

COMMITTEE OF ADJUSTMENT
AGENDA



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

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

File	Name of Applicant	Location of Land	Ward	Disposition
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NEW APPLICATIONS - (CONSENT)

B-046/15 to B-050/15	DUNSIRE (SECOND LINE) INC	7235 TO 7263 SECOND LINE WEST	11	Approved
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DEFERRED APPLICATIONS - (CONSENT)

B-044/15, A-399/15, A-400/15	DAVID BUCKINGHAM	749 MONTBECK CRES	1	Approved
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NEW APPLICATIONS - (MINOR VARIANCE)

A-415/15	DUNSIRE (1407 LAKESHORE) INC	1407 LAKESHORE RD E	1	Oct. 22
A-416/15	DUNSIRE (1041 LAKESHORE) INC	1041 LAKESHORE RD E	1	Oct. 22
A-417/15	PCP 313	3065 & 3075 RIDGEWAY DR	8	Approved
A-418/15	BOUTROS & NAWAL AMMAR	4446 WATERFORD CRES	4	Nov. 5
A-419/15	LEEANNA & ROY JOHN CLAUDE MCNEIL	1128 MCBRIDE AVE	6	Approved

DEFERRED APPLICATIONS - (MINOR VARIANCE)

A-214/15	ABBAS CHAUDRY	885 CENTRAL PKY W	6	Approved 5 Years
A-231/15	ALFRED DORKALAM	1215 CANTERBURY RD	1	Approved
A-386/15	STEPHANIE BEAUDIN	592 VANESSA CRES	2	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

DUNSIRE (SECOND LINE) INC

on Thursday October 1, 2015

Dunsire (Second Line) Inc. is the owner of 7235 to 7263 Second Line West being Part of Lot 12, Conc. 2, W.H.S., zoned R1, Residential. The applicant requests the consent of the Committee to the conveyance of a parcel of land having a frontage of approximately 36.50m (119.75 ft.) and an area of approximately 2,547.67m² (27,423.78sq.ft.). The effect of the application is to create a new lot for residential purposes.

This application is being considered concurrently with Consent applications "B" 047/15 to "B" 050/15.

Mr. S. Keeper, a representative of the authorized agent, attended and presented the subject application to allow for the conveyance of land for the creation of a new residential lot. Mr. Keeper advised the Committee that the application was similar to a series of previous Consent applications that were approved by the Committee. He explained that it was identified that a private easement was required for some of the lots created through the previous Consent applications subsequent to approval of the former applications.

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 (September 24, 2015),
City of Mississauga, Transportation and Works Department (September 25, 2015),
City of Mississauga, Community Services Department, Park Planning (September 29, 2015),
Region of Peel, Environment, Transportation and Planning Services (September 28, 2015),
Credit Valley Conservation (September 28, 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. The Secretary-Treasurer advised the Committee that an additional condition should be imposed to ensure that the certificate be issued concurrently with the other associated Consent applications.

The Committee concurred with the Secretary-Treasurer that this condition was appropriate.

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

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

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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding.
4. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated September 25, 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 September 28, 2015.
6. The Secretary-Treasurer's Certificate under *the Planning Act* shall be issued simultaneously with the Certificates for Consent applications "B"046/15, "B"047/15, "B"048/15, "B"049/15 & "B"050/15.



File: "B" 046/15
WARD 11


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

Application Approved on conditions as stated.

Dated at the City of Mississauga on October 8, 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 OCTOBER 29, 2015.


Date of mailing is October 9, 2015.


S. PATRIZIO



D. GEORGE


J. ROBINSON (CHAIR)


D. KENNEDY


J. PAGE

ABSENT
D. REYNOLDS


P. QUINN

I certify this to be a true copy of the Committee's decision given on October 8, 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 October 9, 2016.

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

COMMITTEE OF ADJUSTMENT

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

- and -

IN THE MATTER OF AN APPLICATION BY

DUNSIRE (SECOND LINE) INC

on Thursday October 1, 2015

Dunsire (Second Line) Inc. is the owner of 7235 to 7263 Second Line West being Part of Lot 12, Conc. 2, W.H.S., zoned R1, Residential. The applicant requests the consent of the Committee to the conveyance of a parcel of land having a frontage of approximately 18.95m (62.17ft.) and an area of approximately 1392.03m² (14,984.17sq.ft.). The effect of the application is to create a new lot for residential purposes.

This application is being considered concurrently with Consent applications "B" 046/15 to "B" 050/15.

Mr. S. Keeper, a representative of the authorized agent, attended and presented the subject application to allow for the conveyance of land for the creation of a new residential lot. Mr. Keeper advised the Committee that the application was similar to a series of previous Consent applications that were approved by the Committee. He explained that it was identified that a private easement was required for some of the lots created through the previous Consent applications subsequent to approval of the former applications.

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 (September 24, 2015),
City of Mississauga, Transportation and Works Department (September 25, 2015),
City of Mississauga, Community Services Department, Park Planning (September 29, 2015),
Region of Peel, Environment, Transportation and Planning Services (September 28, 2015),
Credit Valley Conservation (September 28, 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. The Secretary-Treasurer advised the Committee that an additional condition should be imposed to ensure that the certificate be issued concurrently with the other associated Consent applications.

The Committee concurred with the Secretary-Treasurer that this condition was appropriate.

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

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

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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the conveyed land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager of Zoning Plan Examination, indicating that the conveyed land and retained lands comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding.
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File: "B" 047/15
WARD 11

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

Application Approved on conditions as stated.

Dated at the City of Mississauga on October 8, 2015.

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Date of mailing is October 9, 2015.

S. PATRIZIO

D. GEORGE

J. ROBINSON (CHAIR)

D. KENNEDY

J. PAGE

ABSENT

D. REYNOLDS

P. QUINN

I certify this to be a true copy of the Committee's decision given on October 8, 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 October 9, 2016.

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



COMMITTEE OF ADJUSTMENT

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

- and -

IN THE MATTER OF AN APPLICATION BY

DUNSIRE (SECOND LINE) INC

on Thursday October 1, 2015

Dunsire (Second Line) Inc. is the owner of 7235 to 7263 Second Line West being Part of Lot 12, Conc. 2, W.H.S., zoned R1, Residential. The applicant requests the consent of the Committee to the conveyance of a parcel of land having a frontage of approximately 18.95 m (62.17 ft.) and an area of approximately 1,284.20 m² (13,823.46sq.ft.). The effect of the application is to create a new lot for residential purposes.

This application is being considered concurrently with Consent applications "B" 046/15 to "B" 050/15.

Mr. S. Keeper, a representative of the authorized agent, attended and presented the subject application to allow for the conveyance of land for the creation of a new residential lot. Mr. Keeper advised the Committee that the application was similar to a series of previous Consent applications that were approved by the Committee. He explained that it was identified that a private easement was required for some of the lots created through the previous Consent applications subsequent to approval of the former applications.

The Committee reviewed the information submitted with the application.

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City of Mississauga, Community Services Department, Park Planning (September 29, 2015),
Region of Peel, Environment, Transportation and Planning Services (September 28, 2015),
Credit Valley Conservation (September 28, 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. The Secretary-Treasurer advised the Committee that an additional condition should be imposed to ensure that the certificate be issued concurrently with the other associated Consent applications.

The Committee concurred with the Secretary-Treasurer that this condition was appropriate.

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

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

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

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File: "B" 048/15
WARD 11


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


Application Approved on conditions as stated.

Dated at the City of Mississauga on October 8, 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 OCTOBER 29, 2015.

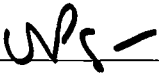
Date of mailing is October 9, 2015.


S. PATRIZIO

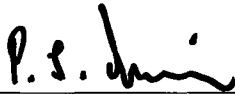

D. GEORGE


J. ROBINSON (CHAIR)


D. KENNEDY


J. PAGE

ABSENT
D. REYNOLDS


P. QUINN

I certify this to be a true copy of the Committee's decision given on October 8, 2015.


DAVID L. MARTIN, SECRETARY-TREASURER

NOTES:

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COMMITTEE OF ADJUSTMENT

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of The Planning Act R.S.O. 1990, c.P.13, as amended

- and -

IN THE MATTER OF AN APPLICATION BY

DUNSIRE (SECOND LINE) INC

on Thursday October 1, 2015

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This application is being considered concurrently with Consent applications "B" 046/15 to "B" 050/15.

Mr. S. Keeper, a representative of the authorized agent, attended and presented the subject application to allow for the conveyance of land for the creation of a new residential lot. Mr. Keeper advised the Committee that the application was similar to a series of previous Consent applications that were approved by the Committee. He explained that it was identified that a private easement was required for some of the lots created through the previous Consent applications subsequent to approval of the former applications.

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Region of Peel, Environment, Transportation and Planning Services (September 28, 2015),
Credit Valley Conservation (September 28, 2015):

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

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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 September 28, 2015.
6. The Secretary-Treasurer's Certificate under *the Planning Act* shall be issued simultaneously with the Certificates for Consent applications "B"046/15, "B"047/15, "B"048/15, "B"049/15 & "B"050/15.

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

Application Approved on conditions as stated.

Dated at the City of Mississauga on October 8, 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 OCTOBER 29, 2015.

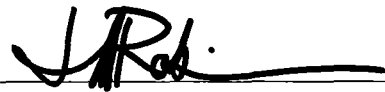
Date of mailing is October 9, 2015.



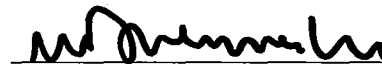
S. PATRIZIO



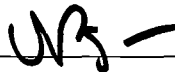
D. GEORGE



J. ROBINSON (CHAIR)



D. KENNEDY



J. PAGE

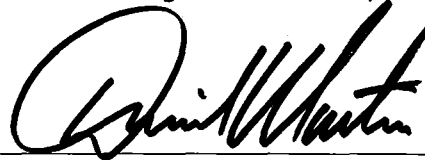
ABSENT

D. REYNOLDS



P. QUINN

I certify this to be a true copy of the Committee's decision given on October 8, 2015.



DAVID L. MARTIN, SECRETARY-TREASURER

NOTES:

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COMMITTEE OF ADJUSTMENT

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on Thursday October 1, 2015

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This application is being considered concurrently with Consent applications "B" 046/15 to "B" 050/15.

Mr. S. Keeper, a representative of the authorized agent, attended and presented the subject application to allow for the conveyance of land for the creation of a new residential lot. Mr. Keeper advised the Committee that the application was similar to a series of previous Consent applications that were approved by the Committee. He explained that it was identified that a private easement was required for some of the lots created through the previous Consent applications subsequent to approval of the former applications.

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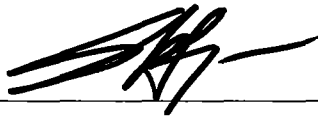
MOVED BY: S. Patrizio SECONDED BY: J. Page CARRIED

Application Approved on conditions as stated.

Dated at the City of Mississauga on October 8, 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 OCTOBER 29, 2015.

Date of mailing is October 9, 2015.



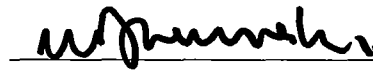
S. PATRIZIO



D. GEORGE



J. ROBINSON (CHAIR)



D. KENNEDY



J. PAGE

ABSENT

D. REYNOLDS



P. QUINN

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DAVID L. MARTIN, SECRETARY-TREASURER

NOTES:

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COMMITTEE OF ADJUSTMENT

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- and -
IN THE MATTER OF AN APPLICATION BY

DAVID BUCKINGHAM

on Thursday October 1, 2015

David Buckingham is the owner of 749 Montbeck Crescent being Lot 61, Registered Plan A-26, zoned R3, Residential. The applicant request the consent of the Committee to the conveyance of a parcel of land having lot frontage of 10.07m (33.03ft.) an area of approximately 500.10m² (5383.20sq.ft.). The effect of the application is to create a new lot for residential purposes.

The lands are also the subject of Minor Variance Application Files "A" 399/15 and "A" 400/15.

On September 17, 2015, Mr. W. Oughtred, authorized agent, attended and presented the application to partition the property into two lots and for the construction of two new dwellings. Mr. Oughtred presented a site plan and advised that the Planning and Building Department did not have any objections to the proposal.

Mr. Oughtred presented architectural plans depicting a pair of three storey detached dwellings that his client proposed to construct on the conveyed and retained lands. He indicated that the associated Minor Variance applications needed to be amended to allow for side yards of 1.20m (3.93ft.) between the two proposed dwelling. Mr. Oughtred advised that the side yards abutting the existing neighbours would comply with the Zoning By-law.

Mr. Oughtred indicated that he was aware of a dispute with respect to the boundary line to the lands to the north. He confirmed that he had consulted a surveyor who had advised him that the matter had been resulted through the appropriate tribunal. Mr. Oughtred advised the Committee that the surveyor had prepared the draft reference plan in accordance with the confirmed property line.

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 (September 15, 2015),
City of Mississauga, Transportation and Works Department (September 10, 2015),
City of Mississauga, Community Services Department (September 11, 2015),
Region of Peel, Environment, Transportation & Planning Services (September 11, 2015)

Letters of no objection were received from the property owners/residents at 651 Beach Street, 724-734 Lakeshore Road East, 899 Lakeshore Road East-Upper, 516 and 518 Richey Crescent, 588 and 597 Curzon Avenue, 658, 684, 695, 699, and 703 Byngmount Ave, 848, 909 Goodwin Road, 591, 595, 397, 647, 681, 685, 689, 699, 725, 746, 768, and 771 Montbeck Crescent.

Letters were received from Ms. S. Bond, property owner of the adjacent property to the north (Part of Lot 62, Plan A-26) expressing opposition to the application and noting her concerns with respect to the property boundary line. Ms. Bond also indicated that she did not receive

the Notice of Public Hearing. She advised that she visited the property recently and saw the sign advertising the Hearing on the neighbouring property. Ms. Bond indicated that the actual lot boundary line is not shown in the correct location. She requested that the application be refused as it adversely affects adjacent properties.

A petition was received, signed by the property owners/residents at 719, 722 and 729 Byngmount Avenue, 706, 712, 737, 740, 743, 745, 758 and 763 Montbeck Crescent, 881 Goodwin Road, and 876 Aviation Road, expressing opposition to the application and noting their concerns with respect to loss of sunlight, privacy, tree removal, and drainage. They also noted that the reduced side yards will impact access for emergency personnel to the rear yard in case of fire or injury.

A letter was received from J. Danahy, a resident of 917 Goodwin Road, expressing objection to the application noting that the creation of each new small lot compromises the landscape and urban forest character of the stable existing neighbourhood. Mr. Danahy indicated that the existing character of the Lakeview Plan Area should be preserved.

A letter was received, signed by the property owners/residents at 598, 601, 606, 608, 609, and 610 Montbeck Crescent, 908, 914, 917, 918, 921, 926, 937, and 941 Goodwin Road, 885 and 896 Aviation Road, and 890 Hampton Crescent expressing objection to the application and noting their comments and concerns.

Ms. S. Bond, property owner of the vacant lot next door, (Part of Lot 62, Plan A-26), attended and expressed her opposition to the application. She advised that she believes that the previous property owners at 749 Montbeck Crescent removed the survey monuments. She indicated that the boundary shown on the plan is inaccurate and advised that one foot of her property is being shown as part of their lot. Ms. Bond advised that she contacted the survey firm of Tarasick, McMillan to advise them of the discrepancy. They indicated that they were not retained to go on site but prepared the survey from their records in the office.

Ms. Bond indicated that she went to an OMB hearing to discuss the lot boundary and the dispute was resolved and the boundary line confirmed. She advised that if the application is approved, it will overturn the Ontario Municipal Board Decision with respect to the property. Ms. Bond indicated that the lots were originally 66.00ft. in width according to the original registered plan A-26. She submitted a copy of the plan for the Committee review. She indicated that there were two instruments and two lots with frontages of 33ft. each and the lot boundaries were confirmed at the Ontario Municipal Board.

Ms. Bond indicated that the surveyor was retained to prepare the plan from notes in the surveyor's office and the surveyor did not go out to the site to confirm any measurements. She believes that the plan is inaccurate and the application should not proceed until the information with respect to the lot boundaries is precise.

Ms. Bond indicated that the lot sizes are deficient and the application should not be approved as the proposed lot division is out of character with the neighbourhood.

Ms. Bond indicated that she did not receive proper Notice of the application and only noticed the sign when she was in the neighbourhood visiting her property. She indicated that she did not have enough time to prepare for the Hearing.

Mr. P. Farrell, property owner at 608 Montbeck Crescent, attended and advised that there are approximately 35 homeowners that oppose the application. He encouraged the Committee to listen to the homeowners that live in the community rather than those who are developers for profit. Mr. Farrell indicated that the applications are not minor in nature as the lot sizes are below the requirements and the relief for side yards is excessive. Mr. Farrell indicated that the Official Plan infill regulations request that development respect the existing and planned character of the neighbourhood. He indicated that the neighbours do not believe that the application suits the character of the neighbourhood and should be refused.

Ms. E. Stryjnik, property owner at 745 Montbeck Crescent, attended and expressed her opposition to the application. She advised that she has concerns with respect to the property boundary lines. She advised that the proposed dwellings are too close to the side property lines and out of character with the neighbourhood. She indicated that the development will be crowded and advised that the applicant should construct dwellings in accordance with the Zoning By-law.

Ms. Stryjnik requested clarification with respect to the existing maple tree on the boulevard and whether there would be windows in the side yard adjacent to her property. She advised that her home is approximately 1200.00sq.ft. and questioned the size of the new dwelling noting that if it is too large, it will not suit the character of the neighbourhood due to massing.

No other persons expressed any interest in the application.

The Secretary-Treasurer advised that Ms. Bond was notified of the Public Hearing. He noted that her address is outside of the City of Mississauga and the letter has not been returned by Canada Post indicating that the letter was undeliverable.

With respect to the property boundary line, the Secretary-Treasurer advised that he has consulted with the Legal Department and the City's Land Surveyor. He indicated that if the application is approved, the northerly boundary line must match the Boundary Act Decision prior to a Certificate being issued. If the boundary line differs, it will affect the lot frontage and lot areas and new minor variance applications will be required.

Mr. Oughtred indicated that the proposed dwellings will be approximately 3,800sq.ft., using a rough calculation of the floor areas from the floor plans. He indicated that the lot coverage is restricted to a maximum of 35.00% of the lot area.

The Committee indicated that the Notice was unclear as it indicated a two storey dwelling and the applicant is proposing a three storey dwelling. They expressed their concern with respect to the size of the dwelling relative to the lot size. The Committee indicated that the application should be re-circulated to make it clear as to what type of dwelling is being proposed and what variances are being requested.

The Committee deferred the application to October 1, 2015.

On October 1, 2015, Mr. W. Oughtred, the authorized agent, attended and presented the subject application to partition the property into two and to construct two new detached dwellings on each property. Mr. Oughtred advised the Committee that a surveyor had attended the property and affixed iron bars on the property to delineate the property boundaries. He noted that the surveyor confirmed that the lot frontages would be 9.99 m (32.77 ft.) pursuant to the Zoning By-law and requested for the application to be amended accordingly.

Mr. Oughtred noted that he wished to delete any variances with respect to deficient side yards. He confirmed that the proposed dwellings would be constructed in accordance with the Zoning By-law.

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 (September 24, 2015),
City of Mississauga, Transportation and Works Department (September 25, 2015),

A letter was received from L. Tovey, a resident of 750 Montbeck Crescent, stating an objection to the subject application.

A letter was received from M. Bruni, President of the Lakeview Ratepayers Association, expressing an interest in the subject application.

A letter was received from A. Lloyd, a resident of 917 Goodwin Road, stating an objection to the subject application.

A letter was received from J. Danahy, a resident of 917 Goodwin Road, stating an objection to the subject application.

Ms. E. Stryjnik, a resident of 745 Montbeck Crescent, attended and expressed her concerns with the proposed dwellings that were to be constructed on the conveyed and retained lands. She noted that the required Minor Variances were not appropriate. Ms. Stryjnik indicated her concerns with the accuracy of the draft reference plan that was presented to the Committee.

No other persons expressed any interest in the application.

Mr. Oughtred displayed a drawing of the front elevation of the proposed dwellings. He noted that the proposed dwellings would be would maintain the front yard setback of the adjacent dwellings.

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 of the opinion that the proposed lots were in conformity in frontage and area with other lots within the surrounding area and noted that the properties to the north and south were identical in size. They noted that the proposed dwellings would be constructed in accordance 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 "severed" land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Manager/Supervisor, Zoning Plan Examination, indicating that the "severed" and "retained" lands comply with the provisions of the Zoning By-law with respect to, among other things, minimum lot frontage, minimum lot area, setbacks to existing building(s), or alternatively, any minor variance is approved, final and binding and/or the demolition of any existing building(s). (A 399/15 & A 400/15)
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 September 25, 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 September 11, 2015.



File: "B" 044/15
WARD 1


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

Application Approved on conditions as stated.

Dated at the City of Mississauga on October 8, 2015.

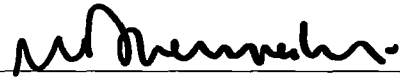
THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE OCTOBER 29, 2015.

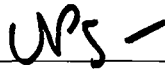
Date of mailing is October 9, 2015.


S. PATRIZIO


D. GEORGE


J. ROBINSON (CHAIR)


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 October 8, 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 October 9, 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

DAVID BUCKINGHAM

on Thursday October 1, 2015

David Buckingham is the owner of 749 Montbeck Crescent being Lot 61, Registered Plan A-26, zoned R3, Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of a new three (3) storey detached dwelling on the proposed "retained" lands of File "B" 44/15 proposing:

1. a lot frontage of 10.08m (33.07ft.); whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (49.21ft.) in this instance,
2. a lot area of 492.30 m² (5,299.24sq.ft.); whereas By-law 0225-2007, requires a minimum lot area of 550.00m² (5,920.34sq.ft.) in this instance; and,
3. a northerly side yard of 1.20m (3.93ft.); whereas By-law 0225-2007, as amended, requires minimum side yards of 1.81m (5.93ft.) to the second storey and 2.42m (7.90ft.) to the third storey of the dwelling in this instance.

On September 17, 2015, Mr. W. Oughtred, authorized agent, attended and presented the application to partition the property into two lots and for the construction of two new dwellings. Mr. Oughtred presented a site plan and advised that the Planning and Building Department did not have any objections to the proposal.

Mr. Oughtred presented architectural plans depicting a pair of three storey detached dwellings that his client proposed to construct on the conveyed and retained lands. He indicated that the associated Minor Variance applications needed to be amended to allow for side yards of 1.20m (3.93ft.) between the two proposed dwelling. Mr. Oughtred advised that the side yards abutting the existing neighbours would comply with the Zoning By-law.

Mr. Oughtred indicated that he was aware of a dispute with respect to the boundary line to the lands to the north. He confirmed that he had consulted a surveyor who had advised him that the matter had been resulted through the appropriate tribunal. Mr. Oughtred advised the Committee that the surveyor had prepared the draft reference plan in accordance with the confirmed property line.

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



File: "A" 399/15
WARD 1

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

"1.0 Recommendation

The Planning and Building Department has no objection to the Consent application, provided that the severed and retained lands comply with the provisions of the Zoning By-law. Further, we have no objection to the requested variances, as amended.

2.0 Background

Mississauga Official Plan

Character Area: Lakeview Neighbourhood

Designation: Residential Low Density II

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

3.0 Other Applications

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

4.0 Comments

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

"Lot Frontage means the horizontal distance between the side lot lines and where these lines are not parallel means the distance between the side lot lines measured on a line parallel to and 7.5 m back from the front lot line (0325-2008)."

We further advise that it appears variance #3 should be amended as follows for both 'A' 399/15 and 'A' 400/15:

"Northerly and southerly side yards of 1.20 m (3.93 ft.); whereas By-law 0225-2007, as amended, requires minimum interior side yards of 1.81 m (5.94 ft.) for a two storey dwelling in this instance."

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



MISSISSAUGA

File: "A" 399/15
WARD 1

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 15.29 m (50.16 ft.) whereas the frontages of the proposed lots will be 10.07 m (33.04 ft.) and 10.08 m (33.07 ft.). The average area of lots within 120 m (393.70 ft.) is 784.08 m² (8439.77 sq. ft.) whereas the areas of the proposed lots will be 492.30 m² (5299.07 sq. ft.) and 500.10 m² (5383.03 sq. ft.).

Although this Department does not typically support Consent applications that require minor variances for deficient frontage and area, in review of lots within the vicinity, it is our opinion that the proposed lots would be consistent with others within the neighbourhood. Montbeck Crescent contains several properties with similar and lesser frontages and areas.

In regards to the requests for side yards, based on recent discussions with the authorized agent, it is our understanding that the northerly side yard request will be withdrawn for the proposed severed lands and the southerly side request will be withdrawn for the proposed retained lands. Therefore, the deficient side yards would be located between the two proposed dwellings, and required setbacks to all other existing neighbouring properties would be maintained.

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 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, should the applicant revise the proposal as indicated above, we would have no objection to the requested variances, as amended."

The City of Mississauga Transportation and Works Department commented as follows (September 10, 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' 44/15."

The Region of Peel, Environment, Transportation and Planning Services, commented as follows (September 11, 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. Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. Please note that site servicing approvals will be required prior to building permit."

"The subject property is within the vicinity of Albert Crookes Memorial Park. This former waste disposal site is inactive and is currently being used as a park. It is catalogued by the MOECC as #7068."

Letters of no objection were received from the property owners/residents at 651 Beach Street, 724-734 Lakeshore Road East, 899 Lakeshore Road East-Upper, 516 and 518 Richey Crescent, 588 and 597 Curzon Avenue, 658, 684, 695, 699, and 703 Byngmount Ave, 848, 909 Goodwin Road, 591, 595, 597, 647, 681, 685, 689, 699, 725, 746, 768, and 771 Montbeck Crescent.

Letters were received from Ms. S. Bond, property owner of the adjacent property to the north (Part of Lot 62, Plan A-26) expressing opposition to the application and noting her concerns with respect to the property boundary line. Ms. Bond also indicated that she did not receive the Notice of Public Hearing. She advised that she visited the property recently and saw the sign advertising the Hearing on the neighbouring property. Ms. Bond indicated that the



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File: "A" 399/15
WARD 1

actual lot boundary line is not shown in the correct location. She requested that the application be refused as it adversely affects adjacent properties.

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A letter was received from J. Danahy, property owner at 917 Goodwin Road, expressing objection to the application noting that the creation of each new small lot compromises the landscape and urban forest character of the stable existing neighbourhood. Mr. Danahy indicated that the existing character of the Lakeview Plan Area should be preserved.

A letter was received, signed by the property owners/residents at 598, 601, 606, 608, 609, and 610 Montbeck Crescent, 908, 914, 917, 918, 921, 926, 937, and 941 Goodwin Road, 885 and 896 Aviation Road, and 890 Hampton Crescent expressing objection to the application and noting their comments and concerns.

A letter was received from L. Tovey, of 750 Montbeck Crescent, expressing objection to the application and noting concerns with respect to massing. The requested variances do not meet the Secondary Policy objectives of minimizing negative effects on adjacent properties and do not integrate well with existing built form. The homes should adhere to the required setbacks and be of a scale appropriate for the narrower frontages.

Ms. S. Bond, property owner of the vacant lot next door, (Part of Lot 62, Plan A-26), attended and expressed her opposition to the application. She advised that she believes that the previous property owners at 749 Montbeck Crescent removed the survey monuments. She indicated that the boundary shown on the plan is inaccurate and advised that one foot of her property is being shown as part of their lot. Ms. Bond advised that she contacted the survey firm of Tarasick, McMillan to advise them of the discrepancy. They indicated that they were not retained to go on site but prepared the survey from their records in the office.

Ms. Bond indicated that she went to an OMB hearing to discuss the lot boundary and the dispute was resolved and the boundary line confirmed. She advised that if the application is approved, it will overturn the Ontario Municipal Board Decision with respect to the property. Ms. Bond indicated that the lots were originally 66.00ft. in width according to the original registered plan A-26. She submitted a copy of the plan for the Committee review. She indicated that there were two instruments and two lots with frontages of 33ft. each and the lot boundaries were confirmed at the Ontario Municipal Board.

Ms. Bond indicated that the surveyor was retained to prepare the plan from notes in the surveyor's office and the surveyor did not go out to the site to confirm any measurements. She believes that the plan is inaccurate and the application should not proceed until the information with respect to the lot boundaries is precise.

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File: "A" 399/15
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that the Official Plan infill regulations request that development respect the existing and planned character of the neighbourhood. He indicated that the neighbours do not believe that the application suits the character of the neighbourhood and should be refused.

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Ms. Stryjnik requested clarification with respect to the existing maple tree on the boulevard and whether there would be windows in the side yard adjacent to her property. She advised that her home is approximately 1200.00sq.ft. and questioned the size of the new dwelling noting that if it is too large, it will not suit the character of the neighbourhood due to massing.

No other persons expressed any interest in the application.

The Secretary-Treasurer advised that Ms. Bond was notified of the Public Hearing. He noted that her address is outside of the City of Mississauga and the letter has not been returned by Canada Post indicating that the letter was undeliverable.

With respect to the property boundary line, the Secretary-Treasurer advised that he has consulted with the Legal Department and the City's Land Surveyor. He indicated that if the application is approved, the northerly boundary line must match the Boundary Act Decision prior to a Certificate being issued. If the boundary line differs, it will affect the lot frontage and lot areas and new minor variance applications will be required.

Mr. Oughtred indicated that the proposed dwellings will be approximately 3,800sq.ft., using a rough calculation of the floor areas from the floor plans. He indicated that the lot coverage is restricted to a maximum of 35.00% of the lot area.

The Committee indicated that the Notice was unclear as it indicated a two storey dwelling and the applicant is proposing a three storey dwelling. They expressed their concern with respect to the size of the dwelling relative to the lot size. The Committee indicated that the application should be re-circulated to make it clear as to what type of dwelling is being proposed and what variances are being requested.

The Committee deferred the application to October 1, 2015.

On October 1, 2015, Mr. W. Oughtred, the authorized agent, attended and presented the subject application to partition the property into two and to construct two new detached dwellings on each property. Mr. Oughtred advised the Committee that a surveyor had attended the property and affixed iron bars on the property to delineate the property boundaries. He noted that the surveyor confirmed that the lot frontages would be 9.99 m (32.77 ft.) pursuant to the Zoning By-law and requested for the application to be amended accordingly.

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

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

"1.0 RECOMMENDATION

The Planning and Building Department has no objection to the Consent application, provided that the severed and retained lands comply with the provisions of the Zoning By-law. Further, we have no objection to the requested variances, as amended.

2.0 BACKGROUND

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density II

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

3.0 OTHER APPLICATIONS

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

4.0 COMMENTS

When these applications were previously heard by the Committee on September 17, 2015, the applicant presented drawings for proposed three storey dwellings. The Committee expressed concerns with the proposed size of the dwellings, and indicated that the Notice of Public Hearing should be recirculated to clarify the type of dwellings being proposed.

Since that time, we have had discussions with the authorized agent, and it is our understanding that the proposed dwellings will be constructed in accordance with the requirements of the By-law. Therefore, variances #3 for both applications will be withdrawn.

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

"Lot Frontage means the horizontal distance between the side lot lines and where these lines are not parallel means the distance between the side lot lines measured on a line parallel to and 7.5 m back from the front lot line (0325-2008)."

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

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 15.29 m (50.16 ft.) whereas the frontages of the proposed lots will be 10.07 m (33.04 ft.) and 10.08 m (33.07 ft.). The average area of lots within 120 m (393.70 ft.) is 784.08 m² (8439.77 sq. ft.) whereas the areas of the proposed lots will be 492.30 m² (5299.07 sq. ft.) and 500.10 m² (5383.03 sq. ft.).



File: "A" 399/15
WARD 1

Although this Department does not typically support Consent applications that require minor variances for deficient frontage and area, in review of lots within the vicinity, it is our opinion that the proposed lots would be consistent with others within the neighbourhood. Montbeck Crescent contains several properties with similar and lesser frontages and areas.

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 By-law 0225-2007, as amended, or alternatively, that any minor variance(s) is approved, final and binding, and/or the demolition of any existing building(s) is complete. Further, we have no objection to the requested variances, as amended."

The City of Mississauga Transportation and Works Department commented as follows (September 22, 2015):

"Please refer to our comments submitted for the September 17, 2015 hearing of this application as those comments are still applicable."

A letter was received from L. Tovey, a resident of 750 Montbeck Crescent, stating an objection to the subject application.

A letter was received from M. Bruni, President of the Lakeview Ratepayers Association, expressing an interest in the subject application.

A letter was received from A. Lloyd, a resident of 917 Goodwin Road, stating an objection to the subject application.

A letter was received from J. Danahy, a resident of 917 Goodwin Road, stating an objection to the subject application.

Ms. E. Stryjnik, a resident of 745 Montbeck Crescent, attended and expressed her concerns with the proposed dwellings that were to be constructed on the conveyed and retained lands. She noted that the required Minor Variances were not appropriate. Ms. Stryjnik indicated her concerns with the accuracy of the draft reference plan that was presented to the Committee.

No other persons expressed any interest in the application.

Mr. Oughtred displayed a drawing of the front elevation of the proposed dwellings. He noted that the proposed dwellings would be would maintain the front yard setback of the adjacent dwellings.

Mr. Oughtred noted that he wished to delete any variances with respect to deficient side yards. He confirmed that the proposed dwellings would be constructed in accordance with the Zoning By-law.

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

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

The Committee is of the opinion that the amended request is minor in nature in this instance.



MISSISSAUGA

File: "A" 399/15
WARD 1

Accordingly, the Committee resolves to authorize and grant the amended request to permit the construction of a new three (3) storey detached dwelling on the proposed "retained" lands of File "B" 44/15 proposing:

1. a lot frontage of 10.08m (33.07ft.); whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (49.21ft.) in this instance; and,
2. a lot area of 492.30 m² (5,299.24sq.ft.); whereas By-law 0225-2007, requires a minimum lot area of 550.00m² (5,920.34sq.ft.) in this instance.

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

Application Approved, as amended.

Dated at the City of Mississauga on October 8, 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 OCTOBER 28, 2015.

Date of mailing is October 9, 2015.

S. PATRIZIO

D. GEORGE

J. ROBINSON (CHAIR)

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 October 8, 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

DAVID BUCKINGHAM

on Thursday October 1, 2015

David Buckingham is the owner of 749 Montbeck Crescent being Lot 61, Registered Plan A-26, zoned R3, Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of a new detached dwelling on the proposed "severed" lands of File "B" 44/15 proposing:

1. a lot frontage of 10.07m (33.03ft.); whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (49.21ft.) in this instance,
2. a lot area of 500.10 m² (5,383.20sq.ft.); whereas By-law 0225-2007, requires a minimum lot area of 550.00m² (5,920.34sq.ft.) in this instance; and,
3. a southerly side yard of 1.20m (3.93ft.); whereas By-law 0225-2007, as amended, requires minimum side yards of 1.81m (5.93ft.) to the second storey and 2.42m (7.90ft.) to the third storey of the dwelling in this instance.

On September 17, 2015, Mr. W. Oughtred, authorized agent, attended and presented the application to partition the property into two lots and for the construction of two new dwellings. Mr. Oughtred presented a site plan and advised that the Planning and Building Department did not have any objections to the proposal.

Mr. Oughtred presented architectural plans depicting a pair of three storey detached dwellings that his client proposed to construct on the conveyed and retained lands. He indicated that the associated Minor Variance applications needed to be amended to allow for side yards of 1.20m (3.93ft.) between the two proposed dwelling. Mr. Oughtred advised that the side yards abutting the existing neighbours would comply with the Zoning By-law.

Mr. Oughtred indicated that he was aware of a dispute with respect to the boundary line to the lands to the north. He confirmed that he had consulted a surveyor who had advised him that the matter had been resulted through the appropriate tribunal. Mr. Oughtred advised the Committee that the surveyor had prepared the draft reference plan in accordance with the confirmed property line.

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



File: "A" 400/15
WARD 1

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

"1.0 Recommendation

The Planning and Building Department has no objection to the Consent application, provided that the severed and retained lands comply with the provisions of the Zoning By-law. Further, we have no objection to the requested variances, as amended.

2.0 Background

Mississauga Official Plan

Character Area: Lakeview Neighbourhood

Designation: Residential Low Density II

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

3.0 Other Applications

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

4.0 Comments

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

"Lot Frontage means the horizontal distance between the side lot lines and where these lines are not parallel means the distance between the side lot lines measured on a line parallel to and 7.5 m back from the front lot line (0325-2008)."

We further advise that it appears variance #3 should be amended as follows for both 'A' 399/15 and 'A' 400/15:

"Northerly and southerly side yards of 1.20 m (3.93 ft.); whereas By-law 0225-2007, as amended, requires minimum interior side yards of 1.81 m (5.94 ft.) for a two storey dwelling in this instance."

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



MISSISSAUGA

File: "A" 400/15
WARD 1

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 15.29 m (50.16 ft.) whereas the frontages of the proposed lots will be 10.07 m (33.04 ft.) and 10.08 m (33.07 ft.). The average area of lots within 120 m (393.70 ft.) is 784.08 m² (8439.77 sq. ft.) whereas the areas of the proposed lots will be 492.30 m² (5299.07 sq. ft.) and 500.10 m² (5383.03 sq. ft.).

Although this Department does not typically support Consent applications that require minor variances for deficient frontage and area, in review of lots within the vicinity, it is our opinion that the proposed lots would be consistent with others within the neighbourhood. Montbeck Crescent contains several properties with similar and lesser frontages and areas.

In regards to the requests for side yards, based on recent discussions with the authorized agent, it is our understanding that the northerly side yard request will be withdrawn for the proposed severed lands and the southerly side request will be withdrawn for the proposed retained lands. Therefore, the deficient side yards would be located between the two proposed dwellings, and required setbacks to all other existing neighbouring properties would be maintained.

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 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, should the applicant revise the proposal as indicated above, we would have no objection to the requested variances, as amended."

The City of Mississauga Transportation and Works Department commented as follows (September 10, 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' 44/15."

The Region of Peel, Environment, Transportation and Planning Services, commented as follows (September 11, 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. Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. Please note that site servicing approvals will be required prior to building permit."

"The subject property is within the vicinity of Albert Crookes Memorial Park. This former waste disposal site is inactive and is currently being used as a park. It is catalogued by the MOECC as #7068."

Letters of no objection were received from the property owners/residents at 651 Beach Street, 724-734 Lakeshore Road East, 899 Lakeshore Road East-Upper, 516 and 518 Richey Crescent, 588 and 597 Curzon Avenue, 658, 684, 695, 699, and 703 Byngmount Ave, 848, 909 Goodwin Road, 591, 595, 597, 647, 681, 685, 689, 699, 725, 746, 768, and 771 Montbeck Crescent.

Letters were received from Ms. S. Bond, property owner of the adjacent property to the north (Part of Lot 62, Plan A-26) expressing opposition to the application and noting her concerns with respect to the property boundary line. Ms. Bond also indicated that she did not receive the Notice of Public Hearing. She advised that she visited the property recently and saw the sign advertising the Hearing on the neighbouring property. Ms. Bond indicated that the



MISSISSAUGA

File: "A" 400/15
WARD 1

actual lot boundary line is not shown in the correct location. She requested that the application be refused as it adversely affects adjacent properties.

A petition was received, signed by the property owners/residents at 719, 722 and 729 Byngmount Avenue, 706, 712, 737, 740, 743, 745, 758 and 763 Montbeck Crescent, 881 Goodwin Road, and 876 Aviation Road, expressing opposition to the application and noting their concerns with respect to loss of sunlight, privacy, tree removal, and drainage. They also noted that the reduced side yards will impact access for emergency personnel to the rear yard in case of fire or injury.

A letter was received from J. Danahy, property owner at 917 Goodwin Road, expressing objection to the application noting that the creation of each new small lot compromises the landscape and urban forest character of the stable existing neighbourhood. Mr. Danahy indicated that the existing character of the Lakeview Plan Area should be preserved.

A letter was received, signed by the property owners/residents at 598, 601, 606, 608, 609, and 610 Montbeck Crescent, 908, 914, 917, 918, 921, 926, 937, and 941 Goodwin Road, 885 and 896 Aviation Road, and 890 Hampton Crescent expressing objection to the application and noting their comments and concerns.

A letter was received from L. Tovey, of 750 Montbeck Crescent, expressing objection to the application and noting concerns with respect to massing. The requested variances do not meet the Secondary Policy objectives of minimizing negative effects on adjacent properties and do not integrate well with existing built form. The homes should adhere to the required setbacks and be of a scale appropriate for the narrower frontages.

Ms. S. Bond, property owner of the vacant lot next door, (Part of Lot 62, Plan A-26), attended and expressed her opposition to the application. She advised that she believes that the previous property owners at 749 Montbeck Crescent removed the survey monuments. She indicated that the boundary shown on the plan is inaccurate and advised that one foot of her property is being shown as part of their lot. Ms. Bond advised that she contacted the survey firm of Tarasick, McMillan to advise them of the discrepancy. They indicated that they were not retained to go on site but prepared the survey from their records in the office.

Ms. Bond indicated that she went to an OMB hearing to discuss the lot boundary and the dispute was resolved and the boundary line confirmed. She advised that if the application is approved, it will overturn the Ontario Municipal Board Decision with respect to the property. Ms. Bond indicated that the lots were originally 66.00ft. in width according to the original registered plan A-26. She submitted a copy of the plan for the Committee review. She indicated that there were two instruments and two lots with frontages of 33ft. each and the lot boundaries were confirmed at the Ontario Municipal Board.

Ms. Bond indicated that the surveyor was retained to prepare the plan from notes in the surveyor's office and the surveyor did not go out to the site to confirm any measurements. She believes that the plan is inaccurate and the application should not proceed until the information with respect to the lot boundaries is precise.

Ms. Bond indicated that the lot sizes are deficient and the application should not be approved as the proposed lot division is out of character with the neighbourhood.

Ms. Bond indicated that she did not receive proper Notice of the application and only noticed the sign when she was in the neighbourhood visiting her property. She indicated that she did not have enough time to prepare for the Hearing.

Mr. P. Farrell, property owner at 608 Montbeck Crescent, attended and advised that there are approximately 35 homeowners that oppose the application. He encouraged the Committee to listen to the homeowners that live in the community rather than those who are developers for profit. Mr. Farrell indicated that the applications are not minor in nature as the lot sizes are below the requirements and the relief for side yards is excessive. Mr. Farrell indicated



File: "A" 400/15
WARD 1

that the Official Plan infill regulations request that development respect the existing and planned character of the neighbourhood. He indicated that the neighbours do not believe that the application suits the character of the neighbourhood and should be refused.

Ms. E. Stryjnik, property owner at 745 Montbeck Crescent, attended and expressed her opposition to the application. She advised that she has concerns with respect to the property boundary lines. She advised that the proposed dwellings are too close to the side property lines and out of character with the neighbourhood. She indicated that the development will be crowded and advised that the applicant should construct dwellings in accordance with the Zoning By-law.

Ms. Stryjnik requested clarification with respect to the existing maple tree on the boulevard and whether there would be windows in the side yard adjacent to her property. She advised that her home is approximately 1200.00sq.ft. and questioned the size of the new dwelling noting that if it is too large, it will not suit the character of the neighbourhood due to massing.

No other persons expressed any interest in the application.

The Secretary-Treasurer advised that Ms. Bond was notified of the Public Hearing. He noted that her address is outside of the City of Mississauga and the letter has not been returned by Canada Post indicating that the letter was undeliverable.

With respect to the property boundary line, the Secretary-Treasurer advised that he has consulted with the Legal Department and the City's Land Surveyor. He indicated that if the application is approved, the northerly boundary line must match the Boundary Act Decision prior to a Certificate being issued. If the boundary line differs, it will affect the lot frontage and lot areas and new minor variance applications will be required.

Mr. Oughtred indicated that the proposed dwellings will be approximately 3,800sq.ft., using a rough calculation of the floor areas from the floor plans. He indicated that the lot coverage is restricted to a maximum of 35.00% of the lot area.

The Committee indicated that the Notice was unclear as it indicated a two storey dwelling and the applicant is proposing a three storey dwelling. They expressed their concern with respect to the size of the dwelling relative to the lot size. The Committee indicated that the application should be re-circulated to make it clear as to what type of dwelling is being proposed and what variances are being requested.

The Committee deferred the application to October 1, 2015.

On October 1, 2015, Mr. W. Oughtred, the authorized agent, attended and presented the subject application to partition the property into two and to construct two new detached dwellings on each property. Mr. Oughtred advised the Committee that a surveyor had attended the property and affixed iron bars on the property to delineate the property boundaries. He noted that the surveyor confirmed that the lot frontages would be 9.99 m (32.77 ft.) pursuant to the Zoning By-law and requested for the application to be amended accordingly.

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

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

"1.0 RECOMMENDATION

The Planning and Building Department has no objection to the Consent application, provided that the severed and retained lands comply with the provisions of the Zoning By-law. Further, we have no objection to the requested variances, as amended.

2.0 BACKGROUND

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density II

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

3.0 OTHER APPLICATIONS

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

4.0 COMMENTS

When these applications were previously heard by the Committee on September 17, 2015, the applicant presented drawings for proposed three storey dwellings. The Committee expressed concerns with the proposed size of the dwellings, and indicated that the Notice of Public Hearing should be recirculated to clarify the type of dwellings being proposed.

Since that time, we have had discussions with the authorized agent, and it is our understanding that the proposed dwellings will be constructed in accordance with the requirements of the By-law. Therefore, variances #3 for both applications will be withdrawn.

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

"Lot Frontage means the horizontal distance between the side lot lines and where these lines are not parallel means the distance between the side lot lines measured on a line parallel to and 7.5 m back from the front lot line (0325-2008)."

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

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 15.29 m (50.16 ft.) whereas the frontages of the proposed lots will be 10.07 m (33.04 ft.) and 10.08 m (33.07 ft.). The average area of lots within 120 m (393.70 ft.) is 784.08 m² (8439.77 sq. ft.) whereas the areas of the proposed lots will be 492.30 m² (5299.07 sq. ft.) and 500.10 m² (5383.03 sq. ft.).



MISSISSAUGA

File: "A" 400/15
WARD 1

Although this Department does not typically support Consent applications that require minor variances for deficient frontage and area, in review of lots within the vicinity, it is our opinion that the proposed lots would be consistent with others within the neighbourhood. Montbeck Crescent contains several properties with similar and lesser frontages and areas.

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 By-law 0225-2007, as amended, or alternatively, that any minor variance(s) is approved, final and binding, and/or the demolition of any existing building(s) is complete. Further, we have no objection to the requested variances, as amended."

The City of Mississauga Transportation and Works Department commented as follows (September 22, 2015):

"Please refer to our comments submitted for the September 17, 2015 hearing of this application as those comments are still applicable."

A letter was received from L. Tovey, a resident of 750 Montbeck Crescent, stating an objection to the subject application.

A letter was received from M. Bruni, President of the Lakeview Ratepayers Association, expressing an interest in the subject application.

A letter was received from A. Lloyd, a resident of 917 Goodwin Road, stating an objection to the subject application.

A letter was received from J. Danahy, a resident of 917 Goodwin Road, stating an objection to the subject application.

Ms. E. Stryjnik, a resident of 745 Montbeck Crescent, attended and expressed her concerns with the proposed dwellings that were to be constructed on the conveyed and retained lands. She noted that the required Minor Variances were not appropriate. Ms. Stryjnik indicated her concerns with the accuracy of the draft reference plan that was presented to the Committee.

No other persons expressed any interest in the application.

Mr. Oughtred displayed a drawing of the front elevation of the proposed dwellings. He noted that the proposed dwellings would be would maintain the front yard setback of the adjacent dwellings.

Mr. Oughtred noted that he wished to delete any variances with respect to deficient side yards. He confirmed that the proposed dwellings would be constructed in accordance with the Zoning By-law.

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

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

The Committee is of the opinion that the amended request is minor in nature in this instance.



MISSISSAUGA

File: "A" 400/15
WARD 1

Accordingly, the Committee resolves to authorize and grant the amended request to permit the construction of a new three (3) storey detached dwelling on the proposed "retained" lands of File "B" 44/15 proposing:

1. a lot frontage of 10.08m (33.07ft.); whereas By-law 0225-2007, as amended, requires a minimum lot frontage of 15.00m (49.21ft.) in this instance; and,
2. a lot area of 492.30 m² (5,299.24sq.ft.); whereas By-law 0225-2007, requires a minimum lot area of 550.00m² (5,920.34sq.ft.) in this instance.

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

Application Approved, as amended.

Dated at the City of Mississauga on October 8, 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 OCTOBER 28, 2015.

Date of mailing is October 9, 2015.

S. PATRIZIO

D. GEORGE

J. ROBINSON (CHAIR)

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 October 8, 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

PCP 313

on Thursday October 1, 2015

PCP 313 is the owner of 3065 and 3075 Ridgeway Drive, zoned C3-46, Commercial. The applicant requests the Committee to authorize a minor variance to permit the operation of a commercial school within Unit 41, Level 1 providing a total of 259 parking spaces for the site; whereas By-law 0225-2007, as amended, requires a minimum of 427 parking spaces for the site in this instance.

Mr. C. Chen, the authorized agent, attended and presented the subject application to permit the operation of a commercial school within Unit 41 of the development on the subject property. Mr. C. Chen noted that the commercial school use would not require more than 20 parking spaces at any one time and suggested that the subject property had sufficient parking for all uses on the property. Mr. C. Chen presented a study that he had conducted for the parking demands of all uses on the subject property and indicated that the utilization rate of the parking supply was less than half of the available parking spaces.

Mr. P. Chen, a representative of the authorized agent, attended and advised the Committee that he had surveyed the parking demands of the property over the course of 11 days and noted that the parking utilization of all uses on the property did not exceed 50% of the parking supply.

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

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

"1.0 RECOMMENDATION"

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

2.0 BACKGROUND

Mississauga Official Plan

Character Area: Western Business Park Employment Area
Designation: Mixed Use

Zoning By-law 0225-2007

Zoning: "C3-46", General Commercial

3.0 OTHER APPLICATIONS

☒ *Certificate of Occupancy* File: C15-6562

4.0 COMMENTS

Based on a review of the Certificate of Occupancy application for the proposed commercial school, we advise that the variances as requested are correct.

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

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

The City of Mississauga Transportation and Works Department commented as follows (September 22, 2015):

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

Mr. J. Lee, a Planner for the Planning and Building Department, attended and indicated that the number of parking spaces required was calculated based on the cumulative requirement of the uses within each unit. He noted that the property had been subject to several previous Minor Variance application and noted that the parking requirement had continuously increased. He confirmed that he was not aware of any information that suggested that there was a parking problem on the subject property.

No other persons expressed any interest in the application.

The Committee after considering the submissions put forward by Messrs. Chen and Chen and having reviewed the plans and comments received, is satisfied that the request is desirable for the appropriate further development of the subject property. The Committee was satisfied with the parking review presented by Messrs. Chen and Chen and were of the opinion that the parking supply was sufficient for all uses on 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" 417/15
WARD 8

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

1. There shall be a maximum of 20 students in attendance of the commercial school.

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

Application Approved on condition as stated.

Dated at the City of Mississauga on October 8, 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 OCTOBER 28, 2015.

Date of mailing is October 9, 2015.

S. PATRIZIO

D. GEORGE

J. ROBINSON (CHAIR)

D. KENNEDY

J. PAGE

ABSENT

D. REYNOLDS

P. QUINN

I certify this to be a true copy of the Committee's decision given on October 8, 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

LEEANNA & ROY JOHN CLAUDE MCNEIL

on Thursday October 1, 2015

Leeanna & Roy John Claude McNeil are the owners of 1128 McBride Avenue being Lot 308, Registered Plan 745, zoned R3, Residential. The applicant requests the Committee to authorize a minor variance to permit the existing deck to remain in the rear yard exceeding 0.30m (0.98ft.) providing a 0.00m (0.00ft.) setback to the side and rear property lines; whereas By-law 0225-2007, as amended, under Section 4.1.5.7 only allows a deck not exceeding 0.30m (0.98ft.) to encroach into the required rear yard and requires a minimum rear yard setback of 1.50m (4.92ft.) and side yard setbacks of 0.61m (2.00ft.) in this instance.

Ms. L. McNeil, a co-owner of the subject property, attended and presented the subject application to allow for the existing deck to remain on the subject property. Ms. McNeil advised the Committee that there had been modifications made to the fence and deck to enhance functionality and access within the rear yard. She noted that she had spoken to the adjacent neighbour and that they had not expressed any concerns with the existing site conditions.

Ms. McNeil confirmed that the deck did not provide any structural support to the in-ground pool.

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

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

"1.0 RECOMMENDATION"

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

2.0 BACKGROUND

Mississauga Official Plan

Character Area: Erindale Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: "R3", Residential

3.0 OTHER APPLICATIONS

N/A

4.0 COMMENTS

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

"The applicant requests the Committee to authorize a minor variance to permit the existing freestanding deck to remain in the rear yard providing a 0.00m (0.00 ft.) setback to the side lot lines and a 0.00m (0.00 ft.) setback to the rear lot line; whereas By-law 0225-2007, as amended, requires a freestanding deck to have a minimum setback of 0.61m (2.00 ft.) to side lot lines and a minimum 1.50m (4.92 ft.) setback to the rear lot line in this instance."

The variance is required as a result of a grade change at the rear portion of the property between the fence line and the edge of the concrete surface surrounding the pool. Although the deck is flush with the pool, and pool surroundings, it is shown to be 0.94 m (3.08 ft.) above grade at the fence line. As a result this means that the fence height would be significantly lower from the deck to the top of the fence which would create a substantial overlook condition onto the rear and side yard of the adjacent property. There is also some discrepancy with regards to the height of the fence above the deck. On the applicants drawing they indicate that the fence is 1.27 m (4.17 ft.) above the deck, however the fence is also indicated as 2.00 m (6.56 ft.) tall, from grade, with the deck being shown as 0.94 m (3.08 ft.) above grade. This results in a height above the deck of 1.06 m (3.48 ft.) as opposed to the stated 1.27 m (4.17 ft.). Despite the discrepancy in numbers, it is our opinion that either condition is unfavourable and creates a negative overlook condition onto the adjacent property.

An additional increase in fence height to provide adequate screening would require an exemption under the City of Mississauga fence By-law; the maximum permitted fence height on this property is 2.00 m (6.56 ft.), which is equal to the existing height of the fence on site. However, an increase to adequately screen this deck would result in the appearance of an excessive fence height for the neighbouring property which would not be desirable, in our opinion.

Based on the preceding information, it is the opinion of the Planning and Building Department that this application does not meet the general intent of the Zoning By-law and is not desirable or appropriate development. As a result, we recommend that the application be refused."

The City of Mississauga Transportation and Works Department commented as follows (September 22, 2015):

"Enclosed for Committee's easy reference are some photos which depict the rear yard. We have located a copy of the original grading plan for the subject property, Drawing C- 07710 dated October 1965 and note that the drainage from the rear yard was intended to drain towards a south easterly direction. We are also noting from our site inspection that towards the south easterly limits of the property there was a utility box (probably bell) under the existing deck and the owner has modified the deck in this area in order to access the utility box. Should Committee see merit in the request we would suggest that the applicant provide confirmation to ensure that if there is an existing easement in this area that satisfactory arrangements have been made with the appropriate utility company for any encroachment or alternatively any encroachment be removed."

A letter was received from J. Pearson, a resident of 3272 Valmarie Avenue, stating an interest in the subject application.

No other persons expressed any interest in the application.

Ms. McNeil 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 Ms. McNeil 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 they were not in receipt of any information from any neighbours that identified any adverse impact of the existing deck.

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" 419/15
WARD 6

Accordingly, the Committee resolves to authorize and grant the amended request to permit the existing freestanding deck to remain in the rear yard providing a 0.00m (0.00 ft.) setback to the side lot lines and a 0.00m (0.00 ft.) setback to the rear lot line; whereas By-law 0225-2007, as amended, requires a freestanding deck to have a minimum setback of 0.61m (2.00 ft.) to side lot lines and a minimum 1.50m (4.92 ft.) setback to the rear lot line in this instance.

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

Application Approved, as amended.

Dated at the City of Mississauga on October 8, 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 OCTOBER 28, 2015.

Date of mailing is October 9, 2015.

S. PATRIZIO

D. GEORGE

J. ROBINSON (CHAIR)

D. KENNEDY

J. PAGE

ABSENT

D. REYNOLDS

P. QUINN

I certify this to be a true copy of the Committee's decision given on October 8, 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

ABBAS CHAUDRY

on Thursday October 1, 2015

Abbas Chaudry is the owner of Part of Block C, Registered Plan 963, located and known as 885 CENTRAL PARKWAY WEST, zoned E2-19, Employment. The applicant requests the Committee to authorize a minor variance to permit:

1. a motor vehicle sales leasing and/or rental facility - restricted use accessory to the existing motor vehicle body repair facility and motor vehicle repair facility - restricted uses within the subject building as previously approved pursuant to Committee of Adjustment File 'A' 461/12; whereas By-law 0225-2007, as amended, does not make provisions for a motor vehicle sales, leasing, and/or rental facility - restricted use in an E2-19 zone in this instance;
2. a landscaped buffer depth of 0.00 m (0.00 ft.) measured from a lot line that is a street line as previously approved pursuant to Committee of Adjustment File 'A' 461/12; whereas By-law 0225-2007, as amended, requires a minimum landscaped buffer depth of 4.50 m (14.76 ft.) in this instance;
3. an aisle width of 5.13 m (16.83 ft.) to parking spaces on the east side of the property and aisle width of 6.00 m (19.68 ft.) to the parking spaces on the south-westerly side of the property as previously approved pursuant to Committee of Adjustment File 'A' 461/12; whereas By-law 0225-2007, as amended, requires a minimum parking aisle width of 7.00 m (22.96 ft.) in this instance; and,
4. 24 parking spaces on-site; whereas By-law 0225-2007, as amended requires a minimum of 30 parking spaces in this instance.

Mr. C. Pirrozzi, the authorized agent, attended and requested a deferral of the application to allow him to submit a Certificate of Occupancy application.

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

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

1.0 RECOMMENDATION

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

2.0 BACKGROUND

Mississauga Official Plan



MISSISSAUGA

File: "A" 214/15
WARD 6

Character Area: Mavis-Erindale Employment Area
Designation: Business Employment
Zoning By-law 0225-2007

Zoning: "E2-19", Employment

3.0 OTHER APPLICATIONS

- Certificate of Occupancy File: Required - No application received

4.0 COMMENTS

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

We note that the Committee previously approved similar minor variance applications for the subject property under 'A' 461/12 and 'A' 341/11. The most recent application was approved subject to four conditions restricting outdoor storage or display of vehicles, retail signage, a maximum of three vehicles for sale, and a requirement to provide and maintain a concrete barrier to the satisfaction of Transportation and Works staff. At the time, this Department recommended refusal of the application as it was our opinion that permitting motor vehicle sales in Employment zones did not maintain the general intent and purpose of the Zoning By-law. Further, we noted that justification had not been provided for the parking variance request.

It is our understanding that the current request is identical to 'A' 461/12, but the applicant is seeking to amend the condition restricting the maximum number of vehicles for sale from three to six vehicles. In order to accommodate additional vehicles for sale, the proposed number of parking spaces on-site has been reduced to 17 spaces. In this regard, we advise that a Parking Utilization Study that satisfactorily justifies the requested reduction in parking is required. Until we are in receipt of this information, we cannot determine the appropriateness of variance #4.

In regards to variances #2 and #3, we note that the Committee has previously approved identical variances and therefore we have no further comment.

In regards to variance #1, we note that the motor vehicle sales use would be accessory to the existing motor vehicle body repair and motor vehicle repair facility, which are permitted uses in the E2-19 zone. Therefore, provided that the motor vehicle sales use is limited and clearly subordinate to the primary use, we have no objection. Should the Committee see merit in the application without the benefit of a Parking Utilization Study, we recommend that approval be subject to conditions limiting the number of vehicles for sale to six vehicles and a restriction on retail signage.

Based on the preceding information, we recommend that the application be deferred for the applicant to submit the required Certificate of Occupancy application and the requested Parking Utilization Study."

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

"We are noting for Committee's information that under variance 'A' 314/11 this department dealt with any Transportation and Works Department requirements, in particular dealing with the concrete barrier which abuts the municipal roadway. From our recent site inspection we note that the concrete barrier exists and it restricts any vehicles from having access to both Hawkestone Road and Central Parkway West in areas where we want the access restricted. In view of the above we have no objections to the applicant's request."

No other persons expressed any interest in the application.

The Committee consented to the request and deferred the application to the June 11, 2015 hearing.

On June 11, 2015, Mr. T. Vaccarello, the authorized agent, attended and requested for a deferral of the application to allow for additional time to apply for a Certificate of Occupancy as well as provide staff a parking utilization study for the subject property.

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

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

"1.0 RECOMMENDATION

The Planning and Building Department recommend that the application be deferred in order to provide time to review the Certificate of Occupancy application.

2.0 BACKGROUND

Mississauga Official Plan

Character Area: Mavis-Erindale Employment Area
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: "E2-19", Employment

3.0 OTHER APPLICATIONS

1 Certificate of Occupancy File: C 15-5988

4.0 COMMENTS

The Planning and Building Department is currently processing a Certificate of Occupancy application, however sufficient time has not been provided to review that application to date.

Due to the delayed submission of the Certificate of Occupancy application we are unable to verify the accuracy or the requested variances or determine whether additional variances will be required. As a result we recommend that the application be deferred.

Additional comments from the April 30, 2015 agenda remain applicable."

The City of Mississauga Transportation and Works Department commented as follows (June 4, 2015):

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

No other persons expressed any interest in the application.

The Committee consented to the request and deferred the application to the August 27, 2015 hearing.



MISSISSAUGA

File: "A" 214/15
WARD 6

On August 27, 2015, Mr. T. Vaccarello, the authorized agent, attended and requested a deferral of the application to allow additional time for the submission of a parking utilization study and for the recirculation of the application.

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

The City of Mississauga Planning and Building Department commented as follows (August 21, 2015):

"1.0 RECOMMENDATION

The Planning and Building Department recommend that the application be deferred to allow the applicant time to submit the requested Parking Utilization Study as well as updated information through the Certificate of Occupancy application.

2.0 BACKGROUND

Mississauga Official Plan

Character Area: Mavis-Erindale Employment Area
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: "E2-19", Employment

3.0 OTHER APPLICATIONS

1 Certificate of Occupancy File: C 15-5988

4.0 COMMENTS

The Planning and Building Department is currently processing a Certificate of Occupancy application for the subject property. Based on the review of the Certificate of Occupancy application we advise that more information related to the location of the outdoor vehicle display parking is required to verify the accuracy of the requested variance and determine whether additional variances will be required.

We note that the requested Parking Utilization Study remains outstanding and that additional comments from the April 30th, 2015 Committee of Adjustment meeting still apply.

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

The City of Mississauga Transportation and Works Department commented as follows (August 18, 2015):

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

No other persons expressed any interest in the application.

The Secretary-Treasurer indicated that further variances may be required and that additional information including revised Zoning information and plans were required to confirm.

The Committee instructed Mr. Vaccarello to contact staff to submit the necessary information for review.

The Committee consented to the request and deferred the application to the October 1, 2015 hearing.



File: "A" 214/15
WARD 6

On October 1, 2015, Mr. T. Vaccarello, the authorized agent, attended and presented the application to allow for the operation of motor vehicles sales, leasing and rentals to occur on the subject property ancillary to an existing motor vehicle repair facility. Mr. Vaccarello advised the Committee that the landscape buffer and deficient aisle width were historical site conditions and suggested it was appropriate to allow for these deficiencies to remain. He noted that a parking utilization study had been completed and confirmed that the deficiency in parking would not impact the functionality of all uses on the subject property.

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

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

"1.0 RECOMMENDATION

The Planning and Building Department has no objection to the requested variances, subject to the recommended condition.

2.0 BACKGROUND

Mississauga Official Plan

Character Area: Mavis-Erindale Employment Area
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: "E2-19", Employment

3.0 OTHER APPLICATIONS

☒ *Certificate of Occupancy* File: C 15-5988

4.0 COMMENTS

The Planning and Building Department is currently processing a Certificate of Occupancy application. Based on the information provided with the Certificate of Occupancy application, the variances, as requested, are correct.

Comments from the April 30th, 2015 agenda still apply with regards to variances #1, #2, and #3. With regards to variance #4 a Parking Letter of Justification has been submitted by the applicant and reviewed by city staff. The Parking Justification Letter adequately addresses the deficiency in parking on the site and as a result it is our opinion that the requested variance meets the general intent of the Zoning By-law. The letter satisfactorily justifies three spaces to be used for the display of vehicles for sale; however, it does not justify the use of any additional spaces beyond that. As a result, we recommend that a condition of approval be that no more than three spaces are to be used for the display of vehicles for sale.

The Planning and Building Department are of the opinion that the variances are minor in nature and maintain the general intent of the Zoning By-law and Official Plan. We have no objection to the requested variances, provided that the display of vehicles is limited to the use of three spaces."

The City of Mississauga Transportation and Works Department commented as follows (September 22, 2015):

"As indicated in our comments submitted for the April 30, 2015 hearing any Transportation and Works Department requirements for this property, in particular the requirement to install



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File: "A" 214/15

WARD 6

a concrete barrier to restrict vehicles from having access to both Hawkestone Road and Central Parkway West to restrict access has been addressed. We are also advising that we have no objections to the parking justification study which was recently circulated to this department and also the updated plan depicting the area for the display of the vehicles received on September 25, 2015. In view of the above, we have no objections to the applicant's request."

Mr. G. Kirton, a Planner for the Planning and Building Department, attended and indicated that his current review of the application resulted in different conditions of approval in comparison to the previous applications for the use on the subject property. He noted that the required concrete barrier had been provided pursuant to a previous condition of approval.

No other persons expressed any interest in the application.

The Committee after considering the submissions put forward by Mr. Vaccarello and having reviewed the plans and comments received, is satisfied that the request is desirable for the appropriate temporary use of the subject property.

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

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



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File: "A" 214/15
WARD 6

Accordingly, the Committee resolves to authorize and grant the request for a temporary period of five (5) years and is to expire and terminate on or before October 31, 2020 and is subject to the following conditions:

1. There shall not be any retail signage permitted on-site for the subject business operation save and except any signage related to the naming of the business as required exclusively for compliance with Ontario Motor Vehicle Industry Council regulations.
2. There shall not be more than three (3) vehicles offered for sale from the premises at any one time.
3. A concrete barrier shall be maintained along the perimeter of the property that abuts a public street to the satisfaction of the Transportation and Works Department.

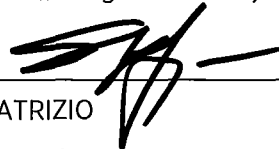
MOVED BY: J. Page SECONDED BY: P. Quinn CARRIED

Application Approved on conditions as stated.

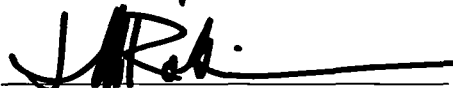
Dated at the City of Mississauga on October 8, 2015.

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 OCTOBER 28, 2015.


Date of mailing is October 9, 2015.


S. PATRIZIO



D. GEORGE


J. ROBINSON (CHAIR)


D. KENNEDY


J. PAGE

ABSENT
D. REYNOLDS


P. QUINN

I certify this to be a true copy of the Committee's decision given on October 8, 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

ALFRED DORKALAM

on Thursday October 1, 2015

Alfred Dorkalam is the owner of Part of Lots 148 to 150, Registered Plan F-20, located and known as 1215 Canterbury Road, zoned R3-1, Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of a new two storey detached dwelling on the subject property proposing:

1. an exterior side yard of 1.55m (5.08ft.) to Jumna Avenue; whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 6.00m (19.68ft.) in this instance,
2. a height to the underside of eaves of 6.68m (21.91ft.); whereas By-law 0225-2007, as amended, permits a maximum height to the underside of eaves of 6.40m (20.99ft.) in this instance,
3. a maximum dwelling height of 9.30m (30.51ft.); whereas By-law 0225-2007, as amended, permits a maximum dwelling height of 9.00m (29.52ft.) in this instance,
4. a maximum gross floor area - infill residential of 332.45m² (3,578.57sq.ft.); whereas By-law 0225-2007, as amended, permits a maximum gross floor area - infill residential of 328.46m² (3,535.62sq.ft.) in this instance,
5. a window well projection of 4.90m (16.07ft.) into a required yard; whereas By-law 0225-2007, as amended, permits a maximum window well projection into a required yard in this instance; and,
6. a basement entrance stairwell in the exterior side yard; whereas By-law 0225-2007, as amended, does not permit a basement entrance stairwell in the exterior side yard in this instance.

On May 14, 2015, Mr. M. Flynn, the authorized agent, attended and requested a deferral of the subject application. Mr. Flynn advised the Committee that an error had been made on the survey of the property and that the error was discovered subsequent to the submission of the application. He explained that the grading of the property had been incorrectly measured and that a large portion of the proposed dwelling would be located within a floodplain. Mr. Flynn requested for additional time to meet with staff from the Credit Valley Conservation and to redesign the dwelling to address their concerns with respect to the floodplain.

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



MISSISSAUGA

File: "A" 231/15

WARD 1

The City of Mississauga Planning and Building Department commented as follows (May 8, 2015):

"1.0 RECOMMENDATION

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

2.0 BACKGROUND

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: "R3-1", Residential

3.0 OTHER APPLICATIONS

☒ *Site Plan* File: SP 14-134 W1 - Satisfactory

4.0 COMMENTS

Based on a review of the Site Plan application, we advise that the variances as requested are correct. However, an additional variance will be required as follows:

"5. a window well to encroach into the required exterior side yard 4.9 m (16.07 ft.); whereas By-law 0225-2007, as amended, permits a window well to encroach a maximum of 0.61 m (2.0 ft.) in this instance."

In regards to variance #1, we note that the existing dwelling is currently deficient for exterior side yard, and the proposed dwelling has been sited with a larger exterior side yard than what currently exists. In addition, the 1.55 m (5.08 ft.) exterior side yard setback applies to a portion of the dwelling, whereas other portions of the southerly side of the dwelling appear to have greater setbacks.

Further, we note that the subject property is a corner lot with a frontage of approximately 15 m (49.12 ft.). Maintaining the required setback would inhibit the ability of the property owner to construct a reasonably sized dwelling on the lot.

Based on the preceding information, we have no objection to variance #1.

In regards to variances #2 and #3, we note that the calculation of the average grade affects the calculated height to the underside of eaves and the dwelling height. 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.

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

In regards to variance #5, we note that the window well encroachment variance is required as a result of the deficient exterior side yard variance.

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 (May 7, 2015):

"We note for Committee's information that the City is currently processing a Site Plan Application for this property, Reference SP 14/134. Transportation and Works Department concerns/requirements for this property will be addressed through the Site Plan Process."



MISSISSAUGA

File: "A" 231/15
WARD 1

The Region of Peel, Environment, Transportation and Planning Services, commented as follows (May 11, 2015):

"Please note that the Region relies on the environmental expertise of the Credit Valley Conservation (CVC) staff for the review of development applications located within, or adjacent to the Greenlands Systems in Peel and their potential impacts on the natural environment. The Region recommends that the City of Mississauga consider comments from the CVC and incorporate any of their conditions of approval appropriately."

Credit Valley Conservation commented as follows (May 12, 2015):

"SITE CHARACTERISTICS:

The subject property is adjacent to Cooksville Creek and within its associated Regulatory Storm floodplain. It is the policy of CVC and the Province of Ontario to conserve and protect the significant physical, hydrological and biological features associated with the functions of the above noted characteristics and to recommend that no development be permitted which would adversely affect the natural features or ecological functions of these areas.

ONTARIO REGULATION 160/06:

This property is subject to the Development, Interference with Wetlands, and Alterations to Shorelines & Watercourses Regulation (Ontario Regulation 160/06). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of Credit Valley Conservation (CVC) (i.e. the issuance of a permit).

PROPOSAL:

The applicant requests the Committee to authorize a minor variance to permit the construction of a new two storey detached dwelling on the subject property proposing:

1. an exterior side yard of 1.55m (5.08ft.) to Jumna Avenue; whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 6.00m (19.68ft.) in this instance,
2. a height to the underside of eaves of 6.68m (21.91ft.); whereas By-law 0225-2007, as amended, permits a maximum height to the underside of eaves of 6.40m (20.99ft.) in this instance,
3. a maximum dwelling height of 9.30m (30.51ft.); whereas By-law 0225-2007, as amended, permits a maximum dwelling height of 9.00m (29.52ft.) in this instance,
4. a maximum gross floor area – infill residential of 332.45m²(3578.57 sq.ft.); whereas By-law 0225-2007, as amended, permits a maximum gross floor area – infill residential of 328.46m² (3535.62 sq.ft.) in this instance.

COMMENTS:

CVC staff have previously reviewed the development proposal on the subject property through Site Plan application SP 14/134. Based on the information provided, the subject property appeared to be entirely outside of the floodplain associated with Cooksville Creek. At that time, CVC had no concerns and noted that no further review was required.

However, as part of the submission for this minor variance application, an updated Survey with different grades had been submitted. Further to discussions with City staff, it has been confirmed the information submitted with the Site Plan application was incorrect and the existing grades on the property are 2m lower than previously indicated. Based on this updated information, the subject property and proposed dwelling are within the floodplain associated with Cooksville Creek. As such, CVC staff would need to review the proposed development in relation to the floodplain concerns. This may impact the size of the proposed dwelling.



File: "A" 231/15
WARD 1

RECOMMENDATION:

On this basis, it is recommended this application be deferred until such time CVC has had the opportunity to review the updated information and determine if additional flood protection/mitigation measures may be required - including potential relocation or redesign of proposed dwelling.

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

CVC has not received the payment of the \$280 review fee for this application."

A letter was received from D. Waspe, a resident of 1221 Canterbury Road, stating his objection to the requested variances.

A letter was received from the residents of 1200, 1203, 1221, 1223 & 1225 Canterbury Road; 400 & 422 Jumna Avenue; and, 414 Atwater Avenue, stating that the requested relief to the Zoning By-law was not minor.

No other persons expressed any interest in the application.

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

On September 10, 2015, Mr. M. Flynn, the authorized agent, attended and requested that the application be deferred as the Credit Valley Conservation and the Planning and Building Department required additional information to review.

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

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

1.0 RECOMMENDATION

The Planning and Building Department recommends that the application be deferred for the applicant to submit the requested information for the Site Plan application to ensure that all required variances have been accurately identified.

2.0 BACKGROUND

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: "R3-1", Residential

3.0 OTHER APPLICATIONS

☒ **Site Plan** File: SP 14-134 W1

4.0 COMMENTS

Based on a review of the Site Plan application for the proposed two storey dwelling, we advise that the following additional variances are required:

"5. A window well to encroach into the required exterior side yard 4.90 m (16.07 ft.); whereas By-law 0225-2007, as amended, permits a window well to encroach a maximum of 0.61 m (2.00 ft.) in this instance;



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6. To permit a proposed entrance below grade (walk-out basement) located in the exterior side yard; whereas By-law 0225-2007, as amended, does not permit stairs, stairwells or retaining walls to facilitate an entrance below grade in exterior side yards in this instance."

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

Based on recent discussions with the authorized agent, it is our understanding that the applicant will be requesting a deferral to provide additional information to ensure that all required variances have been accurately identified. We concur with this request."

The City of Mississauga Transportation and Works Department commented as follows (September 3, 2015):

"Please refer to our comments submitted for the May 14, 2015 hearing of this application as those comments are still applicable."

The City of Mississauga Community Services Department, Park Planning Section, commented as follows (Date):

The Credit Valley Conservation commented as follows (September 10, 2015):

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

Site Characteristics:

The subject property is adjacent to Cooksville Creek and within its associated Regulatory Storm floodplain. It is the policy of CVC and the Province of Ontario to conserve and protect the significant physical, hydrological and biological features associated with the functions of the above noted characteristics and to recommend that no development be permitted which would adversely affect the natural features or ecological functions of these areas.

Ontario Regulation 160/06:

This property is subject to the Development, Interference with Wetlands, and Alterations to Shorelines & Watercourses Regulation (Ontario Regulation 160/06). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of Credit Valley Conservation (CVC) (i.e. the issuance of a permit).

Proposal:

The applicant requests the Committee to authorize a minor variance to permit the construction of a new two storey detached dwelling on the subject property proposing:

1. an exterior side yard of 1.55m (5.08ft.) to Jumna Avenue; whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 6.00m (19.68ft.) in this instance,
2. a height to the underside of eaves of 6.68m (21.91ft.); whereas By-law 0225-2007, as amended, permits a maximum height to the underside of eaves of 6.40m (20.99ft.) in this instance,
3. a maximum dwelling height of 9.30m (30.51ft.); whereas By-law 0225-2007, as amended, permits a maximum dwelling height of 9.00m (29.52ft.) in this instance,
4. a maximum gross floor area - infill residential of 332.45m²(3578.57 sq.ft.); whereas By-law 0225-2007, as amended, permits a maximum gross floor area - infill residential of 328.46m² (3535.62 sq.ft.) in this instance.

Comments:

CVC staff have previously requested the requested minor variance be deferred in order to allow for an opportunity to review the application based on the correct survey information. The applicants have provided an updated Site Plan drawing with the correct survey information through a Site Plan submission (Site Plan application SP 14/134). CVC staff have reviewed this Site Plan application submission and have no concerns and no objection with it



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related to the previously requested variances. However, it is noted that the drawings submitted to CVC for Site Plan review differ from the drawings submitted for the original minor variance request.

The applicant is to note that there are outstanding CVC conditions that must be addressed through the Site Plan application process."

No other persons expressed any interest in the application.

The Committee consented to the request and deferred the application to October 1, 2015.

On October 1, 2015, Mr. M. Flynn, the authorized agent, attended and presented the subject application, to construct a new dwelling on the subject property. Mr. Flynn advised the Committee that the proposed dwelling was also being reviewed through an active Site Plan Approval application and by the Credit Valley Conservation. He noted that there had been an error on the initial grading plan which resulted in the relocation of the dwelling out of the flood plain.

Mr. Flynn noted that although the dwelling would encroach into the required exterior side yard, that the exterior side yard would be larger in comparison to the existing dwelling. He noted that the property had a varying topography that resulted in an average grade calculation that significantly distorted that height calculation of the proposed dwelling. Mr. Flynn noted that the height of the proposed dwelling would comply with the Zoning By-law if measured from established grade.

Mr. Flynn noted that the windows located in side wall that abutted would be replaced with translucent windows positioned at a height that would impede an individual from looking through it.

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

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

"1.0 RECOMMENDATION

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

2.0 BACKGROUND

Mississauga Official Plan

Character Area: Mineola Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: "R3-1", Residential

3.0 OTHER APPLICATIONS

☒ **Site Plan** File: SPI 14-134 W1 - Satisfactory

4.0 COMMENTS

Based on a review of the Site Plan application for the proposed two storey dwelling, we advise that variance #1 should be amended as follows:

"1. an exterior side yard of 1.55 m (5.09 ft.) to the dwelling and 2.01 m (6.59 ft.) to the basement walkout to Jumna Avenue; whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 6.00 m (19.69 ft.) in this instance."

In regards to variance #1, we note that the existing dwelling is currently deficient for exterior side yard, and the proposed dwelling has been sited with a larger exterior side yard than the current dwelling. Further, the subject property is not a typical corner lot as Jumna Avenue terminates on the east side of Canterbury Road. Maintaining the required exterior side yard would inhibit the ability of the property owner to construct a reasonably sized dwelling on the lot.

Regarding variances #2 and #3, the calculation of the average grade affects the calculated height to the underside of eaves and the dwelling height. We are of the opinion that the intent of the Zoning By-law is maintained due to the grade change on the property.

Further, it is our opinion that variance #4 is minor in this instance.

In regards to variance #5, the window well encroachment variance is required as a result of the deficient exterior side yard variance.

Regarding variance #6, based on discussions with the authorized agent and Credit Valley Conservation (CVC) staff, the basement entrance stairwell was relocated due to concerns with the floodplain on the property.

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 (September 22, 2015):

"Please refer to our comments submitted for the May 14, 2015 hearing of this application as those comments are still applicable."

Credit Valley Conservation commented as follows (September 10, 2015):

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

SITE CHARACTERISTICS:

The subject property is adjacent to Cooksville Creek and within its associated Regulatory Storm floodplain. It is the policy of CVC and the Province of Ontario to conserve and protect the significant physical, hydrological and biological features associated with the functions of the above noted characteristics and to recommend that no development be permitted which would adversely affect the natural features or ecological functions of these areas.

ONTARIO REGULATION 160/06:

This property is subject to the Development, Interference with Wetlands, and Alterations to Shorelines & Watercourses Regulation (Ontario Regulation 160/06). This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of Credit Valley Conservation (CVC) (i.e. the issuance of a permit).

PROPOSAL:

The applicant requests the Committee to authorize a minor variance to permit the construction of a new two storey detached dwelling on the subject property proposing:

1. an exterior side yard of 1.55m (5.08ft.) to Juma Avenue; whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 6.00m (19.68ft.) in this instance,
2. a height to the underside of eaves of 6.68m (21.91ft.); whereas By-law 0225-2007, as amended, permits a maximum height to the underside of eaves of 6.40m (20.99ft.) in this instance,
3. a maximum dwelling height of 9.30 (30.51ft.); whereas By-law 0225-2007, as amended, permits a maximum dwelling height of 9.00m (29.52ft.) in this instance,



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4. a maximum gross floor area – infill residential of 332.45m² (3578.57sq.ft.); whereas By-law 0225-2007, as amended, permits a maximum gross floor area – infill residential of 328.46m² (3535.62sq.ft.) in this instance,
5. a window well projection of 4.90m (16.07ft.) into a required yard; whereas By-law 0225-2007, as amended, permits a maximum window well projection into a required yard in this instance; and,
6. a basement entrance stairwell in the exterior side yard; whereas By-law 0225-2007, as amended, does not permit a basement entrance stairwell in the exterior side yard in this instance.

COMMENTS:

CVC has reviewed the proposed development through Site Plan application (SP 14/134). Outstanding CVC concerns/comments are to be addressed through the Site Plan process. CVC has no concerns related to the requested minor variance. On this basis, CVC has no objection to the approval of the application by the Committee at this time. "

A letter was received from J. & L. Morrison, residents of 422 Jumna Avenue, stating their concern with the subject application.

Ms. D. Wasp, a resident of 1221 Canterbury Road, attended and expressed his concerns with the flooding on his property. He indicated his preference for the proposed location of the dwelling and the window arrangement as proposed by Mr. Flynn to be maintained. Ms. Wasp noted additional concerns with any asbestos that within the dwelling.

No other persons expressed any interest in the application.

Mr. Flynn confirmed that the any asbestos that was in the dwelling would be carefully removed.

Me. Flynn 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. Flynn and having reviewed the plans and comments received, is satisfied that the amended request is desirable for the appropriate further development of the subject property.

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

The Committee is of the opinion that the amended request is minor in nature in this instance.



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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 proposing:

1. an exterior side yard of 1.55 m (5.09 ft.) to the dwelling and 2.01 m (6.59 ft.) to the basement walkout to Jumna Avenue; whereas By-law 0225-2007, as amended, requires a minimum exterior side yard of 6.00 m (19.69 ft.) in this instance;
2. a height to the underside of eaves of 6.68m (21.91ft.); whereas By-law 0225-2007, as amended, permits a maximum height to the underside of eaves of 6.40m (20.99ft.) in this instance,
3. a maximum dwelling height of 9.30m (30.51ft.); whereas By-law 0225-2007, as amended, permits a maximum dwelling height of 9.00m (29.52ft.) in this instance,
4. a maximum gross floor area - infill residential of 332.45m² (3,578.57sq.ft.); whereas By-law 0225-2007, as amended, permits a maximum gross floor area - infill residential of 328.46m² (3,535.62sq.ft.) in this instance,
5. a window well projection of 4.90m (16.07ft.) into a required yard; whereas By-law 0225-2007, as amended, permits a maximum window well projection into a required yard in this instance; and,
6. a basement entrance stairwell in the exterior side yard; whereas By-law 0225-2007, as amended, does not permit a basement entrance stairwell in the exterior side yard in this instance.

This decision is subject to the following condition:

1. All windows on the first storey of the north elevation of the dwelling shall be translucent (frosted).



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WARD 1

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


Application Approved, as amended, on condition as stated.

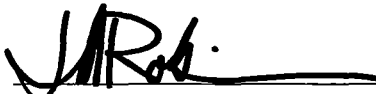
Dated at the City of Mississauga on October 8, 2015.


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 OCTOBER 28, 2015.

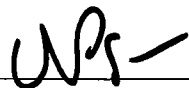
Date of mailing is October 9, 2015.



S. PATRIZIO

D. GEORGE

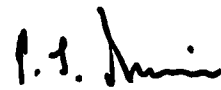
J. ROBINSON (CHAIR)

D. KENNEDY

J. PAGE

ABSENT

D. REYNOLDS



P. QUINN

I certify this to be a true copy of the Committee's decision given on October 8, 2015.



DAVID L. MARTIN, SECRETARY-TREASURER

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

NOTES:

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



File: "A" 386/15
WARD 2

COMMITTEE OF ADJUSTMENT

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

- and -

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

- and -

IN THE MATTER OF AN APPLICATION BY

STEPHANIE BEAUDIN

on Thursday October 1, 2015

Stephanie Beaudin is the owner of 592 Vanessa Crescent being Lot 76, Registered Plan 599, zoned R2-4 - Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of an accessory structure/gazebo within the rear yard of the subject property proposing:

1. a gazebo, comprising an area of 32.14m² (345.96sq.ft.) and an accessory structure, comprising an area of 16.16m² (173.95sq.ft.) [total floor area of 48.30m² (519.91sq.ft.)]; whereas By-law 0225-2007, as amended, permits a maximum floor area of 10.00 m² (107.64 sq. ft.) for an accessory structure and a maximum area occupied by a gazebo of 10.00m² (107.64 sq. ft.) in this instance; and,
2. a height of 4.99 m (16.37 ft.); whereas By-law 0225-2007, as amended, permits a maximum height of 3.00 m (9.84 ft.) in this instance.

On September 10, 2015, the application was called and no one attended to present the application. The Committee requested that the applicant be contacted and a new hearing scheduled.

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

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

1.0 RECOMMENDATION

The Planning and Building Department recommends that the application be deferred for the applicant to reduce the height of the accessory structure/gazebo and to submit the required Site Plan and/or Building Permit application.

2.0 BACKGROUND

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: "R2-4", Residential

3.0 OTHER APPLICATIONS

☐ **Site Plan**

File: Required - No application received



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WARD 2

☐ *Building Permit*

File: Required - No application received

4.0 COMMENTS

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

We further advise that based on the information provided with the Minor Variance application it appears that the area of the proposed accessory structure has been calculated incorrectly. Under the Zoning By-law, a portion of the structure may be considered an accessory structure while the remainder may be considered a gazebo.

In regards to the requested variances, the lot is relatively large and benefits from a large rear yard amenity space. Therefore, the lot can accommodate a larger cabana without the structure becoming a prominent feature on the lot. Further, based on a recent site visit and photographs, the structure would be well screened from adjacent neighbours. However, the structure would still be partially visible from 1343 Wateska Boulevard. In order to further mitigate impacts to neighbouring properties, we recommend the applicant consider a reduction of the proposed height.

Based on the preceding information, we recommend that the application be deferred for the applicant to reduce the height of the accessory structure/gazebo and to submit the required Site Plan and/or Building Permit application to ensure that all variances have been accurately identified."

The City of Mississauga Transportation and Works Department commented as follows (September 3, 2015):

"Should Committee see merit in the applicant's request to permit the construction of an accessory structure within the rear yard we would recommend that the structure be constructed such that there would be no drainage impacts on the abutting properties."

The City of Mississauga Community Services Department, Park Planning Section, commented as follows (Date):

An e-mail was received from the Ministry of Transportation indicating that they have no objection to the application as the application is outside of the MTO Permit Control Area.

A letter was received from D. Anderson, of 592 Vanessa Crescent, expressing no objection to the application.

A letter was received from S. Trueman, of 585 Indian Road, expressing no objection to the application.

A letter was received from H. Fletcher, of 560 Vanessa Crescent, expressing no objection to the application.

No other persons expressed any interest in the application.

The Committee deferred the application to October 1, 2015.

On October 1, 2015, Mr. M. Leblanc, the authorized agent, attended and presented the subject application to construct a gazebo and accessory structure within the rear yard of the subject



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property. Mr. Leblanc advised the Committee that the property was very large and could sufficiently accommodate the proposed structures. He noted that the structure was required to help provide shade and landscaping features in compensation for the several mature trees that had recently died in the rear yard. Mr. Leblanc noted that a mature cedar hedge traversed the rear property line and that new trees had been planted to help screen the gazebo and accessory structure from view.

Mr. Leblanc noted that the subject property backed onto a public park and that the adjacent neighbours had not noted any concerns with the proposal.

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

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

1.0 RECOMMENDATION

The Planning and Building Department recommends that the application be deferred for the applicant to reduce the height of the accessory structure/gazebo.

2.0 BACKGROUND

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: "R2-4", Residential

3.0 OTHER APPLICATIONS

<input type="checkbox"/> <i>Site Plan</i>	File: Required - No application received
<input checked="" type="checkbox"/> <i>Building Permit</i>	File: BP 15-7370

4.0 COMMENTS

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

"1. A proposed gazebo with a floor area of 32.17 m² (346.29 sq. ft.); whereas By-law 0225-2007, as amended, permits a gazebo with a maximum floor area of 10.00 m² (107.64 sq. ft.) in this instance;

2. An accessory structure with a height of 5.00 m (16.40 ft.); whereas By-law 0225-2007, as amended, permits a maximum height of 3.00 m (9.84 ft.) in this instance."

Further, an additional variance is required as follows:

"3. A proposed accessory structure with a floor area of 16.10 m² (173.30 sq. ft.); whereas By-law 0225-2007, as amended, permits an accessory structure with a maximum floor area of 10.00 m² (107.64 sq. ft.) in this instance."

In regards to the requested variances, the lot is relatively large and benefits from a large rear yard amenity space. Therefore, the lot can accommodate a larger cabana without the structure becoming a prominent feature on the lot. Further, based on a recent site visit and photographs, the structure would be well screened from adjacent neighbours. However, the structure would still be partially visible from 1343 Wateska Boulevard. In order to further mitigate impacts to neighbouring properties, we recommend the applicant consider a reduction of the proposed height.



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WARD 2

Based on the preceding information, we recommend that the application be deferred for the applicant to reduce the height of the accessory structure/gazebo."

The City of Mississauga Transportation and Works Department commented as follows (September 22, 2015):

"Please refer to our comments submitted for the September 10, 2015 hearing of this application as those comments are still applicable."

A letter was received from M. Liberek, a resident of 1333 Wateska Boulevard, expressing support for the subject application.

A letter was received from A. Janiak, a resident of 1343 Wateska Boulevard, expressing support for the subject application.

A letter was received from A. Mendes, a resident of 568 Vanessa Crescent, expressing support for the subject application.

A letter was received from G. Van Haastrecht, a resident of 576 Vanessa Crescent, expressing support for the subject application.

A letter was received from A. De Melo, a resident of 598 Vanessa Crescent, expressing support for the subject application.

A letter was received from a resident of 606 Vanessa Crescent, expressing support for the subject application.

A letter was received from B. Reimann, a resident of 593 Indian Road, expressing support for the subject application.

Mr. J. Lee, a Planner for the Planning and Building Department, attended and indicated that Zoning staff had insufficient information to review the application to confirm the accuracy of the requested variance or if additional variances are required.

No other persons expressed any interest in the application.

Mr. Leblanc upon hearing the comments of the Committee and the Planning and Building Department, requested that the application be amended in accordance with their recommendations. He confirmed the balance of the application was correct.

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

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

The Committee is of the opinion that the amended request is minor in nature in this instance.



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WARD 2

Accordingly, the Committee resolves to authorize and grant the amended request to permit the construction of an accessory structure/gazebo within the rear yard of the subject property proposing:

1. a proposed gazebo with a floor area of 32.17 m² (346.29 sq. ft.); whereas By-law 0225-2007, as amended, permits a gazebo with a maximum floor area of 10.00 m² (107.64 sq. ft.) in this instance;
2. an accessory structure with a height of 5.00 m (16.40 ft.); whereas By-law 0225-2007, as amended, permits a maximum height of 3.00 m (9.84 ft.) in this instance; and,
3. a proposed accessory structure with a floor area of 16.10 m² (173.30 sq. ft.); whereas By-law 0225-2007, as amended, permits an accessory structure with a maximum floor area of 10.00 m² (107.64 sq. ft.) in this instance.

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

Application Approved, as amended.

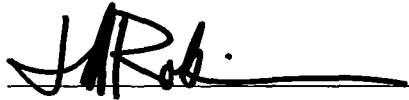
Dated at the City of Mississauga on October 8, 2015.

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 OCTOBER 28, 2015.


Date of mailing is October 9, 2015.


S. PATRIZIO

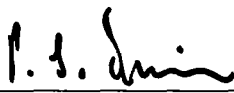

D. GEORGE


J. ROBINSON (CHAIR)


D. KENNEDY


J. PAGE

ABSENT
D. REYNOLDS


P. QUINN

I certify this to be a true copy of the Committee's decision given on October 8, 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.