



Committee of Adjustment

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

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

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



**COMMITTEE
OF
ADJUSTMENT
AGENDA**

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

Location: COUNCIL CHAMBERS
Hearing: JANUARY 30, 2020 AT 4:00 P.M.

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

NEW APPLICATIONS (CONSENT)

| File | Name of Applicant | Location of Land | Ward |
|-------------|--------------------------|-------------------------|-------------|
| B-6/20 | HARVINDER TAKHAR | 747 QUEENSWAY W | 7 |
| A-49/20 | | | |
| A-50/20 | | | |

NEW APPLICATIONS (MINOR VARIANCE)

| File | Name of Applicant | Location of Land | Ward |
|-------------|--|-------------------------|-------------|
| A-41/20 | RENNIE & MICHELLE ASADA | 1115 ALGONQUIN DR | 2 |
| A-42/20 | HURONTARIO OFFICE CENTRE INC | 2090 HURONTARIO ST | 7 |
| A-43/20 | DOMINIKA & MEHDI PARKER | 3456 ENNISKILLEN CIR | 6 |
| A-44/20 | MORGAURD CORPORATION & MCC ONTARIO LIMITED | 77 CITY CENTRE DR | 4 |
| A-45/20 | GORDON & INGRID STOCKMAN | 14 MINNEWAWA RD | 1 |
| A-46/20 | GAMAL BASTA & MERFAT HANNA | 5198 DURIE RD | 6 |
| A-47/20 | | | |
| A-48/20 | CITY OF MISSISSAUGA | 7380 AIRPORT RD | 5 |
| A-51/20 | RABIA & SALMAN KABANI | 5622 LUCY DR | 10 |
| A-52/20 | VALENTINO D'SOUZA & DEEPTI FERNANDES | 2684 LOS PALMAS CRT | 9 |
| A-53/20 | | 1559 LEDA AVE | 1 |
| A-54/20 | SHAIKH RIAZ & KHAN ZAHIDA | 5495 TENTH LINE WEST | 10 |
| A-55/20 | SANDEEP BHULLAR & GAGANDEEP SINGH | 3114 BONAVENTURE DR | 5 |

DEFERRED APPLICATIONS (MINOR VARIANCE)

NONE

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: 2020-01-17 To: Committee of Adjustment From: Committee of Adjustment Coordinator | File(s): 'B' 6/20, 'A' 49/20 & 'A' 50/20 Ward: 7 |
| | Meeting date: 2020-01-30 |

Consolidated Recommendation

- The City does not object to the approval of the consent and associated minor variance applications, however, the applicant may choose to defer the application to verify the accuracy of the variances requested.

Application Details

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The severed parcel of land has a frontage of approximately 16m (52ft) and an area of approximately 823sq.m (8,859sq.ft).

A minor variance is requested for the Retained lands (file A49/20) proposing a lot frontage of 16m (approx. 52ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 18m (approx. 59ft) in this instance.

A minor variance is requested for the Severed lands (file A50/20) proposing a lot frontage of 16m (approx. 52ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 18m (approx. 59ft) in this instance.

Amendments

"[Enter amendments to variances]"

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent
- The variance application approved under File(s) A49/20 & A50/20 must be finalized
- "[Enter terms and conditions here]"

| | | | |
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| City Department and Agency Comments | File: 'B' 6/20, 'A' 49/20 & 'A' 50/20 | 2020/01/30 | 2 |
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Recommended Conditions and/or Terms of minor variance

- Variance(s) approved under file(s) A49/20 & A50/20 shall lapse if the consent application under file B6/20 is not finalized within the time prescribed by legislation.
- "[Enter terms and conditions here]"

Background

Property Address: 747 Queensway West

Mississauga Official Plan

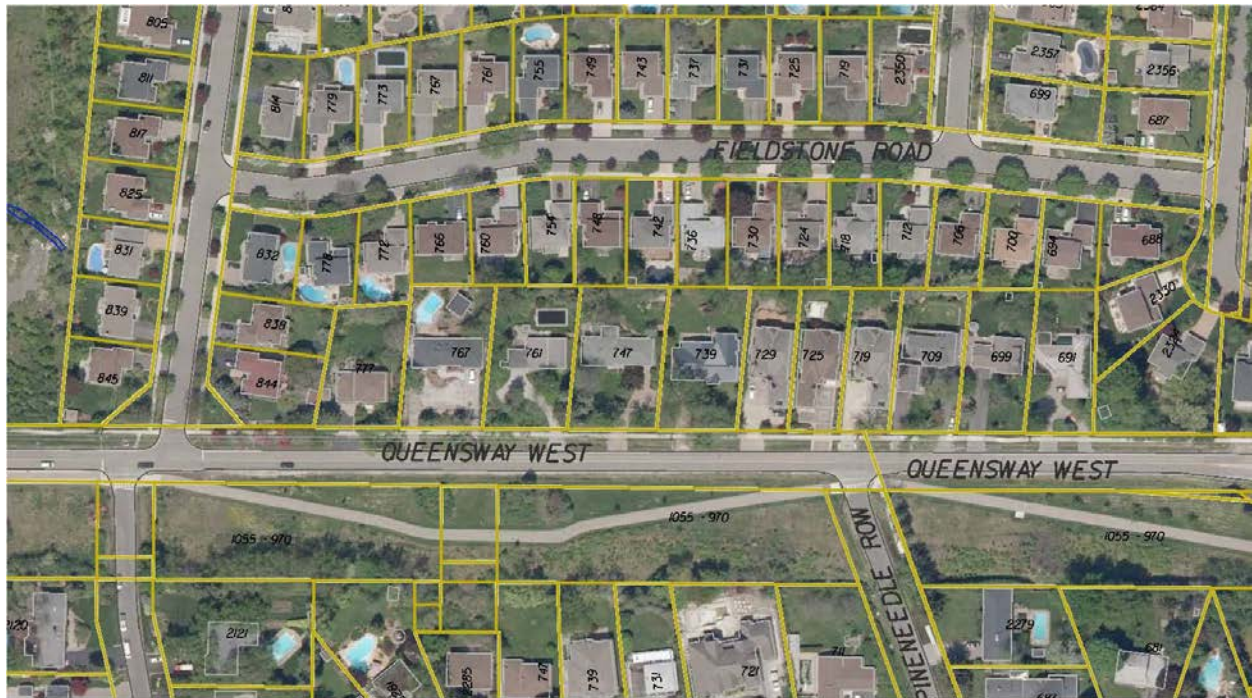
Character Area: Erindale Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R2 (Residential)

Site and Area Context

The subject property is located within the Erindale Neighbourhood Character Area, west of Stavebank Road and Queensway West. The neighbourhood consists of lots with frontages of approximately +/- 18 m to +/- 30 m and areas greater than 800 m². The lots contain one and two storey detached dwellings and have significant mature vegetation. The subject property contains a one storey detached dwelling with significant mature vegetation within the front yard. The application proposes to sever the lot, resulting in variances relating to deficient lot frontages.



Comments

Planning

Planning Act

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

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

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| City Department and Agency Comments | File: 'B' 6/20, 'A' 49/20 & 'A' 50/20 | 2020/01/30 | 4 |
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Provincial Matters

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

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

The consent application proposes to sever the lot for the purpose of creating two lots for the development of detached dwellings, requiring variances related to deficient lot frontages. The retained and severed lot lot will have a lot frontage of approximately 16 m and lot area of 823 m².

The subject property is designated "Residential Low Density II" in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached and duplex, triplex and other forms of low rise dwellings with individual frontages. Pursuant to Section 16.1.2.1 of MOP regarding consent applications, to preserve the character of lands designated Residential Low Density I and II, the minimum lot frontage and area of new lots will be evaluated in the context of the existing lot pattern in the surrounding area. Furthermore, Section 5.3.5 (Neighbourhoods) states that neighbourhoods are not meant to remain static, and that when new development occurs, it should be sensitive to the neighbourhoods existing and planned character. The proposed severance represents sensitive intensification that is compatible with the surrounding area. Recognizing that intensification does not have to mirror existing development, the proposed severance is sensitive to the existing and planned character of the neighbourhood and will not result in significant adverse impacts to the community.

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

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

Minor variance applications "A" 49/20 and "A" 50/20, proposes lots frontages of 16 m for the severed and retained lot whereas a minimum lot frontage of 18 m is required. The intent of the zoning by-law is to ensure that new lots are appropriately sized and fit within the context of the surrounding area. The proposed lot frontages are a minor deviation from the zoning by-law and result in lots that generally maintain the existing and planned area context. The proposal is consistent with other smaller lots within the immediate area, maintaining the lot fabric of the surrounding neighbourhood. Furthermore, the proposed lots can accommodate detached dwellings that are in keeping with the character of the neighbourhood. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

The proposed applications represent sensitive intensification within the Erindale Neighbourhood Character Area. Although neighbourhoods are identified in MOP as non-intensification areas, this does not mean they will remain static or that new development must imitate previous development patterns, but rather when development occurs, it should be sensitive to the existing and planned character. The proposed frontages are compatible with the surrounding area and lot fabric. Staff is of the opinion that the applications represent orderly development of the lands and are minor in nature.

Conclusion

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

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

ATTACHED

Comments Prepared by: Dave Martin

Appendix 2 – Zoning Comments

This Division notes that no development is proposed through this application. It should be noted that the variances, as requested, has been reviewed based on information provided, however a full zoning review has not been completed.

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

Comments Prepared by: Sandra Morrison, Zoning Examiner

Appendix 3 – Forestry and Parks

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

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

- Silver Maple – Fair Condition

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

1. The applicant shall ensure that future driveways do not impact or require the removal of the above noted tree.
2. The applicant shall provide a cash contribution of \$1,768.32 for planting of three (3) street trees on Queensway West. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.
3. The applicant shall provide tree protection securities in the amount of \$3,400.00 for the Silver Maple tree.

In addition, Community Services notes the following:

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| City Department and Agency Comments | File: 'B' 6/20, 'A' 49/20 & 'A' 50/20 | 2020/01/30 | 7 |
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1. Payment for street tree fees and charges can be made at the Parks and Forestry customer service counter located at 950 Burnhamthorpe Road West in the form of a certified cheque, bank draft, or money order payable to the City of Mississauga.
2. The applicant shall provide frame tree hoarding at the dripline of the above noted trees prior to any construction to the satisfaction of City of Mississauga Forestry Staff. Please call Ryan Cormier at 905-615-3200 ext. 4580 to arrange a hoarding inspection.
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, Park Planner

Appendix 4 – Region of Peel Comments

Consent Application: B-006/20

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

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

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| City Department and Agency Comments | File: 'B' 6/20, 'A' 49/20 & 'A' 50/20 | 2020/01/30 | 8 |
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Comments Prepared by: Tracy Tang

Appendix 5 – Bell Canada

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

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

Comments Prepared by: Carrie Gordon, External Liaison

City of Mississauga

Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: January 17, 2020

RE: **Applicant:** Harvinder Takhar
Date of Hearing: January 30, 2020
Location: 747 Queensway West
Our File: 'B' 6/20, Ward 7 (Z-15)

This Department has reviewed the request to create new parcels of land for residential purposes fronting onto Queensway West which is under the jurisdiction of the Region of Peel at this location. Should Committee see merit in the applicant's request we are providing the following conditions/requirements for Committee's consideration:

A. Items Required Prior to the Issuance of Final Consent

1. Overall Grading and Drainage Plan

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

2. 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. 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.

It should also be acknowledged that as Queensway West is under the jurisdiction of the Region of Peel, any access related issues/requirements will have to be addressed by the Region.

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

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









City of Mississauga Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: January 17, 2020

RE: Takebacks – January 30, 2020 – 4:00 pm
File - C.A. Agendas

Re: **C.A. 'A' 49 & 50/20**
Havinder Takhar
747 Queensway W
Ward 7

We note that any Transportation and Works Department concerns/requirements for this property will be addressed under Consent Application 'B' 6/20.

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

Public Works

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

peelregion.ca

January 24, 2020

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

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

Dear Mr. Kenney,

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

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

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

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

Sincerely,



Tracy Tang
Junior Planner
Development Services, Region of Peel

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

City of Mississauga

Memorandum:

City Department and Agency Comments

| | |
|---|-------------------------------|
| Date Finalized: 2020-01-17 | File(s): 'A' 41/20 Ward: 2 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date: 2020-01-30 |

Consolidated Recommendation

- That the City does not object to the requested variances.

Application Details

The applicant requests the Committee to approve a minor variance to permit the construction of a new dwelling and driveway proposing:

1. A garage area of 97.80sq.m (approx. 1052.71sq.ft) whereas By-law 0225-2007, as amended, permits a maximum garage area of 75.00sq.m (approx. 807.29sq.ft) in this instance;
2. A building height measured to the eaves of 7.04m (approx. 23.10ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance;
3. A driveway width within 6m of the front garage face of 11.86m (approx. 38.91ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width within 6m of the front garage face of 10.50m (approx. 34.45ft) in this instance; and
4. A driveway width beyond 6m of the garage face of 11.86m (approx. 38.91ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width beyond 6m of the garage face of 8.50m (approx. 27.89ft) in this instance.

Recommended Conditions and Terms

"[Enter terms and conditions here]"

Background

Property Address: 1115 Algonquin Drive

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R2-5 (Residential)

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, southeast of Indian Road and Birchview Drive. The neighbourhood consists of large lots containing primarily two storey detached dwellings with mature vegetation. The subject property contains a one storey dwelling with mature vegetation in the front yard. The applicant is proposing to construct a new two storey dwelling requiring variances related to garage area, eave height and driveway width.



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" and "Greenlands" in Schedule 10 of the Mississauga Official Plan (MOP). The residential designation permits detached, semi-detached and duplex dwellings while the greenlands designation does not permit development to extend within the regulatory storm floodplain or hazard lands. A small portion of the rear yard is designated greenlands and does not affect the development of the subject property. As per Section 16.5.1.4 (c) of MOP, new housing is encouraged to fit the scale and character of the surrounding area. Similarly, paragraph 'e' states that new development is to ensure that there is minimal impact on its adjacent neighbours with respect to overshadowing and overlook. The proposed detached dwelling respects the designated land use, and has regard for the distribution of massing on the property as a whole. Staff is of the opinion that the requested variances 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 garage area of 97.80 m² whereas 75 m² is permitted. The intent in restricting the overall amount, and individual size, of an attached garage is to ensure that the detached dwelling remains residential in nature, so that the majority of the structure's ground floor area is attributed to livable space, rather than storage space. Additionally, this portion of the by-law serves to minimize the visual impact resultant of multiple, or excessive, garage faces from a streetscape perspective. In this instance, the extra garage area is attributed to a third garage face on the westerly side of the dwelling. Despite the increased garage area, the dwelling remains residential in nature with the ground floor is mostly attributed to livable space. The garage is also setback 6.27 m to the abutting property and approximately 13 m from the street, mitigating any potential impact to the neighbouring lot and streetscape. Furthermore, the garage is one storey, minimizing any massing concerns to the character of the neighbourhood. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variance #2 proposes an eave height of 7.04 m whereas 6.40 m is permitted. The intent of this portion of the by-law is to lessen the visual massing of the dwelling by bringing the edge of the roof closer to the ground, maintaining a human scale. In this instance, the eaves are measured to average grade which exacerbates the height of the eaves. From the highest point of the established grade, the eaves would have a height of approximately 6.79 m. From a streetscape

perspective, the increased height would not create any additional undue impact to the character of the neighbourhood. Furthermore, the overall height of the dwelling maintains the permitted height of 9.50 m, lessening the impact of the increased eave height, thereby maintaining a human scale. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Regarding variance #3 and 4, the application proposes an increased driveway width within and beyond 6 m of the front garage face. The intent of this portion of the by-law acknowledges that larger lots can accommodate additional hard surfacing while still maintaining a sufficient soft landscaped area within the front yard. The proposed driveway width beyond 6 m of the front garage face does not have a continued length of 11.86 m down to the street line. The driveway narrows down to 4.50 m to the street line, maintaining a sufficient soft landscaped area and does not exacerbate the additional hard surfacing towards the top of the driveway. 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 maintaining the existing and planned character of the surrounding area. The proposed garage is sufficiently setback from the street and abutting property, mitigating any potential massing concerns. The increased eave height is partly due to the calculation of average grade. From established grade, the proposed eave height represents a minor deviation from the zoning by-law and will not cause any additional undue impact to the character of the neighbourhood. Regarding the increased driveway width, only a portion of the driveway exceeds the width beyond 6 m of the front garage face and does not continue down to the street line. The driveway narrows to 4.50 m, maintaining a sufficient soft landscaped area. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

Conclusion

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-19/090.

Comments Prepared by: Dave Martin

Appendix 2 – Zoning Comments

The Planning and Building Department is currently processing a site plan approval application under file 19-90. Based on review of the information currently available for this application, the variances, as requested are correct.

Comments Prepared by: Jeanine Benitez-Bumanglag, Zoning Examiner

Appendix 3 – Region of Peel Comments

Minor Variance Application: A-041/20

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

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

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

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

Appendix 4- Conservation Authority Comments

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

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

SITE CHARACTERISTICS:

The subject property is located adjacent to the valley slope associated with Lornewood Creek. Other features of CVC interest adjacent to the property include Peel Core Greenlands and Significant Natural Site (CL22) of the City of Mississauga Natural Heritage System.

It is the policy of CVC and the Province of Ontario to conserve and protect the significant physical, hydrological and biological features associated with the functions of the above noted characteristics and to recommend that no development be permitted which would adversely affect the natural features or ecological functions of these areas.

ONTARIO REGULATION 160/06:

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

PROPOSAL:

It is our understanding that the applicant requests the Committee to approve a minor variance to permit the construction of a new dwelling and driveway proposing:

1. A garage area of 97.80sq.m (approx. 1052.71sq.ft) whereas By-law 0225-2007, as amended, permits a maximum garage area of 75.00sq.m (approx. 807.29sq.ft) in this instance;
2. A building height measured to the eaves of 7.04m (approx. 23.10ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 21.00ft) in this instance;
3. A driveway width within 6m of the front garage face of 11.86m (approx. 38.91ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width within 6m of the front garage face of 10.50m (approx. 34.45ft) in this instance; and
4. A driveway width beyond 6m of the garage face of 11.86m (approx. 38.91ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width beyond 6m of the garage face of 8.50m (approx. 27.89ft) in this instance.

COMMENTS:

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

It should be noted however that CVC permit is required for the proposed development as it is located within CVC Regulated Area.

Please circulate CVC any future correspondence regarding this application.

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

Comments Prepared by: Iftekhar Ahmad, Junior Planner

A 41/20



Date: January 20th, 2019

File: C of A – 'A' 42/20
(Ward 7 – 2090 Hurontario Street)

Agenda: January 30th, 2020

Deferred Item

Recommendation

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

Background

Character Area: Downtown Hospital
Designation: Convenience Commercial

Zoning By-law 0225-2007

Zoning: C1 (Commercial)

Other Applications:

Occupancy Permit: 19-9173

Comments

Zoning

The Building Department is currently processing a Building Permit application under file 19-9477. Based upon review of this application, this Department notes that the variance, as requested, is correct.

Planning

The subject property is located north-west of the Hurontario Street and North Service intersection, and currently houses a two-storey, multi-tenant retail / office plaza. The immediate area context is primarily commercial, with multiple retail outlets along this portion of Hurontario Street. Planning Staff further note, residential uses, predominantly in the form of detached

dwellings and townhome units, are present to both the south and west; however, their lot configuration and orientation, results in their presence not directly influencing the area context, as it pertains to the subject lands.

The Applicant is proposing to operate a computer-coding / programming centre for children within one of the existing units of the office structure. As a result of the proposed use, the Applicant has requested the following relief from By-law 0225-2007, as amended, permitting:

1. A commercial school on the subject property; whereas, By-law 0225-2207, as amended, does not permit a commercial school use, in this instance.

The site is located within the Downtown Hospital Character Area, and designated Convenience Commercial by the Mississauga Official Plan (MOP). Pursuant to Section 11.2.9(e) (Convenience Commercial), this designation shall permit personal service establishment uses. It is the opinion of Planning Staff that, due to the inherent semi-regular nature of the participants, coupled with the absence of any “true” vocational or professional accreditations upon completion, the Applicant’s proposal of a computer-coding / programming centre for children is suitable to fall within the personal service establishment classification and therefore meets the purpose and general intent of the Official Plan.

As per Zoning By-law 0225-2007, the subject property is zoned C1 (Commercial). Based upon the information provided, the Zoning Department has classified the proposed use, due to the incorporation of “specialized instruction” (computer coding, in this case), as falling under the commercial school use classification. While Planning Staff acknowledges that specialized instruction is provided to some extent through the computer training services offered; this Department would note that the combined open-ended / informal nature of the curriculum, coupled with the complete lack of any formal vocational training / accreditation provided, are not in-line with the primarily intent of the commercial school use – omitting the inherent, and in Planning Staff’s opinion necessary, formal training component (typical of the trades) always envisioned by this classification and evident by this use’s typical relegation to the industrial or employment zones.

To this point, Planning Staff brought forward a City-initiated Zoning By-law amendment; addressing, amongst other issues, the relationship between commercial schools and service establishments. This amendment was approved by Council, but was subsequently appealed for unrelated matters (Site Specific appeal). As part of Staff’s review of these uses, it was ultimately determined that inherent to commercial schools was the incorporation of a technical training aspect, pertaining specifically to trades; similarly, “tutoring”, in a manner similar to what is proposed through this application, was subsequently reinstated to be considered solely as a service establishment use. The Applicant’s proposal firmly falls within a service establishment use (permitted in this zone), as intended by Staff, and further highlights past deficiencies in the Zoning By-law and why this amendment was required. It is the opinion of Planning Staff that the proposed use meets the purpose and general intent of the Zoning By-law.

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

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

[http://teamsites.mississauga.ca/sites/18/CofA/Comments/2019/November/November 21/nov 21.rv .docx](http://teamsites.mississauga.ca/sites/18/CofA/Comments/2019/November/November%2021/nov%2021.rv.docx)

City of Mississauga Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: January 17, 2020

RE: Takebacks – January 30, 2020 – 4:00 pm
File - C.A. Agendas

Re: COMMITTEE OF ADJUSTMENT – January 30, 2020

This Department has no objections, comments or requirements with respect to C.A. 'A' 42, 44 & 52/20.

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





Public Works

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

peelregion.ca

January 24, 2020

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

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

Dear Mr. Kenney,

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

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

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

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

Sincerely,



Tracy Tang
Junior Planner
Development Services, Region of Peel

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

From: [Caple, Corey \(MTO\)](#)
To: [Committee Adjustment](#)
Cc: [Iannacito, Phil \(MTO\)](#)
Subject: RE: FILE: COA package dated for 30th January 2020 (both afternoon meetings)
Date: Friday, January 10, 2020 9:55:15 AM

Good Morning City of Mississauga,

-

RE: FILE: COA package dated for 30th January 2020, All Properties in the package dated for 30th January 2020 (both afternoon meetings-Minus 1560 North Mount Ave., & 2090 Hurontario St.)

The above properties-projects (minus 1560 North Mount Ave., & 2090 Hurontario St.) in the package dated for 30th January 2020 meeting are outside MTO Permit Control Area (PCA) therefore the Ministry has no comments, at this time.

RE: FILE: COA package dated for 30th January 2020 , both afternoon meetings. 1560 North Mount Ave., & 2090 Hurontario St.

-

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

Regards,

Mr. Corey Caple
Corridor Management Officer

Ministry of Transportation
Central Region, Corridor Management Section
159 Sir William Hearst Ave., 7th Floor
Toronto, Ontario
M3M 0B7
Tel. 416-235-4351
Fax. 416-235-4267

Date: January 20th, 2020

File: C of A – 'A' 43/20
(Ward 6 – 3456 Enniskillen Circle)

Agenda: January 30th, 2020

New Item

Recommendation

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

Background

Mississauga Official Plan

Character Area: Erindale Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R2 (Residential)

Other Applications:

Building Permit: 19-9477

Comments

Zoning

The Building Department is currently processing a Building Permit application under file 19-9477. Based upon review of this application, this Department notes that the variances, as requested, are correct.

Planning

The Applicant is proposing to construct a second storey addition on the existing footprint. No changes or alterations have been proposed to the first storey. 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. An interior side yard (westerly) measured to the second storey of 1.84m; whereas, By-law 0225-2007, as amended, requires a minimum interior side yard of 2.41m, in this instance.

Through a detailed review, Staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the Application raises no concerns of a planning nature. The Planning and Building Department recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application meets the requirements of Section 45(1) of the Planning Act.

[http://teamsites.mississauga.ca/sites/18/CofA/Comments/2019/November/November 21/nov 21.rv .docx](http://teamsites.mississauga.ca/sites/18/CofA/Comments/2019/November/November%2021/nov%2021.rv.docx)

City of Mississauga Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: January 17, 2020

RE: Takebacks – January 30, 2020 – 4:00 pm
File - C.A. Agendas

Re: **C.A. 'A' 43/20**
Dominika & Mehdi Parker
3456 Enniskillen Cir
Ward 6

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

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



A 43/20



Public Works

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

peelregion.ca

January 24, 2020

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

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

Dear Mr. Kenney,

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

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

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

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

Sincerely,



Tracy Tang
Junior Planner
Development Services, Region of Peel

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

Date: January 30th, 2020

File: C of A – 'A' 44/20
(Ward 7 – 77 City Centre Drive)

Agenda: January 20th, 2020

New Item

Recommendation

The Planning and Building Department has no objection to the variance, as amended, subject to the condition outlined below being imposed by Committee

Background

Mississauga Official Plan

Character Area: Downtown Core
Designation: Mixed Use

Zoning By-law 0225-2007

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

Other Applications:

Occupancy Permit: 19-6684

Comments

Zoning

The Building Department is currently processing an Occupancy Permit application under file 19-6684. Based upon review of this Application, Staff notes that the Application should be amended as follows, permitting:

- Patios not accessory to existing restaurant uses; whereas, by-law 0225-2007, as amended, only permits outdoor patios where they are accessory to a restaurant or take-out restaurant, in this instance.

Planning

The property is located north-west of the Burnhamthorpe Road West and Hurontario Street intersection. The subject site is a multi-storey office building that houses a multitude of consulting and office uses. The area context along this portion of Burnhamthorpe Road West is comprised mainly of multi-storey, office condominium structures. Planning Staff note, commercial uses, in the form of the Square One Shopping Centre located directly North, is also present.

The Applicant is proposing to construct outdoor patios, accessory to future restaurant uses. As a result of this aforementioned land use, the Applicant is required to seek the following relief from By-law 0225-2007, as amended, permitting:

- Patios not accessory to existing restaurant uses; whereas, by-law 0225-2007, as amended, only permits outdoor patios where they are accessory to a restaurant or take-out restaurant, in this instance.

The site is located within the Hurontario District of the Downtown Core Character Area, and designated Mixed Use by the Mississauga Official Plan (MOP). Pursuant to Sect. 11.2.6.1(k) (Mixed Use), the Mixed Use designation permits restaurant uses. Further, Pursuant to Sect. 11.1.3.6 of the Downtown Core Local Area Plan, this portion of City Centre Drive has specifically been identified as suitable for restaurant uses, and, by extension, accessory restaurant operations. The Applicant's proposal of outdoor patios, accessory to future restaurant uses, meets the general intent and purpose of the Official Plan.

Pursuant to Section 7.1.4.1(5) (Uses Accessory to a Permitted Use in CC2, CC3, and CC4 Zones), a restaurant is permitted as-of-right when accessory to an office use within the CC2 zone.

Pursuant to Table 7.2.1(2.20) (CC1 to CC4 and CCOS Permitted Uses and Zone Regulations) outdoor patios themselves are, however, subsequently removed as being permitted. The general intent in removing this provision of the Zoning By-law is to ensure that such structures, which greatly influence both the integrity and utilization of the public realm, are reviewed on a site-by-site basis when determining their appropriateness. Planning Staff note the subject property's location on City Centre Drive serves to form a gate-way feature for pedestrian access to the various amenities and attractions of the downtown core.

It is the opinion of Planning Staff, that the implementation of supplementary patios, in this instance, only serves to enhance and further develop this entrance point. It is the opinion of Planning Staff that the variance, as amended, results in both the orderly development of the lands, and whose impacts will be minor in nature.

Based upon the preceding information, it is the opinion of Staff that the variance, as requested, meets the general intent and purpose of both MOP and the Zoning By-law; is minor in nature;

and, is desirable for the orderly development of the lands. To this end, the Planning and Building Department has no objection to the variance, as amended

Due to the complexities inherent when dealing with multi-tenant structures within the downtown core, should Committee see merit in the proposal, Planning Staff would request the following condition be imposed:

- Any approval be subject to the submitted site plan

[http://teamsites.mississauga.ca/sites/18/CofA/Comments/2019/May/May 23/may.23.rv.docx](http://teamsites.mississauga.ca/sites/18/CofA/Comments/2019/May/May%2023/may.23.rv.docx)

City of Mississauga Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: January 17, 2020

RE: Takebacks – January 30, 2020 – 4:00 pm
File - C.A. Agendas

Re: COMMITTEE OF ADJUSTMENT – January 30, 2020

This Department has no objections, comments or requirements with respect to C.A. 'A' 42, 44 & 52/20.

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

Public Works

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

peelregion.ca

January 24, 2020

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

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

Dear Mr. Kenney,

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

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

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

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

Sincerely,



Tracy Tang
Junior Planner
Development Services, Region of Peel

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

City of Mississauga

Memorandum:

City Department and Agency Comments

| | |
|--|-------------------------------|
| Date Finalized: 2020-01-17 To: Committee of Adjustment From: Committee of Adjustment Coordinator | File(s): 'A' 45/20 Ward: 1 |
| | Meeting date: 2020-01-30 |

Consolidated Recommendation

- The City does not object to the requested variances, however, the applicant may choose to defer the application to submit a building permit application and verify the requested variances.

Application Details

The applicant requests the Committee to approve a minor variance to allow an addition and accessory structure on the subject property proposing:

1. A lot coverage of a garage of 15% whereas By-law 0225-2007, as amended, permits a maximum lot coverage of a garage of 10% in this instance;
2. A front yard measured to a laneway of 2.80m (approx. 9.19ft) whereas By-law 0225-2007, as amended, requires a minimum front yard measured to a laneway of 6.00m (approx. 19.69ft) in this instance;
3. A garage height of 6.60m (approx. 21.65ft) whereas By-law 0225-2007, as amended, permits a maximum garage height of 4.60m (approx. 15.09ft) in this instance;
4. A garage height measured to the eaves of 3.50m (approx. 11.48ft) whereas By-law 0225-2007, as amended, permits a maximum garage height of 3.00m (approx. 9.84ft) in this instance; and
5. A building height of an accessory building of 5.60m (approx. 18.37ft) whereas By-law 0225-2007, as amended, permits a maximum building height of an accessory building of 3.00m (approx. 9.84ft) in this instance.

Amendments

"[Enter amendments to variances]"

Recommended Conditions and Terms

"[Enter terms and conditions here]"

Background

Property Address: 14 Minnewawa Road

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (East)

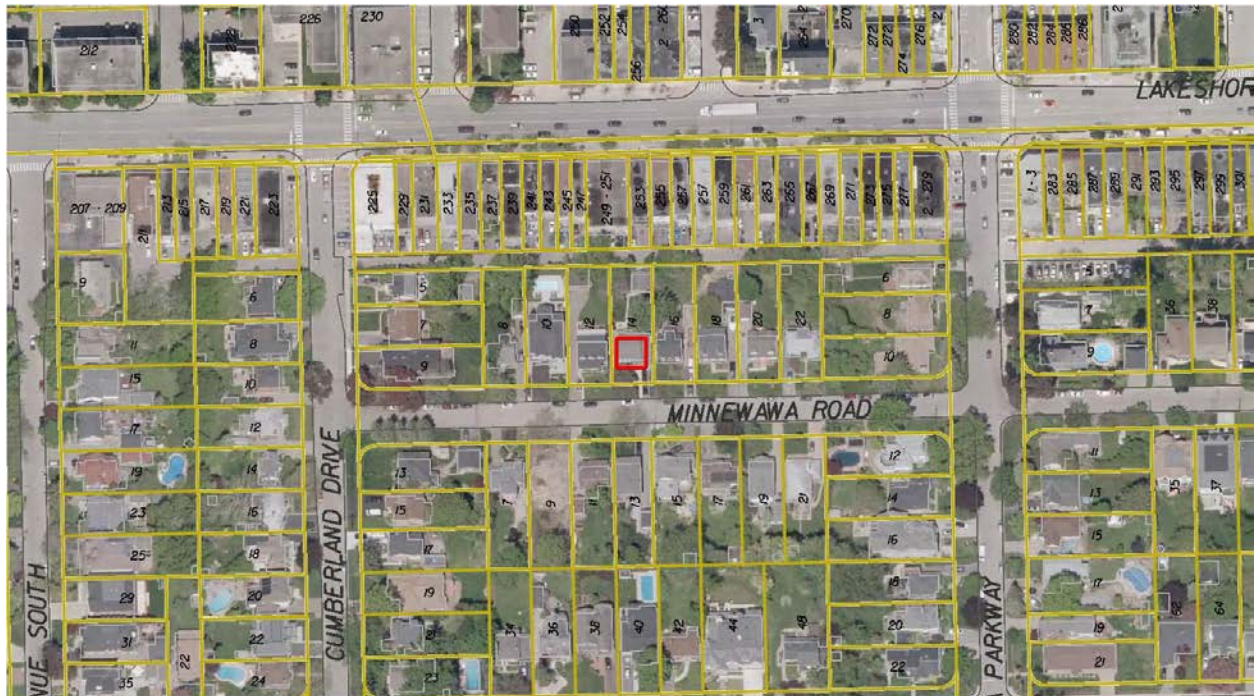
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: R15-8 (Residential)

Site and Area Context

The subject property is located within the Port Credit Neighbourhood Character Area, southeast of Lakeshore Road East and Cumberland Drive. The neighbourhood consists of one and two storey detached dwellings within mature vegetation. The subject property is located on the north side of Minnewawa Road and contains a two storey detached dwelling with vegetation in the rear yard. Dwellings located on the north side of Minnewawa Road have dual frontage as a public laneway abuts the rear of the properties. The application proposes a detached garage fronting onto the public laneway, requiring variances related to lot coverage, front yard, garage height and accessory structure height.



The subject property is designated "Residential Low Density I" in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached, semi-detached and duplex dwellings. As per Section 9.1 (Preamble) of MOP, sites will be developed to respect the experience, identity and character of the surrounding context. The proposed detached garage respects the designated land use, and has regard for the distribution of massing on the property as a whole, maintaining the existing and planned area context. 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 proposed variances relate to the development of the detached garage with a connected accessory structure abutting the laneway. The intent of the zoning by-law is to ensure that a detached garage is sufficiently setback from neighbouring lots and would not create a negative impacts regarding massing and remains accessory to the primary principle use. In this instance, the proposed detached garage is consistent with other detached garages within the immediate area. Although there are variances proposing an increased height, immediately north of the subject property is a two storey building consisting of commercial uses on the ground floor and residential on the second storey, thereby not being impacted by the proposed detached garage and accessory structure. Further east on Minnewawa are existing detached garages with similar heights as the subject application. The detached garage is located towards the rear of the property and does not present any massing concerns to abutting properties. Due to the accessory structure which includes the detached garage and storage shed, there is an inconsistent height as the detached garage has a height of 6.60 m while the storage shed has a height of 5.60 m, creating a staggered roofline, mitigating any further massing concerns. 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 detached garage and accessory structure represent similar existing conditions within the immediate neighbourhood of properties that abut the public laneway. Immediately north of the laneway is a two storey building which draws away from the overall massing of the detached garage. The existing context of the surrounding area includes structures that directly abut the laneway, as such; the proposed detached garage maintains an appropriate front yard setback and leaves sufficient space from the laneway to the garage. Staff is of the opinion that the application represents orderly development of the lands and is minor in nature.

Conclusion

The Planning and Building Department has no objections to the requested variances, however, the applicant may choose to defer the application to submit a building permit application and verify the requested variances.

| | | | |
|-------------------------------------|----------------|------------|---|
| City Department and Agency Comments | File:'A' 45/20 | 2020/01/17 | 5 |
|-------------------------------------|----------------|------------|---|

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 and the accessory structure will be addressed through the Building Permit process.

Comments Prepared by: Dave Martin

Appendix 2 – Zoning Comments

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

Comments Prepared by: Sandra Morrison, Zoning Examiner

Appendix 3 – Region of Peel Comments

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

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

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

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

Comments Prepared by: Tracy Tang

A 45/20



A 45/20



A 45/20



A 45/20



Date: January 20th, 2020

File: C of A – 'A' 46/20 & 'A' 47/20
(Ward 6 – 5198 Durie Road)

Agenda: January 30th, 2020

New Item

Recommendation

The Planning and Building Department recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application meets the requirements of Section 45(1) of the Planning Act. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

Background

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: R2-18 (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 Applicant is proposing to construct two detached dwellings, each located upon a portion of the recently severed lands. Planning Staff note, in order to incorporate the presence and location of the existing driveway entrance; municipal tree; and, light standard, the Applicant has configured the proposed structures in such a way that results in slight decencies to the interior side yard setback regulations.

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

A/46/20

1. An interior side yard of 1.2m; whereas, By-law 0225-2007, as amended, requires a minimum interior side yard of 1.8m, in this instance.

A/47/20

1. An interior side yard of 1.2m; whereas, By-law 0225-2007, as amended, requires a minimum interior side yard of 1.8m, in this instance.

Through a detailed review, Staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature. The Planning and Building Department recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application meets the requirements of Section 45(1) of the Planning Act. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

City of Mississauga Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: January 17, 2020

RE: Takebacks – January 30, 2020 – 4:00 pm
File - C.A. Agendas

Re: **C.A. 'A' 46 & 47/20**
Gamal Basta & Merfat Hanna
5198 Durie Rd
Ward 6

We are noting that any Transportation and Works Department concerns/requirements for the proposed new dwelling will be addressed through the Building Permit Process. It should also be acknowledged that to date the new lot to be created under Consent Application 'B' 60/19 has yet to be created as the Transportation and Works Department has not issued its final clearance on this application, one condition being the approval of an Overall Grading and Drainage Plan.

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



A 46 & 47/20



A 46 & 47/20



City of Mississauga
Memorandum



Date: 2020/01/03

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

From: Heritage Planning
Culture Division, Community Services

Meeting Date: 2020/01/23

Subject: A-46/20 (Ward 6)
Minor Variance Application
5198 Durie Road
Gamal Basta & Merfat Hanna

The property is adjacent to a listed property under the *Ontario Heritage Act*. As such, a completed Heritage Impact Assessment is required.

The city's Heritage Impact Assessment Terms of Reference are available on line at: https://www7.mississauga.ca/documents/culture/heritage/HeritageImpactAssessment_TermsOfReference2017.pdf More comments may be forthcoming once the Heritage Impact Statement is accepted.

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

Public Works

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

peelregion.ca

January 24, 2020

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

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

Minor Variance Application: A-046/20

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

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

Minor Variance Application: A-047/20

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

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

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



January 20, 2020

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

Attention: Sean Kenney

Dear Mr. Kenney:

**Re: CVC File No. A 20/046-047
Municipality File No. A 46/20-A47/20
Gamal Basta & Merfat Hanna
5198 Durie Road
Part of Lot 2, Concession 4 WHS
City of Mississauga**

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

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

SITE CHARACTERISTICS:

The subject property is regulated because of the valley slope and floodplain associated with the Credit River. Other features of CVC interest on and adjacent to the property include; Core Greenlands designated by the Region of Peel, Significant Natural Site (CRR4) designated under the City of Mississauga Natural Heritage System, a provincial Life Science Area of Natural and Scientific Interest (ANSI), and Environmentally Significant Area.

It is the policy of CVC and the Province of Ontario to conserve and protect the significant physical, hydrological and biological features associated with the functions of the above noted characteristics and to recommend that no development be permitted which would adversely affect the natural features or ecological functions of these areas.

ONTARIO REGULATION 160/06:

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

PROPOSAL:

It is our understanding that the applicants request the Committee to approve a minor variance proposing:

1. a new house on the subject property, being the severed lands from Consent application B60/19, proposing an interior side yard of 1.2m (approx. 3.9ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 1.8m (approx. 5.9ft) in this instance.
2. a new house on the subject property, being the retained lands from Consent application B60/19, proposing an interior side yard of 1.2m (approx. 3.9ft) whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 1.8m (approx. 5.9ft) in this instance.

COMMENTS:

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

It should be noted however that any outstanding concerns/requirements with

January 20, 2020
Re: CVC File No. A 20/046-047
Municipality File No. A 46/20-A 47/20
Gamal Basta & Merfat Hanna
5198 Durie Road
Part of Lot 2, Concession 4 WHS
City of Mississauga

respect to the proposed development are to be addressed during CVC approval process.

The applicant is advised to contact the undersigned to discuss CVC approval requirements for the proposed development on both lots.

Please circulate CVC any future correspondence regarding this application.

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

Sincerely,

Iftekhar Ahmad
Junior Planner

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

City of Mississauga

Memorandum:

City Department and Agency Comments

| | |
|---|-------------------------------|
| Date Finalized: 2020-01-17 | File(s): 'A' 48/20 Ward: 5 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date: 2020-01-30 |

Consolidated Recommendation

- The City objects to the requested minor variance application.

Application Details

The applicant requests the Committee to approve a minor variance to allow the outdoor storage of trailers on the subject property whereas By-law 0225-2007, as amended, does not permit such a use in this instance.

Amendments

"[Enter amendments to variances]"

Recommended Conditions and Terms

"[Enter terms and conditions here]"

Background

Property Address: 7380 Airport Road

Mississauga Official Plan

Character Area: Northeast Employment Area (West)
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E2 (Employment)

Site and Area Context

The subject property is located within the Northeast Employment Area, west of Drew Road and Airport Road. The surrounding area mostly consists of manufacturing uses, truck terminals with few restaurants present in the surrounding area. The subject property currently contains outdoor storage and is in the process of obtaining a certificate occupancy permit. The application proposes outdoor storage whereas outdoor storage is not permitted.



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 "Business Employment" in Schedule 10 of the Mississauga Official Plan (MOP) which permits manufacturing, research and development and trucking terminals, among other uses. The official plan only permits outdoor storage in the Industrial designation. The Business Employment and Industrial designation is meant to separate more heavy industrial uses that includes outdoor storage and higher order employment uses. As outdoor storage was not envisioned in the Business Employment designation, staff is of the opinion that the general intent and purpose of the official plan is not maintained.

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

The subject property is zoned E2 (Employment) which permits uses similarly identified within the official plan such as manufacturing, truck terminals, restaurants, etc. Outdoor storage as a primary use is only permitted within the E3 (Employment) zone. The intent and purpose of the zoning by-law is to permit outdoor storage in the E3 zone which is meant for industrial uses and to not create precedence in permitting industrial uses in an E2 zone which permits higher order employment uses as a primary use. As such, staff is of the opinion that the general intent and purpose of the zoning by-law is not maintained.

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

The subject property is located between a manufacturing use and truck terminals with railway tracks immediately south of the subject property. The portion of the site being used for outdoor storage is closer to the rear of the property, minimizing potential impacts to abutting properties. However, the application proposes to add a use in a zone that did not envision outdoor storage. As such, while the proposed use may represent orderly development of the lands, the nature of the application is not minor in nature.

Conclusion

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

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This department has no objections to the approval of this minor variance which would allow the outdoor storage of trailers on lands owned by the City of Mississauga. Should Committee see merit in the request we would recommend that a condition of approval be that the Committee be in receipt of a letter from the City's Realty Services Section confirming that the Licence Agreement with Dufferin Construction for the use of City owned land is in place.

Comments Prepared by: Dave Martin

Appendix 2 – Zoning Comments

The Planning and Building Department is currently processing a certificate of occupancy permit application under file 19-8475. Based on review of the information currently available for this application, we advise that more information is required to verify the accuracy of the requested variance or determine whether additional variances will be required. However, the requested variance should be amended as follows:

The applicant requests the Committee to approve a minor variance to allow Outdoor Storage of trailers on the subject property and in accordance with subsection 8.1.7 (Outdoor Storage and Outdoor Display E3 Zones); whereas, By-law 0225-2007, as amended, does not permit such a use in this instance.

Comments Prepared by: Ramsen Hedoo, Zoning Examiner

Appendix 3 – Region of Peel Comments

Minor Variance Application: A-048/20

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

The subject land is located within the limits of the regulated area of the Toronto and Region Conservation (TRCA). The Region relies on the environmental expertise of the TRCA 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 TRCA 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

Appendix 4- Toronto and Region Conservation Authority

SEE ATTACHED

A 48/20



A 48/20



Date: January 20th, 2020

File: C of A – 'A' 51/20
(Ward 10 – 5622 Lucy Drive)

Agenda: January 30th, 2020

New Item

Recommendation

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

Background

Mississauga Official Plan

Character Area: Churchill Meadows Neighbourhood
Designation: Residential Medium Density

Zoning By-law 0225-2007

Zoning: RM5-54 (Residential)

Other Applications:

Building Permit: 19-9034

Comments

Zoning

The Building Department is currently processing a Building Permit application under file 19-9034. Based upon review of this application, Staff notes that the variance, as requested, are correct.

Planning

The property is located south-west of the Thomas Street and Winston Churchill Boulevard intersection, and currently houses a two-storey townhome unit, with an attached single-car

garage. The immediate neighbourhood is comprised primarily of townhome units; however, semi-detached structures are also prevalent. The properties within the immediate area possess lot frontages of +/-8.22m, with minimal mature vegetative elements in the front yards. The subject unit represents the book-end portion of the townhome block, and possess a lot area of approximately 399.9m² and a lot frontage of +/- 10.9m.

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

1. A driveway width of 5.41m; whereas, By-law 0225-2007, as amended, permits a maximum driveway width of 4.3m, in this instance.

The site is situated 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. As per Section 9.1 (Introduction), driveway widths should respect the identity and character of the surrounding context. From a streetscape perspective, the proposed larger driveway, as identified in the drawings, will be undecipherable from complying lots and will remain in context with the existing neighbourhood. The variance, as requested, is both in line with the general intent and purpose of the Official Plan.

As per Zoning By-law 0225-2007, the subject property is zoned RM5-54 (Residential). Pursuant to Table 4.11.2.54.16 (RM5-54 Exception), the maximum driveway width for a street townhouse is 4.3m; whereas the Applicant is proposing 5.41m. The intent of the Zoning By-law is to permit a driveway large enough to provide the necessary space for two vehicles parked side-by-side, with the remainder of lands being soft landscaping (front yard). While 5.41m is larger than the permissible 4.3m regulated through the By-law; the proposed configuration does not permit a third vehicle, and is proportional to the property and the lot fabric of the surrounding neighbourhood. The variance, as requested, is both in line with the general intent and purpose of the Zoning By-law.

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

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

City of Mississauga Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: January 17, 2020

RE: Takebacks – January 30, 2020 – 4:00 pm
File - C.A. Agendas

Re: **C.A. 'A' 51/20**
Rabia & Salman Kabani
5622 Lucy Dr.
Ward 10

Enclosed for Committee's easy reference are some photos depicting the subject property. Should Committee see merit in the request we are noting for the applicant's information that all costs incurred in providing any modifications to the existing entrance would be at cost to the owner and also require an Access Modification Permit.

.

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





Public Works

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

peelregion.ca

January 24, 2020

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

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

Dear Mr. Kenney,

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

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

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

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

Sincerely,



Tracy Tang
Junior Planner
Development Services, Region of Peel

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

Date: January 20th, 2020

File: C of A – 'A' 52/20
(Ward 9 – 2684 Los Palmas Court)

Agenda: January 30th, 2020

New Item

Recommendation

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

Background

Mississauga Official Plan

Character Area: Meadowvale Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM1 (Residential)

Other Applications:

Building Permit: 19-9320

Comments

Zoning

The Building Department is currently processing a Building Permit application under file 19-9320. Based upon review of this Application, Staff notes that the Application should be amended as follows, permitting:

1. A maximum driveway width of 5.41m; whereas, By-law 0225-2007, as amended, permits a maximum driveway width of 5.2m, in this instance; and,

2. A new pedestrian entrance facing a street, to facilitate a second unit; whereas, By-law 0225-2007, as amended does not permit a pedestrian entrance facing a street, to facilitate a second unit, in this instance.

Planning

The Applicant is proposing to construct a second entrance, adjacent to the existing garage door. Due to the front-split nature of the existing detached dwelling, the proposed entrance is located at grade (ground level); whereas, the main entrance is situated substantially higher up. As a result of the proposed design, the Applicant is required to seek the following relief, as amended, permitting:

1. A maximum driveway width of 5.41m; whereas, By-law 0225-2007, as amended, permits a maximum driveway width of 5.2m, in this instance; and,
2. A new pedestrian entrance facing a street, to facilitate a second unit; whereas, By-law 0225-2007, as amended does not permit a pedestrian entrance facing a street, to facilitate a second unit, in this instance.

Through a detailed review, Staff is of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature. The Planning and Building Department recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application meets the requirements of Section 45(1) of the Planning Act. The Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

City of Mississauga Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: January 17, 2020

RE: Takebacks – January 30, 2020 – 4:00 pm
File - C.A. Agendas

Re: COMMITTEE OF ADJUSTMENT – January 30, 2020

This Department has no objections, comments or requirements with respect to C.A. 'A' 42, 44 & 52/20.

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



Public Works

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

peelregion.ca

January 24, 2020

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

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

Dear Mr. Kenney,

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

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

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

Sincerely,



Tracy Tang
Junior Planner
Development Services, Region of Peel

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

City of Mississauga

Memorandum:

City Department and Agency Comments

| | |
|---|-------------------------------|
| Date Finalized: 2020-01-17 | File(s): 'A' 53/20 Ward: 1 |
| To: Committee of Adjustment | |
| From: Committee of Adjustment Coordinator | Meeting date: 2020-01-30 |

Consolidated Recommendation

- That the application be withdrawn as a variance for an increased driveway width is not required

Application Details

The applicants request the Committee to approve a minor variance to allow a widened driveway on the subject property proposing a driveway width of 7.24m (approx. 23.75ft) whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (approx. 19.69ft) in this instance.

Amendments

"[Enter amendments to variances]"

Recommended Conditions and Terms

"[Enter terms and conditions here]"

Background

Property Address: 1559 Leda Avenue

Mississauga Official Plan

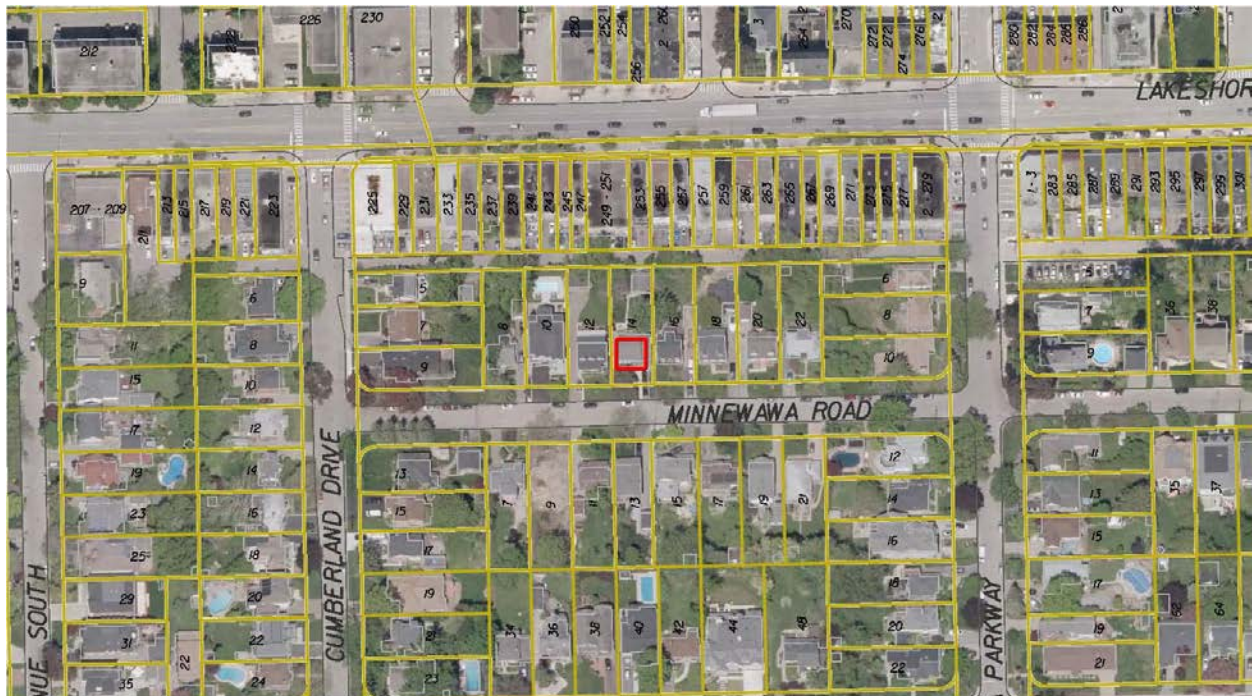
Character Area: Mineola Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3-1 (Residential)

Site and Area Context

The subject property is located within the Mineola Neighbourhood Character Area, southwest of Cawthra Road and South Service Road. 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 in the front yard. The application proposes a driveway width of 7.24 m whereas a maximum of 6 m is permitted.



Comments

Planning

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

Staff comments concerning the application are as follows:

Through a review of the site plan and on-site conditions, the driveway width of 7.24 m appears to be accurate as the hard surfacing in front of the porch is elevated and therefore should not be included in the total driveway width as there isn't a continuous hard surface.

As per Section 4.1.9.13 of the zoning by-law, for lots having a frontage greater than 18 m, the maximum driveway width is increased to 10.50 m for the portion of the driveway that is within 6 m. For the portion of the driveway beyond 6 m of the front garage face, the driveway width may be increased to 8.50 m. As the subject property has a lot frontage of 18.29 m, a variance regarding a driveway width of 7.27 m is not required as a maximum of 8.50 m is permitted for that portion of the driveway that is beyond 6 m of the front garage face.

Conclusion

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

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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

Comments Prepared by: Dave Martin

Appendix 2 – Zoning Comments

Based on the information provided with this application, it appears this variance may not be required. As per Section 4.1.9.13 For lots having a lot frontage of 18.0 m or greater, the maximum driveway width may be increased to 10.5 m for that portion of the driveway that is within 6.0 m of the garage face and which is providing direct vehicular access to the garage. The driveway width for that portion of the driveway that is beyond 6.0 m from the garage face is a maximum width of 8.5 m. The driveway shall not cover more than 50% of the area of the front yard and/or exterior side yard. It should also be noted a full zoning review has not been completed.

Comments Prepared by: Sandra Morrison, Zoning Examiner

Appendix 3 – Region of Peel Comments

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

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

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

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

Comments Prepared by: Tracy Tang

City of Mississauga

Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: January 17, 2020

RE: Takebacks – January 30, 2020 – 4:00 pm
File - C.A. Agendas

Re: C.A. 'A' 54/20
Shaikh Riaz & Khan Zahida
5495 Tenth Line West
Ward 10

Information submitted with this application indicates that the applicant is requesting to construct a new proposed parking space beside the existing garage which fronts onto DaSilva Lane which is a municipal laneway. From our site inspection of this property we note that there is currently a 1.8M Wood Privacy Fence which surrounds the property which would have to be modified to support a new access. There is also an existing no parking sign directly in front of the proposed access which would have to be relocated.

The Site Plan submitted with the application only depicts the location of the proposed parking space, however, no information is provided with respect to what modifications will be required on site. This department must ensure that sight visibility is not impacted for any vehicles either exiting the proposed driveway or alternatively that there are no conflicts with any vehicles turning into DaSilva Lane from Meadowcrest Avenue.

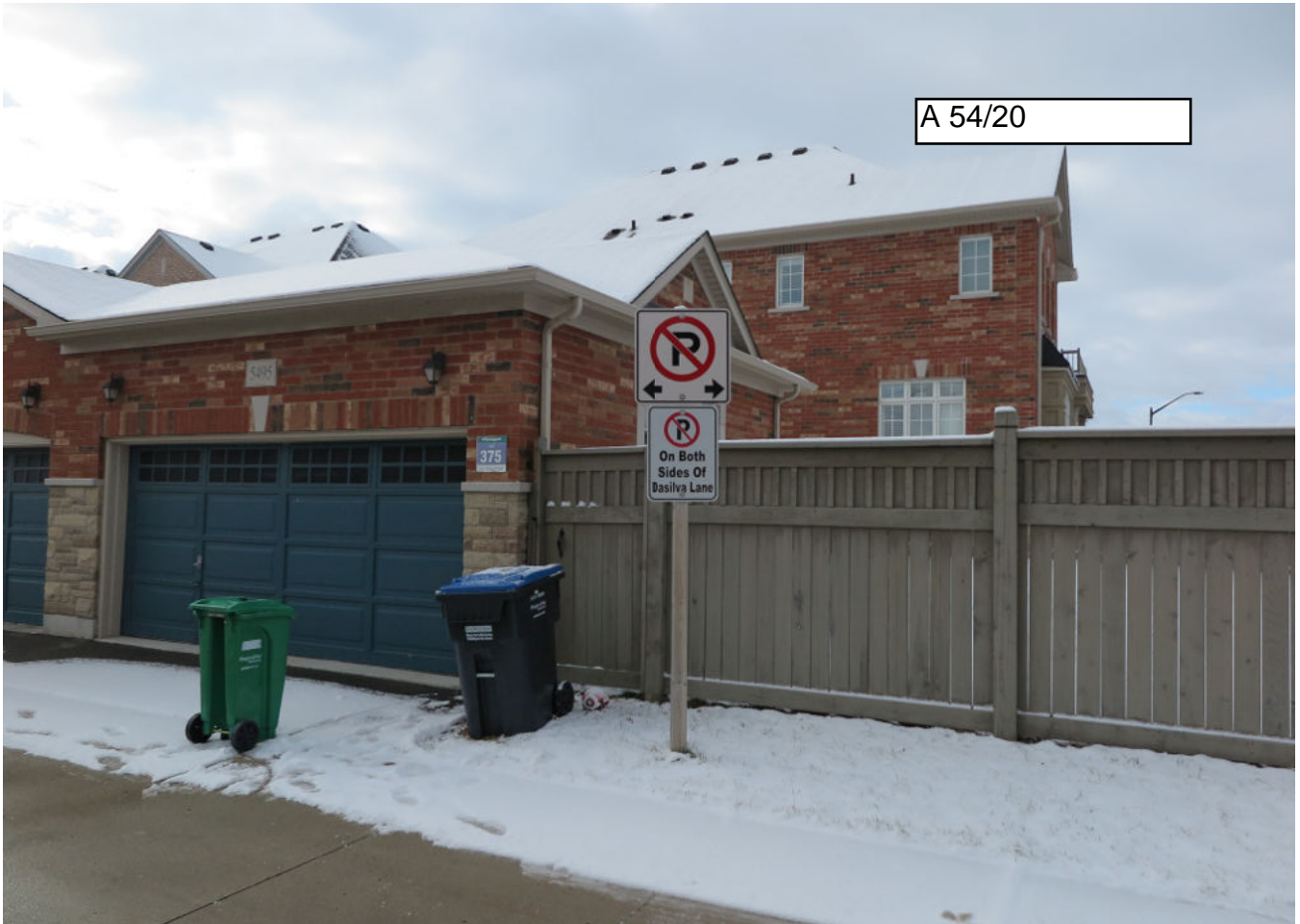
As a further review and analysis needs to be undertaken to ensure that the proposed new driveway can safely be accommodated, we **cannot support** the request at this time and would request that this application be **deferred** until such time that a site plan is submitted to our department's satisfaction that has been revised to address the following concerns:

- (a) The site plan is to accurately depict the existing 1.8M wood privacy fence and indicate what modifications will be required to accommodate the proposed parking space and how the fence return is to be constructed within the private property.
- (b) Modifications to the existing 1.8M wood privacy fence are to take into consideration the sight visibility for any vehicle backing out of the driveway onto DaSilva Lane and for vehicles turning into DaSilva Lane from Meadowcrest Avenue. Modifications to the fence would be required to provide for adequate sight visibility.
- (c) Indicate the existing location of the existing "No Parking Sign" on the site plan and also indicate where it is proposed to be relocated.

Upon receipt of the above noted information we will determine if the proposal can be supported. If it is determined that the proposal can be supported, this department will also require that satisfactory securities are provided to ensure that any proposed new site works, including re-instatement works, are completed to the satisfaction of the Transportation and Works Department.

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

A 54/20



A 54/20



A 54/20



A 54/20



Public Works

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

peelregion.ca

January 24, 2020

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

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

Dear Mr. Kenney,

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

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

Sincerely,



Tracy Tang
Junior Planner
Development Services, Region of Peel

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

Date: January 20th, 2020

File: C of A – 'A' 55/20
(Ward 5 – 3114 Bonaventure Drive)

Agenda: January 30th, 2020

New Item

Recommendation

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

Background

Mississauga Official Plan

Character Area: Malton Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: R3-69 (Residential)

Other Applications:

Building Permit: 19-8161

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 property is located north-east of the Airport Road and Thamesgate Drive intersection, and currently houses a single-storey detached dwelling. Contextually, the immediate area is comprised primarily of post-war, 1 and 1.5 storey bungalows; however, this area of Malton has witnessed contemporary redevelopment in the form of replacement dwellings on both Bonaventure Drive, as well as within the surrounding neighbourhood as a whole. The subject property is an interior parcel, with a lot area of 598m², and a frontage of 15.7m. The Applicant is proposing to demolish the existing structure and replace it with a larger detached dwelling.

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

1. A lot coverage of 31.62% of the lot area; whereas, By-law 0225-2007, as amended, permits a maximum lot coverage of 30.0% of the lot area, in this instance
2. A gross floor area of 337.92m²; whereas, By-law 0225-2007, as amended, permits a maximum gross floor area of 269.61m², in this instance;
3. A height measured to the eaves of 7.01m; whereas, By-law 0225-2007, as amended, permits a maximum building height, measured to the eaves of 6.4m, in this instance; and,
4. A height to the roof ridge of 9.3m; whereas, By-law 0225-2007, as amended, permits a maximum height to the roof ridge of 9.0m, in this instance.

The site is located within the Malton 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 subject lands are to be used for residential purposes. The proposed dwelling respects the designated residential land use, and, despite the variances, has regard for the distribution of massing on the property as a whole. The variances, as requested, meet the purpose and general intent of the Official Plan.

Variances 1 & 2 (Lot Coverage & GFA)

As per Zoning By-law 0225-2007, the subject property is zoned R3-69 (Residential). Pursuant to Table 4.2.4.69(1) (R3 Exception Zones), the Zoning By-law permits a maximum lot coverage of 30.0%; whereas, the Applicant has proposed 31.62%. The general intent of this portion of the By-law is to ensure that individual lots are not visibly or disproportionately developed as it pertains to the overall size of a property. Staff note, no subsequent variances have been requested as it pertains to the associative setback regulations, and that the entirety of the massing is centrally located, whereby the proposed increase is somewhat mitigated. It is the opinion of Planning Staff that no additional undue impact is created as a result of the requested variance. Variance 1, as requested, maintains the purpose and general intent of the Zoning By-law.

Pursuant to Table 4.2.4.69(2) (R3 Exception Zones), this zone regulates a detached dwelling's maximum gross floor area. The general intent of this portion of the By-law, as it pertains to infill development, is to ensure that individual properties are not overdeveloped, and that additional massing resultant of construction will not negatively impact the character of the neighbourhood. Despite requiring relief to permit the proposed increase in gross floor area; the detached dwelling remains appropriate in size and whose massing is well-hidden by multiple defined sections – the projecting bay windows and porch areas; the partially recessed second floor, etc. – resulting in an unobtrusive design from a streetscape perspective. Variance 2, as requested, maintains the purpose and general intent of the Zoning By-law.

Variance 3 & 4 (Height Reductions)

Pursuant to Table 4.2.4.69(1)&(5) (R3 Exception Zones), this zone regulates a detached dwelling's maximum height, measured to a ridged roof, of 9.0m, and a detached dwelling's maximum height, measured to the eaves, of 6.4m; whereas the Applicant has proposed 9.3m, and 7.01m, respectively. The intent in restricting such heights is to lessen the visual massing of a dwelling, where, in the absence of such regulations, such a design can become over-bearing from a streetscape perspective. The front elevation of the dwelling contains multiple undulating features that help to break up the roof line, as well as varied wall-sections that help mitigate massing. Further, Staff note the nominal request of the relief sought, with the requested variance being a slight departure from what the Zoning By-law contemplates. It is the opinion of Staff that Variances 3 and 4, as requested, maintain the purpose and general intent of the Zoning By-law.

While the resident design of this neighbourhood has historically been single storey, or storey and a half structures, the proposed dwelling is in scale with the overall property as a whole, and, does not result in the over massing of the site. Staff further note, while infill zoning regulations were enacted to restrict over-massing of dwellings within this community, the presence of larger developments within the immediate contextual area, especially as it pertains directly to the properties along this portion of Bonaventure Drive, predate these regulations and support the proposal of a larger structure in this instance. 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 the MOP and Zoning By-law; are minor in nature; and, are desirable for the orderly development of the lands. To this end, the Planning and Building Department has no objection to the variances, as requested; however, the Applicant may wish to defer the application to ensure that all required variances have been accurately identified.

City of Mississauga Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: January 17, 2020

RE: Takebacks – January 30, 2020 – 4:00 pm
File - C.A. Agendas

Re: **C.A. 'A' 55/20**
Sandeep Bhullar & Gagandeep Singh
3114 Bonaventure Dr
Ward 5

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

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

Public Works

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

peelregion.ca

January 24, 2020

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

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

Minor Variance Application: A-055/20
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