

**COMMITTEE OF ADJUSTMENT  
AGENDA**



**Location: COUNCIL CHAMBER**

**Hearing: SEPTEMBER 17, 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-043/15	ALAN PIERRE NOLET & LEANNE MARY	43 JOHN ST S	1	Dec. 10
A-392/15	NOLET			Dec. 10
A-393/15	PETER NOLET	42 FRONT ST S	1	Dec. 10
B-044/15	DAVID BUCKINGHAM	749 MONTBECK CRES	1	Oct. 1
A-399/15				
A-400/15				

**NEW APPLICATIONS - (MINOR VARIANCE)**

A-394/15	RAMI & MIRANDA ZABANAH	5358 FLATFORD RD	6	Approved
A-395/15	TRACY & CRAIG COULLS	14 JOYMAR DR	11	Approved
A-396/15	PAULO ESTEVES	3265 FLYNN CRES	6	Approved
A-397/15	PEEL STANDARD CONDOMINIUM CORPORATION 820	230 PAISLEY BLVD W	7	Approved
A-398/15	MAUREEN & GERMA NEGLIA	2061 PORTWAY AVE	8	Approved
A-401/15	2450051 ONTARIO INC	219 LAKESHORE RD E	1	Approve 18 months
A-402/15	KHOA NGUYEN	7327 ASPEN AVE	9	Oct. 22

**DEFERRED APPLICATIONS - (MINOR VARIANCE)**

A-126/15	PEEL CONDOMINIUM CORPORATION NO. 436	6731 COLUMBUS RD	5	Dec. 10
A-336/15	JOSEPH GENOVA	209 MAPLEWOOD RD	1	Approved
A-369/15	MARTIN BOEYKENS	7005 POND ST	11	Oct. 8

## 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

RAMI & MIRANDA ZABANAH

on Thursday, September 17, 2015

Rami & Miranda Zabanah are the owners of 5358 Flatford Road being Lot 44, Registered Plan M-1070, zoned R5, Residential. The applicants request the Committee to authorize a minor variance to permit:

1. the construction of two (2) accessory structures; whereas By-law 0225-2007, as amended, permits a maximum of one (1) accessory structures per lot in this instance;
2. an accessory structure floor area of 14.88m<sup>2</sup> (160.17sq.ft.) (Shed # 1); whereas By-law 0225-2007, as amended, permits a maximum accessory structure floor area of 10.00m<sup>2</sup> (107.54sq.ft.) in this instance;
3. an easterly side yard to an accessory structure (Shed # 1) of 0.61m (2.00ft.); whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (3.93ft.) in this instance; and,
4. an accessory structure height of 3.30m (10.82ft.)(Shed #1); whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.00m (9.84ft.) in this instance;

Mr. M. Marino, authorized agent, attended and presented the application. Mr. Marino indicated that there are two sheds and a play structure on the property. Mr. Marino advised that he spoke with the Zoning Section and was advised that the play structure is also to be treated as an accessory structure. He requested that the application be amended to request permission for three (3) accessory structures to remain on the subject property, to permit the height of the shed and play structure to be 3.33m (10.92ft.); whereas the Zoning By-law permits 3.00m (9.84ft.).

Mr. Marino indicated that the property owners are legally blind and require an easily accessible storage area. He indicated that the existing sheds store lawn and garden maintenance equipment and outdoor furniture.

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



## MISSISSAUGA

File: "A" 394/15  
WARD 6

The City of Mississauga Planning and Building Department commented as follows (September 17, 2015):

### "1.0 Recommendation

The Planning and Building Department has no objection to the requested variances; however, the applicant may wish to defer in order to submit updated Building Permit drawings to determine if additional variances are required.

### 2.0 Background

#### **Mississauga Official Plan**

Character Area: **East Credit Neighbourhood**  
Designation: **Residential Low Density II**

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

Zoning: **"R5", Residential**

### 3.0 Other Applications

☒ **Building Permit** File: BP 15-6989

### 4.0 Comments

The Planning and Building Department is currently processing a Building Permit application. Based on the information provided with the Building Permit application, the variances, as requested, are correct. However, there also may be an additional variance required for the play structure in the rear yard. Updated Building Permit drawings would need to be submitted in order to determine whether additional variances are required.

Regarding variance #1, the current lot coverage on the property including both existing accessory structures is 164.75 m<sup>2</sup> (1773.37 sq. ft.) which represents a total lot coverage of 21.2%. The permitted lot coverage in an R5 zone is 40%. Considering the level of lot coverage, it is the opinion of planning staff that the additional accessory structure remaining in the rear yard should not have a significant appearance of additional massing or overdevelopment of the property.

Variance #2 is required for the accessory structure near the easterly lot line of the property. The requested area of 14.88 m<sup>2</sup> (160.17 sq. ft.) includes an open area at the front of the structure that is covered by the roof; the walled area of the structure has a floor area of 11.66 m<sup>2</sup> (125.50 sq. ft.). Planning staff are of the opinion that the increase in size would not have a significant additional massing impact since part of it is not entirely enclosed.

With regards to variance #3, the side yard setback of 1.2 m is required because of the size of the lot. The lot area of the subject property is 777.67 m<sup>2</sup> (8371.04 sq. ft.), which makes it the largest lot in the surrounding neighbourhood. The rest of the neighbourhood would only be required a setback to accessory structures of 0.61 m because the 1.2 m setback is only required for lots above 750 m<sup>2</sup> (8072.93 sq. ft.). The subject property just exceeds 750 m<sup>2</sup> (8072.93 sq. ft.) and the setback complies with the standard for the rest of the neighbourhood. As a result we are of the opinion that the decreased setback meets the general intent of the Zoning By-law.



## MISSISSAUGA

File: "A" 394/15  
WARD 6

Variance #4 requests an increase in height of 0.3 m (0.98 ft.). Planning staff are of the opinion that the additional height increase is minor in nature and would not create significant noticeable impacts on adjacent neighbours.

Based on the preceding information, the Planning and Building Department has no objection to the requested variances; however, the applicant may wish to defer in order to determine if additional variances are required."

The City of Mississauga Transportation and Works Department commented as follows (September 10, 2015):

"This department has no objections to the applicant's request. From our recent site inspection we were not able to go into the rear yard, however from our visual inspection from over the fence we did not observe any evident drainage related concerns with the two existing accessory structures."

A letter was received from T.M. Lesniowski, of 5362 Flatford Road, expressing support for the application.

No other persons expressed any interest in the application.

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

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

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

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

1. the construction of three (3) accessory structures; whereas By-law 0225-2007, as amended, permits a maximum of one (1) accessory structures per lot in this instance;
2. an accessory structure floor area of 14.88m<sup>2</sup> (160.17sq.ft.) (Shed # 1), and an accessory structure (play structure) with a floor area of 3.33m<sup>2</sup> (35.84ft.); whereas By-law 0225-2007, as amended, permits a maximum accessory structure floor area of 10.00m<sup>2</sup> (107.54sq.ft.) in this instance;
3. an easterly side yard to an accessory structure (Shed # 1) of 0.61m (2.00ft.); whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (3.93ft.) in this instance; and,
4. an accessory structure height of 3.33m (10.92ft.) (Shed #1) and an accessory structure height of 3.33m (10.92ft.) (play structure); whereas By-law 0225-2007, as amended, permits a maximum accessory structure height of 3.00m (9.84ft.) in this instance;

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

File: "A" 394/15  
WARD 6

Application Approved, as amended.

Dated at the City of Mississauga on September 24, 2015.

THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **OCTOBER 14, 2015**.

Date of mailing is September 28, 2015.

S. PATRIZIO (CHAIR)

ABSENT

J. ROBINSON

J. PAGE

P. QUINN

D. GEORGE

D. KENNEDY

ABSENT

D. REYNOLDS

I certify this to be a true copy of the Committee's decision given on September 24, 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

TRACY & CRAIG COULLS

on Thursday, September 17, 2015

Tracy & Craig Coulls are the owners of 14 Joymar Drive being Lot 21, Plan 542, zoned R2-50, Residential. The applicants request the Committee to authorize a minor variance to permit the construction of renovations and additions to the existing dwelling proposing:

1. a lot coverage of 37.00% 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;
2. a gross floor area - infill residential of 325.50m<sup>2</sup> (3,503.76sq.ft.); whereas By-law 0225-2007, as amended, permits a maximum gross floor area - infill residential of 310.50m<sup>2</sup> (3,342.30sq.ft.) in this instance; and,
3. an easterly side yard of 1.41m (4.62ft.) and a westerly side yard of 1.25m (4.10ft.); whereas By-law 0225-2007, as amended, requires minimum side yards of 1.81m (5.93ft.) in this instance.

Ms. J. Scholes, authorized agent, attended and presented the application to permit the construction of renovations and additions to the existing dwelling. Ms. Scholes advised that they consulted with the neighbours on August 31, 2015 and submitted revised plans for review. She presented plans for the Committee's review and consideration. Ms. Scholes indicated that they have reduced the amount of lot coverage by eliminating the covered patio, demolishing a shed and reducing the width of the house. She advised that a slight increase in gross floor area is required. She indicated that the westerly side yard has been increased to 1.81m (5.93ft.). Ms. Scholes advised that, as the proposed construction on the east wall of the house will align with the existing wall, side yard relief will be required. She requested that the application be amended accordingly.

Ms. Scholes presented a streetscape drawing and advised that the proposed renovation is in character with the Streetsville area. She presented letters expressing support for the application. She indicated that they tried to be sensitive to the neighbour's requests and maintain the village quality in the design.

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



## MISSISSAUGA

File: "A" 395/15  
WARD 11

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

### "1.0 Recommendation

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

### 2.0 Background

#### **Mississauga Official Plan**

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

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

Zoning: **"R2-50", Residential**

### 3.0 Other Applications

☒ Pre-Zoning Review      File: PREAPP 15-6786

### 4.0 Comments

The Planning and Building Department has completed a Pre-application Zoning review. Based on the review of the updated Building Permit application plans received September 10, 2015, we advise that the variance request should be amended as follows:

1. a lot coverage of 28.8% (230.9 m<sup>2</sup>) 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;
2. a gross floor area - infill residential of 325.9 m<sup>2</sup> (3,508.07 sq. ft.); whereas By-law 0225-2007 as amended, permits a maximum gross floor area - infill residential of 310.50 m<sup>2</sup> (3,342.30 sq. ft.) in this instance; and
3. an easterly side yard of 1.41 m (4.62 ft.); whereas By-law 0225-2007, as amended, requires minimum side yards of 1.81 m (5.93 ft.) in this instance.

With regards to variance #1 and #2, the dwelling is designed in a way that helps to reduce the appearance of massing from the front and side yards. As a result, we are of the opinion that increases of 3.8% in lot coverage and 15.4 m<sup>2</sup> (165.76 sq. ft.) in GFA are minor and will not create significant additional massing impacts that would negatively affect the neighbourhood.

Variance #3 represents a partially existing condition. The proposed dwelling will utilize part of the existing wall currently on site. The proposal to maintain the existing setback and extend the wall should still maintain adequate separation from the adjacent property and not have a negative impact. The side elevation of the proposed dwelling shows some break up in the design of the roof line, which should help to mitigate any potential negative massing impacts.

Based on the preceding information the Planning and Building Department are of the opinion that the requested variances, as amended, are minor in nature and as a result we have no objection to the application."



## MISSISSAUGA

File: "A" 395/15  
WARD 11

The City of Mississauga Transportation and Works Department commented as follows (September 10, 2015):

"We are noting for information purposes that any Transportation and Works Department concerns/requirements for the proposed renovations and additions will be addressed through the Building Permit Process."

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

"The subject property is within the vicinity of DHI landfill site. It is an inactive, private landfill located south of Britannia, west of Queen. The subject property is also within the vicinity of Canada Brick landfill site. It is an inactive, private landfill located north of Britannia, between Erin Mills and Queen St. The exact boundaries are unknown."

"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."

Letters were received from the property owners/residents at 6, 8, 12, 20 & 22 Joymar Drive expressing support for the application.

No other persons expressed any interest in the application.

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

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

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

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

Accordingly, the Committee resolves to authorize and grant the amended request to permit the construction of renovations and additions to the existing dwelling proposing:

1. a lot coverage of 28.80% 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;
2. a gross floor area - infill residential of 325.90m<sup>2</sup> (3,508.07sq.ft.); whereas By-law 0225-2007, as amended, permits a maximum gross floor area - infill residential of 310.50m<sup>2</sup> (3,342.30sq.ft.) in this instance; and,
3. an easterly side yard of 1.41m (4.62ft.); whereas By-law 0225-2007, as amended, requires minimum side yards of 1.81m (5.93ft.) in this instance.

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

File: "A" 395/15  
WARD 11

Application Approved, as amended.

Dated at the City of Mississauga on September 24, 2015.

THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **OCTOBER 14, 2015**.

Date of mailing is September 28, 2015.

S. PATRIZIO (CHAIR)

D. GEORGE

ABSENT

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 September 24, 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

PAULO ESTEVES

on Thursday, September 17, 2015

Paulo Esteves is the owner of 3265 Flynn Crescent being Lot 185, Registered Plan 550, zoned R2, Residential. The applicant requests the Committee to authorize a minor variance to permit the existing accessory structure to remain proposing:

1. a height of 3.35m (10.99ft.); whereas By-law 0225-2007, as amended, permits a maximum height of 3.00m (9.84ft.) in this instance;
2. a floor area of 46.03m<sup>2</sup> (495.47sq.ft.); whereas By-law 0225-2007, as amended, permits a maximum floor area of 10.00m<sup>2</sup> (107.64sq.ft.) in this instance;
3. a side yard of 0.90m (2.95ft.); whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (3.93ft.) in this instance; and,
4. a rear yard of 0.90m (2.95ft.); whereas By-law 0225-2007, as amended, requires a minimum rear yard of 1.20m (3.93ft.) in this instance.

Mr. P. Esteves, property owner, attended and presented the application to permit the existing accessory structure to remain on the subject property. Ms. Esteves presented photographs of his property and advised that his property is approximately nine (9) feet lower than the adjacent properties. He indicated that he constructed the shed in the corner of his property as he believed it would have the least impact on his neighbours. Mr. Esteves indicated that the fence height is six feet (1.96ft.) high and the shed extends approximately 41 inches above the fence. He advised that he uses the shed for storage purposes noting that he has lawn and garden equipment, a snow-blower, bicycles, and other items in the shed. Mr. Esteves indicated that the shed is incomplete and will have a flat roof. He indicated that he will finish the shed once he obtains an approval.

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

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

### "1.0 Recommendation"

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

## 2.0 Background

### **Mississauga Official Plan**

Character Area: **Erindale Neighbourhood**

Designation: **Residential Low Density I**

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

Zoning: **"R2", Residential**

## 3.0 Other Applications

☒ **Building Permit** File: BP 15-5626

## 4.0 Comments

The Planning and Building Department is currently processing a building permit application for the proposed accessory structure. Based on the review of the building permit application we advise that the variance #1 should be amended as follows;

"1. a height of 3.53m (11.58 ft.); whereas By-law 0225-2007, as amended, permits a maximum height of 3.0m (9.84 ft.) in this instance;"

The height increase, requested through variance #1, is mitigated by a slight change in elevation near the rear of the subject property. The adjacent property to the rear has a higher grade along the lot line which would give the appearance of a lesser height of the accessory structure.

Regarding variance #2, an increase of this size is not something the Department would generally support; however in this instance we are of the opinion that the lot layout and size are acceptable to accommodate the requested increase without negative impacts. The lot coverage, including the accessory structure, is 23% whereas the By-law permits up to 30% coverage. Additionally, the lot layout and configuration of adjacent lots minimizes potential impacts from additional massing of the accessory structure.

Variances #3 and #4 are required as a result of the larger lot size of the subject property. A 1.2 m (3.94 ft.) setback is required for lots over 750 m<sup>2</sup> (8072.93 sq. ft.) whereas most properties in the neighbourhood would require half of that, which the proposal would comply with. We are of the opinion that the decrease in setback of approximately 0.3 m (1 ft.) would not have a significant impact on adjacent properties and maintains the general character of accessory structure setbacks in the neighbourhood.

Based on the preceding information the Planning and Building Department are of the opinion that the proposal meets the general intent of the Zoning By-law and we have no objection to the requested variances, as amended."

The City of Mississauga Transportation and Works Department commented as follows (September 10, 2015):

"Enclosed for Committee's easy reference are some photo's which depict the existing accessory structure as constructed."



## MISSISSAUGA

File: "A" 396/15  
WARD 6

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

"The subject property is within the vicinity of Erindale Park. This former landfill site was used for the disposal of waste and was closed in 1962. Both methane gas and leachate have been detected historically. An environmental monitoring program is in place and consists of ground and surface water monitoring on a routine basis. A park is located at this site. It is catalogued by the MOECC as #7072."

An e-mail was received from D. Young, of 3263 Credit Heights Drive, expressing opposition to the application and noting his concerns with respect to size and height.

An e-mail was received from D.E. Fraser, of 3498 Enniskillen Circle, expressing opposition to the application and noting concerns with respect to size and the structure not being in character with the neighbourhood.

A letter was received from P. Bazinet, property owner at 3488 Enniskillen Circle, expressing opposition to the application and noting that the size is not in character with the neighbourhood, fire risks associated with proximity to other fences and dwellings, lack of privacy, and aesthetics.

Letters were received from the property owners/residents at 3240, 3253, 3259, 3271, and 3272 Flynn Crescent indicating they have no objection to the application.

No other persons expressed any interest in the application.

The Committee indicated that perhaps additional screening between the fence and the neighbouring properties should be considered. Mr. Esteves indicated that he has planted some fruit trees close to the fence but they will not grow in the area between the shed and the fence. The Committee indicated that they will not impose a condition with respect to plantings but requested that the applicant consider some landscaping in this area.

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

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

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

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

Accordingly, the Committee resolves to authorize and grant the amended request to permit the existing accessory structure to remain proposing:

1. a height of 3.53m (11.58ft.); whereas By-law 0225-2007, as amended, permits a maximum height of 3.00m (9.84ft.) in this instance;
2. a floor area of 46.03m<sup>2</sup> (495.47sq.ft.); whereas By-law 0225-2007, as amended, permits a maximum floor area of 10.00m<sup>2</sup> (107.64sq.ft.) in this instance;

3. a side yard of 0.90m (2.95ft.); whereas By-law 0225-2007, as amended, requires a minimum side yard of 1.20m (3.93ft.) in this instance; and,
4. a rear yard of 0.90m (2.95ft.); whereas By-law 0225-2007, as amended, requires a minimum rear yard of 1.20m (3.93ft.) in this instance.

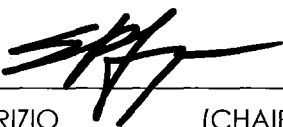
MOVED BY:	D. Kennedy	SECONDED BY:	D, George	CARRIED
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Application Approved, as amended.

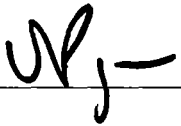
Dated at the City of Mississauga on September 24, 2015.


THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **OCTOBER 14, 2015**.

Date of mailing is September 28, 2015.


  
S. PATRIZIO (CHAIR)

ABSENT  
J. ROBINSON

  
J. PAGE

  
P. QUINN

  
D. GEORGE

  
D. KENNEDY

ABSENT  
D. REYNOLDS

I certify this to be a true copy of the Committee's decision given on September 24, 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

PEEL STANDARD CONDOMINIUM CORPORATION 820

on Thursday, September 17, 2015

Peel Standard Condominium Corporation 820 is the owner of 230 Paisley Boulevard West, zoned RM4-62, Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of a second storey balcony for Unit # 27 of the subject development proposing:

1. a balcony projection of 2.44 m (8.00 ft.); whereas By-law 0225-2007, as amended, permits a balcony projection of 1.00 m (3.28 ft.) in this instance; and,
2. to permit the area below the proposed balcony to be included in the Landscaped Area; whereas By-law 0225-2007, as amended, does not permit any open space beneath a structure to be included in the Landscaped Area in this instance.

Mr. G. Wong, authorized agent, attended and presented the application to permit the construction of a second storey balcony on Unit 27. He advised that the balcony will be the same as the other balconies that have been constructed on the property.

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

The City of Mississauga Planning and Building Department commented as follows (September 11, 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: **Cooksville Neighbourhood**

Designation: **Residential Medium Density**

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

Zoning: **"RM4-62", Residential**

3.0 Other Applications

☒ *Building Permit* File: BP 15-6945

4.0 Comments

Based on a review of the Building Permit application for the proposed second storey balcony, we advise that additional information is required to verify the accuracy of the requested variances and to determine whether additional variances will be required.

The Committee has previously approved several similar variances for other units throughout the residential development on the subject property. We have no objection to the proposed balcony as it will have a similar projection as the previously approved balconies, and will not impose a negative impact on adjacent units or the streetscape.

We advise that the property is subject to Site Plan Control."

The City of Mississauga Transportation and Works Department commented as follows (September 10, 2015):

"This Department has no objections, comments or requirements with respect to C.A. "A" 397/15."

A letter was received from the Peel District School Board expressing an interest in the application.

No other persons expressed any interest in the application.

The Committee, after considering the submissions put forward by Mr. Wong 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. Page	SECONDED BY:	D. Kennedy	CARRIED
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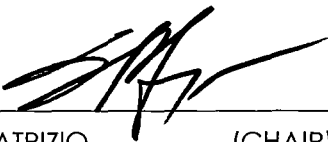
File: "A" 397/15  
WARD 7

Application Approved.


Dated at the City of Mississauga on September 24, 2015.

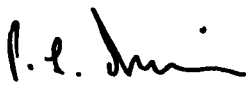
THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **OCTOBER 14, 2015**.

Date of mailing is September 28, 2015.

  
S. PATRIZIO (CHAIR)

ABSENT  
J. ROBINSON

  
J. PAGE

  
P. QUINN

  
D. GEORGE

  
D. KENNEDY

ABSENT  
D. REYNOLDS

I certify this to be a true copy of the Committee's decision given on September 24, 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

MAUREEN & GERMA NEGLIA

on Thursday, September 17, 2015

Maureen & Germa Neglia are the owners of 2061 Portway Avenue being Lot 76, Plan 697, zoned R1, Residential. The applicants request the Committee to authorize a minor variance to permit the construction of a gazebo and accessory structure on the subject property proposing:

1. a lot coverage of 30.57% of the lot area; whereas By-law 0225-2007, as amended, permits a maximum lot coverage of 25.00% in this instance;
2. a gazebo attached to an accessory structure having a floor area of 25.11m<sup>2</sup> (270.29sq.ft.); whereas By-law 0225-2007, as amended, permits a maximum gazebo floor area of 10.00m<sup>2</sup> (107.64sq.ft.) in this instance;
3. an accessory structure floor area of 18.18m<sup>2</sup> (195.69sq.ft.); whereas By-law 0225-2007, as amended, permits a maximum accessory structure floor area of 10.00m<sup>2</sup> (107.64sq.ft.) in this instance; and,
4. a height of 4.12m (13.51ft.) for the gazebo and accessory structure; whereas By-law 0225-2007, as amended, permits a maximum height of 3.00m (9.84ft.) for the gazebo and accessory structure in this instance.

Mr. R. Reynolds, of Reynolds + Associates Landscape Architects, authorized agent, attended and presented the application to permit the construction of a pool cabana on the subject property. Mr. Reynolds presented a site plan for the Committee's review and advised that the original cabana was constructed too close to the pool due to the location of an existing septic bed. Now that storm and sanitary services have been provided on the lot, they wish to re-locate the cabana.

Mr. Reynolds advised that a larger cabana is proposed which will include a storage area for lawn and garden furniture as well as a lounge area. He indicated that a variance is required for lot coverage and height. Mr. Reynolds advised that the roof has been designed with a higher pitch for aesthetic reasons. He indicated that the overall size of the cabana is 3.65 x 9.75 m (12.00 x 32.00ft.) and the enclosed area will be approximately 3.65 x 3.65m (12.00 x 12.00ft.). Mr. Reynolds presented a conceptual plan and advised that there are existing plantings on the east side and columnar cedars will be planted along the north side property line. He indicated that columnar cedars can grow to a height of 6.09-7.62m (20.00-25.00ft.) and will provide screening for privacy.



## MISSISSAUGA

File: "A" 398/15  
WARD 8

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

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

### "1.0 Recommendation"

The Planning and Building Department has no objection to the requested variances, subject to a condition that the applicant will provide additional landscaping between the proposed cabana and the northern and easterly lot lines.

### 2.0 Background

#### **Mississauga Official Plan**

Character Area: **Sheridan Neighbourhood**

Designation: **Residential Low Density I**

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

Zoning: **"R1", Residential**

### 3.0 Other Applications

☒ **Building Permit** File: BP 15-4957

### 4.0 Comments

Based on a review of the Building Permit application for the proposed accessory structure and gazebo, we advise that the variances as requested are correct.

We note that based on a recent site visit and photographs, the proposed cabana will be located in the northeastern corner of the property, where there is an existing tree. The Landscape Site Plan provided with the Minor Variance application indicates that the tree will be removed.

Despite the large size and height of the cabana, the existing condition of the property would allow for sufficient screening, mitigating impacts to neighbouring properties. Based on recent discussions with the authorized agent, it is our understanding that the applicant is willing to provide additional landscaping between the proposed cabana and the northern and easterly lot lines. Therefore, the onus to visually screen the structure will not be entirely on the neighbouring properties. We recommend that the Committee consider conditions requiring the applicant to provide the additional landscaping."

The City of Mississauga Transportation and Works Department commented as follows (September 10, 2015):

"This department has no objections to the applicant's request to permit the construction of a gazebo and accessory structure on the subject property. Should Committee see merit in the request we would recommend that the structures be constructed such that there would be no drainage impacts on the abutting properties."



## MISSISSAUGA

File: "A" 398/15  
WARD 8

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

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

No other persons expressed any interest in the application.

The Committee, after considering the submissions put forward by Mr. Reynolds 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 trees should be provided along the north side of the 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 condition:

1. The applicant shall provide columnar cedars along the north side property line.

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

File: "A" 398/15  
WARD 8

Application Approved, on condition as stated.

Dated at the City of Mississauga on September 24, 2015.

THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **OCTOBER 14, 2015**.

Date of mailing is September 28, 2015.

S. PATRIZIO (CHAIR)

ABSENT

J. ROBINSON

ABSENT

J. PAGE

P. QUINN

D. GEORGE

D. KENNEDY

ABSENT

D. REYNOLDS

I certify this to be a true copy of the Committee's decision given on September 24, 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

2450051 ONTARIO INC.

on Thursday, September 17, 2015

2450051 Ontario Inc. is the owner of 219 Lakeshore Road East being Part of Lot 1, Registered Plan H-21, zoned C4, Commercial. The applicant requests the Committee to authorize a minor variance to permit the establishment of a medical office within the subject building proposing:

1. eleven (11) parking spaces (two (2) which are located on site and nine (9) which are grandfathered under Building Permit # 54-1226); whereas By-law 0225-2007, as amended, requires nineteen (19) parking spaces on site for a medical office use in this instance,
2. a driveway aisle width of 1.04m (3.41ft.); whereas By-law 0225-2007, as amended, requires a minimum driveway aisle width of 7.00m (22.96ft.) wholly on site in this instance; and,
3. no parking spaces for persons with disabilities; whereas By-law 0225-2007, as amended, requires one (1) parking space for persons with disabilities in this instance.

Mr. W. Oughtred, of W.E. Oughtred & Associates Inc., authorized agent, attended and presented the application. Mr. Oughtred indicated that his client, a naturopathic medical office, is currently located at 106 Lakeshore Road East, and wishes to re-locate their office to the subject location. He explained that his client's lease will be expiring and they wish to seamlessly move into the new unit and continue their operation.

Mr. Oughtred advised that there are two parking spaces provided at the rear of the building with a reduced aisle width adjacent to a rear laneway. Permission is being requested to allow a reduction in the aisle width. He indicated that they have requested that no parking spaces be provided for persons with disabilities as there is a large grade difference between the parking lot and the rear entry door. In addition, more on-site parking spaces can be provided if no parking space is provided for persons with disabilities.



## MISSISSAUGA

File: "A" 401/15

WARD 1

Mr. Oughtred advised that the subject property is located in an area where the Payment-in-Lieu-of-Parking process applies. He indicated that his client is aware that there is insufficient parking provided on site and is willing to pay for the deficiency in parking spaces. Mr. Oughtred indicated that the PIL program takes between six to eight months to complete. He explained that his client's lease will be expiring and they wish to move into the new location and continue operating. Mr. Oughtred requested that a minor variance be granted for a temporary period of time, two (2) years, while they go through the Payment-in-Lieu-of-Parking (PIL) program.

Mr. Oughtred indicated that two other locations (19 Dundas Street West and 138 Queen Street) have been approved in this manner. He explained that the PIL process takes a great deal of time as it starts with a report being prepared for consideration by Planning Committee, approval by Council, By-law preparation and then Council approval again. Mr. Oughtred indicated that they wish to continue to service their clients while going through the PIL process.

Mr. Oughtred advised that one doctor and 2-3 therapists work at the current location. He explained that they wish to move the operation to larger premises.

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

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

### "1.0 Recommendation

The Planning and Building Department recommends that the application be deferred for the applicant to provide the requested Parking Utilization Study and/or PIL application.

### 2.0 Background

#### **Mississauga Official Plan**

Character Area: **Port Credit Neighbourhood**

Designation: **Mixed Use - Special Site 38**

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

Zoning: **"C4", Mainstreet Commercial**

### 3.0 Other Applications

☒ Certificate of Occupancy File: C15-6383

### 4.0 Comments

Based on a review of the Certificate of Occupancy application, we advise that variance #1 should be amended as follows:

"1. two (2) parking spaces on site; whereas By-law 0225-2007, as amended, requires nineteen (19) parking spaces on site for a medical office use in this instance;"

Further, we advise that we require the aisle width to be dimensioned and shown on the Site Plan to confirm variance #2.



## MISSISSAUGA

File: "A" 401/15  
WARD 1

In regards to the requested parking variance, we advise that the City's Payment-In-Lieu (PIL) of parking programs applies to the subject property and that the applicant has the following options:

- Apply for a PIL application for City Council's consideration for the entire parking deficiency. Through the PIL application process the proponent contribution will be calculated for the requested parking deficiency; or
- Provide a satisfactory Parking Utilization Study to justify a reduction in the number of parking spaces for PIL. Given this option potentially requires both a variance and PIL application, the applicant may wish to defer the Committee of Adjustment application.

With respect to the applicant's request for a temporary two year approval, we are not satisfied that sufficient justification has been provided. A temporary approval does not address why the parking standard can be reduced in this situation without having any negative parking impacts. Further, the applicant's existing operation at 106 Lakeshore Road East may provide an opportunity to evaluate the current parking demand, discuss how the business operates and provide a basis for how the relocated establishment would impact parking demand and supply in the vicinity of the new location. Therefore, we recommend that the applicant undertake a Parking Utilization Study.

In regards to variance #2, the reduced aisle width is located between the parking spaces and the adjacent laneway, which provides rear access to the property. Therefore, we have no objection to the request.

Regarding variance #3, we recognize that on-site parking spaces may be limited. However, based on the proposed medical office use, it is our opinion that the required number of parking spaces for persons with disabilities should be provided. The two parking spaces at the rear may be converted to a parking space for persons with disabilities. Should the applicant revise the proposal as recommended, variance #1 should be amended to indicate that one (1) parking space will be provided on-site.

Based on the preceding information, we recommend that the application be deferred for the applicant to provide the requested Parking Utilization Study and/or PIL application."

The City of Mississauga Transportation and Works Department commented as follows (September 10, 2015):

"This department questions the rationale in permitting the proposed use on a temporary (2) year approval which would allow the permits for the medical office to be issued and then once open they would undertake to submit the Parking Utilization Study and also apply for the PIL for any parking deficiency."

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

"The subject property is within the vicinity of St. Lawrence Starch which is a private, inactive landfill site located on Hurontario, south of Lakeshore Blvd. It has been cleaned to MOECC standards."

No other persons expressed any interest in the application.



## MISSISSAUGA

File: "A" 401/15  
WARD 1

The Committee expressed concerns with not providing parking spaces per persons with disabilities, especially since the proposed use will be a medical office.

Mr. Oughtred, upon hearing the comments of the Committee and the Planning and Building Department, requested that the application be amended in accordance with their recommendations and requested that one parking space be provided for persons with disabilities.

The Committee, after considering the submissions put forward by Mr. Oughtred 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 properties that Mr. Oughtred referred to had more parking spaces provided on site than the current application. They noted that the PIL process takes time and the applicant will have to put a substantial investment into the property to make it feasible. The Committee agreed to grant the applicant sufficient time to go through the PIL process.

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.

Accordingly, the Committee resolves to authorize and grant the amended request to permit the establishment of a medical office in the subject building for a temporary period of 18 months to expire on April 15, 2017, proposing:

1. one (1) parking space on site; whereas By-law 0225-2007, as amended, requires nineteen (19) parking spaces on site in this instance, and,
2. a driveway aisle width of 1.04m (3.41ft.); whereas By-law 0225-2007, as amended, requires a minimum driveway aisle width of 7.00m (22.96ft.) wholly on site in this instance.

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

File: "A" 401/15  
WARD 1

Application Approved, temporarily.

Dated at the City of Mississauga on September 24, 2015.

THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **OCTOBER 14, 2015**.

Date of mailing is September 28, 2015.


DISSENTED

S. PATRIZIO (CHAIR)

  
D. GEORGE

ABSENT

J. ROBINSON

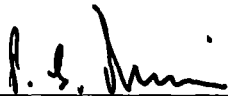
  
D. KENNEDY



J. PAGE

ABSENT

D. REYNOLDS



P. QUINN

I certify this to be a true copy of the Committee's decision given on September 24, 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

JOSEPH GENOVA

on Thursday, September 17, 2015

Joseph Genova is the owner of 209 Maplewood Road being Lot 35, Registered Plan 384, zoned R1-2 - Residential. The applicant requests the Committee to authorize a minor variance to permit the construction of a new two storey dwelling on the subject property proposing:

1. a Gross Floor Area - Infill Residential of 516.90 m<sup>2</sup> (5,564.04 sq. ft.); whereas By-law 0225-2007, as amended, permits a maximum Gross Floor Area - Infill Residential of 467.03 m<sup>2</sup> (5,027.23 sq. ft.) in this instance; and,
2. a lot coverage of 28.84% 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.

On August 6, 2015, Mr. L. Collymore, authorized agent, attended and presented the application to permit the construction of a new two storey detached dwelling on the subject property. Mr. Collymore presented plans for the Committee's review and consideration. He indicated that there are homes constructed to the east of the subject dwelling that are similar in gross floor area to the proposal.

Mr. Collymore indicated that the proposed dwelling will maintain the existing integrity of the streetscape noting that it will not shadow any adjoining properties. He indicated that the side yards comply with the combined width of side yards; however, a variance is required as the soffits encroach into the side yards.

Mr. Collymore indicated that the second floor balcony will be enclosed with a 1.82m (6.00ft.) high privacy screen to eliminate any over-look concerns.

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

The City of Mississauga Planning and Building Department commented as follows (August 5, 2015):

### "1.0 RECOMMENDATION"

The Planning and Building Department recommends that the application be deferred for the applicant to revise the proposal to address concerns related to the GFA and front yard setbacks.

## 2.0 BACKGROUND

### **Mississauga Official Plan**

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

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

Zoning: **"R1-2", Residential**

#### Discussion:

The intent of the Zoning By-law restriction regarding gross floor area (GFA) is to ensure that the building mass respects the size of the subject lot and abutting lots and to ensure that new dwellings do not create a detrimental impact on the immediate neighbours and streetscape.

Further, the intent of the Zoning By-law regarding front yard setbacks is to ensure that consistency is maintained along the streetscape, and to ensure that proposed dwellings do not have a negative impact on neighbouring properties due to sight lines, massing and shadows.

## 3.0 OTHER APPLICATIONS

☒ *Site Plan* File: SPI 15-34 W1 – Not Satisfactory

## 4.0 COMMENTS

Based on a review of the Site Plan application for the proposed detached dwelling, we advise that more information is required to verify the accuracy of the requested variance and to determine whether additional variances will be required. However, it appears that variance #4 is not required.

In regards to variance #1, we advise that within the immediate vicinity, none of the neighbouring dwellings have been constructed with variances for gross floor area (GFA), with the exception of 190 Maplewood Road. The variance granted for 190 Maplewood Road was for 449.88 m<sup>2</sup> (4,842 sq. ft.) whereas the By-law permitted 439.54 m<sup>2</sup> (4,731 sq. ft.). It is our opinion that the proposed dwelling would create a negative massing impact on the streetscape and adjacent neighbours. We recommend that the applicant redesign the dwelling to reduce the GFA.

In regards to variances #2 and #3, we are not satisfied as to why the proposal cannot comply with the provisions of the Zoning By-law. There is sufficient space to relocate the dwelling with the appropriate setbacks to the front lot line. Further, based on aerial photographs of the immediate vicinity, it appears that the front yard setbacks are fairly consistent for interior lots on Maplewood Road.

In regards to variance #5, it is our opinion that the request is minor in this instance and therefore, we have no objection.

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

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

"We note for Committee's information that the City is currently processing a Site Plan Application for this property, Reference SP 15/34. Transportation and Works Department concerns/requirements for this property will be addressed through the Site Plan Process."



## MISSISSAUGA

File: "A" 336/15  
WARD 1

A letter was received from the Credit Reserve Association expressing opposition to the application and noting their concerns with respect to the scale and massing.

A letter was received from O. Fung, property owner at 176 Maplewood Road, expressing opposition to the application and noting concerns with respect to mass, height, and bulk of the proposed dwelling, effect on the streetscape, invasion of privacy due to the second floor balcony, reduction of greenery, and change in the characteristics of the neighbourhood.

An e-mail was received from A. Gismondi, property owner at 180 Maplewood Road, expression opposition to the application and noting his concerns.

An e-mail was received from J. and G. Caverson, property owners at 175 Maplewood Road, requesting that the Committee ensure that the character of the neighbourhood is maintained.

An e-mail was received from R. and L. Quartarone, property owners at 201 Maplewood Road, expressing a request to defer the application in order for the applicant to meet with the neighbours and discuss their concerns with respect to loss of mature vegetation, lack of privacy, size and height of the proposed dwelling, and the impact of massing.

An e-mail was received from W. Laser, property owner at 1573 Broadmoor Avenue, expressing opposition to the application and noting concerns with respect to size and massing and requesting that the applicant construct a dwelling in compliance with the Zoning By-law.

Mr. M. Bozzo, property owner at 200 Maplewood Avenue, attended and expressed concerns with respect to massing. He noted that many of the neighbours have renovated their homes and complied with the Zoning By-law requirements. He indicated that the variances constitute over-development of the property and the second floor balcony will create an over-look situation for the neighbour. Mr. Bozzo indicated that the adjoining property is a corner lot and the front yard setbacks differ and, therefore, are not comparable.

Mr. R. Quartarone, property owner at 201 Maplewood Avenue, attended and expressed his objection to the application. He requested that the applicant defer the application to discuss the concerns of many of the neighbours with respect to the requested reduction in yards and the over-look situation with respect to the balcony.

No other persons expressed any interest in the application.

Mr. Collymore, upon hearing the comments of the Committee and the Planning and Building Department, requested that the application be deferred.

The Committee consented to the request and deferred the application to the September 17, 2015 Hearing.



## MISSISSAUGA

File: "A" 336/15  
WARD 1

On September 17, 2015, Mr. L. Collymore, authorized agent, attended and advised that the plans have been revised to remove the second floor balcony and re-locate it to the centre of the second floor creating a terrace area. In addition, additional trees are to be planted adjacent to the west side property line to provide additional privacy for the neighbour. The washroom on the second floor will be reduced in size so that it will be incorporated into the second floor plan and not extend into the rear yard. Mr. Collymore requested that the application be amended to permit a lot coverage of 26.54% of the lot area and a gross floor area of 477.06m<sup>2</sup> (5,135.19sq.ft.).

The Committee consented to the request and reviewed the information and plans submitted with the application.

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

### "1.0 Recommendation

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

### 2.0 Background

#### **Mississauga Official Plan**

Character Area: **Mineola Neighbourhood**

Designation: **Residential Low Density I**

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

Zoning: **"R1-2", Residential**

### 3.0 Other Applications

☒ **Site Plan** File: SPI 15-34 W1

### 4.0 Comments

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

When this application was previously before the Committee on August 6, 2015, the applicant requested a deferral of the application to address concerns expressed by neighbouring property owners, the Committee and this Department. Since that time, we have received a revised notice indicating the applicant has withdrawn all of the variances except for the request for gross floor area (GFA) which has remained the same, and an additional variance for lot coverage of 28.84% whereas the By-law permits a maximum of 25.00% in this instance. Through subsequent discussions with the agent, it is our understanding that the request for GFA will be reduced to 477.06 m<sup>2</sup> (5135.03 sq. ft.), and the lot coverage variance will be reduced to 26.54%. However, without the benefit of a resubmission to the Site Plan application, we are unable to confirm the accuracy of the amended requests.

Should the application be amended as indicated by the agent, we would be satisfied that the requests are minor and would have no objection."



## MISSISSAUGA

File: "A" 336/15  
WARD 1

The City of Mississauga Transportation and Works Department commented as follows (September 10, 2015):

"Please refer to our comments submitted for the August 6, 2015 hearing of this application as those comments are still applicable."

An e-mail was received from L. and R. Quartarone, property owners at 201 Maplewood Road, expressing opposition to the application and noting their comments and concerns.

An e-mail was received from A. Gismondi, property owner at 180 Maplewood Road, expressing opposition to the application and noting his comments and concerns.

Mr. M. Bozzo, property owner at 200 Maplewood Road, attended and indicated that the applicant has addressed some of the concerns expressed by the residents. Mr. Bozzo requested that the Committee consider imposing conditions to ensure that trees will be planted, that the terrace area not be enclosed and that no access be permitted from the master bedroom to the rooftop. He further requested that the projected area from the second floor bathroom be removed.

Ms. L. Quartarone, property owner at 201 Maplewood Road, attended and expressed her objection to the application noting that the dwelling should be designed in accordance with the By-law. Ms. Quartarone indicated that the wall will be two storeys high and requested that trees be planted to mitigate the view. She expressed her concern about the removal of trees and requested that the green canopy in the neighbourhood be maintained. She noted that she is happy with the removal of the balcony from the plans.

No other persons expressed any interest in the application.

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

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

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

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

1. a Gross Floor Area - Infill Residential of 477.06 m<sup>2</sup> (5,564.04 sq. ft.); whereas By-law 0225-2007, as amended, permits a maximum Gross Floor Area - Infill Residential of 467.03 m<sup>2</sup> (5,135.19 sq. ft.) in this instance; and,
2. a lot coverage of 26.54% 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.

This application is approved as presented subject to the following condition:

1. No access shall be permitted on the second floor from the master bedroom to the covered porch area.



## MISSISSAUGA

File: "A" 336/15  
WARD 1

MOVED BY:	J. Page	SECONDED BY:	D. Kennedy	CARRIED
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Application Approved, on condition as stated.

Dated at the City of Mississauga on September 24, 2015.

THIS DECISION IS SUBJECT TO APPEAL TO THE ONTARIO MUNICIPAL BOARD BY FILING WITH THE SECRETARY-TREASURER OF THE COMMITTEE OF ADJUSTMENT A WRITTEN NOTIFICATION, GIVING REASONS FOR THE APPEAL, ACCOMPANIED WITH THE PRESCRIBED FEE ON OR BEFORE **OCTOBER 14, 2015**.

Date of mailing is September 28, 2015.

S. PATRIZIO (CHAIR)

D. GEORGE

ABSENT

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 September 24, 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.