



COMMITTEE OF ADJUSTMENT AGENDA

Location: COUNCIL CHAMBER
Hearing: June 4, 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-20/15	501 LAKESHORE INC	447, 453, 501 LAKESHORE RD E	1	Approved
B-21/15	MAGELLAN AEROSPACE LIMITED	3160 DERRY RD E	5	July 16
B-022/15, A-262/15 & A-266/15	JOHN KING	1043 JOHNSON'S LANE	2	Approved

DEFERRED APPLICATIONS - (CONSENT)

B-055/14, A-354/14 & A-355/14	SARUP ENTERPRISES INC	35 COURTNEYPARK DR W	5	July 16
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NEW APPLICATIONS - (MINOR VARIANCE)

A-246/15	IFTEKHARUL ISLAM	5411 STARWOOD DR	5	Refused
A-247/15	GOLFOUR PROPERTY SERVICES INC.	960-966 DUNDAS ST E	1	Approved
A-248/15	WESLEY & KAMILA KUK	630 KEDLESTON WAY	2	Approved
A-249/15	LISA SAVAGE	1256 MINEOLA GDNS	1	Approved
A-250/15	PJL TRUST	1650 DUNDAS ST E	1	Approved
A-251/15	CARLRO HOLDINGS	6915 DIXIE RD	5	July 2
A-252/15	UPANSHUMAN & PRAMILA PANDEY	3257 MONICA DR	5	July 2

DEFERRED APPLICATIONS - (MINOR VARIANCE)

A-134/15	JAN & WIESLAWA KAZULA	1326 KENMUIR AVE	1	July 9
A-153/15	JULIE ELAINE ROCCA	236 QUEEN ST S	11	Aug 20
A-208/15	PARAMPUNEET SINGH DEOL	1456 HELM CRT	2	Approved
A-240/15	OUTFIELD HOLDINGS LIMITED & SITZER GROUP HOLDINGS NO.1 LIMIT	1450 RATHBURN RD W, 4035, 4075 & 4141 DIXIE RD	3	Approved

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

501 LAKESHORE INC. (TRINITY DEVELOPMENT)

on Thursday June 4, 2015

501 Lakeshore Inc. (Trinity Development) are the owners of Part of Lots 5, 6 and 12, Registered Plan F-20 located and known as 447, 453, 501 Lakeshore Road East, zoned RA4-31 - Residential & G1 - Greenbelt. The applicant requests the consent of the Committee to the conveyance of a parcel of land having a frontage of approximately 15.24m (50.00ft.) and an area of approximately 19,291.09m² (207,647.56ft²) and the creation of storm and sanitary sewer easements. The effect of the application is to create a new lot for employment purposes with associated storm and sanitary sewer easements.

Mr. M. Quarcoopome, authorized, attended and presented the application to convey a parcel of land for the creation of a new residential lot and for the creation of easements for access and servicing purposes. Mr. Quarcoopome advised the Committee that his client wished to convey the northerly portion of the property for residential purposes and that the southerly retained portion of the property would be developed with commercial purposes. He noted that reciprocal easements would be required for access and that additional easements over the retained lands would be required for sanitary and storm water sewer purposes. Mr. Quarcoopome indicated that both the conveyed and retained lands would abut a regional pumping station.

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),
City of Mississauga, Community Services Department, Park Planning (June 2, 2015),
Region of Peel, Environment, Transportation and Planning Services (June 1, 2015),
Credit Valley Conservation (May 25, 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. Quarcoopome consented to the imposition of the proposed conditions. He requested for the application to be amended in accordance with the recommendation contained within the Planning and Building Department report and noted that the property was also zoned G1-Greenbelt.

The Committee consented to the amendment request and after considering the submissions put forward by Mr. Quarcoopome, 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 resolves to authorize and grant the amended request for the conveyance of a parcel of land having a frontage of approximately 15.24 m (50.00 ft.) and an area of approximately 19,291.09 m² (207,647.56 sq. ft.) and for the creation of storm and sanitary easements. The effect of this application is to create a new lot for residential purposes with associated storm and sanitary easements.

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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding.
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated May 28, 2015.
5. 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.



File: "B" 020/15
WARD 1

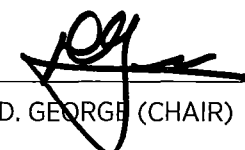
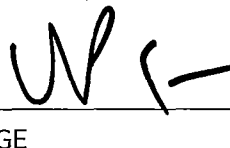
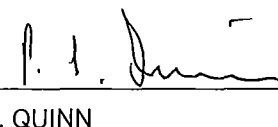
MOVED BY: S. Patrizio SECONDED BY: J. Robinson CARRIED

Application Approved on conditions as stated.

Dated at the City of Mississauga on June 11, 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 JULY 5, 2015.

Date of mailing is June 15, 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 June 11, 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 June 15, 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

JOHN KING

on Thursday June 4, 2015

John King is the owner of Part of Lot 27, Concession 2, SDS, located and known as 1043 Johnson's Lane, zoned R3-1, Residential. The applicant requests the consent of the Committee to the conveyance of a parcel of land having a frontage of 20.76m (68.11ft.) and an area of approximately 507.90m² (5,467.16 sq. ft.). The purpose of the application is to create a new lot for residential purposes.

Mr. J. Levac, authorized agent, attended and presented the application to convey a parcel of land for the creation of a new residential property for the development of a new two storey dwelling. Mr. Levac advised the Committee that although the subject property was uniquely shaped, that the resultant lots created through the proposed consent process would maintain the character of the existing lot pattern within the surrounding neighbourhood. He noted that the proposed new dwelling that would be constructed on the conveyed lands would be designed to have the same uniform front yard depth as other properties along Andros Boulevard. Mr. Levac indicated that relief to the Zoning By-law would be required for the existing dwelling on the retained lands as the lot frontage and exterior side yard were historical site conditions and that the requested relief would give formal recognition to these deficiencies.

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 (May 29, 2015),
City of Mississauga, Transportation and Works Department (May 28, 2015),
City of Mississauga, Community Services Department, Park Planning (June 2, 2015),
Region of Peel, Environment, Transportation and Planning Services (June 1, 2015),

A letter was received from the residents of 1033, 1039 and 1059 Johnson's Lane; and, 1495, 1501, 1502, 1503, 1507 and 1509 Andros Boulevard; expressing that they had no objection to the subject application.

Ms. B. Bleackley, a resident of 1080 Kos Boulevard, attended and expressed her objection to the subject application. Ms. Bleackley indicated that the proposed dwelling did not maintain the character of the neighbourhood and that the additional driveway access that would be constructed along Andros Boulevard would further reduce the availability of on-street parking. She noted that there was an existing deficiency of on-street parking in the area further noted concerns with traffic congestion and road safety. Ms. Bleackley indicated that additional circulation of the application should occur beyond the legislative requirements.

No other persons expressed any interest in the application.

Mr. Levac confirmed that the public hearing notification signs had been posted on the property in accordance with the legislative requirements. Mr. Levac noted that the proposed conveyed and retained lands were in conformity with the *Mississauga Official Plan* with respect to density for the neighbourhood and suggested that the elimination of parking to accommodate the driveway access for the conveyed lands would not inappropriately reduce the availability of parking within the surrounding area. Mr. Levac confirmed that sufficient parking would be provided on-site for the residential uses of the conveyed and retained lands.

The Secretary-Treasurer confirmed that the public hearing notice was circulated in accordance with the legislative requirements.

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, 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 was satisfied that the proposed conveyed and retained lands maintained the existing lot pattern within the neighbourhood and that the proposed new dwelling was compatible in size and scale to the existing housing stock along Andros Boulevard. The Committee noted that the conveyed and retained lands would provide sufficient on-site parking for each property and that the removal of one or two spaces to accommodate the new driveway along Andros Boulevard would not inappropriately impact the availability of on-street parking.

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" 262/15 & "A" 266/15)
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 May 28, 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 June 2, 2015.



File: "B" 022/15
WARD 2


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

Application Approved on conditions as stated.

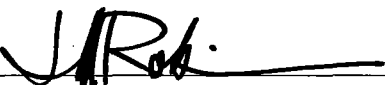
Dated at the City of Mississauga on June 11, 2015.

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 JULY 5, 2015.

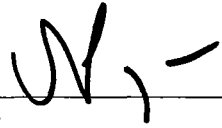
Date of mailing is June 15, 2015.



S. PATRIZIO


D. GEORGE (CHAIR)


J. ROBINSON

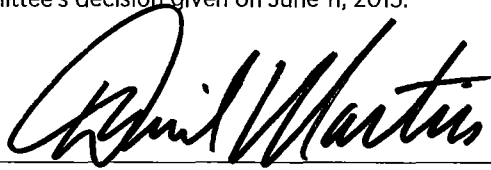

D. KENNEDY


J. PAGE


D. REYNOLDS

DISSENTED
P. QUINN

I certify this to be a true copy of the Committee's decision given on June 11, 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 June 15, 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

JOHN KING

on Thursday June 4, 2015

John King is the owner of Part of Lot 27, Concession 2, SDS, located and known as 1043 Johnson's Lane, zoned R3-1 - Residential. The applicant requests the Committee to authorize a minor variance to permit the creation of a lot (being the conveyed land of Consent application "B"022/15) and for the construction of a new two storey dwelling proposing:

1. a lot area of 507.00 m² (4,457.48 sq. ft.); whereas By-law 0225-2007, as amended, requires a minimum lot area of 550.00 m² (5,920.34 sq. ft.) in this instance; and,
2. a front yard of 5.45 m (17.88 sq. ft.); whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50 m (24.60 ft.) in this instance.

Mr. J. Levac, authorized agent, attended and presented the application to convey a parcel of land for the creation of a new residential property for the development of a new two storey dwelling. Mr. Levac advised the Committee that although the subject property was uniquely shaped, that the resultant lots created through the proposed consent process would maintain the character of the existing lot pattern within the surrounding neighbourhood. He noted that the proposed new dwelling that would be constructed on the conveyed lands would be designed to have the same uniform front yard depth as other properties along Andros Boulevard. Mr. Levac indicated that relief to the Zoning By-law would be required for the existing dwelling on the retained lands as the lot frontage and exterior side yard were historical site conditions and that the requested relief would give formal recognition to these deficiencies.

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

The City of Mississauga Planning and Building Department commented as follows (May 29, 2015):

"1.0 RECOMMENDATION

The Planning and Building Department has no objection to the Consent application, provided that the severed and retained lots comply with the Zoning By-law 0225-2007, as amended. Further, we have no objection to the requested variances. However, the applicant may wish to defer the applications to submit the required Site Plan and Building Permit applications for 'A' 262/15 to ensure that all required variances have been accurately identified.

2.0 BACKGROUND

Mississauga Official Plan

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

Discussion:

We advise that Section 16.1.2.1 of Mississauga Official Plan states that,

To preserve the character of lands designated Residential Low Density I and Residential Low Density II, the minimum frontage and area of new lots proposed along the periphery of a draft plan of subdivision, or which are subject to a consent application, will generally represent the greater of:

- a. The average lot frontage and lot area of residential lots on both sides of the same street within 120 m of the subject property. In the case of a corner lot, lots on both street within 120 m will be considered; or
- b. The requirements of the Zoning By-law.

Zoning By-law 0225-2007

Zoning: "R3-1", Residential

3.0 OTHER APPLICATIONS

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

4.0 COMMENTS

For 'A' 262/15, we note that Site Plan and Building Permit applications are required and in the absence of a Site Plan application or Building Permit application, we are unable to verify the accuracy of the requested variances or determine whether additional variances will be required. In order to confirm the accuracy of the requested variances, the applicant may apply for a Pre-Zoning Review application and submit working drawings in order that a detailed zoning review may be completed. A minimum of four (4) weeks will be required to process a Pre-Zoning Review application depending on the complexity of the proposal and the detail of the information submitted.

In regards to the Consent application and Section 16.1.2.1 of the Official Plan, we advise that both the severed and retained lands would be significantly greater in lot area and lot frontage compared to the average of lots within 120m (393.70 ft.) of the property and on both Johnson's Lane and Andros Boulevard. Given the context of the site, we have no objection to the Consent application, provided that the severed and retained lots comply with the provisions of Zoning 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.

For 'A' 262/15, with regard to variance #1, given that the proposed lot would be significantly greater in lot area compared to other lots on Andros Boulevard, we have no objection to the request. In regards to variance #2, we note that the proposed dwelling would align with adjacent dwellings for front yard setback. Therefore, we have no objection to the request.

For 'A' 266/15, with regard to variance #1, we note that that the lot frontage on Johnson's Lane is existing, and is minor in nature. Therefore, we have no objection to the request. In regards to variance #2, we note that the exterior side yard variance would recognize the existing dwelling. Therefore, we have no objection to the request."

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

"We are noting for information purposes that any Transportation and Works Department concerns/requirements for this property will be addressed through both Consent Application 'B' 22/15 and also through the Building Permit process."



File: "A" 262/15
WARD 2

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

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

Please note that severing the lands may adversely affect the existing location of the water and sanitary sewer services. 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. An upgrade of your existing service may be required. Please note that site servicing approvals will be required prior to building permit."

A letter was received from the residents of 1033, 1039 and 1059 Johnson's Lane; and, 1495, 1501, 1502, 1503, 1507 and 1509 Andros Boulevard; expressing that they had no objection to the subject application.

Ms. B. Bleackley, a resident of 1080 Kos Boulevard, attended and expressed her objection to the subject application. Ms. Bleackley indicated that the proposed dwelling did not maintain the character of the neighbourhood and that the additional driveway access that would be constructed along Andros Boulevard would further reduce the availability of on-street parking. She noted that there was an existing deficiency of on-street parking in the area further noted concerns with traffic congestion and road safety. Ms. Bleackley indicated that additional circulation of the application should occur beyond the legislative requirements.

No other persons expressed any interest in the application.

Mr. Levac confirmed that the public hearing notification signs had been posted on the property in accordance with the legislative requirements. Mr. Levac noted that the proposed conveyed and retained lands were in conformity with the *Mississauga Official Plan* with respect to density for the neighbourhood and suggested that the elimination of parking to accommodate the driveway access for the conveyed lands would not inappropriately reduce the availability of parking within the surrounding area. Mr. Levac confirmed that sufficient parking would be provided on-site for the residential uses of the conveyed and retained lands.

Mr. Levac confirmed that accuracy of the subject application and indicated he wished for the Committee to proceed in evaluating the merits of the application.

The Secretary-Treasurer confirmed that the public hearing notice was circulated in accordance with the legislative requirements.

The Committee after considering the submissions put forward by Mr. Levac 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 was satisfied that the proposed conveyed and retained lands maintained the existing lot pattern within the neighbourhood and that the proposed new dwelling was compatible in size and scale to the existing housing stock along Andros Boulevard. The Committee noted that the conveyed and retained lands would provide sufficient on-site parking for each property and that the removal of one or two spaces to accommodate the new driveway along Andros Boulevard would not inappropriately impact the availability of on-street parking.

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

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



MISSISSAUGA

File: "A" 262/15
WARD 2

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

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

Application Approved.

Dated at the City of Mississauga on June 11, 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 JULY 1, 2015.

Date of mailing is June 15, 2015.

S. PATRIZIO

D. GEORGE (CHAIR)

J. ROBINSON

D. KENNEDY

J. PAGE

D. REYNOLDS

DISSENTED

P. QUINN

I certify this to be a true copy of the Committee's decision given on June 11, 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

JOHN KING

on Thursday June 4, 2015

John King is the owner of Part of Lot 27, Concession 2, SDS, located and known as 1043 Johnson's Lane, zoned R3-1 - Residential. The applicant requests the Committee to authorize a minor variance to permit the creation of a lot (being the retained land of Consent application "B"022/15) proposing:

1. a lot frontage of 19.41 m (63.68 ft.); whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 19.50 m (63.97 ft.) in this instance; and,
2. an exterior side yard of 4.99 m (16.37 ft.); whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 6.00 m (19.68 ft.) in this instance.

Mr. J. Levac, authorized agent, attended and presented the application to convey a parcel of land for the creation of a new residential property for the development of a new two storey dwelling. Mr. Levac advised the Committee that although the subject property was uniquely shaped, that the resultant lots created through the proposed consent process would maintain the character of the existing lot pattern within the surrounding neighbourhood. He noted that the proposed new dwelling that would be constructed on the conveyed lands would be designed to have the same uniform front yard depth as other properties along Andros Boulevard. Mr. Levac indicated that relief to the Zoning By-law would be required for the existing dwelling on the retained lands as the lot frontage and exterior side yard were historical site conditions and that the requested relief would give formal recognition to these deficiencies.

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

The City of Mississauga Planning and Building Department commented as follows (May 29, 2015):

"1.0. RECOMMENDATION

The Planning and Building Department has no objection to the Consent application, provided that the severed and retained lots comply with the Zoning By-law 0225-2007, as amended. Further, we have no objection to the requested variances. However, the applicant may wish to defer the applications to submit the required Site Plan and Building Permit applications for 'A' 262/15 to ensure that all required variances have been accurately identified.

2.0. BACKGROUND

Mississauga Official Plan

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

Discussion:

We advise that Section 16.1.2.1 of Mississauga Official Plan states that,

To preserve the character of lands designated Residential Low Density I and Residential Low Density II, the minimum frontage and area of new lots proposed along the periphery of a draft plan of subdivision, or which are subject to a consent application, will generally represent the greater of:

- a. The average lot frontage and lot area of residential lots on both sides of the same street within 120 m of the subject property. In the case of a corner lot, lots on both street within 120 m will be considered; or
- b. The requirements of the Zoning By-law.

Zoning By-law 0225-2007

Zoning: "R3-1", Residential

3.0 OTHER APPLICATIONS

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

4.0 COMMENTS

For 'A' 262/15, we note that Site Plan and Building Permit applications are required and in the absence of a Site Plan application or Building Permit application, we are unable to verify the accuracy of the requested variances or determine whether additional variances will be required. In order to confirm the accuracy of the requested variances, the applicant may apply for a Pre-Zoning Review application and submit working drawings in order that a detailed zoning review may be completed. A minimum of four (4) weeks will be required to process a Pre-Zoning Review application depending on the complexity of the proposal and the detail of the information submitted.

In regards to the Consent application and Section 16.1.2.1 of the Official Plan, we advise that both the severed and retained lands would be significantly greater in lot area and lot frontage compared to the average of lots within 120m (393.70 ft.) of the property and on both Johnson's Lane and Andros Boulevard. Given the context of the site, we have no objection to the Consent application, provided that the severed and retained lots comply with the provisions of Zoning 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.

For 'A' 262/15, with regard to variance #1, given that the proposed lot would be significantly greater in lot area compared to other lots on Andros Boulevard, we have no objection to the request. In regards to variance #2, we note that the proposed dwelling would align with adjacent dwellings for front yard setback. Therefore, we have no objection to the request.

For 'A' 266/15, with regard to variance #1, we note that that the lot frontage on Johnson's Lane is existing, and is minor in nature. Therefore, we have no objection to the request. In regards to variance #2, we note that the exterior side yard variance would recognize the existing dwelling. Therefore, we have no objection to the request."

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

"We are noting for information purposes that any Transportation and Works Department concerns/requirements for this property will be addressed through both Consent Application 'B' 22/15 and also through the Building Permit process."



File: "A" 266/15
WARD 2

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

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

Please note that severing the lands may adversely affect the existing location of the water and sanitary sewer services. 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. An upgrade of your existing service may be required. Please note that site servicing approvals will be required prior to building permit."

A letter was received from the residents of 1033, 1039 and 1059 Johnson's Lane; and, 1495, 1501, 1502, 1503, 1507 and 1509 Andros Boulevard; expressing that they had no objection to the subject application.

Ms. B. Bleackley, a resident of 1080 Kos Boulevard, attended and expressed her objection to the subject application. Ms. Bleackley indicated that the proposed dwelling did not maintain the character of the neighbourhood and that the additional driveway access that would be constructed along Andros Boulevard would further reduce the availability of on-street parking. She noted that there was an existing deficiency of on-street parking in the area further noted concerns with traffic congestion and road safety. Ms. Bleackley indicated that additional circulation of the application should occur beyond the legislative requirements.

No other persons expressed any interest in the application.

Mr. Levac confirmed that the public hearing notification signs had been posted on the property in accordance with the legislative requirements. Mr. Levac noted that the proposed conveyed and retained lands were in conformity with the *Mississauga Official Plan* with respect to density for the neighbourhood and suggested that the elimination of parking to accommodate the driveway access for the conveyed lands would not inappropriately reduce the availability of parking within the surrounding area. Mr. Levac confirmed that sufficient parking would be provided on-site for the residential uses of the conveyed and retained lands.

Mr. Levac confirmed that accuracy of the subject application and indicated he wished for the Committee to proceed in evaluating the merits of the application.

The Secretary-Treasurer confirmed that the public hearing notice was circulated in accordance with the legislative requirements.

The Committee after considering the submissions put forward by Mr. Levac 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 was satisfied that the proposed conveyed and retained lands maintained the existing lot pattern within the neighbourhood and that the proposed new dwelling was compatible in size and scale to the existing housing stock along Andros Boulevard. The Committee noted that the frontage and exterior side yard deficiencies are historical and indicated it was appropriate to formally recognize these deficiencies.

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" 266/15
WARD 2

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

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

Application Approved.

Dated at the City of Mississauga on June 11, 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 JULY 1, 2015.

Date of mailing is June 15, 2015.

S. PATRIZIO

D. GEORGE (CHAIR)

J. ROBINSON

D. KENNEDY

J. PAGE

D. REYNOLDS

DISSENTED

P. QUINN

I certify this to be a true copy of the Committee's decision given on June 11, 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

IFTEKHARUL ISLAM

on Thursday June 4, 2015

Iftekharul Islam is the owner of Part of Lot 109, Registered Plan M-1370, located and known as 5411 Starwood Drive, zoned RM5-31, Residential. The applicant requests the Committee to authorize a minor variance to permit the existing driveway to remain having a width of 10.25m (33.62ft.); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00m (19.68ft.) in this instance.

Mr. I. Islam, the property owner, attended and presented the application to permit the existing enlarged driveway to remain on the subject property. Mr. Islam advised the committee that the driveway was enlarged by the previous owner and had been in existence for over 5 years. He indicated that his inspection of the property did not reveal any evidence of any drainage or landscaping concerns.

Ms. Islam displayed a photograph depicting the driveway being used for the parking of personal vehicles. He confirmed that no commercial activities were occurring 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 (May 29, 2015):

"1.0 RECOMMENDATION

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

2.0 BACKGROUND

Mississauga Official Plan

Character Area: Hurontario Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: "RM5-31", Residential

3.0 OTHER APPLICATIONS

N/A

4.0 COMMENTS

Based on a review of the minor variance application we advise that the request should be amended as follows:

1. The applicant requests the Committee to authorize a minor variance to permit the existing driveway to remain having a width of 10.25m (33.63ft.); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 5.20m (17.06ft) in this instance.

The intent of the restrictions on driveway width is to maximize opportunities for landscaping in the front yard while reducing negative appearances on the general streetscape due to excessive hard surface area.

Based on site photos, the Planning and Building Department has concerns with the existing driveway width, as it results in excessive hard surface covering in the front yard that would create a significant emphasis on the parking area. This is not a desirable or appropriate development for the neighbourhood and does not maintain or enhance the character of the area.

Given the previous information, the proposal is not minor in nature and does not maintain the general intent of the Zoning By-law."

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

"This department has concerns with the applicant's request to permit the existing driveway as constructed to remain. We acknowledge that the applicant has indicated that the expansion of the driveway occurred prior to their ownership of the property, however the widened driveway area is excessive. This department is also concerned with the interlocking pavers installed within the municipal boulevard area (area between sidewalk and curb) and would request that the pavers be removed and this area be re-instated with topsoil and sod. With regards to the expanded driveway we would suggest that the applicant consult with staff from the Planning and Building and Transportation and Works Department to determine what (if any) expansion of the driveway would be acceptable."

A letter was received from the residents of 5402, 5404, 5410, 5413, 5414, 5417, 5420, 5422, 5426, 5429 & 5440 Starwood Drive; and 5292 & 5327 Longhouse Crescent, noting that commercial activity was occurring on the property and expressing their objection to the subject application

Mr. M. Golla, a resident of 5404 Starwood Drive, attended and advised the Committee that he had observed several commercial vehicles and trailers attending the subject property to deposit various scrap metal and other waste materials on the property. He suggested that the storage of commercial vehicles, trailers and waste materials was incompatible with the residential nature of the subject property and surrounding neighbourhood.

Mr. I. Akbar, a resident of 5413 Starwood Drive, attended and advised the Committee that he had also observed several commercial vehicles and trailers attending the subject property to deposit various scrap metal and other waste materials on the property. He also suggested that the storage of commercial vehicles, trailers and waste materials was incompatible with the residential nature of the subject property and surrounding neighbourhood.

No other persons expressed any interest in the application.

Mr. Islam upon hearing the comments of the Committee and the Planning and Building Department, requested that the application be amended in accordance with their recommendations. Mr. Islam explained that the subject property was leased to tenants and that he did not live on the property. He confirmed that he and a Municipal Law Enforcement



MISSISSAUGA

File: "A" 246/15
WARD 5

Officer had attended the property separately and that neither had observed any commercial uses on the property. Mr. Islam suggested that it was not his responsibility ability to monitor the types of activities that the tenants engaged in.

The Committee consented to the request and, after considering the submissions put forward by Mr. Islam 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 did not accept Mr. Islam's suggestion that it was not his responsibility to monitor the type of activity that occurred on the subject property. They noted that it was his responsibility, as the property owner, to ensure that the property is maintained in accordance with the Zoning By-law. The Committee indicated that upon their site inspection it was observed that commercial uses including commercial vehicles, trailers and waste material were being stored on the property. The Committee explained that the enlarged driveway was being utilized to facilitate these activities and noted that the partial intent of the Zoning By-law was to restrict driveways widths to provide sufficient parking for residential uses and to maximize landscaping opportunities. The Committee noted that the enlarged driveway was expansive in size and could accommodate an inappropriate amount of motor vehicles for a typical detached dwelling.

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

File: "A" 246/15
WARD 5

Accordingly, the Committee resolves to deny the amended request.


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

Application Refused.

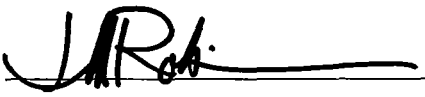
Dated at the City of Mississauga on June 11, 2015.


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 JULY 1, 2015.

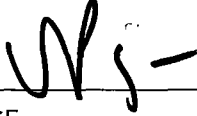
Date of mailing is June 15, 2015.


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 June 11, 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

GOLFOUR PROPERTY SERVICES INC

on Thursday June 4, 2015

Golfour Property Services Inc is the owner of Part of Lots 8 and 9, Concession 1, SDS located and known as 960-966 Dundas Street East, zoned C3-1 - Commercial. The applicant requests the Committee to authorize a minor variance to permit the establishment of a Place of Religious Assembly proposing to provide a total of 154 parking spaces for all uses on the subject property, whereas, By-law 0225-2007 as amended, requires a minimum of 203 parking spaces for all uses on the subject property in this instance.

Mr. N. Dell, authorized agent, attended and presented the application to permit the operation of a Place of Religious Assembly on the subject property proposing an insufficient parking supply pursuant to the requirement of the Zoning By-law. Mr. Dell advised the Committee that the operation would be located within the basement of the building and would have a congregation of approximately 25 members. He noted that the services and activities would occur in the evenings and weekends after the other businesses located in the building were closed.

Mr. Dell confirmed that a parking utilization study that supported the parking reduction had been completed for the proposed operation and submitted to staff for review.

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 has no objection to the requested variance.

2.0 BACKGROUND

Mississauga Official Plan

Character Area: Dixie Employment Area
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: "C3-1", General Commercial

3.0 OTHER APPLICATIONS

☒ *Certificate of Occupancy* File: C 14-3567

4.0 COMMENTS



File: "A" 247/15
WARD 1

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

Further, we advise that a Parking Utilization Study prepared by Beacon Planning Services and dated April 13, 2015 satisfactorily justifies the requested reduction in parking.

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

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

"This department has no objections to the applicant's request."

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

"We note that there is an existing Region of Peel water easement through the subject lands. Certain restrictions apply with respect to easements as per the documents registered on title."

No other persons expressed any interest in the application.

The Committee after considering the submissions put forward by Mr. Dell 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" 247/15
WARD 1

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

1. The Place of Religious Assembly shall not operate before 6:00p.m. on weekdays.

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

Application Approved on condition as stated.

Dated at the City of Mississauga on June 11, 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 JULY 1, 2015.

Date of mailing is June 15, 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 June 11, 2015.

DAVID L. MARTIN, SECRETARY-TREASURER

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

NOTES:

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



File: "A" 248/15
WARD 2

COMMITTEE OF ADJUSTMENT

IN THE MATTER OF SECTION 45(1) OR (2)
of The Planning Act R.S.O. 1990, c.P.13, as amended

- and -

IN THE MATTER OF ZONING BY-LAW 0225-2007
as amended

- and -

IN THE MATTER OF AN APPLICATION BY

WESLEY & KAMILA KUK

on Thursday June 4, 2015

Wesley & Kamila Kuk are the owners of Lot 2, Registered Plan M-677 located and known as 630 Kedleston Way, zoned R1-2 - Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of additions to the existing dwelling on the subject property proposing a combined width of the side yards of 20.00% (6.24 m / 20.47 ft.) of the lot frontage; whereas, By-law 0225-2007, as amended, requires a minimum combined width of the side yards of 27% (8.29 m / 27.19 ft.) of the lot frontage in this instance.

Ms. D. Kowiazio-Sitko, authorized agent, attended and presented the application to permit the construction of a second storey addition on the existing dwelling on the subject property. Ms. Kowiazio-Sitko advised the Committee that the side walls of the second storey addition would be recessed in order to provide the necessary combined side yard width. She noted that the existing first storey complied with the necessary combined side yard widths pursuant to the requirement for a single storey dwelling but noted that the Zoning By-law required an increased combined side yard width for the first story of the dwelling with the introduction of the second storey addition. She indicated that this was not possible as the first storey was existing and suggested that the second storey was designed to be located within the roofline in efforts to significantly reduce any additional building mass.

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

The City of Mississauga Planning and Building Department commented as follows (May 29, 2015):

"1.0 RECOMMENDATION"

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

2.0 BACKGROUND

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: "R1-2", Residential

3.0 OTHER APPLICATIONS

☒ *Site Plan*

File: SPI 15-25 W2 - Satisfactory

4.0 COMMENTS

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

"...proposing a combined width of the side yards of 20.4% (6.23 m / 20.44 ft.) of the lot frontage; whereas, By-law 0225-2007, as amended, requires a minimum combined width of the side yards of 27% (8.23 m / 27.00 ft.) of the lot frontage in this instance."

In regards to the requested variance, as amended, we note that the proposed addition will comply with the individual side yards for the second storey, which has been designed to step in from the first storey. The combined width of side yards has been established by the first storey, which is not proposed to change in regards to side yard setbacks.

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

The City of Mississauga Transportation and Works Department commented as follows (May 28, 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 Region of Peel, Environment, Transportation and Planning Services, commented as follows (June 1, 2015):

"Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. Please note that site servicing approvals will be required prior to building permit."

The Ministry of Transportation commented as follows (May 22, 2015):

"The subject property is located in the proximity of a provincial highway within MTO permit control area, any proposed development or changes to the site including any new construction for both above and below ground requires ministry review and approval."

A letter was received from B. Koumoudouros, a resident of 1525 Mississauga Road, stating that he had no objections to the subject application.

A letter was received from L. Di Marco, a resident of 610 Kedleston Way, stating that she had no objections to the subject application.

Mr. M. & Ms. J. Jensen, residents of 620 Kedleston Way, attended and expressed their concerns with the subject application. They noted specific concerns with loss of sunlight and the reduction of separation distances between dwellings.

No other persons expressed any interest in the application.

The Committee after considering the submissions put forward by Ms. Kowiaz-Sitko 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 was satisfied that the proposed addition would contribute to very little massing as the habitable area would be located within the roofline of the addition.



MISSISSAUGA

File: "A" 248/15
WARD 2

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: J. Page CARRIED

Application Approved.

Dated at the City of Mississauga on June 11, 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 JULY 1, 2015.

Date of mailing is June 15, 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 June 11, 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

LISA SAVAGE

on Thursday June 4, 2015

Lisa Savage is the owner of Lot 24, Registered Plan M-337 located and known as 1256 Mineola Gardens, zoned R3-1 - Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of a new two dwelling proposing:

1. a combined width of side yards of 3.66 m (12.00 ft.); whereas, By-law 0225-2007, as amended, requires a minimum combined width of side yards of 4.94 m (16.20 ft.) in this instance; and,
2. a gross floor area – infill residential of 363.97 m² (3,917.86 sq. ft.), whereas, By-law 0225-2007, as amended, permits a maximum gross floor area – infill residential of 324.97 m² (3,498.06 sq. ft.) in this instance.

Mr. D. Brown, authorized agent, attended and presented the application to permit the construction of an oversized two storey dwelling on the subject property requiring a reduction in the combined width of the side yards. Mr. Brown advised the Committee that the individual size yards for the dwelling complied with the Zoning By-law and that the second storey would be slightly deficient in providing the necessary combined side yard widths. Mr. Brown advised the Committee that the overage in floor area and the enlarged dwelling width were the result in the needs of his client to have a four (4) bedroom dwelling. He explained that the requested relief allowed for a functional floor plan that allowed for all the bedrooms to be located within the second storey of the dwelling.

Mr. Brown confirmed that effort was made to reduce any negative amount of massing and noted that the second storey side walls were recessed from the side walls of the first storey. It was Mr. Brown's opinion that the proposed dwelling was compatible with the size and scale of other dwellings within the neighbourhood.

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 has no objection to the requested variances.

2.0 BACKGROUND

Mississauga Official Plan

Character Area: Mineola Neighbourhood



MISSISSAUGA

File: "A" 249/15
WARD 1

Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: "R3-1", Residential

3.0 OTHER APPLICATIONS

☒ *Site Plan* File: SPI 15-11 W1 - Satisfactory

4.0 COMMENTS

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

In regards to variance #1, we note that the proposed dwelling would meet the individual required side yard setbacks, including those for the second storey. Based on the elevation drawings submitted with the minor variance application, the second storey has been designed to step in from the first storey, providing a roof design that slopes down to the first floor level.

In regards to variance #2, although this Department does not typically support variances for excessive gross floor area, it is our opinion that the dwelling has been designed to minimize the massing impact 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 (May 28, 2015):

"We note for Committee's information that the City is currently processing a Site Plan Application for this property, Reference SP 15/11. 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 (June 1, 2015):

"Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. Please note that site servicing approvals will be required prior to building permit."

A letter was received from J. McKinnon, Director of the Credit Reserve Association, expressing 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. Brown 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 was satisfied that the side yard widths that were to be provided would offer sufficient separation distances between the proposed new dwelling and the dwellings on the adjacent properties. The Committee noted that the subject property was smaller than the other properties within the neighbourhood and suggested that relief to the Zoning By-law was appropriate to allow for a dwelling to be constructed that maintained the size and scale of the other dwellings within the area.

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" 249/15
WARD 1

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

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

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

Application Approved on condition as stated.

Dated at the City of Mississauga on June 11, 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 JULY 1, 2015.

Date of mailing is June 15, 2015.

S. PATRIZIO

D. GEORGE (CHAIR)

J. ROBINSON

D. KENNEDY

J. PAGE

D. REYNOLDS

DISSENTED

P. QUINN

I certify this to be a true copy of the Committee's decision given on June 11, 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

PJL TRUST

on Thursday June 4, 2015

PJL Trust is the owner of Part of Lots 3 and 4, Concession 1, SDS located and known as 1650 Dundas Street East, zoned C3-2 - Commercial. The applicant requests the Committee to authorize a minor variance to permit:

1. the operation of a restaurant within Unit #6 of the development on the subject property being located approximately 16.00 m (52.49 ft.) to a Residential Zone; whereas By-law 0225-2007, as amended, requires a minimum separation distance of 60.00 m (196.85 ft.), measured in a straight line from the building containing the restaurant use to the lot line of a Residential Zone in this instance; and,
2. a total of 732 parking spaces for all uses on the subject property; whereas By-law 0225-2007, as amended, requires a minimum of 866 parking spaces for all uses on the subject property in this instance.

Mr. T. Gluck, authorized agent, attended and presented the application to permit the operation of a restaurant within Unit #6 of the development of the subject property being located within the required separation distance to a Residential Zone. Mr. Gluck advised the Committee that the subject property was developed with a two storey mixed use commercial building and was serviced with an expansive parking supply. He explained that the subject unit had previously contained a restaurant use and that a second restaurant had been operating on the property pursuant to a previously approved Minor Variance application without any problems.

Mr. Gluck displayed a photograph showing that the parking supply for the site greatly exceeded the functional parking demand of the uses 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 (May 29, 2015):

1.0 RECOMMENDATION

The Planning and Building Department recommends that the application be deferred for the applicant to submit the requested Parking Utilization Study.

2.0 BACKGROUND

Mississauga Official Plan

Character Area: Dixie Employment Area



File: "A" 250/15
WARD 1

Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: "C3-2", General Commercial

3.0 OTHER APPLICATIONS

☒ *Certificate of Occupancy* File: C 11-6588

4.0 COMMENTS

Based on a review of the Certificate of Occupancy application for the proposed restaurant, we advise that variance #2 is correct. However, variance #1 should be amended as follows:

"1. to permit the operation of a restaurant within Unit #6 on the subject property to be within 60.00 m (196.85 ft.) of a Residential Zone; whereas By-law 0225-2007, as amended, requires a minimum separation distance of 60.00 m (196.85 ft.), measured in a straight line from the building containing the restaurant use to the lot line of a Residential Zone in this instance."

In regards to variance #1, we note that Unit #6 is located at the northwestern corner of the property, in close proximity to the Dundas Street East/Mattawa Avenue intersection. It is our opinion that the proposed restaurant would be sufficiently separated from the closest residential zone and buffered by other units in the building as well as parking areas. Therefore, we have no objection to variance #1 as amended.

In regards to variance #2, we advise that a Parking Utilization Study that satisfactorily justifies the requested reduction in parking is required. Until we are in receipt of this information, we cannot determine the appropriateness of the requested variance.

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

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

"This Department has no objections, comments or requirements with respect to C.A. 'A' 250/15."

No other persons expressed any interest in the application.

Mr. Gluck 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. Gluck 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 that observed during their site inspection an abundance of parking was available for patrons of the subject property and was of the opinion that a parking utilization study was not required in this instance. The Committee noted that restaurant uses had historically operated on the subject property and that there was no evidence that they had been a nuisance to the abutting Residential Zone or had resulted in a parking deficiency.

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" 250/15
WARD 1

Accordingly, the Committee resolves to authorize and grant the amended request to permit the operation of a restaurant within Unit #6 on the subject property to be within 60.00 m (196.85 ft.) of a Residential Zone; whereas By-law 0225-2007, as amended, requires a minimum separation distance of 60.00 m (196.85 ft.), measured in a straight line from the building containing the restaurant use to the lot line of a Residential Zone in this instance.

MOVED BY: J. Page SECONDED BY: J. Robinson CARRIED

Application Approved, as amended.

Dated at the City of Mississauga on June 11, 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 JULY 1, 2015.

Date of mailing is June 15, 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 June 11, 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

PARAMPUNEET SINGH DEOL

on Thursday June 4, 2015

Parampuneet Singh Deol is the owner of Lot 52, Registered Plan 574, located and known as 1456 Helm Court, zoned R3-2, Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of a second storey addition to the existing dwelling proposing a combined width of side yards of 3.70m (12.13ft); whereas By-law 0225-2007, as amended, requires a minimum combined width of side yards of 6.58m (21.58ft.) in this instance.

On April 30, 2015, Mr. S. Patrizio declared a pecuniary interest in the application. He left the hearing room and did not participate in the proceedings in any manner.

Mr. J. Hatch, the authorized agent, attended presented the subject application. Mr. Hatch requested that the Committee authorize a second storey addition to the existing dwelling requiring relief for the combined side yards. Mr. Hatch stated that the massing of the second storey would be reduced by having the addition recessed from the front wall of the dwelling and by including architectural elements such as bay windows and an enhanced design of the roof.

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

The City of Mississauga Planning and Building Department commented as follows (April 29, 2015):

1.0 RECOMMENDATION

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

2.0 BACKGROUND

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: "R3-2", Residential

Discussion:

We advise that the intent of the Zoning By-law regarding second storey side yard setbacks is to ensure that two storey dwellings are designed to de-emphasize massing impacts to the



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File: "A" 208/15
WARD 2

streetscape and adjacent neighbours. Dwellings and roofs should be designed to break up the massing effect of walls and the second storey should slope down towards the first storey.

3.0 OTHER APPLICATIONS

☒ *Site Plan*

File: SPI 15-8 W2

4.0 COMMENTS

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

We note that the requested variances are due to a proposed second storey addition. The applicant is proposing to build the second storey with the same side yard setbacks as the existing one storey dwelling. However, based on a review of the elevations drawings submitted with the Site Plan application, it is our opinion that the side yard requests would create a negative massing impact, in particular for the northerly neighbour. We recommend that the applicant redesign the dwelling to provide the necessary second storey side yard setbacks.

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

The City of Mississauga Transportation and Works Department commented as follows (April 23, 2015):

"This department has no objections to the applicants request to permit the construction of a second storey addition. We are noting that any Transportation and Works Department concerns/requirements will be addressed through the Building Permit process."

A letter was received from G. Grewal, a residents of 1446 Helm Court, stating support for the subject application.

A letter was received from D. & L. Doyle, residents of 1447 Helm Court, stating support for the subject application.

A letter was received from M. Parsons, a resident of 1455 Helm Court, stating support for the subject application.

A letter was received from D. Grattan, a resident of 1463 Helm Court, stating their support for the subject application.

A letter was received from J. & K. Hails, residents of 1464 Helm Court, stating support for the subject application.

No other persons expressed any interest in the application.

The Committee asked Mr. Hatch if the second storey could be recessed further.

Mr. Hatch responded stating that there would be structural complications to achieve this request.

The Committee was concerned with the proposed side yard width and suggested that the would be insufficient to mitigate massing and to provide adequate separation distances between the adjacent dwellings. The Committee requested the applicant defer the application to revise the design of the proposal.

Mr. Hatch concurred with the Committee and requested a deferral of the application so that his client may revise the proposed plans.



File: "A" 208/15
WARD 2

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

On June 4, 2015, Mr. S. Patrizio declared a pecuniary interest in the application. He left the hearing room and did not participate in the proceedings in any manner.

Mr. J. Hatch, the authorized agent, attended and presented the revised application to construct a second storey addition to the existing dwelling on the subject property. Mr. Hatch displayed a rendering of the front elevation of the proposed altered dwelling and noted that the addition had been redesigned by reducing its size and by adding additional architectural elements to reduce the massing effects of the addition. He explained that the side walls of the second storey addition would be recessed and that the proposed reconstructed garage would not have a second storey above it.

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

The City of Mississauga Planning and Building Department commented as follows (May 29, 2015):

"1.0 RECOMMENDATION

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

2.0 BACKGROUND

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: "R3-2", Residential

3.0 OTHER APPLICATIONS

☒ *Site Plan* File: SPI 15-8 W2 - Satisfactory

4.0 COMMENTS

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

When this application was previously heard by the Committee on April 30, 2015, the Committee was concerned with the proposed side yard setbacks and the resulting massing impact of the second storey. This Department recommended that the application be deferred to allow the applicant to redesign the dwelling to provide the necessary second storey side yard setbacks. The applicant requested a deferral to revise the proposed plans.

Since that time, the applicant has submitted drawings for a redesigned dwelling which eliminates the previous request for side yard setbacks to the second storey. The dwelling has been designed to break up the massing effect of the second storey with the second storey sloping down towards the first storey.

In regards to the variance request for combined width of side yards, we recognize that the combined width has been established by the first storey which is currently existing. In review of the recent drawings submitted and the lack of individual setback variances, we have no objection to the request."

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

"Please refer to our comments submitted for the April 30, 2015 hearing of this application as those comments are still applicable."

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

A letter of objection was received from S. Shanly, a representative of the Meadow Wood Rattray Ratepayers Association.

A letter was received from G. Grewal, a resident of 1446 Helm Court, confirming that they had no objections to the subject application.

A letter was received from D. & L. Doyle, residents of 1447 Helm Court, confirming that they had no objections to the subject application.

A letter was received from D. & D. Parsons, residents of 1455 Helm Court, confirming that they had no objections to the subject application.

A letter was received from D. Grattan, a resident of 1463 Helm Court, confirming that they had no objections to the subject application.

No other persons expressed any interest in the application.

The Committee after considering the submissions put forward by Mr. Hatch 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.



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File: "A" 208/15
WARD 2

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

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

MOVED BY: J. Robinson SECONDED BY: J. Page CARRIED

Application Approved on condition as stated.

Dated at the City of Mississauga on June 11, 2015.

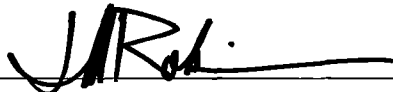
THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE JULY 1, 2015.

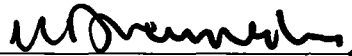
Date of mailing is June 15, 2015.

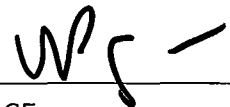
ABSENT

S. PATRIZIO

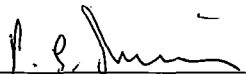

D. GEORGE (CHAIR)


J. ROBINSON

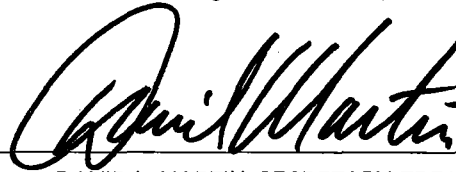

D. KENNEDY


J. PAGE


D. REYNOLDS


P. QUINN

I certify this to be a true copy of the Committee's decision given on June 11, 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

OUTFILED HOLDINGS LIMITED
AND SITZER GROUP HOLDINGS NO. 1 LIMITED

on Thursday June 4, 2015

Outfiled Holdings Limited And Sitzer Group Holdings No. 1 Limited are the owners of part of Lot 5, Concession 2 NDS, located and known as 1450 Rathburn Road West, 4035, 4075 & 4141 Dixie Road, zoned C3-56 - Commercial. The applicant requests the Committee to authorize a minor variance to permit the operation of an outdoor patio ancillary to the existing restaurant as previously approved, pursuant to Committee of Adjustment File 'A' 438/03; whereas By-law 0225-2007, as amended, does not make provisions for an outdoor patio use on this subject property in this instance.

On May 21, 2015, the application was called and no one was in attendance to present the application.

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

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

"1.0 RECOMMENDATION

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

2.0 BACKGROUND

Mississauga Official Plan

Character Area: Rathwood-Applewood Community Node
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: "C3-56", General Commercial

3.0 OTHER APPLICATIONS

N/A

4.0 COMMENTS

We note that the current application is a result of a change in tenancy; however the proposed use as a restaurant will remain the same. Additionally, we note that the committee has approved multiple similar variances in the past for the operation of an accessory patio on the



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File: "A" 240/15

WARD 3

subject property. The location is within a large commercial property containing other restaurants. The patio is relatively small in size, at approximately 600 square feet, and the Planning and Building department are not aware of any complaints surrounding the past operation of this use. It is the opinion of Planning Staff that the proposed variance is minor in nature and we have no objection to the variance request."

The City of Mississauga Transportation and Works Department commented as follows (May 14, 2015):

"This department has no objections to the applicants request to continue to permit the operation of the outdoor patio."

No other persons expressed any interest in the application.

The Committee instructed the Secretary-Treasurer to contact the applicant to advise them of the adjourned hearing date. The Committee deferred the application to the June 11, 2015 hearing.

On June 11, 2015, Mr. A. Singh, the authorized agent, attended and requested for the existing outdoor patio to remain on the subject property. He explained that the patio would continue to service an existing restaurant.

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

The City of Mississauga Planning and Building Department commented as follows (May 29, 2015):

1.0 RECOMMENDATION

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

2.0 BACKGROUND

Mississauga Official Plan

Character Area: Rathwood-Applewood Community Node
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: "C3-56", General Commercial

3.0 OTHER APPLICATIONS

N/A

4.0 COMMENTS

No new submissions or changes have been made since the application was deferred. As a result, the previous comments dated May 15th, 2015 still apply."

No other persons expressed any interest in the application.

The Committee after considering the submissions put forward by Mr. Singh 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.

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

1. The patio shall close by 11:30p.m. nightly.
2. There shall be no music played on the patio.

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


Application Approved on conditions as stated.

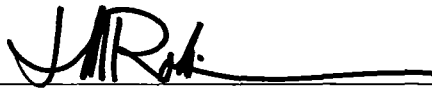
Dated at the City of Mississauga on June 11, 2015.


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Date of mailing is June 15, 2015.



S. PATRIZIO



D. GEORGE (CHAIR)


J. ROBINSON

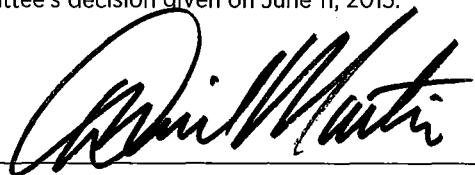

D. KENNEDY


J. PAGE


D. REYNOLDS
ABSENT


P. QUINN

I certify this to be a true copy of the Committee's decision given on June 11, 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.