



Committee of Adjustment

The following staff reports are current as of January 24th, 2020 at 3:30pm.

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

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

NEW APPLICATIONS (CONSENT)

NONE

DEFERRED APPLICATIONS (CONSENT)

| File | Name of Applicant | Location of Land | Ward |
|----------------------|--------------------------|-------------------------|-------------|
| B-061/19 A-392/19 | CAMCENTRE HOLDINGS INC | 151 CITY CENTRE DR | 4 |

NEW APPLICATIONS (MINOR VARIANCE)

| File | Name of Applicant | Location of Land | Ward |
|--------------------|---|------------------------------------|-------------|
| A-28/20 A-29/20 | ALIZ HOLDINGS INC CANAIM ESTATE CORP | 140 CAPITAL CRT 150 CAPITAL CRT | 5 |
| A-30/20 | CHARANJIT SINGH SIDHU & SARBJIT KAUR SIDHU | 3269 MICHAUD AVE | 5 |
| A-31/20 | TED PHILCHUK & SEANNA KING | 18 MINNEWAWA RD | 1 |
| A-33/20 | SOLMAR (EDGE) CORP | 36 ELM DR W | 7 |
| A-34/20 | SOLMAR (EDGE 2) CORP | 30 ELM DR W | 7 |
| A-35/20 | MATTANDY HOLDING INC | 1842 LAKESHORE RD W | 2 |
| A-36/20 | SANDHU GURMAIL & GOBINDO | 11 KNASEBORO ST | 5 |
| A-37/20 | ARTUR & STANISLAWA GAJ | 1560 NORTHMOUNT AVE | 1 |
| A-38/20 | GOLDSTAR PLAZA LTD | 60 DUNDAS ST E | 7 |
| A-39/20 | 2537707 ONTARIO INC | 100 EMBY DR | 11 |
| A-40/20 | ARVINDER, HARDEV, & JASKARAN DHALIWAL | 18 ARCH RD | 11 |

DEFERRED APPLICATIONS (MINOR VARIANCE)

| File | Name of Applicant | Location of Land | Ward |
|-------------|--------------------------|-------------------------|-------------|
| A-303/19 | 2688616 ONTARIO INC. | 376 REVUS AVE | 1 |
| A-396/19 | JOHN KAVCIC JR. LTD | 6900 MILLCREEK DR | 9 |
| A-435/19 | PASCAL CESARIO | 1417 SHADOWA RD | 2 |

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

Date: January 20th, 2020

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

Agenda: January 30th, 2020

Deferred Item

Recommendation

The Planning and Building Department has no objections to the requested consent or associated minor variance applications, subject to the conditions outlined below being imposed by Committee.

Background

Mississauga Official Plan

Character Area: Downtown Core
Designation: Mixed Use

Zoning By-law 0225-2007

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

Comments

Zoning

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

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

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

Planning

The subject lands associated with the above applications are located north-west of the Burnhamthorpe Road West and Hurontario Street intersection, and house a nine-storey Office building with associative surface parking. The area context along this portion of Burnhamthorpe Road West is comprised mainly of multi-storey, office condominium structures. Planning Staff note, commercial uses, in the form of the Square One Shopping Centre located directly North, is also present.

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

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

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

1. All lands zoned H-CC2(2) and subject to land division application B61/19 to be considered one lot for the purposes of parking, driveways, and aisles; whereas, By-law 0225-2007, as amended, does not permit lands zoned H-CC2(2) to be treated as one lot, in this instance;
2. 285 parking spaces on the entire lands; whereas, By-law 0225-2007, as amended, requires a minimum of 302 parking spaces, in this instance;
3. 4 accessible parking spaces; whereas, By-law 0225-2007, as amended, requires a minimum of 9 accessible parking spaces, in this instance; and,
4. An on-site drive aisle of 4.80m; whereas, By-law 0225-2007, as amended, requires all drive aisles to have a minimum width of 7.0m, in this instance.

Application 'A' 392/19

The site is located within the Main Street District of the Downtown Core Character Area, and is designated Mixed Use by the Mississauga Official Plan (MOP). Pursuant to Section 12.1.3.1(a) (Mixed Use), this designation shall permit major office uses. Planning Staff note, no development has been proposed through the application, at this time. The Applicant's request proposing the continued utilization of the existing office structure meets the general purpose and intent of the Official Plan.

Variance 1 (Property Fragmentation)

Pursuant to Section 1.2 (Definitions), a “lot” is viewed as a singular parcel of land, with all applicable zoning standards and regulations either measured to, or contained within, the associative lot lines.

Resultant of the proposed consent application, the subject lands have been divided in two; resulting in deficiencies of a technical nature on both sites. Consequently, the Applicant is requesting to view the proposed contiguous parcels as a single lot for the purposes of reviewing the associative parking, driveway, and aisle width standards. Planning Staff note, these aforementioned regulations attempt to foster suitable internal on-site traffic circulation and should always be viewed holistically and in conjunction with neighbouring sites, simply as a matter of best practice. Further, Planning Staff note, in the absence of any proposed development, both sites will continue to function entirely in a similar manner as they do currently; with the proposed land division simply resulting in an “invisible line” through the middle of the property. It is the opinion of Planning Staff that Variance 1, as requested, meets all criteria established by Section 45(1) of the Planning Act.

Variances 2 and 3 (Parking)

In accordance with Table 3.1.2.2 (Required Number of Parking Spaces for Non-Residential Uses) and Table 3.1.3.1 (Accessible Parking Regulations), this zone regulates the required number of parking spaces, and accessible parking spaces, for a site. The intent in quantifying both of these components 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, 302 parking spaces are required; whereas, the Applicant is providing 285. Additionally, 9 accessible parking spaces are required; whereas, the Applicant is providing 4.

City Planning Strategies has identified no concerns with the proposed relief; noting the requested variances are required in addressing current and existing on-site conditions. It is the opinion of Planning Staff that Variance 2, as requested, meets all criteria established by Section 45(1) of the Planning Act.

Variance 4 (Drive Aisle)

Pursuant to Table 3.1.1.5 (Aisles), the Zoning By-law requires a minimum aisle width of 7.0m; whereas, the Applicant has proposed 4.80m. The intent of this portion of the By-law is to ensure that a sufficient turning radius is maintained for adequate internal circulation. While 4.80m remains numerically deficient from a Zoning By-law perspective; Planning Staff note, the prescribed distance is measured perpendicularity from the existing parking spaces to the newly created property line, and not to a physical structure that would inherently prohibit traffic circulation. Further, any future development responsible for potentially restricting motor vehicular access will require additional approval, which in turn would necessitate subsequent review. It is the opinion of Planning Staff that Variance 4, as amended, meets all criteria established by Section 45(1) of the Planning Act.

Application 'B' 61/19

As noted, the proposed severed lands will have a lot frontage of 66m, and a lot area of 6,352.7m²; while the retained lands will have a lot frontage of 71m, and a lot area of 6,738.9m². Neither resulting properties require variances as it pertains to lot creation.

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

Section 5 of MOP promotes development with appropriate urban form and site design, directing that such development is compatible with the surrounding context and the landscape of the character area. To this end, the proposed lots are of a comparable built form and remain in scale with the surrounding development.

Planning Staff note, as per Section 51(24) of the Planning Act, all consent applications must have regard for both a municipality's Official Plan(c), as well as serve to be in the public's interest(b).

Pursuant to Schedule 2 (Downtown Core: Long Term Road Network and Classification) of the Downtown Core Local Area Plan, the lands associated with the proposed consent application have been identified as hosting a future public "minor collector road", responsible for connecting City Centre Drive to Burnhamthorpe Road West, since 2001. To this end, Planning Staff note, the utilization of this public road has been envisioned, and subsequently has received continual Council support, through: City Plan (2001); Mississauga Plan (2003); the Downtown21 Master Plan (2010); Mississauga Official Plan (2012); and, Mississauga Official Plan Amendment 8 (2015).

By serving as both the Downtown Core's "Main Street", as well as in anchoring the heart of Mississauga's downtown community; the civic importance, and overall general intent, of this planned connection is to serve as a mechanism to achieve City Building and placemaking objectives. Further, and as a means to realize such overarching goals, Section 2.1.e of the current Mississauga Official Plan (and Section 8.2.1 of MOPA 8) clearly identifies both: the location of this planned road; and, that it is to be public. Planning Staff note, this inherent importance; coupled with the forecasted intensity of use; as well as the external nature of the eventual users, is not suitably handled through a private condominium road. As such, it is the opinion of Planning Staff, any proposal utilizing a private or condominium road would not have sufficient regard for the Mississauga Official Plan, in this instance.

In addition to the road's civic importance, this connection is also a key feature in both linking the downtown road network, as well as in providing significant connectivity for both pedestrian and vehicular access to the various amenities and attractions of the downtown core; ultimately serving a substantially larger and broader population than simply the residents and tenants of the Applicant's development. Such connectivity, especially in light of the aforementioned

diverse user-base, is not suitably achieved through a private condominium road, and, in the opinion of Planning Staff, any proposal utilizing a private or condominium road would not serve the public's interest.

Based upon the preceding information, Staff is of the opinion that the proposed consent application conforms to Section 51(24) of the Planning Act, provided the following conditions, outlined below, are imposed by Committee:

- The proposed road is gratuitously dedicated to the Municipality; and,
- A letter shall be received from the Planning and Building Department indicating that satisfactory arrangements have been made for a clause to be registered on title of the properties, to the satisfaction of the City Solicitors Office, for the blocks resulting out of the severed lots 'Part 1' and 'Part 2', stating that they will be treated as one property for parking purposes.

Public Works

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

peelregion.ca

January 24, 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 30th, 2020**

Comments for Informational Purposes:

Deferred Consent Application: DEF-B-061/19

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

The private servicing installed in the underground parking structure must be protected by private servicing easements. In that regard, the private servicing easements must be properly represented and labeled on strata plans which will be required for review prior to registration of the condominium. There private servicing easements will be registered through the condominium declaration and description.

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

January 24, 2020

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

Public Works

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

peelregion.ca

**Re: Region of Peel Consolidated Comments
 City of Mississauga Committee of Adjustment Hearing
 January 30th, 2020**

Dear Mr. Kenney,

Regional Planning staff have reviewed the applications listed on the January 30th, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-303/19, DEF-A-392/19, DEF-A-396/19, DEF-A-435/19

Minor Variance Applications: A-028/20, A-029/20, A-031/20, A-033/20, A-034/20, A-035/20, A-040/20, A-042/20, A-043/20, A-044/20, A-045/20, A-049/20, A-050/20, A-051/20, A-052/20, A-053/20, A-054/20

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 20th, 2020
File: C of A – 'A' 28/20 & 'A' 29/20
(Ward 5 – 140 Capital Court & 150 Capital Court)
Agenda: **January 30th, 2020**

New Item

Recommendation

The Planning and Building Department recommends that the application be deferred to allow the Applicant the opportunity to submit the requested property information to the satisfaction of the Zoning Department.

Background

Mississauga Official Plan

Character Area: Gateway Employment Area
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2 (Employment)

Other Applications:

None

Comments

Zoning

The Building Department notes the above application to be a continuation of 'A' 158/14, which was previously approved and has since expired.

Information submitted in support of this application states that the property has 47 parking spaces on site – 37 utilized by the adjacent place of worship; and, 10 utilized by the identified

manufacturing use, located upon the subject lands. Despite this, the information provided, as per the submitted site plan, identifies only 43 parking spaces (0 accessible spaces) on site.

The definite number of available parking spaces is required to be confirmed, prior to any decision being made.

This Department further notes, the parking reduction originally sought through the aforementioned Minor Variance application 'A' 158/14, was resultant of the worship area being expanded (Alteration Permit 12-199). Staff notes, this permit remains withheld, with previous comments made by this Department yet to be addressed.

Planning

The subject properties associated with applications 'A' 28/20 and 'A' 29/20 are located south-east of the Derry Road East and Hurontario Street intersection, and currently house a two-storey, manufacturing structure and a single-storey place of worship. The neighbourhood context is exclusively industrial, with a multitude of employment uses within the immediate area. The properties along this portion of Capital Court are situated upon large parcels, with lot frontages ranging from +/- 35m to +/- 75m.

Previously, Minor Variance application 'A' 154/14 was approved on May 22nd, 2014, which allowed for a temporary reduction of parking; the Applicant is requesting the renewal of this approval for another 5 year term, permitting:

'A' 28/20

1. 60 parking spaces on site; whereas, By-law 0225-2007, as amended, requires a minimum of 107 parking spaces, in this instance.

'A' 29/20

1. 10 parking spaces; whereas, By-law 0225-2007, as amended, requires a minimum of 37 parking spaces, in this instance.

Planning Staff echos the Zoning Department's concerns; noting that, in the absence of a complete and accurate site plan, Planning Staff are unable to evaluate the merits of the application, relative to Section 45(1) of the Planning Act. Further, City Planning Strategies notes, a satisfactory off-site parking agreement must be provided to the City and signed by both property owners to facilitate the requested relief.

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

City of Mississauga
Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: January 17, 2020

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

Re: **C.A. 'A' 28 & 29/20**
Aliz Holdings Inc/Canaim Estate Corp.
140 & 150 Capital Crt
Ward 5

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

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

A 28 & 29/20



A 28 & 29/20



A 28 & 29/20



A 28 & 29/20



January 24, 2020

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

Public Works

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

**Re: Region of Peel Consolidated Comments
 City of Mississauga Committee of Adjustment Hearing
 January 30th, 2020**

Dear Mr. Kenney,

Regional Planning staff have reviewed the applications listed on the January 30th, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-303/19, DEF-A-392/19, DEF-A-396/19, DEF-A-435/19

Minor Variance Applications: A-028/20, A-029/20, A-031/20, A-033/20, A-034/20, A-035/20, A-040/20, A-042/20, A-043/20, A-044/20, A-045/20, A-049/20, A-050/20, A-051/20, A-052/20, A-053/20, A-054/20

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 20th, 2020
File: C of A – 'A' 30/20
(Ward 5 – 3269 Michaud Avenue)
Agenda: **January 30th, 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: Malton Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3-69 (Residential)

Other Applications:

Building Permit: 19-7629

Comments

Zoning

The Building Department is currently processing a Building Permit application under file 19-7629. Based upon review of this application, Staff notes that more information is required to verify the accuracy of the requested variances, as well as to determine whether additional variance(s) will be required.

Planning

The property is located north-west of the Derry Road East and Goreway Drive intersection, and currently houses a two-storey detached dwelling, with attached carport. Contextually, the immediate area is comprised of a mixture of post-war, 2-storey American Colonial-esqe detached dwellings, intermingled with 1970's one-storey detached dwellings. The subject property is an interior parcel, with a lot area of 700m², and a frontage of 15.24m.

The Applicant is proposing to demolish the existing structure and replace it with a larger detached dwelling. 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 gross floor area of 355.8m²; whereas, By-law 0225-2007, as amended, permits a maximum gross floor area of 290.0m², in this instance; and,
2. A driveway width of 6.87m; whereas, By-law 0225-2007, as amended, permits a maximum driveway width of 6.0m, in this instance.

As per discussion with the Zoning Department, Planning Staff note further information has been requested pertaining to both the proposed eave height, and height to the flat roof structure at the front of the dwelling.

The site is located within the Malton Neighbourhood Character Area, and designated Residential Low Density I by the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached dwellings; semi-detached dwellings; and, duplex dwellings. 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 subject lands are to be used for residential purposes. The proposed dwelling respects the designated residential land use, and, despite the variances, has regard for the distribution of massing on the property as a whole. The variances, as requested, meet the purpose and general intent of the Official Plan.

Variance 1 (Gross Floor Area)

As per Zoning By-law 0225-2007, the subject property is zoned R3-69 (Residential). Pursuant to Table 4.2.4.69(2) (R3 Exception Zones), this zone regulates a detached dwelling's maximum gross floor area. The general intent of this portion of the By-law, as it pertains to infill development, is to ensure that individual properties are not overdeveloped, and that additional massing resultant of construction will not negatively impact the character of the neighbourhood. Despite requiring relief to permit the proposed increase in gross floor area; the detached dwelling remains appropriate in size and whose massing is well-hidden by multiple defined and recessed façades to the front, and mitigated by the overall contemporary architectural design. Variance 1, as requested, maintains the purpose and general intent of the Zoning By-law.

While the resident design of this neighbourhood has historically been single storey, or storey-and-a-half structures, the proposed dwelling is in scale with the overall property as a whole, and, does not result in the over massing of the site; with the property appropriately sized to

accommodate the proposal. Further, Planning Staff note, no subsequent variances have been requested as it pertains to either total building height, overall lot coverage, or to the associative setback regulations. As such, it is the opinion of Planning Staff that no additional undue impact is created as a result of Variance 1, as requested; and that such relief represents both the orderly development of the lands, and whose impacts are minor in nature.

Variance 2 (Driveway)

Pursuant to Table 4.2.1(12), the maximum driveway width for a detached dwelling is 6.0m; whereas the Applicant is proposing 6.87m. The intent of the Zoning By-law is to permit a driveway large enough to provide the necessary space for two vehicles parked side-by-side, with the remainder of lands being soft landscaping (front yard). While 6.87m is larger than the permissible 6.0m regulated through the By-law; the proposed configuration does not permit a third vehicle, and is proportional to the property and the lot fabric of the surrounding neighbourhood. Variance 2, as requested, is both in line with the general intent and purpose of the Zoning By-law.

While the relief sought represents a deviation from what is contemplated through the Zoning By-law; Staff note, the proposed driveway represents less than half the lot's frontage (45%); is suitably setback from the neighbouring property (0.82m); and maintains ample soft-landscaping in the front yard. Variance 2, as requested, results in both the orderly development of the lands, and whose impacts will be minor in nature.

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

City of Mississauga
Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: January 17, 2020

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

Re: **C.A. 'A' 30/20**
Charanjit Singh Sidhu & Sarbjit Kaur Sidhu
3269 Michaud Ave
Ward 5

We are noting 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

Public Works

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

peelregion.ca

January 24, 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 30th, 2020**

Minor Variance Application: A-030/20

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

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: 2020-01-17 | File(s): 'A' 31/20 Ward: 1 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date: 2020-01-30 |

Consolidated Recommendation

- 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 choose to defer the application to verify the requested variances and if additional variances are required

Application Details

The applicants request the Committee to approve a minor variance to allow an inground pool and pool equipment in the front yard (abutting a laneway) of the subject property whereas By-law 0225-2007, as amended, does not permit an inground pool and pool equipment in a front yard in this instance.

Amendments

"[Enter amendments to variances]"

Recommended Conditions and Terms

"[Enter terms and conditions here]"

Background

Property Address: 18 Minnewawa Road

Mississauga Official Plan

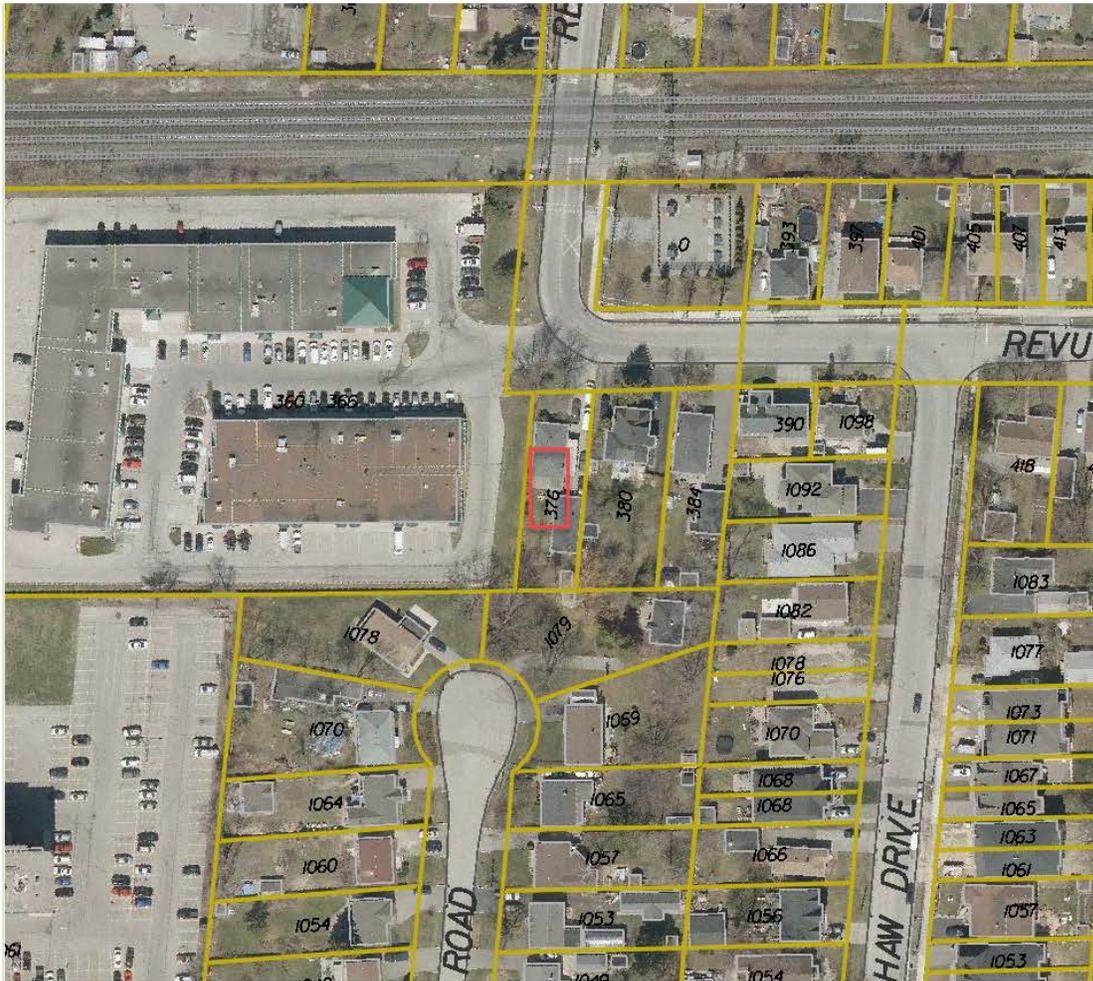
Character Area: Port Credit Neighbourhood (East)
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R15-8 (Residential)

Site and Area Context

The subject property is located within the Port Credit Neighbourhood Character Area, southeast of Lakeshore Road East and Cumberland Drive. The neighbourhood consists of one and two storey detached dwellings within mature vegetation. The subject property is located on the north side of Minnewawa Road and contains a one and a half storey detached dwelling with vegetation in the rear yard. Dwellings located on the north side of Minnewawa Road have dual frontage as a public laneway abuts the rear of the properties. Due to the dual frontage, the application proposes a pool and pool equipment located in the front yard. The subject property contains a detached garage that is proposing access onto the public laneway.



Comments

Planning

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

Staff comments concerning the application are as follows:

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.

Conclusion

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*.

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 addition will be addressed through the Building Permit process.

Comments Prepared by: Dave Martin

Appendix 2 – Zoning Comments

This Division notes that a building permit and pool permit application are required. In the absence of these permit applications we are unable to confirm the accuracy of the information provided, 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

Regional Planning staff have reviewed the applications listed on the January 30th, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

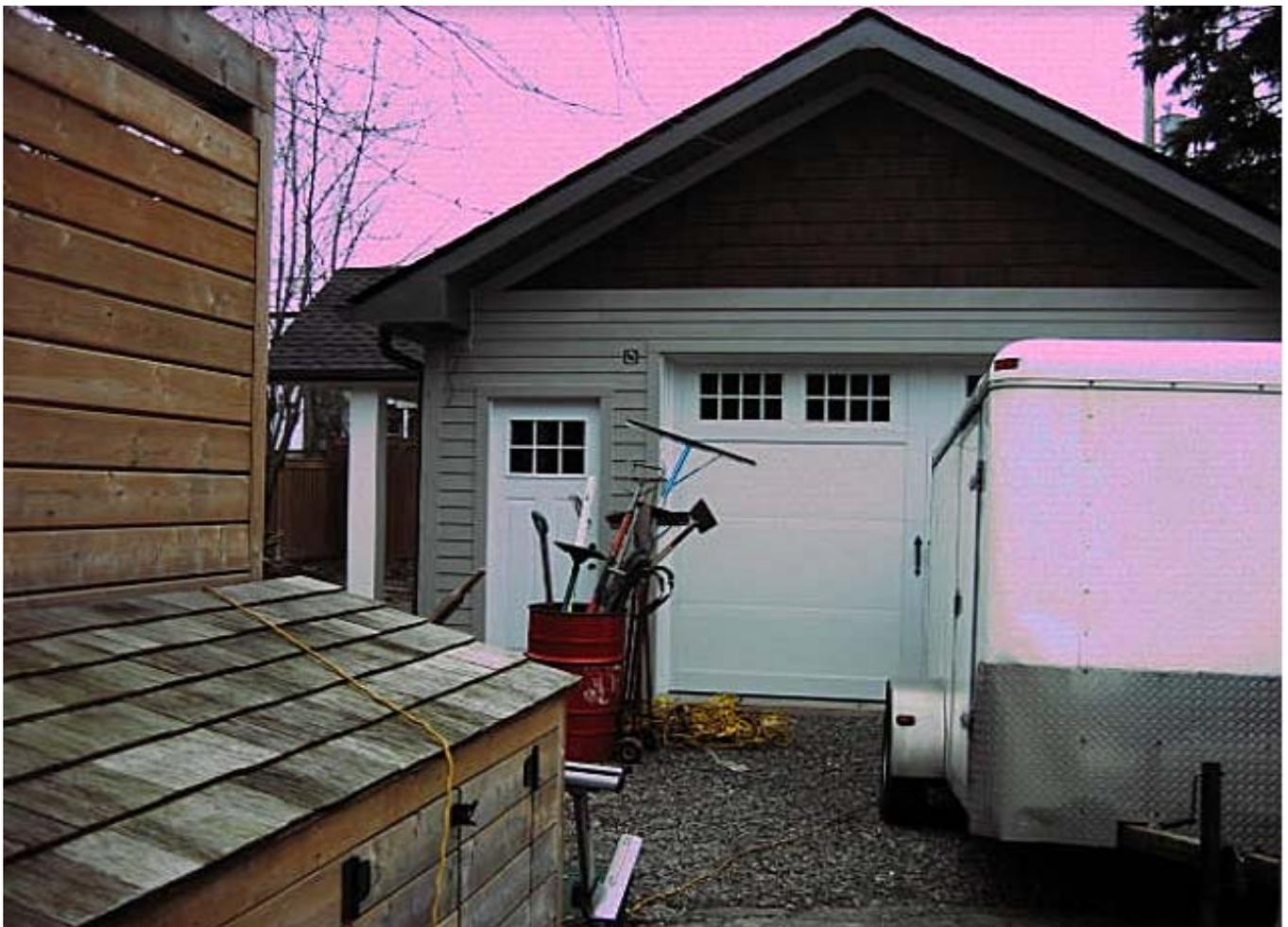
Deferred Applications: DEF-A-303/19, DEF-A-392/19, DEF-A-396/19, DEF-A-435/19

Minor Variance Applications: A-028/20, A-029/20, A-031/20, A-033/20, A-034/20, A-035/20, A-040/20, A-042/20, A-043/20, A-044/20, A-045/20, A-049/20, A-050/20, A-051/20, A-052/20, A-053/20, A-054/20

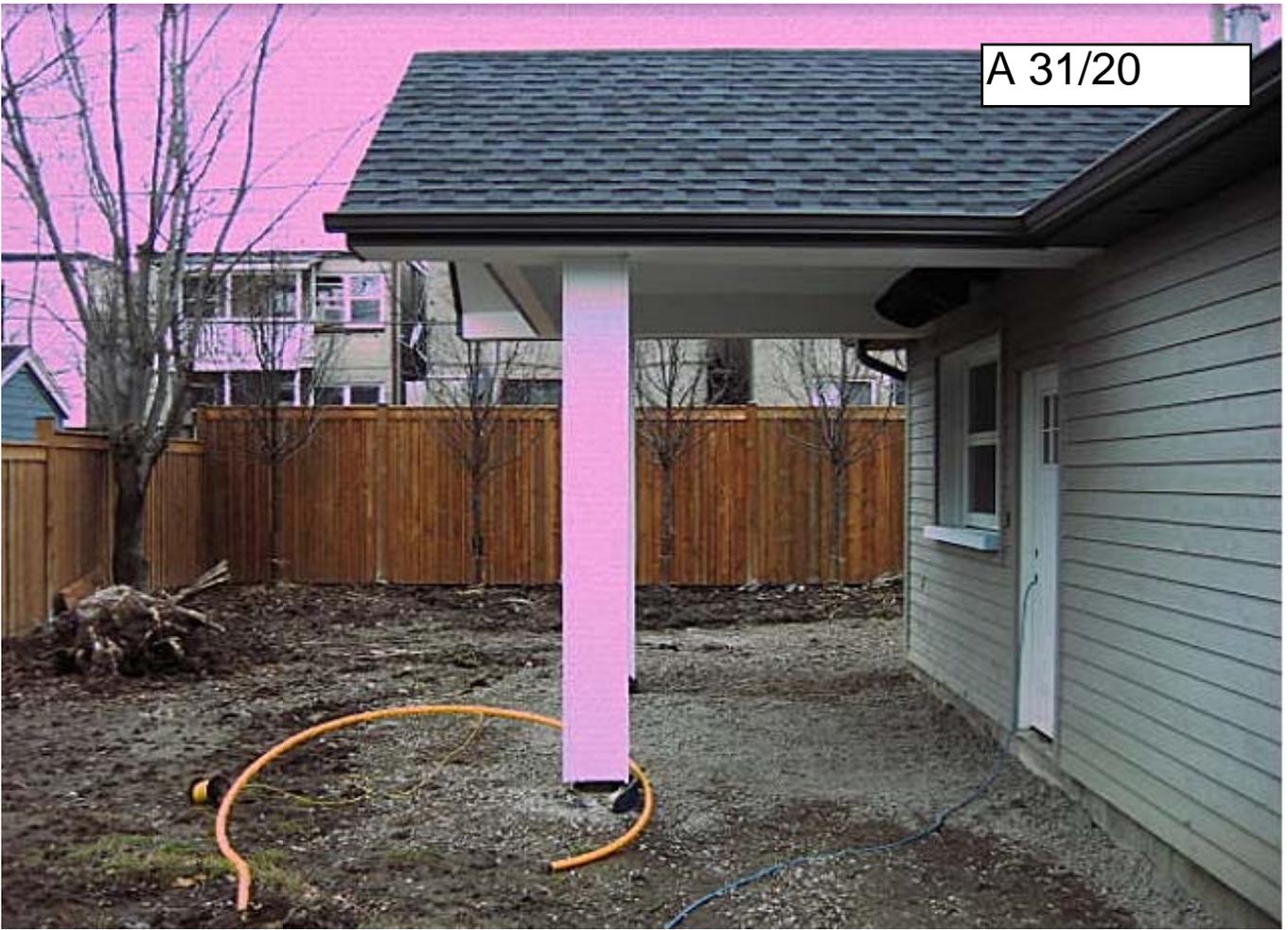
I trust this information is of assistance to you and the Committee. If you have any questions or concerns, please do not hesitate to contact me at (905) 791-7800 ext. 7190 or by email at tracy.tang@peelregion.ca

Comments Prepared by: Tracy Tang

A 31/20



A 31/20



A 31/20



Date: January 20th, 2020

File: C of A – 'A' 33/20 & 'A' 34/20
(Ward 7 – 36 Elm Drive West and 30 Elm Drive West)

Agenda: **January 30th, 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: Downtown Fairview
Designation: Residential High Density

Zoning By-law 0225-2007

Zoning: RA5-46 (Residential)

Other Applications:

Site Plan Approval: 13-219, 19-86
Building Permit: 19-8537, 18-431, 19-8111

Comments

Zoning

This Department notes the above Building Permit and Site Plan Approval applications have been received and reviewed. Additional information has been requested in this regard, but

remains outstanding. Staff are unable to confirm the accuracy of the requested variance(s). The Applicant is advised that the accuracy of the requested variance has not been reviewed.

Planning

The subject sites are located within the Downtown Fairview Character Area, west of Hurontario Street and Elm Drive West, and currently sit vacant. Immediately north and south of the subject lands are high-rise apartment buildings. West of the subject sites consist of institutional and low density residential uses.

A rezoning application was approved and endorsed by Council in 2013, proposing three high-rise residential buildings, being 35, 40, and 50 storeys, respectively. Through the rezoning application, lands were also dedicated to the City as future parkland.

Due to a slight change in design, the Applicant is required to seek the following relief from By-law 0225-2007, as amended, permitting:

1. A maximum tower floor plate area of 762m²; whereas, By-law 0225-2007, as amended, permits a maximum tower floor plate area of 750m², 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 17, 2020

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

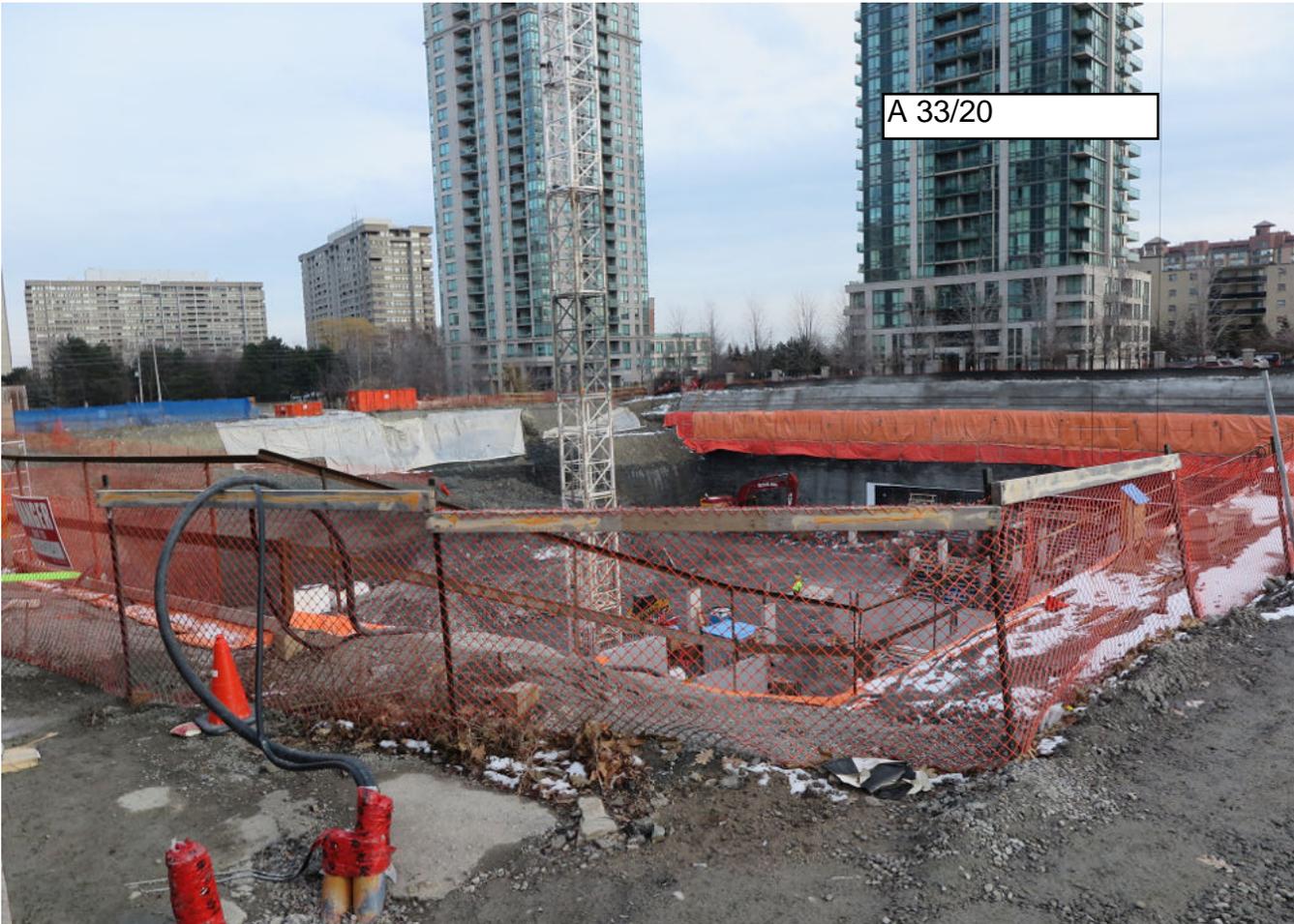
Re: **C.A. 'A' 33/20**
Solmar (Edge) Corp.
36 Elm Dr w
Ward 7

We are noting that Transportation and Works Department concerns/requirements for this property have been addressed through Site Plan Application SP-13-219 and Rezoning Application OZ 13/022.

Re: **C.A. 'A' 34/20**
Solmar (Edge 2) Corp.
30 Elm Dr w
Ward 7

We are noting that Transportation and Works Department concerns/requirements for this property have been addressed through Site Plan Application SP-19-86 and Rezoning Application OZ 13/022.

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



A 33/20



GATE 2
SOLMAR

NEW UNDER
CONSTRUCTION

SOLMAR
DEVELOPMENT CORP.



City of Mississauga
Memorandum



DATE: January 17, 2020

FILE: "A" 34/20

SUBJECT: MINOR VARIANCE APPLICATION
30 ELM DRIVE WEST
SOLMAR (EDGE 2) CORPORATION
WARD 7
JANUARY 30, 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 and advises as follows:

- 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.

January 24, 2020

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

Public Works

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

peelregion.ca

**Re: Region of Peel Consolidated Comments
 City of Mississauga Committee of Adjustment Hearing
 January 30th, 2020**

Dear Mr. Kenney,

Regional Planning staff have reviewed the applications listed on the January 30th, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-303/19, DEF-A-392/19, DEF-A-396/19, DEF-A-435/19

Minor Variance Applications: A-028/20, A-029/20, A-031/20, A-033/20, A-034/20, A-035/20, A-040/20, A-042/20, A-043/20, A-044/20, A-045/20, A-049/20, A-050/20, A-051/20, A-052/20, A-053/20, A-054/20

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: 2020-01-17 | File(s): 'A' 35/20 Ward: 2 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date: 2020-01-30 |

Consolidated Recommendation

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

Application Details

The applicant requests the Committee to approve a minor variance to allow the existing restaurant operation to continue proposing:

1. 8 parking spaces whereas By-law 0225-2007, as amended, requires a minimum of 9 parking spaces in this instance; and
2. A restaurant use within 60m of a residential zone whereas By-law 0225-2007, as amended, does not permit a restaurant within 60m of a residential zone in this instance.

Amendments

"[Enter amendments to variances]"

Recommended Conditions and Terms

"[Enter terms and conditions here]"

Background

Property Address: 1842 Lakeshore Road West

Mississauga Official Plan

Character Area: Clarkson Village Community Node

Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: **C4-63** (Residential)

Site and Area Context

The subject property is located within the Clarkson Village Community Node Character Area, west of Lakeshore Road West and Clarkson Road North. Lands that front onto Lakeshore Road West mostly consist of commercial uses, including restaurants. A Place of Religious Assembly west of the subject property is also located within the immediate area fronting onto Lakeshore Road West. South of the subject property are detached dwellings. The subject property contains an existing restaurant that received approval from the Committee of Adjustment in 2013 on a temporary period of 5 years. Due to the expiration of the temporary period, variances proposing a restaurant within 60 m of a residential zone and 8 parking spaces are required.

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 are as follows:

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.

Conclusion

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*.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections, comments or requirements with respect to C.A. 'A' 396/19 & 35 & 38/20.

Comments Prepared by: Dave Martin

Appendix 2 – Zoning Comments

The referenced use was approved under zoning certificate application 13-5464, and as such there are no other concerns related to the variances being requested.

Comments Prepared by: Sandra Morrison, Zoning Examiner

Appendix 3 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the January 30th, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-303/19, DEF-A-392/19, DEF-A-396/19, DEF-A-435/19

Minor Variance Applications: A-028/20, A-029/20, A-031/20, A-033/20, A-034/20, A-035/20, A-040/20, A-042/20, A-043/20, A-044/20, A-045/20, A-049/20, A-050/20, A-051/20, A-052/20, A-053/20, A-054/20

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

Date: January 20th, 2020
File: C of A – 'A' 36/20
(Ward 5 – 11 Knaseboro Street)
Agenda: **January 30th, 2020**
New Item

Recommendation

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

Background

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R3-69 (Residential)

Other Applications:

Building Permit: 18-4382

Comments

Zoning

The Building Department is currently processing a Building Permit application under file 18-4382. Based upon review of this Application, Staff notes that the Application should be amended as follows, permitting:

- An interior side yard setback of 1.18m; whereas, By-law 0225-207, as amended, requires a minimum side yard setback of 1.20m, in this instance;

Planning

The property is located north-west of the Airport Road and Derry Road East intersection, and currently houses a one-storey, bungalow structure. The immediate neighbourhood is primarily comprised of detached dwellings; however, semi-detached residences are also present. Architecturally, the shared built-form is predominately post-war, 1.5 storey dwellings; however, newer construction, in the form of replacement dwellings, are present to a very minor extent on both Knaseboro Street, as well as within the surrounding neighbourhood as a whole. The properties within the immediate area possess lot frontages of +/-15.5m.

The Applicant is proposing to demolish the existing structure and replace it with a larger detached dwelling. 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 gross floor area of 321.63m²; whereas, By-law 0225-2007, as amended, permits a maximum gross floor area - infill residential of 268.88m², in this instance; and,
2. An interior side yard setback of 1.18m; whereas, By-law 0225-207, as amended, requires a minimum side yard setback of 1.20m, in this instance.

A proposal for this property was previously brought before Committee on October 24th, 2019, under Application 'A' 132/18. At this time, the application was refused due to its overall extravagance (excessive gross floor area, lot coverage, etc.). Planning Staff note, as per the provided revisions, that the Applicant has removed the more egregious aspects of this prior proposal and has resubmitted a much more modest design.

The site is located within the Malton Neighbourhood Character Area, and designated Residential Low Density I by the Mississauga Official Plan (MOP). The Residential Low Density I designation permits detached dwellings; semi-detached dwellings; and, duplex dwellings. 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 subject lands are to be used for residential purposes. The proposed dwelling respects the designated residential land use, and, despite the variances, has regard for the distribution of massing on the property as a whole. The variances, as amended, meet the purpose and general intent of the Official Plan

Variance 1 (Gross Floor Area)

As per Zoning By-law 0225-2007, the subject property is zoned R3-69 (Residential). Pursuant to Table 4.2.4.69(2) (R3 Exception Zones), this zone regulates a detached dwelling's maximum gross floor area. The general intent of this portion of the By-law, as it pertains to infill development, is to ensure that individual properties are not overdeveloped, and that additional massing resultant of construction will not negatively impact the character of the neighbourhood. Despite requiring relief to permit the proposed increase in gross floor area; the detached dwelling remains appropriate in size and whose massing is well-hidden by multiple defined and recessed façades to the front, and mitigated by the overall contemporary architectural design. Variance 1, as amended, maintains the purpose and general intent of the Zoning By-law.

While the resident design of this neighbourhood has historically been single storey, or storey-and-a-half structures, the proposed dwelling is in scale with the overall property as a whole, and, does not result in the over massing of the site; with the property appropriately sized to accommodate the proposal. Further, Planning Staff note, no subsequent variances have been requested as it pertains to either total building height or the overall lot coverage regulations. As such, it is the opinion of Planning Staff that no additional undue impact is created as a result of Variance 1, as amended; and that such relief represents both the orderly development of the lands, and whose impacts are minor in nature.

Variance 2 (Interior Side Yard Setback)

Pursuant to Table 4.2.1(8) (R1 to R5 Permitted Uses and Zone Regulations), the proposed structure is required to maintain an interior side yard setback of 1.2m; whereas, the Applicant has requested 1.18m. The intent of this portion of the Zoning By-law 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. Planning Staff note the marginal nature of relief sought (1.18m vs. 1.2m) does not impinge, or in any substantial way further negatively influence, the neighbouring properties in any discernible manner. It is the opinion of Planning Staff that Variance 2, as amended, meets all criteria as established by Section 45(1) of the Planning Act.

Based upon the preceding information, it is the opinion of Staff that the variances, as amended, meet the general intent and purpose of both the 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 amended.

City of Mississauga Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: January 17, 2020

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

Re: **C.A. 'A' 36/20**
Sandhu Gurmail & Gobindo
11 Knaseboro St
Ward 5

We are noting 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

A 36/20



A 36/20



Public Works

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

peelregion.ca

January 24, 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 30th, 2020**

Minor Variance Application: A-036/20

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

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: 2020-01-17 | File(s): 'A' 37/20 Ward: 1 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date: 2020-01-30 |

Consolidated Recommendation

- The City does not object to variances #1-9, as amended; however recommend that variance #10 be refused.

Application Details

The applicants request the Committee to approve a minor variance to allow the construction of accessory structures on the subject property proposing:

1. A floor area for an accessory structure (#2) of 29.0sq.m (approx. 312.2sq.ft) whereas By-law 0225-2007, as amended, permits a maximum floor area of 20.0sq.m (approx. 215.3sq.ft) in this instance;
2. A floor area for an accessory structure (#3) of 37.7sq.m (approx. 405.8sq.ft) whereas By-law 0225-2007, as amended, permits a maximum floor area of 20.0sq.m (approx. 215.3sq.ft) in this instance;
3. A combined floor area for all accessory structures of 85.1sq.m (approx. 405.8sq.ft) whereas By-law 0225-2007, as amended, permits a maximum combined floor area of 60.0sq.m (approx. 645.8sq.ft) in this instance;
4. A lot coverage for all accessory buildings and structures of 9.2% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage for all accessory buildings and structures of 5.0% of the lot area in this instance;
5. A height of an accessory structure of 3.85m (approx. 12.63ft) whereas By-law 0225-2007, as amended, permits a maximum height of 3.60m (approx. 11.81ft) in this instance;
6. An interior side yard measured to an accessory structure of 0.46m (approx. 1.51ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 1.20m (approx. 3.94ft) in this instance;
7. A setback to a Greenlands Zone of 1.4m (approx. 4.6ft) whereas By-law 0225-2007, as amended, requires a minimum setback to a Greenlands Zone of 5.0m (approx. 16.4ft) in this instance;
8. A side yard setback measured to hard surfaced landscape material of 0.0m whereas By-law 0225-2007, as amended, requires a minimum side yard setback measured to hard surfaced landscape material of 0.61m (approx. 2.00ft) in this instance; and

9. A setback from hard surfaced landscape material to a Greenlands Zone of 1.4m (approx. 4.6ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback from hard surfaced landscape material to a Greenlands Zone of 5.0m (approx. 16.4ft) in this instance.

Amendments

The applicants request the Committee to approve a minor variance to permit the three existing accessory structures to remain within the rear yard of the subject property proposing:

1. A floor area of 29.0sq.m (approx. 312.2sq.ft) for accessory structure (#2); whereas By-law 0225-2007, as amended, permits a maximum floor area of 20.0sq.m (approx. 215.3sq.ft) in this instance;
2. A floor area of 37.7sq.m (approx. 405.8sq.ft) for an accessory structure (#3); whereas By-law 0225-2007, as amended, permits a maximum floor area of 20.0sq.m (approx. 215.3sq.ft) in this instance;
3. A combined floor area for all accessory structures of 85.1sq.m (approx. 405.8sq.ft); whereas By-law 0225-2007, as amended, permits a maximum combined floor area of 60.0sq.m (approx. 645.8sq.ft) in this instance;
4. A lot coverage for all accessory buildings and structures of 9.25% of the lot area; whereas By-law 0225-2007, as amended, permits a maximum lot coverage for all accessory buildings and structures of 5.0% of the lot area in this instance;
5. A height of 3.85m (approx. 12.63ft) for accessory structures #2 & #3; whereas By-law 0225-2007, as amended, permits a maximum height of 3.60m (approx. 11.81ft) in this instance;
6. A southerly interior side yard of 0.46m (approx. 1.51ft) measured to accessory structure #2 & #3; whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 1.20m (approx. 3.94ft) in this instance;
7. A setback to a Greenlands Zone of 1.4m (approx. 4.6ft) measured to accessory structure #1 whereas; By-law 0225-2007, as amended, requires a minimum setback to a Greenlands Zone of 5.0m (approx. 16.4ft) in this instance;
8. A southerly side yard setback of 0.0m measured to the hard surfaced landscape material; whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 0.61m (approx. 2.00ft) in this instance;
9. A setback to a Greenlands Zone of 1.4m (approx. 4.6ft) measured to the hard surfaced landscape material; whereas By-law 0225-2007, as amended, requires a minimum setback to a Greenlands Zone of 5.0m (approx. 16.4ft) in this instance; and,
10. A setback of 0m to the rear lot line measured to the hard surfaced landscaping material adjacent to accessory structure #1; whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 0.61m (approx. 2.00ft) in this instance.

Recommended Conditions and Terms

"[Enter terms and conditions here]"

Background

Property Address: 1560 Northmount Avenue

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM1-26 (Residential)

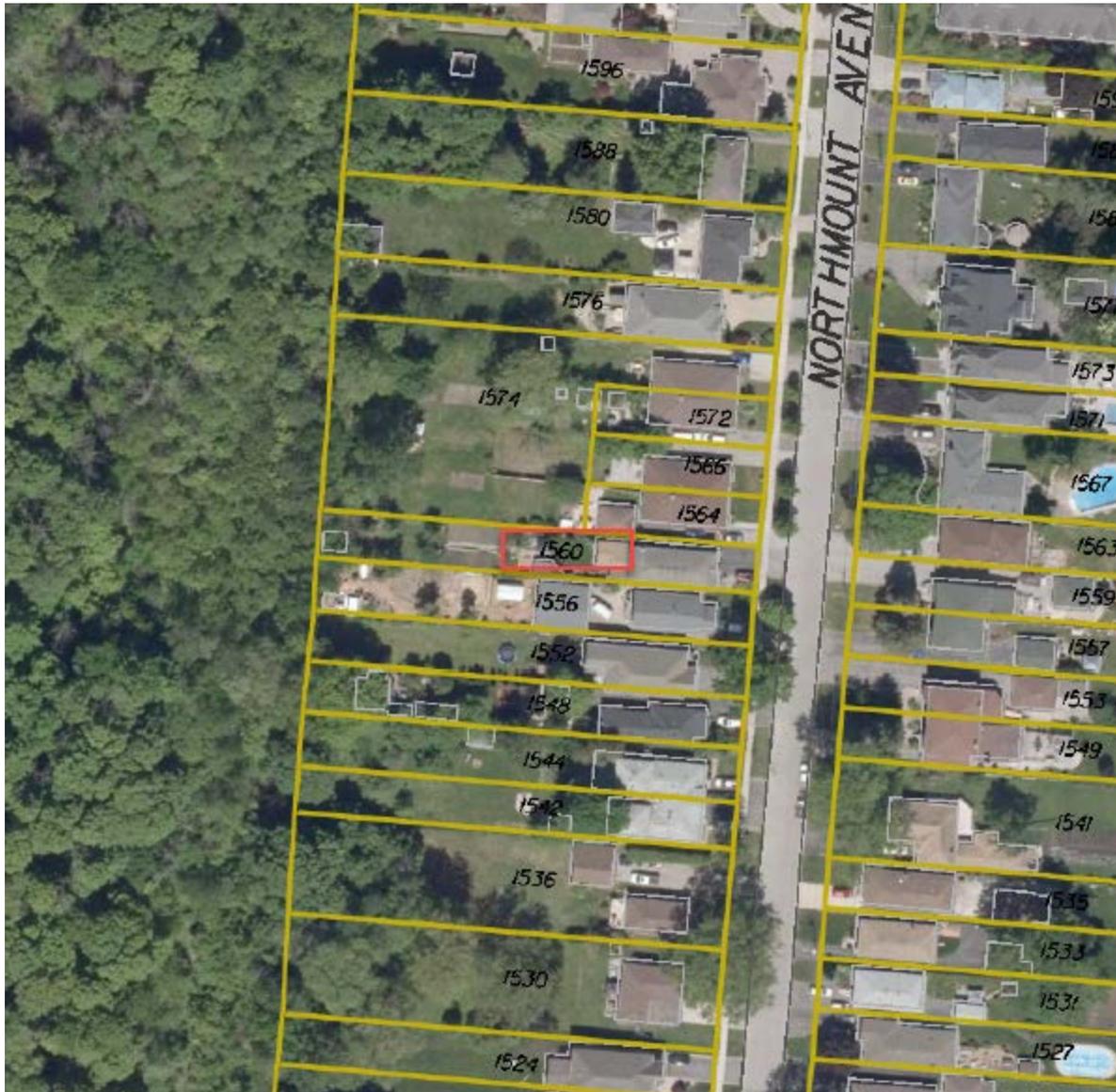
Other Applications

Building Permit: 19-8962

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, west of Cawthra Road and South Service Road. The neighbourhood consists of long narrow lots containing one and two storey detached dwellings with mature vegetation. The subject property contains a two storey detached dwelling with mature vegetation in the rear yard. The application proposes variances related to area of accessory structures, reduced side and rear yard setbacks, height and lot coverage.

Through discussions with the Zoning Division, an additional variance has been added regarding a 0 m setback for hard landscaping material measured to the rear lot line whereas 0.61 m is required.



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, duplex, triplex and other forms of low rise dwellings with individual frontages. 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 accessory structures maintain the residential designation and remain accessory to the primary principle residential use. The application has regard for the distribution of massing on the property as a whole. As such, staff is of the opinion that the requested variances #1-9 maintain the general intent and purpose of the official plan. However, regarding variance #10, staff cannot support a 0 m setback as it proposes an undesirable condition that may cause drainage onto the abutting City owned property, known as Cawthra Park.

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

The application proposes three accessory structures, one of which is located towards the rear property line, while the remaining structures are proposed to be located on the southerly side yard closer to the rear of the dwelling. The intent of the zoning by-law provisions regarding accessory structures is to ensure that the structures are proportional to the lot and dwelling and clearly accessory while not presenting any massing concerns to neighbouring lots. In this instance, the structure labelled as the garden shed which is located towards the rear lot line is surrounded by mature vegetation, mitigating any concerns related to massing. This structure is sufficiently separated from the greenlands zone and would not cause any concerns related to drainage as the setback of 1.40 m is appropriate. Regarding the accessory structures labelled as #2 and 3, despite having a deficient setback, the neighbouring property contains a detached garage in a similar location, aiding in mitigating any concerns the proposed structures may have on the neighbouring lot. The proposed structures also contain a sloped roof, further mitigating the overall height and massing of the structures. Staff is of the opinion that variances #1-9 maintain the general intent and purpose of the zoning by-law.

Regarding variance #10, the intent of this portion of the by-law is to ensure that an appropriate buffer exists between abutting properties. In this this instance, the proposed 0 m setback is 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?

The application proposes three accessory structures with a total combined area of 85.10 m². The proposed accessory structures are located on areas of the lot that reduce the overall massing the increased areas may have on abutting properties, maintaining the existing and planned context of the area. The garden shed is located towards the rear lot line which contains

significant mature vegetation and is sufficiently setback to greenlands zone. The remaining structures increased height will not cause any additional undue impact to the abutting property as it is a minor deviation from what is permitted in the zoning by-law. Furthermore, the structures have a sloped roof which mitigates massing concerns related to the deficient setback. However, staff cannot support a 0 m setback to the rear lot line regarding the hard surfacing as it may cause potential drainage concerns. Staff is of the opinion that variances #1-9 represent orderly development and are minor in nature.

Conclusion

The Planning and Building Department has no objections to variances #1-9 as amended, however, recommends that variance #10 be refused.

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 rear yard and accessory structures. All existing/proposed structures must be equipped with an eaves trough and down spout directed in such a manor to not impact the adjacent properties.

Comments Prepared by: Dave Martin

Appendix 2 – Zoning Comments

The Planning and Building Department is currently processing a building permit application under file 19-8962. Based on review of the information currently available for this building permit, we advise that the following variances should be amended as follows:

The applicants request the Committee to approve a minor variance to permit the three existing accessory structures to remain within the rear yard of the subject property proposing:

1. A floor area of 29.0sq.m (approx. 312.2sq.ft) for accessory structure (#2); whereas By-law 0225-2007, as amended, permits a maximum floor area of 20.0sq.m (approx. 215.3sq.ft) in this instance;
2. A floor area of 37.7sq.m (approx. 405.8sq.ft) for an accessory structure (#3); whereas By-law 0225-2007, as amended, permits a maximum floor area of 20.0sq.m (approx. 215.3sq.ft) in this instance;
3. A combined floor area for all accessory structures of 85.1sq.m (approx. 405.8sq.ft); whereas By-law 0225-2007, as amended, permits a maximum combined floor area of 60.0sq.m (approx. 645.8sq.ft) in this instance;
4. A lot coverage for all accessory buildings and structures of 9.25% of the lot area; whereas By-law 0225-2007, as amended, permits a maximum lot coverage for all accessory buildings and structures of 5.0% of the lot area in this instance;
5. A height of 3.85m (approx. 12.63ft) for accessory structures #2 & #3; whereas By-law 0225-2007, as amended, permits a maximum height of 3.60m (approx. 11.81ft) in this instance;

6. A southerly interior side yard of 0.46m (approx. 1.51ft) measured to accessory structure #2 & #3; whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 1.20m (approx. 3.94ft) in this instance;

7. A setback to a Greenlands Zone of 1.4m (approx. 4.6ft) measured to accessory structure #1 whereas; By-law 0225-2007, as amended, requires a minimum setback to a Greenlands Zone of 5.0m (approx. 16.4ft) in this instance;

8. A southerly side yard setback of 0.0m measured to the hard surfaced landscape material; whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 0.61m (approx. 2.00ft) in this instance;

9. A setback to a Greenlands Zone of 1.4m (approx. 4.6ft) measured to the hard surfaced landscape material; whereas By-law 0225-2007, as amended, requires a minimum setback to a Greenlands Zone of 5.0m (approx. 16.4ft) in this instance; and,

10. A setback of 0m to the rear lot line measured to the hard surfaced landscaping material adjacent to accessory structure #1; whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 0.61m (approx. 2.00ft) in this instance.

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 3 – Forestry and Parks

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 Cawthra Park (P-074) 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:

- 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.

Comments Prepared by: Jim Greenfield, Park Planner

Appendix 4 – Region of Peel Comments

Minor Variance Application: A-037/20

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

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.

Comments Prepared by: Tracy Tang

Appendix 6- Conservation Authority Comments

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

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

SITE CHARACTERISTICS:

The subject property is regulated due to its proximity to the Cawthra Woods Provincially Significant Wetland Complex. In addition, the property is located adjacent to the Cawthra Woods Environmentally Significant Area (ESA), the City of Mississauga Natural Heritage

System (NAS), Region of Peel Greenlands, and the Cawthra Woods Life Science Area of Natural and Scientific Interest (ANSI). 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 accessory structures on the subject property, proposing:

1. A floor area for an accessory structure (#2) of 29.0 sq m (approx. 312.2 sq ft) whereas By-law 0225-2007, as amended, permits a maximum floor area of 20.0 sq m (approx. 215.3 sq ft) in this instance;
2. A floor area for an accessory structure (#3) of 37.7 sq m (approx. 405.8 sq ft) whereas By-law 0225-2007, as amended, permits a maximum floor area of 20.0 sq m (approx. 215.3 sq ft) in this instance;
3. A combined floor area for all accessory structures of 85.1 sq m (approx. 405.8 sq ft) whereas By-law 0225-2007, as amended, permits a maximum combined floor area of 60.0 sq m (approx. 645.8 sq ft) in this instance;
4. A lot coverage for all accessory buildings and structures of 9.2% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage for all accessory buildings and structures of 5.0% of the lot area in this instance;
5. A height of an accessory structure of 3.85 m (approx. 12.63 ft) whereas By-law 0225-2007, as amended, permits a maximum height of 3.6 m (approx. 11.81 ft) in this instance;
6. An interior side yard measured to an accessory structure of 0.46 m (approx. 1.51 ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 1.2 m (approx. 3.94 ft) in this instance;
7. A setback to a Greenlands Zone of 1.4 m (approx. 4.6 ft) whereas By-law 0225-2007, as amended, requires a minimum setback to a Greenlands Zone of 5.0 m (approx. 16.4 ft) in this instance;
8. A side yard setback measured to hard surfaced landscape material of 0.0 m whereas By-law 0225-2007, as amended, requires a minimum side yard setback measured to hard surfaced landscape material of 0.61 m (approx. 2.0 ft) in this instance; and
9. A setback from hard surfaced landscape material to a Greenlands Zone of 1.4 m (approx. 4.6 ft) whereas By-law 0225-2007, as amended, requires a minimum side yard setback from hard surfaced landscape material to a Greenlands Zone of 5.0 m (approx. 16.4 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.

Please be advised that the proposed development is located within CVC's Regulated Area and a CVC permit will be required.

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.

Comments Prepared by: Elizabeth Paudel, Planning Technician

Appendix 7 – Ministry of Transportation of Ontario

The above properties-projects at 1560 North Mount Ave & 2090 Hurontario St in the package dated for 30th January 2020 are inside MTO Permit Control Area (PCA) therefore they require MTO review and approval-MTO permit(s) for physical changes to the property.

Comments Prepared by: Corey Caple, Corridor Management Officer

Schedule 1

Conditions

- None

A 37/20



A 37/20



A 37/20



A 37/20



A 37/20



A 37/20



Date: January 20th, 2020
File: C of A – 'A' 38/20
(Ward 7 – 60 Dundas Street East)
Agenda: **January 30th, 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.

Background

Mississauga Official Plan

Character Area: Downtown Cooksville
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C4 (Commercial)

Other Applications:

None

Comments

Zoning

The referenced use was approved under Zoning Certificate application 10-1394, and as such we have no objections to the continued use proposed in this Minor Variance.

Planning

The subject property is a two-storey commercial strip mall complex, located south-east of the Dundas Street East and Mississauga Road intersection. This portion of Dundas Street East is comprised exclusively of commercial uses, predominately in the form of strip mall structure-types. Planning Staff note the existing and current operation of a restaurant upon the subject lands.

The Applicant is proposing to convert the existing restaurant, located within Unit 5A, to a new restaurant. As a result of the proposed change of ownership, the Applicant is required to seek the following relief, permitting:

1. A restaurant within 60.0m of a residential zone; whereas, By-law 0225-2007, as amended, requires a minimum separation distance of 60.0m, in this instance.

As per discussions with the Applicant, Planning Staff note, despite the Site Plan provided in support of this application (no title, n.d.), the proposed restaurant use occurs within an existing unit of the main structure; with the titled "Proposed Coffee Shop", located upon the north-west corner of the cited Site Plan, to be omitted.

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 17, 2020

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

Re: COMMITTEE OF ADJUSTMENT – January 30, 2020

This Department has no objections, comments or requirements with respect to C.A. 'A' 396/19 & 35 & 38/20.

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

A 38/20



A 38/20



January 24, 2020

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

Public Works

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

peelregion.ca

**Re: Region of Peel Consolidated Comments
 City of Mississauga Committee of Adjustment Hearing
 January 30th, 2020**

Minor Variance Application: A-038/20
Development Planning: Tracy Tang (905) 791-7800 x7190

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

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 20th, 2020
File: C of A – 'A' 39/20
(Ward 11 – 100 Emby Drive)
Agenda: **January 30th, 2020**

New Item

Recommendation

The Planning and Building Department has no objections to the variances, as amended, subject to the conditions outlined below being imposed by Committee.

Background

Mississauga Official Plan

Character Area: Streetsville Community Node
Designation: Residential High Density, Greenlands

Zoning By-law 0225-2007

Zoning: D (Development), **G1** (Greenlands)

Other Applications:

None

Comments

Zoning

The referenced use was approved under Zoning Certificate application 07-8396; as such, this Department has no objections to the continued use proposed through this Minor Variance application.

Planning

The subject property is located north-west of the Queen Street South and Thomas Street intersection, and currently houses a multi-storey industrial structure utilized as a vehicle pound facility. The immediate area context is primarily industrial, with multiple automotive repair and servicing facilities located along this portion of Thomas Street. Planning Staff further note, residential uses, predominantly in the form of detached dwellings, are present to the south-west; however, their lot configuration and orientation, results in their presence not directly influencing the area context, as it pertains to the subject lands. This area of Streetsville is an area currently under transition; with nearby lands having historically participated in preliminary development meetings with Staff.

Staff note for Committee's information that the requested use was previously granted under file 'A'389/13, for a temporary period of 5 years.

The site is located within the Streetsville Community Node Character Area, and designated Residential High Density and Greenlands by the Mississauga Official Plan (MOP). The requested variance is seeking to allow a use that is not contemplated through this designation. Planning Staff however note, the requested use did exist prior to the re-designation of the lands to Residential High Density in 2006, and that the current request is a continuation of two previously approved Minor Variance applications which permitted the use in 2008 and again in 2013. Within the context of surrounding land uses, the continued temporary use of the land for a vehicle pound facility would not preclude future development of the property for High Density Residential; does not unduly aggravate the current situation; is moderate in scale; and, is compatible with the adjacent land uses.

Given that the use legally existed by way of variance approval, prior to the date By-law 0225-2007 was passed, Staff have no objection to the continuation of the requested use, subject to the following conditions:

1. A temporary period of less than five years to ensure compatibility with potential residential redevelopment

Planning Staff note, the intent of the D Zone is to both recognize, and give legal rights to, an existing previously permitted land use which the municipality acknowledges is ultimately not in line with the future vision of the City in the interim, while the area transitions. While historically, Planning Staff have supported the on-going operations as proposed on the subject lands; future redevelopment within the immediate area will serve to change the contextual lot fabric and character of the neighbourhood. As such, the Applicant should be made aware that the requested impound facility may no longer be compatible with potential neighbouring uses. The Applicant should therefore use any interim permission granted through Committee approval to locate to a more suitable site for the proposed uses.

City of Mississauga
Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: January 17, 2020

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

Re: **C.A. 'A' 39/20**
2537707 Ontario Inc
100 Emby Dr
Ward 11

Enclosed for Committee's reference are some photos which depict the existing vehicle pound.

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

A 39/20



A 39/20



January 24, 2020

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

Public Works

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

peelregion.ca

**Re: Region of Peel Consolidated Comments
 City of Mississauga Committee of Adjustment Hearing
 January 30th, 2020**

Minor Variance Application: A-039/20
Development Planning: Tracy Tang (905) 791-7800 x7190

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

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



January 10, 2020

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 20/039
Municipality File No. A 39/20
2537707 Ontario Inc
100 Emby Drive
Part of Lot 4, Concession 5 WHS
City of Mississauga**

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

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

SITE CHARACTERISTICS:

The subject property is regulated due to floodplain and valley slope associated with Mullett Creek. In addition, the property is located within the City of Mississauga Natural Heritage System (NAS) and the Credit River Watershed Natural Heritage System (CRWNHS). 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

January 10, 2020

Re: CVC File No. A 20/039
Municipality File No. A 39/20
2537707 Ontario Inc
100 Emby Drive
Part of Lot 4, Concession 5 WHS
City of Mississauga

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 a vehicle impound facility use and an accessory structure containing an office use (security office) to remain on the subject property whereas By-law 0225-2007, as amended, does not permit such uses 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.

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: Todd Keely
tlktowing@hotmail.com (via email only)

Date: January 20th, 2020
File: C of A – 'A' 40/20
(Ward 11 – 18 Arch Road)
Agenda: **January 30th, 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 submit a Building Permit 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: R3-69 (Residential)

Other Applications:

None

Comments

Zoning

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

Planning

The subject property is located south-east of the Britannia Road West and the Queen Street North/South intersection, and currently houses a one-storey, detached dwelling. 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 1,038.52m², and a frontage of 22.9m.

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 gross floor area of 421.59m²; whereas, By-law 0225-2007, as amended, permits a maximum gross floor area - infill residential of 357.7m², in this instance; and,
2. A building height measured to the eaves of 7.1m; 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.

Variance 1 (Gross Floor Area)

As per Zoning By-law 0225-2007, the subject property is zoned R3-69 (Residential). Pursuant to Table 4.2.4.69(2) (R3 Exception Zones), this zone regulates a detached dwelling's maximum gross floor area. The general intent of this portion of the By-law, as it pertains to infill development, is to ensure that individual properties are not overdeveloped, and that additional massing resultant of construction will not negatively impact the character of the neighbourhood. Despite requiring relief to permit the proposed increase in gross floor area; the detached dwelling remains appropriate in size and whose massing is well-hidden by multiple recessed façades to the front, and mitigated by the overall contemporary architectural design utilizing multiple peaked roof structures. Variance 1, as requested, maintains the purpose and general intent of the Zoning By-law.

While the resident design of this neighbourhood has historically been single storey, or storey-and-a-half structures, the proposed dwelling is in scale with the overall property as a whole,

and, does not result in the over massing of the site; with the property appropriately sized to accommodate the proposal. Further, Planning Staff note, no subsequent variances have been requested as it pertains to either building setback or lot coverage regulations. As such, it is the opinion of Planning Staff that no additional undue impact is created as a result of Variance 1, as requested; and that such relief represents both the orderly development of the lands, and whose impacts are minor in nature.

Variance 2 (Eave Height)

The Applicant has requested an alteration to the permitted maximum building height, measured to the eaves, of 0.7m (7.1m 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 sloped 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 sloped roof, the designed pitch which remains appropriate. Further, Planning Staff note the incorporation of multiple peak roof elements, which serve to break up the height of the structure, from a streetscape perspective. 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; however, the Applicant may wish to defer the application to submit a Building Permit 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 17, 2020

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

Re: **C.A. 'A' 40/20**
Arvinder, Hardev, & Jaskaran Dhaliwal
18 Arch Rd
Ward 11

We are noting 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

A 40/20



A 40/20



January 24, 2020

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

Public Works

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

peelregion.ca

**Re: Region of Peel Consolidated Comments
 City of Mississauga Committee of Adjustment Hearing
 January 30th, 2020**

Dear Mr. Kenney,

Regional Planning staff have reviewed the applications listed on the January 30th, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-303/19, DEF-A-392/19, DEF-A-396/19, DEF-A-435/19

Minor Variance Applications: A-028/20, A-029/20, A-031/20, A-033/20, A-034/20, A-035/20, A-040/20, A-042/20, A-043/20, A-044/20, A-045/20, A-049/20, A-050/20, A-051/20, A-052/20, A-053/20, A-054/20

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: 2020-01-17 | File(s): 'A' 303/19 |
| To: Committee of Adjustment | Ward: 1 |
| From: Committee of Adjustment Coordinator | Meeting date: 2020-01-30 |

Consolidated Recommendation

- That application 'A' 303/19 be deferred to verify all variances required and address concerns related to the driveway width.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling on the subject property proposing:

1. An interior side yard of 1.20m (approx. 3.93ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 2.42m (approx. 7.94ft) in this instance;
2. A height to the highest ridge (sloped roof) of 10.60m (approx. 34.78ft) whereas By-law 0225-2007, as amended, permits a maximum height to the highest ridge of 9.50m (approx. 31.17ft) in this instance; and
3. A height measured to the eaves of 9.01m (approx. 29.56ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

Amendments

"[Enter amendments to variances]"

Recommended Conditions and Terms

"[Enter terms and conditions here]"

Background

Property Address: 376 Revus Avenue

Comments

Planning

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

Staff comments concerning the application are as follows:

Through discussions with the Zoning Division, it appears that additional variances have been identified through a review of the pre-zoning application that relate to the driveway width, balcony area, etc. More information has been requested to confirm if additional variances are required.

Conclusion

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

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has reviewed the application and draw attention to the Site Plans provided (A101 and A102). We question how a vehicle can safely maneuver in and out of parking space #2 as it is shown. We also ask that the revised sketch take into consideration the existing curbing/entrance within the boulevard from the adjacent commercial property.

Comments Prepared by: Dave Martin

Appendix 2 – Zoning Comments

The Planning and Building Department is currently processing a building permit application under file 19-9172. 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.

Comments Prepared by: Adam McCormack, Zoning Examiner

Appendix 4 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the January 30th, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-303/19, DEF-A-392/19, DEF-A-396/19, DEF-A-435/19

Minor Variance Applications: A-028/20, A-029/20, A-031/20, A-033/20, A-034/20, A-035/20, A-040/20, A-042/20, A-043/20, A-044/20, A-045/20, A-049/20, A-050/20, A-051/20, A-052/20, A-053/20, A-054/20

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 303/19



A 303/19



A 303/19



A 303/19



A 303/19



A 303/19



Date: January 20th, 2020
File: C of A – 'A' 396/19
(Ward 9 – 6900 Millcreek)
Agenda: **January 30th, 2020**
New Item

Recommendation

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

Background

Mississauga Official Plan

Character Area: Meadowvale Neighbourhood
Designation: Convenience Commercial

Zoning By-law 0225-2007

Zoning: C1-10 (Commercial)

Other Applications:

Building Permit: 19-6662

Comments

Zoning

The Building Department is currently processing a Certificate of Occupancy Permit application under file 19-6662. Based upon review of this application, Staff notes that the variances, as requested, are correct.

Planning

The subject property is located south-west of the Derry Road and Millcreek Drive intersection, and currently houses a multi-tenant commercial plaza. The immediate area context is primarily commercial, with multiple shopping areas located both to the north and south of this portion of Millcreek Drive. Planning Staff further note, residential uses, predominantly in the form of detached dwellings, are present to both the north and west; however, their lot configuration and orientation, results in their presence not directly influencing the area context, as it pertains to the subject lands.

The Applicant proposing to operate a restaurant use within one of the existing units of the commercial structure. As a result, the Applicant is required to seek the following relief, permitting:

1. A restaurant use within 60.0m of a residential zone, whereas By-law 0225-2007, as amended, requires a minimum separation distance of 60.0m, in this instance; and,
2. 61 parking spaces on site; whereas, By-law 0225-2007, as amended, requires a minimum of 72 parking spaces, in this instance.

This application was last brought before the Committee on December 12th, 2019; where it was deferred to allow the Applicant the opportunity to submit a satisfactory Parking Utilization Study.

The site is located within the Meadowvale Neighbourhood Character Area, and is designated Convenience Commercial by the Mississauga Official Plan (MOP). Pursuant to Section 11.2.9 (g) (Convenience Commercial), this designation shall permit restaurant services. The Applicant's proposal of a restaurant on the subject lands meets the general purpose and intent of the Official Plan.

Variance 1 (Use)

As per Zoning By-law 0225-2007, the subject property is zoned C1-10 (Commercial), which permits restaurant uses. In accordance with Table 2.1.2.1 (Minimum Separation Distances) the Zoning By-law regulates the minimum distance separation for a restaurant use, adjacent to a residential zone, of 60m. The intent in quantifying the required minimum distance separation between a restaurant and an adjacent residential zone is to ensure that some manner of buffer exists between the two uses; mitigating the associated negative externalities inherent with its operation (noise, smell, etc.).

Despite the requested relief from this portion of the By-law, Staff note, the closest residential dwellings remains significantly setback, being separated by either: both privacy fencing and a significant portion of the plaza's parking lot; or by a four-lane municipal right-of-way (Aquitaine Avenue). Further, while Table 2.1.2.1 regulates a minimum separation between restaurant and residential uses; Planning Staff note, such a distance is measured from the nearest portion of any part of a building or structure to the closest lot line. Due to configuration of the existing structure relative to the subject property, the individual unit in which the proposed use is set to

occur is +/- 80m to the nearest residential dwelling. As a restaurant is permitted as-of-right, and a significant buffer nevertheless remains between the proposed use and the existing residential structures, Variance 1, as requested, maintains the purpose and general intent of the Zoning By-law.

While Planning Staff acknowledge the noise-related concerns brought forward by the local area residents resultant of a restaurant operating upon the premises (more specifically the Afadina Restaurant), this Department notes, the subject lands have received previous approval through Committee, permitting both restaurant and patio uses through applications "A"149/96 and "A"248/07, respectively; with such operation, and subsequent concerns, existing in some form or another for the past 20+ years. Planning Staff would further note, this zone permits: Animal Care / Veterinary Clinic Establishments, Private Clubs, and, Beverage/Food Preparation Establishments (manufacturing uses), as-of-right; with all such services inherently possessing similar noise-related and/or nuisance concerns, but not requiring a variance to operate. As such, it is the opinion of Planning Staff that no additional undue impact is created as a result of Variance 1, as requested; and that such relief represents both the orderly development of the lands, and whose impacts are minor in nature.

Variance 2 (Parking)

In accordance with Table 3.1.2.2 (Required Number of Parking Spaces for Non-Residential Uses), this zone regulates the required number of parking spaces. The intent in quantifying this regulation 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, 72 parking spaces are required; whereas, the Applicant is providing 61.

As per the Parking Utilization Study (Trans-Plan, Dec/2019) submitted by the Applicant, and reviewed to the satisfaction of City Planning Strategies (CPS) Staff, the proposed parking rates are suitable to adequately accommodate peak parking demands for the intended use. Variance 2, as requested, maintains the purpose and general intent of the Official Plan and Zoning By-law.

As per the aforementioned provided Parking Utilization Study, the subject property has ample room to accommodate the proposed parking and internal traffic circulation. As such, the proposed reduction serves to pose no significant negative impact to the surrounding neighbourhood, with all parking set to occur on site. Variance 2, as requested, results in both the orderly development of the lands, and whose impacts are minor in nature.

Based upon the preceding information, it is the opinion of Staff that the variances, as requested, meet the general intent and purpose of both the 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 17, 2020

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

Re: COMMITTEE OF ADJUSTMENT – January 30, 2020

This Department has no objections, comments or requirements with respect to C.A. 'A' 396/19 & 35 & 38/20.

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

A 396-19



A 396/19



A 396/19



January 24, 2020

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

Public Works

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

peelregion.ca

**Re: Region of Peel Consolidated Comments
 City of Mississauga Committee of Adjustment Hearing
 January 30th, 2020**

Dear Mr. Kenney,

Regional Planning staff have reviewed the applications listed on the January 30th, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-303/19, DEF-A-392/19, DEF-A-396/19, DEF-A-435/19

Minor Variance Applications: A-028/20, A-029/20, A-031/20, A-033/20, A-034/20, A-035/20, A-040/20, A-042/20, A-043/20, A-044/20, A-045/20, A-049/20, A-050/20, A-051/20, A-052/20, A-053/20, A-054/20

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: 2020-01-17 | File(s): 'A' 435/19 Ward: 2 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date: 2020-01-30 |

Consolidated Recommendation

- The City does not object to variances #2 and 4-7, however recommend that variances #1 and 3 be refused. The applicant may choose to defer the application to verify if additional variances are required.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of an addition on the subject property proposing:

- A gross floor area of 551.97sq.m (approx. 5,941.35sq.ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 423.53sq.m (approx. 4,558.84sq.ft) in this instance;
- A combined width of side yards of 5.16m (approx.16.93ft) whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 8.80m (approx. 28.87ft) in this instance;
- A height measured to the flat roof of 9.50m (approx. 31.20ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the flat roof of 7.50m (approx. 24.61ft) in this instance.
- A height of an accessory structure (cabana) of 3.56m (approx. 11.68ft) whereas By-law 0225-2007, as amended, permits a maximum height of an accessory structure of 3.50m (approx. 11.48ft) in this instance.
- An interior side yard measured to an accessory structure (wet bar) of 0.40m (approx. 1.31ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to an accessory structure of 1.20m (approx. 3.94ft) in this instance;
- An interior side yard measured to an accessory structure (cabana) of 0.77m (approx. 2.53ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard measured to an accessory structure of 1.20m (approx. 3.94ft) in this instance; and
- A width of the existing walkway attachment to the driveway of 2.90m (approx. 9.51ft) whereas By-law 0225-2007, as amended, permits a maximum width of a walkway attachment to driveway of 1.50m (approx. 4.91ft) in this instance.

Amendments

"[Enter amendments to variances]"

Recommended Conditions and Terms

"[Enter terms and conditions here]"

Background

Property Address: 1417 Shadowa Road

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R1-2 (Residential)

Other Applications

Site Plan: 19-73

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, northwest of the Mississauga road and Indian Road. The surrounding area consists of single detached dwellings ranging in one and two storeys with mature vegetation in the front yard. The subject property contains an existing bungalow with some vegetation in the front yard. The application seeks to permit a second storey addition, requiring variances related to gross floor area (GFA), combined side yard width, height, accessory structures and walkway attachment.

The application was previously deferred from the November 14th, 2019 Committee of Adjustment hearing to redesign the proposed addition. The proposed variances and plans remain the same.

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. As per Section 16.5.1.1 in the Clarkson-Lorne Park Neighbourhood Character Area policies, developments should be compatible with and enhance the character of the Clarkson-Lorne Park area and be integrated with the surrounding area. Furthermore, Section 16.5.1.4 (c) encourages new housing to fit the scale and character of the surrounding area. The proposed GFA significantly increases the massing of the dwelling, creating an undesirable built form that is not compatible within the surrounding area which consists of bungalows and modest two storey dwellings containing architectural features that break up the massing of the dwelling. Regarding the reduced combined side yard width and accessory structures, these variances relate to existing conditions and provides for an appropriate buffer to neighbouring properties. Staff is of the opinion that the proposed GFA and height 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 GFA of 551.97 m² whereas a maximum GFA of 423.53 m² is permitted and a flat roof height of 9.50 m whereas 7.50 m is permitted. The intent in restricting gross floor area is to maintain compatibility between existing and new dwellings and ensure the existing and planned character of a neighbourhood is preserved. In this instance, the proposed GFA significantly increases the overall massing of the dwelling, diminishing compatibility with the existing and planned character of the surrounding area. There has been newer development within the immediate area that has been consistent to maintaining the overall character, however, the proposed variances result in a development that is inconsistent with character streetscape and newer two storey dwellings. In relation to the requested height, as staff does not support the requested GFA increase, the proposed height cannot be supported. Staff is of the opinion that the general intent and purpose of the zoning by-law is not maintained.

Variance #2 proposes a reduced combined side yard width of 5.16 m whereas 8.80 m is required. The general intent of this portion 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 proposed variance is an existing condition that does not pose any additional concerns to neighbouring properties. The combined side yard width is measured from the narrowest point of the dwelling to the interior lot lines. If the combined side yard width was measured to the widest point, the by-law would be maintained. The proposed variance does not continue throughout the entire length of the dwelling and maintains an appropriate buffer to neighbouring properties. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variances #4-6 relate to an increased height and deficient side yards of the proposed accessory structures. The intent of the zoning by-law provisions regarding accessory structures is to ensure that the structures are proportional to the lot and dwelling and clearly accessory while not presenting any massing concerns to neighbouring lots. The proposed accessory structures make up approximately 0.02% of the total lot coverage and are clearly accessory to the principle residential use. The increased height is a minor deviation from the zoning by-law and will not have any additional undue impact to the neighbouring property. Although, the side yards are deficient, the structures can still be maintained and provide an appropriate buffer to neighbouring properties, minimizing impacts related to massing. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #7 proposes a walkway attachment of 2.90 m whereas a maximum of 1.50 m is permitted. The intent of this portion of the by-law is to allow a hard-surfaced pathway from the driveway to the front entrance and/or the rear yard, while ensuring that such an area cannot be utilized for parking purposes. While the 2.90 m is larger than what the by-law contemplates, due to the angle of the walkway, vehicular access remains restrained. 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 application proposes an addition that significantly increases the overall massing of the dwelling that does not maintain compatibility within the existing and planned character of the surrounding area. The reduced combined side yard width is an existing condition and is measured to the narrowest point of the dwelling. The remaining portion of the dwelling provides for a greater setback and maintains the required combined side yard setback towards the front portion of the dwelling. The proposed accessory structures are appropriately setback from the neighbouring properties and will not create any additional undue impact regarding massing. Although the proposed walkway attachment has a width of 2.90 m, due to the angle of the attachment from driveway, vehicular access is restricted. Staff is of the opinion that variances #1 and 3 do not represent orderly development of the lands and are not minor in nature.

Conclusion

The Planning and Building Department has no objections to variances #2 and 4-7, however recommend that variances #1 and 3 be refused.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that Transportation and Works Department concerns/requirements for the proposed property are being addressed through the Site Plan Application process, File SP-19/073.

Also, we draw attention to the existing shed. The down spout that is located at the rear wall of the shed must be relocated so that the drainage from the roof top of the shed is not directed onto the neighbouring lands.

Comments Prepared by: Dave Martin

Appendix 2 – Zoning Comments

The Planning and Building Department is currently processing a site plan approval application under file 19-073. Based on review of the information currently available for this application, the following variances, as requested are correct. However, more information is required to verify if additional variances are required.

Comments Prepared by: Jeanine Benitez-Bumanglag, Zoning Examiner

Appendix 3 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the January 30th, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Applications: DEF-A-303/19, DEF-A-392/19, DEF-A-396/19, DEF-A-435/19

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

Comments Prepared by: Tracy Tang

A 435/19



A 435/19



A 435/19



A 435/19



A 435/19

