



Committee of Adjustment

The following staff reports are current as of January 17th, 2020 at 12:00pm.

**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: JANUARY 23, 2020 AT 1:30 P.M.

NEW APPLICATIONS (CONSENT)

File	Name of Applicant	Location of Land	Ward
B-03/20 A-16/20 A-17/20	SHAYLENE FINCH	1151 MISSISSAUGA RD	2
B-4/20 A-18/20 A-19/20	1909861 ONTARIO INC-JOSHUA ALEXANDER AMORIM	50 WOODLAWN AVE	1
B-5/20 A-25/20 A-26/20	2647372 ONTARIO INC	185-187 WYNDHAM ST	11

DEFERRED APPLICATIONS (CONSENT)

File	Name of Applicant	Location of Land	Ward
B-72/19 A-432/19 A-433/19	TINA JAIN	5 PINE AVE N	1

NEW APPLICATIONS (MINOR VARIANCE)

File	Name of Applicant	Location of Land	Ward
A-13/20	RAM & ANU SHRIVATS	5150 AMANA PL	11
A-14/20	BRAD COMRIE & AMANDA MCMURDO	6181 STARFIELD CRES	9
A-15/20	AMER YOHANA	1433 MYRON DR	1
A-20/20	JAROSLAW WASKOW	1197 STRATHY AVE	1
A-21/20	MALIK SAMAAAN, NEVEEN MAKAR	1480 BRITANNIA RD W	6
A-22/20	RACHAL NIJJAR	1470 CHRISEDEN DR	2
A-23/20	SUZANNE DUB	28 ELLESBORO DR	11
A-24/20	MATT & NICOLE JOHNSTON	70 PARK ST W	1
A-27/20	CORPORATION OF THE CITY OF MISSISSAUGA (REALTY SERVICES)	0 MAIN ST	11

DEFERRED APPLICATIONS (MINOR VARIANCE)

File	Name of Applicant	Location of Land	Ward
A-207/19	HARDCO REAL ESTATE HOLDINGS LTD	1180 AEROWOOD DR	5
A-347/19	ANDRIY & NATALIYA ALEKSANDRYUK	483 AVONWOOD DR	1

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.)

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-01-10 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): 'B' 03/20, 'A' 16/20 & 'A' 17/20 Ward: 2
	Meeting date: 2020-01-23

Consolidated Recommendation

- The City does not object to the approval of the consent and associated minor variance applications

Application Details

The property owner of 1151 Mississauga Road, zoned G1 R1-3 – Greenlands and Residential, has applied for Consent under Section 53 of the Planning Act. The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The severed parcel of land has a frontage of approximately 19.15m (62.82ft) and an area of approximately 2,635.75sq.m (28,371.00sq.ft).

A minor variance is requested for the Retained lands (file A16/20) proposing a lot frontage of 19.85m (approx. 65.12ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 24.00m (approx. 78.74ft) in this instance.

A minor variance is requested for the Severed lands (file A17/20) proposing a lot frontage of 19.15m (approx. 62.82ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 24.00m (approx. 78.74ft) in this instance.

Amendments

"[Enter amendments to variances]"

Recommended Conditions and/or Terms of consent

City Department and Agency Comments	File: 'B' 03/20, 'A' 16/20 & 'A' 17/20	2020/01/10	2
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- Appendix A – Conditions of Provisional Consent
- The variance application approved under File(s) "[Enter file #]" must be finalized
- "[Enter terms and conditions here]"

Recommended Conditions and/or Terms of minor variance

- Variance(s) approved under file(s) "[Enter file #]" shall lapse if the consent application under file "[Enter file #]" is not finalized within the time prescribed by legislation.
- "[Enter terms and conditions here]"

Background

Property Address: 1151 Mississauga Road

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: G & R1-3 (Greenlands & Residential)

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, north of Mississauga Road and the railway tracks. The neighbourhood consists of lots with frontages of approximately +/- 20 m to +/- 30 m and areas greater than 1,000 m², containing one and two storey detached dwellings with significant mature vegetation. The subject property abuts the Credit River and contains a two storey detached dwelling with mature vegetation in the front yard.



Comments

Planning

Planning Act

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

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

Staff comments concerning the consent application and official plan are as follows:

The consent application proposes to sever the lot for the purpose of creating two lots to develop detached dwellings, requiring variances related to deficient lot frontages. The retained lot will have a lot frontage of approximately 19.85 m and lot area of 2,531.80 m². The severed lot will have a lot frontage of approximately 19.15 m and lot area of 2,637.40 m². The zoning by-law requires lot frontages of 24 m and lot areas of 1,160 m².

The subject property is designated "Greenlands" and "Residential I" in Schedule 10 of the Mississauga Official Plan (MOP). Although the Greenlands designation does not permit development, this designation is located towards the rear of the subject property, while the remaining portion of the lot is designated Residential Low Density I which permits detached, semi-detached and duplex dwellings. Pursuant to Section 16.1.2.1 of MOP, to preserve the character of lands designated Residential Low Density I and II, the minimum lot frontage and area of new lots will be evaluated in the context of the existing lot pattern in the surrounding area. Furthermore, Section 5.3.5 (Neighbourhoods) states that neighbourhoods are not meant to remain static, however, when new development occurs, it should be sensitive to the neighbourhoods existing and planned character. The proposed severance represents sensitive intensification that is compatible with the area and is located closer to the railway tracks which contains smaller and more irregular lots. Although the neighbourhood consists of wide lots with frontages of 22 m and greater, the subject property is being severed to still accommodate a wide lot of 19.15 and 19.85 m, maintaining the character of the surrounding area. Recognizing that intensification does not have to mirror existing development, the proposed severance is sensitive to the existing and planned character of the neighbourhood and will not result in significant adverse impacts to the community.

Staff is of the opinion that the proposed consent and minor variance applications conform to and maintain the general intent and purpose of the official plan.

Provincial Matters

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

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

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

Minor variance applications "A" 16/20 and "A" 17/20, proposes lots frontages of 19.85 m (retained lot) and 19.15 m (severed lot) whereas a minimum lot frontage of 24 m is required. The base R1 (Residential) zone requires lot frontages of 22.50 m; however, the exception zone in this instance increases the lot frontage to 24 m. Properties on the west side of this portion of Mississauga Road are zoned R1-1, which requires lot frontages of 22.50 m. The intent of the zoning by-law is to ensure that new lots are appropriately sized and fit within the context of the surrounding area. Although, the proposed lot frontages are smaller than lots within the immediate area, the variances still represent large residential lots that are compatible with the surrounding area. Furthermore, the proposed lots can accommodate detached dwellings that are in keeping with the character of the neighbourhood. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

The proposed applications represent sensitive intensification within the Clarkson-Lorne Park Character Area. Although neighbourhoods are identified in MOP as non-intensification areas, this does not mean they will remain static or that new development must imitate previous development patterns, but rather when development occurs, it should be sensitive to the existing and planned character. The proposed frontages are compatible with the surrounding area and fit within the vision for large residential lots on Mississauga Road. Staff is of the opinion that the applications represent orderly development of the lands and are minor in nature.

Conclusion

Based on the preceding information, the Planning and Building Department has no objections to the requested consent and associated minor variance applications. The applicant may choose to defer the application to ensure that additional variances are not required

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Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

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Appendices

Appendix 1 – Transportation and Works Comments

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

A. Items Required Prior to the Issuance of Final Consent

1. Overall Grading and Drainage Plan

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

2. Road Widening on Mississauga Road

The owner will be required to dedicate gratuitously to the City of a road widening across the Mississauga Road frontage towards the ultimate right-of way width of 23-26 meters as identified in the Official Plan. We are also advising that any particulars with regards to land dedication for the widening have to be to the satisfaction of the City of Mississauga's Ontario Land Surveyor and our Traffic Section.

For further information regarding the above noted comment, please contact Christopher Fiacco at (905) 615-3200 ext. 3923 or christopher.fiacco@mississauga

3. Establishment/Dedication of Top of Bank Approved by the City and Credit Valley Conservation

Confirmation will be required that satisfactory arrangements have been made with regards to the establishment of the top of bank and gratuitous dedication to the City as Greenlands (G1). The Community Services Department and Credit Valley Conservation Authority are to stake out the top-of-bank and natural features in order to establish the limits of the top of bank lands to be dedicated gratuitously the City. We note that all lands that are to be dedicated to The City of Mississauga are to be free and clear of any existing structures.

4. Environmental Site Assessment (ESA) for Road Widening on Mississauga Road Dedication and Top of Bank

In regards to Condition A.2., the applicant will be required to deed gratuitously to the City a road widening across the Mississauga Road frontage and the established Top of Bank at the rear of the property. Therefore, in accordance with Corporate Policy 09-08-02, a Phase 1 Environmental Site Assessment (ESA) will be required. The report is to be prepared as follows:

- specifically reference the lands to be dedicated to the City;
- the boundaries of conveyance lands must be overlaid on top of a legal survey to scale in order to represent the legal boundaries of these lands;
- be completed in accordance with O. Reg. 153/04 ;
- be signed and dated by a Qualified Person (as defined by section 5 and 6 under O. Reg. 153/04, as applicable);
- include a clause or be accompanied by a letter signed by the author of the report 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 to the same extent as to the property owner. The wording of the reliance must meet the City's sole and unfettered satisfaction.

The template is provided on the City's website under Terms of Reference: <http://www.mississauga.ca/portal/residents/terms-of-reference>

Should additional clarification be required with regard to the Environmental Site Assessment (ESA), please contact Valeriya Danylova, P.Eng, Environmental Technologist at 905 615-3200 ext. 5930 or valeriya.danylova@mississauga.ca should you require further information.

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

As per the City of Mississauga's Fees and Charges By-law there will be a fee required to be paid to the Legal Services Department for their services, in particular for the preparation of documents required for items pertaining a road widening. The fee amount payable will be in accordance with the current Fees and Charges Bylaw and be submitted to the Transportation and Works Department in the form of a certified cheque.

6. Municipal Address Requirement

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

7. Bike Lane/Route Signage Fee

Mississauga Rd has a dedicated bike lane. The applicant is advised that a Bike Lane/ Route Sign fee payment for one (1) sign is required in accordance with the current Transportation and Works Fees and Charges By-Law prior to site plan approval. For current fees and charges, please go to <http://www.mississauga.ca/portal/cityhall/bylaws> and select: Fees and Charges: Transportation and Works.

For further information regarding the above noted comment, please contact Christopher Fiacco at (905) 615-3200 ext. 3923 or christopher.fiacco@mississauga

B. GENERAL INFORMATION

1. Lot Grading and Drainage

We advise the applicant that issuance of any building permits for the 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.

2. Servicing

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

3. Access

We are also noting that should any utilities need to be relocated, or municipal curbs need to be modified, all costs incurred will also be to the owner. Access Modification Permit will be required for both properties at time of Site Plan/Building Permit. Important to note that utilities (fire hydrants, light poles, etc.) need to be at least 1.5m from any driveway.

4. Storm Sewer Outlet

The storm outlet is the existing 525mm diameter storm sewer on Mississauga Road. Please note the minimum basement elevation for a gravity connection is 1m above the top of the storm sewer in the street.

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

We are noting that any Transportation and Works Department concerns/requirements for this property will be addressed under Consent Application 'B' 3/20.

D. Martin

Supervisor, Development Engineering South

905-615-3200 ext. 5833

Comments Prepared by: Dave Martin

Appendix 2 – Zoning Comments

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 not been completed.

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

Comments Prepared by: Sandra Morrison, Zoning Examiner

Appendix 3 – Community Services

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

Should the application be approved, Community Services would like to impose the following condition:

1. The applicant shall provide a cash contribution of \$2,357.76 for planting of four (4) street trees on Mississauga 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.

In addition, Community Services notes the following:

1. Requirements for Municipal Boulevard tree protection securities and protective hoarding will be addressed during the Site Plan Process.

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2. Payment of street tree contributions 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.
3. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, C.P. 13, as amended) and in accordance with the City's policies and by-laws.

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

Comments Prepared by: Jim Greenfield

Appendix 4 – Heritage

The property is listed on the City's Heritage Register under the *Ontario Heritage Act*. Accordingly, a Heritage Impact Assessment is required. The terms of reference are available at https://www7.mississauga.ca/documents/culture/heritage/HeritageImpactAssessment_TermsOfReference2017.pdf. More comments may be forthcoming once the Heritage Impact Assessment is accepted.

The property has archaeological potential due to its proximity to a present or past watercourse or known archaeological resource. The applicant should contact the Ministry of Heritage, Sport, Tourism, and Culture Industries to determine the archaeological concerns related to the application. A letter from the Ministry of Tourism, Culture and Sport confirming that all archaeological resource concerns have met licensing and resource conservation requirements for the property must be submitted to Heritage Planning.

Comments Prepared by: Brook Herczeg

Appendix 5 – Region of Peel Comments

Consent Application: B-003/20

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

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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 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.

Minor Variance Applications: A-016/20, A-017/20

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.

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Comments Prepared by: Tracy Tang

Appendix 6- Conservation Authority Comments

Credit Valley Conservation (CVC) staff have reviewed the subject applications 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 appears to be regulated because of the valley slope and floodplain associated with the Credit River and its proximity to a provincially significant wetland. Other natural heritage features of CVC interest on and adjacent to the property include; Peel Core Greenland and Significant Natural Site of the City of Mississauga Natural Heritage System.

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

City Department and Agency Comments	File: 'B' 03/20, 'A' 16/20 & 'A' 17/20	2020/01/10	14
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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 severed parcel of land has a frontage of approximately 19.15m (62.82ft) and an area of approximately 2,635.75sq.m (28,371.00sq.ft).

A minor variance is requested for the Retained lands (file A 16/20) proposing a lot frontage of 19.85m (approx. 65.12ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 24.00m (approx. 78.74ft) in this instance.

A minor variance is requested for the Severed lands (file A 17/20) proposing a lot frontage of 19.15m (approx. 62.82ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 24.00m (approx. 78.74ft) in this instance.

Comments:

CVC staff have reviewed the information and determined that the proposed severance appears to fragment the ownership of the hazards and features of CVC interest. CVC staff typically expect that the hazards and features be contained on the retained lot and not be fragmented. In order to achieve this, the retained lot would form an 'L' configuration; however, based on our discussions with City staff, it is our understanding that a lot in an 'L' configuration is not generally desired by the City and would not be supported in this instance.

It is also our understanding that the City has a restrictive greenbelt zoning over a portion of the rear yard adjacent to the Credit River. Furthermore, CVC staff require that any proposed development on the retained and severed parcels is located outside of the hazards and features and setback in accordance with CVC policies. CVC staff will review any future proposals in light of this and note that a permit from CVC may be required.

Conclusion:

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

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.

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Please circulate CVC any future correspondence regarding this application.

Sincerely,

Iftekhar Ahmad
Junior Planner

Comments Prepared by: Iftekhar Ahmad

Appendix 7 – Bell Canada

Subsequent to review by our Engineering Department, Bell Canada confirms that we have no objections with the proposed Severance.

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

Comments Prepared by: Carrie Gordon

B 003/20



B 003/20



B 003/20



B 003/20



B 003/20



B 003/20





B 003/20



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-01-10 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): 'B' 04/20, 'A' 18/20 & 'A' 19/20 Ward: 1
	Meeting date: 2020-01-23

Consolidated Recommendation

- The City does not object to the approval of the consent and associated minor variance applications. The applicant may choose to defer the application to ensure that additional variances are not required.

Application Details

The Property owner of 50 Woodlawn Avenue, zoned RM7-5 - Residential, have applied for Consent under Section 53 of the Planning Act. The applicants request the approval of the Committee to sever a parcel of land for the creation of a new lot. The severed parcel of land has a frontage of approximately 7.62m (25.00ft) and an area of approximately 290.00sq.m (3,121.53sq.ft).

A minor variance is requested for the Severed lands (file A18/20) proposing a building height measured to the eave of 7.39m (approx. 24.25ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eave of 6.40m (approx. 21.00ft) in this instance.

A minor variance is requested for the Retained lands (file A19/20) proposing a building height measured to the eave of 7.39m (approx. 24.25ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eave of 6.40m (approx. 21.00ft) in this instance.

Amendments

"[Enter amendments to variances]"

Recommended Conditions and/or Terms of consent

City Department and Agency Comments	File: 'B' 04/20, 'A' 18/20 & 'A' 19/20	2020/01/10	2
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- Appendix A – Conditions of Provisional Consent
- The variance application approved under File(s) "[Enter file #]" must be finalized
- "[Enter terms and conditions here]"

Recommended Conditions and/or Terms of minor variance

- Variance(s) approved under file(s) "[Enter file #]" shall lapse if the consent application under file "[Enter file #]" is not finalized within the time prescribed by legislation.
- "[Enter terms and conditions here]"

Background

Property Address: 50 Woodlawn Avenue

Mississauga Official Plan

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

Zoning By-law 0225-2007

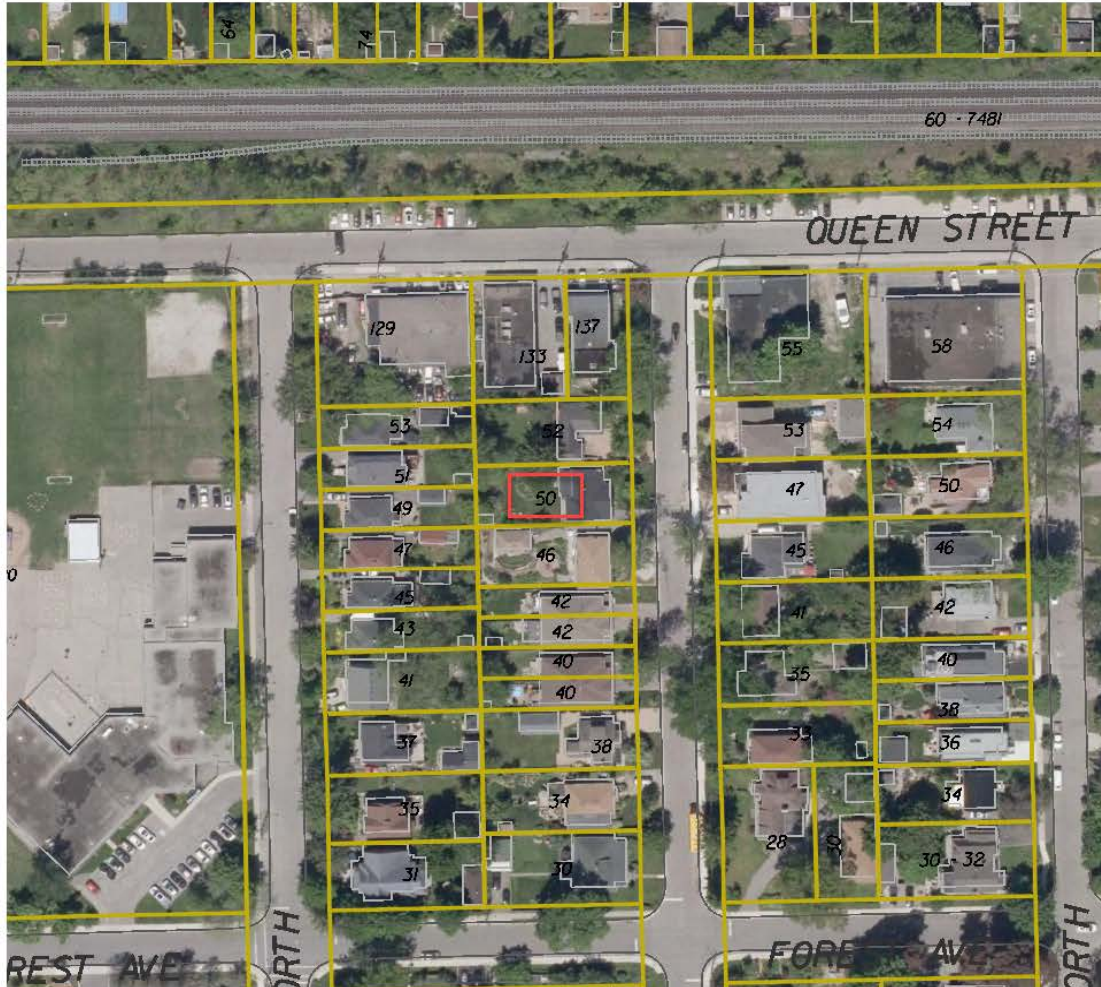
Zoning: RM7-5 (Residential)

Other Applications

Pre-Application: 19-8616

Site and Area Context

The subject property is located within the Port Credit Neighbourhood Character Area, northeast of Hurontario Street and Lakeshore Road East. The immediate neighbourhood consists of detached and semi-detached dwellings ranging in one and two storeys, with significant mature vegetation. The immediate area also consists of frontages ranging from +/- 7.50 m to +/- 15 m. The subject property contains a one storey detached dwelling with vegetation in the front and rear yard.



City Department and Agency Comments	File: 'B' 04/20, 'A' 18/20 & 'A' 19/20	2020/01/10	4
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Comments

Planning

Planning Act

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

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

Staff comments concerning the consent application are as follows:

The applications propose to sever the lot for the purpose of developing semi-detached dwellings with an eave height of 7.39 m whereas 6.40 m is permitted. The retained and severed parcel will have a lot frontage of approximately 7.62 m and lot area of 290 m², greater than the provisions within the zoning by-law.

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

The subject property is designated "Residential Low Density II" in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached, semi-detached and duplex, triplex and other forms of low rise dwellings with individual frontages. The official plan policies for lands within the Port Credit Neighbourhood Character Area are contained within the Port Credit Local Area Plan and are within the North Residential Neighbourhood precinct (Credit Grove). Lands within the North Residential Neighbourhood are predominately stable residential areas that allow for infill development that is compatible with and enhances the existing character of the area. The zoning by-law allows for a mix of residential uses and lot sizes, creating an eclectic lot fabric within the immediate and broader neighbourhood. The proposed consent application is consistent with the existing lot fabric which consists of lot frontages ranging from approximately +/- 6.80 m to +/- 15 m.

City Department and Agency Comments	File: 'B' 04/20, 'A' 18/20 & 'A' 19/20	2020/01/10	5
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Staff is of the opinion that the proposed application has due regard for Section 51(24) of the Planning Act, specifically that it conforms to the official plan and the dimensions of the shapes are consistent with the existing lot fabric.

Provincial Matters

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

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

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

Pursuant to Section 9.5.1.1 (Context) of MOP, buildings and site design will be compatible with site conditions, the surrounding context and landscape of the existing or planned character of the area. The proposed dwellings are compatible with the surrounding neighbourhood and the increased eave heights will not negatively impact neighbouring properties. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

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

The intent of the zoning by-law regarding the eave height is to minimize the visual massing of a dwelling, bringing the edge of the roof closer to the ground, keeping the dwelling within a human scale. In this instance, the eave height is measured to average grade which is approximately 0.30 m below established grade. The proposed dwellings would maintain an overall height of 9.50 m, mitigating the impact of the increased eave height. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

From established grade, the increased eave height will not negatively impact neighbouring properties as the overall massing of the dwelling maintains the existing and planned character of the neighbourhood. Furthermore, from a streetscape perspective, the proposal will not have any additional undue impact to the immediate neighbourhood. Staff is of the opinion that the applications represent orderly development of the lands and are minor in nature.

Conclusion

Based on the preceding information, the Planning and Building Department has no objections to the requested consent and associated minor variance applications. The applicant may choose

City Department and Agency Comments	File: 'B' 04/20, 'A' 18/20 & 'A' 19/20	2020/01/10	6
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to defer the application to ensure that additional variances are not required and to submit the requested information regarding a second unit.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

City Department and Agency Comments	File: 'B' 04/20, 'A' 18/20 & 'A' 19/20	2020/01/10	7
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Appendices

Appendix 1 – Transportation and Works Comments

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

A. Items Required Prior to the Issuance of Final Consent

1. Overall Grading and Drainage Plan

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

2. Municipal Address Requirement

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

B. GENERAL INFORMATION

1. Lot Grading and Drainage

We advise the applicant that issuance of any building permits for the new dwelling(s) will be subject to the owner submitting a certified lot grading and drainage plan to this Department for review/approval. The grading and drainage plan is to contain sufficient detail to ensure grading compatibility with the

City Department and Agency Comments	File: 'B' 04/20, 'A' 18/20 & 'A' 19/20	2020/01/10	8
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adjacent properties. In addition, the owner will be required to submit the applicable lot grading and municipal services protection deposits.

2. Servicing

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

3. Access

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

4. Storm Sewer Outlet

The applicant is advised that the storm sewer outlet for these lands is the existing 375mm dia. Storm sewer on Woodlawn Avenue.

We are noting that any Transportation and Works Department concerns/requirements for this property will be addressed under Consent Application 'B' 4/20.

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

D. Martin

Supervisor, Development Engineering South

905-615-3200, ext. 5833

City Department and Agency Comments	File: 'B' 04/20, 'A' 18/20 & 'A' 19/20	2020/01/10	9
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Comments Prepared by: Dave Martin

Appendix 2 – Zoning Comments

The Planning and Building Department is currently processing a building permit application under file 19-8616. 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.

The variances as identified are correct however clarification on a second dwelling unit is required.

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

Comments Prepared by: Adam McCormack, Zoning Examiner

Appendix 3 – Community Services

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

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

1. The applicant shall provide a cash contribution of \$1,178.88 for planting of two (2) street trees on Woodlawn Avenue. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.

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 Department and Agency Comments	File: 'B' 04/20, 'A' 18/20 & 'A' 19/20	2020/01/10	10
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Comments Prepared by: Jim Greenfield

Appendix 4 – Region of Peel Comments

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

Regional Planning staff have reviewed the applications listed on the January 23rd, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-432/19, DEF-A-433/19

Minor Variance Applications: A-013/20, A-014/20, A-018/20, A-019/20, A-021/20, A-022/20, A-023/20, A-024/20, A-027/20

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

Comments Prepared by: Tracy Tang



Bell Canada
FI-2, 140 Bayfield St.
Barrie, Ontario
L4M 3B1

Fax: 705-722-2263
Tel: 705-722-2244
E-mail: carrie.gordon@bell.ca

December 17, 2019

Mississauga Committee of Adjustment
Office of the City Clerk
300 City Centre Drive
Mississauga, ON
L5B 3C1

Attention: Secretary-Treasurer
Email only: committee.adjustment@mississauga.ca

Dear Sir/Madame:

Subject: Application for Consent
50 Woodlawn Ave
Your File: B-4/20 Ward 1

Bell File: 905-20-016

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

Bell Canada would like to confirm that a blanket easement over the lands designated as 50 Woodlawn Ave., or a 3.0m wide corridor to be measured 1.5m on either side of the aerial cable and to extend from any Bell pole to a minimum of 2.0m past the anchor installation to be measured 0.5m on either side of the guy wire installation, as can be accommodated, would satisfy our needs

Since the easement is necessary in order to provide and maintain service to this area, all costs associated with this transaction is the responsibility of the landowner. Compensation should be set to the nominal amount of \$2.00 for the acquisition of these rights. Additionally, Bell Canada requires separate, registered postponements for any mortgages and certification of title.

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

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

Yours truly,

Carrie Gordon
Right of Way Associate
Encl.





B 004/20



B 004/20



B 004/20



Date: January 13th, 2020

File: C of A – 'B' 5/20, 'A' 25 to 'A' 26/19
(Ward 11 – 185 - 187 Wyndham Street)

Agenda: January 23rd, 2020

New Item

Recommendation

The Planning and Building Department recommends that the application be deferred to allow the Credit Valley Conservation Authority to complete their review.

Background

Mississauga Official Plan

Character Area: Streetsville Neighbourhood
Designation: Residential Low Density I, Greenlands

Zoning By-law 0225-2007

Zoning: R3 (Residential)
G1 (Greenland)

Comments

Zoning

The Applicant is advised that a full zoning review has not been completed. 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.

Planning

The subject lands associated with application 'B' 5/20 are located north-east of the Main Street and Queen Street intersection, and currently house two detached dwellings. The immediate neighbourhood consists of a variety of residential uses ranging from detached dwellings to apartment units. The subject lands are bounded to the rear by this portion of the Credit River.

The Applicant is proposing to sever the subject lands to create two individual properties. The severed lands will have a lot frontage of 18.29m and lot area of 569.1m²; whereas, the retained lands will have a lot frontage of 74.21m and lot area of 7,646.1m². Neither resulting properties require variances as it pertains to lot creation; however, as both existing structures are to remain, the following variances are required to both capture existing site conditions, as well provide relief resultant of a new rear lot line created due to land conveyance to the City.

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

'A' 25/20

1. A rear yard of 7.23m; whereas, By-law 0225-2007, as amended, requires a minimum rear yard of 7.5m, in this instance; and,
2. A driveway setback measured from the property line of 0.0m; whereas, By-law 0225-2007, as amended, requires a minimum driveway setback measured from the property line of 0.6m, in this instance.

'A' 26/20

1. A setback to a G-1 Zone of 0.90m; whereas By-law 0225-207, as amended, requires a minimum setback from a G-1 Zone of 7.50m, in this instance;
2. A front yard of 5.39m; whereas, By-law 0225-2007, as amended, requires a minimum front yard of 7.5m, in this instance; and,
3. A driveway setback measured from the property line of 0.0m; whereas, By-law 0225-2007, as amended, requires a minimum driveway setback measured from the property line of 0.6m, in this instance.

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

The site is situated within the Streetsville 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. It is the opinion of Planning Staff that the lot sizes proposed are both consistent and compatible to the character area, with no variances required for either lot frontage or area. To this end, the Applicant's proposal has sufficient regard for the existing lot fabric and is reflective of the contemporary properties found within the immediate area. Therefore, 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 R3 (Residential). Pursuant to Table 4.2.1 (R1 to R5 Permitted Uses and Zone Regulations), the Zoning By-law requires a minimum lot area of 550m², and a minimum lot frontage of 15.0m; whereas, the Applicant is proposing properties with areas of 569.1m² (severed) and 7,646.1m² (retained); and frontages of 18.29m (severed) and 74.21m (retained). The proposed lots are appropriately sized for the context of the neighbourhood and represent the appropriate development of the lands, exceeding the requirements of the Zoning By-law. This consent application maintains the general intent and purpose of the Zoning By-law.

Yard Setbacks

The general intent of the Zoning By-law in regulating associative yard setbacks on a property is to ensure that adequate buffers between primary structures on adjoining properties are maintained, as well as to also ensure that appropriate amenity areas within the resulting associate yards are created. While the proposal does result in subsequent deficiencies in this regard; Planning Staff note, in the case of the 'A' 25/20, the proposed amendment is extremely marginal in nature, especially in view of the overall size of the property as a whole; or, in the case, of 'A' 26/20, represents a legal non-conforming condition. It is the view of Planning Staff that Variance 1 ('A' 25/20), and Variance 2 ('A' 26/20), meet all criteria established by Section 45(1) of the Planning Act.

Driveway Setbacks

Pursuant to Table 4.1.9(4) (Driveways and Parking) and Table 4.2.1 (12.4) (R1 to R5 Permitted Uses and Zone Regulations), the minimum required setback for a driveway to any lot line is 0.6m; whereas the Applicant has proposed 0.0m, in this instance. The intent of this portion of the By-law is to ensure that an adequate buffer exists between two neighbouring properties, and that it is large enough to mitigate any potential drainage concerns. While Planning Staff recognize that the relief sought represents an existing condition; this Department cannot support a 0m setback, noting that such a variance does not have sufficient regard for the intent of the Zoning By-law, nor are the consequent impacts minor in nature or resultant in the orderly development of the lands.

Setback to G1-Zone

The Zoning By-law requires setback to a G-1 Zone of 7.5m; whereas, the Applicant has proposed 0.9m, in this instance. The intent of this portion of the By-law is to ensure that any

proposed development will not have significant or lasting negative impacts on the neighbouring environmentally sensitive lands. Planning Staff note, satisfactory review of the Applicant's evidence in this regard remains outstanding by the Credit Valley Conservation Authority (CRCA). As such, Planning Staff cannot determine the extent in which the proposed setback will have on the adjacent G-1 zone, and, consequently, if this variance maintains the purpose and general intent of the Zoning By-law in protecting these environmental features.

As the appropriate environmental studies have yet to be satisfactory reviewed, and it has yet to be determined the nature in which such a proposal may negatively impact the environmentally sensitive features of the site; Planning Staff are unable to determine whether this variance truly represents the orderly development of the lands, or whether the resulting impacts are in fact minor in nature.

Based upon the preceding information, the Planning and Building Department recommends that the application be deferred to allow the Credit Valley Conservation Authority to complete their review.

City of Mississauga

Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: January 10, 2020

RE: **Applicant:** **2647372 Ontario Inc**
 Date of Hearing: **January 23, 2020**
 Location: **185-187 Wyndham Street**
 Our File: **'B' 5/20, Ward 11 (Z-38W)**

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. Establishment of Top of Bank Approved by the City and Credit Valley Conservation

Confirmation will be required that satisfactory arrangements have been made with regards to the establishment of the top of bank and gratuitous dedication to the City as Greenlands (G1). The Community Services Department and Credit Valley Conservation Authority are to stake out the top-of-bank and natural features in order to establish the limits of the top of bank lands to be dedicated gratuitously the City.

2. Overall Grading and Drainage Plan

The applicant's consulting engineer will be required to prepare an Overall Grading and Drainage Plan which contains sufficient details to ensure grading compatibility with the adjacent lands and submit the grading and drainage proposal to this department for review/approval. It should also be acknowledged that any drainage is to be directed towards Wyndham Street and not towards the valley lands to the rear as direct concentrated or channelized surface runoff flowing directly over the slope of the valley lands will not be permitted.

3. Geotechnical Reports

A Geotechnical Investigation/Slope Stability & Streambank Erosion Study prepared by Terraprobe Inc. (dated November 15, 2019) has been prepared for this property to determine the prevailing subsurface soil and ground water conditions and detailed visual slope inspection of the site. Acknowledging that the applicant has submitted a Geotechnical Report which is currently being reviewed by the Credit Valley Conservation and our department, we are advising that any Slope Protection and Maintenance Considerations identified in the report such as the site grading and drainage being designed to prevent direct concentrated or channelized surface runoff from flowing over the slope must be implemented in the site development and construction of any dwellings on the subject lands. We also note that a Fluvial Geomorphology and/or a Hydraulic Assessment Report may also be required to determine the stability of the existing concrete and armour stone stream embankment.

4. Road Widening on Wyndham Street

The applicant is to gratuitously dedicate to the City of Mississauga a road allowance widening of only 1.20m towards the ultimate 15.0 m right-of-way for Wyndham Street as identified in the City's Official Plan. The proposed road widening will allow for the future construction of a municipal sidewalk across the frontage of the subject lands. The dimensions related to right-of-way width and required widening 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 Christopher Fiacco from our Traffic Section at 905 615-3200 ext. 3923.

5. Environmental Site Assessment (ESA) for Greenlands (G1) Dedication of Credit River

As this department is requesting the gratuitous dedication of lands below the established top of bank or stable slope line of the Credit River, in accordance with Corporate Policy 09-08-02, a Phase 1 Environmental Site Assessment (ESA) will be required only for the lands to be dedicated to the City of Mississauga. The report must include the following:

- a) Specifically reference lands to be dedicated to the City;
- b) the boundaries of conveyance lands must be overlaid on top of a legal survey to scale in order to represent the legal boundaries of these lands;
- c) be completed in accordance with O. Reg. 153/04 ;
- d) be signed and dated by a Qualified Person (as defined by section 5 and 6 under O. Reg. 153/04, as applicable);

- e) Include a clause or be accompanied by a letter signed by the author of the report 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 to the same extent as to the property owner. The wording of the reliance must meet the City's sole and unfettered satisfaction. The template is provided on the City's website under Terms of Reference: <http://www.mississauga.ca/portal/residents/terms-of-reference>

If the Phase One ESA indicates potential for contamination, a Phase Two Environmental Site Assessment will be required. If contamination is confirmed, a Remedial Action Plan that appropriately addresses the contamination will be required. Recommendations contained within the plan will be implemented by way of conditions to the development approval.

Should additional clarification be required with regard to the Environmental Site Assessment (ESA), please contact Valeriya Danylova, P.Eng, and Environmental Technologist at 905 615-3200 ext. 5930 or valeriya.danylova@mississauga.ca should you require further information.

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 land dedications. The fee amounts payable will be in accordance with the current fees and charges bylaw.

7. Services to Existing Dwellings

The owner of the subject lands is to review their records and be satisfied that any underground services to 185 and 187 Wyndham Street are located such that the services are confined within the limits of their own property. Should it be determined that there are any services which will conflict with the new property limits, 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 protect it by means of a private easement.

8. Development Agreement

A Development Agreement may be required for Warning Clauses or any potential restrictions based on the review of items A.1.-A.4.. Should a Development Agreement not be required, this condition would be deemed satisfied.

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: January 10, 2020

FILE: "B" 5/20

SUBJECT: CONSENT APPLICATION
185-187 WYNDHAM STREET
2647372 ONTARIO INC.
WARD 11
JANUARY 23, 2020 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:

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

1. The applicant shall provide a cash contribution of \$2,357.76 for planting of four (4 at \$589.44) street trees on Wyndham Street. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.
2. Prior to the preparation of plans, the applicant is to contact Community Services - Park Planning to coordinate a site visit for site staking with appropriate staff from the Conservation Authority and the City. The plans must identify the top of bank, Regional storm floodline, stable valley slope, and/or woodland boundary/dripline to the satisfaction of the pertinent Conservation Authority and the City.
3. All lands below the greatest environmental constraint at the rear of the property (top-of-bank, long-term stable slope, or natural features), including any associated buffers, shall be gratuitously dedicated to the City for conservation purposes to the satisfaction of the Conservation Authority and City.

The proposed greatest environmental constraint shall be consistent with the Greenlands Overlay which are designated Significant Natural Area in the Mississauga Official Plan. The Greenlands Overlay also applies to lands within the Regulatory Floodplain, Special Policy Areas and the Lake Ontario Waterfront as identified in the Official Plan. Deviation from this established framework may require additional studies to assess the environmental impact on the Natural Heritage System.

The lands to the rear of the property are identified as Significant Natural Area within the City's Natural Heritage System. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:

- a) ensuring that development in or adjacent to the Natural Heritage System protects and maintains the natural heritage features and their ecological functions through such means as tree preservation, appropriate location of building envelopes, grading, landscaping...;
- b) placing those areas identified for protection, enhancement, restoration and expansion in public ownership, where feasible.

City of Mississauga Memorandum



The subject property is located directly adjacent to Significant Natural Hazard Lands known as the Credit River. Placing the natural hazard lands into public ownership will strengthen the connection to Credit River and contribute to the protection and enhancement of the Natural Heritage System.

4. A 1.5 metre high, black vinyl chain-link fence shall be built to current municipal standards, along City Owned lot lines. The fencing is to be located 0.15 metres inside the lands to be dedicated to the City.
5. The applicant shall provide securities for the fencing in the amount of \$8,750.00. The fencing will be erected and maintained to the satisfaction of the Community Services Department - Park Planning Section. Gates will not be permitted in the fence.
6. Submit a draft Reference Plan identifying the lands to be dedicated to the City.
7. Submit a Site Servicing Plan and Grading Plan that is to the satisfaction of the Community Services Department.
8. Prior to Greenlands dedication, the Applicant is to provide written confirmation that the Transportation and Works Department has received and approved Phase 1 and Phase 2 (if required) Environmental Site Assessment Report (ESA), together with a Record of Site Condition (RSC) for these dedicated lands. Both sets of documents are to be prepared, signed, dated and sealed by a Professional Engineer.

In addition, Community Services notes the following:

1. Payment for street tree fees and charges can be made at the Parks and Forestry customer service counter located at 950 Burnhamthorpe Road West in the form of a certified cheque, bank draft, or money order payable to the City of Mississauga.
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.
3. The applicant shall address conditions required by the City of Mississauga's Transportation and Works Department prior to the issuance of final consent.

Should further information be required, please contact Jim Greenfield, Park 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

January 3, 2020

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
January 23rd, 2020**

Consent Application: B-005/20
Development Engineering: Camila Marczuk (905) 791-7800 x8230

There is a Regional sanitary sewer easement on the subject property (retained lands). Please be advised that unauthorized encroachments on Regional easements will not be permitted. Certain restrictions apply with respect to Regional easements as per the documents registered on title.

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

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

January 3, 2020

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
 January 23rd, 2020**

Minor Variance Applications: A-025/20, A-026/20
Development Planning: Tracy Tang (905) 791-7800 x7190

Please be notified that the majority 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

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: Wednesday, December 18, 2019 3:37 PM
To: Committee Adjustment
Subject: B5/20 - 905-20-017 - 185 Wyndham St.
Attachments: 905-20-017.pdf

Dear Sir/Madam,

RE : B5/20

- Severance Application
- 185 Wyndham St.

Subsequent to review by our Engineering Department, Bell Canada confirms that we have no objections with the proposed Severance.

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

Best regards,

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

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-01-10	File(s): 'B' 72/19, 'A' 432/19 & 'A' 433/19 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-01-23

Consolidated Recommendation

- The City does not object to the approval of the consent and associated minor variance applications. The applicant may choose to defer the application to ensure that additional variances are not required.

Application Details

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot and minor variances.

The parcel of land (file B72/19) has a frontage of approximately 6.51m (21.36ft) and an area of approximately 281.0sq.m (3,024.76sq.ft).

A minor variance is requested for the Severed lands (file A433/19) proposing:

- A lot frontage of 6.51m (approx. 21.36ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 6.80m (approx. 22.31ft) in this instance;
- A building height measured to the eaves of 7.50m (approx. 24.61ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance; and
- A dwelling depth of 22.60m (approx. 74.15ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance.

A minor variance is requested for the Retained lands (file A432/19) proposing:

- A lot frontage of 6.44m (approx. 21.13ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 6.80m (approx. 22.31ft) in this instance;
- A building height measured to the eaves of 7.50m (approx. 24.61ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance; and

City Department and Agency Comments	File: "B' 72/19, 'A' 432/19 & 'A' 433/19	2020/01/10	2
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3. A dwelling depth of 22.60m (approx. 74.15ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance.

Amendments

"[Enter amendments to variances]"

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent
- The variance application approved under File(s) "[Enter file #]" must be finalized
- "[Enter terms and conditions here]"

Recommended Conditions and/or Terms of minor variance

- Variance(s) approved under file(s) "[Enter file #]" shall lapse if the consent application under file "[Enter file #]" is not finalized within the time prescribed by legislation.
- "[Enter terms and conditions here]"

Background

Property Address: 5 Pine Avenue North

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: RM7-5 (Residential)

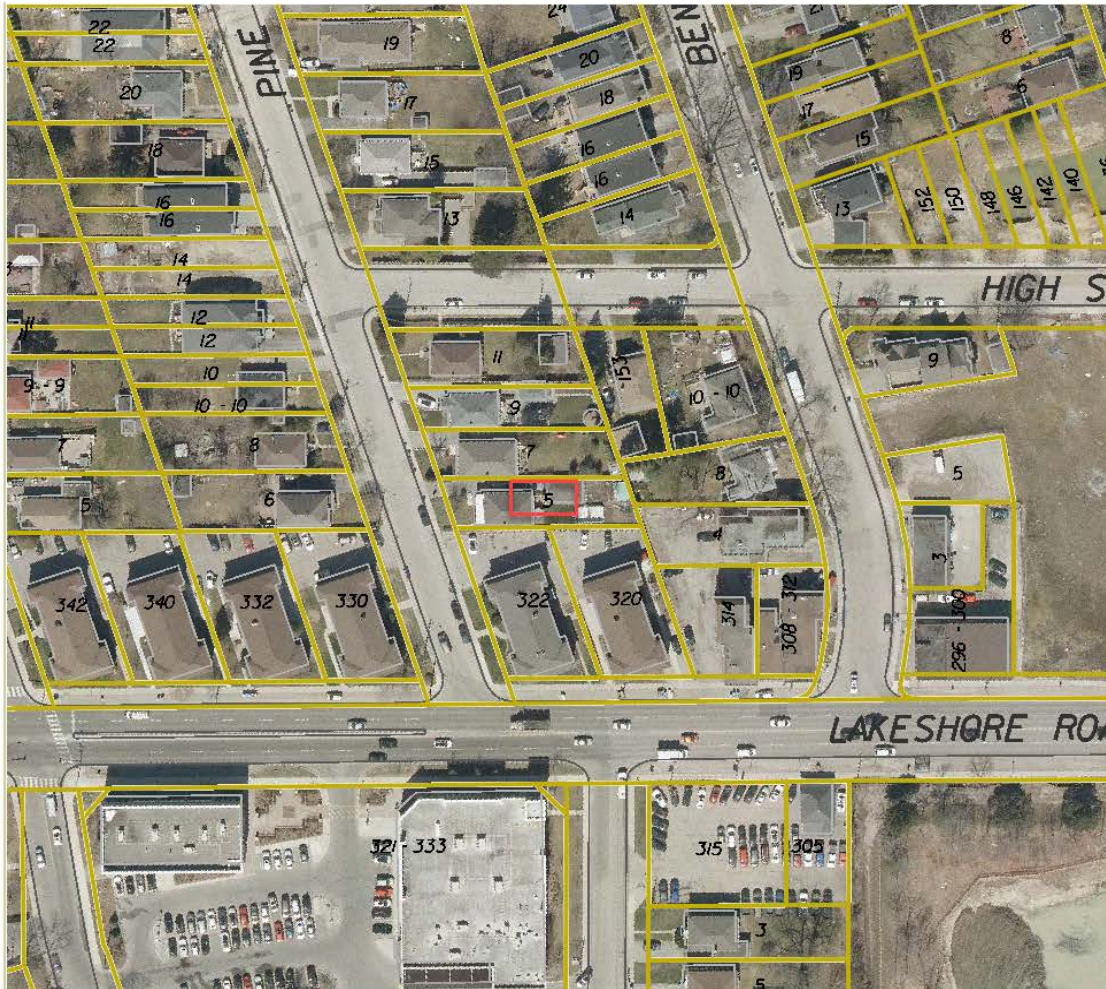
Other Applications

Pre-Application: 19-7598

Site and Area Context

City Department and Agency Comments	File: "B" 72/19, 'A' 432/19 & 'A' 433/19	2020/01/10	3
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The subject property is located within the Port Credit Neighbourhood Character Area, west of Mississauga Road and Lakeshore Road West. Currently the subject property contains a detached dwelling and detached garage with little mature vegetation. The surrounding area includes a mix of residential uses, including detached and semi-detached and apartment dwellings with little mature vegetation. Commercial uses are also present along Lakeshore Road West. The applicant proposes to sever the lot for the purpose of constructing semi-detached dwellings which requires variances related to lot frontage, eave height and dwelling depth.



Comments

Planning

Planning Act

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

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

Staff comments concerning the consent application are as follows:

The retained parcel proposes a lot frontage of approximately 6.44 m and lot area of 270 m². The severed parcel proposes a lot of approximately frontage of 6.51 m and lot area of 281 m². The zoning by-law requires a lot frontage of 6.80 m and lot area of 200 m².

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

The subject property is designated "Residential Low Density II" in Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached and duplex, triplex and other forms of low rise dwellings with individual frontages. The official plan policies for lands within the Port Credit Neighbourhood Character Area are contained within the Port Credit Local Area Plan and are within the North Residential Neighbourhood precinct (Shawnmarr/Indian Heights). Lands within the North Residential Neighbourhoods are predominately stable residential areas that allow for infill development that are compatible with and enhance the existing character of the area. The zoning by-law allows for a mix of residential uses and lot sizes, creating an eclectic lot fabric within the immediate and broader neighbourhood. The proposed consent application is consistent with the existing lot fabric consisting of lot frontages ranging from approximately +/- 6.80 m to +/- 14 m.

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

Provincial Matters

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

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

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

As per Section 9.5.1.1 (Context) of MOP, buildings and site design will be compatible with site conditions, the surrounding context and landscape of the existing or planned character of the area. The proposed dwellings are compatible with the surrounding neighbourhood and will not negatively impact the abutting properties. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

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

The remaining variances have been amended to an eave height of 7.32 m and a dwelling depth of 22.60 m. The intent of the zoning by-law was to reduce the overall massing of a flat roof compared to a sloped roof as well as minimizing impacts of long walls on neighbouring lots. In this instance, the overall height maintains the provisions within the zoning by-law. The proposed dwelling maintains an overall height of 8.69 m measured to the sloped roof, less than the permitted 9.50, mitigating the overall impact of the increased eave height and maintaining a human scale. Regarding the proposed dwelling depth, it is measured from the projecting garage to the rear of the dwelling. The second storey of the dwelling is setback from the garage projection creating a depth of 20.99 m thereby, minimizing the impact of a continuous long wall. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

The proposed frontages maintain the general character of the immediate area and are appropriate for the purpose of developing semi-detached dwellings. The increased eave height will not negatively impact the character of the neighbourhood as the overall dwelling height is less than what the by-law permits reducing the pitch of the roof, mitigating the eave height. Furthermore, the overall dwelling height maintains the provisions contained within zoning by-law. Regarding the increased dwelling depth, the second storey only has a depth of 20.99 m and is setback from the front face of the dwelling, mitigating the overall impact of the increased

City Department and Agency Comments	File: "B" 72/19, 'A' 432/19 & 'A' 433/19	2020/01/10	7
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depth. Staff is of the opinion that the applications represent orderly development of the lands and are minor in nature.

Conclusion

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 applications to verify the accuracy of the requested variances and ensure no additional variances are required.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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

A. Items Required Prior to the Issuance of Final Consent

1. Overall Grading and Drainage Plan

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

2. Municipal Address Requirement

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

B. GENERAL INFORMATION

1. Lot Grading and Drainage

We advise the applicant that issuance of any building permits for the new dwelling(s) will be subject to the owner submitting a certified lot grading and drainage plan to this Department for review/approval. The grading and drainage

plan is to contain sufficient detail to ensure grading compatibility with the adjacent properties. In addition, the owner will be required to submit the applicable lot grading and municipal services protection deposits.

2. Servicing

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

3. Access

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

4. Storm Sewer Outlet

The applicant is advised that the storm sewer outlet for these lands is the existing 525mm dia. Storm sewer on Pine Ave. North.

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

D. Martin

Supervisor, Development Engineering South

905-615-3200, ext. 5833

City Department and Agency Comments	File: "B" 72/19, 'A' 432/19 & 'A' 433/19	2020/01/10	10
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Comments Prepared by: Dave Martin

Appendix 2 – Zoning Comments

The Planning and Building Department is currently processing a pre-application under file 19-7598. Based on review of the information currently available, variances #1 as requested on both applications are correct. We advise that more information is required to verify the accuracy of the requested variances or determine whether additional variances will be required.

Comments Prepared by: Jeanine Benitez, Zoning Examiner

Appendix 3 – Community Services

The Park Planning Section of the Community Services Department has reviewed the above noted consent application, should the application be approved, Community Services wishes to impose the following conditions:

1. The applicant shall provide a cash contribution of \$589.44 for the planting of one (1) street tree on Pine Avenue North. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.

In addition, Community Services notes the following:

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

Comments Prepared by: Jim Greenfield

Appendix 4 – Region of Peel Comments

Comments for Informational Purposes:

Deferred Consent Application: DEF-B-072/19

City Department and Agency Comments	File: "B" 72/19, 'A' 432/19 & 'A' 433/19	2020/01/10	11
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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 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

Regional Planning staff have reviewed the applications listed on the January 23rd, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-432/19, DEF-A-433/19

Minor Variance Applications: A-013/20, A-014/20, A-018/20, A-019/20, A-021/20, A-022/20, A-023/20, A-024/20, A-027/20

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

City Department and Agency Comments	File: "B" 72/19, 'A' 432/19 & 'A' 433/19	2020/01/10	12
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Comments Prepared by: Tracy Tang

Date: January 13th, 2020

File: C of A – 'A' 13/20
(Ward 11 – 5150 Amana Place)

Agenda: January 23rd, 2020

New Item

Recommendation

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

Background

Mississauga Official Plan

Character Area: Central Erin Mills Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3 (Residential)

Other Applications:

Building Permit: 19-7626

Comments

Zoning

The Building Department is currently processing a Building Permit application under file 19-7626. Based upon review of this application, this Department notes that the variances, as requested, are correct.

Planning

The subject property is located north-east of the Eglinton Avenue West and the Mississauga Road intersection, and currently houses a two-storey, detached dwelling with an attached front-

loaded garage. The immediate area consists primarily of detached dwellings of a mixed architectural design, with newer development in the form of replacement dwellings supplanting a once-shared 1990's residential subdivision style. Planning Staff note, the subject property is adjacent to a large converted detached dwelling currently operating as a Restaurant.

The subject property is an interior parcel, with a lot area of 706.31m², and a lot frontage of 22.6m. Planning Staff note the presence of both an existing rear yard deck, and detached accessory structure, also in the rear.

The Applicant is proposing to construct a rear yard addition (sunroom), replacing a portion of the existing deck. As a result of the proposed design, the Applicant is required to seek the following relief from By-law 0225-2007, as amended, permitting:

1. A lot coverage of 41.9% of the lot area; whereas, By-law 0225-2007, as amended, permits a maximum lot coverage of 35.0% of the lot area, in this instance; and,
2. A rear yard of 5.52m; whereas, By-law 0225-2007, as amended, requires a minimum rear yard of 7.5m, in this instance.

The site is located within the Central Erin Mills 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. 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. Despite the requested variances, the Applicant's proposal maintains regard for the overall distribution of massing on the property as a whole, with the proposed sunroom replacing a portion of the existing deck. Further, it is the opinion of Planning Staff that the application serves to pose no discernible impact to the landscape of the character area, with no identifiable additional undue impact resultant of the proposed construction. The variances, as requested, meet the purpose and general intent of the Official Plan.

As per Zoning By-law 0225-2007, the subject property is zoned R3 (Residential). Pursuant to Table 4.2.1(5.0) (R1 to R5 Permitted Uses and Zone Regulations), the Zoning By-law permits a maximum lot coverage of 35.0%; whereas, the Applicant has proposed 41.9%. 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, no subsequent variances are required as it pertains to either building height or the associative setback regulations. Further, were the combined area associated with the deck (a structural feature that does not lend itself to "true massing") or the remotely located shed (+/- 32.7m²) — removed from this calculation, the proposed lot coverage (37.3%) is only marginally larger than that which is permitted as-of-right (35.0%). As such, it is the opinion of Planning Staff that no additional undue impact is created as a result of the proposed construction. Variance 1, as requested, maintains the purpose and general intent of the Zoning By-law.

Pursuant to Table 4.2.1(9.0), a detached dwelling is required to maintain a rear yard setback of 7.5m; whereas, the Applicant has requested 5.5m. 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 the proposed construction will encroach closer into the rear yard than setback regulations currently allow; Planning Staff note, the proposed amendment is marginal, especially in view of the overall size of the rear yard; and that such relief occurs at a pinch point, with the majority of the structure far exceeding zoning regulations. Further, the most adversely impacted area of the proposed sunroom's location is the neighbouring restaurant's parking area, where potential overlook and privacy issues are inherently mitigated. Variance 2, as requested, maintains the purpose and general intent of the Zoning By-law.

Planning Staff note, despite the variances required, the property is appropriately sized to accommodate the proposed sunroom feature. 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. 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 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 requested.

Date: January 13th, 2020

File: C of A – 'A' 14/20
(Ward 9 – 6181 Starfield Crescent)

Agenda: January 23rd, 2020

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

Background

Mississauga Official Plan

Character Area: Meadowvale Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM1 (Residential)

Other Applications:

Pool Permit: 19-121

Comments

Zoning

The Building Department is currently processing a Pool Permit application under file 19-121. Based upon review of this application, Staff notes that the variance, as requested, is correct; however, Staff advises that more information is needed to determine whether additional variance(s) will be required.

Planning

The Applicant is proposing to install an in-ground swimming pool within the rear yard of their property. As a result of both the proposed location of the pool, as well as the adjacent neighbouring G1 Zone, the Applicant is required to seek the following relief from By-law 0225-2007, as amended, permitting:

1. A rear yard setback to a G1 Zone of 1.5m; whereas, By-law 0225-2007, as amended, requires a minimum rear yard setback to a G1 Zone of 5.0m, in this instance.

Through a detailed review, 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. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Date: January 13th, 2020

File: C of A – 'A' 21/20
(Ward 6 – 1480 Britannia Road West)

Agenda: January 23rd, 2020

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

Background

Mississauga Official Plan

Character Area: East Credit Neighbourhood
Designation: Residential Medium Density

Zoning By-law 0225-2007

Zoning: **RM4-65** (Residential)

Other Applications:

None

Comments

Zoning

This Department 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 variance(s) or determine whether additional variance(s) may be

required. It should be noted that the variance(s), as requested, have been reviewed based on information provided however a zoning review has not been completed.

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 3.1m 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 40% 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 40% landscaped area, in this instance.

Planning Staff note, Committee has recently approved similar relief through 'A' 389/19.

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: January 13th, 2020

File: C of A – 'A' 23/20
(Ward 11 – 28 Ellesboro Drive)

Agenda: January 23rd, 2020

New 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: Streetsville Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R2-50 (Residential)

Other Applications:

Building Permit: 19-8278

Comments

Zoning

The Building Department is currently processing a Building Permit application under file 19-8278. 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 subject property is located north-east of the Britannia Road West and the Queen Street North intersection, and currently houses a two-storey, detached dwelling with an attached front-loaded garage. The immediate area consists primarily of detached dwellings of a mixed architectural design, with a handful of newer development in the form of replacement dwellings supplanting a once-shared 1950's residential bungalow style. The subject property is an interior parcel, with a lot area of 921.29m², and a frontage of +/- 16.8m.

The Applicant is proposing to demolish the existing detached dwelling and replace it with a larger one. As a result of the proposed design, the Applicant is required to seek the following relief from By-law 0225-2007, as amended, permitting:

1. A lot coverage of 31.2% of the lot area; whereas, By-law 0225-2007, as amended, permits a maximum lot coverage of 25.0% of the lot area, in this instance; and,
2. A building height measured to the eaves of 6.98m; whereas, By-law 0225-2007, as amended, permits a maximum building height, measured to the eaves of 6.4m, in this instance.

The site is located within the Streetsville 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. 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. Further, despite the requested variances, the Applicant's proposal has regard for the overall distribution of massing on the property, as a whole, and remains compatible with the existing landscape of the character area. The variances, as requested, meet the purpose and general intent of the Official Plan.

As per Zoning By-law 0225-2007, the subject property is zoned R2-50 (Residential). Pursuant to Table 4.2.3.50 (1) (R2 Exception Zones), the Zoning By-law permits a maximum lot coverage of 25.0%; whereas, the Applicant has proposed 31.2%. The general intent of this portion of the By-law is to ensure that individual lots are not visibly and disproportionately developed as it pertains to the overall size of the property. Staff note, no subsequent variances are required as it pertains to the associative setback regulations. Further, were the combined area associated with the front covered porch, rear covered patio, and attached pergola (+/- 55.9m²) – structural features that do not lend themselves to “true massing” – removed from this calculation, the proposed lot coverage (24.9%) is within zoning regulations. As such, it is the opinion of Planning Staff that no additional undue impact is created as a result of the requested variance. Variance 1, as requested, maintains the purpose and general intent of the Zoning By-law.

The Applicant has requested an alteration to the permitted maximum building height, measured to the eaves, of 0.58m (6.98m to average grade). The intent of this regulation is to govern both the overall height of the building, as well as the interior storey height for structures that utilize a

slopped roof – where in the absence of such regulations, resultant 1 or 2 storey dwellings can become overbearing from a streetscape perspective. While the Applicant is proposing a slopped roof, the designed pitch remains appropriate. Further, Planning Staff note the incorporation of first storey roof elements which serve to break up the height of the structure. Finally, no variances have been requested for overall building height. Variance 2, as requested, maintains the purpose and general intent of the Zoning By-law.

Despite the requested variances, the proposed dwelling is in scale with the overall property as a whole and, does not result in the over massing of the site. 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. As such, this application 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 variances, as requested, meet the general intent and purpose of both MOP and 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 requested.

Date: January 13th, 2020

File: C of A – 'A' 27/20
(Ward 11 – 0 Main Street)

Agenda: January 23rd, 2020

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

Background

Mississauga Official Plan

Character Area: Streetsville Community Node
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C4 (Commercial)

Other Applications:

None

Comments

Zoning

The referenced use was previously approved; as such, this Department has no objections to the continued use as proposed in this minor variance application.

Planning

The subject property is located upon the north-east corner of Main Street and Queen Street South, within Special Site 5 of the “Streetsville Community Node” Character Area. The immediate neighbourhood is primarily commercial retail units; however, within the broader context of the area, mid-rise apartment units and detached dwellings are also prevalent. The “Mixed Use” designation permits, amongst other uses, restaurant services. Special Site 5 prohibits drive-through facilities as a permitted use.

The Applicant is proposing the continued operation of the existing patios located upon the untraveled portion of the Main Street road allowance.

In this regard, we note that the Committee previously approved outdoor patios for the subject property within the Main Street road allowance under Applications 'A' 212/02, 'A' 221/06, 'A' 171/10, and 'A' 356/14.

For the most recent application, this Department stated that we had no objection to the request, subject to conditions restricting music; operating times; patio furniture removal during patio off-season; and, receipt of a letter from Realty Services indicating that satisfactory arrangements have been made with respect to the use of the municipal road allowance.

Further, in order to ensure that the new patio does not impede pedestrian traffic on the sidewalk, a standard 1.80m setback is required from the edge of the sidewalk curb. Based upon the Site Plan provided by the Applicant, it appears that the patios will continue to provide sufficient area for the purposes of pedestrian traffic.

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:

1. The patio on the property shall close at 11:00 p.m. Sunday through Thursday and 12:00 a.m. (midnight) on Friday and Saturday;
2. No live music shall be permitted on the patio;
3. All patio furniture shall be removed from the patio during the patio off-season;
4. Approval of the patio shall be for a temporary period of five (5) years and shall expire and terminate on or before November 30, 2019; and,
5. The Committee of Adjustment office shall be in receipt of a letter from the Corporate Serviced Department - Realty Services Section, confirming satisfactory arrangements have been made with respect to the use of the untraveled portion of the municipal road allowance.

Date: January 13th, 2020

File: C of A – 'A' 207/19
(Ward 5 – 1180 Aerowood Drive)

Agenda: January 23rd, 2020

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: Northeast Employment Area
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2-19 (Employment)

Other Applications:

Occupancy Permit: 18-211

Comments

Zoning

The Building Department is currently processing an Occupancy Permit application under file 18-211. 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 north-east of the Matheson Boulevard East and Tomken Road intersection, and currently houses a two-storey, +/-4,109m² industrial structure. The neighbourhood context is exclusively industrial, with a multitude of employment uses within the immediate area. The properties along this portion of Aerowood Drive are situated on large parcels, with lot frontages ranging from +/-30m to +/-95m.

The Applicant is proposing to repurpose the existing structure to accommodate the operation of a commercial motor vehicle sales facility. No exterior or structural changes are proposed to the building. As a result of the proposed conversion, the Applicant is required to seek the following relief to address existing non-compliant deficiencies, permitting:

1. 128 parking spaces; whereas, By-law 0225-2207, as amended, requires a minimum 168 parking spaces, in this instance;
2. A one-way aisle width adjacent to angled parking of 3.1m; whereas By-law 0225-2007, as amended, requires a minimum one-way aisle width of 5.5m, in this instance;
3. A setback from a G-1 Zone for a parking area of 3.90m; whereas By-law 0225-207, as amended, requires a minimum setback from a G-1 Zone for a parking area of 7.50m, in this instance; and,
4. To permit the outdoor display/storage of a maximum of 30 commercial motor vehicles on required parking; whereas By-law 0225-207, as amended, requires that parking cannot be used for the display/storage of commercial motor vehicles, in this instance.

This application was brought before the Committee four times; once on May 30th, 2019; then again on June 20th, 2019; then on September 19, 2019; and finally on November 21, 2019, under application 'A' 207/19. Initially, Committee deferred this application to allow the Applicant the opportunity to meet with the Toronto Region Conservation Authority (TRCA) to address environmental concerns. After further review, TRCA had requested a Geotechnical Assessment be completed to determine the long-term stable top of slope. Review of this Report has now been completed to TRCA's satisfaction. More recently, the Applicant deferred this application to incorporate the required variance for the display/storage area of motor vehicles.

The site is located within the Northeast Employment Area Character Area, and designated Business Employment by the Mississauga Official Plan (MOP). Pursuant to Section 11.2.11(n) (Business Employment), this designation shall permit Motor Vehicle Commercial Uses. The Applicant's proposal of a commercial motor vehicle sales facility meets the general intent and purpose of the Official Plan.

As per Zoning By-law 0225-2007, the subject property is zoned E2-19 (Employment). In accordance with Tables: 3.1.2.2 (Required Number of Parking Spaces for Non-Residential Uses); 3.1.1.5 (Aisles); and, 2.1.17.1(2.0) (Setback to Greenlands Zones - Non-Residential), this zone regulates the quantity of parking spaces, required aisle width, and rear yard setback to a G-1 zone, for this site.

Parking Area and Reduction (Variances 1 and 4)

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, 168 parking spaces are required; whereas, the Applicant is providing 128. As per the Parking Utilization Study (Nextrans, May/9/2019) submitted by the Applicant, the proposed 128 parking spaces are suitable to adequately accommodate the peak parking demands of the subject site. Variance 1 maintains the purpose and general intent of the Zoning By-law. Further, even with the parking of 30 commercial motor vehicles within the required parking areas, this site remains self-sufficient.

As per the Parking Utilization Study provided, the subject property is both well serviced by the public transit system and has ample room to accommodate the proposed parking. The structure remains self-sufficient, with the majority of parking handled on-site, and the requested variance serving to pose no significant negative impact on the surrounding neighbourhood, from a parking perspective. Variances 1 and 4, as requested, result in both the orderly development of the lands, and whose impacts are minor in nature.

Aisle Width Reduction (Variance 2)

The Zoning By-law requires a minimum one-way aisle width of 5.5m; whereas, the Applicant has proposed 3.1m. The intent of this portion of the By-law is to ensure that a sufficient turning radius is maintained for internal circulation. Staff note, the requested variance is identified at the site's narrowest point, along the one-way parking lane, and not at the turning radius of the building, which is 12.87m. While 3.1m remains deficient from a Zoning By-law perspective, this distance nevertheless provides a sufficient turning radius for typical motor vehicles and does not hinder internal circulation. Variance 2, as requested, maintains the purpose and general intent of the Zoning By-law.

In consultation with Municipal Urban Designers and Landscape Architects, the proposed layout is appropriate to suitably accommodate internal circulation. Staff note, the variance in-question is more technical in nature as the deficient one-way aisle width is measured to the western property line, and does not include the area identified through an easement agreement with the adjacent property which prohibits development and provides additional area for vehicle maneuvering. Variance 2, as requested, results in both the orderly development of the lands, and whose impacts are minor in nature.

Setback to G-1 Zone (Variance 3)

The Zoning By-law requires a setback for a parking area from a G-1 Zone of 7.5m; whereas, the Applicant has proposed 3.9m. The intent of this portion of the By-law is to ensure that any proposed development will not have significant or lasting negative impacts on the neighbouring environmentally sensitive lands. Satisfactory evidence has now been provided to TRCA, in this regard; with such a body identifying no concerns. Variance 3, as requested, maintains the purpose and general intent of the Zoning By-law in protecting these environmental features.

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

http://teamsites.mississauga.ca/sites/18/CofA/Comments/2020/January/Jan 23/RV_jan 23.docx

City of Mississauga Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: January 10, 2020

RE: Takebacks – January 23, 2020 – 1:30 pm
File - C.A. Agendas

Re: **C.A. 'A' 13/20**
Ram & Anu Shrivats
5150 Amana PI
Ward 11

This department has no objections to the applicant's request. Should Committee see merit in the proposed sunroom addition we would request that the addition be equipped with an eavetrough and the down spout(s) be directed so as not to impact on any adjacent properties.

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



A 13/20





Public Works

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

peelregion.ca

January 3, 2020

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
 January 23rd, 2020**

Dear Mr. Kenney,

Regional Planning staff have reviewed the applications listed on the January 23rd, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-432/19, DEF-A-433/19

Minor Variance Applications: A-013/20, A-014/20, A-018/20, A-019/20, A-021/20, A-022/20, A-023/20, A-024/20, A-027/20

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: January 13th, 2020

File: C of A – 'A' 14/20
(Ward 9 – 6181 Starfield Crescent)

Agenda: January 23rd, 2020

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

Background

Mississauga Official Plan

Character Area: Meadowvale Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM1 (Residential)

Other Applications:

Pool Permit: 19-121

Comments

Zoning

The Building Department is currently processing a Pool Permit application under file 19-121. Based upon review of this application, Staff notes that the variance, as requested, is correct; however, Staff advises that more information is needed to determine whether additional variance(s) will be required.

Planning

The Applicant is proposing to install an in-ground swimming pool within the rear yard of their property. As a result of both the proposed location of the pool, as well as the adjacent neighbouring G1 Zone, the Applicant is required to seek the following relief from By-law 0225-2007, as amended, permitting:

1. A rear yard setback to a G1 Zone of 1.5m; whereas, By-law 0225-2007, as amended, requires a minimum rear yard setback to a G1 Zone of 5.0m, in this instance.

Through a detailed review, 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. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

City of Mississauga Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: January 10, 2020

RE: Takebacks – January 23, 2020 – 1:30 pm
File - C.A. Agendas

Re: **C.A. 'A' 14/20**
Brad Comrie & Amanda McMurdo
6181 Starfield Cres
Ward 9

This department has no objections to the applicant's request for the reduction in a rear yard setback to a G1 Zone. We have enclosed photos of the existing rear yard and also of the abutting Lake Wabukayne Trail located in the G1 Zone (photo taken from Winston Churchill Blvd).

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



A 14/20





A 14/20

City of Mississauga
Memorandum



DATE: January 10, 2020

FILE: "A" 14/20

SUBJECT: MINOR VARIANCE APPLICATION
6181 STARFIELD CRESCENT
BRAD COMRIE & AMANDA MCMURDO
WARD 9
JANUARY 23, 2020 PUBLIC HEARING OF THE COMMITTEE OF ADJUSTMENT

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

1. The lands to the rear of the property are City owned lands, identified as Windwood Park Trail and zoned G-1. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:
 - a) ensuring that development in or adjacent to the Natural Heritage System protects and maintains the natural heritage features and their ecological functions through such means as tree preservation,..., grading, landscaping...;

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

1. The applicant will be required to submit a pool permit for review by City Staff.
2. Stockpiling, construction access and encroachment of construction materials in the adjacent park is not permitted.

Should further information be required, please contact Jim Greenfield, Park 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

January 3, 2020

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
 January 23rd, 2020**

Dear Mr. Kenney,

Regional Planning staff have reviewed the applications listed on the January 23rd, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-432/19, DEF-A-433/19

Minor Variance Applications: A-013/20, A-014/20, A-018/20, A-019/20, A-021/20, A-022/20, A-023/20, A-024/20, A-027/20

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:

City Department and Agency Comments

Date Finalized: 2020-01-10	File(s): 'A' 15/20 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-01-23

Consolidated Recommendation

- The City does not object to the approval of the minor variance application. However, the applicant may choose to defer the application to ensure that no additional variances are required.

Application Details

The Property owner of 1433 Myron Drive, zoned R3-75 – Residential, has applied for a Minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to allow the construction of a two storey dwelling proposing:

- A dwelling depth of 22.28m (approx. 73.10ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (approx. 65.62ft) in this instance;
- A building height measured to a flat roof of 9.38m (approx. 30.77ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 7.50m (approx. 24.61ft) in this instance;
- A building height measured to the eaves of 7.46m (approx. 24.48ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance; and
- A southerly side yard of 0.91m (approx. 2.99ft) whereas By-law 0225-2007, as amended, requires a minimum southerly side yard of 1.20m (approx. 3.94ft) in this instance.

Amendments

"[Enter amendments to variances]"

Recommended Conditions and Terms

"[Enter terms and conditions here]"

Background

Property Address: 1433 Myron Drive

Mississauga Official Plan

Character Area: Lakeview Neighbourhood

Designation: Residential Low Density I

Zoning By-law 0225-2007

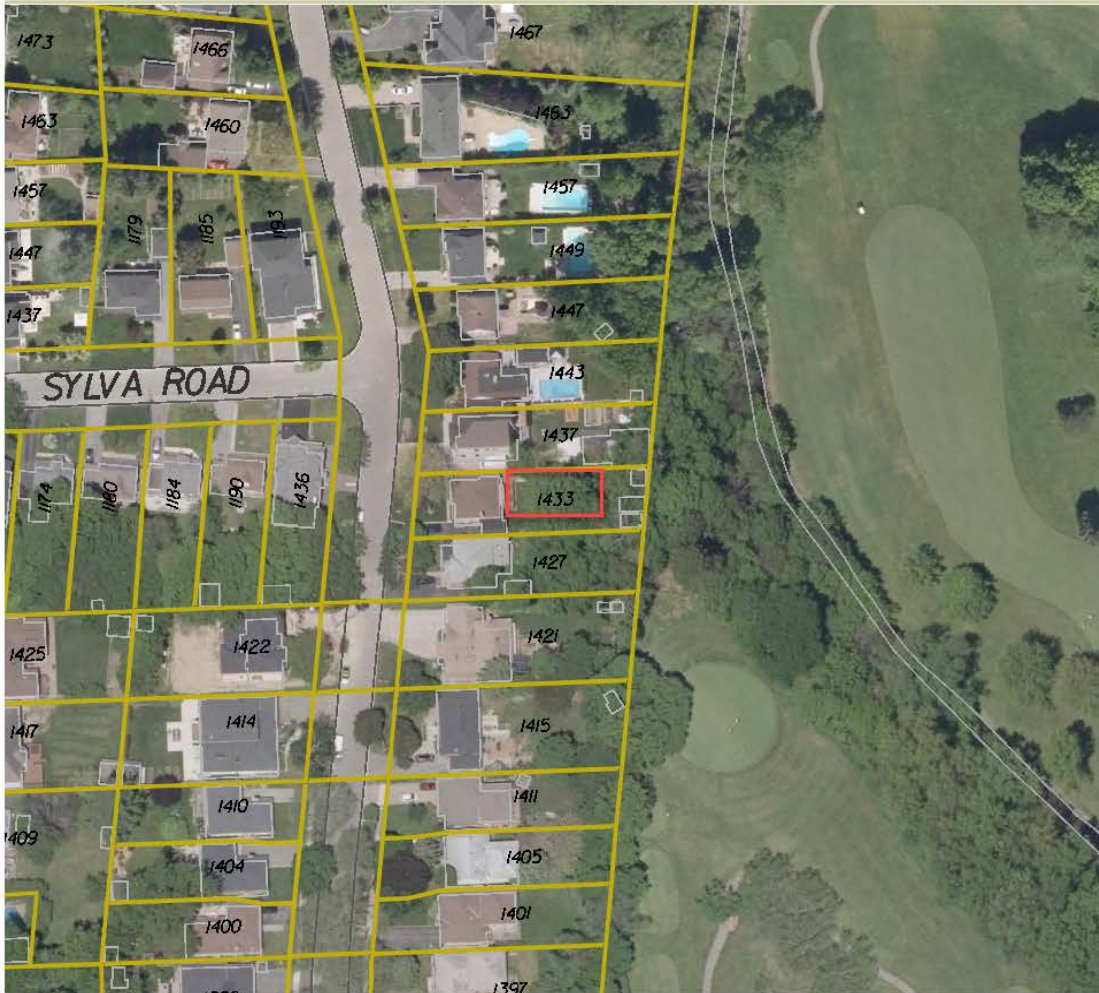
Zoning: R3-75 (Residential)

Other Applications

Pre-Application: 19-8356

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, southwest of South Service Road and Dixie Road. The neighbourhood consists of one and two storey detached dwellings with mature vegetation. The subject property contains a one storey dwelling with a mature tree in the front yard. The application proposes a new two storey dwelling, requiring variances related to dwelling depth, flat roof height, eave height, and southerly side yard setback.



Comments

Planning

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

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

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

The subject property is designated "Residential Low Density I" in Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached and duplex dwellings. The official plan policies for lands within the Lakeview Neighbourhood Character Area are contained within the Lakeview Local Area Plan and are within the Serson Terrace boundary of the Central Residential Neighbourhood Precinct. The proposed detached dwelling respects the designated land use, and has regard for the distribution of massing on the property as a whole. The proposed application maintains the general intent and purpose of the official plan.

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

The application proposes a dwelling depth of 22.28 m whereas a maximum dwelling depth of 20 m is permitted. The intent of the by-law is to minimize impacts of long walls on neighbouring lots as a direct result of the building massing. In this instance, the proposed dwelling depth is a result of the ground floor due to the projecting garage and rear deck. Although the rear deck is covered, it is open on all sides and does not have any additional massing concerns to the neighbouring property. Furthermore, the second storey has a depth of 20.80 m, due to a bedroom located above the garage. The remaining portion of the second storey has a depth of 17.45 m, mitigating the impact of a long continuous wall. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #2 and 3 propose an increase in flat roof height and height to the eaves. 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, the intent of the eave height regulation was to lessen the visual massing of a dwelling, bringing the edge of the roof closer to the ground, keeping the dwelling within a human scale. In this instance, due to the design of the dwelling, the flat roof is measured to the architectural feature in the front façade of the dwelling. This architectural feature makes up approximately 25% of the front façade, mitigating the overall impact of the flat roof. The remaining portion of the roof is sloped and maintains a height of 9.50 m, thereby, lessening the overall impact of the increased eaves. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Regarding variance #4, the application proposes a southerly side yard of 0.91 m whereas 1.20 m is permitted. The general intent of this provision of the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties, and that access to the rear yard ultimately remains unencumbered. In this instance, the side yard is only deficient on the southerly portion of the property due to the garage encroaching further into the side yard. The remaining portion of the southerly side yard maintains a setback of 1.81 m. Additionally, the northerly side yard maintains setback of 1.22 m, providing for sufficient access to the rear yard. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

The variances maintain the existing and planned character of the neighbourhood as the proposal will not have any additional undue impact to the character streetscape. The increased dwelling depth is due to the projecting garage and rear covered deck. The second storey has an overall depth of 20.80 m, mitigating any massing concerns of a long continuous wall to abutting properties. The increased flat roof height is contained to one portion of the front façade of the dwelling and does not continue throughout the entire roofline of the dwelling. The remaining portion of the dwelling has a sloped roof height of approximately 9.50 m, mitigating the impact of the increased eave height. Regarding the reduced side yard, the deficiency is measured to the garage while the remaining portion of the dwelling maintains the required side yard, preserving access to the rear yard. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

Conclusion

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

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed 2 storey dwelling will be addressed through the Building Permit process.

D. Martin

Supervisor Development Engineering South

905-615-3200 ext. 5833

Comments Prepared by: Dave Martin

Appendix 2 – Zoning Comments

The Planning and Building Department is currently processing a preliminary zoning application under file 19-8356. Based on review of the information currently available for this building permit, we advise that the following variances should be amended as follows:

1. A dwelling unit depth of 22.28m (approx. 73.10ft); whereas By-law 0225-2007, as amended, permits a maximum dwelling unit depth of 20.00m (approx. 65.62ft) in this instance;
2. A height of 9.38m (approx. 30.77ft) measured to the top of the flat roof; whereas By-law 0225-2007, as amended, permits a maximum height of 7.50m (approx. 24.61ft) measured to the top of a flat roof in this instance;
3. A height of 7.46m (approx. 24.48ft) measured to the eaves; whereas By-law 0225-2007, as amended, permits a maximum height of 6.40m (approx. 21.00ft) measured to the eaves in this instance; and
4. A southerly side yard of 0.91m (approx. 2.99ft) measured to the first storey; whereas By-law 0225-2007, as amended, requires a minimum southerly side yard of 1.20m (approx. 3.94ft) measured to the first storey in this instance.

City Department and Agency Comments	File: 'A' 15/20	2020/01/10	7
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It should be noted that more information is required pertaining to the second kitchen located in the basement.

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 3 – Region of Peel Comments

Minor Variance Application: A-015/20

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

Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please call our Site Servicing Technicians at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca

Development Planning: Tracy Tang (905) 791-7800 x7190

Please be advised that the rear edge of the subject property is located within an area the Regional Official Plan (ROP) designates as Potential Natural Areas and Corridors (PNAC) woodland in the Region's Greenlands System, under Policy 2.3.2. The subject land is also located within the limits of the regulated area of the Credit Valley Conservation (CVC). Within these designations, ROP policies seek to protect environmental resources. The Region relies on the environmental expertise of the CVC for the review of applications located within or adjacent to Greenlands Systems in Peel and their potential impacts on the natural environment. Regional Planning staff therefore, request that the Committee and city staff consider comments from the CVC and incorporate their conditions of approval appropriately.

Comments Prepared by: Tracy Tang



December 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. A 20/015
Municipality File No. A 15/20
Saba Al Mathno
1433 Myron Drive
Part of Lot 7, Concession 2 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.

December 3, 2019

Re: CVC File No. A 20/015
Municipality File No. A 15/20
Saba Al Mathno
1433 Myron Drive
Part of Lot 7, Concession 2 SDS
City of Mississauga

SITE CHARACTERISTICS:

The subject property is regulated due to floodplain associated with Applewood Creek. In addition, the property is located adjacent to the City of Mississauga Natural Heritage System (NAS) and is located within an area subject to the CTC Source Protection Plan. 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 applicant requests the Committee to approve a minor variance to allow the construction of a two storey dwelling proposing:

1. A dwelling depth of 22.28 m (approx. 73.10 ft) whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00 m (approx. 65.62 ft) in this instance;
2. A building height measured to a flat roof of 9.38 m (approx. 30.77 ft) whereas By-law 0225-2007, as amended, permits a maximum building height of 7.50 m (approx. 24.61 ft) in this instance;
3. A building height measured to the eaves of 7.46 m (approx. 24.48 ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40 m (approx. 21.00 ft) in this instance; and
4. A southerly side yard of 0.91 m (approx. 2.99 ft) whereas By-law 0225-2007, as amended, requires a minimum southerly side yard of 1.20 m (approx. 3.94 ft) in this instance.

COMMENTS:

Based on the review of the information, CVC staff have **no concerns** and **no objection** to the approval of this minor variance by the Committee at this time.

December 3, 2019
Re: CVC File No. A 20/015
Municipality File No. A 15/20
Saba Al Mathno
1433 Myron Drive
Part of Lot 7, Concession 2 SDS
City of Mississauga

It should be noted that CVC staff issued a clearance for the proposed dwelling on November 12, 2019.

Please circulate CVC any future correspondence regarding this application.

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

Sincerely,



Elizabeth Paudel
Technician, Planning

Cc: Saba Al Mathno
saba@qbsarchitects.com (via email)

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-01-10	File(s): 'A' 20/20 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-01-23

Consolidated Recommendation

- The City does not object to the approval of the minor variance application.

Application Details

The Property owner of 1197 Strathy Avenue, zoned R3-75 - Residential, has applied for a Minor variance under Section 45 of the Planning Act. The applicant requests the Committee to approve a minor variance to permit the construction of a new house on the subject property proposing:

1. A lot coverage of 40.00% (297.16sq.m) of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% (260.67sq.m) of the lot area in this instance;
2. A side yard of 1.38m (approx. 4.27ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.94ft) in this instance;
3. A building height measured to the eaves of 7.34m (approx. 24.10ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.4m (approx. 21.00ft) in this instance;
4. An eave encroachment into the side yard of 0.61m (approx. 2.00ft) whereas By-law 0225-2007, as amended, permits a maximum eave encroachment into the side yard of 0.45m (approx. 1.48ft) in this instance;
5. Window well encroachment of 0.96m (approx. 3.14ft) whereas By-law 0225-2007, as amended, permits a maximum window well encroachment of 0.61m (approx. 2.00ft) in this instance; and
6. Stairs to be located in the side yard, whereas By-law 0225-2007, as amended, does not permit stairs to be located in the side yard in this instance.

Amendments

"[Enter amendments to variances]"

Recommended Conditions and Terms

"[Enter terms and conditions here]"

Background

Property Address: 1197 Strathy Avenue

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

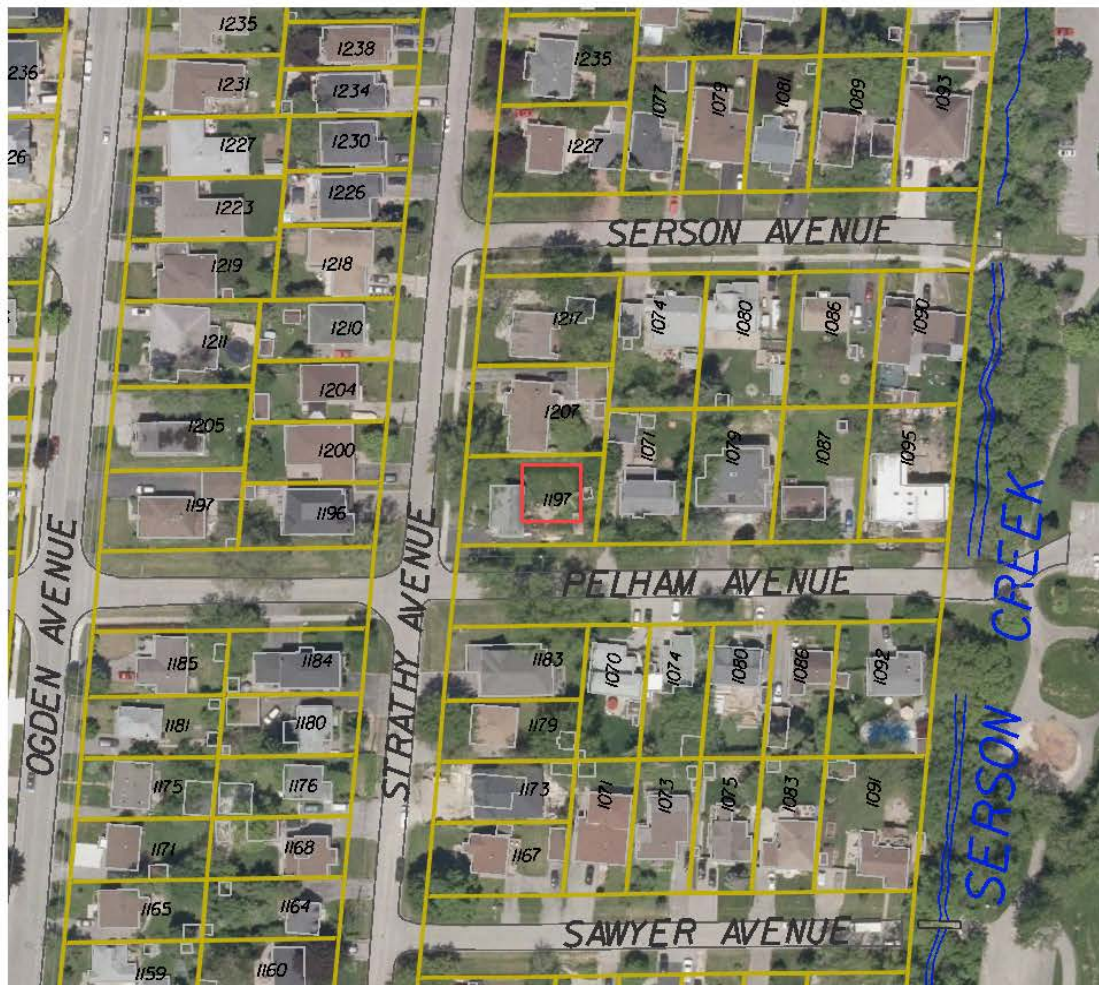
Zoning: R3-75 (Residential)

Other Applications:

Pre-Application: 19-7292

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, southwest of Atwater Avenue and Serson Park. The neighbourhood consists of one and two storey detached dwellings with mature vegetation. The subject property contains a one storey detached dwelling with mature vegetation in the front and rear yards. The application proposes a new two storey dwelling requiring variances related to lot coverage, eave height and encroachment, window well encroachment and stairs to be located in the side yard.



Comments

Planning

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

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

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

The subject property is designated "Residential Low Density II" in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached, semi-detached and duplex, triplex and other forms of low rise dwellings with individual frontages. The official plan policies for lands within the Lakeview Neighbourhood Character Area are contained within the Lakeview Local Area Plan and are within the Cawthra Village boundary of the Central Residential Neighbourhood Precinct. Pursuant to Section 10.3 of the Lakeview Local Area Plan, new housing within Lakeview should maintain the existing character of the area. The proposed detached dwelling is consistent with the residential land use designation and has regard for the distribution of massing on the property as a whole. The application maintains the general intent and purpose of the official plan.

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

The application proposes a lot coverage of 40% whereas a maximum lot coverage of 35% is permitted. The intent in restricting lot coverage is to ensure that there isn't overdevelopment of the lot. In this instance, a majority of the lot coverage is contributed to the rear deck and overhang of the eaves. The dwelling itself has a lot coverage of approximately 29%. In the total lot coverage calculation, if the eave overhang was excluded, the dwelling would have a lot coverage of 33%, less than the required 35%. The proposed eave overhangs do not contribute to any additional massing of the dwellings. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

The application proposes an eave encroachment of 0.61 m whereas 0.45 m is permitted. The intent of this portion of the by-law is to ensure that eaves are sufficiently setback from all property lines for maintenance purposes. The application proposes an additional eave encroachment of 0.16 m which is a minor deviation from the zoning by-law and would not create additional undue impact to neighbouring lots and can also be sufficiently maintained. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #2 proposes a side yard of 1.38 m whereas 1.81 m is permitted and variance #5 proposes a window well encroachment 0.96 m whereas 0.61 m is permitted. The general intent of the provisions within the by-law is to ensure that an adequate buffer exists between the

massing of primary structures on adjoining properties, and that access to the rear yard ultimately remains unencumbered. The proposed setback of 1.38 m maintains sufficient access to the rear yard and will not have a negative impact to the neighbouring property. Although the window well encroachment may impede access to the rear yard, access will be maintained on exterior side of the dwelling. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #3 proposes an increased height measured to the eaves of 7.34 m whereas a maximum height of 6.40 m is permitted. The intent of restricting height to the eaves is to lessen the visual massing of dwelling and bring the edge of the roof closer to the ground, thus keeping the dwelling within a human scale. In this instance, the proposed dwelling has an overall height of 9.44 m, minimizing the impact of the increased eave height. The eave height is also measured to average grade which accounts for a portion of the increased height, mitigating the overall impact from a streetscape perspective. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Regarding variance #6, the application proposes stairs in the exterior side yard whereas stairs are not permitted in the exterior side yard. The intent of the zoning by-law in limiting this provision exclusively to the exterior side yard is to ensure that both the visual integrity of the streetscape is maintained, and that access to the rear yard ultimately remains unencumbered. The existing below grade entrance is enclosed entirely within privacy-fencing, posing no discernible impact on the surrounding neighbourhood. Access to the rear yard is maintained through the remaining 4.97 m exterior side yard. Staff is of the opinion that the general intent and purpose of the zoning by-law

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

The proposed variances maintain the existing and planned area context. The proposed dwelling footprint has a lot coverage of approximately 29%. The increased lot coverage is mainly due to the overhang of the eaves which does not add significant massing to the dwelling, thereby, minimizing the impact of the overall lot coverage. Furthermore, the reduced side yard and window well encroachment do not negatively impact the neighbouring property as the proposed dwelling is sufficiently setback to the interior lot line. Access to the rear yard may be obstructed due to the window well on the northerly side yard; however, access to the rear yard can be maintained on the exterior side yard. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

Conclusion

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

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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

D. Martin

Supervisor Development Engineering South

905-615-3200 ext. 5833

Comments Prepared by: Dave Martin

Appendix 2 – Zoning Comments

The Planning and Building Department is currently processing a building permit application under file 19-7292. Based on review of the information currently available for this building permit, the variances, as requested are correct.

Comments Prepared by: Jeanine Benitez, Zoning Examiner

Appendix 3 – Forestry and Parks

"[Enter Community Services staff comments]"

Comments Prepared by: 36T

Appendix 4 – Heritage

"[Enter Community Services staff comments]"

Comments Prepared by: 36T

Appendix 5 – Region of Peel Comments**Minor Variance Application: A-020/20**

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

Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please call our Site Servicing Technicians at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca

Development Planning: Tracy Tang (905) 791-7800 x7190

Please be advised that the subject property is located within the limits of the regulated area of the Credit Valley Conservation (CVC). Within these designations, ROP policies seek to protect environmental resources. The Region relies on the environmental expertise of the CVC for the review of applications located within or adjacent to 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

Comments Prepared by: 36T

Appendix 6- Conservation Authority Comments

"[Entert CA comments]"

Comments Prepared by: 36T

City of Mississauga

Memorandum:

City Department and Agency Comments

Appendix 7 – "[Enter other agency name]"

"[Enter other agency comments]"

Comments Prepared by: 36T

Schedule 1

Conditions

- None



Date: January 13th, 2020

File: C of A – 'A' 21/20
(Ward 6 – 1480 Britannia Road West)

Agenda: January 23rd, 2020

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

Background

Mississauga Official Plan

Character Area: East Credit Neighbourhood
Designation: Residential Medium Density

Zoning By-law 0225-2007

Zoning: **RM4-65** (Residential)

Other Applications:

None

Comments

Zoning

This Department 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 variance(s) or determine whether additional variance(s) may be

required. It should be noted that the variance(s), as requested, have been reviewed based on information provided however a zoning review has not been completed.

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 3.1m 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 40% 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 40% landscaped area, in this instance.

Planning Staff note, Committee has recently approved similar relief through 'A' 389/19.

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: January 10, 2020

RE: Takebacks – January 23, 2020 – 1:30 pm
File - C.A. Agendas

Re: COMMITTEE OF ADJUSTMENT - January 23, 2020

This Department has no objections, comments or requirements with respect to C.A. 'A' 207/19 & 'A' 21/20.

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

January 3, 2020

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
 January 23rd, 2020**

Dear Mr. Kenney,

Regional Planning staff have reviewed the applications listed on the January 23rd, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-432/19, DEF-A-433/19

Minor Variance Applications: A-013/20, A-014/20, A-018/20, A-019/20, A-021/20, A-022/20, A-023/20, A-024/20, A-027/20

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



A 21/20



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-01-10	File(s): 'A' 22/20 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-01-23

Consolidated Recommendation

- The City does not object to the approval of the minor variance application. However, the applicant may choose to defer the application to ensure that no additional variances are required

Application Details

The applicant requests the Committee to approve a minor variance to permit rear yard additions on the subject property proposing:

1. A northerly side yard of 2.35m (approx. 7.71ft), whereas By-law 0225-2007, as amended, requires a minimum northerly side yard of 2.40m (approx. 7.87ft) in this instance;
2. A rear yard of 4.90m (approx. 16.07ft) measured to a second storey addition whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.61ft) in this instance; and
3. A rear yard of 5.00m (approx. 16.40ft) measured to a first storey addition whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.61ft) in this instance.

Amendments

"[Enter amendments to variances]"

Recommended Conditions and Terms

"[Enter terms and conditions here]"

Background

Property Address: 1470 Chriseden Drive

Mississauga Official Plan

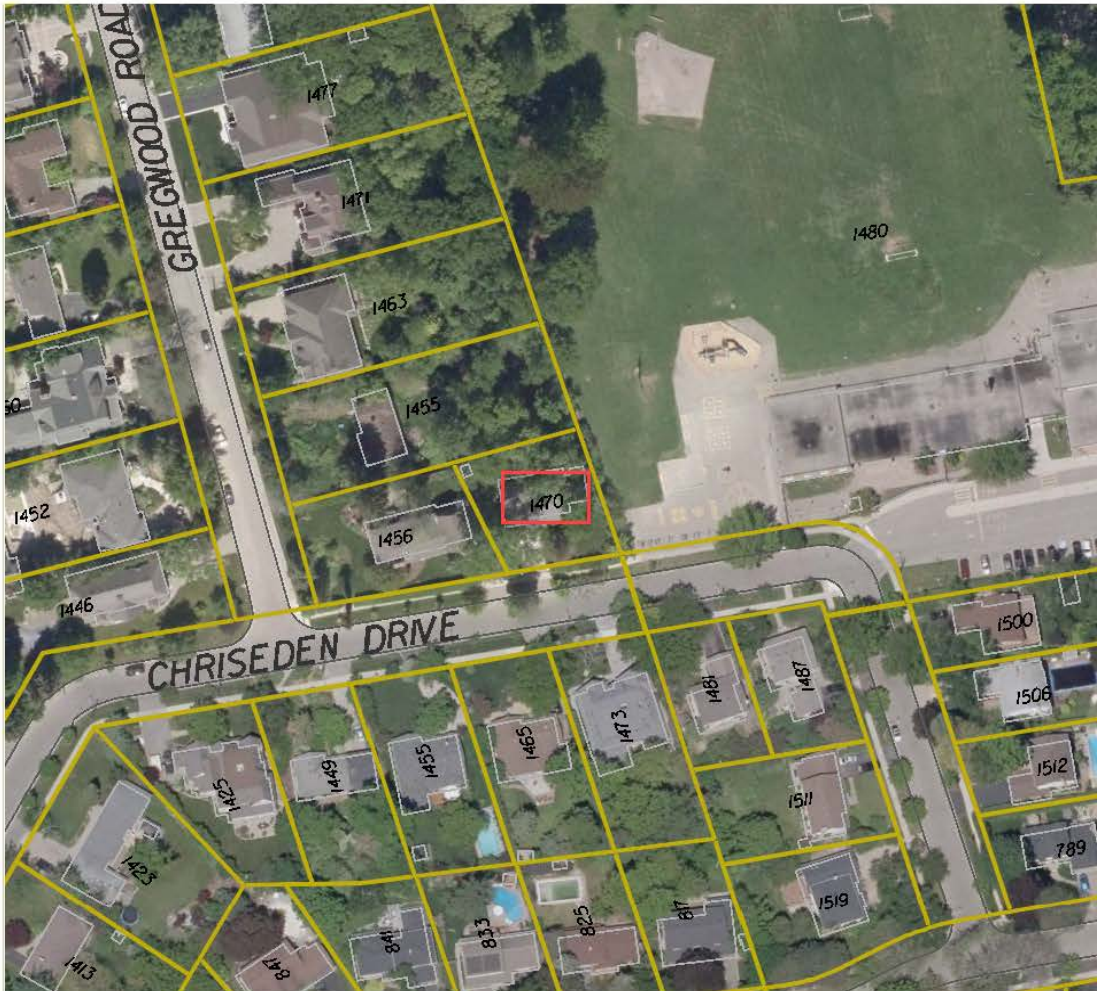
Character Area: Clarkson-Lorne Park Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R2-4 (Residential)

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, northeast of Indian Road and Woodeden Drive. The neighbourhood consists of one and two storey detached dwellings with mature vegetation. Immediately abutting the subject property to the east is Tecumseh Public School. The subject property contains an existing split level dwelling with significant mature vegetation. The application proposes a one and two storey addition in the rear yard requiring variances related to deficient side and rear yard setbacks.



Comments

Planning

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

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

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

The 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. As per Section 9.5.1.1 (Context) of MOP, buildings and site design will be compatible with site conditions, the surrounding context and landscape of the existing or planned character of the area. The application proposes a one storey addition on the rear easterly side of the dwelling and a two storey addition on the rear westerly side of the dwelling. The proposed additions do not continue along the entire rear of the existing dwelling. The proposed additions respect the designated land use and have regard for the distribution of massing on the property as a whole. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

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

The application proposes a side yard setback of 2.35 m whereas 2.40 m is required. The general intent of this provision of the by-law is to ensure that an adequate buffer exists between the massing of primary structures on adjoining properties, and that access to the rear yard ultimately remains unencumbered. In this instance, the reduced side yard is a minor deviation from the zoning by-law and will not have any additional undue impact from what the by-law permits, preserving access to the rear yard. Furthermore, the remaining portion of the dwelling maintains a greater setback than the required provision within the zoning by-law, mitigating any visual impact the addition may have. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variances #2 and 3 relate to deficient rear yard setbacks measured to the proposed additions. The intent of the rear yard setback is to ensure that both an adequate buffer exists between the massing of primary structures on adjoining properties, as well as create an appropriate amenity area within the rear yard. The proposed additions are located on the rear corners of the existing dwelling and do not continue along the entire rear façade of the dwelling, preserving an appropriate rear yard amenity space and maintaining a sufficient buffer to abutting properties. Additionally, only one of the additions will be two storeys, mitigating any massing concerns to the abutting properties. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

The proposed additions will not restrict access to the rear yard as the deficient side yard setback is a minor deviation from the zoning by-law. The interior side and rear yard contains significant mature vegetation, mitigating any massing concerns to abutting properties. Furthermore, the proposed additions do not continue along the entire rear façade of the dwelling, thereby maintaining a sufficient setback to the abutting property and preserving rear yard amenity space. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

Conclusion

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 ensure that no additional variances are required.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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

D. Martin

Supervisor Development Engineering South

905-615-3200 ext. 5833

Comments Prepared by: Dave Martin

Appendix 2 – Zoning Comments

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 a zoning review has not been completed.

Comments Prepared by: Sandra Morrison, Zoning Examiner

Appendix 3 – Region of Peel Comments

"[Enter Region of Peel comments]"

Comments Prepared by: 35T

A 22/20



Date: January 13th, 2020

File: C of A – 'A' 23/20
(Ward 11 – 28 Ellesboro Drive)

Agenda: January 23rd, 2020

New 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: Streetsville Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R2-50 (Residential)

Other Applications:

Building Permit: 19-8278

Comments

Zoning

The Building Department is currently processing a Building Permit application under file 19-8278. 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 subject property is located north-east of the Britannia Road West and the Queen Street North intersection, and currently houses a two-storey, detached dwelling with an attached front-loaded garage. The immediate area consists primarily of detached dwellings of a mixed architectural design, with a handful of newer development in the form of replacement dwellings supplanting a once-shared 1950's residential bungalow style. The subject property is an interior parcel, with a lot area of 921.29m², and a frontage of +/- 16.8m.

The Applicant is proposing to demolish the existing detached dwelling and replace it with a larger one. As a result of the proposed design, the Applicant is required to seek the following relief from By-law 0225-2007, as amended, permitting:

1. A lot coverage of 31.2% of the lot area; whereas, By-law 0225-2007, as amended, permits a maximum lot coverage of 25.0% of the lot area, in this instance; and,
2. A building height measured to the eaves of 6.98m; whereas, By-law 0225-2007, as amended, permits a maximum building height, measured to the eaves of 6.4m, in this instance.

The site is located within the Streetsville 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. 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. Further, despite the requested variances, the Applicant's proposal has regard for the overall distribution of massing on the property, as a whole, and remains compatible with the existing landscape of the character area. The variances, as requested, meet the purpose and general intent of the Official Plan.

As per Zoning By-law 0225-2007, the subject property is zoned R2-50 (Residential). Pursuant to Table 4.2.3.50 (1) (R2 Exception Zones), the Zoning By-law permits a maximum lot coverage of 25.0%; whereas, the Applicant has proposed 31.2%. The general intent of this portion of the By-law is to ensure that individual lots are not visibly and disproportionately developed as it pertains to the overall size of the property. Staff note, no subsequent variances are required as it pertains to the associative setback regulations. Further, were the combined area associated with the front covered porch, rear covered patio, and attached pergola (+/- 55.9m²) – structural features that do not lend themselves to “true massing” – removed from this calculation, the proposed lot coverage (24.9%) is within zoning regulations. As such, it is the opinion of Planning Staff that no additional undue impact is created as a result of the requested variance. Variance 1, as requested, maintains the purpose and general intent of the Zoning By-law.

The Applicant has requested an alteration to the permitted maximum building height, measured to the eaves, of 0.58m (6.98m to average grade). The intent of this regulation is to govern both the overall height of the building, as well as the interior storey height for structures that utilize a

slopped roof – where in the absence of such regulations, resultant 1 or 2 storey dwellings can become overbearing from a streetscape perspective. While the Applicant is proposing a slopped roof, the designed pitch remains appropriate. Further, Planning Staff note the incorporation of first storey roof elements which serve to break up the height of the structure. Finally, no variances have been requested for overall building height. Variance 2, as requested, maintains the purpose and general intent of the Zoning By-law.

Despite the requested variances, the proposed dwelling is in scale with the overall property as a whole and, does not result in the over massing of the site. 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. As such, this application 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 variances, as requested, meet the general intent and purpose of both MOP and 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 requested.

City of Mississauga Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: January 10, 2020

RE: Takebacks – January 23, 2020 – 1:30 pm
File - C.A. Agendas

Re: C.A. 'A' 23/20
Suzanne Dub
28 Ellesboro Dr.
Ward 11

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for this property 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.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

January 3, 2020

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
 January 23rd, 2020**

Dear Mr. Kenney,

Regional Planning staff have reviewed the applications listed on the January 23rd, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-432/19, DEF-A-433/19

Minor Variance Applications: A-013/20, A-014/20, A-018/20, A-019/20, A-021/20, A-022/20, A-023/20, A-024/20, A-027/20

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:

City Department and Agency Comments

Date Finalized: 2020-01-10 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): 'A' 24/20 Ward: 1
	Meeting date: 2020-01-23

Consolidated Recommendation

- The City does not object to the approval of the minor variance #3, however, recommend that variances #1 and 2 be refused. The applicant may choose to defer the application to confirm the accuracy of the requested variances.

Application Details

The property owner of 70 Park Street West, zoned RM4-64 – Residential, has applied for a Minor variance under Section 45 of the Planning Act. The applicant request the Committee to approve a minor variance to allow a widened driveway proposing:

- A setback to a side lot line measured to a driveway of 0.00m whereas By-law 0225-2007, as amended, requires a minimum setback to a side lot line measured to a driveway of 0.60m (approx. 1.97ft) in this instance;
- A setback to a rear and side lot line measured to hard surface landscape material of 0.00m whereas By-law 0225-2007, as amended, requires a minimum setback of rear and side lot line measured to hard surface landscape material of 0.61m (approx. 2.00ft) in this instance; and
- A driveway width of 6.22m (approx. 20.41ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width the lesser of 6.10m (approx. 20.01ft) or 45% (approx. 5.03m) of the lot frontage in this instance.

Amendments

"[Enter amendments to variances]"

Recommended Conditions and Terms

"[Enter terms and conditions here]"

Background

Property Address: 70 Park Street West

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (West)

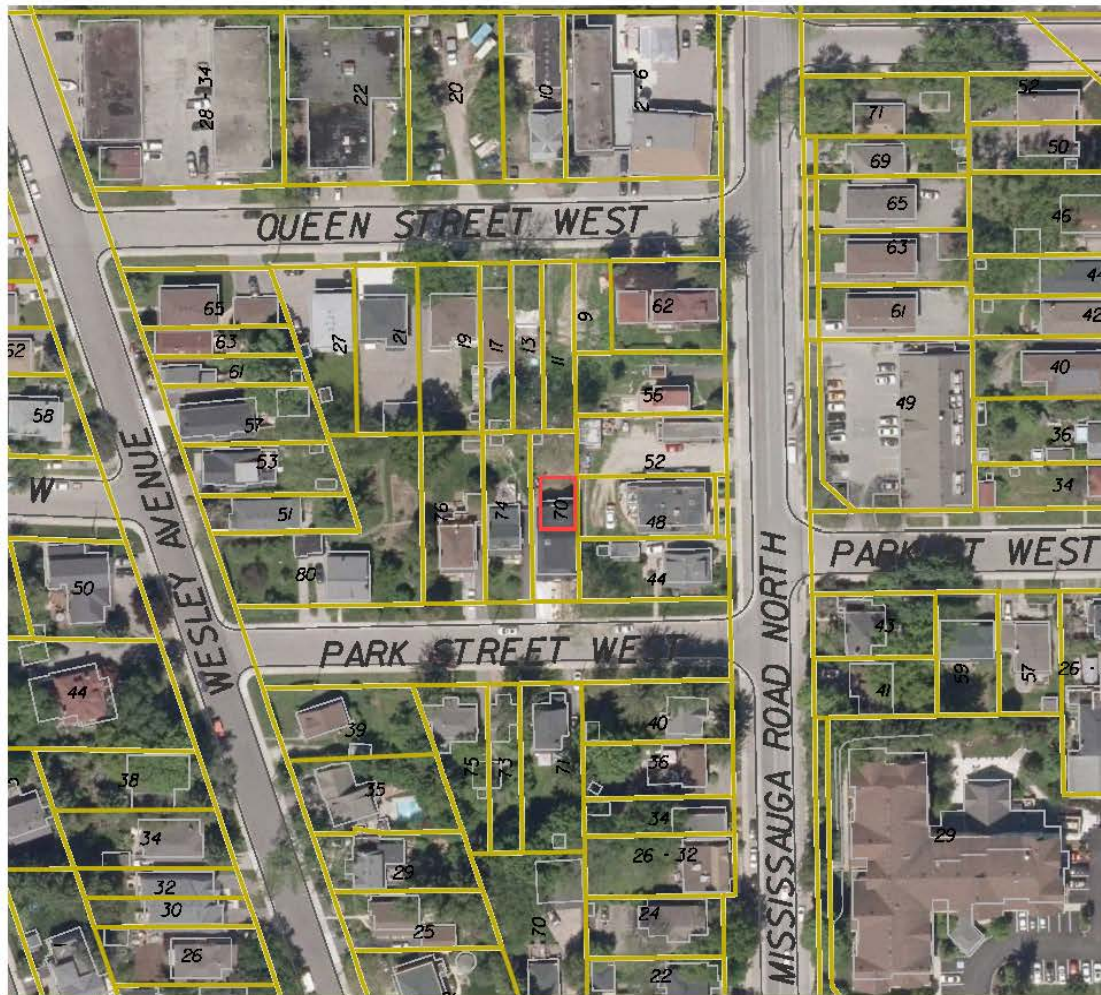
Designation: Residential Medium Density

Zoning By-law 0225-2007

Zoning: RM4-64 (Residential)

Site and Area Context

The subject property is located within the Port Credit Neighbourhood Character Area, north of Mississauga Road and Lakeshore Road West. The neighbourhood consists of one and two storey detached dwellings with mature vegetation. The subject property contains a two storey detached dwelling, with a mature tree in the front yard. The application proposes an increased driveway width and deficient backs related to the driveway and hardscaping within the rear yard.



Comments

Planning

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

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

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

The subject property is designated "Residential Medium Density" in Schedule 10 of the Mississauga Official Plan (MOP) which permits all forms of townhouses. The official plan policies for lands within the Port Credit Neighbourhood Character Area are contained within the Port Credit Local Area Plan and are within the North Residential Neighbourhood precinct (Shawnmarr/Indian Heights). As per Section 9.5.2 (Site Development), elements on a site should contribute to achieving the City's vision and the intended character for the area and while incorporating stormwater best management practices. Variances #2 and 3 create an undesirable condition as drainage may not be self-contained to the subject property and may fall over onto the neighbouring property. Staff is of the opinion that variances #1 and 2 do not maintain the general intent and purpose of the official plan.

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

The application proposes a driveway width of 6.22 m whereas 6.10 m is permitted. Through discussions with the Zoning examiner, the RM4-64 exception zone states that detached dwellings shall comply with the R15 zone regulations. Within the R15 zone regulations, the maximum driveway width shall be the lesser of 8.5 m or 50% of the lot frontage. In this instance, the required driveway width would be approximately 5.58 m as it is 50% of the lot frontage. The intent of the 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 the front yard being soft landscaping. While 6.22 m is larger than the permissible 5.58 m 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. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variances #2 and 3 propose 0 m setbacks whereas a minimum of 0.61 m is required. The intent of this portion of the by-law is to ensure that an adequate visual buffer exists between properties and that it is large enough to mitigate any potential drainage concerns. The proposed 0 m setbacks are insufficient in providing this buffer, as a width of 0.30 m would be required to

accommodate a swale should one be required in the future. Staff is of the opinion that the general intent and purpose of the zoning by-law is not maintained.

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

While the application proposes a driveway width greater than what the by-law contemplates, the configuration does not allow for three vehicles to be parked side by side and still provides sufficient soft landscaping. However, staff cannot support a 0 m driveway setback and 0 m rear and side yard measured to hardscaping as the width is insufficient to accommodate a drainage swale should one be required in the future and may cause concerns related to drainage. Staff is of the opinion that variance #3 represents orderly development of the lands and is minor in nature.

Conclusion

Based on the preceding information, the Planning and Building Department has no objections to variance #3, however, recommend that variances #1 and 2 be refused. The applicant may choose to defer the application to confirm the accuracy of the requested variances.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed for Committee's easy reference are photos depicting the existing driveway on the subject site.

Comments Prepared by: Dave Martin

Appendix 2 – Zoning Comments

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; we are unable to confirm the accuracy of the requested variances or determine whether additional variances may be required.

Comments Prepared by: Sandra Morrison, Zoning Examiner

Appendix 3 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the January 23rd, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-432/19, DEF-A-433/19

Minor Variance Applications: A-013/20, A-014/20, A-018/20, A-019/20, A-021/20, A-022/20, A-023/20, A-024/20, A-027/20

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

Comments Prepared by: Tracy Tang

A 24/20



A 24/20



A 24/20



Date: January 13th, 2020

File: C of A – 'A' 27/20
(Ward 11 – 0 Main Street)

Agenda: January 23rd, 2020

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

Background

Mississauga Official Plan

Character Area: Streetsville Community Node
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C4 (Commercial)

Other Applications:

None

Comments

Zoning

The referenced use was previously approved; as such, this Department has no objections to the continued use as proposed in this minor variance application.

Planning

The subject property is located upon the north-east corner of Main Street and Queen Street South, within Special Site 5 of the “Streetsville Community Node” Character Area. The immediate neighbourhood is primarily commercial retail units; however, within the broader context of the area, mid-rise apartment units and detached dwellings are also prevalent. The “Mixed Use” designation permits, amongst other uses, restaurant services. Special Site 5 prohibits drive-through facilities as a permitted use.

The Applicant is proposing the continued operation of the existing patios located upon the untraveled portion of the Main Street road allowance.

In this regard, we note that the Committee previously approved outdoor patios for the subject property within the Main Street road allowance under Applications 'A' 212/02, 'A' 221/06, 'A' 171/10, and 'A' 356/14.

For the most recent application, this Department stated that we had no objection to the request, subject to conditions restricting music; operating times; patio furniture removal during patio off-season; and, receipt of a letter from Realty Services indicating that satisfactory arrangements have been made with respect to the use of the municipal road allowance.

Further, in order to ensure that the new patio does not impede pedestrian traffic on the sidewalk, a standard 1.80m setback is required from the edge of the sidewalk curb. Based upon the Site Plan provided by the Applicant, it appears that the patios will continue to provide sufficient area for the purposes of pedestrian traffic.

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:

1. The patio on the property shall close at 11:00 p.m. Sunday through Thursday and 12:00 a.m. (midnight) on Friday and Saturday;
2. No live music shall be permitted on the patio;
3. All patio furniture shall be removed from the patio during the patio off-season;
4. Approval of the patio shall be for a temporary period of five (5) years and shall expire and terminate on or before November 30, 2019; and,
5. The Committee of Adjustment office shall be in receipt of a letter from the Corporate Serviced Department - Realty Services Section, confirming satisfactory arrangements have been made with respect to the use of the untraveled portion of the municipal road allowance.

City of Mississauga Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: January 10, 2020

RE: Takebacks – January 23, 2020 – 1:30 pm
File - C.A. Agendas

Re: **C.A. 'A' 27/20**
Corporation of the City of Mississauga (Realty Services)
0 Main St
Ward 11

This department has no objections to the applicant's request to permit the outdoor patios within the existing Main Street right-of-way. Should Committee see merit in the request we would recommend that a condition of approval be that the Committee be in receipt of a letter from the City's Realty Section confirming that the Encroachment Agreement is in place for the use of the untraveled portion of the Main Street road allowance.

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

January 3, 2020

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
 January 23rd, 2020**

Dear Mr. Kenney,

Regional Planning staff have reviewed the applications listed on the January 23rd, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-432/19, DEF-A-433/19

Minor Variance Applications: A-013/20, A-014/20, A-018/20, A-019/20, A-021/20, A-022/20, A-023/20, A-024/20, A-027/20

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: January 13th, 2020

File: C of A – 'A' 207/19
(Ward 5 – 1180 Aerowood Drive)

Agenda: January 23rd, 2020

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: Northeast Employment Area
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2-19 (Employment)

Other Applications:

Occupancy Permit: 18-211

Comments

Zoning

The Building Department is currently processing an Occupancy Permit application under file 18-211. 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 north-east of the Matheson Boulevard East and Tomken Road intersection, and currently houses a two-storey, +/-4,109m² industrial structure. The neighbourhood context is exclusively industrial, with a multitude of employment uses within the immediate area. The properties along this portion of Aerowood Drive are situated on large parcels, with lot frontages ranging from +/-30m to +/-95m.

The Applicant is proposing to repurpose the existing structure to accommodate the operation of a commercial motor vehicle sales facility. No exterior or structural changes are proposed to the building. As a result of the proposed conversion, the Applicant is required to seek the following relief to address existing non-compliant deficiencies, permitting:

1. 128 parking spaces; whereas, By-law 0225-2207, as amended, requires a minimum 168 parking spaces, in this instance;
2. A one-way aisle width adjacent to angled parking of 3.1m; whereas By-law 0225-2007, as amended, requires a minimum one-way aisle width of 5.5m, in this instance;
3. A setback from a G-1 Zone for a parking area of 3.90m; whereas By-law 0225-207, as amended, requires a minimum setback from a G-1 Zone for a parking area of 7.50m, in this instance; and,
4. To permit the outdoor display/storage of a maximum of 30 commercial motor vehicles on required parking; whereas By-law 0225-207, as amended, requires that parking cannot be used for the display/storage of commercial motor vehicles, in this instance.

This application was brought before the Committee four times; once on May 30th, 2019; then again on June 20th, 2019; then on September 19, 2019; and finally on November 21, 2019, under application 'A' 207/19. Initially, Committee deferred this application to allow the Applicant the opportunity to meet with the Toronto Region Conservation Authority (TRCA) to address environmental concerns. After further review, TRCA had requested a Geotechnical Assessment be completed to determine the long-term stable top of slope. Review of this Report has now been completed to TRCA's satisfaction. More recently, the Applicant deferred this application to incorporate the required variance for the display/storage area of motor vehicles.

The site is located within the Northeast Employment Area Character Area, and designated Business Employment by the Mississauga Official Plan (MOP). Pursuant to Section 11.2.11(n) (Business Employment), this designation shall permit Motor Vehicle Commercial Uses. The Applicant's proposal of a commercial motor vehicle sales facility meets the general intent and purpose of the Official Plan.

As per Zoning By-law 0225-2007, the subject property is zoned E2-19 (Employment). In accordance with Tables: 3.1.2.2 (Required Number of Parking Spaces for Non-Residential Uses); 3.1.1.5 (Aisles); and, 2.1.17.1(2.0) (Setback to Greenlands Zones - Non-Residential), this zone regulates the quantity of parking spaces, required aisle width, and rear yard setback to a G-1 zone, for this site.

Parking Area and Reduction (Variances 1 and 4)

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, 168 parking spaces are required; whereas, the Applicant is providing 128. As per the Parking Utilization Study (Nextrans, May/9/2019) submitted by the Applicant, the proposed 128 parking spaces are suitable to adequately accommodate the peak parking demands of the subject site. Variance 1 maintains the purpose and general intent of the Zoning By-law. Further, even with the parking of 30 commercial motor vehicles within the required parking areas, this site remains self-sufficient.

As per the Parking Utilization Study provided, the subject property is both well serviced by the public transit system and has ample room to accommodate the proposed parking. The structure remains self-sufficient, with the majority of parking handled on-site, and the requested variance serving to pose no significant negative impact on the surrounding neighbourhood, from a parking perspective. Variances 1 and 4, as requested, result in both the orderly development of the lands, and whose impacts are minor in nature.

Aisle Width Reduction (Variance 2)

The Zoning By-law requires a minimum one-way aisle width of 5.5m; whereas, the Applicant has proposed 3.1m. The intent of this portion of the By-law is to ensure that a sufficient turning radius is maintained for internal circulation. Staff note, the requested variance is identified at the site's narrowest point, along the one-way parking lane, and not at the turning radius of the building, which is 12.87m. While 3.1m remains deficient from a Zoning By-law perspective, this distance nevertheless provides a sufficient turning radius for typical motor vehicles and does not hinder internal circulation. Variance 2, as requested, maintains the purpose and general intent of the Zoning By-law.

In consultation with Municipal Urban Designers and Landscape Architects, the proposed layout is appropriate to suitably accommodate internal circulation. Staff note, the variance in-question is more technical in nature as the deficient one-way aisle width is measured to the western property line, and does not include the area identified through an easement agreement with the adjacent property which prohibits development and provides additional area for vehicle maneuvering. Variance 2, as requested, results in both the orderly development of the lands, and whose impacts are minor in nature.

Setback to G-1 Zone (Variance 3)

The Zoning By-law requires a setback for a parking area from a G-1 Zone of 7.5m; whereas, the Applicant has proposed 3.9m. The intent of this portion of the By-law is to ensure that any proposed development will not have significant or lasting negative impacts on the neighbouring environmentally sensitive lands. Satisfactory evidence has now been provided to TRCA, in this regard; with such a body identifying no concerns. Variance 3, as requested, maintains the purpose and general intent of the Zoning By-law in protecting these environmental features.

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

http://teamsites.mississauga.ca/sites/18/CofA/Comments/2020/January/Jan 23/RV_jan 23.docx

City of Mississauga Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: January 10, 2020

RE: Takebacks – January 23, 2020 – 1:30 pm
File - C.A. Agendas

Re: COMMITTEE OF ADJUSTMENT - January 23, 2020

This Department has no objections, comments or requirements with respect to C.A. 'A' 207/19 & 'A' 21/20.

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

City of Mississauga Memorandum



DATE: January 10, 2020

FILE: "A" 207/19

SUBJECT: MINOR VARIANCE APPLICATION
1180 AEROWOOD DRIVE
HARDCO REAL ESTATE HOLDINGS LTD
WARD 5
JANUARY 23, 2020 PUBLIC HEARING OF THE COMMITTEE OF ADJUSTMENT

The Park Planning Section of the Community Services Department has reviewed the above noted minor variance application and notes as follows:

- The lands to the rear of the property are identified within the City's Natural Heritage System and are classified as Natural Green Space. Park #246 (not named) abuts the subject property and should be protected and enhanced through maintaining its ecological function by such means as tree preservation, appropriate setbacks, grading and landscaping.

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

1. The applicant shall install a fence at the rear curb of the parking lot, as required by the TRCA to avoid future encroachment and protection of the adjacent City owned Natural Heritage System
2. The applicant shall provide appropriate buffer plantings/soft landscaping within the reduced setback of 3.9m from a G1 zone to the rear curb of the parking lot to the satisfaction of the TRCA and the City of Mississauga, Park Planning Section.
3. The applicant shall arrange an inspection with City Staff to confirm the buffer plantings/soft landscaping, to the satisfaction of the City of Mississauga, Park Planning Section. The request for inspection form can be found:
www.mississauga.ca/portal/business/communityservicesstandards

Should further information be required, please contact Jim Greenfield, Park 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

January 3, 2020

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
 January 23rd, 2020**

Deferred Minor Variance Application: DEF-A-207/19
Development Engineering: Camila Marczuk (905) 791-7800 x8230

There is a Regional sanitary sewer easement on the subject property. Please be advised that unauthorized encroachments on Regional easements will not be permitted. Certain restrictions apply with respect to Regional easements as per the documents registered on title.

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

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

December 12, 2019

CFN 60813.05

BY EMAIL: committee.adjustment@mississauga.ca

Mr. Sean Kenney
Committee of Adjustments
City of Mississauga
300 City Centre Drive, 2nd Floor
Mississauga, ON L5B 3C1

Dear Mr. Kenney:

**Re: Minor Variance Application A207/19 Revised
1180 Aerowood Drive
City of Mississauga
Hardco Real Estate Holdings Ltd.**

This letter will acknowledge receipt of the above noted revised application. Toronto and Region Conservation Authority (TRCA) staff have reviewed this application and provides the following comments.

Purpose of the Application

It is our understanding that the purpose of this revised application is to permit:

1. 128 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 168 parking spaces in this instance;
2. A one way aisle width adjacent to angled parking of 1.82 m (approx. 5.97ft) whereas By-law 0225-2007, as amended, requires a minimum one way aisle width adjacent to angled parking of 5.50m (approx. 18.04ft) in this instance;
3. A setback from a G1 zone to parking spaces of 3.90m (approx. 12.80ft) whereas By-law 0225-2007, as amended, requires a minimum setback from a G1 zone to parking spaces of 7.50m (approx. 24.61ft) in this instance; and
4. To permit the outdoor display/storage of a maximum of 30 commercial motor vehicles on required parking, whereas By-law 0225-2007, as amended, requires that parking cannot be used for the display/storage of commercial motor vehicles in this instance.

Recommendations

From our review of the submitted materials TRCA has **no objection** to the approval of Minor Variance A207/19.

Application Specific Comments

Ontario Regulation 166/06:

The subject lands are located partially within the TRCA's Regulated Area of the Etobicoke Creek Watershed due to the presence of a watercourse with associated flood plain to the south of the subject property. In accordance with the *Ontario Regulation 166/06 (Regulation of Development, interference with Wetlands and Alterations to Shorelines and Watercourses)*, development, interference or alteration

may be permitted in the Regulated Area where it can be demonstrated to TRCA's satisfaction that the control of flooding, erosion, dynamic beaches, pollution, or the conservation of land will not be affected.

Living City Policies (LCP):

The Living City Policies for Planning and Development in the Watersheds of the Toronto and Region Conservation Authority (LCP) describes a 'Natural System' made up of natural features and areas, water resources, natural hazards, potential natural cover and/or buffers. The LCP recommends that development not be permitted within the Natural System and that it be conveyed into public ownership for its long term protection and enhancement. The LCP also provides policies for developing adjacent to, and in, the Natural System (where permitted), while meeting natural hazard management requirements, and maintaining and enhancing the functions of the protected Natural System. These policies also seek to integrate the natural and built environments, maximizing opportunities for ecosystem services from across the entire landscape. It is these policies that guide TRCA's review of the subject application, along with those found in other Provincial and municipal plans, documents and guidelines.

Planning and Development:

It is our understanding that the applicant was granted a permit from TRCA in order to facilitate the development of an expanded parking area with 132 total parking spaces (Permit No. C-191174/Universal Truck Sales LTD). Based on our review of the submitted plans, it appears that the requested variances No. 1 and No. 2 are not consistent with the approved permit. However, it is the opinion of TRCA staff that the inconsistencies are minor. As such, TRCA staff have no concern with the proposed works, as submitted.

1. Please note that a Planting Buffer is required within the setback from the G1 Zone which is located at the west of the subject property as part of the approved TRCA Permit.

Review Fee

By copy of this letter, we thank the applicant for remitting TRCA's Planning Services Review fee of \$1,100.

Conclusion

We thank you for the opportunity to review the subject application and provide our comments as per our commenting and regulatory role. Further, we trust these comments are of assistance.

TRCA will continue to work closely with the City of Mississauga, the applicant, and their consultants to ensure that TRCA's expectations for meeting our requirements are met. Should you have any additional questions or comments, please do not hesitate to contact the undersigned.

Sincerely,



Lina Alhabash
Planner I
Planning and Development
Extension 5657
Lina.alhabash@trca.ca

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-01-10	File(s): 'A' 347/19 Ward: 1
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-01-23

Consolidated Recommendation

- The City does not object to the approval of the minor variance #1 and 2, however, recommend that variance 3 be refused. The applicant may choose to defer the application to confirm the accuracy of the requested variances.

Application Details

The applicants request the Committee to approve a minor variance to allow an attached garage on the subject property proposing:

- A southerly interior side yard of 1.05m (approx. 3.45ft) whereas By-law 0225-2007, as amended, requires a minimum southerly interior side yard of 1.80m (approx. 5.91ft) in this instance;
- A combined width of side yards of 3.05m (approx. 10.01ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 3.66m (approx. 12.01ft) in this instance; and
- A side yard measured to the closest point of the driveway of 0.20m (approx. 0.66ft) whereas By-law 0225-2007, as amended, requires a minimum side yard measured to the closest point of the driveway of 0.60m (approx. 1.97ft) in this instance.

Amendments

"[Enter amendments to variances]"

Recommended Conditions and Terms

"[Enter terms and conditions here]"

Background

Property Address: 483 Avonwood Drive

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

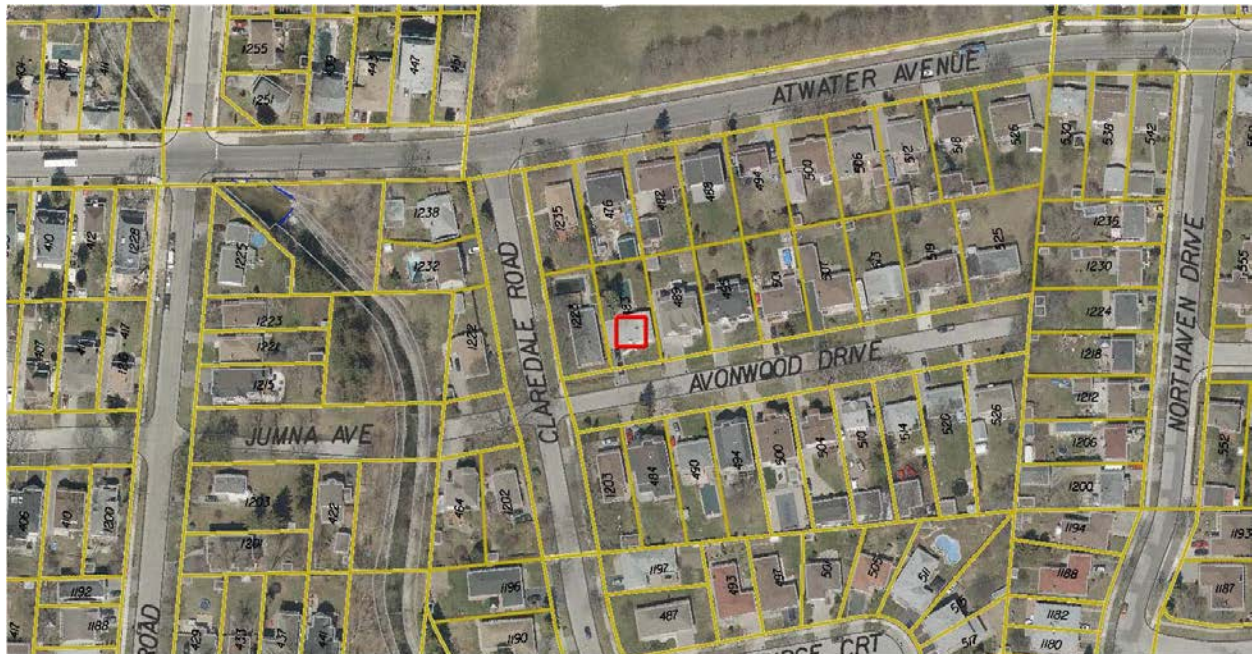
Zoning: R3-1 (Residential)
Other Applications

Building Permit: 19-7523

Site and Area Context

The subject property is located within the Port Credit Neighbourhood Character Area, north of Mississauga Road and Lakeshore Road West. The neighbourhood consists of one and two storey detached dwellings with mature vegetation. The subject property contains a two storey detached dwelling, with a mature tree in the front yard. The application proposes an increased driveway width and deficient backs related to the driveway and hardscaping within the rear yard.

The application was previously deferred from the October 24th, 2019 Committee of Adjustment hearing to address concerns regarding the driveway setback.



yard maintains the existing setback. Due to the minor deviation from the original dwelling setback, the deficient yards maintain an appropriate buffer to neighbouring lots will not create additional undue impact. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

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

The general intent of this portion of the by-law in restricting side yards and combined side yard width is to ensure that an adequate buffer exists between the massings of primary structures on adjoining properties, and that access to the rear yard ultimately remains unencumbered. In this instance, due to the attached garage, the application proposes a side yard of 1.05 m whereas 1.80 m is required, which represents a 0.12 m difference from the existing condition. The proposed variance is a minor deviation from the zoning by-law and will not negatively impact the neighbouring property. The northerly side yard will be maintained allowing for sufficient access to the rear yard. Regarding the combined side yard width, the submitted survey indicates that the existing dwelling has a combined side yard of 3.17 m whereas 3.05 m is proposed. The by-law requires a combined side yard of 3.66 m. The proposed application maintains a sufficient buffer to neighbouring lots and will not create additional undue impact from a streetscape perspective. 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 driveway setback of 0.20 m whereas a minimum setback of 0.60 m is required. The intent of this portion of the by-law is to ensure that an adequate visual buffer exists between properties and that it is large enough to mitigate any potential drainage concerns. A minimum setback of 0.30 m is required to accommodate a drainage swale, should one be required in the future. Staff is of the opinion that the variance does not meet the general intent and purpose of the by-law.

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

The proposed attached garage maintains a sufficient setback to the neighbouring lot and reflects a similar existing condition. The northerly side yard of 2 m will remain, preserving access to the rear yard. The reduced combined side yard width maintains an appropriate buffer to neighbouring lots and will not create additional undue impact from a streetscape perspective. The proposed application preserves the existing and planned character of the area and represents similar existing deficiencies. However, staff cannot support a 0.20 m driveway setback as the width is insufficient to accommodate a drainage swale should one be required in the future. Staff is of the opinion that the application excluding variance #3 represents orderly development of the lands and is minor in nature.

Conclusion

Based on the preceding information, the Planning and Building Department has no objections to variances #1 and 2, however, recommend that variance #3 be refused.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Enclosed please find pictures that show the existing garage. Should Committee see merit in the applicant's request, we ask that the existing down spout at the front of the garage be redirected towards the interior of the lot so as not to impact the rear yard of the adjacent lot.

D. Martin

Supervisor Development Engineering South

905-615-3200 ext. 5833

Comments Prepared by: Dave Martin

Appendix 2 – Zoning Comments

The Planning and Building Department is currently processing a building permit application under file 19-7523. Based on review of the information currently available for this building permit, the following variances, as requested are correct. However, more information is required to verify if additional variances are required

Comments Prepared by: Jeanine Benitez, Zoning Examiner

Appendix 3 – Region of Peel Comments

The subject land is located within the limits of the regulated area of the Credit Valley Conservation (CVC). The Region relies on the environmental expertise of the CVC for the review of development applications located within or adjacent to this regulated area in Peel and their potential impacts on the natural environment. Regional Planning staff therefore, request that the Committee and city staff consider comments from the CVC and incorporate their conditions of approval appropriately.

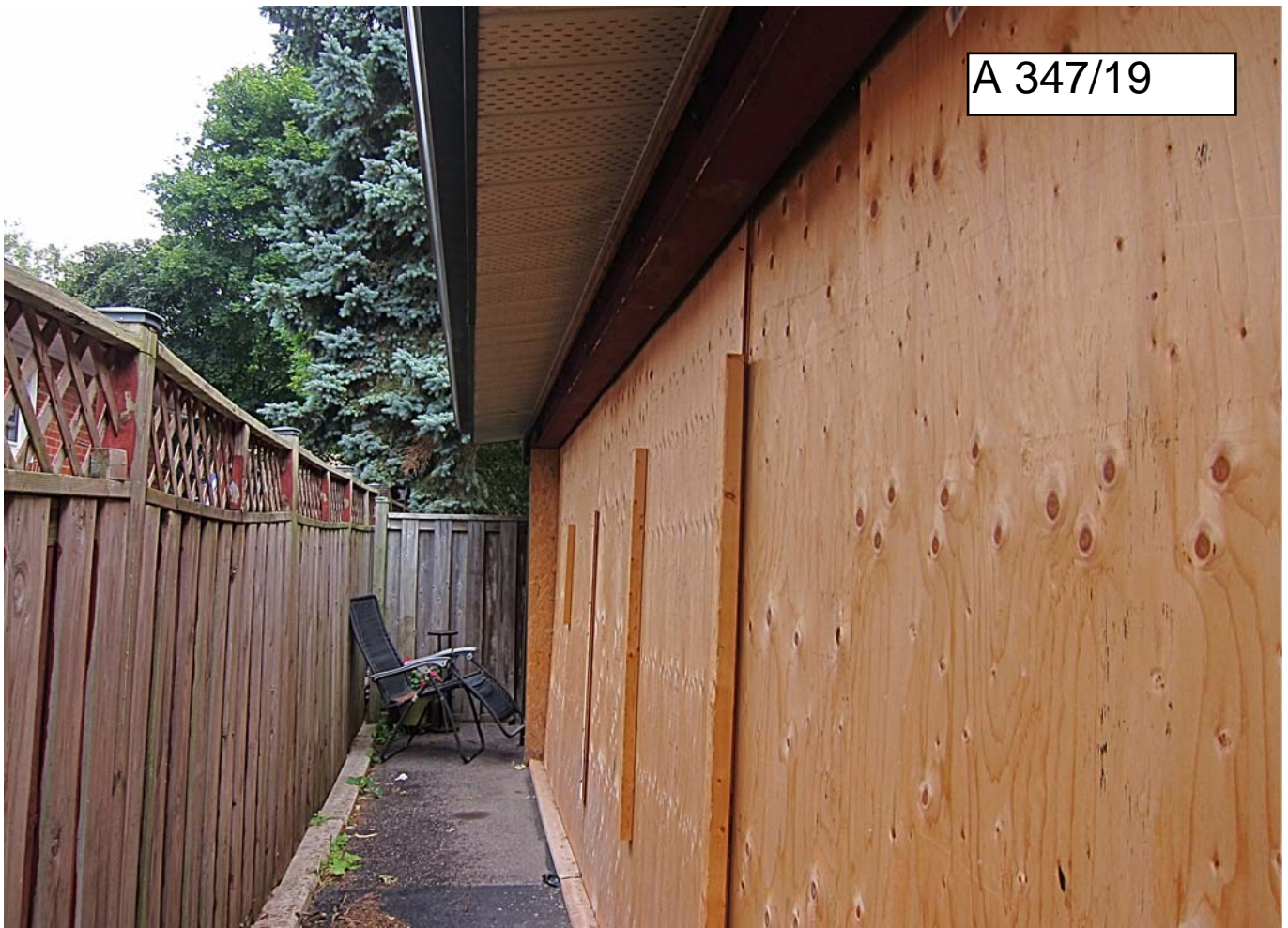
I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 7190 or by email at tracy.tang@peelregion.ca

Comments Prepared by: Tracy Tang

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