



Committee of Adjustment

The following staff reports are current as of January 9th, 2020 at 4:00pm.

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

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

Location: COUNCIL CHAMBERS
Hearing: JANUARY 16, 2020 AT 1:30 P.M.

NEW APPLICATIONS (CONSENT)

File	Name of Applicant	Location of Land	Ward
B-1/20	SALVATORE & MIRELLA LIZZI	1597 STEVELES CRES	2
B-2/20	FIRST CAPITAL ASSET MANAGEMENT LP	6075 CREDITVIEW RD.	11

DEFERRED APPLICATIONS (CONSENT)

File	Name of Applicant	Location of Land	Ward
B-63/19	NESTLE PURINA PETCARE CANADA	2500 ROYAL WINDSOR DR	2

NEW APPLICATIONS (MINOR VARIANCE)

File	Name of Applicant	Location of Land	Ward
A-1/20	EMBEE PROPERTIES LTD.	980 BURNHAMTHORPE RD E	3
A-2/20	CARLOS & MARIE DE LOURDES PACHECO	4074 MOLLY AVE	4
A-3/20	IMRAN JAVED & SHAZIA IMRAN	5415 FESTIVAL DR	10
A-4/20	CP REIT ONTARIO PROPERTIES LTD	3005, 3045 MAVIS RD, 3030 ELMCREEK RD & 675 DUNDAS ST W	7
A-5/20	JOE SCAVUZZO & SOPHIE NGUYEN	2269 DENISE RD	1
A-6/20	JO ANNA & DAVID SCHROEDER WITHDRAWN	426 CUMBERLAND DR	4
A-7/20	PAUL & SUZANNE TOMORY	146 MINEOLA RD W	1
A-8/20	VEERPAL GILL & SHINDER BRAR	7661 REDSTONE RD	5
A-10/20	JOHN & SANDRA MOHER	44 PETER ST S	1
A-11/20	1494096 ONTARIO INC	1100 DUNDAS ST W	7
A-12/20	MAHMOUD SOUS	2045 CAMILLA RD	7

DEFERRED APPLICATIONS (MINOR VARIANCE)

File	Name of Applicant	Location of Land	Ward
A-405/19	SONNY & JACQUELINE KUMAR & BOZENA POLROLNIK	536 AMARONE CRT	11
A-406/19	MARA & PAUL KANNAMPUZHA	1105 ALGONQUIN DR	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.)

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-01-09	File(s): 'B' 01/20
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-01-16

Consolidated Recommendation

- That application 'B' 01/20 be deferred to allow applicant to confirm any additional variances required and ensure the applicant provides a concept plan to demonstrate the location and operation of an appropriate access.

Application Details

The applicants request the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 25.06m (82.22ft) and an area of approximately 1,186.80sq.m (12,774.61sq.ft).

Recommended Conditions and/or Terms

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 1579 Steveles Crescent

Mississauga Official Plan

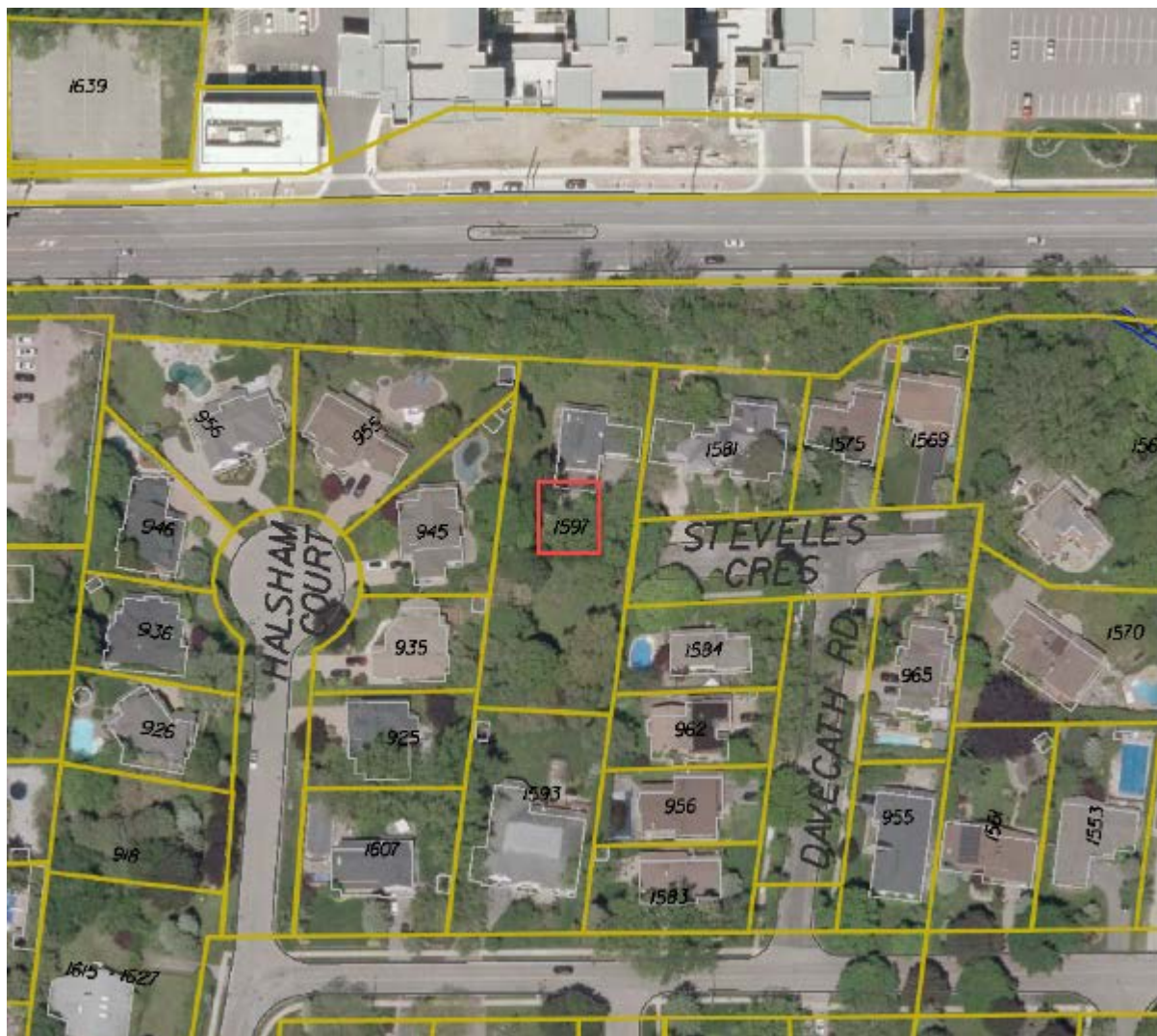
Character Area: Clarkson-Lorne Park Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R2-1 (Residential)

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, east of Lakeshore Road West and Clarkson Road North. The neighbourhood consists of one and two storey detached dwellings with significant mature vegetation. The subject property contains a two storey detached dwelling with mature vegetation throughout the lot.



Comments

Planning

Planning Act

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

Staff comments concerning the application are as follows:

The application proposes to sever the existing lot for the creation of a new lot to be used for residential purposes. The severed lot is proposed to have a lot area of approximately 1,186.80 m² while the retained lot will have a lot area of approximately 1,458.70 m². The zoning by-law requires a minimum lot frontage of 18 m and a minimum lot area of 695 m² for an interior lot.

The Official Plan states that 'Neighbourhoods' are not appropriate areas of intensification, however, it may be considered where the proposed development is compatible in built form and scale to the surrounding development. Staff is of the opinion that the proposed severance maintains the existing lot fabric of the neighbourhood and is appropriate for intensification within the Clarkson-Lorne Park Neighbourhood Character Area.

Through discussions with the Zoning Division, it appears that variances will be required on the retained and severed lots regarding lot frontage. The application states that the lots have a frontage of approximately 25 m; however, the frontage should only include the portion of the lot that fronts onto Steveles Crescent. It should also be noted that the Transportation and Works Department is requesting that the application be deferred to allow the applicant to submit a plan demonstrating satisfactory access into the sites which may also impact the overall lot frontage and lot area.

Provincial Matters

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

Conclusion

Based on the preceding information, 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 request to create a new lot for residential purposes with the severed lands and the retained lands having access and frontage onto the west end of Steveles Crescent. We acknowledge that the subject property currently has access to Steveles Crescent. This department has consulted with our works and operations staff and they have expressed operational and maintenance concerns with the establishment of an additional driveway entrance at the terminus of Steveles Crescent as proposed. The applicant has not demonstrated how access can be satisfactorily created and can also provide for winter maintenance operations to be accommodated at the west end of Steveles Crescent.

We note that under previous Consent files 'B' 154/88 and 'B' 05/90, a similar request was brought forward to sever the subject property. At that time, the adjacent lands to the west had not been developed with a plan of subdivision and we requested an extension of Steveles Crescent in anticipation of future development. As both application did not proceed and lapsed, the adjacent subdivision proceeded and was registered as 43M-435. Although there can be no connection through to the adjacent subdivision, this department is of the opinion that extension of Steveles Crescent to accommodate appropriate access locations and provide for appropriate municipal lands to accommodate seasonal operation and maintenance at the westerly end of the road. I have attached a copy of a previous plan 43R-17688 which illustrates the lands to be conveyed at that time.

Given the above, this department would request that the application be deferred until the applicant has provided a satisfactory conceptual plan, which may include additional right of way dedication for an extension of Steveles Crescent, which addresses our access and winter maintenance operational concerns.

However; should Committee see merit in the subject applications and have sufficient information from the applicant to proceed with the request, the Transportation and Works Department has the following conditions for Committee's consideration:

A. Items Required Prior to the Issuance of Final Consent

1. Overall Grading and Drainage Plan

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

2. Overall Site Servicing Plan

We request that the applicant submit a Site Servicing Plan prepared by a Consulting Engineer for this department's review/approval. The Site Servicing Plan is to confirm that all the necessary municipal services can be provided for the dwellings to be constructed on the subject lands.

3. Conceptual Site Plan Detailing Proposed Driveway Locations

The applicant will be required to provide for our review/approval a more detailed conceptual site plan which must include the location of all utilities on site as well as the location of the existing driveway entrance for 1597 Steveles Crescent, the proposed driveway entrance and the proposed building footprints. The concept plan should have consideration for snow storage for municipal snow maintenance operations.

4. Land Dedication Requirement for the Extension of Steveles Crescent

The applicant is to gratuitously dedicate to the City of Mississauga right-of-way lands for the extension of the Steveles Crescent westerly. The dimensions of the extension of Steveles Crescent will be determined through the detailed conceptual site plan noted in condition A.3. above.

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

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

Should the applicant require more information with regards to the above, please contact Ryan Au from our Traffic Section at 905 615-3200 ext. 3713 or ryan.au@mississauga.ca.

5. Environmental Site Assessment (ESA) for Road Widening on Steveles Crescent

In regards to Condition A.4., the applicant will be required to deed gratuitously to the City a road right of way dedication for the extension of Steveles Crescent. Therefore, in accordance with Corporate Policy 09-08-02, a Phase 1 Environmental Site Assessment (ESA) will be required. The report should be prepared in accordance with O. Reg 153/04 (as amended), signed and dated by a Qualified Person as defined in O. Reg 153/04 (as amended) and include a clause or be accompanied by a letter signed by the author of the report or a

Principal of the Consulting Firm, which allows the City of Mississauga to make reliance on the findings and conclusions presented in the report.

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

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

6. Development Agreement including Schedules for possible extension of Steveles Crescent and any required Warning Clauses

Satisfactory arrangements will have to be made with regards to the owner entering into a Development Agreement with the City of Mississauga which may include Municipal Infrastructure Schedules to address the construction of any required road modification works. The applicant may be required to submit and engineering submission for any proposed infrastructure or road works. Should no municipal works be contemplated as part of the Agreement, warning clauses would be required to be registered on title of the property as it relates to winter maintenance limitations.

The applicant/owner should also acknowledge that the Transportation and Works Department will not issue it's clearance for this Consent Application until such time that the Development Agreement including Schedules for Municipal Infrastructure has been finalized, a By-Law to authorize the execution of the agreement passed by Council and the agreement fully executed by the City.

7. Acoustical Report

Due to the proximity and noise emanating from Lakeshore Road West, the owner will be required to retain the services of an Acoustical Consultant to prepare a detailed Acoustical Report for the subject lands and make comments/recommendations in support of this severance application. This report is to determine the need for the implementation of any noise attenuation measures that are to be incorporated into the construction of the site works to achieve the City's and the M.O.E.'s current noise level objectives. The scope of this report is to define the minimum noise attenuation requirements for the control of outdoor and indoor environmental sound levels. Specific attention shall be had regarding the retained lot which has a rear yard abutting Lakeshore Road West.

We are also noting for the owner's information that securities may be required to ensure that any noise attenuation measures such as air conditioning units or acoustical fencing are installed for any dwellings to be constructed.

8. Municipal Address Requirement

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

GENERAL INFORMATION

1. Lot Grading and Drainage

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

2. Servicing

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

3. Access

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

4. Storm Sewer Outlet

The applicant is advised that the storm sewer outlet for the proposed lot is the existing 300mm dia. storm sewer on Steveles Crescent.

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

Comments Prepared by: Dave Martin, Supervisor

Appendix 2 – Zoning Comments

This Division notes that no development is proposed through this application. The applicant is advised that a full zoning review has not been completed; however, it appears that the severed/retained parcel will have insufficient lot frontage on a public road.

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

Comments Prepared by: Sandra Morrison, Zoning Examiner

Appendix 3 – Forestry and Parks

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

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

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

In addition, Community Services notes the following:

1. Requirements for Municipal Boulevard tree protection securities and protective hoarding will be addressed during the Site Plan Process.
2. Payment of street tree contributions can be made at the Parks and Forestry customer service counter located at 950 Burnhamthorpe Road West in the form of a certified cheque, bank draft, or money order payable to the City of Mississauga.
3. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, c.P. 13, as amended) and in accordance with the City's policies and by-laws.

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

Comments Prepared by: Jim Greenfield, Parks Planner

Appendix 4 – Region of Peel Comments

Consent Application: B-001/20

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

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

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

Comments Prepared by: Tracy Tang, Junior Planner

Appendix 5 – Bell Canada

Dear Sir/Madam,

RE : B-1/20

- Severance Application
- 1597 Steveles Cr.

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

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

Comments Prepared by: Carrie Gordon, External Liaison

Appendix A – Conditions of Provisional Consent

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding.
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated January 9, 2020.
5. A letter shall be received from the City of Mississauga, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated January 9, 2020.

Notes:

- The Decision to give Consent shall be deemed to be refused if the conditions of provisional consent have not been fulfilled within one year of the mailing date of the Decision of the Committee of Adjustment. [See subsection 53(17), (24) and (41) of the Planning Act.] One year from the mailing date of the Decision is expected to be January 27, 2021.
- Money in lieu of conveyance of land for park or other public recreational purposes and Development Charges may be payable at the time of the issuance of a Building Permit.

Schedule 1

Conditions

- None

B 001/20



B 001/20



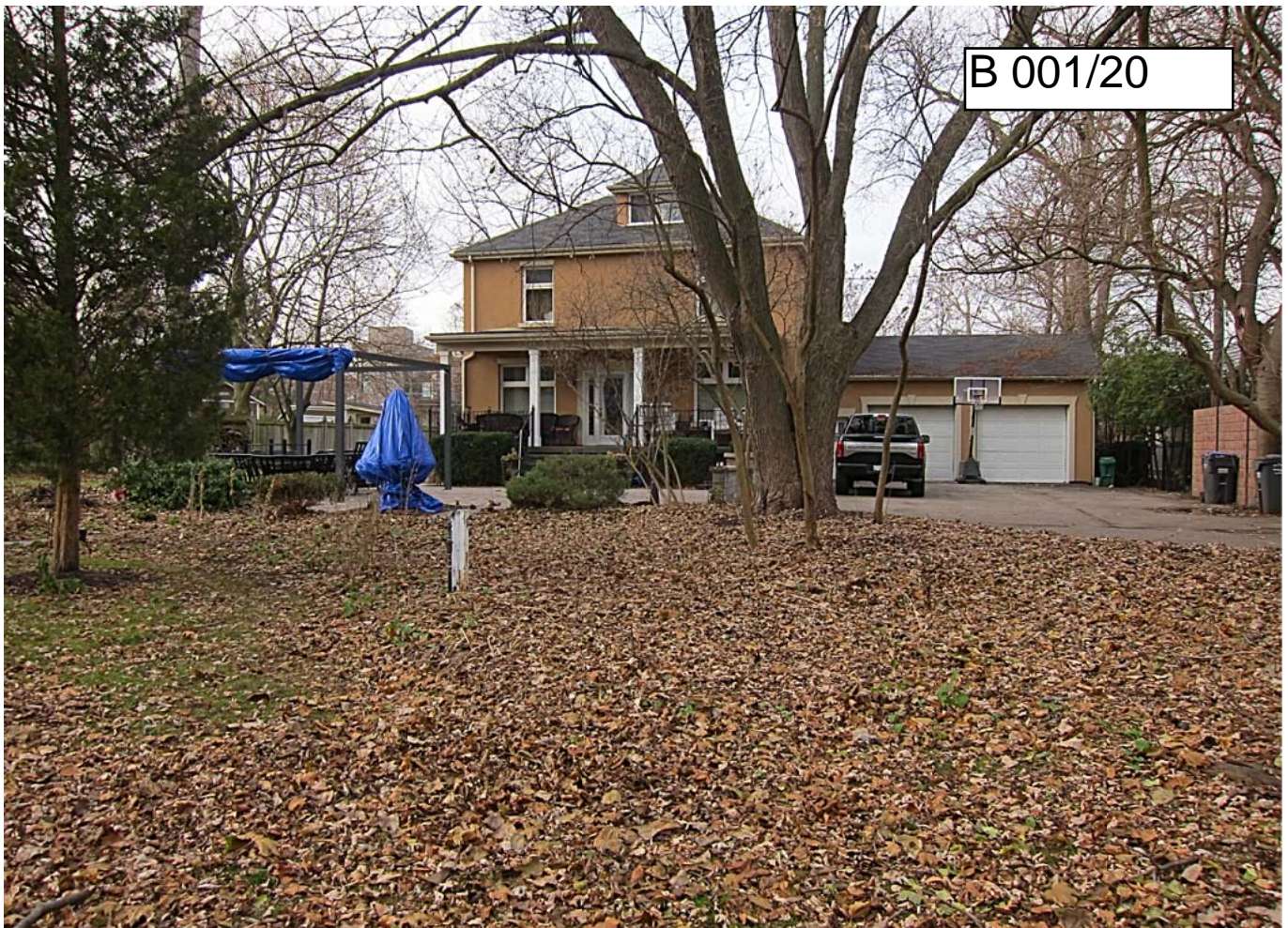
B 001/20



B 001/20



B 001/20



B 001/20



Date: January 6th, 2020

File: C of A – 'B' 2/20
(Ward 11 – 6075 Creditview Road)

Agenda: January 16th, 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 53 of the Planning Act.

Background

Mississauga Official Plan

Character Area: East Credit Neighbourhood
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C2 (Commercial)

Comments

Zoning

This Department has no objection to the consent application provided that the proposed lease extension does not result in any change that would cause a deficiency to any provisions of the Zoning By-law with respect to minimum lot frontage and lot area; setbacks to existing buildings; and parking requirements; or, alternatively that any minor variance is approved, final and binding.

Planning

The Applicant is proposing a lease in excess of 21 years on the subject lands.

Through a detailed review, Staff is of the opinion that the application is appropriate to be handled through the consent 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 50(3) of the Planning Act.

<http://teamsites.mississauga.ca/sites/18/CofA/Comments/2020/January/Jan 16/jan 16.rv.docx>

City of Mississauga

Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: January 6, 2020

RE: **Applicant:** First Capital Asset Management LP
 Date of Hearing: January 16, 2020
 Location: 6075 Creditview Road
 Our File: 'B' 2/20, Ward 11 (Z-45E)

Information submitted with these applications indicates that the intent is to permit a lease greater than 21 years. In this regard, this department has no objections or requirements for this application.

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

B 2/20



B 2/20



B 2/20



Public Works

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

peelregion.ca

December 18, 2019

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

**Re: Region of Peel Consolidated Comments
 City of Mississauga Committee of Adjustment Hearing
 January 16th, 2020**

Dear Mr. Kenney,

Regional Planning staff have reviewed the applications listed on the January 16th, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Consent Applications: B-002/20

Minor Variance Applications: A-001/20, A-002/20, A-003/20, A-004/20, A-005/20, A-010/20, A-011/20

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: 2020-01-09	File(s): 'B' 63/19
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-01-16

Consolidated Recommendation

- The City does not object to the approval of the consent application

Application Details

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot and mutual easement. The parcel of land has a frontage of approximately 127.84m (419.42ft) and an area of approximately 69,197sq.m (744,830.31sq.ft).

Recommended Conditions and/or Terms

- Appendix A – Conditions of Provisional Consent

Background

Property Address: 2500 Royal Windsor Drive

Mississauga Official Plan

Character Area: Southdown Employment Area
Designation: Industrial

Zoning By-law 0225-2007

Zoning: E3-1 (Employment)

Site and Area Context

The subject site is located within the Southdown Employment Character Area, east of Winston Churchill Boulevard and Royal Windsor Drive. This portion of Royal Windsor Drive consists of manufacturing and industrial uses. The subject site contains multiple structures used for manufacturing/industrial purposes. The application proposes to sever the existing lot for the creation of a new lot and mutual easement.



Comments

Planning

Planning Act

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

Staff comments concerning the application are as follows:

The severed lot proposes to have a lot frontage of approximately 127.84 m and lot area of approximately 69,197 m². The retained lot will have a lot frontage of 121.92 m with a lot area of approximately 82,015 m². The creation of the mutual easement will be used for storm water management purposes between the severed and retained lands.

The subject site is designated "Industrial" in Schedule 10 of the Mississauga Official Plan (MOP) which permits manufacturing, self-storage facility and research and development among other uses. Employment Areas are stable areas containing diverse industrial and business employment operations. Pursuant to Section 5.3.6.1 (Employment Areas) Mississauga will maintain an adequate supply of lands for a variety of employment uses to accommodate existing and future employment needs. The subject site will continue to be used for employment purposes, maintaining the Industrial designation of MOP.

Based on the preceding information, staff is of the opinion that the consent application maintains Section 51(24) of the *Planning Act*, more specifically that it conforms to the official plan and is suitable for the purposes for which it is to be subdivided.

Provincial Matters

The Provincial Policy Statement 2014 (PPS 2014) and Growth Plan for the Greater Golden Horseshoe promotes economic development by making more efficient use of existing employment areas and underutilized employment lands which can increase employment densities as a result. The proposal to create a new lot is consistent with the policies outlined in the Growth Plan.

Conclusion

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

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

For the Committee's information, this department has met with the applicant after the previous Committee meeting to have further discussions around our comments, more specifically the request for the land dedication of the Avonhead Creek lands. In addition, a site plan application has been submitted for the proposed severed lands under File SP 19/140 for two industrial buildings. The applicant has provided further information regarding the top of bank location as it relates to Avonhead Creek.

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

A. Items Required Prior to the Issuance of Final Consent

1. Servicing Plan

A full scale Servicing Plan is to be submitted for our review/approval which would clearly identify the location of any existing underground services. Upon the review of the Servicing Plan the location and width of any required easements can be addressed.

2. Site Plan/Survey Plan Requirement

A Site Plan depicting the existing building envelopes, access geometrics, parking spaces, driveways and access areas including loading areas and ramps is to be provided. A Survey Plan (43R-Plan) will also be required for our review/approval in order that the location and width of any proposed servicing and access right-of-way easements (if any) can be described as parts on the 43R-Plan.

3. Required Easement(s)

Upon the review of Item's A1 and A2, and the confirmation of the required easement(s), (if any), the applicant/owner will be required to provide a letter/schedule prepared by the applicant's Solicitor which would specifically describe the new private easement(s) to be established. It should also be noted that any documentation received will be forwarded as an attachment with our clearance memo to the Committee of Adjustment Office in order that any new proposed private easement(s) can be identified and also be incorporated into the Certificate of Secretary-Treasurer.

4. Land Dedication Required for Avonhead Creek

Satisfactory arrangements are to be made with the Transportation and Works Department for the gratuitous dedication of all lands below the top of bank or stable slope line of the Avonhead Creek.

Should additional clarification be required with regard to the above noted comment, please contact Ghazwan Yousif, Storm Drainage Technologist at 905 615-3200 ext. 3526 or ghazwan.yousif@mississauga.ca you require further information.

5. Environmental Site Assessment (ESA) for Top of Bank Dedication of Avonhead Creek

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

- a) Specifically reference lands to be dedicated to the City;
- b) the boundaries of conveyance lands must be overlaid on top of a legal survey to scale in order to represent the legal boundaries of these lands;
- c) be completed in accordance with O. Reg. 153/04 ;
- d) be signed and dated by a Qualified Person (as defined by section 5 and 6 under O. Reg. 153/04, as applicable);
- e) include a clause or be accompanied by a letter signed by the author of the report or a Principal of the Consulting Firm, which allows the City of Mississauga to make reliance on the findings and conclusions presented in the reports to the same extent as to the property owner. The wording of the reliance must meet the City's sole and unfettered satisfaction. The template is provided on the City's website under Terms of Reference: <http://www.mississauga.ca/portal/residents/terms-of-reference>

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

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

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

As per the City of Mississauga's Fees and Charges By-law there will be a fee required to be paid to the Legal Services Department for their services, in

particular for the preparation of documents required for items pertaining to a Development Agreement, road widenings or other land dedications. The fee amount payable will be in accordance with the current fees and charges bylaw.

7. Municipal Address Requirement

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

B. General Information

1. Site Plan Approval

Any re-development of the subject lands will require the owner obtaining Site Plan Approval where any site specific conditions/requirements relating to detailed lot grading and drainage, servicing, access, etc. will be addressed.

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

Comments Prepared by: Dave Martin, Supervisor

Appendix 2 – Zoning Comments

This Division notes that no development is proposed through this application. The applicant is advised that a full zoning review has not been completed; however, it appears that the proposed severance may cause a Zoning By-law deficiency with regard to building setback and on-site parking. Complete site stats are required to verify if variances are required.

Comments Prepared by: Sandra Morrison, Zoning Examiner

Appendix 3 – Forestry and Parks

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

For development or redevelopment of the site, prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes may be 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 bylaws.

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

Deferred Consent Application: DEF-B-063/19

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

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

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

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

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

Comments Prepared by: Tracy Tang, Junior Planner

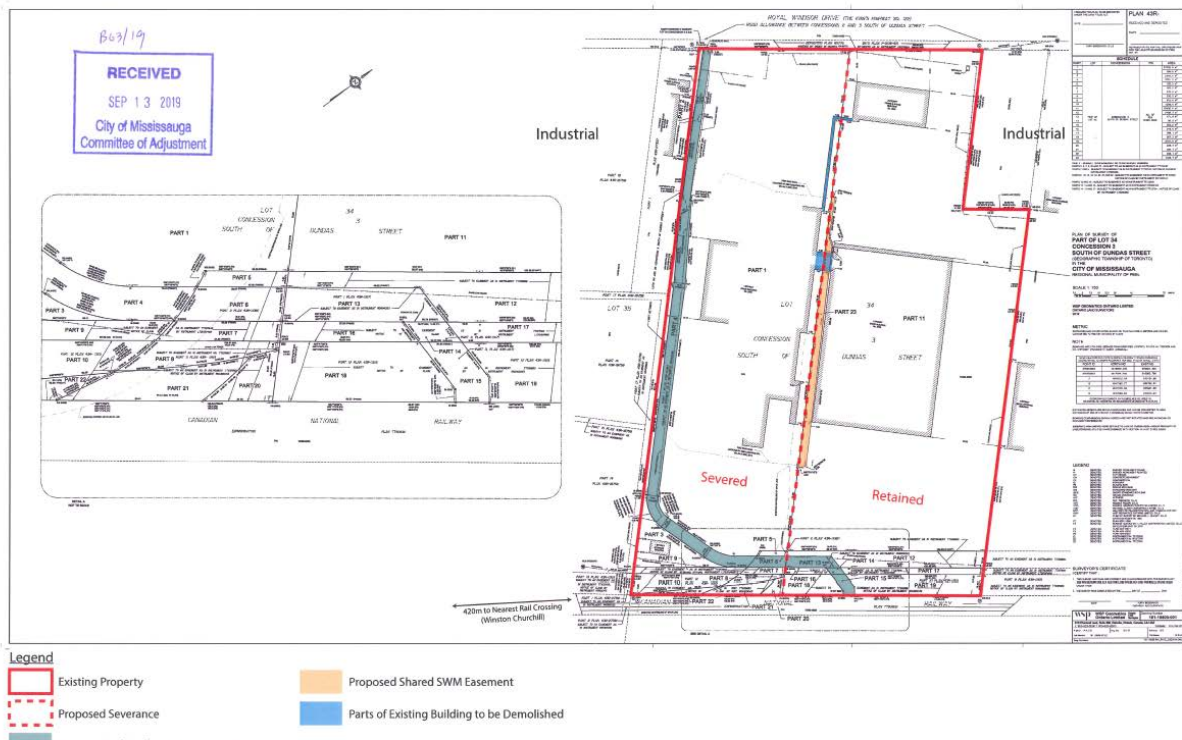
Appendix 5 – Geospatial Solutions

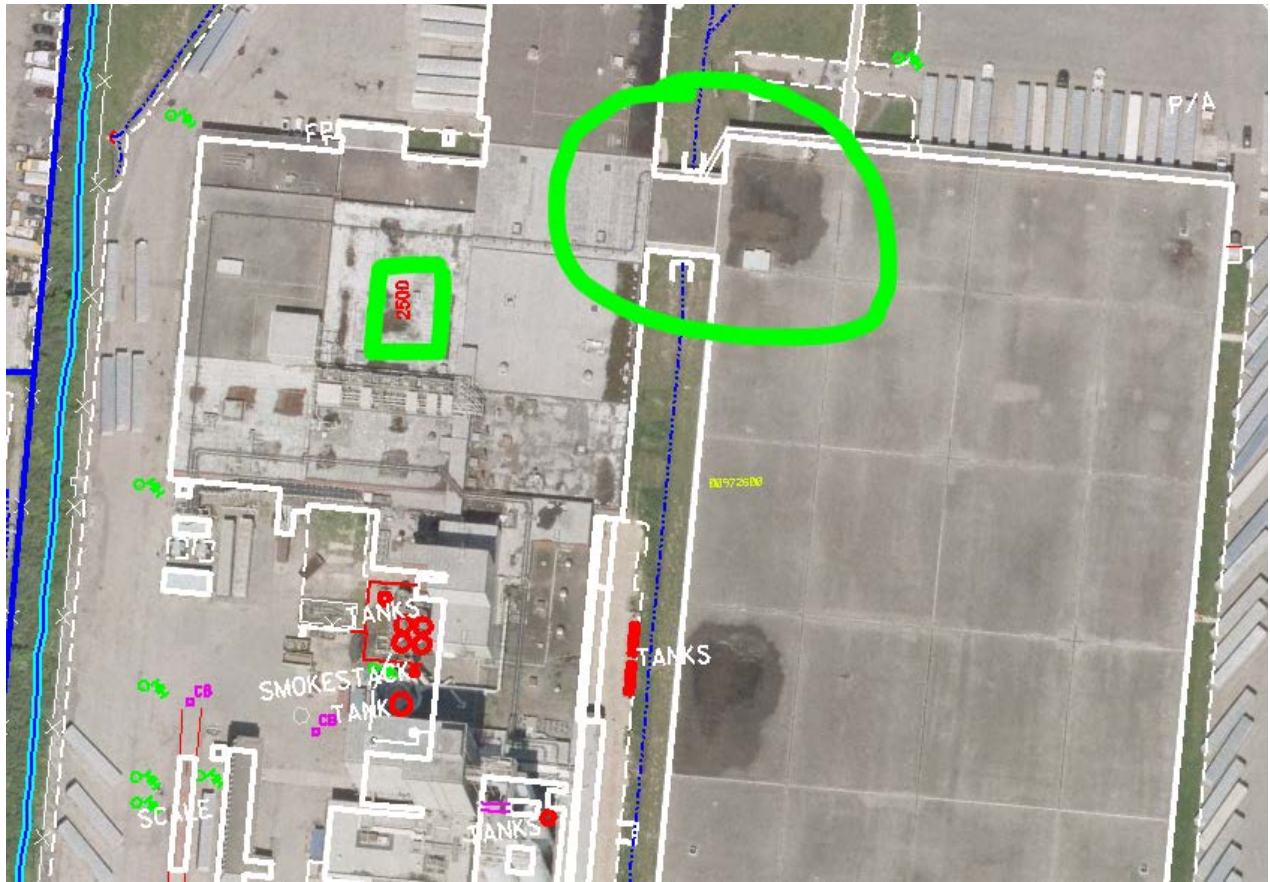
At this time, please be advised that Geospatial Solutions has **concerns** with respect to address changes or assignments for the above noted consent application.

The plans show that once the land is severed and the parts of the existing building will be demolished, this will leave the eastern part of the structure as a stand-alone building. This stand-alone building will require an address as per the Municipal Address By-Law 30-11.

Please see below.

Consent Application - Property Sketch





Please note that the applicant will need to contact Geospatial Solutions in the future for municipal address(es) for the building(s) in accordance to Part II of the Municipal Address By-Law 30-11.

<http://www.mississauga.ca/file/COM/municipaladdress2011.pdf>.

Comments Prepared by: Susie Tasca, GIS Specialist

Appendix A – Conditions of Provisional Consent

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding.
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated January 9, 2020.
5. A letter shall be received from the Region of Peel, Development Services/Public Works, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated January 9, 2020.
6. A letter shall be received from the City of Mississauga, Geospatial Solutions Division, indicating that satisfactory arrangements have been made with respect to any required address changes or assignments (905-615-3200 x5381).

Notes:

- The Decision to give Consent shall be deemed to be refused if the conditions of provisional consent have not been fulfilled within one year of the mailing date of the Decision of the Committee of Adjustment. [See subsection 53(17), (24) and (41) of the Planning Act.] One year from the mailing date of the Decision is expected to be January 27, 2021.
- Money in lieu of conveyance of land for park or other public recreational purposes and Development Charges may be payable at the time of the issuance of a Building Permit.

Schedule 1

Conditions

- None

Date: January 6th, 2020

File: C of A – 'A' 1/20
(Ward 3 – 980 Burnhamthorpe Road East)

Agenda: January 16th, 2020

New Item

Recommendation

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

Background

Mississauga Official Plan

Character Area: Applewood Neighbourhood
Designation: Convenience Commercial

Zoning By-law 0225-2007

Zoning: C1 (Commercial)

Other Applications:

Occupancy Permit: 19-8625

Comments

Zoning

The Building Department is currently processing an Occupancy Permit application under file 19-8625. Based upon review of the information currently available for application, we advise that the following variance(s) should be amended as follows, permitting:

- 1 accessible parking space; whereas, By-law 0225-2007, as amended, requires a minimum of 3 accessible parking spaces, in this instance.

Planning

The property is located upon the south-east corner of the Burnhamthorpe Road East and Tomken Road intersection, and currently houses a one-storey, multi-tenant commercial plaza. The context of the immediate area is primarily composed of commercial uses, with multiple shopping areas located both to the north and south of this portion of Burnhamthorpe Road East. Planning Staff note, residential uses, predominantly in the form of detached dwellings, are present directly to the south of the subject lands; however, their lot configuration and orientation results in their presence not directly influencing the area context.

The Applicant is proposing to operate a restaurant within one of the existing commercial units.

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

1. 32 parking spaces; whereas, By-law 0225-2007, as amended, requires a minimum of 53 parking spaces, in this instance; and,
2. 1 accessible parking space; whereas, By-law 0225-2007, as amended, requires a minimum of 3 accessible parking spaces, in this instance.

The site is located within the Applewood Neighbourhood Character Area, and designated Convenience Commercial by the Mississauga Official Plan (MOP). Pursuant to Section 11.2.9(g) (Convenience Commercial), this designation permits restaurant uses. The Applicants proposal of a restaurant within one of the units of the existing commercial plaza meets the general intent and purpose of the Official Plan.

In accordance with Table 3.1.2.2 (Required Number of Parking Spaces for Non-Residential Uses) and Table 3.1.3.1 (Accessible Parking Regulations), this zone regulates the required 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, 53 parking spaces are required; whereas, the Applicant is providing 32. Additionally, 3 accessible parking spaces are required; whereas, the Applicant is providing 1.

As per the Parking Justification Study (BA Group, November 19th, 2019) submitted by the Applicant, the proposed 32 parking spaces are suitable to adequately accommodate peak parking demands. The variance, as amended, maintains the purpose and general intent of the Zoning By-law.

The subject property has ample room to accommodate the proposed parking. The structure remains self-sufficient, with the entirety of parking handled on-site, and the requested variance serving to pose no significant negative impact on the surrounding neighbourhood. The

variance, as amended, 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 application, as amended, meets the general intent and purpose of both MOP and the Zoning By-law; is minor in nature; and, is desirable for the orderly development of the lands. To this end, the Planning and Building Department has no objections to the application, as amended.

[http://teamsites.mississauga.ca/sites/18/CofA/Comments/2020/January/Jan 16/jan 16.rv.docx](http://teamsites.mississauga.ca/sites/18/CofA/Comments/2020/January/Jan%2016/jan%2016.rv.docx)

City of Mississauga
Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: January 03, 2020

RE: Takebacks – January 16, 2020 – 1:30 pm
File - C.A. Agendas

Re: C.A. 'A' 1/20
Embee Properties LTD.
980 Burnhamthorpe Rd E
Ward 3

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

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

A 1/20





Public Works

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

peelregion.ca

December 18, 2019

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

**Re: Region of Peel Consolidated Comments
 City of Mississauga Committee of Adjustment Hearing
 January 16th, 2020**

Dear Mr. Kenney,

Regional Planning staff have reviewed the applications listed on the January 16th, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Consent Applications: B-002/20

Minor Variance Applications: A-001/20, A-002/20, A-003/20, A-004/20, A-005/20, A-010/20, A-011/20

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 6th, 2020

File: C of A – 'A' 2/20
(Ward 4 – 4074 Molly Avenue)

Agenda: January 16th, 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: Rathwood Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3 (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 north-west of the Burnhamthorpe Road East and the Cawthra Road intersection, and currently houses a two-storey, detached dwelling, with an attached front-loaded garage. The immediate area consists primarily of detached dwellings; however, semi-detached structures are also present within the immediate contextual neighbourhood. Architecturally, the area is a mixture of both single-storey and two-storey structures. The subject property is an interior parcel, with a lot area of 551.76m², and a frontage of 16.8m.

The Applicant is proposing to construct three canopied structures (covered patios). As a result of the proposed design, the Applicant is required to seek the following relief from By-law 0225-2007, as amended, permitting:

1. A lot coverage of 44.5% of the lot area; whereas, By-law 0225-2007, as amended, permits a maximum lot coverage of 35.0% of the lot area, in this instance;
2. A side yard of 0.9m; whereas, By-law 0225-2007, as amended, requires a minimum side yard measured to a shed of 1.2m, in this instance.

The site is located within the Rathwood Neighbourhood Character Area, and designated Residential Low Density II by the Mississauga Official Plan (MOP). The Residential Low Density II designation permits detached dwellings; semi-detached dwellings; duplex dwellings; and, triplexes, street townhouses, and other forms of low-rise dwellings with individual frontages. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions; the surrounding context; and, the landscape of the character area. The lands will continue to be used for residential purposes, with the proposed canopies being accessory to the residential dwelling. Further, despite the required variances, the configuration of both the detached dwelling and the canopied structures has regard for the overall distribution of massing on the property, as a whole. The variances, as requested, meet the purpose and general intent of the Official Plan.

As per Zoning By-law 0225-2007, the subject property is zoned R3 (Residential). Pursuant to Table 4.2.1(5) (R1 to R5 Permitted Uses and Zone Regulations), the Zoning By-law permits a maximum lot coverage of 35.0%; whereas, the Applicant has proposed 44.5%. The general intent of this portion of the By-law is to ensure that individual lots are not visibly and disproportionally developed as it pertains to the overall size of the property. Staff note, were the area associated with the open-faced canopies (33.1m²) – structural features that do not lend themselves to “true massing” – removed from this calculation, the proposed lot coverage (38.5%) is only marginally larger than that which is permitted as-of-right. It is the opinion of Staff

that no additional undue impact is created as a result of the requested variance. Variance 1, as requested, maintains the purpose and general intent of the Zoning By-law.

Pursuant to Table 4.2.1(8.1) (R1 to R5 Permitted Uses and Zone Regulations), a detached dwelling is required to maintain an interior side yard setback of 1.2m; whereas, the Applicant has proposed 0.9m. 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 requested relief pertains solely to the construction of the proposed canopied area with no “true” or practical massing subsequently being proposed. Further, the requested relief occurs at a pinch point, with the majority of the interior side maintaining the zoning regulations. Planning Staff note, access to the rear yard will remain unencumbered, with the existing 1.97m on the south side being unaltered. Variance 2, as requested, maintains the purpose and general intent of the Zoning By-law.

The proposed canopied areas pose no significant massing within the interior yard and poses no discernible impact to the surrounding neighbourhood. The lot in-question is appropriately sized to accommodate the requested relief and the resulting construction remains in scale with the existing detached dwelling. The variances, as requested, result in both the orderly development of the lands, and whose impacts are minor in nature.

Based upon the preceding information, it is the opinion of Staff that the variances, as requested, meet the general intent and purpose of both MOP and Zoning By-law; are minor in nature; and, are desirable for the orderly development of the lands. To this end, the Planning and Building Department has no objection to the variances, as requested; 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 03, 2020

RE: Takebacks – January 16, 2020 – 1:30 pm
File - C.A. Agendas

Re: C.A. 'A' 2/20
Carlos & Marie De Lourdes Pacheco
4074 Molly Ave
Ward 4

Enclosed for Committee's easy reference are some photos depicting the areas where the proposed patio covers are being proposed. Acknowledging that we have no objections to the proposal, we would request that the additions be equipped with an eaves trough and the downspout(s) be located such that drainage does not to impact on the adjacent properties.

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

A 2/20



A 2/20





Public Works

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

peelregion.ca

December 18, 2019

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

**Re: Region of Peel Consolidated Comments
 City of Mississauga Committee of Adjustment Hearing
 January 16th, 2020**

Dear Mr. Kenney,

Regional Planning staff have reviewed the applications listed on the January 16th, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

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Minor Variance Applications: A-001/20, A-002/20, A-003/20, A-004/20, A-005/20, A-010/20, A-011/20

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 6th, 2020

File: C of A – 'A' 3/20
(Ward 10 – 5415 Festival Drive)

Agenda: **January 16th, 2020**

New Item

Recommendation

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

Background

Mississauga Official Plan

Character Area: Churchill Meadows Neighbourhood
Designation: Residential Medium Density

Zoning By-law 0225-2007

Zoning: **RM5-39** (Residential)

Other Applications:

Building Permit: 19-8053

Comments

Zoning

The Building Department is currently processing a Building Permit application under file 19-8053. Based upon review of this application, Staff notes that the variance, as requested, is correct; however, Staff advises that more information is needed to determine whether additional variance(s) will be required.

Planning

The subject property is located south-west of the Tenth Line and Thomas Street intersection, and currently houses a two-storey, semi-detached dwelling. The immediate neighbourhood consists exclusively of semi-detached dwellings. Properties within the immediate area possess lot frontages of +/-6.7m. The Applicant is proposing to legalize a constructed below-grade entrance for the existing semi-detached structure. The entrance in-question is adjacent to the shared interior lot line.

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

1. A side yard measured to a below-grade entrance of 0.25m; whereas, By-law 0225-2007, as amended, requires a minimum side yard to a below-grade entrance of 1.2m, in this instance.

Planning Staff note, the Zoning Department's confirmation of the above-noted variance is based upon review of drawings uploaded to E-plans on Aug/8/2019. At this time, additional information was requested to verify unobstructed parking areas.

The site is located within the Churchill Meadows Neighbourhood Character Area, and designated Residential Medium Density by the Mississauga Official Plan (MOP). The Residential Medium Density designation permits all forms of townhouse dwellings. Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions; the surrounding context; and, the landscape of the character area. The property will continue to be used for residential purposes. The proposed below-grade entrance respects the designated residential land use, and has regard for the distribution of massing on the property as a whole. The variance, as requested, meets the purpose and general intent of the Official Plan.

As per Zoning By-law 0225-2007, the subject property is zoned RM5-39 (Semi-Detached). Pursuant to Table 4.1.5.8 (Encroachments and Projections), the General Provisions for Residential Zones permits a below-grade entrance within the rear and interior side yards, provided that the minimum setback is 1.2m. 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 adjacent properties, and that access to the rear yard ultimately remains unencumbered. Notwithstanding the requested setback relief, the Applicant's proposal of a below-grade entrance, located within the interior side yard, is permitted as-of-right. Access to the rear yard will be maintained by the unaltered 1.27m setback found within the unattached interior side yard. Staff further note, pursuant to Section 4.8.1(8.1)(RM1 and RM2 Permitted Uses and Zone Regulations), a semi-detached structure is permitted a 0.0m setback on the shared attached side, which is where the constructed below-grade entrance is located. The variance, as requested, maintains the purpose and general intent of the Zoning By-law.

The proposed below-grade entrance is enclosed entirely within privacy-fencing; does not pose significant massing within either the interior or rear side yard; and, poses no discernible impact on the surrounding neighbourhood. Additionally, the below-grade entrance represents a small portion of the shared interior side yard, with access to the rear yard remaining unaltered. 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 variance, as requested, meets the general intent and purpose of both the MOP and Zoning By-law; is minor in nature; and, is desirable for the orderly development of the lands. To this end, the Planning and Building Department has no objection to the variance, as requested; 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 03, 2020

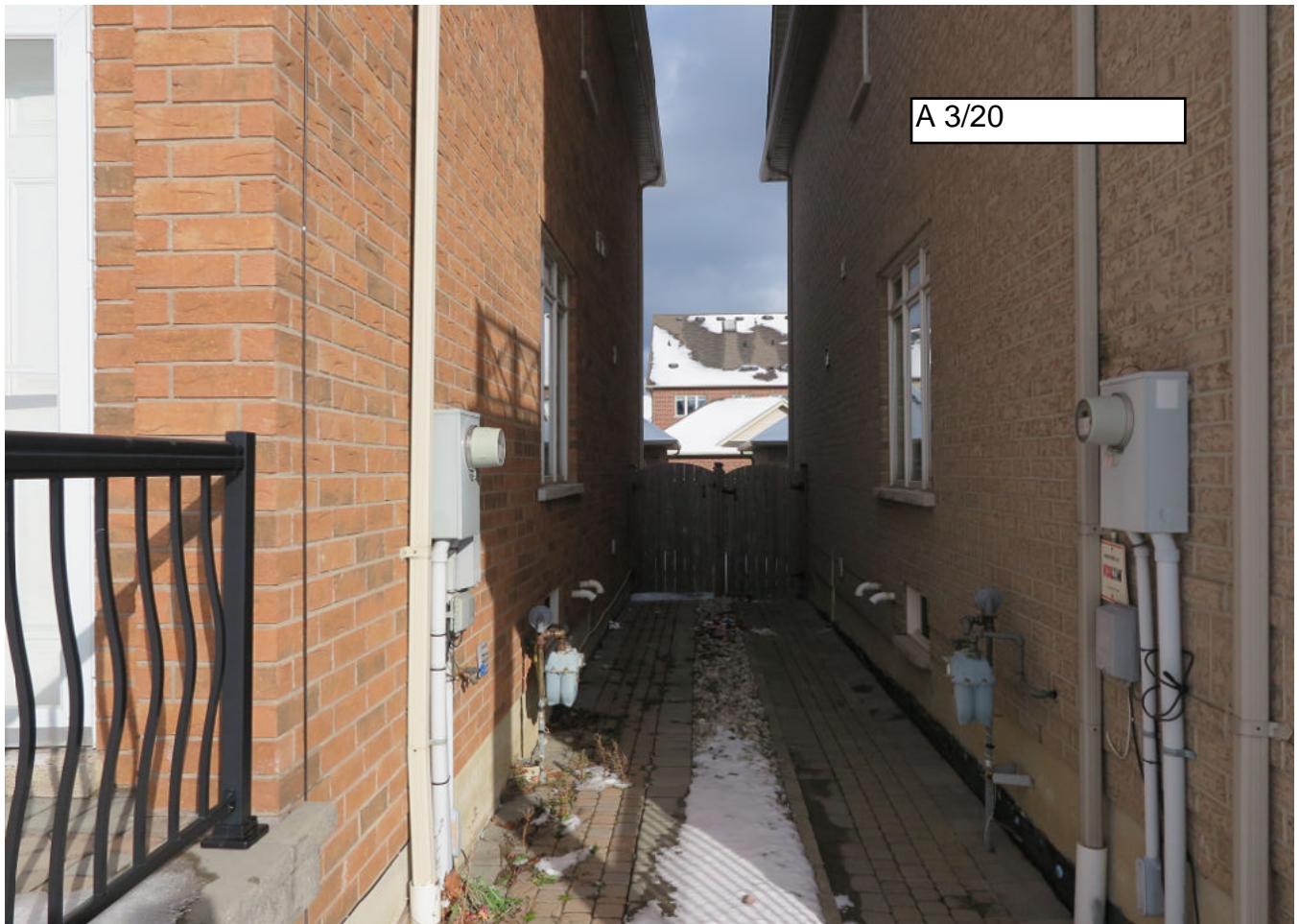
RE: Takebacks – January 16, 2020 – 1:30 pm
File - C.A. Agendas

Re: C.A. 'A' 3/20
Imran Javed & Shazia Imran
5415 Festival Dr
Ward 10

Enclosed for Committee's reference are photos depicting the subject property and the existing stairwell entrance as constructed. From our site inspection we note that we have no drainage related concerns with the stairwell entrance, however, if approved would recommend that a railing be installed for safety purposes.

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

December 18, 2019

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

**Re: Region of Peel Consolidated Comments
 City of Mississauga Committee of Adjustment Hearing
 January 16th, 2020**

Dear Mr. Kenney,

Regional Planning staff have reviewed the applications listed on the January 16th, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Consent Applications: B-002/20

Minor Variance Applications: A-001/20, A-002/20, A-003/20, A-004/20, A-005/20, A-010/20, A-011/20

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 6th, 2020

File: C of A – 'A' 4/20
(Ward 7 – 3005, 3045 Mavis Road; 3030 Elmcreek Road; & 675 Dundas Street West)

Agenda: January 16th, 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 information.

Background

Mississauga Official Plan

Character Area: Cooksville Neighbourhood
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C3-48 (Commercial)

Other Applications:

Site Plan: 18-116

Comments

Zoning

The Building Department is currently processing a Building Permit application under file 19-8053. Based upon review of this application, Staff notes that Variance 2, as requested, is correct; however, Staff advises that more information is required to determine the accuracy of Variance 1, as well as to determine whether additional variance(s) may be required.

Planning

The subject property is a multi-pad, multi-tenant commercial plaza located upon the north-east corner of the Dundas Street West and Mavis Road intersection. The immediate context area is comprised exclusively of commercial retail uses. The Applicant is proposing to construct two connected retail structures (1,896m² total GFA) upon an undeveloped portion of the subject lands, which are currently utilized for parking.

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

1. A reduced landscape buffer as a result of a driveway that traverses the site at an angle of 142.33°; whereas, By-law 0225-2007, as amended, provides that a landscape buffer may be traversed by a driveway, the angle of which must be at least 60°, but no greater than 120°, in this instance; and,
2. 555 parking spaces (521 spaces during the operation of the temporary garden centre); whereas, By-law 0225-2207, as amended, requires a minimum of 695 parking spaces, in this instance.

The site is located within the Cooksville Neighbourhood Character Area, and is designated Mixed Use by the Mississauga Official Plan (MOP). Pursuant to Section 11.2.6.1(i) (Mixed Use) this designation shall permit retail uses. Notwithstanding the requested variances, the Applicant's proposal of a conjoined retail structure meets the general purpose and intent of the Official Plan.

As per Zoning By-law 0225-2007, the subject property is zoned C3-48 (Commercial). Pursuant to Section 1.2 (Definitions), the manner in which a landscape buffer can be traversed is regulated by the Zoning By-law. The general intent of this portion of the By-law is to ensure the integrity of an individual landscape buffer is maintained, despite the location of an associative driveway; such that the vegetative area responsible for mitigating obnoxious externalities (noise, dust, visual pollution, etc.) between properties/uses is maintained. Planning Staff note, the requested relief occurs internally to the site, and is isolated within the existing parking lot, where such concerns are inherently minimized. It is the opinion of Planning Staff that that no additional undue impact is created as a result of Variance 1, as requested, nor are present conditions made worse. As such, it is the opinion of Planning Staff that Variance 1, as requested, meets all criteria established by Section 45(1) of the Planning Act.

In accordance with Table 3.1.2.2 (Required Number of Parking Spaces for Non-Residential Uses), this zone regulates the required number of parking spaces. The intent in quantifying the required number of parking spaces is to ensure that each structure is self-sufficient in providing adequate parking accommodations based upon its intended use. As per Zoning By-law 0225-2007, 695 parking spaces are required; whereas, the Applicant is providing 555.

As the proposed parking reduction is greater than 10%, a Parking Justification Study is required. While a Study was prepared (Lea Consulting Ltd, April/2019); City Planning Strategies Staff note, the data provided as part of this study was collected prior to the construction of the Scotia Bank on the subject lands, and therefore does not take into account current on-site conditions, nor do the findings accurately reflect current on-site parking demands.

City Planning Strategies contacted the Agent on December 19, 2019, informing the Agent of the above and has yet to receive the requested information.

As the requested supplemental information has yet to be submitted and reviewed by City Planning Strategies, Planning Staff cannot determine whether the required variances truly represents the orderly development of the lands, or whether the resulting impacts are in fact minor in nature.

Based upon the preceding information, the Planning and Building Department recommends that the application be deferred to allow the 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 03, 2020

RE: Takebacks – January 16, 2020 – 1:30 pm
File - C.A. Agendas

Re: C.A. 'A' 4/20
CP Reit Ontario Properties LTD
3005, 3045 Mavis Rd, 3030 Elmcrest Rd & 675 Dundas St W
Ward 7

We are noting that any Transportation and Works Department requirements for the proposed new commercial building will be addressed through the Building Permit and Site Plan 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

December 18, 2019

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

**Re: Region of Peel Consolidated Comments
 City of Mississauga Committee of Adjustment Hearing
 January 16th, 2020**

Dear Mr. Kenney,

Regional Planning staff have reviewed the applications listed on the January 16th, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Consent Applications: B-002/20

Minor Variance Applications: A-001/20, A-002/20, A-003/20, A-004/20, A-005/20, A-010/20, A-011/20

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: 2020-01-09	File(s): 'A' 5/20
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-01-16

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 applicants request the Committee to approve a minor variance to allow the construction of an addition and renovations on the subject property proposing:

1. A side yard of 1.28m (approx. 4.20ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.93ft) in this instance; and
2. A side yard of 1.27m (approx. 4.17ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (approx. 5.93ft) in this instance.

Background

Property Address: 2269 Denise Road

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

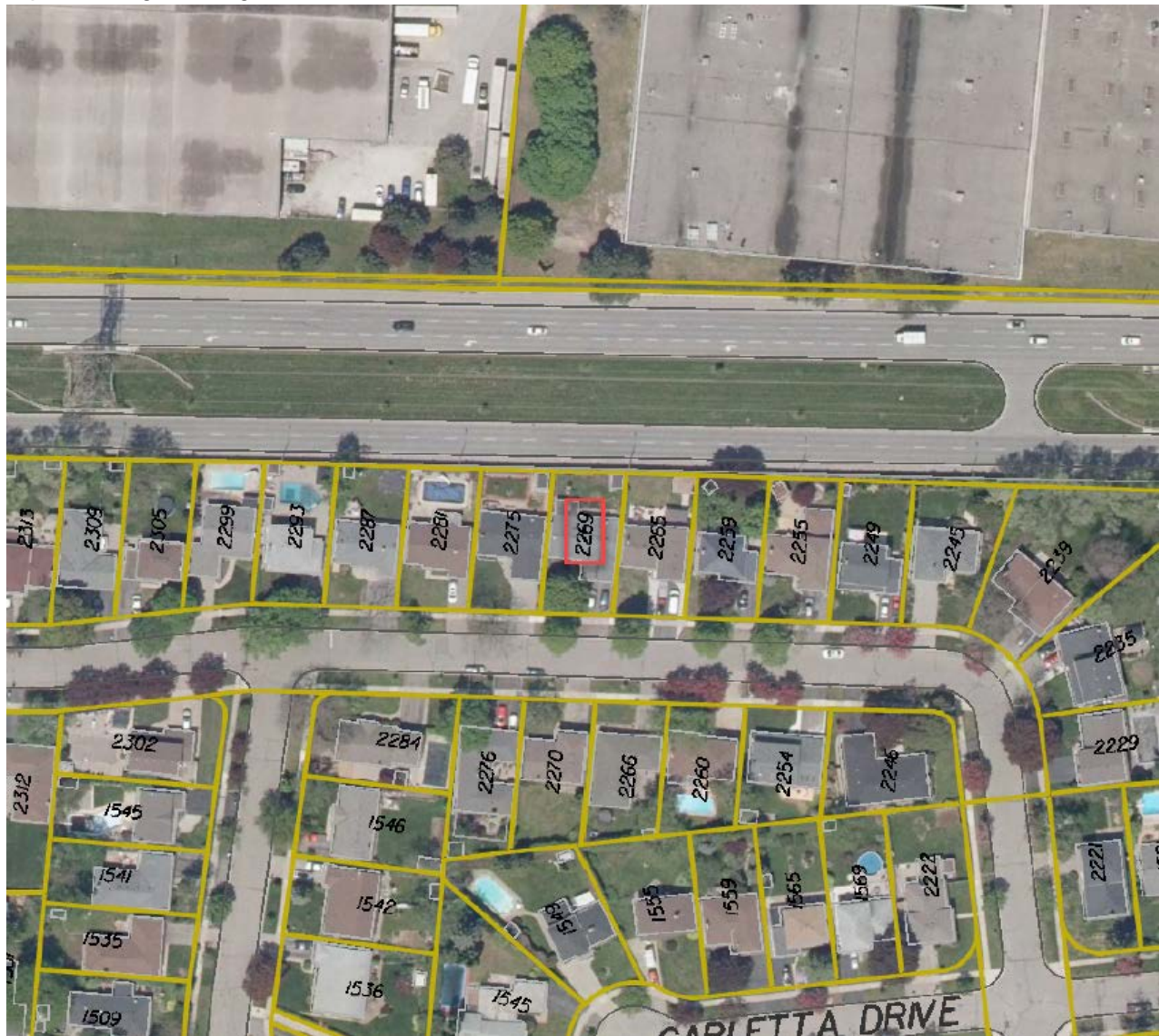
Zoning: R3-75 (Residential)

Other Applications:

Building Permit: 19-8090

Site and Area Context

The subject property is located within the Lakeview Neighbourhood Character Area, east of Dixie Road and Queensway East. The neighbourhood consists of one and two storey detached dwellings with mature vegetation mostly contained within the City Boulevard. The subject property contains an existing one storey detached dwelling with little mature vegetation. The application proposes a second storey addition, requiring variances for deficient side yards representing existing conditions.



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:

Through discussions with the Zoning Division, the variances are correct, however, more information has been requested with respect to the A/C unit and window well setback.

Through a detailed review of the application, staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Based on the preceding, 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*.

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, Supervisor

Appendix 2 – Zoning Comments

The Planning and Building Department is currently processing a building permit application under file 19-8090. Based on review of the information currently available for this building permit, we advise that more information is required to determine whether additional variances will be required.

Comments Prepared by: Adam McCormack, Zoning Examiner

Appendix 3 – Region of Peel Comments

Dear Mr. Kenney,

Regional Planning staff have reviewed the applications listed on the January 16th, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Consent Applications: B-002/20

Minor Variance Applications: A-001/20, A-002/20, A-003/20, A-004/20, A-005/20, A-010/20, A-011/20

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, Junior Planner



City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-01-09	File(s): 'A' 7/20
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-01-16

Consolidated Recommendation

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

Application Details

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

1. A height measured to the highest ridge of 9.74m (approx. 31.96ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the highest ridge of 9.50m (approx. 31.16ft) in this instance; and
2. A height measured to the eaves of 9.39m (approx. 30.81ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m (approx. 21.00ft) in this instance.

Background

Property Address: 146 Mineola Road West

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

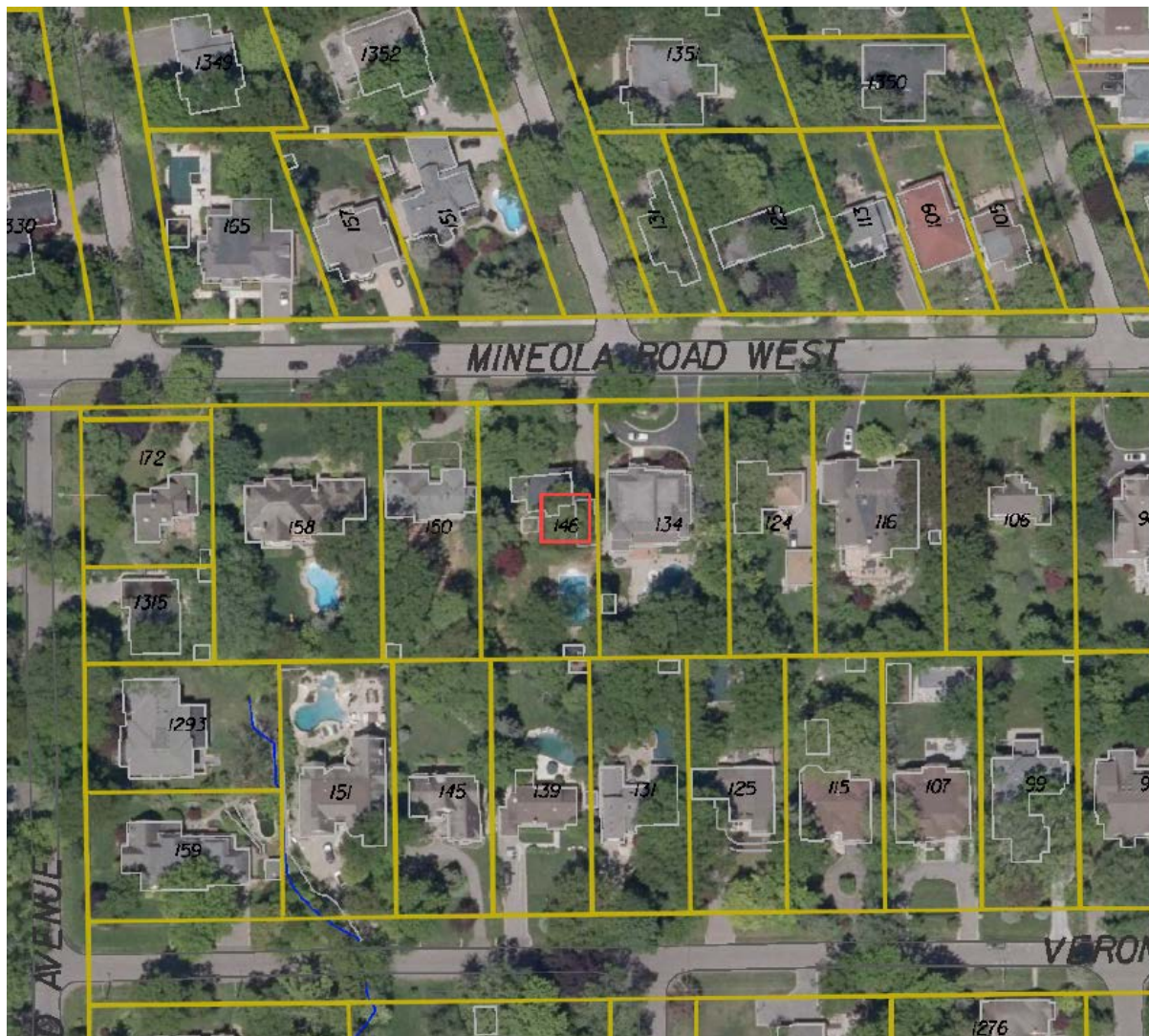
Zoning: R2-5 (Residential)

Other Applications:

Site Plan: 19-71

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, west of Hurontario Street and Mineola Road West. The neighbourhood consists of large lots with significant mature vegetation containing one and two storey detached dwellings. The subject property contains a two storey detached dwelling with a detached garage in the rear yard as well as mature vegetation in the front and rear yard. The application proposes a new two storey dwelling, requiring variances related to increased overall dwelling and eave height.



Comments

Planning

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

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

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

The subject property is designated "Residential Low Density I" in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached, semi-detached and duplex dwellings. Section 16.18.1.1 of the Mineola Character Area in MOP contains policies pertaining to infill housing. More specifically within those policies, paragraph 'f' encourages buildings to be one to two storeys in height and the design should de-emphasize the height of the house. In this instance, the increased eave height is due to the design of the dwelling which contains elements of different sloped roofs. The design of the dwelling mitigates the impact of the increased heights due to the architectural features. The increase eave height is measured to only a portion of the dwelling and does not continue throughout roofline of the dwelling. Staff is of the opinion that the general intent and purpose of the official plan is maintained.

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

The application proposes a height to the highest ridge of 9.74 m whereas 9.50 m is permitted and an eave height of 9.39 m whereas 6.40 m is permitted. The intent of restricting height to the highest ridge and eaves is to lessen the visual massing of dwelling while lowering the overall pitch of the roof and brining the edge of the roof closer to the ground, thus keeping the dwelling within a human scale. In this instance, the increased eave height and overall dwelling height is contained to one portion of the roof due to how it slopes. The remaining portion of the roof maintains a height less than what is being proposed. The proposed dwelling contains architectural features mitigating any massing concerns the increased eave height can have on the character streetscape. 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 a new two storey dwelling containing architectural features presenting a staggered front façade, mitigating any impact the increased heights may have. The increased eave and overall height is due to a portion of the dwelling which contains a sloped roof. The

remaining portion of the roof has a height less than what is being proposed. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

Conclusion

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

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling are being addressed through the Site Plan Application process, File SPI-19/071.

Comments Prepared by: Dave Martin, Supervisor

Appendix 2 – Zoning Comments

The Planning and Building Department is currently processing a building permit application under file 19-71. Based on review of the information currently available, the variances, as requested are correct.

Comments Prepared by: Shahrzad Takaloo, Zoning Examiner

Appendix 3 – Region of Peel Comments

Minor Variance Application: A-007/20

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

Comments Prepared by: Tracy Tang, Junion Planner

A 007/20



Date: January 6th, 2020

File: C of A – 'A' 8/20
(Ward 5 – 7661 Redstone Road)

Agenda: **January 16th, 2020**

New Item

Recommendation

The Planning and Building Department recommends that the application be deferred in order for the applicant to redesign the dwelling.

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: 19-8342

Comments

Zoning

The Building Department is currently processing a Building Permit application under file 19-8342. Based upon review of this application, Staff notes that Variance 2, as requested, is correct; however, Staff advises that more information is needed to determine the validity of Variance 1, as well as to determine whether additional variance(s) may be required.

Planning

The property is located north-east of the Airport Road and Thamesgate Drive intersection. The immediate neighbourhood is primarily detached dwellings; however, semi-detached dwellings are also present. Architecturally, the area is comprised mainly of post-war, 1 and 1.5 storey bungalows; however, this area of Malton has seen recent residential development, with new construction being prevalent on both Redstone Road, as well as within the surrounding neighbourhood as a whole.

The Applicant is proposing to demolish the existing structure and replace it with a larger detached dwelling.

Due to the design of the proposed construction, the Applicant is requesting the following relief from By-law 0225-2007, as amended:

1. A lot coverage of 31.64%; whereas, By-law 0225-2007, as amended, permits a maximum lot coverage of 30.00%, in this instance; and,
2. A gross floor area of 359.0m²; whereas, By-law 0225-2007, as amended, permits a maximum gross floor area of 273.31m², in this instance.

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. 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 proposed detached dwelling respects the designated land use; however has little regard for the proportional distribution of massing on the property as a whole.

Arising from public input expressed through the ‘MyMalton’ Community Visioning exercise undertaken in 2015, the Malton Infill Housing Study was undertaken in 2016, and resulted in Council’s adoption of new zoning regulations, principally aimed at regulating the massing of dwellings in a manner that is sensitive to the surrounding context. The requested relief, especially as it pertains to the proposed maximum gross floor area increase, represent significant alterations to these updates and ultimately are not in line with the intent of the Zoning By-law.

In the broader area context, there are examples of larger replacement dwellings constructed under the previous zoning regime that could influence the local character; including replacement dwellings located upon Redstone Road. While Staff recognizes that this particular area of Malton has been subject to this aforementioned redevelopment; the proposed structure does not have sufficient regard for the planned character of the area. This request represents an alteration significantly larger than what has previously been supported by Staff, and what subsequently has been approved by Committee.

Based on the preceding, the Planning and Building Department recommends that the application be deferred in order for the applicant to redesign the dwelling.

<http://teamsites.mississauga.ca/sites/18/CofA/Comments/2020/January/Jan 16/jan 16.rv.docx>

City of Mississauga
Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: January 03, 2020

RE: Takebacks – January 16, 2020 – 1:30 pm
File - C.A. Agendas

Re: C.A. 'A' 8/20
Veeral Gill & Shinder Brar
7661 Redstone Rd
Ward 5

We are noting that any Transportation and Works Department 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

December 18, 2019

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

**Re: Region of Peel Consolidated Comments
 City of Mississauga Committee of Adjustment Hearing
 January 16th, 2020**

Comments for Informational Purposes:

Minor Variance Application: A-008/20

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: 2020-01-09	File(s): 'A' 10/20
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-01-16

Consolidated Recommendation

- That application 'A' 10/20 be deferred verify the total area of all accessory structures and ensure additional variances are not required.

Application Details

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

1. An interior side yard measured to a shed of 0.32m (approx. 1.05ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 0.61m (approx. 2.00ft) in this instance;
2. A rear yard measured to a shed of 0.10m (approx. 0.33ft) whereas By-law 0225-2007, as amended, requires a minimum rear yard of 0.61m (approx. 2.00ft) in this instance;
3. A floor area for a shed of 13.58sq.m (approx. 146.18sq.ft) whereas By-law 0225-2007, as amended, permits a maximum floor area for a shed of 10.00sq.m (approx. 107.64sq.ft) in this instance; and
4. A floor area of a concrete pad with a pergola of 18.45sq.m (approx. 198.60sq.ft) whereas By-law 0225-2007, as amended, permits a maximum floor area of 10.00sq.m (approx. 107.64sq.ft) in this instance.

Recommended Conditions and Terms

1. The back side of the green wooden shed at the rear of the property shall be equipped with an eaves trough and a downspout directed in such a manor to not impact the adjacent lots.
2. The downspout on the front right corner of the existing garage shall be redirected to spill within the applicant's own lands and not impact the adjacent lot.

Background

Property Address: 44 Peter Street South

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (West)

Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R15-1 (Residential)

Other Applications:

Building Permit: 19-7211

Site and Area Context

The subject property is located within the Port Credit Neighbourhood Character Area, southeast of Lakeshore Road West and Mississauga Road North. The neighbourhood is located within the Old Port Credit Village Heritage Conservation District and contains one and two storey detached dwellings. The subject property contains a two storey dwelling and is designated under the Ontario Heritage Act. The application proposes deficient setbacks and increased floor areas for existing accessory structures.



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. Pursuant to Section 9.5.1.1 (Context) 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 increased floor area for the pergola is separated from the southerly property line and is hidden from the northerly property line due to the detached garage, thereby mitigating the impact of the increased floor area. The reduced interior side yard measured to the storage shed is sufficiently setback from the neighbouring property and will not cause any concerns related to massing and drainage. However, staff cannot support a rear yard of 0.10 m as this reduced setback poses concerns related to maintenance of the structure. Staff is of the opinion that variances #1, 3 and 4 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 an interior side yard of 0.32 m and rear yard of 0.10 m whereas 0.61 m is required. The intent of the zoning by-law is to ensure that an accessory structure is appropriately setback from neighbouring lands where it would not have a negative impact to neighbouring properties regarding massing, drainage and maintenance of the structure. In this instance, the reduced interior side yard provides an adequate buffer to the neighbouring property and will have minimal impact concerning massing and drainage. However, the reduced rear yard of 0.10 m presents concerns regarding maintenance of the structure, resulting in an insufficient setback. Staff is of the opinion that the side yard of 0.32 m maintains the general intent and purpose of the zoning by-law.

Variances #3 and 4 propose a floor area for a shed of 13.58 m² and floor area for a pergola of 18.45 m² whereas a maximum of 10 m² for all individual accessory structures is permitted. The intent of regulating area of accessory structures is to ensure that there isn't overdevelopment of the lot and that any accessory structure remains accessory to the primary residential use. The storage shed, subject to the maximum floor area increase has a height less than the maximum 3m permitted in the by-law and is in line with the detached garage, resulting in no additional massing concerns. The proposed area is a minor deviation from the zoning by-law and will not have any additional undue impact on the neighbouring properties. Concerning the pergola, it

has a setback of 4.84 m from the southerly property line, providing a greater buffer and mitigating the overall massing of the pergola. From the northerly side yard of the dwelling, the pergola is hidden due to detached garage which does not present any additional massing concerns. Staff is of the opinion that the variances maintain the general intent and purpose of the zoning by-law.

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

The proposed accessory structures are screened from view and are sufficiently setback from the neighbouring properties to the north and south of the subject property, thereby mitigating any concerns related to massing. Specifically, the pergola is located on the south side of the detached garage which screens the structure from the northerly side yard. The increased floor area of the shed is located directly behind the detached garage, has a height of 2.24 m and maintains the required setback, resulting in minimal impact to the abutting property; however, the rear yard setback of 0.10 m impacts the long term maintenance of the structure. Staff is of the opinion that variances #1, 3 and 4 represent orderly development of the lands and are minor in nature.

Conclusion

Through discussions with the Zoning Division, it appears an additional variance is required for total combined area of accessory structures. The zoning by-law permits a maximum combined total of accessory of 30 m². Through a review of the plans submitted, it appears the accessory structures exceed this total. More information is also required to determine whether additional variances are required.

Based on the preceding information, the Planning and Building Department recommends that the application be deferred to verify the total area of all accessory structures and ensure additional variances are not required.

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 accessory structures at the rear of the property. We draw attention to wooden green shed at the very back of the property. This shed must be equipped with an eaves trough along the back side and a downspout directed in such a manor to not impact the adjacent lots. Also, the front right corner of the existing garage is equipped with a down spout that is currently directing the roof top drainage onto the northerly lands. Please redirect this downspout to spill within the applicant's own lands and not impact the adjacent lot.

Comments Prepared by: Dave Martin, Supervisor

Appendix 2 – Zoning Comments

The Planning and Building Department is currently processing a building permit application under file 19-7211. 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: Jeanine Benitez, Zoning Examiner

Appendix 3 – Region of Peel Comments

Dear Mr. Kenney,

Regional Planning staff have reviewed the applications listed on the January 16th, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

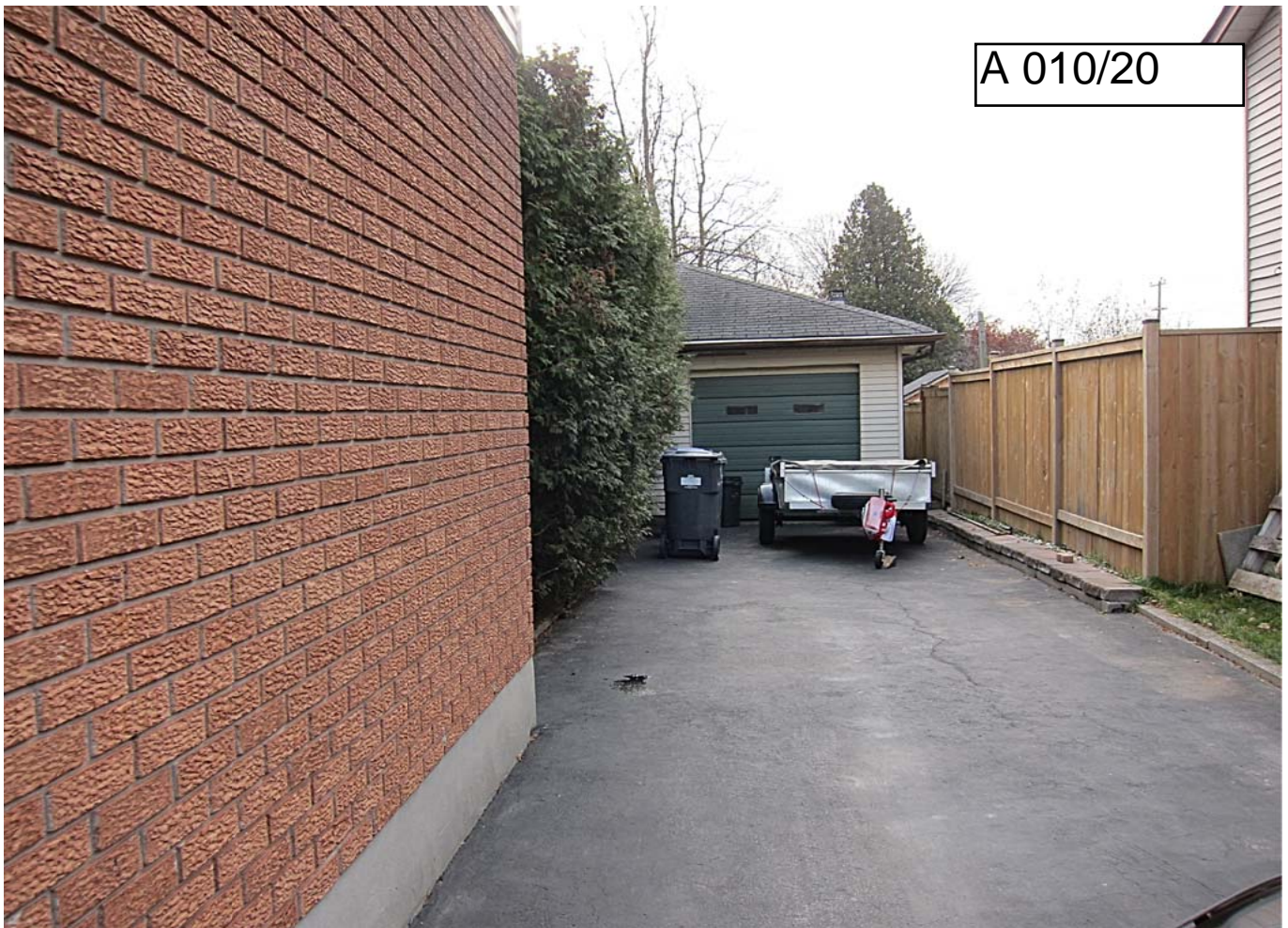
Consent Applications: B-002/20

Minor Variance Applications: A-001/20, A-002/20, A-003/20, A-004/20, A-005/20, A-010/20, A-011/20

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, Junior Planner

A 010/20



A 010/20



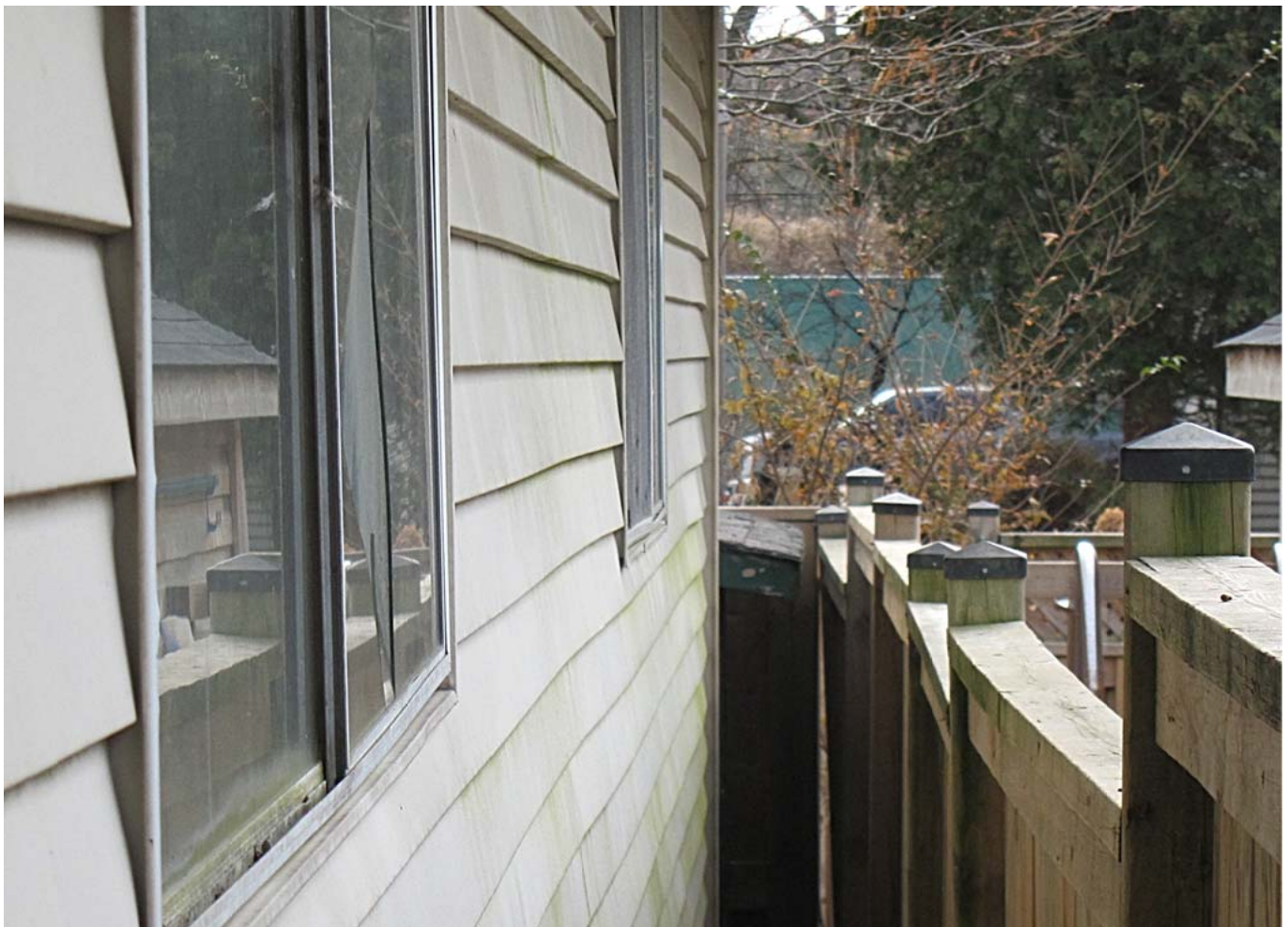
A 010/20



A 010/20



A 010/20



A 010/20



Date: January 6th, 2020

File: C of A – 'A' 11/20
(Ward 7 – 1100 Dundas Street West)

Agenda: **January 16th, 2020**

New Item

Recommendation

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

Background

Mississauga Official Plan

Character Area: Erindale Neighbourhood
Designation: Convenience Commercial

Zoning By-law 0225-2007

Zoning: C1 (Commercial)

Other Applications:

Occupancy Permit: 19-6567

Comments

Zoning

The Building Department is currently processing an Occupancy Permit application under file 19-6567. Based upon review of this Application, Staff notes that the Application should be amended as follows, permitting:

3. A Body Rub Establishment to be within 800.0m of a Residential zone; whereas, By-law 0225-2007, as amended, does not permit a Body Rub Establishment to be within 800.0m of a Residential zone, in this instance.

Planning

The subject property is a dual-pad, multi-tenant commercial plaza, located upon the south-west corner of the Dundas Street West and Erindale Station Road / Glengarry Road intersection. The lands are configured to house an exterior “L” shaped multi-unit commercial structure (two buildings with an attached breezeway) with frontage along both Dundas Street West and Glengarry Road; as well as a separate, multi-unit structure to the rear, adjacent to several townhome blocks. The subject of this application is confined to a unit within this secondary building.

Notwithstanding the subject lands, the neighbourhood context along the southern portion of Dundas Street West is primarily residential; with the predominant building type within the immediate area consisting of multi-storey townhome units. Both the configuration and proximity of the residential lands; coupled with the existing adjacent road network; as well as the absence of any substantial physical barrier between the two uses, ultimately results in these residential areas being incorporated when assessing the context area for this application.

The Applicant is requesting relief from By-law 0225-2007, as amended, to legalize the existing non-compliant body rub establishment, requesting permission of:

1. A Body Rub Establishment; whereas, By-law 0225-2007, as amended, does not permit such a use, in this instance;
2. 57 parking spaces; whereas, By-law 0225-2007, as amended, requires a minimum of 117 parking spaces, in this instance; and,
3. A Body Rub Establishment to be within 800.0m of a Residential zone; whereas, By-law 0225-2007, as amended, does not permit a Body Rub Establishment to be within 800.0m of a Residential zone, in this instance.

Variance 1 & 3 (Body Rub Establishment)

The site is located within the Erindale Neighbourhood Character Area, and designated Convenience Commercial by the Mississauga Official Plan (MOP). Neither the Erindale Neighbourhood Character Area, nor the Convenience Commercial designation permits a body rub establishment; with such a use specifically only permitted within the Business Employment or Industrial designations – typically far removed from residential areas. The intent and purpose of the Official Plan is not maintained by permitting uses not contemplated by the designation, and whose proposed uses are in accordance with an entirely different designation framework. This application does not meet the general intent or purpose of the Official Plan.

As per Zoning By-law 0225-2007, the subject property is zoned C1 (Commercial). In the absence of any staffed Registered Massage Therapists (RMT), the Applicant's proposal clearly constitutes a Body Rub Establishment, as defined by the Zoning By-law. Pursuant to Table 6.2.1 (C1 to C5 Permitted Uses and Zone Regulations), a Body Rub establishment is not a permitted use within the aforementioned C1 zone, nor any other standard Commercial Zones (C2, C3, C4, C5); with such a use only permitted within the heavy industrial areas (E2 and E3).

The intent and purpose of the Zoning By-law is not maintained by permitting uses not contemplated by the zoning category, and whose proposed uses are in accordance with an entirely different zoning framework.

Given the significant deviations to both the Official Plan as well as the Zoning By-law required in facilitating this proposal, it is the opinion of Planning Staff that the application cannot be viewed as being minor in nature, nor does such an amendment result in the orderly development of the lands.

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

<http://teamsites.mississauga.ca/sites/18/CofA/Comments/2020/January/Jan 16/jan 16.rv.docx>

City of Mississauga
Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: January 03, 2020

RE: Takebacks – January 16, 2020 – 1:30 pm
File - C.A. Agendas

Re: C.A. 'A' 11/20
1494096 Ontario Inc.
1100 Dundas St. W
Ward 7

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

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

A 11/20







Public Works

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

peelregion.ca

December 18, 2019

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

**Re: Region of Peel Consolidated Comments
 City of Mississauga Committee of Adjustment Hearing
 January 16th, 2020**

Dear Mr. Kenney,

Regional Planning staff have reviewed the applications listed on the January 16th, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Consent Applications: B-002/20

Minor Variance Applications: A-001/20, A-002/20, A-003/20, A-004/20, A-005/20, A-010/20, A-011/20

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 6th, 2020

File: C of A – 'A' 12/20
(Ward 7 – 2045 Camilla Road)

Agenda: January 16th, 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: Downtown Hospital
Designation: Office, Greenlands

Zoning By-law 0225-2007

Zoning: H-D-7 (Development)

Other Applications:

Occupancy Permit: 19-7674

Comments

Zoning

The Building Department is currently processing an Occupancy Permit application under file 19-7674. Based upon review of this application, Staff notes that the application should be amended as follows, permitting:

- A home occupation in a H-D-7 Development Zone; whereas, a home occupation is only permitted within a detached dwelling in a Residential Zone;
- To permit a Service Establishment as a home occupation; whereas, a home occupation includes only tutoring, music instruction, artist/artesian, and a business office.

Planning

The property is located north-west of the Hurontario Road and North Service Road intersection, and currently houses a two-story detached residence. The immediate neighbourhood is primarily detached dwellings located upon generously sized lots; however, property sizes decrease as they approach this portion of the North Service Road. The site is located directly adjacent to an east-west running hydro corridor that contextually isolates the subject lands from the properties further north along this portion of Camilla Road. Architecturally, the area is comprised mainly of post-war, 1 and 1.5 storey bungalows of original design.

The Applicant is proposing to utilize a portion of the existing basement to operate a massage therapy practice. As detailed by the submitted Application, the proposed practise will operate in the following manner:

- The commercial component of this venture will not exceed either 25% of the entire gross floor area - residential of the detached dwelling, or 50 m²;
- There are no proposed exterior alterations as a result of this home business;
- There will only be one (1) home occupation within this building at one time;
- the dwelling in which the home occupation is located shall be the principal private residence of the person conducting the home occupation and they will not be an occasional or casual resident thereof;
- The dwelling in which the home occupation is located shall be the principal private residence of a person or persons conducting the home occupation and they must not be an occasional or casual resident thereof;
- There will be no outside storage of any kind;
- No part of the home occupation will be conducted outside;
- There shall be no visible indication from the exterior of the detached dwelling that a home occupation is carried on in the detached dwelling;
- The maximum number of clients attending shall not exceed two (2); and,
- There will be no negative impact to any neighbouring properties or passerby as a result of any vibrations, fumes, noise, radiation, or light crated by this use.

As such, the Applicant is required to seek the following relief from By-law 0225-2007, as amended, to permit:

- A home occupation in a H-D-7 Development Zone; whereas, a home occupation is only permitted within a detached dwelling in a Residential Zone;
- A Service Establishment as a home occupation; whereas, a home occupation includes only tutoring, music instruction, artist/artesian, and a business office.

The site is located within the Downtown Hospital Character Area, and is designated both Office and Greenlands by the Mississauga Official Plan (MOP). The Official Plan recognizes that these lands will eventually be redeveloped in accordance with the policies contained within these aforementioned designations; however, pursuant to Section 19.11 (Development Zone) legally existing uses (a residential detached dwelling, in this instance) are permitted in the interim without issuing non-conforming status. Planning Staff note, no exterior construction or “true” development has been proposed as a result of the application; with the requested home occupation set to occur accessory to, and wholly within, the legally existing residential detached dwelling. Further, as the home occupation is clearly accessory in nature, the proposed use does not preclude the future redevelopment of the property. As such, it is the opinion of Planning Staff that the variances, as amended, meet the general intent and purpose of the Official Plan.

As per Zoning By-law 0225-2007, the subject property is zoned D (Development). Pursuant to Table 12.3.2(3.0) (D Zone Permitted Uses and Zone Regulations), only existing legal uses are permitted within this zone. Planning Staff note, the intent of the D Zone is to recognize, and give legal rights to, an existing previously-permitted land use in the interim, which the municipality acknowledges is ultimately not in line with the future vision of the City, while the area transitions. The incorporation of a home occupation as an accessory use, operated in the manner as described above, does not detract from the nature of the permitted residential dwelling, nor does it preclude the future redevelopment of the site. As such, it is the opinion of Planning Staff that the variances, as amended, meet the general intent and purpose of the Zoning By-law.

Planning Staff note, no development is proposed as a result of this application, with the proposed accessory use regulated to a portion of the existing basement. The Applicant has not proposed additional hardscaping, and, to this end, will not be hosting multiple clients concurrently. The property will continue to operate in a manner similar to current conditions, with Planning Staff unable to identify any additional undue impact created as a result of the proposed application. The variances, as amended, result in both the orderly development of the lands, and whose impacts are minor in nature.

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

- A temporary period less than five years to ensure compatibility with the abutting

City of Mississauga

Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: January 03, 2020

RE: Takebacks – January 16, 2020 – 1:30 pm
File - C.A. Agendas

Re: C.A. 'A' 12/20
Mahmoud Sous
2045 Camilla Rd
Ward 7

It should be acknowledged that this property is currently zoned H-D-7-Development Holding and the intent of this Holding Category Zoning is to ensure that any development on the subject lands would be to the satisfaction of the City and the Credit Valley Conservation, in particular the requirement to ensure that any development is flood proofed to the regulatory flood level as required by the Credit Valley Conservation.

Information submitted with this application indicates that there will be no exterior alterations proposed as a result of the proposed home business. The Site Plan submitted (Site Grading and Servicing Plan DWG 212-M48 dated June 2012) has crossed out (By placing an "X") the areas where the southerly driveway entrance was proposed to be expanded.

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





A 12/20









Public Works

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

peelregion.ca

December 18, 2019

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

**Re: Region of Peel Consolidated Comments
 City of Mississauga Committee of Adjustment Hearing
 January 16th, 2020**

Comments for Informational Purposes:

Minor Variance Application: A-012/20

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

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

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 6th, 2020

File: C of A – 'A' 405/19
(Ward 11 – 536 Amarone Court)

Agenda: January 16th, 2020

Deferred Item

Recommendation

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

Background

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R10 (Residential)

Other Applications:

None

Comments

Zoning

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

Planning

The property is an interior parcel located north-west of the Courtneypark Drive West and McLaughlin Road intersection, and currently houses a two-storey detached dwelling with attached two-car garage. The immediate neighbourhood is primarily detached dwellings of a shared 2000's architectural subdivision style. The properties within the immediate area possess lot frontages of +/-14.2m, with minimal mature vegetative elements in the front yards. As per the Site Plan submitted by the Applicant (David B. Searles Surveying Ltd., March/2007), the subject property possess a lot frontage of 14.0m.

The Applicant is requesting the following relief from By-law 0225-2007, as amended, to permit the requested driveway, allowing:

1. A driveway width of 7.89m; whereas, By-law 0225-2007, as amended, permits a maximum driveway width of 7.0m, in this instance.

This application was brought before Committee as part of the October 24th, 2019 meeting, under application 'A' 405/19. At this time, the application was deferred to allow the Applicant the opportunity to meet with Staff to address concerns regarding overall driveway width. No meeting has occurred in this regard. Planning Staff note, the Applicant has requested the same relief, but has submitted a more formal site plan as part of this recirculation.

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

As per Zoning By-law 0225-2007, the subject property is zoned R10 (Residential). Pursuant to Table 4.4.1.13.3 (R8 to R11 Permitted Uses and Zone Regulations), the maximum driveway width for a detached dwelling is the lesser of 8.5m, or 50% of the lot frontage; whereas the Applicant has proposed 7.89m. As the subject land has a lot frontage of 14.0m, the maximum permitted driveway width is 7.0m, in this instance.

The intent of the Zoning By-law is to permit a driveway large enough to provide the necessary space for two vehicles parked side-by-side, with the remainder of lands being soft landscaping (front yard). The Applicant's proposal results in a driveway large enough to accommodate three vehicles parked side-by-side at its widest point. The variance, as requested, does not meet the purpose or general intent of the Zoning By-law.

The variance, as requested, creates a significant amount hardscaping and results in the driveway being the predominant feature of the front yard (56% at its widest point). This is an undesirable development of the land, and one whose effects are not minor in nature.

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

<http://teamsites.mississauga.ca/sites/18/CofA/Comments/2020/January/Jan 16/jan 16.rv.docx>

City of Mississauga
Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: January 03, 2020

RE: Takebacks – January 16, 2020 – 1:30 pm
File - C.A. Agendas

Re: C.A. 'A' 405/19
Sonny & Jacqueline Kumar & Bozena Polrolnik
536 Amarone Crt
Ward 11

This Department has no comments with respect to the existing driveway.

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

December 18, 2019

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

**Re: Region of Peel Consolidated Comments
 City of Mississauga Committee of Adjustment Hearing
 January 16th, 2020**

Comments for Informational Purposes:

Deferred Minor Variance Application: DEF-A-405/19
Development Engineering: Camila Marczuk (905) 791-7800 x8230

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

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: 2020-01-09	File(s): 'A' 406/19
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-01-16

Consolidated Recommendation

- The City does not object to the approval of variances #2-5, however, object to variance #1. The applicant may choose to defer the application to verify the accuracy of the variances requested.

Application Details

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

- A rear yard setback to an accessory structure of 0.00m whereas By-law 0225-2007, as amended, requires a minimum rear yard setback of 1.20m (approx. 3.93ft) in this instance;
- A pool apron stone/wood deck paving setback to rear lot line of 0.29m (approx. 0.95ft) whereas By-law 0225-2007, as amended, requires a minimum setback to rear lot line of 0.61m (approx. 2.00ft) in this instance;
- A pool apron stone/wood deck paving setback to a side lot line of 0.29m (approx. 0.95ft) whereas By-law 0225-2007, as amended, requires a minimum setback to a side lot line of 0.61m (approx. 2.00ft) in this instance;
- A pool equipment set back to interior lot lines of 0.30m (approx. 0.98ft) whereas By-law 0225-2007, as amended, requires a minimum setback to interior lot lines of 0.61m (approx. 2.00ft) in this instance; and
- A pool equipment set back to a rear lot line of 0.30m (approx. 0.98ft) whereas By-law 0225-2007, as amended, requires a minimum setback to a rear lot line of 0.61m (approx. 2.00ft) in this instance.

Recommended Conditions and Terms

"[Enter terms and conditions here]"

Background

Property Address: 1105 Algonquin Drive

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R2-5 (Residential)

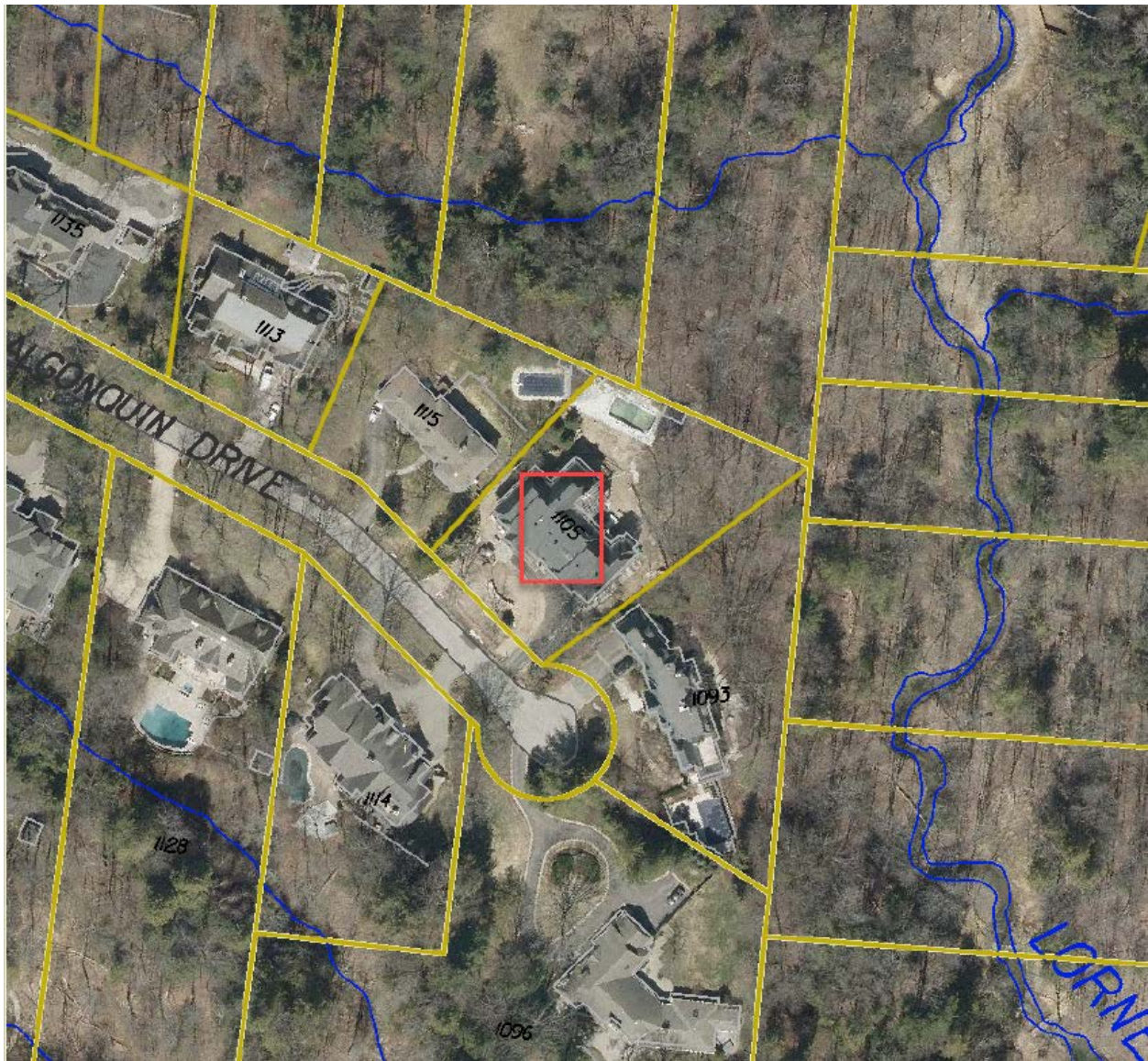
Other Applications:

Site Plan: 14-131

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southeast of Indian Road and Birchview Drive. North of the subject property is Lornewood Creek. The neighbourhood consists of large lots with one and two storey dwellings, containing significant mature vegetation. The subject property contains a two storey dwelling with mature vegetation. The application proposes variances related to accessory structures, deck paving setback to a rear yard, and pool equipment setback.

The application was previously deferred from the October 24th, 2019 Committee of Adjustment hearing in order to add an additional variance regarding a 0 m setback measured to an accessory structure.



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 "Greenlands" and "Residential Low Density I" in Schedule 10 of the Mississauga Official Plan (MOP). The proposed variances are located outside of the Greenlands designation and are contained within the Residential Low Density I designation which permits detached, semi-detached and duplex dwellings. Pursuant to Section 9.5.1.1 (Context) 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 variances represent common conditions within the immediate neighbourhood. The existing hardscaping and pool equipment are sufficiently setback from the rear property line and are located outside of the Greenlands designation, preserving the adjacent natural feature. However, the existing shed structure represents an undesirable condition that poses concerns regarding drainage and maintenance of the structure as the rear yard setback is eliminated. Staff is of the opinion that variances #2-5 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 rear yard setback measured to the existing shed of 0 m whereas 1.20 m is required. The intent of the zoning provisions for accessory structures is to ensure that an accessory structure is appropriately setback from neighbouring lands ensuring it would not have a negative impact on neighbouring properties regarding its massing and drainage and allowing the structure to be properly maintained. In this instance, the applicant requires a 0 m setback from the rear yard which creates concerns regarding drainage onto the abutting property as well as maintenance issues pertaining to the structure. Staff is of the opinion that the general intent and purpose of the zoning by-law is not maintained.

The remaining variances propose deck paving setbacks of 0.29 m and pool equipment setbacks of 0.30 m to the interior and rear lot line whereas a minimum setback of 0.61 m is required. The intent of this portion of the by-law is to ensure that an appropriate buffer exists between abutting properties. In this instance, the deck paving is sufficiently setback from the rear lot line and can accommodate a swale to allow for proper drainage. The proposed pool equipment is located on the north westerly corner of the subject property and does not contain a roof over the enclosure. This portion of the rear yard contains significant vegetation, mitigating any potential impact the pool equipment may have to neighbouring properties. As such, staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

The proposed variances are located outside of the Greenlands designation and are sufficiently setback from the natural feature abutting the subject property. The reduced setbacks to the paving and pool equipment still allow for a swale to be located in the rear yard to ensure proper drainage is accommodated on site should one be required in the future. Furthermore, this area contains significant vegetation which helps mitigate the impact of the pool equipment. However, the accessory structure does not respect the intent of the rear yard setback as having a 0 m setback impacts the long term maintenance of the structure and may cause drainage onto the

neighbouring lot. Excluding variance #1, staff is of the opinion that variances #2-5 represent orderly development of the lands and are minor in nature.

Conclusion

Based on the preceding information, the Planning and Building Department has no objections to variances #2-5, however, recommend that variance #1 be refused. The applicant may choose to defer the application to verify the accuracy of the variances requested and ensure additional variances are not required.

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.

Comments Prepared by: Dave Martin, Supervisor

Appendix 2 – Zoning Comments

The Planning and Building Department is currently processing a site plan application under file 14-131. 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: Kevin Barry, Zoning Examiner

Appendix 3 – Region of Peel Comments

Deferred Minor Variance Application: DEF-A-406/19

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

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

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

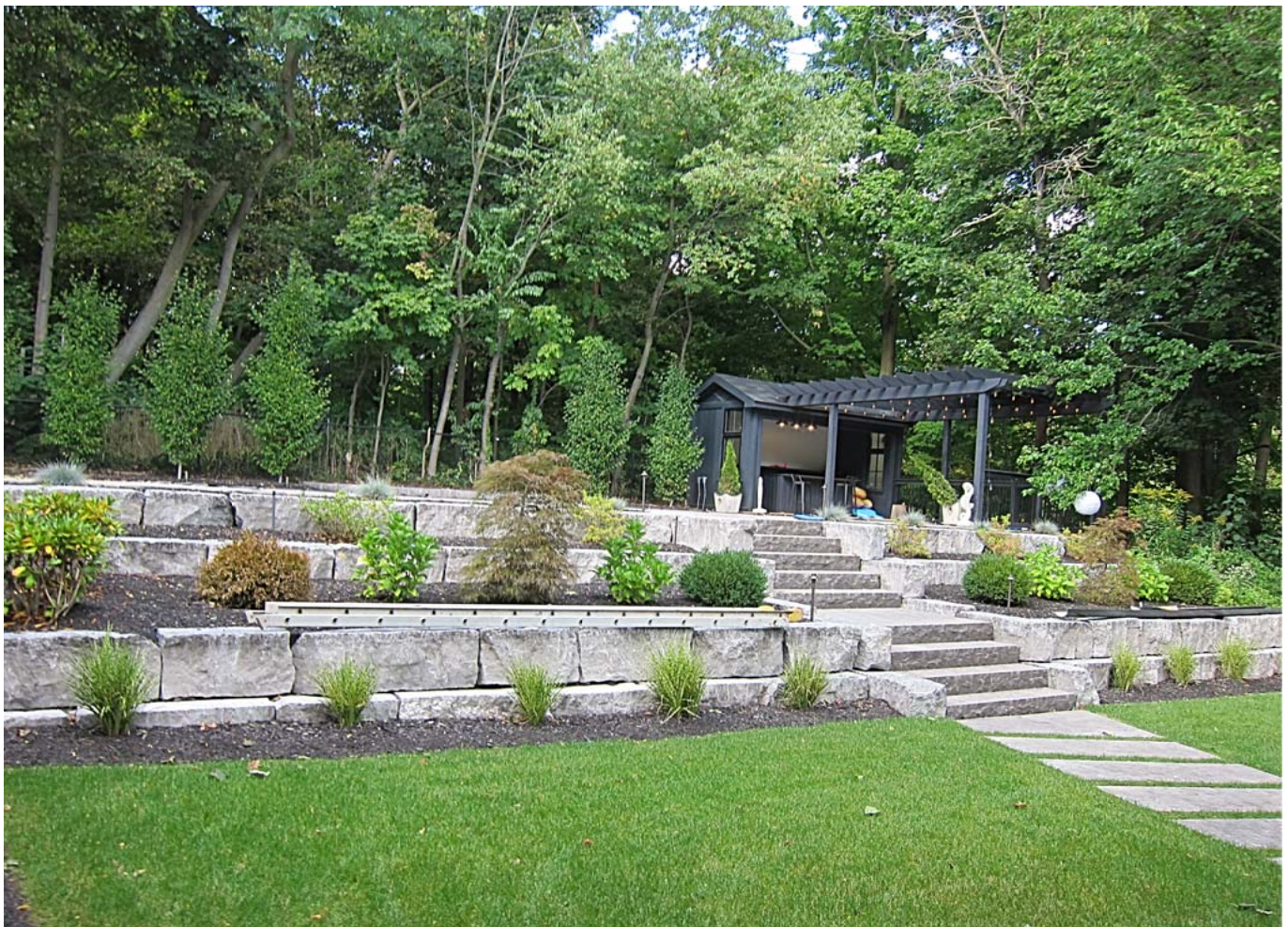
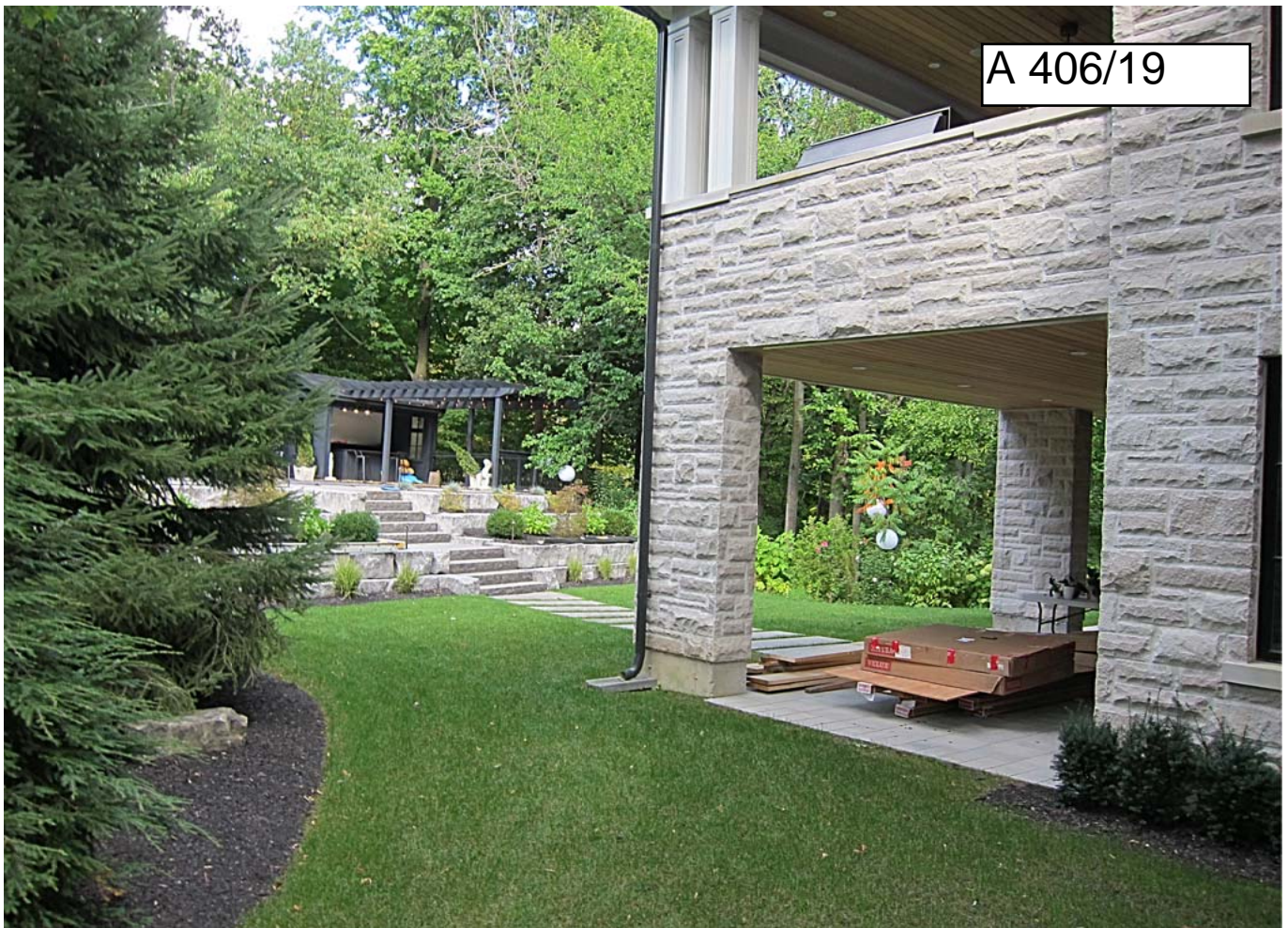
Comments Prepared by: Tracy Tang, Junior Planner

Appendix 4 - Conservation Authority Comments

CVC staff have no objection to the additional minor variance, as underlined in the amended notice. Please refer to our last commenting letter dated October 11, 2019 for additional comments related to this application.

Comments Prepared by: Iftekhar Ahmad, Junior Planner

A 406/19



A 406/19



A 406/19

