



Committee of Adjustment

The following staff reports are current as of November 21st, 2019 at 11:30am.

**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.**

Location: COUNCIL CHAMBERS
Hearing: NOVEMBER 28, 2019 AT 1:30 P.M.

NEW APPLICATIONS (CONSENT)

File	Name of Applicant	Location of Land	Ward
B-074/19 A-449/19 A-450/19	KS GTA INDUSTRIAL INC	1355 & 1365 FEWSTER DR	3

DEFERRED APPLICATIONS (CONSENT)

NONE

NEW APPLICATIONS (MINOR VARIANCE)

File	Name of Applicant	Location of Land	Ward
A-448/19	JOHN AND VERNA HOPKINS	161 ANGELENE ST	1
A-451/19	ALLAN & EEVA HOPLEY	1292 CONTOUR DR	2
A-452/19	DENTORAMA LABORATORY INC	3065-3075 RIDGEWAY DR	8
A-453/19	EDMUND JAKAJ	769 ANNAMORE RD	3

DEFERRED APPLICATIONS (MINOR VARIANCE)

File	Name of Applicant	Location of Land	Ward
A-273/19	NESTOR MARTYNETS & TETYANA LUNDYAK	4159 TOMKEN RD	3
A-289/19	RUO ZHAO WEI	3480 JOAN DR	7
A-362/19	ABSOLUTE BUILDING SOLUTIONS INC	16 JAMES ST	11
A-375/19	SIDHU SUKHJINDER, BENIWAL NAVPREET, & SIDHU RAJINDER	38 SLEDMAN ST	5
A-384/19	AKGROUP PROPERTIES INC.	25 DUNDAS ST W	7
A-442/19	25 & 75 WATLINE LTD C/O BENTALL GREEN OAK (CANADA) LP	25 WATLINE AVE	5

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: November 19th, 2019

File: C of A – 'B' 74/19, 'A' 449/19 & 'A' 450/19
(Ward 3 – 1355 & 1365 Fewster Drive)

Agenda: **November 28th, 2019**

New Item

Recommendation

The Planning and Building Department recommends that the application be deferred to allow the Applicant the opportunity to submit the requested information to the Zoning department to ensure that all required variances have been accurately identified.

Background

Mississauga Official Plan

Character Area: Northeast Employment Area
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2-19 (Employment)

Comments

Zoning

This Department notes that no development is proposed through this application. The Applicant is advised that a full zoning review has not been completed; however, it appears that the proposed severance will cause a Zoning By-law deficiency with regard to building setback, lot frontage lot area, on-site parking, etc. Therefore we have no objection provided the severed and retained lands comply with the provisions of the Zoning By-law with respect to minimum lot frontage and lot area, setbacks to existing buildings, and parking requirements, or alternatively that any minor variance is approved, final and binding.

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

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

Planning

The subject lands associated with applications 'B' 74/19, 'A' 449/19, and 'A' 450/19, are located south-west of the Dixie Road and Eglinton Avenue East intersection, and currently house two, single-storey industrial structures. The neighbourhood context is exclusively industrial, with a multitude of employment uses within the immediate area. The properties along this portion of Fewster Drive are situated upon large parcels, with lot frontages ranging from +/- 27m to +/- 730m.

The applications propose the creation of two lots, with shared mutual easements. The retained property will have a lot frontage of 31.8m, and a lot area of 2,057.46m². The severed property will have a lot frontage of 32.44m, and a lot area of 2,096.60m². Both properties require further variances as it pertains to deficiencies associated with landscape buffers; aisle widths; and, the total number of required parking spaces. Planning Staff note, no changes have been proposed to either of the existing structures, with both building footprints remaining unaltered.

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

1. No landscaped buffer along the Crestlawn Avenue frontage; whereas, By-law 0225-2007, as amended, requires a minimum landscaped buffer of 3.0m in this instance;
2. A drive aisle width of 5.2m; whereas, By-law 0225-2007, as amended, requires a minimum drive aisle width of 7.0m, in this instance;
3. Drive aisles located partially on-site and off-site; whereas, By-law 0225-2007, as amended, requires drive aisles to be located on site, in this instance; and,
4. Access to and from parking spaces to be provided by unobstructed on-site and off-site drive aisles; whereas, By-law 0225-2007, as amended, requires access to and from parking spaces to be provided by unobstructed on-site drive aisles, in this instance.

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

1. Four parking spaces; whereas, By-law 0225-2007, as amended, requires a minimum of fourteen parking spaces, in this instance;
2. A drive aisle width of 5.20m; whereas, By-law 0225-2007, as amended, requires a minimum drive aisle width of 7.00m, in this instance; and,
3. Access to and from parking spaces to be provided by unobstructed on-site and off-site drive aisles; whereas, By-law 0225-2007, as amended, requires access to and from parking spaces to be provided by unobstructed on-site drive aisles, in this instance.

As per discussion with the Zoning Department, Planning Staff note concerns regarding the accuracy of the requested variances; noting both discrepancies / an inability to accurately identify either setback or property dimensions.

Further, 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.

City Planning Strategies Staff note, the structure associated with 'A' 450/19, for which the parking reduction has been proposed, currently sits vacant. The Applicant has applied the default rate for manufacturing facilities (1.6 spaces/100m² GFA); which, in turn, has necessitated the creation of 14 parking spaces. Staff note, the 1.6 spaces/100m² GFA applied is the most generous rate for this zone, and, in the absence of a proposed use for this structure, does not accurately represent future on-site conditions resultant of parking loss.

As such, City Planning Strategies is of the opinion that the requested parking reduction is premature and should therefore be refused at this time. It is recommended that the owner apply to seek variance, as needed, for parking reduction once the use of the building has been determined.

As the requested variances (total parking count and its configuration, decreased aisle widths, reduced landscape buffers, etc.) are all inter-related from a site-design perspective, Planning Staff cannot determine whether the requested variances truly represents the orderly development of the lands, or whether the resulting effects are in fact minor in nature.

Based upon the preceding information, it is the opinion of Planning Staff that the application should be deferred to allow the Applicant the opportunity to submit the requested information.

City of Mississauga

Memorandum



TO: S .Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: November 15, 2019

RE: **Applicant:** **KS GTA Industrial Inc**
 Date of Hearing: **November 28, 2019**
 Address: **1355 & 1365 Fewster Dr**
 Our File: **'B' 74/19, Ward 3 (Z-27)**

This department has no objections to the applicant's request to create a new lot and establish any required easements. The applicant has submitted a detailed Survey Plan which shows the proposed severance line in relation to the existing buildings along with information pertaining to the shared drive aisles between the buildings, parking and loading areas. The applicant has also confirmed that a servicing easement (sanitary sewer) and access easements will be required over portions of the Severed Lot in favour of the Retained Lot.

In view of the above we have no objections to the applicant's request and are providing the following conditions/requirements for Committee's consideration:

A. Items Required Prior to the Issuance of Final Consent

1. Draft Reference Plan Required

A draft reference plan is to be submitted for our review/approval which would clearly show the location of all easements/rights-of-ways.

2. Required Easement(s)

The applicant/owner is to provide a letter prepared by their Solicitor which describes the new private easement(s) to be established for access and servicing purposes. It should be acknowledged 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.

3. Parking Space Encroachment

The Survey Plan submitted with this application indicates three (3) parking spaces

located in front of the buildings currently encroach into the Fewster Drive municipal right-of-way and a paved parking area located along Crestlawn Drive also encroaches. In this regard, satisfactory arrangements are to be made to remove the encroachments from the municipal boulevard. Alternatively, the applicant may request temporary encroachment through the City's Realty Services Section and obtain an Encroachment Agreement.

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



B 74/19



B 74/19



B 74/19



B 74/19







B 74/19



City of Mississauga Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: November 15, 2019

RE: Takebacks – November 28, 2019 – 1:30 pm
File - C.A. Agendas

Re: C.A. 'A' 449/19
C.A. 'A' 450/19
KS GTA Industrial Inc
1355 & 1365 Fewster Dr.
Ward 3

We are noting that any Transportation and Works Department concerns/requirements for this property will be addressed under Consent Applications 'B' 74/19.

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

City of Mississauga
Memorandum



DATE: November 14, 2019

FILE: "B" 74/19

SUBJECT: CONSENT APPLICATION
1355 & 1365 FEWSTER DRIVE
KS GTA INDUSTRIAL INC.
WARD 3
NOVEMBER 28, 2019 PUBLIC HEARING OF THE COMMITTEE OF ADJUSTMENT

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

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

1. The applicant shall provide a cash contribution of \$7468.50 for the planting of thirteen (13) street trees on Fewster Drive and Crestlawn Drive. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.

In addition, Community Services notes the following:

1. Payment for street tree fees and charges can be made at the Parks and Forestry customer service counter located at 950 Burnhamthorpe Road West in the form of a certified cheque, bank draft, or money order payable to the City of Mississauga.
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, Parks Planner, Community Services Department at 905-615-3200 ext. 8538.

Public Works

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

peelregion.ca

November 14, 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
November 28th, 2019**

Dear Mr. Kenney,

Comments for Conditions of Approval:

Consent Application: B-074/19

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

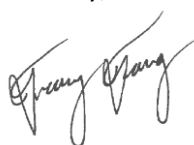
Please note that severing the lands may adversely affect the existing location of the water and sanitary sewer services, if any exist. The result of this may require the applicant to install new water / sanitary servicing connections to either the severed or retained lands in compliance with the Ontario Building Code. The applicant may require the creation of private water / sanitary sewer servicing easements. For more information, please call our Site Servicing Technicians at 905.791.7800 x7973. Site Servicing approvals are required prior to the local municipality issuing building permit.

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

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

Public Works

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

peelregion.ca

November 14, 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
 November 28th, 2019**

Dear Mr. Kenney,

Regional Planning staff have reviewed the applications listed on the November 28th, 2019 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-273/19, DEF-A-289/19, DEF-A-362/19, DEF-A-375/19, DEF-A-384/19

Minor Variance Applications: A-448/19, A-449/19, A-450/19, A-452/19, A-453/19

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: November 19, 2019

File: C of A – 'A' 448/19
(Ward 1 – 161 Angelene Street)

Agenda: **November 28, 2019**

New Item

Recommendation

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.

Background

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3-1 (Residential)

Comments

Zoning

This Division notes that a building permit is not required in this instance. The applicant is advised that a full zoning review has not been completed; however, in reviewing the variances as outlined in this application, it was apparent that the following variances should be amended as follows:

Variance 1&2 should be combined to read: One trailer with a maximum trailer length of 9.42 m and a maximum height of 3 m to be parked on a driveway in a residential zone whereas By-law 0225-2007, as amended permits a maximum length of 7 m to be parked on a driveway

3. One trailer to be parked on a driveway in a Residential zone on a temporary basis for a period of not more than 168 hours in any one (1) calendar month between May and October.

Notwithstanding the above, based on information provided with this application, we are unable to confirm the accuracy of the requested variances or determine whether additional variances may be required.

Planning

The subject property is located within the Mineola Neighbourhood Character Area, southeast of Hurontario Street and Mineola Road East. The immediate neighbourhood is exclusively residential and consists of one and two storey detached dwellings with mature vegetation. The subject property contains a one storey dwelling with a detached garage. The applicant is seeking relief for temporary parking of a trailer on the subject property and an increased trailer length.

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.

Based on the preceding information, 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: November 15, 2019

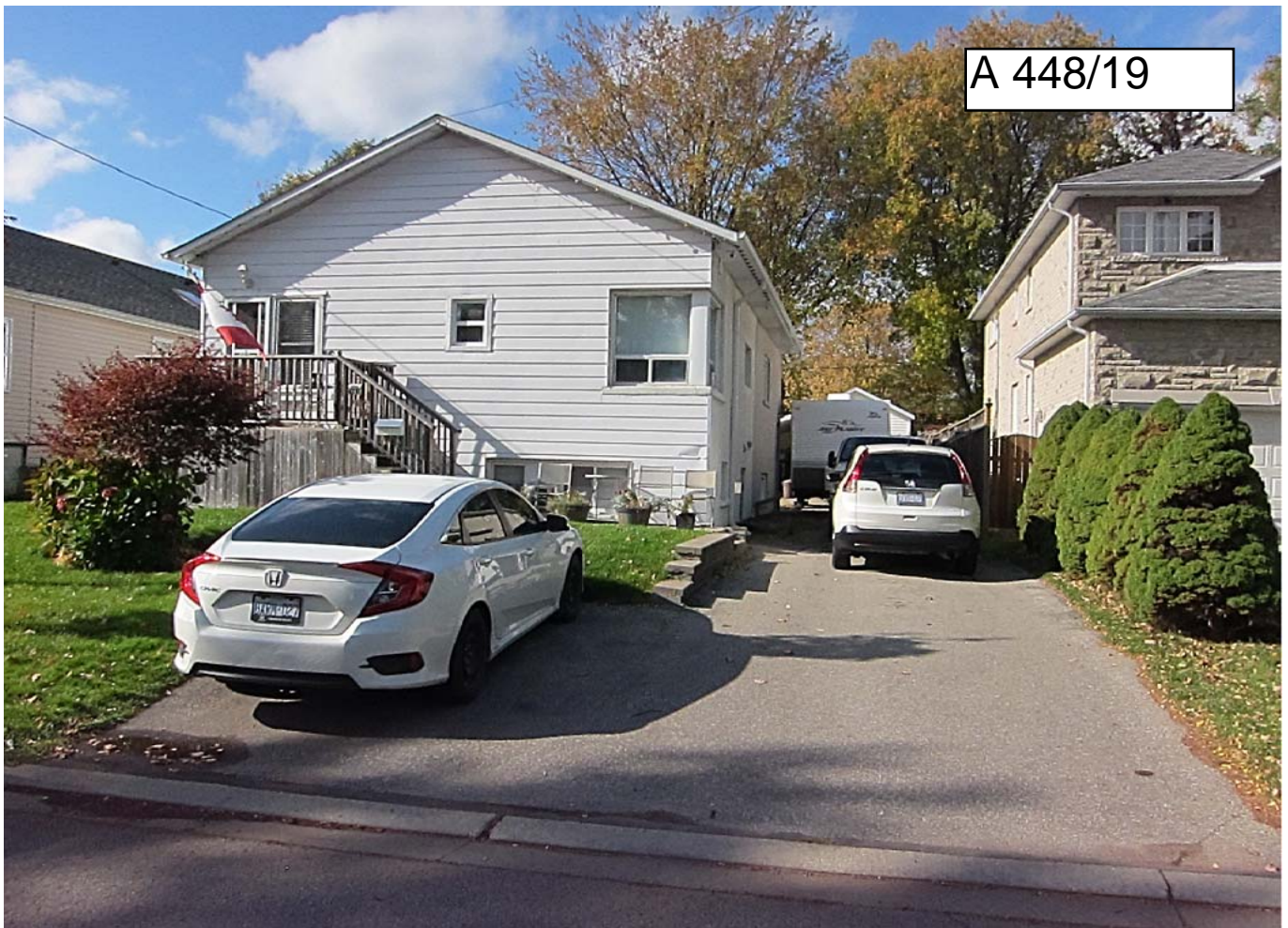
RE: Takebacks – November 28, 2019 – 1:30 pm
File - C.A. Agendas

Re: C.A. 'A' 448/19
John and Verna Hopkins
161 Angelene St
Ward1

Enclosed for Committee's easy reference are photos depicting the parked trailer on site.

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

A 448/19



A 448/19



A 448/19



Public Works

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

peelregion.ca

November 14, 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
 November 28th, 2019**

Dear Mr. Kenney,

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Minor Variance Applications: A-448/19, A-449/19, A-450/19, A-452/19, A-453/19

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: November 19, 2019

File: C of A – 'A' 451/19
(Ward 2 – 1292 Contour Drive)

Agenda: **November 28, 2019**

New Item

Recommendation

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.

Background

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: **G & R2-4** (Greenlands & Residential)

Comments

Zoning

This Division notes that a building permit application and a site plan approval application are required. In the absence of one of these permit applications we are unable to confirm the accuracy of the requested variances or determine whether additional variances may be required. It should be noted that the variances, as requested, have been reviewed based on information provided however a full zoning review has not been completed.

Planning

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southeast of Lakeshore Road West and Bexhill Road. The subject property contains a one storey detached dwelling with significant mature vegetation. The immediate neighbourhood is exclusively residential and consists of one and two storey detached dwellings with mature

vegetation. The applicant is proposing to legalize the as-built boardwalk in the rear yard of the property.

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.

Based on the preceding information, 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: November 15, 2019

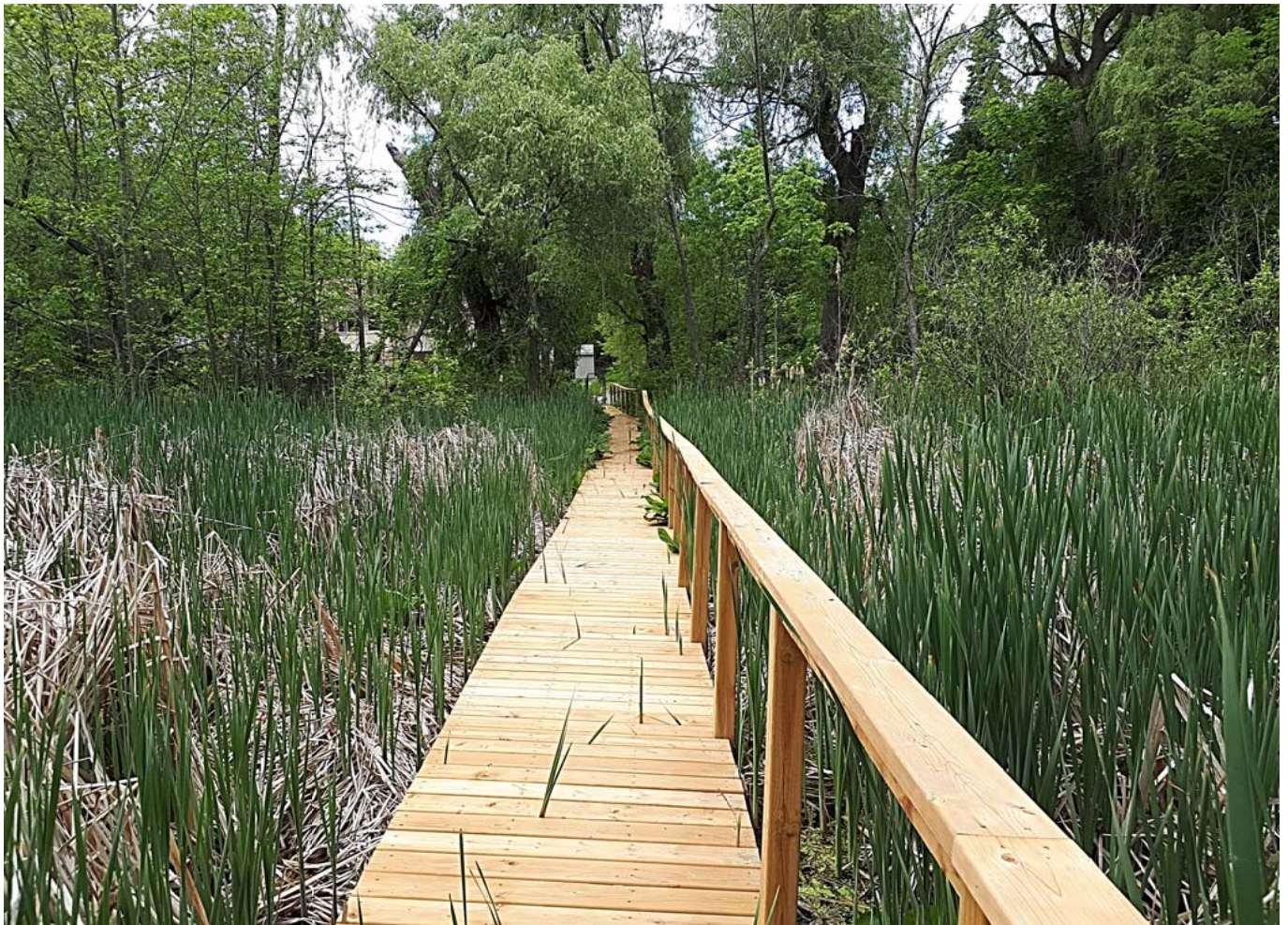
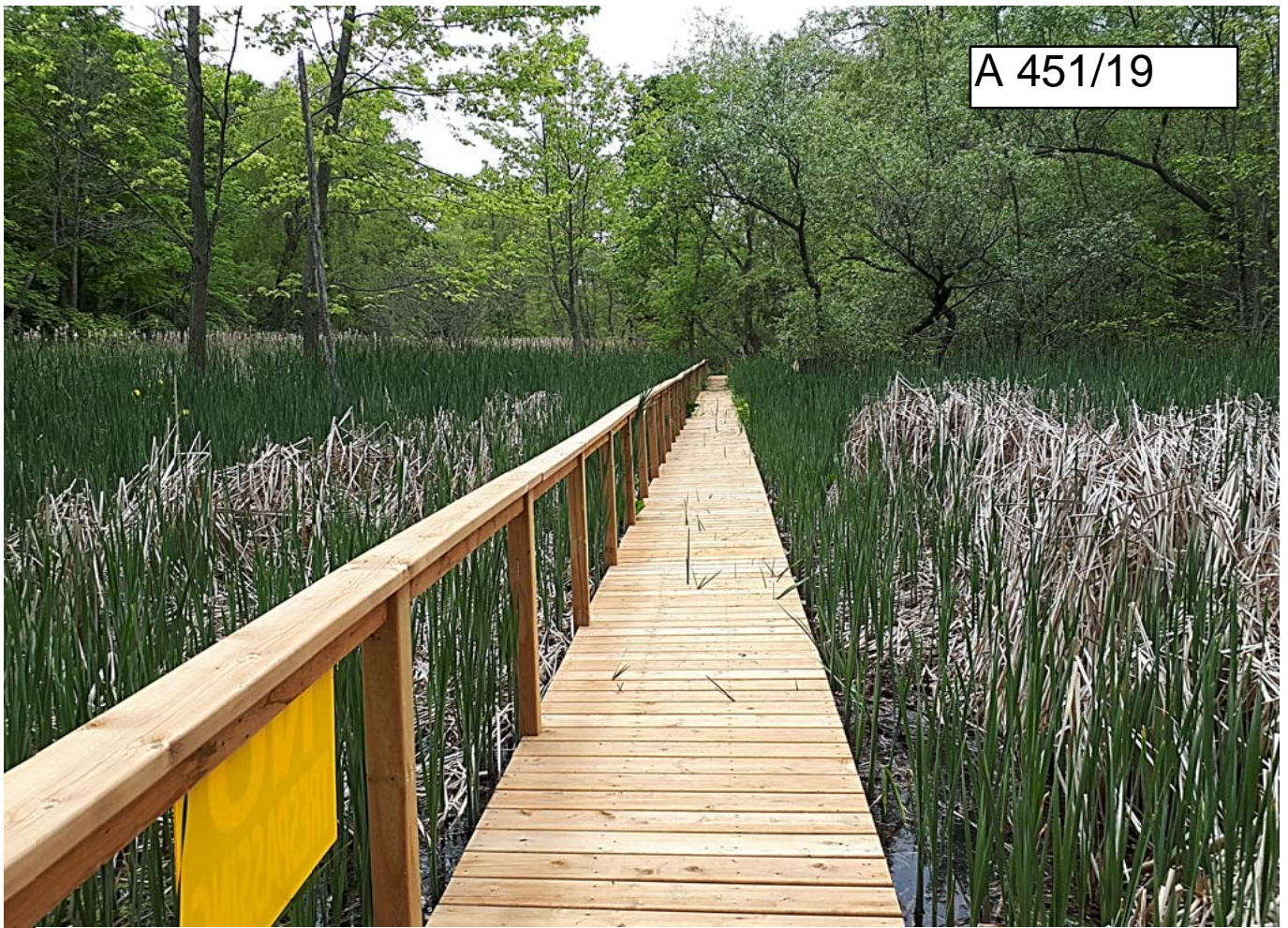
RE: Takebacks – November 28, 2019 – 1:30 pm
File - C.A. Agendas

Re: C.A. 'A' 451/19
Allan and Eeva Hopley
1292 Contour Dr
Ward 2

Enclosed for Committee's easy reference are pictures depicting the existing boardwalk at the rear of the property. The boardwalk has been constructed within the limits of two separate City of Mississauga Storm Drainage easements. We understand that the applicant is in the process of entering into an Encroachment Agreement with The City of Mississauga, and that The Credit Valley Conservation (CVC) has also commented and is in general conformance with the as constructed boardwalk and has requested that the applicant acquire the appropriate permit.

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

A 451/19



A 451/19



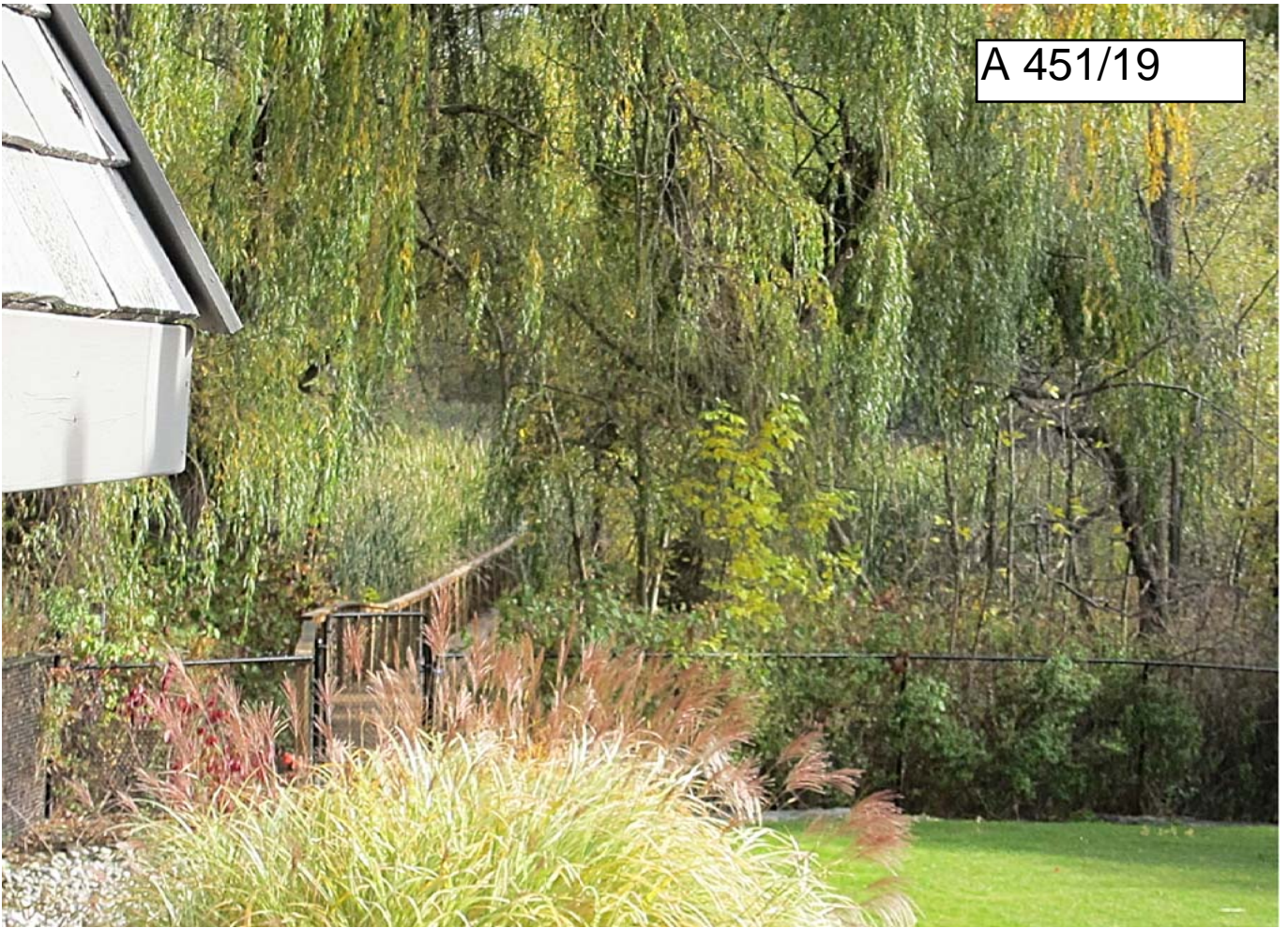
A 451/19



A 451/19



A 451/19



Public Works

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peelregion.ca

November 14, 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
November 28th, 2019**

Dear Mr. Kenney,

Comments for Informational Purposes:

Minor Variance Application: A-451/19
Development Planning: Tracy Tang (905) 791-7800 x7190

Please be notified that the rear portion of the subject land is 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

Sincerely,



Tracy Tang
Junior Planner
Development Services, Region of Peel



November 6, 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. A 19/451
Municipality File No. A 451/19
Allan & Eeva Hopley
1292 Contour Drive
Part of Lot 25, Concession 3 SDS
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.

November 6, 2019

Re: CVC File No. A 19/451
Municipality File No. A 451/19
Allan and Eeva Hopley
1292 Contour Drive
Part of Lot 25, Concession 3 SDS
City of Mississauga

Site Characteristics:

The subject property contains the floodplain and meander belt hazards associated with Turtle Creek and a portion of the Rattray Marsh Provincially Significant Wetland (PSW). In addition, the property is located within the City of Mississauga Natural Heritage System (NAS). It is the policy of CVC and the Province of Ontario to conserve and protect the significant physical, hydrological and biological features associated with the functions of the above noted characteristics and to recommend that no development be permitted which would adversely affect the natural features or ecological functions of these areas.

Ontario Regulation 160/06:

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

Proposal:

It is our understanding that the applicants request the Committee to approve a minor variance to allow an existing boardwalk to remain proposing:

1. An uncovered deck, not exceeding 1.2m (approx. 3.94ft) in height above grade at any point, located in the rear yard, within 0.61m (approx.. 2.00 ft) to any side lot line and within 1.50m (approx. 4.92ft) of the rear lot line whereas By-law 0225-2007, as amended, requires a minimum setback of 0.61m (approx. 2.00ft) to a side lot line and 1.50 (approx. 4.92ft) to a rear lot line in this instance; and
2. An uncovered deck, not exceeding 1.2m (approx. 3.94ft) in height above grade at any point, located in the rear yard, within 7.50m (approx. 24.60ft) of the rear lot line whereas By-law 0225-2007, as amended, requires a minimum setback of 7.50m (approx. 24.60ft) to a rear lot line in this instance.

Comments:

The boardwalk subject to this application was constructed without a CVC permit where one was required. Structures of this nature are located within sensitive or hazardous lands. The applicant has worked with CVC since the time of its discovery to address CVC's concerns and requirements and has submitted a permit application

November 6, 2019

Re: CVC File No. A 19/451
Municipality File No. A 451/19
Allan and Eeva Hopley
1292 Contour Drive
Part of Lot 25, Concession 3 SDS
City of Mississauga

to recognize the boardwalk. There are no outstanding concerns from our regulatory perspective.

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

Please circulate CVC any future correspondence regarding this application.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at 905-670-1615 (ext. 406) should you have any further questions or concerns.

Sincerely,



Tyler Slaght
Regulation Officer

cc: Allan Hopley
allan.hopley@rogers.com (email only)

Shane Hopley
shopley@highvaluelogistix.com (email only)

Date: November 19, 2019

File: C of A – 'A' 452/19
(Ward 8 – 3065-3075 Ridgeway Drive)

Agenda: **November 28, 2019**

New Item

Recommendation

The Planning and Building Department has no objections to the requested variance.

Background

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: C3-46 (Commercial)

Other Applications:

Occupancy Permit: 19-7514

Comments

Zoning

The Planning and Building Department is currently processing a certificate of occupancy permit application under file 19-7514. Based on review of the information currently available for this building permit, the variance, as requested are correct.

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 to the east and south are commercial uses. A residential zone 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 501 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. As per the Parking Utilization Study (Harper and Dell Associates, October 17, 2019) submitted by the applicant, the proposed 259 parking spaces are suitable to adequately accommodate the peak parking demands of the subject site. Staff is of the opinion that the general intent and purpose of the official plan and zoning by-law is maintained.

The application states that the proposed parking reduction is required as a new tenant is proposing a personal service establishment (salon and spa). With the addition of this use, the commercial plaza will remain self-sufficient and the proposed parking reduction will not pose a negative impact on the surrounding area from a parking perspective. As such, 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 variance.

City of Mississauga Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: November 15, 2019

RE: Takebacks – November 28, 2019 – 1:30 pm
File - C.A. Agendas

Re: C.A. 'A' 452/19
Dentorama Laboratory Inc
3065-3075 Ridgeway Dr
Ward 8

Enclosed for Committee's easy reference are photos of 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

November 14, 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
 November 28th, 2019**

Dear Mr. Kenney,

Regional Planning staff have reviewed the applications listed on the November 28th, 2019 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-273/19, DEF-A-289/19, DEF-A-362/19, DEF-A-375/19, DEF-A-384/19

Minor Variance Applications: A-448/19, A-449/19, A-450/19, A-452/19, A-453/19

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: November 19th, 2019

File: C of A – 'A' 453/19
(Ward 3 – 769 Annamore Road)

Agenda: **November 28th, 2019**

Deferred Item

Recommendation

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

Background

Mississauga Official Plan

Character Area: Applewood Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM1 (Residential)

Other Applications:

Building Permit: 19-7732

Comments

Zoning

The Building Department is currently processing a Building Permit application under file 19-7732. Based upon review of this Application, Staff notes that the Application be amended as follows, permitting:

1. A lot coverage of 45% of the lot area; whereas, By-law 0225-2007, as amended, permits a maximum lot coverage of 35% of the lot area, in this instance; and,
2. An accessory structure floor area of 14.4m²; whereas, By-law 0225-2007, as amended, permits a maximum accessory structure floor area of 10 m², in this instance.

Planning

The property is located south-east of the Burnhamthorpe Road East and Cawthra Road intersection, and currently houses a two-storey semi-detached dwelling. Contextually, the immediate area is comprised primarily of semi-detached dwellings; however, townhome units are also present. The subject property is an interior parcel, with a lot area of approximately 340m², and a lot frontage of 9.7m.

The Applicant is attempting to legalize the existing rear yard canopy (incorrectly identified as a “shed” on the submitted site plan) and a detached shed. As a result, the Applicant is requesting the following relief from By-law 0225-2007, as amended, permitting:

1. A lot coverage of 45% of the lot area; whereas, By-law 0225-2007, as amended, permits a maximum lot coverage of 35% of the lot area, in this instance;
2. An accessory structure floor area of 14.4m²; whereas, By-law 0225-2007, as amended, permits a maximum accessory structure floor area of 10m², in this instance; and,
3. A 0.31m setback for the existing decorative paving / hard-surfaced area to any lot line; whereas, By-law 0225-2007, as amended, requires a minimum setback to any lot line of 0.61m, in this instance.

As per discussions with the Applicant, Planning Staff have incorporated an additional variance (Variance 3), noting an existing deficiency pertaining to the rear yard walkway.

The site is located within the Applewood Neighbourhood Character Area, and designated Residential Low Density II by the Mississauga Official Plan (MOP). The Residential Low Density II designation permits detached dwellings; semi-detached dwellings; duplex dwellings; and, triplexes, street townhouses, and other forms of low-rise dwellings with individual frontages. 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 lands will continue to be used for residential purposes, with both the existing canopy, as well as the detached shed, being accessory to the residential dwelling. Further, despite the required variances, the configuration of the existing structures has regard for the overall distribution of massing on the property as a whole. The variances, as amended, meet the purpose and general intent of the Official Plan.

As per Zoning By-law 0225-2007, the subject property is zoned RM1 (Residential). Pursuant to Table 4.8.1(5.0) (RM1 and RM2 Permitted Uses and Zone Regulations), the Zoning By-law permits a maximum lot coverage of 35.0%; whereas, the Applicant has proposed 45.0%. The general intent of this portion of the By-law is to ensure that individual lots are not visibly and disproportionally developed as it pertains to the overall size of the property. Staff note, were the area associated with the open-faced canopy (29.0m²) – a structural feature that does not lend itself to “true massing” – removed from this calculation, the proposed lot coverage (36.8%) is only marginally larger than that which is permitted as-of-right. It is the opinion of Staff that no additional undue impact is created as a result of the requested variance. Variance 1, as amended, maintains the purpose and general intent of the Zoning By-law.

Pursuant to Table 4.1.2(2.1) (Accessory Buildings and Structures), the Zoning By-law permits a maximum occupied area per accessory structure of 10m²; whereas, the Applicant has proposed 14.4m², as amended. The intent in limiting the permissible occupied area for each individual accessory structure is to ensure that suitable and proportional massing of ancillary structures is maintained within the entirety of the rear yard. Planning Staff note, pursuant to Table 4.1.2(2.2), properties less than 750m² are permitted a combined maximum occupied area for all accessory structures of 30m², in this instance. While the Applicant is requesting relief to permit a singular larger accessory structure in this instance; Planning Staff note, the proposed 14.4m² nevertheless remains well under the 30m² permitted for the entirety of the property, and that the erection of future accessory structures is no longer permitted due to lot coverage restrictions. It is the opinion of Planning Staff that no additional undue impact is resultant of the extra 1m in length (or 4.4m² in area) proposed by the variance. Variance 2, as amended, maintains the purpose and general intent of the Zoning By-law.

Pursuant to Section 4.1.5.7 (Encroachments and Projections), the Zoning By-law permits decorative paving in a rear yard, provided that such material maintains a minimum setback to any lot line of 0.61m; whereas, the Applicant has proposed 0.31m, in this instance. The intent of the Zoning By-law in establishing a minimum distance separation for hard-surfaced areas within the rear yard is to ensure that a suitable soft-landscaped area is present to mitigate sheet-flow on to adjacent neighbouring properties. Whereas a front yard is graded such that drainage is directed towards the street, and subsequently to the storm sewers, this standardized grading is not typically found within rear yards. Planning Staff note, the Transportation and Works Department have identified no specific concerns with the existing conditions as it pertains to drainage. Further, Planning Staff note, the proposed 0.31m setback is large enough to accommodate the installation of a swale, should one be required in the future. Variances 3, as amended, maintains the purpose and general intent of the Zoning By-law.

The proposed rear yard is appropriately sized to accommodate the canopy roof structure and detached accessory shed. Further, both structures remain in scale with the existing detached dwelling and are contained wholly within the rear yard. While the Applicant is required to seek relief from multiple portions of the By-law, when viewed either individually or collectively, these are nominal in nature, and do not pose significant negative impacts; nor are the impacts resultant of the proposed construction made worse due to the requested variances. Variances 1 - 3, as amended, 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 amended, 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 has no objection to the variances, as amended.

City of Mississauga

Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: November 15, 2019

RE: Takebacks – November 28, 2019 – 1:30 pm
File - C.A. Agendas

Re: C.A. 'A' 453/19
Edmund Jakaj
769 Annamore Rd
Ward 3

Enclosed for Committee's easy reference are a number of photos which depict the subject property, in particular the existing covered patio and shed. From our site inspection we note that there is a significant amount of hard surface area within the rear and all of the drainage is directed onto the abutting townhouse development to the rear. We have reviewed the Grading Plan prepared for this property (Plan C-09323) approved in 1967 and it depicts a split drainage pattern where the drainage from the rear yard was designed to be directed towards the rear of the property.

Should Committee see merit in the applicant's request we would recommend that the shed be equipped with an eavetrough and the downspout be directed internal to the site and not onto the abutting property to the south.

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

A 453/19









A 453/19





Public Works

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

peelregion.ca

November 14, 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
 November 28th, 2019**

Dear Mr. Kenney,

Regional Planning staff have reviewed the applications listed on the November 28th, 2019 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-273/19, DEF-A-289/19, DEF-A-362/19, DEF-A-375/19, DEF-A-384/19

Minor Variance Applications: A-448/19, A-449/19, A-450/19, A-452/19, A-453/19

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: November 19th, 2019

File: C of A – 'A' 273/19
(Ward 3 – 4159 Tomken Road)

Agenda: November 28th, 2019

Deferred Item

Recommendation

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

Background

Mississauga Official Plan

Character Area: Rathwood Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3 (Residential)

Other Applications:

Occupancy Permit: 19-5875

Comments

Zoning

The Building Department is currently processing an Occupancy Permit application under file 19-5875. Based upon review of this application, Staff advises that more information is required to verify the accuracy of the requested variance(s), or determine whether additional variance(s) will be required.

Planning

The subject property is located upon the north-east corner of the Rathburn Road East and Tomken Road intersection, and currently houses a one-storey, detached dwelling. The immediate neighbourhood consists primarily of residential uses; with the lands located north-east of this intersection comprising of detached dwellings. The area to the south-east is comprised of low-rise apartment structures. The Westminster United Church, and adjacent non-profit apartment complex, are both located directly opposite of the subject lands to the south-west. Finally, Tomken Plaza, a multi-pad, multi-tenant commercial development is situated on the north-west corner. Staff note, the subject lands and the neighbouring property to the north are the only two residential properties which possess access onto Tomken Road, relative to the associative subdivision, with the remaining adjacent dwellings fronting onto Starlight Crescent. These two aforementioned property's frontage along Tomken Road are nevertheless consistent with the adjacent residential dwellings, whose front façade orient towards Starlight Crescent.

The Applicant is proposing to utilize the entirety of the existing ground floor to operate a dentistry practice (medical office). No exterior or structural changes have been proposed to the detached dwelling; however, extensive modifications have been proposed to the existing driveway to accommodate the forecasted increased internal traffic circulation. As a result of the proposed conversion, the Applicant is requesting the following relief from By-law 0225-2007, as amended, permitting:

1. A Medical Office – Restricted use within a detached dwelling; whereas, By-law 0225-2007, as amended, does not permit such a use in this instance;
2. Two tandem parking spaces; whereas, By-law 0225-2007, as amended, does not permit tandem parking spaces, in this instance;
3. The provision of no parking spaces for persons with disabilities; whereas, By-law 0225-2007, as amended, requires one parking space for persons with disabilities, in this instance;
4. A front soft landscaped area of 34.1%; whereas, By-law 0225-2007, as amended, requires a minimum 40.0% front soft landscaped area, in this instance;
5. A front yard measured to the parking area of 2.13m; whereas, By-law 0225-2007, as amended, requires a minimum front yard measured to the parking area of 4.50m, in this instance; and,
6. A driveway width of 16.00m; whereas, By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m, in this instance.

As per discussions with the Zoning Department, Planning Staff note the requested variances have yet to be comprehensively evaluated through the latest review cycle of the noted Zoning Certificate and that further information is required.

The site is located within the Rathwood 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. This designation is exclusive in only permitting residential, and accessory residential

uses, and does not consider office uses as appropriate. The intent and purpose of the Official Plan is not maintained by permitting uses not contemplated by the designation, and whose proposed uses are in accordance with an entirely different designation framework. This application does not meet the general intent or purpose of the Official Plan.

Further, pursuant to Section 9.1 (Introduction), driveway widths should respect the identity and character of the surrounding context. The planned context of this neighbourhood, as reflected by the aforementioned Residential Low Density I designation, is that of detached dwellings serviced by appropriately sized driveways, with the remainder of lot frontage serving to form a soft-landscaped area. The proposed increased driveway, required in permitting additional customer parking – itself an atypical requirement of a residence – results in an extreme amount of hardscaping in the front yard; which, as evident by both the nature and magnitude of the requested variances, serves to significantly erode the planned residential nature of the dwelling. 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). In accordance with Table 4.2.4.58 (R3 Exception Zones), this zone only permits a detached dwelling. The intent of this portion of the By-law is quite clear: to exclusively permit low intensity residential uses, and by extension, prohibit the operation, and the associated negative externalities, resultant of commercial uses (on-site traffic, increased pedestrian presence, noise, fumes, etc.), all of which are associated with the proposed medical office. The intent and purpose of the Zoning By-law is not maintained by permitting uses not contemplated by the zoning category, and whose proposed uses are in accordance with an entirely different zoning framework.

Further, pursuant to Council direction, as of July 3rd, 2019, Section 4.1.17 (Resident Physician, Dentist, Drugless Practitioner or Health Professional), which permitted a resident physician/dentist within a residential zone as-of-right, has been removed from the By-law. After comprehensive review of such policies, it was determined that, in addition to the changing nature of residential neighbourhoods, where such uses are no longer supportable from a planning perspective, the allowance of such a provision ultimately resulted in continual and subsequent variances that artificially established an inappropriate commercial element within these communities – both at the expense of the residential nature of the structure in which it is situated, as well as the residential neighbourhood as a whole. The proposed medical office far exceeds these previous regulations and is more suitable for a commercial area, as identified by the Zoning By-law.

Pursuant to Table 4.2.1(12.3) (R1 to R5 Permitted Uses and Zone Regulations), the maximum driveway width for a detached dwelling is 6.0m; whereas, the Applicant is proposing 16.0m. Additionally, pursuant to Table 4.2.1(12.4), this zone requires a minimum soft landscaped area within the front yard of 40.0%; whereas, the Applicant is proposing 34.1%. The intent of both of these portions of the Zoning By-law is to permit a driveway wide enough in providing the necessary space for two vehicles parked side-by-side, with the remainder of lands being soft landscaping (front yard) – as this is what is typically required of a residential dwelling. To this end, the Zoning By-law does not contemplate a commercial use, nor the requirement for multiple customer parking spaces, as required to facilitate the non-permitted medical office. As

such, the Applicant's proposal results in a driveway which is large enough to ultimately serve as a parking lot at the expense of both the residential nature of the detached dwelling, as well as the minimum soft-landscaped area. Variances 4 and 6, as requested, inherently do not meet the purpose or general intent of the Zoning By-law.

The proposed medical office creates a significant amount of hardscaping in the front yard and results in the driveway / parking lot area being the predominant feature from a streetscape perspective. Planning Staff note, commercial uses, such as that proposed, in any other circumstance would be encouraged to locate associative parking to the rear of the lot, while situating the primary structure as close to the municipal right-of-way as possible; thereby promoting a coherent and suitable streetscape. In this case, this is not possible as the residential zoning regulations tied to this property do not contemplate a commercial use; resulting in the creation of significant deviations from the Zoning By-law (16.0m driveway width; whereas, 6.0m is permitted; reduction of accessible parking; etc.). Further, the proposed medical office creates a significant amount of on-site traffic in manner not comparable with its present use and further erodes the envisioned residential nature of the subject lands. The proposal is an undesirable development of the land. Further, given the significant deviations to the Zoning By-law required to facilitate this proposal, it is the opinion of Planning Staff that the application cannot be viewed as being minor in nature.

Based upon the preceding information, it is the opinion of Staff that the variances, as requested, do 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.

City of Mississauga

Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: November 15, 2019

RE: Takebacks – November 28, 2019 – 1:30 pm
File - C.A. Agendas

Re: C.A. 'A' 273/19
Nestor Martynets & Tetyana Lundyak
4159 Tomken Rd
Ward 3

In our previous comments we indicated some issues/concerns with site manoeuvrability of vehicles within the property which could impact on vehicular traffic movements onto Tomken Road. The applicant has provided a revised Site Plan which has been modified to expand the parking area to allow for 4 parking spaces where the vehicles can now back out within the property and not back up onto Tomken Road. Acknowledging that the revised proposal improves the vehicular circulation within the property we question (Variance # 3) which eliminates a parking space for persons with disabilities where the proposed use is a Medical Office.

Should Committee see merit in the request we are also advising the applicant that the proposed widened access will have to be modified to reflect a minimum of 1.5M setback to the existing hydro pole as the Site Plan depicts a 0.5M setback, or alternatively relocate the hydro pole.

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

November 14, 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
 November 28th, 2019**

Dear Mr. Kenney,

Regional Planning staff have reviewed the applications listed on the November 28th, 2019 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-273/19, DEF-A-289/19, DEF-A-362/19, DEF-A-375/19, DEF-A-384/19

Minor Variance Applications: A-448/19, A-449/19, A-450/19, A-452/19, A-453/19

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: November 19th, 2019

File: C of A – 'A' 289/19
(Ward 7 – 3480 Joan Drive)

Agenda: **November 28th, 2019**

Deferred Item

Recommendation

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

Background

Mississauga Official Plan

Character Area: Fairview 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 subject property is located north-west of the Central Parkway West and Hurontario Street intersection, and currently houses a two-storey, detached dwelling, as well as an accessory shed in the rear yard. The immediate neighbourhood consists primarily of detached dwellings, which, as a result of recent development along this portion of Joan Drive, do not possess a shared collective architectural style. The properties within the immediate area possess lot frontages of +/-7.2m. Notwithstanding the municipal boulevard and trees, the subject lands are devoid of any soft landscaping from a streetscape perspective.

The Applicant is requesting relief from By-law 0225-2007, as amended, to legalize the extensive decorative paving that predominately features in the rear yard, permitting:

1. A 0.3m setback for the existing decorative paving / hard-surfaced area to any lot line; whereas, By-law 0225-2007, as amended, requires a minimum setback to any lot line of 0.61m, in this instance.

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

- Pursuant to Section 1.2 (Definitions), as the existing water feature is less than 0.61m in vertical depth, no variances are required due to its location.
- Pursuant to Section 4.1.2 (10.0) (Accessory Buildings and Structures), an Accessory Structure requires a minimum setback of 1.2m to both the interior side and rear lot line. As per the drawings provided, the existing shed maintains these distances.

Pursuant to Section 4.1.5.7 (Encroachments and Projections), the Zoning By-law permits decorative paving in a rear yard, provided that such material maintains a minimum setback to any lot line of 0.61m; whereas, the Applicant has proposed 0.3m from the interior lot lines, in this instance. The intent of the Zoning By-law in establishing a minimum distance separation for hard-surfaced areas within the rear yard is to ensure that a suitable soft-landscaped area is present to mitigate sheet-flow unto adjacent neighbouring properties. As per Transportation and Works comments, the reduced setback does not maintain the intent or purpose of the Zoning By-law in accomplishing this.

As discussed, the purpose of soft landscaping is to encourage the groundwater infiltration of rain water to reduce flooding on properties and neighbouring lands. By installing hard surfacing, and reducing the soft landscaping throughout the entirety of the rear yard, the ability to address sheet flow from the site onto neighbouring properties is further diminished. The proposal results in an undesirable development of the land and one whose effects are not minor in nature.

Planning Staff have historically supported a 0.3m setback for decorative paving in the rear yard, noting that such a distance is wide enough to accommodate the installation of a swale, should one be required. In such instances, however, the proliferation of hard-surfacing in the rear yard, as is the case here, was not present. Planning Staff note, the 0.61m setback is a *minimum*

setback requirement and that in specific cases, whether for technical or other external reasons, building to the minimum standard is not best practice. As such, the Planning and Building Department recommends that the application be refused.

[http://teamsites.mississauga.ca/sites/18/CofA/Comments/2019/November/November 28/nov 28.RV.docx](http://teamsites.mississauga.ca/sites/18/CofA/Comments/2019/November/November%2028/nov%2028.RV.docx)

City of Mississauga

Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: November 15, 2019

RE: November 28, 2019 – Revised Comment for 'A' 289/19
File - C.A. Agendas

Re: C.A. 'A' 289/19
Ruo Zhao Wei
3480 Joan Dr
Ward 7

Further to our previous comments it was brought to our attention that a sump pump was being utilized to accommodate drainage which was located in the rear of the existing shed. We have recently re-inspected this property and confirm that a sump pump is located behind the shed and the water from the sump pump is directed via a small flexible outlet pipe situated on the surface to the front of the property. We have attached photos of the existing sump well and flexible outlet pipe.

This department cannot support the sump pump as constructed as a method to accommodate the drainage from the rear yard for a number of reasons. Firstly, the sump pump would not be functional in the winter months when the water would freeze; sump pumps are typically located indoors. Secondly the sump pump outlets into a very small diameter pipe (appears less than 2 inches) which outlets to the front of the dwelling over a distance of approximately 200 ft. Although we do not know the horsepower or capacity of sump pump being used, the sump pump installed typically is not designed to pump water a distance of 200 ft. within a pipe which is less than 2 inches in diameter.

In view of the above, we cannot support the request as submitted.

For further information regarding the above noted comment, 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

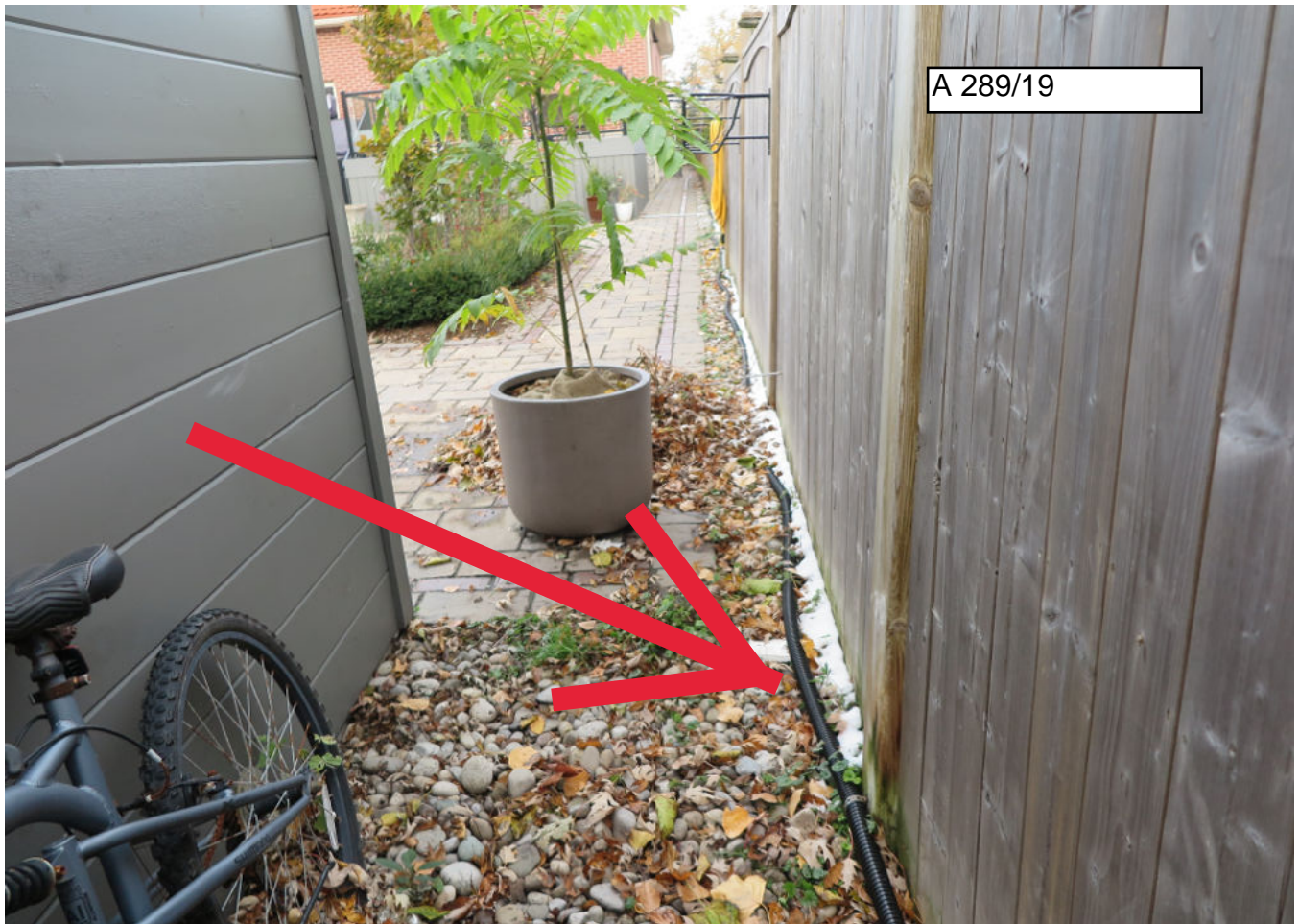
A 289/19



A 289/19



A 289/19









A 289/19



Public Works

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

peelregion.ca

November 14, 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
 November 28th, 2019**

Dear Mr. Kenney,

Regional Planning staff have reviewed the applications listed on the November 28th, 2019 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

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Minor Variance Applications: A-448/19, A-449/19, A-450/19, A-452/19, A-453/19

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: November 19th, 2019

File: C of A – 'A' 362/19
(Ward 11 – 16 James Street & 2 Williams Street)

Agenda: **November 28th, 2019**

Deferred Item

Recommendation

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

Background

Mississauga Official Plan

Character Area: Residential Medium Density
Designation: Streetsville Community Node

Zoning By-law 0225-2007

Zoning: D (Development)

Other Applications:

None

Comments

Zoning

This Department notes that both a Certificate of Occupancy application as well as a Site Plan Approval application is required. In the absence of either of these applications, 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.

It should also be noted that should the Committee choose to approve this application, they should also apply development standards – as the D zone contains no development standards at all. Typically this type of use would be subject to standards relating to setbacks, landscaping, screening etc.

Planning

The subject property is located south-west of the Britannia Road West and Queen Street South intersection, and houses an existing conjoined structure with accessory outdoor motor vehicle storage. The site is adjacent to both townhouse units, located along James Street, and detached dwellings, fronting upon Queen Street South. In addition to the aforementioned residential uses, the site in-question is directly across from a motor vehicle repair facility to the south, and a railway line to the west.

The Applicant is requesting the following relief from By-law 0225-2007, as amended, permitting:

1. A landscape contractor's yard; whereas, By-law 0225-2007, as amended, does not permit such a use, in this instance.

This application was brought before the Committee on September 19th, 2019, under application 'A' 362/19. At this time Committee deferred the application to allow the Applicant the opportunity to meet with adjoining landowners to address noise and usage concerns, as well as ultimately to redesign the site to incorporate noise and visual mitigation measures. This redesign remains outstanding.

The site is located within the Streetsville Community Node Character Area, and designated Residential Medium Density by the Mississauga Official Plan (MOP). Pursuant to Section 14.1.2 (Residential), this designation shall only permit low-rise apartment dwellings, and/or all forms of townhouse dwellings. The Applicant's proposal of a contractor's yard, which is neither listed in these aforementioned uses, nor residential in nature, does not meet the general intent or purpose of the Official Plan, in this instance.

As per Zoning By-law 0225-2007, the subject property is zoned D (Development). Pursuant to Table 12.3.2(3.0) (D Zone Permitted Uses and Zone Regulations), only existing legal uses are permitted within this zone. The intent of this portion of the By-law is to both recognize, and give legal rights to, an existing previously permitted land use which the municipality acknowledges is ultimately not in line with the future vision of the City. As per discussions with the Zoning Department, the legal use of the site in-question is a public garage, including wholesale and retail of motor vehicles, with no outdoor storage. The Applicant's proposal of a contractor's, within a D zone, does not meet the general purpose or intent of the Zoning By-law.

Further, the nature of the D zone, and its associated limitations, is to ensure that any future development is only permitted through a comprehensive review undertaken by all appropriate municipal departments (Zoning By-law Amendment), and, subsequently, and more importantly, approved through Council decision. As part of this review process, both the appropriateness of the proposal, as well as any suitable mitigation measures, are agreed upon; thus ensuring

public interest is maintained and that future development is not at the expense of the surrounding community. Planning Staff note, a contractor's yard, similar to that as requested, is typically only permitted within an E3 (Industrial) zone due to its intense and obnoxious uses (sound, dust, etc.), and would not be permitted directly adjacent to a Residential and/or Commercial zone, as is the case here. Further, the site's usage as snow removal operation results in similar noise concerns over the winter months; with heavy machinery being utilized in the early morning hours to the detriment of the adjoining land owners. This proposal does not represent the orderly development of the lands, nor are the resulting impacts of such a request minor in nature.

Based upon the preceding information, it is the opinion of Staff that the variance, as requested, 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.

City of Mississauga Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: November 15, 2019

RE: Takebacks – November 28, 2019 – 1:30 pm
File - C.A. Agendas

Re: **C.A. 'A' 362/19**
Absolute Building Solutions Inc
16 James St
Ward 11

Enclosed for Committee's easy reference are some recent photos taken which depict the subject property.

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

A362/19



A 362/19



A 362/19







A 362/19



A 362/19



Public Works

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

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November 14, 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
 November 28th, 2019**

Dear Mr. Kenney,

Regional Planning staff have reviewed the applications listed on the November 28th, 2019 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-273/19, DEF-A-289/19, DEF-A-362/19, DEF-A-375/19, DEF-A-384/19

Minor Variance Applications: A-448/19, A-449/19, A-450/19, A-452/19, A-453/19

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: November 19th, 2019

File: C of A – 'A' 375/19
(Ward 5 – 38 Sledman Street)

Agenda: November 28th, 2019

Deferred Item

Recommendation

The Planning and Building Department has no objection to the variances, as requested; however, the Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Background

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3-69 (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 Airport Road and Derry Road East intersection, and currently houses a two-storey detached dwelling with an attached two-car garage. The immediate neighbourhood is primarily detached dwellings. Architecturally, the area is comprised mainly of post-war, 1.5 storey dwellings; however, new construction in the form of replacement dwellings are also present both on Knaseboro Street and Cattrick Street. The properties within the immediate area possess a lot frontage of +/-15.75m, with minimal mature vegetative elements in the front yards. The subject property is an interior parcel, with a lot area of approximately 600m² and a frontage of 15.24m.

The Applicant is requesting relief from By-law 0225-2007, as amended, to legalize the existing driveway, permitting:

1. A driveway width of 7.6m; whereas, By-law 0225-2007, as amended, permits a maximum driveway width of 6.0m, in this instance.

The site is situated within the Malton 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. From a streetscape perspective, the proposed larger driveway, as identified in the drawings, will be undecipherable from complying lots and will remain in context with the existing neighbourhood. The variance, as requested, is both in line with the general intent and purpose of the Official Plan.

As per Zoning By-law 0225-2007, the subject property is zoned R3-69 (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 7.6m. 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). While 7.6m is larger than the permissible 6.0m regulated through the By-law; the proposed configuration does not permit a third vehicle, and is proportional to the property and the lot fabric of the surrounding neighbourhood. The variance, as requested, is both in line with the general intent and purpose of the Zoning By-law.

While the relief sought represents a deviation from what is contemplated through the Zoning By-law; Staff notes, the proposed driveway represents less than half the lot's frontage (49%); is suitably setback from the neighbouring property (0.61m); and maintains ample soft-landscaping in the front yard. The variance, as requested, results in both the orderly development of the lands, and whose impacts will be minor in nature.

Based upon the preceding information, it is the opinion of Staff that the application, as amended, 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 amended.

[http://teamsites.mississauga.ca/sites/18/CofA/Comments/2019/November/November 28/nov 28.RV.docx](http://teamsites.mississauga.ca/sites/18/CofA/Comments/2019/November/November%2028/nov%2028.RV.docx)

City of Mississauga Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: November 15, 2019

RE: Takebacks – November 28, 2019 – 1:30 pm
File - C.A. Agendas

Re: C.A. 'A' 375/19
Sidhu Sukhjinder, Beniwal Navpreet, & Sidhu Rajinder
38 Sledman St
Ward 5

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

For further information regarding the above noted comment, 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

Public Works

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

peelregion.ca

November 14, 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
 November 28th, 2019**

Dear Mr. Kenney,

Regional Planning staff have reviewed the applications listed on the November 28th, 2019 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-273/19, DEF-A-289/19, DEF-A-362/19, DEF-A-375/19, DEF-A-384/19

Minor Variance Applications: A-448/19, A-449/19, A-450/19, A-452/19, A-453/19

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: November 12th, 2019

File: C of A – 'A' 442/19
(Ward 5 – 25 Watline Avenue)

Agenda: November 21st, 2019

New Item

Recommendation

The Planning and Building Department has no objection to the variance, as requested; however, the Applicant may wish to defer the application to submit a Certificate of Occupancy Application.

Background

Mississauga Official Plan

Character Area: Gateway Corporate Centre
Designation: Office

Zoning By-law 0225-2007

Zoning: E1 (Employment)

Other Applications:

None

Comments

Zoning

This Department notes no change of use has been proposed which would necessitate a parking reduction. If the Applicant is proposing a new use, a Zoning Certificate of Occupancy is required to determine whether or not a parking deficiency is present.

Planning

The subject property is a multi-tenant commercial plaza located north-east of the Hurontario Street and Matheson Boulevard East intersection. The immediate context area is comprised of a mix of commercial retail outlet locations and multi-storey office structures. The Applicant is proposing to operate a take-out 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. 362 parking spaces; whereas, By-law 0225-2207, as amended, requires a minimum of 404 parking spaces, in this instance.

The site is located within the Gateway Corporate Centre Character Area, and is designated Office by the Mississauga Official Plan (MOP). Pursuant to Section 11.2.7(c) (Office) this designation shall permit restaurant services, when accessory to an office use. The Applicant's proposal of a take-out restaurant within the existing office structure meets the general purpose and intent of the Official Plan.

As per Zoning By-law 0225-2007, the subject property is zoned E1 (Employment), which permits a take-out restaurant, when accessory to an office use. In accordance with Table 3.1.2.2 (Required Number of Parking Spaces for Non-Residential Uses), this zone regulates the required number 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, 404 parking spaces are required; whereas, the Applicant is providing 362. As per the Parking Justification Letter (October 30th, 2019) submitted by the Applicant, the proposed 362 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.

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. The Planning and Building Department has no objection to the variance, as requested; however, the Applicant may wish to defer the application to submit a Certificate of Occupancy Application.

City of Mississauga
Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: November 08, 2019

RE: November 21, 2019 Agenda – 1:30 pm
File - C.A. Agendas

Re: COMMITTEE OF ADJUSTMENT-November 21, 2019

This Department has no objections; comments or requirements with respect to C.A. 'A' 207, 372, 436 and 442/19.

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

Public Works

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November 13, 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
 November 21st, 2019**

Dear Mr. Kenney,

Regional Planning staff have reviewed the applications listed on the November 21st, 2019 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Application: DEF-A-372/19

Minor Variance Applications: A-441/19, A-442/19, A-443/19, A-444/19, A-445/19

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
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