSC. The reports must be signed by a Qualified Person as defined in O. Reg 153/04 (as amended) and include a clause or be accompanied by a letter signed by the author of the reports or a Principal of the Consulting Firm, which allows the City of Mississauga to make reliance on the findings and conclusions presented in the report.

Should additional clarification be required with regards to the above, please contact Valeriya Danylova, P.Eng, Environmental Technologist at 905 615-3200 ext. 5930 or valeriya.danylova@mississauga.ca.

4. Existing Services to "Residual" Lands

The applicant is to submit a Servicing Plan prepared by a Consulting Engineer for this department's review/approval showing all the existing services for the existing building on the subject lands.

It shall be the applicant's/owners responsibility to confirm that there are no existing underground services which service the "Residual Lands" located within the limits of the "Severed Lands. Should it be determined that any underground services encroach into the limits of the new property line, then the owner would have the option of abandoning that service(s) and arranging for the construction of a new service (s) in the proper location, or alternatively provide for a private easement.

5. Required Easement

Upon the review of Item A4 and the confirmation of any required easements, the applicant/owner will be required to provide a letter or schedule prepared by the applicant's Solicitor which would specifically describe the new private easement to be established through this Consent Application. It should also be noted that any documentation received will be forwarded as an attachment to our clearance memo to the Committee of Adjustment so that any new proposed private easement can be identified and also be incorporated into the Certificate of Secretary-Treasurer.

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

As per the City of Mississauga's Fees and Charges By-law there will be fees required to be paid to the Legal Services Department for their services, in particular for the preparation of documents required for items pertaining to land dedications. The fee amounts payable will be in accordance with the current fees and charges bylaw.

7. 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

B. GENERAL INFORMATION

1. Servicing

We note for the owner's information that all costs incurred in providing the required services (i.e., sanitary, water, storm, hydro, gas, etc.) to the subject lands will be the responsibility of the owner.

2. Access

We advise the applicant that all costs incurred in providing any new driveway entrance or any modifications/reinstatement required, would be at cost to the owner.

We are also noting that should any utilities need to be relocated, all costs incurred will also be to the owner. Driveway accesses shall maintain a 1.5m setback from

aboveground features such as utilities and trees.

For further information regarding the above noted comments, please contact Karina Maciel at (905) 615-3200 ext. 5185 or karina.maciel@mississauga.ca

D. Martin
Supervisor, Development Engineering South
905-615-3200 ext. 5833

City of Mississauga Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: September 27, 2019

RE: Takebacks – October 10, 2019 – 1.30pm
File - C.A. Agendas

Re: **C.A. 'A' 392/19**
Camcentre Holding Inc
151 City Centre Dr
Ward 4

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the subject application will be addressed through Consent application 'B' 061/19.

D. Martin
Supervisor Development Engineering South
905-615-3200 ext. 5833

Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

October 4, 2019

Sean Kenney, Secretary Treasurer
Committee of Adjustment
City of Mississauga
2nd Floor, Clerk's Office
Mississauga, ON – L5B 3C1

**Re: Region of Peel Consolidated Comments
 City of Mississauga Committee of Adjustment Hearing
 October 10th, 2019**

Consent Applications: B-061/19

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

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

Condition: Arrangements satisfactory to the Region of Peel, Public Works shall be made with respect to the location of existing and installation of new services and/or possible required private service easements

I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 7190 or by email at tracy.tang@peelregion.ca

Sincerely,



Tracy Tang
Junior Planner
Development Services, Region of Peel

cc. Marylu Javed, City of Mississauga
 Umar Mahmood, City of Mississauga
 Lucas Petricca, City of Mississauga
 Roberto Vertolli, City of Mississauga

Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
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peelregion.ca

October 4, 2019

Sean Kenney, Secretary Treasurer
Committee of Adjustment
City of Mississauga
2nd Floor, Clerk's Office
Mississauga, ON – L5B 3C1

**Re: Region of Peel Consolidated Comments
 City of Mississauga Committee of Adjustment Hearing
 October 10th, 2019**

Dear Mr. Kenney,

Regional Planning staff have reviewed the applications listed on the October 10th, 2019 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-243/18, DEF-A-268/19, DEF-A-269/19, DEF-A-317/19, DEF-A-330/19, DEF-A-338/19, DEF-A-339/19

Consent Applications: B-062/19

Minor Variance Applications: A-388/19, A-389/19, A-390/19, A-391/19, A-392/19, A-393/19, A-394/19, A-396/19, A-397/19, A-398/19, A-399/19, A-400/19, A-401/19

I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 7190 or by email at tracy.tang@peelregion.ca

Sincerely,



Tracy Tang
Junior Planner
Development Services, Region of Peel

cc. Marylu Javed, City of Mississauga
 Umar Mahmood, City of Mississauga
 Lucas Petricca, City of Mississauga
 Roberto Vertolli, City of Mississauga

Alexander Davies

From: Gordon, Carrie <carrie.gordon@bell.ca>
Sent: 2019/09/06 11:05 AM
To: Committee Adjustment
Subject: FW: Committee of Adjustment Agendas for October 10, 2019 (1:30 & 4:00 PM) - 905-19-360
Attachments: 2019_10_10_CofA_Agenda_1.30PM.pdf; 2019_10_10_CofA_Agenda_4.00PM.pdf

Dear Sir/Madam,

Re File: B061/19 W4

Details:

- Severance
- 151 City Centre Dr

Subsequent to review by our local Engineering Department of the above noted lands, it has been determined that Bell Canada has no concerns or objections with the proposed Severance.

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

Thank you

Carrie Gordon



External Liaison – Right of Way Control Centre
140 Bayfield St, Fl 2
Barrie ON, L4M 3B1
T: 705-722-2244/844-857-7942
F :705-726-4600

From: Marylu Javed <Marylu.Javed@mississauga.ca>
Sent: Thursday, September 5, 2019 10:52 AM
To: ROWCC <rowcentre@bell.ca>; Carolyn Parrish <Carolyn.Parrish@mississauga.ca>; Chris Fonseca <Chris.Fonseca@mississauga.ca>; Diana Rusnov <Diana.Rusnov@mississauga.ca>; Dipika Damerla <Dipika.Damerla@mississauga.ca>; George Carlson <George.CARLSON@mississauga.ca>; John Kovac <John.Kovac@mississauga.ca>; Karen Ras <Karen.Ras@mississauga.ca>; Matt Mahoney <Matt.Mahoney@mississauga.ca>; Mayor Bonnie Crombie <mayor@mississauga.ca>; Pat Saito <Pat.Saito@mississauga.ca>; Ron Starr <Ron.Starr@mississauga.ca>; Stephen Dasko <Stephen.Dasko@mississauga.ca>; Sue McFadden <Sue.McFadden@mississauga.ca>
Subject: [EXT]Committee of Adjustment Agendas for October 10, 2019 (1:30 & 4:00 PM)

Please find attached Committee of Adjustment Agendas for October 10, 2019 (1:30 & 4:00 PM)

Regards,



Date: September 30, 2019

File: C of A – 'A' 388/19
(Ward 1 – 259 Lakeshore Road East)

Agenda: October 10, 2019

New Item

Recommendation

The Planning and Building Department has no objections in principle to the requested variances, however, the application should be deferred to submit a satisfactory parking utilization study to City Planning Strategies.

Background

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (East)
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C4 (Commercial)

Other Applications:

Occupancy Permit: 19-6561

Comments

Zoning

The Planning and Building Department is currently processing a certificate of occupancy permit application under file 19-6561. Based on review of the information currently available for this application, we advise that the following variance should be amended as follows:

2. to provide no drive aisle on site whereas By-law 0225-2007, as amended, requires a minimum drive aisle width of 7.0m in this instance.

The remaining variances are correct.

Planning

The subject property is located within the Port Credit Neighbourhood Character Area, east of Hurontario Street and Lakeshore Road East. The south side of Lakeshore consists of a mix of commercial and retail uses which includes restaurant uses. The application proposes a take-out restaurant and requires variances related to reduced parking, aisle width and distance from a take-out restaurant to a residential zone.

The subject property is designated "Mixed Use" in Schedule 10 of the Mississauga Official Plan, which permits a restaurant among other uses. The official plan policies for lands within the Port Credit Community Node Character Area are contained within the Port Credit Local Area Plan and are within the Mainstreet Neighbourhood precinct. The Port Credit Local Area Plan encourages related commercial uses and closely spaced storefronts lining the street in order to encourage and foster an active pedestrian street. The proposed variances are consistent with these policies and maintain the existing and planned character of the area. The minor variance application maintains the general intent and purpose of the official plan.

The proposed variances are existing conditions and are similar to other uses within the immediate area. The south side of Lakeshore Road East contains a mix of commercial uses which consists of retail and restaurant uses. Each site along Lakeshore Road East operates in a similar fashion to the subject property regarding parking.

The intent in quantifying the required number of parking spaces is to ensure that each unit is self-sufficient in providing adequate parking accommodations based upon its intended use. As per Zoning By-law 0225-2007, 7 parking spaces are required; whereas, the applicant is providing 2. Staff recommends that the applicant pursue a Payment-In-Lieu (PIL) application for the deficiency or submit a parking utilization study to justify the proposed reduction.

Through the Zoning Divisions review of the occupancy permit, variance #2 should be amended to provide no aisle width whereas a minimum drive aisle width of 7 m is required. The intent of this portion of the by-law is to ensure that a sufficient aisle width is provided to allow for two way vehicle movement. In this instance, this portion of Lakeshore Road East contains units that operate in a similar fashion with no aisle widths. To access the parking in the rear, there is a public laneway that connects from Cumberland Drive to Hiawatha Parkway. The subject property will continue to operate as intended and will not negatively impact the day to day operations of the site. As such, staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #3 proposes a take-out restaurant being located within 60 m of a residential zone whereas a separation distance of 60 m is required. Lands fronting onto this portion of Lakeshore Road East consist of restaurant uses that are also located within 60 m of a residential zone and do not have a negative impact to the residential portion of the broader area. The proposed use is compatible with the surrounding context, thereby maintaining the existing and planned

character of the area. As such, staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

The proposed variances represent existing conditions that are present throughout each unit along this portion of Lakeshore Road East. The south side of Lakeshore Road East consists of retail and restaurant uses that have similar existing conditions. Historically, properties along this portion of Lakeshore Road East have operated in a similar fashion with parking in the rear portion of the property that can only be accessed by the public laneway. The proposed variances maintain the existing and planned character of the area and do not negatively impact the day to day operations of the site. As such, staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

Based on the preceding information, the Planning and Building Department has no objections in principle to the requested variances, however, the application should be deferred to submit a satisfactory parking utilization study to City Planning Strategies.

City of Mississauga Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: September 27, 2019

RE: Takebacks – October 10, 2019 – 1.30pm
File - C.A. Agendas

Re: **C.A. 'A' 388/19**
2508132 Ontario Inc
259 Lakeshore Rd E
Ward 1

Enclosed for Committee's easy reference are photos of the front and rear of the existing property.

D. Martin
Supervisor Development Engineering South
905-615-3200 ext. 5833

Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

October 4, 2019

Sean Kenney, Secretary Treasurer
Committee of Adjustment
City of Mississauga
2nd Floor, Clerk's Office
Mississauga, ON – L5B 3C1

**Re: Region of Peel Consolidated Comments
 City of Mississauga Committee of Adjustment Hearing
 October 10th, 2019**

Dear Mr. Kenney,

Regional Planning staff have reviewed the applications listed on the October 10th, 2019 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-243/18, DEF-A-268/19, DEF-A-269/19, DEF-A-317/19, DEF-A-330/19, DEF-A-338/19, DEF-A-339/19

Consent Applications: B-062/19

Minor Variance Applications: A-388/19, A-389/19, A-390/19, A-391/19, A-392/19, A-393/19, A-394/19, A-396/19, A-397/19, A-398/19, A-399/19, A-400/19, A-401/19

I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 7190 or by email at tracy.tang@peelregion.ca

Sincerely,



Tracy Tang
Junior Planner
Development Services, Region of Peel

cc. Marylu Javed, City of Mississauga
 Umar Mahmood, City of Mississauga
 Lucas Petricca, City of Mississauga
 Roberto Vertolli, City of Mississauga

Date: October 1st, 2019

File: C of A – 'A' 389/19
(Ward 6 – 1480 Britannia Road West, Unit 142)

Agenda: September 12th, 2019

New Item

Recommendation

The Planning and Building Department recommends that the application be deferred to allow the Applicant the opportunity to redesign the proposal.

Background

Mississauga Official Plan

Character Area: East Credit Neighbourhood
Designation: Residential Medium Density

Zoning By-law 0225-2007

Zoning: RM4-65 (Residential)

Other Applications:

Building Permit: 18-3209

Comments

Zoning

The Building Department is currently processing a Building Permit application under file 18-3209. Based upon review of this application, Staff notes that the variances, as requested, are correct.

Planning

The subject property is located south-east of the Britannia Road West and Creditview Road intersection, and represents a townhouse unit block. The immediate neighbourhood consists exclusively of townhouse units of a shared architectural style. The properties in the immediate area possess lot frontages of +/-7.2m. The Applicant is proposing a second-storey balcony, overlooking the rear yard.

As a result of the proposed design, the Applicant is requesting the following relief from By-law 0225-2007, as amended, permitting:

1. A balcony projection of 3.66m from the rear wall of the dwelling; whereas, By-law 0225-2007, as amended, permits a maximum balcony projection of 1.0m, in this instance; and,
2. The area beneath the proposed balcony to be included in the landscaped area; whereas, By-law 0225-2007, as amended, does not permit any open space beneath any building or structure, or part thereof, to be included in the landscaped area, in this instance.

The site is located within the East Credit Neighbourhood Character Area, and designated Residential Medium Density by the Mississauga Official Plan (MOP). The Residential Medium Density designation permits all forms of townhouse dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions; the surrounding context; and, the landscape of the character area. The residential nature of the property is in line with the designated land use; however, it is the opinion of Planning Staff that the proposed balcony represents excessive massing within the rear yard, and that such construction is ultimately at the expense of the planned amenity area. It is the opinion of Staff that Variance 1, as requested, does not maintain the purpose or general intent of the Official Plan.

Pursuant to Table 4.1.5 (Encroachments and Projections), a balcony is permitted a maximum projection of 1.0m off any structure face; whereas, the Applicant has requested 3.66m, in this instance. The general intent of this portion of the By-law is to ensure that both an adequate buffer exists between the massings of primary structures on adjoining properties, as well as to create an appropriate amenity area within the rear yard. While Staff, in principle, do not oppose balcony projections of 3.66m when such a design is sympathetic to the overall site as a whole, such extension should not come at the expense of the required yard. The proposed 3.66m balcony represents more than half the rear yard and results in a setback to the rear property line of only 2.77m. Furthermore, this creates significant overhang onto the required amenity area. It is the opinion of Staff that Variance 1, as requested, does not maintain the purpose or general intent of the Zoning By-law.

Having little regard for preserving the rear yard amenity area, the proposed design results in reducing this space by more than half. Furthermore, it has not been demonstrated to this Department as to why the Applicant cannot meet the By-law requirements. It is the position of this Department to discourage this manner of construction, viewing it both as the disorderly development of the lands, and whose resulting impacts are not minor in nature.

In view of the preceding, the Applicant should reconsider the design of the structure, with the intention of reducing the size and increasing the rear yard setback. The Planning and Building Department recommends that the application be deferred to allow the Applicant the opportunity to redesign the proposal.

City of Mississauga Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: September 27, 2019

RE: Takebacks – October 10, 2019 – 1.30pm
File - C.A. Agendas

Re: C.A. 'A' 389/19
Steve Agostino
1480 Britannia Rd W – Unit 142
Ward 6

Enclosed for Committee's reference are some photos depicting the subject property.

D. Martin
Supervisor Development Engineering South
905-615-3200 ext. 5833

Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

October 4, 2019

Sean Kenney, Secretary Treasurer
Committee of Adjustment
City of Mississauga
2nd Floor, Clerk's Office
Mississauga, ON – L5B 3C1

**Re: Region of Peel Consolidated Comments
 City of Mississauga Committee of Adjustment Hearing
 October 10th, 2019**

Dear Mr. Kenney,

Regional Planning staff have reviewed the applications listed on the October 10th, 2019 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-243/18, DEF-A-268/19, DEF-A-269/19, DEF-A-317/19, DEF-A-330/19, DEF-A-338/19, DEF-A-339/19

Consent Applications: B-062/19

Minor Variance Applications: A-388/19, A-389/19, A-390/19, A-391/19, A-392/19, A-393/19, A-394/19, A-396/19, A-397/19, A-398/19, A-399/19, A-400/19, A-401/19

I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 7190 or by email at tracy.tang@peelregion.ca

Sincerely,



Tracy Tang
Junior Planner
Development Services, Region of Peel

cc. Marylu Javed, City of Mississauga
 Umar Mahmood, City of Mississauga
 Lucas Petricca, City of Mississauga
 Roberto Vertolli, City of Mississauga

Date: October 1st, 2019

File: C of A – 'A' 390/19
(Ward 4 – 350 Burnhamthorpe Road East, Unit 7)

Agenda: September 12th, 2019

New Item

Recommendation

The Planning and Building Department has no objections to the variance, as requested, subject to the conditions outlined below being imposed by Committee; however, the Applicant may wish to defer the application to allow for the opportunity to submit the required Occupancy Permit application to ensure that all required variances have been accurately identified.

Background

Mississauga Official Plan

Character Area: Mississauga Valleys Neighbourhood
Designation: Convenience Commercial

Zoning By-law 0225-2007

Zoning: C1-5 (Commercial)

Other Applications:

None

Comments

Zoning

This Department notes that a Certificate of Occupancy permit application is required. In the absence of this application, Staff are unable to confirm the accuracy of the requested variance(s) or determine whether additional variance(s) may be required. It should be noted that a zoning review has not been completed.

Planning

The subject property is a multi-tenant commercial plaza located upon the south-west corner of the Burnhamthorpe Road East and Central Parkway East intersection. With the exception of the subject lands, and the commercial plaza kitty-corner to the north-east, the immediate context neighbourhood is comprised primarily of residential uses with a wide range of housing types present. Planning Staff note, due to both their configuration, orientation, and the presence of existing natural features, the contiguous townhouse / apartment units are isolated from the subject lands and do not contribute to the overall area context, as it pertains to this application.

The Applicant is proposing to operate a fitness studio (cycling) within one of the existing commercial units located upon the subject lands.

As a result of this proposed conversion, the Applicant is requesting the following relief from By-law 0225-2007, as amended, permitting:

1. A recreational establishment use; whereas, By-law 0225-2207, as amended, does not permit such a use, in this instance.

The site is located within the Mississauga Valleys Neighbourhood Character Area, and designated Convenience Commercial by the Mississauga Official Plan (MOP). Pursuant to Section 11.2.9(b), the Convenience Commercial designation permits entertainment, recreation and sports facilities. The Applicant's proposal of a fitness studio falls within these permitted land uses. This application meets the general intent and purpose of the Official Plan.

As per Zoning By-law 0225-2007, the subject property is zoned C1-5 (Commercial). Based upon the information provided, the Zoning Department has classified this proposed use as falling under the "Recreational Establishment" designation; which serves to include structures utilized for athletic activities – with a "fitness centre" being provided as part of this definition, as one of the many examples falling therein. Planning Staff note, such examples incorporated into such definitions (fitness centre, in this case) do not form part of the land use regulation, and are provided purely for contextual purposes.

When the specific definition is examined, specifically as it pertains to both where such uses are permitted, as well as in the absence of the aforementioned provided examples, it is the opinion of Planning Staff that the regulations associated with a "Recreational Establishment" are intended to govern large sporting facilities (hockey arenas, indoor golf centres, etc.) and/or substantial indoor gyms (Goodlife fitness centres); and do not contemplate unit-based fitness studios, similar to that which is proposed – itself more suitable to fall under a "service establishment" definition, a permitted use for this zone. It is the opinion of Planning Staff that the proposed use meets the purpose and general intent of the Zoning By-law.

Planning Staff note a yoga studio, of similar scope and scale to the proposed fitness use, has operated in this commercial plaza since 2007, without incident; having received similar approval

from Committee through Application A/543/07. Furthermore, the indented use will be entirely self-contained within an existing unit and does not serve to fundamentally change the nature or character of the plaza in any discernible manner. It is the opinion of Planning Staff that the proposed use results in both the orderly development of the lands, and whose impacts are minor in nature.

Based upon the preceding information, it is the opinion of Staff that the variance, as requested, meets the general intent and purpose of both MOP and the Zoning By-law; is minor in nature; and, is desirable for the orderly development of the lands. To this end, the Planning and Building Department has no objections to the variance, as requested, subject to the conditions outlined below being imposed by Committee; however, the Applicant may wish to defer the application to allow for the opportunity to submit the required Occupancy Permit application, in order to ensure that all required variances have been accurately identified.

- That the proposed recreational establishment use be limited to 250.8m² (Unit 7).

City of Mississauga Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: September 27, 2019

RE: Takebacks – October 10, 2019 – 1.30pm
File - C.A. Agendas

Re: COMMITTEE OF ADJUSTMENT- October 10, 2019 – 1:30pm

This Department has no objections; comments or requirements with respect to C.A. 'A' 268,269, 317,390,393 and 394/19

D. Martin
Supervisor Development Engineering South
905-615-3200 ext. 5833

A390/19



A 390/19



Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

October 4, 2019

Sean Kenney, Secretary Treasurer
Committee of Adjustment
City of Mississauga
2nd Floor, Clerk's Office
Mississauga, ON – L5B 3C1

**Re: Region of Peel Consolidated Comments
 City of Mississauga Committee of Adjustment Hearing
 October 10th, 2019**

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Consent Applications: B-062/19

Minor Variance Applications: A-388/19, A-389/19, A-390/19, A-391/19, A-392/19, A-393/19, A-394/19, A-396/19, A-397/19, A-398/19, A-399/19, A-400/19, A-401/19

I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 7190 or by email at tracy.tang@peelregion.ca

Sincerely,



Tracy Tang
Junior Planner
Development Services, Region of Peel

cc. Marylu Javed, City of Mississauga
 Umar Mahmood, City of Mississauga
 Lucas Petricca, City of Mississauga
 Roberto Vertolli, City of Mississauga

Date: October 1st, 2019

File: C of A – 'A' 391/19
(Ward 7 – 469 Hensall Circle, Unit 3)

Agenda: September 12th, 2019

New Item

Recommendation

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

Background

Mississauga Official Plan

Character Area: Cooksville Neighbourhood
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C3 (Commercial)

Other Applications:

None

Comments

Zoning

This Department notes that a Certificate of Occupancy permit application is required. In the absence of this application, Staff are unable to confirm the accuracy of the requested variance(s) or determine whether additional variance(s) may be required. It should be noted that a zoning review has not been completed.

Planning

The subject lands are a triangular-shaped exterior property located north-west of the Cawthra Road and Dundas Street East intersection, and currently house a two-storey, +/-765m² industrial structure. The property is bound by Hensall Circle to the south; a railway line to the north; and, existing warehouse units to the east. The immediate neighbourhood context is comprised of a variety of industrial uses, including: small scale commercial / strip mall units; commercial motor vehicle sales and rental; and, industrial uses. Planning Staff note, residential uses, exclusively in the form of townhouse units, are also present to the west of the subject lands; however, their configuration and orientation isolates such an area from the subject lands and overall area context.

A collective Occupancy Permit for both Units 3 and 4 was granted in 2014, which permitted the operation of a motor vehicles sales facility, with accessory motor vehicle repair. This aforementioned use was granted approval by the Committee through Application A/116/14, which did not receive Staff support, owing to not meeting the purpose or general intent of the Zoning By-law.

The Applicant is now proposing to separate the aforementioned Units into two stand-alone business. As a result of this new configuration, the Applicant is requesting the following relief from By-law 0225-2007, as amended, permitting:

1. An automotive repair garage in Unit 3, proposing an automotive repair use; whereas, By-law 0225-2007, as amended, does not permit an automotive repair use, in this instance.

As per discussions with the Zoning Department, as a result of the creation of a new stand-alone unit, potential deficiencies may exist pertaining to the total number of required parking.

The site is located within the Cooksville Neighbourhood Character Area, and designated Mixed Use by the Mississauga Official Plan (MOP). Pursuant to Section 11.2.6 (Mixed Use)(e)(f), this designation permits motor vehicle sales and rental uses, but does not support motor vehicle repair. The Applicant's proposal of a motor vehicle repair facility fails to meet the general intent or purpose of the Official Plan.

As per Zoning By-law 0225-2007, the subject property is zoned C3 (Commercial). In accordance with Table 6.2.1 (C1 to C5 Permitted Uses and Zone Regulations), "Motor Vehicle Repair Facility – Restricted", is not a permitted use within the C3 (Commercial), being only permitted within the C5 (Motor Vehicle Commercial) zone. The intent of the Zoning By-law is to restrict more intense commercial motor vehicle uses, such as vehicle repair, to the C5 (Motor Vehicle Commercial) zone; with the C3 (Commercial) zone encouraging the less severe retail and leasing uses. It is the opinion of Staff that the variance, as requested, fails to meet the general intent or purpose of the Zoning By-law.

The subject property is located within a collection of uses, which serve to include both motor vehicle repair, and motor vehicle sales and leasing. The proposed use will be contained wholly

on the site, and no additional variances have been requested as it pertains to the structure. Planning Staff note, the proposed use has operated on-site without incident since 2014. It is opinion of Planning Staff that the variance, as requested, represents both the orderly development of the lands, and whose impacts are minor in nature.

Based upon the preceding information, it is the opinion of Staff that the requested variance does not meet criteria established by Section 45(1) of the *Planning Act*. To this end, the Planning and Building Department recommends that the application be refused.

<http://teamsites.mississauga.ca/sites/18/CofA/Comments/2019/October/Oct 10/RV.Oct 10.docx>

City of Mississauga

Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: September 27, 2019

RE: Takebacks – October 10, 2019 – 1.30pm
File - C.A. Agendas

Re: C.A. 'A' 391/19
Golden Town Company Limited
469 Hensall Cir – Unit 3
Ward 7

Enclosed for Committee's reference are some photos depicting the subject property.

D. Martin
Supervisor Development Engineering South
905-615-3200 ext. 5833



A 391/19



Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

October 4, 2019

Sean Kenney, Secretary Treasurer
Committee of Adjustment
City of Mississauga
2nd Floor, Clerk's Office
Mississauga, ON – L5B 3C1

**Re: Region of Peel Consolidated Comments
 City of Mississauga Committee of Adjustment Hearing
 October 10th, 2019**

Dear Mr. Kenney,

Regional Planning staff have reviewed the applications listed on the October 10th, 2019 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-243/18, DEF-A-268/19, DEF-A-269/19, DEF-A-317/19, DEF-A-330/19, DEF-A-338/19, DEF-A-339/19

Consent Applications: B-062/19

Minor Variance Applications: A-388/19, A-389/19, A-390/19, A-391/19, A-392/19, A-393/19, A-394/19, A-396/19, A-397/19, A-398/19, A-399/19, A-400/19, A-401/19

I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 7190 or by email at tracy.tang@peelregion.ca

Sincerely,



Tracy Tang
Junior Planner
Development Services, Region of Peel

cc. Marylu Javed, City of Mississauga
 Umar Mahmood, City of Mississauga
 Lucas Petricca, City of Mississauga
 Roberto Vertolli, City of Mississauga

Date: October 1st, 2019

File: C of A – 'A' 393/19
(Ward 11 – 2275 Britannia Road West, Units 19 & 20)

Agenda: September 12th, 2019

New Item

Recommendation

The Planning and Building Department has no objection to the variance, as requested.

Background

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: E2-89 (Employment)

Other Applications:

Building Permit: 19-5231

Comments

Zoning

The Building Department is currently processing a Building Permit application under file 19-5231. Based upon review of this application, Staff notes that the variance, as requested, are correct.

Planning

The subject property is a multi-tenant commercial plaza located north-east of the Britannia Road West and Erin Mills Parkway intersection. With the exception of the subject lands, the context

neighbourhood on the south-side of Britannia Road West is comprised primarily of residential uses, with detached dwellings and townhouse units being the predominant structural type; the lands north of Britannia Road West are exclusively industrial, with a multitude of employment uses being present. The Applicant is proposing to operate a restaurant within one of the existing units located on the subject lands.

As a result of the proposed conversion, the Applicant is requesting the following relief from By-law 0225-2007, as amended, permitting:

1. 133 parking spaces; whereas, By-law 0225-2207, as amended, requires a minimum of 177 parking spaces, in this instance.

The site is located within the Meadowvale Business Park Corporate Centre Character Area, and is designated Business Employment by the Mississauga Official Plan (MOP). Pursuant to Section 11.2.11(s) (Business Employment), this designation shall permit restaurant services. The Applicant's proposal of a restaurant on the subject lands meets the general purpose and intent of the Official Plan.

As per Zoning By-law 0225-2007, the subject property is zoned E2-89 (Employment), which permits restaurant uses. In accordance with Table 3.1.2.2 (Required Number of Parking Spaces for Non-Residential Uses), this zone regulates the required quantity of parking spaces.

The intent in quantifying the required number of parking spaces is to ensure that each structure is self-sufficient in providing adequate parking accommodations based upon its intended use. As per Zoning By-law 0225-2007, 177 parking spaces are required; whereas, the Applicant is providing 133. As per the Parking Utilization Study (Harper Dell and Associates, September 25th, 2019) submitted by the Applicant, the proposed 133 parking spaces are suitable to adequately accommodate the peak parking demands of the subject site. The variance, as requested, maintains the purpose and general intent of the Zoning By-law.

As per the Parking Utilization Study provided, the subject property has ample room to accommodate the proposed parking. The structure remains self-sufficient, with the entirety of parking handled on-site, and the requested variance serving to pose no significant negative impact on the surrounding neighbourhood. The variance, as requested, results in both the orderly development of the lands, and whose impacts are minor in nature.

Based upon the preceding information, it is the opinion of Staff that the variance, as requested, meets the general intent and purpose of both MOP and the Zoning By-law; is minor in nature; and, is desirable for the orderly development of the lands. To this end, the Planning and Building Department has no objection to the variance, as requested.

City of Mississauga Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: September 27, 2019

RE: Takebacks – October 10, 2019 – 1.30pm
File - C.A. Agendas

Re: COMMITTEE OF ADJUSTMENT- October 10, 2019 – 1:30pm

This Department has no objections; comments or requirements with respect to C.A. 'A' 268,269, 317,390,393 and 394/19

D. Martin
Supervisor Development Engineering South
905-615-3200 ext. 5833

A 393/19



A 393/19



Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

October 4, 2019

Sean Kenney, Secretary Treasurer
Committee of Adjustment
City of Mississauga
2nd Floor, Clerk's Office
Mississauga, ON – L5B 3C1

**Re: Region of Peel Consolidated Comments
 City of Mississauga Committee of Adjustment Hearing
 October 10th, 2019**

Dear Mr. Kenney,

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I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 7190 or by email at tracy.tang@peelregion.ca

Sincerely,



Tracy Tang
Junior Planner
Development Services, Region of Peel

cc. Marylu Javed, City of Mississauga
 Umar Mahmood, City of Mississauga
 Lucas Petricca, City of Mississauga
 Roberto Vertolli, City of Mississauga

City of Mississauga
Memorandum



Date: 2019/10/01

To: Chair, Committee of Adjustment
S. Kenney, Secretary-Treasurer, Committee of Adjustment

From: Heritage Planning
Culture Division, Community Services

Meeting Date: 2019/10/10

Subject: "A" 393/19 (Ward 11)
Minor Variance Application
2275 Britannia Rd W Units 19 & 20
Kandahar Bazaar

No Heritage Issues

Heritage Planning
T: 905-615-3200 x 4061
Heritage.planning@mississauga.ca

Date: September 30, 2019

File: C of A – 'A' 394/19
(Ward 8 – 3065 - 3075 Ridgeway Drive – Unit 30)

Agenda: **October 10, 2019**

New Item

Recommendation

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

Background

Mississauga Official Plan

Character Area: Western Business Park Employment Area
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: **C3-46** (Commercial)

Comments

Zoning

This Division notes that a certificate of occupancy permit application is required. In the absence of a certificate of occupancy permit application we are unable to confirm the accuracy of the requested variances or determine whether additional variances may be required. It should be noted that a zoning review has not been completed.

Planning

The subject property is located within the Western Business Park Employment Character Area, west of Winston Churchill Boulevard and Dundas Street West. Immediately abutting the subject property are commercial uses. A residential neighbourhood is north of the subject property across Laird Road. The subject property contains two buildings consisting of a mix of commercial uses including restaurants, recreational establishments, and office, among other uses. The application proposes 259 parking spaces whereas 489 parking spaces are required.

The subject site is designated "Mixed Use" in Schedule 10 of the Mississauga Official Plan (MOP). The Mixed Use designation permits personal service establishments, retail uses, and restaurants, among other uses. As per Section 8.4 – Parking of MOP, sufficient parking should be provided to ensure the function of employment uses is not adversely affected. Similarly, the intent of the zoning by-law in quantifying the required number of parking spaces is to ensure that each structure is self-sufficient in providing adequate parking accommodations based upon its intended use. A parking utilization study dated July 29th, 2019 was prepared by Harper Dell and Associates. Further information was requested from the applicant's agent by the City Planning Strategies Division regarding the changes to the uses and businesses on-site. Staff have asked the applicant to provide an updated study with the requested changes.

Based on the preceding information, the Planning and Building Department recommends that the application be deferred.

City of Mississauga Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: September 27, 2019

RE: Takebacks – October 10, 2019 – 1.30pm
File - C.A. Agendas

Re: COMMITTEE OF ADJUSTMENT- October 10, 2019 – 1:30pm

This Department has no objections; comments or requirements with respect to C.A. 'A' 268,269, 317,390,393 and 394/19

D. Martin
Supervisor Development Engineering South
905-615-3200 ext. 5833

A 394/19



多伦多简妮舞蹈学校
Jenny Dance Academy of Toronto
Tel: 647-987-2868

McCANN & ROQUE
CHARTERED PROFESSIONAL ACCOUNTANTS



Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

October 4, 2019

Sean Kenney, Secretary Treasurer
Committee of Adjustment
City of Mississauga
2nd Floor, Clerk's Office
Mississauga, ON – L5B 3C1

**Re: Region of Peel Consolidated Comments
 City of Mississauga Committee of Adjustment Hearing
 October 10th, 2019**

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I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 7190 or by email at tracy.tang@peelregion.ca

Sincerely,



Tracy Tang
Junior Planner
Development Services, Region of Peel

cc. Marylu Javed, City of Mississauga
 Umar Mahmood, City of Mississauga
 Lucas Petricca, City of Mississauga
 Roberto Vertolli, City of Mississauga

Date: September 30, 2019

File: C of A – 'A' 243/19
(Ward 2 – 1543 Lorne Wood Road)

Agenda: **October 10, 2019**

Deferred Item

Recommendation

The Planning and Building Department has no objections to the requested variances, as amended.

Background

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

Building Permit: 18-4568

Comments

Zoning

The Planning and Building Department is currently processing a building permit application under file 18-4568. Based on review of the information currently available for this building permit, variances #3 and 4 are correct. Variance #2 should be amended as follows:

"A deck projection on an accessory structure (play structure) with a total area of approximately 8.30sq.m whereas By-law 0225-2007, as amended, does not permit a balcony or deck on an accessory structure in this instance;"

It should also be noted that variance #1 is not required.

Planning

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southeast of South Sheridan Way and Indian Road. The neighbourhood consists of large lots with significant mature vegetation which contain bungalows and two storey detached dwellings. The subject property contains a one storey detached dwelling with mature vegetation in the front and rear yard and also two accessory structures in the rear yard. The application proposes an accessory structure and requires variances related to an increased floor area, height and deficient rear yard. The accessory structure is existing and located in the rear eastern corner of the subject property.

The subject property is designated "Residential Low Density I" in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached and duplex dwellings. The policies within Chapter 9 of MOP state that site development will respect all yard setbacks and should minimize overshadowing and overlook onto adjacent neighbours. The accessory structure is built within the mature trees in the rear yard and has significant mature vegetation around the accessory structure which minimizes any impact regarding overshadowing and overlook onto adjacent neighbours. Also, due to the change in grade, the rear property is elevated higher than the subject property which mitigates the impact of the accessory structure. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

In reviewing the new accessory structure regulations to the subject application, variance #1 would not be required as the accessory structure has an area of approximately 9.86 m². The deck portion of the accessory structure is considered a separate structure and has an area of approximately 8.30 m².

The application proposes a deck projection from the accessory whereas a deck is not permitted on an accessory structure and height of 4.32 m whereas 3.50 m is permitted. The intent of this portion of the by-law is to minimize overlook and preserve the privacy of abutting properties. In this instance, there is mature vegetation surrounding the structure which helps to reduce the impact of the deck regarding overlook into the neighbouring lots. Furthermore, the accessory structure is located approximately 35 m away from the southerly neighbouring dwelling. Through discussions with the applicant's agent, five hedges will be planted along the southerly interior lot line, further minimizing any privacy/overlook concerns. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Regarding variance #3, the application proposes a rear yard of 0.91 m whereas 1.20 m is required. In this instance, the proposed variance is mitigated due to the grade change to the rear property and vegetation that surrounds the accessory structure. The combination of these features mitigates the impact the accessory structure could have onto neighbouring lots. Thus, the accessory structure maintains an appropriate setback to the rear lot line and exceeds the setback required to the interior side yards which helps to lessen the visual impact of the

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

The accessory structure is surrounded by vegetation, minimizing the impact that the variances could have onto neighbouring lots. In addition to the existing vegetation, five hedges are proposed to be planted along the southerly interior lot line, further mitigating any concerns regarding privacy/overlook. The accessory structure maintains an appropriate setback to the rear lot line and exceeds the setback required to the interior side yards which helps to lessen the visual impact of the structure. Staff is of the opinion that the proposed application represents orderly development of the land and is minor in nature.

Based on the preceding information, the Planning and Building Department has no objections to the requested variances, as amended.

City of Mississauga Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: September 27, 2019

RE: Takebacks – October 10, 2019 – 1.30pm
File - C.A. Agendas

Re: C.A. 'A' 243/19
Srdjana & Milivoje Grabovica
1534 Lorne Wood Rd
Ward 2

Enclosed for Committee's easy reference are photos of the accessory structure which has been constructed. Should Committee see merit in the application we ask that the back side of the roof be equipped with an eaves trough and downspout directed such that it will not impact the adjacent property in behind.

D. Martin
Supervisor Development Engineering South
905-615-3200 ext. 5833

A 243/19



A 243/19



Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

October 4, 2019

Sean Kenney, Secretary Treasurer
Committee of Adjustment
City of Mississauga
2nd Floor, Clerk's Office
Mississauga, ON – L5B 3C1

**Re: Region of Peel Consolidated Comments
 City of Mississauga Committee of Adjustment Hearing
 October 10th, 2019**

Dear Mr. Kenney,

Regional Planning staff have reviewed the applications listed on the October 10th, 2019 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

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I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 7190 or by email at tracy.tang@peelregion.ca

Sincerely,



Tracy Tang
Junior Planner
Development Services, Region of Peel

cc. Marylu Javed, City of Mississauga
 Umar Mahmood, City of Mississauga
 Lucas Petricca, City of Mississauga
 Roberto Vertolli, City of Mississauga

Date: October 1st, 2019

File: C of A – 'A' 268/19
(Ward 5 – 265 Courtneypark Drive East)

Agenda: September 12th, 2019

Deferred Item

Recommendation

The Planning and Building Department has no objection to the variance, as requested.

Background

Mississauga Official Plan

Character Area: Gateway Employment Area
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2 (Employment)

Other Applications:

Site Plan Approval: 18-8

Comments

Zoning

The Building Department is currently processing a Site Plan Approval application under file 18-8. Based upon review of this application, Staff notes that the variances, as requested, are correct.

Planning

The subject lands associated with applications 'A' 268/19 and 'A' 269/19 are two adjacent properties, located north-east of the Hurontario Street and Courtneypark Drive East intersection.

Each property houses a multi-storey, multi-tenant industrial structure. The neighbourhood context is exclusively industrial, with a multitude of employment uses within the immediate area. The properties along this portion of Courtneypark Drive East are situated on large parcels, with lot frontages ranging from +/- 45.2m to +/- 166m.

The Applicant is proposing to erect an elevated conveyor bridge between the existing structures, crossing the shared property line. As a result of the proposed construction, the Applicant has requested the following relief from By-law 0225-2007, as amended, permitting:

1. An interior side yard of 0.0m; whereas, By-law 0225-2007, as amended, requires a minimum interior side yard of 13.7m, in this instance.

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

Date: October 1st, 2019

File: C of A – 'A' 269/19
(Ward 5 – 299 Courtney Park Drive East)

Agenda: September 12th, 2019

Deferred Item

Recommendation

The Planning and Building Department has no objection to the variance, as requested.

Background

Mississauga Official Plan

Character Area: Gateway Employment Area
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2 (Employment)

Other Applications:

Site Plan Approval: 18-8

Comments

Zoning

The Building Department is currently processing a Site Plan Approval application under file 18-8. Based upon review of this application, Staff notes that the variances, as requested, are correct.

Planning

The subject lands associated with applications 'A' 268/19 and 'A' 269/19 are two adjacent properties, located north-east of the Hurontario Street and Courtney Park Drive East intersection.

Each property houses a multi-storey, multi-tenant industrial structure. The neighbourhood context is exclusively industrial, with a multitude of employment uses within the immediate area. The properties along this portion of Courtneypark Drive East are situated on large parcels, with lot frontages ranging from +/- 45.2m to +/- 166m.

The Applicant is proposing to erect an elevated conveyor bridge between the existing structures, crossing the shared property line. As a result of the proposed construction, the Applicant has requested the following relief from By-law 0225-2007, as amended, permitting:

1. An interior side yard of 0.0m; whereas, By-law 0225-2007, as amended, requires a minimum interior side yard of 13.7m, in this instance.

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

City of Mississauga Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: September 27, 2019

RE: Takebacks – October 10, 2019 – 1.30pm
File - C.A. Agendas

Re: COMMITTEE OF ADJUSTMENT- October 10, 2019 – 1:30pm

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D. Martin
Supervisor Development Engineering South
905-615-3200 ext. 5833

Public Works

10 Peel Centre Dr.
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tel: 905-791-7800

peelregion.ca

October 4, 2019

Sean Kenney, Secretary Treasurer
Committee of Adjustment
City of Mississauga
2nd Floor, Clerk's Office
Mississauga, ON – L5B 3C1

**Re: Region of Peel Consolidated Comments
 City of Mississauga Committee of Adjustment Hearing
 October 10th, 2019**

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I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 7190 or by email at tracy.tang@peelregion.ca

Sincerely,



Tracy Tang
Junior Planner
Development Services, Region of Peel

cc. Marylu Javed, City of Mississauga
 Umar Mahmood, City of Mississauga
 Lucas Petricca, City of Mississauga
 Roberto Vertolli, City of Mississauga

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October 4, 2019

Sean Kenney, Secretary Treasurer
Committee of Adjustment
City of Mississauga
2nd Floor, Clerk's Office
Mississauga, ON – L5B 3C1

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 City of Mississauga Committee of Adjustment Hearing
 October 10th, 2019**

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Development Services, Region of Peel

cc. Marylu Javed, City of Mississauga
 Umar Mahmood, City of Mississauga
 Lucas Petricca, City of Mississauga
 Roberto Vertolli, City of Mississauga

Date: October 1st, 2019

File: C of A – 'A' 317/19
(Ward 4 – 526 Silver Creek Boulevard)

Agenda: September 12th, 2019

Deferred Item

Recommendation

The Planning and Building Department recommends that the application be deferred to allow the Applicant the opportunity to redesign the proposal.

Background

Mississauga Official Plan

Character Area: Mississauga Valleys Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3 (Residential)

Other Applications:

None

Comments

Zoning

This Department notes that a Building Permit application is not required. In the absence of a Building Permit application, this Department is unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a full zoning review has not been completed.

Planning

The property is located north-west of the Cawthra Road and Dundas Street East intersection and houses a detached dwelling with a double car garage. The immediate neighbourhood consists primarily of detached dwellings; however, semi-detached structures and townhouse units are also present. The properties in the immediate area possess a lot frontage of +/-15.6m. As per the drawings provided (Partial Site Plan, 07/30/2019), the subject property is an interior parcel, with a lot area of approximately 565.8m², and a frontage of 15.2m.

Based upon the design of the driveway, the Applicant is required to seek the following relief from By-law 0225-2007, as amended, permitting:

- A driveway width of 8.25m; whereas, By-law 0225-2007, as amended, requires a maximum driveway of 6.0m, in this instance.

As per discussions with the Zoning Department, Planning Staff have amended the requested variances to the above, noting:

- The Applicant has incorrectly identified both the driveway width and walkway attachment areas.

The above represents comments based upon the site plan submitted as part of this application.

This application was first brought before the Committee on August 15th, 2018, where it was deferred to allow the Applicant the opportunity to resubmit a more modest proposal. This redesign remains outstanding.

The site is situated within the Mississauga Valleys Neighbourhood Character Area, and designated Residential Low Density I by the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached dwellings; semi-detached dwellings; and, duplex dwellings. As per Section 9.1 (Introduction), driveway widths should respect the identity and character of the surrounding context. The planned context of this neighbourhood is that of detached dwellings serviced by appropriately sized driveways, with the remainder of lot frontage serving to form a soft-landscaped area. From a streetscape perspective, the proposed driveway at its widest point represents more than half of the property's frontage which is not reflective of the planned context. The proposal does not meet the general intent or purpose of the Official Plan.

As per Zoning By-law 0225-2007, the subject property is zoned R3 (Residential). Pursuant to Table 4.2.1 (R1 to R5 Permitted Uses and Zone Regulations), the maximum driveway width for a detached dwelling is 6.0m; whereas the Applicant is proposing 8.25m. The intent of the Zoning By-law is to permit a driveway large enough to provide the necessary space for two vehicles parked side-by-side, with the remainder of lands being soft landscaping (front yard). The Applicant's proposal results in a driveway large enough to accommodate three vehicles

parked side-by-side. Variance 1, as amended, does not meet the purpose or general intent of the Zoning By-law.

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The variance, as amended, creates a significant amount hardscaping and result in the driveway being the predominant feature of the front yard (54% at its widest point). This is an undesirable development of the land, and one whose effects are not minor in nature.

Based upon the preceding information, the Planning and Building Department recommends that the application be deferred to allow the Applicant the opportunity to redesign the proposal.

<http://teamsites.mississauga.ca/sites/18/CofA/Comments/2019/October/Oct 10/RV.Oct 10.docx>

City of Mississauga Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: September 27, 2019

RE: Takebacks – October 10, 2019 – 1.30pm
File - C.A. Agendas

Re: COMMITTEE OF ADJUSTMENT- October 10, 2019 – 1:30pm

This Department has no objections; comments or requirements with respect to C.A. 'A' 268,269, 317,390,393 and 394/19

D. Martin
Supervisor Development Engineering South
905-615-3200 ext. 5833

Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

October 4, 2019

Sean Kenney, Secretary Treasurer
Committee of Adjustment
City of Mississauga
2nd Floor, Clerk's Office
Mississauga, ON – L5B 3C1

**Re: Region of Peel Consolidated Comments
 City of Mississauga Committee of Adjustment Hearing
 October 10th, 2019**

Dear Mr. Kenney,

Regional Planning staff have reviewed the applications listed on the October 10th, 2019 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-243/18, DEF-A-268/19, DEF-A-269/19, DEF-A-317/19, DEF-A-330/19, DEF-A-338/19, DEF-A-339/19

Consent Applications: B-062/19

Minor Variance Applications: A-388/19, A-389/19, A-390/19, A-391/19, A-392/19, A-393/19, A-394/19, A-396/19, A-397/19, A-398/19, A-399/19, A-400/19, A-401/19

I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 7190 or by email at tracy.tang@peelregion.ca

Sincerely,



Tracy Tang
Junior Planner
Development Services, Region of Peel

cc. Marylu Javed, City of Mississauga
 Umar Mahmood, City of Mississauga
 Lucas Petricca, City of Mississauga
 Roberto Vertolli, City of Mississauga

Date: September 30, 2019

File: C of A – 'A' 330/19
(Ward 1 – 594 Curzon Avenue)

Agenda: **October 10, 2019**

Deferred Item

Recommendation

The Planning and Building Department has no objections to the requested variances. However, the applicant may choose to defer the application to verify the accuracy of the requested variances and ensure that no additional variances are required.

Background

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: 19-5489

Comments

Zoning

The Planning and Building Department is currently processing a building permit application under file 19-5489. Based on review of the information currently available for this building permit, we advise that more information is required to verify the accuracy of the requested variances or determine whether additional variances will be required.

Planning

The subject property is located within the Lakeview Neighbourhood Character Area, southwest of Lakeshore Road East and Cawthra Road. The neighbourhood consists of one and two storey detached dwellings with mature vegetation. A demolition permit was issued on the subject property to demolish the detached garage and dwelling in order to construct a new two storey dwelling. The application proposes variances related to the lot coverage, height and front yard.

The application was previously deferred from the August 22nd, 2019 Committee hearing to allow the applicant to submit the required plans matching the proposed variances.

The subject property is designated "Residential Low Density II" in Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached and duplex, triplex and other forms of low rise dwellings with individual frontages. The official plan policies for lands within the Lakeview Neighbourhood Character Area are contained within the Lakeview Local Area Plan and are within the Lakeside boundary of the South Residential Neighbourhood Precinct. Pursuant to Section 10.3 (Built Form Types), new housing within Lakeview should maintain the existing character of the area. The subject property will continue to be used for residential purposes, maintaining the residential designation. The proposed detached dwelling has regard for the distribution of massing on the property as a whole, preserving the existing and planned character of the neighbourhood. The requested variances maintain the general intent and purpose of the Official Plan.

The application proposes a lot coverage of approximately 36.30% whereas a maximum lot coverage of 35% is required. The intent in restricting lot coverage is to ensure that there isn't overdevelopment of the lot. In this instance, the excessive lot coverage is due to the balcony and overhang of the eaves which combines for an area of 10.06 m². Excluding these, the dwelling would have a lot coverage of approximately 34% maintaining by-law provisions. Visually, the overhang of the eaves will not negatively impact abutting properties and are sufficiently setback from interior lot lines. This area is eclectic and consists of a variety of dwelling designs. The proposed massing of the dwelling maintains the existing character of the neighbourhood. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #2 proposes a height of 7.67 m whereas 7.50 m is permitted. The intent in restricting height to the flat roof was to reduce the overall massing of a flat roof dwelling compared to a sloped roof dwelling and to minimize negative impacts on the streetscape and neighbouring properties. Furthermore, limiting the height of a flat roof is intended to restrict large flat roof dwellings that are permitted up to a maximum height of 10.70 m, which could accommodate a three storey dwelling. In this instance, the proposed increased height is a minor deviation from the zoning by-law and will not cause any additional undue impact to neighbouring properties from what is already permitted. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

The application proposes a front yard of 6.80 m whereas 7.50 m is required. The intent of a front yard setback is to ensure that a consistent character is maintained along the streetscape and that a sufficient front yard space is incorporated into the design of neighbourhoods. In this

instance, the immediate neighbourhood does not have a consistent streetscape between dwellings. There is a mix of dwellings set further back from the front lot line and some situated closer than the subject application proposes. As such, the reduced front yard is in keeping with the eclectic streetscape. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

The immediate neighbourhood is eclectic and consists of a variety of dwelling designs that do not create a consistent streetscape. As such, the massing of the proposed dwelling preserves the existing and planned character of the neighbourhood. The increased height is a minor deviation from the zoning by-law and will not cause any additional undue impact to neighbouring properties. The immediate area consists of a staggered streetscape established with dwellings being set further back from the front lot line and some closer than the subject application. This results in a varied streetscape that the proposed variances do not negatively impact. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

Based on the preceding information, the Planning and Building Department has no objections to the requested variances. However, the applicant may choose to defer the application to verify the accuracy of the requested variances and ensure that no additional variances are required.

City of Mississauga Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: September 27, 2019

RE: Takebacks – October 10, 2019 – 1.30pm
File - C.A. Agendas

Re: C.A. 'A' 330/19
Jing Pan
594 Curzon Ave
Ward 1

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

D. Martin
Supervisor Development Engineering South
905-615-3200 ext. 5833

Public Works

10 Peel Centre Dr.
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L6T 4B9
tel: 905-791-7800

peelregion.ca

October 4, 2019

Sean Kenney, Secretary Treasurer
Committee of Adjustment
City of Mississauga
2nd Floor, Clerk's Office
Mississauga, ON – L5B 3C1

**Re: Region of Peel Consolidated Comments
 City of Mississauga Committee of Adjustment Hearing
 October 10th, 2019**

Dear Mr. Kenney,

Regional Planning staff have reviewed the applications listed on the October 10th, 2019 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-243/18, DEF-A-268/19, DEF-A-269/19, DEF-A-317/19, DEF-A-330/19, DEF-A-338/19, DEF-A-339/19

Consent Applications: B-062/19

Minor Variance Applications: A-388/19, A-389/19, A-390/19, A-391/19, A-392/19, A-393/19, A-394/19, A-396/19, A-397/19, A-398/19, A-399/19, A-400/19, A-401/19

I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 7190 or by email at tracy.tang@peelregion.ca

Sincerely,



Tracy Tang
Junior Planner
Development Services, Region of Peel

cc. Marylu Javed, City of Mississauga
 Umar Mahmood, City of Mississauga
 Lucas Petricca, City of Mississauga
 Roberto Vertolli, City of Mississauga

Date: October 1st, 2019

File: C of A – 'A' 338/19
(Ward 6 – 914 Burnhamthorpe Road West)

Agenda: September 12th, 2019

Deferred Item

Recommendation

The Planning and Building Department has no objection to the variances, as requested.

Background

Mississauga Official Plan

Character Area: Mavis-Erindale Employment Area
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C3-1 (Commercial)

Other Applications:

Occupancy Permit: 11-4596

Comments

Zoning

The Building Department is currently processing an Occupancy Permit application under file 11-4596. Based upon review of this application, Staff notes that the variances, as requested, are correct

Planning

The subject property is located south-west of the Burnhamthorpe Road West and Wolfedale Road intersection, and houses a two-storey, multi-tenant commercial structure. The site is

adjacent to low density commercial units that serve to form the entirety of the south side of Burnhamthorpe Road West. The subject lands back upon industrial lands which continue for the majority of this portion of Wolfedale Road / Hawkstone Road. The Applicant is proposing to reconfigure the existing parking layout to supplement the existing medical office use.

The subject property was granted previous approval through Minor Variance Applications 'A' 446/18 and 'A' 398/16, to permit a total of 32 parking spaces for the proposed medical office and business uses – 18 of which were permitted to be located off-site. Conditions attached to this approval stipulated a requirement for a Shared Parking Agreement to be signed between the Applicant and the owners of both 896 Burnhamthorpe Road West (for the use of 6 spaces), and 1000 Burnhamthorpe Road West (for the use of 12 spaces).

The Agent has subsequently proposed to rearrange the parking configuration, thereby eliminating the necessity of a Shared Parking Agreement with the owners of 1000 Burnhamthorpe Road West.

As a result of this reconfiguration, the Applicant is required to seek the following relief from By-law 0225-2007, as amended, permitting:

1. 20 parking spaces (14 on-site, 6 off-site); whereas, By-law 0225-2207, as amended, requires a minimum of 47 parking spaces, in this instance;
2. 1 accessible parking space; whereas, By-law 0225-2207, as amended, requires a minimum of 2 accessible parking spaces, in this instance;
3. No access aisle for an accessible parking space; whereas, By-law 0225-2207, as amended, requires a 1.5m access aisle for an accessible parking space, in this instance;
4. An aisle width of 4.6m to access the 6 off-site parking spaces; whereas, By-law 0225-2207, as amended, requires a minimum aisle width of 7.0m, in this instance; and,
5. A driveway width of 2.56m on the east side; whereas, By-law 0225-2207, as amended, requires a minimum driveway width of 2.6m, in this instance.

Planning Staff note, the above variances represent a proposal with zero parking provided along either the side or rear of the structure.

The site is located within the Mavis-Erindale Employment Area Character Area, and is designated Mixed Use by the Mississauga Official Plan (MOP). Pursuant to Section 17.1.4 (h)(m) (Mixed Use), this designation shall permit both personal service establishments, as well as office uses; which serve to include medical offices, from an Official Plan perspective. The continuation of the existing medical office upon the subject lands meets the general purpose and intent of the Official Plan.

As per Zoning By-law 0225-2007, the subject property is zoned C3-1 (Commercial), which permits medical office uses. In accordance with Table 3.1.2.2 (Required Number of Parking Spaces for Non-Residential Uses), this zone regulates the required quantity of parking and accessible spaces.

The intent in quantifying the required number of parking spaces is to ensure that each structure is self-sufficient in providing adequate parking accommodations based upon its intended use. As per Zoning By-law 0225-2007, 47 parking spaces are required; whereas, the Applicant is providing 14 on-site and 6 off-site. As per the Parking Utilization Study (Harper Dell and Associates, August 8, 2019) submitted by the Applicant, the proposed parking configuration is adequate to accommodate the peak parking demands of the subject site. Variance 1 and 2, as requested, maintain the purpose and general intent of the Zoning By-law.

The Zoning By-law further regulates the widths of: aisles; access aisles; and, driveways. The intent of such regulations is to ensure that sufficient space for suitable internal motor vehicle traffic circulation is maintained. While the proposed values remain deficient from a Zoning By-law perspective, the requested relief nevertheless provides sufficient space for motor vehicle traversing and does not come at the expense of internal circulation. Further, as is the case of Variance 3, the requested relief is to capture an existing condition dating back to 2011, which has seemingly occurred without incident. Variances 3-5, as requested, maintain the purpose and general intent of the Zoning By-law.

As per the Parking Utilization Study provided, the subject property has ample room to accommodate the proposed parking. The structure remains self-sufficient and the requested variances serving to pose no significant negative impact on the surrounding neighbourhood. Planning Staff note, the 6 off-site parking spaces are only accessible to and from the subject lands; resulting in their subsequent loss having no impact to the parent property from which they are being borrowed. The variances, as requested, result in both the orderly development of the lands, and whose impacts are minor in nature.

Based upon the preceding information, it is the opinion of Staff that the variances, as requested, meet the general intent and purpose of both MOP and the Zoning By-law; are minor in nature; and, are desirable for the orderly development of the lands. To this end, the Planning and Building Department have no objection to the variances, as requested.

City of Mississauga

Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: September 27, 2019

RE: Takebacks – October 10, 2019 – 1.30pm
File - C.A. Agendas

Re: C.A. 'A' 338/19
1666426 Ontario Inc
914 Burnhamthorpe Rd W
Ward 6

Enclosed for Committee's information are a number of recent photos (taken on September 25, 2019) which depict the subject property. As mentioned in our previous comments, from our site inspection we note that there are currently two garbage bins utilizing the area where the 6 offsite parking spaces are depicted at 896 Burnhamthorpe Road West. The sketch Site/Survey Plan submitted with the application does not depict the garbage bins which could impact on the total number of parking spaces proposed.

With regards to our concerns regarding the previously proposed 5 parking parallel spaces (2 spaces being located along southwest exterior wall and 3 spaces along the back of the property), it is our understanding that these parking spaces have been eliminated from the requested variances.

D. Martin
Supervisor Development Engineering South
905-615-3200 ext. 5833



A 338/19









Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
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tel: 905-791-7800

peelregion.ca

October 4, 2019

Sean Kenney, Secretary Treasurer
Committee of Adjustment
City of Mississauga
2nd Floor, Clerk's Office
Mississauga, ON – L5B 3C1

**Re: Region of Peel Consolidated Comments
 City of Mississauga Committee of Adjustment Hearing
 October 10th, 2019**

Dear Mr. Kenney,

Regional Planning staff have reviewed the applications listed on the October 10th, 2019 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-243/18, DEF-A-268/19, DEF-A-269/19, DEF-A-317/19, DEF-A-330/19, DEF-A-338/19, DEF-A-339/19

Consent Applications: B-062/19

Minor Variance Applications: A-388/19, A-389/19, A-390/19, A-391/19, A-392/19, A-393/19, A-394/19, A-396/19, A-397/19, A-398/19, A-399/19, A-400/19, A-401/19

I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 7190 or by email at tracy.tang@peelregion.ca

Sincerely,



Tracy Tang
Junior Planner
Development Services, Region of Peel

cc. Marylu Javed, City of Mississauga
 Umar Mahmood, City of Mississauga
 Lucas Petricca, City of Mississauga
 Roberto Vertolli, City of Mississauga

Date: October 1st, 2019

File: C of A – 'A' 339/19
(Ward 6 – 5086 Creditview Road)

Agenda: September 12th, 2019

Deferred Item

Recommendation

The Planning and Building Department recommends that the variances, as requested, be refused.

Background

Mississauga Official Plan

Character Area: East Credit Neighbourhood
Designation: Motor Vehicle Commercial

Zoning By-law 0225-2007

Zoning: C5-3 (Commercial)

Other Applications:

Site Plan Approval: 19-78

Comments

Zoning

The Building Department is currently processing a Site Plan Approval application under file 19-78. Based upon review of this application, Staff notes that more information is required to verify the accuracy of the requested variances, as well as to determine whether additional variance(s) will be required.

Planning

The property is located on the north-west corner of the Creditview Road and Eglinton Avenue West intersection, and houses a one-storey, motor vehicle service station. With the exception of the subject lands, the context neighbourhood on the north side of Eglinton Avenue West is comprised entirely of residential uses, with detached dwellings being the predominant structural type; the lands to the south along this portion of Eglinton Avenue West are exclusively commercial.

The Applicant is proposing to construct a 350m² addition as a means to supplement the existing motor vehicle service station. Based upon the proposed configuration of the site, the Applicant is required to seek the following relief from By-law 0225-2007, as amended, permitting:

1. 21 parking spaces; whereas, By-law 0225-2207, as amended, requires a minimum 35 parking spaces, in this instance;
2. 1 accessible parking space; whereas, By-law 0225-2207, as amended, requires a minimum 2 accessible parking spaces, in this instance;
3. A landscape buffer of 3.5m abutting a residential zone; whereas, By-law 0225-2207, as amended, requires a minimum landscape buffer of 4.5m abutting a residential zone, in this instance; and,
4. A landscape buffer of 2.7m abutting a street; whereas, By-law 0225-2207, as amended, requires a minimum landscape buffer of 4.5m abutting a street, in this instance;

This application was first brought before the Committee on August 22nd, 2018, where it was deferred to allow the Applicant the opportunity to submit a Parking Utilization Study to justify the requested reduction of parking.

As per discussions with the Zoning Department, Planning Staff note the drawings associated with Site Plan Approval application 19-78 fail to identify any unit numbers for the structure in question; a Motor Vehicle Service Station has therefore been determined to be the proposed use for the entirety of the building, which consequently requires a parking rate of 5.4 spaces. Furthermore, these plans do not calculate parking for the “proposed exit for main building”, which contradicts the Zoning By-law.

The site is located within the East Credit Neighbourhood Character Area, and designated Motor Vehicle Commercial by the Mississauga Official Plan (MOP). Pursuant to Section 11.2.10.1(a)(c), this designation permits both a gas bar and motor vehicle service station uses. The Applicant’s proposal of a motor vehicle service station, with supplementary gas bar, is in conformity to these specified permitted land uses. This application meets the general intent and purpose of the Official Plan.

In accordance with Table 3.1.2.2 (Required Number of Parking Spaces for Non-Residential Uses) and Table 3.1.3.1 (Accessible Parking Regulations), this zone regulates the required quantity of parking spaces and accessible spaces for this site. The intent in quantifying the

required number of parking spaces is to ensure that each structure is self-sufficient in providing adequate parking accommodations based upon its intended use.

As per Zoning By-law 0225-2007, 35 parking spaces are required; whereas, the Applicant is providing 21. As per the submitted Parking Utilization Study (Harper Dell and Associates, August 30, 2019), parking surveys were undertaken at a proxy site located at 2520 Britannia Road West; a site, chosen by the Agent, which contained similar uses to that which is being proposed. The results of the survey found that the observed peak parking demand was 100%, and that the number of parking spaces provided on the proxy site were fully utilized. As such, the requested parking reduction cannot be justified. Variances 1 and 2, as requested, do not meet the general purpose or intent of the Zoning By-law.

As per the Parking Utilization Study provided, the subject property cannot adequately accommodate the reduced parking rate requested. Such findings suggest the potential to create negative externalities pertaining to: internal traffic circulation / congestion; over-flow parking; and, visual and noise pollution to the adjacent and contiguous residential units. This is an undesirable development of the land, and one whose effects are not minor in nature.

As Variances 3 and 4 relate to final site design, which is apt to change as a means to address parking concerns, Planning Staff cannot determine whether the aforementioned variances meet the criteria established by Section 45 of the Planning Act.

Based upon the preceding information, it is the opinion of Staff that this Application, as a whole, fails to meet criteria established by Section 45(1) of the *Planning Act*. To this end, the Planning and Building Department recommends that the application be refused.

City of Mississauga

Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: September 27, 2019

RE: Takebacks – October 10, 2019 – 1.30pm
File - C.A. Agendas

Re: C.A. 'A' 339/19
2184698 Ontario Inc
5086 Creditview Rd
Ward 6

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed commercial motor vehicle station, store and gas station will be addressed through the Building Permit and Site Plan Process (SPM 19-78).

D. Martin
Supervisor Development Engineering South
905-615-3200 ext. 5833

Public Works

10 Peel Centre Dr.
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tel: 905-791-7800

peelregion.ca

October 4, 2019

Sean Kenney, Secretary Treasurer
Committee of Adjustment
City of Mississauga
2nd Floor, Clerk's Office
Mississauga, ON – L5B 3C1

**Re: Region of Peel Consolidated Comments
 City of Mississauga Committee of Adjustment Hearing
 October 10th, 2019**

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Regional Planning staff have reviewed the applications listed on the October 10th, 2019 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

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I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 7190 or by email at tracy.tang@peelregion.ca

Sincerely,



Tracy Tang
Junior Planner
Development Services, Region of Peel

cc. Marylu Javed, City of Mississauga
 Umar Mahmood, City of Mississauga
 Lucas Petricca, City of Mississauga
 Roberto Vertolli, City of Mississauga