



Committee of Adjustment

The following staff reports are current as of February 18th, 2019 at 2:00pm.

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

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

Location: COUNCIL CHAMBERS
Hearing: FEBRUARY 27, 2020 AT 1:30 P.M.

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

NEW APPLICATIONS (CONSENT)

File	Name of Applicant	Location of Land	Ward
B-13/20 A-73/20 A-74/20	JIMMY FERREIRA	201 QUEEN ST W	1
B-14/20 A-75/20 A-76/20	MAURICE A. POPPLE	28 BRIARWOOD AVE	1

DEFERRED APPLICATIONS (CONSENT)

NONE

NEW APPLICATIONS (MINOR VARIANCE)

File	Name of Applicant	Location of Land	Ward
A-71/20	MOHSIN HASSAN & SADIA FAROOK	1276 CLARKSON RD N	2
A-72/20	THE VELTRADE CO. INC	261 LAKESHORE RD E	1
A-77/20	MATRIX CIRCUIT BOARD MATERIALS	1116 MID-WAY, UNIT 9	5

DEFERRED APPLICATIONS (MINOR VARIANCE)

File	Name of Applicant	Location of Land	Ward
A-445/19	CHRISTIANE DEVAUD FILE WITHDRAWN	7016 FRONTIER RDGE	14
A-38/20	GOLDSTAR PLAZA LTD	60 DUNDAS ST E, UNIT 5A	7

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: 2020-02-18	File(s): B13/20 A73/20 & A74/20
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-02-27

Consolidated Recommendation

- The City does not object to the requested consent and associated minor variance applications.

Application Details

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 6.13m (20.11ft) and an area of approximately 225.90sq.m (2,431.57sq.ft).

A minor variance has been requested for the Retained lands (A73/20) proposing a lot frontage of 6.135m (approx. 20.12ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 6.80m (approx. 22.31ft) in this instance.

A minor variance has been requested for the Severed lands (A74/20) proposing a lot frontage of 6.135m (approx. 20.12ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 6.80m (approx. 22.31ft) in this instance.

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent
- The variance application approved under File(s) A73/20 & A74/20 must be finalized

Recommended Conditions and/or Terms of minor variance

- Variance(s) approved under file(s) A73/20 & A74/20 shall lapse if the consent application under file B13/20 is not finalized within the time prescribed by legislation.

Background

Property Address: 201 Queen Street West

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (West)

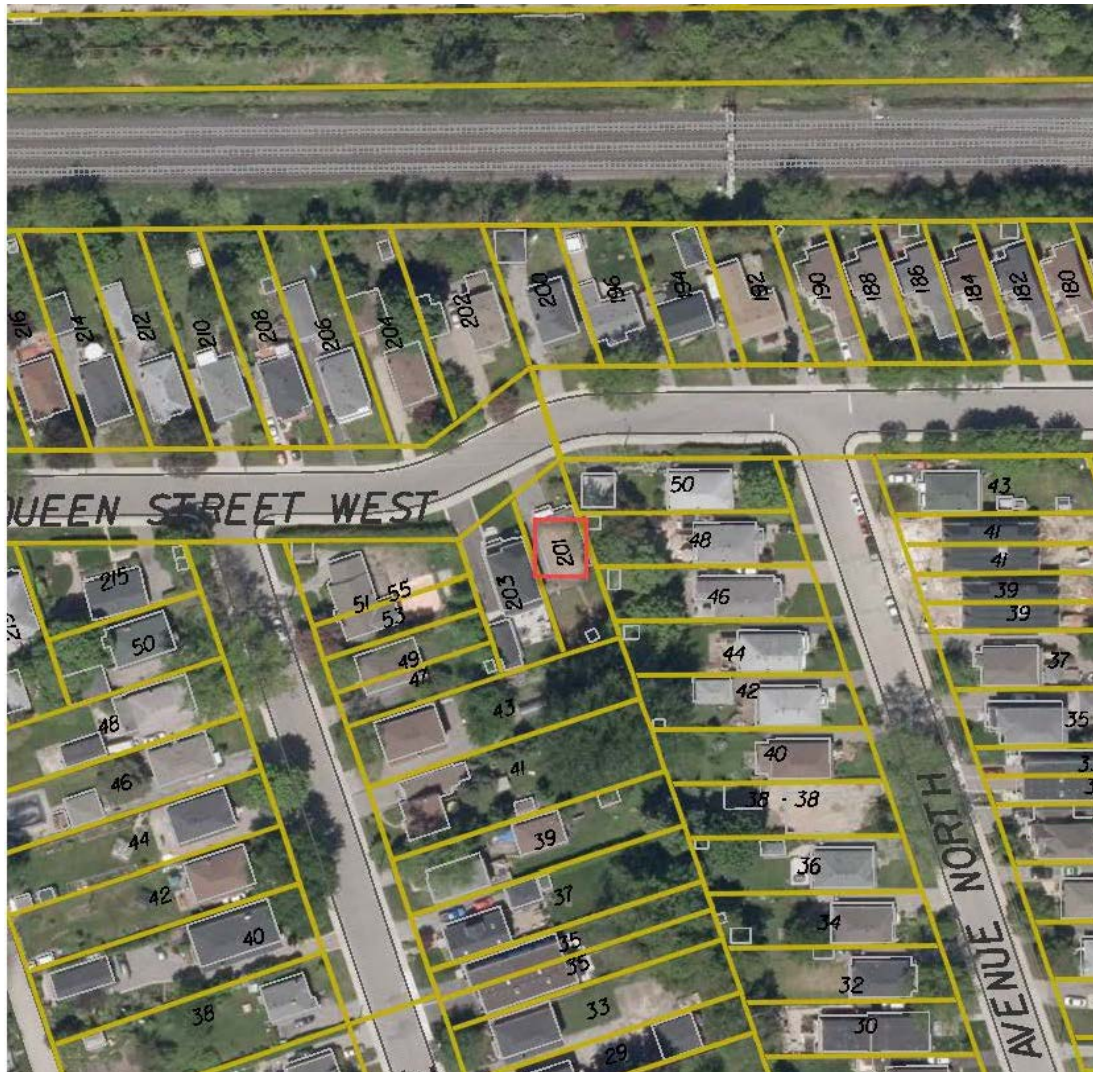
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM7-5 (Residential)

Site and Area Context

The subject property is located within the Port Credit Neighbourhood Character Area, northwest of Mississauga Road and Lakeshore Road West. Currently the subject property contains a detached dwelling with little vegetation. The surrounding area consists of one and two storey detached and semi-detached dwellings, with some mature vegetation. The existing lot fabric is eclectic and consists of frontages ranging from approximately 6.60 m +/- to 14 m +/- . The applicant proposes to sever the lot for the purpose of constructing semi-detached dwellings which requires variances related to lot frontage.



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*.

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 retained and severed parcel proposes lot frontages of approximately 6.13 m and lot areas of 225.90 m².

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

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

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

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

Both minor variance applications 'A' 73/20 and 'A' 74/20 propose lot frontages of 6.13 m whereas 6.80 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 surrounding area contains varied lot frontages ranging from approximately 6.60 m to 14 m. The RM7 (Residential) allows for a mix of lot frontages and dwelling types. As a result, the proposed frontages maintain

the eclectic lot fabric and are compatible with the surrounding area. 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 semi-detached dwellings, maintaining the existing low rise context of the neighbourhood. The proposed lot frontages are compatible and appropriate within the context of the surrounding area and maintain the existing and planned character of the neighbourhood. The proposed frontages are appropriately sized and can sufficiently accommodate semi-detached dwellings. 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 variances.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

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

A. Items Required Prior to the Issuance of Final Consent

1. Overall Grading and Drainage Plan

The applicant's consulting engineer will be required to prepare an Overall Grading and Drainage Plan which contains sufficient details to ensure grading compatibility with the adjacent lands and submit the grading and drainage proposal to this department for review/approval. We note that the existing 300mm storm sewer on Queen Street West does not have capacity to serve the new lot. The proposed semi-detached dwellings will need to be equipped with a sump pump to drain the foundation drains towards the front of the property.

Where existing sewer capacity exists applicants are encouraged to design the basement elevation to be at least 1.0 metre above the elevation of the on-street storm sewer obvert to eliminate the need for a sump pump. In situations where a sump pump is required and where a high groundwater table may exist, the sump pump may run continuously. The applicants are encouraged to design the weeping tile elevation to be at least 1.0 metre above the seasonal groundwater elevation.

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. We note that the existing 300mm storm sewer on Queen Street West does not have capacity to serve the new lot.

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.

B. GENERAL INFORMATION**1. Lot Grading and Drainage**

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

2. Servicing

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

3. Access

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

4. Storm Sewer Outlet

The applicant is advised that the existing 300mm storm sewer outlet for these lands on Queen Street West does not have capacity to serve the new lot. A sump pump will be required to discharge to grade for the foundation drains.

Where existing sewer capacity exists applicants are encouraged to design the basement elevation to be at least 1.0 metre above the elevation of the on-street storm sewer obvert to eliminate the need for a sump pump. In situations where a sump pump is required and where a high groundwater table may exist, the sump pump may run continuously. The applicants are encouraged to design the weeping tile elevation to be at least 1.0 metre above the seasonal groundwater elevation.

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

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed minor variance applications are being addressed through the Consent Application process, File 'B' 13/20.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

This Division notes that a full zoning review has not been completed. 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 variance(s) may be required. It should be noted that a 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:

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

1. The applicant shall provide a cash contribution of \$589.44 for planting of one (1) street tree on Queen Street 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.

In addition, Community Services notes the following:

1. Payment for street tree fees and charges can be made at the Parks and Forestry customer service counter located at 950 Burnhamthorpe Road West in the form of a certified cheque, bank draft, or money order payable to the City of Mississauga.
2. Prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, C.P. 13, as amended) and in accordance with the City's policies and by-laws.

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

Comments Prepared by: Jim Greenfield, Park Planner

Appendix 4 – Region of Peel Comments

Consent Application: B-013/20

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. 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

Comments Prepared by: Tracy Tang, Junior Planner

Appendix A – Conditions of Provisional Consent

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding. ("A"73/20 & "A"74/20)
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated February 18, 2020.
5. A letter shall be received from the City of Mississauga, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated February 18, 2020.

Notes:

- The Decision to give Consent shall be deemed to be refused if the conditions of provisional consent have not been fulfilled within one year of the mailing date of the Decision of the Committee of Adjustment. [See subsection 53(17), (24) and (41) of the Planning Act.] One year from the mailing date of the Decision is expected to be March 2, 2021.
- Money in lieu of conveyance of land for park or other public recreational purposes and Development Charges may be payable at the time of the issuance of a Building Permit.

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: Enter/choose date. To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): B14/20 A75/20 & A76/20
	Meeting date: 2020-02-27

Consolidated Recommendation

- The City has no objections in principle to the proposed applications; however, recommend that the applications be deferred to determine the additional variances required and to submit the all plans related to the applications.

Application Details

The applicant requests the approval of the Committee to sever a parcel of land for the creation of a new lot. The parcel of land has a frontage of approximately 7.62m (25.00ft) and an area of approximately 275.10sq.m (2,961.15sq.ft).

A minor variance has been requested for the Retained lands (A75/20) proposing:

1. A detached garage whereas By-law 0225-2007, as amended, does not permit a detached garage in this instance; and
2. An exterior side yard measured to a garage face of 5.48m (approx. 17.98ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to a garage face of 6.00m (approx. 19.68ft) in this instance.

A minor variance has been requested for the Severed lands (A76/20) proposing:

1. A lot area of 275.1sq.m (approx. 2,961.15sq.ft) whereas By-law 0225-2007, as amended, requires a minimum lot area of 280.00sq.m (approx. 3,013.89sq.ft) in this instance;
2. A lot frontage of 7.62m (approx. 25.00ft) whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 9.80m (approx. 32.15ft) in this instance;
3. A lot coverage of 47.95% of the lot area whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 45.00% of the lot area in this instance;
4. An exterior side yard of 1.22m (approx. 4.00ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 4.50m (approx. 14.76ft) in this instance;
5. A detached garage whereas By-law 0225-2007, as amended, requires an attached garage in this instance;

6. An exterior side yard measured to a detached garage face of 5.48m (approx. 17.98ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to a detached garage face of 6.00m (approx. 19.68ft) in this instance;
7. A side yard measured to a detached garage of 0.00m whereas By-law 0225-2007, as amended, requires a minimum side yard measured to a detached garage of 0.61m (approx. 2.00ft) in this instance;
8. A rear yard measured to a detached garage of 0.00m whereas By-law 0225-2007, as amended, requires a minimum rear yard measured to a detached garage of 0.61m (approx. 2.00ft) in this instance;
9. A window well encroachment into an exterior side yard of 3.91m (approx. 12.83ft) whereas By-law 0225-2007, as amended, permits a maximum window well encroachment into an exterior side yard of 0.61m (approx. 2.00ft) in this instance;
10. A chimney encroachment into an exterior side yard of 3.59m (approx. 11.78ft) whereas By-law 0225-2007, as amended, permits a maximum chimney encroachment into an exterior side yard of 0.61m (approx. 2.00ft) in this instance; and
11. An exterior side yard measured to a below grade accessory structure of 1.22m (approx. 4.00ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard measured to a below grade accessory structure of 4.50m (approx. 14.76ft) in this instance.

Recommended Conditions and/or Terms of consent

- Appendix A – Conditions of Provisional Consent
- The variance application approved under File(s) A75/20 & A76/20 must be finalized

Recommended Conditions and/or Terms of minor variance

- Variance(s) approved under file(s) A75/20 & A76/20 shall lapse if the consent application under file B14/20 is not finalized within the time prescribed by legislation.

Background

Property Address: 28 Briarwood Avenue

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (East)

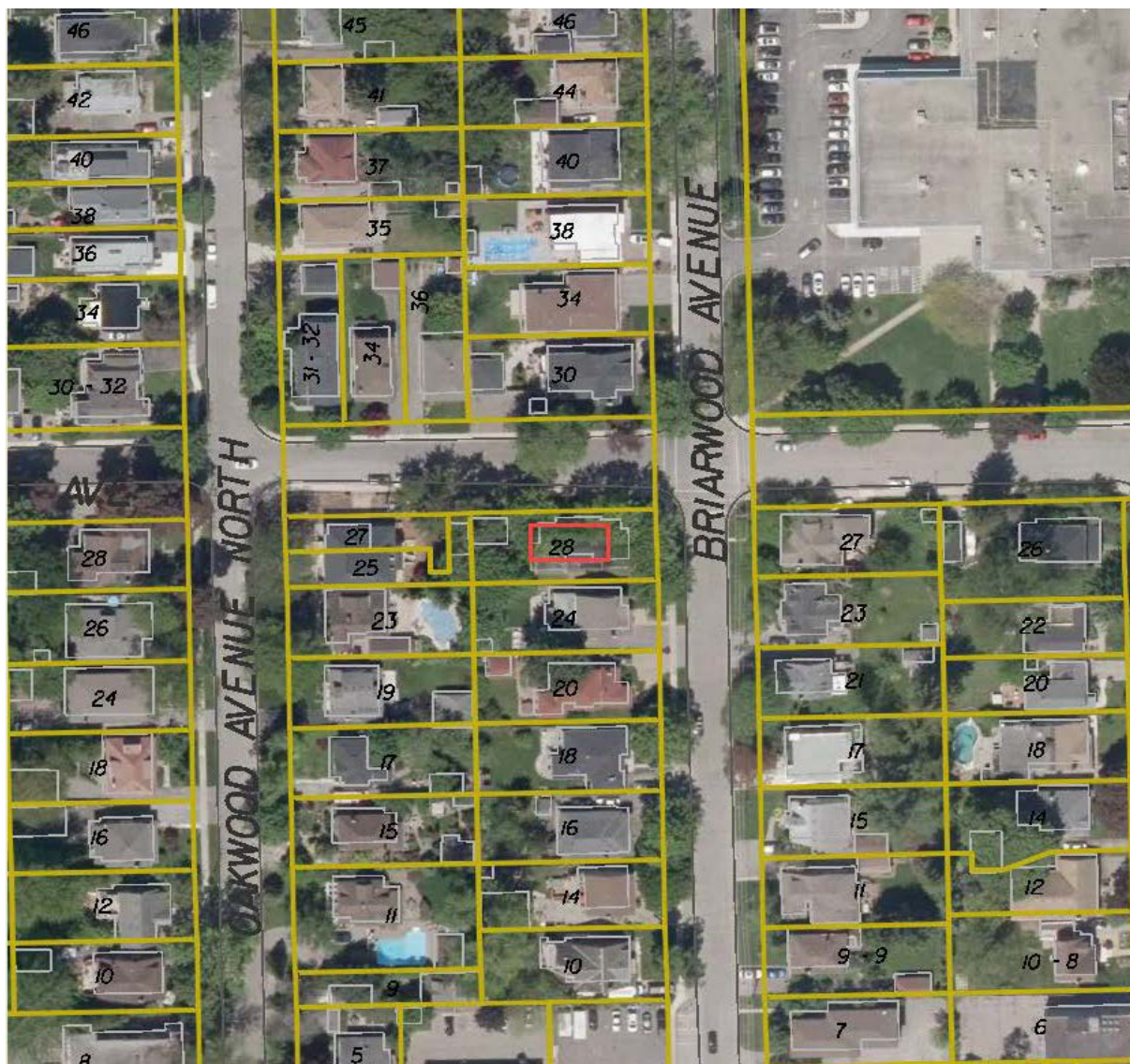
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM7-5 (Residential)

Site and Area Context

The subject property is located within the Port Credit Neighbourhood Character Area, northeast of Lakeshore Road East and Hurontario Street. The neighbourhood consists of lots with frontages ranging from approximately +/- 7.50 m to +/- 15 m that contains a mix of detached and semi-detached dwellings. The subject property contains a two storey detached dwelling with mature vegetation. The application proposes to sever the lot for the purpose of developing semi-detached dwellings, requiring variances related to lot frontage, lot area, setbacks and lot coverage.



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*.

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 retained lot proposes a lot frontage of 7.62 m and lot area of approximately 305.50 m². Through a review of the application, due to the irregular lot configuration, the lot frontage should be measured on Forrest Avenue. In this instance, the retained lot will also have a frontage of 4.51 m as the proposed lot configuration allows for access on both Briarwood Avenue and Forest Avenue.

The severed parcel proposes a lot frontage of 7.62 m and lots area of 275.10 m². For a corner lot, the zoning by-law requires a lot frontage of 9.80 m and lot area of 280 m².

The proposed applications mirror an existing development that abuts the subject property to the west (25 and 27 Oakwood Avenue North) which was approved at the Committee of Adjustment on July 12th, 2018. The applications propose semi-detached dwellings that front onto Briarwood Avenue, however, the rear of the property would contain detached garages that front onto Forest Avenue.

The subject property is designated "Residential Low Density II" in Schedule 10 of the Mississauga Official Plan (MOP) which permits detached, semi-detached and duplex, triplex and other forms of low rise dwellings with individual frontages. The subject property is located within the North Residential Neighbourhood Precinct (Credit Grove) of the Port Credit Local

Area Plan. As per Section 16.1.2.1, to preserve the character of lands designated Residential Low Density I and Residential Low Density II, the minimum frontage and area of new lots will be evaluated in the context of the existing lot pattern in the surrounding area. Furthermore, Section 10.3 (Neighbourhood Character Area) of the Port Credit Local Area Plan, intends to ensure development is sensitive to the existing low rise context and to reinforce the planned character of the area. The official plan and zoning by-law envisions a mix of dwelling types and an eclectic lot fabric within the surrounding area. The proposed parcels of land would be consistent with semi-detached lots within the immediate area and will not negatively impact the character streetscape.

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

Staff is of the opinion that the application conforms to Section 51(24) of the *Planning Act*, more specifically that the application conforms to the official plan and is suitable to accommodate the proposed semi-detached dwellings.

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

Section 9 of MOP promotes development with appropriate urban form and site design, regulating that such development is compatible with: the existing site conditions; the surrounding context; and, the landscape of the character area. The proposed semi-detached dwellings respect the designated land use, and have regard for the distribution of massing on the property as a whole, maintaining the existing and planned character of the surrounding area.

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

Minor variance application "A" 75/20, applies to the retained parcel and requests variances related to the detached garage. It should also be noted that additional variances are required for lot frontage as the configuration of the severance creates a through lot and a detached garage in a front yard.

Minor variance application "A" 76/20, applies to the severed parcel which is the corner lot. Variance #1 and 2 propose a deficient lot frontage and lot area. 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 RM7 zone envisions a varying lot fabric with different low density residential built forms. The proposed lot frontage generally maintains the existing and planned area context. The proposal is consistent with other lots within the immediate area, maintaining the lot fabric of the surrounding neighbourhood.

Variances #4, 6, 9, 10 and 11 relate to deficient exterior side yard setbacks. The requested variances are partly a result of the atypical lot configuration and the increased requirements for a corner lot. The intent of the zoning by-law in limiting provisions exclusively to the exterior side yard is to ensure that both the visual integrity of the streetscape is maintained, and that access to the rear yard ultimately remains unencumbered. Corner lots in this context are typically deficient in size in comparison to the requirements of the zoning by-law, which results in other setback deficiencies. The immediate area is characterized by lots with deficient exterior side yard setbacks, similar to the subject application. The City boulevard also provides for a greater separation distance from the street to the dwelling, minimizing the impact of the proposed setbacks. Regarding the below grade accessory structure, it is located under the rear covered porch, and accessed through the walk-out basement. The structures will not be visible from the street. The proposal is similar to the rear adjacent property and will not negatively impact the existing and planned area streetscape, nor access to the rear yard. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Variances #7 and 8 proposes a side and rear yard of 0 m whereas 0.61 m is required. The intent of the zoning by-law is to ensure that a detached garage is sufficiently setback from neighbouring lots and would not create negative impacts regarding drainage and maintenance. In this instance, despite having a 0 m setback, the application proposes easements for maintenance and overhang of the eaves, similar to the approved consent application at 25 and 27 Oakwood Avenue North. The proposed easements allow for sufficient drainage and maintenance of the structures. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

Through discussions with the Transportation and Works Department, the application should be deferred to allow staff to thoroughly examine the proposed plans as they were not submitted with the application.

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

The application proposes semi-detached dwellings, maintaining the existing low density context of the neighbourhood. The proposed lot frontages are compatible and appropriate within the context of the surrounding area and will not negatively impact the character streetscape. The deficient exterior side yards are common throughout the neighbourhood and do not negatively impact the character streetscape. The proposed dwelling and encroachments are sufficiently setback from the street. Furthermore, the City boulevard provides additional separation between the proposed dwelling to the street. Regarding the proposed detached garages, although the variances request a 0 m setback, easements are proposed for the purpose of maintenance. As such, 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 in principle to the proposed applications, however, recommend that the applications be deferred to determine the additional variances required and to verify the requested variances.

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

We note for Committee's information that no site plan, floor plans or elevation plans were submitted with the subject application and this department cannot determine if all requested easements are sufficient for the proposed application. We note that a similar application was previously approved for the lands to the rear where a number of access and maintenance easements were required to facilitate the similar lotting arrangement. In this regard, we would request that the application **be deferred** to provide the additional information is received by our department to properly evaluate the application.

Should Committee receive sufficient information from the applicant at the hearing and see merit in the subject application and wish to proceed with the request, we are providing the following conditions/requirements for Committee's consideration:

A. Items Required Prior to the Issuance of Final Consent

1. Overall Servicing Proposal

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

2. Overall Grading and Drainage Plan

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

Upon the review of an Overall Grading and Drainage Plan it may be determined that catch basins may be required and satisfactory arrangements will have to be made for the construction of any required catch basins.

Where existing sewer capacity exists applicants are encouraged to design the basement elevation to be at least 1.0 metre above the elevation of the on-street storm sewer obvert to eliminate the need for a sump pump. In situations where a sump pump is required and where a high groundwater table may exist, the sump pump may run continuously. The applicants are encouraged to design the weeping tile elevation to be at least 1.0 metre above the seasonal groundwater elevation.

3. Overall Site Plan

The sketch provided with the application shows the 2 proposed parcels along with easements that will be required for “eaves” purposes. The applicant has not included a drawing that shows any proposed structures or buildings on the new parcels. The applicant is to supply a Site Plan that clearly shows all proposed buildings and structures on the new parcels to better determine the location of any required easements.

4. 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

5. Easement Requirement

Maintenance/access easements will be required in favour of both parcels.

Upon review of the items requested in Section A, Items 1, 2 and 3 above, we advise that any easements that may be required for either drainage, servicing or maintenance purposes will need to be addressed as part of this severance application. The applicant/owner is to provide a Draft Reference Plan that shows the new easements as parts along with a letter prepared by their Solicitor which describes any new private easement(s) to be established. It should be acknowledged that any documentation received will be forwarded as an attachment to our clearance memo to the Committee of Adjustment so that any new proposed private easement can be identified and also be incorporated into the Certificate of Secretary-Treasurer.

B. GENERAL INFORMATION

1. Servicing

We note for the owner's information that all costs incurred in providing the required services (i.e., sanitary, water, storm, hydro, gas, etc.) to the subject lands will be the responsibility of the owner.

2. Access

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

all costs incurred will also be to the owner. Driveway accesses shall maintain a 1.5m setback from aboveground features such as utilities and trees.

3. Lot Grading and Drainage

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

4. Storm Sewer Outlet

The storm sewer outlet for the subject lands is the existing 300mm storm sewer located on Briarwood Avenue. Where existing sewer capacity exists applicants are encouraged to design the basement elevation to be at least 1.0 metre above the elevation of the on-street storm sewer obvert to eliminate the need for a sump pump. In situations where a sump pump is required and where a high groundwater table may exist, the sump pump may run continuously. The applicants are encouraged to design the weeping tile elevation to be at least 1.0 metre above the seasonal groundwater elevation.

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

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed minor variance applications are being addressed through the Consent Application process, File 'B' 14/20.

Comments Prepared by: David Martin, Supervisor Development Engineering

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 all zoning review has not been completed.

No information has been submitted to support the requested variances or determine if they are correct.

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

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

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:

- 46cm DBH Norway Maple – Good Condition
- 58cm DBH Norway Maple – Good Condition
- 27cm DBH Norway Maple – Good Condition
- 30cm DBH Norway Maple – Good 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 trees.
2. The applicant shall provide a cash contribution of \$3,536.64 for planting of six (6) street trees on Briarwood Avenue and Forest Avenue. This figure is subject to the most recent Fees and Charges By-law at the time of payment and is therefore subject to change.
3. The applicant shall provide tree protection securities in the amount of \$7,060.00 for the Norway Maple trees.

In addition, Community Services notes the following:

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

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-014/20**

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

Comments Prepared by: Tracy Tang, Junior Planner

Appendix A – Conditions of Provisional Consent

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding. ("A"73/20 & "A"74/20)
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated February 18, 2020.
5. A letter shall be received from the City of Mississauga, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated February 18, 2020.

Notes:

- The Decision to give Consent shall be deemed to be refused if the conditions of provisional consent have not been fulfilled within one year of the mailing date of the Decision of the Committee of Adjustment. [See subsection 53(17), (24) and (41) of the Planning Act.] One year from the mailing date of the Decision is expected to be March 2, 2021.
- Money in lieu of conveyance of land for park or other public recreational purposes and Development Charges may be payable at the time of the issuance of a Building Permit.

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-02-18	File(s): A71/20 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-02-27

Consolidated Recommendation

- The City does not object to the requested variances

Application Details

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

1. A height measured to the eaves of 7.13m (approx. 23.40ft) whereas By-law 0225-2007, as amended, permits a maximum height measured to the eaves of 6.40m (approx. 21.00ft) in this instance;
2. A two walkway attachments whereas By-law 0225-2007, as amended, permits a maximum of one walkway attachment in this instance; and
3. A combined width of 2 points of circular driveway of 9.61m (approx. 31.53ft) whereas By-law 0225-2007, as amended, permits a maximum combined width of 2 points of circular driveway of 8.50m (approx. 27.89ft) in this instance.

Amendments

Based on review of the information currently available for this application, we advise that variance number 3 is not required as the driveway on the subject property complies with the Zoning By-law.

Comments are based on the plans received by zoning staff on 2019/06/24 for the above captioned Site Plan Approval application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid.

Background

Property Address: 1276 Clarkson Road North

Mississauga Official Plan

Character Area: Clarkson-Lorne Park Neighbourhood

Designation: Residential Low Density I

Zoning By-law 0225-2007

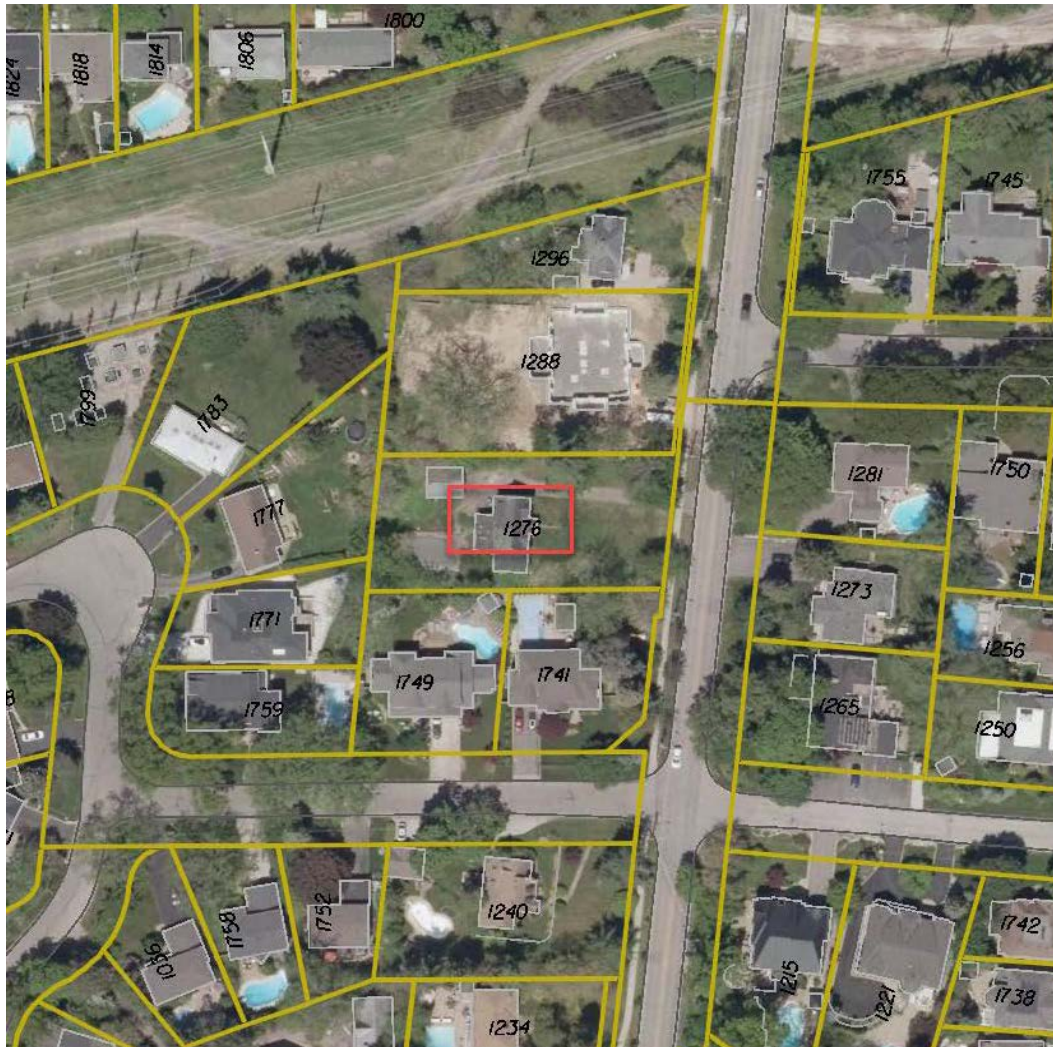
Zoning: R3-2 (Residential)

Other Application

Site Plan Application: 19-85

Site and Area Context

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, north of Clarkson Road North and the railway corridor. The neighbourhood consists of one and two storey detached dwellings with significant mature vegetation. The subject property contains a two storey dwelling with vegetation in the front and northerly interior side yard. The application proposes a new two storey detached dwelling requiring variances related to height measured to the eaves and increased number of walkway attachments.



Comments

Planning

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

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

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

The subject property is designated "Residential Low Density I" in Schedule 10 of the Mississauga Official Plan, which permits detached, semi-detached and duplex dwellings. As per Section 16.5.1.4 (Infill Housing), infill housing is encouraged to fit the scale and character of the

surrounding area and to ensure that new development has minimal impact on its adjacent neighbours. The proposed variances maintain compatibility with the surrounding area and will not negatively impact the character streetscape. 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 general intent and purpose of the official plan is maintained.

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

The application proposes a height measured to the eaves of 7.13 m whereas 6.40 m is permitted. The intent of restricting height to the eaves is to lessen the visual massing of dwelling by bringing the edge of the roof closer to the ground which would lower the overall pitch of the roof, thus keeping the dwelling within a human scale. The dwelling maintains an overall height of 9.50 m, consistent with the permitted height within the zoning by-law, thereby mitigating any further impact from the increased eave height. The overall height of the dwelling and pitch of the roof remains appropriate, lessening the visual impact of the eave height, thereby maintaining its human scale. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

The applicant proposes two walkway attachments whereas one walkway attachment is permitted. The intent of this portion of the by-law is to limit the amount of hard surfacing in the front yard and access points from the driveway. In this instance, the proposal maintains a soft landscaped area of 64.05%, significantly exceeding the 40% required within the by-law, maintaining the character streetscape. Staff is of the opinion that the general intent and purpose of the zoning by-law is maintained.

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

The proposed dwelling maintains an overall height of 9.50 m, maintaining the permitted maximum height within the by-law. The proposed eave height is mitigated as the overall pitch of the roof remains appropriate, maintaining the human scale of the new dwelling. The site plan proposes a significant amount of soft landscaping which mitigates any potential impact of an additional walkway attachment may have. The proposed dwelling is sufficiently setback from neighbouring lots reducing any potential massing impacts, while preserving the existing and planned character of the surrounding 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-19/085.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Planning and Building Department is currently processing a site plan approval application under file 19-85. Based on review of the information currently available for this application, we advise that variance number 3 is not required as the driveway on the subject property complies with the Zoning By-law.

Comments are based on the plans received by zoning staff on 2019/06/24 for the above captioned Site Plan Approval application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid.

Comments Prepared by: Brian Bonner, Zoning Examiner

Appendix 3 – Region of Peel Comments

Minor Variance Application: A-071/20

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

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

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

Comments Prepared by: Tracy Tang, Junior Planner

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-02-18 To: Committee of Adjustment From: Committee of Adjustment Coordinator	File(s): A72/20 Ward: 1
	Meeting date: 2020-02-27

Consolidated Recommendation

- The City 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.

Application Details

The applicant requests the Committee to authorize a minor variance to continue to permit a restaurant on the subject property proposing:

- A restaurant within 60m (196.85ft) of a residential zone, whereas By-law 0225-2007, as amended, does not permit a restaurant within 60m (approx. 196.85ft) of a residential zone in this instance;
- 4 parking spaces, whereas By-law 0225-2007, as amended, requires 15 parking spaces in this instance; and
- An aisle width of 4.10m (approx. 13.45ft) whereas By-law 0225-2007, as amended, requires a minimum aisle width of 7.00m (approx. 22.96ft) in this instance.

Amendments

Variance #2 should be amended as follows:

No additional parking spaces for a restaurant use, whereas By-law 0225-2007, as amended, requires parking for a dwelling unit located above a commercial development at a rate of 1.25 parking spaces/unit and parking for a restaurant at a rate of 9 spaces/100 m2 GFA – non-residential, in this instance.

Variance #3 should be removed from the application.

Recommended Conditions and Terms

- That the seating capacity of the restaurant shall not exceed fifty (50) persons.

Background

Property Address: 261 Lakeshore Road East

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (East)

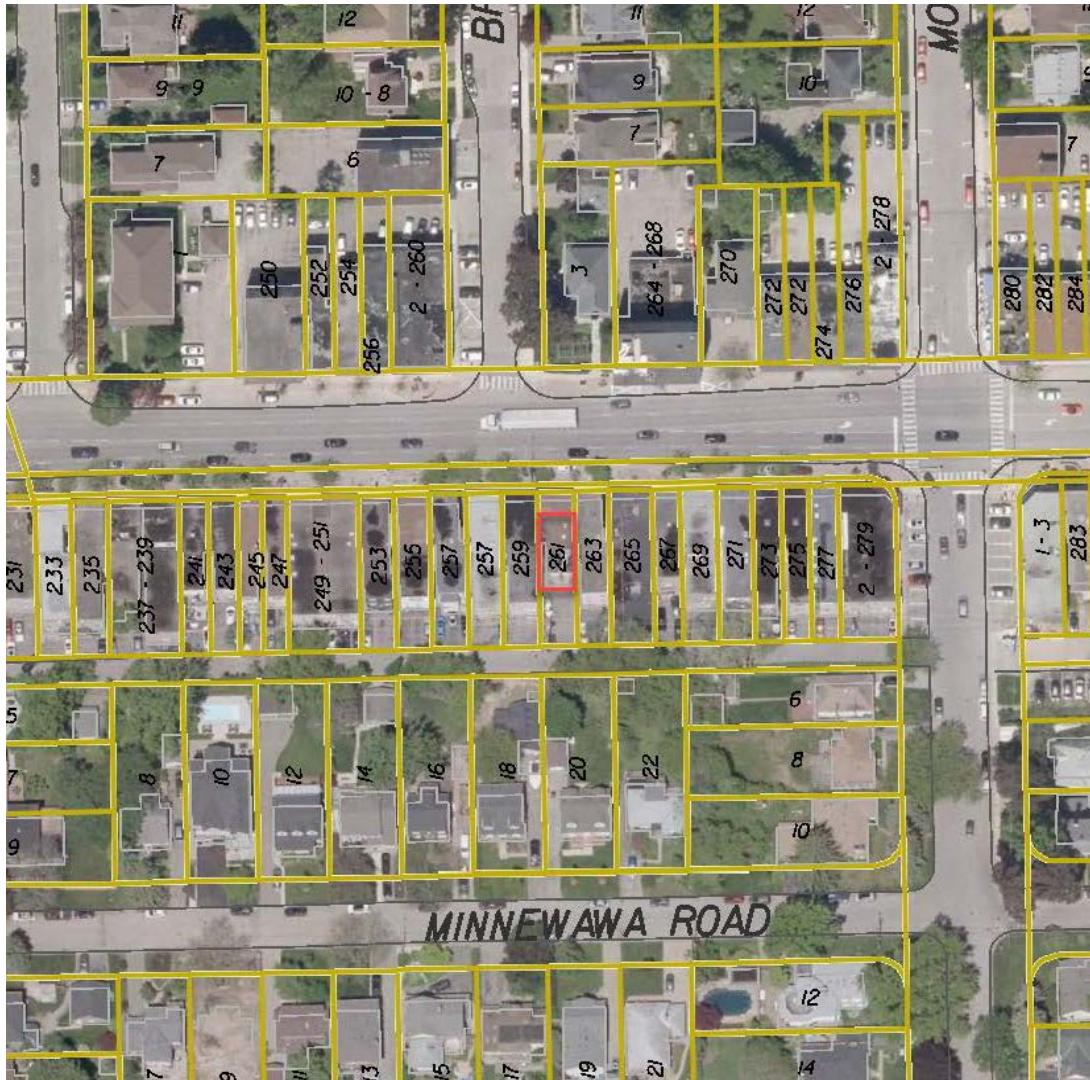
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C4 (Commercial)

Site and Area Context

The subject property is located within the Port Credit Neighbourhood Character Area, east of Hurontario Street and Lakeshore Road East. The south side of Lakeshore consists of a mix of commercial and retail uses which includes restaurant uses. The application proposes a restaurant and requires variances related to reduced parking, aisle width and distance from a restaurant to a residential zone.



It should be noted that through discussions with the Zoning Division and City Planning Strategies, variance #3 should be removed from the application and variance #2 should be amended as follows:

2. no additional parking spaces for a restaurant use, whereas By-law 0225-2007, as amended, requires parking for a dwelling unit located above a commercial development at a rate of 1.25 parking spaces/unit and parking for a restaurant at a rate of 9 spaces/100 m² GFA – non-residential, in this instance.

City Planning Strategies also recommends that the seating capacity of the restaurant shall not exceed 50 persons.

Conclusion

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

Comments Prepared by: Lucas Petricca, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has no objections, comments or requirements with respect to C.A. 'A' 072/20.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The referenced use was approved under zoning certificate application 94-7456 and the accompanying variance modified the required parking using a ratio. The application should proceed as previously approved by the Committee of Adjustment.

Comments Prepared by: Sandra Morrison, Zoning Examiner

Appendix 3 – Region of Peel Comments

Regional Planning staff have reviewed the applications listed on the February 27th, 2020 Committee of Adjustment Agenda. We have no comments or objections to the following applications:

Deferred Application: DEF-A-445/19

Minor Variance Applications: A-072/20, A-073/20, A-074/20, A-075/20, A-076/20

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

Comments Prepared by: Tracy Tang, Junior Planner

City of Mississauga

Memorandum:

City Department and Agency Comments

Date Finalized: 2020-02-18	File(s): A77/20 Ward: 5
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date: 2020-02-27

Consolidated Recommendation

The City has no objection to the variances, as requested; however, the Applicant may wish to defer the application to submit the required Building Permit application.

Application Details

The Applicant request the Committee to approve a minor variance to allow the construction of a storage shed on the subject property, proposing a rear yard of 1.25m (approx. 4.10ft); whereas, By-law 0225-2007, as amended, requires a minimum rear yard of 7.50m (approx. 24.61ft), in this instance.

Background

Property Address: 1116 Mid-Way Boulevard

Mississauga Official Plan

Character Area: Northeast Employment Area
Designation: Industrial

Zoning By-law 0225-2007

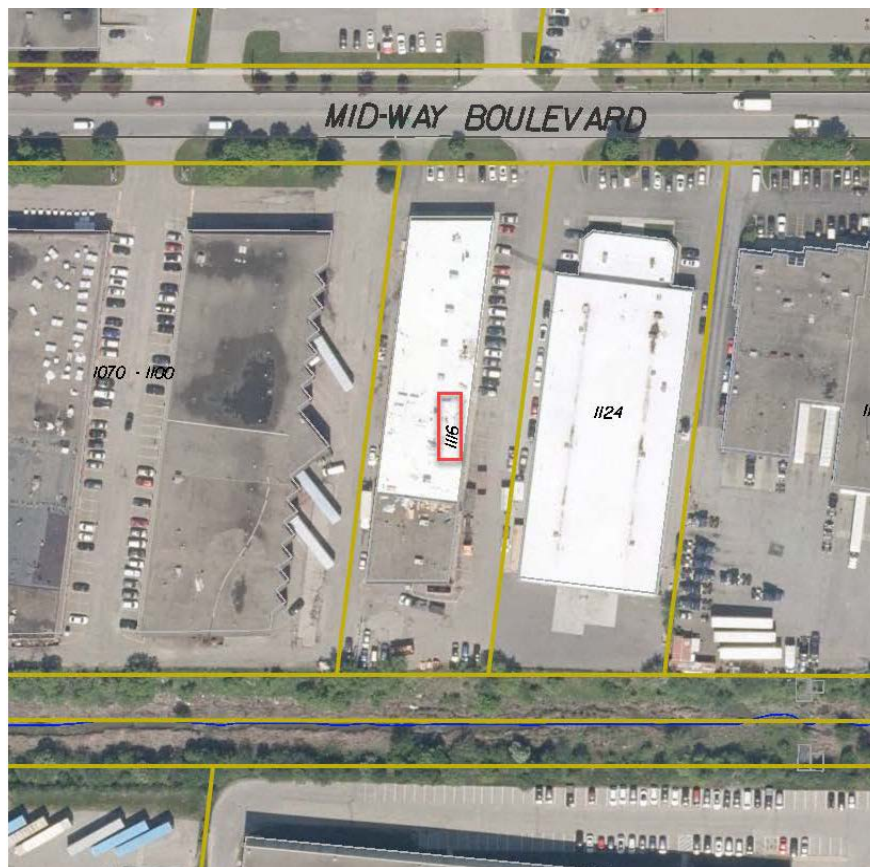
Zoning: E3 (Employment)

Other Applications:

Building Permit: 19-8137

Site and Area Context

The subject lands are an interior property located north-east of the Courtneypark Drive East and Tomken Road intersection, and currently house a two-storey, multi-tenant industrial warehousing structure. The site is bounded by a natural landscape feature (creek) to the south. The immediate neighbourhood is exclusively industrial in nature; with employment uses located in close proximity to the subject site on all surrounding sides. The properties along this portion of Mid-Way Boulevard are situated upon large parcels, with lot frontages ranging from +/- 30m to +/-130m. The Applicant is proposing to construct an accessory storage structure within the rear yard.



Comments

Planning

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

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

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

The site is located within the Northeast Employment Area, and designated Industrial by the Mississauga Official Plan (MOP). Pursuant to Section 11.2.12(y) (Industrial), this designation shall permit warehousing uses. 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 will continue to be used for industrial purposes, with the proposed construction supplementing this aforementioned use. To this end, the proposed construction respects the designated land use, and, despite requiring relief from the required rear yard regulation, nevertheless has regard for the distribution of massing on the property as a whole. The variance, as requested, meets the purpose and general intent of the Official Plan.

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

As per Zoning By-law 0225-2007, the subject property is zoned E3 (Employment). In accordance with Table 8.2.1(10) (E1 to E3 Permitted Uses and Zone Regulations), this zone requires a minimum rear yard setback of 7.5m; whereas, the Applicant has requested 1.25m, in this instance. The general intent of this portion of the By-law is to both provide a visual buffer between two properties, as well as to ensure that an adequate buffer exists between the massings of structures on adjoining properties. Planning Staff note, the requested relief occurs adjacent to a creek, where such concerns are inherently minimized. Further, due to the aforementioned creek's location, ample visual buffering exists in the form of mature natural landscaping which creates a definitive significant barrier; clearly both isolating and concealing the proposed accessory structure to the adjacent property to the south. The variance, as requested, maintains the general intent and purpose of the Zoning By-law.

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

The proposed structure is located adjacent to a creek; separated by adequate fencing; and, poses insignificant massing within the rear yard, with no further variances required pertaining to excessive lot coverage. Planning Staff cannot identify any potential undue impact created as a result of the requested variance; noting, outside storage is permitted as-of-right, and, in this

instance, could be placed directly to the rear lot line – causing more adverse or detrimental externalities than the proposed accessory structure ever could. The variance, as requested, results in both the orderly development of the lands, and whose impacts are minor in nature.

Conclusion

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

Comments Prepared by: Roberto Vertolli, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

Acknowledging that we have no objections to the request to allow for the construction of a storage shed on the property, we note from our site inspection that there is an existing catch basin in the area where the storage shed is being proposed. As the existing catch basin at the rear of the property will have to be relocated, this will necessitate some minor regarding works to the existing pavement in order to self-contain the drainage and maintain the existing drainage pattern. Transportation and Works Department concerns/requirements for the proposed storage shed will be addressed through the Building Permit process.

Comments Prepared by: David Martin, Supervisor Development Engineering

Appendix 2 – Zoning Comments

The Building Department is currently processing a Building Permit (Pre-Zoning) application under file 19-8137. Based upon review of this application, this Department notes that the variance, as requested, is correct. Staff would advise the Applicant further approval (Site Plan Approval, Building Permit, Fire, etc.), may be required.

Comments Prepared by: Ramsen Hedoo, Zoning Examiner

Appendix 3 – Region of Peel Comments

Minor Variance Application: A-077/20

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

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

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

Comments Prepared by: Tracy Tang, Junior Planner

Appendix 4 - Conservation Authority Comments

This letter will acknowledge receipt of the above noted application, received on January 24, 2020. Toronto and Region Conservation Authority (TRCA) staff has reviewed the above noted application, and as per the "Living City Policies for Planning and Development within the Watersheds of the TRCA" (LCP), provides the following comments as part of TRCA's commenting role under the *Planning Act*, the Authority's delegated responsibility of representing the provincial interest on natural hazards encompassed by Section 3.1 of the *Provincial Policy Statement, 2014* (PPS); TRCA's Regulatory Authority under Ontario Regulation 166/06, *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses*; and our Memoranda of Understanding (MOU) with the Town of Caledon and the Region of Peel wherein we provide technical environmental advice.

Purpose of the Application

It is our understanding that the purpose of this Minor Variance Application A 77/20 is to allow the construction of a storage shed on the subject property, proposing a rear yard of 1.25 m. (approx. 4.10 ft), whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50 m. (approx.. 24.6 ft) in this instance

Recommendation

On the basis of the comments noted below, TRCA staff has **no objection** to the above noted application.

Application Specific Comments

Ontario Regulation 166/06:

A portion of the subject property is located within TRCA's Regulated Area of the Humber River Watershed, as it is located adjacent to a tributary of the Humber River and the associated Regional Flood Plain. In accordance with Ontario Regulation 166/06, as amended (Development, Interference with Wetlands and Alteration to Shorelines and Watercourses), a permit is required from the TRCA prior to any of the following works taking place:

- a) straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream or watercourse, or for changing or interfering in any way with a wetland;
- b) development, if in the opinion of the Authority, the control of flooding, erosion, dynamic beaches or pollution or the conservation of land may be affected by the development.

Development is defined as:

- i) the construction, reconstruction, erection or placing of a building or structure of any kind;

- ii) any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure;
- iii) site grading, including the temporary or permanent placing, dumping or removal of any material originating on the site or elsewhere.

It is our understanding that the applicant was granted a permit by TRCA to facilitate the development of a 18.35 m. by 12.22 m. (60.2 ft by 40.1 ft) pre-engineered steel storage shed on the subject property (Permit No. C-190570/Matric Circuit Board Materials). According to our review, it appears that the proposed works in this application are consistent with the above noted permit and that the proposed works are located outside of and are sufficiently setback from the Regional Flood Plain. As such, TRCA staff have no concerns with the proposed variance, as currently submitted.

However, TRCA staff has an interest in any future development on the subject property and future development may be subject to a TRCA permit.

Application Review Fee

In addition to regulatory responsibilities, TRCA has a role as a commenting agency for *Planning Act* applications circulated by member municipalities to assess whether a proposed development may be impacted by the TRCA.

By copy of this letter, TRCA staff thanks the applicant for providing the \$1,100 review fee (2018 TRCA Planning Fees Schedule – Variance – Industrial Minor).

Conclusion

We thank you for the opportunity to review the subject application and provide our comments as per our commenting and regulatory role. Should you have any additional questions or comments, please do not hesitate to contact the undersigned.

Sincerely,

Lina Alhabash

Planner I

Planning and Development

Tel: (416) 661-6600, Ext.5657

Lina.alhabash@trca.ca

Comments Prepared by: Lina Alhabash

Date: January 20th, 2020

File: C of A – 'A' 38/20
(Ward 7 – 60 Dundas Street East)

Agenda: January 30th, 2020

New Item

Recommendation

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

Background

Mississauga Official Plan

Character Area: Downtown Cooksville
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: C4 (Commercial)

Other Applications:

None

Comments

Zoning

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

Planning

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

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

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

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

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

City of Mississauga
Memorandum



TO: S. Kenney, Secretary Treasurer
Committee of Adjustment

FROM: D. Martin
Transportation and Works

DATE: January 17, 2020

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

Re: COMMITTEE OF ADJUSTMENT – January 30, 2020

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

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

A 38/20



A 38/20



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-038/20
Development Planning: Tracy Tang (905) 791-7800 x7190

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

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

Sincerely,



Tracy Tang
Junior Planner
Development Services, Region of Peel

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

PEEL CONDOMINIUM CORPORATION No. 423

The below signatures do not want a restaurant built at 60 Dundas St. E. Mississauga.

UNIT #

Jonah. Cikal.	412
A. Hughes.	1104
D. Mozon	1406
George Family	1704
Samuel Scott	1812
Montelbaine	103
Jesús Castro	302
Josephine Simon's	402
Guineal Wilczynski	1907
Jana Kell	1201
Gabriela Ortiz	208.
CYNTHIA WILLIAMS	202
Don Williams.	202.
SHAMIR, HASHAM	1211
Eliabeth Milanovsky	1506
D. Mosolowski	1606

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