



## COMMITTEE OF ADJUSTMENT AGENDA

Location: COUNCIL CHAMBER  
Hearing: JULY 16, 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
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### NEW APPLICATIONS - (CONSENT)

B-027/15 B-028/15 B-029/15	2402980 ONTARIO INC	2387 OLD CARRIAGE RD	7	Approved
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### DEFERRED APPLICATIONS - (CONSENT)

B-021/15	MAGELLAN AEROSPACE LIMITED	3160 DERRY RD E	5	Aug. 13
B-055/14 A-354/14 A-355/14	SARUP ENTERPRISES INC	35 COURTNEYPARK DR W	5	Approved

### NEW APPLICATIONS - (MINOR VARIANCE)

A-293/15	NAVEED YUSUF	3939 DUKE OF YORK BLVD	7	Approved
A-296/15	FELISBELA CARDOSO	2175 STIR CRES	1	Approved
A-304/15	SUNREEP & GURJEET RAI	6892 CAMPBELL SETTLER CRT	11	Approved
A-305/15	RICHARD GOORA	42 LAKE ST	1	Approved
A-306/15	MICHAEL MURPHY	1073 GARDNER AVE	1	Approved
A-307/15	LESZEK SEKUNDA	221 BARONDALE DR	5	Approved
A-308/15	ALESSANDRO RUTA	1413 GLENBURNIE RD	1	Approved
A-309/15	EMIDIO PIERGIOVANNI	1801 NORTH SHERIDAN WAY	8	Approved
A-310/15	REDBOURNE ERINDALE PROPERTIES II INC, REDBOURNE ERINDALE PROPERTIES II LP INC, REDBOURNE ERINDALE PROPERTIES III INC & REDBOURNE ERINDALE PROPERTIES III LP INC	1270 CENTRAL PKY W	6	Approved
A-311/15	ALI MUSSA	2454 MISSISSAUGA RD	8	Refused

## 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

2402980 ONTARIO INC

on Thursday July 16, 2015

2402980 Ontario Inc is the owner of parts of Lots 2 & 9, Registered Plan 366, located and known as 2387 Old Carriage Road, zoned R2 - Residential. The applicant requests the consent of the Committee to the conveyance of a parcel of land having a frontage of approximately 19.18 m (62.92 ft.) and an area of approximately 1,227.00 m<sup>2</sup> (13,207.75 sq. ft.). The effect of the application is to create a new lot for residential purposes.

The lands are also the subject to Consent files "B"028/15 & "B"029/15.

Mr. W. Oughtred, authorized agent, attended and presented the application to convey a parcel of land for the creation of a new residential lot. Mr. Oughtred advised the Committee that the subject application was identical to an application that had been previously approved by the Committee. He explained that the previous application had lapsed as his client was unable to address all of the conditions of approval within the required legislative time. Mr. Oughtred explained that no changes were proposed pursuant to the current application and confirmed that his client would continue to resolve the outstanding conditions of approval with staff.

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 10, 2015),  
City of Mississauga, Transportation and Works Department (July 9, 2015),  
City of Mississauga, Community Services Department, Park Planning (July 13, 2015),  
Region of Peel, Environment, Transportation and Planning Services (July 13, 2015),

Mr. E. Baldan, a resident of 2371 Old Carriage Road, attended and indicated his interest in the subject application. He noted his desire for the dwellings that would be constructed on the properties to be identical to those previously reviewed pursuant to earlier Consent and Minor Variance applications.

Mr. V. Vindigis, a resident of 2369 Old Carriage Road, attended and expressed his concerns with the maintenance of the property.

No other persons expressed any interest in the application.

The Secretary-Treasurer reviewed the recommended conditions for the Committee's consideration should the application be approved. He noted that the matters addressed in the Region of Peel report would be addressed at the building permit stage and that this condition could be deleted.

Mr. Ought consented to the imposition of the proposed conditions with the deletion of the condition with respect to the report by the Region of Peel. Mr. Oughtred confirmed that he would speak to his client about ensuring that the property would be maintained in an appropriate manner.

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 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/Supervisor, Zoning Plan Examination, indicating that the conveyed 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 July 9, 2015.
5. A letter shall be received from the City of Mississauga, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated July 13, 2015.
6. The Secretary-Treasurer's Certificates under the Planning Act shall be issued, simultaneously, with respect to the conveyed lands of applications "B"27/15, "B"28/15 & "B"29/15.

MOVED BY: J. Robinson      SECONDED BY: S. Patrizio      CARRIED

Application Approved on conditions as stated.

Dated at the City of Mississauga on July 23, 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 AUGUST 16, 2015.

Date of mailing is July 27, 2015.



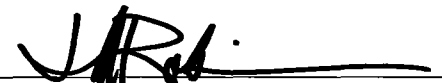
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S. PATRIZIO



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D. GEORGE (CHAIR)



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J. ROBINSON



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D. KENNEDY



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J. PAGE



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D. REYNOLDS



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P. QUINN

I certify this to be a true copy of the Committee's decision given on July 23, 2015.



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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 July 27, 2016.

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



## 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

2402980 ONTARIO INC

on Thursday July 16, 2015

2402980 Ontario Inc is the owner of parts of Lots 2 & 9, Registered Plan 366, located and known as 2375 Old Carriage Road, zoned R2 - Residential. The applicant requests the consent of the Committee to the conveyance of a parcel of land having a frontage of approximately 19.61 m (64.33 ft.) and an area of approximately 1,125.10 m<sup>2</sup> (12,110.87 sq. ft.). The effect of the application is to create a new lot for residential purposes.

The lands are also the subject to Consent files "B"027/15 & "B"029/15.

Mr. W. Oughtred, authorized agent, attended and presented the application to convey a parcel of land for the creation of a new residential lot. Mr. Oughtred advised the Committee that the subject application was identical to an application that had been previously approved by the Committee. He explained that the previous application had lapsed as his client was unable to address all of the conditions of approval within the required legislative time. Mr. Oughtred explained that no changes were proposed pursuant to the current application and confirmed that his client would continue to resolve the outstanding conditions of approval with staff.

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 10, 2015),  
City of Mississauga, Transportation and Works Department (July 9, 2015),  
City of Mississauga, Community Services Department, Park Planning (July 13, 2015),  
Region of Peel, Environment, Transportation and Planning Services (July 13, 2015),

Mr. E. Baldan, a resident of 2371 Old Carriage Road, attended and indicated his interest in the subject application. He noted his desire for the dwellings that would be constructed on the properties to be identical to those previously reviewed pursuant to earlier Consent and Minor Variance applications.

Mr. V. Vindigis, a resident of 2369 Old Carriage Road, attended and expressed his concerns with the maintenance of the property.

No other persons expressed any interest in the application.

The Secretary-Treasurer reviewed the recommended conditions for the Committee's consideration should the application be approved. He noted that the matters addressed in the Region of Peel report would be addressed at the building permit stage and that this condition could be deleted.

Mr. Ought consented to the imposition of the proposed conditions with the deletion of the condition with respect to the report by the Region of Peel. Mr. Oughtred confirmed that he would speak to his client about ensuring that the property would be maintained in an appropriate manner.

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 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/Supervisor, Zoning Plan Examination, indicating that the conveyed 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 July 9, 2015.
5. A letter shall be received from the City of Mississauga, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated July 13, 2015.
6. The Secretary-Treasurer's Certificates under the Planning Act shall be issued, simultaneously, with respect to the conveyed lands of applications "B"27/15, "B"28/15 & "B"29/15.



File: "B" 028/15  
WARD 7

MOVED BY: J. Robinson      SECONDED BY: S. Patrizio      CARRIED

Application Approved on conditions as stated.


Dated at the City of Mississauga on July 23, 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 AUGUST 16, 2015.


Date of mailing is July 27, 2015.

  
S. PATRIZIO

  
D. GEORGE (CHAIR)

  
J. ROBINSON

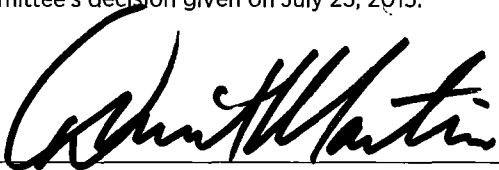
  
D. KENNEDY

  
J. PAGE

  
D. REYNOLDS

  
P. QUINN

I certify this to be a true copy of the Committee's decision given on July 23, 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 July 27, 2016.

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

## 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

2402980 ONTARIO INC

on Thursday July 16, 2015

2402980 Ontario Inc is the owner of parts of Lots 2 & 9, Registered Plan 366, located and known as 2387 Old Carriage Road, zoned R2 - Residential. The applicant requests the consent of the Committee to the conveyance of a parcel of land having a frontage of approximately 20.18 m (66.20 ft.) and an area of approximately 1,003.00 m<sup>2</sup> (10,796.55 sq. ft.). The effect of the application is to create a new lot for residential purposes.

The lands are also the subject to Consent files "B"027/15 & "B"028/15.

Mr. W. Oughtred, authorized agent, attended and presented the application to convey a parcel of land for the creation of a new residential lot. Mr. Oughtred advised the Committee that the subject application was identical to an application that had been previously approved by the Committee. He explained that the previous application had lapsed as his client was unable to address all of the conditions of approval within the required legislative time. Mr. Oughtred explained that no changes were proposed pursuant to the current application and confirmed that his client would continue to resolve the outstanding conditions of approval with staff.

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 10, 2015),  
City of Mississauga, Transportation and Works Department (July 9, 2015),  
City of Mississauga, Community Services Department, Park Planning (July 13, 2015),  
Region of Peel, Environment, Transportation and Planning Services (July 13, 2015),

Mr. E. Baldan, a resident of 2371 Old Carriage Road, attended and indicated his interest in the subject application. He noted his desire for the dwellings that would be constructed on the properties to be identical to those previously reviewed pursuant to earlier Consent and Minor Variance applications.

Mr. V. Vindigis, a resident of 2369 Old Carriage Road, attended and expressed his concerns with the maintenance of the property.

No other persons expressed any interest in the application.

The Secretary-Treasurer reviewed the recommended conditions for the Committee's consideration should the application be approved. He noted that the matters addressed in the Region of Peel report would be addressed at the building permit stage and that this condition could be deleted.



Mr. Ought consented to the imposition of the proposed conditions with the deletion of the condition with respect to the report by the Region of Peel. Mr. Oughtred confirmed that he would speak to his client about ensuring that the property would be maintained in an appropriate manner.

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:

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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 July 9, 2015.
5. A letter shall be received from the City of Mississauga, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated July 13, 2015.
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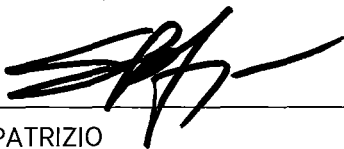
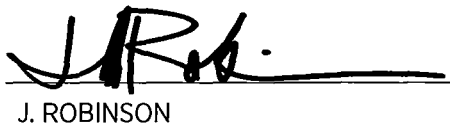
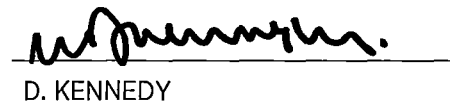
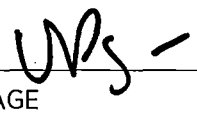
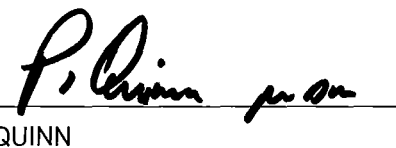
MOVED BY: J. Robinson      SECONDED BY: S. Patrizio      CARRIED

Application Approved on conditions as stated.

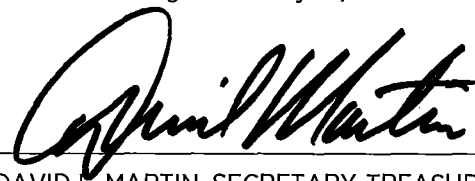
Dated at the City of Mississauga on July 23, 2015.

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 AUGUST 16, 2015.

Date of mailing is July 27, 2015.

  
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S. PATRIZIO  
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D. GEORGE (CHAIR)  
\_\_\_\_\_  
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 July 23, 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 July 27, 2016.

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

## 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

SARUP ENTERPRISES INC

on Thursday July 16, 2015

Sarup Enterprises Inc is the owner of part of Block 4, Registered M-1544, located and known as 35 Courtneypark Drive West, zoned E1-8, Employment. The applicant requests the consent of the Committee to the conveyance of a parcel of land having a frontage of approximately 75.818 m (248.87ft.) onto Courtneypark Drive West and an area of approximately 5,092.60 m<sup>2</sup> (54,818.08 sq. ft.). The effect of the application is to create a new lot for employment purposes and for the creation of reciprocal easements and rights-of-way for vehicular and pedestrian access, parking and site serving on all lands not improved with structures.

The lands are also the subject to Minor Variance files "A"354/14 & "A"355/14.

On October 23, 2014, Mr. D. Brown, the authorized agent, attended and presented the application to request the consent of the Committee for the conveyance of the subject property, to allow for the creation of a new lot for employment purposes as well as the creation of reciprocal easements and rights-of-way. Mr. Brown displayed a site plan and advised the Committee that the proposed severance would accommodate an existing hotel building on the severed lands and facilitate the further development of the site with a new hotel building on the retained lands. He noted that the site would have shared servicing easements as well as shared easements and rights-of-ways for vehicular access, pedestrian access and parking. It was the opinion of Mr. Brown that a blanket easement would facilitate the lands to function as one site. Mr. Brown advised the Committee that a Site Plan application would be submitted once an appropriate financing arrangement for the further development of the site has been arranged.

Mr. Brown noted that the lands were also subject to minor variance applications for both the severed and retained lands, requesting an existing access to a public roadway on the westerly end of the site to be a shared right-of-way as well as, a shared parking arrangement for the site.

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 (October 17, 2014),  
City of Mississauga, Transportation and Works Department (October 17, 2014),  
City of Mississauga, Community Services Department, Park Planning (October 22, 2014),  
Region of Peel, Environment, Transportation and Planning Services (October 23, 2014),

No other persons expressed any interest in the application.

There was some discussion regarding the accuracy of the minor variance request for shared parking on site associated with the subject application. The Committee expressed concerns for the subject application, noting that insufficient information was available to evaluate the

implementation of the shared parking arrangement if the consent was granted. The Committee indicated its preference for a revised site plan that would identify the parking spaces that would be located on site and partially off-site for both the retained and severed lands.

Mr. Brown requested a deferral of the subject applications to allow for additional time to review and confirm the accuracy of the requests.

The Committee consented to the request and deferred the applications to the December 11, 2014 hearing.

On December 11, 2014, Mr. D. Brown, the authorized agent, attended and requested for the applications to be deferred to allow him the necessary time to file a Site Plan Approval application as requested by the Planning and Building Department. He noted that staff required this application to confirm the accuracy of the requested variances and to confirm if any additional variances would 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 10, 2014),  
City of Mississauga, Transportation and Works Department (December 4, 2014),  
City of Mississauga, Community Services Department, Park Planning (December 5, 2014),

No other persons expressed any interest in the application.

The Committee consented to the request and deferred the applications to the March 26, 2015 hearing.

On March 26, 2015, Mr. J. Levac, the authorized agent, attended and requested a deferral of the subject application. Mr. Levac advised the Committee that he had been recently retained by the applicant to assist in processing the application and indicated that additional time was required in order to submit a necessary Site Plan Control application for the proposed development.

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 (March 20, 2015),  
City of Mississauga, Transportation and Works Department (March 19, 2015),  
Region of Peel, Environment, Transportation and Planning Services (March 23, 2015),

No other persons expressed any interest in the application.

The Committee consented to the request and deferred the application to the June 4, 2015 hearing.

On June 4, 2015, Mr. J. Levac, the authorized agent, attended and requested a deferral of the application. He explained that the proposed new mutual lot line had been reconfigured to allow for enhanced parking arrangements for both the conveyed and retained lands and that additional time was required to confirm the accuracy of the associated Minor Variance applications.

Mr. Levac noted that the application required an amendment to allow for a frontage of 75.426 m (247.46 ft.) and a lot area of 5,089.20 m<sup>2</sup> (54,781.48 sq. ft.).

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 (May 28, 2015),  
Region of Peel, Environment, Transportation and Planning Services (June 1, 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. J. Levac, the authorized agent, attended and presented the application to permit the partitioning of the property into two lots to facilitate the development of the properties for hotel purposes. Mr. Levac indicated that the previous deferrals were required to address various urban design and parking issues. Mr. Levac indicated that the proposed conveyance would partition the property in a unique manner which resulted in an uneven lot line and for the conveyed lands not to have frontage onto a public roadway. He explained that the unique lot line would result in a side yard deficiency for the retained lands. Mr. Levac noted that this lot line was required to allow each property sufficient space to provide parking. Mr. Levac confirmed that the two properties would have the functionality and appearance of one property with mutual drive aisles for circulation purposes.

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 14, 2015),  
City of Mississauga, Transportation and Works Department (July 9, 2015),

No other persons expressed any interest in the application.

The Secretary-Treasurer reviewed the recommended conditions for the Committee's consideration should the application be approved.

Mr. Levac consented to the imposition of the proposed conditions.

The Committee consented to the request to amend the application to permit the conveyance of a parcel of land having a frontage of approximately 75.426 m (247.46 ft.) onto Courtneypark Drive West and an area of approximately 5,089.20 m<sup>2</sup> (54,781.48 sq. ft.). The effect of the application is to create a new lot for employment purposes and for the creation of reciprocal easements and rights-of-way for vehicular and pedestrian access, parking and site serving on all lands not improved with structures.

The Committee, after considering the submissions put forward by Mr. Levac, 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. ("A" 354/14 & "A" 355/14)
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 July 09, 2015.
5. A letter shall be received from the City of Mississauga, Community Services Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated October 22, 2014.
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 June 1, 2015.



MOVED BY: J. Page      SECONDED BY: S. Patrizio      CARRIED

Application Approved on conditions as stated.

Dated at the City of Mississauga on July 23, 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 AUGUST 16, 2015.

Date of mailing is July 27, 2015.

S. PATRIZIO

D. GEORGE (CHAIR)

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 July 23, 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 July 27, 2016.

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

## 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

SARUP ENTERPRISES INC

on Thursday July 16, 2015

Sarup Enterprises Inc is the owner of part of Block 4, Registered Plan M-1544, located and known as 35 Courtneypark Drive West, zoned E1-8 - Employment. The applicant requests the Committee to authorize a minor variance to permit the creation of a lot (being the conveyed lands of Consent application "B"55/14) and for the construction of a new hotel building on the conveyed lands proposing:

1. an interior side yard of 0.82 m (2.69 ft.); whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 4.50 (14.76 ft.) in this instance;
2. a total of one (1) loading spaces on site; whereas By-law 0225-2007, as amended, requires a total of two (2) loading spaces on site for the proposed hotel in this instance; and,
3. to provide drive aisles to be located partially off-site on the retained lands of Consent application "B"55/14; whereas By-law 0225-2007, as amended, requires all drive aisles to be located wholly on site in this instance.

On October 23, 2014, Mr. D. Brown, the authorized agent, attended and presented the application to request the consent of the Committee for the conveyance of the subject property, to allow for the creation of a new lot for employment purposes as well as the creation of reciprocal easements and rights-of-way. Mr. Brown displayed a site plan and advised the Committee that the lands would accommodate an existing hotel building on the severed lands and a new hotel building on the retained lands.

Mr. Brown noted that the subject application proposed to provide parking spaces and drive aisle to be located partially off-site on the retained lands. He noted that the retained and severed lands would have shared servicing easements as well as shared easements and rights-of-ways for vehicular access, pedestrian access and parking. It was the opinion of Mr. Brown that a blanket easement would facilitate the lands to function as one site. Mr. Brown advised the Committee that a Site Plan application would be submitted once an appropriate financing arrangement for the further development of the site has been arranged.

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





File: "A" 354/14  
WARD 5

The City of Mississauga Planning and Building Department commented as follows (October 17, 2014):

"1.0 RECOMMENDATION

The Planning and Building Department recommends that the applications be deferred for the applicant to submit a Site Plan application and for staff to evaluate the requests through the Site Plan process.

2.0 BACKGROUND

*Mississauga Official Plan*

*Character Area:* Gateway Corporate Centre  
*Designation:* Business Employment - Special Site 1

*Zoning By-law 0225-2007*

*Zoning:* "E1-8", Employment in Nodes

3.0 OTHER APPLICATIONS

*Site Plan* File: Required - No application received

4.0 COMMENTS

In regards to 'A' 355/14, based on a review of the application, we advise that the variance request should be amended as follows:

"The applicant requests the Committee to authorize a minor variance to permit the creation of a lot (being the retained lands of Consent application "B" 55/14) proposing:

1. access to a public roadway via a right-of-way over the conveyed lands of Consent application "B" 55/14; whereas By-law 0225-2007, as amended, requires the subject property to have access to a public roadway wholly contained on site in this instance; and,
2. parking spaces and drive aisles to be located partially off-site on the conveyed lands of Consent application "B"55/14; whereas By-law 0225-2007, as amended, requires all parking spaces and drive aisles to be located wholly on-site in this instance."

Further, we advise that the proposed frontage indicated within the request appears to have been calculated incorrectly.

It is our understanding that the subject applications will facilitate the construction of a hotel on the proposed severed lands, with partial drive aisles and parking spaces located off-site and reciprocal easements and rights-of-way for vehicular and pedestrian access. The proposed hotel would require Site Plan Approval and this Department has not yet received an application.

The appropriateness of the requested severance and minor variances would be evaluated through the Site Plan process. Until such time that we are in receipt of an application and sufficient evaluation has been conducted, we are not in a position to comment on the subject applications. Further, through the Site Plan process, staff can verify if there will be sufficient parking for both buildings and whether a parking survey for the off-site parking will be required.

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

The City of Mississauga Transportation and Works Department commented as follows (October 17, 2014):

"We are noting that any Transportation and Works concerns/requirements for this property will be addressed under Consent Application 'B' 55/14."



# MISSISSAUGA

File: "A" 354/14  
WARD 5

The Region of Peel, Environment, Transportation and Planning Services, commented as follows (October 23, 2014):

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

Condition:

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

No other persons expressed any interest in the application.

There was some discussion regarding the accuracy of the minor variance request for shared parking on site. The Committee expressed concerns for the subject application, noting that insufficient information was available to evaluate the implementation of the shared parking arrangement. The Committee indicated its preference for a revised site plan that would identify the parking spaces that would be located on site and partially off-site for both the retained and severed lands.

Mr. Brown requested a deferral of the subject applications to allow for additional time to review and confirm the accuracy of the request.

The Committee consented to the request and deferred the applications to the December 11, 2014 hearing.

On December 11, 2014, Mr. D. Brown, the authorized agent, attended and requested for the applications to be deferred to allow him the necessary time to file a Site Plan Approval application as requested by the Planning and Building Department. He noted that staff required this application to confirm the accuracy of the requested variances and to confirm if any additional variances would be required.

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

The City of Mississauga Planning and Building Department commented as follows (December 10, 2014):

### 1.0 RECOMMENDATION

As the subject applications are premature, the Planning and Building Department recommends that they be refused.

### 2.0 BACKGROUND

#### *Mississauga Official Plan*

*Character Area:* Gateway Corporate Centre  
*Designation:* Business Employment - Special Site 1

#### *Zoning By-law 0225-2007*

*Zoning:* "E1-8", Employment in Nodes

### 3.0 OTHER APPLICATIONS

- Site Plan* File: Required - No application received
- Building Permit* File: Required - No application received

#### 4.0 COMMENTS

We advise that the proposed frontage indicated within the request has been calculated incorrectly. The lot frontage is required to be calculated in accordance with the definition indicated within Part 1 of By-law 0225-2007.

Further, for 'A' 354/14, we note that Site Plan Approval and Building Permit applications are required and in the absence of a Site Plan or Building Permit application, we are unable to ensure that all required variances have been identified.

It is our understanding that the subject applications will facilitate the construction of a hotel on the proposed severed lands. The proposed hotel would require Site Plan Approval and this Department has not yet received an application.

If approved, severance of the subject lands would create two separate parcels that would require reciprocal access easements and rights-of-way. On-site parking for the retained parcel would be significantly deficient and would rely on parking to be provided on the severed parcel, which would be under separate ownership. The minor variances being sought cannot legally obligate the owner of the severed parcel to provide the deficient parking spaces required by the retained parcel owner. The property owner of the severed parcel is only obligated to meet the 'E1-8' as-of-right zone provisions that currently apply to the property, and would not be restricted by the minor variances being sought. Therefore, the proposed hotel on the severed parcel may cause the retained parcel to become non-compliant to the Zoning By-law and cause a significant parking deficiency on the retained property.

The Planning and Building Department would also need to determine the most appropriate location of any access easement on the severed parcel in order to not preclude the placement of a building at the street in accordance with good urban design principles.

The applicant should submit a Site Plan application in order that sufficient evaluation can be conducted to determine the appropriateness of the requests. Until such time, we advise that the subject applications as requested are premature."

The City of Mississauga Transportation and Works Department commented as follows (December 4, 2014):

"We are noting that any Transportation and Works Department concerns/requirements for this property will be addressed under Consent Application 'B' 55/14."

The Region of Peel, Environment, Transportation and Planning Services, commented as follows (December 5, 2014):

"Please note that severing the lands may adversely affect the existing location of water and sanitary sewer services. The applicant may be required to install new water and/or sanitary servicing connections to either the severed or retained lands, in compliance with the Ontario Building Code. This may require dedicated land for private water and/or sanitary sewer servicing easements.

Arrangements satisfactory to the Region of Peel, Public Works shall be made with respect to the location of existing services and the installation thereof, as well as any required private service easements."

No other persons expressed any interest in the application.

The Committee consented to the request and deferred the applications to the March 26, 2015 hearing.

On March 26, 2015, Mr. J. Levac, the authorized agent, attended and requested a deferral of the subject application. Mr. Levac advised the Committee that he had been recently retained by the applicant to assist in processing the application and indicated that additional time was



**MISSISSAUGA**

File: "A" 354/14  
WARD 5

required in order to submit a necessary Site Plan Control application for the proposed development.

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

The City of Mississauga Planning and Building Department commented as follows (March 20, 2015):

"1.0 RECOMMENDATION

The Planning and Building Department recommends that the applications be deferred for the applicant to submit the required Site Plan application and for staff to conduct sufficient evaluation of the Site Plan in view of the requested Consent and variances.

2.0 BACKGROUND

*Mississauga Official Plan*

*Character Area:* Gateway Corporate Centre  
*Designation:* Business Employment - Special Site 1

*Zoning By-law 0225-2007*

*Zoning:* "E1-8", Employment in Nodes

3.0 OTHER APPLICATIONS

*Site Plan* File: Required - No application received  
 *Building Permit* File: Required - No application received

4.0 COMMENTS

We note that when these applications were heard on December 11, 2014, the applicant requested a deferral to allow for necessary time to file a Site Plan application as requested by staff. Staff have had preliminary meetings with the applicant, but have not received a formal Site Plan application.

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

The City of Mississauga Transportation and Works Department commented as follows (March 20, 2015):

"Please refer to our comments submitted for the October 23, 2014 hearing of this application as those comments are still applicable."

The Region of Peel, Environment, Transportation and Planning Services, commented as follows (March 23, 2015):

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

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

No other persons expressed any interest in the application.



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File: "A" 354/14  
WARD 5

The Committee consented to the request and deferred the application to the June 4, 2015 hearing.

On June 4, 2015, Mr. J. Levac, the authorized agent, attended and requested a deferral of the application. He explained that the proposed new mutual lot line had been reconfigured to allow for enhanced parking arrangements for both the conveyed and retained lands and that additional time was required to confirm the accuracy of the associated Minor Variance applications.

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

The City of Mississauga Planning and Building Department commented as follows (June 3, 2015):

### "1.0 RECOMMENDATION

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

### 2.0 BACKGROUND

#### *Mississauga Official Plan*

*Character Area:* Gateway Corporate Centre  
*Designation:* Business Employment - Special Site 1

#### *Zoning By-law 0225-2007*

*Zoning:* "E1-8", Employment in Nodes

### 3.0 OTHER APPLICATIONS

*Site Plan* File: SP 15-36 W5

### 4.0 COMMENTS

Based on correspondence received from the applicant dated May 29, 2015, it is our understanding that the application will be deferred for the applicant to revise the proposed severance line, resulting in a change to the requested variances. We concur with the deferral request."

The City of Mississauga Transportation and Works Department commented as follows (May 28, 2015):

"Please refer to our comments submitted for the October 23, 2014 hearing of this application as those comments are still applicable."

The Region of Peel, Environment, Transportation and Planning Services, commented as follows (June 1, 2015):

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

#### Condition:

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

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. J. Levac, the authorized agent, attended and presented the application to permit the partitioning of the property into two lots to facilitate the development of the properties for hotel purposes. Mr. Levac indicated that the previous deferrals were required to address various urban design and parking issues. Mr. Levac indicated that the proposed conveyance would partition the property in a unique manner which resulted in an uneven lot line and for the conveyed lands not to have frontage onto a public roadway. He explained that the unique lot line would result in a side yard deficiency for the retained lands. Mr. Levac noted that this lot line was required to allow each property sufficient space to provide parking. Mr. Levac confirmed that the two properties would have the functionality and appearance of one property with mutual drive aisles for circulation purposes.

Mr. Levac noted that the conveyed lands would be deficient one loading space. It was his opinion that the size and scale of the hotel operation would be sufficiently accommodated by one loading space.

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

The City of Mississauga Planning and Building Department commented as follows (July 14, 2015):

#### "1.0 RECOMMENDATION

The Planning and Building Department has no objection to the Consent application, provided that the severed and retained lands comply with the provisions of By-law 0225-2007, as amended. Further, we have no objection to the requested variances as amended. However, the applicant may wish to defer the applications to submit the requested information to ensure that all required variances have been accurately identified.

#### 2.0 BACKGROUND

##### *Mississauga Official Plan*

*Character Area:* Gateway Corporate Centre  
*Designation:* Business Employment - Special Site 1

##### *Zoning By-law 0225-2007*

*Zoning:* "E1-8", Employment in Nodes

#### 3.0 OTHER APPLICATIONS

1 Site Plan File: SP 15-36 W5 - Satisfactory

#### 4.0 COMMENTS

For 'B' 55/14, we advise that the proposed frontage indicated within the request has been calculated incorrectly. The lot frontage is required to be calculated in accordance with the definition indicated within Part 1 of By-law 0225-2007.

For 'A' 354/14, based on a review of the Site Plan application for the proposed hotel, we advise that variances #1 and #3 should be amended as follows:

- "1. An interior side yard of 0.82 m (2.69 ft.); whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 4.50 m (14.76 ft.) in this instance;"
- "3. to provide parking spaces and parking space aisles to be located partially off-site on the retained lands of Consent application "B" 55/14; whereas By-law 0225-2007, as



## MISSISSAUGA

File: "A" 354/14  
WARD 5

amended, requires all parking spaces and parking space aisles to be located wholly on site in this instance."

In addition, we advise that additional information is required to verify the accuracy of the requested variances and to determine whether additional variances will be required.

For 'A' 355/14, based on a review of the Site Plan application for the proposed hotel, we advise that variance #2 should be amended as follows:

- "2. to provide parking spaces and parking space aisles to be located partially off-site on the severed lands of Consent application "B"55/14; whereas By-law 0225-2007, as amended, requires all parking spaces and parking space aisles to be located wholly on site in this instance."

In addition, we advise that more information is required to verify the accuracy of the requested variances and to determine whether additional variances will be required.

We advise that for the purposes of evaluating the subject applications, the Site Plan application has reached a satisfactory stage.

Further, we advise that circulation of traffic on the site and the parking lot configuration has been sufficiently evaluated through the Site Plan application, and we are satisfied with the proposed layout. It is our understanding that reciprocal easements and rights-of-way for pedestrian and vehicular access, parking and site servicing will be established so that the two hotels will function as if they were located on the same lot. In regards to the parking variance, we advise that a Parking Justification Letter dated July 13, 2015, satisfactorily justifies the requested reduction in parking.

Based on the preceding information, we have no objection to the Consent application, provided that the severed and retained lands comply with By-law 0225-2007, as amended, or alternatively, that any minor variance(s) is approved, final and binding and/or the demolition of any existing building(s) is complete. Further, we have no objection to the requested variances, as amended."

The City of Mississauga Transportation and Works Department commented as follows (July 9, 2015):

"Please refer to our comments submitted for the October 23, 2013 hearing of this application as those comments are still applicable."

A memorandum was received from Ward Councillor Parrish expressing support for the subject application.

No other persons expressed any interest in the application.

Mr. Levac upon hearing the comments of the Committee and the Planning and Building Department, requested that the application be amended in accordance with their recommendations.

The Committee consented to the request and, after considering the submissions put forward by Mr. Levac and having reviewed the plans and comments received, is satisfied that the amended 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 amended request is minor in nature in this instance.



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File: "A" 354/14  
WARD 5

Accordingly, the Committee resolves to authorize and grant the amended request to permit the creation of a lot (being the conveyed lands of Consent application "B"55/14) and for the construction of a new hotel building on the conveyed lands proposing:

1. An interior side yard of 0.82 m (2.69 ft.); whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 4.50 m (14.76 ft.) in this instance;
2. a total of one (1) loading spaces on site; whereas By-law 0225-2007, as amended, requires a total of two (2) loading spaces on site for the proposed hotel in this instance; and,
3. to provide parking spaces and parking space aisles to be located partially off-site on the retained lands of Consent application "B" 55/14; whereas By-law 0225-2007, as amended, requires all parking spaces and parking space aisles to be located wholly on site in this instance.

MOVED BY: J. Page                      SECONDED BY: S. Patrizio                      CARRIED

Application Approved, as amended.


Dated at the City of Mississauga on July 23, 2015.

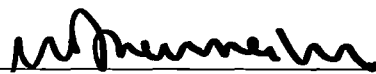
THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE AUGUST 12, 2015.

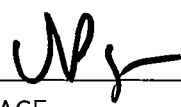
Date of mailing is July 27, 2015.

  
S. PATRIZIO

  
D. GEORGE (CHAIR)

  
J. ROBINSON

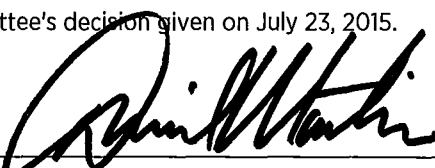
  
D. KENNEDY

  
J. PAGE

  
D. REYNOLDS

  
P. QUINN

I certify this to be a true copy of the Committee's decision given on July 23, 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.



## 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

SARUP ENTERPRISES INC

on Thursday July 16, 2015

Sarup Enterprises Inc is the owner of part of Block 4, Registered Plan M-1544, located and known as 35 Courtneypark Drive West, zoned E1-8 - Employment. The applicant requests the Committee to authorize a minor variance to permit the creation of a lot (being the retained lands of Consent application "B"55/14) having no frontage onto a public roadway and for the construction of a hotel building proposing:

1. to have no frontage onto a public roadway but having access to a public roadway via a right-of-way over the conveyed lands of Consent application "B" 55/14; whereas By-law 225-2007, as amended, requires the subject property to have access to a public roadway in this instance;
2. to provide parking space aisles to be located partially off-site on the proposed severed lands of Consent application "B" 55/14; whereas By-law 225-2007, as amended, requires all parking space aisles to be located wholly on site in this instance; and,
3. total of 60 parking spaces on site; whereas By-law 0225-2007, as amended, requires a total of 66 parking spaces on site for the proposed hotel in this instance.

On October 23, 2014, Mr. D. Brown, the authorized agent, attended and presented the application to request the consent of the Committee for the conveyance of the subject property, to allow for the creation of a new lot for employment purposes as well as the creation of reciprocal easements and rights-of-way. Mr. Brown displayed a site plan and advised the Committee that the lands would accommodate an existing hotel building on the severed lands and a new hotel building on the retained lands.

Mr. Brown noted that the subject application proposed to provide parking spaces and drive aisle to be located partially off-site on the retained lands. He noted that the retained and severed lands would have shared servicing easements as well as shared easements and rights-of-ways for vehicular access, pedestrian access and parking. It was the opinion of Mr. Brown that a blanket easement would facilitate the lands to function as one site. Mr. Brown advised the Committee that a Site Plan application would be submitted once an appropriate financing arrangement for the further development of the site has been arranged.

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



# MISSISSAUGA

File: "A" 355/14  
WARD 5

The City of Mississauga Planning and Building Department commented as follows (October 17, 2014):

### 1.0 RECOMMENDATION

The Planning and Building Department recommends that the applications be deferred for the applicant to submit a Site Plan application and for staff to evaluate the requests through the Site Plan process.

### 2.0 BACKGROUND

#### *Mississauga Official Plan*

*Character Area:* Gateway Corporate Centre  
*Designation:* Business Employment - Special Site 1

#### *Zoning By-law 0225-2007*

*Zoning:* "E1-8", Employment in Nodes

### 3.0 OTHER APPLICATIONS

*Site Plan* File: Required - No application received

### 4.0 COMMENTS

In regards to 'A' 355/14, based on a review of the application, we advise that the variance request should be amended as follows:

"The applicant requests the Committee to authorize a minor variance to permit the creation of a lot (being the retained lands of Consent application "B" 55/14) proposing:

1. access to a public roadway via a right-of-way over the conveyed lands of Consent application "B" 55/14; whereas By-law 0225-2007, as amended, requires the subject property to have access to a public roadway wholly contained on site in this instance; and,
2. parking spaces and drive aisles to be located partially off-site on the conveyed lands of Consent application "B"55/14; whereas By-law 0225-2007, as amended, requires all parking spaces and drive aisles to be located wholly on-site in this instance."

Further, we advise that the proposed frontage indicated within the request appears to have been calculated incorrectly.

It is our understanding that the subject applications will facilitate the construction of a hotel on the proposed severed lands, with partial drive aisles and parking spaces located off-site and reciprocal easements and rights-of-way for vehicular and pedestrian access. The proposed hotel would require Site Plan Approval and this Department has not yet received an application.

The appropriateness of the requested severance and minor variances would be evaluated through the Site Plan process. Until such time that we are in receipt of an application and sufficient evaluation has been conducted, we are not in a position to comment on the subject applications. Further, through the Site Plan process, staff can verify if there will be sufficient parking for both buildings and whether a parking survey for the off-site parking will be required.

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

The City of Mississauga Transportation and Works Department commented as follows (October 17, 2014):

"We are noting that any Transportation and Works concerns/requirements for this property will be addressed under Consent Application 'B' 55/14."



**MISSISSAUGA**

File: "A" 355/14  
WARD 5

The Region of Peel, Environment, Transportation and Planning Services, commented as follows (October 23, 2014):

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

**Condition:**

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

No other persons expressed any interest in the application.

There was some discussion regarding the accuracy of the minor variance request for shared parking on site. The Committee expressed concerns for the subject application, noting that insufficient information was available to evaluate the implementation of the shared parking arrangement. The Committee indicated its preference for a revised site plan that would identify the parking spaces that would be located on site and partially off-site for both the retained and severed lands.

Mr. Brown requested a deferral of the subject applications to allow for additional time to review and confirm the accuracy of the request.

The Committee consented to the request and deferred the applications to the December 11, 2014 hearing.

On December 11, 2014, Mr. D. Brown, the authorized agent, attended and requested for the applications to be deferred to allow him the necessary time to file a Site Plan Approval application as requested by the Planning and Building Department. He noted that staff required this application to confirm the accuracy of the requested variances and to confirm if any additional variances would be required.

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

The City of Mississauga Planning and Building Department commented as follows (December 10, 2014):

1.0 RECOMMENDATION

As the subject applications are premature, the Planning and Building Department recommends that they be refused.

2.0 BACKGROUND

*Mississauga Official Plan*

*Character Area:* Gateway Corporate Centre  
*Designation:* Business Employment - Special Site 1

*Zoning By-law 0225-2007*

*Zoning:* "E1-8", Employment in Nodes

3.0 OTHER APPLICATIONS

- Site Plan* File: Required - No application received
- Building Permit* File: Required - No application received

#### 4.0 COMMENTS

We advise that the proposed frontage indicated within the request has been calculated incorrectly. The lot frontage is required to be calculated in accordance with the definition indicated within Part 1 of By-law 0225-2007.

Further, for 'A' 354/14, we note that Site Plan Approval and Building Permit applications are required and in the absence of a Site Plan or Building Permit application, we are unable to ensure that all required variances have been identified.

It is our understanding that the subject applications will facilitate the construction of a hotel on the proposed severed lands. The proposed hotel would require Site Plan Approval and this Department has not yet received an application.

If approved, severance of the subject lands would create two separate parcels that would require reciprocal access easements and rights-of-way. On-site parking for the retained parcel would be significantly deficient and would rely on parking to be provided on the severed parcel, which would be under separate ownership. The minor variances being sought cannot legally obligate the owner of the severed parcel to provide the deficient parking spaces required by the retained parcel owner. The property owner of the severed parcel is only obligated to meet the 'E1-8' as-of-right zone provisions that currently apply to the property, and would not be restricted by the minor variances being sought. Therefore, the proposed hotel on the severed parcel may cause the retained parcel to become non-compliant to the Zoning By-law and cause a significant parking deficiency on the retained property.

The Planning and Building Department would also need to determine the most appropriate location of any access easement on the severed parcel in order to not preclude the placement of a building at the street in accordance with good urban design principles.

The applicant should submit a Site Plan application in order that sufficient evaluation can be conducted to determine the appropriateness of the requests. Until such time, we advise that the subject applications as requested are premature."

The City of Mississauga Transportation and Works Department commented as follows (December 4, 2014):

"We are noting that any Transportation and Works Department concerns/requirements for this property will be addressed under Consent Application 'B' 55/14."

The Region of Peel, Environment, Transportation and Planning Services, commented as follows (December 5, 2014):

"Please note that severing the lands may adversely affect the existing location of water and sanitary sewer services. The applicant may be required to install new water and/or sanitary servicing connections to either the severed or retained lands, in compliance with the Ontario Building Code. This may require dedicated land for private water and/or sanitary sewer servicing easements.

Arrangements satisfactory to the Region of Peel, Public Works shall be made with respect to the location of existing services and the installation thereof, as well as any required private service easements."

No other persons expressed any interest in the application.

The Committee consented to the request and deferred the applications to the March 26, 2015 hearing.

On March 26, 2015, Mr. J. Levac, the authorized agent, attended and requested a deferral of the subject application. Mr. Levac advised the Committee that he had been recently retained by the applicant to assist in processing the application and indicated that additional time was



**MISSISSAUGA**

File: "A" 355/14  
WARD 5

required in order to submit a necessary Site Plan Control application for the proposed development.

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

The City of Mississauga Planning and Building Department commented as follows (March 20, 2015):

"1.0 RECOMMENDATION

The Planning and Building Department recommends that the applications be deferred for the applicant to submit the required Site Plan application and for staff to conduct sufficient evaluation of the Site Plan in view of the requested Consent and variances.

2.0 BACKGROUND

*Mississauga Official Plan*

*Character Area:* Gateway Corporate Centre  
*Designation:* Business Employment - Special Site 1

*Zoning By-law 0225-2007*

*Zoning:* "E1-8", Employment in Nodes

3.0 OTHER APPLICATIONS

- Site Plan* File: Required - No application received
- Building Permit* File: Required - No application received

4.0 COMMENTS

We note that when these applications were heard on December 11, 2014, the applicant requested a deferral to allow for necessary time to file a Site Plan application as requested by staff. Staff have had preliminary meetings with the applicant, but have not received a formal Site Plan application.

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

The City of Mississauga Transportation and Works Department commented as follows (March 20, 2015):

"Please refer to our comments submitted for the October 23, 2014 hearing of this application as those comments are still applicable."

The Region of Peel, Environment, Transportation and Planning Services, commented as follows (March 23, 2015):

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

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

No other persons expressed any interest in the application.



## MISSISSAUGA

File: "A" 355/14  
WARD 5

The Committee consented to the request and deferred the application to the June 4, 2015 hearing.

On June 4, 2015, Mr. J. Levac, the authorized agent, attended and requested a deferral of the application. He explained that the proposed new mutual lot line had been reconfigured to allow for enhanced parking arrangements for both the conveyed and retained lands and that additional time was required to confirm the accuracy of the associated Minor Variance applications.

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

The City of Mississauga Planning and Building Department commented as follows (June 3, 2015):

### 1.0 RECOMMENDATION

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

### 2.0 BACKGROUND

#### *Mississauga Official Plan*

*Character Area:* Gateway Corporate Centre  
*Designation:* Business Employment - Special Site 1

#### *Zoning By-law 0225-2007*

*Zoning:* "E1-8", Employment in Nodes

### 3.0 OTHER APPLICATIONS

*Site Plan* File: SP 15-36 W5

### 4.0 COMMENTS

Based on correspondence received from the applicant dated May 29, 2015, it is our understanding that the application will be deferred for the applicant to revise the proposed severance line, resulting in a change to the requested variances. We concur with the deferral request."

The City of Mississauga Transportation and Works Department commented as follows (May 28, 2015):

"Please refer to our comments submitted for the October 23, 2014 hearing of this application as those comments are still applicable."

The Region of Peel, Environment, Transportation and Planning Services, commented as follows (June 1, 2015):

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

#### Condition:

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

No other persons expressed any interest in the application.



# MISSISSAUGA

File: "A" 355/14  
WARD 5

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

On July 16, 2015, Mr. J. Levac, the authorized agent, attended and presented the application to permit the partitioning of the property into two lots to facilitate the development of the properties for hotel purposes. Mr. Levac indicated that the previous deferrals were required to address various urban design and parking issues. Mr. Levac indicated that the proposed conveyance would partition the property in a unique manner which resulted in an uneven lot line and for the conveyed lands not to have frontage onto a public roadway. He explained that the unique lot line would result in a side yard deficiency for the retained lands. Mr. Levac noted that this lot line was required to allow each property sufficient space to provide parking. Mr. Levac confirmed that that the two properties would have the functionality and appearance of one property with mutual drive aisles for circulation purposes.

Mr. Levac noted that the retained lands would be accessed via a right of way over the conveyed lands. He suggested that the concept of the development was to enable both lands to function as a single property but he held under different legal ownership. He noted that the lands would also be deficient in parking. He suggested that the property was located on a road that was well serviced by current and future public transit. Mr. Levac noted that any deficiency in parking would be informally accommodated by the parking supply of the conveyed lands.

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

The City of Mississauga Planning and Building Department commented as follows (July 14, 2015):

### 1.0 RECOMMENDATION

The Planning and Building Department has no objection to the Consent application, provided that the severed and retained lands comply with the provisions of By-law 0225-2007, as amended. Further, we have no objection to the requested variances as amended. However, the applicant may wish to defer the applications to submit the requested information to ensure that all required variances have been accurately identified.

### 2.0 BACKGROUND

#### *Mississauga Official Plan*

*Character Area:* Gateway Corporate Centre  
*Designation:* Business Employment - Special Site 1

#### *Zoning By-law 0225-2007*

*Zoning:* "E1-8", Employment in Nodes

### 3.0 OTHER APPLICATIONS

1 Site Plan File: SP 15-36 W5 - Satisfactory

### 4.0 COMMENTS

For 'B' 55/14, we advise that the proposed frontage indicated within the request has been calculated incorrectly. The lot frontage is required to be calculated in accordance with the definition indicated within Part 1 of By-law 0225-2007.

For 'A' 354/14, based on a review of the Site Plan application for the proposed hotel, we advise that variances #1 and #3 should be amended as follows:

- "1. An interior side yard of 0.82 m (2.69 ft.); whereas By-law 0225-2007, as amended, requires a minimum interior side yard of 4.50 m (14.76 ft.) in this instance;"
- "3. to provide parking spaces and parking space aisles to be located partially off-site on the retained lands of Consent application "B" 55/14; whereas By-law 0225-2007, as



## MISSISSAUGA

File: "A" 355/14  
WARD 5

amended, requires all parking spaces and parking space aisles to be located wholly on site in this instance."

In addition, we advise that additional information is required to verify the accuracy of the requested variances and to determine whether additional variances will be required.

For 'A' 355/14, based on a review of the Site Plan application for the proposed hotel, we advise that variance #2 should be amended as follows:

- "2. to provide parking spaces and parking space aisles to be located partially off-site on the severed lands of Consent application "B"55/14; whereas By-law 0225-2007, as amended, requires all parking spaces and parking space aisles to be located wholly on site in this instance."

In addition, we advise that more information is required to verify the accuracy of the requested variances and to determine whether additional variances will be required.

We advise that for the purposes of evaluating the subject applications, the Site Plan application has reached a satisfactory stage.

Further, we advise that circulation of traffic on the site and the parking lot configuration has been sufficiently evaluated through the Site Plan application, and we are satisfied with the proposed layout. It is our understanding that reciprocal easements and rights-of-way for pedestrian and vehicular access, parking and site servicing will be established so that the two hotels will function as if they were located on the same lot. In regards to the parking variance, we advise that a Parking Justification Letter dated July 13, 2015, satisfactorily justifies the requested reduction in parking.

Based on the preceding information, we have no objection to the Consent application, provided that the severed and retained lands comply with By-law 0225-2007, as amended, or alternatively, that any minor variance(s) is approved, final and binding and/or the demolition of any existing building(s) is complete. Further, we have no objection to the requested variances, as amended."

The City of Mississauga Transportation and Works Department commented as follows (July 9, 2015):

"Please refer to our comments submitted for the October 23, 2013 hearing of this application as those comments are still applicable."

A memorandum was received from Ward Councillor Parrish expressing support for the subject application.

No other persons expressed any interest in the application.

Mr. Levac upon hearing the comments of the Committee and the Planning and Building Department, requested that the application be amended in accordance with their recommendations.

The Committee consented to the request and, after considering the submissions put forward by Mr. Levac and having reviewed the plans and comments received, is satisfied that the amended 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 amended request is minor in nature in this instance.





MISSISSAUGA

File: "A" 355/14  
WARD 5

Accordingly, the Committee resolves to authorize and grant the amended request to permit the creation of a lot (being the retained lands of Consent application "B"55/14) having no frontage onto a public roadway and for the construction of a hotel building proposing:

1. to have no frontage onto a public roadway but having access to a public roadway via a right-of-way over the conveyed lands of Consent application "B" 55/14; whereas By-law 225-2007, as amended, requires the subject property to have access to a public roadway in this instance;
2. to provide parking spaces and parking space aisles to be located partially off-site on the severed lands of Consent application "B"55/14; whereas By-law 0225-2007, as amended, requires all parking spaces and parking space aisles to be located wholly on site in this instance; and,
3. total of 60 parking spaces on site; whereas By-law 0225-2007, as amended, requires a total of 66 parking spaces on site for the proposed hotel in this instance.

MOVED BY: J. Page                      SECONDED BY: S. Patrizio                      CARRIED

Application Approved, as amended.

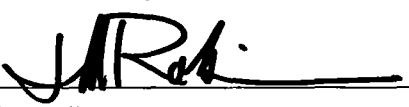
Dated at the City of Mississauga on July 23, 2015.


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 AUGUST 12, 2015.

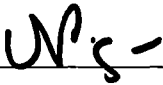
Date of mailing is July 27, 2015.

  
S. PATRIZIO

  
D. GEORGE (CHAIR)

  
J. ROBINSON

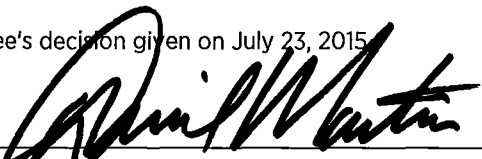
  
D. KENNEDY

  
J. PAGE

  
D. REYNOLDS

  
P. QUINN

I certify this to be a true copy of the Committee's decision given on July 23, 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.



## 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

NAVEED YUSEF

on Thursday July 16, 2015

Naveed Yusef is the owner of Unit 4, Level 1, PSCP-731, located and known as 3939 DUKE OF York Boulevard - Unit #104, zoned CC2 – City Centre. The applicant requests the Committee to authorize a minor variance to permit the operation of a personal services establishment within Unit #104 of the development on the subject property; whereas Interim Control By-law 0046-2001, as amended, states that no building or structure shall be used for any purpose except the continued use of a building or structure lawfully existing on the date that this By-law, provided such use is a permitted use in that building under Zoning By-law 0225-2007, as amended, in this instance.

Mr. N. Yusef, the unit owner, attended and presented the application to permit the operation of a personal service establishment within the subject unit of the mixed use development on the subject property. Mr. Yusef advised the Committee that the proposed use was permitted by the Zoning By-law but any new use was restricted by an Interim Control By-law that relief was required from. He explained that the business had been operating historically from within the unit and that recent licensing changed to personal service establishments required for the business to obtain relief from the Interim Control By-law. It was Mr. Yusef's opinion that the proposed use was appropriate for the continued use of the subject unit and noted that several similar types of uses operated in other units within the surrounding area.

Ms. S. Bedi, the operator of the proposed personal service establishment, attended and confirmed that she had been operating within the unit without any problems.

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

The City of Mississauga Planning and Building Department commented as follows (July 10, 2015):

### "1.0 RECOMMENDATION

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

### 2.0 BACKGROUND

#### *Mississauga Official Plan*

*Character Area:* Downtown Core  
*Designation:* Mixed Use

#### *Zoning By-law 0225-2007*

*Zoning:* "CC2", City Centre

3.0 OTHER APPLICATIONS

*Certificate of Occupancy* File: C 14-1536

4.0 COMMENTS

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

We advise that By-law 0050-2013, proposing zoning amendments to the Downtown Core was appealed, and therefore, Interim Control By-law 0046-2011 remains in effect.

In this instance, the proposed use would be permitted under the new by-law and the subject property is not directly related to the appeals.

Based on the preceding information, we have no objection to the requested variance."

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

"This Department has no objections, comments or requirements with respect to C.A. 'A' 293/15."

A letter was received from M. Dorkalam, a resident of 3888 Duke of York Boulevard – Unit 931, stating an objection to the subject application.

No other persons expressed any interest in the application.

The Committee after considering the submissions put forward by Mr. Yusef and Ms. Bedi and having reviewed the plans and comments received, 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.



**MISSISSAUGA**

File: "A" 293/15  
WARD 7

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


MOVED BY: S. Patrizio      SECONDED BY: D. Kennedy      CARRIED

Application Approved.

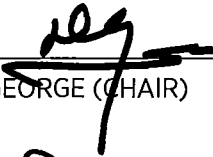
Dated at the City of Mississauga on July 23, 2015.

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 AUGUST 12, 2015.

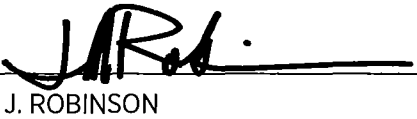
Date of mailing is July 27, 2015.

  
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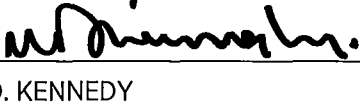
S. PATRIZIO

  
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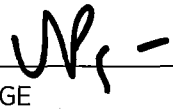
D. GEORGE (CHAIR)

  
\_\_\_\_\_

J. ROBINSON

  
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D. KENNEDY

  
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J. PAGE

  
\_\_\_\_\_

D. REYNOLDS

  
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P. QUINN

I certify this to be a true copy of the Committee's decision given on July 23, 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.

## 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

FELISBELA CARDOSO

on Thursday July 16, 2015

Felisbela Cardoso is the owner of Part of Lot 46, Registered Plan 936, located and known as 2175 Stir Crescent, zoned RM-1 – Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of an accessory structure (shed) in the rear yard of the subject property proposing:

1. an accessory structure floor area of 20.65m<sup>2</sup> (222.27sq.ft.); whereas By-law 0225-2007, as amended, permits a maximum accessory structure floor area of 10.00m<sup>2</sup> (107.64sq.ft.) in this instance;
2. an accessory structure height of 3.89m (12.76ft.); whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.00m (9.84ft.) in this instance;
3. a 0.00m (0.00ft.) side yard from the accessory structure to the side lot line; whereas By-law 0225-2007, as amended, requires a minimum side yard of 0.61m (2.00ft.) in this instance; and,
4. a total lot coverage of 36.00% of the lot area; whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% of the lot area in this instance.

Mr. S. Cardoso, authorized agent, attended and presented the application to permit the existing oversized accessory structure to remain within the rear yard of the subject property. Mr. Cardoso advised the Committee that the subject structure was used as a storage shed that had been expanded to accommodate the increased storage requirements of the property owner. He noted that the shed was constructed of quality materials that would require very little maintenance.

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

The City of Mississauga Planning and Building Department commented as follows (July 10, 2015):

### 1.0 RECOMMENDATION

The Planning and Building Department has no objection to variances #1-2 and #4. However, we recommend that variance #3 be refused.

### 2.0 BACKGROUND

#### *Mississauga Official Plan*

*Character Area:* Lakeview Neighbourhood



## MISSISSAUGA

File: "A" 296/15  
WARD 1

*Designation:* Residential Low Density I

*Zoning By-law 0225-2007*

*Zoning:* "RM1", Residential

### 3.0 OTHER APPLICATIONS

*Building Permit* File: BP14-1694

### 4.0 COMMENTS

Based on a review of the Building Permit application, we advise that the variances as requested are correct.

In regards to variances #1 and #2, we note that the accessory structure is located adjacent to a detached garage at 2179 Stir Crescent which is larger and taller in comparison. Further, the subject property does not contain a garage. Therefore, we have no objection to the requests.

In regards to variance #3, this Department does not typically support variances for 0.00 m setbacks for accessory structures as there is no opportunity for maintenance purposes and there could be issues with water runoff draining onto neighbouring properties. We recommend that the applicant consider moving the structure to comply with the By-law requirement.

In regards to variance #4, it is our opinion that the request is minor and therefore we have no objection to the request."

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

"Enclosed for Committee's easy reference are some photo's which depict the existing accessory structure (shed) in the rear of the property."

A letter was received from G. Fusillo, a resident of 2167 Stir Crescent, stating that he had no objection to the subject application.

A letter was received from I. Talhavento, a resident of 2173 Stir Crescent, stating that she had no objection to the subject application.

A letter was received from F. & M. Cabral, residents of 2176 Stir Crescent, stating that they had no objection to the subject application.

A letter was received from M. D. Bojarsky, a resident of 2179 Stir Crescent, stating that he had no objection to the subject application.

Ms. M. Lamb, a representative of the property owner of 1183 Meander Court, attended and expressed her objection to the subject application. Ms. Lamb advised the Committee that the accessory structure was too large and unsightly and introduced an inappropriate amount of building mass within the rear yard of the subject property. She expressed her concerns that the structure contained habitable space for leisure or living purposes.

No other persons expressed any interest in the application.

Ms. Cordoso confirmed that the structure did not contain habitable space.

The Committee after considering the submissions put forward by Mr. Cordoso and having reviewed the plans and comments received, is satisfied that the request is desirable for the appropriate further development of the subject property. The Committee indicated that the property did not contain a garage and that the existing accessory structure could be replaced by a much larger detached garage. It was the Committee's opinion that the existing accessory structure was appropriate in size and scale for 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. Kennedy      SECONDED BY: D. Reynolds      CARRIED

Application Approved.

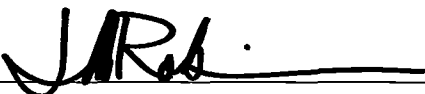
Dated at the City of Mississauga on July 23, 2015.

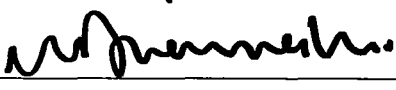
THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE AUGUST 12, 2015.

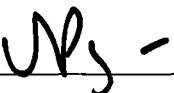
Date of mailing is July 27, 2015.

  
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S. PATRIZIO

  
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D. GEORGE (CHAIR)

  
\_\_\_\_\_  
J. ROBINSON

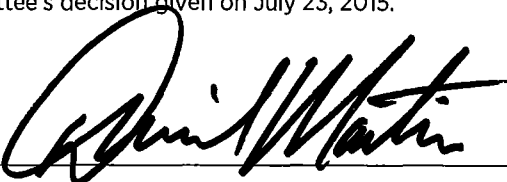
  
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D. KENNEDY

  
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J. PAGE

  
\_\_\_\_\_  
D. REYNOLDS

  
\_\_\_\_\_  
P. QUINN

I certify this to be a true copy of the Committee's decision given on July 23, 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.

## 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

SUNREEP & GURJEET RAI

on Thursday July 16, 2015

Sunreep & Gurjeet Rai are the owners of part of Lot 10, Concession 2, WHS, located and known as 6892 Campbell Settler Court, zoned R2-10 & R8 - Residential. The applicants request the Committee to authorize a minor variance to permit the construction of a two storey dwelling on the subject property proposing:

1. for the property to be developed in accordance with the R8 - Residential zoning standards; whereas By-law 0225-2007, as amended, requires for the property to be developed in accordance with the R2-10 and R8 - Residential zoning standards in this instance; and,
2. a garage projection of 5.70 m (18.70 ft.) beyond the front wall of the dwelling; whereas By-law 0225-2007, as amended, permits a garage projection of 0.00 m (0.00 ft.) beyond the front wall of the dwelling in this instance.

Mr. D. Berry, authorized agent, attended and presented the application to permit the construction of a new dwelling on the subject property. Mr. Berry advised the Committee that the subject property was created through a lot addition of two difference parcels of land that contained different Zoning classifications. He explained that the subject application would enable for the entire property to be developed in accordance with the R8 - Residential zoning provisions rather than for the property to be developed in accordance with both the R2-10 & R8 - Residential zoning requirements. He suggested that this was appropriate as it would allow for the construction of a dwelling that was reflective of others along Campbell Settler Court. He noted that the garage project was the result of the unique configuration of the dwelling on the property.

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

The City of Mississauga Planning and Building Department commented as follows (July 10, 2015):

### "1.0 RECOMMENDATION

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

### 2.0 BACKGROUND

#### *Mississauga Official Plan*

*Character Area:* Meadowvale Village Neighbourhood





## MISSISSAUGA

File: "A" 304/15  
WARD 11

*Designation:* Residential Low Density I

*Zoning By-law 0225-2007*

*Zoning:* "R2-10 & R8", Residential

### 3.0 OTHER APPLICATIONS

- Site Plan* File: SP 15/023
- Building Permit* File: BP 14/3014

### 4.0 COMMENTS

The Planning and Building Department is currently processing Site Plan and Building Permit applications for the proposed detached dwelling. Based on the review of the reduced drawings submitted with the minor variance, we advise that variance #1, as requested is correct. We advise that variance #2 should be amended as follows:

"2. The garage to be located 5.70m closer to the front property line than the main front entrance; whereas By-law 0225-2007, as amended, requires that no part of any garage may be located closer to the front lot line than the main front entrance"

We note that this lot has a split zoning and that the applicant is requesting to develop it in accordance with the zoning that is associated with the frontage of the property. Planning and Building staff are of the opinion that applying one zoning standard to the entire lot is appropriate from a planning perspective and is practical in nature. The original lot with frontage along Campbell Settler Court was developed as part of a subdivision and zoned R8 in accordance with other properties along the end of the court that were developed. Planning staff are of the opinion that the dwelling is well sited on the lot and that developing in accordance with a single zoning is desirable. The R8 and R2-10 zones are quite similar in nature and we are of the opinion that the R8 zoning is suitable for the subject property.

With regards to variance #2, the driveway projection is functionally located more prominently to the side of the dwelling although due to the irregular lot shape and siting of the dwelling it is considered projecting. The garage would not be a prominent feature of the appearance of the dwelling from the street line along the frontage of the property. Additionally it is well set back from the front lot line and street. It is the opinion of the Planning and Building Department that the general intent of the Zoning By-law is maintained and this variance is minor in nature.

Based on the previous information the Planning and Building Department have no objection the requested variances, as amended."

The City of Mississauga Transportation and Works Department commented as follows (July 9, 2015):

"We note for Committee's information that the City is currently processing a Site Plan Application for this property, Reference SP 15/23. 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 (July 13, 2015):

"Please be advised that the Regional Servicing requirement for the applicant to provide a copy of the consent certificate for application B-53/15 is still outstanding.

Regional Planning staff note that the subject land is located within the Airport Operating Area (AOA) 30 - 35 Noise Exposure Forecast (NEF) Contour. Policy 5.9.6.2.4 of the Region of Peel Official Plan (ROP) prohibits development, redevelopment and infill for new residential and



## MISSISSAUGA

File: "A" 304/15  
WARD 11

sensitive land uses, specifically hospitals, nursing homes, day care facilities and public and private schools in the Lester B. Pearson International Airport Operating Area. The ROP provides an exemption to this general provision under Policy 5.9.6.2.6 that recognizes approved land uses and other considerations, and that site plan approval falls within this exemption."

A letter was received from D. & N. Akam, residents of 6896 Campbell Settle Court, stating their interest in the subject application.

No other persons expressed any interest in the application.

Mr. Berry upon hearing the comments of the Committee and the Planning and Building Department, requested that the application be amended in accordance with their recommendations.

The Committee consented to the request and, after considering the submissions put forward by Mr. Berry and having reviewed the plans and comments received, is satisfied that the amended 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 amended request is minor in nature in this instance.



MISSISSAUGA

File: "A" 304/15  
WARD 11

Accordingly, the Committee resolves to authorize and grant the amended request to permit the construction of a two storey dwelling on the subject property proposing:

1. for the property to be developed in accordance with the R8 - Residential zoning standards; whereas By-law 0225-2007, as amended, requires for the property to be developed in accordance with the R2-10 and R8 - Residential zoning standards in this instance; and,
2. the garage to be located 5.70 m closer to the front property line than the main front entrance; whereas By-law 0225-2007, as amended, requires that no part of any garage may be located closer to the front lot line than the main front entrance in this instance.

MOVED BY: S. Patrizio      SECONDED BY: J. Robinson      CARRIED

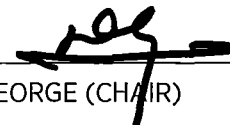
Application Approved, as amended.

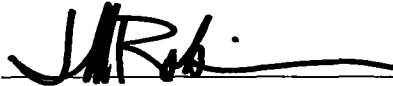
Dated at the City of Mississauga on July 23, 2015.


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 AUGUST 12, 2015.

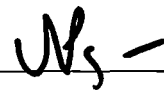
Date of mailing is July 27, 2015.

  
\_\_\_\_\_  
S. PATRIZIO

  
\_\_\_\_\_  
D. GEORGE (CHAIR)

  
\_\_\_\_\_  
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 July 23, 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.

## 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

RICHARD GOORA

on Thursday July 16, 2015

Richard Goora is the owner of part of Lots 4 & 5, Registered Plan 300, located and known as 42 Lake Street, zoned R15-1 - Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of a new front porch and a detached two (2) car garage proposing:

1. a floor area of 53.14 m<sup>2</sup> (572.01 sq. ft.) for the proposed garage; whereas By-law 0225-2007, as amended, permits a maximum floor area for a garage of 30.00 m<sup>2</sup> (322.92 sq. ft.) in this instance;
2. a westerly side yard of 0.00 m (0.00 ft.) to the existing dwelling; whereas By-law 0225-2007, as amended, requires a minimum westerly side yard of 1.20 m (3.93 ft.) to the dwelling in this instance; and,
3. an easterly side yard of 0.37 m (1.21 ft.) to the proposed porch; whereas By-law 0225-2007, as amended, requires a minimum easterly side yard of 1.20 m (3.93 ft.) to the proposed porch in this instance.

Mr. T. Giancola, authorized agent, attended and presented the subject application to construct a new garage within the rear yard and to construct a new front porch to the existing dwelling of the subject property. Mr. Giancola advised the Committee that the existing garage was very small and not functional for storing a motor vehicle inside of it. He indicated that the new garage would be larger and would allow for the parking of two vehicles in tandem. Mr. Giancola explained that careful consideration was given to the aesthetics of the garage and suggested that its appearance would reflect and enhance the character of the dwelling on the subject property and other dwellings along the street. Mr. Giancola confirmed that some mature trees within the rear yard would be removed to accommodate the necessary building envelope for the garage.

Mr. Giancola advised the Committee that the existing front porch of the dwelling was dilapidated and required replacing. He explained that a new front porch would be constructed together with various cosmetic enhancements to the front facade of the dwelling. He confirmed that Heritage staff had reviewed the proposed enhancements and were in agreement with them.

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



## MISSISSAUGA

File: "A" 305/15  
WARD 1

The City of Mississauga Planning and Building Department commented as follows (July 15, 2015):

### 1.0 RECOMMENDATION

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

### 2.0 BACKGROUND

#### *Mississauga Official Plan*

*Character Area:* Port Credit Neighbourhood  
*Designation:* Residential Low Density I

#### *Zoning By-law 0225-2007*

*Zoning:* "R15-1", Residential

### 3.0 OTHER APPLICATIONS

*Site Plan Express (SPAX)* File: SPAX 15-37

### 4.0 COMMENTS

Based on a review of the Building Permit application for the proposed detached garage and porch, we advise that the variance request should be amended as follows:

"2. An easterly side yard of 0.00 m (0.00 ft.) to the existing dwelling; whereas By-law 0225-2007, as amended, requires a minimum easterly side yard of 1.20 m (3.93 ft.) to the dwelling in this instance;"

In regards to variance #1, based on a review of the elevation drawings submitted with the Minor Variance application, we are satisfied that the proposed garage would not have a negative impact on the streetscape and neighbouring properties. The front elevation of the garage facing Lake Street will have a limited width, mitigating impact to the streetscape. Further, the massing impact will be mitigated as the neighbouring dwellings to the east and west are comparatively much larger than the subject dwelling.

In regards to variance #2, we note that the request would recognize the existing dwelling.

In regards to variance #3, we note that the proposed porch would replace the existing porch with a similar footprint.

Based on the preceding information, we have no objection to the requested variances, as amended."

The City of Mississauga Transportation and Works Department commented as follows (July 9, 2015):

"We are noting for information purposes that any Transportation and Works Department concerns/requirements for this property will be addressed at the time of the Building Permit process."

The City of Mississauga Community Services Department, Culture Division commented as follows (July 2, 2015):

"The subject property is designated under the Ontario Heritage Act as it forms part of the Old Port Credit Village Heritage Conservation District. The proposal is subject to the 2004 Old Port Credit Village Heritage Conservation District Guidelines and requires the approval of a Heritage Permit.



## MISSISSAUGA

File: "A" 305/15  
WARD 1

The proposal was approved at the May 19, 2015 Heritage Advisory Committee meeting, therefore staff supports the minor variance application and has no further concerns regarding the proposal."

The Region of Peel, Environment, Transportation and Planning Services, commented as follows (July 13, 2015):

"This property is within the vicinity of Port Credit Memorial Park/Library. The site is located on a closed landfill site. The site was used for the disposal of flyash and waste. Methane gas and leachate have been detected at the site. An environmental monitoring program is in place and consists of groundwater, surface water and landfill gas monitoring on a routine basis. The site is currently a park complete with library facilities. It is catalogued by the Ministry of Environment and Climate Change (M.O.E.C.C.) as #7069.

This property is within the vicinity of Saddington Memorial Park. The site was likely used for the disposal of construction and demolition wastes. There is no trace of methane gas or leachate. The site is used as a neighbourhood park. It is catalogued by the Ministry of Environment and Climate Change (M.O.E.C.C.) as #7070."

No other persons expressed any interest in the application.

Mr. Giancola upon hearing the comments of the Committee and the Planning and Building Department, requested that the application be amended in accordance with their recommendations.

The Committee consented to the request and, after considering the submissions put forward by Mr. Giancola and having reviewed the plans and comments received, is satisfied that the amended request is desirable for the appropriate further development of the subject property. The Committee indicated its concerns with the glass railing features of the proposed porch and suggested that they were not reflective of the heritage character of the dwelling or of other dwellings along the streetscape.

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 amended request is minor in nature in this instance.



MISSISSAUGA

File: "A" 305/15  
WARD 1

Accordingly, the Committee resolves to authorize and grant the amended request to permit the construction of a new front porch and a detached two (2) car garage proposing:

1. a floor area of 53.14 m<sup>2</sup> (572.01 sq. ft.) for the proposed garage; whereas By-law 0225-2007, as amended, permits a maximum floor area for a garage of 30.00 m<sup>2</sup> (322.92 sq. ft.) in this instance;
2. an easterly side yard of 0.00 m (0.00 ft.) to the existing dwelling; whereas By-law 0225-2007, as amended, requires a minimum easterly side yard of 1.20 m (3.93 ft.) to the dwelling in this instance; and,
3. an easterly side yard of 0.37 m (1.21 ft.) to the proposed porch; whereas By-law 0225-2007, as amended, requires a minimum easterly side yard of 1.20 m (3.93 ft.) to the proposed porch in this instance.

MOVED BY: P. Quinn      SECONDED BY: S. Patrizio      CARRIED

Application Approved, as amended.


Dated at the City of Mississauga on July 23, 2015.

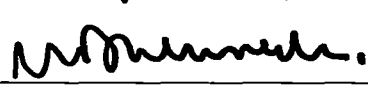
THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE AUGUST 12, 2015.

Date of mailing is July 27, 2015.

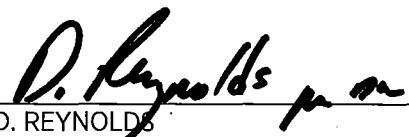
  
S. PATRIZIO

  
D. GEORGE (CHAIR)

  
J. ROBINSON

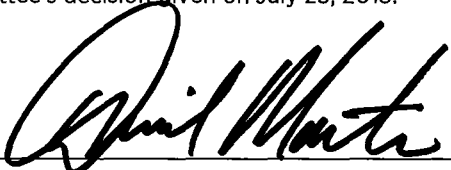
  
D. KENNEDY

  
J. PAGE

  
D. REYNOLDS

  
P. QUINN

I certify this to be a true copy of the Committee's decision given on July 23, 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.

## 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

MICHAEL MURPHY

on Thursday July 16, 2015

Michael Murphy is the owner of Lot 93, Registered Plan E-21, located and known as 1073 Gardner Avenue, zoned R3 - Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of a new covered front porch and to permit the existing dwelling and driveway to remain on the subject property proposing:

1. a front porch, inclusive of stairs to encroach 2.75 m (9.02 ft.) into the required front yard; whereas By-law 0225-2007, as amended, permits a maximum porch encroachment, inclusive of stairs of 1.60 m (5.24 ft.) into the required front yard in this instance;
2. an area of 38.00% of the front yard to be maintained as soft landscaping; whereas By-law 0225-2007, as amended, requires a minimum of 40.00% of the front yard to be maintained as soft landscaping in this instance;
3. to permit the existing front yard of 6.062 m (19.88 ft.) measured to the front wall of the dwelling to remain on the subject property; whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50 m (24.60 ft.) in this instance;
4. the existing driveway to remain on the subject property proposing a width of 6.43 m (21.09 ft.); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.64 m (15.22 ft.) in this instance; and,
5. the existing driveway to remain on the subject property proposing a setback of 0.00 m (0.00 ft.) to the westerly side lot line; whereas By-law 0225-2007, as amended, requires a minimum setback of 0.60 m (1.96 ft.) to the westerly side lot line in this instance.

Mr. S. Hitchcox, authorized agent, attended and presented the subject application to permit the construction of a new covered front porch and stairs and to allow for the existing dwelling and driveway to remain on the subject property as constructed. Mr. Hitchcox advised the Committee that the existing front porch and stairs were dilapidated and required replacing. He noted that the proposed new construction would be similar in size and configuration as the existing porch and stairs.

Mr. Hitchcox noted that the deficient front yard depth and landscaping was the result of the dwelling being located very close to the front lot line. He explained that this was a historical site condition as the neighbourhood was developed in the 1950s and noted that this appeared to be common practice as many of the adjacent properties shared a similar shallow front yard. He noted that the existing driveway was also a historical site condition.

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



The City of Mississauga Planning and Building Department commented as follows (July 10, 2015):

"1.0 RECOMMENDATION

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

2.0 BACKGROUND

*Mississauga Official Plan*

*Character Area:* Lakeview Neighbourhood  
*Designation:* Residential Low Density II

*Zoning By-law 0225-2007*

*Zoning:* "R3", Residential

3.0 OTHER APPLICATIONS

*Building Permit* File: BP15-5355

4.0 COMMENTS

Based on a review of the Building Permit application for the proposed covered front porch, we advise that variance #1 should be amended as follows:

"1. a front porch, inclusive of stairs to encroach 4.276 m (14.03 ft.) into the required front yard; whereas By-law 0225-2007, as amended, permits a maximum porch encroachment, inclusive of stairs of 1.60 m (5.25 ft.) into the required front yard in this instance;"

In addition, variances #2-#5 are correct as requested.

Further, we advise that the following additional variance is required:

"6. an interior side yard setback to the existing two storey portion of dwelling (west side) of 1.51 m (4.92 ft.); whereas By-law 0225-2007, as amended, requires a minimum of 1.81 m (5.94 ft.) in this instance."

In regards to variance #1, as amended, we note that the new covered front porch would have a similar front yard encroachment as the existing porch. Further, the area of the porch and stairs will be limited. Therefore, we have no objection to the request.

In regards to variances #2, #4 and #5, based on the site plan drawing submitted with the Minor Variance application, this Department has concerns with the existing driveway. It appears that the paved area extends beyond the property line and encroaches onto the neighbouring property at 1059 Strathy Avenue. We are of the opinion that the side yard setback to the westerly side lot line of 0.60 m (1.96 ft.) should be provided. We recommend that the applicant consider redesigning the driveway to provide the necessary setback to the westerly side lot line.

In regards to variances #3 and #6, we note that there are no proposed changes to the front yard or side yard setback to the dwelling, and therefore, we have no objection to the requests.

Based on the preceding information, we recommend that the application be deferred for the applicant to redesign the driveway to provide the required setback to the westerly side lot line."



## MISSISSAUGA

File: "A" 306/15  
WARD 1

The City of Mississauga Transportation and Works Department commented as follows (July 9, 2015):

"We are noting for information purposes that any Transportation and Works Department concerns/requirements for this property will be addressed at the time of the Building Permit process.

Should Committee see merit in the applicant's request, we would have no objections to variances Number 1 to 3, however, we are not in support of variance number 5 which is requesting a proposed setback of 0.00 metres to the westerly side lot line for the existing driveway, whereas a minimum setback of 0.60 metres is required. We feel that that in this instance the minimum 0.60M (1.96ft) can be provided."

No other persons expressed any interest in the application.

Mr. Hitchcox upon hearing the comments of the Committee and the Planning and Building Department, requested that the application be amended in accordance with their recommendations.

The Committee indicated its concern with the existing driveway as it encroached onto the adjacent property. They suggested that the driveway could be altered to be contained wholly on his clients' property with minimal effort.

Mr. Hitchcox accepted the Committee's suggestion and requested for the variances related to the front yard landscaping and driveway setback to be deleted. He confirmed that the driveway would be altered to have a width of 5.83 m (19.12 ft.). He suggested that this width was appropriate for the property.

The Committee consented to the request and, after considering the submissions put forward by Mr. Hitchcox and having reviewed the plans and comments received, is satisfied that the amended 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 amended request is minor in nature in this instance.

Accordingly, the Committee resolves to authorize and grant the amended request to permit the construction of a new covered front porch and to permit the existing dwelling and driveway to remain on the subject property proposing:

1. a front porch, inclusive of stairs to encroach 4.276 m (14.03 ft.) into the required front yard; whereas By-law 0225-2007, as amended, permits a maximum porch encroachment, inclusive of stairs of 1.60 m (5.25 ft.) into the required front yard in this instance;
2. to permit the existing front yard of 6.062 m (19.88 ft.) measured to the front wall of the dwelling to remain on the subject property; whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50 m (24.60 ft.) in this instance;
3. an interior side yard setback to the existing two storey portion of dwelling (west side) of 1.51 m (4.92 ft.); whereas By-law 0225-2007, as amended, requires a minimum of 1.81 m (5.94 ft.) in this instance; and,
4. the existing driveway to remain on the subject property proposing a width of 5.83 m (19.12 ft.); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 4.64 m (15.22 ft.) in this instance.



MOVED BY: S. Patrizio      SECONDED BY: J. Page      CARRIED

Application Approved, as amended.


Dated at the City of Mississauga on July 23, 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 AUGUST 12, 2015.

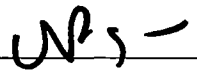
Date of mailing is July 27, 2015.

  
\_\_\_\_\_  
S. PATRIZIO

  
\_\_\_\_\_  
D. GEORGE (CHAIR)

  
\_\_\_\_\_  
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 July 23, 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.

## 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

LESZEK SEKUNDA

on Thursday July 16, 2015

Leszek Sekunda is the owner of Lot 4, Registered Plan M-1099, located and known as 221 Barondale Drive, zoned R4-31 - Residential. The applicant requests the Committee to authorize a minor variance to permit:

1. the existing driveway to remain on the subject property proposing a width of 10.13 m (33.23 ft.); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00 m (19.68 ft.) in this instance;
2. two walkways having widths of 1.84 m (6.03 ft.) and 1.95 m (6.39 ft.); whereas By-law 0225-2007, as amended, permits a maximum walkway width of 1.50 m (4.92 ft.) in this instance; and
3. an area of 21.60% of the front yard to be maintained as soft landscaping; whereas By-law 0225-2007, as amended, requires a minimum of 40.00% of the front yard to be maintained as soft landscaping in this instance.

Mr. J. Levac, a representative of the property owner, attended and presented the subject application to permit the existing driveway to remain on the subject property. He explained that the driveway had been previously approved by the Committee but that the previous application contained errors resulting in a deficiency in the relief obtained from the Zoning By-law. Mr. Levac advised the Committee that the property owner was attempting to obtain a permit to legalize a basement apartment and that the driveway had been altered to allow for sufficient parking for both the primary and secondary residential units. He noted that additional variances were required for soft landscaping and the pedestrian walkways. Mr. Levac noted that portions of the municipal boulevard had also been altered by installing enhanced landscaping. He confirmed that he had spoken to Transportation and Works Department staff and that a portion of the boulevard would be reinstated with sod.

It was Mr. Levac's opinion that the existing driveway, walkways and landscaping were very attractive and suggested that these alterations enhanced the aesthetics of the streetscape.

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

The City of Mississauga Planning and Building Department commented as follows (July 10, 2015):

### "1.0 RECOMMENDATION

The Planning and Building Department have no objections to variance #2, however we recommend that variances #1 and #3 be refused.

## 2.0 BACKGROUND

### *Mississauga Official Plan*

*Character Area:* Hurontario Neighbourhood  
*Designation:* Residential Low Density II

### *Zoning By-law 0225-2007*

*Zoning:* "R4-31", Residential

## 3.0 OTHER APPLICATIONS

N/A

## 4.0 COMMENTS

The Planning and Building Department note that this application is the same as a proposal approved by the Committee last year under 'A' 411/14. The applicant was required to return to the Committee in order to apply for additional required variances for soft landscaping area and walkway width.

When the application was originally at Committee the Planning and Building Department recommended refusal of the driveway width variance; we maintain this position based on the concern that it allows for too much hard surfaced area, too little landscaping area, and generally does not meet the intent of the Zoning By-law. Related to this, we also advise that we recommend refusal on variance #3 for the same reasons.

With regards to variance #2, the Planning and Building Department has no objection to the requested increase to walkway widths. The walkway width in each corner where they connect to the driveway are slightly increased and in our opinion this should not have any negative impacts.

As a result of the previous information the Planning and Building Department recommend refusal for variances #1 and #3, but have no objection to variance #2."

The City of Mississauga Transportation and Works Department commented as follows (July 9, 2015):

"As Committee is aware this property was the subject of a previous application, reference 'A' 411/14 where staff from this department worked with the applicant/owner to achieve an acceptable configuration and determined what modifications should be made to the existing driveway. A Site Plan showing the modifications was provided and we took a security deposit to ensure that any required works would be completed in accordance with the Site Plan submitted. It is our understanding that this recent variance is required to correct some driveway dimensions which were incorrectly measured. In view of the above we have no objections or requirements to the applicant's request."

A memorandum was received from Ward Councillor Parrish expressing support for the subject application.

Mr. G. Kirton, a Planner for the Planning and Building Department, attended and confirmed that the opinion of the Planning Department did not change from the initial application with respect to the driveway.

No other persons expressed any interest in the application.

Mr. Levac requested for the application be amended to reflect further refinements to the calculations of the driveway and walkway width without the small landscaping strip along the



## MISSISSAUGA

File: "A" 307/15  
WARD 5

easterly portion of the property. He suggested that such a diminutive landscaping strip would not have any benefit to enhancing the aesthetics or drainage of the property.

The Committee consented to the request and, after considering the submissions put forward by Mr. Levac and having reviewed the plans and comments received, is satisfied that the amended 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 amended request is minor in nature in this instance.



**MISSISSAUGA**

File: "A" 307/15  
WARD 5

Accordingly, the Committee resolves to authorize and grant the amended request to permit:

1. the existing driveway to remain on the subject property proposing a width of 10.76 m (35.30 ft.); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00 m (19.68 ft.) in this instance;
2. two walkways having widths of 2.01 m (6.59 ft.) and 1.95 m (6.39 ft.); whereas By-law 0225-2007, as amended, permits a maximum walkway width of 1.50 m (4.92 ft.) in this instance; and
3. an area of 18.04% of the front yard to be maintained as soft landscaping; whereas By-law 0225-2007, as amended, requires a minimum of 40.00% of the front yard to be maintained as soft landscaping in this instance.

MOVED BY: P. Quinn      SECONDED BY: J. Page      CARRIED

Application Approved, as amended.

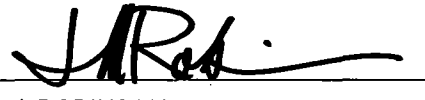
Dated at the City of Mississauga on July 23, 2015.


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 AUGUST 12, 2015.


Date of mailing is July 27, 2015.

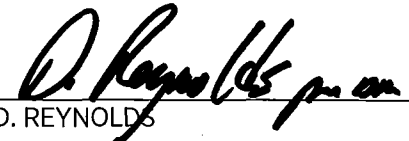
  
S. PATRIZIO

  
D. GEORGE (CHAIR)

  
J. ROBINSON

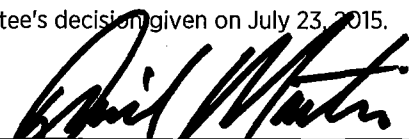
  
D. KENNEDY

  
J. PAGE

  
D. REYNOLDS

  
P. QUINN

I certify this to be a true copy of the Committee's decision given on July 23, 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.

## 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

ALESSANDRO RUTA

on Thursday July 16, 2015

Alessandro Ruta is the owner of part of Lot 2, Range 2, CIR & Lot 21, Plan G-20, located and known as 1413 Glenburnie Road, zoned R2-5 - Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of a second attached garage on the existing dwelling on the subject property proposing:

1. a total of two (2) garages on the subject property; whereas By-law 0225-2007, as amended, permits a maximum of one (1) garage on the subject property in this instance; and,
2. a combined width of the side yards of 5.79 m (18.99 ft.); whereas By-law 0225-2007, as amended, requires a minimum combined width of the side yards of 8.23m (27.00 ft.) in this instance.

Mr. W. Hicks, authorized agent, attended and presented the subject application to construct a second attached garage to the dwelling on the subject property. Mr. Hicks advised the Committee that the second garage would be constructed adjacent to the existing garage on the property but noted that there would be a wall without an access separating the two. He explained that this resulted in the proposed construction to be considered a second garage. Mr. Hicks confirmed that a passage between these garages were not be feasible for stability purposes.

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

The City of Mississauga Planning and Building Department commented as follows (July 10, 2015):

### 1.0 RECOMMENDATION

The Planning and Building Department has no objection to the requested variances. However, the applicant may wish to defer the application to submit the required Site Plan Approval and Building Permit applications to ensure that all required variances have been accurately identified.

### 2.0 BACKGROUND

#### *Mississauga Official Plan*

*Character Area:* Mineola Neighbourhood  
*Designation:* Residential Low Density I, Greenbelt

#### *Zoning By-law 0225-2007*

*Zoning:* "R2-5", Residential



3.0 OTHER APPLICATIONS

- |   |  |
|---|--|
| <input type="checkbox"/> <i>Building Permit</i> | File: Required - No application received |
| <input type="checkbox"/> <i>Site Plan</i>       | File: Required - No application received |

4.0 COMMENTS

We note that Site Plan Approval and Building Permit applications are required and in the absence of a Site Plan Approval application or a Building Permit application, we are unable to verify the accuracy of the requested variance.

We further advise that it appears at least one additional variance will be required for insufficient unobstructed area within the proposed garage.

The applicant may wish to apply for a Pre-Zoning Review application and submit working drawings in order for a detailed zoning review to be completed.

In regards to the requested variances, we note that the existing garage on the property is side-loaded and therefore, even with the addition of the second garage, only one would be facing the street. Further, we note that the proposed garage would be further set back on the property, and would be at a significantly lower elevation than the rest of the dwelling. Lastly, we note that the lot is relatively large and therefore, can accommodate a second garage without the garages becoming a prominent feature of the dwelling.

Based on the preceding information, we have no objection to the requested variances."

The City of Mississauga Transportation and Works Department commented as follows (July 9, 2015):

"We are noting for information purposes that any Transportation and Works Department concerns/requirements for the proposed second attached garage on this property will be addressed at the time of the Building Permit process."

The City of Mississauga Community Services Department, Culture Division commented as follows (July 2, 2015):

"The subject property is registered under the Ontario Heritage Act as it forms part of the Mineola Cultural Heritage Landscape.

There are no heritage concerns with the proposal as no demolition is proposed."

The Region of Peel, Environment, Transportation and Planning Services, commented as follows (July 13, 2015):

"The subject land is located within the Mary Fix Creek Flood Plain. The Regional Official Plan (ROP) designates floodplains as a Natural Hazard in Peel, under Policy 2.4.5.2. Within this designation, ROP policies seek to ensure that development and site alterations do not create new or aggravate existing flood plain management problems along flood susceptible riverine environments. The Region relies on the environmental expertise of the Credit Valley Conservation Authority (CVC) staff for the review of development applications located within or adjacent to Natural hazards in Peel and their potential impacts on the natural environment. Regional Planning staff therefore, request that the committee consider comments from the CVC and incorporate their conditions of approval appropriately."

Credit Valley Conservation commented as follows (June 25, 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 traversed by Mary Fix Creek and its associated floodplain and valley system. It is the policy of CVC and the Province of Ontario to conserve and protect the significant physical, hydrological and biological features associated with the functions of the above noted characteristics and to recommend that no development be permitted which would adversely affect the natural features or ecological functions of these areas.

**ONTARIO REGULATION 160/06:**

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 applicant requests the Committee to authorize a minor variance to permit the construction of a second attached garage on the existing dwelling on the subject property proposing:

1. a total of two (2) garages on the subject property; whereas By-law 0225-2007, as amended, permits a maximum of one (1) garage on the subject property in this instance; and,
2. a combined width of side yards of 5.79m (18.99 ft.); whereas By-law 0225-2007, as amended, requires a minimum combined width of the side yards of 27.00ft. in this instance.

**COMMENTS:**

CVC has previously conducted a site visit to the subject property; the location of the proposed addition is setback adequately from the features of concern. This minor variance application does not impact the Authority's interests in this case; as such CVC has no objection to the approval of the application by the Committee at this time.

The applicant is to note that a CVC permit is required for the development as proposed. "

A letter was received from G. Jeans, a resident of 1421 Glenburnie Road, stating that he had no objection to the requested variances.

No other persons expressed any interest in the application.

The Committee after considering the submissions put forward by Mr. Hicks and having reviewed the plans and comments received, 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.



**MISSISSAUGA**

File: "A" 308/15  
WARD 1

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

MOVED BY: S. Patrizio      SECONDED BY: J. Page      CARRIED

Application Approved.

Dated at the City of Mississauga on July 23, 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 AUGUST 12, 2015.

Date of mailing is July 27, 2015.

S. PATRIZIO

D. GEORGE (CHAIR)

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 July 23, 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.

## 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

EMIDIO PIERGIOVANNI

on Thursday July 16, 2015

Emidio Piergiovanni is the owner of part of Lot 29, Concession 1, SDS, located and known as 1801 North Sheridan Way, zoned H-E2-14 – Employment (Holding). The applicant requests the Committee to authorize a minor variance to continue to permit the operation of a Motor Vehicle Body Repair Facility on the subject property, as previously approved pursuant to Committee of Adjustment application "A"160/08; whereas By-law 0225-2007, as amended, does not permit the operation of a Motor Vehicle Body Repair Facility on the subject property in this instance.

Mr. R. Mounsey, authorized agent, attended and presented the subject application to permit the existing motor vehicle body repair facility to continue to operate on the subject property. Mr. Mounsey advised the Committee that the repair facility had been operating for approximately 23 years and that no changes were proposed to the facility.

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

The City of Mississauga Planning and Building Department commented as follows (July 10, 2015):

### 1.0 RECOMMENDATION

The Planning and Building Department has no objection to the requested variance, subject to the condition imposed under 'A' 160/08.

### 2.0 BACKGROUND

#### *Mississauga Official Plan*

*Character Area:* Sheridan Neighbourhood  
*Designation:* Business Employment

#### *Zoning By-law 0225-2007*

*Zoning:* "H-E2-14", Employment (Holding)

### 3.0 OTHER APPLICATIONS

No other applications currently in process.

### 4.0 COMMENTS

We note that the subject application is a continuation of previous approvals granted by the Committee under 'A' 160/08, 'A' 351/02, 'A' 294/97 and 'A' 659/91. The most recent temporary approval expired on May 31, 2013. At the time, this Department stated that we had



## MISSISSAUGA

File: "A" 309/15  
WARD 8

no objection to the request, subject to a condition that all vehicles shall be stored at the rear of the subject building.

Based on the preceding information, we have no objection to the request, subject to the condition imposed under 'A' 160/08."

The City of Mississauga Transportation and Works Department commented as follows (July 9, 2015):

"This department has no objections to the applicant's request to continue to permit the operation of the motor vehicle body vehicle facility of the subject property."

The Region of Peel, Environment, Transportation and Planning Services, commented as follows (July 13, 2015):

"This property is within the vicinity of the Newman Landfill Site. The southern part of the site was used for the disposal of wastes, while the northern portion was used for the disposal of flyash from the Lakeview Generating Station. A methane collection system continues to remove methane gas from the site. An environmental monitoring program is in place at the site and consists of groundwater and landfill gas monitoring on a routine basis. It is catalogued by the Ministry of Environment and Climate Change (M.O.E.C.C.) as #7071.

This property is within the vicinity of the North Sheridan Sanitary Landfill Site. The site was used for the disposal of residential and industrial wastes, including some flyash until 1980. A methane collection system continues to remove methane gas from the site. An environmental monitoring program is in place at the site and consists of groundwater and landfill gas monitoring on a routine basis. It is catalogued by the Ministry of Environment and Climate Change (M.O.E.C.C.) as #A220103."

No other persons expressed any interest in the application.

The Committee after considering the submissions put forward by Mr. Mounsey and having reviewed the plans and comments received, 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.



**MISSISSAUGA**

File: "A" 309/15  
WARD 8

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

1. The applicant shall proceed in accordance with the site plan reviewed by the Committee.
2. All vehicles shall be stored to the rear of the building on the subject property:

MOVED BY: S. Patrizio      SECONDED BY: P. Quinn      CARRIED

Application Approved on conditions as stated.

Dated at the City of Mississauga on July 23, 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 AUGUST 12, 2015.

Date of mailing is July 27, 2015.




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S. PATRIZIO



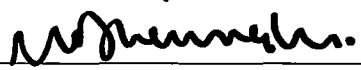

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D. GEORGE (CHAIR)





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J. ROBINSON




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D. KENNEDY




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J. PAGE




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D. REYNOLDS




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P. QUINN

I certify this to be a true copy of the Committee's decision given on July 23, 2015.




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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.

## 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

REDBOURNE ERINDALE PROPERTIES II INC,  
REDBOURNE ERINDALE PROPERTIES II LP INC,  
REDBOURNE ERINDALE PROPERTIES III INC,  
& REDBOURNE ERINDALE PROPERTIES III LP INC

on Thursday July 16, 2015

Redbourne Erindale Properties II Inc, Redbourne Erindale Properties II Lp Inc, Redbourne Erindale Properties III Inc & Redbourne Erindale Properties III Lp Inc are the owners of part of Lots 7 & 8, Range 3, NDS, located and known as 1270 Central Parkway West, zoned O-2 - Office. The applicants request the Committee to authorize a minor variance to permit various substandard sized parking spaces and aisle widths within the existing surface parking lot and underground parking structures on the subject property proposing:

### Surface Parking Area

1. driveway aisles with a minimum width of 6.00 m (19.68 ft.); whereas By-law 0225-2007, as amended, requires a minimum driveway aisle width of 7.00 m (22.96 ft.) in this instance.

### P1 – Parking Garage

1. driveway aisles with a minimum width of 4.97 m (16.30 ft.); whereas By-law 0225-2007, as amended, requires a minimum driveway aisle width of 7.00 m (22.96 ft.) in this instance;
2. 52 parking spaces proposing a minimum width of 2.40 m (7.87 ft.); whereas By-law 0225-2007, as amended, requires a minimum width of a parking space of 2.60 m (8.53 ft.) in this instance; and,
3. 6 parking spaces where the length of one side abuts a building, structure or part thereof proposing a minimum width of 2.47 m (8.10 ft.); whereas By-law 0225-2007, as amended, requires a minimum width of a parking space of 2.75 m (9.02 ft.) for a parking space where the length of one side abuts a building, structure or part thereof in this instance.

### P2 – Parking Garage

1. driveway aisles with a minimum width of 4.97 m (16.30 ft.); whereas By-law 0225-2007, as amended, requires a minimum driveway aisle width of 7.00 m (22.96 ft.) in this instance;
2. 52 parking spaces proposing a minimum width of 2.40 m (7.87 ft.); whereas By-law 0225-2007, as amended, requires a minimum width of a parking space of 2.60 m (8.53 ft.) in this instance; and,
3. 6 parking spaces where the length of one side abuts a building, structure or part thereof proposing a minimum width of 2.47 m (8.10 ft.); whereas By-law 0225-2007,



# MISSISSAUGA

File: "A" 310/15  
WARD 6

as amended, requires a minimum width of a parking space of 2.75 m (9.02 ft.) for a parking space where the length of one side abuts a building, structure or part thereof in this instance.

### P3 – Parking Garage

1. driveway aisles with a minimum width of 5.28 m (17.32 ft.); whereas By-law 0225-2007, as amended, requires a minimum driveway aisle width of 7.00 m (22.96 ft.) in this instance;
2. 52 parking spaces proposing a minimum width of 2.52 m (8.26 ft.); whereas By-law 0225-2007, as amended, requires a minimum width of a parking space of 2.60 m (8.53 ft.) in this instance; and,
3. 3 parking spaces where the length of one side abuts a building, structure or part thereof proposing a minimum width of 2.64 m (8.66 ft.); whereas By-law 0225-2007, as amended, requires a minimum width of a parking space of 2.75 m (9.02 ft.) for a parking space where the length of one side abuts a building, structure or part thereof in this instance.

Mr. G. Griffiths, authorized agent, attended and presented the subject application to allow for the existing parking deficiencies to remain within the existing parking structure and surface parking lot on the subject property. Mr. Griffiths advised the Committee that the subject property had recently been acquired by a new owner and that various permits had been applied for various tenancies within the building. He explained that it had been discovered that some of the parking stall and drive aisle widths were substandard in size. Mr. Griffiths noted that these were historical site conditions and that their length of existence demonstrated them to not be an impediment on the functionality of the parking garage and surface lot. He suggested that it would be appropriate to maintain the existing deficiencies.

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

The City of Mississauga Planning and Building Department commented as follows (July 13, 2015):

#### "1.0 RECOMMENDATION

The Planning and Building Department have no objection to the requested variances, as amended, however the applicant may wish to defer to ensure all variances are accurately identified.

#### 2.0 BACKGROUND

##### *Mississauga Official Plan*

*Character Area:* Mavis-Erindale Employment Area  
*Designation:* Office

##### *Zoning By-law 0225-2007*

*Zoning:* "O-2", Office

#### 3.0 OTHER APPLICATIONS

N/A

#### 4.0 COMMENTS





File: "A" 310/15  
WARD 6

The Planning and Building Department note that in the absence of any on-going applications, we are unable to verify the accuracy of the requested variances; however, based on the information provided, it appears that the following requested variances should be amended:

"P1 - Parking Area

3. 7 parking spaces where the length of one side abuts a building, structure or part thereof proposing a minimum width of 2.47m (8.10 ft.); whereas By-law 0225-2007, as amended, requires a minimum width of a parking space of 2.75m (9.02 ft) for a parking space where the length of one side abuts a building, structure or part thereof in this instance;

P2 - Parking Garage

3. 7 parking spaces where the length of one side abuts a building, structure or part thereof proposing a minimum width of 2.47m (8.10 ft.); whereas By-law 0225-2007, as amended, requires a minimum width of a parking space of 2.75m (9.02 ft) for a parking space where the length of one side abuts a building, structure or part thereof in this instance;"

We further advise that based on the number of required parking spaces for the site, a minimum of 22 accessible spaces are required. Of the 22 proposed accessible spaces, 11 type A spaces and 11 type B spaces are required; whereas 10 type A spaces and 12 type B spaces have been proposed.

Through discussions with the applicant it is our understanding that they will be submitting an updated Site Plan to the Committee at the time of the hearing showing a redesign to provide the appropriate ratio of Type "A" and Type "B" accessible parking spaces. Should the applicant not provide this an additional variance for the "Surface Parking Area" will be required.

The variances are required to address existing conditions on site and are currently functioning without major issue as far as we are aware. Planning staff note that the parking space dimensions and aisle widths are primarily constrained by the existing parking garage. In order to accommodate proper aisle widths and space sizes it would require a reconfiguration that could produce the loss of an entire row of parking stalls or a similar undesirable outcome. It is the opinion of Planning staff that the requested reduction in stall widths is minor in nature and should not have an impact on the functionality of the site.

Considering the preceding information the Planning and Building Department have no objection the requested variances, as amended, however we note that we are not able to verify the accuracy of the variances so the applicant may wish to defer in order to ensure all variances are correctly identified and that no additional variances are required."

The City of Mississauga Transportation and Works Department commented as follows (July 9, 2015):

"This Department has no objections, comments or requirements with respect to C.A. 'A' 310/15."

No other persons expressed any interest in the application.

Mr. Griffiths upon hearing the comments of the Committee and the Planning and Building Department, requested that the application be amended in accordance with their recommendations.

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



## MISSISSAUGA

File: "A" 310/15  
WARD 6

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 amended request is minor in nature in this instance.

Accordingly, the Committee resolves to authorize and grant the amended request to permit various substandard sized parking spaces and aisle widths within the existing surface parking lot and underground parking structures on the subject property proposing:

### Surface Parking Area

1. driveway aisles with a minimum width of 6.00 m (19.68 ft.); whereas By-law 0225-2007, as amended, requires a minimum driveway aisle width of 7.00 m (22.96 ft.) in this instance.

### P1 – Parking Garage

1. driveway aisles with a minimum width of 4.97 m (16.30 ft.); whereas By-law 0225-2007, as amended, requires a minimum driveway aisle width of 7.00 m (22.96 ft.) in this instance;
2. 52 parking spaces proposing a minimum width of 2.40 m (7.87 ft.); whereas By-law 0225-2007, as amended, requires a minimum width of a parking space of 2.60 m (8.53 ft.) in this instance; and,
3. 7 parking spaces where the length of one side abuts a building, structure or part thereof proposing a minimum width of 2.47 m (8.10 ft.); whereas By-law 0225-2007, as amended, requires a minimum width of a parking space of 2.75 m (9.02 ft.) for a parking space where the length of one side abuts a building, structure or part thereof in this instance.

### P2 – Parking Garage

1. driveway aisles with a minimum width of 4.97 m (16.30 ft.); whereas By-law 0225-2007, as amended, requires a minimum driveway aisle width of 7.00 m (22.96 ft.) in this instance;
2. 52 parking spaces proposing a minimum width of 2.40 m (7.87 ft.); whereas By-law 0225-2007, as amended, requires a minimum width of a parking space of 2.60 m (8.53 ft.) in this instance; and,
3. 7 parking spaces where the length of one side abuts a building, structure or part thereof proposing a minimum width of 2.47 m (8.10 ft.); whereas By-law 0225-2007, as amended, requires a minimum width of a parking space of 2.75 m (9.02 ft.) for a parking space where the length of one side abuts a building, structure or part thereof in this instance.

### P3 – Parking Garage

1. driveway aisles with a minimum width of 5.28 m (17.32 ft.); whereas By-law 0225-2007, as amended, requires a minimum driveway aisle width of 7.00 m (22.96 ft.) in this instance;
2. 52 parking spaces proposing a minimum width of 2.52 m (8.26 ft.); whereas By-law 0225-2007, as amended, requires a minimum width of a parking space of 2.60 m (8.53 ft.) in this instance; and,
3. 3 parking spaces where the length of one side abuts a building, structure or part thereof proposing a minimum width of 2.64 m (8.66 ft.); whereas By-law 0225-2007, as amended, requires a minimum width of a parking space of 2.75 m (9.02 ft.) for a parking space where the length of one side abuts a building, structure or part thereof in this instance.



File: "A" 310/15  
WARD 6

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

Application Approved, as amended.

Dated at the City of Mississauga on July 23, 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 AUGUST 12, 2015.

Date of mailing is July 27, 2015.

S. PATRIZIO

D. GEORGE (CHAIR)

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 July 23, 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.

## 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

ALI MUSSA

on Thursday July 16, 2015

Ali Mussa is the owner of Lot 18, Registered Plan 697, located and known as 2454 Mississauga Road, zoned R1 – Residential. The applicant requests the Committee to authorize a minor variance to permit the existing circular driveway to remain on the subject property proposing a combined width of the two access points of 13.85 m (45.43 ft.); whereas By-law 0225-2007, as amended, permits a maximum combined width of the access points of 8.50 m (27.88 ft.) for a driveway in this instance.

Mr. J. Levac, authorized agent, attended and presented the subject application to permit the existing circular driveway to remain on the subject property. Mr. Levac advised the Committee that the property had recently been redeveloped pursuant to a Site Plan Approval application to allow for the construction of a new dwelling and driveway and explained that the property had previously contained a circular driveway. Mr. Levac noted that the Site Plan Approval application required for the previous driveway to be removed to allow for the installation of a septic system within the front yard. He confirmed that the property owner subsequently paid a substantial amount of money to have the municipal services extended to the subject property and that the septic system was no longer required. He explained that his client proceeded to utilize land set aside for the septic bed for the construction of a circular driveway not in compliance with the Site Plan Approval application.

Mr. Levac advised the Committee that the subject property had a substantial frontage and that a circular driveway could be accommodated within the front yard of the property. He indicated that the subject property contained sufficient landscaping to mitigate the appearance of the driveway.

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

The City of Mississauga Planning and Building Department commented as follows (July 14, 2015):

### 1.0 RECOMMENDATION

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

### 2.0 BACKGROUND

#### *Mississauga Official Plan*

*Character Area:* Sheridan Neighbourhood  
*Designation:* Residential Low Density I

*Zoning By-law 0225-2007*



## MISSISSAUGA

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Zoning: "R1", Residential

Discussion:

The intent of the By-law restriction on driveway widths and circular driveway access points is to maximize opportunities for front yard landscaping while providing for a reasonable amount of parking; thereby, minimizing the effects of hard surfaced areas on the streetscape. The current driveway results in a front-yard that consists of hard surface area which over emphasizes motor vehicle parking, which does not reinforce nor enhance the character of the neighbourhood.

### 3.0 OTHER APPLICATIONS

*Site Plan* File: SPR 13-212 W8 – Not Satisfactory

### 4.0 COMMENTS

Based on a review of the Site Plan application for the proposed "as built revisions", we advise that the variance request should be amended as follows:

"1. a combined width of two points of access of a circular driveway of 13.85 m (45.44 ft.); whereas By-law 0225-2007, as amended, permits a maximum combined width of the two points of access of a circular driveway of 8.5 m (27.89 ft.) in this instance;

2. a driveway width of 12.89 m (42.29 ft.); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 8.5 m (27.89 ft.) in this instance."

Based on a review of aerial photographs dating from 2011 and prior, it appears that the subject property previously had a circular driveway. A Site Plan application was approved in 2011 for the subject property for a new two storey dwelling, and the circular driveway was to be removed and reconfigured so that only one access point would be located on the property. As indicated in the application, a septic tank was proposed to be located in the front yard, with the septic bed located in the rear yard. It is our understanding that subsequent to Site Plan approval, municipal service connections were established such that the septic system would no longer be required. Therefore, the approved driveway configuration was abandoned and the circular driveway was expanded without a revision to the approved Site Plan and undertaking.

However, it is our opinion that the existing driveway results in an excessive amount of hard surface on the lot. Not requiring a septic system on the property does not sufficiently justify an expansion of the driveway.

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

The City of Mississauga Transportation and Works Department commented as follows (July 9, 2015):

"Enclosed for Committee's easy reference are some photo's which depict the subject property, in particular the existing circular driveway."

The City of Mississauga Community Services Department, Culture Division commented as follows (July 2, 2015):

"The subject property is registered under the Ontario Heritage Act as it forms part of the Mississauga Road Cultural Heritage Landscape. There are no heritage concerns with the proposal as no demolition is proposed."

The Region of Peel, Environment, Transportation and Planning Services, commented as follows (July 13, 2015):

"This property is within the vicinity of the Newman Landfill Site. The southern part of the site was used for the disposal of wastes, while the northern portion was used for the disposal of



## MISSISSAUGA

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flyash from the Lakeview Generating Station. A methane collection system continues to remove methane gas from the site. An environmental monitoring program is in place at the site and consists of groundwater and landfill gas monitoring on a routine basis. It is catalogued by the Ministry of Environment and Climate Change (M.O.E.C.C.) as #7071.

This property is within the vicinity of the North Sheridan Sanitary Landfill Site. The site was used for the disposal of residential and industrial wastes, including some flyash until 1980. A methane collection system continues to remove methane gas from the site. An environmental monitoring program is in place at the site and consists of groundwater and landfill gas monitoring on a routine basis. It is catalogued by the Ministry of Environment and Climate Change (M.O.E.C.C.) as #A220103."

A letter was received from J. Coomes, a resident of 2444 Mississauga Road, stating an objection to the subject application.

A letter was received from D. Younam, a resident of 2250 Portway Avenue, stating an objection to the subject application.

Mr. A. Coombs, representative of 2444 Mississauga Road and 2250 Portway Avenue, attended and expressed an objection to the subject application. He explained that the driveway was very large and not appropriate for the subject property. He suggested that the circular driveway had an appearance of a parking lot.

Ms. J. Coombs, a resident of 2444 Mississauga Road, attended and expressed her interest in the subject application.

Mr. J. Lee, a Planner for the Planning and Building Department, attended and presented the site plan pursuant to the approved Site Plan Approval application. He indicated that a smaller circular driveway had been on the property prior to its redevelopment and that the approved site plan depicted a non-circular driveway that was substantially smaller than what had been constructed on the property.

No other persons expressed any interest in the application.

Mr. Levac upon hearing the comments of the Committee and the Planning and Building Department, requested that the application be amended in accordance with their recommendations.

The Committee consented to the request and, after considering the submissions put forward by Mr. Levac and having reviewed the plans and comments received, is not satisfied that the amended request is desirable for the appropriate use of the subject property. The Committee was of the opinion that the driveway was excessive in size and inappropriately large for the subject property. They noted that the front yard did not provide sufficient landscaping to help mask the visual impact of the expansive hard surface of the driveway. They noted that the driveway was a significant departure from what was approved pursuant to the Site Plan Approval application and was the dominant feature within the front yard.

The Committee is not 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 amended request is not minor in nature in this instance.



**MISSISSAUGA**

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Accordingly, the Committee resolves to deny the amended request.

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

Application Refused.

Dated at the City of Mississauga on July 23, 2015.

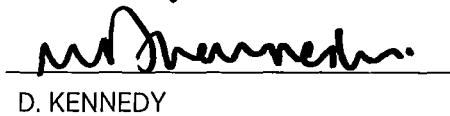
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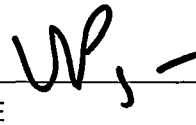
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