

COMMITTEE OF ADJUSTMENT
AGENDA



Location: COUNCIL CHAMBER
Hearing: OCTOBER 29, 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B-053/15 B-054/15 & A-375/15	GEORGE JONES & BARBARA FRITZ	915 NORTH SERVICE RD	1	Apr. 28/16 Apr. 28/16 Withdrawn
B-055/15	FORESTOWN DEVELOPMENTS LTD.	1060 CAVEN ST	1	Approved
B-056/15	STAR SEEKER INC	579 LAKESHORE RD E	1	Approved

NEW APPLICATIONS - (MINOR VARIANCE)

A-439/15	OLA HALENDA	1889 & 1893 MATTAWA AVE	1	Approved
A-440/15	JENNIFER KIRTON & CHARLES MCDONALD	6472 EASTRIDGE RD	9	Approved
A-441/15	BOB PRIADKA	1493 MYRON DR	1	Approved (in part)
A-442/15	MICHAEL & MARIANA TAYLOR	390 REVUS AVE	1	Approved
A-443/15	KRISHNA MENON	94 CUMBERLAND DR	1	Approved
A-444/15	K.S.P. HOLDINGS INC	7450 TORBRAM RD	5	Approved
A-445/15	ASBURY INVESTMENTS LIMITED	35 BRUNEL RD	5	Approved
A-446/15	HANK HH LEE	30 JOYMAR DR	11	Approved
A-447/15	HURONTARIO CORPORATE CENTRE INC	3660 HURONTARIO ST	7	Approved

DEFERRED APPLICATIONS - (MINOR VARIANCE)

A-409/15	ILONA WOJCIECH STOBINSKI	1536 MYRON DR	1	Approved
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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

FORESTOWN DEVELOPMENTS LTD.

on Thursday, October 29, 2015

Forestown Developments Ltd. is the owner of 1060 Caven Street being Part of Lot 11, Concession 2, SDS and Lots 100-106 and part of Lot 107, Registered Plan B-19, zoned RA4-24 – Residential (Apartment). The applicant requests the consent of the Committee for the conveyance of a parcel of land having an approximate area of 289.90 m² (3,120.55 ft²) and for the conveyance of an easement having an approximate area of 70.30 m² (756.72 ft²). The intent of the application is to allow the conveyed lands to be merged with the lands to the 579-613 Lakeshore Road East and for the creation of an easement for storm sewer purposes.

Ms. K. Bennett, of Glen Schnarr & Associates Inc., authorized agent, attended and presented the application. Ms. Bennett presented a site plan for the Committee's review and consideration indicating that approval is being requested to sever a parcel of land at the south-west corner of the property and attach it to the adjacent lands to the south. Ms. Bennett indicated that there is an existing storm sewer on the property and permission is being requested to create an easement in favour of Forestown Developments Ltd.

The Committee reviewed the information submitted with the application.

The Committee received comments and recommendations from the following agencies:

City of Mississauga, Planning and Building Department (October 23, 2015),
City of Mississauga, Transportation and Works Department (October 22, 2015),
Region of Peel, Environment, Transportation & Planning Services (October 26, 2015)

No other persons expressed any interest in the application.

When asked, Ms. Bennett indicated that she had reviewed the recommended conditions and consented to their imposition should the application be approved.

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

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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the "severed" land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is required; alternatively, a letter shall be received from the applicant or authorized agent confirming that no services easement(s) and/or right(s)-of-way, are necessary.
3. A letter shall be received from the City of Mississauga, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated October 22, 2015.
4. Subsection 50(3) and/or 50(5) of the *Planning Act*, shall apply to any subsequent conveyance or transaction and the Secretary-Treasurer's Certificate shall contain reference to this stipulation.
5. An undertaking shall be received from a solicitor confirming that the legal description of the "resultant" lot and the legal description in any mortgage(s) or charge(s) encumbering any part of the "resultant" parcel will be identical within four (4) weeks of the date of the Secretary-Treasurer's Certificate under the *Planning Act*, or alternatively, that no part of the "resultant" lot is encumbered by any mortgage(s)/charge(s) etc. (The resultant parcel is the "severed" land and the land to which the "severed" land is to be merged).
6. A solicitor's undertaking shall be received which shall be to the effect that, at the time of registration of the transfer to which the Secretary-Treasurer's Certificate under the *Planning Act*, is affixed, the "severed" land and the abutting lands to the south shall be held in identical ownership and that the PIN is consolidated reflecting the new resultant parcel.

MOVED BY: S. Patrizio

SECONDED BY: J. Page

CARRIED

Application Approved, on conditions as stated.

Dated at the City of Mississauga on November 5, 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 **NOVEMBER 29, 2015**.

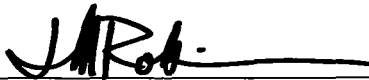
Date of mailing is November 9, 2015.



S. PATRIZIO



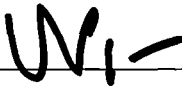
D. GEORGE (CHAIR)



J. ROBINSON



D. KENNEDY



J. PAGE



D. REYNOLDS



P. QUINN

I certify this to be a true copy of the Committee's decision given on November 5, 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 **November 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

STAR SEEKER INC.

on Thursday, October 29, 2015

Star Seeker Inc. is the owner of 579 Lakeshore Road East being part of Lot 11, Concession 2, SDS, zoned C4-14 - Commercial. The applicant also requests the consent of the Committee for the creation of an easement having an approximate area of 479.40 m² (5,160.38 sq.ft.). The proposed easement is for storm sewer purposes in favour of the lands municipally known as 1060 Caven Street.

Ms. K. Bennett, of Glen Schnarr & Associates Inc., authorized agent, attended and presented the application. Ms. Bennett presented a site plan for the Committee's review and consideration indicating that there is an existing storm sewer located on the lands since the 1960's. She advised that the PIN was lost and she suspects that the parcel was not brought forward when the parcel registry was updated. She advised that they wish to obtain approval for the storm sewer easement.

The Committee reviewed the information submitted with the application.

The Committee received comments and recommendations from the following agencies:

City of Mississauga, Planning and Building Department (October 23, 2015),
City of Mississauga, Transportation and Works Department (October 22, 2015),
Region of Peel, Environment, Transportation & Planning Services (October 26, 2015)

No other persons expressed any interest in the application.

When asked, Ms. Bennett indicated that she had reviewed the recommended conditions and consented to their imposition should the application be approved.

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

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

1. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received.
2. An application amendment letter shall be received from the applicant or authorized agent confirming that the "severed" land shall be together with and/or subject to services easement(s) and/or right(s)-of-way, if necessary, in a location and width as determined by the Secretary-Treasurer based on written advice from the agencies having jurisdiction for any service or right for which the easement or right-of-way is



File: "B" 56/15
WARD 1

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, Transportation and Works Department, indicating that satisfactory arrangements have been made with respect to the matters addressed in their comments dated October 22, 2015.

MOVED BY: S. Patrizio

SECONDED BY: J. Page

CARRIED

Application Approved, on conditions as stated.

Dated at the City of Mississauga on November 5, 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 **NOVEMBER 29, 2015**.

Date of mailing is November 9, 2015.

S. PATRIZIO

D. GEORGE (CHAIR)

J. ROBINSON

D. KENNEDY

J. PAGE

D. REYNOLDS

P. QUINN

I certify this to be a true copy of the Committee's decision given on November 5, 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 **November 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

OLA HALENDA

on Thursday, October 29, 2015

Ola Halenda is the owner of 1889 & 1893 Mattawa Avenue being Lots 27, 28 & 29, Registered Plan 598, zoned E2 - Employment. The applicant requests the Committee to authorize a minor variance to permit the construction of a second storey addition on the building located at 1889 Mattawa Avenue and to construct a one storey addition to join the buildings located at 1889 & 1893 Mattawa Avenue proposing:

1. a front yard of 6.11 m (20.04 ft.); whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50 m (24.60 ft.) in this instance;
2. a rear yard of 3.46 m (11.35 ft.); whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50 m (24.60 ft.) in this instance;
3. an easterly side yard of 3.01 m (9.87 ft.); whereas By-law 0225-2007, as amended, requires a minimum easterly side yard of 4.77 m (15.64 ft.) in this instance;
4. a landscape buffer of 0.00 m (0.00 ft.); whereas By-law 0225-2007, as amended, required a minimum landscape buffer of 4.50 m (14.76 ft.) in this instance;
5. a total of 12 parking spaces, including 1 parking space for persons with disabilities; whereas By-law 0225-2007, as amended, requires a minimum of 21 parking spaces in this instance;
6. a parking aisle width of 0.00 m (0.00 ft.); whereas By-law 0225-2007, as amended, requires a minimum parking aisle width of 7.00 m (22.96 ft.) in this instance; and,
7. access to the parking to be accessed offsite; whereas By-law 0225-2007, as amended, requires access to and from parking and loading spaces shall be provided by unobstructed on-site driveways or driveways and aisles in this instance.

Mr. N. Swerdfeger, authorized agent, attended and presented the application to construct a second storey addition to an existing building and to construct an addition to join the buildings. Mr. Swerdfeger advised that the additions will be utilized for storage and loading spaces. He advised that this will allow the production facility to become more efficient. Mr. Swerdfeger indicated that the existing buildings do not comply with the Zoning By-law and the requested variances will allow the additions to be constructed. He noted that there will not be a dramatic increase in the number of employees.

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

The City of Mississauga Planning and Building Department commented as follows (October 28, 2015):

"1.0 RECOMMENDATION

The Planning and Building Department recommends that the application be deferred for the applicant to provide the requested information for the Pre-Zoning Review application and to submit the requested Parking Utilization Study.

2.0 BACKGROUND

Mississauga Official Plan

Character Area: Dixie Employment Area
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: "E2", Employment

3.0 OTHER APPLICATIONS

Pre-Zoning Review File: PZONE15-5925

4.0 COMMENTS

Based on a review of the Pre-Zoning Review application for the proposed additions, the following additional variance is required:

"8. A westerly side yard of 3.05 m (10.00 ft.); whereas By-law 0225-2007, as amended, requires a minimum westerly side yard of 4.77 m (15.64 ft.) in this instance."

Further, we require additional information to verify the accuracy of the requested variances and to determine whether additional variances will be required. Based on the Site Plan drawing provided with the Minor Variance application, it appears that 11 parking spaces will be provided, not 12 as indicated in the circulated Notice. Moreover, it appears that two of the proposed parking spaces will be obstructing the laneways on the property and therefore may not be included in the total number of parking spaces. We recommend that the applicant clarify the number of parking spaces to be provided.

In addition, it appears that variances #4 and #7 may not be required.

It is our understanding that the two properties will be merged on title.

In regards to variances #1-3 and #8, the additions will be sited with the same setbacks as the existing buildings on the site. Therefore, we have no objection to the requests.



MISSISSAUGA

File: "A" 439/15
WARD 1

For variance #5, 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.

Regarding variance #6, the majority of the properties on this section of Mattawa Avenue are paved at the front to provide parking spaces with no aisles. The current configuration of the parking will not be changed by the proposed additions. In order to comply with the parking aisle width requirement, all of the parking spaces would be eliminated or a portion at the front of the building would have to be demolished. Therefore, we have no objection to the request.

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

The City of Mississauga Transportation and Works Department commented as follows (October 16, 2015):

"This department has no objections to the applicant's request and are advising that any of this department's requirements can be addressed through the Building Permit Process."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (October 26, 2015):

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

No other persons expressed any interest in the application.

Mr. Swerdfeger, 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 advised that two preliminary zoning reviews have taken place and no request for a parking study was identified.

Mr. J. Lee, Planner with the City of Mississauga, attended and requested clarification as to whether the application was also being amended to allow 11 parking spaces to be provided instead of 12.

The Committee consented to the requests, after considering the submissions put forward by Mr. Swerdfeger and having reviewed the plans, is satisfied that the amended request is desirable for the appropriate further development of the subject property. The Committee indicated that the addition will be utilized for storage purposes. They further indicated that only a few employees will be hired and they will be split between two shifts.

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 amended variance is minor in nature in this instance.



MISSISSAUGA

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WARD 1

Accordingly, the Committee resolves to authorize and grant the amended request to permit the construction of a second storey addition on the building located at 1889 Mattawa Avenue and to construct a one storey addition to join the buildings located at 1889 & 1893 Mattawa Avenue proposing:

1. a front yard of 6.11 m (20.04 ft.); whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50 m (24.60 ft.) in this instance;
2. a rear yard of 3.46 m (11.35 ft.); whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50 m (24.60 ft.) in this instance;
3. an easterly side yard of 3.01 m (9.87 ft.); whereas By-law 0225-2007, as amended, requires a minimum easterly side yard of 4.77 m (15.64 ft.) in this instance;
4. a landscape buffer of 0.00 m (0.00 ft.); whereas By-law 0225-2007, as amended, required a minimum landscape buffer of 4.50 m (14.76 ft.) in this instance;
5. a total of 11 parking spaces, including 1 parking space for persons with disabilities; whereas By-law 0225-2007, as amended, requires a minimum of 21 parking spaces in this instance;
6. a parking aisle width of 0.00 m (0.00 ft.); whereas By-law 0225-2007, as amended, requires a minimum parking aisle width of 7.00 m (22.96 ft.) in this instance;
7. access to the parking to be accessed offsite; whereas By-law 0225-2007, as amended, requires access to and from parking and loading spaces shall be provided by unobstructed on-site driveways or driveways and aisles in this instance; and,
8. a westerly side yard of 3.05m (10.00ft.); whereas By-law 0225-2007, as amended, requires a minimum westerly side yard of 4.77m (15.64ft.) in this instance.

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

File: "A" 439/15
WARD 1

Application Approved, as amended.

Dated at the City of Mississauga on November 5, 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 **NOVEMBER 25, 2015**.

Date of mailing is November 9, 2015.

S. PATRIZIO

D. GEORGE (CHAIR)

J. ROBINSON

D. KENNEDY

J. PAGE

D. REYNOLDS

P. QUINN

I certify this to be a true copy of the Committee's decision given on November 5, 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

JENNIFER KIRTON & CHARLES MCDONALD

on Thursday, October 29, 2015

Jennifer Kirton & Charles McDonald are the owners of 6472 Eastridge Road being Lot 114, Registered Plan M-530, zoned R4-12 - Residential. The applicant requests the Committee to authorize a minor variance to permit the existing driveway to remain on the subject property proposing a width of 8.50 m (27.88 ft.); whereas By-law 0225-2007, as amended, permits a maximum driveway width of 6.00 m (19.68 ft.) in this instance.

Ms. J. Kirton, co-owner of the property, attended and presented the application to permit the existing driveway to remain. Ms. Kirton advised that it was constructed one and a half years ago noting that they widened the driveway so they could park their vehicles on the driveway and avoid getting parking tickets. Ms. Kirton indicated that there are three drivers in the family and the garage is utilized for the storage of a vintage car and tools. She indicated that the driveways have been widened on 17 houses in the neighbourhood. She advised that she has spoken with many of the neighbours and they have expressed support for the application.

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

The City of Mississauga Planning and Building Department commented as follows (October 23, 2015):

"Recommendation:

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

Background:

Mississauga Official Plan:

Character Area: Meadowvale Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007:

Zoning: "R4-12", Residential

Other Applications:

N/A

Comments:

Based on a review of the minor variance application we advise that more information is required to verify the accuracy of the requested variances or determine whether additional variances will be required. The driveway width is to be measured at its widest point and based on the drawings submitted it is unclear what the extent and dimensions of the driveway are. Additionally a variance may be required for the percentage of soft landscaped area in the front yard; 40% is required, however we are unable to verify if this is met.

Although we cannot confirm the accuracy of the variances, we have concerns with the requested width. A driveway width of 8.5 m (27.88 ft.) represents a significant hard surfaced area across the front of the property as well as space to provide parking for three vehicles side by side. In our opinion this is not desirable and does not fit within the character of low density single detached residential neighbourhoods. The requested driveway width is approximately two-thirds of the width of the lot according to the plans submitted by the applicant. It is our opinion that the requested width does not allow for adequate soft landscaped area across the front of the property and results in excessive vehicular parking.

Based on the preceding information, the Planning and Building Department are of the opinion that the requested variances is not desirable and does not maintain the general intent of the Zoning By-law; as a result we recommend that the application be refused."

The City of Mississauga Transportation and Works Department commented as follows (October 16, 2015):

"Enclosed for Committees easy reference are some photo's depicting the driveway."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (October 26, 2015):

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

A petition was received signed by the neighbours at 6448, 6449, 6459, 6476, 6484, 6492, 6528, 6536, 6460 and 6468 Eastridge Road, and 6526, 6523, 6527, 6535, and 6539 Tripoli Terrace, expressing no objection to the application.

Mr. P. Morrison, property owner at 6528 Eastridge Road, attended and expressed his support for the application.

No other persons expressed any interest in the application.

The Committee, after considering the submissions put forward by Ms. Kirton and having reviewed the plans, is satisfied that the request is desirable for the appropriate further development of the subject property. The Committee advised that many of the neighbours support the request and the driveway is similar to many others in the neighbourhood.



MISSISSAUGA

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WARD 9

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

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

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

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

Dated at the City of Mississauga on November 5, 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 **NOVEMBER 25, 2015**.

Date of mailing is November 9, 2015.



S. PATRIZIO



D. GEORGE (CHAIR)



J. ROBINSON



D. KENNEDY



J. PAGE

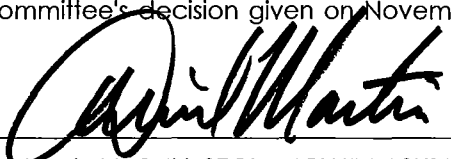


D. REYNOLDS



P. QUINN

I certify this to be a true copy of the Committee's decision given on November 5, 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

BOB PRIADKA

on Thursday, October 29, 2015

Bob Priadka is the owner of 1493 Myron Drive being Lot 25, Registered Plan 448, zoned R3 - Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of a two storey addition to the rear of the existing dwelling and to construct a new detached garage within the rear yard of the subject property proposing;

1. a northerly side yard of 1.75 m (5.74 ft.); whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81 m (5.93 ft.) in this instance; and,
2. a southerly side yard of 0.54 m (1.77 ft.) to the proposed detached garage; whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20 m (3.93 ft.) to the proposed detached garage in this instance.

Mr. G. Barret, authorized agent, attended and presented the application to permit the construction of a detached garage and an addition to the rear of the existing dwelling proposing reduced side yards. Mr. Barret presented a site plan for the Committee's review and advised that the existing dwelling does not comply with the Zoning By-law. He explained that they wish to construct the addition in line with the original dwelling and a requesting a reduction in the minimum side yard setback.

Mr. Barret advised that the detached garage was constructed by the home-owner without benefit of a building permit. He advised that relief is being requested to allow the structure to remain having a side yard 0.54m (1.77ft.) whereas the Zoning By-law requires a minimum of 1.20m (3.93ft.).

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

The City of Mississauga Planning and Building Department commented as follows (October 23, 2015):

"1.0 RECOMMENDATION

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

2.0 BACKGROUND

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: "R3", Residential

3.0 OTHER APPLICATIONS

Building Permit File: BP15-4842

4.0 COMMENTS

Based on a review of the Building Permit application, the variances as requested are correct. However, we require additional information to determine whether additional variances will be required.

Based on the Site Plan drawing provided with the Minor Variance application, it appears that an additional variance may be required for driveway width.

In regards to variance #1, the request is minor and therefore, we have no concerns.

Regarding variance #2, we are satisfied that the proposed setback is sufficient for maintenance purposes. The garage is limited in size and height, and is set back on a relatively deep lot.

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

The City of Mississauga Transportation and Works Department commented as follows (October 16, 2015):

"We are noting for information purposes that any Transportation and Works Department concerns/requirements for the proposed two-storey addition at the rear of the dwelling and the new detached garage at the rear of the subject property will be addressed through the Building Permit process."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (October 26, 2015):

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

A letter was received from D. Mikovic, property owner at 1487 Myron Drive, expressing opposition to the application noting his concerns that the structures were built without benefit of a building permit.

A letter was received from J. and B. De Melo, property owners at 1486 Myron Drive, expressing opposition to the application noting their concern that the applicant applied for permission after the structure was completed.

A letter was received from R. and N. Somenzi, property owners at 1512 Myron Drive, expressing opposition to the application noting that the addition was already constructed. They expressed concerns that the addition will be utilized for



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boarders/tenants and indicated they anticipate that the entire front yard will be used for parking.

Letters were received from the residents/property owners at 1492 and 1501 Myron Drive expressing no objection to the application.

Mr. D. Mikovic, property owner at 1487 Myron Drive, attended and advised that he originally signed a letter expressing support for the application and then found out that the neighbour constructed the structures without a permit. Mr. Mikovic indicated that he is a builder and follows the due process with respect to erection of new structures. He does not believe that requesting a permit after construction is appropriate. He indicated that it circumvents the process and the application should not be approved. Mr. Mikovic indicated that the structure should be moved in compliance with the By-law. He advised that the structure adversely affects the neighbour as it overhangs onto the neighbour's lot.

No other persons expressed any interest in the application.

Mr. Barret, upon hearing the comments of the Planning and Building Department, advised that he contacted the Zoning Section and they advised him that the driveway width is acceptable as it existed prior to 1983.

The Committee, upon reviewing the site plan, noted that the plan indicates "replaced detached garage". They requested clarification as to whether there was a garage structure in that location originally.

Mr. Barret advised that there was no structure in that location previously.

The Committee indicated that they consider the request for variances as if the structures were not there. They advised that they believe that the request to construct the addition to the existing building with a slight reduction in side yard is appropriate in this instance and is minor in nature.

The Committee, after considering the submissions put forward by Mr. Barret and having reviewed the plans indicated that they do not believe that the reduction in the side yard for the detached garage is desirable. The eaves of the structure will overhang onto the neighbour's property and they expressed concerns with respect to the water draining onto the neighbour's property. The Committee indicated that the garage should be relocated in compliance with the Zoning By-law or removed. The Committee indicated that item # 2 is to be refused.

They advised that the slight reduction in the side yard for the dwelling is desirable for the appropriate further development of the subject property and authorized item # 1.

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 variance is minor in nature in this instance.



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Accordingly, the Committee resolves to authorize and grant the request to only permit the construction of an addition to the rear of the existing dwelling proposing a northerly side yard of 1.75m (5.74ft.); whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.81m (5.93ft.) in this instance.

MOVED BY:	S. Patrizio	SECONDED BY:	P. Quinn	CARRIED
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Application Approved, in part, as stated.

Dated at the City of Mississauga on November 5, 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 **NOVEMBER 25, 2015**.

Date of mailing is November 9, 2015.

S. PATRIZIO

D. GEORGE (CHAIR)

J. ROBINSON

D. KENNEDY

J. PAGE

D. REYNOLDS

P. QUINN

I certify this to be a true copy of the Committee's decision given on November 5, 2015.

DAVID L. MARTIN, SECRETARY-TREASURER

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

NOTES:

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

COMMITTEE OF ADJUSTMENT

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

- and -

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

- and -

IN THE MATTER OF AN APPLICATION BY

MICHAEL & MARIANA TAYLOR

on Thursday, October 29, 2015

Michael & Mariana Taylor are the owners of 390 Revus Avenue being Part of Lot 70, Registered Plan F-20, zoned R3 - Residential. The applicants request the Committee to authorize a minor variance to permit the construction of a two storey addition to the existing dwelling on the subject property proposing:

1. a front yard of 5.20 m (17.06 ft.); whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50 m (24.60 ft.) in this instance;
2. a front yard of 5.20 m (17.06 ft.) to the front face of the garage; whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50 m (24.60 ft.) to the front face of the garage in this instance;
3. a westerly side yard of 0.83 m (2.72 ft.); whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20 m (3.93 ft.) in this instance;
4. a rear yard of 5.87 m (19.25 ft.); whereas By-law 0225-2007, as amended, requires a minimum rear yard of 7.50 m (24.60 ft.) in this instance; and,
5. a lot coverage of 39.20% of the lot area; whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 35.00% of the lot area in this instance.

Mr. W. Oughtred, of W.E. Oughtred & Associates Inc., authorized agent, attended and presented the application to permit the construction of a two storey addition to the existing dwelling. Mr. Oughtred presented a set of plans for the Committee's review and consideration and advised that a modest addition has been planned for the lot. He indicated that the neighbours have been consulted and have expressed no objections to the request.

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

The City of Mississauga Planning and Building Department commented as follows (October 28, 2015):

1.0 RECOMMENDATION

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

2.0 BACKGROUND

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: "R3", Residential

3.0 OTHER APPLICATIONS

Pre-Zoning Review File: PZONE15-6906

4.0 COMMENTS

Based on a review of the Pre-Zoning Review application, the variances as requested are correct.

In regards to variances #1 and #2, the front yard setbacks apply to the proposed two storey addition, which is situated with a greater setback than the existing one storey dwelling. The driveway length matches the standard length of a parking space under the Zoning By-law.

Regarding variance #3, the interior side yard setback is located at a pinch point at the northwestern corner of the property, and would be measured to a proposed wood deck, not the dwelling. It is our opinion that the intent of the By-law is maintained in this instance.

For variance #4, although the addition will project further into the required rear yard than the existing dwelling, the property currently contains a garage that has a minimal setback to the rear yard. Therefore, the proposal will improve upon a significantly deficient legal non-conforming condition.

In regards to variance #5, it appears that the excessive lot coverage may be attributed to the deck at the front of the dwelling. It is our opinion that the request is minor.

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

The City of Mississauga Transportation and Works Department commented as follows (October 16, 2015):

"We are noting for information purposes that any Transportation and Works Department concerns/requirements for the proposed two-storey addition to the existing dwelling will be addressed through the Building Permit process."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (October 26, 2015):

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



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A petition was received, signed by the residents/property owners at 1098 and 1092 Shaw Drive and 393, 384, and 397 Revus Avenue expressing no objection to the application.

No other persons expressed any interest in the application.

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

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

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

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

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

File: "A" 442/15
WARD 1

Application Approved.

Dated at the City of Mississauga on November 5, 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 **NOVEMBER 25, 2015**.

Date of mailing is November 9, 2015.

S. PATRIZIO

D. GEORGE (CHAIR)

J. ROBINSON

D. KENNEDY

J. PAGE

D. REYNOLDS

P. QUINN

I certify this to be a true copy of the Committee's decision given on November 5, 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

KRISHNA MENON

on Thursday, October 29, 2015

Krishna Menon is the owner of 94 Cumberland Drive being Lot 238 and Water Lot 351, Registered Plan H-21, zoned R15-9 - Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of a below grade accessory structure within the rear yard of the subject property proposing:

1. a floor area of 21.10 m² (227.12 sq. 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 in this instance; and,
2. an easterly side yard of 0.70 m (2.29 ft.) to the proposed accessory structure; whereas By-law 0225-2007, as amended, requires a minimum easterly side yard of 1.20 m (3.93 ft.) to an accessory structure in this instance.

Mr. W. Oughtred, of W.E. Oughtred & Associates Inc., authorized agent, attended and presented the application to permit the construction of a below grade accessory structure on the subject property. Mr. Oughtred presented photographs of the property and advised that originally there were three accessory structures on the property, a boathouse bunker and two sheds.

Mr. Oughtred advised that a pool was constructed on the lot and the boathouse/bunker was replaced with a slab on grade instead of a two floor structure. Mr. Oughtred indicated that the pool company advised that no permit was required. He advised that the other two accessory sheds were removed from the property.

Mr. Oughtred indicated that the new accessory structure, unlike the old boathouse/bunker, does not obstruct the view from the neighbour's properties and presented photographs of the neighbouring properties which showed a shed on the east side and a pool on the west side.

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

The City of Mississauga Planning and Building Department commented as follows (October 28, 2015):

1.0 RECOMMENDATION

The Planning and Building Department has no objection to the requested variances. However, the applicant may wish to defer the application to address comments from the Credit Valley Conservation Authority.

2.0 BACKGROUND

Mississauga Official Plan

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

Zoning By-law 0225-2007

Zoning: "R15-9", Residential

3.0 OTHER APPLICATIONS

Building Permit File: BP14-1084

4.0 COMMENTS

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

The applicant is proposing to construct a below grade accessory structure. Due to the nature of the proposal, we do not anticipate any negative visual impacts to neighbouring properties. Further, through discussions with staff from the Transportation and Works Department, it is our understanding that there are no drainage related concerns.

However, we are in receipt of comments from the Credit Valley Conservation Authority, and they have indicated that additional information is required in regards to floodproofing. Although we have no objection to the application in principle, the applicant may wish to defer the application to address their comments."

The City of Mississauga Transportation and Works Department commented as follows (October 16, 2015):

"This department has no objections to the applicant's request to permit the construction of a below grade accessory structure within the rear yard of the subject property."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (October 26, 2015):

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

The Credit Valley Conservation commented as follows (October 28, 2015):

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

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 below grade accessory structure within the rear yard of the subject property proposing:

1. A floor area of 21.10sq.m. whereas By-law 0225-2007, as amended, permits a maximum floor area of 10.00sq.m. for an accessory structure in this instance; and
2. An easterly side yard of 0.70m to the proposed accessory structure; whereas By-law 0225-2007, as amended requires a minimum easterly side yard of 1.20m to an accessory structure in this instance.

Comments:

CVC staff are aware that the below grade accessory structure has been built and was constructed without a CVC permit. Notwithstanding, CVC recognizes that this structure is a "boat house" and is therefore a structure that by its nature is located within an erosion hazard. However, CVC does require that the structure is appropriately floodproofed as per our Technical Guidelines for Floodproofing should it be determined that the structure is within the Regulatory Floodplain. It is noted that CVC has received a letter from CANect Limited (dated April 28, 2014) indicating the "project has been completed in accordance with the requirements of the Ontario Building Code and the bunker framing structure is structurally sound and safe". The letter does not reference CVC's Technical Guidelines for Floodproofing. For the purposes of appropriately floodproofing the structure, the finished floor grade of the structure must first be determined (this will indicate the depth of flooding the structure is subject to, if subject to flooding at all).

On this basis, CVC recommends DEFERRAL of "A" 443/15 and require the following actions be completed to support the application.

1. That the finished floor grade of the below grade accessory structure be determined by an Ontario Land Surveyor or Professional Engineer;
2. That should the structure be determined to fall within the Regulatory Storm Floodplain, a letter signed and sealed from a Professional Engineer is to be provided to CVC indicating that the below grade accessory structure is appropriately floodproofed as per CVC's Technical Guidelines for Floodproofing.

Be advised that a permit from CVC would be required for the structure."

An e-mail was received from J. and E. David, property owners at 95 Cumberland Drive, expressing concerns with respect to the application. They noted that the structure encroaches on the required setback and contributed to the destruction of a mature tree. They indicated that the application should be refused as the structure was constructed without a permit and does not comply with the By-laws. They further indicated that it caused damage during construction.

An e-mail was received from M. and A. Beattie, property owners at 96 Cumberland Drive, prior owner of the subject property. Mr. & Ms. Beattie indicated that two mature spruce trees were removed from the corner of their property and had to be removed due to damage sustained when the excavated area was shored. In addition, the five foot high hedges that were on the boundary line were removed during construction. Mr. and Ms. Beattie expressed concerns that they believed that a repair to the boathouse was originally proposed; however it now appears that new construction is proposed. They noted that the structure is longer, wider and in a different location than the original boathouse. They advised that they do not support the request as the size is twice the size permitted and does not comply with the setback requirements.

Mr. A. Beattie, property owner at 96 Cumberland Drive, attended and expressed his opposition to the application. He advised that the project commenced construction approximately 2 ½ years ago. He advised that the wall was shored improperly and two 50ft. trees were removed. Mr. Beattie indicated that they have experienced adverse impact as the trees have been removed and damage has been done to their property. He indicated that the structure should not have been constructed.

No other persons expressed any interest in the application.

Mr. Oughtred indicated that the original setback to the two level bunker was 0.00m (0.00ft.). He indicated that the new below grade structure is only one level and no longer obstructs the view of the lake. He further advised that two other sheds on the property have been removed.

The Committee, after considering the submissions put forward by Mr. Oughtred and having reviewed the plans, is satisfied that the request is desirable for the appropriate further development of the subject property. The Committee indicated that the new structure is below grade and there is no visual impact to the neighbours. They further advised that the Credit Valley Conservation permit must be obtained.

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

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

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

1. Prior to the issuance of the building permit, a letter shall be received by the Committee of Adjustment Office from the Credit Valley Conservation that a Credit Valley Conservation Permit has been issued.

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

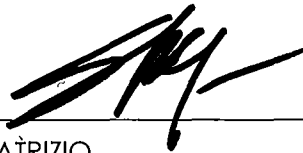
File: "A" 443/15
WARD 1

Application Approved, on condition as stated.

Dated at the City of Mississauga on November 5, 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 **NOVEMBER 25, 2015**.

Date of mailing is November 9, 2015.



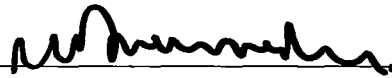
S. PATRIZIO



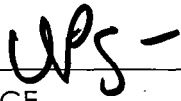
D. GEORGE (CHAIR)



J. ROBINSON



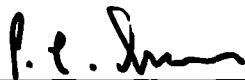
D. KENNEDY



J. PAGE



D. REYNOLDS



P. QUINN

I certify this to be a true copy of the Committee's decision given on November 5, 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

K.S.P. Holdings Inc.

on Thursday, October 29, 2015

K.S.P. Holdings Inc. is the owner of 7450 Torbram Road being Part of Lot 13, Concession 5, EHS, zoned E3 - Employment. The applicant requests the Committee to authorize a minor variance to permit the existing outdoor dome structure to remain on the subject property proposing a side yard of 7.37 m (24.18 ft.); whereas By-law 0225-2007, as amended, requires a minimum side yard of 7.50 m (24.60 ft.) in this instance.

Mr. A. Gatién, a representative of M. Gatién, Barrister & Solicitor and authorized agent, attended and presented the application to permit the outdoor dome structure to remain on the subject property with a reduced side yard. He advised that the 525.00m² (5,651.23sq.ft.) dome structure was constructed in 2004. He indicated that it is utilized for storage purposes.

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

The City of Mississauga Planning and Building Department commented as follows (October 23, 2015):

"Recommendation:

The Planning and Building Department has no objection to the requested variance, however the applicant may wish to defer the application in order to submit the requested information for the Building Permit application to ensure that the variance is correctly identified and if any additional variances will be required.

Background:

Mississauga Official Plan:

Character Area: Northeast Employment Area (West)

Designation: Industrial

Zoning By-law 0225-2007:

Zoning: "E3", Industrial

Other Applications:

<input checked="" type="checkbox"/>	<i>Building Permit</i>	File: BP 04-2831
<input checked="" type="checkbox"/>	<i>Building Permit</i>	File: BP 15-6745

Comments:

The Planning and Building Department is currently processing Building Permit applications for the proposed building. Based on the review of the Building Permit applications we advise that more information is required to verify the accuracy of the requested variance or determine whether additional variances will be required.

Through conversations with the applicant we understand that the applicant has addressed the discrepancy in the numbers in their permit applications, however we have not been able to formally review and confirm this.

The applicant has indicated that the requested variance is a result of the building being built in a location slightly off of what was initially designed. This results in the building being 0.127 m (0.416 ft.) closer to the lot line than permitted. The Planning and Building Department is of the opinion that the reduced setback is minor and will not have any impacts on the site or adjacent properties in any way.

Based on the preceding information the Planning and Building Department has no objection to the requested variance, however the applicant may wish to defer the application to ensure that all variances are correctly identified."

The City of Mississauga Transportation and Works Department commented as follows (October 16, 2015):

"This department has no objections to the applicant's request to permit the existing outdoor dome structure to remain on the subject property."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (October 26, 2015):

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

No other persons expressed any interest in the application.

Mr. Gatien, upon hearing the comments of the Committee and the Planning and Building Department, requested that the applicant be considered as presented.

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

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

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

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

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

File: "A" 444/15
WARD 5

Application Approved.

Dated at the City of Mississauga on November 5, 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 **NOVEMBER 25, 2015**.

Date of mailing is November 9, 2015.

S. PATRIZIO

D. GEORGE (CHAIR)

J. ROBINSON

D. KENNEDY

J. PAGE

D. REYNOLDS

P. QUINN

I certify this to be a true copy of the Committee's decision given on November 5, 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

ASBURY INVESTMENTS LIMITED

on Thursday, October 29, 2015

Asbury Investments Limited is the owner of 35 Brunel Road being Part of Block 1, Registered Plan M-425, zoned E1 - Employment. The applicant requests the Committee to authorize a minor variance to permit the continued operation of the existing restaurant within Unit 4 of the development on the subject property proposing a total of 610 parking spaces on site, as previously approved pursuant to Minor Variance files 'A'217/10 & 'A'456/04; whereas By-law 0225-2007, as amended, does not permit a restaurant use on the subject property and requires a minimum of 670 parking spaces to be provided on site in this instance.

Mr. E. Perlman, of Glen Schnarr & Associates Inc., authorized agent, attended and presented the application to continue to permit the operation of a restaurant within Unit # 4 of the subject building. He advised that the restaurant operation, known as "Salt and Pepper", was previously approved by the Committee in 2004 and 2010. Mr. Perlman indicated that the restaurant ownership has changed; however, the restaurant will continue to operate in the same manner as previously approved. Mr. Perlman advised that there have not been any complaints with respect to the operation of the restaurant. He requested that, if the Committee sees merit in approving the application, they consider increasing the hours of operation to 10:30 p.m. each evening.

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

The City of Mississauga Planning and Building Department commented as follows (October 23, 2015):

"Recommendation:

The Planning and Building Department has no objection to the requested variance, subject to the condition outlined below.

Background:

Mississauga Official Plan:

Character Area: Gateway Corporate Centre
Designation: Office

Zoning By-law 0225-2007:

Zoning: "E1", Employment in Nodes

Other Applications:

N/A

Comments:

The requested variance is a renewal of previously approved variances A 217/10 and A 456/04. We have no records on file of any complaints or concerns associated with this use in this unit. The subject property contains other restaurant uses within other units of the building and as a result, the request to continue the restaurant use fits in with the character of the surrounding uses and historical uses of the property.

Based on the preceding information the Planning and Building Department has no objection to the requested variance, subject to the condition previously imposed limiting the hours of operation."

The City of Mississauga Transportation and Works Department commented as follows (October 16, 2015):

"This Department has no objections, comments or requirements with respect to C.A. "A"445/15."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (October 26, 2015):

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

No other persons expressed any interest in the application.

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

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

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

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

1. This decision shall be in effect so long as the subject premises are occupied for restaurant purposes.
2. The hours of operation shall be limited to 7:00 a.m. to 10:30 p.m. daily.

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

File: "A" 445/15
WARD 5

Application Approved, on conditions as stated.

Dated at the City of Mississauga on November 5, 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 **NOVEMBER 25, 2015**.

Date of mailing is November 9, 2015.

S. PATRIZIO

D. GEORGE (CHAIR)

J. ROBINSON

D. KENNEDY

J. PAGE

D. REYNOLDS

P. QUINN

I certify this to be a true copy of the Committee's decision given on November 5, 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

HANK HH LEE

on Thursday, October 29, 2015

Hank HH Lee is the owner of 30 Joymar Drive being Lot 55, Registered Plan 529, zoned R2-50 – Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of additions to the existing dwelling on the subject property proposing:

1. a front yard of 5.31 m (17.42 ft.); whereas By-law 0225-2007, as amended, requires a minimum front yard of 7.50 m (24.60 ft.) in this instance;
2. a front yard of 4.40 m (14.43 ft.) measured to the front porch inclusive of stairs; whereas By-law 0225-2007, as amended, requires a minimum front yard of 5.90 m (19.35 ft.) measured to the front porch inclusive of stairs in this instance;
3. a northerly side yard of 1.23 m (4.03 ft.) and a southerly side yard of 1.49 m (4.88 ft.); whereas By-law 0225-2007, as amended, requires a minimum side yards of 1.81 m (5.93 ft.) in this instance; and,
4. a lot coverage of 27.70% of the lot area; whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% of the lot area in this instance.

Mr. J. Wallace, authorized agent, attended and presented the application. Mr. Wallace presented plans for the Committee's review and consideration. Mr. Wallace advised that additions are proposed to the existing dwelling.

Mr. Wallace advised that a porch is proposed at the front of the dwelling. He indicated that the porch slab encroaches into the front yard; however, the porch roof complies with the Zoning By-law requirements. Mr. Wallace indicated that the existing dwelling does not comply with the minimum front yard setback. Relief is being requested to allow the garage addition to be located closer to the street. He explained that the reduced front yard will allow better use of the amenity area behind the garage. Mr. Wallace indicated that if the garage was pushed further into the rear yard, it would impact the neighbour's privacy.

Mr. Wallace advised that the building contains 0.60m (2.00ft.) soffits. He advised that setbacks are typically measured to the main wall of the dwelling; however when the soffits are oversized, the setback is measured to the soffits. He noted that the side yard setbacks comply when measured to the main wall of the house but a variance is required for a reduction in the measurement to the soffits.



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WARD 11

Mr. Wallace indicated that the neighbours expressed concerns with respect to the height of the dwelling. He advised that they changed the roof pitch to address these concerns.

Mr. Wallace presented elevation plans for the dwelling noting that the pacific western style is similar to other homes constructed in the neighbourhood. He indicated that many of the neighbours have been consulted and support the request.

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

The City of Mississauga Planning and Building Department commented as follows (October 28, 2015):

"Recommendation:

The Planning and Building Department recommends that the application be deferred to allow the applicant time to redesign the dwelling to address staff concerns, as well as submit additional requested information to verify the accuracy of the variances.

Background:

Mississauga Official Plan:

Character Area: Streetsville Neighbourhood

Designation: Residential Low Density I

Zoning By-law 0225-2007:

Zoning: "R2-50", Residential

Other Applications:

Building Permit File: BP 15-7245

Comments:

The Planning and Building Department is currently processing a Building Permit application for the proposed additions. Based on the review of the Building Permit application we advise that more information is required to verify the accuracy of the requested variances or determine whether additional variances will be required. More information has been requested for 11 additional items. Additionally the Planning and Building Department has concerns with requested variances #1, #2, and #3.

Variance #1 and #2, relating to the front yard setback, are somewhat related to the existing deficiency of the current dwelling on site. However with regards to variance #1, the proposed garage is new construction and should not worsen the existing setback deficiency. It is our opinion that the applicant should redesign their plans to push the garage back to meet the front yard setback rather than protrude out from the existing dwelling to further decrease it. Furthermore, the applicant should redesign the porch to lessen the encroachment and reduce the setback required in the front yard. The existing dwelling on site is significantly closer to the street than both adjacent neighbours and it is the opinion of the Planning and Building Department that this condition should not be made worse where possible.



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Regarding variance #3, we are of the opinion that the new construction on the southerly side of the lot should comply with the Zoning By-law. The applicant may wish to step in the second storey above the garage in order to comply with the required 1.8 m (5.9 ft.) side yard to the second storey. The northerly side yard is an existing condition and new construction along this side yard, at the rear of the existing dwelling, exceeds Zoning By-law requirements.

The fourth variance for lot coverage is primarily a function of the larger overhang of the eaves of the proposed dwelling. When the eaves overhang more than 0.45 m (1.48 ft.) they are required to be included in the lot coverage calculation. The appearance of the dwelling massing would be more similar to a dwelling that met the lot coverage requirements. Additionally similar lot coverage variances have been approved on other recent dwellings on the street.

Based on the preceding information the Planning and Building Department recommends that the application be deferred to allow the applicant time to redesign the dwelling to address staff concerns, as well as submit additional requested information to verify the accuracy of the variances and determine whether any additional variances will be required."

The City of Mississauga Transportation and Works Department commented as follows (October 16, 2015):

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

The Region of Peel, Environment, Transportation and Planning Services commented as follows (October 26, 2015):

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

"This property is within the vicinity of two private, inactive landfills. The DHI landfill site is located south of Britannia and west of Queen. The Canada Brick landfill site is located north of Britannia, between Erin Mills and Queen."

Letters were received from the property owners/residents at 24, 26, 28, 29, 31, 52, 32 and 34 Joymar Drive and 29 Theodore Drive, expressing support for the application.

No other persons expressed any interest in the application.

The Committee, after considering the submissions put forward by Mr. Wallace and having reviewed the plans, is satisfied that the request is desirable for the appropriate further development of the subject property. The Committee indicated that the neighbours on either side of the dwelling do not object to the reduction in the front yard. They indicated that the increase in the lot coverage is minor in this instance.

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" 446/15
WARD 11

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

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

Dated at the City of Mississauga on November 5, 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 **NOVEMBER 25, 2015**.

Date of mailing is November 9, 2015.



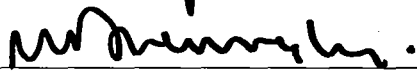
 S. PATRIZIO



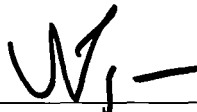
 D. GEORGE (CHAIR)



 J. ROBINSON



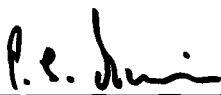
 D. KENNEDY



 J. PAGE



 D. REYNOLDS



 P. QUINN

I certify this to be a true copy of the Committee's decision given on November 5, 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

HURONTARIO CORPORATE CENTRE INC.

on Thursday, October 29, 2015

Hurontario Corporate Centre Inc. is the owner of 3660 Hurontario Street being Part of Lot 16, Concession 1, NDS, zoned H-CC2(2) – City Centre. The applicant requests the Committee to authorize a minor variance to permit a Motor Vehicle Rental Facility on the ground floor of the existing office building proposing:

1. parking to be provided at a rate of 2.90 parking spaces per 100.00 m² (1,076.42 sq. ft.) of Gross Floor Area - Non-residential; whereas By-law 225-2007, as amended, requires parking to be provided at a rate of 3.20 parking spaces per 100.00 m² (1076.42 sq. ft.) of Gross Floor Area - Non-residential for an office building in this instance;
2. to exclude lobbies, corridors and vestibules within the first and second floors of the office building on the subject property from being included in the calculation of Gross Floor Area - Non-residential; whereas By-law 225-2007, as amended, requires the inclusion of lobbies, corridors and vestibules in the calculation of Gross Floor Area - Non-residential in this instance; and,
3. eight (8) of the required parking spaces on site to be used for the parking and storage of motor vehicles for rent; whereas By-law 225-2007, as amended, does not permit the parking or storage of motor vehicles for rent to be located on required parking spaces for the site in this instance.

Mr. W. Oughtred, of W.E. Oughtred & Associates Inc., authorized agent, attended and presented the application. He advised that the application, for a car rental agency, was previously considered and approved by the Committee in 2003 and 2010. Mr. Oughtred advised that the business will continue to operate in the same manner as previously approved and no changes are required. Mr. Oughtred advised that there are eight parking spaces utilized for the rental business, seven parking spaces, located on the third lower level parking area, and one parking space, provided on the main parking level. He advised that the main parking level space is required for ease of access and for the convenience of their customers.

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

The City of Mississauga Planning and Building Department commented as follows (October 23, 2015):

1.0 RECOMMENDATION

The Planning and Building Department has no objection to the requested variance, subject to conditions #1-3 under 'A' 91/10.

2.0 BACKGROUND

Mississauga Official Plan

Character Area: Downtown Core
Designation: Downtown Mixed Use

Zoning By-law 0225-2007

Zoning: "H-CC2(2)", City Centre - Mixed Use (Holding)

3.0 OTHER APPLICATIONS

No other applications currently in process.

4.0 COMMENTS

The subject application is a continuation of previous approvals under 'A' 91/10 and 'A' 593/03. The most recent temporary approval expired on March 31, 2015. At the time, this Department stated that we had no objection to the requested variances, subject to three conditions relating to restrictions on repair and cleaning of vehicles, cube vans not being permitted, and a maximum of eight vehicles for rental on the property.

As the request is a continuation of previous approvals, we have no objection to the request, subject to conditions #1-3 under 'A' 91/10.

The City of Mississauga Transportation and Works Department commented as follows (October 16, 2015):

"This Department has no objections, comments or requirements with respect to C.A. 'A' 447/15."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (October 26, 2015):

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

No other persons expressed any interest in the application.

The Committee, after considering the submission put forward by Mr. Oughtred and noting the nature of the operation, is satisfied that the request is desirable for the appropriate 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 request is minor in nature in this instance.

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

1. There shall be no repair or cleaning of rental vehicles on the subject property.
2. There shall be no cube vans being offered for rental or storage at the subject location.



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- 3. The maximum number of vehicles to be stored/parked on the subject property for rental purposes shall be limited to eight (8) in accordance with the plan reviewed and approved by the Committee.

MOVED BY:	S. Patrizio	SECONDED BY:	D. Kennedy	CARRIED
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Application Approved, on conditions as stated.

Dated at the City of Mississauga on November 5, 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 **NOVEMBER 25, 2015**.

Date of mailing is November 9, 2015.

S. PATRIZIO

D. GEORGE (CHAIR)

J. ROBINSON

D. KENNEDY

J. PAGE

ABSENT

D. REYNOLDS

P. QUINN

I certify this to be a true copy of the Committee's decision given on November 5, 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

ILONA & WOJCIECH STOBINSKI

on Thursday, October 29, 2015

Ilona & Wojciech Stobinski are the owners of 1536 Myron Drive being Lot 8, Registered Plan 545, zoned R3, Residential. The applicants request the Committee to authorize a minor variance to permit the construction of a two storey addition to the existing dwelling proposing:

1. a front yard of 2.19m (7.18ft.) to the dwelling; whereas By-law 0225-2007, as amended, requires a minimum front yard to the dwelling of 7.50m (24.60ft.) in this instance;
2. a front yard of 2.19m (7.18ft.) to the front garage face; whereas By-law 0225-2007, as amended, requires a minimum front yard to the front garage face of 7.50m (24.60ft.) in this instance;
3. an easterly side yard of 1.52m (4.98ft.) to the second storey portion of the addition; whereas By-law 0225-2007, as amended, requires a minimum 1.81m (5.93ft.) to the second storey addition in this instance; and,
4. an westerly side yard of 1.35m (4.42ft.) to the second storey portion of the addition; whereas By-law 0225-2007, as amended, requires a minimum 1.81m (5.93ft.) to the second storey addition in this instance.

On September 24, 2015, Mr. W. Stobinski, property owner, accompanied by his neighbour, attended and requested that the application be deferred to allow them an opportunity to address staff comments and move the garage further back on the lot.

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

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

"1.0 RECOMMENDATION

The Planning and Building Department recommends that the application be deferred for the applicant to redesign the dwelling to address concerns related to the front yard and side yard setbacks, and to provide the requested information for the Pre-Zoning Review application.

2.0 BACKGROUND

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: "R3", Residential

3.0 OTHER APPLICATIONS

Pre-Zoning Review File: PZONE 15-6060

4.0 COMMENTS

Based on a review of the Pre-Zoning Review application for the proposed addition, we advise that more information is required to verify the accuracy of the requested variances and to determine whether additional variances will be required.

In regards to variances #1 and #2, we acknowledge that the subject property is uniquely shaped as there was a previous cul-de-sac in front of the property prior to the development of a new subdivision to the north. However, even if the lot was regularly shaped, it appears that the addition would require significant variances for front yard setback and front yard setback to the garage face. The Site Plan provided with the Minor Variance application indicates that the setback would be approximately 4.6 m (15.09 ft.) which is not sufficient for a driveway as the length of a legal parking space is 5.2 m (17.06 ft.).

Further, it is our opinion that the proposed addition would cause an inconsistent streetscape as the subject dwelling would be significantly closer to the street compared to others on Myron Drive. In particular, the adjacent property at 1542 Myron Drive would be negatively impacted as the dwelling is further set back on the property.

Regarding variances #3 and #4, based on a review of the elevation drawings provided with the Minor Variance application, it is our opinion that the second storey should be redesigned and/or stepped back to break up the massing of the walls.

Further, for variance #5, it appears that the driveway has not been dimensioned on the provided drawings. We require further clarification of the driveway configuration to comment on the appropriateness of the request.

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

The City of Mississauga Transportation and Works Department commented as follows (September 16, 2015):

"Variance #2 is requesting a front yard setback of 1.55m (5.08 ft) to the front garage face, whereas a minimum front yard setback of 7.50m (24.60ft) is required. As Committee is aware, this department typically discourages any reduction of less than 5.2M measure from the garage face to the municipal right-of-way in order to accommodate parking for a vehicle totally within the limits of the property. We



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acknowledge from our review of this application that there are some constraints associated with this property with regards to setbacks to Myron Drive. When the existing dwelling was constructed there was a temporary cul-de-sac in front of this property, when the new subdivision was constructed to the north and Myron Drive was extended the road was re-aligned but the city maintained the extended right-of way portion of the old cul-de-sac.

The sketch drawings submitted shows the requested 1.55M setback measured from the garage face to the closest point of the Myron Drive right-of-way but this setback is not in an area where a vehicle on the driveway would be parked. The submitted sketch plan also shows a 4.6M setback from the face of the garage to the municipal right-of-way which would be the setback if Myron Drive did not contain the city owned extended cul-de-sac directly in front of the driveway.

In view of the above, and acknowledging that this is a unique situation we would suggest that the proposed 2 storey addition be slightly modified in order that a minimum 5.2M setback would be maintained measured from the face of the garage to the portion of the Myron Drive right-of-way which does not contain the cul-de-sac. By providing the 5.2M setback in the location we indicated the applicant would be able to park one vehicle on the south side of the driveway and the driveway parking space would be located on private property and would not encroach into the limits of the municipal right-of-way."

The Region of Peel, Environment, Transportation and Planning Services, commented as follows (September 18, 2015):

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

"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 the issuance of a building permit."

An e-mail was received from N. and R. Somenzi, residents at 1512 Myron Drive, expressing opposition to the application as it will change the streetscape of Myron Drive and noting their comments.

A letter was received from M. and P. Kelso, property owners at 1542 Myron Drive, expressing support for the application.

A letter was received from R., M., J., and W. Kular, property owners at 1530 Myron Drive, expressing support for the application.

No other persons expressed any interest in the application.

The Committee consented to the request and the application was deferred to October 29, 2015.

On October 29, 2015, Ms. L. Mach, a representative of the property owner, attended and presented the application to construct an addition to the existing dwelling. Ms. Mach presented a set of plans for the Committee's review and consideration noting that the lot was part of a cul-de-sac and the street was extended. She advised that although the original cul-de-sac property line still exists, it is not distinguishable from the streetscape.



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Ms. Mach advised that she submitted revised plans upon being advised by staff that there was not enough room to park a vehicle in front of the dwelling. The addition is now situated further back from the front property line. She advised that 5.30m (17.38ft.) is now provided which allows a vehicle to be parked in the front yard. She indicated that there is no sidewalk on the property. Ms. Mach indicated that variances are being requested for the front yard due to the location of the existing cul-de-sac lot boundary. She advised that the perceived setback to the addition would be 4.60m (15.09ft.) if the cul-de-sac lot boundary did not exist.

Ms. Mach advised that they wish to construct the second storey in line with the first storey and are requesting a variance to allow a reduced side yard. She advised that they have spoken with many of the neighbours who have expressed support for the application.

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

The City of Mississauga Planning and Building Department commented as follows (October 28, 2015):

1.0 RECOMMENDATION

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

2.0 BACKGROUND

Mississauga Official Plan

Character Area: Lakeview Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

Zoning: "R3", Residential

3.0 OTHER APPLICATIONS

Pre-Zoning Review File: PZONE15-6060

4.0 COMMENTS

Based on a review of the Pre-Zoning Review application, the variances as requested are correct.

When this application was previously before the Committee on September 24, 2015, the applicant requested a deferral of the application to redesign the addition to address staff concerns. Since that time, we have received revised drawings showing a reduction in the projection of the addition.

In regards to variances #1 and #2, although the applicant has increased the front yard setback to 2.19 m (7.18 ft.), we still have concerns with the requests. We acknowledge that the subject property is uniquely shaped as there was a previous cul-de-sac in front of the property prior to the development of a new subdivision to the north. However, even if the lot was regularly shaped, it appears that the addition would require variances for front yard setback and front yard setback to the garage face. We recommend that the applicant further reduce the addition or relocate it to the rear of the dwelling.



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WARD 1

As proposed, the addition would cause an inconsistent streetscape as the dwelling would be significantly closer to the street compared to others on Myron Drive. In particular, the adjacent property at 1542 Myron Drive would be negatively impacted as the dwelling is further set back on the property.

Regarding variances #3 and #5, we indicated in our previous comments dated September 22, 2015 that the second storey should be redesigned and/or stepped back to break up the massing of the walls. It appears that no attempt has been made to address our concern about the massing.

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

The City of Mississauga Transportation and Works Department commented as follows (October 16, 2015):

"Further to our comments provided for the September 24, 2015 hearing we are advising that we have reviewed the amended notice and revised drawings which we find acceptable. In our previous comments we had suggested that the proposed 2-storey addition be slightly modified in order that a minimum 5.2M setback would be maintained measured from the face of the garage to the portion of Myron Drive right-of-way which did not contain the cul-de-sac. By providing the minimum 5.2M setback in the location we had indicated the owner would be able to park one vehicle on the south side of the driveway in a parking space located on private property and not encroach into the limits of the municipal right-of-way. The revised drawing submitted depicts a 5.3M setback which we support and in this regard we have no objections to the amended application."

The Region of Peel, Environment, Transportation and Planning Services commented as follows (October 26, 2015):

"Please refer to our previous comments with regard to the deferred minor variance application A-409/15."

An e-mail was received from N. and R. Somenzi, property owners at 1512 Myron Drive, expressing opposition to the application and noting their concerns with respect to obscured sight lines and the reduced parking space size increasing the possibility of on-street parking.

A letter was received from M. and P. Kelso, property owner at 1542 Myron Drive, expressing support for the application.

A letter was received from J., W., R., and M. Kular, property owners at 1530 Myron Drive expressing support for the application.

A letter was received from J. Mattiussi, property owner at 1535 Myron Drive expressing no objection to the application.

A letter was received from M. Alves, property owner at 1541 Myron Drive expressing support for the application.

A letter was received from K. Bonbahani, property owner at 1524 Myron Drive, expressing support for the application.



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A letter was received from R. Ritchie, property owner at 1535 Haig Boulevard expressing support for the application.

A letter was received from F. Mazzolin, property owner at 1546 Myron Drive expressing support for the request.

A letter was received from Z. Ciches, property owner at 1511 Myron Drive expressing support for the request.

A letter was received from K. Singh, property owner at 1518 Myron Drive, expressing support for the application.

A letter was received from C. Whalen, property owner at 1529 Myron Drive, expressing support for the application.

A letter was received from K. Rossi, property owner at 1523 Myron Drive, expressing support for the application.

A letter was received from J. Hoefflerle, property owner at 1517 Myron Drive, expressing support for the application.

No other persons expressed any interest in the application.

The Committee, after considering the submissions put forward by Ms. Mach and having reviewed the revised plans, is satisfied that the request is desirable for the appropriate further development of the subject property. The Committee indicated that lot is an anomaly and noted that many of the neighbours support the request.

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

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

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

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

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

File: "A" 409/15
WARD 1

Application Approved, on condition as stated.

Dated at the City of Mississauga on November 5, 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 **NOVEMBER 25, 2015**.

Date of mailing is November 9, 2015.



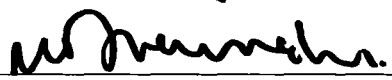
S. PATRIZIO




D. GEORGE (CHAIR)



J. ROBINSON

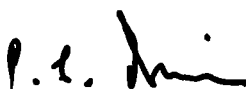


D. KENNEDY



J. PAGE

ABSENT
D. REYNOLDS



P. QUINN

I certify this to be a true copy of the Committee's decision given on November 5, 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.