COMMITTEE OF ADJUSTMENT
AGENDA

MISSISSAUGA

Location: COUNCIL CHAMBER
Hearing: DECEMBER 10, 2015 AT 1:30 P.M.

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

File	Name of Applicant	Location of Land	Ward	Disposition
NEW APPLICATIONS - (CONSENT)				
B-061/15	HEWLETT-PACKARD ENTERPRISE	0 EXPLORER DR	5	Approved
B-062/15	THE ESTATE OF ROBERT P. HURLEY	2222 DOULTON DR	8	Approved
B-063/15				Approved
B-064/15	SCHLEGEL VILLAGES INC.	2930 ERIN CENTRE BLVD	9	Approved
B-065/15				Approved
A-498/15				Approved
DEFERRED APPLICATIONS - (CONSENT)				
B-021/15	MAGELLAN AEROSPACE LIMITED	3160 DERRY RD E	5	Approved
B-043/15	ALAN PIERRE NOLET & LEANNE MARY NOLET	43 JOHN ST S	1	May 12*
A-392/15				May 12*
A-393/15	PETER NOLET			May 12*
				*Peremptory
NEW APPLICATIONS - (MINOR VARIANCE)				
A-490/15	ANDRE GERALDES	7155 ASPEN AVE	9	Approved
A-491/15	JABOL HOLDINGS LIMITED	1699 LAKESHORE RD W	2	Approved
A-492/15	KATHY LULIC	1377 MILTON AVE	1	Approved
A-493/15	DUARTE MENDONCA & PIEDADE FURTADO	359 MONTEGO RD	7	Approved
A-494/15	THE CORPORATION OF THE CITY OF MISSISSAUGA	3500 MORNING STAR DR	5	Approved
A-495/15	GIL SHCOLYAR	271 QUEEN ST S	11	Jan. 14
A-496/15	CANADIAN SOCIETY OF PEACE & RELIEF	6680 CAMPOBELLO RD	11	Approved
A-497/15	DIXIE EGLINTON CONSTRUCTION	5120 DIXIE RD	5	Approved
DEFERRED APPLICATIONS - (MINOR VARIANCE)				
A-126/15	PEEL CONDOMINIUM CORPORATION NO. 436	6731 COLUMBUS RD	5	Withdrawn
A-379/15	RITA DIAS	3232 DOVETAIL MEWS	8	Jan. 28

MISSISSAUGA

File: "B" 021/15
WARD 5

COMMITTEE OF ADJUSTMENT

IN THE MATTER OF SECTION 50(3) AND/OR (5)
of The Planning Act R.S.O. 1990, c.P.13, as amended
- and -
IN THE MATTER OF AN APPLICATION BY

MAGELLAN AEROSPACE LIMITED

on Thursday, December 10, 2015

Magellan Aerospace Limited is the owner of Part of Lots 9 and 10, Concession 7, EHS located and known as 3160 Derry Road East, zoned E2 - Employment. The applicant requests the consent of the Committee to the conveyance of a parcel of land having a frontage of approximately 380.66m (1248.88ft.) and an area of approximately 45.10ac (18.25ha). The effect of the application is to create a new lot for employment purposes.

On June 4, 2015, Mr. G. Swinkin, the authorized agent, attended and requested a deferral of the application to allow him additional time to meet with staff to address their concerns and to prepare additional material for review.

The Committee reviewed the information submitted with the application.

The Committee received comments and recommendations from the following agencies:

City of Mississauga, Planning and Building Department (June 3, 2015),
City of Mississauga, Transportation and Works Department (June 2, 2015),
City of Mississauga, Community Services Department, Park Planning (June 2, 2015),
Region of Peel, Environment, Transportation and Planning Services (June 1, 2015),
Toronto Region Conservation (May 28, 2015),

No other persons expressed any interest in the application.

The Committee consented to the request and deferred the application to the July 16, 2015 hearing.

On July 16, 2015, Mr. G. Swinkin, the authorized agent, attended and requested a deferral of the subject application to allow him additional time to engage in additional discussions with staff in efforts to resolve their concerns. He confirmed that these matters would be resolved shortly and suggested that a brief deferral period would be appropriate.

The Committee reviewed the information submitted with the application.

The Committee received comments and recommendations from the following agencies:

City of Mississauga, Planning and Building Department (July 13, 2015),
City of Mississauga, Transportation and Works Department (July 9, 2015),

No other persons expressed any interest in the application.

The Committee consented to the request and deferred the application to the August 13, 2015 hearing.

On August 13, 2015, Mr. G. Swinkin, the authorized agent, attended and requested a deferral of the subject application. Mr. Swinkin advised the Committee that additional time was required to perform additional research on the quality of the soil on the subject property.

The Committee reviewed the information submitted with the application.

The Committee received comments and recommendations from the following agencies:

City of Mississauga, Planning and Building Department (August 11, 2015),
City of Mississauga, Transportation and Works Department (August 12, 2015),
Region of Peel, Environment, Transportation and Planning Services (August 7, 2015),

No other persons expressed any interest in the application.

The Committee consented to the request and deferred the application to the October 8, 2015 hearing.

On October 8, 2015, Mr. G. Swinkin, and authorized agent, attended and requested a further deferral of the application. He advised that they have submitted a report to the Transportation and Works Department and they require additional time to review it.

The Committee received comments and recommendations from the following agencies:

City of Mississauga, Planning and Building Department (October 6, 2015),
City of Mississauga, Transportation and Works Department (October 8, 2015),
Region of Peel, Environment, Transportation & Planning Services (October 5, 2015)

A letter was received from Ward Councillor Parrish expressing her comments with respect to the application.

No other persons expressed any interest in the application.

The Committee consented to the request and deferred the application to November 5, 2015.

On November 5, 2015, Mr. G. Swinkin, the authorized agent, attended and requested a deferral of the subject application. Mr. Swinkin advised the Committee that additional time was required to address the concerns raised by the Planning and Building and Transportation and Works Departments. He noted that progress had been made during the interim of the deferrals but additional time was required to provide further information to staff for review.

The Committee reviewed the information submitted with the application.

The Committee received comments and recommendations from the following agencies:

City of Mississauga, Planning and Building Department (November 4, 2015),
City of Mississauga, Transportation and Works Department (November 5, 2015),
City of Mississauga, Community Services Department, Park Planning (November 2, 2015),

No other persons expressed any interest in the application.

The Committee consented to the request and deferred the application to the December 10, 2015 hearing.

On December 10, 2015, Mr. G. Swinkin, of Blake, Cassels & Graydon, LLP, authorized agent, attended and presented the application. Mr. Swinkin advised that due to activities historically undertaken on the property in connection with the manufacturing operations of Magellan Aerospace, there were materials stored on the south-easterly portion of the site which have caused soil and groundwater contamination. He advised that a permeable reactive barrier has been installed to contain the contaminated materials. The existing storage building is to be demolished and replaced with a new building. Mr. Swinkin indicated that Magellan will continue to maintain ownership of the contaminated lands while the remediation process continues for a number of years.

The proposed severed and retained lands will comply with the minimum requirements of the E2 zoning designation under the Zoning By-law. He advised that easements will be required for access, water, sewer, and sanitary services.

The Committee reviewed the information submitted with the application.

The Committee received comments and recommendations from the following agencies:

City of Mississauga, Planning and Building Department (December 5, 2015),
City of Mississauga, Transportation and Works Department (December 9, 2015),
City of Mississauga, Community Services Department (December 9, 2015),
Region of Peel, Environment, Transportation & Planning Services (December 7, 2015)

No other persons expressed any interest in the application.

When asked, Mr. Swinkin indicated that he had reviewed the recommended conditions and consented to their imposition should the application be approved.

The Secretary-Treasurer advised that the deferral fees are outstanding.

The Committee indicated that the draft conditions should be amended to include a condition to ensure that the deferral fees are paid.

The Committee, after considering the submissions put forward by Mr. Swinkin the comments received, and the recommended conditions, is satisfied that a plan of subdivision is not necessary for the proper and orderly development of the municipality.

The Committee, having regard to those matters under subsection 51(24) of the Planning Act R.S.O. 1990, c. P.13., as amended, resolves to grant provisional consent subject to the following conditions being fulfilled:

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.

2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.

3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding.

4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated December 9, 2015.

5. A letter shall be received from the City of Mississauga, Community Services Department, Park Planning Section indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated December 9, 2015.

6. A letter shall be received from the Region of Peel, Environment, Transportation and Planning Services, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated August 7, 2015.

7. The Committee of Adjustment shall be in receipt of payment for all outstanding deferral fees.

MOVED BY: D. George SECONDED BY: D. Kennedy CARRIED

Application Approved, on conditions as stated.

Dated at the City of Mississauga on December 17, 2015.

THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **JANUARY 10, 2016.**

Date of mailing is December 21, 2015.

S. PATRIZIO (CHAIR)

D. GEORGE

J. ROBINSON

D. KENNEDY

J. PAGE

D. REYNOLDS

P. QUINN

I certify this to be a true copy of the Committee's decision given on December 17, 2015.

DAVID L. MARTIN, SECRETARY-TREASURER

NOTES:

The decision to give provisional consent shall be deemed to be refused if the conditions of provisional consent, have not been fulfilled on or before **December 21, 2016.**

See "SUMMARY OF APPEAL PROCEDURES" and "FULFILLING CONDITIONS & CERTIFICATE ISSUANCE" attached.

MISSISSAUGA

File: "B" 061/15
WARD 5

COMMITTEE OF ADJUSTMENT

IN THE MATTER OF SECTION 50(3) AND/OR (5)
of The Planning Act R.S.O. 1990, c.P.13, as amended
- and -
IN THE MATTER OF AN APPLICATION BY

HEWLETT-PACKARD ENTERPRISE

on Thursday, December 10 2015

Hewlett-Packard Enterprise is the owner of 0 Explorer Drive being parts of Lots 1 & 2, Concession 5, EHS, zoned E1-19 - Employment. The applicant requests the consent of the Committee for the conveyance of a parcel of land having an approximate area of 1.511 ha (3.73 ac) and for the creation of an easement for access purposes. The intent of the application is to allow the conveyed lands to be merged with the adjacent lands known as 5150 Spectrum Way.

Mr. R. Blunt, authorized agent, attended and presented the application. Mr. Blunt advised that permission is being requested to sever the lot and merge the lands with the adjacent lands located at 5150 Spectrum Way. He indicated that associated access easements will also be required.

The Committee reviewed the information submitted with the application.

The Committee received comments and recommendations from the following agencies:

City of Mississauga, Planning and Building Department (December 4, 2015),
City of Mississauga, Transportation and Works Department (December 3, 2015),
City of Mississauga, Community Services Department, Park Planning (December 9, 2015),
Region of Peel, Environment, Transportation & Planning Services (December 7, 2015)
Toronto Region Conservation Authority (December 4, 2015),

No other persons expressed any interest in the application.

When asked, Mr. Blunt indicated that he had reviewed the recommended conditions and consented to their imposition should the application be approved.

The Committee, after considering the submissions put forward by Mr. authorizedagent, the comments received, and the recommended conditions, is satisfied that a plan of subdivision is not necessary for the proper and orderly development of the municipality.

The Committee, having regard to those matters under subsection 51(24) of the Planning Act R.S.O. 1990, c. P.13., as amended, resolves to grant provisional consent subject to the following conditions being fulfilled:

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 "severed" 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/Supervisor, Zoning Plan Examination, indicating that the "severed" and "retained" lands comply with the provisions of the Zoning By-law with respect to, among other things, minimum lot frontage, minimum lot area, setbacks to existing building(s), or alternatively, any minor variance is approved, final and binding and/or the demolition of any existing building(s).

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 December 3, 2015.

5. A letter shall be received from the City of Mississauga, Community Services Department, Park Planning Section indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated December 9, 2015. (Re: Street trees)

6. A letter shall be received from the Toronto Region Conservation Authority indicating that satisfactory arrangements have been made with respect to payment of the "Review Fee", as per their comments dated December 4, 2015.

7. Subsection 50(3) and/or 50(5) of the *Planning Act*, shall apply to any subsequent conveyance or transaction and the Secretary-Treasurer's Certificate shall contain reference to this stipulation.

8 An undertaking shall be received from a solicitor confirming that the legal description of the "resultant" lot and the legal description in any mortgage(s) or charge(s) encumbering any part of the "resultant" parcel will be identical within four (4) weeks of the date of the Secretary-Treasurer's Certificate under the *Planning Act*, or alternatively, that no part of the "resultant" lot is encumbered by any mortgage(s)/charge(s) etc. (The resultant parcel is the "severed" land and the land to which the "severed" land is to be merged).

9. A solicitor's undertaking shall be received which shall be to the effect that, at the time of registration of the transfer to which the Secretary-Treasurer's Certificate under the *Planning Act*, is affixed, the "severed" land and the abutting land shall be held in identical ownership.

MOVED BY: J. Robinson SECONDED BY: D. George CARRIED

MISSISSAUGA

File: "B" 061/15
WARD 5

Application Approved, on conditions as stated.

Dated at the City of Mississauga on December 17, 2015.

THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **JANUARY 10, 2016.**

Date of mailing is December 21, 2015.

S. PATRIZIO (CHAIR)

D. GEORGE

J. ROBINSON

D. KENNEDY

J. PAGE

D. REYNOLDS

P. QUINN

I certify this to be a true copy of the Committee's decision given on December 17, 2015.

DAVID L. MARTIN, SECRETARY-TREASURER

NOTES:

The decision to give provisional consent shall be deemed to be refused if the conditions of provisional consent, have not been fulfilled on or before **December 21, 2016.**

See "SUMMARY OF APPEAL PROCEDURES" and "FULFILLING CONDITIONS & CERTIFICATE ISSUANCE" attached.

MISSISSAUGA

File: "B" 062/15
WARD 8

COMMITTEE OF ADJUSTMENT

IN THE MATTER OF SECTION 50(3) AND/OR (5)
of The Planning Act R.S.O. 1990, c.P.13, as amended
- and -
IN THE MATTER OF AN APPLICATION BY

THE ESTATE OF ROBERT P. HURLEY

on Thursday, December 10 2015

The Estate of Robert P. Hurley is the owner of 2222 Doulton Drive being part of Lot 1, Registered Plan 331, zoned R1-5 - Residential. The applicant requests the consent of the Committee to the conveyance of a parcel of land having a frontage of approximately 38.00 m (124.67 ft.) and an area of approximately 2,023.00 m^2 (21,776.10 sq. ft.). The effect of the application is to create a new lot for residential purposes.

Mr. W. Oughtred, of W.E. Oughtred & Associates Inc., authorized agent, attended and presented the application. Mr. Oughtred presented a site plan for the Committee's review and consideration indicating that approval is being requested to sever the existing property to create three lots. He advised that similar applications were considered and approved by the Committee in 2014. Mr. Oughtred advised that the applications were appealed to the Ontario Municipal Board and the Ontario Municipal Board upheld the Committee's Decisions. Mr. Oughtred advised that the conditions were not fulfilled in time and the previous Decisions lapsed. He indicated that new severance applications have been submitted to allow the same lot configuration.

Mr. Oughtred advised that two new lots will be created and the existing house will remain on the retained lands. He advised that the lot sizes comply with the Zoning By-law and the Official Plan requirements. Mr. Oughtred indicated that the Official Plan policy permits up to 47 residential lots and, if the application is approved, there will be 43 residential lots. He advised that the lots will create a more efficient use of the property and intensification of the land use.

Mr. Oughtred presented a sketch indicating the lots on Doulton Drive and Doulton Place and indicated that the proposed lots will be similar in size to others in the neighbourhood.

The Committee reviewed the information submitted with the application.

The Committee received comments and recommendations from the following agencies:

City of Mississauga, Planning and Building Department (December 9, 2015),
City of Mississauga, Transportation and Works Department (December 3, 2015),
City of Mississauga, Community Services Department, Park Planning (December 9, 2015),
Region of Peel, Environment, Transportation & Planning Services (December 7, 2015)

A letter was submitted by J. Deighton, property owner at 2230 Doulton Drive, expressing opposition to the application. Ms. Deighton indicated that the compliance with the minimum Zoning By-law requirements is not enough to warrant consent to the severances. She indicated that other factors such as the suitability of the land for the purposes to which it is to be subdivided, design of a plan of subdivision, site plan control, character of the neighbourhood, built form and spatial separation should also be considered. Ms. Deighton advised that many of the lots in the neighbourhood are larger in size than the proposed lots. Ms. Deighton advised that the severance affects the character of Mississauga Road and the Scenic Route. She enclosed a copy of a letter from T. Davidson providing comments in opposition to the severances.

A letter was received from E. O'Neill and D. Linehan, residents at 2265 Otami Trail expressing their opposition to the application and noting their support for the objection comment made by their neighbours J. Deighton and R. Bain. They further indicated that they are concerned about the traffic impact onto Mississauga Road due to an additional driveway.

A letter was received from J. Snyder and R. Bain, residents at 1735 Blythe Road, expressing opposition to the application and noting their comments and concerns. They indicated that they agree with the comments made by J. Deighton in her objection letter and note that the division of the property into three lots will diminish the image of the entranceway into Doulton Estates.

Ms. J. Deighton, property owner at 2230 Doulton Drive, attended and expressed her objection to the application. Ms. Deighton indicated that the Ontario Municipal Board approved previous Consent applications for the subject property. She indicated that OMB Vice Chair Ms. Seaborn indicated that she was not making any determination as to the appropriateness of the building envelopes and built form that may be planned when she granted the approval. Ms. Deighton indicated that this comment opens the door to further discussion on the property. She advised that no information has been provided by the applicant with respect to the type of dwelling and building envelope for the properties.

Ms. Deighton presented a photograph of a sign on the property that illustrates how the properties may be developed. She indicated that she believes that the building envelopes will be too small and further variances may be required. Ms. Deighton indicated that the proposed lot sizes are not in keeping with previous severances on the street which respect the configuration of the street. She advised that the intensification policy will destroy the neighbourhood. She noted that changes are being proposed to the Scenic Route policy which will reduce intensification. Ms. Deighton indicated that the proposed severance does not serve the needs of public interest. She advised that the distinctiveness of the neighbourhood is not being preserved. Ms. Deighton indicated that the lot sizes technically meet the Zoning By-law requirements but they do not suit the character of the neighbourhood. She indicated that the lots are situated at the entranceway to the neighbourhood and consideration should be given to the distinctive character of the area and respecting the character of Mississauga Road and the Scenic Route.

No other persons expressed any interest in the application.

Mr. Oughtred indicated that the lots will be subject to Site Plan Approval. Through this process, matters such as building envelopes, tree preservation, landscaping, etc., will be reviewed. He presented a sketch and advised that the proposed lot sizes are similar to those in the neighbourhood located on Doulton Drive and Doulton Place.

When asked, Mr. Oughtred indicated that he had reviewed the recommended conditions and consented to their imposition should the application be approved.

The Committee, after considering the submissions put forward by Mr. Oughtred, the comments received, and the recommended conditions, is satisfied that a plan of subdivision is not necessary for the proper and orderly development of the municipality.

The Committee, having regard to those matters under subsection 51(24) of the Planning Act R.S.O. 1990, c. P.13., as amended, resolves to grant provisional consent subject to the following conditions being fulfilled:

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 "severed" 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/Supervisor, Zoning Plan Examination, indicating that the "severed" and "retained" lands comply with the provisions of the Zoning By-law with respect to, among other things, minimum lot frontage, minimum lot area, setbacks to existing building(s), or alternatively, any minor variance is approved, final and binding and/or the demolition of any existing building(s).

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 December 3, 2015.

5. A letter shall be received from the City of Mississauga, Community Services Department, Park Planning Section indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated December 9, 2015. (Re: Street Trees)

6. A letter shall be received from the Region of Peel, Environment, Transportation and Planning Services, Transportation Division, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated December 7, 2015.

7. The Secretary-Treasurer's Certificates under the *Planning Act* shall be issued, simultaneously, with respect to the "severed" land of applications 'B' 062/15 and 'B' 063/15.

MOVED BY: D. George SECONDED BY: D. Reynolds CARRIED

MISSISSAUGA

File: "B" 062/15
WARD 8

Application Approved, on conditions as stated.

Dated at the City of Mississauga on December 17, 2015.

THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **JANUARY 10, 2016.**

Date of mailing is December 21, 2015.

S. PATRIZIO (CHAIR)

D. GEORGE

J. ROBINSON

D. KENNEDY

J. PAGE

D. REYNOLDS

DISSENTED

P. QUINN

I certify this to be a true copy of the Committee's decision given on December 17, 2015.

DAVID L. MARTIN, SECRETARY-TREASURER

NOTES:

The decision to give provisional consent shall be deemed to be refused if the conditions of provisional consent, have not been fulfilled on or before **December 21, 2016.**

See "SUMMARY OF APPEAL PROCEDURES" and "FULFILLING CONDITIONS & CERTIFICATE ISSUANCE" attached.

MISSISSAUGA

File: "B" 063/15
WARD 8

COMMITTEE OF ADJUSTMENT

IN THE MATTER OF SECTION 50(3) AND/OR (5)
of The Planning Act R.S.O. 1990, c.P.13, as amended
- and -
IN THE MATTER OF AN APPLICATION BY

THE ESTATE OF ROBERT P. HURLEY

on Thursday, December 10 2015

The Estate of Robert P. Hurley is the owner of 2222 Doulton Drive being part of Lot 1, Registered Plan 331, zoned R1-5 - Residential. The applicant requests the consent of the Committee to the conveyance of a parcel of land having a frontage of approximately 70.00 m (229.65 ft.) and an area of approximately 3,592.00 m^2 (38,665.23 sq. ft.). The effect of the application is to create a new lot for residential purposes.

Mr. W. Oughtred, of W.E. Oughtred & Associates Inc., authorized agent, attended and presented the application. Mr. Oughtred presented a site plan for the Committee's review and consideration indicating that approval is being requested to sever the existing property to create three lots. He advised that similar applications were considered and approved by the Committee in 2014. Mr. Oughtred advised that the applications were appealed to the Ontario Municipal Board and the Ontario Municipal Board upheld the Committee's Decisions. Mr. Oughtred advised that the conditions were not fulfilled in time and the previous Decisions lapsed. He indicated that new severance applications have been submitted to allow the same lot configuration.

Mr. Oughtred advised that two new lots will be created and the existing house will remain on the retained lands. He advised that the lot sizes comply with the Zoning By-law and the Official Plan requirements. Mr. Oughtred indicated that the Official Plan policy permits up to 47 residential lots and, if the application is approved, there will be 43 residential lots. He advised that the lots will create a more efficient use of the property and intensification of the land use.

Mr. Oughtred presented a sketch indicating the lots on Doulton Drive and Doulton Place and indicated that the proposed lots will be similar in size to others in the neighbourhood.

The Committee reviewed the information submitted with the application.

The Committee received comments and recommendations from the following agencies:

City of Mississauga, Planning and Building Department (December 9, 2015),
City of Mississauga, Transportation and Works Department (December 3, 2015),
City of Mississauga, Community Services Department, Park Planning (December 9, 2015),
Region of Peel, Environment, Transportation & Planning Services (December 7, 2015)

A letter was submitted by J. Deighton, property owner at 2230 Doulton Drive, expressing opposition to the application. Ms. Deighton indicated that the compliance with the minimum Zoning By-law requirements is not enough to warrant consent to the severances. She indicated that other factors such as the suitability of the land for the purposes to which it is to be subdivided, design of a plan of subdivision, site plan control, character of the neighbourhood, built form and spatial separation should also be considered. Ms. Deighton advised that many of the lots in the neighbourhood are larger in size than the proposed lots. Ms. Deighton advised that the severance affects the character of Mississauga Road and the Scenic Route. She enclosed a copy of a letter from T. Davidson providing comments in opposition to the severances.

A letter was received from E. O'Neill and D. Linehan, residents at 2265 Otami Trail expressing their opposition to the application and noting their support for the objection comment made by their neighbours J. Deighton and R. Bain. They further indicated that they are concerned about the traffic impact onto Mississauga Road due to an additional driveway.

A letter was received from J. Snyder and R. Bain, residents at 1735 Blythe Road, expressing opposition to the application and noting their comments and concerns. They indicated that they agree with the comments made by J. Deighton in her objection letter and note that the division of the property into three lots will diminish the image of the entranceway into Doulton Estates.

Ms. J. Deighton, property owner at 2230 Doulton Drive, attended and expressed her objection to the application. Ms. Deighton indicated that the Ontario Municipal Board approved previous Consent applications for the subject property. She indicated that OMB Vice Chair Ms. Seaborn indicated that she was not making any determination as to the appropriateness of the building envelopes and built form that may be planned when she granted the approval. Ms. Deighton indicated that this comment opens the door to further discussion on the property. She advised that no information has been provided by the applicant with respect to the type of dwelling and building envelope for the properties.

Ms. Deighton presented a photograph of a sign on the property that illustrates how the properties may be developed. She indicated that she believes that the building envelopes will be too small and further variances may be required. Ms. Deighton indicated that the proposed lot sizes are not in keeping with previous severances on the street which respect the configuration of the street. She advised that the intensification policy will destroy the neighbourhood. She noted that changes are being proposed to the Scenic Route policy which will reduce intensification. Ms. Deighton indicated that the proposed severance does not serve the needs of public interest. She advised that the distinctiveness of the neighbourhood is not being preserved. Ms. Deighton indicated that the lot sizes technically meet the Zoning By-law requirements but they do not suit the character of the neighbourhood. She indicated that the lots are situated at the entranceway to the neighbourhood and consideration should be given to the distinctive character of the area and respecting the character of Mississauga Road and the Scenic Route.

No other persons expressed any interest in the application.

Mr. Oughtred indicated that the lots will be subject to Site Plan Approval. Through this process, matters such as building envelopes, tree preservation, landscaping, etc., will be reviewed. He presented a sketch and advised that the proposed lot sizes are similar to those in the neighbourhood located on Doulton Drive and Doulton Place.

When asked, Mr. Oughtred indicated that he had reviewed the recommended conditions and consented to their imposition should the application be approved.

The Committee, after considering the submissions put forward by Mr. Oughtred, the comments received, and the recommended conditions, is satisfied that a plan of subdivision is not necessary for the proper and orderly development of the municipality.

The Committee, having regard to those matters under subsection 51(24) of the Planning Act R.S.O. 1990, c. P.13., as amended, resolves to grant provisional consent subject to the following conditions being fulfilled:

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 "severed" 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/Supervisor, Zoning Plan Examination, indicating that the "severed" and "retained" lands comply with the provisions of the Zoning By-law with respect to, among other things, minimum lot frontage, minimum lot area, setbacks to existing building(s), or alternatively, any minor variance is approved, final and binding and/or the demolition of any existing building(s).

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 December 3, 2015.

5. A letter shall be received from the City of Mississauga, Community Services Department, Park Planning Section indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated December 9, 2015. (Re: Street Trees)

6. A letter shall be received from the Region of Peel, Environment, Transportation and Planning Services, Transportation Division, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated December 7, 2015.

7. The Secretary-Treasurer's Certificates under the *Planning Act* shall be issued, simultaneously, with respect to the "severed" land of applications 'B' 062/15 and 'B' 063/15.

MISSISSAUGA

File: "B" 063/15
WARD 8

MOVED BY: D. George SECONDED BY: D. Reynolds CARRIED

Application Approved, on conditions as stated.

Dated at the City of Mississauga on December 17, 2015.

THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **JANUARY 10, 2016.**

Date of mailing is December 21, 2015.

S. PATRIZIO (CHAIR)

D. GEORGE

J. ROBINSON

D. KENNEDY

J. PAGE

D. REYNOLDS

P. QUINN

I certify this to be a true copy of the Committee's decision given on December 17, 2015.

DAVID L. MARTIN, SECRETARY-TREASURER

NOTES:

The decision to give provisional consent shall be deemed to be refused if the conditions of provisional consent, have not been fulfilled on or before **December 21, 2016.**

See "SUMMARY OF APPEAL PROCEDURES" and "FULFILLING CONDITIONS & CERTIFICATE ISSUANCE" attached.

File: "B" 064/15
WARD 9

COMMITTEE OF ADJUSTMENT

IN THE MATTER OF SECTION 50(3) AND/OR (5)
of The Planning Act R.S.O. 1990, c.P.13, as amended
- and -
IN THE MATTER OF AN APPLICATION BY

SCHLEGEL VILLAGES INC.

on Thursday, December 10 2015

Schlegel Villages Inc. is the owner of 2930 Erin Centre Boulevard being part of Lot 2, Registrar's Compiled Plan 1003, zoned RA2-27 - Residential (Apartment Dwellings). The applicant requests the consent of the Committee to the conveyance of a parcel of land having a frontage of approximately 78.19 m (256.52 ft.) and an area of approximately 1.12 ha (2.76 ac) for mortgage purposes and for the creation of easements for water and sanitary services and for access and parking.

The lands are also the subject to Consent application "B"065/15 and Minor Variance application "A"498/15.

Ms. N. Frieday, of Wellings Planning Consultants Inc., authorized agent, attended and presented the application. Ms. Frieday presented an overall site plan of the subject lands and advised that the first phase of development was the construction of the Long Term Care Facility which is known as the Villages of Erin Meadows. She advised that the second phase of development will be to construct retirement suites and apartments for seniors. She indicated that for legal and financial reasons, they wish to sever Phase 1 from Phase 2 of the subject lands. She noted that access, parking and service easements will also be required.

Ms. Frieday advised that the entire development was planned as one integral development. She advised that to separate the lands into two parcels, variances will be required as the zoning provisions apply to the property lines. She indicated that a minor variance application (Reference "A" 498/15) has also been applied for to allow development to proceed as one property.

The Committee reviewed the information submitted with the application.

The Committee received comments and recommendations from the following agencies:

City of Mississauga, Planning and Building Department (December 5, 2015),
City of Mississauga, Transportation and Works Department (December 3, 2015),
City of Mississauga, Community Services Department, Park Planning (December 9, 2015),
Region of Peel, Environment, Transportation & Planning Services (December 7, 2015)

No other persons expressed any interest in the application.

Ms. Frieday indicated that she had reviewed the recommended conditions and requested that Condition # 4, concerning a restriction being placed on title that prevents the transfer or charge of the lot without the prior written consent of the Commissioner of Planning & Building, be withdrawn.

She consented to the remaining conditions being imposed should the application be approved.

Mr. G. Kirton, Planner with the Planning and Building Department, attended and advised that this restriction was placed on another site to ensure the Zoning By-law could be enforced if the property ownership transferred. Mr. Kirton advised that they do not believe that it is necessary on this property in this instance.

The Committee consented to the amendment to the draft conditions and, after considering the submissions put forward by Ms. Frieday, the comments received, and the recommended conditions, is satisfied that a plan of subdivision is not necessary for the proper and orderly development of the municipality.

The Committee, having regard to those matters under subsection 51(24) of the Planning Act R.S.O. 1990, c. P.13., as amended, resolves to grant provisional consent subject to the following conditions being fulfilled:

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 "severed" 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/Supervisor, Zoning Plan Examination, indicating that the "severed" and "retained" lands comply with the provisions of the Zoning By-law with respect to, among other things, minimum lot frontage, minimum lot area, setbacks to existing building(s), or alternatively, any minor variance is approved, final and binding and/or the demolition of any existing building(s).

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 December 3, 2015.

5. A letter shall be received from the City of Mississauga, Community Services Department, Park Planning Section indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated December 9, 2015. (Re: street trees)

6. A letter shall be received from the Region of Peel, Environment, Transportation and Planning Services, Transportation Division, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated December 7, 2015.

7. The Secretary-Treasurer's Certificates under the *Planning Act* shall be issued, simultaneously, with respect to the "severed" land of applications "B" 064/15 and "B" 065/15.

MOVED BY: J. Robinson SECONDED BY: D. George CARRIED

MISSISSAUGA

File: "B" 064/15
WARD 9

Application Approved, on conditions as stated.

Dated at the City of Mississauga on December 17, 2015.

THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **JANUARY 10, 2016.**

Date of mailing is December 21, 2015.

S. PATRIZIO (CHAIR)

D. GEORGE

J. ROBINSON

D. KENNEDY

J. PAGE

D. REYNOLDS

P. QUINN

I certify this to be a true copy of the Committee's decision given on December 17, 2015.

DAVID L. MARTIN, SECRETARY-TREASURER

NOTES:

The decision to give provisional consent shall be deemed to be refused if the conditions of provisional consent, have not been fulfilled on or before **December 21, 2016.**

See "SUMMARY OF APPEAL PROCEDURES" and "FULFILLING CONDITIONS & CERTIFICATE ISSUANCE" attached.

File: "B" 065/15
WARD 9

COMMITTEE OF ADJUSTMENT

IN THE MATTER OF SECTION 50(3) AND/OR (5)
of The Planning Act R.S.O. 1990, c.P.13, as amended
- and -
IN THE MATTER OF AN APPLICATION BY

SCHLEGEL VILLAGES INC.

on Thursday, December 10 2015

Schlegel Villages Inc. is the owner of 2930 Erin Centre Boulevard being part of Lot 2, Registrar's Compiled Plan 1003, zoned RA2-27 - Residential (Apartment Dwellings). The applicant requests the consent of the Committee to the conveyance of a parcel of land having a frontage of approximately 66.83 m (219.25 ft.) and an area of approximately 0.93 ha (2.29 ac) for mortgage purposes and for the creation of easements for access and loading.

The lands are also the subject to Consent application "B"064/15 and Minor Variance application "A"498/15.

Ms. N. Frieday, of Wellings Planning Consultants Inc., authorized agent, attended and presented the application. Ms. Frieday presented an overall site plan of the subject lands and advised that the first phase of development was the construction of the Long Term Care Facility which is known as the Villages of Erin Meadows. She advised that the second phase of development will be to construct retirement suites and apartments for seniors. She indicated that for legal and financial reasons, they wish to sever Phase 1 from Phase 2 of the subject lands. She noted that access, parking and service easements will also be required.

Ms. Frieday advised that the entire development was planned as one integral development. She advised that to separate the lands into two parcels, variances will be required as the zoning provisions apply to the property lines. She indicated that a minor variance application (Reference "A" 498/15) has also been applied for to allow development to proceed as one property.

The Committee reviewed the information submitted with the application.

The Committee received comments and recommendations from the following agencies:

City of Mississauga, Planning and Building Department (December 5, 2015),
City of Mississauga, Transportation and Works Department (December 3, 2015),
City of Mississauga, Community Services Department, Park Planning (December 9, 2015),
Region of Peel, Environment, Transportation & Planning Services (December 7, 2015)

No other persons expressed any interest in the application.

Ms. Frieday indicated that she had reviewed the recommended conditions and requested that Condition # 4, concerning a restriction being placed on title that prevents the transfer or charge of the lot without the prior written consent of the Commissioner of Planning & Building, be withdrawn.

She consented to the remaining conditions being imposed should the application be approved.

Mr. G. Kirton, Planner with the Planning and Building Department, attended and advised that this restriction was placed on another site to ensure the Zoning By-law could be enforced if the property ownership transferred. Mr. Kirton advised that they do not believe that it is necessary on this property in this instance.

The Committee consented to the amendment to the draft conditions and, after considering the submissions put forward by Ms. Frieday, the comments received, and the recommended conditions, is satisfied that a plan of subdivision is not necessary for the proper and orderly development of the municipality.

The Committee, having regard to those matters under subsection 51(24) of the Planning Act R.S.O. 1990, c. P.13., as amended, resolves to grant provisional consent subject to the following conditions being fulfilled:

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 "severed" 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/Supervisor, Zoning Plan Examination, indicating that the "severed" and "retained" lands comply with the provisions of the Zoning By-law with respect to, among other things, minimum lot frontage, minimum lot area, setbacks to existing building(s), or alternatively, any minor variance is approved, final and binding and/or the demolition of any existing building(s).

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 December 3, 2015.

5. A letter shall be received from the City of Mississauga, Community Services Department, Park Planning Section indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated December 9, 2015. (Re: street trees)

6. A letter shall be received from the Region of Peel, Environment, Transportation and Planning Services, Transportation Division, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated December 7, 2015.

7. The Secretary-Treasurer's Certificates under the *Planning Act* shall be issued, simultaneously, with respect to the "severed" land of applications "B" 064/15 and "B" 065/15.

MOVED BY: J. Robinson SECONDED BY: D. George CARRIED

Application Approved, on conditions as stated.

Dated at the City of Mississauga on December 17, 2015.

THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **JANUARY 10, 2016.**

Date of mailing is December 21, 2015.

S. PATRIZIO (CHAIR)

D. GEORGE

J. ROBINSON

D. KENNEDY

J. PAGE

D. REYNOLDS

P. QUINN

I certify this to be a true copy of the Committee's decision given on December 17, 2015.

DAVID L. MARTIN, SECRETARY-TREASURER

NOTES:

The decision to give provisional consent shall be deemed to be refused if the conditions of provisional consent, have not been fulfilled on or before **December 21, 2016.**

See "SUMMARY OF APPEAL PROCEDURES" and "FULFILLING CONDITIONS & CERTIFICATE ISSUANCE" attached.

File: "A" 490/15
WARD 9

COMMITTEE OF ADJUSTMENT

IN THE MATTER OF SECTION 45(1) OR (2)
of The Planning Act R.S.O. 1990, c.P.13, as amended
- and -
IN THE MATTER OF ZONING BY-LAW 0225-2007
as amended
- and -
IN THE MATTER OF AN APPLICATION BY

ANDRE GERALDES

on Thursday, December 10, 2015

Andre Geraldes is the owner of 7155 Aspen Avenue being Lot 136, Registered Plan M-669, zoned, RM1 - Residential. The applicant requests the Committee to authorize a minor variance to permit the existing driveway to remain on the subject property proposing:

1. a driveway width of 9.14 m (29.98 ft.); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00 m (19.68 ft.) in this instance; and,

2. a soft landscape area of 39.00% of the front yard; whereas By-law 0225-2007, as amended, requires a minimum landscaped area of 40.00% of the front yard in this instance.

Mr. A. Geraldes, property owner, attended and presented the application to permit the existing driveway to remain having an increased driveway width. Mr. Geraldes advised that to prevent on-street parking, he widened the driveway so that three (3) vehicles can be parked. He advised that one vehicle is parked inside the garage and additional space is required on the driveway for the other occupants of the home. Mr. Geraldes also indicated that the additional paved area allow him to easily wheel his garbage containers to the street.

The Committee reviewed the information and plans submitted with the application.

The City of Mississauga Planning and Building Department commented as follows (December 4, 2015):

"Recommendation:

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

Background:

Mississauga Official Plan:

Character Area: Meadowvale Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007:

Zoning: "RM1", Residential

Other Applications:

N/A

Comments:

The Planning and Building Department is unable to verify the accuracy of the requested variance, or determine whether additional variances will be required. A pre-zoning review application may be applied for in order to verify the accuracy of the variance, however we are of the opinion that the request represents far too large of a driveway and is not a desirable development. Although the requested landscape variance is minimal, the driveway should be reduced and as a result it would cause the landscape area to comply. The requested driveway width of 9.14 m (29.98 ft.) provides ample space for three vehicles to be parked across the front of the dwelling, which is not desirable or meeting the intent of the Zoning By-law. The Zoning By-law intends that the width of driveways in most low density residential zones be limited to providing space for two vehicles to park side by side. The requested variances represent an undesirable increase in hard surfaced area and potentially excessive vehicular parking in the front yard.

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

The City of Mississauga Transportation and Works Department commented as follows (December 2, 2015):

"Enclosed for Committee's easy reference are some photo's which depict the existing driveway as constructed."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (December 7, 2015):

"We have no comments and no objections."

An e-mail was received from R. Clifford, of 7335 Corrine Crescent, indicating no concerns with the request.

A letter was received from H. McMann of 7168 Danton Promenade expressing support for the application noting that the driveway enhances the look of the property.

A letter was received from R. and D. Behmer, residents at 7180 Danton Promenade indicating they have no issues with the driveway noting that it improves the look of the neighbourhood and removes cars from the street, improving safety.

A letter was received from R. and W. Verwey, residents at 7187 Danton Promenade indicating they have no concerns with respect to the driveway.

A letter was received from T. Martin, of 7197 Danton Promenade expressing support for the application noting that the property improvements contribute to the value of the neighhourhood.

A letter was received from N. Moore, resident at 7162 Aspen Avenue, expressing support for the application.

A letter was received from L. Saunders and A. DiMatteo, of 7166 Aspen Avenue, expressing support for the application.

Mr. M. McMann, property owner at 7168 Danton Promenade, attended and expressed his support for the application. He advised that the driveway keeps the cars off the street and contributes to the beautification of the neighbourhood.

No other persons expressed any interest in the application.

The Committee, after considering the submissions put forward by Mr. Geraldes and having reviewed the plans, is satisfied that the request is desirable for the appropriate further development of the subject property. The Committee indicated that the neighbours are in support of the widened driveway noting the improvement in safety and reduced on-street parking.

The Committee is satisfied that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained in this instance.

The Committee is of the opinion that the requested variance is minor in nature in this instance.

Accordingly, the Committee resolves to authorize and grant the request as presented.

MOVED BY:	P. Quinn	SECONDED BY:	D. Reynolds	CARRIED

Application Approved.

Dated at the City of Mississauga on December 17, 2015.

THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **JANUARY 6, 2016.**

Date of mailing is December 21, 2015.

S. PATRIZIO (CHAIR)

DISSENTED
D. GEORGE

DISSENTED
J. ROBINSON

D. KENNEDY

DISSENTED
J. PAGE

D. REYNOLDS

P. QUINN

I certify this to be a true copy of the Committee's decision given on December 17, 2015.

DAVID L. MARTIN, SECRETARY-TREASURER

A copy of Section 45 of the Planning Act, as amended, is attached.

NOTES:
- A Development Charge may be payable prior to the issuance of a Building Permit.
- Further approvals from the City of Mississauga may be required i.e. a Building Permit, a Zoning Certificate, a License, etc.

MISSISSAUGA

File: "A" 491/15
WARD 2

COMMITTEE OF ADJUSTMENT

IN THE MATTER OF SECTION 45(1) OR (2)
of The Planning Act R.S.O. 1990, c.P.13, as amended
- and -
IN THE MATTER OF ZONING BY-LAW 0225-2007
as amended
- and -
IN THE MATTER OF AN APPLICATION BY

JABOL HOLDINGS LIMITED

on Thursday, December 10, 2015

Jabol Holdings Limited is the owner of 1699 - 1701 Lakeshore Road West being Part of Lot 28, Concession 2, S.D.S., zoned C4, Commercial and G1, Greenbelt. The applicant requests the Committee to authorize a minor variance to permit the second floor (Unit # 3) to be utilized for a psychiatrist office use and retail uses on the main and basement levels of the existing building on the subject property and providing a total of 10 parking spaces for all the uses on site; whereas By-law 0225-2007, as amended, requires parking to be provided at a rate of 6.50 parking spaces per 100.00m^2 (1,076.42sq.ft.) of gross floor area for a medical office and 4.00 parking spaces per 100.00m^2 (1,076.42sq.ft.) of gross floor area for retail uses or a total of 27 parking spaces for all uses on site in this instance.

Mr. M. Marino, authorized agent, attended and presented the application to permit the conversion of the real estate office on the second floor to a psychiatrist's office. He advised that a parking variance was previously approved in 2008. He confirmed that the requirement for payment-in-lieu-of-parking was satisfied. Mr. Marino advised that the parking standard for a real estate office is the same as for a medical office use so the parking calculation is the same.

The Committee reviewed the information and plans submitted with the application.

The City of Mississauga Planning and Building Department commented as follows (December 4, 2015):

"Recommendation:

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

Background:

Mississauga Official Plan:

Character Area: Clarkson Village Community Node
Designation: Mixed Use - Special Site 3

Zoning By-law 0225-2007:

Zoning: C4, Mainstreet Commercial; G1, Greenbelt

Other Applications:

Certificate of Occupancy File: C 15-7830

Comments:

Based on a review of the Certificate of Occupancy application, the variance as requested is correct.

The property was subject to a similar parking variance request under 'A' 25/08. The Committee approved the request for a real estate office providing ten parking spaces on-site whereas 27 were required. At the time, the applicant had provided a Parking Utilization Study and submitted an application for Payment-in-Lieu of Off-Street Parking (PIL), which was approved by Council. On that basis, this Department had no objection to the request.
The previous application specified that the request was for a real estate office use, and since the use is changing to a medical office, a variance is required. The two uses have identical parking rates. Therefore, we have no objection to the request."

The City of Mississauga Transportation and Works Department commented as follows (December 2, 2015):

"This Department has no objections, comments or requirements with respect to C.A. "A" 491/15."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (December 7, 2015):

"Any changes to the underground water or sanitary sewer as a result of the proposed change of use will require review by the Region of Peel. Site servicing approvals will be required prior to the issuance of a building permit."

"The subject property is within the vicinity of Birchwood Park. This site was used for the disposal of flyash and bottom ash from the Lakeview Generating Station. Leachate has been detected. A park is located on the site. It is catalogued by the MOECC as A220105."

The Credit Valley Conservation commented as follows (November 18. 2015):

"Credit Valley Conservation (CVC) has had the opportunity to review the above-noted application and the following comments are provided for your consideration:

Site Characteristics:
The subject property is adjacent to Turtle Creek and traversed by its associated floodplain and valley slope. 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.

As you may be aware, the subject property is partially within lands designed Core Greenlands by the Region of Peel and within the City of Mississauga's Natural Heritage System and within the City's Natural Areas Survey.

Ontario Regulation 160/06:
This 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 Credit Valley Conservation (CVC) (i.e. the issuance of a permit).

Proposal:
The applicants request the Committee to authorize a minor variance to permit the second floor (Unit #3) to be utilized for a psychiatrist office use and retail uses on the main and basement levels of the existing building on the subject property and providing a total of 10 parking spaces for all the uses on the site; whereas By-law 0225-2007, as amended, requires parking to be provided at a rate of 6.50 parking spaces per 100.00m^2 (1,076.42sq.ft.) of gross floor area for a medical office and 4.00 parking spaces per 100.00m^2 (1,076.42sq.ft.) of gross floor area for retail uses or a total of 27 parking spaces for all uses on site in this instance.

Comments:
It is understood that this application does not propose any site alterations or development and the variance is proposed for the reduction of parking space and to allow for office and retail uses within the existing building. On this basis, CVC has no concerns and no objection to the approval of the application by the Committee at this time.

A CVC permit is not required for this proposal. However, the applicant is to note that the subject property is within a CVC Regulated Area and a CVC permit may be required for any proposed development in the future.

CVC has not received the required commenting fee of $280, the applicant is to forward this fee directly to CVC's office."

No other persons expressed any interest in the application.

The Committee, after considering the submissions put forward by Mr. Marino and having reviewed the plans, is satisfied that the request is desirable for the appropriate further development of the subject property.

The Committee is satisfied that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained in this instance.

The Committee is of the opinion that the requested variance is minor in nature in this instance.

Accordingly, the Committee resolves to authorize and grant the request as presented.

MOVED BY:	J. Page	SECONDED BY:	D. Reynolds	CARRIED

MISSISSAUGA

File: "A" 491/15
WARD 2

Application Approved.

Dated at the City of Mississauga on December 17, 2015.

THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **JANUARY 6, 2016.**

Date of mailing is December 21, 2015.

S. PATRIZIO (CHAIR)

D. GEORGE

J. ROBINSON

D. KENNEDY

J. PAGE

D. REYNOLDS

P. QUINN

I certify this to be a true copy of the Committee's decision given on December 17, 2015.

DAVID L. MARTIN, SECRETARY-TREASURER

A copy of Section 45 of the Planning Act, as amended, is attached.

NOTES:
- A Development Charge may be payable prior to the issuance of a Building Permit.
- Further approvals from the City of Mississauga may be required i.e. a Building Permit, a Zoning Certificate, a License, etc.

MISSISSAUGA

File: "A" 492/15
WARD 1

COMMITTEE OF ADJUSTMENT

IN THE MATTER OF SECTION 45(1) OR (2)
of The Planning Act R.S.O. 1990, c.P.13, as amended
- and -
IN THE MATTER OF ZONING BY-LAW 0225-2007
as amended
- and -
IN THE MATTER OF AN APPLICATION BY

KATHY LULIC

on Thursday, December 10, 2015

Kathy Lulic is the owner of 1377 Milton Avenue being Part of Lot 23, Plan E-13, zoned R2-1, Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of two storey dwelling on the subject property proposing:

1. a southerly side yard of 1.22 m (4.00 ft.) to the first storey and 1.90 m (6.23 ft.) to the second storey of the dwelling; whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.80 m (5.90 ft.) to the first storey and 2.41 m (7.90 ft.) to the second storey of a dwelling in this instance;

2. a northerly side yard of 1.22 m (4.00 ft.) to the garage and 1.91 m (6.26 ft.) to the second storey; whereas By-law 0225-2007, as amended, requires a minimum of side yard 1.80 m (5.90 ft.) to the first storey and 2.41 m (7.90 ft.) to the second storey in this instance; and,

3. a height to the underside of eaves of 6.78 m (22.24 ft.); whereas By-law 0225-2007, as amended, permits a maximum height to the underside of eaves of 6.40 m (20.99 ft.) in this instance.

Mr. T. Maricic, attended and presented the application to permit the construction of a new two storey dwelling proposing reduced side yards and reduced height. Mr. Maricic presented plans for the Committee's consideration and review. He advised that the dwelling complies with the maximum permitted height; however due to the grades, the height to the underside of eaves does not comply. Mr. Maricic indicated that his client wishes to construct a two car garage. He explained that a reduction in the side yard is required to accommodate the garage noting that the setback is reduced to the garage wall but the main portion of the dwelling is set back further from the side property line.

The Committee reviewed the information and plans submitted with the application.

The City of Mississauga Planning and Building Department commented as follows (December 9, 2015):

"Recommendation:

The Planning and Building Department recommends that the application be deferred for the applicant to redesign the dwelling to address concerns regarding the requested side yard setbacks.

Background:

Mississauga Official Plan:

Character Area: Mineola Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007:

Zoning: R2-1, Residential

Other Applications:

☒ *Site Plan* File: SPI 15-55 W1

Comments:

Based on a review of the Site Plan application, the variances as requested are correct.

In regards to variances #1 and #2, we are not satisfied as to why the proposed dwelling cannot comply with the side yard requirements of the Zoning By-law. The applicant has indicated in their application that the reduced setbacks are required to allow a full double garage space for the new house. The lot has a frontage of 15.24 m (50.00 ft.), which can accommodate a dwelling with a two car garage without the need for variances. This area of the Mineola neighbourhood is undergoing a transition to newer housing, and permitting a new dwelling to have reduced setbacks on both sides may set a precedent which changes the character of the area.

Regarding variance #3, based on the elevation drawings, it appears that the calculation of the average grade affects the calculated height to the underside of eaves. We are of the opinion that the intent of the Zoning By-law is maintained due to the grade change on the property.

Based on the preceding information, we recommend that the application be deferred for the applicant to redesign the dwelling to address concerns regarding the requested side yard setbacks."

The City of Mississauga Transportation and Works Department commented as follows (December 2, 2015):

"We note for Committee's information that the City is currently processing a Site Plan Application for this property, Reference SP 15/055. Transportation and Works Department concerns/requirements for this property will be addressed through the Site Plan Process."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (December 7, 2015):

"We have no comments and no objections."

No other persons expressed any interest in the application.

The Committee, after considering the submissions put forward by Mr. Marcic and having reviewed the plans, is satisfied that the request is desirable for the appropriate further development of the subject property. The Committee indicated that relief is being requested to the first floor garage and for a portion of the dwelling. They noted that there is no neighbour opposition to the request.

The Committee is satisfied that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained in this instance.

The Committee is of the opinion that the requested variance is minor in nature in this instance.

Accordingly, the Committee resolves to authorize and grant the request as presented subject to the following condition:

1. The applicant is to proceed in accordance with the plans reviewed by the Committee.

MOVED BY:	D. George	SECONDED BY:	J. Robinson	CARRIED

Application Approved, on condition as stated.

Dated at the City of Mississauga on December 17, 2015.

THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **JANUARY 6, 2016.**

Date of mailing is December 21, 2015.

S. PATRIZIO (CHAIR)

D. GEORGE

J. ROBINSON

DISSENTED

D. KENNEDY

J. PAGE

D. REYNOLDS

P. QUINN

I certify this to be a true copy of the Committee's decision given on December 17, 2015.

DAVID L. MARTIN, SECRETARY-TREASURER

A copy of Section 45 of the Planning Act, as amended, is attached.

NOTES:
- A Development Charge may be payable prior to the issuance of a Building Permit.
- Further approvals from the City of Mississauga may be required i.e. a Building Permit, a Zoning Certificate, a License, etc.

MISSISSAUGA

File: "A" 493/15
WARD 7

COMMITTEE OF ADJUSTMENT

IN THE MATTER OF SECTION 45(1) OR (2)
of The Planning Act R.S.O. 1990, c.P.13, as amended
- and -
IN THE MATTER OF ZONING BY-LAW 0225-2007
as amended
- and -
IN THE MATTER OF AN APPLICATION BY

DUARTE MENDONCA & PIEDADE FURTADO

on Thursday, December 10, 2015

Duarte Mendonca & Piedade Furtado are the owners of 359 Montego Road being Part of Lot 43, Registered Plan 906, zoned RM1, Residential. The applicants request the Committee to authorize a minor variance to permit the existing shed to remain within the rear yard of the subject property proposing a side and rear yard setback of 0.15 m (0.50 ft.); whereas By-law 0225-2007, as amended, requires a minimum side and rear yard setback of 0.61 m (2.00 ft.) for an accessory structure in this instance.

Mr. D. Mendonca, property owner, attended and presented the application to permit the existing shed to remain on the subject property. Mr. Mendonca indicated that the shed was in its present location when he purchased the home and requested that it remain.

The Committee reviewed the information and plans submitted with the application.

The City of Mississauga Planning and Building Department commented as follows (December 4, 2015):

"Recommendation:

The Planning and Building Department recommends that the application be deferred for the applicant to address concerns outlined below.

Background:

Mississauga Official Plan:

Character Area: Cooksville Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007:

Zoning: RM1, Residential

Other Applications:

No other applications currently in process.

Comments:

We are unable to verify the accuracy of the requested variance and to determine whether additional variances will be required. To confirm the accuracy of the requested variance, the applicant may apply for a Pre-Zoning Review application and submit working drawings in order that a detailed zoning review may be completed. A minimum of 6-8 weeks will be required to process a Pre-Zoning Review application depending on the complexity of the proposal and the detail of the information submitted.

Based on the information provided with the Minor Variance application, it appears that the existing shed may be located on an easement. We recommend that the applicant clarify the exact location of the shed. If it is determined that the shed is located on the easement, the applicant shall either remove the structure or alternatively, provide a letter from the dominant tenant in favour of the easement, indicating their satisfaction with the location of the structure.

Based on the preceding information, we recommend that the application be deferred."

The City of Mississauga Transportation and Works Department commented as follows (December 2, 2015):

"This department has no objections to the applicant's request to allow the existing shed to remain."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (December 7, 2015):

"We have no comments and no objections."

Mr. Trzuskot, property owner at 356 Louis Drive, attended and advised that the cedar trees planted on his property were cut down and other trees on his property are dying. Mr. Trzuskot presented photographs of the space between the fence and the shed for the Committee's review.

No other persons expressed any interest in the application.

Mr. Mendonca advised that he cut the trees that hung over his shed so that he could re-shingle the roof of the structure. He presented photographs that indicated the trees as they exist presently.

The Committee indicated that it appears that the shed may be located on an easement. They advised that structures are not permitted on easements. They further advised that it is the homeowner's responsibility to determine if the shed is located on an easement and, if so, obtain the appropriate approval or remove the structure.

The Committee, after considering the submissions put forward by Mr. Mendonca and having reviewed the plans, is satisfied that the request is desirable for the appropriate further development of the subject property. The Committee indicated that the property is well-screened and the shed will not be visible through the trees.

The Committee is satisfied that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained in this instance.

The Committee is of the opinion that the requested variance is minor in nature in this instance.

Accordingly, the Committee resolves to authorize and grant the request as presented.

MOVED BY:	J. Page	SECONDED BY:	D. Kennedy	CARRIED

Application Approved.

Dated at the City of Mississauga on December 17, 2015.

THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **JANUARY 6, 2016.**

Date of mailing is December 21, 2015.

S. PATRIZIO (CHAIR)

D. GEORGE

J. ROBINSON

D. KENNEDY

J. PAGE

D. REYNOLDS

P. QUINN

I certify this to be a true copy of the Committee's decision given on December 17, 2015.

DAVID L. MARTIN, SECRETARY-TREASURER

A copy of Section 45 of the Planning Act, as amended, is attached.

NOTES:
- A Development Charge may be payable prior to the issuance of a Building Permit.
- Further approvals from the City of Mississauga may be required i.e. a Building Permit, a Zoning Certificate, a License, etc.

File: "A" 494/15
WARD 5

COMMITTEE OF ADJUSTMENT

IN THE MATTER OF SECTION 45(1) OR (2)
of The Planning Act R.S.O. 1990, c.P.13, as amended
- and -
IN THE MATTER OF ZONING BY-LAW 0225-2007
as amended
- and -
IN THE MATTER OF AN APPLICATION BY

THE CORPORATION OF THE CITY OF MISSISSAUGA

on Thursday, December 10, 2015

The Corporation of The City of Mississauga is the owner of 0 & 3500-3540 Morning Star Drive being Block O and part of Block N, Registered Plan 752, and the 1 Foot Reserve on Registered Plan 710, zoned OS2 - Open Space. The applicant requests the Committee to authorize a minor variance to permit the operation of a day care on the subject property proposing a total of 173 parking spaces for all uses on site; whereas By-law 0225-2007, as amended, requires a minimum of 176 parking spaces for all uses on the subject property in this instance.

Mr. R. DaCunha, Planner with the City of Mississauga, Community Services Section, attended and presented the application to permit the operation of a day care centre having reduced parking. Mr. DaCunha advised that the Region of Peel will be closing twelve (12) of their child care centres and are seeking alternate service providers. He advised that the YMCA has taken over the lease and have entered into a five year licence agreement to provide child-care for pre-school age children. He advised that they wish to obtain an infant licence. As more staff are required to supervise the children, additional parking is required.

Mr. DaCunha advised that a minor variance is required for three parking spaces as they are unable to provide any additional parking on-site. He advised that some of the staff take public transit and indicated that the day care facility, located adjacent to the Malton Community Centre, will provide a needed service in the area.

The Committee reviewed the information and plans submitted with the application.

The City of Mississauga Planning and Building Department commented as follows (December 4, 2015):

"Recommendation:

The Planning and Building Department has no objection to the requested variance, however the applicant may wish to defer the application in order to submit a Pre-Zoning Review application to determine the accuracy of the requested variance and whether any additional variances will be required.

Background:

Mississauga Official Plan:

Character Area: Malton Community Node
Designation: Open Space

Zoning By-law 0225-2007:

Zoning: "OS2", Open Space

Other Applications:

N/A

Comments:

The Planning and Building Department is unable to verify the accuracy of the requested variance, or determine whether additional variances will be required. In order to confirm the accuracy of the requested variance, the applicant may apply for a Pre-Zoning Review application and submit working drawings in order that a detailed zoning review may be completed.

Notwithstanding the above comment, the requested variance for three spaces can be supported by the department based on an analysis of the parking demand on site. The extra spaces can be accommodated by underutilized spaces associated with the Malton Community centre.

Based on the preceding information the Planning and Building Department has no objection to the requested variance, however the applicant may wish to defer the application in order to submit a Pre-Zoning Review application to verify the accuracy of the variance."

The City of Mississauga Transportation and Works Department commented as follows (December 2, 2015):

"Based on the information submitted with this application this department has no objections to the applicant's request."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (December 7, 2015):

"We have no comments and no objections."

The Toronto Region Conservation Authority commented as follows (December 4, 2015):

"This letter will acknowledge receipt of the above noted application. Thank you for the opportunity to review this application (received on November 23, 2015). 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 City of Mississauga and the Region of Peel wherein we provide technical environmental advice.

PURPOSE OF THE APPLICATION

It is our understanding that the purpose of this application is to permit the operation of a day care on the subject property (Malton Community Centre) proposing a total of 173 parking spaces for all uses on site; whereas by-law 0225-2007, as amended, requires a minimum of 176 parking spaces for all uses on the subject property in this instance.

Recommendation
On the basis of the comments noted below, TRCA staff has no objection to the Minor Variance Application as currently submitted.

APPLICATION SPECIFIC COMMENTS
Ontario Regulation 166/06:
Majority of the property is located within TRCA's Regulated Area of the Mimico Creek Watershed and therefore subject to Ontario Regulation 166/06 (as amended) and the policies within TRCA's LCP. Based on our review, it appears that a portion of the parking lot associated with Malton Community Centre is regulated by the TRCA as it is within the Regulatory Storm Floodplain. Please be advised that TRCA staff has issued a permit pursuant to Ontario Regulation 166/06 for the development (TRCA Permit C-43281) on December 11, 2009 to facilitate the construction of an expansion to the Malton Community Centre parking lot.

Also, it appears that no new development or site alteration is being proposed with this application. A TRCA permit pursuant to Ontario Regulation 166/06 is not required. As such, TRCA has no concern with the application as currently submitted. Please note that TRCA has an interest in all future development on the above mentioned property as it may be subject to a TRCA permit."

A letter was received from the Peel District School Board expressing an interest in the application.

No other persons expressed any interest in the application.

The Committee, after considering the submissions put forward by Mr. Da Cunha and having reviewed the plans, is satisfied that the request is desirable for the appropriate further development of the subject property.

The Committee is satisfied that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained in this instance.

The Committee is of the opinion that the requested variance is minor in nature in this instance.

Accordingly, the Committee resolves to authorize and grant the request as presented.

MOVED BY:	J. Page	SECONDED BY:	D. Kennedy	CARRIED

MISSISSAUGA

File: "A" 494/15
WARD 5

Application Approved.

Dated at the City of Mississauga on December 17, 2015.

THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **JANUARY 6, 2016.**

Date of mailing is December 21, 2015.

S. PATRIZIO (CHAIR)

D. GEORGE

ABSENT

J. ROBINSON

D. KENNEDY

J. PAGE

D. REYNOLDS

P. QUINN

I certify this to be a true copy of the Committee's decision given on December 17, 2015.

DAVID L. MARTIN, SECRETARY-TREASURER

A copy of Section 45 of the Planning Act, as amended, is attached.

NOTES:
- A Development Charge may be payable prior to the issuance of a Building Permit.
- Further approvals from the City of Mississauga may be required i.e. a Building Permit, a Zoning Certificate, a License, etc.

MISSISSAUGA

File: "A" 496/15
WARD 11

COMMITTEE OF ADJUSTMENT

IN THE MATTER OF SECTION 45(1) OR (2)
of The Planning Act R.S.O. 1990, c.P.13, as amended
- and -
IN THE MATTER OF ZONING BY-LAW 0225-2007
as amended
- and -
IN THE MATTER OF AN APPLICATION BY

CANADIAN SOCIETY OF PEACE & RELIEF

on Thursday, December 10, 2015

Canadian Society of Peace & Relief is the owner of 6680 Campobello Road being part of Blocks U & V, Registered Plan M-8, zoned E2-1 - Employment. The applicant requests the Committee to authorize a minor variance to permit the construction of an addition to the existing building on the subject property proposing a total of 109 parking spaces on site; whereas By-law 0225-2007, as amended, requires a minimum of 132 parking spaces on the subject property in this instance.

Mr. W. Oughtred of W.E. Oughtred & Associates Inc., authorized agent, attended and presented the application to permit the construction of an addition to the building proposing reduced parking on site. Mr. Oughtred presented a site plan for the Committee's review and consideration and advised that the addition will be a shed addition to hold shoes. Mr. Oughtred indicated that shoes are removed before the participant goes into the prayer area. He indicated that the unheated shed will be utilized for shoe storage.

Mr. Oughtred advised that a similar application was approved by the Committee for a reduction in parking in 2010. He indicated that 109 parking spaces have been provided on site. He indicated that the parking requirement was 128 parking spaces and with the proposed shoe storage shed addition, the parking requirement will be 132. Mr. Oughtred indicated that they are unable to provide an additional four parking spaces so they are requesting a minor variance. He advised that they have an agreement to park on the adjacent site at 6670 Campobello Road.

Mr. Oughtred indicated that the building is a multi-tenant building and the rear portion of the building is occupied by a company performing warehousing and distribution services. He advised that they have an arrangement with this tenant to move their trucks away from the place of religious assembly so that the parking is available for participants.

The Committee reviewed the information and plans submitted with the application.

The City of Mississauga Planning and Building Department commented as follows (December 4, 2015):

"Recommendation:

The Planning and Building Department has no objection to the requested variance, however the applicant may wish to defer the application in order to apply for a Building Permit to verify the accuracy of the requested variance and to determine whether any additional variances will be required.

Background:

Mississauga Official Plan:

Character Area: Meadowvale Business Park Corporate Centre
Designation: Business Employment

Zoning By-law 0225-2007:

Zoning: "E2-1", Employment

Other Applications:

☐ *Building Permit* File: Required - No application received

Comments:

The Planning and Building Department note that a Building Permit is required and in the absence of a Building Permit application, we are unable to verify the accuracy of the requested variance, or determine whether additional variances will be required.

In 2010 a minor variance was approved on the subject property granting them permission to provide 109 parking spaces whereas the by-law required that they provide 128 spaces. The current application requires four additional spaces as a result of the proposed Gross Floor Area (GFA) increase. The GFA increase is a result of a proposed shoe storage area. It is our opinion that the proposed expansion for the purpose of shoe storage would not create a demand for additional parking and the number of spaces provided under the 2010 variance should be sufficient.

Based on the preceding information, the Planning and Building Department has no objection to the requested variance; however, the application may wish to defer the application in order to apply for a Building Permit to ensure that all variances are accurately identified and that no additional variances will be required."

The City of Mississauga Transportation and Works Department commented as follows (December 2, 2015):

"Enclosed for Committee's easy reference are a number of photo's which depict the subject property, in particular the area of the proposed addition."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (December 7, 2015):

"We have no comments and no objections."

The Ministry of Transportation commented as follows (December 4, 2015):

"This email is in regards to file A-496/15 Ward 11 (6680 Campobello Road). The location of the proposal is within MTO's permit control area and permits will be required. MTO will require site plans and a drainage plan to be submitted by the applicant. Once an initial package is submitted, additional information may be requested from the Ministry."

Letters were received from T. Heard, Spirit of Pentacost, 6699 Campobello Road, expressing concerns with respect to parking. Mr. Heard advised that parking is a major concern and users of 6680 Campobello Road park on all other available parking of other buildings on the street, without permission. He indicated that they have installed signage and spoken to the Iman and parishioners requesting that they do not park on their properties to no avail. Mr. Heard also indicated that there is illegal trucking at this location. He advised that complaints to the City of Mississauga and Ward Councillor's office have been contacted and are assisting but parking is still a major concern.

Mr. E. Da Costa, property owner at 6696 Campobello Road, attended and advised that there are cars, trucks and trailers parking on his property. He advised that he has posted signage prohibiting parking and installed barrier gates to keep vehicles from parking on his property. He indicated that when the trailers are picking up goods, they are unable to get out onto the street due to cars parking on both sides of the street. He indicated that the trucks do not move on Fridays to accommodate the parishioners. Mr. Da Costa indicated that although he does not object to the addition for the shoe storage, he is extremely concerned with the parking of trucks on the site as they obstruct five or six parking spaces.

Reverend Heard, of 6699 Campobello Road, attended and advised that parking is a major concern on the property. He advised that on one Friday, there were 109 vehicles parked on the street as well as the parking lot and the school parking lot. He indicated that there is not enough space for all to park so they park on the grass and on adjoining business owner's properties. Reverend Heard advised that the trucks block the parking lot. He advised that parking enforcement have been contacted and By-law Enforcement are currently investigating the trucking operation.

No other persons expressed any interest in the application.

Mr. Oughtred indicated that the parking lot at 6670 Campobello Road is underutilized. He advised that he believes that By-law Enforcement have issued an Order to Comply with respect to the truck parking. He indicated that he is unsure as to whether they are permitted to park vehicles on the site or not under the Zoning By-law. Mr. Oughtred indicated that he believes that there is approximately two years left on the lease for the warehousing and distribution operation.

Mr. Oughtred advised that there are approximately 35 parking spaces provided on the adjacent lands that are underutilized and suggest that improved signage advising parishioners to park there may alleviate the parking problems.

The Committee, after considering the submissions put forward by Mr. Oughtred and having reviewed the plans, is satisfied that the request is desirable for the appropriate further development of the subject property.

The Committee is satisfied that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained in this instance.

The Committee is of the opinion that the requested variance is minor in nature in this instance.

Accordingly, the Committee resolves to authorize and grant the request for a temporary period of two (2) years to expire and/or terminate on December 31, 2017, and is subject to the following conditions:

1. The applicant is to proceed in accordance with the plans reviewed by the Committee.

2. A letter shall be received from the Planning and Building Department confirming that a Parking Agreement, signed and dated by the owners of 6670 and 6680 Campobello Road noting the nature of the shared parking arrangement, continues to be in effect and is in a form that is satisfactory to the Planning and Building Department.

3. A letter shall be received from the Planning and Building Department indicating that appropriate signage has been installed on the subject property advising of the parking available off-site at 6670 Campobello Road.

4. During religious services on site, parking attendants are required to be present to direct attendees to the off-site parking lot or shall ensure that patrons park in the appropriate location. Parking attendants shall wearing appropriate brightly coloured safety vests or other visually identifiable clothing during their duties of directing attendees to appropriate parking locations.

MISSISSAUGA

File: "A" 496/15
WARD 11

MOVED BY:	J. Page	SECONDED BY:	D. Reynolds	CARRIED

Application Approved, temporarily, on conditions as stated.

Dated at the City of Mississauga on December 17, 2015.

THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **JANUARY 6, 2016.**

Date of mailing is December 21, 2015.

S. PATRIZIO (CHAIR)

D. GEORGE

J. ROBINSON

D. KENNEDY

J. PAGE

D. REYNOLDS

DISSENTED

P. QUINN

I certify this to be a true copy of the Committee's decision given on December 17, 2015.

DAVID L. MARTIN, SECRETARY-TREASURER

A copy of Section 45 of the Planning Act, as amended, is attached.

NOTES:
- A Development Charge may be payable prior to the issuance of a Building Permit.
- Further approvals from the City of Mississauga may be required i.e. a Building Permit, a Zoning Certificate, a License, etc.

File: "A" 497/15
WARD 5

COMMITTEE OF ADJUSTMENT

IN THE MATTER OF SECTION 45(1) OR (2)
of The Planning Act R.S.O. 1990, c.P.13, as amended
- and -
IN THE MATTER OF ZONING BY-LAW 0225-2007
as amended
- and -
IN THE MATTER OF AN APPLICATION BY

DIXIE EGLINTON CONSTRUCTION

on Thursday, December 10, 2015

Dixie Eglinton Construction is the owner of 5120 Dixie Road being part of Lot 1, Concession 3, EHS, zoned C3-62 - Commercial. The applicant requests the Committee to authorize a minor variance to permit the operation of an outdoor patio ancillary to the existing restaurant within Unit #1 of the development on the subject property; whereas By-law 0225-2007, as amended, does not permit an outdoor patio use on the subject property in this instance.

Mr. W. Oughtred, of W.E. Oughtred & Associates Inc., authorized agent, attended and presented the application to permit the establishment of an outdoor patio on the subject property. Mr. Oughtred indicated that the patio will be located in an area previously utilized as a drive-through area.

Mr. Oughtred presented a site plan and indicated the location of the new restaurant which will operate within Unit # 1 and the patio will be located between the existing buildings under the covered roof area. He indicated that there will be no changes to the functionality of the site and no adverse impact to the neighbouring properties.

The Committee reviewed the information and plans submitted with the application.

The City of Mississauga Planning and Building Department commented as follows (December 4, 2015):

"Recommendation:

The Planning and Building Department has no objection to the requested variance, however the applicant may wish to defer the application in order to apply for a Certificate of Occupancy to verify the accuracy of the requested variance and to determine whether any additional variances will be required.

Background:

Mississauga Official Plan:

Character Area: Northeast Employment Area (West)
Designation: Mixed Use

Zoning By-law 0225-2007:

Zoning: "C3-62", General Commercial

Other Applications:

☐ *Certificate of Occupancy* File: Required - No application received
☐ *Site Plan* File: Required - No application received

Comments:

The Planning and Building Department note that a Certificate of Occupancy is required and in the absence of a Certificate of Occupancy application, we are unable to verify the accuracy of the requested variance or determine whether additional variances will be required. The applicant may wish to submit a Certificate of Occupancy application in order to ensure that all required variances have been accurately identified.

The proposed patio would be located in a former drive-through area between the standalone restaurant and the rest of the plaza. The main route to the rear of the building is located around the other side of the building between the restaurant and the street; blocking the current drive through area with the patio will not have a negative effect on traffic flow or vehicle movement on the site.

Based on the preceding information the Planning and Building Department has no objection to the requested variance; however, the applicant may wish to defer the application in order to submit a Certificate of Occupancy application to verify the accuracy of the variance and determine whether any additional variances will be required. Additionally, we note that the property is subject to Site Plan Control."

The City of Mississauga Transportation and Works Department commented as follows (December 2, 2015):

"This Department has no objections, comments or requirements with respect to C.A. 'A' 497/15."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (December 7, 2015):

"We have no comments and no objections."

No other persons expressed any interest in the application.

Mr. Oughtred, upon hearing the comments of the Committee and the Planning and Building Department, indicated that he did not wish to defer the application.

The Committee, after considering the submissions put forward by Mr. Oughtred and having reviewed the plans, is satisfied that the request is desirable for the appropriate further development of the subject property.

The Committee is satisfied that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained in this instance.

The Committee is of the opinion that the requested variance is minor in nature in this instance.

Accordingly, the Committee resolves to authorize and grant the request as presented.

MOVED BY:	D. George	SECONDED BY:	J. Page	CARRIED

MISSISSAUGA

File: "A" 497/15
WARD 5

Application Approved.

Dated at the City of Mississauga on December 17, 2015.

THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **JANUARY 6, 2016.**

Date of mailing is December 21, 2015.

S. PATRIZIO (CHAIR)

D. GEORGE

J. ROBINSON

D. KENNEDY

J. PAGE

ABSENT
D. REYNOLDS

ABSENT
P. QUINN

I certify this to be a true copy of the Committee's decision given on December 17, 2015.

DAVID L. MARTIN, SECRETARY-TREASURER

A copy of Section 45 of the Planning Act, as amended, is attached.

NOTES:
- A Development Charge may be payable prior to the issuance of a Building Permit.
- Further approvals from the City of Mississauga may be required i.e. a Building Permit, a Zoning Certificate, a License, etc.

File: "A" 498/15
WARD 9

COMMITTEE OF ADJUSTMENT

IN THE MATTER OF SECTION 45(1) OR (2)
of The Planning Act R.S.O. 1990, c.P.13, as amended
- and -
IN THE MATTER OF ZONING BY-LAW 0225-2007
as amended
- and -
IN THE MATTER OF AN APPLICATION BY

SCHLEGEL VILLAGES INC.

on Thursday, December 10, 2015

Schlegel Villages Inc. is the owner of 2930 Erin Centre Boulevard being part of Lot 2, Registrar's Compiled Plan 1003, zoned RA2-27 - Residential (Apartment Dwellings). The applicant requests the Committee to authorize a minor variance to permit the conveyed and retained lands of Consent applications "B"064/15 & "B"065/15 to be developed as one property pursuant to the Zoning By-law; whereas By-law 0225-2007, as amended, requires the Zoning By-law regulations to apply individually to each property in this instance.

Ms. N. Frieday, of Wellings Planning Consultants Inc., authorized agent, attended and presented the application. Ms. Frieday presented an overall site plan of the subject lands and advised that the first phase of development was the construction of the Long Term Care Facility which is known as the Villages of Erin Meadows. She advised that the second phase of development will be to construct retirement suites and apartments for seniors. She indicated that for legal and financial reasons, Consent applications have been submitted to sever Phase 1 from Phase 2 of the subject lands. She noted that access, parking and service easements will also be required.

Ms. Frieday advised that a minor variance application has been submitted to allow the development to be considered as one property for zoning purposes. She advised that the entire development was planned as one integral development. She advised that to separate the lands into two parcels, variances will be required as the zoning provisions apply to the property lines.

The Committee reviewed the information and plans submitted with the application.

The City of Mississauga Planning and Building Department commented as follows (December 5, 2015):

"Recommendation:

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

Background:

Mississauga Official Plan:

Character Area: Central Erin Mills Major Node
Designation: Residential High Density

Zoning By-law 0225-2007:

Zoning: "RA2-27", Residential

Other Applications:

'B' 64/15 & 'B' 65/15

Comments:

The requested variance is required in order to allow the lands to continue to function as one site, as they currently do, after the consent is complete. The variance is not requesting to modify any other provisions of the by-law and the zoning that is currently in place would still apply. Based on this, the Planning and Building Department has no objection to the requested variance."

The City of Mississauga Transportation and Works Department commented as follows (December 2, 2015):

"We are noting for information purposes that any Transportation and Works Department concerns/requirements for this property will be addressed under Consent Applications 'B' 64 and 65/15."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (December 7, 2015):

"We have no comments and no objections to the application."

No other persons expressed any interest in the application.

The Committee, after considering the submissions put forward by Ms. Frieday and having reviewed the plans, is satisfied that the request is desirable for the appropriate further development of the subject property.

The Committee is satisfied that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained in this instance.

The Committee is of the opinion that the requested variance is minor in nature in this instance.

Accordingly, the Committee resolves to authorize and grant the request as presented.

MOVED BY:	J. Robinson	SECONDED BY:	D. George	CARRIED

MISSISSAUGA

File: "A" 498/15
WARD 9

Application Approved.

Dated at the City of Mississauga on December 17, 2015.

THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **JANUARY 6, 2016.**

Date of mailing is December 21, 2015.

S. PATRIZIO (CHAIR)

D. GEORGE

J. ROBINSON

D. KENNEDY

J. PAGE

D. REYNOLDS

P. QUINN

I certify this to be a true copy of the Committee's decision given on December 17, 2015.

DAVID L. MARTIN, SECRETARY-TREASURER

A copy of Section 45 of the Planning Act, as amended, is attached.

NOTES:
- A Development Charge may be payable prior to the issuance of a Building Permit.
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