

COMMITTEE OF ADJUSTMENT
AGENDA



Location: COUNCIL CHAMBER

Hearing: NOVEMBER 26, 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
<u>NEW APPLICATIONS - (CONSENT)</u>				
B-057/15 A-467/15 A-468/15	MITCHELL GRANT & LEAH SARGANT	368 MEADOW WOOD LANE	2	Approved Approved Approved
B-058/15 A-473/15 A-474/15	SUBODH & NEELU MALIK	1359 APPLEWOOD RD	1	Approved Approved Approved
B-059/15	THE ERIN MILLS DEVELOPMENT CORPORATION	3663 PLATINUM DR	8	Approved

NEW APPLICATIONS - (MINOR VARIANCE)

A-460/15	TINA & NICHOLAS BANDINI	3038 GRENVILLE DR	7	Approved
A-461/15	TUAN ANH TRAN	909 FOCAL RD	6	Jan. 28/16
A-462/15	ANA YANG	5470 MIDDLEPORT CRES	5	Feb. 25/16
A-463/15	CLINTON & SUKHI BELCHER	1609 CAMELFORD RD	2	Approved
A-464/15	MATHESON SATELLITE LTD.	2325 MATHESON BLVD E	5	Approved
A-465/15	KARENJEANE, MAURISS, & MAURA TUIZA	669 AMESBURY AVE	5	Jan. 28/16
A-466/15	CANDICE KENNEDY	1051 ALEXANDRA AVE	1	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

MITCHELL GRANT & LEAH SARGANT

on Thursday November 26, 2015

Mitchell Grant & Leah Sargant are the owners of 368 Meadow Wood Lane being Part of Lot 28, Concession 3, S.D.S., zoned R3-3, Residential. The applicant requests the consent of the Committee to the conveyance of a parcel of land proposing a lot frontage of approximately 19.48m (63.91ft.) and a lot area of approximately 801.95m² (8,632.40sq. ft.). The effect of the application is to create a new lot for residential purposes.

The subject lands are also the subject of application for Minor Variance Files "A" 467/15 and "A" 468/15.

Mr. M. Grant, a co-owner of the property, attended and presented the subject application to partition the property into two equal sized residential properties. Mr. Grant advised the Committee that each property would be slightly deficient with respect to the lot frontage but that the subject property was substantial in size and would result in two lots that would be comparable in size with the existing lot pattern within the neighbourhood.

Mr. Grant indicated that the existing dwelling would be maintained on one of the properties and that a new dwelling would be constructed on the other property. He confirmed that the new dwellings that would be constructed would be designed to be reflective of the character of the existing housing stock in the neighbourhood. Mr. Grant was of the opinion that two smaller dwellings on separate lots was a preferable to the development of the existing property with one substantially larger dwelling.

Mr. Grant noted that no formal agreement existed with respect to the maintenance of the lane.

The Committee reviewed the information submitted with the application.

The Committee received comments and recommendations from the following agencies:

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

A memorandum was received from Ward Councillor Ras expressing concerns for the subject application and suggesting that a deferral to allow for a meeting to discuss the proposal between the applicant and interested residents.

A letter was received from S. Shanly, the President of the Meadow Wood Rattray Residents Association, stating an objection to the requested consent.

A letter was received from C. Parks, a resident of 354 Meadow Wood Lane, stating an objection to the requested consent.

A letter was received from H. & J. Abelson, a resident of 380 Country Club Crescent, stating an objection to the requested consent.

A letter was received from R. Dennis, a resident of 348 Meadow Wood Lane, stating an objection to the requested consent.

A letter was received from C. & W. Nurse, residents of 358 Meadow Wood Lane, stating an objection to the requested consent.

A letter was received from B. & P. Gobbo, residents of 376 Meadow Wood Lane, stating an objection to the requested consent.

Ms. S. Shanly, a representative of the Meadow Wood Rattray Ratepayers Association, attended and expressed the concerns of her association with the subdivision of the subject property. Ms. Shanly noted that the historical value of Meadow Wood Lane may be impacted by the proposed development. She noted that the redevelopment of the property would result in construction disturbances within the neighbourhood and an increase in traffic and people with the newly created property should the application be approved.

Mr. B Gobbo, a resident of 376 Meadow Wood Lane, attended and expressed his concerns with the subject application. Mr. Gobbo noted specific concerns with the laneway being blocked or damaged. He noted that the laneway was heavily used and was slowly degrading and that any increase in the number of dwellings of Meadow Wood Lane would increase the degradation of the laneway. He noted that the increase in the number of dwellings on the lane would alter the quiet character of the neighbourhood.

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. It was noted that the condition requested by the Transportation and Works Department staff with respect to entering into formalized agreements between the applicant and neighbours was inappropriate and may frustrate the accomplishment of the conditions of approval.

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

The Committee, after considering the submissions put forward by Mr. Grant, 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 indicated that the proposed frontages would be compatible with the existing lot pattern within Meadow Wood Lane and that the properties would be larger than several other lots within the area. The Committee was of the opinion that the proposed two smaller dwellings better maintained the character of the neighbourhood rather than one substantially larger dwelling. They noted the concerns with the lane being blocked were the result in improper usage of the lane and not the result in the number of vehicles travelling within the lane.

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" 467/15 & "A" 468/15)
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 save and except Condition #1 dated November 19, 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 November 23, 2015.



File: "B" 057/15
WARD 2

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


Application Approved on conditions as stated.


Dated at the City of Mississauga on December 3, 2015.

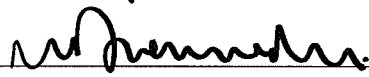
THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE DECEMBER 27, 2015.


Date of mailing is December 7, 2015.


S. PATRIZIO (CHAIR)


D. GEORGE


J. ROBINSON


D. KENNEDY


J. PAGE

ABSENT
D. REYNOLDS

DISSENTED
P. QUINN

I certify this to be a true copy of the Committee's decision given on December 3, 2015.


DAVID L. MARTIN, SECRETARY-TREASURER

NOTES:

The decision to give provisional consent shall be deemed to be refused if the conditions of provisional consent, have not been fulfilled on or before December 7, 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

MITCHELL GRANT & LEAH SARGANT

on Thursday November 26, 2015

Mitchell Grant & Leah Sargant are the owners of 368 Meadow Wood Lane being Part of Lot 28, Concession 3, S.D.S., zoned R3-3, Residential. The applicant requests the Committee to authorize a minor variance application to permit the construction of a new dwelling on a lot (being the 'retained' land of Consent application B 57/15) proposing a lot frontage of 19.48m (63.91ft.); whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 30.00m (98.42ft.) in this instance.

Mr. M. Grant, a co-owner of the property, attended and presented the subject application to partition the property into two equal sized residential properties. Mr. Grant advised the Committee that each property would be slightly deficient with respect to the lot frontage but that the subject property was substantial in size and would result in two lots that would be comparable in size with the existing lot pattern within the neighbourhood.

Mr. Grant indicated that the existing dwelling would be maintained on one of the properties and that a new dwelling would be constructed on the other property. He confirmed that the new dwellings that would be constructed would be designed to be reflective of the character of the existing housing stock in the neighbourhood. Mr. Grant was of the opinion that two smaller dwellings on separate lots was a preferable to the development of the existing property with one substantially larger dwelling.

Mr. Grant noted that no formal agreement existed with respect to the maintenance of the lane.

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

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

"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 the Zoning By-law. Further, we have no objection to the requested variances, as amended. However, the applicant may wish to defer the applications to provide the requested information to ensure that all required variances have been accurately identified.

Background:

Mississauga Official Plan:

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

Discussion:

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 created by land division or units or parcels of tied land (POTLs) created by condominium will generally represent the greater of:

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

Zoning By-law 0225-2007:

Zoning: R3-3, Residential

Other Applications:

No other applications currently in process.

Comments:

We advise that the property has no lot frontage according to the Zoning By-law. Therefore, additional variances may be required as follows for both Minor Variance applications:

"2. To permit the easterly lot line to be considered the front lot line, notwithstanding the existing definitions in Zoning By-law 0225-2007, as amended."

Further, an additional variance or site alteration may be required as the severance will eliminate the driveway and all of the parking on the retained lands. Also, an additional variance or Demolition Permit will be required to address the detached garage on the severed lot with no dwelling. More information is required to determine whether additional variances will be required.

In regards to Section 16.1.2.1 of Mississauga Official Plan, although the lots on Meadow Wood Lane do not have frontage according to the Zoning By-law, staff conducted analysis of the average frontage and area of lots on the private laneway. The average frontage of lots within 120 m (393.70 ft.) is 16.89 m (55.41 ft.) whereas the frontages of the proposed lots are 19.48 m (63.91 ft.). The average area of lots within 120 m (393.70 ft.) is 706.46 m² (7604.27 sq. ft.) whereas the areas of the proposed lots are 801.95 m² (8632.40 sq. ft.). Therefore, the proposed lots would be keeping in character with the rest of the lots on Meadow Wood Lane.

Based on the preceding information, we have no objection to the Consent application, provided that the severed and retained lands 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. Further, we have no objection to the requested variances, as amended.

Due to the unique nature of the lot regarding the private laneway, we recommend that the Committee impose the conditions outlined by the Transportation and Works Department."



MISSISSAUGA

File: "A" 467/15
WARD 2

The City of Mississauga Transportation and Works Department commented as follows (November 19, 2015):

"We are noting for information purposes that any Transportation and Works Department concerns/requirements for this property will be addressed under Consent Application 'B' 57/15."

The Region of Peel, Environment, Transportation and Planning Services, commented as follows (November 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. Site servicing approvals will be required before building permit issuance.

This property is within the vicinity of Petro-Canada landfill site. It is an inactive, private landfill located on Southdown and Lakeshore. The exact boundaries are unknown and it is catalogued by the MOECC as A220102."

A memorandum was received from Ward Councillor Ras expressing concerns for the subject application and suggesting that a deferral to allow for a meeting to discuss the proposal between the applicant and interested residents.

A letter was received from S. Shanly, the President of the Meadow Wood Rattray Residents Association, stating an objection to the requested consent.

A letter was received from C. Parks, a resident of 354 Meadow Wood Lane, stating an objection to the requested consent.

A letter was received from H. & J. Abelson, a resident of 380 Country Club Crescent, stating an objection to the requested consent.

A letter was received from R. Dennis, a resident of 348 Meadow Wood Lane, stating an objection to the requested consent.

A letter was received from C. & W. Nurse, residents of 358 Meadow Wood Lane, stating an objection to the requested consent.

A letter was received from B. & P. Gobbo, residents of 376 Meadow Wood Lane, stating an objection to the requested consent.

A letter was received from B. & P. DeSa, residents of 392 Country Club Crescent, stating an objection to the requested consent.

Ms. S. Shanly, a representative of the Meadow Wood Rattray Ratepayers Association, attended and expressed the concerns of her association with the subdivision of the subject property. Ms. Shanly noted that the historical value of Meadow Wood Lane may be impacted by the proposed development. She noted that the redevelopment of the property would result in construction disturbances within the neighbourhood and an increase in traffic and people with the newly created property should the application be approved.

Mr. B Gobbo, a resident of 376 Meadow Wood Lane, attended and expressed his concerns with the subject application. Mr. Gobbo noted specific concerns with the laneway being blocked or damaged. He noted that the laneway was heavily used and was slowly degrading and that any increase in the number of dwellings of Meadow Wood Lane would increase the degradation of the laneway. He noted that the increase in the number of dwellings on the lane would alter the quiet character of the neighbourhood.



MISSISSAUGA

File: "A" 467/15
WARD 2

No other persons expressed any interest in the application.

Mr. Grant 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. Grant 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 the proposed frontages would be compatible with the existing lot pattern within Meadow Wood Lane and that the properties would be larger than several other lots within the area. The Committee was of the opinion that the proposed two smaller dwellings better maintained the character of the neighbourhood rather than one substantially larger dwelling. They noted the concerns with the lane being blocked were the result in improper usage of the lane and not the result in the number of vehicles travelling within the lane.

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" 467/15
WARD 2

Accordingly, the Committee resolves to authorize and grant the amended request to permit the construction of a new dwelling on a lot (being the 'retained' land of Consent application B 57/15) proposing:

1. a lot frontage of 19.48m (63.91ft.); whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 30.00m (98.42ft.) in this instance; and,
2. the easterly lot line to be considered the front lot line, notwithstanding the existing definitions in Zoning By-law 0225-2007, as amended.

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

Application Approved, as amended.

Dated at the City of Mississauga on December 3, 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 DECEMBER 23, 2015.

Date of mailing is December 7, 2015.

S. PATRIZIO (CHAIR)

D. GEORGE

J. ROBINSON

D. KENNEDY

J. PAGE

ABSENT

D. REYNOLDS

DISSENTED

P. QUINN

I certify this to be a true copy of the Committee's decision given on December 3, 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

MITCHELL GRANT & LEAH SARGANT

on Thursday November 26, 2015

Mitchell Grant & Leah Sargent are the owners of 368 Meadow Wood Lane being Part of Lot 28, Concession 3, S.D.S., zoned R3-3, Residential. The applicants request the Committee to authorize a minor variance application to permit the construction of a new dwelling on a lot (being the 'severed' land of Consent application B 57/15) proposing a lot frontage of 19.48m (63.91ft.; whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 30.00m (98.42ft.) in this instance.

Mr. M. Grant, a co-owner of the property, attended and presented the subject application to partition the property into two equal sized residential properties. Mr. Grant advised the Committee that each property would be slightly deficient with respect to the lot frontage but that the subject property was substantial in size and would result in two lots that would be comparable in size with the existing lot pattern within the neighbourhood.

Mr. Grant indicated that the existing dwelling would be maintained on one of the properties and that a new dwelling would be constructed on the other property. He confirmed that the new dwellings that would be constructed would be designed to be reflective of the character of the existing housing stock in the neighbourhood. Mr. Grant was of the opinion that two smaller dwellings on separate lots was a preferable to the development of the existing property with one substantially larger dwelling.

Mr. Grant noted that no formal agreement existed with respect to the maintenance of the lane.

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

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

"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 the Zoning By-law. Further, we have no objection to the requested variances, as amended. However, the applicant may wish to defer the applications to provide the requested information to ensure that all required variances have been accurately identified.

Background:

Mississauga Official Plan:

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

Discussion:

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 created by land division or units or parcels of tied land (POTLs) created by condominium will generally represent the greater of:

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

Zoning By-law 0225-2007:

Zoning: R3-3, Residential

Other Applications:

No other applications currently in process.

Comments:

We advise that the property has no lot frontage according to the Zoning By-law. Therefore, additional variances may be required as follows for both Minor Variance applications:

"2. To permit the easterly lot line to be considered the front lot line, notwithstanding the existing definitions in Zoning By-law 0225-2007, as amended."

Further, an additional variance or site alteration may be required as the severance will eliminate the driveway and all of the parking on the retained lands. Also, an additional variance or Demolition Permit will be required to address the detached garage on the severed lot with no dwelling. More information is required to determine whether additional variances will be required.

In regards to Section 16.1.2.1 of Mississauga Official Plan, although the lots on Meadow Wood Lane do not have frontage according to the Zoning By-law, staff conducted analysis of the average frontage and area of lots on the private laneway. The average frontage of lots within 120 m (393.70 ft.) is 16.89 m (55.41 ft.) whereas the frontages of the proposed lots are 19.48 m (63.91 ft.). The average area of lots within 120 m (393.70 ft.) is 706.46 m² (7604.27 sq. ft.) whereas the areas of the proposed lots are 801.95 m² (8632.40 sq. ft.). Therefore, the proposed lots would be keeping in character with the rest of the lots on Meadow Wood Lane.

Based on the preceding information, we have no objection to the Consent application, provided that the severed and retained lands 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. Further, we have no objection to the requested variances, as amended.

Due to the unique nature of the lot regarding the private laneway, we recommend that the Committee impose the conditions outlined by the Transportation and Works Department."



MISSISSAUGA

File: "A" 468/15
WARD 2

The City of Mississauga Transportation and Works Department commented as follows (November 19, 2015):

"We are noting for information purposes that any Transportation and Works Department concerns/requirements for this property will be addressed under Consent Application 'B' 57/15."

The Region of Peel, Environment, Transportation and Planning Services, commented as follows (November 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. Site servicing approvals will be required before building permit issuance.

This property is within the vicinity of Petro-Canada landfill site. It is an inactive, private landfill located on Southdown and Lakeshore. The exact boundaries are unknown and it is catalogued by the MOECC as A220102."

A memorandum was received from Ward Councillor Ras expressing concerns for the subject application and suggesting that a deferral to allow for a meeting to discuss the proposal between the applicant and interested residents.

A letter was received from S. Shanly, the President of the Meadow Wood Rattray Residents Association, stating an objection to the requested consent.

A letter was received from C. Parks, a resident of 354 Meadow Wood Lane, stating an objection to the requested consent.

A letter was received from H. & J. Abelson, a resident of 380 Country Club Crescent, stating an objection to the requested consent.

A letter was received from R. Dennis, a resident of 348 Meadow Wood Lane, stating an objection to the requested consent.

A letter was received from C. & W. Nurse, residents of 358 Meadow Wood Lane, stating an objection to the requested consent.

A letter was received from B. & P. Gobbo, residents of 376 Meadow Wood Lane, stating an objection to the requested consent.

A letter was received from B. & P. DeSa, residents of 392 Country Club Crescent, stating an objection to the requested consent.

Ms. S. Shanly, a representative of the Meadow Wood Rattray Ratepayers Association, attended and expressed the concerns of her association with the subdivision of the subject property. Ms. Shanly noted that the historical value of Meadow Wood Lane may be impacted by the proposed development. She noted that the redevelopment of the property would result in construction disturbances within the neighbourhood and an increase in traffic and people with the newly created property should the application be approved.

Mr. B Gobbo, a resident of 376 Meadow Wood Lane, attended and expressed his concerns with the subject application. Mr. Gobbo noted specific concerns with the laneway being blocked or damaged. He noted that the laneway was heavily used and was slowly degrading and that any increase in the number of dwellings of Meadow Wood Lane would increase the degradation of the laneway. He noted that the increase in the number of dwellings on the lane would alter the quiet character of the neighbourhood.



MISSISSAUGA

File: "A" 468/15
WARD 2

No other persons expressed any interest in the application.

Mr. Grant 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. Grant 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 the proposed frontages would be compatible with the existing lot pattern within Meadow Wood Lane and that the properties would be larger than several other lots within the area. The Committee was of the opinion that the proposed two smaller dwellings better maintained the character of the neighbourhood rather than one substantially larger dwelling. They noted the concerns with the lane being blocked were the result in improper usage of the lane and not the result in the number of vehicles travelling within the lane.

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" 468/15
WARD 2

Accordingly, the Committee resolves to authorize and grant the amended request to permit the construction of a new dwelling on a lot (being the 'retained' land of Consent application B 57/15) proposing:

1. a lot frontage of 19.48m (63.91ft.); whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 30.00m (98.42ft.) in this instance; and,
2. the easterly lot line to be considered the front lot line, notwithstanding the existing definitions in Zoning By-law 0225-2007, as amended.

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

Application Approved, as amended.

Dated at the City of Mississauga on December 3, 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 DECEMBER 23, 2015.

Date of mailing is December 7, 2015.

S. PATRIZIO (CHAIR)

D. GEORGE

J. ROBINSON

D. KENNEDY

J. PAGE

ABSENT

D. REYNOLDS

DISSENTED

P. QUINN

I certify this to be a true copy of the Committee's decision given on December 3, 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 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

SUBODH & NEELU MALIK

on Thursday November 26, 2015

Subodh & Neelu Malik are the owners of 1359 Applewood Road being Lot 20, Registered Plan 422, zoned R3 - Residential. The applicants request the consent of the Committee to the conveyance of a parcel of land having a frontage of approximately 12.955 m (42.50 ft.) and an area of approximately 519.20 m² (5,588.80 sq. ft.). The effect of the application is to create a new lot for residential purposes.

The lands are also the subject to Minor Variance files "A"473/15 & "A"474/15.

Mr. W. Oughtred, the authorized agent, attended and presented the subject application to partition the property into two residential properties. Mr. Oughtred noted that the subject property had a substantially large lot frontage that was larger than most lots within the neighbourhood. He indicated his client wished to divide the property into two lots that would be slightly deficient in frontage but would better reflect the character of the lot pattern within the neighbourhood. He noted that new detached dwellings would be constructed in compliance with the Zoning By-law on each property and that each dwelling would be carefully designed to reflect the existing housing stock.

The Committee reviewed the information submitted with the application.

The Committee received comments and recommendations from the following agencies:

City of Mississauga, Planning and Building Department (November 24, 2015),
City of Mississauga, Transportation and Works Department (November 19, 2015),
City of Mississauga, Community Services Department, Park Planning (November 20, 2015),
Region of Peel, Environment, Transportation and Planning Services (November 23, 2015),

A letter was received from D. & J. Devane, residents of 1345 Applewood Road, expressing their objection to the subject application.

A letter was received from P. Nesbitt, a resident of 1498 Holburne Road, stating an objection to the subject application.

A letter was received from G. Deleersnyder, a resident of 1329 Applewood Road, stating an objection to the subject application.

A letter was received from B. & K. Humphrey, residents of 1375 Applewood Road, expressing an interest in the subject application.

A letter was received from N. Ryan, a representative of the residents of 1350 Applewood Road, expressing an objection to the subject application.



A letter was received from O. H. Hoffman, a residents of 1356 Applewood Road, expressing an objection to the subject application.

A letter was received from the residents of 1366 Applewood Road, confirming that they did not have any objection to the subject application.

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. Oughtred consented to the imposition of the proposed conditions.

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 was satisfied that the proposed lots were compatible with the lot pattern within the neighbourhood. They indicated to Mr. Oughtred the importance of the dwellings that would be constructed on each property to be in compliance with the Zoning By-law.

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"473/15 & "A"474/15)
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 November 19, 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 November 20, 2015.



File: "B" 058/15
WARD 2

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

Application Approved on conditions as stated.

Dated at the City of Mississauga on December 3, 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 DECEMBER 27, 2015.

Date of mailing is December 7, 2015.

S. PATRIZIO (CHAIR)

D. GEORGE

J. ROBINSON

D. KENNEDY

J. PAGE

ABSENT

D. REYNOLDS

DISSENTED

P. QUINN

I certify this to be a true copy of the Committee's decision given on December 3, 2015.

DAVID L. MARTIN, SECRETARY-TREASURER

NOTES:

The decision to give provisional consent shall be deemed to be refused if the conditions of provisional consent, have not been fulfilled on or before December 7, 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

SUBODH & NEELU MALIK

on Thursday November 26, 2015

Subodh & Neelu Malik are the owners of 1359 Applewood Road being Lot 20, Registered Plan 422, zoned R3 - Residential. The applicants request the Committee to authorize a minor variance to permit the creation of a lot (being the "retained" land of Consent application "B"058/15) proposing:

1. a lot frontage of 12.955 m (42.50 ft.); whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00 m (49.21 ft.) in this instance; and,
2. a lot area of 519.20 m² (5,588.80 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.

Mr. W. Oughtred, the authorized agent, attended and presented the subject application to partition the property into two residential properties. Mr. Oughtred noted that the subject property had a substantially large lot frontage that was larger than most lots within the neighbourhood. He indicated his client wished to divide the property into two lots that would be slightly deficient in frontage but would better reflect the character of the lot pattern within the neighbourhood. He noted that new detached dwellings would be constructed in compliance with the Zoning By-law on each property and that each dwelling would be carefully designed to reflect the existing housing stock.

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

The City of Mississauga Planning and Building Department commented as follows (November 24, 2015):

"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 Zoning By-law 0225-2007, as amended. Further, we have no objection to the requested variances.

Background:

Mississauga Official Plan:

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density I

Discussion:

Section 16.1.2.1 of Mississauga Official Plan states that,

16.1.2.1 To preserve the character of lands designated Residential Low Density I and Residential Low Density II, the minimum frontage and area of new lots created by land division or units or parcels of tied land (POTLs) created by condominium will generally represent the greater of:

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

Zoning By-law 0225-2007:

Zoning: R3, Residential

Other Applications:

No other applications currently in process.

Comments:

Regarding Section 16.1.2.1 of Mississauga Official Plan, we advise that the average frontage of lots within 120 m (393.70 ft.) is 18.28 m (59.97 ft.) whereas the frontages of the proposed lots will be 12.96 m (42.52 ft.). The average area of lots within 120 m (393.70 ft.) is 730.50 m² (7863.04 sq. ft.) whereas the areas of the proposed lots will be 519.20 m² (5588.62 sq. ft.).

Although the proposed lots would not meet a strict calculation of the 120 m (393.70 ft.) analysis, the subject property, along with 1366 Applewood Road, are the largest properties in the immediate vicinity on the street. Lots with 25.90 m (84.97 ft.) of frontage are not common in this area of the City, and two lots of 12.96 m (42.52 ft.) are more characteristic of an R3 zone. It is our opinion that the requested variances are minor and maintain the intent of the Zoning By-law.

Further, based on discussions with the authorized agent, it is our understanding the future dwellings to be constructed on the lots would comply with Zoning By-law. We are in receipt of Site Plan and elevation drawings of the future dwellings, which in our opinion, would be appropriate and consistent with the character of newer dwellings on the street.

Based on the preceding information, we have no objection to the Consent application, provided that the severed and retained lands comply with the provisions of the Zoning By-law, 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."

The City of Mississauga Transportation and Works Department commented as follows (November 19, 2015):

"We are noting for information purposes that any Transportation and Works Department concerns/requirements for this property will be addressed under Consent Application 'B' 58/15."

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

"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



MISSISSAUGA

File: "A" 473/15
WARD 1

with the Ontario Building Code. An upgrade of your existing service may be required. Site servicing approvals will be required before building permit issuance.

The property is within the vicinity of Delco landfill site. It is an inactive, private landfill located on Ogden Ave and north of Atwater Ave. It has been cleaned to MOECC standards."

A letter was received from D. & J. Devane, residents of 1345 Applewood Road, expressing their objection to the subject application.

A letter was received from P. Nesbitt, a resident of 1498 Holburne Road, stating an objection to the subject application.

A letter was received from G. Deleersnyder, a resident of 1329 Applewood Road, stating an objection to the subject application.

A letter was received from B. & K. Humphrey, residents of 1375 Applewood Road, expressing an interest in the subject application.

A letter was received from N. Ryan, a representative of the residents of 1350 Applewood Road, expressing an objection to the subject application.

A letter was received from O. H. Hoffman, a residents of 1356 Applewood Road, expressing an objection to the subject application.

A letter was received from the residents of 1366 Applewood Road, confirming that they did not have any objection to the subject application.

No other persons expressed any interest in the application.

The Committee after considering the submissions put forward by Mr. Oughtred 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" 473/15
WARD 1

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

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

Application Approved.

Dated at the City of Mississauga on December 3, 2015.

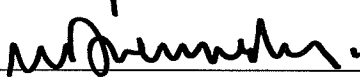
THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE DECEMBER 23, 2015.

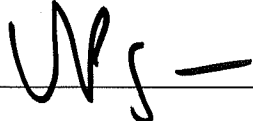
Date of mailing is December 7, 2015.


S. PATRIZIO (CHAIR)


D. GEORGE


J. ROBINSON


D. KENNEDY


J. PAGE

ABSENT
D. REYNOLDS

DISSENTED
P. QUINN

I certify this to be a true copy of the Committee's decision given on December 3, 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

SUBODH & NEELU MALIK

on Thursday November 26, 2015

Subodh & Neelu Malik are the owners of 1359 Applewood Road being Lot 20, Registered Plan 422, zoned R3 - Residential. The applicants request the Committee to authorize a minor variance to permit the creation of a lot (being the "conveyed" land of Consent application "B"058/15) proposing:

1. a lot frontage of 12.955 m (42.50 ft.); whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00 m (49.21 ft.) in this instance; and,
2. a lot area of 519.20 m² (5,588.80 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.

Mr. W. Oughtred, the authorized agent, attended and presented the subject application to partition the property into two residential properties. Mr. Oughtred noted that the subject property had a substantially large lot frontage that was larger than most lots within the neighbourhood. He indicated his client wished to divide the property into two lots that would be slightly deficient in frontage but would better reflect the character of the lot pattern within the neighbourhood. He noted that new detached dwellings would be constructed in compliance with the Zoning By-law on each property and that each dwelling would be carefully designed to reflect the existing housing stock.

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

The City of Mississauga Planning and Building Department commented as follows (November 24, 2015):

"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 Zoning By-law 0225-2007, as amended. Further, we have no objection to the requested variances.

Background:

Mississauga Official Plan:

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density I

Discussion:

Section 16.1.2.1 of Mississauga Official Plan states that,

16.1.2.1 To preserve the character of lands designated Residential Low Density I and Residential Low Density II, the minimum frontage and area of new lots created by land division or units or parcels of tied land (POTLs) created by condominium will generally represent the greater of:

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

Zoning By-law 0225-2007:

Zoning: R3, Residential

Other Applications:

No other applications currently in process.

Comments:

Regarding Section 16.1.2.1 of Mississauga Official Plan, we advise that the average frontage of lots within 120 m (393.70 ft.) is 18.28 m (59.97 ft.) whereas the frontages of the proposed lots will be 12.96 m (42.52 ft.). The average area of lots within 120 m (393.70 ft.) is 730.50 m² (7863.04 sq. ft.) whereas the areas of the proposed lots will be 519.20 m² (5588.62 sq. ft.).

Although the proposed lots would not meet a strict calculation of the 120 m (393.70 ft.) analysis, the subject property, along with 1366 Applewood Road, are the largest properties in the immediate vicinity on the street. Lots with 25.90 m (84.97 ft.) of frontage are not common in this area of the City, and two lots of 12.96 m (42.52 ft.) are more characteristic of an R3 zone. It is our opinion that the requested variances are minor and maintain the intent of the Zoning By-law.

Further, based on discussions with the authorized agent, it is our understanding the future dwellings to be constructed on the lots would comply with Zoning By-law. We are in receipt of Site Plan and elevation drawings of the future dwellings, which in our opinion, would be appropriate and consistent with the character of newer dwellings on the street.

Based on the preceding information, we have no objection to the Consent application, provided that the severed and retained lands comply with the provisions of the Zoning By-law, 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."

The City of Mississauga Transportation and Works Department commented as follows (November 19, 2015):

"We are noting for information purposes that any Transportation and Works Department concerns/requirements for this property will be addressed under Consent Application 'B' 58/15."

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

"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



MISSISSAUGA

File: "A" 474/15
WARD 1

with the Ontario Building Code. An upgrade of your existing service may be required. Site servicing approvals will be required before building permit issuance.

The property is within the vicinity of Delco landfill site. It is an inactive, private landfill located on Ogden Ave and north of Atwater Ave. It has been cleaned to MOECC standards."

A letter was received from D. & J. Devane, residents of 1345 Applewood Road, expressing their objection to the subject application.

A letter was received from P. Nesbitt, a resident of 1498 Holburne Road, stating an objection to the subject application.

A letter was received from G. Deleersnyder, a resident of 1329 Applewood Road, stating an objection to the subject application.

A letter was received from B. & K. Humphrey, residents of 1375 Applewood Road, expressing an interest in the subject application.

A letter was received from N. Ryan, a representative of the residents of 1350 Applewood Road, expressing an objection to the subject application.

A letter was received from O. H. Hoffman, a residents of 1356 Applewood Road, expressing an objection to the subject application.

A letter was received from the residents of 1366 Applewood Road, confirming that they did not have any objection to the subject application.

No other persons expressed any interest in the application.

The Committee after considering the submissions put forward by Mr. Oughtred 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" 474/15
WARD 1

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

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

Application Approved.

Dated at the City of Mississauga on December 3, 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 DECEMBER 23, 2015.

Date of mailing is December 7, 2015.

S. PATRIZIO (CHAIR)

D. GEORGE

J. ROBINSON

D. KENNEDY

J. PAGE

ABSENT

D. REYNOLDS

DISSENTED

P. QUINN

I certify this to be a true copy of the Committee's decision given on December 3, 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 50(3) AND/OR (5)
of The Planning Act R.S.O. 1990, c.P.13, as amended
- and -
IN THE MATTER OF AN APPLICATION BY

THE ERIN MILLS DEVELOPMENT CORPORATION

on Thursday November 26, 2015

The Erin Mills Development Corporation is the owner of 3663 Platinum Drive being Block 3, Registered Plan M-1977, zoned E2 - Employment. The applicant requests the consent of the Committee to the conveyance, transfer, mortgage or charge for a parcel of land having a frontage of approximately 109.00 m (357.61 ft.) and an area of approximately 1.19 ha (2.94 ac.). The effect of the application is to create a new lot for employment purposes and creation of reciprocal access easements onto Ninth Line.

Mr. F. Gasbarre, the authorized agent, attended and presented the subject application to convey a parcel of land for the future development of an automotive car wash facility on the subject property. He noted that the surrounding lands had been subject to various development reviews and that many of the technical concerns with traffic circulation would be resolved by creating reciprocal driveway access easements. Mr. Gasbarre indicated he had concerns with the recommendations by staff for access to the property from Platinum Drive. He noted that the recommendation would impede traffic circulation on the property and encumber the development of the easterly abutting property. Mr. Gasbarre suggested that the location of the driveway access could be address through the Site Plan Approval process.

The Committee reviewed the information submitted with the application.

The Committee received comments and recommendations from the following agencies:

City of Mississauga, Planning and Building Department (November 20, 2015),
City of Mississauga, Transportation and Works Department (November 19, 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. Gasbarre noted water and sewer servicing would be addressed with the Region of Peel subsequent to the disposal of the Consent application and requested for this condition not to be imposed.

The Committee, after considering the submissions put forward by Mr. Gasbarre, 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:



File: "B" 059/15
WARD 8

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"473/15 & "A"474/15)
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 save and except Condition #2, dated November 19, 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 November 20, 2015.



File: "B" 059/15
WARD 8

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

Application Approved on conditions as stated.


Dated at the City of Mississauga on December 3, 2015.

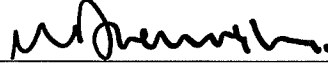
THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE DECEMBER 27, 2015.

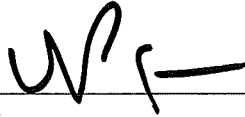
Date of mailing is December 7, 2015.


S. PATRIZIO (CHAIR)

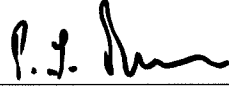

D. GEORGE


J. ROBINSON


D. KENNEDY


J. PAGE

ABSENT
D. REYNOLDS


P. QUINN

I certify this to be a true copy of the Committee's decision given on December 3, 2015.


DAVID L. MARTIN, SECRETARY-TREASURER

NOTES:

The decision to give provisional consent shall be deemed to be refused if the conditions of provisional consent, have not been fulfilled on or before December 7, 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

TINA & NICHOLAS BANDINI

on Thursday November 26, 2015

Tina & Nicholas Bandini are the owners of 3038 Grenville Drive being Lot 31, Plan 350, zoned R3, Residential. The applicants request the Committee to authorize a minor variance to permit the construction of a new two storey detached dwelling on the subject property and to permit the existing accessory structures to remain proposing:

1. a northerly side yard of 1.24m (4.06ft.); whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (5.93ft.) to the two storey portion of the dwelling in this instance;
2. two accessory structures on the subject property; whereas By-law 0225-2007, as amended, permits one accessory structure in this instance;
3. one accessory structure having a floor area of 23.53m² (253.28sq.ft.); whereas By-law 0225-2007, as amended, permits a maximum floor area for an accessory structure on 10.00m² (107.64sq.ft.) in this instance;
4. one accessory structure having a side yard of 0.74m (2.42ft.); whereas By-law 0225-2007, as amended, requires a minimum rear yard of 1.20m (3.93ft.) in this instance;
5. one accessory structure having a rear yard of 0.49m (1.60ft.), a side yard of 0.64m (2.09ft.) and a height of 3.05m (10.00ft.); whereas By-law 0225-2007, as amended, requires a minimum side and rear yards of 1.20m (3.93ft.) and permits a maximum accessory structure height of 3.00m (9.84ft.) in this instance.

Mr. G. Guiducci, the authorized agent, attended and presented the application to construct a new two storey dwelling and to maintain the existing two accessory structures on the property. Mr. Guiducci advised the Committee that the proposed dwelling would have a reduced northerly side yard to the second storey to allow for the second storey side wall to be constructed flush with the side wall of the first storey.

Mr. Guiducci confirmed that the balance of the variances were with respect to the two existing accessory structures on the property. Mr. Guiducci indicated that the oversized accessory structure was located too close to the rear and side yard lot lines and that the smaller accessory structure was too close to the side lot line.

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



MISSISSAUGA

File: "A" 460/15
WARD 7

The City of Mississauga Planning and Building Department commented as follows (November 25, 2015):

"Recommendation:

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

Background:

Mississauga Official Plan:

Character Area: Cooksville Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007:

Zoning: R3, Residential

Other Applications:

Pre-Zoning Review File: PZONE 15-6852

Comments:

Based on a review of the Pre-Zoning Review application, variance #4 should be amended as follows:

"4. One accessory structure having a side yard setback of 0.74 m (2.43 ft.); whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.20 m (3.94 ft.) in this instance."

In regards to variance #1, with the exception of the northerly side yard, it appears that the proposed dwelling would comply with the Zoning By-law. Further, the side yard complies with the first storey portion, but the By-law requires a larger setback for the second storey. We are of the opinion that the request is minor and maintains the intent of the By-law.

Regarding variances #2-5, the lot is relatively large and can accommodate two accessory structures on the property without being considered overdevelopment. An adequate amount of rear yard amenity space is maintained. In addition, both of the accessory structures are limited in height and one of the structures is limited in floor area.

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 (November 19, 2015):

"We are noting for information purposes that any Transportation and Works Department concerns/requirements for the proposed new 2-storey detached dwelling will be addressed at the time of the Building Permit process."

The Region of Peel, Environment, Transportation and Planning Services, commented as follows (November 23, 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 issuance.

The property is within the vicinity of Lara Woods landfill site. It is an inactive, private landfill located north of Dundas, between Cawthra and Hurontario."

A letter was received from G. Buvanendran, a resident of 3044 Grenville Drive, stating an interest in the subject application.

A letter was received from G. & R. Grbic, residents of 3056 Grenville Drive, stating an interest in the subject application.

A letter was received from E. Sial, a resident of 3057 Grenville Drive, stating an interest in the subject application.

A letter was received from E. & S. Bandini, residents of 3051 Grenville Drive, stating an interest in the subject application.

Ms. L. Fulford, a resident of 3334 Grenville Drive, attended and expressed an interest in the southerly side yard separation distance.

No other persons expressed any interest in the application.

Mr. Guiducci 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. Guiducci 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 two storey detached dwelling on the subject property and to permit the existing accessory structures to remain proposing:

1. a northerly side yard of 1.24m (4.06ft.); whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (5.93ft.) to the two storey portion of the dwelling in this instance;
2. two accessory structures on the subject property; whereas By-law 0225-2007, as amended, permits one accessory structure in this instance;
3. one accessory structure having a floor area of 23.53m² (253.28sq.ft.); whereas By-law 0225-2007, as amended, permits a maximum floor area for an accessory structure on 10.00m² (107.64sq.ft.) in this instance;
4. One accessory structure having a side yard setback of 0.74 m (2.43 ft.); whereas By-law 0225-2007, as amended, requires a minimum side yard setback of 1.20 m (3.94 ft.) in this instance.
5. one accessory structure having a rear yard of 0.49m (1.60ft.), a side yard of 0.64m (2.09ft.) and a height of 3.05m (10.00ft.); whereas By-law 0225-2007, as amended, requires a minimum side and rear yards of 1.20m (3.93ft.) and permits a maximum accessory structure height of 3.00m (9.84ft.) in this instance.



MISSISSAUGA

File: "A" 460/15
WARD 7
CARRIED

MOVED BY: J. Page

SECONDED BY: J. Robinson

Application Approved, as amended.

Dated at the City of Mississauga on December 3, 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 DECEMBER 23, 2015.

Date of mailing is December 7, 2015.

S. PATRIZIO (CHAIR)

D. GEORGE

J. ROBINSON

D. KENNEDY

J. PAGE

ABSENT

D. REYNOLDS

P. QUINN

I certify this to be a true copy of the Committee's decision given on December 3, 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

CLINTON & SUKHI BELCHER

on Thursday November 26, 2015

Clinton & Sukhi Belcher are the owners of 1609 Camelford Road being Lot 47, Registered Plan 558, zoned R2-4, Residential. The applicants request the Committee to authorize a minor variance to permit the construction of an addition to the existing dwelling proposing:

1. an exterior side yard of 6.00m (19.68ft.); whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 7.50m (24.60ft.) in this instance;
2. a dwelling depth of 23.70m (77.75ft.); whereas By-law 0225-2007, as amended, permits a maximum dwelling depth of 20.00m (65.61ft.) in this instance; and,
3. a height of 7.40m (24.27ft.) to the underside of eaves; whereas By-law 0225-2007, as amended, permits a maximum height of 6.40m (20.99ft.) to the underside of eaves in this instance.

Mr. J. Wallace, the authorized agent, attended and presented the subject application to construct an addition to the existing dwelling on the subject property. Mr. Wallace advised the Committee that the subject variances were discovered pursuant to an active Site Plan Approval application. He noted that the proposed alterations would result in a reduced exterior side yard and an increase in eaves height. Mr. Wallace indicated that the property was a corner lot and that the reduced exterior side yard was the result of the orientation of the dwelling with the exterior side yard functioning as the front yard for the dwelling. He noted that the increased eaves height was the result of an average grade calculation that was not reflective of the established grade around the dwelling. Mr. Wallace indicated that the requested dwelling depth was an existing site condition and that a second storey would be constructed on top of the existing dwelling. He noted sufficient separation distances would be provided to the dwellings on the adjacent properties.

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

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

"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 requested information for the Site Plan application to ensure that all required variances have been accurately identified.

Background:

Mississauga Official Plan:

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

Zoning By-law 0225-2007:

Zoning: R2-4, Residential

Other Applications:

☒ **Site Plan** File: SPI 15-070 W2

Comments:

Based on a review of the Site Plan application for the proposed renovation/additions, the variances as requested are correct. However, more information is required to determine whether additional variances will be required.

In regards to variance #1, the proposed addition will be limited in size and would not extend along the entire length of the exterior side wall. We do not anticipate any negative impacts to neighbouring properties or the streetscape resulting from the request.

Regarding variance #2, the dwelling depth has already been established by the existing dwelling, and is a result of locating the front of the dwelling facing the exterior side yard rather than the front yard. Therefore, it is our opinion that the variance is technical in nature.

For variance #3, the calculation of the average grade affects the calculated height to the underside of eaves. In this instance, we are of the opinion that the intent of the Zoning By-law is maintained due to the grade change on the property.

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

The City of Mississauga Transportation and Works Department commented as follows (November 19, 2015):

"We note for Committee's information that the City is currently processing a Site Plan Application for this property, Reference SP 15/070. 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 (November 23, 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 issuance.

The property is within the vicinity of the North Sheridan Sanitary Landfill Site. This landfill 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 MOECC as A220103."

A letter was received from H. Formann, a resident of 1594 Wembury Road, expressing support for the subject application.



MISSISSAUGA

File: "A" 463/15

WARD 2

A letter was received from D. Kinnear, a resident of 1585 Winslow Road, expressing support for the subject application.

A letter was received from D. Cory, a resident of 1601 Winslow Road, expressing support for the subject application.

A letter was received from C. Andanar, a resident of 1587 Camelford Road, expressing support for the subject application.

A letter was received from B. & D. Paling, residents of 1596 Camelford Road, expressing support for the subject application.

A letter was received from S. Courtney-Simas, a resident of 1606 Camelford Road, expressing support for the subject application.

A letter was received from B. Blair, a resident of 1616 Camelford Road, expressing support for the subject application.

A letter was received from G. Kidd, a resident of 1617 Camelford Road, expressing support for the subject application.

A letter was received from J. McKnight, a resident of 1624 Camelford Road, expressing support for the subject application.

No other persons expressed any interest in the application.

Mr. Wallace confirmed the accuracy of the variances and requested the Committee to proceed with adjudicating the application.

The Committee after considering the submissions put forward by Mr. Wallace 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" 463/15
WARD 2

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

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

Application Approved.

Dated at the City of Mississauga on December 3, 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 DECEMBER 23, 2015.

Date of mailing is December 7, 2015.

S. PATRIZIO (CHAIR)

D. GEORGE

J. ROBINSON

D. KENNEDY

J. PAGE

ABSENT

D. REYNOLDS

P. QUINN

I certify this to be a true copy of the Committee's decision given on December 3, 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

MATHESON SATELLITE LTD

on Thursday November 26, 2015

Matheson Satellite Ltd. is the owner of 2325 Matheson Boulevard East being Part of Block 7, Registered Plan M-793, zoned E1-19, Employment. The applicant requests the Committee to authorize a minor variance to permit the operation of a restaurant within Unit # 3, proposing a total of 162 parking spaces for all uses on site; whereas By-law 0225-2007, as amended, does not permit a restaurant use and requires a minimum of 174 parking spaces for all uses on site in this instance.

Mr. V. Fulgenzi, the authorized agent, attended and presented the subject application to allow for the operation of a new restaurant from within Unit #3 within the development and providing a shortfall in parking on the subject property. Mr. Fulgenzi noted that there were several existing restaurants operating on the property and that a change in the Zoning By-law in 2007 prohibited any new restaurants from being established. Mr. Fulgenzi noted that an adult entertainment establishment was the largest tenant on the property and that this establishment would operate during hours in which the restaurants would be closed. He suggested that these complimentary hours of operation between establishments would allow for the existing parking supply to be sufficient for all current and proposed uses on the property.

Mr. Fulgenzi noted that the proposed restaurant would be a franchise and would offer training for employees of other franchise locations.

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

The City of Mississauga Planning and Building Department commented as follows (November 25, 2015):

"Recommendation:

The Planning and Building Department recommends that the application be deferred, in order for the applicant to submit additional information regarding their parking justification letter for staff review, as well as to clarify the requested variances and determine whether any additional variances will be required.

Background:

Mississauga Official Plan:

Character Area: Airport Corporate Centre
Designation: Business Employment



File: "A" 464/15
WARD 5

Zoning By-law 0225-2007:

Zoning: "E1-19", Employment in Nodes

Other Applications:

☒ *Certificate of Occupancy* File: C 15-7811

Comments:

The Planning and Building Department is currently processing a Certificate of Occupancy application for the proposed restaurant. Based on the review of the Certificate of Occupancy application, we advise that more information is required to verify the accuracy of the requested variance or determine whether additional variances will be required. We note that the information submitted through this Minor Variance application differs from information received for building permit. In the Building Permit drawings it appears that the applicant does not need the variances. However, the applicant has indicated that they would like to move forward with the Minor Variance application and that they believe that the drawings submitted with the Minor Variance application are correct.

Based on this, the applicant has submitted a parking justification letter for review by City Staff. This letter was submitted on Tuesday, November 24th, 2015. After a review of the letter by staff, additional information was requested in order to clarify some points contained within the letter. However, as of the afternoon of November 25th, 2015 no additional information has been received. As a result, we are of the opinion that the application should be deferred in order for the applicant to provide this additional information for staff review. The applicant may also wish to further clarify the discrepancies between their Building Permit application and Minor Variance application."

The City of Mississauga Transportation and Works Department commented as follows (November 19, 2015):

"This Department has no objections, comments or requirements with respect to C.A. 'A' 464/15."

No other persons expressed any interest in the application.

Mr. Fulgenzi confirmed the accuracy of the subject application and wished for the Committee to proceed with adjudicating the application.

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



File: "A" 464/15
WARD 5

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

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

Application Approved.

Dated at the City of Mississauga on December 3, 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 DECEMBER 23, 2015.

Date of mailing is December 7, 2015.

S. PATRIZIO (CHAIR)

D. GEORGE

J. ROBINSON

D. KENNEDY

J. PAGE

ABSENT

D. REYNOLDS

P. QUINN

I certify this to be a true copy of the Committee's decision given on December 3, 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

CANDICE KENNEDY

on Thursday November 26, 2015

Candice Kennedy is the owner of 1051 Alexandra Avenue being Lot 50, Registered Plan B-21, zoned R3, Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of a detached garage and one storey addition at the rear of the existing dwelling proposing:

1. a side yard of 0.90m (2.95ft.) to the detached garage; whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (3.93ft.) in this instance;
2. an exterior side yard of 0.90m (2.95ft.) to the detached garage; whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 6.00m (19.68ft.) in this instance;
3. a lot coverage of 12.00% of the lot area for a detached garage; whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 10.00% of the lot area for a detached garage in this instance;
4. an interior side yard of 0.90m (2.95ft.) to the detached dwelling and addition; whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (3.93ft.) in this instance; and,
5. an exterior side yard of 5.11m (16.76ft.) to the proposed addition; whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 6.00m (19.68ft.) in this instance.

Mr. J. Sherry, the authorized agent, attended and presented the subject application to construct a one storey addition to the existing dwelling and a detached garage. Mr. Sherry noted that the subject property was a corner lot requiring several instances of reduced depths of the exterior side yard to the dwelling and garage.

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

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

"Recommendation:

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



File: "A" 466/15
WARD 1

Background:

Mississauga Official Plan:

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007:

Zoning: R3, Residential

Other Applications:

☒ Pre-Zoning Review File: PZONE 15-7486

Comments:

Based on a review of the Pre-Zoning Review application for the proposed residential addition and detached garage, we advise that variance #1 is not required as the proposed detached garage meets the required rear and interior side yard setbacks. Further, variance #5 should be amended as follows:

"5. An exterior side yard of 5.12 m (16.80 ft.) to the proposed addition; whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 6.00 m (19.68 ft.) in this instance."

In regards to variance #2, typically this Department does not support garages that are located such that the driveway is less than 5.20 m (17.06 ft.), which is the length of a standard parking space. However, in this instance, the applicant is demolishing and rebuilding the existing garage with the same footprint on a narrow lot. The only alternative would be a side-loaded garage condition, but that option would significantly reduce the amount of rear yard amenity space on the property. Therefore, we are of the opinion that the requested variance is appropriate in this instance.

Regarding variance #3, it is our opinion that the request is minor.

For variances #4 and #5 as amended, due to the narrow nature of the lot, the required side yard setbacks cannot be obtained. The proposed addition is relatively small and maintains the same interior side yard setback as the existing dwelling, while it provides a greater setback for the exterior side yard. It is our opinion that the requests would not negatively impact the neighbouring properties or the streetscape.

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 (November 19, 2015):

"As indicated in the information submitted with this application the owner intends to demolish and rebuild the existing garage, however an exterior setback of 0.90 m is being requested whereas a minimum exterior side yard of 6.0m is required. As Committee is aware, this department typically discourages any reduction of less than 5.2m measured from the face of the garage to the municipal right-of-way in order to accommodate parking for a vehicle totally within the limits of the property. We acknowledge from our review of this application that there are some constraints associated with this property with regards to setbacks to Gardner Avenue for the garage. Recognizing that there is an existing garage which needs to be reconstructed and that there is no municipal sidewalk in front of the garage, we feel that this is a unique situation and we have no objections to the request for the proposed location of the garage to be reconstructed."

The Region of Peel, Environment, Transportation and Planning Services, commented as follows (November 23, 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 issuance.

As per Region of Peel Water design standard 4.3, hydrants near driveways shall be located a minimum of 1.25 m clear from the project garage, or edge of driveway, whichever is greater in residential applications.

The property is within the vicinity of Canada Post landfill site. It is an inactive, private landfill located on the southwest corner of Cawthra and Aviation. It has been cleaned to MOECC standards."

No other persons expressed any interest in the application.

Mr. Sherry 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. Sherry 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 detached garage and one storey addition at the rear of the existing dwelling proposing:

1. a side yard of 0.90m (2.95ft.) to the detached garage; whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (3.93ft.) in this instance;
2. an exterior side yard of 0.90m (2.95ft.) to the detached garage; whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 6.00m (19.68ft.) in this instance;
3. a lot coverage of 12.00% of the lot area for a detached garage; whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 10.00% of the lot area for a detached garage in this instance;
4. an interior side yard of 0.90m (2.95ft.) to the detached dwelling and addition; whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (3.93ft.) in this instance; and,
5. an exterior side yard of 5.12 m (16.80 ft.) to the proposed addition; whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 6.00 m (19.68 ft.) in this instance.



File: "A" 466/15
WARD 1

MOVED BY: J. Page

SECONDED BY: D. George

CARRIED

Application Approved, as amended.

Dated at the City of Mississauga on December 3, 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 DECEMBER 23, 2015.

Date of mailing is December 7, 2015.

S. PATRIZIO (CHAIR)

D. GEORGE

J. ROBINSON

D. KENNEDY

J. PAGE

ABSENT

D. REYNOLDS

P. QUINN

I certify this to be a true copy of the Committee's decision given on December 3, 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.